

ORDINANCE NO. 14,743

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 3915 Fleur Drive, Des Moines, Iowa 50321 from the R1-80 District to a Limited PUD 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 3915 Fleur Drive, Des Moines, IA 50321, more fully described as follows, from the R1-80 District to a Limited PUD District classification:

Being part of Section 20, Township 78 North, Range 24 West of the 5th P.M., Polk County, Iowa described as follows:

Beginning at the NW corner of the NE $\frac{1}{4}$ of Section 20, Township 78 North, Range 24 West of the 5th P.M., in the city of Des Moines, Polk County, Iowa; thence S $89^{\circ}53'53''$ E along the North line of said NE $\frac{1}{4}$, 2053.83 Feet, thence S $00^{\circ}05'53''$ W, 17169 Feet; thence N $89^{\circ}53'53''$ W, 78.59 Feet; thence S $79^{\circ}32'01''$ W, 474.81 Feet; thence S $88^{\circ}33'22''$ W, 255.35 Feet; thence N $75^{\circ}53'06''$ W, 154.62 Feet; thence N $85^{\circ}52'21''$ W, 471.00 Feet; thence S $89^{\circ}26'11''$ W to the West line of said NE $\frac{1}{4}$, 634.14 Feet; thence N $00^{\circ}17'52''$ E along said West line; 202.52 Feet to the Point of Beginning.

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. No trees shall be removed from the subject property without approval by the Community Development Director, or based on an approved preliminary subdivision plat or development plan.

B. No grading shall be permitted prior to approval of a preliminary subdivision plat or development plan.

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

Sec. 4. The City Clerk is hereby authorized and directed to cause a certified copy of the Acceptance of Rezoning Ordinance, this ordinance, a vicinity map, and proof of publication of this ordinance, to be properly filed in the office of the Polk County Recorder.

FORM APPROVED:

Michael F. Kelley, 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. 08-162), passed by the City Council of said City at a meeting held January 28, 2008 signed by the Mayor on January 28, 2008 and published as provided by law in the Business Record on February 11, 2008. Authorized by Publication Order No. 6053.

Diane Rauh, City Clerk