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RESOLUTION NO. ____-23

**RESOLUTION SETTING A PUBLIC HEARING ON AN APPLICATION FOR
VOLUNTARY ANNEXATION OF TERRITORY TO THE CITY OF DUBUQUE, IOWA**

Whereas, the City Council of Dubuque has received a written application from John and Diane Brehm (property owners) and Seippel Warehouse LLC (applicant and future property owner) for the voluntary annexation of 2.804 acres of property. The property is comprised of agricultural land east of Cottingham Road and west of Dubuque Industrial Center South as shown on Exhibit A and legally described as:

PART OF LOT 1 IN BREHM ACRES PLAT 2. DUBUQUE COUNTY, IOWA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE
EAST QUARTER CORNER OF SECTION 36, TOWNSHIP 89 NORTH, RANGE
1 EAST OF THE 5th P.M., DUBUQUE COUNTY, IOWA; THENCE S00°05'05"E,
394.29 FEET TO ALONG THE EAST LINE OF THE SOUTHEAST QUARTER
OF SAID SECTION 36 TO THE CENTERLINE OF COTTINGHAM ROAD AND
THE POINT OF BEGINNING; THENCE CONTINUING S00°05'05"E, 794.63
FEET ALONG SAID EAST LINE; THENCE N66°16'22"W, 100.00 FEET;
THENCE N46°30'28"W, 193.69 FEET; THENCE N20°13'45"W, 170.84 FEET TO
THE CENTERLINE OF COTTINGHAM ROAD; THENCE N40°16'31"E, 176.53
FEET ALONG SAID CENTERLINE TO THE BEGINNING OF A CENTERLINE
CURVE TANGENT TO SAID LINE; THENCE NORTHEASTERLY AND
NORTHERLY, 255.77 FEET ALONG THE CURVE CONCAVE TO THE
NORTHWEST, HAVING A RADIUS OF 740.82 FEET AND A CENTRAL ANGLE
OF 19°46'53"; THENCE N20°30'25"E, 33.09 FEET ALONG SAID CENTERLINE
TO THE BEGINNING OF A CENTERLINE CURVE; THENCE NORTHERLY
AND NORTHEASTERLY, 83.73 FEET ALONG SAID CURVE HAVING A
RADIUS OF 325.00 FEET, CONCAVE TO THE SOUTHEAST, A CENTRAL

ANGLE OF 14°45'38" AND A CHORD WHICH BEARS N25°10'38"E, 83.50 FEET TO THE POINT OF BEGINNING, CONTAINING 2.804 ACRES, WHICH INCLUDES 0.402 ACRES OF EXISTING PUBLIC ROAD RIGHT OF WAY.

Whereas, the annexation territory is not subject to an existing annexation moratorium agreement and does not include any railroad property; and

Whereas, the annexation territory does not include State owned property; and

Whereas, *Chapter 368* of the *Code of Iowa* authorizes this annexation by adoption of a resolution and required notification; and

Whereas, the annexation territory is consistent with the City's Comprehensive Plan; and

Whereas, the future growth and development of the City of Dubuque, Iowa makes it desirable that the annexation territory be made part of the City of Dubuque, Iowa; and

Whereas, the City of Dubuque has the capacity to provide substantial municipal services to the annexation territory; and

Whereas, the annexation is in the public interest.

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

A public hearing will be held on the 17th day of April 2023, at 6:30 p.m. in the Historic Federal Building Council Chambers (second floor), 350 West 6th Street, Dubuque, Iowa, at which time interested persons may appear and be heard for or against the proposed annexation, and the City Clerk be and is hereby directed to cause the attached notice of the time and place of such hearing to be published in a newspaper having general circulation in the City of Dubuque, Iowa, which notice shall be published not less than fourteen days prior to the date of such hearing.

Passed, approved and adopted this day of 2023.

Brad M. Cavanagh, Mayor

Attest:

Adrienne Breitfelder, City Clerk