

Date May 4, 2020

**APPROVING CITY COUNCIL INITIATION OF VACATION OF SOUTHEAST 14<sup>TH</sup> COURT  
RIGHT-OF-WAY IN THE VICINITY OF 97 JOHNSON COURT**

**WHEREAS**, the owners of the residential property known as Polk County Parcel No. 040/03798-000-000, east of and adjoining 97 Johnson Court, are pursuing vacation and conveyance of the City-owned north/south Southeast 14<sup>th</sup> Court right-of-way immediately south of East Vine Street and adjoining said Parcel; 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 the residential property known as Polk County Parcel No. 040/03798-000-000, east of and adjoining 97 Johnson Court, have failed to obtain the consent to the vacation of the right-of-way from all adjoining property owners; and

**WHEREAS**, the owners of said Parcel have requested that the City Council initiate the process to consider the vacation of this right-of-way.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Des Moines, Iowa, that the vacation of the City-owned north/south Southeast 14<sup>th</sup> Court right-of-way immediately south of East Vine Street, is hereby referred to the Plan and Zoning Commission and City staff for review and recommendation to the City Council.

**MOVED** by \_\_\_\_\_ to adopt.

FORM APPROVED:

/s/ Glenna K. Frank  
Glenna K. Frank, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE         |      |      |      |        |
| BOESEN         |      |      |      |        |
| GATTO          |      |      |      |        |
| GRAY           |      |      |      |        |
| MANDELBAUM     |      |      |      |        |
| VOSS           |      |      |      |        |
| WESTERGAARD    |      |      |      |        |
| TOTAL          |      |      |      |        |

MOTION CARRIED APPROVED

**CERTIFICATE**

I, P. KAY CMELIK, 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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk