

RESOLUTION NO. 28-2015

**A RESOLUTION VOLUNTARILY ANNEXING CERTAIN REAL ESTATE TO THE
CITY OF GRISWOLD, IOWA**

WHEREAS, the City of Griswold, Iowa is a duly organized municipal corporation; and

WHEREAS, there has been presented to the City Council an Application for Voluntary Annexation, as required by Iowa Code 368.7 executed by the owners of the real estate to be annexed, said real estate lying adjacent to the existing corporate limits of the City of Griswold, Iowa, and being described in Exhibit A attached hereto: and

WHEREAS, a map showing the relationship of the territory to be annexed to the existing boundaries of the City of Griswold is attached hereto as Exhibit B; and

WHEREAS, the City of Griswold, Iowa, desires to annex said real estate:

IT IS, THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRISWOLD, IOWA, as follows:

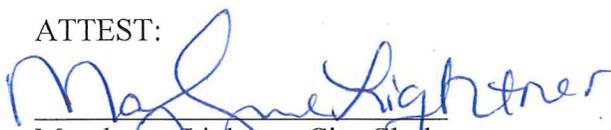
1. The Application of Annexation of the real estate described in the attached Exhibit C, D and E is approved.
2. The annexed real estate shall be and become part of the City of Griswold, Iowa, upon receipt of acknowledgement by the Secretary of State for the State of Iowa that it has received the attached map, resolution have been filed with the Cass County Recorder and the Secretary of State and that copies of this resolution and attached map and legal description have been filed with the Iowa Department of Transportation.
3. The City Clerk shall cause this Resolution and the Exhibits attached hereto to be filed with the Secretary of State, the Cass County Recorder, and the Iowa Department of Transportation as required by Iowa Code 368.7.

PASSED AND APPROVED this 8th day of June, 2015.



Lee Wyman, Mayor

ATTEST:



Marylyne Lightner, City Clerk

Application for Voluntary Annexation

CITY OF GRISWOLD



Submit application and other required materials to:

City of Griswold
P.O. Box 760
601 2nd Street
Griswold, IA 51535
Phone: (712) 778-2615

In accordance with the Iowa Code Section 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 on the attached sheet) and desire to have the described property annexed to the City of Griswold, Cass County, Iowa.

Legal Description of Property: Insert a legal description below. If the description will not fit, write "see attached" in the box and attach a typed legal description of a separate sheet of paper.

Parcel # 24000377800100

RR Row & RD Row Across E $\frac{1}{2}$ NE $\frac{1}{4}$ Pleasant TWP

General Property Location:

6 Union St Griswold, IA

Property Owners:

Signature (Owner 1)

Date

Printed Name:

