

Date January 23, 2012

**APPROVING PROPOSED RIVER BEND LOCAL HISTORIC DISTRICT**

WHEREAS, on August 12, 2011, the River Bend Neighborhood Association submitted to the Community Development Department a petition containing the signatures of owners of at least 51% of the total number of parcels of real estate, excluding parcels owned by governmental bodies, and which requested and otherwise complied with the historic district designation criteria of Iowa Code Section 303.34 and Municipal Code Section 58-28(a) and (b); and

WHEREAS, the proposed River Bend Local District is locally known as the following area:

The area on both frontages of 9<sup>th</sup> Street from University Avenue to Hickman Road, the area on both frontages of Oakland and Arlington Avenue between College and Franklin Avenue, and the area north of Franklin Avenue to the Des Moines River between Arlington Avenue and 9<sup>th</sup> Street

and is legally described as follows:

Beginning at the intersection of the South right-of-way line of University Avenue and the East right-of-way line of 10<sup>th</sup> Street, thence North along the northerly extension of the East right-of-way line and the East right-of-way line of 10<sup>th</sup> Street to its intersection with the North right-of-way line of the East/West alley lying South of and adjacent to Lot 6, Enos B Hunt Addition, an Official Plat, thence East along said North right-of-way line of the East/West alley lying South of and adjacent to Lot 6, Enos B Hunt Addition to its intersection with the West right-of-way line of the North/South alley lying between 9<sup>th</sup> Street and 10<sup>th</sup> Street and University Avenue and Mary Ave, thence North along said West right-of-way line of the North/South alley lying between 9<sup>th</sup> Street and 10<sup>th</sup> Street and University Avenue and Mary Ave to its intersection with the South right-of-way line of the East/West alley lying North of and adjacent to Lot 25, McHenry Place, an Official Plat, thence West along said South right-of-way line of the East/West alley lying North of and adjacent to Lot 25, McHenry Place to its intersection with the West right-of-way line of the North/South alley lying east of and adjacent to Lot 3, OP Southwest ¼ Section 34, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M., thence North along said West right-of-way line of the North/South alley lying east of and adjacent to Lot 3, OP Southwest ¼ Section 34, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M. to its intersection with the South right-of-way line of Mary Avenue, thence North along the southerly extension of the West right-of-way line and the West right-of-way line and the northerly extension of the West right-of-way line of the North/South alley lying between 9<sup>th</sup> Street and 10<sup>th</sup> Street and Mary Avenue and Forest Avenue to its intersection with the North right-of-way line of Forest Avenue, thence East along said North right-of-way line of Forest

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Avenue to its intersection with the West right-of-way line of the North/South alley lying between 9<sup>th</sup> Street and 10<sup>th</sup> Street and Forest Avenue and Clark Street, thence North along said West right-of-way line and the northerly extension of said West right-of-way line of the North/South alley lying between 9<sup>th</sup> Street and 10<sup>th</sup> Street and Forest Avenue and Clark Street to its intersection with the North right-of-way line of Clark Street, thence East along said North right-of-way line of Clark Street to a point, said point being 138 feet West of the West right-of-way line of 9<sup>th</sup> Street, thence North 50 feet along a line 138 feet West of and parallel to the West right-of-way line of 9<sup>th</sup> Street, thence West 7 feet along a line 50 feet North of and parallel to the North right-of-way line of Clark Street, thence North 72.5 feet along a line 145 feet West of and parallel to the West right-of-way of 9<sup>th</sup> Street, thence West 21 feet along a line 122.5 feet North of and parallel to the North right-of-way line of Clark Street, thence North 65 feet along a line 166 feet West of and parallel to the West right-of-way line of 9<sup>th</sup> Street, thence East 22 feet along a line 182.5 feet north of and parallel to the North right-of-way line of Clark Street, thence North along a line 144 West of and parallel to the West right-of-way line of 9<sup>th</sup> Street to its intersection with the South right-of-way line of the East/West alley lying between Clark Street and College Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street, thence West along said South right-of-way line of the East/West alley lying between Clark Street and College Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street to its intersection with the southerly extension of the West right-of-way line of the North/South alley lying between Clark Street and College Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street, thence North along said southerly extension of the West right-of-way line of the North/South alley lying between Clark Street and College Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street and the said West right-of-way line of the North/South alley lying between Clark Street and College Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street and the northerly extension of said West right-of-way line of the North/South alley lying between Clark Street and College Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street to its intersection with the North right-of-way line of College Avenue, thence West along the North right-of-way line of College Avenue to its intersection with the East right-of-way line of 11<sup>th</sup> street, thence North along the East right-of-way line of 11<sup>th</sup> Street to its intersection with the South right-of-way line of Washington Avenue, thence East along the South right-of-way line of Washington Avenue to its intersection with the southerly extension of the West right-of-way line of the North/South alley lying between Washington Avenue and Jefferson Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street, thence North along said southerly extension of the West right-of-way line of the North/South alley lying between Washington Avenue and Jefferson Avenue and 9<sup>th</sup> Street and 10<sup>th</sup> Street and the West right-of-way line of the North/South alley lying between Washington Avenue and Jefferson Avenue, Jefferson Avenue and Franklin Avenue, Franklin Avenue and Lincoln Avenue, Lincoln Avenue and Hickman Road and all lying between 9<sup>th</sup> Street and 10<sup>th</sup> Street and the northerly extension of the West right-of-way line of the North/South alley lying between Lincoln Avenue and Hickman Road and 9<sup>th</sup> Street and 10<sup>th</sup> Street to its intersection with the North right-of-way line of Hickman Road, thence

