

ORDINANCE NO. 15,020

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 north of Scott Avenue between SE 19th and SE 22nd Streets, from the "M-1" Light Industrial District to the "M-2" Heavy 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 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 north of Scott Avenue between SE 19th and SE 22nd Streets more fully described as follows, from the "M-1" Light Industrial District to the "M-2" Heavy Industrial District classification:

"Disposition Parcel No. 6":

ALL OF LOTS 5 THRU 16, 25 THRU 35, 41 THRU 48, THE FORMER CHICAGO ROCK ISLAND AND PACIFIC RAILROAD RIGHT OF WAY, AND A PORTION OF LOTS 3, 4, 17, 24, 36, AND 37, AND A PORTION OF THE VACATED (ORDINANCE No. 11684) EAST 15 FEET OF SOUTHEAST 20TH STREET WEST OF AND ADJACENT TO LOTS 3 THRU 10 AND WEST OF AND ADJACENT TO VACATED ALLEN STREET (ORDINANCE NO.10,950), AND A PORTION OF THE VACATED (ORDINANCE No. 7217 AND 8877) ALLEY BETWEEN SOUTHEAST 20TH STREET AND SOUTHEAST 20TH COURT WEST OF AND ADJACENT TO LOTS 11 THRU 17, AND A PORTION OF THE VACATED (ORDINANCE No. 7217 AND 8817) SOUTHEAST 20TH COURT WEST OF AND ADJACENT TO LOTS 24 THRU 30, AND A PORTION OF THE VACATED (ORDINANCE No. 6731 AND 7217) ALLEY BETWEEN SOUTHEAST 20TH COURT AND SOUTHEAST 21ST STREET WEST OF AND ADJACENT TO LOTS 31 THRU 37, AND A PORTION OF THE VACATED (ORDINANCE No. 6731) SOUTHEAST 21ST STREET EAST OF AND ADJACENT TO LOTS 31 THRU 37, AND ALL OF THAT VACATED (ORDINANCE No. 10,950 AND 6654) ALLEN STREET NORTH OF AND ADJACENT TO LOTS 41 THRU 48, ALL IN OFFICIAL PLAT OF LOT 1 OF THE OFFICIAL PLAT OF BLOCK 42 BROOKS AND COS ADDITION CITY OF DES MOINES, IA AND A PORTION OF LOT 1 FAIRLAWN, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST RIGHT OF WAY CORNER OF SCOTT STREET (AVENUE) AND UNION PACIFIC RAILROAD;; THENCE NORTH 89° (DEGREES) 47' (MINUTES) 26" (SECONDS) WEST, 816.91 FEET ON THE NORTH RIGHT OF WAY LINE OF SCOTT STREET, THENCE CONTINUING NORTH 89°47'26" WEST, 1.07 FEET ON SAID NORTH LINE TO THE EAST LINE OF SOUTHEAST 20TH STREET; THENCE NORTH 00°04'46" EAST, 105.32 FEET ON SAID EAST LINE TO THE NORTHERLY LINE OF THE FORMER CHICAGO ROCK ISLAND AND PACIFIC RAILROAD; THENCE NORTH 71°12'25" WEST, 15.84 FEET ON SAID NORTHERLY LINE TO THE WEST LINE OF SAID VACATED EAST 15 FEET OF SOUTHEAST 20TH STREET; THENCE NORTH 00°04'46" EAST, 317.03 FEET ON SAID WEST LINE; THENCE SOUTH 84°12'25" EAST, 448.45 FEET; THENCE NORTH 73°36'02" EAST, 285.21 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID UNION PACIFIC RAILROAD; THENCE SOUTH 13°35'39" EAST, 479.13 FEET ON SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 7.39 ACRES MORE OR LESS;

"West Block":

