

★ Roll Call Number
19-1394

Agenda Item Number
28

Date September 9, 2019

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM HRC NFS I, LLC FOR VACATION OF A SEGMENT OF AIR RIGHTS AND SUBSURFACE RIGHTS IN TUTTLE STREET AND SOUTHWEST 12TH STREET ADJOINING 1170 AND 1210 TUTTLE STREET

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on August 15, 2019, its members voted 9-0-1 to recommend **APPROVAL** of a request from HRC NFS I, LLC, represented by Ashley Aust (officer), to vacate the following segments of right-of-way, subject to reservation of easements for all public utilities in place:

1. A 5.5-foot by 139.7-foot segment of air rights in Tuttle Street and a 2.5-foot by 53.00-foot segment of air rights in Southwest 12th Street adjoining 1170 Tuttle Street; and
2. A 2-foot by 157.85-foot segment of air rights and a 1-foot by 152.31-foot segment of subsurface rights in Tuttle Street adjoining 1210 Tuttle Street.

MOVED by Boesen 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

(11-2019-1.18)

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

MOTION CARRIED

APPROVED

J. M. Frank 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