

ORDINANCE NO. 14,013

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by repealing paragraph (e) of Section 2-1 of Appendix A, thereof and enacting a new paragraph (e) of Section 2-1 of Appendix A, relating to boundaries of the city limits.

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

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by repealing paragraph (e) of Section 2-1 of Appendix A, thereof and enacting a new paragraph (e) of Sections 2-1 of Appendix A, relating to boundaries of the city limits, as follows:

(e) *Section "E."* Continuing on from Section "D"; thence east along the east and west centerline of said Section 22 and Section 23, Township 79 North, Range 24 West of the 5th P.M., to a point 1174.1 feet west of the east line of said Section 23, said point being the southerly extension of the west line of Lot 11, "Pagliai Place," an official plat; thence north to the southwest corner of said Lot 11; thence continuing north along the west line of Lot 11 and Lot 16 of said "Pagliai Place" to the northwest corner of said Lot 16; thence east along the north line of said Lot 16 to the southwest corner of Lot 48, "Iowa Garden Acres," an official plat; thence north along the west line of said Lot 48 to the northwest corner of said Lot 48; thence continuing north along the northerly extension of the west line of said Lot 48, a distance of 15.0 feet to the centerline of Northeast Forty-third Avenue; thence east along the centerline of Northeast Forty-third Avenue and parallel with the north line of said Lot 48, a distance of 66.0 feet to the northerly extension of the west line of Lot 49 of said Iowa Garden Acres; thence south along the northerly extension of said Lot 49, a distance of 15.0 feet to the northeast corner of said Lot 49; thence south along the west line of said Lot 49 to a point 157.5 feet north of the south line of said Lot 49; thence east and parallel with the south line of Lots 49 and 50 of said "Iowa Garden Acres" to the west line of Lot 51 of said "Iowa Garden Acres"; thence north along the west line of said Lot 51, to the northwest corner of said Lot 51; thence continuing north to the centerline of Northeast Forty-third Avenue, 15.0 feet; thence east along the centerline of Northeast Forty-third Avenue and parallel with the north line of Lots 51 and 52 of said Iowa Garden Acres, to the west right-of-way line of Northeast Fourteenth Street (U.S. Highway 69); said

point being 50.0 feet west of the east line of the northeast 1/4 of said Section 23; thence north along a line 50.0 feet west of and parallel with the east line of said Section 23, to the north line of Lot 1, of said "Iowa Garden Acres"; thence west along the north line of said Lot 1, to a point 200.0 feet east of the northwest corner of said Lot 1; thence south and parallel with the west line of said Lot 1, to the south line of said Lot 1; thence continuing south to the centerline of Northeast Forty-third Avenue 15.0 feet; thence west along the centerline of Northeast Forty-third Avenue and parallel with the south line of said Lot 1, a distance of 200.0 feet, to the southerly extension of the west line of said Lot 1; thence north along the southerly extension of the west line of said Lot 1, a distance of 15.0 feet; to the southwest corner of said Lot 1; thence north along the west line of said Lot 1 to the northwest corner of said Lot 1, of said "Iowa Garden Acres"; thence west along the south line of the north 1/4 of the southeast 1/4 of the northeast 1/4 of said Section 23, to the west line of the southeast 1/4 of the northeast 1/4 of said Section 23; thence north along the west line of the southeast 1/4 of the northeast 1/4 of said Section 23, to the south right-of-way line of Northeast Forty-fourth Avenue (Hoffman Road); thence west along the south right-of-way line of Northeast Forty-fourth Avenue (Hoffman Road), to the east right-of-way line of Northeast Eighth Street; thence north to the north right-of-way line of Northeast Forty-fourth Avenue (Hoffman Road); thence east along the north right-of-way line of Northeast Forty-fourth Avenue (Hoffman Road) to the southeast corner of Lot 21, "Stickler Heights," an official plat; thence north along the east line of said Lot 21, to the northeast corner of said Lot 21; thence west along the north line of said Lot 21, to a point 788.1 feet west of the east line of the northeast 1/4 of the northeast 1/4 of said Section 23; thence north to the south right-of-way line of Northeast Forty-sixth Avenue (Broadway Avenue), said point being 40.0 feet south of the north line of said Section 23 and on the east line of Lot 10 of said "Stickler Heights"; thence west along the south right-of-way line of Northeast Forty-sixth Avenue (Broadway Avenue) and parallel with the north line of said Section 23, to the east line of Lot 8, said "Stickler Heights"; thence north along the east line of said Lot 8, to the northeast corner of said Lot 8, a distance of 7.0 feet; thence west along the south right-of-way line of Northeast Forty-sixth Avenue (Broadway Avenue) to a point 1998.08 feet west of the east line of said Section 23; thence north to the north line of Northeast Forty-sixth Avenue (Broadway Avenue), 33.0 feet north of the south line of the southeast 1/4 of Section 14, Township 79 North, Range 24 West of the 5th P.M.; thence north 89° 55' 30" east along the north right-of-way line of said Northeast Forty-sixth Avenue (Broadway Avenue) 366.02

