



Roll Call Number

19-0156

Agenda Item Number

42A

Date January 28, 2019

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING
COMMISSION REGARDING CITY-INITIATED REQUEST
FOR VACATION OF EAST/WEST ALLEY RIGHT-OF-WAY LOCATED NORTH OF AND
ADJOINING 101, 107 AND 111 JEFFERSON AVENUE**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 17, 2019, its members voted 8-0 to recommend **APPROVAL** of a City-initiated request to vacate the east/west alley right-of-way located north of and adjoining 101, 107 and 111 Jefferson Avenue, between Franklin Avenue and Jefferson Avenue from Ohio Street to its terminus 410 feet to the west, to allow the undeveloped alley to be assembled with the adjoining parcels, subject to the following conditions:

- (1) Reservation of any necessary easements for all existing utilities in place until such time that they are abandoned or relocated;
- (2) Provision of an access easement if it is necessary to provide access to the existing door(s) on the south façade of the building at 126 Franklin Avenue, in the event that access is not provided through alternate means; and
- (3) Any industrial or commercial development that incorporates the subject right-of-way shall comply with all site plan requirements.

MOVED by Gray 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

Glenna K. Frank, Assistant City Attorney

(11-2018-1.31)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| COLEMAN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |

MOTION CARRIED

APPROVED

J. M. Frank Cownie 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