

CITY DEVELOPMENT BOARD
STATE OF IOWA

IN THE MATTER OF THE CITY OF
ALTOONA VOLUNTARY ANNEXATION
INCLUDING NON-CONSENTING OWNERS
WITHIN THE URBANIZED AREA OF THE
CITIES OF BONDURANT, DES MOINES AND
ANKENY

)
) CASE NUMBER NC18-21 / ALTOONA
)
) NOTICE OF CONTINUED PUBLIC HEARING
)
)
)

TO: Cities of Altoona, Bondurant, Des Moines and Ankeny, Polk County Board of Supervisors, Polk County Attorney, Des Moines Area Metropolitan Planning Organization, Iowa State Attorney General, Iowa Department of Transportation, affected public utilities and property owners.

You and each of you are hereby notified that the City Development Board will, pursuant to Iowa Code Section 368.7, continue a public hearing on the above captioned matter. The public hearing is scheduled at 1:30 p.m., on February 13, 2019, at the Iowa Economic Development Authority, 200 East Grand Avenue, 2nd Floor Main Conference Room, Des Moines.

This proposal contains some territory without the consent of the owner. Such proposals require approval of 4/5's of the City Development Board after a public hearing. You are invited to attend this hearing. NOTICE: Materials for or against the proposed annexation must be received by the Board by close of business January 30, 2019 at: City Development Board, 200 East Grand Avenue, Des Moines, Iowa 50309.

To participate in the public hearing via teleconference, dial 515-348-6300; when prompted, enter access code 43254175 followed by #. You should then be connected to the public hearing.

If you have any questions or wish further clarification, please contact me at
(515) 348-6196.

CITY DEVELOPMENT BOARD

A handwritten signature in black ink, appearing to read 'MR', is written over a horizontal line.

Matt Rasmussen, Administrator
City Development Board

PROOF OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon:

Mr. & Mrs. Clarence Kulish
6185 NE 56th Street
Altoona, IA 50009-9480

Mr. George Huss
Zayo Group, LLC
1060 Hardees Drive, Suite H
Aberdeen, MD 21001

Ms. Dorothy Crooks
Hertz Farm Management, Inc.
P.O. Box 500
Nevada, IA 50201

Mr. & Mrs. Walter McClearly
Dorothy L. McClearly Property
6843 NE 80th Street
Bondurant, IA 50035

Mr. William Sprague
P.O. Box 307
Berwick, IA 50032

Robert M. & Jayce A. Hall
2803 Franklin St. SW
Bondurant, IA 50035

Mr. Michael Hall
2907 Franklin St. SW
Bondurant, IA 50035

Danika Marie Findley Streeter a/k/a Danika Forret
1007 NE Williamsburg Ct.
Ankeny, IA 50021

Northwest Realty Inv. Co. LLP
W231 N1129 County Highway F
Waukesha, WI 53186

Mr. William Goodwin
100 Court Ave., Suite 400
Des Moines, IA 50309

Randy & Sara Butler
6206 NE 62nd Avenue
Altoona, IA 50009

Ms. Sandra Pilger
508 10th Ct. SE
Bondurant, IA 50035

John K. & Joyce E. Meredith
3001 Franklin St. SW
Bondurant, IA 50035

Ms. Lou Ann Sprague-Anderson
3740 NE 54th Place
Des Moines, IA 50317

Ms. Judy Irene Sprague
3760 NE 54th Place
Des Moines, IA 50317

Ms. Justine Jurgensen
1645 SE Parkview Crossing Dr.
Waukee, IA 50263

Mr. Patrick George
Patrick W. George 2017 Trust
524 6th Street NW
Altoona, IA 50009