feet; thence north 00° 03' 45" west, 192.0 feet; thence south 89° 55' 30" west, 348.0 feet; thence south 00° 03' 45" east, 192.0 feet to the north right-of-way line of said Northeast Forty-sixth Avenue (Broadway Avenue); thence south 89° 55' 30" west along said right-of-way line 18.02 feet to the west line of the east 1/2 of the southwest 1/4 of the southeast 1/4 of said Section 14; thence north 00° 01' 45" west along said west line, 1293.06 feet to the north line of the southwest 1/4 of the southeast 1/4 of said Section 14; thence south 89° 56' 30" west along said north line, 665.22 feet to the northwest corner of the southwest 1/4 of the southeast 1/4 of said Section 14; thence north 00° 00' 00" east along the west line of the southeast 1/4 of said Section 14, a distance of 479.65 feet to a point that is 183.0 feet south of the centerline of Interstate No. 35-80, as it is presently established; thence north 89° 55' 30" east, parallel with and 183.0 feet south of the south line of the north 1/2 of the northwest 1/4 of the southeast 1/4 of said Section 14, a distance of 1329.98 feet to the east line of the northwest 1/4 of the southeast 1/4 of said Section 14; thence south 00° 03' 45" east, 68.47 feet along the east line of the northwest 1/4 of the southeast 1/4 of said Section 14; thence south 85° 15' 30" east, 503.84 feet; thence north 0° 07' 30" west, 535.38 feet to the present north right-of-way line of Interstate 35-80; thence continuing north 0° 07' 30" west, 91.25 feet; thence north 89° 58' 00" east, 97.13 feet; thence north 0° 07' 30" west, 165.00 feet; thence north 89° 58' 00" east, 146.17 feet; thence north 0° 07' 30" west, 149.00 feet to the present south right-of-way line of Northeast Fiftieth Avenue (Goode Drive), being 16.00 feet south of the north line of the southeast 1/4 of said Section 14; thence North along the southerly extension of the West line of Lot 19, Goode Heights, Plat One, an Official Plat; thence North along the West line of said Lot 19 and the West line of Lot 17, of said Goode Heights Plat One, to the Northwest corner of said Lot 17, and the South right-of-way line of Lot D, Goode Heights Plat One, (also know as Wauneta Drive and Northeast Fiftieth Place); thence continuing North along the northerly extension of said Lot 17 to the North right-of-way line of said Lot D, (Wauneta Avenue and Northeast Fiftieth Place) and the Southwest corner of Lot 2 of said Goode Heights Plat One; thence North along the West line of said Lot 2 to the Northwest corner of said Lot 2; thence East along the North line of said Lot 2 to the Northeast corner of said Lot 2, also being the Southwest corner of Lot 27, Goode Heights Plat Two, an Official Plat; thence North along the West line of said Lot 27 to the Northwest corner of said Lot 27 and the South right-of-way line of Lot A, (also known as Forrest Goode Road and Northeast Fifty-first Avenue) of said Goode Heights Plat Two; thence North along the northerly extension of the West line of said Lot 27 to the South line of Lot B,

