

★ Roll Call Number

08-989

Agenda Item Number

28

June 9, 2008

Date

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 15, 2008, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Samuel Fucaloro, owner of the adjoining property at 816 Virginia Avenue, to vacate and convey the westernmost 58 feet of the dead end segment of east/west alley between Virginia Avenue and Pleasant View Drive extending west from SW 7th Street, subject to the following conditions:

1. Provision of easements for any existing utilities until such time they are relocated at the applicant's expense.
2. Conveyance of the requested right-of-way shall not occur unless the 8-foot by 7.5-foot segment of previously vacated right-of-way adjacent to the west is also conveyed.
3. Construction of any accessory structure on the requested right-of-way and/or on an adjoining property shall be in accordance with all applicable building codes with issuance of all necessary permits by the Permit and Development Center.

MOVED by Hensley to receive and file and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

Roger K. Brown
Roger K. Brown
Assistant City Attorney

(11-2008-1.07)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			

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.

T. M. Franklin Council Mayor

Diane Rauh City Clerk