

RESOLUTION 2016-31

RESOLUTION TO SELL REAL PROPERTY OF LYON COUNTY, IOWA

WHEREAS, Lyon County, Iowa is the owner of the following real property, located in Rock Rapids, Iowa and specifically described as:

Lots Five (5) and Six (6), Block Five (5) of East Rock Rapids, and that part of Outlot Three (3) of East Rock Rapids, Lyon County, Iowa, described as follows:

Commencing at the Southeast Corner of Lot Five (5), Block Five (5), of said East Rock Rapids, Iowa, thence directly South to the East Bank of the Rock River, thence Northwesterly along the East Bank of said Rock River to a point directly South of the Southwest Corner of Lot Six (6), of Block Five (5), of said East Rock Rapids, thence directly North to the Southwest Corner of said Lot Six (6), Block Five (5), of East Rock Rapids, thence East along the South line of said Lots Six (6) and Five (5), of Block Five (5), of East Rock Rapids, to the point of beginning.

All in Lyon County, Iowa with a property address of: 311 First Avenue E., Rock Rapids, IA 51246.

WHEREAS, the above property was previously used by Lyon County Conservation as an office and worksite;

WHEREAS, due to a flood event that occurred during the summer of 2014, the above property has ceased to be used by the Lyon County Conservation Department and said Department has requested permission to dispose of said real estate;

WHEREAS, due to the flood event, the existing property is currently located in a flood plain, and, due to newly passed Rock Rapids City Ordinances, the existing property will need to be renovated to comply with said ordinances, at a significant cost to either the county or a potential purchaser;

WHEREAS, the City of Rock Rapids, in conjunction with the Federal Emergency Management Agency, hereinafter referred to as "FEMA" and the Iowa Department of Homeland Security, hereinafter referred to as "DHS" have offered the County an opportunity to participate in a buyout of the above property at a predetermined sale price;

WHEREAS, the buyout by the City of Rock Rapids, in addition to the sale proceeds to the County, would include the cleanup, demolition, and removal of hazardous waste after which said property would be transferred to the City of Rock Rapids, Lyon County, Iowa to be used as green space;

WHEREAS, the Lyon County Conservation Board has met and considered the proposal to participate in the FEMA buyout program, and having approved the above, has recommended to the Lyon County Board of Supervisors Lyon County participate in and agree to the FEMA buyout;

WHEREAS, previous Resolution No. 2015-11 is hereby to be considered null and void;

WHEREAS, the Lyon County Board of Supervisors propose it is in the best interests of the residents of Lyon County to sell said property;

WHEREAS, a Notice of Public Hearing in accordance with Iowa Code 331.361 and 331.305 was published in the legal publications of the Lyon County Reporter and the Doon Press for the time mandated by statute, and the time for Public Hearing, hereby held on September 12, 2016, at 11:00 a.m. at the Lyon County Courthouse in Rock Rapids, Iowa and the hearing having passed without objection;

IT IS HEREBY RESOLVED by the Lyon County Board of Supervisors that it is in the best interests of the residents of Lyon County, Iowa, to sell said property as a participant in the above-described FEMA buyout program.

Steve Michael	District 1	Yea ____	Nay ____
Merle Koedam	District 2	Yea ____	Nay ____
Mark Behrens	District 3	Yea ____	Nay ____
Randy Bosch	District 4	Yea ____	Nay ____
Kirk Peters	District 5	Yea ____	Nay ____

PASSED, APPROVED, AND ADOPTED, this 12th day of September, 2016.

ATTEST: _____
Jen Smit,
Lyon County Auditor

Randy Bosch, Chairman
Lyon County Board of Supervisors