

★ **Roll Call Number**

Agenda Item Number

S3B

Date June 22, 2015

An Ordinance entitled, "AN ORDINANCE vacating a segment of West Martin Luther King, Jr. Parkway (formerly Elm Street) adjoining 300 West Martin Luther King, Jr. Parkway",


which was considered and voted upon under Roll Call No. 15-_____ of June 22, 2015; 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 Robert J. Douglas, Jr., Davis Brown Law Firm.

FORM APPROVED:


 Lisa A. Wieland
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
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



53B

REPLY TO WEST DES MOINES OFFICE

June 16, 2015

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

RE: Proposed vacation and conveyance of West ML King, Jr. Parkway right-of-way

City of Des Moines City Council:

Please accept this request to waive the three required readings of the ordinance to vacate the above referenced City-owned right-of-way on behalf of our client, Green Ltd., L.C. ("Developer"). The waiver is requested because of the timing of construction at the adjoining site is underway, and to delay work in the area so the vacated right of way to be purchased by the Developer would delay the opening of the project, and materially increase the costs to the Developer. We also think the inconvenience to the public by waiving the readings is minimal.

Very truly yours,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

A handwritten signature in black ink, appearing to read 'RJD', written over a circular stamp or mark.

Robert J. Douglas, Jr.

#2609846

DAVIS BROWN KOEHN SHORS & ROBERTS P.C.