

★ Roll Call Number

18-0795

Agenda Item Number

39 ✓

Date May 7, 2018

REQUEST BY SPOTFREE CAR WASH, LLC FOR CITY COUNCIL INITIATION OF VACATION OF ALLEY RIGHT-OF-WAY ADJOINING 1437 EAST 14<sup>TH</sup> STREET

WHEREAS, Spotfree Car Wash, LLC (owner) is pursuing vacation and conveyance of the City's alley right-of-way adjoining its property at 1437 East 14<sup>th</sup> Street for purposes of assemblage therewith; and

WHEREAS, City policy requires that an application to privately initiate the vacation of a public right-of-way must be accompanied by the written consent of the owners of all property adjoining the right-of-way proposed to be vacated; and

WHEREAS, the owners of two of the parcels adjoining the subject alley right-of-way have refused to consent to the vacation of the alley, notwithstanding that the alley appears to be no longer providing any vehicular ingress or egress; and

WHEREAS, Spotfree Car Wash, LLC has requested that the City Council initiate the process to consider the vacation of this alley.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the vacation of the alley right-of-way adjoining 1433 East 14<sup>th</sup> Street is hereby referred to the Plan and Zoning Commission and City staff for review and recommendation to the City Council.

MOVED by Westergaard to adopt and initiate the process to vacate and convey the entire alley to Spotfree Car Wash LLC.

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, 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.

T. M. Franklin, Mayor

Diane Rauh, City Clerk