

★ **Roll Call Number**

**Agenda Item Number**

620

Date July 14, 2008

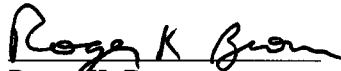
An Ordinance entitled, "AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-277 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located in the vicinity of 5100 NE 38th Avenue from the "A-1" Agricultural District to the "PUD" Planned Unit Development District classification",

presented.

MOVED by \_\_\_\_\_ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

  
 Roger K. Brown  
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLISSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....  
**Mayor**

**CERTIFICATE**

**I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.**

**IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.**

\_\_\_\_\_  
 City Clerk

620

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Prepared by: Roger K. Brown, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 515/283-4541  
Return Address: City Clerk - City Hall, 400 Robert D. Ray Dr., Des Moines, IA 50309  
Title of Document: City of Des Moines, Ordinance No. \_\_\_\_\_  
Grantor/Grantee: City of Des Moines, Iowa  
Legal Description: Beginning on this page below.

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ORDINANCE NO. \_\_\_\_\_

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 5100 NE 38th Avenue from the "A-1" Agricultural District to the "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 5100 NE 38th Avenue, more fully described as follows:

A parcel of land in the South 1/2 of the Southeast 1/4 of Section 22, Township 79 North, Range 23 West of the 5th P.M., City of Des Moines, Polk County, Iowa which is more particularly described as follows:

Commencing as a point of reference at the SW corner of the SE 1/4 of the SE 1/4 of said Section 22, thence N00°27'04"W, 33.00 feet to a point on the North right-of-way line of NE 38th Avenue, said point being the Point of Beginning; thence N89°35'06"W, 56.92 feet along said North right-of-way line to a point; thence N00°24'35"E, 1309.70 feet to a point on the North line of the S 1/2 of the SE 1/4 of

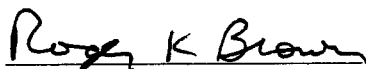
said Section 22; thence N89°41'50"E, 981.47 feet along said North line to a point on the West right-of-way line of NE 55th Way; thence southerly along a curve to the right having a radius of 1112.90 feet, a chord bearing of S06°29'01"E, an arc length of 262.57 feet along said West right-of-way line to a point; thence S04°55'27"E, 152.10 feet along said West right-of-way line to a point; thence S25°00'57"E, 169.80 feet along said West right-of-way line to a point; thence S64°28'27"E, 234.40 feet along said West right-of-way line to a point on the West right-of-way line of NE 56th Street; thence S00°16'33"W, 251.14 feet along said West right-of-way line to a point; thence S07°52'14"W, 75.66 feet along said West right-of-way line to a point; thence S00°16'33"W, 228.80 feet along said West right-of-way line to a point; thence S44°25'25"W, 93.13 feet along said West right-of-way line to a point on the North right-of-way line of NE 38th Ave; thence S88°40'58"W, 1182.33 feet along said North right-of-way line to the Point of Beginning and containing 35.038 acres, more or less, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

from the "A-1" Agricultural District to the "PUD" Planned Unit Development District classification.

Sec. 2. This ordinance shall be in full force and effect from and after the later of 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

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