

Prepared by: Becky Ritzert, Winnebago County Zoning Administrator  
Return to: Jennifer Fjelstad, Winnebago County Auditor

ORDINANCE #32

An ordinance amending the official zoning map, which is part of the Winnebago County Zoning Ordinance for Winnebago County, Iowa.

Be it ordained by the Board of Supervisors of Winnebago County, Iowa as follows:

SECTION #1: The following described real estate is changed from an Agricultural (AG) zoned district to a Commercial (C) zoned district, said property is being legally described as:

A parcel of land located in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section Twenty-three (23), Township Ninety-nine (99) North, Range Twenty-five (25) West of the 5th P.M., in Winnebago County, Iowa, and being more particularly described as follows:

Commencing at the Southeast (SE) corner of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section 23; thence along the South line of said Southwest Quarter (SW $\frac{1}{4}$ ) on a previously recorded bearing of North 89°58'00" West a distance of 2140.26 feet to the southwesterly extension of the southeasterly line of the herein described tract; thence along said extended line, North 39°02'16" East, a distance of 1022.86 feet to the former northeasterly right of way line of Highway Number 9 being the Point of Beginning; thence continuing North 39°02'16" East a distance of 300.00 feet; thence North 50°57'44" West a distance of 258.30 feet; thence South 39°02'16" West a distance of 300.00 feet to the former right of way line of said highway; thence along said former right of way line, South 50°57'44" East, a distance of 258.30 feet to the Point of Beginning;

SECTION #2: 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#3: When Effective. This ordinance shall become effective after its final passage, approval and publication as provided by law.

PASSED, ADOPTED AND APPROVED by the Board of Supervisors of Winnebago County, Iowa on the 17<sup>th</sup> day of March, 2009.

\_\_\_\_\_  
Jim Oulman, Chairman

ATTEST:

\_\_\_\_\_  
Jennifer Fjelstad, Auditor

AUDITOR'S CERTIFICATE

Ordinance No. 32 was published in the Forest City Summit on the \_\_\_\_\_ day of \_\_\_\_\_, 2009 and the Lake Mills Graphic on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
Jennifer Fjelstad, Auditor

**Resolution # 031709-20-01**

WHEREAS Winnebago County Board of Supervisors proposed the adoption and enactment of a certain Ordinance on the 17<sup>th</sup> day of March, 2009, which action is recorded in the Minutes of the Board of Supervisors; and

WHEREAS the same was duly published in the Forest City Summit and Lake Mills Graphic, official newspapers of general circulation of the county and comply with 618.3 and 618.14 of the Code of Iowa, on March 4<sup>th</sup>, 2009; and

UPON MOTION made by Stensrud and seconded by Wubben, a vote was held to suspend the requirement for three successive readings and votes, which motion passed by a vote of a majority of the Board of Supervisors as follows:

THOSE VOTING FOR SUSPENSION OF THE REQUIREMENT:  
Stensrud, Wubben, Oulman

THOSE VOTING AGAINST SUSPENSION OF THE REQUIREMENT:  
None

NOW THEREFORE the following was read and voted upon by the Board of Supervisors, and it passed by a vote of a majority of the Board of Supervisors;

AND IT IS NOW THEREFORE ENACTED AND ORDAINED:

**ORDINANCE #32**

An ordinance amending the official zoning map, which is part of the Winnebago County Zoning Ordinance for Winnebago County, Iowa.

Be it ordained by the Board of Supervisors of Winnebago County, Iowa as follows:

SECTION #1: The following described real estate is changed from an Agricultural (AG) zoned district to a Commercial (C) zoned district, said property is being legally described as:

A parcel of land located in the Southwest Quarter of the Southwest Quarter (SW¼ SW¼) of Section Twenty-three (23), Township Ninety-nine (99) North, Range Twenty-five (25) West of the 5th P.M., in Winnebago County, Iowa, and being more particularly described as follows:

Commencing at the Southeast (SE) corner of the Southwest Quarter (SW¼) of said Section 23; thence along the South line of said Southwest Quarter (SW¼) on a previously recorded bearing of North 89°58'00" West a distance of 2140.26 feet to the southwesterly extension of the southeasterly line of the herein described tract; thence along said extended line, North 39°02'16" East, a distance of 1022.86 feet to the former northeasterly right of way line of Highway Number 9 being the Point of Beginning; thence continuing North 39°02'16" East a distance of 300.00 feet; thence North 50°57'44" West a distance of 258.30 feet; thence South 39°02'16" West a distance of 300.00 feet to the former right of way line of said highway; thence along said former right of way line, South 50°57'44" East, a distance of 258.30 feet to the Point of Beginning;

SECTION #2: 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#3: When Effective. This ordinance shall become effective after its final passage, approval and publication as provided by law.

THOSE VOTING FOR PASSAGE: Stensrud, Oulman, Wubben

THOSE VOTING AGAINST PASSAGE: None

\_\_\_\_\_  
Chairperson, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Jennifer Fjelstad, Winnebago County Auditor

\_\_\_\_\_  
Date