



Roll Call Number

19-1313

Agenda Item Number

17

Date August 19, 2019

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF AN UNDERGROUND ELECTRIC EASEMENT IN CITY PARKLAND LOCATED AT 5550 SOUTHEAST 19TH STREET (EWING PARK) TO MIDAMERICAN ENERGY COMPANY

WHEREAS, an underground electric transmission line is needed across a portion of City parkland located at 5550 SE 19th Street within Ewing Park ("Property") in order to provide electrical service to a City-owned telecommunications tower located within Ewing Park, and thus MidAmerican Energy Company has requested an underground electric easement ("Easement") across and within said City parkland in consideration of the utility service made available to the City of Des Moines ("City") therein; and

WHEREAS, said Easement is required in order to provide electrical service to the City-owned telecommunications tower within Ewing Park and the City's Park and Recreation Department supports the granting of said Easement; and

WHEREAS, the City and the public will not be inconvenienced by the conveyance of said Easement to 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 City parkland located at 5550 SE 19th Street within Ewing Park in order to provide electrical service to a City-owned telecommunications tower located within Ewing Park, more specifically described below, in consideration of the utility service being provided to the City therein:

Legal Description

A 10-FOOT WIDE UNDERGROUND ELECTRIC LINE EASEMENT ACROSS A PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE 5TH P.M., ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, GENERALLY DEPICTED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, EASEMENT LOCATION TO BE 5 FEET ON EITHER SIDE OF ELECTRIC LINE AS CONSTRUCTED, AND SAID EASEMENT SHALL LIE TOTALLY WITHIN THE TOWER ACCESS AREA SHOWN ON SAID EXHIBIT "A".

2. A public hearing shall be held on September 9, 2019, 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 are no proceeds associated with this conveyance.

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Moved by Gatto to adopt.

APPROVED AS TO FORM:

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

*asn*

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

J. M. Franklin Cownie 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