

## **RESOLUTION**

### **A RESOLUTION ANNEXING CERTAIN PARCELS OF REAL ESTATE OWNED BY DENNIS E. JORDAN, JOSEPH & ELIZABETH ORIGER, LEROY BROWN III, NELLO MEDICI LIFE ESTATE (NORTH), NELLO MEDICI LIFE ESTATE (SOUTH), SANTE & NELLO MEDICI AND JEROME & JOSEPHINE SCHMITT**

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**WHEREAS**, the titleholders of the following described property, have made application for voluntary annexation of the same to the City of Ankeny, Iowa:

#### **LEGAL DESCRIPTION:**

A. LOT 1, EXCEPT THE WEST 478.00 FEET, ALBRIGHT ACRES, AN OFFICIAL PLAT, IN POLK COUNTY, IOWA.

B. THE EAST 182.00 FEET OF PARCEL "B" OF THE PLAT OF SURVEY FILED IN BOOK 7737, PAGE 604 OF THE POLK COUNTY RECORDERS OFFICE, BEING IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

C. THE EAST 78.00 FEET OF THE WEST 556.00 FEET OF PARCEL "A" OF THE PLAT OF SURVEY FILED IN BOOK 7737, PAGE 604 OF THE POLK COUNTY RECORDERS OFFICE, BEING IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 80 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

D. PARCEL "C" AS FILED IN BOOK 7737, PAGE 604 OF THE POLK COUNTY RECORDER'S OFFICE BEING A PART OF LOT 2, ALBRIGHT ACRES, AN OFFICIAL PLAT, POLK COUNTY, IOWA; AND THE EAST 104.00 FEET OF THE WEST 660.00 FEET OF PARCEL "A" AS FILED IN BOOK 7737, PAGE 604 OF THE POLK COUNTY RECORDER'S OFFICE AND BEING IN THE SOUTH 1/2 OF LOT 2, ALBRIGHT ACRES, AND OFFICIAL PLAT IN POLK COUNTY, IOWA.

E. A PART OF LOT 3, ALBRIGHT ACRES, AN OFFICIAL PLAT IN POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 36; THENCE NORTH 00°10'23" EAST, 162.52 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 89°56'58" EAST ALONG THE SOUTH LINE OF SAID LOT 3, 440.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°10'23" EAST, 145.70 FEET TO THE NORTH LINE OF SAID LOT 3; THENCE NORTH 89°56' 58" EAST ALONG SAID NORTH LINE, 1688.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTHWESTERLY ALONG THE EAST LINE OF SAID LOT 3 AND ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 955.37 FEET, WHOSE ARC LENGTH IS 239.02 FEET AND WHOSE CHORD BEARS SOUTH 52°16'33" WEST, 238.40 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 89°56'58" WEST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 1500.53 FEET TO THE POINT OF BEGINNING.

F. THE WEST 2 ACRES OF LOT 4, ALBRIGHT ACRES, AN OFFICIAL PLAT, IN POLK COUNTY, IOWA.

G. THE EAST 651.79 FEET OF THE WEST 1188.00 FEET OF LOT 4, ALBRIGHT ACRES, AN OFFICIAL PLAT IN POLK COUNTY, IOWA.

#### **LAYMAN'S DESCRIPTION**

Approximately 25 acres (+/-) of land adjacent to the southeast quadrant of Ankeny, generally located east of S Ankeny Boulevard (NE 14<sup>th</sup> Street), south of SE 33<sup>rd</sup> Street and SE Primrose Drive.

**WHEREAS**, it was understood by the applicants that all streets, alleys, boulevards, sewers, water service and other public utilities located within the above described real estate were to be installed at the sole expense of the developer of said real estate; and

**WHEREAS**, it appears that owners are the only titleholders of the respective, above-described real estate; and

**WHEREAS**, that Section 368.5, Code of Iowa, 2015, provides that cities may, in connection with an annexation, annex property owned by the State of Iowa and county. The following described property is additional territory to be annexed owned by Polk County:

**LEGAL DESCRIPTION:**

NE 14<sup>TH</sup> STREET EAST OF THE STREET CENTERLINE ADJACENT TO THE PROPOSED ANNEXATION  
AREA

**LAYMAN'S DESCRIPTION**

Approximately .18 acres (+/-) of right-of-way adjacent to the annexation area

**WHEREAS**, each owner of property that adjoins the territory have been notified 14 business days prior to the date of this resolution by regular mail and the Polk County Attorney, Chairperson of the County Board of Supervisors, to the Metropolitan Planning Organization, to all affected public utilities, and to each city within two miles of the territory have been notified 14 business days prior to the date of this resolution by certified mail and, further, notice of the proposed annexation was published at least 10 business days prior to the date of this resolution.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Ankeny Iowa, that the above-described real estate should be annexed and is hereby annexed to and made a part of the City of Ankeny, Iowa.

**BE IT FURTHER RESOLVED** by the City Council of the City of Ankeny, Iowa, that the City Clerk be and she is hereby authorized to obtain from the Iowa Secretary of State an acknowledgment of its receipt of the herein-referred to map and resolution and the City Clerk is hereby authorized and directed to certify, upon the completion of such acts, the filing of the copies of map and resolution with the Polk County Recorder and the filing of the copies of the resolution, map and legal description of the territory involved with the Iowa Department of Transportation, all as provided in the Code of Iowa.

**DATED** at Ankeny Iowa, this 5<sup>th</sup> day of June, 2017

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Gary Lorenz, Mayor

ATTEST:

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Pamela DeMouth, City Clerk