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Southeasterly along said North right-of-way line of Hickman Road to its intersection with the West line of Vacated 9<sup>th</sup> Street right-of-way lying north of Hickman Road, thence North along said West line of Vacated 9<sup>th</sup> Street right-of-way lying north of Hickman Road to its intersection with the Southwest corner of Lot 8, Corrected 2<sup>nd</sup> Plat of Prospect Park, an Official Plat, thence East along the South lot line of said Lot 8, Corrected 2<sup>nd</sup> Plat of Prospect Park to its intersection with the Easterly lot line of said Lot 8, Corrected 2<sup>nd</sup> Plat of Prospect Park, thence Northeast along the Easterly lot line of said Lot 8, Corrected 2<sup>nd</sup> Plat of Prospect Park to its intersection with the South Bank of Des Moines River, thence southeasterly along said South Bank of the Des Moines River to its intersection with the East lot line of Lot 7, Riverview Park, an Official Plat, thence South along said East lot line of Lot 7, Riverview Park and the Southerly extension of said East lot line of Lot 7, Riverview Park to its intersection with the South right-of-way line of Franklin Avenue, thence East along said South right-of-way line of Franklin Avenue to its intersection with the East lot line of Lot 2, Franklin Place, an Official Plat, thence South along said East lot line of Lot 2, Franklin Place and the East lot line of Lot 1, Franklin Place to its intersection with the North lot line of Lot 60, Oakland Plat 2, an Official Plat, thence East along said North lot line of Lot 60, Oakland Plat 2 to its intersection with the East lot line of said Lot 60, Oakland Plat 2, thence South along the East lot line of said Lot 60, Oakland Plat 2 and continuing south along the East lot line of Lot 59, Oakland Plat 2 to its intersection with the South lot line of said Lot 59, Oakland Plat 2, thence West along said South lot line of Lot 59, Oakland Plat 2 to its intersection with the East line of the West 360 feet of Lot 58, Oakland Plat 2, thence South along the East line of the West 360 feet of Lot 58, Oakland Plat 2 and continuing south along the East line of the West 360 feet of Lot 57, Oakland Plat 2 to its intersection with the South lot line of Lot 57, Oakland Plat 2, thence West along the South lot line of Lot 57, Oakland Plat 2 to its intersection with the East line of the West 300 feet of Lot 56, Oakland Plat 2, thence South along the East line of the West 300 feet of Lot 56, Oakland Plat 2 to its intersection with the South lot line of Lot 56, Oakland Plat 2, thence East along the South lot line of Lot 56, Oakland Plat 2 to its intersection with the East line of the West 350 feet of Lot 55, Oakland Plat 2, thence South along the East line of the West 350 feet of Lot 55, Oakland Plat 2 and continuing south along the East line of Lot 54, Oakland Plat 2 to its intersection with the South lot line of Lot 54, Oakland Plat 2, thence West along the South lot line of Lot 54, Oakland Plat 2 to its intersection with the East line of the West 300 feet of Lot 53, Oakland Plat 2, thence South along the East line of the West 300 feet of Lot 53, Oakland Plat 2 and continuing south along the East line of Lot 52, Oakland Plat 2 its intersection with the North lot line of Lot 51, Oakland Plat 2, thence East along the North lot line of Lot 51, Oakland Plat 2 to its intersection with the East line of the West 362 feet of Lot 51, Oakland Plat 2, thence South along the East line of Lot 51, Oakland Plat 2 to its intersection with the South lot line of Lot 51, Oakland Plat 2, thence West along the South lot line of Lot 51, Oakland Plat 2 to its intersection with the northerly extension of the East line of the West 35 feet of Lot 7, Oakdale, an

