

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: November 19, 2018

Item: Ashworth Road I-80 Corridor, Generally located along Ashworth Road beginning west of Interstate 80 east to Jordan Creek Parkway – Amend Comprehensive Plan Land Use Map and Amend Zoning Map to designate and zone property to High Density Residential (RH), Medium Density Residential (RM), Single Family Residential (R-1), Office (OF), Community Commercial (CMC), and Business Park (BP). – City Initiated (CPA-003525-2017/ZC-003524-2017)

Requested Action: Recommend Approval of Comprehensive Plan Amendment and Consistency Zoning

Case Advisor: Karen Marren

Applicant's Request: Development Services staff is requesting approval of a Comprehensive Plan Land Use Map amendment and Zoning Map amendment for properties generally located along Ashworth Road beginning west of Interstate 80 and extending east to Jordan Creek Parkway. There are a total of 59 parcels (approximately 248.62 acres) affected by this request. The Land Use Map amendment will assign land use designations of Medium Density Residential and Business Park to nine parcels located west of I-80, two of which were not assigned a land use at the time of annexation in 2014. The Land Use Map amendment will also amend the current land use designations of 31 parcels located east of I-80 at the intersection of Ashworth and 88th Street as well as north of Ashworth Road between approximately 78th and 84th Streets from Office and Support Office to Community Commercial and Office. The properties at the southwest corner of Ashworth Road and Jordan Creek Parkway will be amended from Medium Density Residential to Office and Single Family Residential. All properties will be zoned consistent with either their current or amended land use designations (see Attachment C – Existing Land Use and Zoning Maps, Attachment D – Proposed Land Use Map and Attachment E – Proposed Zoning Map).

History: The properties included in this request were annexed into the City by four different annexation requests dating from 1993, 2001, 2011 and 2014. All but two of the subject properties had a land use designation assigned at the time of annexation, however, up until now, 37 of the subject properties had remained Unzoned since their annexation into the city corporate limits. It is standard practice for the City to initiate land use and zoning changes upon annexation into the city.

City Council Subcommittee: This item was presented to the Development and Planning City Council Subcommittee on July 24, 2017 and September 18, 2017. In July, Council members expressed concern regarding the inclusion of additional High Density Residential land uses west of I-80 and on the north side of Ashworth between 74th and 88th streets due to concerns for the impact of increased traffic in the area along Ashworth Road in and out of Waukee. Staff noted a traffic study had been completed for the area and the proposed land uses could be supported. A public hearing was scheduled, however deferred due to resident and property owner concerns with the proposed land use designations and desires for alternate land uses.

After discussion with property owners and residents, a meeting was scheduled with the Subcommittee to discuss alternative land use options. The following direction was given by the committee.

- Due to concern for traffic along Ashworth Road in and out of Waukee, the committee directed staff to designate all areas north of Ashworth Road to Medium Density Residential and Single Family Residential, and the property at the southwest corner of Ashworth Road and I-80 to Business Park. It was noted that the church property recently zoned to high density residential would be rezoned to medium density to be consistent along the Ashworth Road corridor. Churches are allowed within either medium or high density areas therefore there is no impact to the church.
- For the area north and south of Ashworth Road at the intersection of Ashworth and 88th Street, the committee directed that the area be designated to Community Commercial land use to allow for future commercial development at the intersection of Ashworth Road and 88th street.

- After discussions with property owners for the area at the southwest corner of Ashworth and 88th Street, this area was determined to be removed from this amendment and remain designated as office to inform single family developing in the area of the potential for higher intense use than the current large lot single family that exists. The property owners immediately at the corner desired commercial land use for a convenience store; however, due to limited accesses into the site, commercial land use proposed on the east side of 88th Street and north of Ashworth Road, and a traffic analysis indication that this section of 88th Street cannot accommodate commercial development without impacting other intersections along 88th Street, commercial land use cannot be supported.
- For the properties north of Ashworth Road between approximately 78th Street and 84th Street, at the request of the majority property owner it was directed that the previous application which showed high density residential and office land uses to be modified to designate the whole area as office to allow for a future corporate office development. The subcommittee was in agreement to limit the amount of high density residential along the corridor and to designate the entire north area to an office land use.
- The final area discussed was the southwest corner of Ashworth and Jordan Creek Parkway. The current land use designation for the area is medium density residential, however, after a preliminary interest by a private property owner in the area for redevelopment, discussions moved to looking at office or commercial development at the corner of Jordan Creek Parkway and Ashworth Road. After discussion with residents and review of the traffic capacity and access for the area it was determined the area could accommodate approximately 5 acres of office with the remaining approximately 12 acres of land as single family residential. Due to access limitation for the overall site, the office use is designated at the corner to allow for potential future access from both the future south extension of 76th Street and from Jordan Creek Parkway via a frontage road connection. R-1 Single Family Residential zoning is proposed to be consistent with the surrounding zoning to the west and south. Commercial land use was not feasible in this location due to access and traffic impacts for the intersection.

Staff Review and Comment: After publication of the hearing in August of 2017 for the amendment, additional amendment requests to the Comprehensive Plan Land Use Map and Zoning Map for properties along the Ashworth Road Corridor had been received as a result of discussion with residents and property owners in the area of this amendment. In light of these additional requests, staff requested a deferral of the hearing to review this item further. Staff then placed this item on the September 18th Development and Planning City Council Subcommittee agenda to discuss the newly identified issues and confirm direction. Based on direction from the Subcommittee, as noted above, the proposed land use map has been amended to reflect the requested changes of the committee and the zoning map updated to be consistent with the proposed land use map. The hearing has been published and re-noticed for continuation of the previously deferred amendment process.

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Noticing Information: On November 9, 2018, notice of the November 19, 2018 Plan and Zoning Commission and of the November 26, 2018 City Council public hearings was published in the *Des Moines Register*. Notice of this public hearing also was mailed to all surrounding property owners within 370 feet of the subject properties affected by these amendments on November 7, 2018.

Cursory notice letters were also sent to all directly affected property owners on October 19, 2018 notifying them of staff's intent to re-initiate this comprehensive plan land use and zoning map amendment.

Staff Recommendation and Conditions Of Approval – Comprehensive Plan: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends the Plan & Zoning Commission approve a resolution recommending to the City Council approval of the amendment to the Comprehensive Plan Land Use Map as depicted in Attachment D.

Staff Recommendations and Conditions of Approval – Zoning: Based upon the preceding review and a finding of consistency with the Comprehensive Plan, staff recommends the Plan & Zoning Commission approve a resolution recommending to the City Council approval of the amendment to the Zoning Map as depicted in Attachment E.

Applicant: City of West Des Moines
Development Services Department
PO Box 65320
West Des Moines IA 50265-0320
515-222-3620

Applicant's Representatives: Same as Applicant

Attachments:

- Attachment A - Plan and Zoning Commission Resolution – Land Use Designation
Exhibit A: Legal Descriptions
Exhibit B: Proposed Land Use Map (See Attachment D)
- Attachment B - Plan and Zoning Commission Resolution – Rezoning
Exhibit A: Legal Descriptions
Exhibit B: Proposed Zoning Map (See Attachment E)
- Attachment C - Adopted Comprehensive Plan Map and Zoning Map
- Attachment D - Proposed Land Use Map
- Attachment E - Proposed Zoning Map

RESOLUTION NO. PZC-18-074

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE COMPREHENSIVE PLAN LAND USE MAP AMENDMENT (CPA-003525-2017) FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATION OF PROPERTY GENERALLY LOCATED ALONG ASHWORTH ROAD BEGINNING WEST OF INTERSTATE 80 EAST TO JORDAN CREEK PARKWAY TO HIGH DENSITY RESIDENTIAL (RH), MEDIUM DENSITY RESIDENTIAL (RM), SINGLE FAMILY RESIDENTIAL (SF), OFFICE (OF), COMMUNITY COMMERCIAL (CMC), AND BUSINESS PARK (BP).

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the City of West Des Moines has requested approval of a Comprehensive Plan Land Use Map Amendment for the properties legally described below;

Legal Description

See Exhibit A

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on November 19, 2018, this Commission held a duly-noticed hearing to consider the application for Comprehensive Plan Amendment (CPA-003525-2017);

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The request for a change in the land use designation to High Density Residential, Medium Density Residential, Single Family Residential, Office, Community Commercial, and Business Park for property legally described above and as shown on the Proposed Land Use Map (Exhibit B) is recommended to the City Council for approval.

PASSED AND ADOPTED on November 19, 2018.

Craig Erickson, Chairperson
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on November 19, 2018, by the following vote:

- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

ATTEST:

Recording Secretary

EXHIBIT A

A PARCEL OF LAND AS DEFINED IN THE WARRANTY DEED RECORDED AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, IOWA IN BOOK 155 AND PAGE 511 AND BEING DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION NO. THREE (3) TOWNSHIP SEVENTY-EIGHT (78) RANGE TWENTY-SIX (26) THENCE NORTH TEN RODS (10) THENCE EAST THIRTEEN RODS (13) THENCE SOUTH TEN RODS (10) THENCE WEST THIRTEEN RODS (13) TO THE PLACE OF BEGINNING AND CONTAINING 0.73 ACRES MORE OR LESS

AND

PARCEL "A" OF PARCEL "B" AND PARCEL "C" OF PARCEL "B" AN OFFICIAL PARCEL RECORDED IN BOOK 2011 AND PAGE 7682 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND CONTAINING 3.0 ACRES MORE OR LESS.