A PORTION OF LOTS 3 THRU 10, 14 THRU 19, 24 THRU 31, 37 THRU 40, THE VACATED (ORDINANCE NO. 9,355) 12.0 FOOT WIDE NORTH SOUTH ALLEY LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD AND SOUTH OF THE NORTH LINE OF SAID LOT 1 AND WEST OF AND ADJACENT TO SAID LOTS 3 THRU 10, AND THE 50.0 FOOT VACATED NORTH/SOUTH HOME STREET (SE 19TH COURT) LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD AND SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 21 AND WEST OF AND ADJACENT TO SAID LOTS 14 THRU 19, AND THE VACATED (ORDINANCE NO. 9,355) 12.0 FOOT WIDE NORTH SOUTH ALLEY LYING NORTH OF THE NORTH RIGHT OF WAY LINE OF THE CHICAGO ROCK ISLAND AND PACIFIC RAILROAD AND SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 22 AND WEST OF AND ADJACENT TO SAID LOTS 24 THRU 28, AND THE VACATED RIGHT OF WAY OF THE CHICAGO, ROCK ISLAND, AND PACIFIC RAILROAD, ALL IN CHARTER OAK ADDITION TO THE CITY OF DES MOINES, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO NORTHWEST CORNER OF SAID LOT 42; THENCE SOUTH 00° (DEGREES) 05' (MINUTES) 41" (SECONDS) EAST, 96.55 FEET ON THE WEST LINE OF SAID LOTS 42, 41, AND 40 TO THE POINT OF BEGINNING; THENCE SOUTH 87°09'29" EAST, 552.33 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTH 00°04'46" WEST 296.20 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE CONTINUING SOUTH 00°04'46" WEST, 105.23 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF FORMER CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD; THENCE NORTH 71°53'19" WEST, 316.99 FEET ON SAID SOUTHERLY RIGHT OF WAY LINE, TO THE NORTHEAST CORNER OF SAID LOT 29; THENCE SOUTH 00°07'43" WEST, 127.44 FEET ON THE EAST LINE OF SAID LOTS 29, 30, AND 31 TO THE SOUTHEAST CORNER OF SAID LOT 31; THENCE NORTH

89°54'59" WEST, 60.13 FEET ON THE SOUTH LINE OF SAID LOT 31; THENCE NORTH 00°11'38" EAST, 80.07 FEET TO THE SOUTH LINE OF SAID LOT 29; THENCE NORTH 89°50'43" WEST, 60.01 FEET ON SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT 29; THENCE NORTH 00°10'02" EAST, 86.24 FEET ON THE WEST LINE OF SAID LOT 29 TO THE NORTHWEST CORNER OF SAID LOT 29; THENCE NORTH 71°56'02" WEST, 136.19 FEET ON THE SOUTHERLY RIGHT OF WAY LINE OF FORMER CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD TO THE EAST RIGHT OF WAY LINE OF SOUTHEAST 19TH STREET; THENCE NORTH 00°05'41" WEST, 105.47 FEET ON SAID EAST RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF SAID LOT 37; THENCE CONTINUING NORTH 00°05'41" EAST, 143.45 FEET ON THE WEST LINE OF SAID LOTS 37, 38, 39, AND 40 TO THE POINT OF BEGINNING, CONTAINING 4.41 ACRES MORE OR LESS;

AND, Lots 11, 12, 13, 35 and 36; and all the vacated North/South alley right-of-way lying East of and adjoining Lots 12 and 13; and all the vacated North/South alley right-of-way lying East of and adjoining Lots 32 through 36 inclusive; and all the vacated SE 19th Court right-of-way lying East of and adjoining Lots 29 through 31 inclusive, all in Charter Oak Addition, an Official Plat all now included in and forming a part of the City of Des Moines, Polk County, Iowa. (Rights -of-way vacated by Ordinance No. 10,343 passed January 23, 1978.)

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 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. 11-0927), passed by the City Council of said City at a meeting held May 23, 2011 signed by the Mayor on May 23, 2011 and published as provided by law in the Business Record on June 10, 2011. Authorized by Publication Order No. 7481.

Diane Rauh, City Clerk