

ORDINANCE NO. 14,784

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 5100 NE 38th Avenue 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 5100 NE 38th Avenue, more fully described as follows:

A parcel of land in the South 1/2 of the Southeast 1/4 of Section 22, Township 79 North, Range 23 West of the 5th P.M., City of Des Moines, Polk County, Iowa which is more particularly described as follows:

Commencing as a point of reference at the SW corner of the SE 1/4 of the SE 1/4 of said Section 22, thence N00°27'04"W, 33.00 feet to a point on the North right-of-way line of NE 38th Avenue, said point being the Point of Beginning; thence N89°35'06"W, 56.92 feet along said North right-of-way line to a point; thence N00°24'35"E, 1309.70 feet to a point on the North line of the S 1/2 of the SE 1/4 of said Section 22; thence N89°41'50"E, 981.47 feet along said North line to a point on the West right-of-way line of NE 55th Way; thence southerly along a curve to the right having a radius of 1112.90 feet, a chord bearing of S06°29'01"E, an arc length of 262.57 feet along said West right-of-way line to a point; thence S04°55'27"E, 152.10 feet along said West right-of-way line to a point; thence S25°00'57"E, 169.80 feet along said West right-of-way line to a point; thence S64°28'27"E, 234.40 feet along said West right-of-way line to a point on the West right-of-way line of NE 56th Street; thence S00°16'33"W, 251.14 feet along said West right-of-way line to a point; thence S07°52'14"W, 75.66 feet along said West right-of-way line to a point; thence S00°16'33"W, 228.80 feet along said West right-of-way line to a point; thence S44°25'25"W, 93.13 feet along said West right-of-way line to a point on the North right-of-way line of NE 38th Ave; thence S88°40'58"W, 1182.33 feet along said North right-of-way line to the Point of Beginning and containing 35.038 acres, more or less, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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 Polk County Recorder.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

Mayor

T.M. Franklin Cownie,

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. 08-1247), passed by the City Council of said City at a meeting held July 14, 2008 signed by the Mayor on July 14, 2008 and published as provided by law in the Business Record on July 28, 2008. Authorized by Publication Order No.6092.

Diane Rauh, City Clerk

