

ORDINANCE 2018 – 15

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION FROM
RESIDENCE R-1 TO BUSINESS B-1 DISTRICT OF CERTAIN PARCELS IN THE
CITY OF EAGLE GROVE, IOWA

Be It Enacted by the City Council of the City of Eagle Grove, Iowa:

Section 1. Purpose. The purpose of this ordinance is to amend the zoning classification of the properties described in Exhibit A are in the best interest of the City.

Section 2. Amendment. The City's Zoning Ordinance and accompanying map are amended insofar as they relate to the above-described properties by changing the zoning classification thereof from Residence R-1 District to Business B-1 District.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Severability. 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. Effective Date. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the 20th day of August, 2018, and approved this 20th day of August, 2018.


Sandra McGrath, Mayor

ATTEST:



Bryce Davis, City Administrator/Clerk

Frist Reading: 8-20-18

Second Reading: Waived

Third Reading: Waived

I certify that the foregoing was published as Ordinance No. 2018-15 on the 1st day of November, 2018.



City Clerk

EXHIBIT A

A parcel of land in the NE ¼ of the SW ¼ of Section 34, Township 91 North, Range 26 West of the 5th P.M., Wright County, Iowa more particularly described as follows:

Commencing at the S.E. Corner Of the NE ¼ of the SW ¼ of Section 34, T91N-R26W of the 5th P.M., IA., thence N 89° 47' W 51.6 ft., thence N 11° 12' W along the Westerly Right-of-way line of IA. HWY 17, 129.1 ft. to point of beginning, thence N 61° 20' W along the centerline of D.D. No. 16, 352.11 ft., thence N 28° 17' E 319.95 ft., thence N 81° 42' E 24.72 ft., thence S 19° 40' 1/2' E along said W R.O.W. line HWY. 17 284.50 ft., thence S 11° 12' E. along said R.O.W. line. 190.0 ft. to point of beginning 1.78 acres.

A parcel of land in the NE ¼ of the SW ¼ of Section 34, Township 91 North, Range 26 West of the 5th P.M., Wright County, Iowa, and more particularly described as follows: Commencing at the Southeast corner of the NE 1/4 SW ¼ of said Section 34; thence N 89°47' W 51.6 feet to a point on the West right-of-way line of Iowa Highway #17; thence N 11°12' W 129.1 feet along said West right-of-way to a point on the centerline of the open ditch of Drainage District No. 16; thence N 61°20' W 779.0 feet along the centerline of said D.D. No. 16 to the point of intersection with the centerline of the open ditch of Drainage District No. 15 and the point of beginning; thence N 41°34' E 576.0 feet along the centerlines of the open ditches of Drainage District Nos. 15 and 94 to a point on the West right-of-way of Iowa Highway No. 17; thence S 25°41' ½' E 389.0 feet along said right-of-way line; thence S 81° W 556.6 feet to the point of beginning. Said parcel contains 2.4 acres more or less and is subject to easements of record.

Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right-of-way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said right-of-way for 129.1 feet to a point on the centerline of the open ditch of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22' 40'' East for 185.7 feet, thence North 81 degrees 50' 10'' East for 124.7 feet, thence South 28 degrees 18' West for 260.5 feet to the point of beginning, containing .5 acres more or less, subject to easements of record.

A parcel of land in the Northeast ¼ of the Southwest ¼ of Section 34, Township 91 North, Range 26 West 5th P.M., Iowa; described as follows: Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right-of-way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said right of way for 129.1 feet to a point on the centerline of the open ditch of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch for 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22' 40'' East for 185.7 feet, thence North 81 degrees 50' 10'' East for 124.7 feet, thence South 28 degrees 18' 00'' West for 260.5 feet to the point of beginning, containing .5 acres more or less, subject to easements of record.

