

★ Roll Call Number

23-1078

Agenda Item Number

20

Date August 7, 2023

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM 36 ON 6TH, LLC (OWNER), REPRESENTED BY TIM BRATVOLD (OFFICER) FOR VACATION OF 26 SQUARE FEET OF SURFACE RIGHT-OF-WAY AND 542 SQUARE FEET OF AIR-RIGHT-OF-WAY IN THE VICINITY OF THE ADJOINING PROPERTIES LOCATED AT 3612 6TH AVENUE AND 3614 6TH AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on July 20, 2023, its members voted 9-0 to recommend APPROVAL of a request from 36th On 6th, LLC (Owner), represented by Tim Bratvold (Officer) for vacation of 26 square feet of surface right-of-way and 542 square feet of air right-of-way in the vicinity of adjoining properties at 3612 6th Avenue and 3614 6th Avenue, to allow the encroachment of an existing building and canopy within the 6th Avenue right of way, subject to the reservation of any necessary 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 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-2023-000006)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, GATTO, SHEUMAKER, MANDELBAUM, VOSS, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED indicators.

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.

J. M. Franklin Cownie Mayor

Laura Baumgartner City Clerk