

File

This is original  
to Record

# COMPARED

FILED FOR RECORD  
POTTAWATTAMIE CO. IA.

INST # 17784  
RECORDING FEE 20.00  
AUDITOR FEE \_\_\_\_\_  
RMA FEE 1.00 ECOM 1.00

05 MAR 29 AM 8:46

JOHN SCIORTINO  
RECORDER

Prepared by: City of Council Bluffs Legal Department, 209 Pearl Street, Council Bluffs, IA 51503 (712) 3284620  
Return to: City Clerk, 209 Pearl Street, Council Bluffs, IA 51503

## ORDINANCE NO. 5838

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.040 OF THE 2000 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY CHANGING THE DISTRICT DESIGNATION OF CERTAIN GROUNDS, PROPERTY AND PREMISES LOCATED AS AN EXTENSION OF CROGAN'S WAY ROAD, IN COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM ITS PRESENT DESIGNATION AS R-1/SINGLE FAMILY RESIDENTIAL TO R-2/TWO FAMILY RESIDENTIAL, AS SET FORTH AND DEFINED IN TITLE 15 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.

BE IT ORDAINED  
BY THE CITY COUNCIL  
OF THE  
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.040 of the Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by changing the district designation of certain grounds, property and premises located as an extension of Crogan's Way Road, described as:

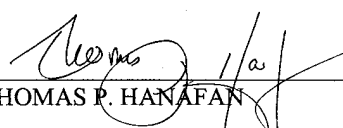
Approximately 10.49 acres in part of Lot 118 and part of Outlot 1, Fox Run Landing, Council Bluffs, Pottawattamie County, Iowa,

from its present designation as R-1/Single Family Residential to R-2/Two Family Residential, and legally described on Attachment "A."

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after its final passage, approval and publication, as by law provided.

PASSED  
AND March 14, 2005  
APPROVED

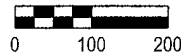
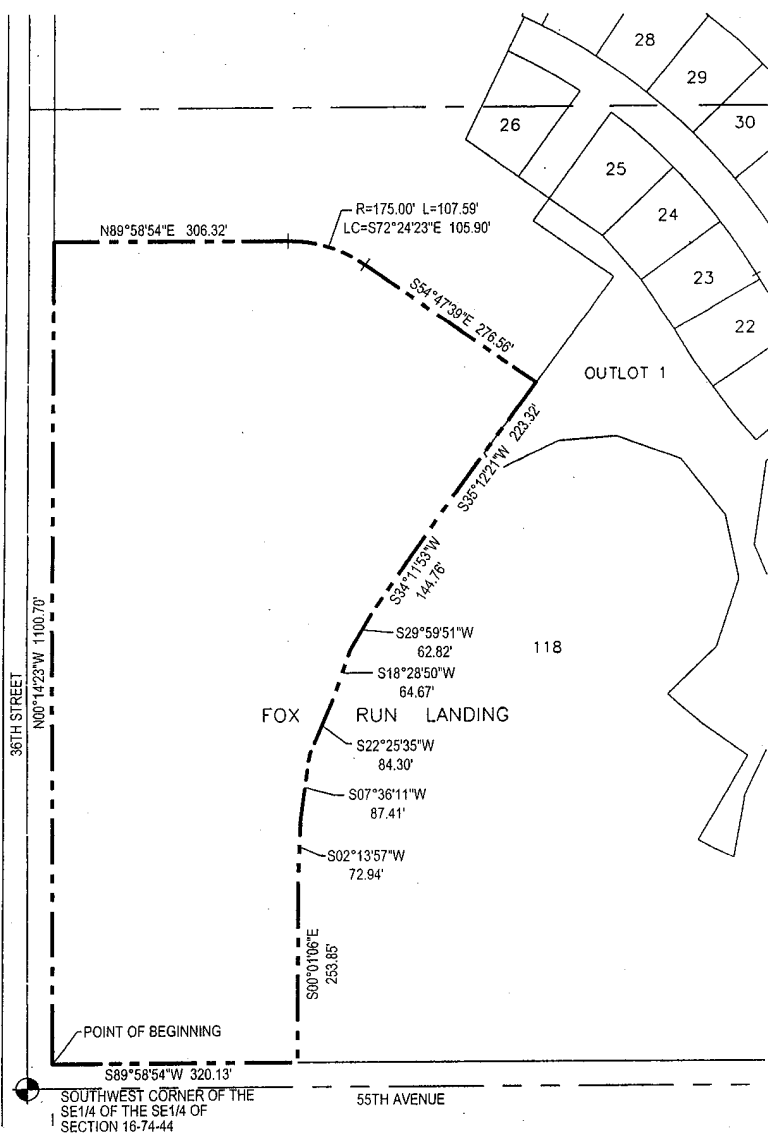
  
THOMAS P. HANAFAN Mayor

Attest:   
CHERYL PUNTENEY City Clerk

40

1-287

# EXHIBIT "A"



Scale: 1" = 200'

