



Date May 22, 2017

REQUEST BY KATY BROWN FOR CITY COUNCIL INITIATION OF THE
PROCESS TO CONSIDER THE VACATION OF THE EAST/WEST
ALLEY ADJOINING HER RESIDENCE AT 1212 HUTTON STREET

WHEREAS, Katy Brown has filed an application with the Community Development Department seeking the vacation and conveyance of the east/west alley legally described below and lying south of adjoining her residence at 1212 Hutton Street; and,

WHEREAS, City policy requires that an application to privately initiate the vacation of a public right-of-way must be accompanied by the written consent of the owners of all property adjoining the right-of-way proposed to be vacated; and,

WHEREAS, the owners of two of the parcels adjoining the south side of the east/west alley described below have refused to consent to the vacation of the alley, notwithstanding the fact they are occupying and using the entire width of the adjoining alley for their private use and have rendered the alley impassible for public use; and,

WHEREAS, Katy Brown has requested that the City Council initiate the process to consider the vacation of this alley.

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

1. The application from Katy Brown for the vacation of the east/west alley adjoining 1212 Hubbell Street, more specifically described as follows, is hereby received and filed:

All the east/west alley right-of-way lying South of and adjoining Lot 53, in Ashbrook, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

2. The vacation of the east/west alley described above is hereby referred to the Plan and Zoning Commission and City staff for review and recommendation to the City Council.



Roll Call Number

Agenda Item Number

18

-2-

Date May 22, 2017

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

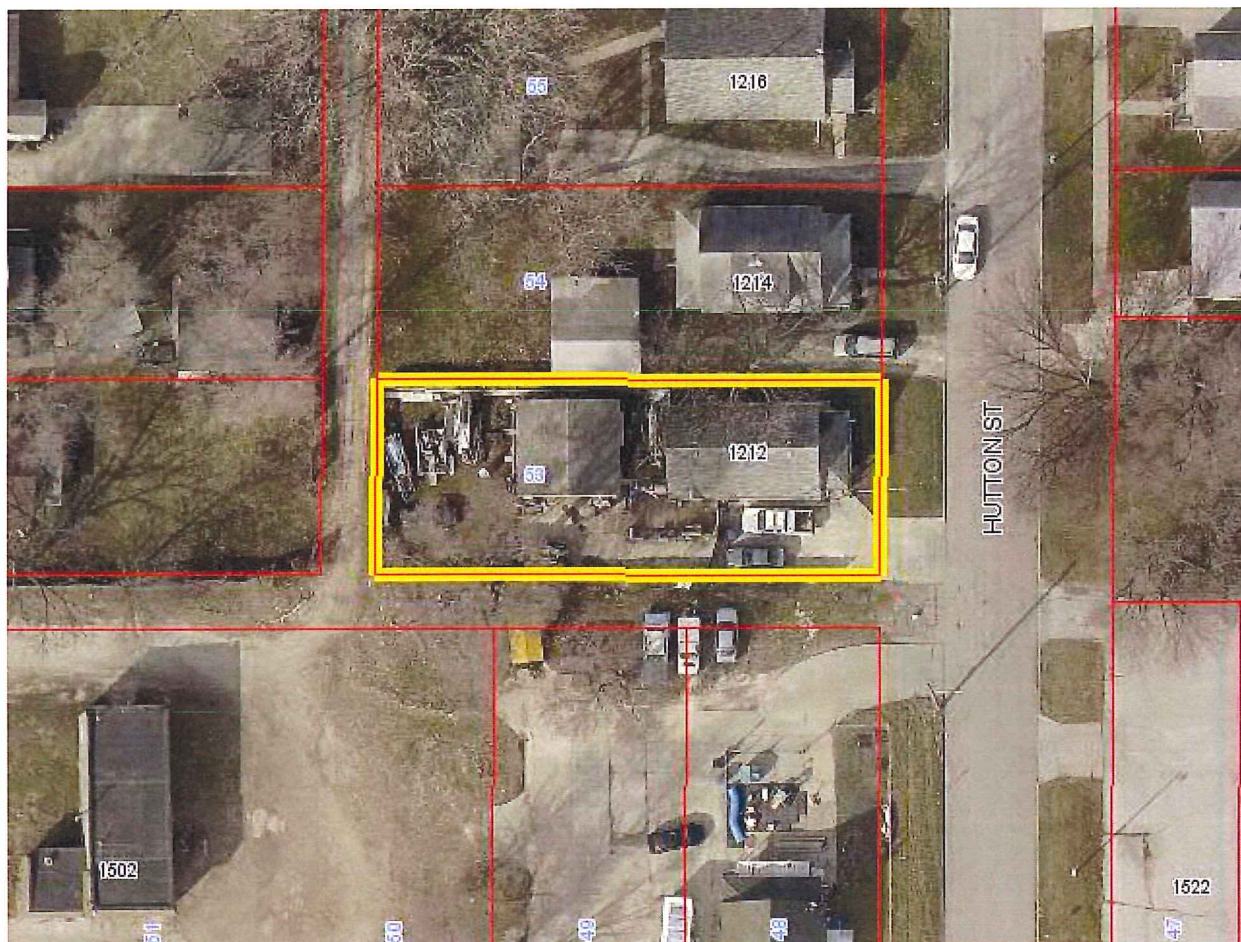
CERTIFICATE

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

2016 Aerial Photograph
of the property at 1212 Hutton Street
and the adjoining east/west alley proposed to be vacated



RIGHT - OF - WAY REQUEST

APPLICATION DUE ____ or ____ FOR THE ____ or ____ PLAN & ZONING COMMISSION MEETING

Case No. 11 - __ -- 1 . ____

INSTRUCTIONS: Complete all the required information listed below for each application to be processed.

APPLICANT NAME: Katy Brown

MAILING ADDRESS: 1212 Hutton Street

Des Moines IA ZIP CODE: 50316
CITY STATE

TELEPHONE NUMBER: 515/868-3005
AREA CODE

DATE REQUESTED: 1-25-17 SIGNATURE: Katy Brown

TYPE OF REQUEST: (Check Applicable Items Below)

- ☒ Vacation & Conveyance of Street or Alley (Provide all applicable items below)
- ☐ Vacation & Lease of Street or Alley (Provide all applicable items below)
 - ☐ Air Rights (Provide all applicable items below)
 - ☐ Surface Rights (Provide all applicable items below)
 - ☐ Subsurface Rights (Provide all applicable items below)
- ☐ Termination of Easement Rights (Provide all applicable items below)

ATTACHED REQUIRED INFORMATION: (Provide all applicable items below)

- ☐ Legal Description of Requested Street or Alley Property (Provide if legal requires metes and bounds survey description)
- ☒ Site Drawing (Provide if legal requires metes and bounds survey description)
- ☐ Elevational Drawings (Only for air rights request)
- ☒ Written Statement of Purpose for Request (Required for all requests)
- ☒ Written Consents of all Adjoining Property Owners (Must have their signature, address and date for all requests)

FILING FEE

- ☒ \$ 100.00 (RECEIPT FOR PAYMENT ATTACHED)
(Filing Fee, does not include purchase price or lease payment)

SUBMIT REQUEST TO:

COMMUNITY DEVELOPMENT DEPARTMENT
Planning & Urban Design Division
602 Robert D Ray Drive
Des Moines, Iowa 50309
Phone: (515) 283 - 4182

Consent to Vacation and Sale of Alley or Street Right-of-Way

REGARDING the East/West | North/South alley or street right-of-way in the block bounded by the following Streets:

The undersigned owners hereby consent to the City of Des Moines vacating (closing) the alley or street described above and to the City offering such alley or street for sale to the owner(s) of the adjoining property(s).

The undersigned **represent and warrant** that they are the owners of property at the address identified below which adjoins such alley or street.

Date: 1-25-17

Katy Brown
(Signature)

(Signature of 2nd Owner)

Katy Brown
(Printed Name)

(Printed Name)

Address of adjoining Property:

Mailing Address-if different:

Des Moines, IA 50316
(Zip Code)

Legal Description of Adjoining Property (if known):

✓ **Check applicable line:**

☒ I/We are interested in purchasing the adjoining portion of the alley or street. This is not a commitment to purchase.

