 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	May 20, 2013
	Agenda Item No.	13
	Roll Call No.	<u>13-776</u>
	Communication No.	<u>13-239</u>
	Submitted by:	Jeb E. Brewer, P.E., City Engineer

AGENDA HEADING:

Resolution rededicating the north/south alley adjoining 815 High Street for right-of-way purposes.

SYNOPSIS:

Recommend approval of resolution rededicating the north/south alley adjoining 815 High Street for right-of-way purposes. On July 23, 2012, City Council approved an offer to purchase for vacation and conveyance of the north/south alley right-of-way adjoining 815 High Street, between 8th Street and 9th Street from High Street to Pleasant Street, to The Cathedral Church of St. Paul of the City of Des Moines, Iowa. The offer to purchase included the stipulation that the closing be conditional upon receipt by the buyer of an Open Spaces Sacred Places grant to fund construction of a pedestrian plaza and greenspace on the east side of the existing cathedral, with the right-of-way to be retained and rededicated as public alley right-of-way by the City in the event that closing did not occur.

The Cathedral Church of St. Paul has informed the City that they did not receive the Open Spaces Sacred Places grant and do not wish to close on the purchase of the alley. This action is required in order to rededicate the right-of-way for continued public use as a public alley.

FISCAL IMPACT: NONE

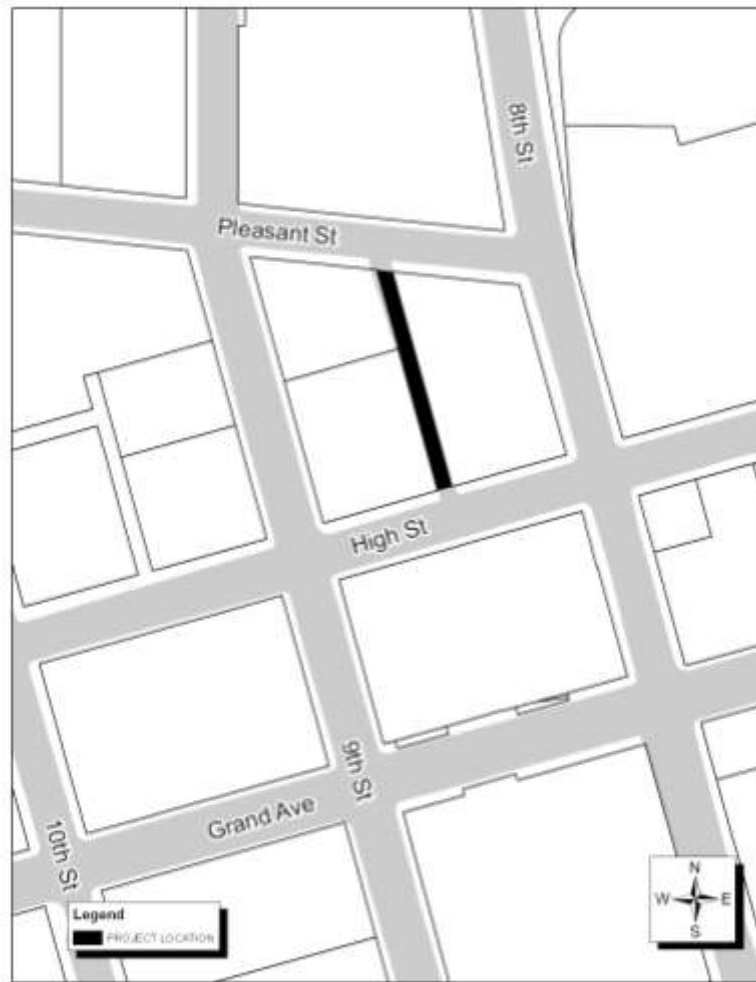
ADDITIONAL INFORMATION:

On June 11, 2012, by Roll Call No. 12-0881, City Council received the recommendation from the Plan and Zoning Commission to vacate the north/south alley adjoining 815 High Street between 8th Street and 9th Street from High Street to Pleasant Street, subject to various conditions, restrictions and reservations.

On July 23, 2012, by Roll Call No. 12-1194, City Council held a public hearing at which it approved the vacation and conveyance of the above described right-of-way to The Cathedral Church of St. Paul of the City of Des Moines, Iowa for \$1,000. The conveyance was subject to closing conditions including that the closing be conditional upon receipt by the buyer of an Open Spaces Sacred Places grant to fund construction of a pedestrian plaza and greenspace within the right-of-way, with the right-of-way to be retained and rededicated as public right-of-way by the City in the event that closing did not occur.

The Cathedral Church of St. Paul of the City of Des Moines has informed the City that they did not receive the Open Spaces Sacred Places grant and will not be able to proceed with their project nor

close on the purchase of the City's property. Pursuant to, Roll Call No. 12-1194, the right-of-way will be retained and rededicated by the City for continued use as a public alley.



PREVIOUS COUNCIL ACTION(S):

Date: July 23, 2012

Roll Call Number: [12-1194](#)

Action: [On](#) vacation and conveyance of north/south alley adjoining 815 High Street to the Cathedral Church of St. Paul, \$1,000 (to correct a publication error). ([Council Communication No. 12-394](#)) Moved by Hensley to adopt. Motion Carried 6-1. Pass: Moore.

Date: July 23, 2012

Roll Call Number: [12-1196](#)

Action: [Final](#) consideration of ordinance above (waiver requested by applicant), requires six (6) votes. Moved by Hensley that the rule requiring that an ordinance must be considered and voted on for passage at two (2) Council meetings prior to the meeting at which it is to be finally passed be

suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, [#15,123](#). Motion Carried 6-1. Pass: Moore.

Date: July 9, 2012

Roll Call Number: [12-1084](#)

Action: [On](#) vacation and conveyance of north/south alley adjoining 815 High Street to the Cathedral Church of St. Paul, \$1,000 to correct a publication error, (7-23-12). Moved by Hensley to adopt. Motion Carried 6-1. Pass: Moore.

Date: June 25, 2012

Roll Call Number: [12-1041](#)

Action: [On](#) vacation and conveyance of north/south alley adjoining 815 High Street to the Cathedral Church of St. Paul, \$1,000. ([Council Communication No. 12-341](#)) Moved by Hensley to adopt. Motion Carried 6-1. Pass: Moore.

Date: June 11, 2012

Roll Call Number: [12-0882](#)

Action: [Setting](#) date of hearing on vacation and conveyance of north/south alley adjoining 815 High Street to the Cathedral Church of St. Paul, \$1,000, (6-25-12). Moved by Hensley to adopt. Motion Carried 6-0. Council Member Moore declares a conflict of interest and abstains from voting.

Date: June 11, 2012

Roll Call Number: [12-0881](#)

Action: [Regarding](#) request from Cathedral Church of St. Paul for vacation and conveyance of the north/south alley adjoining 815 High Street to allow development of a pedestrian plaza on the east side of the existing cathedral. Moved by Hensley to receive and file and refer to the Engineering Department, Real Estate Division. Motion Carried 6-0. Council Member Moore declares a conflict of interest and abstains from voting.

BOARD/COMMISSION ACTION(S):

Board: Plan and Zoning Commission

Date: June 7, 2012

Resolution Number: 11-2012-1.07

Action: Request from the Cathedral Church of St. Paul of the City of Des Moines, Iowa (owner) 815 High Street, represented by Al Geiger (officer) to vacate the north/south alley between 8th Street and 9th Street from High Street to Pleasant Street, to allow development of a pedestrian plaza on the east side of the existing cathedral.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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