Jerry E. & Mindla K. White
6206 NE 62nd Avenue
Altoona, IA 50009

Git-N-Go Convenience Stores Inc.
2716 Indianola Avenue
Des Moines, IA 50315

Dwayne J. & Dorothy M. Hall
2901 Franklin St. SW
Bondurant, IA 50035

Lee A. & Patricia A. Anderson
3005 Franklin St. SW
Bondurant, IA 50035

Gary D. & Susan M. Vignaroli, Co-Trustees
3412 Marsh Lane
Grapevine, TX 76051

Mr. Andy Loonan
Iowa Dist. Trans. Planner
1020 S. Fourth Street
Ames, IA 50010

Mr. John Sarcone
Polk Co. Attorney
222 Fifth Avenue, Polk County Justice
Center
Des Moines, IA 50309

Polk Co. Bd. of Supervisors
111 Court Avenue, Rm. 300, Administrative
Bldg.
Des Moines, IA 50309-2251

Mr. Todd Ashby
DMAMPO/CIRTPA
420 Watson Powell Jr. Parkway, Suite 200
Des Moines, IA 50309

Mr. Frank Smith
Frank Smith Law Office
4215 Hubbell Avenue
Des Moines, IA 50317

Mr. Randy Pierce
Altoona City Clerk
407 8th Street SE
Altoona, IA 50009

Ankeny City Council, c/o City Clerk
410 West 1st Street
Ankeny, IA 50023-1557

Bondurant City Council, c/o City Clerk
200 2nd Street NE, P.O. Box 37
Bondurant, IA 50035-0037

Des Moines City Council, c/o City Clerk
400 Robert D. Ray Drive
Des Moines, IA 50309-1891

Mr. Doug Ebelsheiser
Iowa Communications Network
Grimes State Office Bldg., 400 E. 14th Street
Des Moines, IA 50319

ICN a/k/a IA Telecomm. & Technology
Commission
Building W4 Camp Dodge, P.O. Box 586
Johnston, IA 50131-0587

CenturyLink, Inc. c/o CT Corp. System Reg.
Agent
400 E. Court Ave., Suite 110
Des Moines, IA 50309

Mr. Richard Moore
Berwick Water Association
P.O. Box 187
Berwick, IA 50032-0187

Mediacom Comm. Corp., c/o CT Corp. Syst.
Reg. Agnt
400 E. Court Avenue, Ste. 110
Des Moines, IA 50309

Metro Waste Authority
300 E. Locust St., Suite 100
Des Moines, IA 50309-1864

SE Polk Rural Water Dist., c/o DSM Water
Works
2201 George Flagg Parkway
Des Moines, IA 50321

Magellan Midstream Partners, L.P. c/o CT
Corp Syst
400 E. Court Avenue
Des Moines, IA 50309

MidAmerican Energy Co., c/o CT Corp.
System
400 E. Court Avenue, Ste. 110
Des Moines, IA 50309

Unite Private Networks, LLC Attn: Cogency
Global
400 Locust Street, Ste. 400
Des Moines, IA 50309

Zayo Group, LLC c/o CT Corp. System Reg.
Agent
400 E. Court Avenue, Ste. 110
Des Moines, IA 50309

Des Moines Metro Wastewater Reclamation
Authority
3000 Vandalia Road
Des Moines, IA 50317

Flint Hills Resources, LC c/o CT Corp.
System
400 E. Court Avenue
Des Moines, IA 50309

Level 3 Communications, LLC c/o CT Corp.
System
400 E. Court Avenue
Des Moines, IA 50309

Mr. Ronald Keller
Aureon Network Services
7760 Office Plaza Drive S.
West Des Moines, IA 50266

MidAmerican Energy Company
666 Grand Ave., Suite 500
Des Moines, IA 50309

Leo E. & Carol J. Engelbrecht
6101 NE 62nd Avenue
Altoona, IA 50009

Koch Pipeline Services, Inc. Wood River Div.
400 E. Court Avenue, Ste. 110
Des Moines, IA 50309

