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DRAFT

RESOLUTION NO. 18-
City Council

RESOLUTION APPROVING ANNEXATION APPLICATION OF SHARON R. TAYLOR AND LISA M. FENNER, TRUSTEES OF THE FRANCIS J. PRUSS EDUCATION TRUST

WHEREAS, the City Council has received a voluntary annexation application from Sharon R. Taylor and Lisa M. Fenner, Trustees of the Francis J. Pruss Education Trust for property located west of Interstate 380 and north of Tower Terrace Road, legally described as follows:

Sharon R. Taylor and Lisa M. Fenner, Trustees of the Francis J. Pruss Education Trust

All that part of the SE ¼ SE ¼ Section 19-84-7, Linn County, Iowa, lying Westerly of the Westerly right-of-way of the Public Highway as described in Warranty Deed recorded in Volume 1799 Page 17, records of the Linn County Recorder, Linn County, Iowa.

WHEREAS, a public notice was published on October 18, 2018, and the public meeting was held on November 7, 2018, in the Hiawatha Council Chambers at 5:30 P.M., and at that time no objections were heard or filed, and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, confirms review of the voluntary annexation application from Sharon R. Taylor and Lisa M. Fenner, Trustees of the Francis J. Pruss Education Trust and approves the voluntary application, including the adjoining roadways.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 7th day of November, 2018.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

Hiawatha!™

APPLICATION FOR VOLUNTARY ANNEXATION TO THE CITY OF HIAWATHA, IOWA

In accordance wit the 2009 Iowa Code Sections 368.7, which allows property owner(s) to submit a written request for annexation to the City Council of the adjoining city, I (we) are submitting this Application for Voluntary Annexation. I, (we), the undersigned, are the property owner(s) of the property legally described below (or as shown on the attached sheet) and desire to be annexed to the City of Hiawatha, Linn County, Iowa.

Legal Description of Property*

Sharon R. Taylor and Lisa M. Fenner, Trustees of the Francis J. Pruss Education Trust
All that part of the SE ¼ SE ¼ Section 19-84-7, Linn County, Iowa, lying Westerly of the Westerly right-of-way of the Public Highway as described in Warranty Deed recorded in Volume 1799 Page 17, records of the Linn County Recorder, Linn County, Iowa

Owner #1	Owner #2
Name of Owner (*type or print*) Sharon Taylor	Name of Owner (*type or print*) Lisa M. Fenner
Signature of owner or authorized agent: Sharon Taylor	Signature of owner: Lisam Fenner
Date of Signature: 9-11-17	Date of Signature: 9-11-17
Agent's Title (if applicable) Co-trustees	
Are there additional owners? no (*If "yes", please provide names, signatures, and dates of signatures for additional owners on the back of this application form.*)	
Proof of ownership is provided with this application. Yes ✓ No _____	

For City use only:

Date Received: 9/25/2017	Received by: Kelly Kornegor K.K.	File No. _____
General property location: See legal description above		

*Insert a typed legal description. If the description will not fit, type the words "See attached" in the box and attach a typed legal description on a separate sheet of paper

Doc ID: 023563280003 Type: GEN
Recorded: 10/25/2018 at 10:55:31 AM
Fee Amt: $32.00 Page 1 of 3
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 10226 PG 319-321

$32 pd CK 1228 D

QUIT CLAIM DEED

THE IOWA STATE BAR ASSOCIATION
Official Form No. 106
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Daniel L. Seufferlein, 4056 Glass Road NE, Cedar Rapids, IA 52402, Phone: (319) 393-9090

Taxpayer Information: (Name and complete address)

Sharon R. Taylor, 1209 Harold Dr. SE, Cedar Rapids, IA 52403

Return Document To: (Name and complete address)

Daniel L. Seufferlein, 4056 Glass Road NE, Cedar Rapids, IA 52402

Grantors:

Grace E. Pruss

Grantees:

Francis J. Pruss Education Trust

Legal description: See Page 2

Document or instrument number of previously recorded documents:

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IOWADOCS®

QUIT CLAIM DEED

For the consideration of One Dollar(s) and other valuable consideration, Grace E. Pruss, a single person do hereby Quit Claim to Francis J. Pruss Education Trust all our right, title, interest, estate, claim and demand in the following described real estate in Linn County, Iowa:

See attached Exhibit "A".

Subject to Covenants, Conditions, Restrictions and Easements of record.

This deed is exempt according to Iowa Code 428A.2(16).

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural, number, and as masculine or feminine gender, according to the context.

Dated: 10-24-18

Grace E. Pruss (Grantor)

(Grantor)

(Grantor)

(Grantor)

(Grantor)

(Grantor)

STATE OF Iowa, COUNTY OF Linn

This record was acknowledged before me on October 24, 2018, by Grace E. Pruss, a single person.

HEATHER MORRIS
Notarial Seal - IOWA
Commission No. 708113
My Commission Expires 2-1-19

Signature of Notary Public

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IowaDocs®

Exhibit "A"

All that part of the SE¼ SE¼ Section 19 and all that part of the NE¼ NE¼ Section 30, all in 84-7, Linn County, Iowa, lying Westerly of the Westerly right-of-way line of the Public Highway as described in Warranty Deed recorded in Volume 1799 Page 17, records of the Linn County Recorder, Linn County, Iowa

AND

NW¼ NE¼ Section 30-84-7, Linn County, Iowa, except that part described as follows: Commencing at the NW corner of said NW¼ NE¼; thence South along the West line of said NW¼ NE¼ 823.5 feet; thence South 85° 41' East, 33.1 feet to the East line of the County Road and the point of beginning; thence South 85° 41' East 326.5 feet; thence South 4°20' West, 377.6 feet to the NE-ly line of the County Road; thence North 52° 19' West, 375.9 feet along the NE-ly line of said County Road; thence North 171.1 feet along the East line of said County Road to the point of beginning and also except that part described as follows: Commencing at a point in the North line of the NW¼ NE¼, which point is 33 feet East of the NW corner of said NW¼ NE¼; thence South 825.8 feet; thence South 85° 41' East 326.5 feet; thence North 4° 20' East 849.6 feet to a point in the North line of said NW¼ NE¼; thence North 89° 35' West 388.4 feet along the North line of said NW¼ NE¼ to the point of beginning and further except: That part of said NW¼ NE¼ that lies SW-ly of the County Road subject to the Public Highway

AND

The South 26½ Acres of SW¼ SW¼ excepting therefrom the North 545 feet of Section 20-84-7, Linn County, Iowa

AND

That part of the SE¼ SE¼ of Section 19-84-7, Linn County, Iowa lying Easterly of the Easterly line of the Public Highway as described in the Warranty Deed in Volume 1799 Page 17 recorded in the Records of the Linn County Recorder, Linn County, Iowa

AND

That part of the NE¼ NE¼ of Section 30-84-7, Linn County, Iowa lying easterly of the easterly line of the Public Highway as described in the Warranty Deed in Volume 1799, page 17 recorded in the Records of the Linn County Recorder, Linn County, Iowa

LINN COUNTY AUDITOR'S OFFICE
Joel Miller | Auditor
Rebecca Shoop | First Deputy

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER
935 2ND ST. SW
CEDAR RAPIDS, IA 52404
PH: 319-892-5300
LinnCounty.org

October 19, 2018

Kelly Kornegor
City Clerk
City of Hiawatha
101 Emmons Street
Hiawatha, Iowa 52233

RE: Pruss Annexation area review

Kelly,

This review is only to verify proper ownership of and correct legal descriptions for the property listed. It only includes property listed, not necessarily what is presented on the accompanied map. This is not to approve any annexation.

The results of the review are as follows:

1. The legal descriptions provided are accurate descriptions of the area.

2. The legal contains part of (1) tax parcel, (GPNs listed below)
*Parcels will be split when annexation is recorded.

GPN	Owner
PART OF 111947600100000	PRUSS FRANCIS J EDUCATION TRUST & GRACE E PRUSS

3. Ownership information shown above is correct per Auditors records.

If you have any questions, please feel free to call me at (319)892-5326

Sincerely,

David Rice
GIS Specialist

Robins
Community Family Friends

RESOLUTION NO. 1018-3

RESOLUTION APPROVING SEVERANCE OF FRANCIS PRUSS PROPERTY

WHEREAS, a request has been received from Sharon Taylor and Lisa M. Fenner, Co-Trustees of the Francis J. Pruss Education Trust for their property to be severed from the City of Robins.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Robins, Iowa that the request of Sharon Taylor and Lisa M. Fenner be granted for the severance of the following legally described property from the City of Robins:

All that part of the SE 1/4 SE 1/4 Section 19-84-7, Linn County, Iowa, lying Westerly of the Westerly right-of-way of the Public Highway and described in Warranty Deed recorded in Volume 1799 Page 17, records of the Linn County Recorder, Linn County, Iowa.

BE IT ALSO RESOLVED by the City Council of the City of Robins, Iowa that there are no assets or liabilities associated with the territory and that the territory will be served by the City of Hiawatha.

PASSED AND APPROVED this 1st day of October, 2018.

CITY OF ROBINS CORPORATE SEAL

ATTESTA

Chuck Hinz, Mayor

Lori Pickart, City Clerk/Treasurer

September 27, 2018

City of Robins
Honorable Mayor and City Council
265 South Second Street
Robins, Iowa 52328

RE: De-Annexation from the City of Robins, Iowa

Honorable Mayor and City Council,

We, Sharon Taylor and Lisa Fenner (Trustees of the Francis J. Pruss Education Trust) respectfully request that the City of Robins, Iowa de-annex from their City limits the property described below. This property is intended to be voluntarily annexed into the City of Hiawatha.

Legal Description of Property to be De-Annexed:
All that part of the SE ¼ SE ¼ Section 19-84-7, Linn County, Iowa, lying Westerly of the Westerly right-of-way of the Public Highway as described in Warranty Deed recorded in Volume 1799 Page 17, records of the Linn County Recorder, Linn County, Iowa

Thank you.

Sincerely,

Sharon R. Taylor 9-27-18
Sharon Taylor Date

Lisa M Fenner 9-27-18
Lisa Fenner Date

LINN COUNTY AUDITOR'S OFFICE
Joel Miller | Auditor
Rebecca Shoop | First Deputy

JEAN OXLEY LINN COUNTY PUBLIC SERVICE CENTER
935 2ND ST. SW
CEDAR RAPIDS, IA 52404
PH: 319-892-5300
LinnCounty.org

October 19, 2018

Kelly Kornegor
City Clerk
City of Hiawatha
101 Emmons Street
Hiawatha, Iowa 52233

RE: Pruss Annexation area review

Kelly,

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The results of the review are as follows:

