

**ORDINANCE 1923**

**AN ORDINANCE AMENDING THE ZONING REGULATIONS, CHAPTER 192, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY REZONING CERTAIN REAL ESTATE OWNED BY B&W FARMS LLC AND DAVID AND CHARLENE HARMON**

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**WHEREAS**, the Plan and Zoning Commission of the City of Ankeny, Iowa, held a public hearing and on the 5<sup>th</sup> day of July, 2017, recommended to the City Council that the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, for the following described properties owned by B&W Farms LLC and David and Charlene Harmon be rezoned from the current R-1, Single-Family Residence District designation to R-3, Multiple-Family Residence District, restricted to single-family residential; and

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, 2017, after due notice and hearing provided by law, the Council now deems it reasonable and appropriate to rezone 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA:**

Section 1. That Chapter 192 of the Municipal Code of the City of Ankeny, Iowa, is hereby amended by rezoning the above-described properties 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.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

**PASSED** at Ankeny Iowa, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Gary Lorenz, Mayor

ATTEST:

\_\_\_\_\_  
Pamela DeMouth, City Clerk

**PUBLISHED IN THE  
DES MOINES REGISTER  
ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2017**

**1<sup>st</sup> Con 8/7/17 (P. Hrg.)  
2<sup>nd</sup> Con 8/21/17  
3<sup>rd</sup> Con \_\_\_\_\_**