RESOLUTION NO. 25-100

A RESOLUTION APPROVING VOLUNTARILY ANNEXATION WITH OWNERS IN OPPOSITION OF APPROXIMATELY 473 ACRES (M/L) OF LAND, LEGALLY DESCRIBED AS BEING PART OF SECTIONS 29-74-43 AND 32-74-43, POTTAWATTAMIE COUNTY, IOWA AND PART OF SECTIONS 5-73-43 AND 6-73-43, MILLS COUNTY, IOWA.

WHEREAS, Oak Valley, LLC, Cattleman Heritage Beef Co. LLC, BNSF Railroad, and QRS Investments, LLC are requesting voluntarily annexation of approximately 473 acres (m/l) of land, lying south of the existing Council Bluffs municipal boundary, as shown on Attachment 'A' and legally described on Attachment 'B' of the City Council Communication report; and

WHEREAS, All comments received are outlined in the attached City Council Communication report and its Attachments; and

WHEREAS, The Planning Commission concurs with the findings of the Community Development Department and recommends approval of the voluntary annexation of this property and finds the following:

A. This annexation is consistent with the voluntary annexation procedure set forth in the Chapter 368 of the Iowa Code.
B. The area proposed for annexation adjoins the City's corporate boundary.
C. The proposed annexation will not create an island of County land surrounded by the City or restrict potential future annexation in any direction.
D. The proposed annexation creates a uniform boundary.
E. City services will not be adversely affected if the land is annexed. Utilities, including sanitary sewer and water, can be extended to serve the annexation area when development occurs to justify the expense.
F. The proposed annexation is consistent with the future land use map of the *Joint City Council Land Use Plan.*
G. The proposed annexation is in the best interest of the City; and

WHEREAS, an annexation including territory comprising not more than twenty percent of the land area without consent of the property owners is not complete without approval by four-fifths of the members of the City Development Board after a hearing for all affected property owners and the County.

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

That the voluntarily annexation with owners in opposition of approximately 473 acres (m/l) of land, legally described as being part of Sections 29-74-43 and 32-74-43, Pottawattamie County, Iowa and part of Sections 5-73-43 and 6-73-43, Mills County, Iowa; more particularly described in Attachment

'B' of the attached City Council Communication report, is hereby approved.

BE IT FURTHER RESOLVED

That the City Clerk shall send to the City Development Board a copy of the resolution, map, legal description, proof of publication and any other related documents as required by the Board's Administrative Rules for their review and consideration and to set a hearing for all affected property owners and the County.

ADOPTED
AND April 7, 2025.
APPROVED

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MATTHEW J. WALSH Mayor

Attest:_____
JODI QUAKENBUSH City Clerk