



Roll Call Number

18-0943

Agenda Item Number

Ex. 1

Date May 21, 2018

REQUEST BY HUBBELL REALTY COMPANY FOR CITY COUNCIL INITIATION OF VACATION OF RIGHT-OF-WAY BETWEEN 4755 AND 4805 HUBBELL AVENUE

WHEREAS, Hubbell Realty Company (developer) is pursuing vacation and conveyance of the City-owned right-of-way lying east of and adjoining approximately the south 345 feet of Lot 41 and west of and adjoining approximately the south 231 feet of Lot 42 of Glen Acres subdivision, and also being between 4755 and 4805 Hubbell Avenue, for purposes of assemblage into the proposed Summersfield residential development for fire access purposes; 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, Hubbell Realty Company has failed to obtain the consent to the vacation of the right-of-way from the adjoining property owner(s), notwithstanding that the right-of-way appears to be no longer providing any vehicular ingress or egress; and

WHEREAS, Hubbell Realty Company has requested that the City Council initiate the process to consider the vacation of this right-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the vacation of the City-owned right-of-way lying east of and adjoining approximately the south 345 feet of Lot 41 and west of and adjoining approximately the south 231 feet of Lot 42 of Glen Acres subdivision, and also being between 4755 and 4805 Hubbell Avenue, is hereby referred to the Plan and Zoning Commission and City staff for review and recommendation to the City Council.

Sponsor: Council Member Linda Westergaard

MOVED by Westergaard to adopt.

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.

Y. M. Franklin Council Mayor

Diane Rauh City Clerk