

ORDINANCE NO. 14,312

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 8900 - 85th Avenue and southwest of the interchange of 85th Avenue and Iowa Highway 5, from the "A-1" Agricultural District to the "PUD" Planned Unit Development 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 8900 - 85th Avenue and southwest of the interchange of 85th Avenue and Iowa Highway 5, more fully described as follows:

Commencing at the Northeast corner of Section 6, Township 77 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Warren County, Iowa. Thence South 01° (degrees) 03' (minutes) 42" (seconds) West, 256.56 feet along the East line of said Section 6 to the Point of Beginning; thence South 01° 03' 42" West, 900.99 feet along the East line of said Section 6; thence South 84° 37' 52" West, 187.65 feet; thence South 65° 37' 24" West, 508.54 feet; thence South 58° 00' 24" West, 263.99 feet; thence North 06° 32' 23" West 328.50 feet; thence North 01° 07' 00" East, 307.33 feet; thence North 12° 04' 51" West, 374.60 feet; thence North 28° 38' 31" West, 390.75 feet; thence North 01° 26' 34" West, 181.79 feet; thence South 89° 54' 44" East, 687.36 feet along the North line of said Section 6; thence South 69° 55' 59" East 306.11 feet; thence South 55° 11' 30" East, 264.82 feet to the Point of Beginning. Containing approximately 28,932 Acres.

AND, commencing at the Northwest corner of Section 5, Township 77 North, Range 24 West of the 5th P.M.; thence South 01° (degrees) 03' (minutes) 42" (seconds) West, 256.05 feet, along the West line of said Section 5 to the Point of Beginning, all now included in and forming a part of Warren County, Iowa. Thence South 55° 11' 30" East, 108.24 feet; thence South 01° 03' 42" West 830.72 feet; thence South 84° 37' 52" West, 90.57 feet; thence North 01° 03' 42" East, 900.99 feet along the West line of said Section 5 to the Point of Beginning. Containing approximately 1.789 Acres.

AND, commencing at the Northwest corner of Fractional Section 5, Township 77 North, Range 24 West of the 5th P.M., all now included in and forming a part of the City of Des Moines, Warren County, Iowa.; thence South 01° (degrees) 02' (minutes) 18" (seconds)

West along the West line of the Northwest ¼ of said Section 5, a distance of 256.05 feet to the southerly right-of-way line of Iowa Highway 5; thence South 55° 12' 50" East along said right-of-way , 108.24 feet to the Point of Beginning; thence continuing South 55° 12' 50" East, 64.35 feet; thence South 57° 48' 00" East, 1074.40 feet; thence South 47° 34' 30" East, 514.60 feet; thence South 15° 31' 00" East, 740.20 feet; thence South 32° 07' 00" East, 412.00 feet; thence South 89° 06' 30" East, 619.40 feet; thence South 37° 12' 00" East, 58.00 feet; thence South 00° 16' 30" East, 521.70 feet; thence South 98° 33' 00" East, 100.00 feet to the East line of the Northeast ¼ of the Southwest ¼ of said Section 5; thence South 00° 42' 30" East along the East line of the Northeast ¼ of the Southwest ¼ of said Section 5, a distance of 1,077.10 feet to the Southeast corner of the Northeast ¼ of the Southwest ¼ of said Section 5; thence North 89° 44' 13" West along the South line of the Northeast ¼ of the Southwest ¼ of said Section 5, a distance of 1319.57 feet to the Southwest corner of the Northeast ¼ of the Southwest ¼ of said Section 5; thence North 00° 35' 37" East along the West line of the Northeast ¼ of the Southwest ¼ of said Section 5, a distance of 1321.72 feet to the Northwest corner of the Northeast ¼ of the Southwest ¼ of said Section 5; thence South 89° 52' 18" West along the South line of the Southwest ¼ of the Northwest ¼ of said Section 5, a distance of 599.81 feet, to the intersection of the southerly right-of-way line of Adams Street (Warren County Road) and the South line of the Southwest ¼ of the Northwest ¼ of said Section 5; thence North 19° 15' 22" West, 80.00 feet to the northerly right-of-way line of Adams Street (Warren County Road); thence 133.74 feet along a 400.74 foot radius concave northerly cord bearing South 80° 18' 40" West, chord length of 133.12 feet; thence South 89° 52' 18" West along the northerly right-of-way line 311.73 feet; thence 185.63 feet along a 321.82 foot radius curve concave southerly cord bearing South 72° 52' 23" West and has a length 182.92 feet to the South line of the Southwest ¼ of the Northwest ¼ of said Section 5; thence South 89° 52' 18" West along the South line of the Southwest ¼ of the Northwest ¼ of said Section 5, a distance of 85.56 feet to the Southwest corner of the Southwest ¼ of the Northwest ¼ of said Section 5; thence North 01° 02' 18" East along the West line of the Northwest ¼ of said Section 5, a distance of 1,491.18 feet to the northerly boundary of Echo Valley Golf Course; thence North 84° 36' 36" East along the northerly boundary 90.57 feet; thence North 01° 02' 18" East, 830.72 feet to the Point of Beginning. Containing approximately 112.93 Acres. The North line of the Northwest Fractional ¼ of said Section 5 is assumed to bear North 89° 59' 30" East.

from the "A-1" Agricultural District to the "PUD" Planned Unit Development District classification.

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

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of

the vicinity map, this ordinance, and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T. M. Franklin Cownie, 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. 04- 205), passed by the City Council of said City at a meeting held January 26, 2004 signed by the Mayor on January 26, 2004 and published as provided by law in the Business Record on February 9, 2004 Authorized by Publication Order No. 4020.

Diane Rauh, City Clerk