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Official Plat, thence South along the northerly extension of the East line of the West 35 feet of Lot 7, Oakdale and the East line of the West 35 feet of Lot 7, Oakdale and the southerly extension of the East line of the West 35 feet of Lot 7, Oakdale to its intersection with the South right-of-way line of College Avenue, thence West along the South right-of-way line of College Avenue to its intersection with the southerly extension of the West line of the East 60 feet of the North 153 feet , Lot 12, Block 3, Polk County Homestead & Trust Company Addition, an Official Plat, thence North along said southerly extension of the West line of the East 60 feet of the North 153 feet , Lot 12, Block 3, Polk County Homestead & Trust Company Addition and the West line of the East 60 feet of the North 153 feet , Lot 12, Block 3, Polk County Homestead & Trust Company Addition to its intersection with the North lot line of Lot 12, Block 3, Polk County Homestead & Trust Company Addition, thence East along said North lot line of Lot 12, Block 3, Polk County Homestead & Trust Company Addition to its intersection with the West line of the North 50 feet of Lot 2, OP Lot 46 Oakland, an Official Plat, thence North along said West line of the North 50 feet of Lot 2, OP Lot 46 Oakland and continuing North along the West lot lines of Lots 3, and 4, OP Lot 46 Oakland and continuing north along the West lot lines of Lots 42 thru 45, Oakland, an Official Plat to its intersection with the North line of the South 11 feet of Lot 42, Oakland, thence East along said North line of the South 11 feet of Lot 42, Oakland to its intersection with the West line of the East 230.5 feet of the North 89 feet of Lot 42, Oakland, thence North along said West line of the East 230.5 feet of the North 89 feet of Lot 42, Oakland to its intersection with the South lot line of Lot 41, Oakland, thence West along said South lot line of Lot 41, Oakland to its intersection with the West lot line of Lot 41, Oakland thence North along said West lot line of Lot 41, Oakland and continuing North along the West lot lines of Lots 37 thru 40, Oakland, to the South right-of-way line of Franklin Avenue, thence west along said South right-of-way line of Franklin Avenue to its intersection with the East right-of-way line of the North/South alley lying between Franklin Avenue and Jefferson Avenue and 8<sup>th</sup> Street and 9<sup>th</sup> Street, thence South along the East right-of-way line of the North/South alleys lying between Franklin Avenue and Jefferson Avenue, Jefferson Avenue and Washington Avenue, Washington Avenue and College Avenue and all lying between 8<sup>th</sup> Street and 9<sup>th</sup> Street and the southerly extension of the East right-of-way line of the North/South alley lying between Washington Avenue and College Avenue and 8<sup>th</sup> Street and 9<sup>th</sup> Street to its intersection with the South right-of-way line of College Avenue, thence west along the South right-of-way line of College Avenue to its intersection with the East right-of-way line of the North/South alley lying between College Avenue and Clark Street, thence south along said East right-of-way line of the North/South alley lying between College Avenue and Clark Street to its intersection with the North right-of-way line of Clark Street, thence east along the North right-of-way line of Clark Street to its intersection with the northerly extension of the East right-of-way line of the North/South alley lying between Clark Street and Forest Avenue, thence south along said northerly extension of the East right-of-way line of the

