

**Date** April 10, 2023

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 3140 Indianola Avenue from "NM" 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/ Chas M. Cahill  
Chas M. Cahill

(ZONG-2023-000011) (COMP-2023-000007)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
<b>TOTAL</b>				
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

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Prepared by: Chas M. Cahill, 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 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 1 and 2, 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 3140 Indianola Avenue from “NM” 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 3140 Indianola Avenue from “NM” Neighborhood District to “NX2” Neighborhood Mix District classification, more fully described as follows:

LOT 54 IN OAK HILL, AN OFFICIAL PLAT, EXCEPT THE NORTH 95 FEET AND EXCEPT THE SOUTH 25 FEET; AND EXCEPT THAT PART OF SAID LOT 54 IN OAK HILL, LYING WITHIN THE FOLLOWING DESCRIBED LINE: COMMENCING AT A POINT IN THE SOUTHEAST CORNER OF SAID LOT 54 WHERE THE

NORTHERLY LINE OF PARK AVENUE INTERSECTS THE WESTERLY LINE OF INDIANOLA AVENUE, THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 54, 180.4 FEET, THENCE NORTH 23°30' EAST 75 FEET, THENCE NORTH 58°26' EAST 82.6 FEET, THENCE SOUTH 35°35' EAST ALONG THE EASTERLY LINE OF SAID LOT 54 AND THE WESTERLY LINE OF INDIANOLA AVENUE 137.7 FEET TO THE PLACE OF BEGINNING, AND EXCEPT THAT PART CONVEYED TO THE CITY OF DES MOINES BY QUIT CLAIM DEEDS FILED FEBRUARY 10, 1984 AND RECORDED IN BOOK 5324 AT PAGES 709, 711 AND 713.

AND

THE EAST 10 FEET OF THE SOUTH 30 FEET OF LOT 54 AND THE EAST 10 FEET OF LOTS 64, 65, 66, 67, 68 AND 76 IN BLOCK "B" JEFFERSON HEIGHTS NO. 2, AN OFFICIAL PLAT, 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/ Chas M. Cahill  
Chas M. Cahill  
Assistant City Attorney