



Roll Call Number

Agenda Item Number

68A

Date October 23, 2023

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 in the vicinity of 1500 East Army Post Road from "EX" Mixed Use District to "CX" Mixed Use District classification",

presented.

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

FORM APPROVED:

(First of three required readings)

/s/ Chas M. Cahill

Chas M. Cahill
Assistant City Attorney

(ZONG-2023-000053)(COMP-2023-000030)

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

CERTIFICATE

I, **LAURA BAUMGARTNER**, 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.

Mayor

City Clerk

68A

Prepared by: Chas M. Cahill, Assistant City Attorney, 400 Robert D. Ray Drive, Des Moines, IA 50309 Phone: 515-283-4533
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: See page 1 and 2, 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 in the vicinity of 1500 East Army Post Road from "EX" Mixed Use District to "CX" Mixed Use 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 in the vicinity of 1500 East Army Post Road from "EX" Mixed Use District to "CX" Mixed Use District classification, more fully described as follows:

A PARCEL OF LAND IN THE SE¼ SW¼ SW¼ OF SECTION 26, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBE AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE SW CORNER OF SAID SE ¼

SW ¼ SW ¼, THENCE NORTH 00°00'00" EAST (ASSUMED FOR THE PURPOSE OF THIS DESCRIPTION ONLY) ALONG THE WEST LINE OF SAID SE ¼ SW ¼ SW ¼, 70.31 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ARMY POST ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°00'00" EAST ALONG THE SAID WEST LINE, 590.69 FEET TO THE NW CORNER OF SAID SE¼ SW¼ SW¼; THENCE NORTH 89°57'22" EAST ALONG THE NORTH LINE OF SAID SE ¼ SW¼ SW ¼, 199 FEET TO A POINT; THENCE SOUTH 00°00'00" EAST PARALLEL TO THE WEST LINE OF SAID SE¼ SW¼ SW¼, 593.63 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF ARMY POST ROAD; THENCE NORTH 89°11'53" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE; 199.02 FEET TO THE POINT OF BEGINNING AND CONTAINING 2. 71 ACRES MORE OR LESS

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

Section 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 County Recorder of the county in which the subject property is located.

FORM APPROVED:

/s/ Chas M. Cahill

Chas M. Cahill

Assistant City Attorney