

**NOTICE OF A PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF ANKENY, IOWA,
TO CONSIDER AN 80/20 VOLUNTARY URBANIZED ANNEXATION OF CERTAIN TERRITORY
OWNED BY HOPE K FARMS, LLC AND CLAYTON MITCHELL LIVING TRUST,
LOCATED ADJACENT TO THE SOUTHEAST QUADRANT OF ANKENY**

TO: ALL CITIZENS AND RESIDENTS OF THE CITY OF ANKENY, IOWA, AND TO ALL OTHER PERSONS WHO MAY BE ENTITLED TO NOTICE OF THE FILING OF AN APPLICATION FOR ANNEXATION UNDER THE PROVISIONS OF SECTION 368.7, CODE OF IOWA.

NOTICE IS HEREBY GIVEN that applications for annexation have been made and are under consideration by the City of Ankeny, Iowa, by the following property owners of tract of land being legally described as follows:

LEGAL DESCRIPTION:

OUTLOT X, DRA ACRES PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 15393, PAGES 121 THROUGH 134 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

PARCEL 'O', AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 15089, PAGE 430 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD.

LAYMAN'S DESCRIPTION:

Approximately 111.18 acres (+/-) of land adjacent to the southeast quadrant of Ankeny, generally located ¼-mile south of SE Oralabor Road/NE 78th Avenue and east of NE Berwick Drive.

WHEREAS, Section 368.7, Code of Iowa, provides that cities may, in connection with an application for voluntary annexation, annex up to 20% of the total property to be annexed from non-consenting owners in order to avoid the creation of islands or to create more uniform boundaries; and

WHEREAS, the City has determined, in connection with the application, to exercise its authority to annex additional territory from non-consenting owners in order to avoid the creation of an island or to create more uniform boundaries; and

WHEREAS, the following described property is additional territory to be annexed from non-consenting owners:

LEGAL DESCRIPTION:

LOT 1, DRA ACRES PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 15393, PAGES 121 THROUGH 134 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 2, DRA ACRES PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 15393, PAGES 121 THROUGH 134 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 1, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 2, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 3, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 4, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 5, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 6, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 7, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 8, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 9, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD; AND

LOT 10, OAKWOOD HEIGHTS, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF POLK COUNTY, IOWA, AS SHOWN ON THE PLAT RECORDED IN BOOK 6794, PAGES 411 THROUGH 419 IN THE OFFICE OF THE RECORDER, POLK COUNTY, IOWA. SUBJECT TO ALL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD.

LAYMAN'S DESCRIPTION:

Approximately 26.11 acres (+/-) of land adjacent to the petitioned parcels.

WHEREAS, Section 368.5, Code of Iowa, provides that cities may, in connection with an annexation, annex property owned by the State of Iowa and County. The annexation includes any and all Polk County road right-of-way to the centerline of the adjacent road.

NOTICE IS FURTHER GIVEN that said application for annexation of the above-described territory is on file with the City Clerk at 410 W 1st Street, Ankeny, IA 50023, and may be viewed during normal business hours from 8:00 a.m. to 5:00 p.m. Monday through Friday.

YOU ARE FURTHER AND SPECIFICALLY NOTIFIED that the City Council will meet at 5:30 p.m. on the 5th day of June, 2023, in the Ankeny City Council Chambers, 1250 SW District Drive, Second Floor, Ankeny, Iowa, to consider said application for annexation, at which time and place all citizens and all parties in interest shall have the opportunity to be heard.

DATED this 1st day of May, 2023.

CITY OF ANKENY, IOWA

Michelle Yuska, City Clerk

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