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	Roll Call Number
	15-0805
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Agenda Item Number

Date <u>May 18, 2015</u>

## RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST TO VACATE PORTIONS OF 4<sup>TH</sup> STREET, COURT AVENUE, AND 5<sup>TH</sup> AVENUE RIGHT-OF-WAY ADJOINING 420 COURT AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on May 7, 2015, its members voted 11-0 in support of a motion to recommend APPROVAL of a request from Hy-Vee, Inc. and Knapp Properties, Inc. (developers), represented by Randy Edeker and Gerard Nuegent (officers), for vacation of the following segments of street right-of-way adjoining 420 Court Avenue, subject to reservation of easements for any existing utilities:

- 1. A 3-foot by 115-foot segment of subsurface rights on the west side of 4<sup>th</sup> Street;
- 2. A 2-foot by 100-foot segment of subsurface rights on the west side of 4<sup>th</sup> Street and a 2-foot by 155-foot segment of subsurface rights on the south side of Court Avenue;
- 3. A 1.5 foot by 85-foot segment of subsurface rights on the east side of 5<sup>th</sup> Avenue; and
- 4. A 4-foot by 60-foot segment of right-of-way on the east side of 5<sup>th</sup> Avenue.

FORM APPROVED:

Glenna K. Frank Assistant City Attorney

(11-2015-1.03)

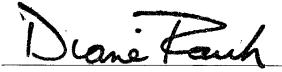
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Mayor

## 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.



City Clerk