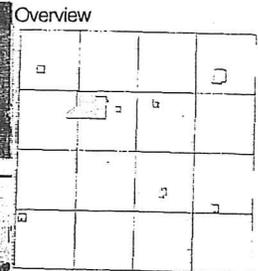
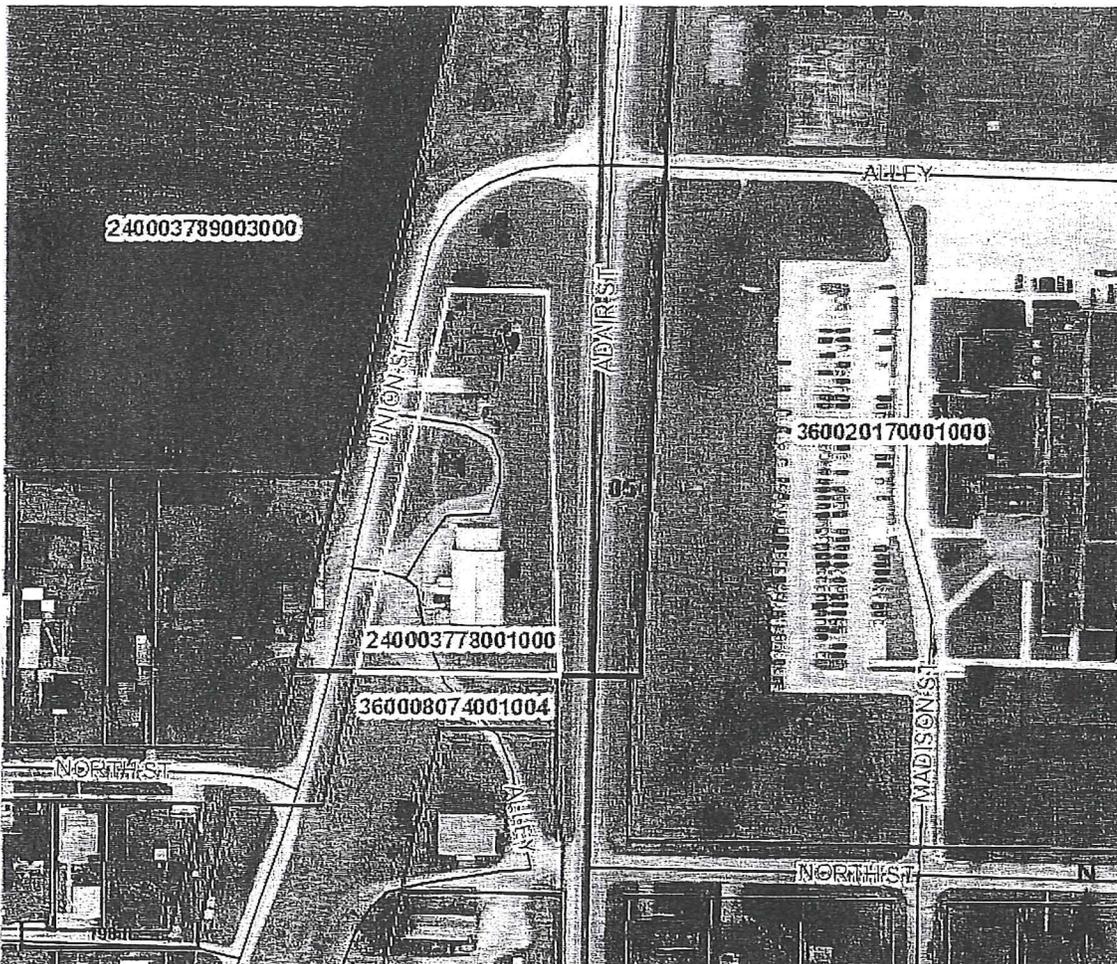
Richard Conry

Signature (Owner 2)

Date

Printed Name:

If there are additional owners please provide names, signatures, and dates of signatures on a separate sheet.



- Legend
- Centerlines**
 - Named Roads
 - Unnamed Roads
 - Corporate Limits
 - Political Townships
 - Sections
 - Parcels
 - Easements

Parcel ID	240003778001000	Alternate IDn/a	Owner Address	Conry, Richard
Sec/Twp/Rng	6-74-37	Class	R	6 Union Street
Property Address	6 UNION GRISWOLD	Acreage	1.560	Griswold, IA 51535-
District	GRISWOLD SCH			
Brief Tax Description	RR ROW & RD ROW ACROSS E1/2 NE1/4 PLEASANT TWP			

(Note: Not to be used on legal documents)

Last Data Upload: 4/3/2015 11:04:47 PM

469

FILE NO. 0477

FEE 6⁰⁰/₁₀₀

BOOK 4 PAGE 469

FILED
CASS COUNTY, IOWA

01 MAR -7 AM 9:45

PLAT OR SURVEY RECEIVED BY
Deane Dattoch, Deputy
CASS COUNTY AUDITOR
Doral Amshel
CASS COUNTY ASSESSOR

