

★ Roll Call Number

Agenda Item Number

**53A**

Date October 25, 2010

An Ordinance entitled, "AN ORDINANCE vacating the north/south alley lying west of and adjoining 2201 Forest Avenue",

presented.

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)



Michael F. Kelley  
Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS     | ABSENT |
|----------------|------|------|----------|--------|
| COWNIE         |      |      |          |        |
| COLEMAN        |      |      |          |        |
| GRIESS         |      |      |          |        |
| HENSLEY        |      |      |          |        |
| MAHAFFEY       |      |      |          |        |
| MEYER          |      |      |          |        |
| MOORE          |      |      |          |        |
| TOTAL          |      |      |          |        |
| MOTION CARRIED |      |      | APPROVED |        |

**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.

\_\_\_\_\_ Mayor

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

53A

Prepared by: Michael F. Kelley, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, Iowa 50320 (515) 283-4130

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

AN ORDINANCE vacating the north/south alley lying west of and adjoining 2201 Forest Avenue.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Sec. 1. That the north/south alley lying west of and adjoining 2201 Forest Avenue, more specifically described as follows, be and is hereby vacated.

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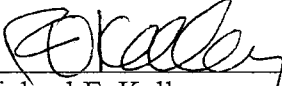
The north/south alley lying west of and adjoining Lots 10 and 11, Block 2, Marquardt's Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

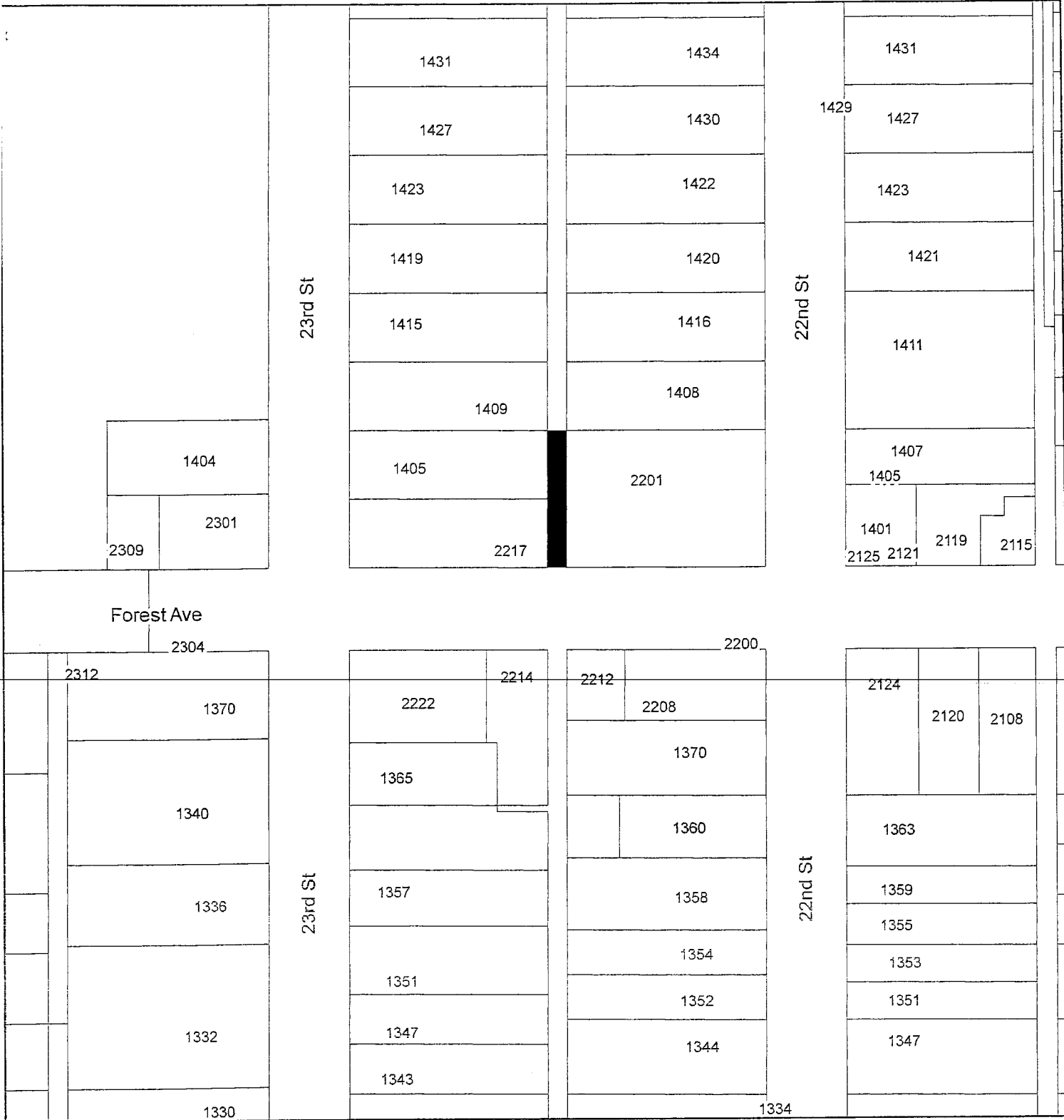
Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

