

★ Roll Call Number

19-0605

Agenda Item Number

EX 1

Date April 8, 2019

APPROVING CITY COUNCIL INITIATION OF VACATION OF ALLEY RIGHT-OF-WAY BETWEEN SE 10TH STREET AND SE 11TH STREET AND SCOTT AVENUE AND SHAW STREET

WHEREAS, the owners of the residential property at 1013 Scott Avenue are pursuing vacation and conveyance of the City-owned north/south alley right-of-way lying between Scott Avenue to the north and Shaw Street to the south, and between SE 11th Street to the east and SE 10th Street to the west, for purposes of acquisition and assemblage of the portion of said alley adjoining their property and for paving a driveway to their garage; 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 1013 Scott Avenue have failed to obtain the consent to the vacation of the right-of-way from all adjoining property owners; and

WHEREAS, the owners of 1013 Scott Avenue have 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 north/south alley right-of-way lying between Scott Avenue to the north and Shaw Street to the south, and between SE 11th Street to the east and SE 10th Street to the west, is hereby referred to the Plan and Zoning Commission and City staff for review and recommendation to the City Council.

MOVED by Gatto to adopt.

FORM APPROVED:

Glenna K. Frank
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 (7 yeas).

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.

J. M. Frankish Cownie Mayor

Diane Rauh City Clerk