



Joint Cemetery Board of Penn Township and North Liberty

Box 77, North Liberty, Iowa 52317

Joan Edelman, clerk (519) 626-2435

December 11, 2006

To whom it may concern,

Though we never received official notice of the annexation plans proposed by the Scanlon family and by City of Coralville, the Penn Township Trustees and the Joint Cemetery Board of Penn Township and North Liberty wish to voice some concerns which affect property in our jurisdiction.

It has come to our attention that the county zoning office has spoken against the annexation requests of certain residents who prefer to be annexed into North Liberty.

The Code of Iowa is very clear about annexations. I quote the following taken directly from the code of Iowa.

368.6 Intent.

It is the intent of the general assembly to provide an annexation approval procedure which gives due consideration to the wishes of the residents of territory to be annexed, and to the interests of the residents of all territories affected by an annexation. The general assembly presumes that a voluntary annexation of territory more closely reflects the wishes of the residents of territory to be annexed, and, therefore, intends that the annexation approval procedure include a presumption of validity for voluntary annexation approval.

368.7 Voluntary annexation of territory.

1. All of the owners of land in a territory adjoining a city may apply in writing to the council of the adjoining city requesting annexation of the territory.

It seems clear that the residents who are petitioning North Liberty for voluntary annexation prefer to be part of North Liberty and the services offered thereof. Since the Coralville annexation did not timely notify all parties and since these residents clearly prefer to be annexed into North Liberty, we are at a loss to understand the county position opposing this.

In addition, the Trustees of Penn Township have been ear to many concerns about the density of the development planned for the Scanlon land especially when it is clear from the location and closer proximity to North Liberty that the residents will most likely use the accommodations and services offered by North Liberty even though the tax revenue would go to Coralville if the annexation into the City of Coralville should be approved. This is unfair and detrimental to the future growth of North Liberty.

As the body responsible for generating tax revenue for fire protection in Penn Township, the trustees feel that valuable fire protection tax dollars would be lost and the strength of the North Liberty Fire Department would suffer, even though they would be first on the scene of any fires in this

development area.

We are also categorically opposed to any plans existing or future which annex the land surrounding the pioneer cemetery named Alt/Wein cemetery into the City of Coralville. This cemetery was deeded to the township around 1920. The occupants are all past residents and settlers of the North Liberty area. Some of their descendants still live in the vicinity and are opposed to having this cemetery under the jurisdiction of the City of Coralville.

Furthermore, the cemetery sits on a hilltop surrounded on three sides by steep slopes. If the land surrounding this cemetery were developed, great care would have to be taken to ensure that the hillsides were not compromised to the point of eroding the cemetery itself. We feel North Liberty, as joint partner in the cemetery board, has greater interest in maintaining the integrity of this cemetery should it need to be annexed anywhere.

We feel for the reasons set forth the following things should be considered:

1. Residents should be allowed to be voluntarily annexed into the City of North Liberty as they desire according to the intent and words of the Code of Iowa.
2. A development of the size of the one planned by Scanlon Farms should generate revenue for the city which is responsible for it's fire protection and other services residents will take advantage of and NOT the city which is further away.
3. Development in close proximity to the pioneer Alt/Wein Cemetery will be potentially detrimental and should remain in the jurisdiction of Penn Township or the Joint Cemetery Board of Penn Township and North Liberty to carefully safeguard it's integrity and retain the taxes necessary to maintain it.

Respectfully,

Joan Belknap, clerk

On behalf of the Penn Township Trustees

Also endorsed by the Joint Cemetery Board of Penn Township and North Liberty