



Roll Call Number

Agenda Item Number

38B

Date February 11, 2019

An Ordinance entitled, "AN ORDINANCE vacating portions of the following street and alley right-of-way adjoining 2650 University Avenue, Des Moines, Iowa: (1) the north/south alley between 26th Street and 27th Street running from University Avenue to a point 329 feet to the south; (2) the air rights within the adjoining south 1.5 feet of University Avenue and the east 1.0 feet of 27th Street; and (3) the subsurface rights within the adjoining south 3.0 feet of University Avenue and the adjoining east 3.0 feet of 27th Street",

which was considered and voted upon under Roll Call No. 19-_____ of February 11, 2019; 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 Nelson Construction.

FORM APPROVED:

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

38B

February 4, 2019

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

RE: Alley to the West of Lots 1-7

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. Project construction is slated to commence in March and the readings would delay the construction schedule.

Thank you.

Sincerely,

Devon Drake
Nelson Construction & Development
218 6th Avenue, Suite 200 | Des Moines, IA 50309
devon@nelsonconstruct.com | (702) 496-9019