

★ Roll Call Number

15-1506

Agenda Item Number

20

Date September 14, 2015

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING VACATION OF SOUTHWEST 4TH STREET LYING SOUTH OF WEST MARTIN LUTHER KING, JR. PARKWAY AND A PORTION OF WEST MARTIN LUTHER KING JR. PARKWAY (ALSO KNOWN AS ELM STREET) BETWEEN SOUTHWEST 3RD STREET AND SOUTHWEST 4TH STREET, ALL ADJOINING 300 WEST MARTIN LUTHER KING JR. PARKWAY

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on September 3, 2015, its members voted 8-0 in support of a motion to recommend APPROVAL of a City-initiated request for vacation of Southwest 4th Street lying south of West Martin Luther King, Jr. Parkway and a portion of West Martin Luther King Jr. Parkway (also known as Elm Street) between Southwest 3rd Street and Southwest 4th Street, all adjoining 300 West Martin Luther King Jr. Parkway, subject to the following:

- 1. Reservation of any necessary easements for all existing utilities in place, including known water and sanitary sewer mains, until such time that they are abandoned or are relocated.
2. Provision of private drive connections to West Martin Luther King, Jr. Parkway and Southwest 5th Street from 300 West Martin Luther King, Jr. Parkway, if determined necessary following further discussion with the City Traffic Engineer regarding the need and requirements for provision of private access easements for separately owned private properties adjoining to the west.
3. The access from remaining Elm Street to the west shall be closed with a permanent barrier, including a curb and a landscaped berm.
4. Restoration of the vacated Elm Street right-of-way by the purchaser in accordance with an administratively approved site plan.

MOVED by Hensley 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

(11-2015-1.14)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MAHAFFEY, MOORE, and TOTAL (7 yeas).

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk