



**Roll Call Number**

16-0124

**Agenda Item Number**

23

**Date** January 25, 2016

**SET HEARING FOR CONVEYANCE OF A PERPETUAL UNDERGROUND ELECTRIC EASEMENT ON CITY-OWNED PROPERTY AT GREENWOOD PARK AND ASHWORTH PARK TO MIDAMERICAN ENERGY COMPANY FOR \$1**

**WHEREAS**, an underground electric transmission line is needed to provide electrical service for the City’s Greenwood Park and Ashworth Park facilities, and for the facilities within Ashworth Park currently being leased to Bergman Academy, and thus MidAmerican Energy Company has requested a perpetual underground electric easement across said City-owned property in consideration of \$1 and the utility service being provided for the City facilities; and

**WHEREAS**, the City of Des Moines must grant the requested perpetual underground electric easement in order to provide electrical service to said facilities; and

**WHEREAS**, the City and the public will not be inconvenienced by the conveyance of the perpetual underground electric easement as requested by MidAmerican Energy Company.

**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 perpetual underground electric easement to MidAmerican Energy Company across a portion of Greenwood Park and Ashworth Park to provide electrical service for the City’s Greenwood Park and Ashworth Park facilities, and for the facilities within Ashworth Park currently being leased to Bergman Academy, more specifically described below, in consideration of \$1 and the utility service being provided for the City facilities:

**DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:**

The North Fourteen and Sixty-four One Hundredths (14.64) acres of the East Half of the West Half of the Southeast Quarter, and the West (40) acres of the Southeast Quarter (except two acres railway right-of-way) and the North Twelve and Forty-one One Hundredths (12.41) acres of the South Twenty-six and Eighty-three One Hundredths (26.83) acres of the East Half of the West Half of the Southeast Quarter of Section Twelve (12), Township Seventy-eight (78) North, Range Twenty-five (25) West of the Fifth (5th) P.M., Iowa and containing Sixty-five and Five One-hundredths (65.05) acre, more or less.

AND

The West half of the Northeast Quarter of Section Twelve (12), Township Seventy-eight (78), Range Twenty-five (25) West of the Fifth (5th) P.M., Polk County, Iowa.

Easement location to be five (5) feet on each side of the electric line as constructed.



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- 2. That the meeting of the City Council at which the conveyance of such perpetual underground electric easement interest is to be considered shall be on February 8, 2016, said meeting to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.
- 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 this perpetual underground electric easement.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland  
Lisa A. Wieland, Assistant City Attorney

BW

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GREY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
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.

T. M. Franklin  
Mayor

Diane Rauh  
City Clerk