

RESOLUTION NO. 2012-10

**APPROVING THE SALE OF SIOUX COUNTY'S LEGAL INTEREST IN
CERTAIN EXCESS RIGHT OF WAY REAL PROPERTY TO FLORAL PLANT
GROWERS L.L.C.**

WHEREAS, Sioux County has legal title to certain real property consisting of approximately 0.275 acres located adjacent to Jackson Avenue consisting of excess right of way easement legally described as follows:

A survey of excess right of way in the southeast quarter (SE ¼) of Section 29 (Sec. 29), Township 97 North (T97N), Range 44 West (R44W) of the Fifth Principal Meridian, in Sioux County, State of Iowa; more particularly described as follows:

Commencing at the SE cor. of Sec. 29, T97N, R44W of the Fifth Principal Meridian; thence N00°00'17"E, 49.58 Feet along the easterly line of SE ¼ of said Sec.; thence N88°42'18"W, 50.00 feet, to the point of beginning; thence continuing N88°42'18"W, 25.00 feet; thence N00°00'17"E, 348.72 feet; thence S89°59'43"E, 15.00 feet; thence N00°00'17"E, 325.00 feet; thence S89°59'43"E, 10.00 feet, to a point which is S00°00'17"W, 98.48 feet of the southeasterly lot corner of address 3181 Jackson Ave. having a county P.I.N. number of 05-29-476-010; thence S00°00'17" W, 674.28 feet, to the point of beginning, containing 11,979.3 Sq. Ft. or 0.275 acres.

WHEREAS, Sioux County has further negotiated an agreement with Floral Plant Growers L.L.C., a Delaware Limited Liability Company, whereby Sioux County would dispose of its interest in the above legally described property by transferring ownership to Floral Plant Growers L.L.C. in return for Sioux County receiving \$3,354.20 in cash.

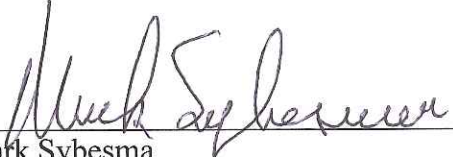
WHEREAS, the Board, by prior resolution (2012-06), as required by Iowa Code Section 331.361, described the proposed property disposition set forth above; set a public hearing on the proposed property disposition; timely published notice of the time and place of the public hearing on the proposed property disposition; and the Board conducted a public hearing on March 6, 2012, to solicit public comment and input on the proposed property disposition prior to finally acting on such proposal.

WHEREAS, the Board has further complied with the requirements of Iowa Code Section 306.23 and further the purchase price equals or exceeds the fair market value of the land as determined by an independent appraisal of the property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Sioux County that the proposed property disposition, as described above, is in the best interest of the citizens of Sioux County and all parties concerned; that the proposed property disposition as drafted, advertised, heard, and discussed be adopted; that the above described property conveyance be approved and

authorized by the Board. The Chairman of the Board of Supervisors is hereby authorized to execute and deliver documents and pay any related costs necessary to follow through with the disposal of Sioux County's property interest in the above legally described property. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

PASSED AND APPROVED this 6th day of March, 2012.



Mark Sybesma
Chairman, Board of Supervisors

ATTEST:



Lois Huitink, Sioux County Auditor