



MELISSA BAHNSEN, RECORDER
CEDAR COUNTY IOWA

Prepared by: Kevin D. Olson, West Branch City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City of West Branch, 110 N. Poplar Street, P.O. Box 218, West Branch, Iowa 52358 (319)643-5888

ORDINANCE NO. 772

AN ORDINANCE RE-ZONING THAT CERTAIN OF REAL PROPERTY LOCATED NORTH OF AND ADJACENT TO INTERSTATE 80 AND EAST OF PARKSIDE DRIVE FROM B-2 BUSINESS DISTRICT TO PUD – PLANNED UNIT DEVELOPMENT DISTRICT.

WHEREAS, the Owner of the property described below has petitioned the City of West Branch for a zoning district amendment for property located north of and adjacent to Interstate 80 and east of Parkside Drive, said parcel being legally described as:

Commencing at a point of reference at the Northwest corner of Section 8, Township 79 North, Range 4 West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, thence South 1,638.0 feet along the West line of the Northwest Quarter of said Section 8 (the West line of the Northwest quarter of said Section 8 is assumed to bear true North and South) to the Southwest corner of Lot A of the Northwest Quarter of said Section 8, according to the plat of survey made for James Cook, said survey being filed in Surveyor's Record 3, Page 265, in the office of the Auditor of Cedar County, Iowa, thence South 89°37' East 60 feet, more or less, along the South line of said Lot A to a point of intersection with the easterly right-of-way line of the public highway and point of beginning of tract herein described; thence continuing South 89°37' East 176.0 feet along the Southerly line of said Lot A to a point; thence South 0°23' West 200.00 feet to a point; thence North 89°37' West 140.84 feet to a point of intersection with the easterly right-of-way line of the public highway; thence North 11°59' West 18.54 feet along the Easterly right-of-way line of said highway to a point; thence North 9°21' West 184.55 feet along the easterly right-of-way line of said public highway (whose right-of-way is described in Iowa State Land Office Correction Patent No. 603, recorded in Volume 5, Page 158, Records of the Iowa Secretary of State, Des Moines, Iowa) to the point of beginning, and except the North 40 feet of tract above described; and subject to a perpetual easement for foot and motor vehicle travel, in common with others, over and across the westerly 30 feet of tract above described.

AND

Commencing as a point of reference at the Northwest corner of Section 8, Township 79 North, Range 4 West of the 5th Principal Meridian, West Branch, Cedar County, Iowa; thence South 1638.0 feet along the West line of the Northwest Quarter of said Section 8 (the West line of the Northwest Quarter of said Section 8 is assumed to bear true North and South) to the Southwest corner of Lot A of the Northwest Quarter of said Section 8 according to plat of survey made for James Cook, said survey being filed in Surveyor's Record 3, page 265 in the office of the Auditor of Cedar County, Iowa; thence South 89°37' East 60 feet, more or less, along the South line of said Lot A to a point of intersection with the Easterly right-of-way line of the public highway; thence South 9°21' East 184.55 feet along the Easterly right-of-way line of said public highway to a point; thence South 11°59' East 18.54 feet to point of beginning of tract herein described; thence South 89°37' East 140.84 feet to a point; thence South 0°23' West 174.42

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feet to a point of intersection with the Northerly right-of-way line of Interstate Highway #80; thence North 68°03' West 120.79 feet along the Northeasterly right-of-way line of said highway to a point; thence North 11°59' West 133.11 feet along the Northeasterly right-of-way line of said highway to the point of beginning. (Right-of-way of the subject highway is described in Iowa State Land Office Correction Patent No. 603, recorded in Volume 5, Page 158, records of the Iowa Secretary of State, Des Moines, Iowa) (the "Parcel"); and

WHEREAS, the Owner has requested that the Parcel be rezoned to be located in a PUD – Planned Unit Development District in place of an B-2 Business District; and

WHEREAS, the West Branch Planning and Zoning Commission has recommended the City Council approve said rezoning request; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of West Branch, Iowa :

Section 1. That the zoning map for the City of West Branch is hereby amended to show the Parcel being located in a PUD – Planned Unit Development District in place of B-2 Business District.

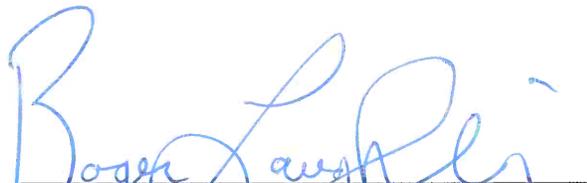
Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

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

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 2nd day of March, 2020.

Read First Time: February 4, 2020
Read Second Time: February 18, 2020
Read Third Time: March 2, 2020



Roger Laughlin, Mayor

ATTEST: 

Redmond Jones II, City Administrator/Clerk

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