

RESOLUTION NO. 2023-05

**RESOLUTION SETTING A PUBLIC HEARING
ON PROPOSED DEED EXCHANGE**

WHEREAS, the Board of Supervisors ("Board") of the County of Emmet, Iowa ("County") proposes to exchange quit claim deeds with Ingham Okoboji Lutheran Bible Camp Association a/k/a Ingham-Okoboji Lutheran Bible Camp ("Camp") to clear up legal descriptions uncovered by surveyor, Patrick N. Boggess, in a recent survey.

WHEREAS, the County proposes to convey to the Camp, by quit claim deed, the following described real estate:

THAT PART OF GOVERNMENT LOT 6, SECTION 14, TOWNSHIP 98 NORTH, RANGE 33 WEST OF THE 5th P.M., EMMET COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 6; THENCE SOUTH 0°07'42" WEST 100.52 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 6, TO THE CENTERLINE OF COUNTY ROAD A34, ALSO KNOWN AS 450TH AVENUE; THENCE NORTH 78°20'55" WEST 8.20 FEET ALONG SAID ROAD CENTERLINE; THENCE 204.76 FEET NORTHWESTERLY ALONG A 651.02 FEET RADIUS CURVE CONCAVE NORTHERLY WITH A LONG CHORD BEARING NORTH 69°52'18" WEST 203.91 FEET ALONG SAID ROAD CENTERLINE; THENCE NORTH 0°07'42" EAST 33.36 FEET TO THE NORTHERLY LINE OF SAID GOVERNMENT LOT 6; THENCE SOUTH 88°39'43" EAST 199.70 FEET TO THE POINT OF BEGINNING, CONTAINING 0.33 ACRES, SUBJECT TO THE PUBLIC ROAD RIGHT-OF-WAY OF SAID COUNTY ROAD A34. SAID REAL ESTATE IS MORE PARTICULARLY SHOWN

AND DESCRIBED IN THE SURVEY BY PATRICK N. BOGGESS, L.S. DATED 8/9/22, FILED 11/17/22 AS INST./DOC. 2022-01690 OF THE EMMET COUNTY RECORDER'S OFFICE.

WHEREAS, the Camp proposes to convey to the County, by quit claim deed, the following described real estate:

COMMENCING AT THE NORTHEAST CORNER OF LOT SIX (6) OF SECTION FOURTEEN (14) TOWNSHIP NINETY-EIGHT (98) NORTH OF RANGE THIRTY-THREE (33) WEST OF THE FIFTH PRINCIPAL MERIDIAN RUNNING THENCE SOUTH FORTY (40) RODS, THENCE WEST TWELVE (12) RODS, THENCE NORTH FORTY RODS (40) TO THE NORTH LINE OF SAID LOT, THENCE EAST TWELVE RODS (12) TO THE PLACE OF BEGINNING; ALSO DESCRIBED AS LOT ONE (1) IN LOT SIX (6), SECTION FOURTEEN (14) TOWNSHIP NINETY-EIGHT (98) RANGE (33) WEST OF THE 5th P.M. (DEED RECORD BOOK 66, PAGE 397);

EXCEPT THEREFROM THE FOLLOWING DESCRIBED TRACT:

THAT PART OF GOVERNMENT LOT 6, SECTION 14, TOWNSHIP 98 NORTH, RANGE 33 WEST OF THE 5th P.M., EMMET COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 6; THENCE SOUTH 0°07'42" WEST 100.52 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 6, TO THE CENTERLINE OF COUNTY ROAD A34, ALSO KNOWN AS 450TH AVENUE; THENCE NORTH 78°20'55" WEST 8.20 FEET ALONG SAID ROAD CENTERLINE; THENCE 204.76 FEET NORTHWESTERLY ALONG A 651.02 FEET RADIUS CURVE CONCAVE NORTHERLY WITH A LONG CHORD BEARING NORTH 69°52'18" WEST 203.91 FEET ALONG SAID ROAD CENTERLINE; THENCE NORTH 0°07'42" EAST 33.36 FEET TO THE NORTHERLY LINE OF SAID GOVERNMENT LOT 6; THENCE SOUTH 88°39'43" EAST

199.70 FEET TO THE POINT OF BEGINNING, CONTAINING 0.33 ACRES, SUBJECT TO THE PUBLIC ROAD RIGHT-OF-WAY OF SAID COUNTY ROAD A34. SAID EXCEPTED TRACT IS MORE PARTICULARLY SHOWN AND DESCRIBED IN THE SURVEY BY PATRICK N. BOGGESS, L.S. DATED 8/9/22, FILED 11/17/22 AS INST./DOC. 2022-01690 OF THE EMMET COUNTY RECORDER'S OFFICE.

WHEREAS, the Board has determined that it is in the best interest of the County and public purpose will be served for the good of the residents of the County;

WHEREAS, Section 331.361 of the Code of Iowa provides that before a county disposes of an interest in real property, it shall publish notice of its intent to do so.

NOW, THEREFORE, BE IT RESOLVED that the Board will hold a public hearing on the above-described proposal, all as setout above, on the 24 day of January, 2023, at the hour of 9:20 AM at the Emmet County Board Room, 609 1st Avenue North, Estherville, Iowa and the Board hereby authorizes and directs the County Auditor to publish and post notice of said hearing in a newspaper of general circulation in Emmet County, Iowa in conformance with County Code and Iowa law.

Board Member Hansen offered the foregoing Resolution and moved for its adoption.

Board Member Schumacher seconded said Resolution and upon roll call the following vote was recorded.


	AYE	NAY
<u>Tim Schumacher</u>	<u>X</u>	
<u>Lisa K. Hansen</u>	<u>X</u>	
<u>John Pluth</u>	<u>X</u>	
<u>Todd Glasnapp</u>	<u>X</u>	
<u>Jeff Quastad</u>	<u>X</u>	

Thereupon the Chair declared the foregoing Resolution passed this
17 day of January, 2023.



Todd Glasnapp, Chairperson

ATTEST:



County Auditor or Designee