



Roll Call Number

Agenda Item Number

62A

Date July 13, 2020

An Ordinance entitled, " AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located at 3116 Victoria Drive from the N3b Neighborhood District to Limited N3b-2 Neighborhood District classification",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

(ZON2020-00052)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
GRAY				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, P. Kay Cmelik, 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.

MOTION CARRIED APPROVED

Mayor

City Clerk

62A

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Phone: 515/283-4530
 Return Address: City Clerk - City Hall, 400 Robert D. Ray Drive, Des Moines, IA 50309
 Title of Document: City of Des Moines, Ordinance No. _____
 Grantor/Grantee: City of Des Moines, Iowa
 Legal Description: See page 1, below.

ORDINANCE NO. _____

AN ORDINANCE to amend the Official Zoning Map of the City of Des Moines, Iowa, set forth in Section 134-1.10 of the Municipal Code of the City of Des Moines, Iowa, 2000, by rezoning and changing the district classification of certain property located at 3116 Victoria Drive from the N3b Neighborhood District to Limited N3b-2 Neighborhood 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 134-1.10 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 at 3116 Victoria Drive from the N3b Neighborhood District to Limited N3b-2 Neighborhood District classification:

LOT 100 IN VAN SLYKE & DORSEY'S LINNWOOD PARK; AN OFFICIAL PLAT AND LOT 1 IN LINNWOOD PARK PLAT 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN 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:

- 1) Any two-household use shall be in conformance with the provisions applicable for either a House B or House C building type as set forth in Chapter 135 of the Des Moines Municipal Code.

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

Section 4. That the City Clerk is hereby authorized and directed to cause certified copies of the Acceptance of Rezoning Ordinance, 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:

/s/ Glenna K. Frank
Glenna K. Frank
Assistant City Attorney

Prepared by: Glenna K. Frank, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309
Phone: 515/283-4530
Return Address: City Clerk - City Hall, 400 Robert Ray Dr., Des Moines, IA 50309
Taxpayer: No change
Title of Document: Acceptance of Rezoning Ordinance
Grantor's Name: Anchor Investment Group, LLC
Grantee's Name: City of Des Moines, Iowa
Legal Description: LOT 100 IN VAN SLYKE & DORSEY'S LINNWOOD PARK; AN OFFICIAL PLAT AND LOT 1 IN LINNWOOD PARK PLAT 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN THE CITY OF DES MOINES, POLK COUNTY, IOWA. (Herein "Property")

ACCEPTANCE OF REZONING ORDINANCE

The undersigned hereby state, warrant and agree as follows:

1. That Anchor Investment Group, LLC is the titleholder of the Property locally known as 3116 Victoria Drive, Des Moines, Iowa, and legally described above.

2. That in the event the City of Des Moines, Iowa, acts to rezone the Property from the N3b Neighborhood District to Limited N3b-2 Neighborhood District, I agree and accept on behalf of the owner to the imposition of the following conditions to run with the land and be binding upon all successors, heirs and assigns as part of the ordinance so rezoning the Property:

1) Any two-household use shall be in conformance with the provisions applicable for either a House B or House C building type as set forth in Chapter 135 of the Des Moines Municipal Code.

3. A certified copy of the rezoning ordinance shall be attached hereto, and a certified copy of this document and the rezoning ordinance shall be recorded by the City in the land records of the County Recorder to memorialize the rezoning of the Property as identified above.


4. The words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Anchor Investment Group, LLC


By: _____

State of Iowa)
) ss:
County of Polk)

This instrument was acknowledged before me on July 2, 2020,
by Michael Dantin as Manager of Anchor Investment Group,
LLC.


Notary Public in and for the State of Iowa

