

ORDINANCE NO. 13,987

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property generally located between Court Avenue and Tuttle Avenue and between S.W. 1st Street and S.W. 7th Street from the "C-3" Central Business District Commercial District and the "C-3A" Central Business District Support Commercial District to the "C-3R" Central Business District Mixed Residential 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 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, be and the same is hereby amended by rezoning and changing the district classification of certain property generally located between Court Avenue and Tuttle Avenue and between S.W. 1st Street and S.W. 7th Street, more fully described as follows, from the "C-3" Central Business District Commercial District and the "C-3A" Central Business District Support Commercial District to the "C-3R" Central Business District Mixed Residential District classification:

Lots 5 through 8, Block 34, Fort Des Moines, an Official Plat; and all of vacated East/West alley right-of-way lying North of and adjoining said Lot 5, 6 and 8 and vacated North/South alley right-of-way lying East of said Lot 6; and the South 180.0 feet, Block 31, of said Fort Des Moines; and Lots 4 through 9, Block 24 of said Fort Des Moines; and all of vacated North/South alley right-of-way lying West of and adjoining said Lot 7; and Lots 5 through 8, Block 21, of said Fort Des Moines; and all of vacated East/West alley right-of-ways lying North of and adjoining Lots 5, 7 and 8, of said Block 21; and all of Blocks 7, 15 through 20, 25 through 30, 35, 36 and 37, of said Fort Des Moines; and Lot 2 except street right-of-way and all of Lots 3 through 6, Factory Addition, an Official Plat and vacated East/West alley right-of-way lying South of and adjoining said Lot 6; and Lots 1 and 2,

Green Colonial Place Plat 2, an Official Plat; and Lots 1, 2 and 3, Riverpoint Plat 3, an Official Plat; and Lots 54 through 63, Railroad Addition, an Official Plat; and vacated North/South alley right-of-way lying West of and adjoining said Lots 54 through 63; and Lots 12 through 17 and Lots 19 through 25 and Lots 36 through 42 and Lot 100 except street right-of-way, Factory Addition Replat, an Official Plat; and Lots 1, 2 and 3 and intervening 40.0 foot strip, Official Plat of Lots 1 and 2, Block 17, Fort Des Moines; and Lots 9 through 16 and intervening 40.0 foot strip in the Official Plat of Lots 3, 4, 6, 7 and 8, Block 16, Fort Des Moines; and all of Lots 4, 5 and 6, Block 8, of said Fort Des Moines and all that part of Lots 2, 3, 7 and 8, lying southeasterly of the easterly right-of-way line of SW. 6th Street, in said Block 8, of said Fort Des Moines; and except westerly of a line beginning 265.23 feet northeasterly of the Southwest corner of Lot 4, Block 9, of said Fort Des Moines to point on the South line of Lot 5, of said Block 9, thence northerly 132.9 feet to a point on the easterly extension of the northerly line of the South 52.0 feet of Lot 6, of said Block 9 and said Lot 5 and the 66.0 foot vacated 6th Street right-of-way lying East of and adjoining the South 52.0 feet of said Lot 6 and all of Lot 5, of said Block 9; and all vacated Market Street and SW. 6th Street right-of-ways adjoining Blocks 7, 8, 17 and 16, of said Fort Des Moines and Official Plat of Lots 1 and 2, Block 17, Fort Des Moines and Official Plat of Lots 3, 4, 6, 7 and 8, Block 16, Fort Des Moines and vacated South 13.0 foot of Vine Street right-of-way lying southeasterly of the easterly right-of-way line of SW. 6th Street, Block 8, of said Fort Des Moines to the West right of line of SW. 5th Street; and all of vacated Market Street right-of-ways lying South of Block 26 and lying North of Block 18 and 27, of said Fort Des Moines and all that part of vacated 292.64 foot SW. 4th Street right-of-

way lying East of said Block 18; and all that part of vacated Vine Street right-of-ways lying South of Blocks 20, 25, 30 and 35, of said Fort Des Moines; and all that part of vacated 4th Street right-of-way lying East of Block 20, of said Fort Des Moines; and that part of Market Place vacated by Ordinance No. 4881; and Lots 1 and 2 and vacated 40.0 foot strip of railroad right-of-way Official Plat of Lot 1, Block 19, Fort Des Moines; and all that part of vacated North/South and East/West alley right-of-ways lying southeasterly of the easterly right-of-way line of SW. 6th Street Block 8, of said Fort Des Moines; and all that part of vacated 4th Street right-of-way lying West of Lot 5, Block 24 and vacated Court Avenue right-of-way lying South of and adjoining said Lot 5 and Lot 7, Block 24, of said Fort Des Moines; and all that part of vacated Court Avenue right-of-way lying North of and adjoining Blocks 25 and 30, of said Fort Des Moines; and all that part of vacated 2nd Avenue right-of-way lying West of and adjoining Lot 1 and vacated 1st Street right-of-way lying East of and adjoining Lots 11 and 12, Block 35, of said Fort Des Moines; and -Except Beginning at the Northeast corner of Lot 6, Block 9, of said Fort Des Moines; thence northeasterly along the East extension of the North line of said Lot 6, 47.51 feet; thence southwesterly along the East existing right-of-way line of 6th Avenue, 15.3 feet; southwesterly 42.72 feet to a point on the East line of said Lot 6 and 14.0 feet southeasterly of the Northeast corner of said Lot 6; thence northwesterly 14.51 feet to the point of beginning- of the 66.0 foot vacated 6th Avenue right-of-way lying East and adjoining the North 14.0 feet of said Lot 6, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (herein the "Property").

Sec. 2. This ordinance shall be in full force and effect from and after 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

Preston Daniels, Mayor

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. 01-2614), passed by the City Council of said City at a meeting held August 20, 2001, signed by the Mayor on August 20, 2001, and published as provided by law in the Business Record on September 3, 2001. Authorized by Publication Order No. 1877.

Donna Boetel-Baker, MMC City Clerk