(Forrest Goode Road and Northeast Fifty-first Avenue) Pettit Place, an Official Plat; thence West along the South line of said Lot B ( Forrest Good Road and Northeast Fifty-first Avenue), 38.0 feet; thence North to the North line of said Lot B (Forrest Goode Road and Northeast Fifty-first Avenue), 25.0 feet; thence East along the North line of said Lot B (Forrest Goode Road and Northeast Fifty-first Avenue), 13.0 feet to Southeast corner of Lot 14 of said Pettit Place; thence North along the West line of said Lot 14, a distance of 350.0 feet; thence East along a line 350.0 feet North of and parallel with the South line of said Lot 14, a distance of 255.0 feet to the East line of said Lot 14, thence South along the East line of said Lot 14, a distance of 350.0 feet to the South line of said Lot 14, also being the North line of Lot B, (Forrest Goode Road and Northeast Fifty-first Avenue), of said Pettit Place; thence West along the North line of said Lot B, (Forrest Goode Road and Northeast Fifty-first Avenue), a distance of 50.0 feet; thence South to the South line of said Lot B, (Forrest Goode Road and Northeast Fifty-first Avenue), a distance of 25.0 feet, to the North line of Lot A, (Forrest Goode Road and Northeast Fifty-first Avenue), Goode Height Plat Two; thence West along the North line of said Lot A, (Forrest Goode Road and Northeast Fifty-first Avenue); to the intersection of the northerly extension of the East line of the west 68.0 feet of said Lot 27; thence South 25.0 feet to the North line of said Lot 27; thence South 120.0 feet; thence East to East line of said Lot 27; thence South along the East line of said Lot 27 to the South line of said Lot 27, a distance of 20 .0 feet to the Southeast corner of said Lot 27 and the North line of Lot 1, of said Goode Heights Plat One; thence East along the North line of said Lot 1, a distance of 10.0 feet to the Northeast corner of said Lot 1; thence South along the East line of said Lot 1, and the North line of said Lot D, (Wauneta Avenue and Northeast Fiftieth Place); thence West along the center line of said Lot D, (Wauneta Avenue and Northeast Fiftieth Place), 168.0 feet; thence South along the northerly extension of the West line of said Lot 17, a distance of 25.0 feet , and along the East line of Lots 17 and 19 of said Goode Heights Plat One, 280.0 feet, to the North line of Lot A (also known as Northeast Fiftieth Avenue and Goode Drive) of said Goode Heights Plat 1, to a point 228.0 feet West of the East line of said Lot A; thence South along the East line of the West 80.0 feet East of the East 328.0 feet of said Lot A, 15.0 feet, thence continuing South along the East line of the West 80,0 feet of the East 328.0 feet of Lot 19, of the Official Plat of the East ½ of the Northeast ¼ of Section 19, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M., a distance of 5.0 feet, lying South of and adjoining said Lot A, (Northeast Fiftieth Avenue and Goode Drive); thence East to a point 117.0 feet West of the East line of the center line of

said Section 14; thence South along a line 117.0 feet West of and parallel with the East line of said Section 14, a distance of 16.0 feet to the present South right-of-way line of Northeast Fiftieth Avenue and Goode Drive, and being the present West right-of-way line of Northeast Fourteenth Street (U.S. Highway 69); thence south  $03^{\circ} 06' 50''$  west, 149.25 feet along said right-of-way line; thence south  $89^{\circ} 58' 00''$  east along said right-of-way line; thence south  $0^{\circ} 07' 30''$  east along said right-of-way line, 90.00 feet; thence south  $48^{\circ} 31' 07''$  west, 113.27 feet to the present north right-of-way line of Interstate 35-80; thence south  $82^{\circ} 23' 04''$  west along said right-of-way line 291.02 feet; thence south  $82^{\circ} 06' 24''$  west, along said right-of-way line, 338.99 feet; thence south  $83^{\circ} 03' 30''$  west along said right-of-way line, 53.97 feet; thence south  $0^{\circ} 07' 30''$  east, 535.38 feet to the south right-of-way line of said Interstate 35-80; thence south  $85^{\circ} 15' 30''$  east, 452.43 feet; thence southeasterly along a 285.57 foot radius curve, concave southwesterly, 424.32 feet, with a central angle of  $85^{\circ} 08' 00''$ , a chord distance of 386.35 feet and a chord bearing of south  $42^{\circ} 41' 30''$  east; thence south  $00^{\circ} 07' 30''$  east, parallel with and 116.0 feet west of the east line of the southeast 1/4 of said Section 14, 1131.04 feet; thence south  $89^{\circ} 55' 30''$  west, 125.7 feet; thence south  $00^{\circ} 07' 30''$  east, 191.7 feet to a point 50.0 feet north of the south line of the southeast 1/4 of said Section 14; thence east along a line 50.0 feet north of and parallel with the south line of said Section 14, a distance of 125.7 feet; thence south 102.0 feet to a point 52.0 feet south of the north line of Section 23, Township 79 North, Range 24 West of the 5th P.M. and 116.0 feet west of the east line of said Section 23; thence east along the south right-of-way line of Northeast Forty-sixth Avenue (Broadway Avenue) to the west right-of-way line of Northeast Fourteenth Street (U.S. Highway 69), said right-of-way line being 50.0 feet west of the east line of said Section 23; thence south along the west right-of-way line of said Northeast Fourteenth Street (U.S. Highway 69), 319.51 feet; thence west 10.0 feet to the northeast corner of Lot 15, "Stickler Heights," an official plat; thence south along said west right-of-way line and the east line of said Lot 15, a distance of 198.0 feet; thence east 10.0 feet to the northeast corner of Lot 16, of said "Stickler Heights"; thence south and 50.0 feet west of and parallel with the east line of said Section 23, to the east and west centerline of said Section 23; thence east along the east and west centerline of said Section 23, to the southwest corner of the northwest 1/4 of Section 24, Township 79 North, Range 24 West of the 5th P.M.; thence continuing east along the east and west centerline of said Section 24, and Section 19, Township 79 North, Range 24 West of the 5th P.M., to a point 388.36 feet west of the west line of Section 20, Township 79 North, Range 23 West of the 5th P.M.; thence north 33.0 feet, to

the southwest corner of Lot 54 "Douglas Acres Plat No. 8," an official plat; thence north along the west line of Lots 54, 53 and 52 of said "Douglas Acres Plat No. 8," a distance of 327.0 feet, to the northwest corner of said Lot 52; thence east along the north line of said Lot 52, a distance of 355.0 feet, to the northeast corner of said Lot 52; thence continuing east along the extended north line of said Lot 52, a distance of 33.0 feet to the centerline of East Twenty-ninth Street; thence north along the centerline of East Twenty-ninth Street, 555.12 feet, said point being 915.50 feet north of the south line of the northwest 1/4 of said Section 20; thence east 33.0 feet to the northwest corner of Lot 85, "Long Acre," an official plat; thence east 287.0 feet to the southeast corner of Lot 83, of said "Long Acre"; thence north along the east line of Lots 83, 82, 81 and 80 of said "Long Acre" to the southwest corner of Lot 77 of said "Long Acre," 209.7 feet; thence southeasterly along the southerly line of Lots 77, 76, and 75 of said "Long Acre" to the southeast corner of said Lot 75, 534.3 feet; thence north along the east line of said Lot 75 to the northwest corner of Lot 74 of said "Long Acre," 555.3 feet; thence continuing north along the northerly extension of the west line of said Lot 74, a distance of 33.0 feet to the centerline of Hancock Street; thence east along the centerline of Hancock Street and parallel with the north line of said Lot 74, a distance of 131.0 feet; thence south along the northerly extension of the east line of said Lot 74, a distance of 33.0 feet to the northeast corner of said Lot 74; thence south along the east line of said Lot 74 to a point 335.0 feet north of the south line of Lot 73 of said "Long Acre"; thence east to a point on the east line of said Lot 73, said point being 335.0 feet north of the southeast corner of said Lot 73, a distance of 127.0 feet; thence north to the northwest corner of Lot 72 of said "Long Acre"; thence continuing north along the northerly extension of the west line of said Lot 72 a distance of 33.0 feet to the centerline of Hancock Street; thence east along the centerline of Hancock Street and parallel with the north line of Lots 72 and 71 of said "Long Acre," 258.0 feet; thence south along the northerly extension of the east line of said Lot 71, a distance of 33.0 feet, to the northeast corner of said Lot 71; thence south along the east line of said Lot 71 to the southeast corner of said Lot 71, a distance of 612.7 feet; thence east along the north line of Lot 62 of said "Long Acre" to the northeast corner of said Lot 62, a distance of 376.0 feet; thence continuing east along the easterly extension of the north line of said Lot 62, a distance of 33.0 feet to the centerline of East Thirty-second Street; thence south along the centerline of East Thirty-second Street and parallel with the east line of Lots 62, 61 and 60 of said "Long Acre," 315.0 feet; thence west along the easterly extension of the south line of said Lot 60, a distance of 33.0 feet to the southeast

corner of said Lot 60; thence continuing west along the north line of Lot 59 of said "Long Acre" to the northwest corner of said Lot 59; thence south along the west line of Lots 59 and 58 of said "Long Acre" to the southwest corner of said Lot 58; thence continuing south along the southerly extension of the west line of said Lot 58 to the east and west centerline of said Section 20, a distance of 186.75 feet; said point being 1052.38 feet east of the west line of said Section 20; thence east along the east and west centerline of said Section 20, and 21, Township 79 North, Range 23 West of the 5th P.M.; to the north and south centerline of said Section 21; thence north along the centerline of said Section 21, a distance of 296.43 feet, also being the centerline of East Forty-second Street; thence east along the westerly extension of the north line of Lot 12, Capitol Heights Replat, an official plat, 33.0 feet to the northwest corner of said Lot 12: thence east along the north line of said Lot 12 to the northeast corner of said Lot 12; thence southwesterly along the east line of said Lot 12 to the northeast corner of Lot 8 of said "Capitol Heights Replat"; thence southeasterly along the east line of said Lot 8 to the east and west centerline of said Section 21; thence east along the east and west centerline of said Section 21 to a point 590.45 feet east of the north and south centerline of said Section 21; thus ending Section "E."

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

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- 3344), passed by the City Council of said City at a meeting held November 5, 2001, signed by the Mayor on November 5, 2001, and published as provided by law in the Business Record on November 19, 2001. Authorized by Publication Order No. 3006.

Donna Boetel-Baker, MMC City Clerk