01 MAR -7 AM 8:05
Linn Heald, Deputy
JOYCE JENSEN
RECORDER
CASS COUNTY, IOWA

Dale E. Smitman
JERRY F. SHELLBERG, AUDITOR
208 2nd STREET., P.O. BOX 449, RED OAK, IOWA 51566, (712) 623-2579

SURVEY PLAT

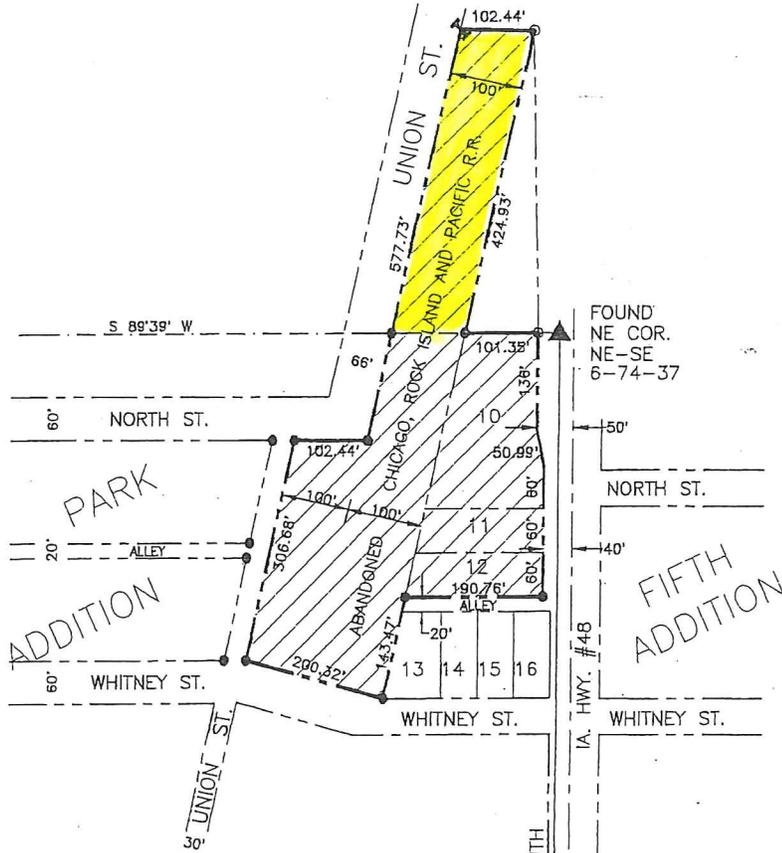
GRISWOLD, IOWA



SCALE 1" = 200'

- IRON PIN SET W/CAP #4129
- FOUND PIN
- I FOUND RAIL

SURVEY REQUESTED BY:
HAROLD ALBERTSON
DATE OF SURVEY:
APRIL 25, 1997



DESCRIPTION:

LOTS 10, 11, AND 12 IN BLOCK 1 IN THE FIFTH ADDITION TO THE TOWN OF GRISWOLD, CASS COUNTY, IOWA, EXCEPT THE EAST 10 FEET AND HIGHWAY RIGHT OF WAY THEREOF;

AND ALL THE ABANDONED RIGHT OF WAY OF THE CHICAGO, ROCK ISLAND & PACIFIC RAILROAD COMPANY DESCRIBED AS A 100 FOOT RIGHT OF WAY ON AND OVER AND ACROSS THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 6, ALL IN TOWNSHIP 74 NORTH, RANGE 37, WEST OF THE 5th. P.M., CASS COUNTY, IOWA.

AND ALL THE ABANDONED 300 FOOT CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD RIGHT OF WAY IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 74 NORTH, RANGE 37 WEST, COMMENCING AT THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST OF SAID SECTION 6 AND EXTENDING IN A STRAIGHT LINE SOUTHWESTERLY A DISTANCE OF 474 FEET MEASURED ALONG THE CENTER LINE OF THE MAIN TRACK OF SAID ABANDONED RAILROAD, TO THE TOWN OF GRISWOLD, IOWA.

CERTIFICATION

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Jerry F. Shellberg
JERRY F. SHELLBERG, P.E. & L.S.
MAY 1, 1997
My license renewal date is December 31, 1997
License number 4129



JFSCO ENGINEERING, P.C.

