



Date April 25, 2016

RESOLUTION REDEDICATING THE PREVIOUSLY VACATED EAST AND WEST 25.25 FEET OF EAST 2ND STREET BETWEEN EAST GRAND AVENUE AND EAST LOCUST STREET

WHEREAS, by Ordinance No. 13,937 passed April 2, 2001, the City Council vacated the east and west 25.25 feet of East 2nd Street between E. Grand Avenue and E. Locust Avenue, more specifically described below, for purposes of leasing the vacated right-of-way to the Metro Waste Authority for private parking; and,

WHEREAS, the term of the lease of the vacated East 2nd Street right-of-way to Metro Waste Authority has expired, and the lease was continued for that portion of the vacated right-of-way south of the east/west alley on a temporary basis, subject to termination by the City upon 30 days notice; and,

WHEREAS, on April 11, 2016, by Roll Call Nos. 16-0634 and 16-0635, the City Council approved an Urban Renewal Agreement for Sale of Land for Private Redevelopment and a Lease Purchase Agreement with 101 East Grand Parking, LLC, for the sale of City-owned property west of East 2nd Street, between E. Grand Avenue and E. Locust, and for the City's lease-purchase of a parking garage to be constructed on a portion such property by 101 East Grand Parking, LLC; and,

WHEREAS, the City Engineer recommends that the previously vacated East 2nd Street right-of-way described below be rededicated as right-of-way to accommodate the planned improvements to East 2nd Street required for the safe and efficient operation of the parking garage.

WHEREAS, the rededication can be temporarily delayed to allow the continued use of the vacated right-of-way south of the east/west alley by Metro Waste Authority.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

- 1. The east and west 25.25 feet of East 2nd Street between E. Grand Avenue and E. Locust Avenue, previously vacated by Ordinance No. 13,937, and more specifically described as follows, are hereby dedicated as additional East 2nd Street right-of-way, effective as of July 1, 2017:

The West 25.25 feet of East 2nd Street right-of-way lying East of and adjoining Lots 1 and 12, and lying East of and adjoining intervening vacated East/West alley right-of-way in Block 3, East Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.



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The East 25.25 feet of East 2nd Street right-of-way lying West of and adjoining Lots 6 and 7, and lying East of and adjoining intervening vacated East/West alley right-of-way in Block 8, East Fort Des Moines, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

- 2. The City Real Estate Manager is hereby authorized and directed to give the appropriate notice to Metro Waste Authority to terminate the lease of the property described above, prior to July 1, 2017, or such earlier time as such property is needed for the construction of the garage.
- 3. The City Clerk is hereby authorized and directed to forward a certified copy of this resolution and of the accompanying exhibits to the Real Estate Division for recording in the Office of the Recorder of Polk County, Iowa.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K Brown

Roger K. Brown

Assistant City Attorney

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