



Roll Call Number

10-2073

Agenda Item Number

21C

Date December 20, 2010

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on December 2, 2010, its members voted 11-0-1 in support of a motion to recommend APPROVAL of a City Council initiated request to vacate the right-of-way parcel owned by the City of Des Moines located in the vicinity of Martin Luther King, Jr. Parkway and Interstate 235 at the southeast corner of the intersection of Martin Luther King, Jr. Parkway and Atkins Street subject to the following:

- 1. Reservation of adequate Right-of-Way for both Martin Luther King, Jr. Parkway and Atkins Street, including the public sidewalks along both Martin Luther King, Jr. Parkway and Atkins Street.
2. Provision of easements for all existing utilities until such time that they are relocated.
3. Provision of one (1) street tree along Martin Luther King, Jr. Parkway for each dwelling unit constructed.

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

FORM APPROVED:

Michael F. Kelley Assistant City Attorney

(11-2010-1.15)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL (7 yeas).

MOTION CARRIED APPROVED T.M. Franklin Council 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