AND

COMMENCING TWENTY-FOUR (24) FEET NORTH OF THE SE CORNER OF THE SW1/4 OF SECTION 3, TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA; THENCE NORTH 13 RODS; THENCE WEST 12 RODS; THENCE SOUTH 13 RODS; THENCE EAST 12 RODS; TO THE POINT OF BEGINNING, CONTAINING APPROXIMATELY 39/40 OF AN ACRE

AND

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 (EXCEPT THE WEST 2 RODS THEREOF AND EXCEPT THE SOUTH 4 FEET THEREOF) AND (EXCEPT COMMENCING 24 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE NORTH 13 RODS, THENCE WEST 12 RODS, THENCE SOUTH 13 RODS, THENCE EAST TO THE PLACE OF BEGINNING) AND (EXCEPT THE WEST 158 FEET OF THE EAST 699.1 FEET OF THE SOUTH 460 FEET THEREOF) ALL IN SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA.

AND

THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA, (EXCEPT A STRIP 2 RODS IN WIDTH OFF THE ENTIRE WEST SIDE THEREOF

AND

THE SOUTH 460.0 FEET OF THE WEST 158.0 FEET OF THE EAST 699.1 FEET OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW 1/4 SE 1/4) OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.H., DALLAS COUNTY, IOWA, EXCEPT INTERSTATE I-80 AND RELOCATED NORTH SOUTH SECTION ROAD AND EXCEPT COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, THENCE NORTH 10 RODS, THENCE EAST 13 RODS, THENCE SOUTH 10 RODS, THENCE WEST 13 RODS, TO THE POINT OF BEGINNING, SUBJECT TO ESTABLISHED HIGHWAYS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SE 1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW 1/4 SE 1/4) OF SECTION 3, AND ALSO IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4 NE 1/4) AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4) OF SECTION 10, ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3, THENCE S90 DEG 00' WEST 1087.1 FEET ALONG THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SAID SEC. 3 TO THE POINT OF BEGINNING, THENCE S62 DEG 01' WEST 283.6 FEET, THENCE N 59 DEG 02' WEST 258.6 FEET TO POINT ON THE SOUTH LINE OF THE SW 1/4 SE 1/4 OF SAID SEC. 3, THENCE EASTERLY 397.1 FEET ALONG A 651.2 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, AND HAVING A CHORD BEARING N 62 DEG 07' EAST 390.0 FEET, THENCE N 77 DEG 39' EAST 593.2 FEET, THENCE S 10 DEG 25' EAST 64.0 FEET, THENCE S 62 DEG 01' WEST 525.9 FEET TO A POINT ON THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SAID SEC. 3, THE POINT OF BEGINNING, SAID PARCEL CONTAINS 3.7 ACRES, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10; AND ALSO IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11 ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST (BOON TWP) OF THE 5TH P.M., DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID SECTION 10, THENCE N7°21.5'E, 267.6 FEET ALONG THE EAST LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 3, THENCE S62°L4'W, 1236.7 FEET, THENCE S59°21'E, 88.7 FEET, THENCE EASTERLY 264.8 FEET ALONG A 879.9 FOOT RADIUS CURVE, CONCAVE NORTHERLY AND HAVING A CHORD BEARING 867°58'E, 263.8 FEET, THENCE S54°52'E, 50.7 FEET, THENCE EASTERLY 737.3 FEET ALONG A 899.9 FOOT RADIUS CURVE, CONCAVE NORTHERLY AND HAVING A CHORD BEARING N76°56.5'E, 716.9 FEET, THENCE N53°30.5'E, 496.4 FEET, THENCE N0°45'E, 21.7 FEET TO A POINT ON THE NORTH LINE OF THE NW 1/4 NW 1/4 OF SAID SECTION 11, THENCE N89

°15'W, 400.0 FEET ALONG SAID NORTH LINE OF THE NE CORNER OF SAID SECTION 10, TO THE POINT OF BEGINNING.

AND

THE WEST 543.33 FEET OF THE N 1/2 OF THE NW 1/4 IN SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT THE SOUTH 850 FEET THEREOF AND EXCEPT A PARCEL OF LAND DEEDED TO THE STATE OF IOWA, BEING DESCRIBED AS ALL THAT PART OF THE NW 1/4 OF THE NW 1/4 IN SAID SECTION 11 LYING NORTH AND WEST OF A LINE BEGINNING AT A POINT 50 FEET RADially DISTANT SOUTHERLY FROM THE SIDE ROAD CONNECTION CENTERLINE ON THE WEST LINE OF SAID NW 1/4 OF THE NW 1/4 THENCE CONCENTRIC WITH OR PARALLEL TO THE CENTERLINE TO A POINT 50 FEET DISTANT RADially DISTANT SOUTHERLY FROM THE CENTERLINE ON THE EAST LINE OF THE WEST 543.33 FEET OF SAID NW 1/4 OF THE NW 1/4, THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST 543.33 FEET OF SAID NW 1/4 OF THE NW 1/4 TO THE NORTH LINE OF SAID NW 1/4 OF THE NW 1/4, SUBJECT TO EASEMENTS FOR ROAD PURPOSES

AND

THE EAST 251.67 FEET OF THE WEST 795 FEET (MEASURED ALONG THE NORTH LINE OF SECTION 11) OF THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11) TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT THE SOUTH 850 FEET THEREOF (MEASURED ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 11) AND SUBJECT TO AN EASEMENT TO DALLAS COUNTY FOR ROAD PURPOSES OVER THE NORTH 45 FEET THEREOF, EXCEPT A PARCEL OF LAND LOCATED IN THE NW 1/4, OF THE NW 1/4 OF SECTION 11 TOWNSHIP 78 N, RANGE 26W OF THE 5TH P.M. DALLAS COUNTY, IOWA, LYING ON BOTH SIDES OF PART OF THE FOLLOWING DESCRIBED CENTERLINE OF RELOCATED ASHWORTH ROAD, AS SHOWN ON OFFICIAL PLANS FOR PROJECT I-IG80-3 (12) 121. THE CENTERLINE, DESIGNATED BY STATION POINTS 100 FEET APART, NUMBERED CONSECUTIVELY FROM WEST TO EAST, IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID SEC. 11, THENCE WEST 744.0 FT, THENCE S 62°40' WEST 575.7 FT, THENCE S 59°21' E 940.6 FT, THENCE N 53°28' E 915.7 FT. TO STA. 246 + 63.7, THE POINT OF BEGINNING, THENCE EASTERLY 621.1 FT. ALONG A 955.0 FT. RADIUS CURVE, CONCAVE, SOUTHERLY AND TANGENT TO THE PRECEDING COURSE TO STA. 252 + 84.8. SAID PARCEL IS DESCRIBED AS FOLLOWS: ALL THAT PART OF THE EAST 251.67 FT. OF THE WEST 795FT. (MEASURED ALONG THE NORTH LINE OF SEC. 11) OF THE N 1/2 NW 1/4 OF SAID SEC. 11, LYING NORTH OF A LINE 50 FT. RADially DISTANT SOUTHERLY OF AND CONCENTRIC WITH SAID CENTERLINE. SAID PARCEL CONTAINS 0.2 ACRES, MORE OR LESS, EXCLUSIVE OF THE PRESENT ESTABLISHED ROAD.

AND

THE NORTH 320 FEET OF THE SOUTH 850 FEET OF THE WEST 795 FEET OF OF THE N 1/2 OF THE NW 1/4 OF SECTION 11, IN TOWNSHIP 78 NORTH, OF RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, SUBJECT TO EASEMENT TO DALLAS COUNTY FOR ROAD PURPOSES AND FOR USE AS A PUBLIC HIGHWAY THE WEST 33 FEET THEREOF.

AND

THE NORTH TWO HUNDRED SEVENTY (270) FEET OF THE SOUTH FIVE HUNDRED THIRTY (530) FEET OF THE WEST SEVEN HUNDRED NINETY-FIVE (795) FEET OF THE NORTH ONE-HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, SUBJECT TO AN CASEMENT TO DALLAS COUNTY, IOWA, FOR ROAD PURPOSES AND FOR USE AS A PUBLIC HIGHWAY FOR THE WEST THIRTY-THREE (33) FEET THEREOF.

AND

THE SOUTH 260 FEET OF THE WEST 795 FEET OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW ¼ NW ¼) OF SECTION ELEVEN (11), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, SUBJECT TO ROADWAYS AND ALL EXISTING EASEMENTS OF RECORD.