Floyd A. & Renee A. Allen
6131 NE 62nd Avenue
Altoona, IA 50009

Mr. Dale Clary
Valley Development
P.O. Box 400
Dunlap, IL 61525-0400

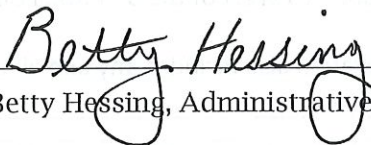
Mr. & Mrs. Ted Griffieon
Griffieon Farms, LLC
5200 NE 62nd Avenue
Altoona, IA 50009-9550

Mr. Melvin Quinn
2402 Marion St.
Des Moines, IA 50321-2372

Said copy was mailed in an envelope addressed to them at the address shown above,
with postage fully paid and by depositing same in a United States Post Office depository in
Des Moines, Iowa, on the 11th day of January, 2019.

LOCAL DELIVERY

Honorable Tom Miller, Iowa Attorney General


Betty Hessing, Administrative Assistant

APPENDIX A
LEGAL DESCRIPTION OF TERRITORY PROPOSED TO BE
ANNEXED TO THE CITY OF ALTOONA, IOWA
CDB CASE NO. NC18-21

Consenting owners:

Melvin L. Quinn DP#'s: 170/00212-002-000	The North 1/2 of the Northwest 1/4 of Section 11, Township 79 North, Range 23 West of the 5 th P.M., Polk County, Iowa, less 3.5 acres of road, EXCEPT Parcel "F" in the North 1/2 of the Northwest 1/4 of Section 11, Township 79 North, Range 23 West of the 5 th P.M., Polk County, Iowa. Subject to easements of record. The annexation also includes any and all county road right-of-way to the centerline of the abutting road.
Melvin L. Quinn DP#'s: 190/00163-001-000	The East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 10, Township 79 North, Range 23 West of the 5 th P.M., Polk County, Iowa, less 1.76 acres of road. Subject to easements of record. The annexation also includes any and all county road right-of-way to the centerline of the abutting road.
Valley Development DP#'s: 170/00203-001-001	The South Half of the Southeast Quarter (except Schoolhouse site 20 rods East and West and 16 rods North and South in the Southeast corner thereof) of Section 2, Township 79 North, Range 23 West of the 5 th P.M., Polk County, Iowa. The annexation also includes any and all county road right-of-way to the centerline of the abutting road.
Griffieon Farms, LLC DP#'s: 170/00207-008-000	The West Two-Thirds of all that part of the West One Half of the Northeast Quarter of Section 11, Township 79 North, Range 23 West of the 5 th P.M., Polk County, Iowa, lying North of a line beginning at the center of said Section 11, thence to a point 107.1 feet East of the center of said Section 11, thence on a straight line to the Northeast corner of the Southwest quarter of the Northeast Quarter of Section 11, except the North 241 feet of the West 208 feet and except the East 320 feet of the North 450 (lying South of and adjacent to the East-West road that runs along the North side thereof) and except legally established highways. The annexation also includes any and all county road right-of-way to the centerline of the abutting road.

The territory extends to the center line of all
Secondary roads adjacent to the above described properties.

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Clarence and Julie Kulish DP#: 170/00212-003-000	Parcel "F" being a part of the N 1/2 of the NW 1/4 of Section 11, Township 79 North, Range 23 West of the 5 th P.M., Polk County, Iowa, and more particularly described as follows: commencing at the NW corner of said Section 11; thence S 00 degrees 00'00"E, 425.00 feet along the West line of said NW 1/4 to the point of beginning; thence S 90 degrees 00'00"E, 50.0 feet to the East right-of-way line of NE 56 th Street as it presently exists; thence continuing S 90 degrees 00'00"E, 236.0 feet; thence S 00 degrees 00'00"E, 240.0 feet; thence N 90 degrees 00'00"W, 236.0 feet to the East right-of-way line of NE 56 th Street; thence continuing N 90 degrees 00'00"W, 50.0 feet to said West line of the NW 1/4; thence N 00 degrees 00'00"W, 240.0 feet to the point of beginning and containing 1.58 acres subject to 0.28 acres right-of-way easement; 1.30 acres remaining. The annexation also includes any and all county road right-of-way to the centerline of the abutting roads, if any.
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Non-Consenting:

