

ORDINANCE NO. 15,121

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 7401 Southwest 9th Street from the A-1 Agricultural District and R1-80 One-Family Residential 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 7401 Southwest 9th Street, more fully described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. AND PART OF THE NORTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., AND THE WEST 632.0 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 33, (EXCEPT THE NORTH 1420.0 FEET OF THE NORTHEAST 1/4), AND THE SOUTHEAST 1/4 OF SAID SECTION 33 (EXCEPT THE SOUTH 40 ACRES OF THE EAST 60 ACRES OF SAID SOUTHEAST 1/4), AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 33; THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 33.0 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9TH STREET AND THE POINT OF BEGINNING; THENCE NORTH ALONG THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9TH STREET 1204.0 FEET; THENCE EAST 599.0 FEET; THENCE SOUTH ALONG A LINE 599.0 FEET EAST OF AND PARALLEL WITH THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9TH STREET TO A POINT APPROXIMATELY 623.00 FEET SOUTH TO THE NORTHWEST CORNER OF PARCEL "A" AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 8041 PAGE 37; THENCE EAST ON THE NORTH PARCEL LINE OF SAID PARCEL "A" TO THE NORTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH ALONG THE EAST PARCEL LINE OF PARCEL "A" TO THE SOUTH LINE OF THE EAST-WEST RODGERS ROAD AS CURRENTLY ESTABLISHED; THENCE WEST TO THE EAST LINE OF THE NORTH-SOUTH CARTER STREET AS CURRENTLY ESTABLISHED; THENCE SOUTH-SOUTHEAST ALONG THE EAST LINE OF CARTER STREET TO A POINT 65 FEET NORTH OF THE SOUTH PARCEL LINE AND 300 FEET WEST OF THE EAST PARCEL LINE; THENCE SOUTHWESTERLY TO A POINT APPROXIMATELY 375 FEET WEST OF THE EAST PARCEL LINE ON THE SOUTH PARCEL LINE, TO THE CORNER POST OF THE EXISTING NORTHERN BLANK GOLF COURSE FENCE; THENCE EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33 TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE EAST 40 FEET ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE SOUTH 216 FEET PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE WESTERLY TO A POINT 500 FEET EAST OF THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST 9TH STREET AND THE EXISTING NORTHERN BLANK GOLF COURSE FENCE; THENCE SOUTHWESTERLY 320.0 FEET TO A POINT 290.0 FEET SOUTH OF MASON AVENUE RIGHT OF WAY LINE EXTENDED; THENCE WESTERLY 185 FEET TO THE EAST RIGHT OF WAY LINE OF SOUTHWEST 9TH STREET; THENCE NORTH ALONG THE

EAST RIGHT OF WAY LINE OF SOUTHWEST 9TH STREET 766.0 FEET TO THE POINT OF BEGINNING, EXCEPT THE AREAS AND BUILDINGS IDENTIFIED AS: BLDG 138, BLDG 308, BLDG 309, BLDG 135, AND A 10 FOOT WIDE AREA ADJOINING EACH SIDE OF SAID BUILDINGS FOR MAINTENANCE AND INGRESS-EGRESS TO SAID BUILDINGS FROM ANY EXISTING ROADS, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

FORT DES MOINES PARCELS WITHIN LEASED AREA:

THE AREA EAST OF THE EASTSIDE OF BUTTNER STREET, SOUTH OF THE NORTH PROPERTY LINE OF PARCEL "A" AS DESCRIBED ABOVE; AND, NORTH OF THE NORTH SIDE OF RODGERS ROAD.

Subject to: Existing easements for roads, public utilities, railroads and pipeline and to other easements or encumbrances of record, and further subject to encroachments of the buildings shown in EXHIBIT "A" known as BLDG 68, BLDG 70, BLDG 71, BLDG 73, BLDG 81, BLDG 83, BLDG 126, BLDG 127.

from the A-1 Agricultural District and R1-80 One-Family Residential 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:

Michael F. Kelley, 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. 12-1189), passed by the City Council of said City at a meeting held July 23, 2012 signed by the Mayor on July 23, 2012 and published as provided by law in the Business Record on August 10, 2012. Authorized by Publication Order No. 7929.

Diane Rauh, City Clerk