



Roll Call Number

230154

Agenda Item Number

16

Date February 6, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF AN EASEMENT FOR A FIBER OPTIC LINE IN A PORTION OF GREENWOOD PARK TO MEDIACOM COMMUNICATIONS CORPORATION FOR \$13,150

WHEREAS, the City of Des Moines is the owner of certain parkland located in Greenwood Park, 4700 Grand Avenue, Des Moines, Iowa ("Property"); and

WHEREAS, Mediacom Communications Corporation ("Mediacom") has requested a permanent easement along the eastern boundary of Greenwood Park in order to underground the existing overhead fiber optic communication lines; and

WHEREAS, there is no known current or future public need or benefit for the property interest proposed to be conveyed, and the City will not be inconvenienced by the conveyance of a Permanent Easement for Underground Transmission Lines in a portion of the eastern boundary of Greenwood Park.

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

- 1. The City Council of the City of Des Moines, Iowa, proposes to convey a Permanent Easement for Underground Transmission Lines in a portion of the eastern boundary of Greenwood Park, as legally described below, to Mediacom Communications Corporation, for \$13,150.00:

THE EAST 10.0 FEET OF THE W 1/2, NE 1/4 AND THE EAST 10.0 FEET OF THE W 1/2, SE 1/4, IN SECTION 12, T-78N, R-25W OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY IOWA, ALL LYING NORTH OF PARCEL 2020-146 AS RECORDED IN BOOK 18255, PAGE 485 OF THE POLK COUNTY RECORDER'S OFFICE AND WEST OF AND ADJACENT TO THE WEST LINES OF LOT 12, MENNIG PLACE PLAT 2 AND LOTS 10 THROUGH 33, LINDEN HEIGHTS, BOTH OFFICIAL PLATS NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA. SAID EASEMENT CONTAINS 0.69 ACRES (30,024 SQUARE FEET,) MORE OR LESS.

- 2. A public hearing shall be held on February 20, 2023, 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. Persons interested in the proposal will be given the opportunity to express their views at that hearing.

Please check the posted agenda in advance of the February 20, 2023 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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3. The City Clerk is hereby authorized and directed to publish notice of said proposal and hearing in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.
4. Proceeds from the sale of this easement will be deposited into the Parks and Recreation Capital Projects fund C040, Park Infrastructure project PK175.

Moved by Gatto to adopt. Second by Boesen.

APPROVED AS TO FORM:

/s/ Mackenzie L. Moreno
 Mackenzie L. Moreno, Assistant City Attorney

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

J. M. Franklin Cowme Mayor

CERTIFICATE

I, Laura L. Baumgartner, 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.

Laura Baumgartner
 Laura L. Baumgartner, City Clerk