Commencing at the Southeast Corner of the NE ¼ SW ¼ of said Section 34; thence N 89 degrees 47' W 51.6 feet to a point on the West right-of-way of Iowa Highway No. 17; thence N 11 degrees 12' W 129.1 feet along said West right-of-way to a point on the centerline of the open ditch of Drainage District No. 16; thence N 61 degrees 20' W 432.0 feet along the centerline of said DD #16 to the point of intersection with the centerline of the open ditch of Drainage District #15; thence N 81 degrees 42' E 432.5 feet; thence S 28 degrees 17' W 261.3 feet to the centerline of DD #16 and the point of beginning EXCEPT the following described real estate: Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right of way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said right of way for 129.1 feet to a point on the centerline of the open ditch of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch for 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22'40'' East for 185.7 feet, thence North 81 degrees 50'10'' East for 124.7 feet, thence South 28 degrees 18'00'' West for 260.5 feet to the point of beginning subject to easements of record.

A tract of land in the Northeast ¼ of the Southwest ¼ of Section 34, Township 91 North, Range 26 West 5th P.M., Wright County, Iowa; described as follows: Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right of way line of Iowa Highway No. 17, thence

North 11 degrees 12' West along said right of way line for 129.1 feet to a point on the centerline of the open ditch of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch for 352.11 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 80 feet, thence North 28 degrees 17' East for 261.3 feet, thence North 81 degrees 42' East for 99.63 feet, thence South 28 degrees 17' West for 319.95 feet to the point of beginning, subject to easements of record.

A 1.34 acre tract of land in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 91 North, Range 26 West 5th P.M., Wright County, Iowa, described as commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West Right of Way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said Right-of-Way line for 129.1 feet to a point on the center line of Drainage District No. 16, and the point of beginning, thence North 61 degrees 20' West along the centerline of said ditch for 302 feet, thence North 28 degrees 17' East for 307.8 feet, thence South 19 degrees 40 $\frac{1}{2}$ ' East along the West Right-of-Way line of Highway No. 17 for 243.77 feet, thence South 11 degrees 12' East along said Right-of-Way line for 190 feet to the point of beginning.

PUBLIC NOTICE
City of Eagle Grove

SUMMARY OF ORDINANCE NO. 2018-15

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION RESIDENCE R-1 TO BUSINESS B-1 DISTRICT OF CERTAIN PARCELS IN THE CITY OF EAGLE GROVE, IOWA. On August 20, 2018 the City Council of Eagle Grove, Iowa passed the aforementioned ordinance and a summary is as follows:

SECTION 1: The purpose of this ordinance is to amend the zoning classification of the following legal descriptions:

A parcel of land in the NE ¼ of the SW ¼ of Section 34, Township 91 North, Range 26 West of the 5th P.M., Wright County, Iowa more particularly described as follows:

Commencing at the S.E. Corner Of the NE ¼ of the SW ¼ of Section 34, T91N-R26W of the 5th P.M., IA., thence N 89° 47' W 51.6 ft., thence N 11° 12' W along the Westerly Right-of-way line of IA. HWY 17, 129.1 ft. to point of beginning, thence N 61° 20' W along the centerline of D.D. No. 16, 352.11 ft., thence N 28° 17' E 319.95 ft., thence N 81° 42' E 24.72 ft., thence S 19° 40' 1/2' E along said W R.O.W. line HWY. 17 284.50 ft., thence S 11° 12' E. along said R.O.W. line. 190.0 ft. to point of beginning 1.78 acres.

A parcel of land in the NE ¼ of the SW ¼ of Section 34, Township 91 North, Range 26 West of the 5th P.M., Wright County, Iowa, and more particularly described as follows: Commencing at the Southeast corner of the NE 1/4 SW ¼ of said Section 34; thence N 89°47' W 51.6 feet to a point on the West right-of-way line of Iowa Highway #17; thence N 11°12' W 129.1 feet along said West right-of-way to a point on the centerline of the open ditch of Drainage District No. 16; thence N 61°20'W 779.0 feet along the centerline of said D.D. No. 16 to the point of intersection with the centerline of the open ditch of Drainage District No. 15 and the point of beginning; thence N 41°34' E 576.0 feet along the centerlines of the open ditches of Drainage District Nos. 15 and 94 to a point on the West right-of-way of Iowa Highway No. 17; thence S 25°41' 1/2' E 389.0 feet along said right-of-way line; thence S 81° W 556.6 feet to the point of beginning. Said parcel contains 2.4 acres more or less and is subject to easements of record.

Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right-of-way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said right-of-way for 129.1 feet to a point on the centerline of the open ditch of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22' 40" East for 185.7 feet, thence North 81 degrees 50' 10" East for 124.7 feet, thence South 28 degrees 18 feet West for 260.5 feet to the point of beginning, containing .5 acres more or less, subject to easements of record.

A parcel of land in the Northeast ¼ of the Southwest ¼ of Section 34, Township 91 North, Range 26 West 5th P.M., Iowa; described as follows: Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right-of-way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said right of way for 129.1 feet to a point on the centerline of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch for 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22' 40" East for 185.7 feet, thence North 81 degrees 50' 10" East for 124.7 feet, thence South 28 degrees 18 feet West for 260.5 feet to the point of beginning, containing .5 acres more or less, subject to easements of record.

Commencing at the Southeast Corner of the NE ¼ SW ¼ of said Section 34; thence N 89 degrees 47' W 51.6 feet to a point on the West right-of-way of Iowa Highway No. 17; thence N 11 degrees 12' West along said right of way for 129.1 feet to a point on the centerline of Drainage District No. 16; thence N 61 degrees 20' West along the centerline of said ditch for 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22' 40" East for 185.7 feet, thence North 81 degrees 50' 10" East for 124.7 feet, thence South 28 degrees 18' 00" West for 260.5 feet to the point of beginning, containing .5 acres more or less, subject to easements of record.

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Highway No. 17; thence N 11 degrees 12' W 129.1 feet along said West right-of-way to a point on the centerline of the open ditch of Drainage District No. 16; thence N 61 degrees 20' W 432.0 feet along the centerline of said DD #16 to the point of intersection with the centerline of the open ditch of Drainage District #15; thence N 81 degrees 42' E 432.5 feet; thence S 28 degrees 17' W 261.3 feet to the centerline of DD #16 and the point of beginning EXCEPT the following described real estate: Commencing at the Southeast corner of said quarter-quarter, thence North 89 degrees 47' West for 51.6 feet to a point on the West right of way line of Iowa Highway No. 17, thence North 11 degrees 12' West along said right of way for 129.1 feet to a point on the centerline of the open ditch of Drainage District No. 16, thence North 61 degrees 20' West along the centerline of said ditch for 432.2 feet to the point of beginning, thence continuing North 61 degrees 20' West along said centerline for 100.5 feet, thence North 28 degrees 22' 40" East for 185.7 feet, thence North 81 degrees 50' 10" East for 124.7 feet, thence South 28 degrees 18' 00" West for 260.5 feet to the point of beginning subject to easements of record.

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SECTION 2. Amendment. The City's Zoning Ordinance and accompanying map are amended insofar as they relate to the above-described properties by changing the zoning classification thereof from Residence R-1 District to Business B-1 District

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3: 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 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

ATTEST:
Bryce Davis, City Clerk

Published in the Eagle Grove Eagle on November 1, 2018.

PROOF OF PUBLICATION

STATE OF IOWA }
Wright County } ss.

I, the undersigned, being duly sworn, depose and say, that I am Pamela J. DeVries, President of the Eagle Grove Eagle, a weekly newspaper printed in the

English language, published at Eagle Grove in Wright County, State of Iowa, and that the annexed

City of Eagle Grove - Summary of Ordinance No. 2018-15

notice was published in said paper once each week for

1 consecutive weeks, the first publication thereof

was on the 1st day of November, 2018.

the second on the _____ day of _____, 20____.

the third on the _____ day of _____, 20____.

the fourth on the _____ day of _____, 20____.

Pamela J. DeVries
Pamela J. DeVries, President

Subscribed and sworn to before me and in my presence the 2nd day of November, 2018.

Lynnette M Richardson
Notary Public; In and for the State of Iowa



LYNNETTE RICHARDSON
Commission Number 771667
My Commission Exp FEB. 14, 2021

Printer's Fees, \$

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