

## **RESOLUTION**

### **A RESOLUTION ANNEXING CERTAIN PARCELS OF REAL ESTATE OWNED BY SCOTT A. AND GALE O'MARA AND D.R.A. PROPERTIES, L.L.C.**

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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:**

THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 81 NORTH,  
RANGE 24 WEST OF THE 5<sup>TH</sup> P.M., POLK COUNTY, IOWA.

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

Approximately 73.76 acres (+/-) of land adjacent to the northeast quadrant of Ankeny and generally located south of NE 126<sup>th</sup> Avenue (County) and east of Highway 69/NE 14th Street (County).

**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 the 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 the State of Iowa or Polk County:

#### **LEGAL DESCRIPTION:**

NE 126<sup>TH</sup> AVENUE (COUNTY) SOUTH OF THE STREET CENTERLINE AND NE 14<sup>TH</sup> STREET  
(COUNTY) EAST OF THE STREET CENTERLINE ADJACENT TO THE PROPOSED  
ANNEXATION AREA

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

Approximately 6.03 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 4<sup>th</sup> day of November, 2019

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Gary Lorenz, Mayor

ATTEST:

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Denise L. Hoy, City Clerk