

APPLICATION FOR CHANGE OF ZONE
CERRO GORDO COUNTY, IOWA

Name and Mailing Address of Applicant(s):

Windy Oaks L.C.

Anthony W. Schwarck

Christeven N. Schwarck

Applicant(s) are the: Owner(s) Contract Purchaser(s) of the property described.

Present zoning district of described property is

C2, R3, A1, C1

Proposed zoning district for described property

A1 - farmland, A2 acreage

Reasons for re-zoning:

Former commercial lots no longer exist. Parcels have all been combined, and now acreage will be A2, Farmland A1 in 2 separate parcels with future separate ownership.

Name and Addresses of the owners of all properties lying within five hundred (500) feet of any part of the property proposed to be changed are as follows:

- An official survey by a Registered Land Surveyor is attached.
- This property is developed and a plat, developed by a Registered Land Surveyor, is attached which shows the location of all buildings on the site along with all dimensions and distances.
- This property is undeveloped and a rough draft or schematic drawing of the area is attached.
- Other information is also attached which may be pertinent to this request.
- Filing fee attached. (\$200.00 – check made payable to Cerro Gordo County)

I (We) understand that this application cannot be withdrawn from consideration by either the Planning & Zoning Commission or Board of Supervisors once notice has been given as required.

I (We) understand that if this application is denied by the Board of Supervisors, then no new petition covering the same property and additional property can be filed or considered until one year has elapsed from the date of this filing.

I (We) grant to the Planning & Zoning staff, members of the Planning & Zoning Commission and Board of Supervisors permission to enter onto the described property for review purposes.

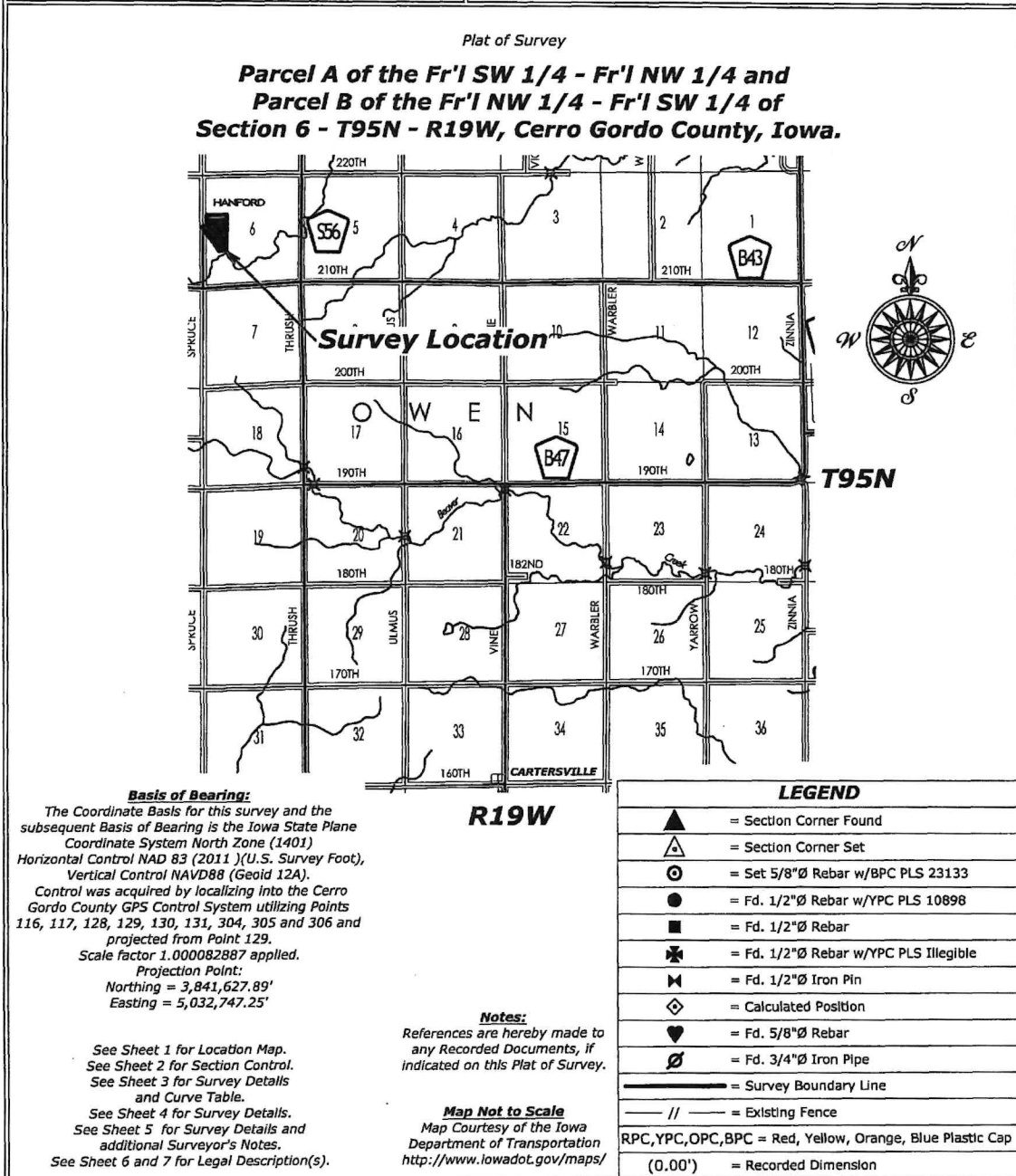
4 - 22 - 2024
Dated

Chris N. Schuarch
Owner's Signature

Anthony W. Schwark
Owner's Signature

Index Legend	
Prepared by & Returned to: Joseph A. Snethen, PLS 23133 805 Buddy Holly Place Clear Lake, Iowa 50428 Phone: 641-231-8092	
Proprietor(s): Christeven N. Schwarck; Windy Oaks, L.C.; Anthony W. Shwarck	
Requested By: Christeven N. Schwarck	
County: Cerro Gordo	City: Hanford (Unincorporated)
Section(s)-Township-Range: 6-T95N-R19W	
Aliquot Part(s): Fr'l NW 1/4 - Fr'l SW 1/4 & Fr'l SW 1/4 - Fr'l NW 1/4	

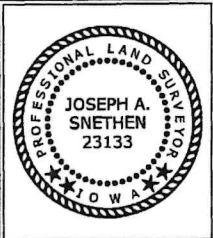
Number: 2024-1993
 BK: 2024 PG: 1993
 Recorded: 5/9/2024 at 8:16:00.0 AM
 County Recording Fee: \$37.00
 Iowa E-Filing Fee: \$3.00
 Combined Fee: \$40.00
 Revenue Tax:
 AnnMarie Legler RECORDER
 Cerro Gordo County, Iowa



Fieldwork was completed on November 8, 2023. FB: CG 13A, Page(s) 1-2 CEH Project Number: 2023-363 Sheet: 1 of 7

HRS Herold-Reicks Surveying

New Hampton Waverly Clear Lake
 641-394-2725 319-483-5187 641-231-8092
www.hrsurveying.com



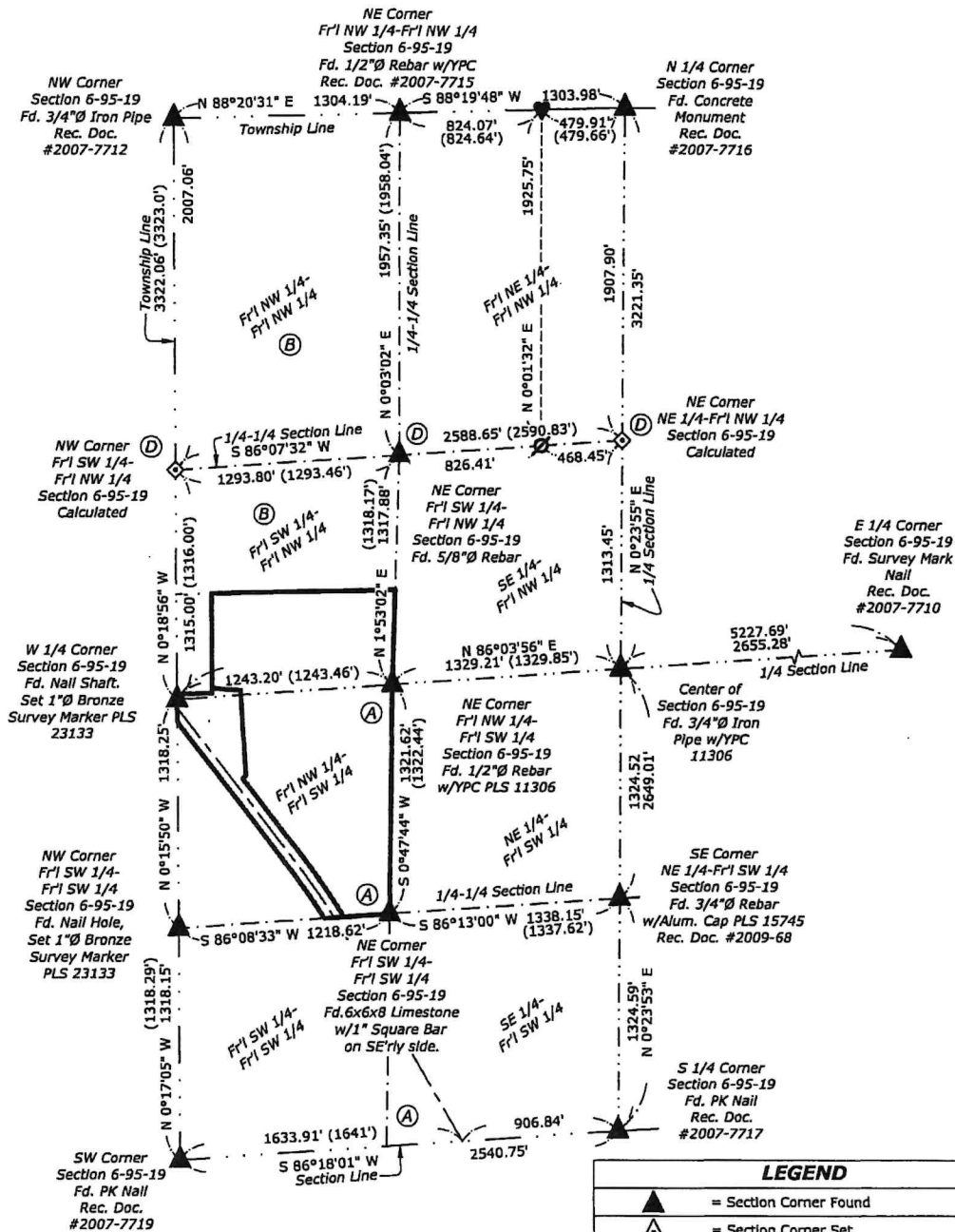
I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Joseph A. Snethen 5/8/24
 Joseph A. Snethen Date:
 License number 23133
 My license renewal date is December 31, 2024.
 Sheets covered by this seal: 1-7

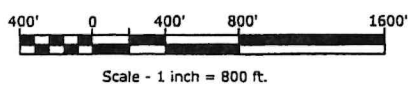
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Plat of Survey

Parcel A of the Fr'1 SW 1/4 - Fr'1 NW 1/4 and Parcel B of the Fr'1 NW 1/4 - Fr'1 SW 1/4 of Section 6 - T95N - R19W, Cerro Gordo County, Iowa.



