

#86

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST

Date: September 3, 2015

Weekly Agenda Date: September 8, 2015

DEPARTMENT HEAD / CITIZEN: Mark J. Nahra P.E. Secondary Roads Dept Head

SUBJECT: Consider approval of annexation petition for county property into the city of Merville

ACTION REQUIRED:

Approve Ordinance Approve Resolution Approve Motion

Give Direction Other: Informational Attachments

Consider Approval X

WORDING FOR AGENDA ITEM: Consider approval of an annexation permit for county property into the city of Merville.

EXECUTIVE SUMMARY: The city of Merville is seeking to annex property between Fair Avenue and Humboldt Avenue, bounded on the south by Frontage Road. Two county secondary road department properties are sought to be annexed as part of this annexation into the city. The city has requested that the Board agree to voluntary annexation into the city for properties under the authority of the Board of Supervisors.

BACKGROUND: Merville has plans to grow to Hwy 20 to the south and Humboldt Avenue to the east. County properties are within the proposed annexation. Annexation of two county owned properties occupied by secondary road department facilities are within the proposed annexation area.

FINANCIAL IMPACT: Woodbury County does not pay property taxes. There is no financial impact to the county by agreeing to the annexation.

RECOMMENDATION: I have not been in the practice of recommending that the county be one of the first petitioners for annexation into a city. If 80% of the property owners agree to annexation, the remaining 20% of property owners can be compelled to be annexed. I have generally preferred to allow all private property owners to agree to annex into the city and then have the county sign the annexation petition once the 80% ceiling is reached. I hesitate to be the party that pushes the annexation over the 80% level as it takes away the option of the currently rural property owners to choose not to be annexed. I have not determined what percentage of the private property is represented by county owned property. A portion of the proposed annexation is also owned by Woodbury County and the Woodbury County Fair Association. I assume the Fair Board has also been approached to sign a petition.

I do not recommend approval of the annexation petition until 80% of private property has signed on to the petition or all properties within the proposed annexation have signed on.

ACTION REQUIRED/PROPOSED MOTION: Motion to agree to voluntary annexation of two secondary road department properties into the city of Merville and to direct the chair to sign the petition on behalf of Woodbury County.

Petition
for Annexation to the
City of Merville

The undersigned owners of real estate described in Exhibit A petition the City of Merville for annexation.

1. This Petition is made based upon

- A contiguous boarder with the existing City limits.
- As part of a larger annexation plan (See Exhibit B) in which 80% of the contiguous land annexed is based upon the voluntary Petition of the owner.

2. The City shall extend and make available public water and sewer to the property lot line within 5 years of the date this annexation is completed.

3. This Petition requests but does not require the City to phase in the imposition of City taxes over 10 years as provided in Iowa Code 368.11(3)(m)(1).

4. This Petition must be accepted or considered withdrawn by September 15, 2016.

Woodbury County Iowa

By: _____

By: _____

620 Douglas Street
Sioux City, IA 51101

Landowner

Petition for Annexation to the City of Merville
Woodbury County, Iowa

“EXHIBIT A”

Commencing at the Southeast (SE) Corner of the Northeast Quarter (NE¼), Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the 5th P.M., Woodbury County, Iowa; thence West Three Hundred Eighty and Four Tenths Feet (380.4') North Sixty-three and Five Tenths Feet (N 63.5') to the point of beginning; thence North Five Hundred Thirty and Five Tenths Feet (N 530.5'); thence East Three Hundred Sixty and Four Tenths Feet (E 360.4'); thence South Four Hundred Forty-eight Feet (S 448'); thence West One Hundred Twenty-five Feet (W 125'); thence South Sixty-nine Degrees Sixteen Minutes (S 69° 16') West Two Hundred Eleven Feet (W 211'); thence West Thirty-four and Five Tenths Feet (W 34.5') to the point of beginning.

