

Date July 19, 2021

**REQUEST BY KG STORE 543, LLC (GERARD HABERMAN) FOR CITY COUNCIL INITIATION OF VACATION OF A SEGMENT OF 16<sup>TH</sup> STREET SOUTH OF HIGH STREET**

**WHEREAS**, KG Store 543, LLC (developer), represented by Gerard Haberman (officer), is pursuing vacation and conveyance of 16<sup>th</sup> Street right-of-way between High Street on the north and the southern right-of-way line of the adjoining east/west alley on the south, for purposes of assemblage into a proposed commercial and retail development for which KG Store 543, LLC is seeking economic development assistance from the City; 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**, KG Store 543, LLC has failed to obtain the consent to the vacation of the right-of-way from the adjoining property owner(s); and

**WHEREAS**, KG Store 543, LLC has 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 above-described segment of 16<sup>th</sup> Street south of High 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

\_\_\_\_\_  
Mayor

**CERTIFICATE**

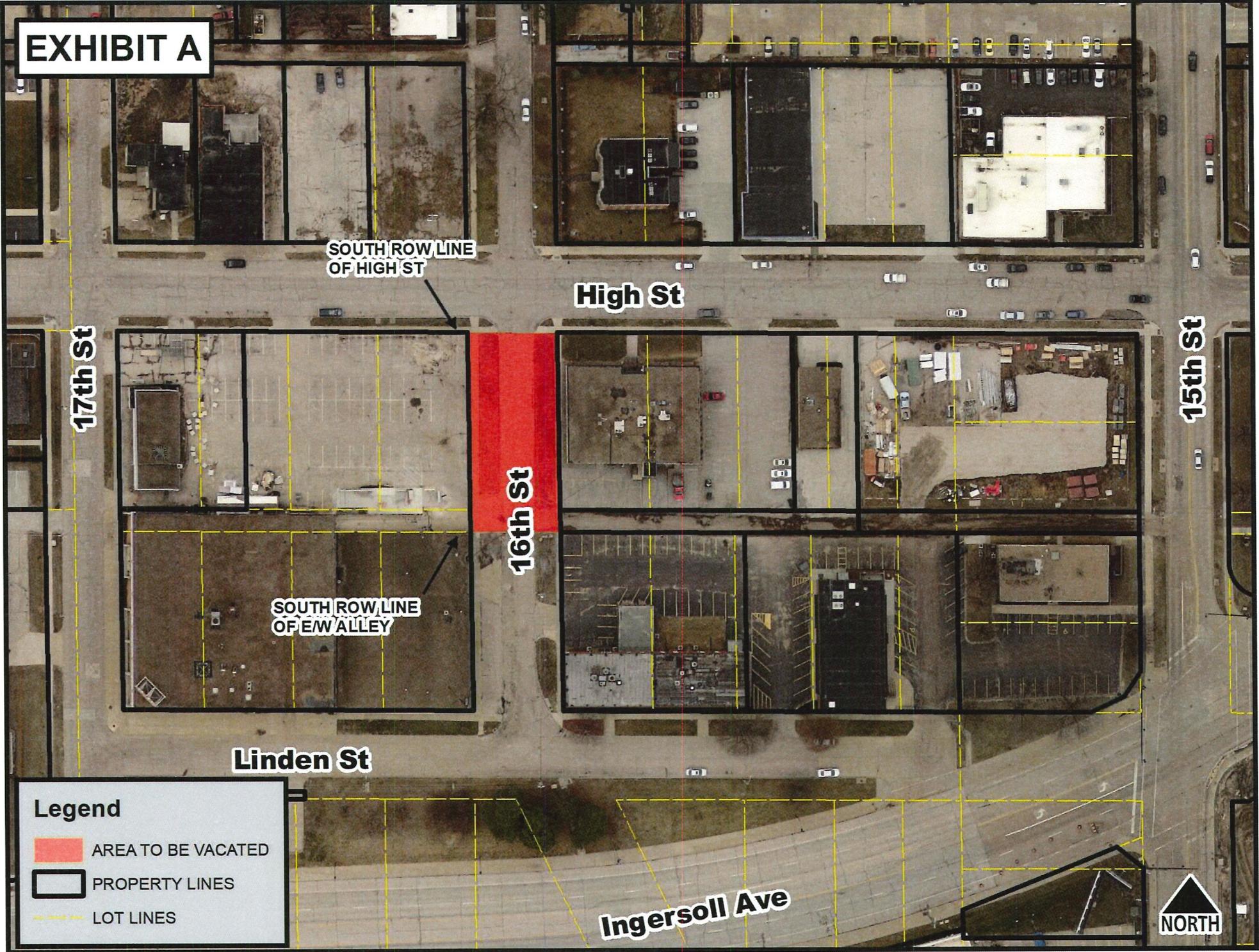
I, P. KAY CMELIK, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

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

HT

# EXHIBIT A



SOUTH ROW LINE OF HIGH ST

High St

17th St

15th St

16th St

SOUTH ROW LINE OF EWALLEY

Linden St

Ingersoll Ave

### Legend

- AREA TO BE VACATED
- PROPERTY LINES
- LOT LINES

