

**RESOLUTION 2022 – 48**

**RESOLUTION APPROVING  
GRANTING TO THE CITY OF ROCK RAPIDS RECREATION TRAIL EASEMENT**

**WHEREAS**, the City of Rock Rapids has requested an easement for a Recreation Trail on real estate property that Lyon County owns and is described as follows:

The East Twenty Feet (E 20') along the East boundary of:

Lots 4, 5 and 6 of Block 35, Smith's Addition, Town of Rock Rapids, as shown on Auditor's Plat no. B, Lyon County

AND

All that portion of the South one half of Blocks 34 and 35 of Smith's Addition to Rock Rapids, Iowa lying between the West line of the abandoned right-of-way of the Chicago, St. Paul, Minneapolis, and Omaha Railroad Company, and a line that is twenty-five (25) feet perpendicularly distant, westerly from and parallel with the centerline of the main track of the Dubuque and Sioux City railroad company as now located.

**WHEREAS**, Lyon County has been contacted by the City of Rock Rapids about granting the easement for the purpose of constructing, operating, repairing, and maintaining the Recreation Trail.

**WHEREAS**, Lyon County may only dispose of an interest in real property by gift when given for a public purpose, as determined by the Board and

**WHEREAS**, this Resolution was introduced and Birkey moved that said Resolution be adopted. The motion was seconded by Vanden Bosch. The roll was called and the vote was

AYES: Vanden Bosch, Alena, Birkey, Herman, Feucht .NAYS: Ø.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Lyon County, Iowa, that the attached easement is hereby granted and that Josh Feucht, Chairman of the Lyon County Board of Supervisors, is hereby authorized to sign and execute all documents necessary to finalize this easement agreement, and

**BE IT ALSO RESOLVED** by the Board of Supervisors of Lyon County, Iowa, that it believes construction of recreation trail is a legitimate public purpose, the Board finds that the gift of this easement is lawfully given for a legitimate public purpose.

Passed and approved this 8<sup>th</sup> day of November, 2022.

ATTEST:   
Jen Smit, Lyon County Auditor

  
Josh Feucht, Chairman  
Lyon County Board of  
Supervisors