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BOOK 61 PAGE 474
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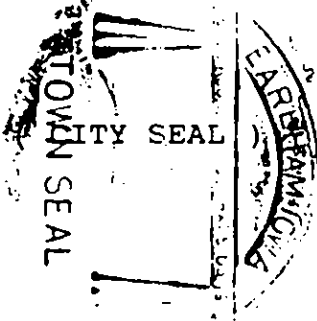
CERTIFICATION

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

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 passed by the City Council of the City of Earlham, Iowa on the 11th day of November, 1996, together with map and legal description of the territory involved.

Dated this 11th day of November, 1996, at Earlham, Iowa.

Marilyn Sesker
Marilyn Sesker, City Clerk
City of Earlham, Iowa.



Earlham, Iowa, November 11, 1996

The City Council of Earlham, Iowa, met in regular session, in the Council Chambers, City Hall, Earlham, Iowa, at 7:30 o'clock P.M., on the above date. There were present Mayor Dan von Rentzell, in the chair, and the following named Council Members:

Beisner, Payne, Boyle, Jellie

Absent: Fenster

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

Ayes: Beisner, Payne, Boyle, Jellie

Nays: None

Whereupon, the Mayor declared the following Resolution duly adopted:

RESOLUTION NO. 96-14

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

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

WHEREAS, applications for voluntary annexation to the City of Earlham, Iowa have been presented to the City Council of the City of Earlham, Iowa, by Robert L. Hester and Helen M. Hester, husband and wife, and by Darrell D. Adams, who are the owners of real estate which adjoins the existing corporate limits on the North. Both applications request that the real estate described in the applications 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

#2. Resolution.

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 applications 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 Robert L. Hester and Helen M. Hester, husband and wife, be and is hereby approved.

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

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

4. 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 November, 1996.


Dan von Rentzell, Mayor

ATTEST:


Marilyn Sesker, City Clerk

EXHIBIT "A"

The South 46.17 acres of the North 66.17 acres of the East Half (½) of the Northeast Quarter (¼) of Section One (1), in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, excepting therefrom the following described tract, to-wit: Beginning at a point West 1321.3 feet, North 0°28' West 362.3 feet and North 89°32' East 33.0 feet of the Northeast Corner of the Southeast Quarter (¼) of said Section One (1), said point being on the East right-of-way line of a Madison County Secondary road, thence North 0°28' West 75.0 feet, thence North 89°32' East 100.0 feet, thence South 0°28' East 75.0 feet, thence S 89°32' West 100.0 feet to the point of beginning, containing 0.17 acres, more or less, and also excepting therefrom the following described tract, to-wit: Commencing at the Southeast Corner of the South 46.17 acres of the North 66.17 acres of the East Half (½) of the Northeast Quarter (¼) of said Section One (1), thence North 858 feet, thence West 660 feet, thence South 858 feet, thence East 660 feet to the point of beginning, containing 13 acres, more or less, and also except Parcel "A" located in the SE¼ of the NE¼ of Section 1, T77N, R29W of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the SW corner of the SE¼ of the NE¼ of Section 1, T77N, R29W of the 5th P.M., Madison County, Iowa; thence North 0°00'00" East along the West line of the SE¼ of the NE¼ of said Section 1, 488.88 feet to the point of beginning; thence South 89°26'23" East, 443.75 feet; thence North 0°05'48" West, 733.71 feet; thence South 88°49'17" East, 220.00 feet to a point in an existing fence; thence South 0°05'48" East along an existing fence, 856.34 feet; thence North 89°26'23" West, 530.92 feet; thence North 0°00'00" East 75.00 feet; thence North 89°26'23" West, 133.00 feet to a point on the West line of the SE¼ of the NE¼ of said Section 1; thence North 0°00'00" East along the West line of the SE¼ of the NE¼ of said Section 1, 50.00 feet to the point of beginning, said parcel contains 5.374 acres, including 0.038 acres of county road right-of-way.

and

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Commencing at the Northwest Corner of the East Half ($\frac{1}{2}$) of the Northeast Fractional Quarter ($\frac{1}{4}$) of Section One (1), in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, and running thence East 80 rods, thence South 40 rods, thence West 80 rods, thence North 40 rods to the place of beginning, EXCEPT Commencing at the Northwest Corner of the East Half ($\frac{1}{2}$) of the Northeast Fractional Quarter (NE FRL $\frac{1}{4}$) of Section One (1), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, running thence East 24 rods, thence South 40 rods, thence West 24 rods, thence North to the place of beginning.

EXHIBIT "B"

CO. DALLAS

30. Sec. 3 Howard Jones, et al

