

★ **Roll Call Number**
13-0792

Agenda Item Number
24A

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Date May 20, 2013

**SET HEARING FOR VACATION OF SEGMENTS OF STREET RIGHT-OF-WAY
ADJOINING SOUTHWEST 17TH STREET
BETWEEN AMOS AVENUE AND HAVENS AVENUE**

WHEREAS, on May 20, 2013, by Roll Call No. 13- 0791, the City Council of the City of Des Moines received a recommendation from the City Plan and Zoning Commission that vacation of the following undeveloped segments of City-owned street right-of-way be approved, subject to reservation of easement for all existing utilities until such time as they are relocated: (A) a segment of Amos Avenue west of Southwest 17th Street between properties at 7112 Southwest 17th Street and 7200 Southwest 17th Street; (B) a segment west of Southwest 17th Street north of where it intersects with Southwest 16th Street between properties at 7402 Southwest 17th Street and 7404 Southwest 17th Street; and (C) a segment west of Southwest 17th Street north of where it intersects with Havens Avenue between properties at 7500 Southwest 17th Street and 7502 Southwest 17th Street; and

WHEREAS, the City Engineer is requesting the vacation of the aforementioned segments of street right-of-way in order for the City to lease the segments to adjoining property owners to reduce the City's maintenance responsibilities; and

WHEREAS, there is no known current or future public need or benefit for the segments of right-of-way proposed to be vacated, and the City will not be inconvenienced by the vacation of said segments of right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating segments of street right-of-way adjoining Southwest 17th Street between Amos Avenue and Havens Avenue, locally described above and legally described as follows:

ALL OF LOTS F AND G, AND THAT PORTION OF LOT A LYING NORTH OF AND ADJOINING LOT 79, ALL IN HIGHLAND HILLS PLAT 5, AN OFFICIAL PLAT; AND THAT PORTION OF LOT E LYING SOUTH OF AND ADJOINING LOT 12, IN HIGHLAND HILLS PLAT 3, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

2. That the meeting of the City Council at which the adoption of said ordinance is to be considered shall be on June 10, 2013, said meeting to be held at 5:00 p.m., in the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.

3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached, all in accordance with Section 362.3 of the Iowa Code.

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Moved by Hensley to adopt.

APPROVED AS TO FORM:

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

psw

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

NOTION PASSED 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