ORDINANCE NO. 6420

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTY OWNED BY LEWIS CENTRAL COMMUNITY SCHOOLS AND LEGALLY DESCRIBED AS BEING A PART OF THE EAST 1/2 OF SECTION 7-74-43 AND PART OF THE WEST 1/2 OF SECTION 8-74-43, POTTAWATTAMIE COUNTY, IOWA, FROM R-1/SINGLE-FAMILY RESIDENTIAL DISTRICT AND C-2/COMMERCIAL DISTRICT TO A-P/ADMINISTRATIVE-PROFESSIONAL DISTRICT AS DEFINED IN CHAPTER 15.13 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 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended to rezone property owned by Lewis Central Community Schools and legally described as part of the East 1/2 of Section 7-74-43 and part of the West 1/2 of Section 8-74-43, Pottawattamie County, Iowa, being more particularly described as follows: Commencing at the East Quarter corner of said Section 7, thence North 89° 58' 26" West (assumed bearing), along the North line of the Northeast Quarter of the Southeast Quarter of said Section 7, a distance of 120.64 feet to a point on the West line of Highway 375, said point being the true point of beginning; thence Southeasterly, along said West line and along a 114,531.56 foot radius curve to the right, an arc distance of 201.47 feet (said curve has a chord bearing South 38° 04' 39" East and a chord distance of 201.47 feet); thence South 38° 02' 08" East along said West line a distance of 361.44 feet; thence North 89° 59' 18" East, along said West line, a distance of 34.28 feet; thence South 37° 48' 44" East, along said West line, a distance of 1,738.47 feet; thence South 00° 03' 10" West a distance of 647.06 feet to a point on the Northerly line of the former Great Western Railway Company of Iowa Railroad Right of Way, known as the Wabash Trace Nature Trail; thence Northwesterly, along said Northerly line and along a 2,914.79 foot radius curve to the right an arc distance of 825.26 feet (said curve has a chord bearing North 57° 00' 22" West and a chord distance of 822.50 feet); thence North 49° 10' 34" West, along said Northerly line, a distance of 2,333.99 feet to a point on the Southeasterly line of Highway 92; thence North 41° 25' 41" East, along said Southerly line, a distance of 656.12 feet; thence South 64° 13' 06° East a distance of 455.02 feet; thence North 25° 52' 28 West, a distance of 219.99 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter of said Section 7, thence South 89° 58' 26" East, along said North line, a distance of 262.90 feet to the point of beginning **AND** a parcel of land located in part of the NE 1/4 SE 1/4 of Section 7-74-43, Pottawattamie County, Iowa, said parcel being more fully described as follows: Commencing at the East Quarter corner of said Section 7; thence South 89° 25' 00" West along the North line of said Northeast Quarter of the Southeast Quarter a distance of 279.10 feet; thence South 44° 44' 07" West a distance of 99.45 feet to the point of beginning; thence continuing South 44°44'07" West a distance of 93.63 feet; thence South 64° 48' 06" East a distance of 142.85 feet; thence North 26° 27' 20" West a distance of 142.23 feet to the point of beginning, **EXCEPT** a parcel of land located in part of the NE 1/4 SE 1/4 Section 7-74-43, Pottawattamie County, Iowa, said parcel being more fully described as follows: Commencing at the East Quarter corner of said Section 7; thence South 89° 25' 00" West along the North line of said Northeast Quarter of the Southeast Quarter a distance of 279.10 feet to the point of beginning; thence

South 44° 44' 07" West a distance of 99.45 feet; thence North 26° 27' 20" West a distance of 77.72 feet to said North line; thence North 89° 25' 00" East along said North line a distance of 104.63 feet to the point of beginning **AND FURTHER EXCEPT** that part Deeded to the City of Council Bluffs for road purposes at Warranty Deed in Book 99, Page 67388 recorded June 30, 1999, in the records of Pottawattamie County, Iowa; **AND** a parcel of land located in the SE 1/4 SW 1/4 of Section 8-74-43, Pottawattamie County, Iowa, said parcel is more particularly described as follows: Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter; thence North 0° 00' East, 240.0 feet along the West line of said Southeast Quarter of the Southwest Quarter to the point of beginning; thence continuing North 0° 00' East, 528.6 feet along said West line; thence South 37° 28 1/2' 238.5 East feet; thence South 19° 08' East, 135.5 feet; thence South 21° 58 1/2' West 127.9 feet; thence South 48° 17' West, 76.0 feet; thence South 63° 38' West, 94.8 feet to a point on the West line of said Southeast Quarter of the Southwest Quarter, said point also being the point of beginning, from R-1/Single-Family Residential District and C-2/Commercial District to A-P/Administrative-Professional District as defined in Chapter 15.13 of the Municipal Code of Council Bluffs, Iowa.

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 of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

ADOPTED
AND August 10, 2020.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 7-27-20
Second Consideration: 8-10-20
Public Hearing: 8-10-20
Third Consideration: Request to waive