



ANNEXATION APPLICATION

To the Council of the City of Ankeny, Iowa:

We, being all of the owners of the following described territory adjoining the City of Ankeny, Iowa hereby make application to your Honorable Body to assent by resolution to such territory becoming a part of the City of Ankeny, Iowa. **Attached hereto is a plat of such territory showing the situation thereof with reference to the existing limits of the City.**

Property Address for this Voluntary Annexation or a Description of the General Location if an Address has not been assigned _____

West of NE Delaware Avenue and ¼ Mile North of NE 54th Street

Legal Description (attach, if lengthy) _____

THE NORTH ONE-HALF (N ½) OF THE SOUTHEAST QUARTER (SE 1/4),
SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-ONE (81) NORTH, RANGE TWENTY-
FOUR (24) WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

Property Owner(s): WAYNE ABUHL


Address: 12318 NE 22ND Street, Ankeny, IA 50021

Phone #: _____

Applicant / Contact KIMBERLEY PROPERTIES, INC. / BILL KIMBERLEY

Address P.O. Box 369, Ankeny, IA 50021


Phone #: 515-963-8335

Signed by:  Date: 12-20-2017
(Property Owner) *

Date: _____

(Property Owners)

(Note: No other signature may be substituted for the Property Owner's Signature.)

and:  Date: 12-14-17
(Applicant/Contact)

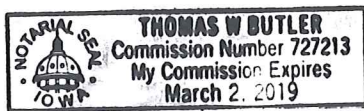
Original Signatures are Required

**If a limited liability corporation, association, trust, non-profit organization, or any other legal entity owns the property proposed for voluntary annexation, an agent or agents responsible for the affairs of the legal entity must sign the application as the property owner(s). It must be noted that the assignee(s) is (are) acting on behalf of the legal entity. In addition, documentation, such as incorporation documents, must be included that show the assignee's (assignees') authority to act on behalf of the legal entity. If the property owner is a religious institution, a written explanation must be provided on the institution's letterhead that the person(s) signing the application can act on behalf of the institution. One or more established leaders of the religious congregation must also attest the letter.*

STATE OF IOWA

COUNTY OF POLK

On this 20th day of December, 2017, before me, a Notary Public in and for Polk County, personally appeared Wayne Abuhl, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he/she executed the same as voluntary act and deed.



Thomas W Butler
Notary Public in and for
Polk County, Iowa

STATE OF IOWA

COUNTY OF POLK

On this ___ day of _____, 20___, before me, the undersigned, a Notary Public in Polk County and for the State of Iowa, personally appeared _____, to me personally known, who being by me duly sworn, did say that the person is one of the partners of _____ a partnership, and that the instrument was signed on behalf of the partnership by authority of the partners and the partner acknowledged the execution of the instrument to be the voluntary act and deed of the partnership by it and by the partner voluntarily executed.

Notary Public in and for
Polk County, Iowa

STATE OF IOWA

COUNTY OF POLK

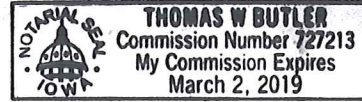
On this ___ day of _____, 20___, before me, a Notary Public in and for Polk County, Iowa, personally appeared _____, to me personally known, who being by me duly sworn, did say that that person is _____ of said corporation, that the seal affixed to said instrument is the seal of said corporation, or no seal has been procured by the said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors and the said _____ acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

Notary Public in and for
Polk County, Iowa

**If a limited liability corporation, association, trust, non-profit organization, or any other legal entity owns the property proposed for voluntary annexation, an agent or agents responsible for the affairs of the legal entity must sign the application as the property owner(s). It must be noted that the assignee(s) is (are) acting on behalf of the legal entity. In addition, documentation, such as incorporation documents, must be included that show the assignee's (assignees') authority to act on behalf of the legal entity. If the property owner is a religious institution, a written explanation must be provided on the institution's letterhead that the person(s) signing the application can act on behalf of the institution. One or more established leaders of the religious congregation must also attest the letter.*

STATE OF IOWA

COUNTY OF POLK



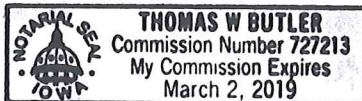
On this 14th day of December, 2017, before me, a Notary Public in and for Polk County, personally appeared Bill Kimberley, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he/she executed the same as voluntary act and deed.

Thomas W Butler
Notary Public in and for
Polk County, Iowa

STATE OF IOWA

COUNTY OF POLK

On this 20th day of December, 2017, before me, the undersigned, a Notary Public in Polk County and for the State of Iowa, personally appeared _____, to me personally known, who being by me duly sworn, did say that the person is one of the partners of _____ a partnership, and that the instrument was signed on behalf of the partnership by authority of the partners and the partner acknowledged the execution of the instrument to be the voluntary act and deed of the partnership by it and by the partner voluntarily executed.



Notary Public in and for
Polk County, Iowa

STATE OF IOWA

COUNTY OF POLK

On this ____ day of _____, 20____, before me, a Notary Public in and for Polk County, Iowa, personally appeared _____, to me personally known, who being by me duly sworn, did say that that person is _____ of said corporation, that the seal affixed to said instrument is the seal of said corporation, or no seal has been procured by the said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its board of directors and the said _____ acknowledged the execution of said instrument to be the voluntary act and deed of said corporation by it voluntarily executed.

Notary Public in and for
Polk County, Iowa



ANNEXATION AGREEMENT

Be it remembered on this 20th day of December, 2017 that this agreement was made by and between the City of Ankeny, Iowa herein referred to as "City", and,
WAYNE ABUHL

hereafter referred to as "titleholder":

Whereas, the Titleholder is the record titleholder of the following described real estate:

THE NORTH ONE-HALF (N ½) OF THE SOUTHEAST QUARTER (SE 1/4), SECTION THIRTY-SIX (36), TOWNSHIP EIGHTY-ONE (81) NORTH, RANGE TWENTY-FOUR (24) WEST OF THE 5TH P.M., POLK COUNTY, IOWA.

Whereas, the Titleholder has made application for annexation of the above described real estate to the City of Ankeny, and

Whereas, the City has agreed, by resolution to accept the annexation of the above described real estate under certain terms and conditions;

Now therefore, it is agreed as follows:

1. **Street Development.** It is understood by the Titleholder that it shall be the Developer's responsibility to dedicate for public use all necessary street right-of-way in order that the annexed territory can be developed in accordance with the City's current or future comprehensive plan.
2. **Storm Drainage.** It is understood by the Titleholder that it is the Developer's responsibility to provide for all necessary storm drainage within a plat in accordance with the requirements of the existing ordinances within the City.
3. **Public Utilities.** It is understood by the Titleholder that all streets, alleys, boulevards, sewers, water service and other public utilities located within the above described real estate will be installed at the sole expense of the Developer of said real estate.
4. **Land Dedication of Public Use.** It is understood by the Titleholder that the City has duly enacted certain ordinances covering the dedication of land for public purposes.
5. The Titleholder or the titleholder's heirs and assigns shall abide by the terms and conditions of this agreement and said ordinances as a condition in the requested annexation.

Dated this 20th of December, 2017 at Ankeny, Iowa.
(day) (month) (year)

Titleholder:

City of Ankeny, Iowa

By: 

Mayor

WAYNE ABUHL

Attest:

City Clerk