000329

FILED NO. _____

BOOK 2003 PAGE 329

2003 JAN 21 AM 10: 33

REC $ 15.00
AUD $ _____
R.M.F. $ 1.00

COMPUTER ✓
RECORDED _____
COMPARED _____

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Prepared By: Samuel H. Braland, P.O. Box 370, Earlham, Iowa 50072 (515) 758-2267

CERTIFICATION

STATE OF IOWA :
: SS
COUNTY OF MADISON :

The undersigned, being the duly appointed and acting City Clerk of the City of Earlham, Iowa, does hereby certify that attached hereto is a true and authentic copy of Ordinance No. 305 adopted by the City Council of the City of Earlham, Iowa on January 13, 2003.

Dated this 13th day of January, 2003 at Earlham, Iowa.

(CITY SEAL)

Marilyn Sesker, City Clerk
City of Earlham, Iowa.

Subscribed and sworn to before me and in my presence by the said Marilyn Sesker this 13th day of January, 2003.

(SEAL)

Notary Public in and for the State of Iowa.

✓ City of Earlham
140 S Chestnut, Earlham 50072

ORDINANCE NO. 305

AN ORDINANCE AMENDING SECTION 175.01 OF THE EARLHAM CODE OF ORDINANCES PROVIDING FOR THE REVIEW OF SUBDIVISIONS AND PLATS OF SURVEY WITHIN THE CORPORATE LIMITS AND WITHIN TWO MILES OF THE CITY OF EARLHAM, IOWA.

Be it ordained by the Council of the City of Earlham, Iowa:

Section 1. Purpose. The purpose of this ordinance is to establish a two (2) mile perimeter around the City of Earlham for review of all subdivision plats and plats of survey.

Section 2. Current Ordinance. Section 175.01 of the Earlham Code of Ordinances currently reads as follows:

> 175.01 AUTHORITY; APPLICABILITY. In accordance with the provisions of Chapter 409A of the Code of Iowa, this chapter governs the subdivision of all lands within the corporate limits of the City and within two miles adjacent to said corporate limits.

Section 3. Amendment. Section 175.01 of the Earlham Code of Ordinances is hereby amended to read as follows:

> 175.01.1 AUTHORITY; APPLICABILITY; JURISDICTION. Chapter 354 of the Code of Iowa and this Chapter 175 of the Earlham Code of Ordinances govern the division and subdivision of all lands within the corporate limits of the city. Further, pursuant to the authority of sections 354.8 and 354.9, Code of Iowa, subdivisions and plats of survey of all lands located within two (2) miles of the corporate limits of the City of Earlham shall be subject to the city's review and approval. The city shall apply reasonable standards and conditions in accordance with Chapter 354, Code of Iowa, and this Chapter 175 of the Earlham Code of Ordinances for the review and approval of subdivision plats and plats of survey.

Section 4. Recording and Filing. The City Clerk of the City of Earlham shall record this ordinance with the County Recorders of both Dallas and Madison Counties and file the same with the County Auditors of those counties as well.

Section 5. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 7. When Effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed by the Council this 13th day of January, 2003, and approved this 13th day of January, 2003.

Richard Rothert, Mayor

ATTEST:

Marilyn Sesker, City Clerk