



Roll Call Number

21-1148

Agenda Item Number

56

Date July 19, 2021

REQUEST BY KG STORE 543, LLC (GERARD HABERMAN) FOR CITY COUNCIL INITIATION OF VACATION OF A SEGMENT OF 16TH STREET SOUTH OF HIGH STREET

WHEREAS, KG Store 543, LLC (developer), represented by Gerard Haberman (officer), is pursuing vacation and conveyance of 16th Street right-of-way between High Street on the north and the southern right-of-way line of the adjoining east/west alley on the south, for purposes of assemblage into a proposed commercial and retail development for which KG Store 543, LLC is seeking economic development assistance from the City; and

WHEREAS, City policy requires that an application to privately initiate the vacation of a public right-of-way must be accompanied by the written consent of the owners of all property adjoining the right-of-way proposed to be vacated; and

WHEREAS, KG Store 543, LLC has failed to obtain the consent to the vacation of the right-of-way from the adjoining property owner(s); and

WHEREAS, KG Store 543, LLC has requested that the City Council initiate the process to consider the vacation of this right-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the vacation of the above-described segment of 16th Street south of High Street is hereby referred to the Plan and Zoning Commission and City staff for review and recommendation to the City Council.

MOVED by Gatto to adopt.

FORM APPROVED:

/s/ Glenna K. Frank

Glenna K. Frank, Assistant City Attorney

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|----------|------|--------|
| COWNIE | ✓ | | | |
| BOESEN | ✓ | | | |
| GATTO | ✓ | | | |
| GRAY | ✓ | | | |
| MANDELBAUM | ✓ | | | |
| VOSS | ✓ | | | |
| WESTERGAARD | ✓ | | | |
| TOTAL | 7 | | | |
| MOTION CARRIED | | APPROVED | | |

J. M. Franklin Cownie
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