

★ Roll Call Number

Agenda Item Number

23-0721

22

Date May 22, 2023

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PERMANENT UNDERGROUND ELECTRIC LINE EASEMENT IN CITY PROPERTY LOCATED AT 1553 MAURY STREET TO MIDAMERICAN ENERGY COMPANY FOR THE NEW CITY OF DES MOINES GREENHOUSE PROJECT

WHEREAS, the City of Des Moines is the owner of property located at 1553 Maury Street, Des Moines, Iowa ("Property") upon which the City is constructing a new greenhouse facility; and

WHEREAS, MidAmerican Energy Company ("MEC") has requested a permanent underground electric easement across a portion of the Property, more particularly described below, in order to provide electric service to the greenhouse facility; 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 Underground Electric Easement in said portion of the Property.

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 an Underground Electric Easement in a portion of City property located at 1553 Maury Street, as legally described below, to MidAmerican Energy Company in order to provide electric service to the City greenhouse facility:

A PART OF LOTS 11 THRU 15, GRAY'S SUB-DIVISION OF BLOCK 61 OF BROOKS & COS ADDITION TO DES MOINES, IOWA, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

A STRIP OF LAND 10.00 FEET IN WIDE, LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 15; THENCE SOUTH 89°(DEGREES) 43'(MINUTES) 33"(SECONDS) EAST ALONG THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 10.64 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 4°37'46" WEST, 38.44 FEET; THENCE SOUTH 89°38'54" WEST, 133.80 FEET; THENCE SOUTH 0°28'08" EAST, 70.65 FEET TO THE POINT OF TERMINUS AND CONTAINING 2429 SQUARE FEET.

- 2. A public hearing shall be held on June 12, 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.

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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. There are no proceeds associated with this transaction.

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	6			1
MOTION CARRIED	APPROVED			

J. M. Frank
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