Leo E. and Carol J. Engelbrecht: DP# 170/00207-005-000	The East 320 feet of the North 450 feet (lying South of and adjacent to the East-West road that runs along the North side thereof) of the following described parcel to wit: The West Two-Thirds of all of that part of the West One Half of the Northeast Quarter of Section 11, Township 79 North, Range 23, West of the 5 th P.M., Polk County, Iowa, lying North of a line beginning at the center of said Section 11, thence to a point 107.1 feet East of the center of said Section 11, thence on a straight line to the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 11, except legally established highways.
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Subject to any and all easements of record. The annexation also includes any and all county road right-of-way to the centerline of the abutting road.

Floyd A. and Renee A. Allen DP# 170/00207-004-000	The East 1/3 of all of that part of the West 1/2 of the Northeast 1/4 (except the West 200 feet of the North 653.4 feet thereof) of Section 11, Township 79 North, Range 23, West of the 5 th P.M., Polk County, Iowa, lying North of a line beginning at the center of said Section 11, thence to a point 107.1 feet East of the center of said Section 11, thence on a straight line to the Northeast Corner of the Southwest 1/4 of the Northeast 1/4 of said Section 11, except legally established highways.
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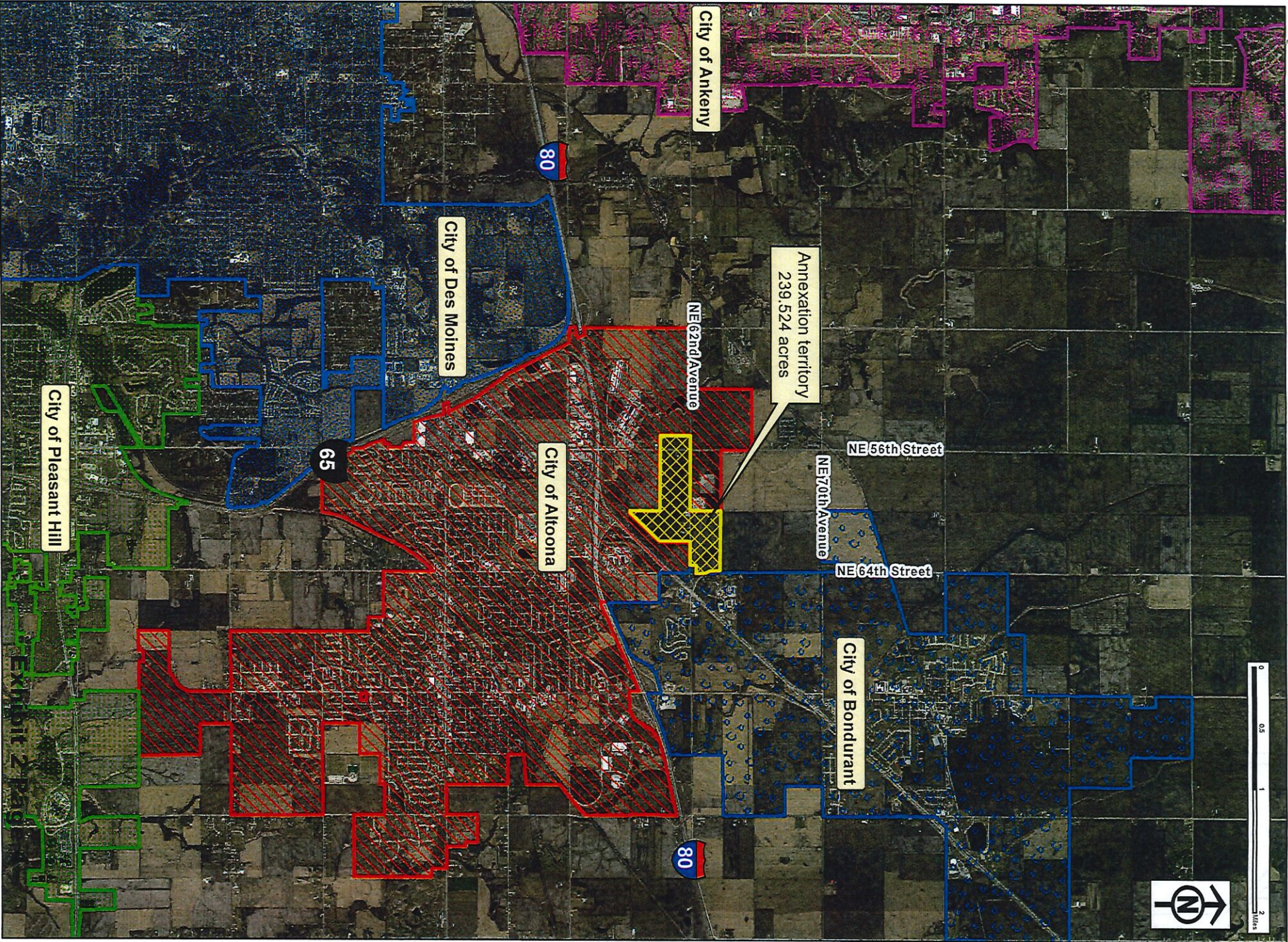
Subject to any and all easements of record. The annexation also includes any and all county road right-of-way to the centerline of the abutting road.

