

★ Roll Call Number

16-0272

Agenda Item Number

21 (A)

Date February 22, 2016

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM GREEN LIMITED, LC FOR VACATION OF A SEGMENT OF WEST MARTIN LUTHER KING JR. PARKWAY (FORMER ELM STREET RIGHT-OF-WAY) BETWEEN SOUTHWEST 3RD STREET AND SOUTHWEST 4TH STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 4, 2016, its members voted 11-0-1 in support of a motion to recommend APPROVAL of a request from Green Limited, LC (owner), represented by Rich Eychaner, for vacation of a segment of West Martin Luther King Jr. Parkway (former Elm Street Right-of-Way) between Southwest 3rd Street and Southwest 4th Street adjoining 300 West Martin Luther King Jr. Parkway, to allow the use of the land for a patio and landscaping subject to the following conditions:

- 1. Reservation of necessary easements for all existing utilities in place, including but not limited to known water and sanitary sewer mains and underground traffic signal wiring. The easements shall prohibit structures from being built within the property.
2. Any conveyance shall contain a condition that any construction proposed within the property shall have plans submitted to the Des Moines Waterworks for review and approval prior to commencement of any construction

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

(11-2015-1.28)

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

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