

## **RESOLUTION NO. 05-23-22-33**

***A RESOLUTION SETTING FORTH THE INTENT OF THE BOARD OF SUPERVISORS OF CHICKASAW COUNTY, IOWA, TO CLOSE, VACATE, ABANDON, AND SELL A PORTION OF 305<sup>th</sup> STREET LEGALLY DESCRIBED AS ALL OF THAT PART OF THE ROAD RIGHT-OF-WAY LOCATED IN THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 32, TOWNSHIP 94 NORTH, RANGE 14 WEST OF THE 5<sup>th</sup> P.M. EXCEPT THAT PART OF PARCEL NO. 2021-45 AS RECORDED ON NOVEMBER 15, 2021, AS INSTRUMENT NO. 2021-2552, AND ALL OF THAT PART OF THE ROAD RIGHT-OF-WAY LOCATED IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION 31, TOWNSHIP 94 NORTH, RANGE 14 WEST OF THE 5<sup>th</sup> P.M. LYING EAST OF THE CEDAR RIVER, AND PROVIDING NOTICE OF A PUBLIC HEARING***

**WHEREAS**, Chickasaw County, Iowa, owns and maintains the real property legally described as ALL OF THAT PART OF THE ROAD RIGHT-OF-WAY LOCATED IN THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 32, TOWNSHIP 94 NORTH, RANGE 14 WEST OF THE 5<sup>th</sup> P.M. EXCEPT THAT PART OF PARCEL NO. 2021-45 AS RECORDED ON NOVEMBER 15, 2021, AS INSTRUMENT NO. 2021-2552, AND ALL OF THAT PART OF THE ROAD RIGHT-OF-WAY LOCATED IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION 31, TOWNSHIP 94 NORTH, RANGE 14 WEST OF THE 5<sup>th</sup> P.M. LYING EAST OF THE CEDAR RIVER, and locally known as a portion of 305<sup>th</sup> Street; and

**WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa, determined that said real property and that portion of 305<sup>th</sup> Street is no longer of value to the citizens of Chickasaw County, Iowa, and continued ownership and maintenance of said real property and that portion of 305<sup>th</sup> Street is detrimental to the citizens of Chickasaw County, Iowa; and

**WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa, determined that it is in the best interests of the citizens of Chickasaw County, Iowa, that said real property and that portion of 305<sup>th</sup> Street be closed, vacated, and abandoned for the purpose of sale; and

**WHEREAS**, the Board of Supervisors of Chickasaw County, Iowa, intends to sell said real property and that portion of 305<sup>th</sup> Street to the owner of all of the adjacent real property, RNAJNN, LLC, for Four Dollars (\$4.00).

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Supervisors of Chickasaw County, Iowa:

1. That the best interests of Chickasaw County, Iowa, and the citizens thereof require that formal action be taken for closure, vacation, abandonment, and sale of the real property legally described as ALL OF THAT PART OF THE ROAD RIGHT-OF-WAY LOCATED IN THE WEST HALF (W ½) OF THE SOUTHWEST QUARTER (SW ¼) OF SECTION 32, TOWNSHIP 94 NORTH, RANGE 14 WEST OF THE 5<sup>th</sup> P.M. EXCEPT THAT PART OF PARCEL NO. 2021-45 AS RECORDED ON NOVEMBER 15, 2021, AS INSTRUMENT NO. 2021-2552, AND ALL OF THAT PART OF THE ROAD RIGHT-OF-WAY LOCATED IN THE SOUTHEAST QUARTER (SE ¼) OF SECTION 31, TOWNSHIP 94 NORTH, RANGE 14 WEST OF THE 5<sup>th</sup> P.M. LYING EAST OF THE CEDAR RIVER, and locally known as a portion of 305<sup>th</sup> Street; and
2. That the sale of said real property and that portion of 305<sup>th</sup> Street to RNAJNN, LLC, for Four Dollars (\$4.00) be completed immediately after a public hearing on the same; and
3. That the real property and that portion of 305<sup>th</sup> Street subject to this sale be sold pursuant to the legal description provided herein, and that the buyer of said real property and that portion of 305<sup>th</sup> Street shall be responsible for any survey at buyer's expense if any discrepancy, dispute, or concern of any nature regarding said real property and that portion of 305<sup>th</sup> Street exists at the present time or any future time; and
4. That the costs of obtaining or continuing an abstract of title to said real property and that portion of 305<sup>th</sup> Street, as well as closing costs including but not limited to attorney's fees, recording fees, and abstracting fees, will be at the expense of the buyer; and
5. That the buyer of said real property and that portion of 305<sup>th</sup> Street is purchasing the same "AS IS" via Quit Claim Deeds; and
6. **That a public hearing on the proposed closure, vacation, abandonment, and sale of said real property and that portion of 305<sup>th</sup> Street to RNAJNN, LLC, will be held in the boardroom on the second floor of the Chickasaw**

County, Iowa, Courthouse in New Hampton, Iowa, at 9:30 a.m. on the 6th day of June, 2022; and

7. That at said public hearing, any citizen having objections to said closure, vacation, abandonment, and sale may appear and make his or her objections known, and any citizen wishing to make objections in writing may do so by filing the same with the Chickasaw County, Iowa, Auditor at the Chickasaw County Auditor's Office in New Hampton, Iowa, any time prior to 4:00 p.m. on the 3rd day of June, 2022; and
8. That the Chickasaw County, Iowa, Auditor is directed to publish this Resolution in the official newspapers of record on the 26th and 27th days of May, 2022, respectively.

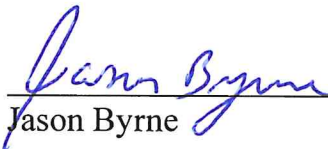
**HEREBY RESOLVED** by the Board of Supervisors of Chickasaw County, Iowa, this 23rd day of May, 2022.



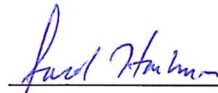
Matthew Kuhn, Chair



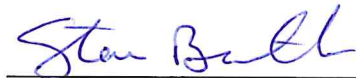
Tim Zoll, Vice Chair



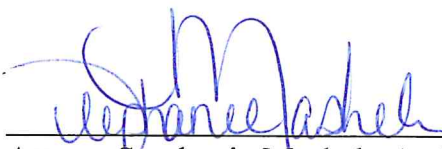
Jason Byrne



Jacob Hackman



Steven Breitbach



Attest: Stephanie Mashek, Auditor