1. The legal descriptions provided are accurate descriptions of the area.

2. The legal contains part of (1) tax parcel, (GPNs listed below)
*Parcels will be split when annexation is recorded.

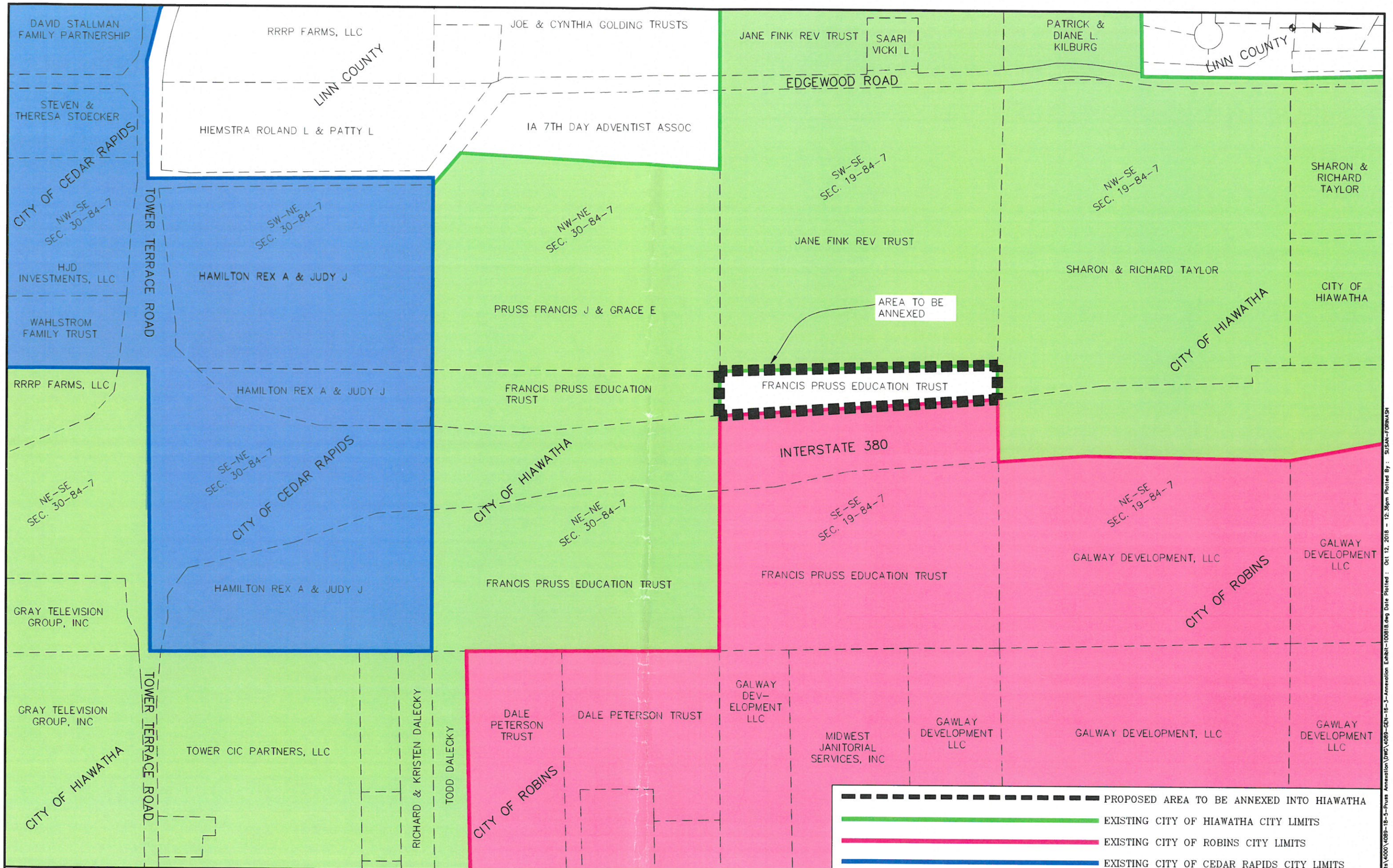
GPN	Owner
PART OF 111947600100000	PRUSS FRANCIS J EDUCATION TRUST & GRACE E PRUSS

3. Ownership information shown above is correct per Auditors records.

If you have any questions, please feel free to call me at (319)892-5326

Sincerely,

David Rice
GIS Specialist



DRAWN BY: SKF				/ /
CHECKED BY: RCR				/ /
APPROVED BY: RCR				/ /
DATE: 10/12/18				/ /
FIELD BOOK:	NO	REVISION DESCRIPTION	APPROVED	DATE

Hiawatha!