AND

THE WEST 165.0 FEET OF THE EAST 181.5 FEET OF THE NORTH 1/2 OF THE NW 1/4 OF SECTION 11 T78NR26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA., AS MEASURED ALONG THE NORTH LINE OF SAID SECTION 11, ALL OF WHICH IS MORE ACCURATELY DESCRIBED AS FOLLOWS; COMMENCING AT THE NE COMER OF THE NW 1/4 OF SAID SECTION 11, THENCE S83°08'W, ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, 1818.5 FEEL, TO THE POINT OF BEGINNING, THENCE S0°20'E, ALONG AN EXISTING FENCE LINE, 1312.3 FEET, THENCE N83°08'E, ALONG AN EXISTING FENCE LINE, 165.0 FEET, THENCE N0°20'W, 1312.3 FEET TO A POINT THAT IS ON THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, THENCE S83°08'W, ALONG THE NORTH LINE OF THE NW L/4 OF SAID SECTION 11, 165.0 FEET, TO THE POINT OF BEGINNING. SAID TRACT OF LAND BEING SUBJECT TO A PUBLIC ROADWAY EASEMENT OVER AND ACROSS THE NORTH SIDE THEREOF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID TRACT OF LAND, SAID POINT BEING 1818.5 FEET WEST OF THE NE CORNER OF THE NW 1/4 OF SAID SECTION 11, THENCE N83°08'E, ALONG THE NORTH LINE OF THE NW L/4 OF SAID SECTION 11, 165.0 FEET, THENCE S0°20'E, 45.0 FEET, THENCE S83°08'W, PARALLEL WITH AND 45.0 FEET SOUTH OF THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, 95.0 FEET, THENCE

S77°3L '19"W, 71.13 FEET TO A POINT THAT IS ON THE WEST LINE OF SAID TRACT OF LAND, THENCE N0°20'W, ALONG THE WEST LINE OF SAID TRACT OF LAND 52.0 FEET, TO THE POINT OF BEGINNING. SAID TRACT OF LAND ALSO BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL OTHER EASEMENTS OF RECORD. SAID TRACT OF LAND CONTAINS 5.0 ACRES, MORE OR LESS.

AND

PARCEL "B" OF THE PLAT OF SURVEY FILED OCTOBER 15, 2002, AND RECORDED IN BOOK 2002 AT PAGE 14904 OF THE DALLAS COUNTY RECORDS ALSO DESCRIBED AS: A PARCEL OF LAND IN THE SE 1/4 SW 1/4 OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE SW CORNER OF SECTION 2; THENCE N 82°73'21"W, 1773.31 FEET ALONG THE SOUTH LINE OF SAID SECTION 2 TO THE POINT OF BEGINNING; THENCE N00°L9'52"W, 352.92 FEET TO A POINT; THENCE N82°53'2L"E, 300.00 FEET TO A POINT; THENCE S00°19'52"E, 352.92 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 2; THENCE 82°53'21"W, 300.00 FEET ALONG THE SOUTH LINE OF SAID SECTION 2 TO THE POINT OF BEGINNING AND CONTAINING 2.414 ACRES MORE OR LESS INCLUDING 0.309 ACRES OF PUBLIC ROAD RIGHT-OF-WAY EASEMENT.

AND

THE WEST 140 FEET OF ALL THAT PART OF THE EAST ONE-HALF OF THE SOUTHWEST QUARTER (EL/2 SWL/4) OF SECTION 2, TOWNSHIP 78, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, LYING SOUTH OF THE RIGHT-OF-WAY OF THE MINNEAPOLIS & ST. PAUL RAIL ROAD COMPANY, AND SOUTH OF INTERSTATE 80 (EXCEPT, COMMENCING AT A STONE AT THE SOUTH EAST CORNER OF THE SW 1/4 OF THE SW ¼ OF SECTION 2, RUNNING THENCE NORTH 39.44 CHAINS, THENCE SOUTH 63 DEGREES AND 20 MINUTES EAST, 13.03 CHAINS ALONG THE SOUTH LINE OF THE RIGHT OF WAY OF SAID RAIL ROAD, THENCE SOUTH 32.29 CHAINS, THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 2, TOWNSHIP 78, NORTH RANGE 26, 11.71 CHAINS TO BEGINNING).

AND

BURT PARK ESTATES PLAT 2 LOTS 1 THROUGH 10, LOT 12, LOTS A & B AND OUTLOTS Y & X

AND

BURT PARK ESTATES PLAT 1 LOTS 1 THROUGH 11

AND

THE WEST 1/2 OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA LYING SOUTH OF I-80 AND THE MINNEAPOLIS & ST. LOUIS RAILROAD, EXCEPT THE EAST 215 FEET THEREOF AND EXCEPT THE SOUTH 267.8 FEET (PLATTED AS BURT PARK ESTATES PLAT 1, AN O.P.); ALSO THE EAST 1/2 OF THE SOUTHWEST QUARTER OF SAID SECTION 2, LYING SOUTH OF I-80, EXCEPT THE SOUTH 267.8 FEET (PLATTED AS BURT PA K ESTATES PLAT 1, AN O.P.) AND EXCEPT THE WEST 908.5 FEET, MORE OR LESS; CONTAINING 42.3 ACRES MORE OR LESS; AND OUTLOT "X" IN BURT PARK ESTATES PLAT 1, AN O.P. IN SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE P.M.

AND

THE EAST 215 FEET OF THAT PART OF THE WEST ONE-HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWO (2) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, LYING SOUTH OF THE M. & ST. L. RAILROAD RIGHT OF WAY, SUBJECT TO EASEMENT ACROSS SOUTH 45 FEET OF THE ABOVE DESCRIBED TRACT.

AND

BEGINNING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF THE SE 1/4 OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE EAST 225 FEET; THENCE NORTH 290 FEET; THENCE WEST TO THE WEST LINE OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 2; THENCE SOUTH TO THE POINT OF BEGINNING

AND

AN APPROXIMATE 7.5 ACRE TRACT OF LAND DESCRIBED AS FOLLOWS: THE WEST 9 ACRES OF THE FOLLOWING: BEGINNING AT THE CORNER STONE AT THE SOUTHEAST CORNER OF SECTION 2-78-26 W. 5TH P.M., DALLAS COUNTY, IOWA; THENCE SOUTHWESTERLY ON THE SOUTH LINE OF SAID SECTION 2, 19.85 CHAINS TO THE SOUTHWEST CORNER OF THE SE 1/4 SE 1/4 OF SECTION 2, THENCE NORTH, VARIATION 7° EAST 15.25 CHAINS TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE MINNEAPOLIS & ST. LOUIS RAIL ROAD COMPANY, THENCE SOUTH 64°20' EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE 22.04 1/2 CHAINS TO THE EAST LINE OF SAID SECTION 2, THENCE SOUTH 3.05 1/2 CHAINS TO PLACE OF BEGINNING, EQUALS 18 AND 1/6 ACRES, SUBJECT TO AN EASEMENT FOR ROAD PURPOSES AND FOR USE AS A PUBLIC HIGHWAY WHICH EASEMENT APPEARS IN BOOK 425, PAGE 468 IN THE RECORDS OF DALLAS COUNTY, IOWA (9 ACRES MORE OR LESS), LESS AN APPROXIMATE 1.50 ACRE TRACT WHICH HAS A LEGAL DESCRIPTION AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE 1/4 SE 1/4 OR SECTION 2-78-26 W.. 5TH P.M., DALLAS COUNTY, IOWA, THENCE EAST 225 FEET, THENCE NORTH 290

FEET, THENCE WEST TO THE WEST LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 2-78-26 W. 5TH P.M., THENCE SOUTH TO POINT OF BEGINNING.

AND

COMMENCING AT THE NORTH CENTER LINE OF THE NE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE SOUTH ON SAID SECTION LINE 705.08 FEET, THENCE WEST 66 FEET, THENCE NORTH 705.08 FEET ON A LINE PARALLEL TO SAID QUARTER SECTION LINE, THENCE EAST 66 FEET TO POINT OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY SECTION, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION ELEVEN HUNDRED SIXTY-FOUR (1164) FEET TO THE PLACE OF BEGINNING, THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-FIVE (145) FEET TO THE PLACE OF BEGINNING, DALLAS COUNTY, IOWA.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH, OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 1018 FEET, TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET TO THE POINT OF BEGINNING. COMMONLY KNOWN AS 7710 ASHWORTH ROAD, DALLAS COUNTY, WEST DES MOINES, IOWA.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH, OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 872 FEET, TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE

HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 726 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION ONE HUNDRED FORTY-SIX (146) FEET TO THE PLACE OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 580 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION ONE HUNDRED FORTY-SIX (146) FEET TO THE PLACE OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11 IN TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE SOUTH 45 FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF THE SAID SECTION 433 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 300 FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, 147 FEET, THENCE NORTH 300 FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE SAID SECTION, 147 FEET TO THE PLACE OF BEGINNING, EXCEPT LAND DEEDED TO THE CITY WEST DES MOINES IN BOOK 2001, PAGE 13369

AND

THE WEST 150 FEET OF THE EAST 433 FEET OF THE SOUTH 300 FEET OF THE NORTH 345 FEET OF THE NE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 11 IN TOWNSHIP 78 NORTH OF

RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA; LOCALLY KNOWN AS 7520 ASHWORTH ROAD.

