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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

RESOLUTION NO. 45-07
Recorder's Cover Sheet

CHG = Marc Casey

**Preparer Information:**
Mick J. Michel, City of Dyersville, 340 1st Avenue E
Dyersville, IA 52040 (563) 875-7724

ENV. ⊗**Return Address:**
City of Dyersville
340 1st Avenue E
Dyersville, IA 52040

**Grantors:**
City of Dyersville, Iowa

**Grantees:**
President David J. Schroeder and Executive Director Jacque K. Rahe of Dyersville Industries Incorporated

**Legal Description:**
See Page 4 and 5

**Document or instrument number if applicable:**

The undersigned, Tricia L. Maiers, hereby states that I am the City Clerk for the City of Dyersville, Iowa, and I hereby certify that attached hereto, is a true and correct copy of the Resolution No. 45-07 as passed, adopted and approved by the City Council of the City of Dyersville, Iowa, on the 19th day of November, 2007.

Dated this 21st day of November, 2007

Tricia L. Maiers

Tricia L. Maiers, City Clerk

Subscribed and sworn to me by Tricia L. Maiers on this 21st day of November, 2007.

LORI A. PANTON
Commission Number 722208
My Commission Expires
5/2/09

Lori A. Panton

Lori A. Panton, Notary Public
In and for State of Iowa

**RESOLUTION NO. 45-07**

**RESOLUTION APPROVING THE VOLUNTARY ANNEXATION OF PROPERTY IN THAT PART OF SECTION 35, TOWNSHIP 89 NORTH, RANGE 3 WEST OF THE 5TH PRINCIPAL MERIDIAN AND THAT PART OF SECTION 2 AND 3, TOWNSHIP 88 NORTH, RANGE 3 WEST OF THE 5TH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA**

**WHEREAS**, President David J. Schroeder and Executive Director Jacque K. Rahe of Dyersville Industries Incorporated have made application on behalf of the Board of Dyersville Industries Incorporated to the City of Dyersville, Iowa for the voluntary annexation of property in that part of Section 35, Township 89 North, Range 3 West of the 5th Principal Meridian and that Part of Section 2 and 3, Township 88 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa, all as described on the attached Exhibit "A"; and,

**WHEREAS**, said property adjoins the City of Dyersville, Iowa; and,

**WHEREAS**, said annexation would be in the best interest of the City of Dyersville, Iowa.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Dyersville, Iowa:

**SECTION ONE**. That the following described property:

Property in that part of Section 35, Township 89 North, Range 3 West of the 5th Principal Meridian and that Part of Section 2 and 3, Township 88 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa, all as described on the attached Exhibit "A",

is hereby annexed to the City of Dyersville, Iowa.

**SECTION TWO**. That the City Clerk shall file a copy of the legal description, map and this resolution with the Iowa Secretary of State, the Delaware County Board of Supervisors, the Delaware County Recorder's Office, the Iowa State Department of Transportation and any affected public utility.

Passed, adopted, and approved this 19th day of November, 2007.

James A. Heavens, Mayor

Attest: Tricia L. Maiers
Tricia L. Maiers, City Clerk

**Exhibit "A"**

ANNEXATION DESCRIPTION

That part of Section 35, Township 89 North, Range 3 West of the 5th Principal Meridian and that part of Sections 2 and 3, Township 88 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa, described as follows:

