

★ Roll Call Number

Agenda Item Number

59B

Date October 9, 2006

An Ordinance entitled, "AN ORDINANCE vacating the subsurface rights-of-way adjoining 912 Walnut Street, within the north 6 feet of Mulberry Street, the east 6 feet of 10<sup>th</sup> Street, the south 6 feet of Walnut Street and the east 6 feet of the west 12 feet of the north/south alley",

which was considered and voted upon under Roll Call No.06-\_\_\_\_\_ of October 9, 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 LB Properties X, LLC.

FORM APPROVED:

Ann DiDonato  
Ann DiDonato  
Assistant City Attorney

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

MOTION CARRIED APPROVED

\_\_\_\_\_  
Mayor

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.

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

September 13, 2006

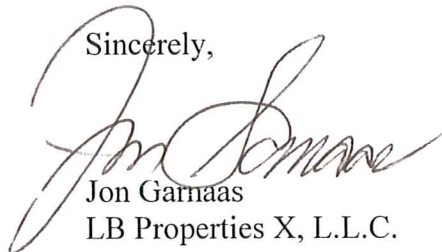
City Council  
City of Des Moines  
400 Robert D. Ray Drive  
Des Moines, IA 50309

RE: Proposed Vacation and Sale of Subsurface Rights Adjoining 912 Walnut Street

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. We are in the process of demolition of the existing building and should be ready to install footings and foundations for the new building soon. Thank you.

Sincerely,



Jon Garnaas  
LB Properties X, L.L.C.