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13622

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 2A-5 of the Municipal Code of the City of Des Moines, 1991, by rezoning and changing the district classification of certain property located from S.W. 42nd Street and existing Army Post Road easterly and northerly of future relocated Army Post Road to Littell Avenue, from an "R1-80" One Family Residential District, "PBP" Planned Business Park District and "PUD" Planned Unit Development District classifications to an "M-3" Limited Industrial 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 2A-5 of the Municipal Code of the City of Des Moines, Iowa, 1991, be and the same is hereby amended by rezoning and changing the district classification of certain property located from S.W. 42nd Street and existing Army Post Road easterly and northerly of future relocated Army Post Road to Littell Avenue, more fully described below, from an "R1-80" One Family Residential District, "PBP" Planned Business Park District and "PUD" Planned Unit Development District classifications to an "M-3" Limited Industrial District classification:

W.O. No. 227-92-079, Dist/Parcel 12-0 5948-000-000

Lot Seven (7) in Wakonda Heights, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 41,720 Sq. feet or 0.96 Acres

W.O. No. 227-94-575, Dist/Parcel 12-0 5978-000-000

The East 1/2 OF LOT 31 Wakonda Heights, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 41,530 Sq. feet or 0.95 Acres

W.O. No. 227-95-005, Dist/Parcel 12-1967 -512-000

Lot 12 (Except the North 27 feet) Haverhill Place, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 77,117 square feet or 1.77 acres

W.O. No. 227-97-003, Dist/Parcel 12-0 5947-000-000

Lot Six (6) in Wakonda Heights, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 41,271 Sq. feet or 0.95 Acres

W.O. No. 227-97-004, Dist/Parcel 12-0 5946-000-000

The East 85 feet of Lot Five (5) in Wakonda Heights, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 36,006 Sq. feet or 0.83 Acres

W.O. No. 227-97-005, Dist/Parcel 12-0 5945-000-000

The East 165 feet of the West 215 feet of Lot Five (5) in Wakonda Heights, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 68632 Sq. feet or 1.57 Acres

W.O. No. 227-96-007, Dist/Parcel 12-0 0005-007-000

A part of Outlot X, Airport Commerce Park Plat 1, an Official Plat, more particularly described as follows:

Commencing at the Southwest Corner of said Lot X; Thence North  $0^{\circ}$ (degrees) 12'(minutes)12"(seconds) West along the West line of said Outlot X, 693.07 feet to the Point of Beginning; Thence North  $0^{\circ}12'12''$  West along the West line of said Outlot X, 623.65 feet; Thence South  $89^{\circ}51'03''$  East along the North line of said Outlot X, 1387.38 feet; Thence Southwest along a 1043.73 foot radius curve concave Northwest with a central angle of  $24^{\circ}40'35''$ , a chord distance of 446.05 feet, a chord bearing of South  $57^{\circ}08'54''$  West, for an arc distance of 449.52 feet; Thence South  $69^{\circ}29'11''$  West, 1078.86 feet to the Point of Beginning, all now included in, and forming a part of the City of Des Moines, Polk County, Iowa; and containing 491,211 square feet or 11.28 acres

W.O. No. 227-96-008, Dist/Parcel 12-0 7291-005-000

A part of the East 1/2, of the Northeast 1/4, Section 31, Township 78 North, Range 24 West, of the 5th P.m., more particularly described as follows:

Commencing at the East 1/4 Corner of Said Section 31; Thence North  $0^{\circ}$ (degrees) 12'(minutes) 12"(seconds) West, along the East section line of said Section 31, a distance of 693.07 feet to the Point of Beginning; Thence South  $69^{\circ}29'11''$  West, 776.42 feet; Thence North  $23^{\circ}44'46''$  West, 205.24 feet; Thence South  $66^{\circ}15'14''$  West, 80.00 feet; Thence South  $66^{\circ}28'25''$  West, 83.26 feet; Thence South  $70^{\circ}33'38''$  West, 92.27 feet; Thence South  $76^{\circ}11'14''$  West, 92.27 feet; Thence South  $81^{\circ}48'50''$  West, 92.27 feet; Thence South  $87^{\circ}18'57''$  West, 91.78 feet; Thence North  $0^{\circ}12'02''$  West, 674.07 feet; Thence South  $89^{\circ}33'14''$  East, 167.43 feet; Thence North  $66^{\circ}19'59''$  East, 347.52 feet; Thence North  $0^{\circ}24'42''$  West, 262.26 feet; Thence South  $89^{\circ}52'07''$  East,