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Floyd A. and Renee A. Allen: DP#: 170/00207-003-000	<p>The West two hundred (200) feet of the North six hundred fifty-three and four-tenths (653.4) feet of the East One-third (E 1/3) of the West one-half (W 1/2) of the Northeast One Quarter (NE 1/4) of Section Eleven (11), Township Seventy-nine (79) North, Range Twenty-three (23) West of the Fifth P.M., Polk County, Iowa, lying North of a line beginning at the center of said Section Eleven (11), thence to a point one hundred seven and one-tenth (107.1) feet East of the center of said Section Eleven (11), thence on a straight line to the Northeast (NE) corner of the Southwest One-Quarter (SW 1/4) of the Northeast One-Quarter (NE 1/4) of said Section Eleven (11), containing three (3.0) acres more or less, and subject to existing roadway.</p> <p>The annexation also includes any and all county road right-of-way to the centerline of the abutting road.</p>
Koch Pipelines Inc., Wood River Division: DP#: 170/00207-007-000	<p>The North 241 feet of the West 208 feet of the NE 1/4 of Section 11, Township 79 North, Range 23 West of the 5th P.M., EXCEPT the North 33 feet thereof for road, said real estate being in Clay Township, Polk County, Iowa and containing 0.993 acres, exclusive of road.</p> <p>The annexation also includes any and all county road right-of-way to the centerline of the abutting road.</p>
State of Iowa Road Right-of-Way: DP#'s: 170/00205-001-000	<p>Annexation includes all abutting road right-of-way to the centerline of the roadway of NE 56th Street, NE 62nd Avenue, NE 64th Street, and Franklin Street SW.</p>
Polk County Road Right-of-Way: DP 170/00210-001-000, 170/00214-001-000 190/00167-001-001, and a portion of 170/00205-002-000, 170/00205-003-000	<p>Annexation includes all abutting road right-of-way to the centerline of the roadway of NE 56th Street, NE 62nd Avenue, NE 64th Street, Franklin Street SW.</p> <p>This annexation will divide two road right-of-way parcels (DP 170/00205-002-000 and DP 170/00205-003-000) into four parcels, two that will be annexed and two that will remain unincorporated.</p>

The territory extends to the center line of all
Secondary roads adjacent to the above described properties.



