



Roll Call Number

21-0781

Agenda Item Number

29

Date May 24, 2021

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PERMANENT UNDERGROUND ELECTRIC EASEMENT ON CITY-OWNED PROPERTY LOCATED SOUTH OF AND ADJOINING LINE DRIVE BETWEEN SOUTHWEST 2ND STREET AND SOUTHWEST 3RD STREET TO MIDAMERICAN ENERGY COMPANY FOR \$1

WHEREAS, MidAmerican Energy Company is required by the City of Des Moines to reroute a power feed that is in conflict with a City construction project at Line Drive between Southwest 2nd Street and Southwest 3rd Street; and

WHEREAS, MidAmerican Energy Company has requested an underground electric line easement across a portion of excess City-owned property located south of and adjoining Line Drive, described below (hereinafter "Property"), in order to accommodate the relocation of the power feed; and

WHEREAS, the City will not be inconvenienced by the conveyance of a Permanent Underground Electric Easement within the Property.

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 Permanent Underground Electric Easement to MidAmerican Energy Company across a portion of excess City property located south of and adjoining Line Drive in order to accommodate the relocation of the power feed due to a City construction project, more specifically described below, for \$1:

DESCRIPTION OF PROPERTY CONTAINING EASEMENT AREA:

The East Ten (10) feet of the West Twenty (20) feet of the North Ten (10) feet of Lot 6, River Point Plat No. 3, an official plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, EXCEPT that part of Lot 6 now being Line Drive road right of way.

- 2. A public hearing shall be held on June 14, 2021, 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.

Please check the posted agenda in advance of the June 14, 2021 meeting for any update on the manner in which the public hearing will be conducted to comply with COVID-19 social distancing and safety guidelines.

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In addition, the City Council shall receive written views, comments, objections and arguments from any resident or taxpayer of the City that are received by the City Clerk prior to 5:00 p.m. June 10, 2021 (City Clerk's Office, Des Moines City Hall, 400 Robert D. Ray Drive, 1st Floor, Des Moines, IA 50309; Email cityclerk@dmgov.org).

- 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 Section 362.3 of the Iowa Code.
- 4. There will be no proceeds associated with the conveyance of this easement.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

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

pw

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED APPROVED

J. M. Frankin Cownie Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk