IND. ✓
REC. ✓
PAGE ✓

CERTIFICATE OF REZONING

I, Mark J. Nitchals, do 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 November 1, 1979, a Petition for Rezoning was filed by Robert Mills to change the zoning classification of the following described real estate:

> The West Half of the Northwest Quarter of the Northeast Quarter except the North five (5) acres thereof and also except the South five (5) acres thereof in Section 36, Township 76 North, Range 28, West of the 5th P.M.,:
> ALSO
> The Southeast Quarter of the Northwest Quarter of the Northeast Quarter excepting therefrom that portion thereof designated as Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7), and also excepting therefrom a tract described as follows: Commencing at the Southwest corner of the Plat of Fourth Avenue Place, running thence North along the West line of said Lot Seven (7) to the Northwest corner thereof, thence West 36 feet, thence South approximately 93 feet to a point due West of the said Southwest corner of said Plat, thence East 36 feet to said Southwest corner of said Plat, all in Section 36, Township 76 North, Range 28, West of the 5th P. M., Madison County, Iowa.

from "R-1 Residential" to "R-2 Residential".

I further certify that on November 1, 1979, the Winterset Planning & Zoning Commission met and considered the aforementioned Petition for Rezoning and recommended to the Winterset City Council that the above described real estate be zoned "R-2 Residential".

I further certify that on November 5, 1979, the Winterset City Council, by resolution, set December 3, 1979 as the date for a public hearing on this Petition for Rezoning and directed that notice of public hearing be published and mailed pursuant to Section 5679 of the 1970 Winterset Municipal Code.

I further certify that the Notice of Public Hearing was published on November 14, 1979 and mailed to all property owners within 200 feet of the above described real estate on November 15, 1979.

I further certify that on December 3, 1979 a Public Hearing was conducted by the City Council of the City of Winterset, Iowa on the aforementioned Petition for Rezoning.

I further certify that on December 11, 1979, the City Council of the City of Winterset, Iowa, duly adopted Ordinance No. 314, (copy attached) said ordinance approved and signed by the Mayor.

CITY SEAL WINTERSET

Mark J. Nitchals

Mark J. Nitchals, City Clerk
City of Winterset, Iowa

FILED NO. 1057
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1979 DEC 19 PM 4:34

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

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ORDINANCE NO. 314

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 "R-2" RESIDENTIAL DISTRICT

Be it enacted by the City Council of the City of Winterset, Iowa:

SECTION 1. Chapter 56 of the Winterset Municipal Code of 1970, known as the Zoning Ordinance, is hereby amended by changing the zoning of the real estate hereinafter legally described from "R-1" Residential to "R-2" Residential:

> The West Half of the Northwest Quarter of the Northeast Quarter except the North five (5) acres thereof and also except the South five (5) acres thereof in Section 36, Township 76 North, Range 28, West of the 5th P. M.,:
> ALSO
> The Southeast Quarter of the Northwest Quarter of the Northeast Quarter excepting therefrom that portion thereof designated as Lots One (1), Two (2), Three(3), Four (4), Five (5), Six (6) and Seven (7), and also excepting therefrom a tract described as follows: Commencing at the Southwest corner of the Plat of Fourth Avenue Place, running thence North along the West line of said Lot Seven (7) to the Northwest corner thereof, thence West 36 feet, thence South approximately 93 feet to a point due West of the said Southwest corner of said Plat, thence East 36 feet to said Southwest corner of said Plat, all in Section 36, Township 76 North, Range 28, West of the 5th P. M., Madison County, Iowa.

SECTION 2. From and after the taking effect of this Ordinance, the real estate hereinbefore described shall be included in the "R-2" Residential 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 3. The zoning map of the City of Winterset, Iowa, referred to in Section 5605 of the Winterset Municipal Code of 1970, as amended, is hereby amended by showing the said real estate hereinbefore described as zoned "R-2" Residential. The City Clerk is hereby directed to enter on the official zoning map pursuant to the procedures 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 4. 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 5. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED and APPROVED this 11th day of December, 1979.

Bernard Morrissey, Mayor of the City of Winterset, Iowa

ATTEST:

Mark J. Nitchals, Clerk of the City of Winterset, Iowa

CERTIFICATION

I, Mark J. Nitchals, the duly appointed and acting Clerk of the City of Winterset, Iowa, do hereby certify that the foregoing is a true and authentic copy of Ordinance No. 314 as passed and adopted by the Winterset City Council and approved by the Mayor on the 11th day of December, 1979, and the said Ordinance was duly published in full in the Winterset Madisonian, a weekly newspaper of general circulation within the City, on the 19th day of December 19 79, as shown by the publisher's affidavit filed with the Office of the Clerk of the City of Winterset, Iowa.



Mark J. Nitchals
Clerk of the City of Winterset, Iowa