

ORDINANCE NO. 14,207

AN ORDINANCE pursuant to Iowa Code §354.9, reaffirming the City of Des Moines' exercise of jurisdiction over the subdivision of land within the unincorporated areas in Polk and Warren Counties located within two miles of the boundaries of the City of Des Moines, as those boundaries may be amended from time to time.

WHEREAS, the City of Des Moines, Iowa, has heretofore exercised its jurisdiction under Iowa Code Chapter 354 to regulate all divisions of land which result in the creation of a subdivision within the boundaries of the City; and,

WHEREAS, the City of Des Moines, Iowa, has heretofore exercised its jurisdiction under Iowa Code §354.9 to regulate all divisions of land which result in the creation of a subdivision outside of the boundaries of the City within the unincorporated area within two miles distance of the City's boundaries; and,

WHEREAS, the City desires to reaffirm its jurisdiction in this matter.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Section 1. The City of Des Moines hereby reaffirms its exercise of jurisdiction pursuant to Chapter 354 of the Iowa Code, and Chapter 106 – Subdivisions, of the Municipal Code of the City of Des Moines, Iowa 2000, to regulate all divisions of land which result in the creation of a subdivision within the boundaries of the City.

Sec. 2. The City of Des Moines hereby reaffirms its exercise of jurisdiction pursuant to Section 354.9 of the Iowa Code, and Chapter 106 – Subdivisions, of the Municipal Code of the City of Des Moines, Iowa 2000, to regulate all divisions of land which result in the creation of a subdivision within the unincorporated area within two miles distance of the City's boundaries, as those boundaries may be amended from time to time.

Sec. 3. No subdivision plat, and no plat of survey resulting in the creation of a subdivision, shall be made for any land located within the boundaries of the City of Des Moines, or within the unincorporated area within two miles distance of the City's boundaries, unless such subdivision plat or plat of survey has been approved by the City of Des Moines. No subdivision plat, and no plat of survey resulting in the creation of a subdivision, shall be filed of record in the office of the county recorder for any land located within the boundaries of the City of Des Moines, or within the unincorporated area within two miles distance of the City's boundaries, unless such subdivision plat or plat of survey bears on its face a stamp with original signatures purporting to show that such plat has been approved by the City of Des Moines.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 5. The City Clerk is hereby authorized and directed to cause certified copies of this ordinance to be recorded with the Polk County Recorder and the Warren County Recorders, and to be filed with the Polk County Auditor and the Warren County Auditor.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Preston A. Daniels, Mayor

Attest:

I, Diane Rauh, 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. 03-321), passed by the City Council of said City at a meeting held February 10, 2003 signed by the Mayor on February 10, 2003 and published as provided by law in the Business Record on February 24, 2003. Authorized by Publication Order No. 3560.

Diane Rauh, City Clerk