| Roll Call Number | Agenda Item Numb |
|--|---|
| Date March 21, 2022 | |
| Moines, Iowa, set Moines, Iowa, 2000 located 514 Foster I Neighborhood Dist | ORDINANCE to amend the Official Zoning Map of the City of Des th in Section 134-1.10 of the Municipal Code of the City of Des y rezoning and changing the district classification of certain property ve from 'P2' Public, Civic and Institutional District to Limited 'N1a' t classification", ted upon under Roll Call No. 22 of March 21, |
| ordinance must be prior to the meeting ordinance be place | that the rule requiring that an ansidered and voted on for passage at two Council meetings at which it is to be finally passed be suspended, that the upon its final passage and that the ordinance do now pass. |
| | ORDINANCE NO |

NOTE: Waiver of this rule is requested by _____

FORM APPROVED:

Judy K. Parks-Kruse Assistant City Attorney

(ZON2022-000010; ZON2022-000005)

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|----------|------|------|--------|
| COWNIE | | | | |
| BOESEN | | | | |
| GATTO | | | | |
| SHEUMAKER | | | | |
| MANDELBAUM | | | | |
| VOSS | | | | |
| WESTERGAARD | | | | |
| TOTAL | | | | |
| MOTION CARRIED | APPROVED | | | |

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.

| City | Clerk |
|------|-------|
| | City |

Mayor and City Council City of Des Moines 400 Robert D. Ray Drive Des Moines, IA 50309

RE: Proposed rezoning of property located at 514 Foster Drive

To the Mayor and City of Des Moines City Council:

Please accept this request to waive the three required readings of the ordinance to rezone the above referenced real property.

Thank you.

Sincerely,

| Wendy | Steffes | | David | Steffes | |
|-------|---------|--------|-------|---------|-----------|
| Sign | ature | | | | |
| By:_ | Wendy | Steffe | s and | Davi | d Steffes |
| Its:_ | | | | | |

Prepared by:

Judy K. Parks-Kruse, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA

50309 Phone: 515/283-4533

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:

Wendy Steffes and David Steffes (Titleholders)

Grantee's Name:

City of Des Moines, Iowa

Legal Description

A PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES,

POLK COUNTY, IOWA AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER LOT 34, LINDEN HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA; THENCE NORTH 87° (DEGREES) 59' (MINUTES) 18" (SECONDS) WEST ALONG THE NORTH LINE OF SAID LOT 34, A DISTANCE OF 250.14 FEET; THENCE NORTH 0°03'50" EAST, 30.02 FEET; THENCE SOUTH 87°59'18" EAST, 250.14 FEET; THENCE SOUTH 0°03'50" WEST, 30.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES

(7504 SQ. FT.)

ACCEPTANCE OF REZONING ORDINANCE

The undersigned hereby state, warrant and agree as follows:

- 1. That Wendy Steffes and David Steffes are the titleholders of the Property locally known as 514 Foster Drive and legally described above.
- 2. That in the event the City of Des Moines, Iowa, acts to rezone the property located at 514 Foster Drive from 'P2' Public, Civic and Institutional District to Limited 'N1a' Neighborhood District, we agree and accept on behalf of the owners 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. A setback with a minimum of 17 feet from the north property line for any primary or accessory building; and

- 2. A setback with minimum of 32 feet from the west property line for any primary or accessory building.
- 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.

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.

WENDY STEFFES Wendy Steffes By: State of Iowa) ss: County of Polk This instrument was acknowledged before me on March 17 2022, by Wendy Steffes JONATHON L SCHROEDER Jonathon Schroeder ommission Number 782712 My Commission Expires February 18, 2023 Notary Public in and for the State of Iowa Online Notary Public, This notarial act involved the use of online audio/video communication **DAVID STEFFES** David Steffes By: State of Iowa) ss: County of Polk This instrument was acknowledged before me on March 17 2022, by David Steffes Jonathon Schroeder Notary Public in and for the State of Iowa