LEGEND	
▲	= Section Corner Found
△	= Section Corner Set
⊙	= Set 5/8"Ø Rebar w/BPC PLS 23133
●	= Fd. 1/2"Ø Rebar w/YPC PLS 10898
■	= Fd. 1/2"Ø Rebar
✕	= Fd. 1/2"Ø Rebar w/YPC PLS Illegible
⊗	= Fd. 1/2"Ø Iron Pin
◇	= Calculated Position
♥	= Fd. 5/8"Ø Rebar
∅	= Fd. 3/4"Ø Iron Pipe
—	= Survey Boundary Line
— // —	= Existing Fence
RPC, YPC, OPC, BPC	= Red, Yellow, Orange, Blue Plastic Cap
(0.00')	= Recorded Dimension



Plat of Survey

**Parcel A of the Fr'1 SW 1/4 - Fr'1 NW 1/4 and
Parcel B of the Fr'1 NW 1/4 - Fr'1 SW 1/4 of
Section 6 - T95N - R19W, Cerro Gordo County, Iowa.**

50.00'
50' ROW Easement
for Public Highway
Rec. Bk. 117, Pg. 561

W 1/4 Corner
Section 6-95-19
Fd. MAG Nail Shaft.
Reset Set 1"Ø
Bronze Survey
Marker PLS 23133

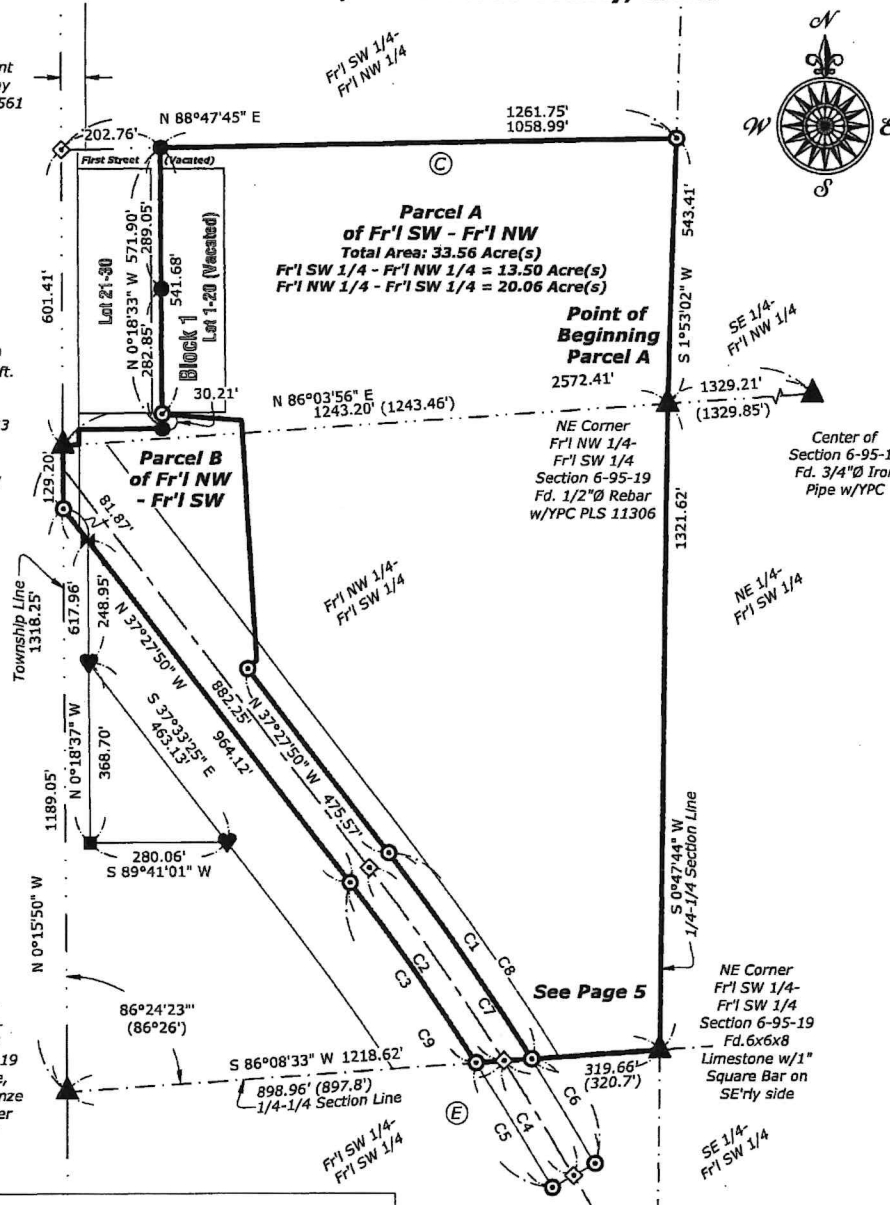
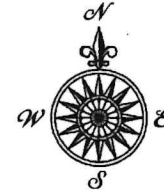
**Point of
Beginning
Parcel B**

