

ORDINANCE NO. 14,223

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 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 3723 Indianola Avenue from the "R1-60" One Family, Low Density Residential District to a Limited "R-3" Multiple-Family Residential 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 134-277 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 3723 Indianola Avenue, more fully described as follows, from the "R1-60" One Family, Low Density Residential District to a Limited "R-3" Multiple-Family Residential District classification:

A part of Lots 11 and 12, Indianola Acres, an Official Plat more particularly described as follows: Commencing at the Northwest corner of said Lot 12; thence East along a straight line to the Northeast corner of said Lot 12; thence South along a straight line and East lot lines of said Lots 12 and 11 to the Southeast corner of said Lot 11; thence West along the South lot line of said Lot 11, to a point 100.0 feet East of the Southwest corner of said Lot 11; thence northwesterly along a straight line 71.0 feet; thence southwesterly along a straight line 136.10 feet to a point on the West line of said Lot 11, being 112.50 feet northwesterly of the Southwest corner of said Lot 11; thence northwesterly along the West lines of said Lots 11 and 12, a distance of 98.90 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa (hereinafter referred to as the "Property").

Sec. 2. That this ordinance and the zoning granted by the terms hereof are subject to the following imposed additional conditions which have been agreed to and accepted by execution of an Acceptance of Rezoning Ordinance by all owners of said property and are binding upon the owners and their successors, heirs, and assigns as follows:

Only the following uses of structures and land shall be permitted upon the Property:

A. Any use allowed in the "R1-60" One Family, Low Density Residential District.

B. Multiple-family residential use, subject to the following:

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Sec. 3. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 4. That the City Clerk is hereby authorized and directed to cause certified copies of the vicinity map, this ordinance, proof of publication of this ordinance, and the Acceptance of Rezoning Ordinance signed by all owners of the Property, 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, Diane Rauh, 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. 03-798), passed by the City Council of said City at a meeting held April 7, 2003 signed by the Mayor on April 7, 2003 and published as provided by law in the Business Record on April 21, 2003 Authorized by Publication Order No. 3577.

Diane Rauh, City Clerk