

ORDINANCE NO. 13,754

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 Pine Avenue and Highway 28 (S.W. 42nd Street) from the "PBP" Planned Business Park District classification 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 Pine Avenue and Highway 28 (S.W. 42nd Street), more fully described as follows:

Said property legally described as part of the East 2 of the Southeast 3 of Section 36, Township 78 North, Range 25 West, of the 5th P.M., more particularly described as follows:

Commencing at the East 3 corner of Section 36, Township 78 North, Range 25 West, of the 5th P.M.; thence North 89° (Degrees), $55=$ (Minutes), $33@$ (Seconds), West on the North line of the Southeast 3 of said Section 36 a distance of 115.0 feet; thence South $00^{\circ} 00= 55@$ West parallel with the East line of said Southeast 3, a distance of 33.0 feet to the Point of beginning, said point being the intersection of Southwest 42nd Street (also known as Iowa Highway 28) and the South line of Pine Avenue; thence South $00^{\circ} 03= 55@$ West on said West line of Southwest 42nd Street a distance of 1,342.60 feet; thence South $03^{\circ} 24= 14@$ West on said West line of Southwest 42nd Street 254.91 feet, to the North line of future relocated Iowa Highway 5; thence South $90^{\circ} 00= 00@$ West on said North line of future relocated Iowa Highway 5, a distance of 511.54 feet; thence North $56^{\circ} 30= 00@$ West on said North line of future relocated Highway 5, a distance of 805.35 feet; thence North $00^{\circ} 17= 57@$ West, a distance of 1,040.50 feet to a point on the South line of Future Relocated Army Post Road; thence Northeast along a 3,926.81 foot radius curve concave Southeast with a central angle of $08^{\circ} 16= 05@$, a chord distance of 566.16 feet, a chord bearing of North $78^{\circ} 29= 45@$ East, for an arc distance of 566.65 feet, said arc being the South line of Future Relocated Army Post Road to a point, said point also being on the South line of Pine Avenue; thence South $89^{\circ} 55= 33@$ East on the South line of Pine Avenue a distance of 650.42 feet to the Point of Beginning, containing 39.95 acres more or less; and the West 2 of the right of way of Southeast 42nd Street (also known as Iowa Highway 28) bound on the South by the easterly extension of the South line of the above described property and bound on the North by the westerly extension of the South line of Gannett Avenue and bound on the East by the East line of said Southeast 3 of Section

36, containing 1.27 acres more or less, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. All such property containing 41.22 acres more or less.

from the "PBP" Planned Business Park 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.

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

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Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 99-3008), passed by the City Council of said City at a meeting held September 27, 1999, signed by the Mayor on September 27, 1999, and published as provided by law in the Business Record on October 11, 1999. Authorized by Publication Order No. 6291.

Donna Boetel-Baker, CMC/AAE, City Clerk

