

RESOLUTION NO. 2012-37

**RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, FOR AUTHORIZATION TO EXECUTE A 28E AGREEMENT BETWEEN SIOUX COUNTY, IOWA AND CITY OF ROCK VALLEY, IOWA FOR 305TH /SEVENTEENTH STREET PUBLIC TRAIL PROJECT**

WHEREAS, the Board is desirous of entering into a 28E Agreement which defines the rights, responsibilities, and liabilities of Sioux County, Iowa and the City of Rock Valley, Iowa regarding improvements and maintenance of a right of way located north of and adjacent to Seventeenth Street, also known as 305th Street, from the Rock Valley Sports Complex to 30th Avenue in Rock Valley.

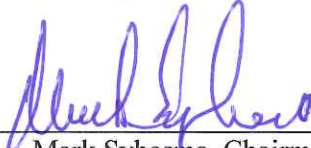
WHEREAS, an instrument entitled 28E Agreement Between Sioux County, Iowa and City of Rock Valley, Iowa for 305th/Seventeenth Street Public Trail Project has been presented to the Board of Supervisors; and,

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, AS FOLLOWS:

1. That the terms and conditions of the proposed 28E Agreement Between Sioux County, Iowa and City of Rock Valley, Iowa for 305th/Seventeenth Street Public Trail Project has been presented and considered and the same is hereby approved.
2. The Chairman is hereby authorized and ordered to execute said 28E Agreement and the County Auditor to attest to the same as is necessary to carry out the purposes of this Resolution.
3. The Chairman and Secretary for the Board of Supervisors are hereby directed to certify this Resolution and provide a certified copy of the same to the City of Rock Valley, Iowa.

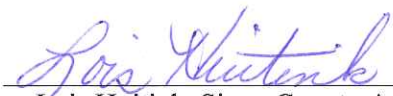
PASSED AND APPROVED this 11th day of September, 2012.

By: \_\_\_\_\_

  
Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST:

By: \_\_\_\_\_

  
Lois Huitink, Sioux County Auditor

Prepared by: Maureen McGill Hoogeveen, Attorney, 1403 Main St., Rock Valley,  
IA 51247 (712) 476-5411

At the meeting of the Board of Supervisors of Sioux County, Iowa, held on the 1th day of September 2012, Supervisor Dennis Wright introduced the following Resolution entitled "RESOLUTION OF THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, FOR AUTHORIZATION TO EXECUTE A 28E AGREEMENT BETWEEN SIOUX COUNTY, IOWA AND CITY OF ROCK VALLEY, IOWA FOR 305TH/SEVENTEENTH STREET PUBLIC TRAIL PROJECT" and moved that the same be adopted. Supervisor Kleinwolterink seconded the motion to adopt. The roll was called and the vote was:

AYES: Kleinwolterink, Degen, Sybesma, Bloemendaal and Wright

NAYS: (none)

Whereupon, the Chairman declared the Resolution duly adopted as follows:

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WHEREAS, the Board is desirous of entering into a 28E Agreement which defines the rights, responsibilities, and liabilities of Sioux County, Iowa and the City of Rock Valley, Iowa regarding improvements and maintenance of a right of way located north of and adjacent to Seventeenth Street, also known as 305th Street, from the Rock Valley Sports Complex to 30th Avenue in Rock Valley.

WHEREAS, an instrument entitled 28E Agreement Between Sioux County, Iowa and City of Rock Valley, Iowa for 305th/Seventeenth Street Public Trail Project has been presented to the Board of Supervisors; and,

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF SIOUX COUNTY, IOWA, AS FOLLOWS:

1. That the terms and conditions of the proposed 28E Agreement Between Sioux County, Iowa and City of Rock Valley, Iowa for 305th/Seventeenth Street Public Trail Project has been presented and considered and the same is hereby approved.

2. The Chairman is hereby authorized and ordered to execute said 28E Agreement and the County Auditor to attest to the same as is necessary to carry out the purposes of this Resolution.

3. The Chairman and Secretary for the Board of Supervisors are hereby directed to certify this Resolution and provide a certified copy of the same to the City of Rock Valley, Iowa.


PASSED AND APPROVED this 11<sup>th</sup> day of September 2012.

By:

  
\_\_\_\_\_  
Mark Sybesma, Chairman  
Sioux County Board of Supervisors

ATTEST:

By:

  
\_\_\_\_\_  
Lois Huitink, Sioux County Auditor

STATE OF IOWA, COUNTY OF SIOUX, SS:

On this 11th day of September 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared MARK SYBESMA and LOIS HUITINK, to me personally known, and who being by me duly sworn, did say that MARK SYBESMA is the Chairman of the Sioux County Board of Supervisors and LOIS HUITINK is the Sioux County Auditor; that the seal affixed to the foregoing instrument is the seal of Sioux County, Iowa and that the instrument was signed and sealed on behalf of said Board, by authority of its Board of Supervisors; and that said MARK SYBESMA, Chairman of the Sioux County Board of Supervisors, as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said Board by it and by him and LOIS HUITINK voluntarily executed.

*Beth Vander Veen*

Notary Public in and for the  
State of Iowa

