



Roll Call Number

14-1056

Agenda Item Number

31

Date July 14, 2014

SET HEARING FOR CONVEYANCE OF UNDERGROUND ELECTRIC EASEMENTS ON CITY-OWNED PROPERTY AT 221 AND 313 WALNUT STREET TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, relocation of an existing underground electric transmission line servicing Cowles Commons and the Des Moines Civic Center is required in two locations in City-owned property along 3rd Street between Walnut Street and Locust Street, locally known as 221 Walnut Street and 313 Walnut Street, and thus MidAmerican Energy Company has requested underground electric line easements across said City-owned property; and

WHEREAS, Des Moines Performing Arts leases the real property locally known as 221 Walnut Street from the City and has consented to the granting of the proposed easements; and

WHEREAS, the City of Des Moines needs to grant the requested easements to provide electrical service to this City-owned property for use at Cowles Commons and by lessee Des Moines Performing Arts.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that:

- 1. The City Council of the City of Des Moines, Iowa proposes to grant a 10-foot wide underground electric line easement at 313 Walnut Street along the west side of 3rd Street between Walnut Street and Locust Street, and a 10-foot wide underground electric line easement at 221 Walnut Street along the east side of 3rd Street between Walnut Street and Locust Street, both legally described as follows, to MidAmerican Energy Company, for \$1 and in consideration of the electrical utilities being provided to the City-owned property for use at Cowles Commons and by lessee Des Moines Performing Arts:

A 10-FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PART OF BLOCK 23 IN FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EASEMENT LOCATION TO BE 5 FEET ON EITHER SIDE OF ELECTRIC LINE AS CONSTRUCTED.

AND

A 10-FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PART OF BLOCK 32 IN FORT DES MOINES, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, EASEMENT LOCATION TO BE 5 FEET ON EITHER SIDE OF ELECTRIC LINE AS CONSTRUCTED.

- 2. A public hearing will be held on July 28, 2014, at 5:00 p.m. in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa. At that time, the City Council will consider the above-described proposal and any other(s) submitted prior to or during the public hearing.
- 3. The City Clerk is hereby authorized and directed to publish notice of the proposal and hearing in the form hereto attached, all in accordance with Iowa Code Section 362.3.
- 4. There will be no proceeds associated with the conveyance of these easements.



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APPROVED AS TO FORM:

Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

Moved by _____ to adopt.

Hensley

PSW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

T. M. Franklin Council Mayor

Diane Rauh

City Clerk