



Roll Call Number

Agenda Item Number

51B

Date June 30, 2025

An Ordinance entitled, "AN ORDINANCE repealing Ordinance No. 16,388 and vacating air, subsurface, and surface rights in portions of Des Moines Street and East 6th Street right-of-way adjoining 603 East 6th Street",

which was considered and voted upon under Roll Call No. 25- of June 30, 2025; 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 Mike Whalen, Manager .

FORM APPROVED:

Grant Hyland
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

51B



HOA Aston LLC
1501 River Dr.
Moline, IL 61265
Phone: (309) 797-9300

June 24th, 2025

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

Re: Vacation of Air Rights

Honorable City Council:

Please accept this request to waive the three required readings of the ordinance to vacate the East 6th Street right-of-way adjoining 603 East 6th Street, Des Moines, Iowa. HOA Aston LLC is requesting this reading waiver request due to the interference of existing UG utility lines that were unmarked and unknown at the time of the site plan submission and acceptance. HOA Aston LLC was forced to shift the building 30" north to avoid these existing franchise utilities. The updated Site Plan with the building shift has been submitted, reviewed, and approved by the City Planning Department. While the shift does not interfere or alter most of the existing easements, vacations, or encroachments, the encroachment and vacation along 6th Street will need to shift 30". Actual total area involved along 6th Street will not change and HOA Aston LLC is not concerned about the excess area vacated on Des Moines Street.

Thank you for your time and consideration.

Sincerely,

/s/ Mike Whalen

Manager, HOA Aston LLC