

 **Roll Call Number**

Agenda Item Number
49a

Date November 1, 2021

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 at 3733 Easton Boulevard from MX1 Mixed Use District to MX2 Mixed Use District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZONG2021-000027)

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

MOTION CARRIED

APPROVED

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.

_____ Mayor

_____ City Clerk

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
Phone: 515/283-4530
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 and 2, below.

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 at 3733 Easton Boulevard from MX1 Mixed Use District to MX2 Mixed Use 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 at 3733 Easton Boulevard from MX1 Mixed Use District to MX2 Mixed Use District classification, more fully described as follows:

Part of Lot 2 of the Official Plat of the N1/2 of the NE1/4 of the NE1/4 of Section 32, Township 79 North, Range 23 West of the 5th P.M., now included in and forming a part of the City of Des Moines, Iowa, more specifically described as follows, to-wit:

Commencing at a point 36.7 feet South of the Northeast corner of said Section 32 said point being the Northeast corner of said Lot 2; Thence South along the East line of said Section (being the East line of said Lot 2 and the West line of East 38th

Street as now located) 165 feet; Thence West 120 feet; Thence North 106.45 feet to the North line of said Lot 2 (being the South line of Easton Boulevard); Thence North 63 degrees 57 minutes East 133.51 feet along the North line of said Lot 2 (being the South line of Easton Boulevard) to the point of beginning, Polk County, Iowa.

EXCEPT a tract described as follows: Part of Lot 2, of the Official Plat of the N1/2 of the NE1/4 of the NE1/4 of Section 32, Township 79 North, Range 23 West of the 5th P.M., more particularly described as follows:

Beginning at the Northeast corner of said Lot 2; Thence South 0 degrees 00 minutes 00 seconds East (assumed), along the East line of said Lot 2, 165.09 feet to a found 1/2" iron rod; Thence North 89 degrees 51 minutes 24 seconds West, 20.00 feet; Thence North 0 degrees 00 minutes 00 seconds East, 150.30 feet; Thence North 57 degrees 58 minutes 18 seconds West, 5.30 feet to the North line of said Lot 2; Thence North 64 degrees 01 minute 25 seconds East along said North line, 27.25 feet to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

Section 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 County Recorder of the county in which the subject property is located.

FORM APPROVED:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney