

RESOLUTION 2017-09

APPROVAL OF OFFER TO PURCHASE INTEREST IN REAL ESTATE PURSUANT TO IOWA CODE

331.212(d)

WHEREAS, the Lyon County Board of Supervisors is in the process of consulting and planning for the construction of a Secondary Roads building in Lyon County, Iowa, and hereinafter referred to as “The Rock Rapids Shop Project”;

WHEREAS, a new building is needed to replace the older building that was damaged during the flood;

WHEREAS, in order to complete The Project, the Lyon County Engineer’s Office must obtain real property on which to construct the new shop building;

WHEREAS, the County has been negotiating with the Rock Rapids Development Corporation for the purchase of real property located in the Development Park in Rock Rapids, Iowa;

WHEREAS, said real property is legally described as follows:

Parcel C in the Fractional Northwest Quarter (Fr’1, NW ¼) of Section Three (3), in Township Ninety-nine (99) North, of Range Forty-Five (45), West of the 5th P.M., Lyon County, Iowa, as shown by a Plat of Survey in Plat Book “15”, at Page 59, in the Office of the Lyon County Recorder described as follows: Beginning at the Southwest Corner of the Parcel C; thence West on the South line of Parcel C a distance of 722.56 feet; thence North 422 feet; thence East 722.56 feet to the East boundary of Parcel C ; thence South along the East boundary of Parcel C 422 feet to the Point of Beginning, containing 7 acres, more or less.

WHEREAS, the County has received a Real Estate Contract/Purchase Agreement from the Rock Rapids Development Corporation which contemplates the payment of \$125,000 due on or about April 14, 2017, at which time the parties will close on the above property; and

WHEREAS, the Real Estate Contract/Purchase Agreement also contemplates a second payment of Eighty-five Thousand Dollars (\$85,000) which shall be due upon the completion of the road going to Lot 3, known as “Forster Court”; and

WHEREAS, this Resolution was introduced and Peters moved that said Resolution be adopted. The motion was seconded by Michael. The roll was called and the vote was: AYES District 1, District 2, District 3, District 4, and District 5 and NAYS None.

NOW, THEREFORE, BE IT RESOLVED by the Lyon County Board of Supervisors of Lyon County Iowa:

1. That the Lyon County Engineer be and is hereby authorized to proceed with the necessary activities to acquire the aforesaid property interest for The Project;

2. That if the above property owner agrees to convey the property interest to the County in the above amount, the Lyon County Auditor's Office is authorized and directed to issue check(s) in the amount(s) outlined above, as necessary to carry out these transactions and to pay any unforeseen additional costs as certified by the Lyon County Engineer's Office; the Lyon County Attorney's Office is authorized and directed to complete these transaction in accordance with Iowa Code.

Passed and approved this 13th day of March, 2017.

Randy Bosch, Chairman
Lyon County Board of Supervisors

ATTEST: _____
Jennifer Smit
Lyon County Auditor