IND. REC. PAGE



# CERTIFICATE OF REZONING

I, Mark Nitchals, hereby certify that I am the City Clerk of the City of Winterset, Iowa, and that I was the duly appointed and acting City Clerk of the City of Winterset, Iowa at all times hereinafter referred to.

I further certify that on January 31, 1971 a petition for rezoning was filed by the owners of the following described real estate to change the zoning of this real estate from R-1 Residential to A-Agriculture District:

> Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), except the East 1,318 feet of the North 796 feet thereof, and the North One-fourth (N¼) of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) and the West six (6) acres of the South Half (S½) of the North Half (N½) of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) and the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), except therefrom the following described tract of land:
>
> Commencing at the Northwest corner of said 40 acre tract, running thence East 31.1 rods, thence South 19 rods, thence in a southwesterly direction with the West side of the road to a point 8 rods East of the Southwest corner of said tract, thence West to the Southwest corner of said 40 acre tract, thence North to the point of beginning, containing 9.57 acres, more or less. And, also the East three-fourths (E 3/4) of the North Half (N½) of the Southwest Quarter (SW¼) except therefrom the following described tract of land:
>
> Commencing at the Southwest corner of the East Half (E½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) thence North 80 rods, thence East 47 rods, thence in a southwesterly direction down the center of a ravine or hollow to the point of beginning containing 14 acres, all in Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa.

I also certify that on September 8, 1981 the Winterset Planning and Zoning Commission met and considered the afore mentioned petition for rezoning and recommended to the Winterset City Council that the above described real estate be rezoned from R-1 Residential to A-Agriculture.

I further certify that on September 21, 1981, the Winterset City Council formally approved the annexation of the above described real estate. Pursuant to Section 5681 of Chapter 56 of the 1970 Winterset Municipal Code, also known as the Zoning Ordinance, which prescribes that newly annexed land be zoned R-1 Residential, the above described real estate was so designated.

I also certify that on October 19, 1981 the Winterset City Council adopted Ordinance #325, a true and correct copy of which is attached, said Ordinance changing the zoning of the above described real estate from R-1 Residential to A-Agriculture.

Witness my hand as City Clerk of the City of Winterset, Iowa, and the official seal of the City of Winterset, Iowa, this 27th day of October, 1981.

CITY SEAL WINTERSET

Mark Nitchals

Mark Nitchals, City Clerk
City of Winterset, Iowa

660
FILED NO.
BOOK 33 PAGE 768
1981 OCT 28 AM 10:51
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $6.00

**ORDINANCE NO. 325**

AN ORDINANCE AMENDING CHAPTER 56 OF THE WINTERSET MUNICIPAL CODE OF 1970 BY CHANGING THE ZONING OF CERTAIN REAL ESTATE FROM "R-1" RESIDENTIAL TO "A" AGRICULTURE DISTRICT.

BE IT ORDAINED by the City Council of the City of Winterset, Iowa:

Section One. Chapter 56 of the Winterset Municipal Code of 1970, known as the Zoning Ordinance, is hereby amended by changing the zoning of real estate legally described as:

> Southwest Quarter (SW¼) of the Northeast Quarter (NE¼), except the East 1,318 feet of the North 796 feet thereof, and the North One-fourth (N¼) of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) and the West six (6) acres of the South Half (S½) of the North Half (N½) of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) and the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), except therefrom the following described tract of land:
>
> Commencing at the Northwest corner of said 40 acre tract, running thence East 31.1 rods, thence South 19 rods, thence in a southwesterly direction with the West side of the road to a point 8 rods East of the Southwest corner of said tract, thence West to the Southwest corner of said 40 acre tract, thence North to the point of beginning containing 9.57 acres more or less. And also the East three-fourths (E 3/4) of the North Half (N½) of the Southwest Quarter (SW¼) except therefrom the following described tract of land:
>
> Commencing at the Southwest corner of the East Half (E½) of the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼), thence North 80 rods, thence East 47 rods, thence in a southwesterly direction down the center of a ravine or hollow to the point of beginning, containing 14 acres, all in Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa.

from "R-1" Residential to "A" Agriculture District.

Section Two. From and after the taking effect of this Ordinance, the real estate hereinbefore described shall be included in the "A" Agriculture District under the zoning ordinance of the City of Winterset, Iowa, and shall no longer be subject to the provisions and regulations of the "R-1" Residential District.

Section Three. The zoning map of the City of Winterset, Iowa, referred to in Section 5605 of the Winterset Municipal Code of 1970 is hereby amended to show the real estate described herein as zoned "A" Agriculture. The City Clerk is hereby directed to enter on the official zoning map pursuant to the procedure set forth in Section 5605 of the zoning ordinance this change in the district boundaries. The City Clerk is further directed to certify to the County Recorder of Madison County, Iowa, a true copy of this Ordinance.

Section Four. If any section, or portion thereof, of this ordinance is for any reason held to be invalid, such action shall not affect the remaining portions of this ordinance not declared void.

Section Five. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED and APPROVED this 19th day of October, 19 81.

CITY SEAL WINTERS

ATTEST:

Mark Nitchals, City Clerk

Bernard Morrissey, Mayor