

RESOLUTION

**RESOLUTION PROVIDING FOR THE NOTICE AND HEARING OF
THE CITY COUNCIL OF THE CITY OF ANKENY TO REZONE CERTAIN PROPERTY
OWNED BY B&W FARMS LLC AND DAVID AND CHARLENE HARMON LOCATED NORTHWEST
OF THE INTERSECTION OF NW IRVINEDALE DR
AND THE HIGH TRESTLE TRAIL**

WHEREAS, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and made a recommendation on the 5th day of July, 2017, to the City Council regarding an amendment to the Zoning Regulations, Chapter 192 of the Municipal Code of the City of Ankeny, Iowa, upon the question of approving a rezoning for the following described property owned by B&W Farms LLC and David and Charlene Harmon from the current R-1, Single-Family Residence District designation to R-3, Multiple-Family Residence District, restricted to single-family residential; and

WHEREAS, the City Council now deems it necessary to provide for notice and hearing on the proposed rezoning of the following described property:

LEGAL DESCRIPTION:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9,
TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE
CITY OF ANKENY, POLK COUNTY, IOWA.

AND

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE 1/4 NE 1/4) AND THE
SOUTH 379.5 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
(NE 1/4 NE 1/4) OF SECTION NINE (9), TOWNSHIP EIGHTY (80) NORTH, RANGE
TWENTY-FOUR (24) WEST OF THE 5TH P.M., POLK COUNTY, IOWA, EXCEPT THAT
PART CONVEYED BY WARRANTY DEED RECORDED IN BOOK 5269 AT PAGE 630 AND
DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID SECTION 9;
THENCE S00°00'47"W., 1044.54 FEET ALONG THE EAST LINE OF SAID NE 1/4 OF
SECTION 9 TO THE POINT OF BEGINNING; THENCE CONTINUING S00°00'47"W, 279.0
FEET ALONG THE EAST LINE OF SAID NE 1/4 OF SECTION 9 TO A POINT; THENCE
S89°48'38"W, 341.0 FEET ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NE 1/4 OF
SECTION 9, TO A POINT; THENCE N00°00'47"E, 279.0 FEET TO A POINT; THENCE
N89°48'38"E, 341.0 FEET TO THE POINT OF BEGINNING.

AND

THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 80 NORTH, RANGE 24 WEST
OF THE FIFTH PRINCIPAL MERIDIAN, NORTH OF THE NORTH RIGHT-OF-WAY LINE
OF THE UNION PACIFIC RAILROAD, EXCEPT A TRACT OF LAND IN SAID SE1/4 OF
SECTION 9 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT OF THE EAST LINE OF
SAID SECTION 9, A DISTANCE OF 583.2 FEET SOUTH OF THE NORTHEAST CORNER OF
SAID SE1/4 OF SECTION 9, THENCE SOUTH 353 FEET ALONG THE EAST LINE OF SAID
SECTION, THENCE WEST 288 FEET, THENCE NORTH PARALLEL TO THE EAST LINE
OF SAID SECTION 9, 353 FEET, THENCE EAST 288 FEET TO THE POINT OF BEGINNING.

LAYMAN'S DESCRIPTION:

Approximately 139.08 acres of property located northwest of the intersection of NW Irvinedale Dr
and the High Trestle Trail.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:

1. That a public hearing shall be held at 5:30 P.M. on the 7th day of August, 2017, in the Council Chambers, City Hall, 410 West First Street, Ankeny, Iowa, on the question of approving the amendment to the zoning regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, by rezoning the above described property owned by B&W Farms LLC and David and Charlene Harmon, from the current R-1, Single-Family Residence District designation to R-3, Multiple-Family Residence District, restricted to single-family residential; and
2. That the City Clerk is hereby authorized to publish notice of such hearing at the time and manner required by law

DATED this 17th day of July, 2017.

ATTEST:

Gary Lorenz, Mayor

Pamela DeMouth, City Clerk