**Parcel B
of Fr'1 NW
- Fr'1 SW**

**Point of
Beginning
Parcel A**

**Parcel A
of Fr'1 SW - Fr'1 NW**
Total Area: 33.56 Acre(s)
Fr'1 SW 1/4 - Fr'1 NW 1/4 = 13.50 Acre(s)
Fr'1 NW 1/4 - Fr'1 SW 1/4 = 20.06 Acre(s)

NE Corner
Fr'1 NW 1/4-
Fr'1 SW 1/4
Section 6-95-19
Fd. 1/2"Ø Rebar
w/YPC PLS 11306

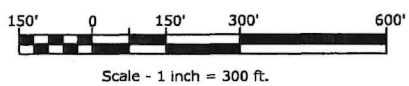


NW Corner
Fr'1 SW 1/4-
Fr'1 SW 1/4
Section 6-95-19
Fd. Nail Hole,
Reset 1"Ø Bronze
Survey Marker
PLS 23133

NE Corner
Fr'1 SW 1/4-
Fr'1 SW 1/4
Section 6-95-19
Fd. 6x6x8
Limestone w/1"
Square Bar on
SE'ly side

Curve Data

Curve No.	Length	Radius	Delta	Chord Bearing	Chord Length
C1	512.76'	5779.65'	5°04'59"	N 34°55'20" W	512.59'
C2	481.11'	5729.65'	4°48'40"	N 35°03'30" W	480.97'
C3	449.40'	5679.65'	4°32'00"	N 35°11'50" W	449.28'
C4	273.90'	5729.65'	2°44'20"	N 31°17'00" W	273.87'
C5	299.03'	5679.65'	3°01'00"	N 31°25'20" W	298.99'
C6	248.84'	5779.65'	2°28'01"	N 31°08'50" W	248.82'
C7	755.01'	5729.65'	7°33'00"	N 33°41'20" W	754.46'
C8	761.60'	5779.65'	7°33'00"	N 33°41'20" W	761.05'
C9	748.43'	5679.65'	7°33'00"	N 33°41'20" W	747.88'



LEGEND

- ▲ = Section Corner Found
- △ = Section Corner Set
- ⊙ = Set 5/8"Ø Rebar w/BPC PLS 23133
- = Fd. 1/2"Ø Rebar w/YPC PLS 10898
- = Fd. 1/2"Ø Rebar w/YPC PLS 11306
- ✱ = Fd. 1/2"Ø Rebar w/YPC PLS Illegible
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- ◇ = Calculated Position
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- RPC, YPC, OPC, BPC = Red, Yellow, Orange, Blue Plastic Cap
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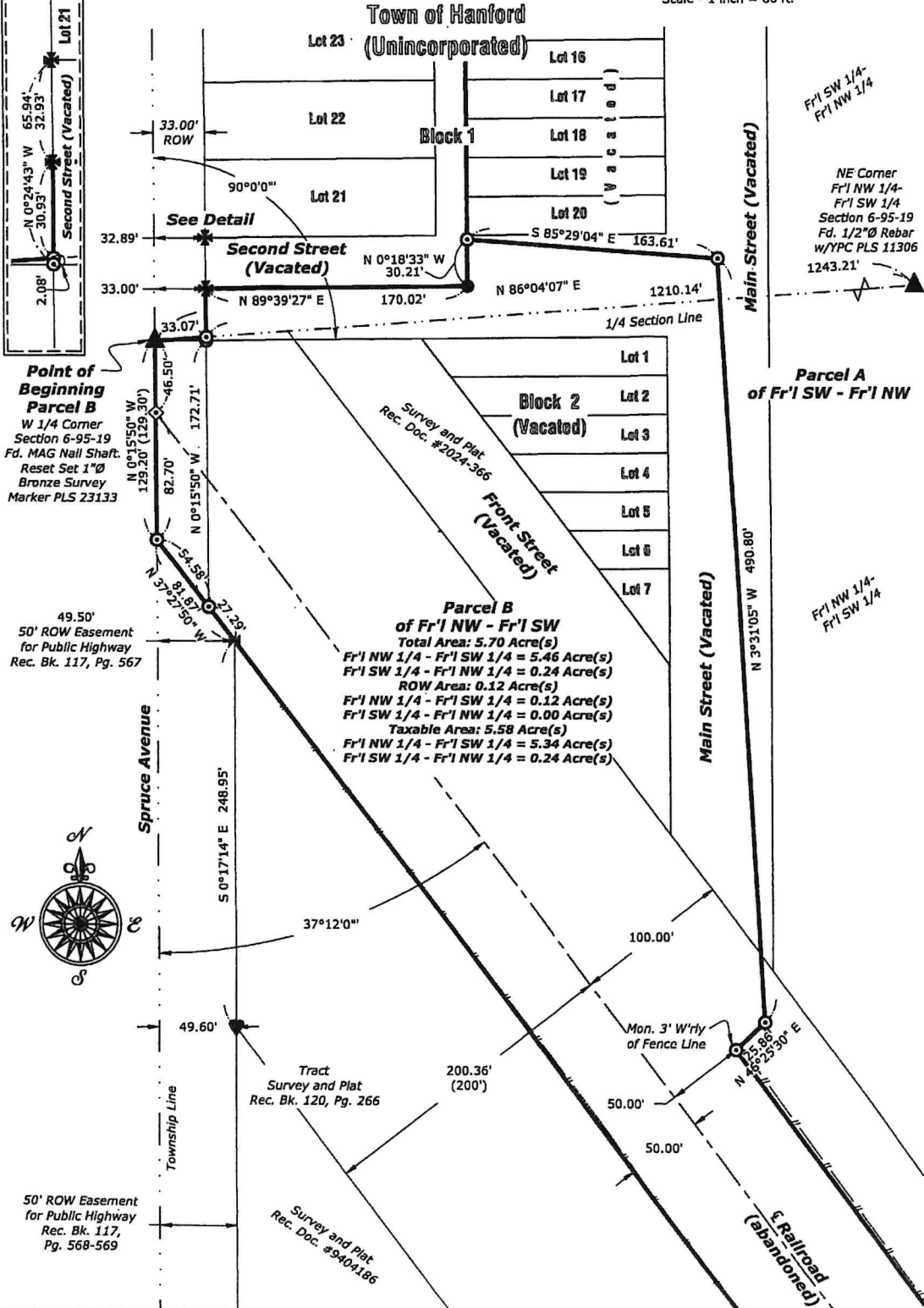
Plat of Survey