Beginning at the Northeast corner of Section 2, Township 88 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa;
Thence southerly along the east line of the Northeast Quarter of said Section 2 approximately 156.5 feet to the southerly right-of-way line of US Highway No. 20 and the northeast corner of Parcel A in the Northeast Quarter of the Northeast Quarter of Section 2, as shown in Book 7, Page 62;
Thence westerly along the north line of said Parcel A a record distance of 895.25 feet and along said southerly right-of-way line of US Highway 20 to the northeast corner of Lot 1 as recorded in Book 2, Page 157;
Thence westerly along the north line of said Lot 1, also being said southerly right-of-way line of US Highway 20, a record distance of 633.14 feet to the northwest corner of said Lot 1;
Thence southerly along the west line of said Lot 1 a record distance of 344.00 feet to the southwest corner of said Lot 1;
Thence easterly along the south line of said Lot 1 a record distance of 633.14 feet to the southeast corner of said Lot 1 and southwest corner of said Parcel A in the Northeast Quarter of the Northeast Quarter;
Thence easterly a record distance of 640.9 feet according to Book 7, Page 62 along the south line of said Parcel A;
Thence southerly a record distance of 164.35 feet;
Thence easterly a record distance of 255.45 feet to the southeast corner of said Parcel A and the east line of the Northeast Quarter of Section 2;
Thence southerly along said east line of the Northeast Quarter approximately 1,802 feet to the north line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 2;
Thence westerly approximately 1,326 feet along said north line of the South Half of the Southeast Quarter of the Northeast Quarter to the west line of the East Half of the Northeast Quarter of said Section 2;
Thence northerly along said west line of the East Half of the Northeast Quarter approximately 1,152 feet to a point 20 chains south of the north line of the Northeast Quarter of said Section 2;
Thence westerly approximately 1,782 feet to a point approximately 20 chains south and 13 chains and 30 links east of the northwest corner of the Northeast Quarter of the Northwest Quarter of Section 2;
Thence northerly approximately 224 feet;
Thence westerly 880 feet to the west line of the Northeast Quarter of the Northwest Quarter of said Section 2;
Thence southerly along said west line of the Northeast Quarter of the Northwest Quarter approximately 210 feet;
Thence westerly approximately 1,323 feet to the west line of said Section 2 also being the centerline of 320th Avenue;

**Exhibit "A"**

Thence westerly approximately 1,324 feet to the west line of the Northeast Quarter of the Northeast Quarter of Section 3, Township 88 North, Range 3 West;
Thence northerly along said west line of the Northeast Quarter of the Northeast Quarter approximately 1,328 feet to the northwest corner of said Northeast Quarter of the Northeast Quarter of said Section 3;
Thence easterly along the north line of said Northeast Quarter of Section 3 approximately 1,321 feet to the northeast corner of said Section 3;
Thence continuing easterly along the north line of the Northwest Quarter of the Northwest Quarter of Section 2, Township 88 North, Range 3 West approximately 192 feet;
Thence northerly along westerly right-of-way line approximately 544 feet;
Thence easterly along said right-of-way line approximately 247 feet to the west line of the Southeast Quarter of the Southwest Quarter of Section 35, Township 89 North, Range 3 West and centerline of 320th Avenue;
Thence southerly along said west line of the Southeast Quarter of the Southwest Quarter approximately 350 feet;
Thence easterly approximately 33 feet to the easterly right-of-way line of said 320th Avenue;
Thence southeasterly approximately 185 feet to the northerly right-of-way line of US Highway 20;
Thence easterly along said northerly right-of-way line approximately 1,186 feet to the east line of the Southwest Quarter of said Section 35;
Thence continuing easterly along said northerly right-of-way line approximately 650 feet;
Thence continuing easterly along said northerly right-of-way line approximately 60 feet;
Thence continuing easterly along said northerly right-of-way line approximately 188 feet;
Thence continuing easterly along said northerly right-of-way line approximately 61 feet;
Thence continuing easterly along said northerly right-of-way line approximately 364 feet to the east line of the Southwest Quarter of the Southeast Quarter of said Section 35;
Thence northerly along the west line of the Southeast Quarter of the Southeast Quarter approximately 1,297 feet to the northwest corner of the Southeast Quarter of the Southeast Quarter of said Section 35;
Thence easterly along the north line of said Southeast Quarter of the Southeast Quarter of Section 35 approximately 1,334 feet to the northeast corner of the Southeast Quarter of the Southeast Quarter of Section 35, Township 89 North, Range 3 West;
Thence southerly along the east line of said Southeast Quarter of the Southeast Quarter of said Section 35 approximately 1,325 feet to the Southwest corner of Section 36, Township 89 North, Range 3 West;
Thence easterly along the south line of the Southwest Quarter of the Southwest Quarter of said Section 36 approximately 890 feet to the point of beginning, containing approximately 266.5 acres.