

ORDINANCE NO. 90903-0709

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF MUSCATINE, IOWA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE,
IOWA AS FOLLOWS:

Section 1. That the boundaries of the District Map, being a part of the Zoning Ordinance, which is Title Ten of the Ordinance of the City of Muscatine, Iowa, be and the same are, hereby amended to rezone the following described real estate, situated in the City and County of Muscatine, and State of Iowa, to-wit:

A PORTION OF THE NORTHWEST FRACTIONAL ONE-QUARTER OF SECTION 18, TOWNSHIP 77 NORTH, RANGE 1 WEST OF THE 5TH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SECTION 18, TOWNSHIP 77 NORTH, RANGE 1 WEST OF THE 5TH PRINCIPAL MERIDIAN, MUSCATINE COUNTY, IOWA; THENCE S89°00'33"W, ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 18, A DISTANCE OF 623.63 FEET TO THE POINT OF BEGINNING; THENCE S00°18'58"E, ALONG THE NORTHERLY EXTENSION OF AN EXISTING FENCE LINE AND ALONG SAID EXISTING FENCELINE, 260.00 FEET; THENCE S00°43'30"E, ALONG SAID EXISTING FENCE LINE AND ITS SOUTHERLY EXTENSION, 1235.67 FEET TO THE CENTERLINE OF AN EXISTING CREEK; THENCE S68°34'27"W, ALONG SAID CENTERLINE, 166.91 FEET; THENCE S61°52'17"W, ALONG SAID CENTERLINE, 209.47 FEET; THENCE S38°24'07"W, ALONG SAID CENTERLINE, 48.93 FEET; THENCE S05°34'04"E, ALONG SAID CENTERLINE, 49.84 FEET; THENCE S77°50'02"W, ALONG SAID CENTERLINE, 72.15 FEET; THENCE N88°29'22"W, ALONG SAID CENTERLINE, 102.69 FEET; THENCE S66°10'58"W, ALONG SAID CENTERLINE, 211.73 FEET; THENCE S81°59'30"W, ALONG SAID CENTERLINE, 98.92 FEET; THENCE S00°19'20"E, 233.61 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 158.36 ACRES OF SAID NORTHWEST ONE-QUARTER OF SECTION 18; THENCE S89°00'33"W, ALONG SAID SOUTH LINE, 203.78 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF AN EXISTING FENCE LINE; THENCE N00°19'20"W, ALONG SAID SOUTHERLY EXTENDED LINE AND ALONG SAID EXISTING FENCE LINE, 961.93 FEET; THENCE N01°12'51"W, ALONG SAID EXISTING FENCE LINE, 699.43 FEET; THENCE N01°51'34"W, ALONG SAID EXISTING FENCE LINE AND ITS NORTHERLY EXTENSION, 413.03 FEET TO A POINT ON SAID NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 18; THENCE N89°00'33"E, ALONG SAID NORTH LINE, 1049.66 FEET TO THE POINT OF BEGINNING, CONTAINING 42.08 ACRES AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

BASIS OF BEARING: THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 18-T77N-R1W OF THE 5TH P.M., MUSCATINE COUNTY, IOWA BEARS S89°00'33"W (OR N89°00'33"E) BASED ON IOWA STATE PLANE COORDINATES (SOUTH ZONE) AND MUSCATINE COUNTY CONTROL MONUMENTS NO. 113 AND NO. 116.

Said real estate be rezoned from County (A-1)) Agriculture and (M-1) Mobile Home Park to City (R-3) Single Family Residential Zoning District.

Section 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed and this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED, APPROVED, AND ADOPTED this 16th day of July, 2009.



CITY COUNCIL OF THE CITY OF
MUSCATINE, IOWA

By Richard W. O'Brien
Richard W. O'Brien, Mayor

Randy Hill
Randy Hill, Interim City Administrator

1st Reading: June 18, 2009

2nd Reading: July 2, 2009

3rd Reading: July 16, 2009

Publication July 24, 2009

PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk
Ordinance No. 90903-0709

Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

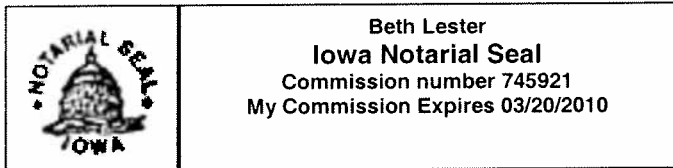
July 24, 2009

Jeff Lee

STATE OF IOWA
MUSCATINE COUNTY

Subscribed and sworn to before me this
27th day of July 2009

Beth Lester
Beth Lester, Notary Public



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CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA
By Richard W. O'Brien, Mayor

Attest:
Randy Hill, Interim City Administrator

1st Reading: June 18, 2009
2nd Reading: July 2, 2009
3rd Reading: July 16, 2009
Publication: July 24, 2009

TO: A. J. Johnson, City Administrator
FROM: Steven Boka, Director of Planning, Zoning & Building Safety
SUBJECT: Zoning Change – Ripley's Development Corp.
DATE: June 11, 2009

On May 12, 2009 the City Planning & Zoning Commission reviewed and recommended approval of a rezoning request submitted by the Ripley's Development Corp. to rezone 42.08 acres of real estate from County Agriculture (A-1) and (M-1) Mobile Home Park to City (R-3) Single-Family Residential. The request was made in association with the application to voluntarily annex this property into the City of Muscatine.

Following the Public Hearing scheduled for June 18th, the City Council will have the opportunity to consider the attached ordinance to change the zoning of this property on the first reading.

Please place this item on the agenda for City Council consideration during their June 18th meeting after City Council has acted on the voluntary annexation of the property.