

★ Roll Call Number

10-182

Agenda Item Number

15

Date February 8, 2010

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 21, 2010, its members voted 9-0 in support of a motion to recommend APPROVAL of a request to vacate State Avenue from Searle Street to East 23rd Street and Searle Street from State Avenue to Frederick M. Hubbell Avenue subject to the following conditions:

1. Provision of easements for all existing utilities until such time they are relocated at the applicant's expense.
2. Reservation of a public access easement for either a turnaround or egress for the north/south alley for the portion of the State Avenue right-of-way.

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

FORM APPROVED:

[Signature]

Michael F. Kelley
Assistant City Attorney

(11-2009-1.18)

*Council Member Mahaffey declares a conflict of interest and abstains from voting.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
* MAHAFFEY				
MEYER	✓			
MOORE	✓			
TOTAL	6			

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]
T. M. Franklin
Mayor

[Signature]
Diane Rauh
City Clerk