

ORDINANCE NO. 15,744

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 the 400 block of Southwest 11th Street from the "C-3B" Central Business Mixed-Use 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 the 400 block of Southwest 11th Street, more fully described as follows:

(A PART OF AREA 1 FROM PLAT OF SURVEY RECORDED IN BOOK 15105, PAGE 170)

THE EAST HALF OF THAT PART OF LOT 81, FACTORY ADDITION, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, LYING NORTHERLY OF PARCEL "A" OF SAID LOT 81, AS SHOWN IN PLAT OF SURVEY FILED IN BOOK 13646, PAGE 937, EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST NORTHERLY CORNER OF SAID LOT 81; THENCE SOUTH 15 DEGREES 30 MINUTES 24 SECONDS EAST ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION ON THE EASTERLY LINE OF LOT 81 (ALSO BEING THE PRESENT WEST RIGHT-OF-WAY LINE OF SOUTHWEST 11TH STREET) A DISTANCE OF 123.77 FEET TO THE CORNER OF SAID LOT 81; THENCE SOUTH 38 DEGREES 23 MINUTES 23 SECONDS WEST ON THE SOUTHEASTERLY LINE OF SAID LOT 81, A DISTANCE OF 96.65 FEET; THENCE SOUTH 80 DEGREES 31 MINUTES 12 SECONDS WEST A DISTANCE OF 139.23 FEET TO THE NORTHWESTERLY LINE OF SAID LOT 81; THENCE NORTHEASTERLY ON THE NORTHWESTERLY LINE OF SAID LOT 81 BEING A 786.82 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY AND HAVING A 101.9 FOOT LONG CHORD BEARING NORTH 34 DEGREES 40 MINUTES 37 SECONDS EAST A DISTANCE OF 101.98 FEET (ARC LENGTH); THENCE NORTH 38 DEGREES 23 MINUTES 23 SECONDS EAST ON THE NORTHWESTERLY LINE OF SAID LOT 81 A DISTANCE OF 171.15 FEET TO THE POINT OF BEGINNING, AND EXCEPT THAT PART OBTAINED BY THE CITY OF DES MOINES BY AFFIDAVIT OF POSSESSION AND OWNERSHIP FILED IN BOOK 14918, PAGE 295, IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA AND EXCEPT THAT PART LYING SOUTH OF THE FOLLOWING DESCRIBE LINE: COMMENCING AT THE NORTHERLY CORNER OF SAID PARCEL "F"; THENCE SOUTH 7°55'01" EAST ALONG THE EASTERLY LINE OF SAID PARCEL "F", 623.69 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 33°17'39" WEST, 22.57 FEET; THENCE SOUTH 74°30'18" WEST, 144.52 FEET; THENCE WESTERLY ALONG A CURVE

CONCAVE NORTH WHOSE RADIUS IS 724.00 FEET, WHOSE ARC LENGTH IS 158.96 FEET AND WHOSE CHORD BEARS SOUTH 80°47'42" WEST, 158.64 FEET TO THE WEST LINE OF THE "EAST HALF" OF SAID LOT 81 AND THE POINT OF TERMINUS AND EXCEPT THAT PART LYING NORTH OF THE FOLLOWING DESCRIBE LINE: COMMENCING AT THE NORTHERLY CORNER OF SAID PARCEL "F"; THENCE SOUTH 07°55'01" EAST ALONG THE EASTERLY LINE OF SAID PARCEL "F", 90.58 FEET TO THE POINT OF BEGINNING; THENCE NORTH 53°08'58" WEST , 21.13 FEET; THENCE SOUTH 81°37'05" WEST, 135.32 FEET TO THE WEST LINE OF THE "EAST HALF" OF SAID LOT 81 AND THE POINT OF TERMINUS.;

(A PART OF AREA 2 FROM PLAT OF SURVEY RECORDED IN BOOK 15105, PAGE 170)

A PARCEL OF LAND BEING PART OF LOTS 6, C, L AND 9 OF FACTORY ADDITION PLAT NO. 3, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, DESCRIBED AS PARCEL F ON THE PLAT OF SURVEY FILED SEPTEMBER 25, 2008, IN BOOK 12787, PAGE 858 IN THE OFFICE OF THE POLK COUNTY RECORDER, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY CORNER OF LOT L OF SAID FACTORY ADDITION PLAT NO. 3 AND ON THE WEST RIGHT OF WAY LINE OF TUTTLE STREET OF SAID PLAT; THENCE SOUTH 39 DEGREES 10 MINUTES 24 SECONDS WEST ALONG WESTERLY LINE OF SAID LOT L, 7.81 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 7 DEGREES 52 MINUTES 20 SECONDS EAST, 1353.79 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD AND THE WESTERLY LINE OF SAID LOT L, THENCE NORTH 30 DEGREES 05 MINUTES 57 SECONDS WEST ALONG SAID LINE, 599.05 FEET; THENCE ALONG SAID LINE ON THE ARC OF A 666.25 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, 803.41 FEET (CHORD BEARING NORTH 04 DEGREES 26 MINUTES 07 SECONDS EAST, 755.61 FEET); THENCE ALONG SAID LINE NORTH 39 DEGREES 10 MINUTES 24 SECONDS EAST, 89.54 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 5.35 ACRES AND IS SUBJECT TO EASEMENTS OF RECORD. POLK COUNTY, IOWA AND EXCEPT THAT PART LYING SOUTH OF THE FOLLOWING DESCRIBE LINE: COMMENCING AT THE NORTHERLY CORNER OF SAID PARCEL "F"; THENCE SOUTH 7°55'01" EAST ALONG THE EASTERLY LINE OF SAID PARCEL "F", 623.69 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 33°17'39" WEST, 22.57 FEET; THENCE SOUTH 74°30'18" WEST, 144.52 FEET; THENCE WESTERLY ALONG A CURVE CONCAVE NORTH WHOSE RADIUS IS 724.00 FEET, WHOSE ARC LENGTH IS 158.96 FEET AND WHOSE CHORD BEARS SOUTH 80°47'42" WEST, 158.64 FEET TO THE WEST LINE OF THE "EAST HALF" OF SAID LOT 81 AND THE POINT OF TERMINUS AND EXCEPT THAT PART LYING NORTH OF THE FOLLOWING DESCRIBE LINE: COMMENCING AT THE NORTHERLY CORNER OF SAID PARCEL "F"; THENCE SOUTH 07°55'01" EAST ALONG THE EASTERLY LINE OF SAID PARCEL "F", 90.58 FEET TO THE POINT OF BEGINNING; THENCE NORTH 53°08'58" WEST , 21.13 FEET; THENCE SOUTH 81°37'05" WEST, 135.32 FEET TO THE WEST LINE OF THE "EAST HALF" OF SAID LOT 81 AND THE POINT OF TERMINUS

from the "C-3B" Central Business Mixed-Use District to the "PUD" Planned Unit Development District classification.

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:

Glenna K. Frank, Assistant 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. 19-0169), passed by the City Council of said City at a meeting held January 28, 2019 signed by the Mayor on January 28, 2019 and published and provided by law in the Business Record on February 15, 2019. Authorized by Publication Order No. 10608.

Diane Rauh, City Clerk