



Roll Call Number

21-01690

Agenda Item Number

23

Date May 10, 2021

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM AUST REAL ESTATE LLC FOR VACATION OF VARIOUS SURFACE AND SUBSURFACE RIGHTS ADJOINING 1201 KEOSAUQUA WAY

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 15, 2021, its members voted 11-0 to recommend APPROVAL of a request from Aust Real Estate LLC (Owner), represented by Mindy Aust for vacation of the following surface and subsurface rights:

- 1. A 6-foot wide by 30-foot long segment of adjoining Crocker Street for surface rights to allow door swings for proposed trash enclosures;
2. A 5-foot by 5-foot segment of adjoining Crocker Street for surface/subsurface rights for a door swing and landing;
3. A 5-foot by 5-foot segment of adjoining 12th Street for surface/subsurface rights for door swing and landing;
4. A 5-foot by 69.13 segment of adjoining Keosauqua Way for surface/subsurface rights to accommodate four (4) door swings and landings;
5. A 3-foot by 126.54-foot long segment of adjoining Keosauqua Way for subsurface encroachment of the existing building; and
6. A 1-foot by 172.25-foot long segment of adjoining 12th Street for subsurface encroachment of the existing building,

to facilitate redevelopment of the existing building locally known and addressed as 1201 Keosauqua Way, all subject to reservation of easements for any existing utilities until such time that they are abandoned or relocated at the applicant's expense.

MOVED by Gatto to receive and file the attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

FORM APPROVED: Judy K. Parks-Kruse
Judy K. Parks-Kruse
Assistant City Attorney

(11-2021-1.05)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, GRAY, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL.

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.

MOTION CARRIED APPROVED
J. M. Frankhu Cowrie Mayor

P. Kay Cmelik City Clerk