

ORDINANCE NO. 14,526

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 9536 County Line Road from the "A-1" Agricultural District classification it will automatically receive upon 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 9536 County Line Road, more fully described as follows, from the "A-1" Agricultural District classification it will automatically receive upon annexation into the City, to a Limited "C-2" General Retail and Highway Oriented Commercial District classification:

Starting at the NW corner of the NE 1/4 of Section 4, Township 77 North, Range 24 West of the 5th P.M., Warren County, Iowa, thence South 41 feet, thence East 50 feet to the Point of Beginning; thence East 175 feet, thence South 175 feet, thence West 175 feet, thence North 175 feet to the Point of Beginning, except streets. (Such real estate is 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 structures and land shall not be permitted upon the property:

- 1) Adult Entertainment Business.
- 2) Off-premises advertising.
- 3) Taverns and nightclubs.
- 4) Vehicle display lots.

Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

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 Warren County Recorder.

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. 05-3027), passed by the City Council of said City at a meeting held December 19, 2005 signed by the Mayor on December 19, 2005 and published as provided by law in the Business Record on January 9, 2006 Authorized by Publication Order No. 4985.

Diane Rauh, City Clerk