PROFESSIONAL	ENGINEERING	AND	LAND	SURVEYING
PROJ. NO. 971515	DRAWN BY EWR	CLIENT	DATE	TITLE
DATE MAY 1, 1997	APPD. BY J. SHELLBERG	GRISWOLD COOPERATIVE TELEPHONE COMPANY		GRISWOLD, IOWA

469 Sec 8TH
1 OF 1

2049

Entered Upon Transfer Books and Tax Records this
13 Mar 1998
Alma Rivera, Deputy Auditor
Recording: 11
Transfer: 5

FILE NO. 2210
FEE. 16.00
BOOK 431 PAGE 2049
56 MAR 13 10:10:30
Lois Shinkens, Deputy
CASS COUNTY, IOWA

Prepared by: Barbara Faust Sparks, Iowa Dept. of Transportation, 200 Lincoln Way, Ames, IA 50010, 515-239-1191

IOWA DEPARTMENT OF TRANSPORTATION
RESOLUTION OF ABANDONMENT

WHEREAS, the owner of land adjacent to Primary Road No. Ia. 48 has requested that part of the right of way for said road be abandoned. Said part to be abandoned is more particularly described as follows:

A parcel of land located in the SE 1/4 NE 1/4 of Sec. 6, T74N, R37W of the 5th P.M., Cass County, Iowa, as shown on Right of Way Plat Exhibit "A", attached hereto and by reference made a part hereof. Said parcel is more particularly described as follows:

Commencing at the E 1/4 Corner of said Fractional Section 6; thence N89°47'44"W, 29.80 ft. along the south line of the SE 1/4 NE 1/4 of said Sec. 6 to the Point of Beginning; thence continuing N89°47'44"W, 96.59 ft. along said south line to a point on the present westerly right of way line of Primary Road No. Ia. 48, said point being on the easterly right of way line of the abandoned Chicago, Rock Island and Pacific Railroad; thence N11°28'10"E, 423.11 feet along the present westerly right of way line of said Primary Road No. Ia. 48; thence S1°43'11"E, 415.19 ft. to the Point of Beginning, containing 0.46 acre.

Said land is a part of a tract acquired from Eliza B. Pender by Easement, recorded on February 5, 1935, Book 307, Page 389.

AND WHEREAS, in the opinion of the Iowa Department of Transportation, said part of present right of way is no longer necessary or required for use by the public for highway purposes and will not hereafter be required for construction or maintenance purposes for any highway of the State of Iowa;

NOW THEREFORE BE IT RESOLVED by the Iowa Department of Transportation that said part of present right of way herein described, together with any and all rights of the State of Iowa in and to the same are hereby abandoned, and the Iowa Department of Transportation, for itself and in behalf of the State of Iowa, hereby disclaims any right, title or interest in and to said part of present right of way or to the use thereof for any purpose whatsoever.

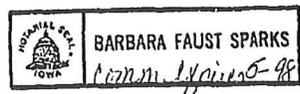
Signed this 11th day of March, 1998.

IOWA DEPARTMENT OF TRANSPORTATION

BY Robert L. North
Right of Way Director

STATE OF IOWA) SS

On this 11th day of March, 1998, before me Barbara Faust Sparks, a Notary Public in and for the State of Iowa, personally appeared Susan Albright, to me personally known, who being duly sworn did say that he is Right of Way Director, Admin. of the Iowa Department of Transportation, and that said instrument was signed on behalf of said Department and by its authority duly recorded in its minutes, and the said instrument to be the voluntary act and deed of said Department and by it voluntarily executed.



Barbara Faust Sparks
Barbara Faust Sparks
Notary Public in and for the State of Iowa

