



**Roll Call Number**

**Agenda Item Number**

45B

**Date** October 7, 2024

An Ordinance entitled, "AN ORDINANCE vacating air, subsurface, and surface rights in portions of Des Moines Street and East 6<sup>th</sup> Street right-of-way adjoining 603 East 6th Street",

which was considered and voted upon under Roll Call No. 24-\_\_\_\_\_ of October 7, 2024; 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. Seconded by \_\_\_\_\_.

ORDINANCE NO. \_\_\_\_\_

NOTE: Waiver of this rule is requested by Senny Drake.

FORM APPROVED:

/s/ Mackenzie L. Moreno  
Mackenzie L. Moreno  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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

45B

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

RE: Approval of documents for vacation of air, subsurface, and surface rights within portions of Des Moines Street and East 6<sup>th</sup> Street right-of-way adjoining 603 East 6<sup>th</sup> Street and conveyance of a Permanent Easement for Air Space Above City-Owned Property, a Permanent Easement for Subsurface Building Encroachment, and a Permanent Easement for Surface Building Encroachment on City-Owned Property to HOA Aston, LLC for \$30,324.

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. The reason for this request is to allow the construction process to move forward in a timely manner.

Thank you.

Sincerely,

DocuSigned by:  
  
4DA62E4D28DD4F4...  
Signature