



Roll Call Number

14-1847

Agenda Item Number

26

Date December 8, 2014

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING A REQUEST FROM LINDEN STREET INVESTMENTS, LLC (OWNER), 1430 LINDEN STREET, REPRESENTED BY CRAIG BERGSTROM (OFFICER) FOR VACATION OF THE FOLLOWING SEGMENTS OF RIGHT-OF-WAY: A) LINDEN STREET FROM 14TH STREET TO INGERSOLL AVENUE; AND B) THE NORTH/SOUTH ALLEY BETWEEN 14TH STREET AND 15TH STREET FROM GRAND AVENUE TO A POINT APPROXIMATELY 121 FEET TO THE NORTH

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 20, 2014, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Linden Street Investments, LLC (owner), 1430 Linden Street, represented by Craig Bergstrom (officer), for vacation of the following segments of right-of-way: A) Linden Street from 14th Street to Ingersoll Avenue; and B) The north/south alley between 14th Street and 15th Street from Grand Avenue to a point approximately 121 feet to the north, subject to the following conditions:

- 1. Any conveyance is subject to all adjoining properties being held in common ownership.
2. Reservation of easements for all utilities in place until such time that they are abandoned or relocated at the owner's expense.
3. Provision of a deed restriction or lease provision that requires any interim or permanent redevelopment of the requested right-of-way or adjoining properties be in substantial compliance with a development concept approved by the City Council; and

WHEREAS, said formal written communication from the Plan and Zoning Commission regarding the Commission's recommendation to approve the requested vacation is attached hereto.

MOVED by Gatto to receive and file the attached communication from the Plan and Zoning Commission and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

(11-2014-1.15)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL.

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