



**Roll Call Number**

08-1188

**Agenda Item Number**

24

**Date** July 14, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on June 5, 2008, its members voted 11-3 in support of a motion to recommend **APPROVAL** of a request from Simon Tire Company (owner) 211 East Walnut Street, represented by Suzann Simon (officer) to vacate and convey a segment of the north/south alley running 122 feet south of East Walnut Street between East 2<sup>nd</sup> Street and East 3<sup>rd</sup> Street subject to the following conditions:

1. The City of Des Moines retains ownership of the vacated right-of-way, but can lease the right-of-way to the adjoining property.
2. Reservation of public easements for all utilities in place.

MOVED by Vlassis to receive and file and refer to the Engineering Department, Real Estate Division. City Manager will work with the property owner to review the development plan for this property.

**FORM APPROVED:**

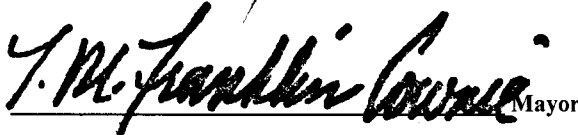
  
Michael F. Kelley  
Assistant City Attorney

(11-2008-1.09)

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

MOTION CARRIED

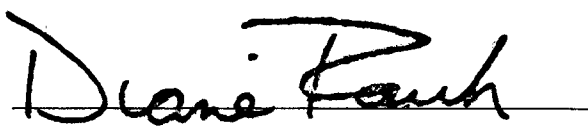
APPROVED

  
T.M. Franklin  
Mayor

**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.

  
Diane Rauh  
City Clerk