

ORDINANCE NO. 13,577

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located in the vicinity of 4300 Hubbell Avenue from the "A-1" Agricultural District classification it will receive upon annexation into the City of Des Moines to a "PUD" Planned Unit Development District classification.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located in the vicinity of 4300 Hubbell Avenue, more fully described as follows:

Beginning at the intersection of the West line of Northeast 1/4 of Section 21, Township 79 North, Range 23 West of the 5th P.M., Polk County, Iowa, and the southeasterly right-of-way line of the abandon interurban railway, said point being 1123.0 feet South of the Northwest Corner of the Northeast 1/4 of said Section 21, thence North 70(degrees) 35 1/4(minutes) East, along the southeasterly right-of-way line of the said abandoned interurban railway, 2805.16 feet, to a point on the West right-of-way line of Northeast 46th Street, as it is presently established, said point being 30.0 feet West of the center line of said Northeast 46th Street, as said center line is presently established, and 23.41 feet West of the East line of the Northeast 1/4 of said Section 21, thence South 010 3/4' East, along the West right-of-way line of said Northeast 46th Street, 603.13 feet, to a point on the northwest right-of-way line of Northeast Hubbell Avenue (Avenue Frederick M. Hubbell), as it is presently established, said point being 30.0 feet West of the center line of said Northeast 46th Street and 23.21 feet West of the East line of the Northeast 1/4 of said

Section 21, thence South 54 51 3/4' West, along the northwesterly right-of-way line of said Northeast Hubbell Avenue (Avenue Frederick M. Hubbell) 262.0 feet, thence southeasterly, along a 0.99392 Curve, to the left, 1011.21 feet, thence South 44 48 3/4' West, along the northwesterly right-of-way line of said Northeast Hubbell Avenue (Avenue Frederick M. Hubbell), 62.8 feet, to a point on the South line of the North 100 acres of the Northeast 1/4 of said Section 21, thence South 89 35 1/2' West, along the South line of the North 100 acres of the Northeast 1/4 of said Section 21, 1617.26 feet, to a point on the West line of the Northeast 1/4 of said Section 21, thence North 0 00' East, along the West line of the Northeast 1/4 of said Section 21, 529.0 feet, to the Point of Beginning. The above described tract of land contains 49.3 acres, more or less.

AND

Lots 5, 6, 7, 13 and the West 500.0' of Lot 1, all in Capitol Heights Replat, an Official Plat, Polk County, Iowa.

AND

Beginning at the Northeast Corner of Lot 12, Capitol Heights Replat, an Official Plat, Polk County, Iowa; Thence westerly along the North line of said Lot 12 a distance of 133.33 feet; Thence southerly in a straight line 151.65 feet to the southeasterly corner of said Lot 12; Thence northeasterly along the easterly line of said Lot 12 a distance of 186.6 feet to the Northeast Corner of said Lot 12, and to the Point of Beginning, except southerly 2.00 feet of Lots 5, 6, and 7. Said tract of land contains 10.4818 acres more or less.

from an "A-1" Agricultural District classification to a "PUD" Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law and the annexation of such property into the City of Des Moines, Iowa.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown

Assistant City Attorney