



Roll Call Number

25-0855

Agenda Item Number

52

Date June 9, 2025

**HOLD HEARING FOR CONVEYANCE OF A PERMANENT UNDERGROUND
ELECTRIC EASEMENT IN CITY PROPERTY LOCATED AT 1505 MARTIN LUTHER
KING, JR. PARKWAY TO MIDAMERICAN ENERGY COMPANY FOR THE
FIRE STATION 4 RELOCATION PROJECT**

WHEREAS, the City of Des Moines is the owner of property located at 1505 Martin Luther King, Jr. Parkway, Des Moines, Iowa ("Property") upon which the City is constructing Fire Station 4; and

WHEREAS, MidAmerican Energy Company 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 fire station; 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; and

WHEREAS, on May 19, 2025, by Roll Call No. 25-0733, it was duly resolved by the City Council of the City of Des Moines, Iowa, that the proposed conveyance be set down for hearing on June 9, 2025, at 5:00 p.m., in the City Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa; and

WHEREAS, due notice of said proposal to convey the easement was given to all necessary parties as provided by law, setting forth the time and place for hearing on said proposal; and

WHEREAS, in accordance with City Council direction, those interested in the proposed conveyance, both for and against, have been given an opportunity to be heard with respect thereto and have presented their views to the City Council.

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

1. Upon due consideration of the facts and statements of interested persons, any and all objections to the proposed conveyance of a permanent Underground Electric Easement in a portion of City property located at 1505 Martin Luther King, Jr. Parkway, as legally described, are hereby overruled and the hearing is closed.
2. There is no public need or benefit for the property interest proposed to be conveyed, and the public would not be inconvenienced by reason of the conveyance of a permanent Underground Electric Easement in a portion of City property located at 1505 Martin Luther King, Jr. Parkway, Des Moines, Iowa, as legally described, to MidAmerican Energy Company, and said conveyance is hereby approved:



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A PART OF LOTS 13, 14 AND 15, OFFICIAL PLAT OF LOT 9 O.P. S 33-T79-R24, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13; THENCE NORTH 89°(DEGREES) 53'(MINUTES) 31"(SECONDS) WEST ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 121.62 FEET TO A CORNER OF RIGHT-OF-WAY BEING DEDICATED IN BOOK 19415, PAGE 431; THENCE NORTH 44°52'32" WEST ALONG SAID RIGHT-OF-WAY, 14.13 FEET TO A POINT ON THE WEST LINE OF SAID LOT; THENCE NORTH 0°10'02" EAST ALONG THE WEST LINE OF SAID LOTS, 128.61 FEET; THENCE SOUTH 89°49'58" EAST, 67.00 FEET; THENCE SOUTH 0°10'02" WEST, 10.00 FEET; THENCE NORTH 89°49'58" WEST, 47.00 FEET TO A POINT BEING 20.00 EAST OF AND PERPENDUCILAR TO SAID WEST LINES; THENCE SOUTH 0°10'02" WEST ALONG A LINE BEING 20.00 FEET EAST OF AND PARALLEL TO SAID WEST LINES, 118.58 FEET TO A POINT BEING 10.00 FEET NORTH OF AND PERPENDICULAR TO SAID SOUTH LINE; THENCE SOUTH 89°53'31" EAST, 111.62 FEET; THENCE SOUTH 0°11'29" WEST, 10.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 4308 SQUARE FEET.

3. The Mayor is authorized and directed to sign the Underground Electric Easement for the conveyance as identified above, and the City Clerk is authorized and directed to attest to the Mayor's signature.
4. The City Clerk is authorized and directed to forward the original of the Underground Electric Easement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Real Estate Division of the Engineering Department for the purpose of causing said document to be recorded.
5. The Real Estate Division Manager is authorized and directed to forward the original of the Underground Electric Easement, together with a certified copy of this resolution and of the affidavit of publication of the notice of this hearing, to the Polk County Recorder's Office for the purpose of causing said document to be recorded.
6. Upon receipt of the recorded document back from the Polk County Recorder, the Real Estate Division Manager shall mail the original of the Underground Electric Easement and copies of the other documents to the Grantee.
7. There will be no proceeds associated with this transaction.



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Moved by Coleman to adopt. Second by Gatto.

APPROVED AS TO FORM:

/s/ Grant Hyland

Grant Hyland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN	✓			
SIMONSON	✓			
VOSS	✓			
COLEMAN	✓			
WESTERGAARD	✓			
MANDELBAUM	✓			
GATTO	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

Connie Bacon Mayor

CERTIFICATE

I, Laura 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 Baumgartner, City Clerk