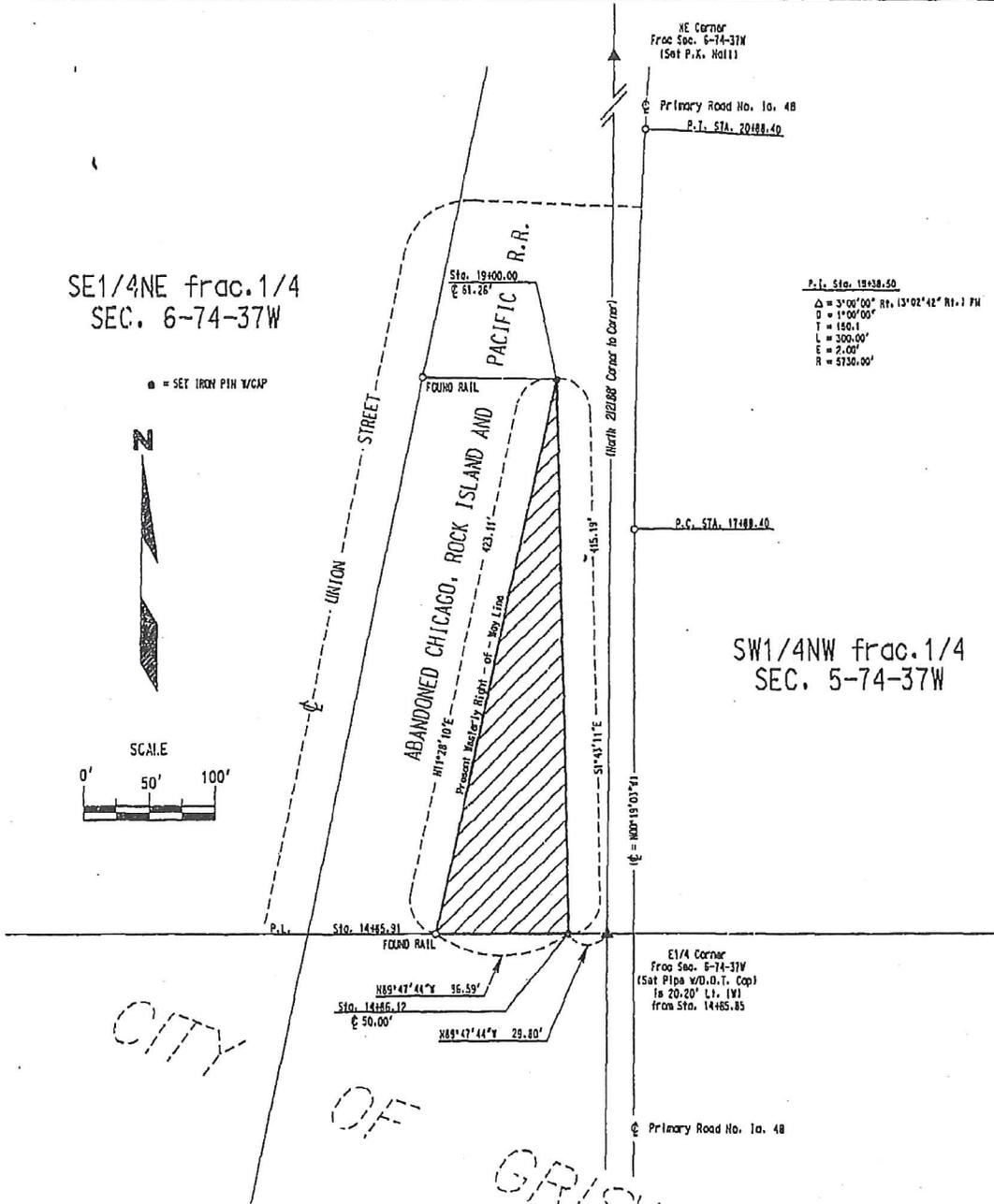
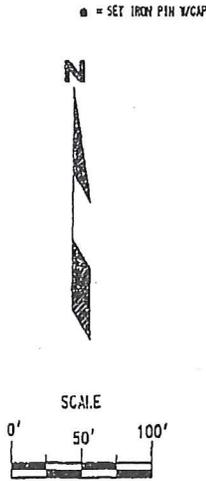
IOWA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY PLAT
EXHIBIT "A"



COUNTY CASS STATE CONTROL NO. _____
PROJECT NO. NRH-408 PARCEL NO. _____
SECTION 6 TOWNSHIP 74 RANGE 37W
ROW - FEE _____ AC, EASE _____ AC, EXCESS - EASE, 0.48 AC
ACQUIRED FROM ELIZA B. PENDER

SE1/4NE frac.1/4
SEC. 6-74-37W

SW1/4NW frac.1/4
SEC. 5-74-37W



P.I. Sta. 19+38.50
Δ = 3°00'00" Rt. (3°02'42" Rt. I FM)
D = 1°00'00"
T = 150.1
L = 300.00'
E = 2.00'
R = 5730.00'

CITY

OF

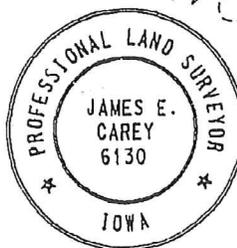
GRISWOLD

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.

