

**ORDER ACCEPTING AFFIRMATIVE DEFENSE**

<b>IN RE:</b>	:	
	:	
<b>Permit Holder:</b>	:	
<b>Hy-Vee Food Store</b>	:	<b>FIRST VIOLATION</b>
<b>410 N. Ankeny Blvd.</b>	:	
<b>Ankeny, Iowa 50023</b>	:	
	:	

---

**NOW ON THIS** the 6<sup>th</sup> day of May 2019, in lieu of a public hearing on the matter, the Ankeny City Council accepts the Assertion of Affirmative Defense between the above captioned Permit Holder and the City of Ankeny.

**WHEREFORE**, that notice was given at the grocery store address, but that the City and the Permit Holder acknowledge that the correct address is the convenience store; and

**WHEREFORE**, the Ankeny City Council **FINDS** that the above captioned Permit Holder has asserted and is granted an affirmative defense in accordance with 453A.22(3).

**IT IS THEREFORE ORDERED** that this matter is hereby satisfied.

**DATED** at Ankeny, Iowa, the 6<sup>th</sup> day of May 2019.

\_\_\_\_\_  
**Gary Lorenz, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Debra M. Arend, Interim City Clerk**