

ORDINANCE NO. 13,816

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 in the vicinity of 3400 and 3800 Army Post Road from a "C-2" General Retail and Highway Oriented Commercial District and "PBP" Planned Business Park District to a "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 in the vicinity of 3400 and 3800 Army Post Road, more fully described as follows, from a "C-2" General Retail and Highway Oriented Commercial District and "PBP" Planned Business Park District to a "M-3" Limited Industrial District classification:

PARCEL 'A': 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 AS A POINT OF REFERENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 31; THENCE SOUTH 89°(DEGREES)48'(MINUTES) 10"(SECONDS) EAST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 31 a distance of 660.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°48'10" EAST ALONG SAID NORTH LINE, 660.18 FEET; THENCE SOUTH 0°12'14" EAST, 1089.12 FEET TO THE SOUTH LINE OF THE ABANDONED C B & Q RIGHT-OF-WAY; THENCE NORTHWESTERLY ALONG SAID SOUTH LINE ON A 1116.10 FOOT RADIUS CURVE, CONCAVE SOUTHWEST WITH A CENTRAL ANGLE OF 35°21'57", A CHORD DISTANCE OF 678.03 FEET, A CHORD BEARING OF NORTH 65°30'55" WEST FOR AN ARC DISTANCE OF 688.92 FEET; THENCE NORTH 83°11'54"WEST, 44.44 FEET; THENCE NORTH 0°12'07" WEST, 805.12 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 596,726 SQUARE FEET INCLUDING 39,611 SQUARE FEET OF ROADWAY EASEMENT.

PARCEL 'B': A PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND 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:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 31; THENCE SOUTH 89°(DEGREES) 48'(MINUTES) 10"(SECONDS) WEST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 660.13 FEET; THENCE SOUTH 0°12'07" EAST, 1317.05 FEET; THENCE NORTH 89°52'09" WEST, 660.15 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 31; THENCE NORTH 89°51'05" WEST, 132.95 FEET; THENCE NORTH 0°09'19" WEST, 669.97 FEET; THENCE NORTH 0°12'12" WEST, 647.99 FEET TO THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE SOUTH 89°47'24" EAST, 132.40 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 1,044,338 SQUARE FEET INCLUDING 71,696 SQUARE FEET OF ROADWAY EASEMENT;

PARCEL 'C': A PART OF THE NORTHWEST FRACTIONAL 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 NORTH 1/4 CORNER OF SAID SECTION 31; THENCE NORTH 89°(DEGREES)47'(MINUTES) 24" (SECONDS) WEST ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 31 A DISTANCE OF 953.08 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°14'15" EAST, 1318.86 FEET; THENCE NORTH 89°51'05" WEST, 365.02 FEET; THENCE NORTH 0°14'15" WEST, 1319.26 FEET; THENCE SOUTH 89°47'24" EAST, 365.32 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 481,869 SQUARE FEET INCLUDING 28,222 SQUARE FEET OF ROADWAY EASEMENT.

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 certified copies 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

Preston A. Daniels, Mayor

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 00-1313), passed by the City Council of said City at a meeting held May 1, 2000, signed by the Mayor on May 1, 2000, and published as provided by law in the Business Record on May 15, 2000. Authorized by Publication Order No. 2461.

Donna Boetel-Baker,  
CMC/AAE, City Clerk