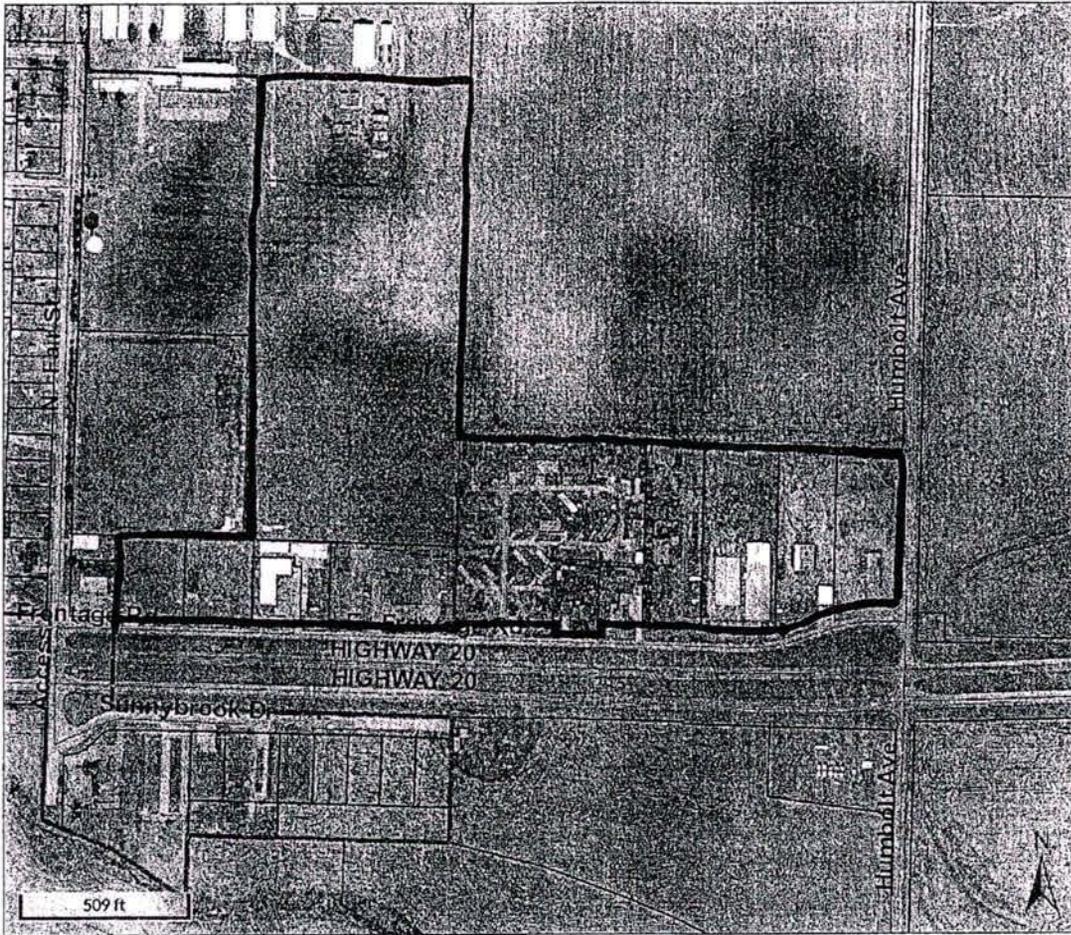
Petition for Annexation to the City of Merville
Woodbury County, Iowa

The East One Hundred Seventy-one feet (E 171') of the West One Thousand One Hundred Twenty-two feet (W 1,122') of the South Two Hundred Seventy-three Feet (S 273') of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the Fifth Principal Meridian, also known as the East One Hundred Seventy-one feet (E 171') of Lot Twenty-five (25) and the East One Hundred Ninety-eight feet (E 198') of the West One Thousand Three Hundred Twenty feet (W 1,320') of the South Two Hundred Seventy-three Feet (S 273') of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), Section Thirty-two (32), Township Eighty-nine (89) North, Range Forty-four (44) West of the Fifth Principal Meridian, also known as Lot Twenty-six (26), all in Woodbury County, Iowa.

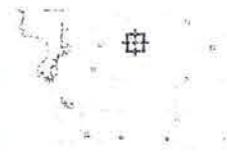
Subject to easements and restrictions of record, if any.

"Exhibit B"

Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Sections
- Residential Sales
 - 2013
 - 2014
 - 2015
- Parcels

Parcel ID	894429357003	Alternate ID	00000000614220	Owner Address	JACKSON MATTHEW B
Sec/Twp/Rng	29-89-44	Class	R		PO BOX 459
Property Address	108 ASH ST	Acreage	n/a		MOVILLE, IA 51039-0459
	MOVILLE				
District	066 MOVILLE LL WDBY CENTRAL				
Brief Tax Description	MOVILLE CITY OF				
	LOT 9 BLK 3				
	(Note: Not to be used on legal documents)				

Date created: 8/3/2015
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Schneider The Schneider Corporation