

★ Roll Call Number

23-D/53

Agenda Item Number

15

Date February 6, 2023

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM HOYT, LLC (OWNER), REPRESENTED BY RYAN WADE (OFFICER) FOR VACATION OF ALLEY RIGHT-OF-WAY IN THE VICINITY OF 1601 HIGH STREET TO ALLOW FOR TRASH ENCLOSURE GATES TO SWING INTO THE EXISTING ALLEYWAY

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 19, 2023, its members voted 14-0 to recommend APPROVAL of a request from Hoyt, LLC (owner), represented by Ryan Wade (officer), for the vacation of alley right-of-way in the vicinity of 1601 High Street bounded by 16th Street to the east, 17th Street to the west, High Street to the south, and Woodland Avenue to the north, subject to the following conditions:

- 1. Reservation of easements for any existing utilities until such time that they area abandoned or relocated at the applicant's expense.
2. The requested vacation area shall be leased not conveyed, to the applicant.
3. Any future door swing easement shall note that enclosure doors are to remain closed except during trash pick-up.

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.

SECOND BY Boesen

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(ROWV-2022-000025)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL (7 yeas).

MOTION CARRIED

APPROVED

J. M. Franklin Cownie Mayor

CERTIFICATE

I, Laura Baumgartner, 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.

Laura Baumgartner

City Clerk