AND

THE SOUTH 150 FEET OF THE NORTH 195 FEET OF THE EAST 283 FEET OF THE NE 1/4 OF THE NE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA,

AND

THE SOUTH 150 FEET OF THE NORTH 345 FEET OF THE EAST 283 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11 IN TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT THE EAST 82.50 FEET THEREOF.

AND

SOUTH 150 FEET OF THE NORTH 495 FEET OF THE EAST 283 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4 NE 1/4) OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA (LOCALLY KNOWN AS 3215 Y AVENUE, WEST DES MOINES, IOWA).

AND

AN UNDIVIDED ONE-HALF INTEREST IN FOLLOWING UNIMPROVED LAND WITH NO FRONTAGE AND NO UTILITIES: COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA; THENCE SOUTH 345 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWEST PARALLEL WITH THE NORTH SECTION LINE 1320 FEET, MORE OR LESS, TO THE EAST ONE-EIGHTH LINE, THENCE SOUTH 360.8 FEET; THENCE NORTHEAST PARALLEL WITH THE NORTH SECTION LINE 1320 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION ELEVEN; THENCE NORTH 360.8 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL APPROXIMATELY 10.9 ACRES, MORE OR LESS, SUBJECT TO ROADWAYS AND EASEMENTS OF RECORD EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE: COMMENCING AT THE NORTHEAST COMER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA; THENCE SOUTH 705.8 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWEST PARALLEL WITH THE NORTH SECTION LINE 283 FEET, MORE OR LESS, THENCE NORTH 150 FEET, THENCE NORTHEAST PARALLEL WITH THE NORTH SECTION LINE 283 FEET, MORE OR LESS TO THE EAST LINE OF SAID SECTION 11, THENCE SOUTH 150 FEET, TO POINT OF BEGINNING, SUBJECT TO ROADWAYS AND EASEMENTS OF RECORD, AND EXCEPT THE FOLLOWING DESCRIBED REALESTATE: SOUTH 150 FEET OF THE NORTH 495 FEET OF THE EAST 283 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER {NE 1/4 NE

1/4) OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 78 NORTH, OF RANGE 26, WEST OF THE 5TH P. M., DALLAS COUNTY, OWA; THENCE SOUTH 705.8 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWEST PARALLEL WITH THE NORTH SECTION LINE 283 FEET, MORE OR LESS, THENCE; NORTH 150 FEET, THENCE NORTHEAST PARALLEL WITH THE NORTH SECTION LINE 283. FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 11, THENCE SOUTH 150 FEET, TO POINT OF BEGINNING, SUBJECT TO ROADWAYS AND EASEMENTS OF RECORD.

PLAN AND ZONING COMMISSION RESOLUTION #PZC ~~18-075~~

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE ZONING REQUEST (~~ZC-003524-2017~~) FOR THE PURPOSE OF AMENDING THE ZONING OF PROPERTY GENERALLY LOCATED ALONG ASHWORTH ROAD BEGINNING WEST OF INTERSTATE 80 EAST TO JORDAN CREEK PARKWAY TO HIGH DENSITY RESIDENTIAL (RH-18), MEDIUM DENSITY RESIDENTIAL (RM-12), SINGLE FAMILY RESIDENTIAL (R-1), OFFICE (OF), COMMUNITY COMMERCIAL (CMC), AND BUSINESS PARK (BP).

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the City of West Des Moines, has requested approval of a zoning ordinance amendment to change the zoning of the properties legally described below;

Legal Description

See Exhibit A

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on November 19, 2018, this Commission held a duly-noticed hearing to consider the application for a Rezoning Request;

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated November 19, 2018, or as amended orally at the Plan and Zoning Commission hearing of November 19, 2018, are adopted.

SECTION 2. REZONING REQUEST (ZC-003524-2018) to amend the zoning of property to high density residential (RH-18) medium density residential (RM-12), single family residential (R-1), office (OF), community commercial (CMC), and business park (BP), for property generally located along Ashworth Road, beginning west of Interstate 80 east to Jordan Creek Parkway as legally described above and as shown on the Proposed Zoning Map (Exhibit B) is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated November 19, 2018, including conditions added at the Hearing, and attached hereto as Exhibit "C", if any. Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on November 19, 2018.

Craig Erickson, Chair
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on November 19, 2018, by the following vote:

- AYES:
- NAYS:
- ABSTENTIONS:
- ABSENT:

ATTEST:

Recording Secretary

EXHIBIT A

A PARCEL OF LAND AS DEFINED IN THE WARRANTY DEED RECORDED AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, IOWA IN BOOK 155 AND PAGE 511 AND BEING DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION NO. THREE (3) TOWNSHIP SEVENTY-EIGHT (78) RANGE TWENTY-SIX (26) THENCE NORTH TEN RODS (10) THENCE EAST THIRTEEN RODS (13) THENCE SOUTH TEN RODS (10) THENCE WEST THIRTEEN RODS (13) TO THE PLACE OF BEGINNING AND CONTAINING 0.73 ACRES MORE OR LESS

AND

PARCEL "A" OF PARCEL "B" AND PARCEL "C" OF PARCEL "B" AN OFFICIAL PARCEL RECORDED IN BOOK 2011 AND PAGE 7682 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA AND CONTAINING 3.0 ACRES MORE OR LESS.

AND

COMMENCING TWENTY-FOUR (24) FEET NORTH OF THE SE CORNER OF THE SW1/4 OF SECTION 3, TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA; THENCE NORTH 13 RODS; THENCE WEST 12 RODS; THENCE SOUTH 13 RODS; THENCE EAST 12 RODS; TO THE POINT OF BEGINNING, CONTAINING APPROXIMATELY 39/40 OF AN ACRE

AND

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 (EXCEPT THE WEST 2 RODS THEREOF AND EXCEPT THE SOUTH 4 FEET THEREOF) AND (EXCEPT COMMENCING 24 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE NORTH 13 RODS, THENCE WEST 12 RODS, THENCE SOUTH 13 RODS, THENCE EAST TO THE PLACE OF BEGINNING) AND (EXCEPT THE WEST 158 FEET OF THE EAST 699.1 FEET OF THE SOUTH 460 FEET THEREOF) ALL IN SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA.

AND

THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY, IOWA, (EXCEPT A STRIP 2 RODS IN WIDTH OFF THE ENTIRE WEST SIDE THEREOF

AND

THE SOUTH 460.0 FEET OF THE WEST 158.0 FEET OF THE EAST 699.1 FEET OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA
THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW 1/4 SE 1/4) OF SECTION 3, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.H., DALLAS COUNTY, IOWA, EXCEPT INTERSTATE I-80 AND RELOCATED NORTH SOUTH SECTION ROAD AND EXCEPT COMMENCING AT THE SOUTHWEST CORNER OF THE

SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 3, THENCE NORTH 10 RODS, THENCE EAST 13 RODS, THENCE SOUTH 10 RODS, THENCE WEST 13 RODS, TO THE POINT OF BEGINNING, SUBJECT TO ESTABLISHED HIGHWAYS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 SE 1/4) AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW 1/4 SE 1/4) OF SECTION 3, AND ALSO IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4 NE 1/4) AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW 1/4 NE 1/4) OF SECTION 10, ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 3, THENCE S 90 DEG 00' WEST 1087.1 FEET ALONG THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SAID SEC. 3 TO THE POINT OF BEGINNING, THENCE S 62 DEG 01' WEST 283.6 FEET, THENCE N 59 DEG 02' WEST 258.6 FEET TO POINT ON THE SOUTH LINE OF THE SW 1/4 SE 1/4 OF SAID SEC. 3, THENCE EASTERLY 397.1 FEET ALONG A 651.2 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, AND HAVING A CHORD BEARING N 62 DEG 07' EAST 390.0 FEET, THENCE N 77 DEG 39' EAST 593.2 FEET, THENCE S 10 DEG 25' EAST 64.0 FEET, THENCE S 62 DEG 01' WEST 525.9 FEET TO A POINT ON THE SOUTH LINE OF THE SE 1/4 SE 1/4 OF SAID SEC. 3, THE POINT OF BEGINNING, SAID PARCEL CONTAINS 3.7 ACRES, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3; THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10; AND ALSO IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11 ALL IN TOWNSHIP 78 NORTH, RANGE 26 WEST (BOON TWP) OF THE 5TH P.M., DALLAS COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID SECTION 10, THENCE N7°21.5'E, 267.6 FEET ALONG THE EAST LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 3, THENCE S62 °L4'W, 1236.7 FEET, THENCE S59 °21'E, 88.7 FEET, THENCE EASTERLY 264.8 FEET ALONG A 879.9 FOOT RADIUS CURVE, CONCAVE NORTHERLY AND HAVING A CHORD BEARING 867 °58'E, 263.8 FEET, THENCE S54 °52'E, 50.7 FEET, THENCE EASTERLY 737.3 FEET ALONG A 899.9 FOOT RADIUS CURVE, CONCAVE NORTHERLY AND HAVING A CHORD BEARING N76 °56.5'E, 716.9 FEET, THENCE N53°30.5'E, 496.4 FEET, THENCE NO° 45'E, 21.7 FEET TO A POINT ON THE NORTH LINE OF THE NW 1/4 NW 1/4 OF SAID SECTION 11, THENCE N89 °15'W, 400.0 FEET ALONG SAID NORTH LINE OF THE NE CORNER OF SAID SECTION 10, TO THE POINT OF BEGINNING.

AND

THE WEST 543.33 FEET OF THE N 1/2 OF THE NW 1/4 IN SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT THE SOUTH 850 FEET THEREOF AND EXCEPT A PARCEL OF LAND DEEDED TO THE STATE OF IOWA, BEING DESCRIBED AS ALL THAT PART OF THE NW 1/4 OF THE NW 1/4 IN SAID SECTION 11 LYING NORTH AND WEST OF A LINE BEGINNING AT A POINT 50 FEET RADially DISTANT SOUTHERLY FROM THE

SIDE ROAD CONNECTION CENTERLINE ON THE WEST LINE OF SAID NW 1/4 OF THE NW 1/4 THENCE CONCENTRIC WITH OR PARALLEL TO THE CENTERLINE TO A POINT 50 FEET DISTANT RADIALLY DISTANT SOUTHERLY FROM THE CENTERLINE ON THE EAST LINE OF THE WEST 543.33 FEET OF SAID NW 1/4 OF THE NW 1/4, THENCE NORTHERLY ALONG THE EAST LINE OF THE WEST 543.33 FEET OF SAID NW1/4 OF THE NW 1/4 TO THE NORTH LINE OF SAID NW 1/4 OF THE NW 1/4, SUBJECT TO EASEMENTS FOR ROAD PURPOSES

AND

THE EAST 251.67 FEET OF THE WEST 795 FEET (MEASURED ALONG THE NORTH LINE OF SECTION 11) OF THE NORTH HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11) TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, EXCEPT THE SOUTH 850 FEET THEREOF (MEASURED ALONG A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 11) AND SUBJECT TO AN EASEMENT TO DALLAS COUNTY FOR ROAD PURPOSES OVER THE NORTH 45 FEET THEREOF, EXCEPT A PARCEL OF LAND LOCATED IN THE NW 1/4, OF THE NW 1/4 OF SECTION 11 TOWNSHIP 78 N, RANGE 26W OF THE 5TH P.M. DALLAS COUNTY, IOWA, LYING ON BOTH SIDES OF PART OF THE FOLLOWING DESCRIBED CENTERLINE OF RELOCATED ASHWORTH ROAD, AS SHOWN ON OFFICIAL PLANS FOR PROJECT I-IG80-3 (12) 121. THE CENTERLINE, DESIGNATED BY STATION POINTS 100 FEET APART, NUMBERED CONSECUTIVELY FROM WEST TO EAST, IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NW CORNER OF SAID SEC. 11, THENCE WEST 744.0 FT, THENCE S 62°40' WEST 575.7 FT, THENCE S 59°21' E 940.6 FT, THENCE N 53°28' E 915.7 FT. TO STA. 246 + 63.7, THE POINT OF BEGINNING , THENCE EASTERLY 621.1 FT. ALONG A 955.0 FT. RADIUS CURVE, CONCAVE, SOUTHERLY AND TANGENT TO THE PRECEDING COURSE TO STA. 252 + 84.8. SAID PARCEL IS DESCRIBED AS FOLLOWS: ALL THAT PART OF THE EAST 251.67 FT. OF THE WEST 795FT. (MEASURED ALONG THE NORTH LINE OF SEC. 11) OF THE N 1/2 NW 1/4 OF SAID SEC. 11, LYING NORTH OF A LINE 50 FT. RADIALLY DISTANT SOUTHERLY OF AND CONCENTRIC WITH SAID CENTERLINE. SAID PARCEL CONTAINS 0.2 ACRES, MORE OR LESS, EXCLUSIVE OF THE PRESENT ESTABLISHED ROAD.

AND

THE NORTH 320 FEET OF THE SOUTH 850 FEET OF THE WEST 795 FEET OF OF THE N 1/2 OF THE NW 1/4 OF SECTION 11, IN TOWNSHIP 78 NORTH, OF RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, SUBJECT TO EASEMENT TO DALLAS COUNTY FOR ROAD PURPOSES AND FOR USE AS A PUBLIC HIGHWAY THE WEST 33 FEET THEREOF .

AND

THE NORTH TWO HUNDRED SEVENTY (270) FEET OF THE SOUTH FIVE HUNDRED THIRTY (530) FEET OF THE WEST SEVEN HUNDRED NINETY-FIVE (795) FEET OF THE NORTH ONE-HALF (N 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, SUBJECT TO AN CASEMENT

TO DALLAS COUNTY, IOWA, FOR ROAD PURPOSES AND FOR USE AS A PUBLIC HIGHWAY FOR THE WEST THIRTY-THREE (33) FEET THEREOF.

AND

THE SOUTH 260 FEET OF THE WEST 795 FEET OF NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW ¼ NW ¼) OF SECTION ELEVEN (11), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, SUBJECT TO ROADWAYS AND ALL EXISTING EASEMENTS OF RECORD.

AND

THE WEST 165.0 FEET OF THE EAST 181.5 FEET OF THE NORTH 1/2 OF THE NW 1/4 OF SECTION 11 T78NR26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA., AS MEASURED ALONG THE NORTH LINE OF SAID SECTION 11, ALL OF WHICH IS MORE ACCURATELY DESCRIBED AS FOLLOWS; COMMENCING AT THE NE CORNER OF THE NW 1/4 OF SAID SECTION 11, THENCE S83°08'W, ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, 1818.5 FEET, TO THE POINT OF BEGINNING, THENCE S0°20'E, ALONG AN EXISTING FENCE LINE, 1312.3 FEET, THENCE N83°08'E, ALONG AN EXISTING FENCE LINE, 165.0 FEET, THENCE N0°20'W, 1312.3 FEET TO A POINT THAT IS ON THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, THENCE S83°08'W, ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, 165.0 FEET, TO THE POINT OF BEGINNING. SAID TRACT OF LAND BEING SUBJECT TO A PUBLIC ROADWAY EASEMENT OVER AND ACROSS THE NORTH SIDE THEREOF WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID TRACT OF LAND, SAID POINT BEING 1818.5 FEET WEST OF THE NE CORNER OF THE NW 1/4 OF SAID SECTION 11, THENCE N83°08'E, ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, 165.0 FEET, THENCE S0°20'E, 45.0 FEET, THENCE S83°08'W, PARALLEL WITH AND 45.0 FEET SOUTH OF THE NORTH LINE OF THE NW 1/4 OF SAID SECTION 11, 95.0 FEET, THENCE S77°31'19"W, 71.13 FEET TO A POINT THAT IS ON THE WEST LINE OF SAID TRACT OF LAND, THENCE N0°20'W, ALONG THE WEST LINE OF SAID TRACT OF LAND 52.0 FEET, TO THE POINT OF BEGINNING. SAID TRACT OF LAND ALSO BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL OTHER EASEMENTS OF RECORD. SAID TRACT OF LAND CONTAINS 5.0 ACRES, MORE OR LESS.

AND

PARCEL "B" OF THE PLAT OF SURVEY FILED OCTOBER 15, 2002, AND RECORDED IN BOOK 2002 AT PAGE 14904 OF THE DALLAS COUNTY RECORDS ALSO DESCRIBED AS: A PARCEL OF LAND IN THE SE 1/4 SW 1/4 OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AS A POINT OF REFERENCE AT THE SW CORNER OF SECTION 2; THENCE N 82°73'21"W, 1773.31 FEET ALONG THE SOUTH LINE OF SAID SECTION 2 TO THE POINT OF BEGINNING; THENCE N00°L9'52"W, 352.92 FEET TO A POINT; THENCE N82°53'21"E, 300.00 FEET TO A POINT; THENCE S00°19'52"E, 352.92 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 2; THENCE 82°53'21"W, 300.00 FEET ALONG THE SOUTH LINE OF SAID

SECTION 2 TO THE POINT OF BEGINNING AND CONTAINING 2.414 ACRES MORE OR LESS INCLUDING 0.309 ACRES OF PUBLIC ROAD RIGHT-OF-WAY EASEMENT.

AND

THE WEST 140 FEET OF ALL THAT PART OF THE EAST ONE-HALF OF THE SOUTHWEST QUARTER (E1/2 SWL/4) OF SECTION 2, TOWNSHIP 78, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, LYING SOUTH OF THE RIGHT-OF-WAY OF THE MINNEAPOLIS & ST. PAUL RAIL ROAD COMPANY, AND SOUTH OF INTERSTATE 80 (EXCEPT, COMMENCING AT A STONE AT THE SOUTH EAST CORNER OF THE SW 1/4 OF THE SW ¼ OF SECTION 2, RUNNING THENCE NORTH 39.44 CHAINS, THENCE SOUTH 63 DEGREES AND 20 MINUTES EAST, 13.03 CHAINS ALONG THE SOUTH LINE OF THE RIGHT OF WAY OF SAID RAIL ROAD, THENCE SOUTH 32.29 CHAINS, THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 2, TOWNSHIP 78, NORTH RANGE 26, 11.71 CHAINS TO BEGINNING).

AND

BURT PARK ESTATES PLAT 2 LOTS 1 THROUGH 10, LOT 12, LOTS A & B AND OUTLOTS Y & X

AND

BURT PARK ESTATES PLAT 1 LOTS 1 THROUGH 11

AND

THE WEST 1/2 OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA LYING SOUTH OF I-80 AND THE MINNEAPOLIS & ST. LOUIS RAILROAD, EXCEPT THE EAST 215 FEET THEREOF AND EXCEPT THE SOUTH 267.8 FEET (PLATTED AS BURT PARK ESTATES PLAT 1, AN O.P.); ALSO THE EAST 1/2 OF THE SOUTHWEST QUARTER OF SAID SECTION 2, LYING SOUTH OF I-80, EXCEPT THE SOUTH 267.8 FEET (PLATTED AS BURT PA K ESTATES PLAT 1, AN O.P.) AND EXCEPT THE WEST 908.5 FEET, MORE OR LESS; CONTAINING 42.3 ACRES MORE OR LESS; AND OUTLOT "X" IN BURT PARK ESTATES PLAT 1, AN O.P. IN SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE P.M.

AND

THE EAST 215 FEET OF THAT PART OF THE WEST ONE-HALF (W 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION TWO (2) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, LYING SOUTH OF THE M. & ST. L. RAILROAD RIGHT OF WAY, SUBJECT TO EASEMENT ACROSS SOUTH 45 FEET OF THE ABOVE DESCRIBED TRACT.

AND

BEGINNING AT THE SOUTHWEST CORNER OF THE SE ¼ OF THE SE ¼ OF SECTION 2, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA,

THENCE EAST 225 FEET; THENCE NORTH 290 FEET; THENCE WEST TO THE WEST LINE OF THE SE ¼ OF THE SE ¼ OF SAID SECTION 2; THENCE SOUTH TO THE POINT OF BEGINNING

AND

AN APPROXIMATE 7.5 ACRE TRACT OF LAND DESCRIBED AS FOLLOWS: THE WEST 9 ACRES OF THE FOLLOWING: BEGINNING AT THE CORNER STONE AT THE SOUTHEAST CORNER OF SECTION 2-78-26 W. 5TH P.M., DALLAS COUNTY, IOWA; THENCE SOUTHWESTERLY ON THE SOUTH LINE OF SAID SECTION 2, 19.85 CHAINS TO THE SOUTHWEST CORNER OF THE SE 1/4 SE 1/4 OF SECTION 2, THENCE NORTH, VARIATION 7° EAST 15.25 CHAINS TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE MINNEAPOLIS & ST. LOUIS RAIL ROAD COMPANY, THENCE SOUTH 64°20' EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE 22.04 1/2 CHAINS TO THE EAST LINE OF SAID SECTION 2, THENCE SOUTH 3.05 1/2 CHAINS TO PLACE OF BEGINNING, EQUALS 18 AND 1/6 ACRES, SUBJECT TO AN EASEMENT FOR ROAD PURPOSES AND FOR USE AS A PUBLIC HIGHWAY WHICH EASEMENT APPEARS IN BOOK 425, PAGE 468 IN THE RECORDS OF DALLAS COUNTY, IOWA (9 ACRES MORE OR LESS), LESS AN APPROXIMATE 1.50 ACRE TRACT WHICH HAS A LEGAL DESCRIPTION AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE 1/4 SE 1/4 OF SECTION 2-78-26 W. 5TH P.M., DALLAS COUNTY, IOWA, THENCE EAST 225 FEET, THENCE NORTH 290 FEET, THENCE WEST TO THE WEST LINE OF THE SE 1/4 SE 1/4 OF SAID SECTION 2-78-26 W. 5TH P.M., THENCE SOUTH TO POINT OF BEGINNING.

AND

COMMENCING AT THE NORTH CENTER LINE OF THE NE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, THENCE SOUTH ON SAID SECTION LINE 705.08 FEET, THENCE WEST 66 FEET, THENCE NORTH 705.08 FEET ON A LINE PARALLEL TO SAID QUARTER SECTION LINE, THENCE EAST 66 FEET TO POINT OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY SECTION, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION ELEVEN HUNDRED SIXTY-FOUR (1164) FEET TO THE PLACE OF BEGINNING, THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-FIVE (145) FEET TO THE PLACE OF BEGINNING, DALLAS COUNTY, IOWA.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH, OF RANGE TWENTY-SIX (26) WEST OF THE

5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 1018 FEET, TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET TO THE POINT OF BEGINNING. COMMONLY KNOWN AS 7710 ASHWORTH ROAD, DALLAS COUNTY, WEST DES MOINES, IOWA.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH, OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 872 FEET, TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET TO THE POINT OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 726 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION ONE HUNDRED FORTY-SIX (146) FEET TO THE PLACE OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11) IN TOWNSHIP SEVENTY-EIGHT (78) NORTH OF RANGE TWENTY-SIX (26) WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA, THENCE SOUTH FORTY-FIVE (45) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 580 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH THREE HUNDRED (300) FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, ONE HUNDRED FORTY-SIX (146) FEET, THENCE NORTH THREE HUNDRED (300) FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION ONE HUNDRED FORTY-SIX (146) FEET TO THE PLACE OF BEGINNING.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11 IN TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., WEST DES MOINES, DALLAS COUNTY,

IOWA, THENCE SOUTH 45 FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF THE SAID SECTION 433 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 300 FEET, THENCE SOUTHWESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION, 147 FEET, THENCE NORTH 300 FEET, THENCE NORTHEASTERLY PARALLEL WITH THE NORTH LINE SAID SECTION, 147 FEET TO THE PLACE OF BEGINNING, EXCEPT LAND DEEDED TO THE CITY WEST DES MOINES IN BOOK 2001, PAGE 13369

AND

THE WEST 150 FEET OF THE EAST 433 FEET OF THE SOUTH 300 FEET OF THE NORTH 345 FEET OF THE NE ¼ OF THE NE ¼ OF SECTION 11 IN TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA; LOCALLY KNOWN AS 7520 ASHWORTH ROAD.

AND

THE SOUTH 150 FEET OF THE NORTH 195 FEET OF THE EAST 283 FEET OF THE NE 1/4 OF THE NE 1/4 OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA,

AND

THE SOUTH 150 FEET OF THE NORTH 345 FEET OF THE EAST 283 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11 IN TOWNSHIP 78 NORTH OF RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA, EXCEPT THE EAST 82.50 FEET THEREOF.

AND

SOUTH 150 FEET OF THE NORTH 495 FEET OF THE EAST 283 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE 1/4 NE 1/4) OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA (LOCALLY KNOWN AS 3215 Y AVENUE, WEST DES MOINES, IOWA).

