IND. ✓
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FILED NO. 1954
BOOK 32 PAGE 420

1979 APR 11 PM 4:41

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 900

CERTIFICATE

STATE OF IOWA )
) ss.
MADISON COUNTY )

I, the undersigned Clerk of the City of Winterset, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the City Council of the City of Winterset, Iowa, and the same is a true and complete copy of the action taken by said Council with respect to said matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect. and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held pursuant to the rules of the Council and the provisions of Chapter 28A, Code of Iowa, upon advance notice to the public and media as required by said law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective offices as indicated therein, that no Council vacancy existed excepted as may be stated in said porceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence of boundaries of the City or the right of the individuals named therein as officiers to their respective positions.

WITNESS my hand and the seal of said municipality hereto affixed this 9th day of April, 1979.

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

CITY OF WINTERSET seal

ORDINANCE NO. 307

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 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 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. Ordinance No. 295 is hereby repealed in its entirety. This ordinance corrects a scrivener's error in the legal description of the real estate rezoned by Ordinance No. 295.

SECTION 6. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED and APPROVED this 2nd day of April, 1979.

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.FR¼) 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. along the South line of said Section 30, 1,608.7 feet; thence N.5°47'E. 176.7 feet to the 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. 211.2 feet; thence S.00°52'E. 568.5 feet to the North Right-of-Way line of Iowa Highway No. 92; thence continuing along said Right-of-Way 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.