

**RESOLUTION NO. #2018-08**

**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 Green & Yellow, LLC who own a parcel of approximately 10.4 acres by Highway 71 in the South Half of the Northeast Quarter (S1/2 NE1/4) of Section Twenty-five (25) Riverton Township, Clay County, Iowa 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, February 27, 2018, at 10:45 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 13<sup>th</sup> day of March 2018, and the vote thereon being as follows:

Ayes: Anderson, Matthews, Skelton, 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

A tract of land in the South Half (S1/2) of the Northeast Quarter (NE ¼ ) of Section Twenty-five (25), Township Ninety-six (96) North, Range Thirty-seven (37) West of the Fifth Principal Meridian, Clay County, Iowa, described as follows; to-wit: Commencing at the Southwest corner of the Northeast Quarter (NE ¼ ) of said Section Twenty-five (25) and running from this point North 89 ° 46 ' 30 " East (North 89 degrees 46 minutes 30 seconds East) along the South line of the Northeast Quarter (NE ¼ ) of said Section 25 a distance of 63.30 feet to the POINT OF BEGINNING, (said point of beginning being on the East right-of-way line of U.S. Highway No. 71) and running from this point of beginning North 89°46'30" East along the South line of the Northeast Quarter (NE ¼ ) of said Section 25 a distance of 636.69 feet; thence North 0°00'00" West a distance of 711.23 feet to a point which is South 0°00'00" East a distance of 600.00 feet from the North line of the South Half of the Northeast Quarter (S ½ NE ¼ ) of said Section 25; thence South 89°37'36" West parallel with the North line of the South Half of the Northeast Quarter (NE ¼ ) of said Section 25 a distance of 636.24 feet to the East right-of-way line of U.S. Highway No. 71; thence South 0°02'12" West along the East right-of-way line of U.S. Highway No. 71 a distance of 709.58 feet to the point of beginning.

All bearing stated in this description are based on the assumption that the West line of the Northeast Quarter (NE ¼ ) of said Section 25 has a bearing of South 0°00'00" East.