4c

SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

CASE #ZC-05-005

 <b>E&amp;A CONSULTING GROUP, INC.</b> ENGINEERS • PLANNERS • SURVEYORS <small>12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700</small>		
Drawn by: DAS	Chkd by: _____	Chkd by: _____
Job No.: 99049.01	Date: 01/11/2005	SHEET 1 OF 2

REZONING OF PART OF LOT 118,  
 FOX RUN LANDING  
 POTTAWATTAMIE COUNTY, IOWA

## EXHIBIT "A"

### LEGAL DESCRIPTION:

PART OF LOT 118, FOX RUN LANDING A SUBDIVISION LOCATED IN PART OF THE EAST 1/2 OF THE SE1/4 OF SECTION 16, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 118, FOX RUN LANDING, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET AND THE NORTH RIGHT-OF-WAY LINE OF 55TH AVENUE; THENCE N00°14'23"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID LOT 118, FOX RUN LANDING, SAID LINE ALSO BEING SAID EAST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET, A DISTANCE OF 1100.70 FEET; THENCE N89°58'54"E, A DISTANCE OF 306.32 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, A DISTANCE OF 107.59 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S72°24'23"E, A DISTANCE OF 105.90 FEET; THENCE S54°47'39"E, A DISTANCE OF 276.56 FEET TO A POINT ON THE NORTHWESTERLY LINE OF OUTLOT 1, SAID FOX RUN LANDING; THENCE S35°12'21"W ALONG SAID NORTHWESTERLY LINE OF OUTLOT 1, FOX RUN LANDING AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 223.32 FEET; THENCE S34°11'53"W, A DISTANCE OF 144.76 FEET; THENCE S29°59'51"W, A DISTANCE OF 62.82 FEET; THENCE S18°28'50"W, A DISTANCE OF 64.67 FEET; THENCE S22°25'35"W, A DISTANCE OF 84.30 FEET; THENCE S07°36'11"W, A DISTANCE OF 87.41 FEET; THENCE S02°13'57"W, A DISTANCE OF 72.94 FEET; THENCE S00°01'08"E, A DISTANCE OF 253.85 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 118, FOX RUN LANDING, SAID POINT ALSO BEING ON SAID NORTH RIGHT-OF-WAY LINE OF 55TH AVENUE; THENCE S89°58'54"W ALONG SAID SOUTH LINE OF LOT 118, FOX RUN LANDING, SAID LINE ALSO BEING SAID NORTH RIGHT-OF-WAY LINE OF 55TH AVENUE, A DISTANCE OF 320.13 FEET TO THE POINT OF BEGINNING.

SAID PART OF LOT 118, FOX RUN LANDING CONTAINS AN AREA OF 460,049 SQUARE FEET OR 10.561 ACRES, MORE OR LESS.

40

SEE SHEET 1 OF 2 FOR DRAWING



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

REZONING OF PART OF LOT 118,  
FOX RUN LANDING  
POTTAWATTAMIE COUNTY, IOWA

Drawn by: DAS	Chkd by: _____	Chkd by: _____
Job No.: 99049.01	Date: 01/11/2005	SHEET 2 OF 2

# PROOF OF PUBLICATION

*original*

## STATE OF IOWA POTTAWATTAMIE COUNTY

I, Amy McKay, on my oath do solemnly swear that I am the Controller of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper for 1 consecutive time(s) as follows:

The first publication thereof began on the 9th day of March, 2005

Signed in my presence by the said Amy McKay and by her sworn to before me this 10th day of March, A.D. 2005.

**NOTICE OF PUBLIC HEARING  
ON PROPOSED REZONING  
OF PROPERTY**

**TO WHOM IT MAY CONCERN:**  
You and each of you are hereby notified that the City Council for the City of Council Bluffs, Iowa, has scheduled a public hearing on a proposed ordinance to amend the zoning map of the City of Council Bluffs, Iowa, by changing the district designation of certain grounds, property and premises located as an extension of Crogan's Way Road, legally described as:  
Approximately 10.49 acres in part of Lot 118 and part of Ductor 1, Fox Run Landing, Council Bluffs, Pottawattamie County, Iowa.  
Pottawattamie County, Iowa.  
from its present designation as R-1/Single Family Residential to R-27/Two-Family Residential, as set forth and defined in Title 15 of the Municipal Code of Council Bluffs.  
You are further notified that a public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting to be held at 7:00 p.m. on the 9th day of March, 2005, in the City Council Chambers in the City Hall building, 209 Peoni Street, Council Bluffs, Iowa 51503, at which time and place all persons interested in said matter will be given an opportunity to be heard.  
2005/319 - 1 Wednesday  
/s/ Cheryl Puntene, City Clerk

*Amy McKay*

Amy McKay  
Daily Nonpareil Controller

*Jeannette Johnson*

Jeannette Johnson  
Notary Public



Filed this 10th day of March, A.D. 2005.  
Publication Cost: \$ 13.22

*4C mtg 3-14-05*

Customer Number: 35700  
Order Number: 20064328