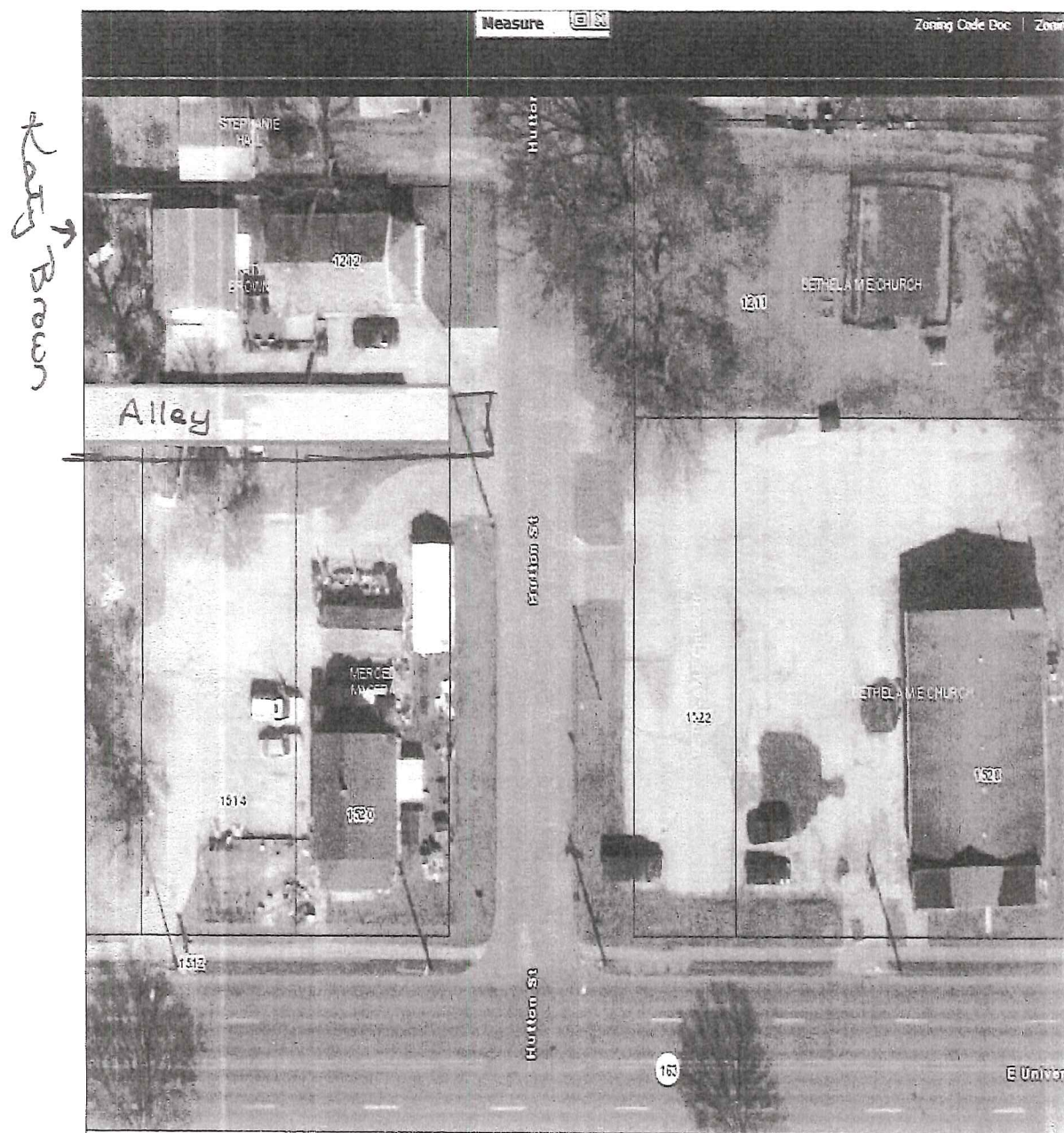
☐ I/We are **not** interested in purchasing the adjoining portion of the alley or street and consent to the sale of the entire alley to the owner of the property on the other side of the alley or street.

*****Community Development Department Use Only*****

Case No. 11-20 - 1.

Received: _____

Applicant: Katy Brown



- A Special Note -

I Katy Brown am
informing you that I
have contacted the
owners of the 3
adjacent properties to
the alley in question
several times with no
response

Thank you for your
time

Katy Brown

