



Roll Call Number

16-1512

Agenda Item Number

35

Date September 12, 2016

SET HEARING FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC EASEMENT ON CITY-OWNED PROPERTY AT PROSPECT PARK FOR THE DRAKE BOATHOUSE PROJECT TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, an underground electric transmission line is needed across a portion of Prospect Park in order to provide electric service to the boathouse located thereon, which property is currently being leased to Drake University, and thus MidAmerican Energy Company has requested an underground electric easement across said City-owned property in consideration of \$1.00 and the utility service being provided to said boathouse; and

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

WHEREAS, the City and the public will not be inconvenienced by the conveyance of the 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 an underground electric easement to MidAmerican Energy Company across a portion of Prospect Park to provide electrical service for the boathouse located thereon, which property is currently being leased to Drake University, more specifically described below, in consideration \$1 and the utility service being provided to said boathouse:

DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

A PART OF LOTS 13 AND 14 IN THE OFFICIAL PLAT OF GOVERNMENT LOTS 4 AND 5 IN SECTION 27, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTH 700 FEET OF SAID LOT 14; THENCE NORTH 90°00'00" EAST ALONG THE NORTH LINE OF SAID SOUTH 700 FEET OF SAID LOT 14, A DISTANCE OF 274.0 FEET; THENCE NORTH 00°00'00" EAST, 152.2 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°00'00" EAST, 21.1 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF PROSPECT ROAD; THENCE SOUTH 71° EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, 10.6 FEET; THENCE SOUTH 00°00'00" EAST, 21.1 FEET; THENCE NORTH 71°00'09" WEST, 10.6 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.01 ACRES (212 S.F.).

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

- 2. That the meeting of the City Council at which the conveyance of such underground electric easement interest is to be considered shall be on September 26, 2016, said meeting to be held at 5:00 p.m., in the



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City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, 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 underground electric easement.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland, Assistant City Attorney

*Per*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO	✓			
GREY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED				

*T. M. Franklin* Mayor

**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.

*Diane Rauh* City Clerk