AND

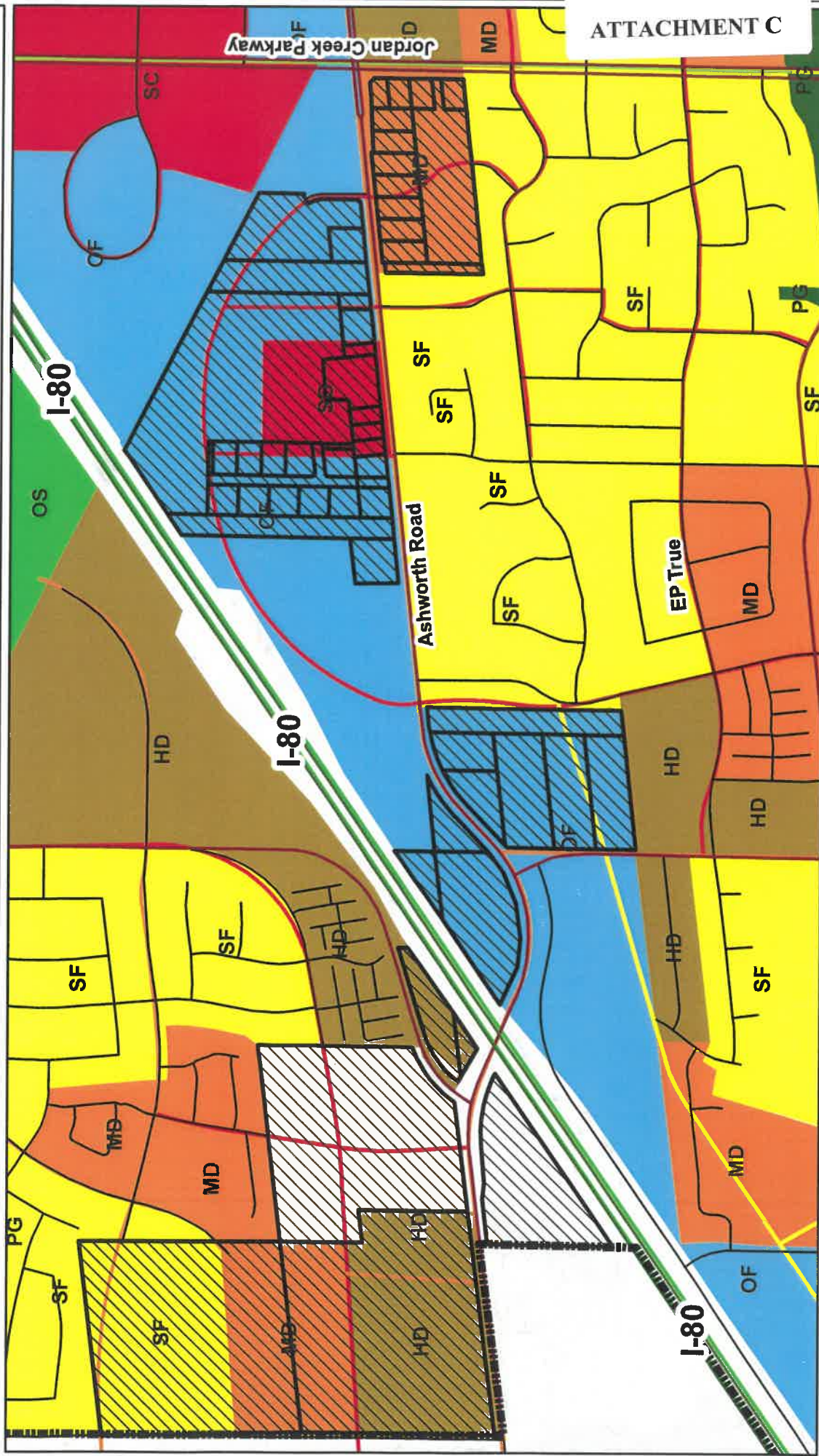
AN UNDIVIDED ONE-HALF INTEREST IN FOLLOWING UNIMPROVED LAND WITH NO FRONTAGE AND NO UTILITIES: COMMENCING AT THE NORTHEAST CORNER OF SECTION ELEVEN (11), TOWNSHIP SEVENTY-EIGHT (78) NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA; THENCE SOUTH 345 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWEST PARALLEL WITH THE NORTH SECTION LINE 1320 FEET, MORE OR LESS, TO THE EAST ONE-EIGHTH LINE, THENCE SOUTH 360.8 FEET; THENCE NORTHEAST PARALLEL WITH THE NORTH SECTION LINE 1320 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION ELEVEN; THENCE NORTH 360.8 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL APPROXIMATELY 10.9 ACRES, MORE OR LESS, SUBJECT TO ROADWAYS AND EASEMENTS OF RECORD EXCEPT THE FOLLOWING DESCRIBED REAL ESTATE: COMMENCING AT THE NORTHEAST COMER OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA; THENCE SOUTH 705.8 FEET TO THE POINT OF

BEGINNING; THENCE SOUTHWEST PARALLEL WITH THE NORTH SECTION LINE 283 FEET, MORE OR LESS, THENCE NORTH 150 FEET, THENCE NORTHEAST PARALLEL WITH THE NORTH SECTION LINE 283 FEET, MORE OR LESS TO THE EAST LINE OF SAID SECTION 11, THENCE SOUTH 150 FEET, TO POINT OF BEGINNING, SUBJECT TO ROADWAYS AND EASEMENTS OF RECORD, AND EXCEPT THE FOLLOWING DESCRIBED REALESTATE: SOUTH 150 FEET OF THE NORTH 495 FEET OF THE EAST 283 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER {NE 1/4 NE 1/4) OF SECTION 11, TOWNSHIP 78 NORTH, RANGE 26, WEST OF THE 5TH P.M., DALLAS COUNTY, IOWA.

AND

COMMENCING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 78 NORTH, OF RANGE 26, WEST OF THE 5TH P. M., DALLAS COUNTY, OWA; THENCE SOUTH 705.8 FEET TO THE POINT OF BEGINNING; THENCE SOUTHWEST PARALLEL WITH THE NORTH SECTION LINE 283 FEET, MORE OR LESS, THENCE; NORTH 150 FEET, THENCE NORTHEAST PARALLEL WITH THE NORTH SECTION LINE 283. FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION 11, THENCE SOUTH 150 FEET, TO POINT OF BEGINNING, SUBJECT TO ROADWAYS AND EASEMENTS OF RECORD.

Comprehensive Plan Map - Adopted



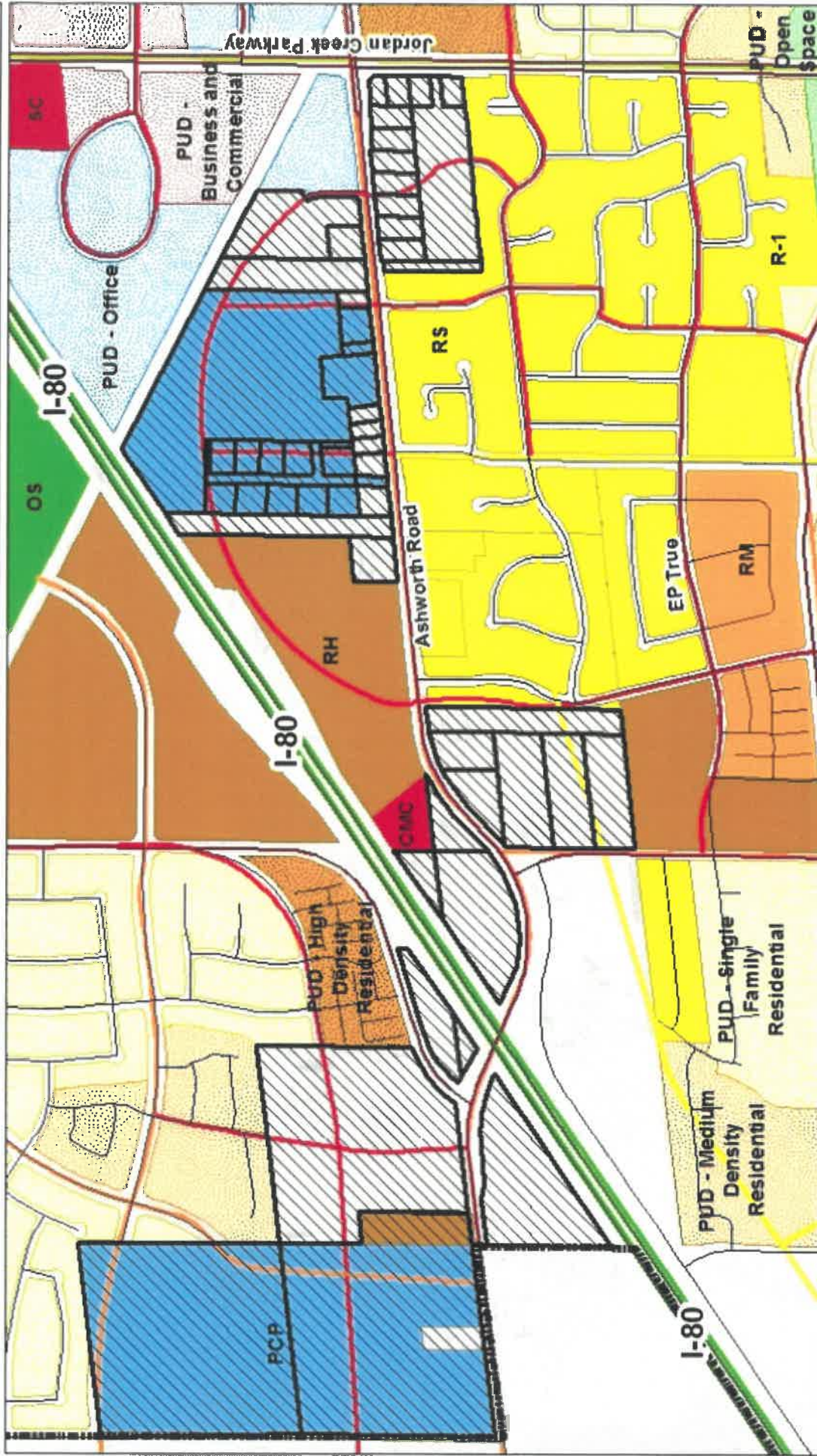
Legend:

- Freeway / Expressway
- Major Arterial
- Major Collector
- Minor Arterial
- Minor Collector
- Open Space (OS)
- Parks & Greenways (PG)
- Single Family Resid (SF)
- Medium Density Resid (MD)
- High Density Resid (HD)
- Support Office (SO)
- Support Commercial (SC)
- Office (OF)
- Properties Subject to Amendment

