



**Roll Call Number**

**Agenda Item Number**

43A

**Date** April 20, 2020

An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 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 1420 Mulberry Street from the P2” Public, Civic, and Institutional District to “DX2” Downtown District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

Judy K. Parks-Kruse  
Judy K. Parks-Kruse  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED APPROVED

\_\_\_\_\_ Mayor

**CERTIFICATE**

I, P. Kay Cmelik, 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

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Prepared by: Judy K. Parks-Kruse, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 Phone: 515/283-4533  
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309  
 Title of Document: City of Des Moines, Ordinance No. \_\_\_\_\_  
 Grantor/Grantee: City of Des Moines, Iowa  
 Legal Description: See page 1, below.

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 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 1420 Mulberry Street from the P2” Public, Civic, and Institutional District to “DX2” Downtown 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 134-1.10 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 1420 Mulberry Street, more fully described as follows, from the P2” Public, Civic, and Institutional District to “DX2” Downtown District classification:

A PARCEL OF LAND SITUATED IN PART OF LOT 5 OF THE ORIGINAL PLAT OF THE NORTHEAST ¼ OF SECTION 8, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN AND PART OF LOTS 2 AND 13 OF THE ORIGINAL PLAT OF THE NORTHWEST ¼ OF SECTION 9, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, AND PART OF LOT 5 OF KEENE & POINDEXTER’S ORIGINAL PLAT, AND PART OF VACATED LOTS 5, 6 AND 7 OF BLOCK 33 OF KEENE & POINDEXTER’S ADDITION, AND PART OF THE VACATED ALLEY LYING BETWEEN LOTS 5, 6 AND 7 OF BLOCK 33 OF KEENE &

POINDEXTER'S ADDITION, AND PART OF VACATED CHERRY STREET LYING SOUTH OF LOTS 6 AND 7 OF BLOCK 33 OF KEENE AND POINDEXTER'S ADDITION, AND PART OF VACATED LOTS 5 AND 6 OF BLOCK 32 OF KEENE & POINDEXTER'S ADDITION, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, COUNTY OF POLK, STATED OF IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 OF BLOCK 33 OF KEENE & POINDEXTER'S ADDITION; THENCE SOUTH  $74^{\circ}10'15''$  WEST, ASSUMED BEARING FOR THE PURPOSE OF THE DESCRIPTION, ON THE NORTHWESTERLY LINE OF SAID LOT 1 AND THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET), 300.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH  $15^{\circ}13'48''$  EAST, 347.00 FEET; THENCE SOUTH  $74^{\circ}10'15''$  WEST, 105.00 FEET; THENCE NORTH  $76^{\circ}23'32''$  WEST, 336.47 FEET; THENCE NORTH  $15^{\circ}13'48''$  WEST, 181.50 FEET TO THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE OF SAID LOT 1 (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET); THENCE NORTH  $74^{\circ}10'15''$  EAST ON THE SOUTHWESTERLY PROLONGATION OF SAID NORTHWESTERLY LINE OF SAID LOT 1 (ALSO BEING THE PRESENT SOUTHEASTERLY RIGHT-OF-WAY LINE OF MULBERRY STREET), 400.00 FEET TO THE POINT OF BEGINNING.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

  
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Judy K. Parks-Kruse  
Assistant City Attorney