RESOLUTION NO. 24-191

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE CONSENT TO SUBDIVISION AND PETITION FOR VOLUNTARY ANNEXATION OF PROPERTIES LOCATED IN PART OF THE NE1/4/ NE1/4 OF SECTION 10-74-43 AND PART OF THE NW1/4 NW1/4 OF SECTION 11-74-33, POTTWATTAMIE COUNTY, IOWA, BETWEEN CITY OF COUNCIL BLUFFS, IOWA AND JULIA ASMUS JOHNSON 2017 TRUST

WHEREAS, pursuant to the two-mile area policy agreement entered between Pottawattamie County and the City of Council Bluffs on August 29, 2023, the County will defer to the City for the appropriateness of certain subdivisions; and

WHEREAS, the properties identified above, and being more particularly described in Attachment 'A' of the case staff report (MIS-24-003), is covered by the aforementioned two-mile policy agreement and is located within an area designated as a City Growth Area II, which requires annexation at the time of subdivision; and

WHEREAS, the property owner (Julia Asmus Johnson 2017 Trust) propose to complete a lot line adjustment between two adjoining properties of the Julia Asmus Johnson 2017 Trust Estate, which conform with City Growth Area II policies; but the parcels are located approximately 4,226 feet from the closest point of the City's municipal boundary and are not practicable for annexation at this time; and

WHEREAS, the City and the property owner have an agreement for the consent to subdivision and petition for voluntary annexation to allow the parcels identified above to be modified in accordance the terms contained therein said agreement (see Attachments 'C' and 'D'); and

WHEREAS, it is in the opinion of the Mayor and his staff that it would be in the best interest of the City of Council Bluffs to enter into the proposed agreement; and

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

That the Mayor is hereby authorized and directed to execute the Agreement of Consent to Subdivision and Petition for Voluntary Annexation with the owner of the parcel identified above; and

BE IT FURTHER RESOLVED

That the City Clerk is directed to deliver this resolution and attached documents to the County Recorder according to Iowa Code Section 354.23.

ADOPTED
AND July 8, 2024.
APPROVED

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MATTHEW J. WALSH Mayor

Attest: _____

JODI QUAKENBUSH City Clerk