

# WITHDRAWN



Roll Call Number

17-0537

Agenda Item Number

60B

Date March 20, 2017

## COMMUNICATION FROM THE CITY PLAN AND ZONING COMMISSION REGARDING THE VACATION OF THE ALLEYS IN AND ADJOINING 422 WALNUT STREET

WHEREAS, on February 13, 2017, by Roll Call No. 17-0233, the City Council approved a competitive process and selection criteria for the sale and redevelopment of the parcel (the "Garage Parcel") containing the Fifth and Walnut Parking Garage at 422 Walnut Street; and,

WHEREAS, it was subsequently discovered the Garage Parcel contains portions of two east/west alleys that were intended to be vacated by Ordinance No. 7801 passed March 17, 1969, but such vacation ordinance incorrectly described the east/west alleys, and such ordinance also purports to dedicate the east 6.5 feet of the Garage Parcel as right-of-way for the widening of the north/south alley along the eastern line of the existing parking garage; and,

WHEREAS, on March 6, 2017, by Roll Call Nos. 17-0381 and 17-0382, the City Council scheduled public hearings to be held on March 20, 2016, at 5:00 p.m., to consider vacation of the two East/West alleys within the Garage Parcel, and vacation of the east 6.5 feet of the Garage Parcel that was purportedly dedicated as right-of-way; and,

WHEREAS, the City Plan and Zoning Commission considered the proposed vacation of the two East/West alleys within the Garage Parcel, and vacation of the alley right-of-way upon the east 6.5 feet of the Garage Parcel, at its meeting on March 16, 2017, and has filed the accompanying report and recommendation.

MOVED by \_\_\_\_\_ to receive and filed the report and recommendation of the City Plan and Zoning Commission.

FORM APPROVED:

*Roger K. Brown*

Roger K. Brown, Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk