

ORDINANCE NO. 14,050

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 within the Drake Neighborhood area generally bounded by University Avenue on the north, the MacVicar Freeway (I-235) on the south, Martin Luther King Jr. Parkway on the east, and 42nd Street on the west, from the "R-3" Multiple Family Residential District to the "R1-60" One-Family Low Density 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 within the Drake Neighborhood area generally bounded by University Avenue on the north, the MacVicar Freeway (I-235) on the south, Martin Luther King Jr. Parkway on the east and 42nd Street on the west, more fully described as follows, from the "R-3" Multiple Family Residential District to the "R1-60" One-Family Low Density Residential District classification:

West 80.8 feet Lot 2 and all of Lots 3 through 11, Kenwood, an Official Plat; and

Lots 1, 2 and the South 90.0 feet of the East 114.0 feet Lot 10 and all of Lots 26, 27, 28, 33 and the South 32.0 feet Lot 32, Kellastone, an Official Plat; and

South 50.0 feet Lot 1, all of Lots 2, 3, 11, 12, South 50.0 feet Lot 13, all of Lots 16, 17, 18, 28, 29, 30, South 50.0 feet Lot 33, all of Lots 34 through 37 and North 5.0 feet Lot 38, Kauffman Place, an Official Plat; and

South 32.0 feet Lot 1 and East 104.5 feet of the North 95.0 feet of the South 115.0 feet Lot 4 and South 100.0 feet of the East $\frac{1}{2}$ of the West $\frac{1}{2}$ Lot 4 and South 96.0 feet of the West $\frac{1}{4}$ Lot 4 and the East 47.25 feet of the South 100.0 feet Lot 5 and except the East 104.0 feet of the South 175.0 feet Lot 7 and except the West 59.0 feet of the South 175.0 feet Lot 8 and the North 198.0 feet of the East 130.0 feet Lot 23, Lyon's Park, an Official Plat; and

Lot 2, Lots 4 through 13, Lots 15 through 23 and Lot 25, Lyon's Court Addition, an Official Plat; and

except the West 25.30 feet Lot 2, all of Lots 3 and 4 and the North 200.0 feet Lot 6 and all of Lots 7, 8, 20 and 21, Lyon's Place, an Official Plat; and

Lots 1 through 6, Wilmaleta, an Official Plat; and

Lots 1 through 8, Thirty Three Street Plat, an Official Plat; and

Lots 1 through 8, except the East 30.0 feet Lot 10, Lots 11 through 14, Lots 19, 20, 21, except the West 60.0 feet Lot 22, all of Lots 23 through 29, Lots 32, 34, 36 and 38, Lyon's Park Plat 2, an Official Plat; and

South 32.0 feet of Lots 5 through 8, James H. Lopers 1st Addition, an Official Plat; and

Lots 1 through 7, North 40.0 feet Lot 12, North 40.0 feet and the East 25.0 feet of the South 165.0 feet Lot 13, all of Lot 14, East 150.0 feet Lot 15, all of Lot 16, J. B. Locke's Subdivision, an Official Plat; and

Lots 3 and 4, Subdivision of Block A Lyon's Park Replat, an Official Plat; and

South 60.0 feet of the North 190.0 feet Lot 3, Floral Hill, an Official Plat; and

Lots 51 through 86, West 25.0 feet Lot 87, all of Lots 89 through 92, West 25.0 feet Lot 93, all of Lots 95 through 100, except the West 75.0 feet of the East 125.0 feet of the South 136.0 feet Lot 101, all of Lots 102 through 108, West 37.0 feet Lot 111, all of Lots 112 through 131, Lots 135 through 159, West ½ Lot 161, all of Lots 162 through 166, Lots 169 through 176, East ½ Lot 178, all of Lots 179 through 191, Kingman Place, an Official Plat; and

Lots 1, 2, South 2.0 feet Lot 3, all of Lots 4 and 5, West 90.0 feet Lot 6, all of Lots 8 and 9, Partition Plat of Kingman Estate, an Official Plat; and

Lots 7 through 30 and Lots 43 through 59 and the South 2.0 feet Lot 60, Drake University Addition, an Official Plat; and

Lots 8, 9, Lots 15 through 34, Lots 37, 38 and 39, Drake University 2nd Addition, an Official Plat; and

Lots 1 through 4, Subdivision of Lots 263, 264 and 265, University Land Company's 1st Addition, an Official Plat; and

Lots 159 through 165 and the North 50.0 feet and the South 10.0 feet of the West 45.0 feet Lot 167 and all of Lots 178 and 179 lying North of Interstate 235 Freeway right of way, all of Lots 180 through 190, South 30.0 feet Lot 192, all of Lots 193 through 200, Lot 201 lying North of Interstate 235 Freeway right of way, all of Lots 208 and 209, Lots 211 through 218, Lots 221 and 222 and South 10.0 feet Lot 223 and that part of Lot 223 commencing 18.0 feet North of the Southeast corner on the East lot line to the Point of beginning, thence North 56.33 feet, thence West 94.0 feet, thence southwesterly 5.5 feet, thence South 31.0 feet, thence southeasterly 65.0 feet, thence 35.0 feet to the Point of Beginning, all of Lots 224 through 227, Lots 231 through 240, Lot 242 lying North of Interstate 235 Freeway right-of-way, all of Lots 243 through 262, Lots 266 through 272, except the West 60.0 feet Lots 273 and 274 and except the North 30.0 feet of the West 60.0 feet Lot 275 and except South 20.0 feet of the West ½ Lot 275 and except the West ½ Lots 276, 277 and 278, all of Lots 279 through 284 and East ½ Lots 285 and 286

lying North of Interstate 235 Freeway right of way, University Land Company's 1st Addition, an Official Plat; and

Lots 119 through 125 and Lots 152 through 155 and East 43.35 feet measured on the North line Lot 156, Subdivision of Lots 2 and 4 Official Plat of the Northwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M.; and

All of Drake Park Avenue Lot 1 Official Plat of the Northwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M.; and

Lots 25 through 33 and Lots 38 through 55, Drake University 3rd Addition, an Official Plat; and

except the North 150.0 feet Lot 1 and all of Lots 2, 3, North 100.0 feet Lot 4 and South 128.73 feet Lot 4 and except the North 178.0 feet of Lot 5, except the South 62.75 feet of the North 450.75 feet Lot 5, Block 4, Cottage Grove, an Official Plat; and

except the North 100.0 feet Lot 1, all of Lots 4 and 5 except street right of way, South 100.0 feet Lot 6 and all of Lot 7 and except the East 49.29 feet of the North 96.0 feet Lot 8, Block 3, of said Cottage Grove; and

Lots 1 through 6, Cains Subdivision, an Official Plat; and

except the East 150.0 feet Lot 1, except the South 62.38 feet of the North 114.38 feet Lot 2, except the South 89.06 feet Lot 3, Lots 4 and 5 except street right of way, all of Lots 6, 7 and 8, Block 2, of said Cottage Grove; and

Lot 3, Lots 5 through 13, Lots 15 through 22, Lot 24 and the South 19.64 feet Lot 25, Cottage Grove Replat, an Official Plat; and

South 19.64 feet Lot 3, Essick Square, an Official Plat; and

Lots 1 through 8, Lot 12 and South 20.0 feet Lot 14, all of Lots 15 through 20, T. M. Walkers Elm Grove Addition, an Official Plat; and

Lots 23 through 35, North 25.0 feet Lot 37, all of Lots 38 through 44, T. K. Clark's Addition, an Official Plat; and

Lots 39 through 45, North 25.0 feet Lot 71 and all of Lots 72 through 75, Tidrick's Addition, an Official Plat; and

Beginning at the Southwest corner of Lot 29, thence East 17.0 feet, thence North 81.6 feet, thence northeasterly 21.2 feet, thence southeasterly 119.1 feet, thence West 86.2 feet to the Point of Beginning, Lot 29 Official Plat of Lots 1 through 29 Northwest $\frac{1}{4}$, Section 5, Township 78 North, Range 24 West of the 5th P.M., an Official Plat; and

Lots 1 through 3, Ira W. Andersons Cottage Grove Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa. Containing 117.6 acres more or less.

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. 01-362), passed by the City Council of said City at a meeting held February 4, 2002, signed by the Mayor on February 4, 2002, and published as provided by law in the Business Record on February 18, 2002. Authorized by Publication Order No. 3115.

Donna Boetel-Baker, MMC City Clerk