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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by Attorney William G. Blum, 1411 Miller Rd., Dubuque, IA 52003, (563) 588-0775
Return to: L.Gaul,City Clerk, Box 188, Earlville, IA 52041
Legal description located on page 1 & 2

ORDINANCE NO. 147

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EARLVILLE, IOWA, PURSUANT TO CHAPTER 121, REZONING FROM R-1 RESIDENTIAL DISTRICT TO C-1 COMMERCIAL DISTRICT FOR THE FOLLOWING DESCRIBED PROPERTY:

THE EAST ONE-HALF (E ½) OF THE WEST SIX HUNDRED THIRTY ONE AND TWENTY FIVE HUNDREDTHS (631.25) FEET OF THE EAST NINE HUNDRED EIGHTY THREE AND TWENTY FIVE HUNDREDTHS (983.25) FEET OF THE SOUTH NINETY NINE (99) FEET OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION TWENTY SIX (26), TOWNSHIP EIGHTY NINE (89), NORTH, RANGE FOUR (4) WEST OF THE 5TH PRINCIPAL MERIDIAN, EXCEPT ANY PART THEREOF CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED RECORDED IN BOOK 62, L.D., PAGE 201.

WHEREAS, the Earlville Planning and Zoning Board approved the rezoning on May 14, 2007,

WHEREAS, the City Council has provided notice of the public hearing and conducted a hearing on June 11, 2007.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Earlville, Iowa:

Section 1. Chapter 121 is amended by reclassifying the following described property:

The East one-half (E ½) of the West six hundred thirty one and twenty five hundredths (631.25) feet of the East nine hundred eighty three and twenty five hundredths (983.25) feet of the South ninety nine (99) feet of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Twenty Six (26), Township Eighty Nine (89), North, Range Four (4), West of the 5th Principal Meridian, except any part thereof conveyed to the State of Iowa by Warranty Deed recorded in Book 62, L.D., Page 201,

from R-1 to C-1.

Section 2. The City Clerk is directed to make the appropriate changes on the zoning map of the City of Earlville, Iowa.

Section 3. This Ordinance shall take effect upon publication as provided by the Iowa State Code.

Passed, approved, and adopted this 9 day of July, 2007.

Dan Wheeler, Mayor

ATTEST: Linda Gaul
Linda Gaul, City Clerk

Public Hearing, June 11, 2007
1st reading, July 9, 2007
2nd and 3rd readings waived, July 9, 2007

Clerk-Treasurer's Certificate: I hereby certify that the foregoing was published pursuant to Earlville City Code as Ordinance #147 on July 23, 2007.

Linda Gaul, City Clerk

City Office Posted 7/20 Library Posted 7/20 Post Office 7/20

On this 18th day of July, 2007, before me Janel M. Ries a Notary Public in and for the State of Iowa, personally appeared Dan Wheeler and Linda Gaul to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Earlville, County of Delaware, Iowa; that the seal affixed to the forgoing instrument is the city seal of the City of Earlville and that the instrument was signed and sealed on behalf of the City, by authority of it's City Council, and Dan Wheeler and Linda Gaul acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City, by it voluntarily executed.

JANEL M. RIES
Commission Number 739680
My Commission Expires
3-14-09

Janel M. Ries
Notary Public, State of Iowa