**Parcel A of the Fr'1 SW 1/4 - Fr'1 NW 1/4 and
Parcel B of the Fr'1 NW 1/4 - Fr'1 SW 1/4 of
Section 6 - T95N - R19W, Cerro Gordo County, Iowa.**

Detail
Scale
1" = 40'

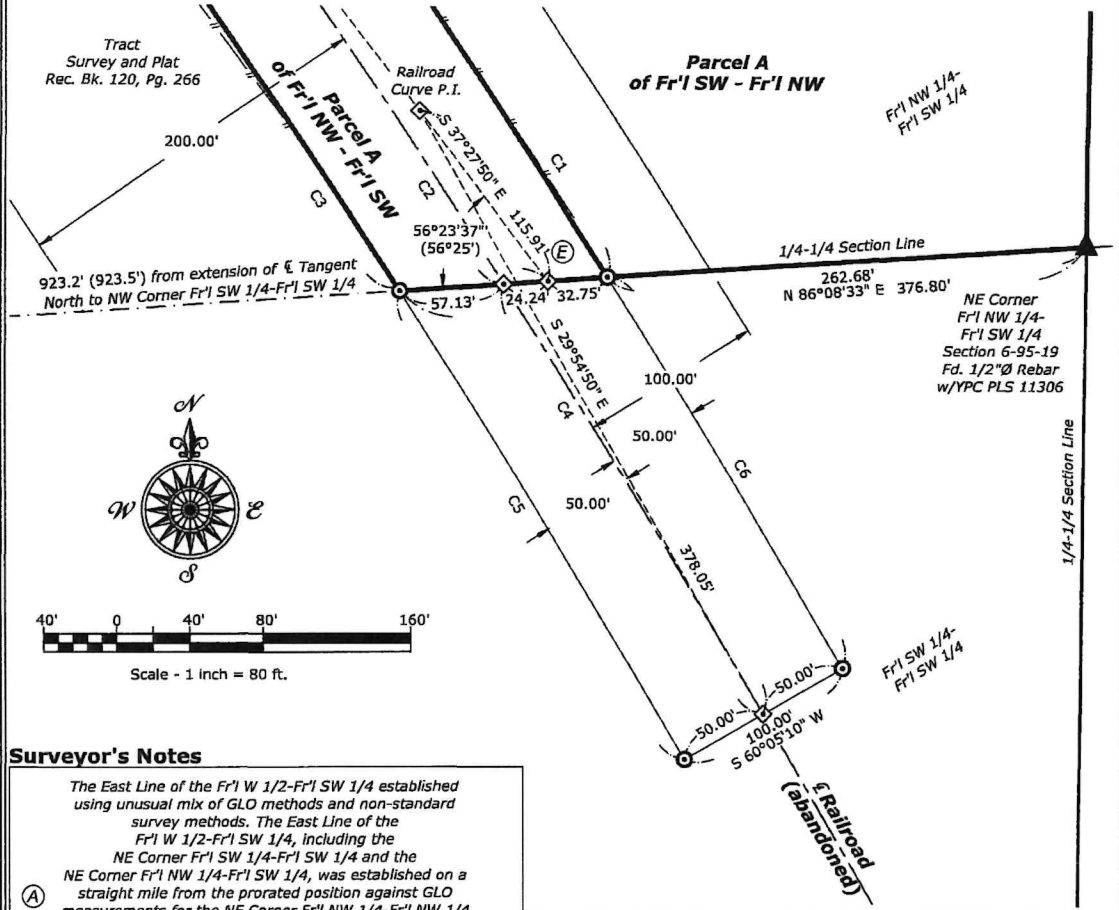


Scale - 1 Inch = 80 ft.



Plat of Survey

**Parcel A of the Fr'1 SW 1/4 - Fr'1 NW 1/4 and
Parcel B of the Fr'1 NW 1/4 - Fr'1 SW 1/4 of
Section 6 - T95N - R19W, Cerro Gordo County, Iowa.**



Surveyor's Notes

(A) The East Line of the Fr'1 W 1/2-Fr'1 SW 1/4 established using unusual mix of GLO methods and non-standard survey methods. The East Line of the Fr'1 W 1/2-Fr'1 SW 1/4, including the NE Corner Fr'1 SW 1/4-Fr'1 SW 1/4 and the NE Corner Fr'1 NW 1/4-Fr'1 SW 1/4, was established on a straight mile from the prorated position against GLO measurements for the NE Corner Fr'1 NW 1/4-Fr'1 NW 1/4 (which coincidentally is midpoint of the North Line of the Fr'1 NW 1/4) and South to the prorated position against GLO measurements for the SE Corner of the Fr'1 SW 1/4-Fr'1 SW 1/4. Using this method also leaves the NE Corner Fr'1 NW 1/4-Fr'1 SW 1/4 at record GLO distance from the W 1/4 Corner. Though not GLO standard for Subdivision of a Section, it has been held and used going back to at least 1900 and the establishment of the Town of Hanford (now Unincorporated).