Signature: James E. Carey
James E. Carey

Date October 11, 1995 Reg. No. 6130

My Registration Renewal date is December 31, 1995



REAL ESTATE TRANSFER TAX PAID 21 STAMPS 11.20 RECORDED 5/11/01 BY CASS COUNTY

1003

Entered Upon Transfer Books and Tax Records this 14th day of May, 2001 Dale E. Sandeman Auditor Recording fee 6- Transfer fee 5-

FEE \$11 - pd BOOK 2001 PAGE 1003 MAY 11 PM 3:50 Joyce Johnson OFFICE SENSER RECORDER CASS COUNTY, IOWA

Preparer Information Lawrence S. Jones, 707 Poplar Street, Atlantic, (712) 243-1663 Individual's Name Street Address City Phone

Address Tax Statement : Richard Conry, 1274 Pine Ave., Elliott, Iowa 51532 SPACE ABOVE THIS LINE FOR RECORDER



WARRANTY DEED (CORPORATE GRANTOR)

For the consideration of One Dollar(s) and other valuable consideration, GRISWOLD COOPERATIVE TELEPHONE COMPANY a corporation organized and existing under the laws of Iowa does hereby Convey to RICHARD CONRY

the following described real estate in Cass County, Iowa: All that portion of the abandoned Chicago, Rock Island and Pacific Railroad right of way located in the SE 1/4 NE 1/4 of Section 6-74-37 West of the 5th P.M., Cass County, Iowa, described as follows: Commencing at the E 1/4 Corner of said Fractional Section 6; thence N 89°47'44" W. 126.39 feet along the South line of the SE 1/4 NE 1/4 of said Sec. 6 to the point of beginning; thence continuing N 89°47'44" W. 102.44 feet to a point on the westerly line of the abandoned Chicago, Rock Island and Pacific Railroad property; thence North along the westerly line of said abandoned railroad right of way a distance of 424.93 feet; thence easterly a distance of 102.44 feet along a line parallel to the South line of the SE 1/4 NE 1/4 of said Sec. 6; thence southerly along the East line of said abandoned railroad, a distance of 424.93 feet to the point of beginning.

Griswold Cooperative Telephone Company QUIT CLAIMS ONLY to Richard Conry the following real estate: A parcel of land located in the SE 1/4 NE 1/4 of Section 6-74-37, West of the 5th P.M., Cass County, Iowa, as shown on Resolution of Abandonment recorded in Book 431, Page 2049 in the office of the Cass County Recorder. Said parcel is more particularly described as follows:

Commencing at the E 1/4 Corner of said Fractional Section 6; thence N 89°47'44" W. 29.80 feet along the South line of the SE 1/4 NE 1/4 of said Section 6 to the point of beginning; thence continuing N 89°47'44" W. 96.59 feet along said South line to a point on the present westerly right of way line of Primary Road No. Ia. 48, said point being on the easterly right of way line of the abandoned Chicago, Rock Island and Pacific Railroad; thence N 11°28'10" E. 423.11 feet along the present westerly right of way line of said Primary Road No. Ia. 48; thence S 1°43'11" E. 415.19 feet to the point of beginning.

The Corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances, except as may be above stated; and it covenants to Warrant and Defend the real estate against the lawful claims of all persons, except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

GRISWOLD COOPERATIVE TELEPHONE COMPANY a(n) Iowa corporation

Dated: May 11, 2001 By Harold M. Albertson Harold M. Albertson, Manager Title

By Title

STATE OF Iowa, Cass COUNTY, ss: On this 11th day of May 2001 before me, the undersigned, a Notary

Public in and for said State, personally appeared Harold M. Albertson and to me personally known, who being by me duly sworn, did say that they are the Manager

and, respectively, of said corporation; that (no seal has been procured by the said) (the seal affixed thereto is the seal of said) corporation that said instrument was signed (and sealed) on behalf of said corporation by authority of its Board of Directors; and that the said Harold M. Albertson and

as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.



LAWRENCE S. JONES MY COMMISSION EXPIRES Nov. 28, 2003

Notary Public Lawrence S. Jones

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