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PROPOSED ANNEXATION AREA

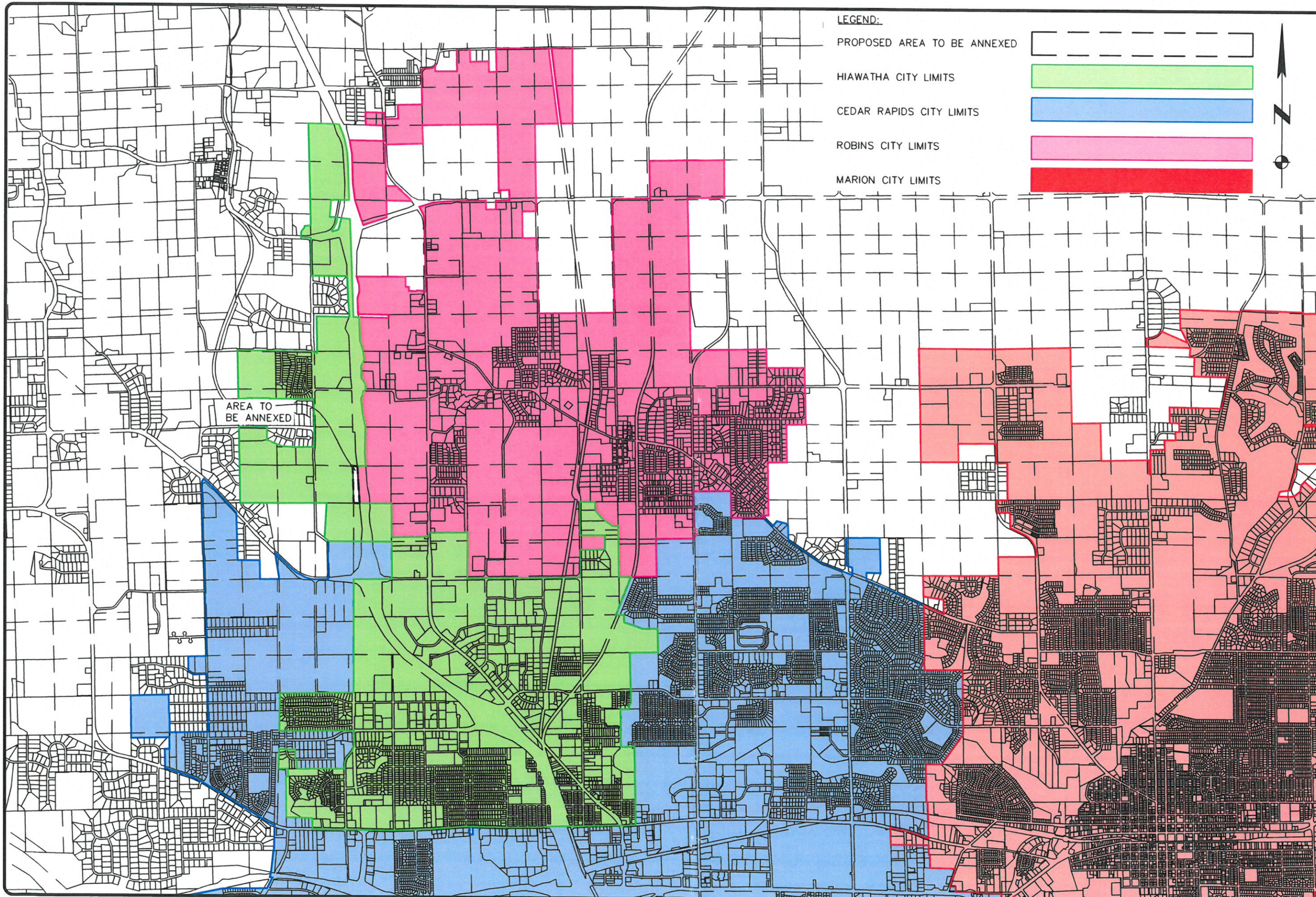
ANNEXATION EXHIBIT

SCALE: 1"=400'

PROJECT NO: 4089-18-5

SHEET 1 OF 1

CAD File: I:\projects\4000\4089-18-5-Pruss Annexation\DWG\4089-GEN-18-3-Annexation Exhibit-100818.dwg Date Plotted : Oct 12, 2018 - 12:36pm Plotted By : SUSAN-FORNASH



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Designed by:
Drawn by:
Checked by:

Sheet Title:

EXHIBIT
ANNEXATION VICINITY MAP
LINN COUNTY, IOWA

Date:	10/08/18
Field Book No:	FBK
Scale:	1"=3000'
Sheet:	1 of 1
Project Number:	4089-18-5

CAD File: I:\projects\4000\4089-18-5-Pruss Annexation\DWG\Vicinity Map-100818.dwg Date Plotted : Oct 09, 2018 - 9:40am Plotted By : SUSAN-FORNASH