145.26 feet; Thence North 0°36'26" East, 185.34 feet; Thence South 89°54'04" East, 49.98 feet; Thence South 0°11'02" West, 415.75 feet; Thence South 89°58'59" East, 639.45 feet; Thence South 0°12'12" East along the East line of said Section 31, a distance of 623.65 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 1,018,749 square feet or 23.39 acres

W.O. No. 227-96-009, Dist/Parcel 12-0 7291-001-000

A part of the Northeast 1/4 of Section 31, Township 78 North, Range 24 West of the 5th p.m., more particularly described as follows:

Commencing at the East 1/4 Corner of said Section 31; Thence North 89°(degrees) 55'(minutes)11"(seconds) West, 1319.82 feet; Thence North 0°12'02" West, 198.06 feet to the Point of Beginning; Thence North 0°12'02" West, 273.32 feet; Thence North 87°18'57" East, 91.78 feet; Thence North 81°48'50" East, 92.27 feet; Thence North 76°11'14" East, 92.27 feet; Thence North 70°33'38" East, 92.27 feet; Thence North 66°28'25" East, 83.26 feet; Thence North 66°15'14" East, 80.00 feet; Thence South 23°44'46" East, 205.24 feet; Thence South 69°29'11" West, 630.88 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 123,643 square feet or 2.84 acres

W.O. No. 227-96-010, Dist/Parcel 12-0 7291-008-000

A part of the East 1/2, Of the West 1/2, Of Northeast 1/4, Section 31, Township 78 North, Range 24 West of the 5th p.m., more particularly described as follows:

Commencing at the East 1/4 Corner of said Section 31; Thence North 89°(degrees) 55'(minutes)11"(seconds) West, 1319.82 feet; Thence North 0°12'02" West, 198.06 feet to the Point of Beginning; Thence South 69°29'11" West, 69.99 feet; Thence Southwest along a 2700.55 feet radius curve concave Northwest with a central angle of 13°01'44", a chord distance of 612.78 feet, a chord bearing of South 76°00'03" West for an arc distance of 614.10 feet; Thence North 0°12'12" West, 1804.80 feet; Thence South 83°11'54" East, 44.44 feet; Thence Southeast along a 1116.10 foot radius curve concave Southwest with a central angle of 35°24'36", a chord distance of 678.85 feet, a chord bearing of 65°29'36" East for an arc distance of 689.77 feet; Thence South 0°12'02" East, 1345.19 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 1,078,900 square feet or 24.77 acres.

W.O. No. 227-96-032, Dist/Parcel 12-0 7291-008-000

Part of the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 78 North, Range 24 West of the 5th P.M., more particularly described as follows:

Commencing as a point of reference at the Southeast corner of the Northeast 1/4 of the Northwest 1/4 of said Section 31; thence North 89°(degrees) 51'(minutes)05"(seconds) West

along the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 31, a distance of 132.95 feet to the POINT OF BEGINNING; thence continuing North 89°51'05" West along said South line, 819.32 feet; thence North 0°14'15" West, 1238.86 feet to the present South right-of-way line of Army Post Road; thence continuing North 0°14'15" West, 80.00 feet to the center line of Army Post Road; thence South 89°47'20" East, 86.23 feet; thence South 37°47'54" East, 101.54 feet, to the present South right of way line of Army Post Road and the center line of the abandoned Chicago Burlington & Quincy Railroad; thence South 37°47'54" East along said center line 242.40 feet to the PC of a 1145.92 foot radius curve, concave Northeast with a central angle of 32°51'37", a chord distance of 648.23 feet, a chord bearing of South 54°13'42" East; thence Southeast along said curve an arc distance of 657.20 feet; thence South 0°09'19" East, 669.97 feet to the POINT OF BEGINNING, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 791,464 square feet or 18.17 acres.

