

ORDINANCE NO. 10-16-2023 #01 (643)

AN ORDINANCE AMENDING THE "CODE OF ORDINANCES" OF THE CITY OF ALTOONA, IOWA, 2004, CHAPTER 165, TO CHANGE THE OFFICIAL ZONING MAP TO REZONE CERTAIN PROPERTIES.

BE IT ORDAINED by the City Council of the City of Altoona, Iowa:

SECTION 1. That Title 5, Chapter 165, Section 03 of the 2004 Municipal Code of the City of Altoona, Iowa, is hereby amended by authorizing the Mayor to execute an amendment to the official zoning map, to rezone approximately 13.548 acres from A-1 (Agricultural District) to M-1 (Limited Industrial District) and legally described as:

PARCEL H (BK: 9771, PG: 271)

THAT PART OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 11, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA. MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND FROST NAIL AT THE NW CORNER OF SAID NW1/4 OF THE SW1/4 OF SECTION 11-79-23; THENCE S.00°00'00"W., 758.50 FEET ALONG THE WEST LINE OF SAID NW1/4 OF THE SW1/4; THENCE N.89°52'11"E., 50.00 FEET TO THE EAST RIGHT-OF-WAY (R.O.W.) LINE OF NE 56TH STREET AS A PRESENTLY ESTABLISHED TO A FOUND 5/8" IRON ROD WITH CAP #13148; THENCE S.07°55'35"E., 10.00 FEET ALONG SAID R.O.W. TO THE POINT OF BEGINNING; THENCE S.07°55'35"E., 419.44 FEET ALONG SAID R.O.W. TO THE NORTH R.O.W. LINE OF INTERSTATE 80 AS PRESENTLY ESTABLISHED; THENCE S.88°56'42"E., 1222.00 FEET ALONG SAID NORTH R.O.W. LINE TO A FOUND IDOT RR RAIL AND TO THE EAST LINE OF SAID NW1/4 OF THE SW1/4 OF SECTION 11-79-23; THENCE N.00°03'28"W., 491.58 FEET ALONG SAID EAST LINE; THENCE N.89°47'14"W., 1069.81 FEET; THENCE S.00°00'00"W., 57.65 FEET; THENCE N.89°59'37"W., 209.34 FEET TO THE POINT OF BEGINNING, CONTAINING 13.608 ACRES OF LAND. SUBJECT TO ALL EASEMENTS OF RECORD.


EXCLUDING IDOT RIGHT OF WAY
ACQUISITION (BK: 14441, PG: 561-644)

SECTION 2. 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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 to be invalid or unconstitutional, such adjudication shall not affect the validity of this 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.

Passed by the Council the 16th day of October, 2023, and approved this 16th day of October, 2023.


Dean O'Connor, Mayor

ATTEST:


Randy Pierce, City Clerk

First Reading: 10/16/2023 Second Reading: 10/16/2023 Third Reading: 10/16/2023

Council Vote:

	Ayes	Nays	Absent	Abstain
Boka	✓			
Duer	✓			
Dunwoody	✓			
Sloan	✓			
Willey	✓			