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Zoning Map - Adopted



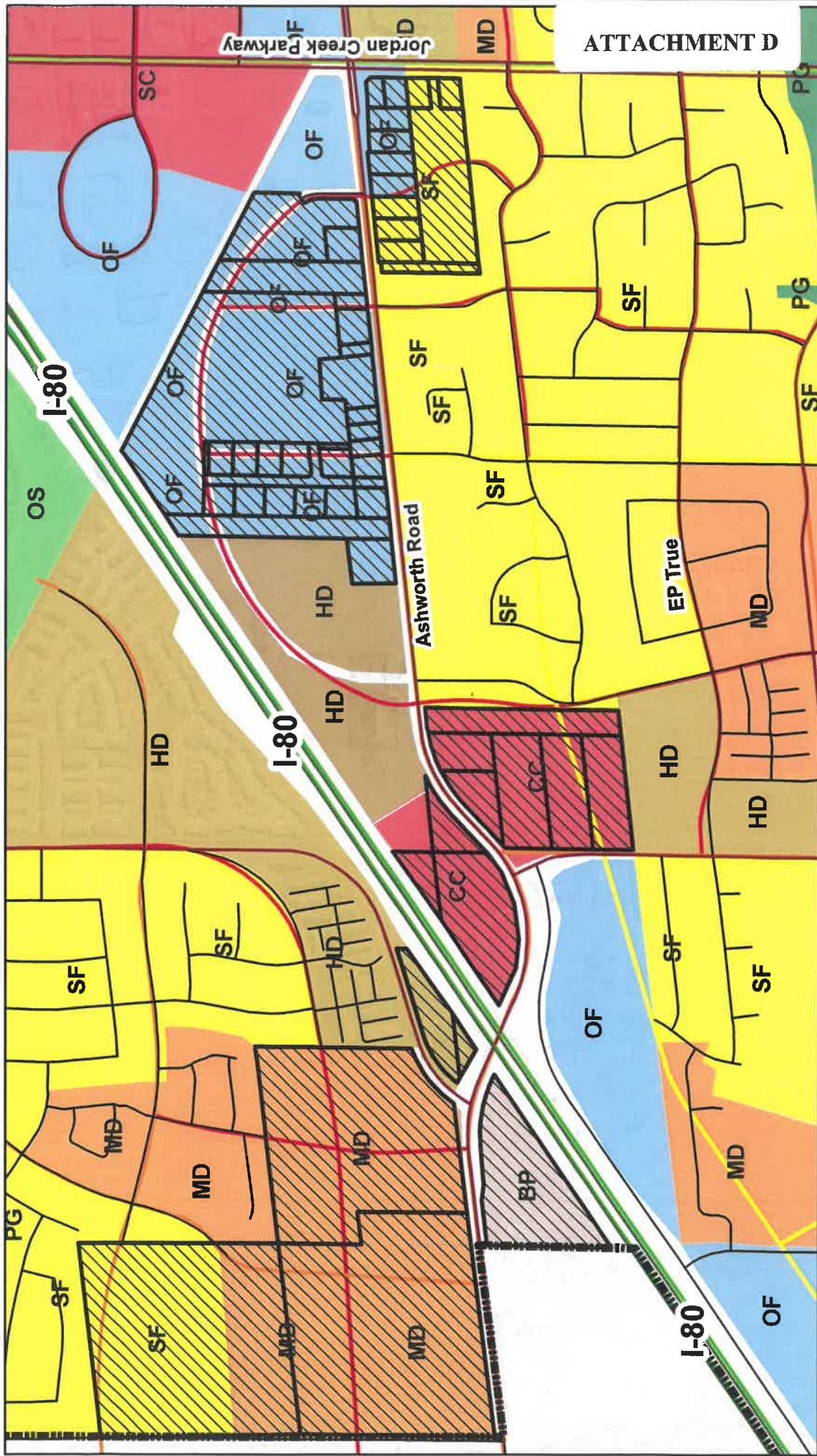
- Open Space/Agricultural (OS)
- Residential Single-Family (RS)
- Single-Family Residential (R-1)
- Residential Medium-Density (RM)
- Residential High-Density (RH)
- Community Commercial (C.M.C)
- Support Commercial (SC)
- Professional Commerce Park (PCP)
- PUD - Open Space
- PUD - Single Family Residential
- PUD - Medium Density Residential
- PUD - High Density Residential
- PUD - Business and Commercial
- PUD - Office
- Properties Subject to Amendment



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Comprehensive Plan Map - Proposed



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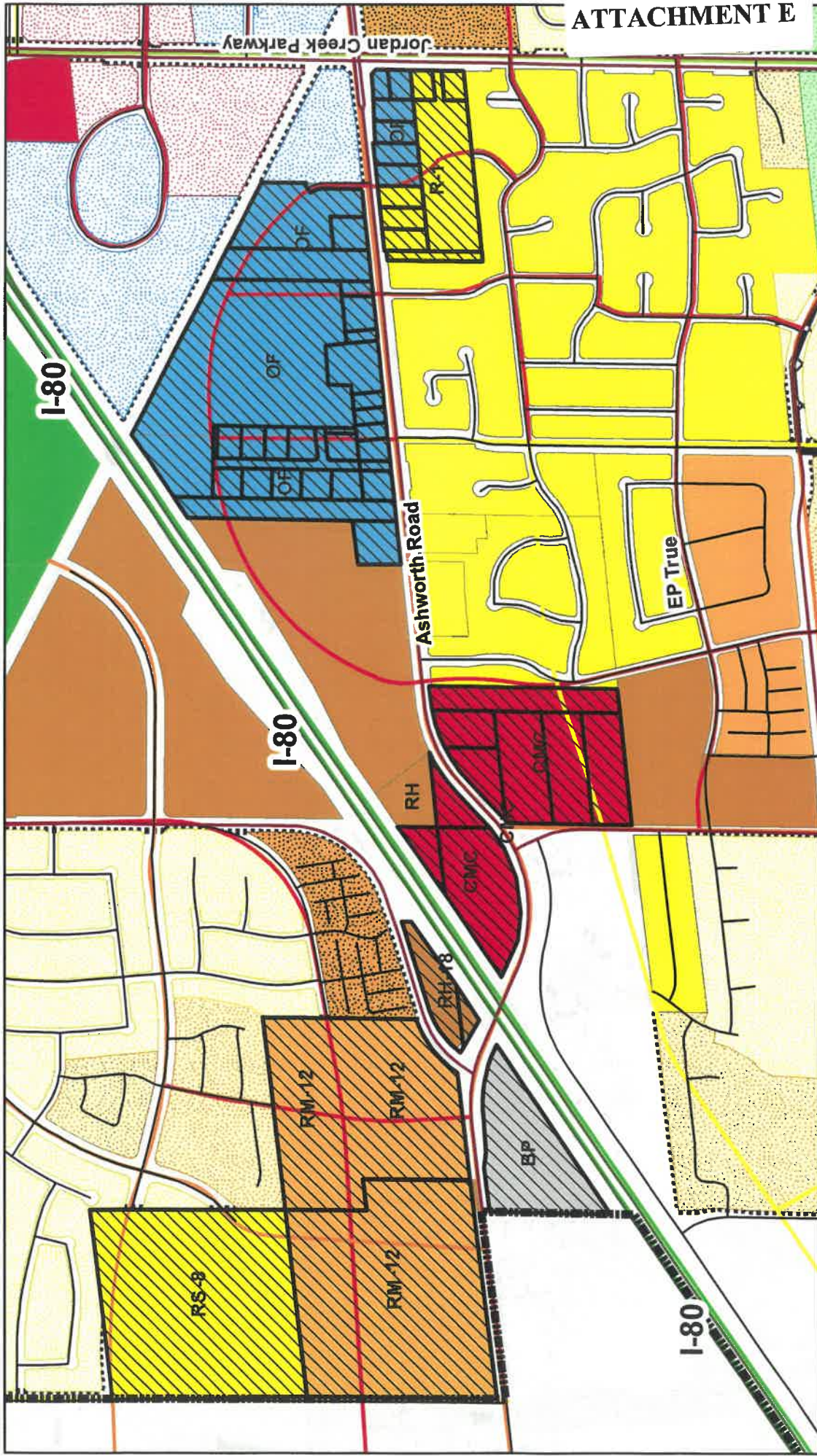


- Freeway / Expressway
- Major Arterial
- Major Collector
- Minor Arterial
- Minor Collector
- Open Space (OS)
- Parks & Greenways (PG)
- Single Family Resid (SF)
- Medium Density Resid (MD)
- High Density Resid (HD)
- Convenience Comm (CC)
- Support Commercial (SC)
- Office (OF)
- Business Park (BP)
- Properties Subject to Amendment

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ATTACHMENT D

Zoning Map - Proposed



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| | | | |
|--|----------------------|--|---------------------------------|
| | Freeway / Expressway | | Community Commercial (CMC) |
| | Major Arterial | | Office (OF) |
| | Major Collector | | Business Park (BP) |
| | Minor Arterial | | Properties Subject to Amendment |
| | Minor Collector | | Residential Single-Family (RS) |
| | | | Single-Family Residential (R-1) |
| | | | Residential Medium-Density (RM) |
| | | | Residential High-Density (RH) |