

**RESOLUTION 17-04**

**A RESOLUTION STATING THE EARLHAM CITY COUNCIL  
WAIVES ITS RIGHT TO REVIEW A PROPOSED DIVISION OF PROPERTY,  
1440 120<sup>th</sup> STREET, EARLHAM, IOWA,  
OWNERS MARLYN & BERTHA GILBERT, WHICH IS WITHIN TWO (2)  
MILES OF THE CORPORATE LIMITS OF THE CITY OF EARLHAM**

**WHEREAS**, The City of Earlham has received a request to review a division of land at 1440 120<sup>th</sup> Street, Earlham, Iowa, into two parcels that is within two (2) miles of the city corporate limits; and

**WHEREAS**, Chapter 166.01 of the Code of Ordinances of Earlham, Iowa, states the City has the authority to review and approve subdivisions and plats located within two (2) miles of the corporate limits of the City; and

**WHEREAS**, Chapter 166.02(15) defines a subdivision as the division of land into three (3) or more lots for the purpose, whether immediate or future, of transfer of ownership or building development.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of Earlham, Iowa, that they hereby waive their right to review the proposed division of property.

Passed and approved this 9<sup>th</sup> day of January, 2017

\_\_\_\_\_  
Jeff Lillie, Mayor

Attest: \_\_\_\_\_  
Mary Sue Hibbs, City Clerk/Treasurer

Introduced by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

VOTE	AYE	NAY	ABSENT	ABSTAIN
Brock Fredericksen				
Adam Griswold				
Scott Petersen				
Jamie Royster				
Chris Swalla				

