

★ Roll Call Number

Agenda Item Number

SSC

Date January 28, 2008

An Ordinance entitled, "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 3915 Fleur Drive, Des Moines, Iowa 50321 from the R1-80 District to a Limited PUD District classification",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)



Michael F. Kelley
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

Mayor

City Clerk

SSC

ORDINANCE NO. _____

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 3915 Fleur Drive, Des Moines, Iowa 50321 from the R1-80 District to a Limited PUD 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 3915 Fleur Drive, Des Moines, IA 50321, more fully described as follows, from the R1-80 District to a Limited PUD District classification:

Being part of Section 20, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa described as follows:

Beginning at the NW corner of the NE ¼ of Section 20, Township 78 North, Range 24 West of the 5th P.M., in the city of Des Moines, Polk County, Iowa; thence S 89°53'53"E along the North line of said NE ¼, 2053.83 Feet, thence S00°05'53"W, 17169 Feet; thence N89°53'53"W, 78.59 Feet; thence S79°32'01"W, 474.81 Feet; thence S88°33'22"W, 255.35 Feet; thence N75°53'06"W, 154.62 Feet; thence N85°52'21"W, 471.00 Feet; thence S89°26'11"W to the West line of said NE ¼, 634.14 Feet; thence N00°17'52"E along said West line; 202.52 Feet to the Point of Beginning.

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:

- A. No trees shall be removed from the subject property without approval by the Community Development Director, or based on an approved preliminary subdivision plat or development plan.
- B. No grading shall be permitted prior to approval of a preliminary

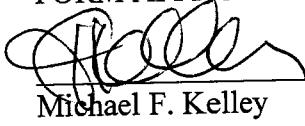
SSC

subdivision plat or development plan.

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

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, 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