

ORDINANCE NO. 14,534

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 east of Lower Beaver Road at the eastern terminus of Bel Aire Road, Twana and Valdez Drives and at the northern terminus of Martin Luther King Jr. Parkway, from the "A-1" Agricultural District it will automatically receive upon its annexation into the City, to the "PUD" Planned Unit Development 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 east of Lower Beaver Road at the eastern terminus of Bel Aire Road, Twana and Valdez Drives and at the northern terminus of Martin Luther King Jr. Parkway, more fully described as follows:

Except Debra Plaza Plats No. 2 and 3, Government Lot 9 lying South of railroad in Section 17, Township 79 North, Range 24 West of the 5th P.M., Polk County, Iowa.

An irregular parcel being the East 920.0 feet on the North line and the East 420.0 feet on the South line of the Northeast Quarter Northeast Quarter (NE 1/4 NE 1/4) of Section 20, Township 79 North, Range 24 West of the 5th P.M., Polk County, Iowa.

The North One-Half of the Northeast Quarter of the Southwest Quarter lying West of the West right-of-way line of the Des Moines and Central Iowa Railway Company; Government Lots 4 and 5 lying West of the West right-of-way line of the Des Moines and Central Iowa Railway Company; and the Southwest Quarter of the Northwest Quarter lying West of the West right-of-way line of the Des Moines and Central Iowa Railway Company; all in Section 21, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M., Polk County, Iowa, except the following tracts:

Beginning at the Northwest corner of the SW 1/4 NE 1/4 SW 1/4 of said Section 21; thence East along the North line of the SW 1/4 NE 1/4 SW 1/4 of said Section 21, a distance of 254.8 feet to the Point of Beginning; thence North 30°45' West, 58.6 feet; thence North 77°05' East, 61.7 feet; thence South 41°40' East, 85.9 feet; thence West 87.5 feet along the North

line of SW 1/4 NE 1/4 SW 1/4 of said Section 21 to the Point of Beginning.

Beginning at the Northwest corner of SW 1/4 NE 1/4 SW 1/4 of said Section 21; thence East along the North line of the SW 1/4 NE 1/4 SW 1/4 of said Section 21, a distance of 254.8 feet; thence North 30°45' West, 58.6 feet; thence South 77°05' West, 230 feet to the Point of Beginning.

The West 65 feet of the SW 1/4 of the NW 1/4 of said Section 21 (except the North 140 feet thereof).

AND, a parcel of land in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter in Section 21, Township 79 North, Range 24 West of the 5<sup>th</sup> P.M., Polk County, Iowa, lying West of the West right of way line of the Des Moines and Central Iowa Railway Company, described as: Beginning at a point 342.3 feet East of the Northwest corner of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of said Section 21; thence South 41°40' East 54.1 feet; thence North 77°05' East 190.9 feet to the intersection of the North line of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter and the West line of the Right of Way of the Des Moines and Central Iowa Railroad; thence West along the North line of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of said Section 21, to the Point of Beginning.

from the "A-1" Agricultural District it will automatically receive upon its annexation into the City, to the "PUD" Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of its passage and publication as provided by law, and the annexation of the property described above into the City of Des Moines, Iowa.

Sec. 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 Polk County Recorder.

FORM APPROVED:

Roger K. Brown, Assistant City Attorney

T.M. Franklin Cownie, 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. 06-079), passed by the City Council of said City at a meeting held January 9, 2006 signed by the Mayor on January 9, 2006 and published as provided by law in the Business Record on January 23, 2006 Authorized by Publication Order No. 4993.

Diane Rauh, City Clerk