



Roll Call Number

08-1839

Agenda Item Number

16

Date October 27, 2008

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on October 16, 2008, its members voted 14-0 in support of a motion to recommend **APPROVAL** of a request from Jeff Law (owner), 812 Virginia Avenue for vacation and conveyance of a dead end segment of the east/west alley adjoining the subject property between Virginia Avenue and Pleasant View Drive west of Southwest 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. A no-build easement shall be provided on the southernmost 5 feet of the right-of-way if the property owner at 805 Pleasant View Drive does not acquire a portion of the right-of-way adjoining their property in order to preserve the 6-foot building separation required by the Building Fire Code.
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 Vlassis to receive and file and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

[Signature]
Michael F. Kelley
Assistant City Attorney

(11-2008-1.15)

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.

[Signature]
Mayor

[Signature]
City Clerk