

★ Roll Call Number

Agenda Item Number

54A

Date SEP 11 2006

An Ordinance entitled, "AN ORDINANCE permanently vacating a portion of the East Court Avenue right-of-way, and air space above East Court Avenue and East 3<sup>rd</sup> Street, and the north/south alley, all adjoining 301 East Court Avenue",

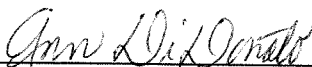
which was considered and voted upon under Roll Call No.06-\_\_\_\_\_of August 21, 2006; again presented.

Moved by \_\_\_\_\_ that the rule requiring that an ordinance must be considered and voted on for passage at two 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.

ORDINANCE NO. \_\_\_\_\_

NOTE: Waiver of this rule is requested by Steve Howard, East Village Court LLC.

FORM APPROVED:

  
 Ann DiDonato  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, 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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
 Mayor

\_\_\_\_\_  
 City Clerk

S4A

August 14, 2006

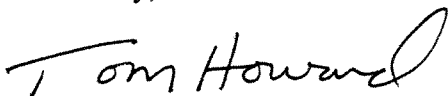
City Council  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

RE: Proposed Vacation and Conveyance of Encroachment Easement,  
Air Rights and North/South Alley Adjoining 301 East Court Avenue

City of Des Moines City Council:

Please accept this request to waive the three required readings of the ordinance to vacate the above referenced property. The request to purchase this right-of-way is essential for the completion of our project. We need the air rights as soon as possible for construction of balconies.

Sincerely,



Thomas Howard  
East Village Court, LLC