CERTIFICATE OF REZONING

I, Mark J. Nitchals, City Clerk of the City of Winterset, Iowa hereby certify that I am the City Clerk of said municipality, and that I was the City Clerk at all times hereinafter referred to. I further certify that:

On June 13, 1978, a petition to rezone certain real estate generally described as Plat 2 and Plat 3 of the Helen McCall Huntoon Addition from "R-1" Residential to "C"-Commercial was filed by the Winterset Development Commission.

On June 13, 1978, the Winterset Planning and Zoning Commission reviewed said petition and recommended to the City Council that the real estate be rezoned.

On June 19, 1978, the City Council of the City of Winterset, Iowa, by resolution, set July 10, 1978 as the date for a public hearing to consider the aforementioned petition.

On July 10, 1978, the City Council of the City of Winterset, Iowa, did conduct a public hearing on said rezoning petition. After a period of consideration, The Council adopted Ordinance No. 295(copy attached), said ordinance approved and signed by the Mayor.

Witness my hand as City Clerk of the City of Winterset, Iowa, and the official seal of the City of Winterset, Iowa, this 1st day of August, 1978.

CITY S... WINTERSET

Mark J. Nitchals

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

FILED NO. 261
BOOK 32 PAGE 121
1978 AUG -3 PM 4:05
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
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IND. ✓
REC. ✓
PAGE

ORDINANCE NO. 295

AN ORDINANCE AMENDING CHAPTER 56 OF THE WINTERSET MUNICIPAL CODE OF 1970 BY CHANGING THE ZONING OF CERTAIN REAL ESTATE FROM "R" RESIDENTIAL TO "C" COMMERCIAL DISTRICT

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

SECTION I. 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 legally described on Exhibit "A" which is attached hereto and incorporated herein, from "R" Residential to "C" Commercial.

SECTION 2. From and after the taking effect of this Ordinance, the real estate hereinbefore described shall be included in the "C" Commercial 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" 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 "C" Commercial. 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, or portion thereof, of this ordinance is for any reason held to be unconstitutional or invalid, such action shall not affect the validity of the remaining portions of this ordinance not declared invalid.

SECTION 5. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed and approved this 10th day of July, 1978 at Winterset, Iowa.

SIGNED:

BERNARD MORRISSEY, Mayor

ATTEST:

MARK J. NITCHALS, City Clerk

EXHIBIT "A"

HELEN McCall HUNTOON ADDITION
WINTERSET DEVELOPMENT COMMISSION, INC. & HELEN McCALL HUNTOON

DESCRIPTION: PLAT NO. 2

A part of the South Half(S½) of the Southwest Fractional Quarter (SW Fr. ¼) of Section 30, Township 76 North, Range 27 West of the 5th P.M., Winterset, Madison County, Iowa described as commencing at the Southwest Corner of said Section 30; thence N. 90°00' E. 334.1 feet along the South line of said Section 30; thence N. 00°00' 292.6 feet thence N. 46°04' E. 231.8 feet; thence N. 75°58' E. 144.0 feet to the Point of Beginning; thence N. 00°32' W. 464.7 feet; thence N. 90°00' E. 16.8 feet; thence N. 00°31' W. 360.0 feet to the North line of the S½ of the SW. Fr. ¼ of said Section 30; thence N. 90°00' E. 746.0 feet along said North line; thence S.00°31' E. 360.0 feet; thence N. 90°00' E. 7.2 feet; thence S. 2°13' E. 270.9 feet; thence S. 75°58'W. 800.0 feet to Point of Beginning containing 12.7069 Acres.

NOTE: The South line of the Southwest Fractional Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Winterset, Madison County, Iowa is assumed to bear due East and West.

DESCRIPTION: PLAT NO. 3

A part of the South Half (S½) of the Southwest Fractional Quarter (SW.Fr.¼) of Section 30, Township 76 North, Range 27 West of the 5th P.M., Winterset, Madison County, Iowa described as commencing at the Southwest Corner of said Section30; thence N. 90°00' E. 1,274.6 feet along the South line of said Section 30; thence N. 5°47' E. 176.7 feet to Point of Beginning; thence continuing N. 5°47'E. 380.0 feet; thence S. 89°43'E. 209.6 feet; thence N. 00°00' 35.0 feet; thence N. 29°23'W. 185.0 feet; thence N. 75°38' E. 222.0 feet; thence N. 55°38'E. 330.0 feet; thence N. 73°53'E. 330.0 feet; thence N.87°58'E. 211.6 feet to the West Right-of-Way line of a County Road; thence S.00°49'E. 568.6 feet to the North Right-of-Way line of Iowa Highway No. 92; thence continuing along said Right-of-Way line S.19 29½'W. 106.6 feet; thence S.9°14'E. 252.7 feet; thence S.63°59½'W. 116.4 feet; thence Westerly 51.7 feet along a 87,508.1 feet radius curve concave Northwesterly and having a chord bearing N,89°21½'W. 51.7 feet; thence N.89°20½'W. 693.2 feet; thence N. 82°00½'W. 340.0 feet to Point of Beginning containing 20.2383 Acres.

NOTE: The South line of the Southwest Fractional Quarter of Section 30, Township 76 North, Range 27 West of the 5th P.M., Winterset, Madison County, Iowa is assumed to bear due East and West.