

Date August 20, 2018

RECEIVE AND FILE WRITTEN OBJECTION FROM DONALD L. MOYER REGARDING THE VACATION OF A PORTION OF ALLEY RIGHT-OF-WAY LOCATED SOUTH OF AND ADJOINING 1437 E. 14TH STREET

WHEREAS, on August 6, 2018, by Roll Call No. 18-1367, an ordinance vacating a portion of alley right-of-way located south of and adjoining 1437 East 14th Street was considered by the Des Moines City Council and given first vote for passage; and

WHEREAS, Donald L. Moyer is owner of 1433 E. 14th Street, located south of and adjoining the alley right-of-way proposed to be vacated; and

WHEREAS, Donald L. Moyer objects to the above described vacation and has requested his attached written objection be included for consideration by the Des Moines City Council.

Moved by _____ to receive and file the attached written objection from Donald L. Moyer.

APPROVED AS TO FORM:



Lisa A. Wieland, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
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

Item 11-2018-1.13 Date 6-2-13

I (am) (am not) in favor of the request.
 (Circle One)
 JUN 07 2013
 CITY OF DES MOINES
 PERMIT AND SEWER DIVISION

Print Name DONALD L. Hoyer
 Signature [Signature]
 Address 1433 E. 14TH ST.

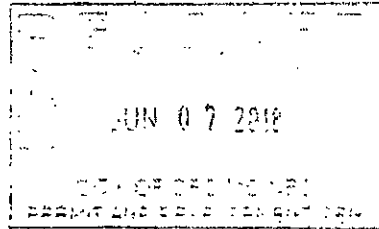
Reason for opposing or approving this request may be listed below.

SEE ATTACHMENT

Don Moyer
3772 River Oaks Drive
Des Moines, IA 50312

June 4, 2018

Planning and Urban Design
Des Moines Community Development
602 Robert D. Ray Drive
Des Moines, IA 50309-9603



Dear Erik Lundy,

I am writing to you in regards to Item 11-2018-1.13 on the June 6, 2018 Plan & Zoning Agenda, a proposal by Alan Hanson for the City of Des Moines to vacate the east-west alleyway between 1437 and 1433 E. 14th Street. I previously owned the north property and currently own the south property adjoined by said alleyway.

I built the car wash in 1989. It used to have a fence along the south lot line until 1998 after I acquired the property south of the alleyway. At that time I removed the fence and used the alleyway for the car wash and the property to the south. This was years ago when self-service car washes were doing far more business than they are today and it worked fine. There is an enclosed trash dumpster for my property (1433 E. 14th), and it is serviced from said alleyway.

There are neighbors who use the north/south alley that connects to the east/west alley, and there are more who would like to use it from E. 14th, but it has not been maintained for years and years. Consequently, they have taken to driving through the yard behind my building, causing ruts and dragging mud onto the pavement to the north (the car wash alley). So I outlined my back yard with landscape timbers, which stopped this for the most part.

Approximately twenty years ago I requested the vacation of this same alley. I was told that the property owners on both sides of the north-south alley that turns into this alley would need a way to turn around; therefore the City would consider selling the east west portion to me only if I would build a "hammer head" at the north end of the north-south alley on my property. That would take up a lot of property, so I did not pursue the offer at that time. Also Approximately six years ago, the city, by abuse of the VDL Overlay Project, drastically reduced the value (and use) of my property at 1433 E. 14th.

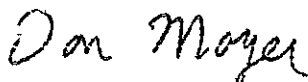
Most important to me at this time is that I have an offer to purchase the property south of the alleyway by the Dollar General Discount Store chain. They tell me that their offer is null and void if the alley cannot remain as is for their use. They need it to back their inventory supply trucks down to deliver inventory to the store; I think this is a couple of times a month for approximately three hours at a time. Now, I at least have a chance to sell said property and recover some of my losses. I don't see any

urgency in making these changes today or any time real soon on an alley that has been in place for 50+ years and has served property owners on both sides of it all along.

In conclusion, I am requesting that this issue be tabled until General Dollar completes their purchase, and then they can sort out what they need. This will result in a more practical use of the property at 1433 E. 14th Street, higher value, more tax revenue for all, and more business conducted as a whole to contribute to the economy. Thank you for your time and consideration in this matter.

Sincerely,

Don Moyer

A handwritten signature in cursive script that reads "Don Moyer".