  
\_\_\_\_\_  
Michael F. Kelley  
Assistant City Attorney



**Legend**

 PROJECT LOCATION

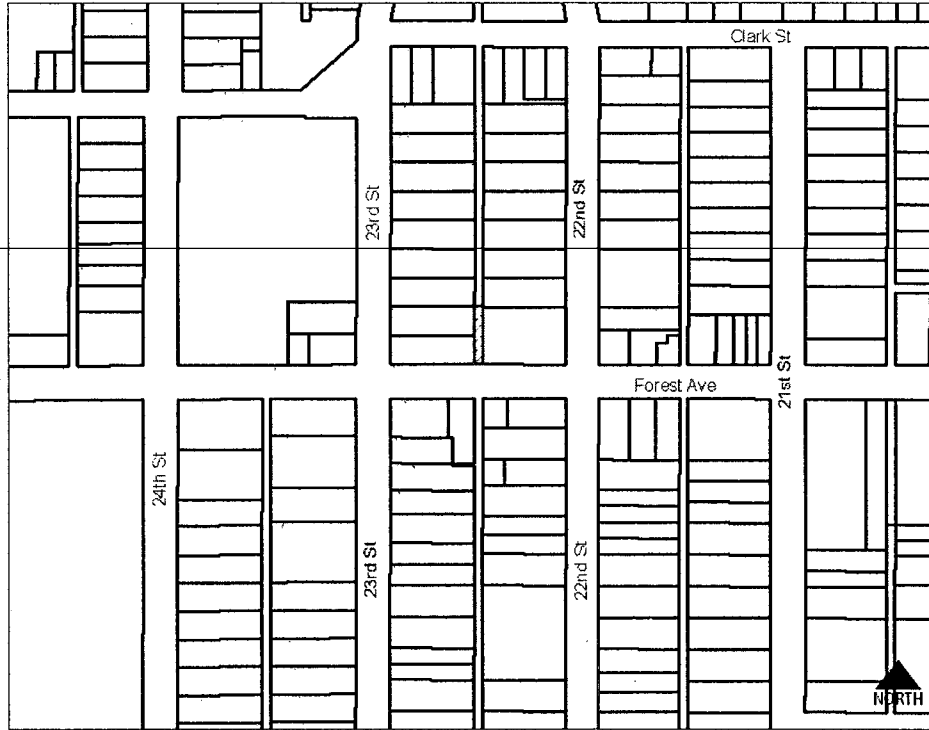
**VACATION AND CONVEYANCE OF ALLEY TO ANAWIM HOUSING**



|                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                  |                               |                                              |              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------------------------------|--------------|
| Request from Anawim Housing (developer) represented by Russ Frazier (officer) for vacation of a segment of north/south alley adjoining the west of the property at 2201 Forest Avenue, with provision of an ingress/egress easement for traffic using the remaining portion of alley to the north. |                                                                                                                                                                                                                  | <b>File #</b><br>11-2010-1.11 |                                              |              |
| <b>Description of Action</b>                                                                                                                                                                                                                                                                       | Vacation of a segment of north/south alley adjoining the west of the property at 2201 Forest Avenue, with provision of an ingress/egress easement for traffic using the remaining portion of alley to the north. |                               |                                              |              |
| <b>2020 Community Character Plan</b>                                                                                                                                                                                                                                                               | Commercial: Pedestrian-Oriented Commercial Corridor                                                                                                                                                              |                               |                                              |              |
| <b>Horizon 2035 Transportation Plan</b>                                                                                                                                                                                                                                                            | No Planned Improvements                                                                                                                                                                                          |                               |                                              |              |
| <b>Current Zoning District</b>                                                                                                                                                                                                                                                                     | "NPC" Neighborhood Pedestrian Commercial                                                                                                                                                                         |                               |                                              |              |
| <b>Proposed Zoning District</b>                                                                                                                                                                                                                                                                    | "NPC" Neighborhood Pedestrian Commercial                                                                                                                                                                         |                               |                                              |              |
| <b>Consent Card Responses</b>                                                                                                                                                                                                                                                                      | In Favor                                                                                                                                                                                                         | Not In Favor                  | Undetermined                                 | % Opposition |
| Inside Area                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                  |                               |                                              |              |
| Outside Area                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                  |                               |                                              |              |
| <b>Plan and Zoning Commission Action</b>                                                                                                                                                                                                                                                           | Approval                                                                                                                                                                                                         | 10-0                          | <b>Required 6/7 Vote of the City Council</b> | Yes          |
|                                                                                                                                                                                                                                                                                                    | Denial                                                                                                                                                                                                           |                               |                                              | No           |

Anawim Housing - 2201 Forest Avenue

11-2010-1.11



11-2010-1.11

Anawim Housing - 2201 Forest Avenue

