

RESOLUTION NO. #2016-28

A Resolution of the County Board of Supervisors of Clay County, Iowa, approving annexation of certain property into the corporate city limits of Spencer, Iowa.

WHEREAS, the City of Spencer has been approached by Ervin & Deanna Orwig who own a parcel of approximately 4.5 acres at the end of the current 12th Avenue SE in Spencer and has requested the city of Spencer to voluntarily annex that property, the legal description of said parcel is attached to this Resolution as Exhibit A and made a part of this Resolution as though fully set forth herein, and

WHEREAS, the City of Spencer will consider the voluntary annexation of this property, and;

WHEREAS, Iowa law provides that the County may make written recommendations for modifications to the prospective annexation no later than seven business days following the date of consultation with the City of Spencer, and;

WHEREAS, the County Board of Supervisors shall adopt a resolution not later than thirty days after the consultation stating whether or not it supports the application or whether it takes no position, and;

WHEREAS, the Board of Supervisors has been fully advised regarding the annexation on Tuesday, September 27, 2016, at 11:30 a.m., and;

WHEREAS, the Board of Supervisors has determined that the annexation would be in the best interest of the public and desires to approve the annexation.

NOW, THEREFORE, be it resolved that the County Board of Supervisors of Clay County, Iowa, by way of this Resolution hereby approves the voluntary annexation of the property described on the attached Exhibit A, into the corporate city limits of Spencer, Clay County, Iowa, with no modifications thereto.

The above and foregoing resolution was adopted by the Board of Supervisors of Clay County, Iowa, this 11th day of October, 2016, and the vote thereon being as follows:

Ayes: Anderson, Brockshus, Matthews, Skow and Swanson. Nays: None. Abstentions: None.

SO RESOLVED.

/s/BARRY ANDERSON, Chairperson,
Clay County Board of Supervisors

Attest:/s/Marjorie A. Pitts, Clay County Auditor

EXHIBIT A

ANNEXATION DESCRIPTION:

That part of Parcel H located in the Northwest Quarter of Section 20, Township 96 North, Range 36 West of the Fifth Principal Meridian, Clay County, Iowa (said parcel H being recorded in Book 2006, Page 1770 in the Clay County Recorder's Office), described as follows to wit: Commencing at the southwest corner of the Northwest Quarter of Section 20, Township 96 North, Range 36 West of the Fifth Principal Meridian, Clay County, Iowa, and running from this point north 0° 00' 00" east (north 0 degrees 00 minutes 00 seconds east) along the west line of the Northwest Quarter of said Section 20 a distance of 1,390.25 feet to the southwest corner of Church of Christ Addition, Spencer, Iowa; thence north 82° 41' 00" east along the south line of said Church of Christ Addition a distance of 345.30 feet; thence south 0° 00' 00" east parallel with the west line of the Northwest Quarter of said Section 20 a distance of 191.56 feet to the point of beginning (said point also being the northwesterly corner of said Parcel H); thence continuing south 0° 00' 00" east along the west line of said Parcel H a distance of 173.32 feet; thence north 82° 41' 00" east a distance of 373.75 feet; thence south 7° 19' 00" east a distance of 39.05 feet; thence north 82° 41' 00" east a distance of 480.00 feet to the east line of said Parcel H; thence north 7° 19' 00" west along the east line of said Parcel H a distance of 279.08 feet to the southeast corner of Sembach First Addition, Spencer, Iowa; thence south 82° 21' 20" west along the south line of said Sembach First Addition a distance of 480.01 feet to the southwest corner of said Sembach First Addition; thence south 7° 19' 00" east a distance of 65.38 feet to the southeast corner of Parcel G (Book 2006, Page 1770); thence south 82° 41' 00" west a distance of 351.68 feet to the point of beginning. All bearings stated in this description are based on the assumption that the west line of the Northwest Quarter of said Section 20 has a bearing of north 0° 00' 00" east. The area of the above parcel of land is 4.492 acres.