

ORDINANCE NO. 14,218

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 located in the vicinity of 2301 E. County Line Road from the "A-1" Agricultural District classification the property will automatically receive upon its annexation into the City, to a Limited "C-2" General Retail and Highway Oriented Commercial 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 located in the vicinity of 2301 E. County Line Road, more fully described as follows, from the "A-1" Agricultural District classification the property will automatically receive upon its annexation into the City, to a Limited "C-2" General Retail and Highway Oriented Commercial District classification:

Northwest 1/4 of the Northwest 1/4 of  
Section 1, Township 77 North, Range 24 West  
of the 5th P.M., Warren County, Iowa, lying  
North and East of U.S. Primary Highway  
65/69, as now established. (Hereinafter  
referred to as the "Property".)

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

The following uses of land and structures shall be prohibited upon the Property:

(a) Adult entertainment business.

(b) Mobile home parks.

(c) Off premises advertising signs.

(d) Taverns and nightclubs.

(e) Used car sales lots, and the display of motor vehicles for sale.

Sec. 3. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law, and the annexation of the Property into the City of Des Moines.

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, proof of publication of this ordinance, and the Acceptance of Rezoning Ordinance signed by all owners of the Property, to be properly filed in the office of the Recorder of Polk County, Iowa.

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. 03-663), passed by the City Council of said City at a meeting held March 24, 2003 signed by the Mayor on March 24, 2003 and published as provided by law in the Business Record on April 7, 2003 Authorized by Publication Order No.3573.

Diane Rauh, City Clerk