



Roll Call Number

20-0060

Agenda Item Number

30

Page 1

Date January 13, 2020

SET HEARING FOR VACATION OF ALLEY RIGHT-OF-WAYS LOCATED NORTH OF AND ADJOINING 100 EAST 2ND STREET

WHEREAS, on December 16, 2019, by Roll Call No. 19-2002, the City Council of the City of Des Moines voted to receive and file a communication from the Plan and Zoning Commission regarding a City of Des Moines initiated request to vacate the following segments of alley right-of-way adjoining 100 East 2nd Street, Des Moines, Iowa, as legally described below, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

- A) The east/west alley between East Court Avenue and vacated East Vine Street from East 1st Street to East 2nd Street.
- B) The north/south alley between East 1st Street and East 2nd Street from the east/west alley north 66 feet to a dead end; and

WHEREAS, there is no known current or future public need or benefit for the right-of-way proposed to be vacated and the City will not be inconvenienced by the vacation of said right-of-way, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa:

1. That the City Council of the City of Des Moines, Iowa, shall consider adoption of an ordinance permanently vacating the following segments of alley right-of-way adjoining the property at 100 East 2nd Street, Des Moines, Iowa, legally described as follows, subject to the reservation of any necessary easements for all existing utilities in place until such time as they may be abandoned or relocated:

- A) The east/west alley right-of-way between East Court Avenue and vacated East Vine Street from East 1st Street to East 2nd Street.
- B) The north/south alley right-of-way between East 1st Street and East 2nd Street from the east/west alley north 66 feet to a dead end:

Legal Description

THAT PART OF THE NORTH/SOUTH ALLEY RIGHT OF WAY IN BLOCK D LYING WEST OF AND ADJOINING LOT 12 IN BLOCK D, AND ALL OF THE SOUTHERN EAST/WEST ALLEY RIGHT OF WAY IN SAID BLOCK D, ALL IN SCOTT AND DEAN'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND CONTAINING APPROXIMATELY 0.13 ACRES (5,531 SQUARE FEET).

2. That the meeting of the City Council at which the proposed vacation of said right-of-way and adoption of said ordinance are to be considered shall be on January 27, 2020, said hearing to be held at 5:00 p.m., in the City Council Chamber, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa.



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30

Page 2

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3. That the City Clerk is hereby authorized and directed to publish notice of said proposal in the form hereto attached all in accordance with §362.3 of the Iowa Code.

Moved by Gatto to adopt.

APPROVED AS TO FORM:

Lisa A. Wieland
Lisa A. Wieland, Assistant City Attorney

PSW

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

MOTION CARRIED

APPROVED

T. M. Frank Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik City Clerk