

ORDINANCE NO. 15,439

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 4640 Army Post Road from “R1-80” One-Family Residential District to “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 in the vicinity of 4640 Army Post Road, more fully described as follows, from the “R1-80” One-Family Residential District to “PUD” Planned Unit Development District classification:

A PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE EAST 1/4 CORNER OF SAID SECTION 36; THENCE N89°55'33"W, 1321.01 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 TO THE NORTHEAST CORNER OF SAID WEST 1/2; THENCE S00°17'57"E, 146.64 FEET ALONG THE EAST LINE OF SAID WEST 1/2 TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF ARMY POST ROAD; THENCE CONTINUING S00°17'57"E, 1040.50 FEET ALONG THE EAST LINE OF SAID WEST 1/2 TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF IOWA HIGHWAY #5; THENCE N58°48'10"W, 396.78 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE N77°45'54"W, 456.41 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S77°33'58"W, 304.59 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT; THENCE S55°42'01"W, 260.19 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF IOWA HIGHWAY #28; THENCE N43°09'52"W, 138.62 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF IOWA HIGHWAY #28 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ARMY POST ROAD, THENCE N46°50'54"E, 219.45 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE N50°21'44"E, 215.42 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE N54°18'53"E, 222.89 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE N55°49'45"E, 182.49 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE N56°56'44"E, 289.54 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT; THENCE EASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 3926.81 FEET AND A CHORD BEARING OF N70°35'44"E, AN ARC DISTANCE OF 516.21 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING CONTAINING

15.9323 ACRES MORE OR LESS.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance, vicinity map and proof of publication of this ordinance to be properly filed in the office of the County Recorder of the county in which the subject property is located.

FORM APPROVED:

Lawrence R. McDowell, Deputy 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. 15-2164), passed by the City Council of said City at a meeting held December 21, 2015 signed by the Mayor on December 21, 2015 and published and provided by law in the Business Record on January 8, 2016. Authorized by Publication Order No. 9403.

Diane Rauh, City Clerk