

★ **Roll Call Number**

Agenda Item Number

39 A

Date December 3, 2007

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 renewing and extending the "S-O" Study Overlay District within the estimated Four Mile Creek floodplain between Hull Avenue and Easton Boulevard",

presented.

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

FORM APPROVED:

(First of three required readings)

Roger K. Brown
 Roger K. Brown
 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.

_____ City Clerk

MOTION CARRIED

APPROVED

.....
 Mayor

Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA
50309 Phone: 515/283-4541
Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309
Title of Document: City of Des Moines, Ordinance No. _____
Grantor/Grantee: City of Des Moines, Iowa
Legal Description: See page ____, below.

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 renewing and extending the "S-O" Study Overlay District within the estimated Four Mile Creek floodplain between Hull Avenue and Easton Boulevard.

WHEREAS, by Ordinance No. 13,962 passed June 18, 2001, the estimated Four Mile Creek floodplain between Hull Avenue and Easton Boulevard was placed within the "S-O" Study Overlay District to limit and restrict development until the actual boundaries of the flood plain could be determined; and,

WHEREAS, the Corps of Engineers has undertaken an engineering study of the Four Mile Creek basis for the purpose of establishing new boundaries for the Four Mile Creek floodway and floodplain; and,

WHEREAS, the preliminary results of that engineering study indicate that the new boundaries of the Four Mile Creek floodway and floodplain will be expanded to encompass substantial portions of the property described below; NOW THEREFORE,

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 renewing and extending the "S-O" Study Overlay District classification on the

following property:

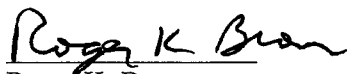
Lots 481 and 482, Lots 488 through 490, Lots 531 through 533, Lots 539 through 541, Lots 582, 583 and 584, Lots 586 through 593, Lots 629 through 650, Lots 677 through 684, Lots 686 through 689, Lots 693 and 694, Lots 697 through 713, and the North 25.0 feet of Lot 740, and all of Lots 741 through 749, Lots 768 through 788, Lots 792 through 819, Lots 822 through 836, Lots 848 through 862, and the South 25.0 feet of Lot 866, and all of Lots 867, 868 and 869, and Lots 881 through 885, Four Mile Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

AND, the South 25.0 feet of Lot 740 and all of Lots 739, 738, 737, 736, 789, 790 and 791, Four Mile Addition, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law. This ordinance and the imposition of the "S-O" Study Overlay District classification upon the property described above shall expire on December 31, 2010, or such earlier time as may be provided by a subsequent ordinance.

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

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