

RESOLUTION NO. 2018 - 12 - 189

A RESOLUTION TRANSFERRING MANAGEMENT OF LINN COUNTY-OWNED REAL PROPERTY FROM THE LINN COUNTY BOARD OF SUPERVISORS TO THE LINN COUNTY CONSERVATION BOARD

WHEREAS, the Linn County Board of Supervisors is empowered pursuant to Iowa Code Section 331.361 to manage real property owned by Linn County, Iowa; and,

WHEREAS, Linn County, Iowa is the owner of approximately 306 acres of certain real property located in Linn County, Iowa, described as follows, and as depicted in the aerial photograph on the attached Exhibit A, incorporated by reference and made a part hereof:

SW NW 16-83-6, Ex Linn Co V 1821, P 39 (also identified as Tax Parcel 15162-51005-00000);

SE NW-Ex V1821 P39 16-83-6 (also identified as Tax Parcel 15162-76001-00000);

NW SW 16-83-6 (also identified as Tax Parcel 15163-26001-00000);

NE SW-Ex Hwy 13 16-83-6 (also identified as Tax Parcel 15163-01001-00000);

E ½ SE ¼ Section 17-83-6, Linn County, Iowa except Public Highway (also identified as Tax Parcels 15174-01001-00000 and 15174-76001-00000);

SW SW, Ex Roads 16-83-6 (also identified as Tax Parcel 15163-51001-00000);

SE SW, Ex Roads, 16-83-6 (also identified as Tax Parcel 15163-76001-00000);

That part of the NE ¼ lying E-ly of the Public Highway Section 17-83-6, Linn County, Iowa described as follows:

Beginning at a point 12 chains and 62 links East of the SW corner of said NE ¼; thence East 12 chains and 64 links; thence North 24 chains; thence West 12 chains and 63 links; thence South 24 chains to the point of the beginning; excepting therefrom that part of a parcel described in a Warranty Deed filed December 11, 1981, in Vol. 1821, Page 39 in the Office of the Linn County, Iowa Recorder,

AND

S 1/3 East ¾ SE ¼ NE ¼ Section 17-83-6, Linn County, Iowa, except Public Highway (also identified as Tax Parcel 15171-76001-00000);

and,

WHEREAS, the Linn County Conservation Board committed up to \$3 million toward the purchase of said real property; and,

WHEREAS, the Linn County Board of Supervisors, having examined the above-described real property, and having considered the advice of staff concerning its use, find:

1. It is appropriate to use said property for some or all of the purposes set forth in Iowa Code Section 350.4, and
2. It is appropriate and desirable that the Linn County Conservation Board manage said property on behalf of Linn County, Iowa.

NOW, BE IT THEREFORE RESOLVED by the Linn County Board of Supervisors, this date having met in lawful session, that management of the above-described real property is transferred to the Linn County Conservation Board pursuant to Iowa Code Chapter 350 for use(s) in accordance with purposes set forth in Iowa Code Chapter 350.

BE IT FURTHER RESOLVED the Linn County Board of Supervisors reserves the right to negotiate with the City of Marion, Iowa, in consultation with the Linn County Conservation Board, for the use of approximately 10 acres of the above-described property as a wetland wastewater treatment system.

PASSED AND APPROVED this 19th day of December 2018.

LINN COUNTY BOARD OF SUPERVISORS

John W. Harris
John Harris, Chair

Ben Rogers
Ben Rogers, Supervisor

Jim Houser
Jim Houser, Vice Chair

Brent Oleson
Brent Oleson, Supervisor

Stacey Walker
Stacey Walker, Supervisor

Aye: 5 Nay: 0 Abstain: 0

ATTEST:

Joel Miller
Joel Miller, Linn County Auditor

I, Joel Miller, Linn County Auditor, certify that at a regular meeting of the Linn County Board of Supervisors the foregoing resolution was duly adopted by a vote of:

5 Aye 0 Nay 0 Abstain and 0 Absent from Voting.

Joel Miller
Joel Miller, Linn County Auditor

State of Iowa

County of Linn

This instrument was acknowledged before me on the 19th day of December 2018 by Joel Miller as Linn County Auditor.

Amanda Hoy
Notary Public, State of Iowa

