REC $ 25.00
AUD $
R.M.F. $ 1.00

FILED NO. 003982
BOOK 2002 PAGE 3982
2002 AUG 14 PM 12:11
NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTER ✓
RECORDED
COMPARED ✓

CERTIFICATION

The undersigned, being the duly appointed and acting City Clerk of the City of Earlham, Iowa, does hereby certify that the attached document is a true and authentic copy of a Resolution Approving Application For Voluntary Annexation To The City of Earlham, Iowa passed by the City Council of the City of Earlham, Iowa on the 11th day of March, 2002, together with map and legal description of the territory involved.

Dated this 12 day of August, 2002.

TOWN SEAL (CITY SEAL)

Marilyn Sesker, City Clerk

Subscribed and sworn to before me by the said Marilyn Sesker this 12 day of August, 2002.

SAMUEL H. BRALY COMMISSION NO. 103627 MY COMMISSION EXP. 01/18/06 IOWA NOTARIAL SEAL (SEAL)

Notary Public in and for the State of Iowa.

Earlham, Iowa, March 11, 2002

The City Council of the City of Earlham, Iowa, met in regular session, in the Council Chambers, City Hall, Earlham, Iowa, at 7:00 o'clock P.M., on the above date. There were present Mayor Richard Rothert, in the chair, and the following named Council Members:

Doug Waugh, Norman Paape, Bill Hunter, Jeff Beisser, Andrea Arenberg

Absent: None

Council Member Paape introduced the following resolution entitled "RESOLUTION APPROVING APPLICATION FOR VOLUNTARY ANNEXATION TO THE CITY OF EARLHAM, IOWA", and moved that the same be adopted. Council Member Waugh seconded the motion to adopt. The roll was called and the vote was,

Ayes: Paape, Waugh, Hunter, Beisser, Arenberg

Nays: none

Whereupon, the Mayor declared the following resolution duly adopted.

RESOLUTION NO. 02-09

RESOLUTION APPROVING APPLICATION FOR VOLUNTARY ANNEXATION TO THE CITY OF EARLHAM, IOWA.

WHEREAS, the City of Earlham, Iowa, is a duly organized municipal corporation; and

WHEREAS, application for voluntary annexation to the City of Earlham, Iowa has been presented to the City Council of the City of Earlham, Iowa by the City of Earlham, Iowa who is the owner of real estate which adjoins the existing corporate limits on the East. The application requests that the real estate described in the application be annexed by the City of Earlham, Iowa. The real estate proposed for annexation is described on Exhibit "A" attached hereto and by this reference incorporated herein, and is shown on the map marked Exhibit "B" attached hereto and by this reference incorporated herein; and

WHEREAS, the territory to be annexed is not within an urbanized area; and

WHEREAS, the City of Earlham, Iowa desires to annex said territory upon the application presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EARLHAM, IOWA:

1. That the Application For Voluntary Annexation To The City of Earlham, Iowa filed by the City of Earlham, Iowa be and is hereby approved.

2. That the territory described in Exhibit "A" attached hereto be and is hereby annexed to the City of Earlham, Iowa.

3. That the City Clerk shall forthwith file a copy of this resolution, map, and legal description of the territory involved with the Iowa Department of Transportation, the Madison County Recorder, and the Iowa Secretary of State; the annexation to be completed upon acknowledgment by the Secretary of State that the Secretary of State has received the resolution and map.

PASSED AND APPROVED this 11th day of March, 2002.

Richard Rothert, Mayor

ATTEST:

Marilyn Sesker, City Clerk

EXHIBIT "A"

Parcel "B" being a part of the Southeast ¼ of the Northeast ¼ and a part of the Northeast ¼ of the Northeast ¼ all being in Section 6, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa and described as follows: Commencing at the center of the section of said Section 6; thence South 89°40'36" East along the South line of the Southwest ¼ of the Northeast ¼ of said Section 6, 1320.27 feet to the Southwest Corner of said Southeast ¼ of the Northeast ¼; thence North 00°08'03" East along the West line of said Southeast ¼ of the Northeast ¼, 700.01 feet to the point of beginning; thence continuing North 00°08'03" East along said West line, 673.14 feet; thence South 82°46'56" East, 39.06 feet; thence South 41°59'15" East, 77.85 feet; thence South 59°40'16" East, 198.70 feet; thence North 80°02'45" East, 98.81 feet; thence South 00°08'03" West, 529.14 feet; thence North 89°40'36" West, 360.00 feet to the point of beginning and containing 4.74 acres (206,401 S.F.) more or less.

Exhibit "B"

CO. DALLAS

30.Sec.3 Howard Jones, etux-20

