

★ Roll Call Number
10-2076

Agenda Item Number
21F

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 northwest corner of the intersection of 16th Street and Day Street subject to the following conditions:

1. Reservation of adequate Right-of-Way for both 16th Street and Day Street, including the public sidewalks along both 16th Street and Day Street.
2. Provision of easements for all existing utilities until such time that they are relocated.
3. Provision of one (1) street tree along 16th Street 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
 Michael F. Kelley
 Assistant City Attorney

(11-2010-1.18)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
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 Cownie
 Mayor

Diane Rauh
 City Clerk