



Roll Call Number

Agenda Item Number

49A

Date October 24, 2022

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 4425 East Douglas Avenue from "N2b" Neighborhood District to "NX2" Neighborhood Mix District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Gary D. Goudelock Jr.
Gary D. Goudelock Jr.
Assistant City Attorney

(ZONG-2022-000081 & ZONG-2022-000083)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	

CERTIFICATE

I, LAURA BAUMGARTNER, 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: Gary D. Goudelock, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515-283-4543
 Return Address: City Clerk - City Hall, 400 Robert D. 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 pages 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 in the vicinity of 4425 East Douglas Avenue from "N2b" Neighborhood District to "NX2" Neighborhood Mix 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 4425 East Douglas Avenue from "N2b" Neighborhood District to "NX2" Neighborhood Mix District classification, more fully described as follows:

A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27 AND THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 28, ALL IN THE TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF DES MOINES, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27 AND THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 89°38'35" EAST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27, 1311.32 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 00°10'18" WEST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID

SECTION 27, 569.43 FEET; THENCE NORTH 89°49'42" WEST, 329.77 FEET; THENCE NORTH 00°00'00" EAST, 139.66 FEET; THENCE NORTH 33°48'59" WEST, 117.22 FEET; THENCE NORTH 73°34'42" WEST, 114.44 FEET; THENCE SOUTH 80°14'22" WEST, 114.07 FEET; THENCE SOUTH 00°06'33" EAST, 43.49 FEET; THENCE SOUTH 89°53'27" WEST, 444.00 FEET; THENCE SOUTH 85°46'51" WEST, 57.27 FEET; THENCE SOUTH 73°35'56" WEST, 102.47 FEET; THENCE SOUTH 56°45'23" WEST, 29.79 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 996.02 FEET, WHOSE ARC LENGTH IS 32.29 FEET AND WHOSE CHORD BEARS SOUTH 34°04'16" EAST, 32.29 FEET; THENCE SOUTHERLY ALONG A CURVE CONCAVE WESTERLY WHOSE RADIUS IS 450.00 FEET, WHOSE ARC LENGTH IS 242.58 FEET AND WHOSE CHORD BEARS SOUTH 19°33'24" EAST, 239.66 FEET; THENCE SOUTH 85°53'12" WEST, 30.00 FEET; THENCE SOUTH 89°53'27" WEST, 1639.46 FEET TO A POINT ON THE EAST LINE OF SUNRISE ESTATES PLAT NO. 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AS RECORDED IN BOOK 6850, PAGE 747-757 OF THE OFFICE OF THE POLK COUNTY RECORDER; THENCE NORTH 00°17'02" EAST ALONG SAID EAST LINE, 676.69 FEET TO THE NORTHEAST CORNER OF SAID SUNRISE ESTATES PLAT NO.1 AND TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE NORTH 89°56'28" EAST ALONG SAID NORTH LINE, 568.90 FEET; THENCE SOUTH 00°06'45" EAST, 286.18 FEET; THENCE NORTH 89°53'27" EAST, 260.00 FEET; THENCE NORTH 00°06'45" WEST, 285.95 FEET; THENCE NORTH 89°56'28" EAST, 670.67 FEET TO THE POINT OF BEGINNING AND CONTAINING 34.87 ACRES (1518931 SQUARE FEET), SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD

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/ Gary D. Goudelock

Gary D. Goudelock
Assistant City Attorney