

**December 12, 2005**

The Mahaska County Board of Supervisors met in special session on the above date at 9:00 a.m. in the third floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Henry W. VanWeelden; Vice chairman – Greg Gordy and member – Lawrence Rouw. Also present were the following: Scott Dailey, KBOE Radio; Terry Holub, New Sharon; Mr. Holub’s mother Marie Holub from South Dakota; Jerome Nusbaum, Mahaska County Engineer; Kay Swanson, Mahaska County Auditor.

Chairman VanWeelden called the meeting to order with a moment of silence.

It was moved by Rouw seconded by Gordy to approve the agenda for today’s meeting. All present voted aye. Motion carried.

The board canvassed the Runoff election in the City of Beacon which was held on December 6, 2005. No changes were found. Results can be found in the permanent election record book in the Auditor’s office.

It was moved by Rouw seconded by Gordy to approve the request of the Sheriff to move Trevor Wells to chief deputy effective January 1, 2006 at 85% of the sheriff’s salary. All present voted aye. Motion carried.

It was moved by VanWeelden seconded by Rouw to approve the following resolution. Two – aye; one nay. Motion carried.

## **RESOLUTION**

WHEREAS Mahaska County desires to build a road that connects 220<sup>th</sup> Street with Oxford Avenue (see attached map marked “Exhibit A”.)

WHEREAS Mahaska County desires to vacate a section of Oxford Avenue in exchange for the land necessary to connect 220<sup>th</sup> Street with Oxford Avenue (see property plat parcels 1 and 2 marked “Exhibit B”).

WHEREAS The Mahaska County Historical Society owns the land desired by the county and will willingly trade it for the vacated road and other value considerations.

IT IS THEREFORE RESOLVED:

1. That the County of Mahaska vacates the following described real estate: (see attached Exhibit C.”)

A parcel of land located in the NW 1/4 of Section 5, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa more particularly described as follows: commencing at the SW corner of the NW ¼ of said section 5, thence

north 1,181.7 feet along the west line of the NW ¼ of said section 5, thence N 62° 20' 55" E 56.5 feet to the point of beginning; thence N 62° 20' 55" E 2,725.2 feet to the south ROW line of 220<sup>th</sup> Street; thence S 89° 38' 01" E 144.3 feet along the south ROW line of 220<sup>th</sup> Street; thence S 00° 56' 27" W 13.9 feet along the west ROW of Newport Avenue; thence S 62° 20' 55" W 2,300.8 feet; thence 935.7 feet along a 990.0 feet radius curve tangent to the preceding course; thence N 00° 00' 00" E 553.8 feet to the beginning.

Said parcel contains 7.9 acres.

2. That the Mahaska County Historical Society, in exchange for the above titled vacated real estate conveys the following described real estate to Mahaska County:

A parcel of land located in the NW ¼ of section 5, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa, more particularly described as Follows: the north 50 feet of the NW ¼ and the west 50 feet of the north 2,163.6 feet of the NW ¼ of said section 5.

A parcel of land located in the SW ¼ of Section 32, Township 76 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa, more particularly described as follows: the south 50 feet of the SW ¼ of said Section 32.

3. That Mahaska County will remove the pavement from the vacated portion of Oxford Avenue commencing at the Eastern end of the vacated section, continuing west to the Corner where the Nelson timber begins. Further, Mahaska County will take all steps necessary to reclaim this land for agricultural purposes.

4. That Mahaska County, in the construction of the connecting road between 220<sup>th</sup> Street and Oxford Avenue, had to remove a 50' portion of the Nelson timber. Mahaska County will give the Society any earnings received from the sale of the timber. Mahaska County will clean up all debris and stumps and landscape the property. Lastly, Mahaska County will plant replacement trees for any marketable timber.

5. That Mahaska county operated a "borrow pit" on site. Mahaska County Will grade, drain, and replace the topsoil and take all steps necessary to reclaim the land for agricultural purposes.

6. That Mahaska County will construct a concrete entrance to the Mahaska County Historical Society using the West end of the vacated section of Oxford Avenue. The shape and configuration to be determined by the parties at a later date.

7. Mahaska County will construct a hard surfaced parking lot adjacent to the new Bradbury Hall. Approximate dimensions will be 135 feet by 150 feet

with location and shape to be determined by the parties at a later date.

8. That Mahaska County will reimburse the Mahaska County Historical Society for the loss of crop production due to road construction for the 2006 crop year.

9. That Mahaska County will repair any tile damaged or destroyed during the construction process.

Dated this 12<sup>th</sup> day of December, 2005

Mahaska County Board of Supervisors  
s/Henry W. VanWeelden  
Chairman

ATTEST:  
s/Kay Swanson  
Auditor, Mahaska County, Iowa

Parcel 1

#### **PROPERTY PLAT**

Acquired from: Mahaska County Historical Society

Easement Area: 3.54 acres

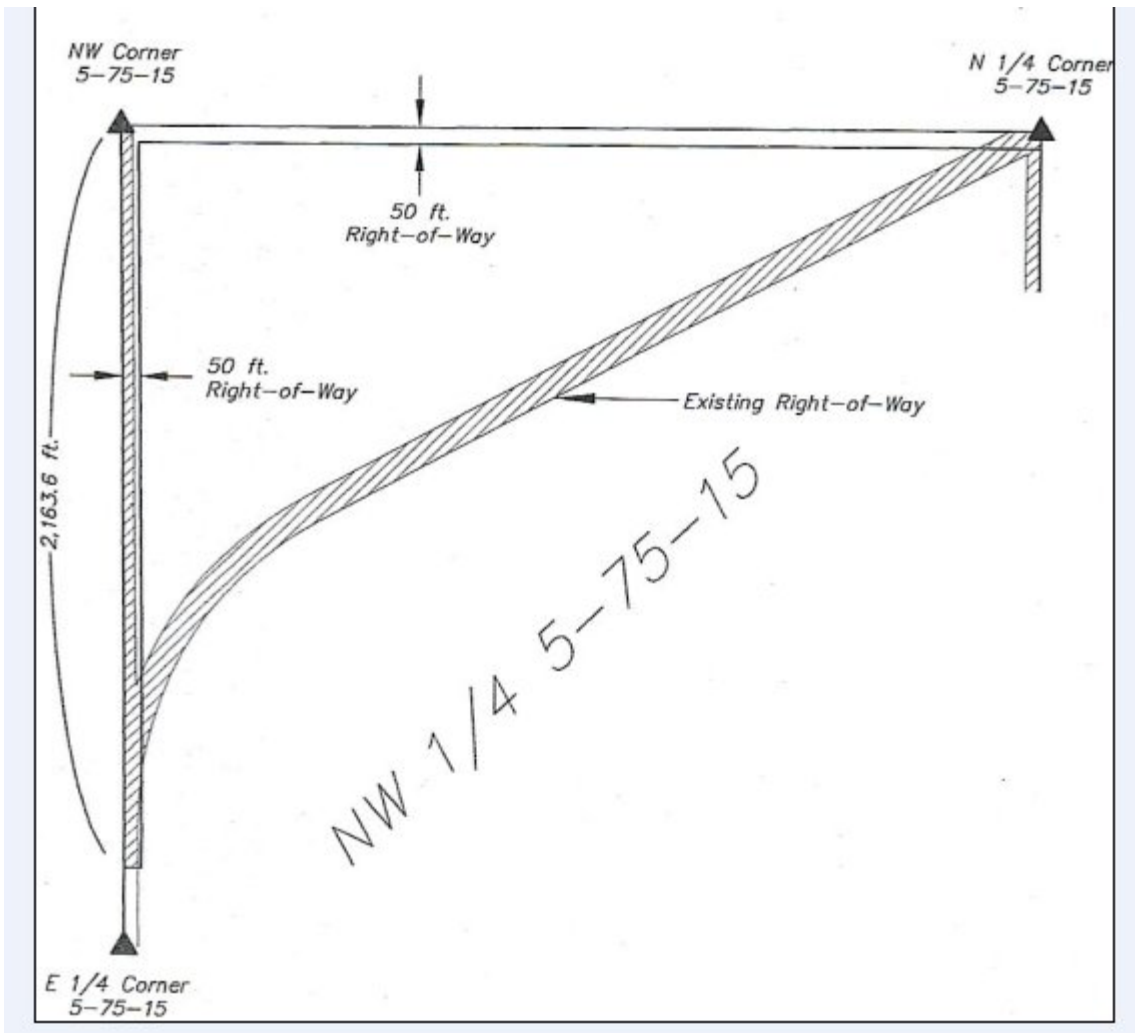
#### **LOCATION**

Section 5, Township 75 North, Range 15 West (Spring Creek Township)

#### **DESCRIPTION:**

A parcel of land located in the NW  $\frac{1}{4}$  of Section 5, Township 75 North, Range 15 West of the 5th P.M., Mahaska County, Iowa more particularly described as follows: the north 50 feet of the NW  $\frac{1}{4}$  and the west 50 feet of the north 2,163.6 feet of the NW  $\frac{1}{4}$  of said section 5.

Said parcel contains 5.47 acres including 1.93 acres of presently established right-of-way.