(B) The Fr'1 W 1/2-Fr'1 NW 1/4 is found to have been surveyed to have GLO Map Acre(s) amount of 97.25 Acres although there is no clear records to indicate who originally established said Fr'1 W 1/2-Fr'1 NW 1/4 as such or if it is a coincidences with the unusual survey methods employed to establish the 1/4- 1/4 line in the Section. The Fr'1 E 1/2- Fr'1 NW 1/4 is short of GLO Map Acre(s) considerably but the lines have been long standing both through usage and accepted as the Controlling Survey Lines of the Aliquot Fr'1 1/4 Section with no records of monumentation otherwise and no unrecorded monumentation was found.

(C) The North Line of Parcel A of the Fr'1 SW 1/4-Fr'1 NW 1/4 as deeded , as platted, as occupied and in accordance to accepted GLO survey method are all in different locations and none of the locations match or agree with any others. The occupation is long standing according to the age of the Fence Line on the said North Line and it has not moved when compared to Historical Aerial Photos beginning In the 1930's to the Present. No unrecorded monuments could be located at said Fence, at the GLO Subdivision location, at the distances indicated on the Town of Hanford Plat or any of the previous deeded distances.

(D) The North Line of the Fr'1 S 1/2-Fr'1 NW 1/4 was also established using unusual mix of GLO methods, non-standard survey methods and an erroneous methodology that was never accepted in Fr'1 Sections. The North Line of the Fr'1 S 1/2-Fr'1 NW 1/4, and more specifically the establishing method of the NE Corner Fr'1 SW 1/4-Fr'1 NW 1/4, was established at an intersection of a straight mile from the prorated position against GLO measurements for the NE Corner Fr'1 NW 1/4-Fr'1 NW 1/4 (which coincidentally is midpoint of the North Line of the Fr'1 NW 1/4) to the midpoint of the South Line of the Fr'1 SW 1/4, which is an entirely erroneous position in Fr'1 Section, and a straight mile from the prorated position against GLO measurements for the NW Corner of the Fr'1 SW 1/4-Fr'1 NW 1/4 to the prorated position against GLO measurements of the NE Corner of the Fr'1 NE 1/4-Fr'1 NE 1/4. Though especially erroneous in its East-West position it has been held and for extended but unknown amount of time witnessed at the corner by accepted long standing occupation, by multitude of Surveys dating back past 1970's and then NE Corner of the Fr'1 SW 1/4-Fr'1 NW 1/4 has not moved when compared to Historical Aerial Photos beginning in the 1930's to the Present.

(E) The Centerline of the Railroad was reestablished using record distances and angles from the off the West Line of the Fr'1 NW 1/4-Fr'1 SW 1/4 from the Original Platting of the Town of Hanford In Plat Book 1, Page 406 on file In the Cerro Gordo County Recorder's Office, Mason City, Iowa. No traces remain of the bed of the railroad. Fences Lines remains were located and a concrete railroad bridge within the Right-of-Way, which both agreed very well to the centerline and subsequent Right-of-Way retraced using said record measurements.

Note: The Bearings and Distances indicated in this Legal Description are to the Monuments "Found or Set" as indicated on the attached "Plat of Survey" and the calls along the courses in this Description are to those Monuments as indicated.
References are hereby made to any Recorded Documents, if indicated on this Plat of Survey.

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Plat of Survey

**Parcel A of the Fr'1 SW 1/4 - Fr'1 NW 1/4 and
Parcel B of the Fr'1 NW 1/4 - Fr'1 SW 1/4 of
Section 6 - T95N - R19W, Cerro Gordo County, Iowa.**

Legal Description(s):

Parcel A of the Fractional Southwest Quarter of the Fraction Northwest Quarter in the Fractional Southwest Quarter of the Fractional Northwest Quarter and the Fractional Northwest Quarter of the Fractional Southwest Quarter of Section 6, Township 95 North, Range 19 West of the 5th P.M., Unincorporated Town of Hanford, Cerro Gordo County, Iowa, and more particularly described as follows:

Beginning at the Northeast Corner of said Fractional Northwest Quarter of said Fraction Southwest Quarter;

Thence **South 00°47'44" West, 1321.62 feet** along the East Line of said Quarter-Quarter to the Southeast Corner thereof;

Thence **South 86°08'33" West, 262.68 feet** along the South Line of said Quarter-Quarter to a Line 50.00 Feet Offset Northerly and Parallel to the Centerline of an abandoned Railroad;

Thence (C1) **Northwesterly 512.76 feet along a 5779.65 feet Radius Curve, Concave Westerly** (said Curve having a long chord of North 34°55'20" West, 512.59 feet) along said Northerly Offset Line;

Thence **North 37°27'50" West, 475.57 feet** along said Northerly Offset Line;

Thence **North 46°25'30" East, 25.86 feet**;

Thence **North 03°31'05" West, 490.80 feet**;

Thence **North 85°29'04" West, 163.61 feet** to the Southern Extension of the East Right-of-Way Line of a Vacated Alley through Block One in the Town of Hanford;

Thence **North 00°18'33" West, 541.68 feet** along said Southern Extension, along the West Lines of the vacated Lots 1 through 20 of Block One and along the Northern Extension of the East Right-of-Way Line of a Vacated Alley said Block One, all of said Town;

Thence **North 88°47'45" East, 1058.99 feet** to the East Line of the Fractional Southwest Quarter of the Fraction Northwest Quarter;

Thence **South 01°53'02" West, 543.41 feet** along said East Line to the Point of Beginning.

