

CITY OF SWISHER ORDINANCE NO.288

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE MUNICIPAL CODE OF SWISHER, IOWA, REGARDING PROPERTY OWNED BY FORREST RIDGE, LLC, PARCEL #03064010001 (40 ACRES); PROPERTY OWNED BY FISHER BROTHERS LLC AND WILLIAM A FISHER & DOROTHY ANN FISHER REVOCABLE TRUST, PARCEL # 0307151001 (APPROXIMATELY 36 ACRES) AND PARCEL #0307192001 (0.2 ACRES); PROPERTY OWNED BY NEAL AND MOLLY JAMES, PARCEL #0307151002 (APPROXIMATELY 1.4 ACRES) TO SWISHER, IOWA.

BE IT ENACTED BY THE CITY COUNCIL OF SWISHER, IOWA:

Section 1. Purpose. The purpose of this ordinance is to amend the official zoning map of the Municipal Code of Swisher, Iowa, concerning the property as described as:

Shall be zoned as **AG-Agricultural**

Property owned by Forrest Ridge LLC (approximately 40 acres) described as:
Parcel # 0306401001, 40 acres

Legal description as follows:

The Northeast Quarter of The Southeast Quarter In Section 6, Township 81 North, Range 7 West Of The 5th P.M., Johnson County, Iowa. Containing approximately 40 acres, subject to easements and restrictions of record. The annexation map shows the proposed annexation territory includes the land to the centerline of the adjoining Gable Avenue

AND

Shall be zoned as **AG-Agricultural**

Property owned by Fisher Brothers LLC and William A Fisher & Dorothy Ann Fisher Revocable Trust (approximately 36 acres) described as:
Parcel # 0307151001, 36 acres

Legal description as follows:

The Southwest Quarter of the Northeast Quarter of Section 7, Township 81 North, Range 7 West of the 5th P.M., Johnson County, Iowa, excepting therefrom Auditor's Plat No. 13 and Auditor's Plat No. 17 and Auditor's Plat No. 18 and Fisher's First Addition and excepting therefrom a parcel containing approximately 1.4 acres west of the road and more particularly described as follows: Commencing as a point of reference at the Southeast corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 7, Twp. 81 N., R7 West of the 5th P.M.; thence North 391.83 feet along the East line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7 to a point (for the purposes of this description the East line of SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec.7 is assumed to bear true North and South); thence North 89° 26' West 106.45 feet to a point of intersection with the Westerly right-of-way line of the county road and point of beginning of tract herein described; thence continuing 89°26' West 385.30 feet to a point; thence North 3°06' East 162.90 feet to a point; then South 89°45' East 369.79 feet to a point of intersection with the Westerly right-of-way line of the county road; thence Southerly

165.0 feet along the Westerly right-of-way line of the county road to point of beginning, and containing 1.4 acres, more or less, in Johnson County, Iowa.

AND

Shall be zoned as **AG-Agricultural**
Parcel #0307192001, 0.2 acres

Legal description as follows:

That portion of the West 505.7 feet of the SE ¼ of the NE ¼, Section 7, in the Township 81 North, Range 7, West other 5th P.M., lying SW of the center line of Swisher View Dr. not included in previous annexations.

AND

Shall be zoned as **12RS-Residential Single Family**
Property owned by Neal and Molly James (approximately 1.4 acres) described as:
Parcel #0307151002, 1.4 acres

Legal description as follows: Commencing as a point of reference at the Southeast corner of the SW ¼ NE ¼ of Sec. 7, Twp. 81 N., R7 West of the 5th P.M.; thence North 391.83 feet along the East line of the SW ¼ NE ¼ of said Sec. 7 to a point (for the purposes of this description the East line of SW ¼ NE ¼ of said Sec.7 is assumed to bear true North and South); thence North 89° 26' West 106.45 feet to a point of intersection with the Westerly right-of-way line of the county road and point of beginning of tract herein described; thence continuing 89°26' West 385.30 feet to a point; thence North 3°06' East 162.90 feet to a point; then South 89°45' East 369.79 feet to a point of intersection with the Westerly right-of-way line of the county road; thence Southerly 165.0 feet along the Westerly right-of-way line of the county road to point of beginning, and containing 1.4 acres, more or less, in Johnson County, Iowa.

Section 2. Amendment.

The legally described properties listed above:

Shall be zoned as **AG-Agricultural**
And
Shall be zoned as **12RS-Residential Single Family**

AND FURTHER, that the official zoning map of the City be amended to reflect the change described herein.

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Severability. 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 the ordinance as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Passed by the council on the 8th day of August 2022 and approved by the Mayor on the 8th day of August 2022.