

RESOLUTION #2009-07

A RESOLUTION IN SUPPORT OF THE ANNEXATION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 8, TOWNSHIP 96 NORTH, RANGE 36 WEST OF THE 5TH P.M., CLAY COUNTY, IOWA, THE “GREEN INDUSTRIAL CENTER”, TO THE CITY OF SPENCER,

WHEREAS, the City of Spencer, in cooperation with Spencer Municipal Utilities, has acquired the Southeast Quarter (SE ¼) of Section 8, Township 96 North, Range 36 West of the 5th P.M., Clay County, Iowa, designated the Green Industrial Center, for the purpose of development for commercial and industrial growth; and

WHEREAS, the portion of the Green Industrial Center above-described is adjacent to, but not within, the corporate limits of the City of Spencer; and

WHEREAS, the City of Spencer has proposed to annex this portion of the Green Industrial Center; and

WHEREAS, the City of Spencer has given notice to the Clay County Board of Supervisors and Sioux Township Trustees of the proposed annexation; and

WHEREAS, representatives of the County Board of Supervisors, the City, and the Township have met and consulted to discuss the proposed annexation; and

WHEREAS, it appears that the proposed annexation is in the best interests of the County and its citizens as well as the City of Spencer, in that the annexation will facilitate the development of commercial and industrial property tax base and create employment opportunities;

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Supervisors as follows:

Section 1. The Clay County Board of Supervisors supports the proposed annexation of the Southeast Quarter (SE 1/4) of Section 8, Township 96 North, Range 36 West of the 5th P.M., Clay County, Iowa, the Green Industrial Center, to the City of Spencer.

Section 2. The County Auditor is directed to file a copy of this Resolution with the Spencer City Clerk.

Section 3. All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

Section 4. If any section, provision or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. This resolution shall be in effect after its final passage and approval as provided by law.

Passed by the Board the 27th day of January 2009, and approved this 27th day of January 2009.

Ayes: Brockshus, Chalstrom, Skow, Swanson, and Matthews. Nays: none. Abstentions: none. Resolution adopted.

/s/ Burlin H. Matthews, Chair, Board of Supervisors

Attest: /s/ Marjorie A. Pitts, County Auditor