CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: December 7, 2020

ITEM: **Resolution** - Acceptance of Dedication of Property Interest for the South 8th Street Road Improvements, Project No. 0510-049-2014, and;

Resolution - Opening and closing public hearing, approving conveyance of Easements to MidAmerican Energy Company for Electric Transmission Line, Overhead and Underground Electric and Gas Easements related to the South 8th Street Road Improvements, Project No. 0510-049-2014.

FINANCIAL IMPACT: Minimal filing costs.

SYNOPSIS: Property interest necessary for the South 8th Street Road Improvements have been secured through a Donation Agreement from MidAmerican Energy for the South 8th Street Road Improvements, Project No. 0510-049-2014. The attached resolution, for policy and title purposes, formally accepts the property interests and authorizes the filing of all relevant documents. Costs associated with acquisition will be paid from Account No. 500.000.000.5550.730, Project No. 0510-049-2014.

Pursuant to the Donation Agreement, the City agreed to convey a Permanent Easement for Electric Transmission Line, Permanent Easement for Overhead and Underground Electric, and a Permanent Easement for Gas to MidAmerican Energy Company. The attached Resolution opens and closes the public hearing and approves the conveyance of property interest to MidAmerican Energy Company following public hearing.

OUTSTANDING ISSUES (if any): None.

RECOMMENDATION:

Adopt a Resolution approving and accepting Property Interest from MidAmerican Energy Company to the City of West Des Moines for the South 8th Street Road Improvements.

Approve the Resolution opening and closing public hearing and approving conveyance of Easements to MidAmerican Energy Company related to the South 8th Street Road Improvements.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Richard J. Scieszinski, City Attorney
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	DSM Register
Dates(s) Published	12/02/2020

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION NO. _____

RESOLUTION OPENING AND CLOSING PUBLIC HEARING AND APPROVING CONVEYANCE OF PROPERTY INTEREST TO MIDAMERICAN ENERGY

WHEREAS, the City of West Des Moines, Iowa is the owner of White Crane Road, South 8th Street and a portion of Parcel 'A' of the NE¼ of Section 34, T-78N, R-24W of the 5th P.M., City of West Des Moines, Polk County, Iowa; and

WHEREAS, an Electric Transmission Line Easement, Overhead and Underground Electric Easement and Gas Easement are needed by MidAmerican Energy from the City over and under a portion of the above property; and

WHEREAS, pursuant to Code of Iowa Sections 362.3 and 364.7, publication of notice regarding conveyance of the property interest has been made; and

WHEREAS, this being the time and place for a public hearing regarding conveyance of the property interest; and

WHEREAS, Staff has reviewed the easement plats; and

WHEREAS, the City Council of the City of West Des Moines, Iowa finds that the conveyance of the Easements to MidAmerican Energy should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 364.7, publication of notice regarding conveyance of the property interests have been properly made.

2. The public hearing regarding conveyance of property interests to MidAmerican Energy in the form of an Electric Transmission Line Easement, Overhead and Underground Electric Easement, and Gas Easement is closed and hereby approved.

3. The Mayor is authorized to sign the conveyance documents and the City Clerk is directed to attest to the Mayor's signature.

4. The documents shall be filed with the county recorder as appropriate.

PASSED AND APPROVED this 7th day of December, 2020.

ATTEST:

_____
Steven K. Gaer, Mayor

_____
Ryan T. Jacobson, City Clerk

RESOLUTION NO._____

AUTHORIZING APPROVAL AND ACCEPTANCE OF CONVEYANCE OF PROPERTY INTERESTS FOR THE SOUTH 8TH STREET ROAD IMPROVEMENTS, PROJECT NO. 0510-049-2014

WHEREAS, on January 12, 2015, the City Council approved the acquisition of property for the South 8th Street Improvements, Army Post Road to Pine Avenue, Project No. 0510-049-2014; and

WHEREAS, MidAmerican Energy entered into a Donation Agreement with the City of West Des Moines on October 19, 2020; and

WHEREAS, MidAmerican Energy has executed a Warranty Deed for property interest necessary for the South 8th Street Improvements, Army Post Road to Pine Avenue, Project No. 0510-049-2014; and

WHEREAS, it is the policy of the City of West Des Moines, Iowa, to approve the conveyance of all property interests to the City; and

WHEREAS, it is in the best interest of the citizens of the City to approve and accept the above-described document.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. The document described above conveying property interests to the City of West Des Moines, Iowa, is hereby approved and accepted.

2. The City Clerk is directed to certify the Council's approval and acceptance.

3. The documents shall be filed with the county recorder as appropriate.

PASSED AND ADOPTED this 7th day of **December, 2020.**

_____
Steven K. Gaer, Mayor

ATTEST:

_____
Ryan T. Jacobson
City Clerk