Containing **33.56 Acre(s)** subject to any easements recorded or unrecorded.

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Plat of Survey

**Parcel A of the Fr'1 SW 1/4 - Fr'1 NW 1/4 and
Parcel B of the Fr'1 NW 1/4 - Fr'1 SW 1/4 of
Section 6 - T95N - R19W, Cerro Gordo County, Iowa.**

Legal Description(s):

Parcel B of the Fractional Northwest Quarter of the Fractional Southwest Quarter in the Fractional Northwest Quarter of the Fractional Southwest Quarter and the Fractional Southwest Quarter of the Fractional Northwest Quarter of Section 6, Township 95 North, Range 19 West of the 5th P.M., Unincorporated Town of Hanford, Cerro Gordo County, Iowa, and more particularly described as follows:

Beginning at the West Quarter Corner of said Section;

Thence **North 86°04'07" East, 33.07 feet** along the North Line of the Fractional Southwest Quarter to the East Right-of-Way Line of Spruce Avenue;

Thence **North 00°24'43" West, 30.93 feet** along said East Right-of-Way to the Centerline of the Vacated Second Street in said Town of Hanford;

Thence **North 89°39'27" East, 170.02 feet** along said Centerline to the Southern Extension of the East Right-of-Way Line of a Vacated Alley through Block One in said Town;

Thence **North 00°18'33" West, 30.21 feet** along said Southern Extension;

Thence **South 85°29'04" East, 163.61 feet**;

Thence **South 03°31'05" East, 490.80 feet**;

Thence **South 46°25'30" West, 25.86 feet** to a Line 50.00 Feet Offset Northerly and Parallel to the Centerline of an abandoned Railroad;

Thence **South 37°27'50" East, 475.57 feet** along said Northerly Offset Line;

Thence (C1) **Southeasterly 512.76 feet along a 5779.65 feet Radius Curve**, Concave Westerly (said Curve having a long chord of South 34°55'20" East, 512.59 feet) along said Northerly Offset Line to the South Line of said Fractional Northwest Quarter of said Fractional Southwest Quarter;

Thence **South 86°08'33" West, 114.12 feet** along said Fractional Quarter-Quarter Line to a Line 50.00 Feet Offset Southerly and Parallel to the Centerline of said Railroad;

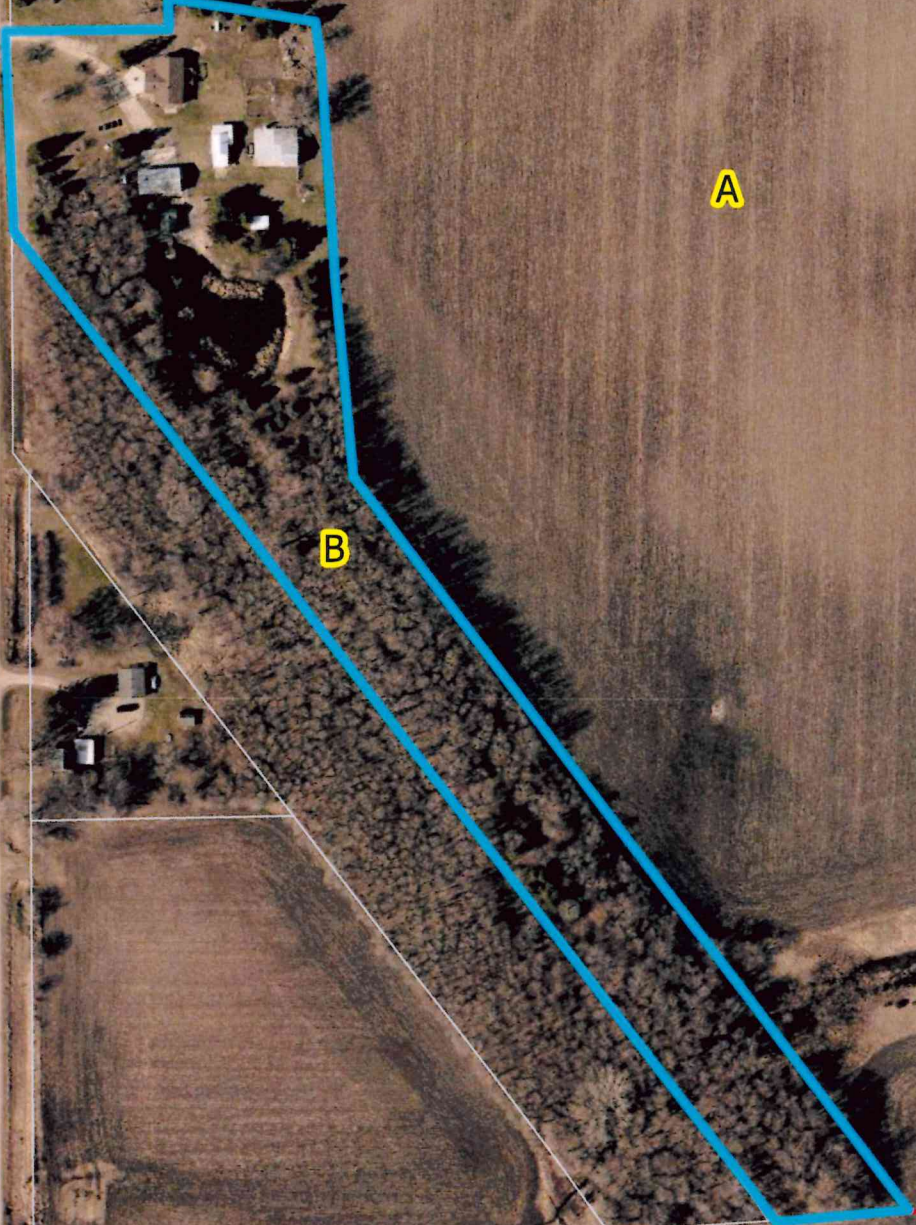
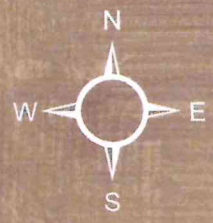
Thence (C3) **Northwesterly 449.40 feet along a 5679.65 feet Radius Curve**, Concave Westerly (said Curve having a long chord of North 35°11'50" West, 449.28 feet) along said Southerly Offset Line;

