

13-0707

13

Date May 6, 2013

**CITY COUNCIL INITIATED REQUEST FOR VACATION OF THE
NORTH/SOUTH ALLEY LYING BETWEEN
EAST MARTIN LUTHER KING, JR. PARKWAY AND RACCOON STREET AND
BETWEEN SE 5TH STREET AND SE 6TH STREET**

WHEREAS, the City Council declares its intention to consider a proposal to vacate the dead end north/south alley lying between East Martin Luther King, Jr. Parkway and Raccoon Street and between SE 5th Street and SE 6th Street; and

WHEREAS, the City Council wishes to request the review and recommendation of the City's Plan and Zoning Commission prior to considering the proposed vacation of said alley right-of-way; and

WHEREAS, City staff have determined that there is no known current or future public need or benefit for the alley right-of-way proposed to be vacated, and that the City will not be inconvenienced by the vacation of this property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above-described request for Plan and Zoning Commission review is hereby received and filed.

BE IT FURTHER RESOLVED that the proposed vacation be referred to Plan and Zoning Commission and City staff for review and recommendation, and to return to Council for further action on said request.

(Council Communication No. 13 - 218)

Moved by Moore to refer to the City Manager for review and recommendation regarding leasing the property conditioned upon full compliance with applicable site plan, zoning and building regulations for the properties at 400 SE 6th Street and 400 SE 5th Street.

APPROVED AS TO FORM:

Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

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