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North/South alley lying between Clark Street and Forest Avenue and said East right-of-way line of the North/South alley lying between Clark Street and Forest Avenue to its intersection with the South lot line of Lot 5, Butts Subdivision, an Official Plat, thence east along said South lot line of Lot 5, Butts Subdivision to its intersection with the West right-of-way line of 8<sup>th</sup> Street, thence south along said West right-of-way line of 8<sup>th</sup> Street to its intersection with the North right-of-way line of Forest Avenue, thence west along said North right-of-way line of Forest Avenue to its intersection with the northerly extension of the East right-of-way line of the North/South alley lying between Forest Avenue and Indiana Avenue and 8<sup>th</sup> Street and 9<sup>th</sup> Street, thence south along said northerly extension of the East right-of-way line of the North/South alley lying between Forest Avenue and Indiana Avenue and 8<sup>th</sup> Street and 9<sup>th</sup> Street and the East right-of-way line of the North/South alley lying between Forest Avenue and Indiana Avenue, Indiana Avenue and University Avenue and all lying between 8<sup>th</sup> Street and 9<sup>th</sup> Street and the southerly extension of the East right-of-way line of the North/South alley lying between Indiana Avenue and University Avenue and 8<sup>th</sup> Street and 9<sup>th</sup> Street to its intersection with the South right-of-way line of University Avenue, thence west along the South right-of-way line of University Avenue to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

WHEREAS, in August and September of 2011, Community Development Department staff verified information contained in the petition with the Polk County Assessor's Office; and

WHEREAS, on September 12, 2011, the Community Development Department submitted a description of the proposed district to the historical division of the State Department of Cultural Affairs for its report and recommendations. Written approval by the historical division was received by Community Development staff on October 17, 2011; and

WHEREAS, on November 14, 2011, all property owners were served with notices of public hearings on the proposed district before the Historic Preservation Commission and the Plan and Zoning Commission; and

WHEREAS, at a public hearing held on November 30, 2011, the Historic Preservation Commission recommended approval of the proposed district and forwarded its recommendation to the Plan and Zoning Commission and City Council; and

WHEREAS, at a public hearing held on December 15, 2011, the Plan and Zoning Commission approved a motion to forward its recommendation approving the proposed district to the City Council; and

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WHEREAS, on January 9, 2012 by Roll Call Nos. 12-0029 and 12-0030, the City Council approved separate motions to receive and file the above-described recommendations of the Plan and Zoning Commission and the Historic Preservation District; and

WHEREAS, on January 9, 2012 by Roll Call No. 12-0031, the City Council set the public hearing at which the proposed River Bend Local Historic District will be considered for 5:00 p.m. on January 23, 2012 in Council Chambers, City Hall, Des Moines, Iowa; and

WHEREAS, due notice of the public hearing was published in the Des Moines Register on January 12, 2012 pursuant to Iowa Code Section 362.3; and

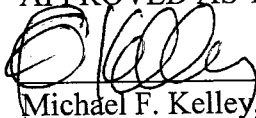
WHEREAS, in accordance with the notice those interested in the proposed River Bend Local Historic District, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. The designation criteria and the procedures for approval of historic district designation set forth in Iowa Code Section 303.34 and Municipal Code Sections 58-28 and 58-29 have been complied with.
2. The River Bend Local Historic District as described herein is approved and designated as an historic district within the City of Des Moines, Iowa.
3. Upon final passage, the City Clerk shall forward a copy of the ordinance designating the River Bend Local Historic District to the Iowa State Department of Cultural Affairs.

APPROVED AS TO FORM:

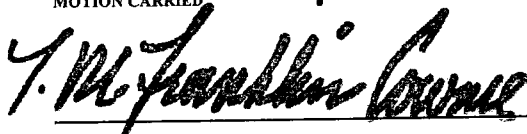
Moved by Griess to adopt.

  
Michael F. Kelley, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

  
T. M. Franklin, Mayor

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.

  
Diane Rauh, City Clerk