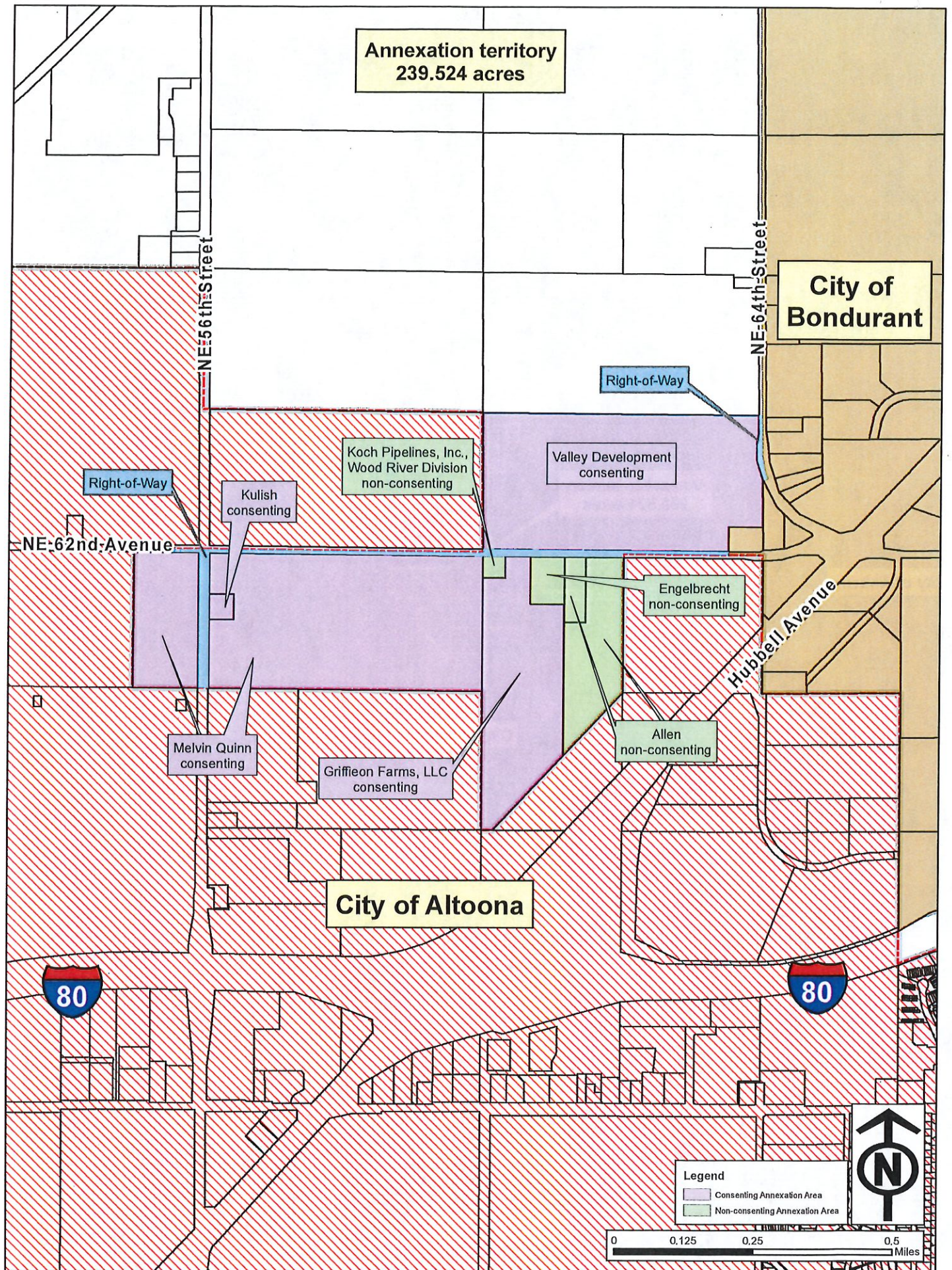


Exhibit 3