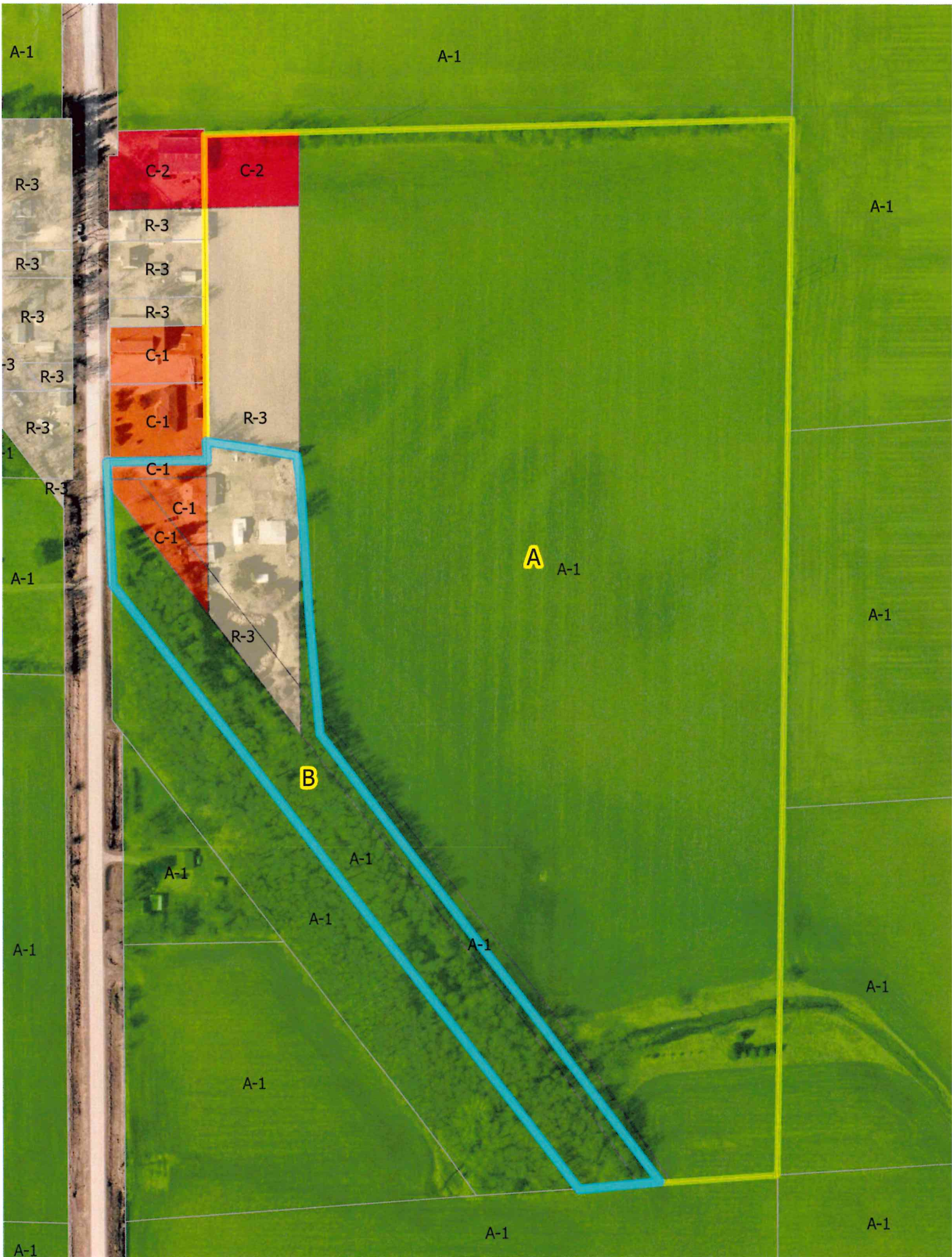
Thence **North 37°27'50" West, 964.12 feet** along said Southerly Offset Line to the West Line of said Quarter-Quarter;

Thence **North 00°15'50" West, 129.20 feet** along said West Line to the Point of Beginning.

Containing **5.70 Acre(s)**, including 0.12 Acre(s) (5,016 Sq. Feet) of Spruce Avenue Right-of-Way, subject to any Easements recorded or unrecorded.

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A-1

A-1

R-3

C-2

C-2

A-1

R-3

R-3

R-3

R-3

R-3

C-1

R-3

C-1

R-3

R-3

C-1

C-1

A

A-1

A-1

A-1

R-3

B

A-1

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A-1

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A-1

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A-1

A-1

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A-1

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Vac.

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