



Roll Call Number

23-0479

Agenda Item Number

11

Date April 10, 2023

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING REQUEST FROM GEORGE M. CLAYTON, OWNER, FOR VACATION OF SURFACE RIGHTS-OF-WAY ADJOINING PROPERTY IN THE VICINITY OF 1601 EAST GRAND AVENUE TO ALLOW THE ENCROACHMENT OF AN EXISTING STAIRCASE WITHIN THE EAST 16<sup>TH</sup> STREET RIGHT-OF-WAY**

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on March 23, 2023, its members voted 12-0 to recommend **APPROVAL** of a request from George M. Clayton, Owner for vacation of surface rights-of-way adjoining property in the vicinity of 1601 East Grand Avenue to allow the encroachment of an existing staircase within the East 16<sup>th</sup> Street 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 attached communication from the Plan and Zoning Commission, and refer to the Engineering Department, Real Estate Division.

SECOND BY Voss

APPROVED AS TO FORM:

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

(ROWV-2023-000001)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
SHEUMAKER				✓
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	6			1

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