

ORDINANCE NO. 15,089

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 1700 East Aurora, to revise the Limited M-2 Heavy Industrial District classification with conditions approved by Ordinance No. 14,504 that prohibits use of the property as a junk or salvage yard, to allow a towing and storage yard for motor vehicles and trailers including wrecked or damaged vehicles provided there is no salvaging, stacking or crushing of vehicles on the property.

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 1700 East Aurora Avenue, more fully described as follows, to revise the Limited M-2 Heavy Industrial District classification with conditions approved by Ordinance No. 14,504 that prohibits use of the property as a junk or salvage yard, to allow a towing and storage yard for motor vehicles and trailers including wrecked or damaged vehicles provided there is no salvaging, stacking or crushing of vehicles on the property:

Beginning at the Southwest corner of Lot 1, Ford Industrial Park, an Official Plat; thence, North 00° 31' 39" East along the West line of said Lot 1 a distance of 1026.64 feet to the Northwest corner of said Lot 1; thence, North 48° 00' 04" East along the Northwest line of said Lot 1 a distance of 246.97 feet to the most Northerly corner of said Lot 1; thence, Southeast along the Northeast line of said Lot 1, and along a 2561.87 foot radius curve, concave Northerly a distance of 249.14 feet, said curve have a chord bearing of South 62° 00' 28" East and a chord length of 249.04 feet; thence, South 66° 13' 53" East along the Northeasterly line of said Lot 1 a distance of 168.35 feet; thence, South 00° 28' 11" East a distance of 475.88 feet; thence, North 89° 42' 31" East a distance of 379.67 feet; thence, South 00° 24' 33" East a distance of 303.38 feet; thence, South 89° 38' 33" West a distance of 410.94 feet; thence, South 00° 17' 28" East a distance of 224.83 feet to the South line of said Lot 1; thence, South 89° 44' 47" West along the South line of said Lot 1 a distance of 542.92 feet to the Point of Beginning, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

Section 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:

To revise the conditions approved by Ordinance No. 14,504 that prohibits use of the property as a junk or salvage yard, to allow a towing and storage yard for motor vehicles and trailers including wrecked or damaged vehicles provided there is no salvaging, stacking or crushing of vehicles on the property.

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

Section 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. 12-0351), passed by the City Council of said City at a meeting held February 27, 2012 signed by the Mayor on February 27, 2012 and published as provided by law in the Business Record on March 16, 2012. Authorized by Publication Order No. 7797.

Diane Rauh, City Clerk

