



Roll Call Number

17-0382

Agenda Item Number

350

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Date March 6, 2017

SET HEARING FOR VACATION OF PORTIONS OF THE EAST/WEST ALLEY RIGHTS-OF-WAY LOCATED WITHIN 422 WALNUT STREET

WHEREAS, portions of the east/west alley rights-of-way located within 422 Walnut Street were previously vacated on March 17, 1969, by Ordinance No. 7801, but the legal description in said ordinance was incorrect; and

WHEREAS, on March 16, 2017, the City Plan and Zoning Commission will consider a City Manager initiated request for vacation of portions of the east/west alley rights-of-way located within the property at 422 Walnut Street (hereinafter "City Right-of-Way"); and

WHEREAS, the City Manager is proposing to vacate the City Right-of-Way in order to assemble it with adjoining property for development purposes; and

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

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

1. That the City Council of the City of Des Moines shall consider adoption of an ordinance permanently vacating portions of the east/west alley rights-of-way located within the property at 422 Walnut Street, as legally described below, for the purpose of assembling the land with adjoining property for development purposes:

-EXCEPT THE EAST 6.5 FEET-, THE EAST/WEST ALLEY RIGHTS-OF-WAY LYING SOUTH OF AND ADJOINING LOTS 2 AND 4, IN BLOCK 21, FORT DES MOINES, 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 of the City of Des Moines, Iowa, at which the vacation of such right-of-way is to be considered, shall be on March 20, 2017, said meeting to be held at 5:00 p.m., in the City Council Chamber, Richard A. Clark Municipal Service Center, 1551 E. Martin Luther King Jr. Parkway, Des Moines, Iowa.

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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 §362.3 of the Iowa Code.

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Roger K. Brown
 Roger K. Brown
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GATTO				✓
GRAY	✓			
HENSLEY	✓			
MOORE	✓			
WESTERGAARD	✓			
TOTAL	6			1

MOTION CARRIED APPROVED
T. M. Franklin-Councilor 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