

ORDINANCE NO. 14,563

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 4250 Grandview Avenue from the "A-1" Agricultural District to a Limited "R1-60" One-Family Low-Density 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 4250 Grandview Avenue, more fully described as follows, from the "A-1" Agricultural District to a Limited "R1-60" One-Family Low-Density Residential District classification:

The Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4, and the East 0.5 acres of the Northwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 28 North, Range 79 North, Township 23 West of the 5th p.m., in 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:

- A. A tree survey of all trees over 6 inches in caliper upon the Property shall be completed and a tree protection plan shall be submitted to the City of Des Moines as part of any preliminary plat for the subdivision of the Property.
- B. No trees on the Property over 6 inches in caliper shall be cut down or removed without the prior written consent of the City Forester for the City of Des Moines until a grading plan is approved as part of a preliminary plat for the subdivision of the Property.

Sec. 3. 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 into the City of Des Moines, Iowa.

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 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. 06-923), passed by the City Council of said City at a meeting held May 8, 2006 signed by the Mayor on May 8, 2006 and published as provided by law in the Business Record on May 22, 2006 Authorized by Publication Order No. 5122.

Diane Rauh, City Clerk