



Roll Call Number

21-1105

Agenda Item Number

21

Date July 19, 2021

SET HEARING FOR APPROVAL OF DOCUMENTS FOR CONVEYANCE OF A PERMANENT GAS EASEMENT ON CITY-OWNED PROPERTY LOCATED AT 101 EAST 2ND STREET TO MIDAMERICAN ENERGY COMPANY FOR THE E. 2ND STREET RECONSTRUCTION – COURT AVENUE TO IOWA INTERSTATE RAILROAD PROJECT

WHEREAS, MidAmerican Energy Company has been asked by the City of Des Moines to relocate existing gas line structures for the E. 2nd Street Reconstruction – Court Avenue to Iowa Interstate Railroad Project; and

WHEREAS, MidAmerican Energy Company has requested a gas easement across a portion of City-owned property adjoining 101 2nd Street, described below (hereinafter “Property”), in order to accommodate the installation of a gas vent pipe; and

WHEREAS, the City will not be inconvenienced by the conveyance of a Permanent Gas 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 Gas Easement to MidAmerican Energy Company across a portion of excess City property adjoining 101 East 2nd Street in order to accommodate the relocation of the vent pipe due to a City construction project, more specifically described below, for \$1:

DESCRIPTION OF EASEMENT AREA:

The South Five (5) Feet of the North Eleven (11) feet of the West Three (3) feet of Lot 2 in Block "I", in Scott and Dean's Addition to Fort Des Moines, an official Plat now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. A public hearing shall be held on August 9, 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 August 9, 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.

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



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5:00 p.m. August 5, 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

DM

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

J. M. Frankiewicz 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