W.O. No. 227-97-015, Dist/Parcel 12-0 7291-202-000

Part of the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 78 North, Range 24 West of the 5th P.M., more particularly described as follows:

Commencing as a point of reference at the Northeast corner of the Northwest 1/4 of said Section 31; thence North 89°(degrees) 47'(minutes) 24"(seconds) West along the North line of the Northwest 1/4 of said Section 31, a distance of 132.40 feet to the POINT OF BEGINNING; thence South 0°12'12" East, 100.00 feet to the present South right-of-way line of Army Post Road; thence continuing South 0°12'12" West, 547.99 feet to the center line of the abandoned Chicago Burlington & Quincy Railroad; thence Northwesterly along said center line and a 1145.92 foot radius curve, concave Northeast with a central angle of 32°51'37", a chord distance of 648.23 feet, a chord bearing of North 54°13'42" West for an arc distance of 657.20 feet; thence North 37°47'54" West along said center line 242.40 feet to the present South right-of-way line of Army Post Road; thence North 0°12'40" East to the North line of Northwest 1/4 of said Section 31; thence South 89°47'24" East along said Northwest 1/4 Section line, 671.93 feet to the POINT OF BEGINNING, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 6.60 acres including 1.28 acres road easement.

Tract 4, Dist/Parcel part of 12-0 7291-208-000

Part of the Northwest fractional 1/4 of the Northwest fractional 1/4 of Section 31, Township 78 North, Range 24 West of the 5th P.M., described as follows:

Commencing as a point of reference at the Northwest corner of the Northwest fractional 1/4 of said Section 31; thence South 0° (degrees) 03'(minutes) 31" (seconds) East along the West line of said Northwest fractional 1/4, 70.00 feet; thence South 89°47'45" East, 249.68 feet to the point of beginning; thence continuing South 89°47'45" East along the present South right-of-way line of Army Post Road, 1,167.84 feet to the East line of the Northwest fractional 1/4 of the Northwest fractional 1/4 of said Section 31; thence South 0°14'05" East along the said East line, 404.17 feet; thence South 53°56'42" West, 1,599.08 feet to the present East right-of-way line of SW 42nd

Street (Highway 28); thence North 0°03'31" West along said right-of-way line, 503.88 feet; thence North 5°39'07" East along said right-of-way line, 201.00 feet; thence North 0°03'31" West along said right-of-way line, 535.14 feet; thence North 43°25'58" East along said right-of-way line, 152.09 feet to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 25.567 acres.

Tract 4A, Dist/Parcel 12-0 7291-208-000 and 12-0 7291-209-000

Part of the West 1/2 of the Northwest fractional 1/4 and all of the Southeast 1/4 of the Northwest fractional 1/4 and the West 1/2 of the Southwest 1/4 of the Northeast 1/4, all in Section 31, Township 78 North, Range 24 West of the 5th P.M., more particularly described as follows:

Commencing as a point of reference at the Southwest corner of the Northwest fractional 1/4 of said Section 31; thence South 89° (degrees) 54' (minutes) 45" (seconds) East along the South line of said Northwest fractional 1/4, 125.00 feet to the point of beginning; thence North 0°03'31" West along the present East right-of-way line of SW 42nd Street (Highway 28), 1,221.24 feet; thence North 53°56'42" East, 1,599.08 feet to the East line of the Northwest fractional 1/4 of the Northwest fractional 1/4 of said Section 31; thence South 0°14'05" East along said East line, 845.12 feet to the Northwest corner of the Southeast 1/4 of the Northwest fractional 1/4 of said Section 31; thence South 89°51'16" East along the North line of said Southeast 1/4, 1,317.59 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 31; thence South 89°51'06" East along the North line of said Southwest 1/4, 660.16 feet; thence South 0°12'03" East, 1,317.23 feet to the South line of said Southwest 1/4; thence North 89°54'46" West along the South line of said Southwest 1/4, 660.18 feet to the Southeast corner of the Northwest fractional 1/4; thence North 89°54'45" West along the South line of said Northwest fractional 1/4, 2,617.17 feet to the point of beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa; and containing 110.282 acres.

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

Sec. 3. That the City Clerk is hereby authorized and directed to cause a certified copy of this ordinance and proof of publication thereof to be properly filed in the office of the Recorder of Polk County, Iowa.

FORM APPROVED:

Roger K. Brown , Assistant City Attorney