Parcel 2

## PROPERTY PLAT

Acquired from: Mahaska County Historical Society

Easement Area: 2.96 acres

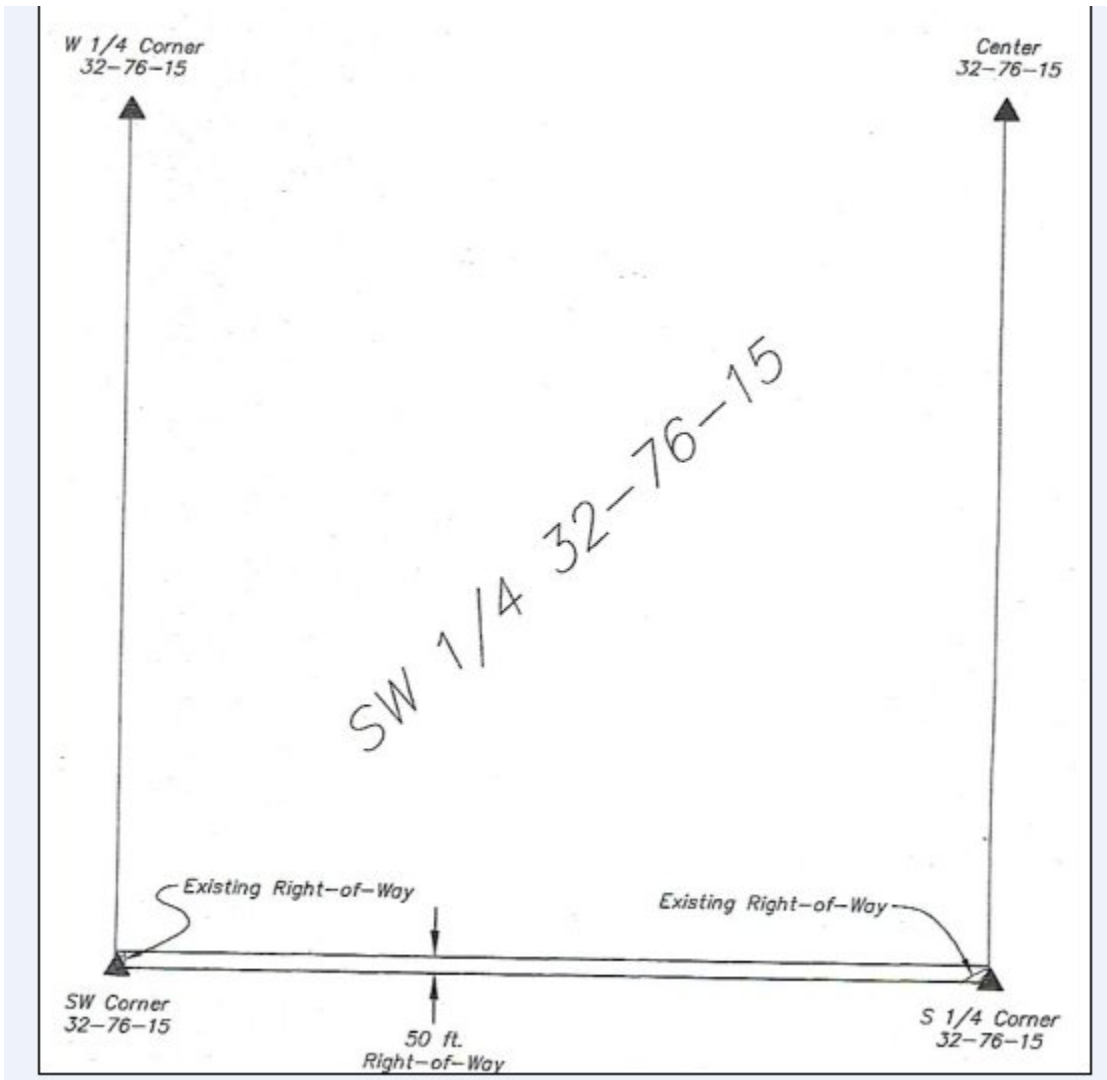
## LOCATION

Section 32, Township 76 North, Range 15 West (Spring Creek Township)

**DESCRIPTION:**

A parcel of land located in the SW 1/4 of Section 32, Township 76 North, Range 15 West of the 5<sup>th</sup> P.M., Mahaska County, Iowa more particularly described as follows: the south 50 feet of the SW 1/4 of said section 32.

Said parcel contains 3.04 acres including 0.08 acres of presently established right-of-way.



**EXHIBIT C**

Acquired from: Mahaska County Highway Department

Real Estate Area: 7.9 acres

## LOCATION

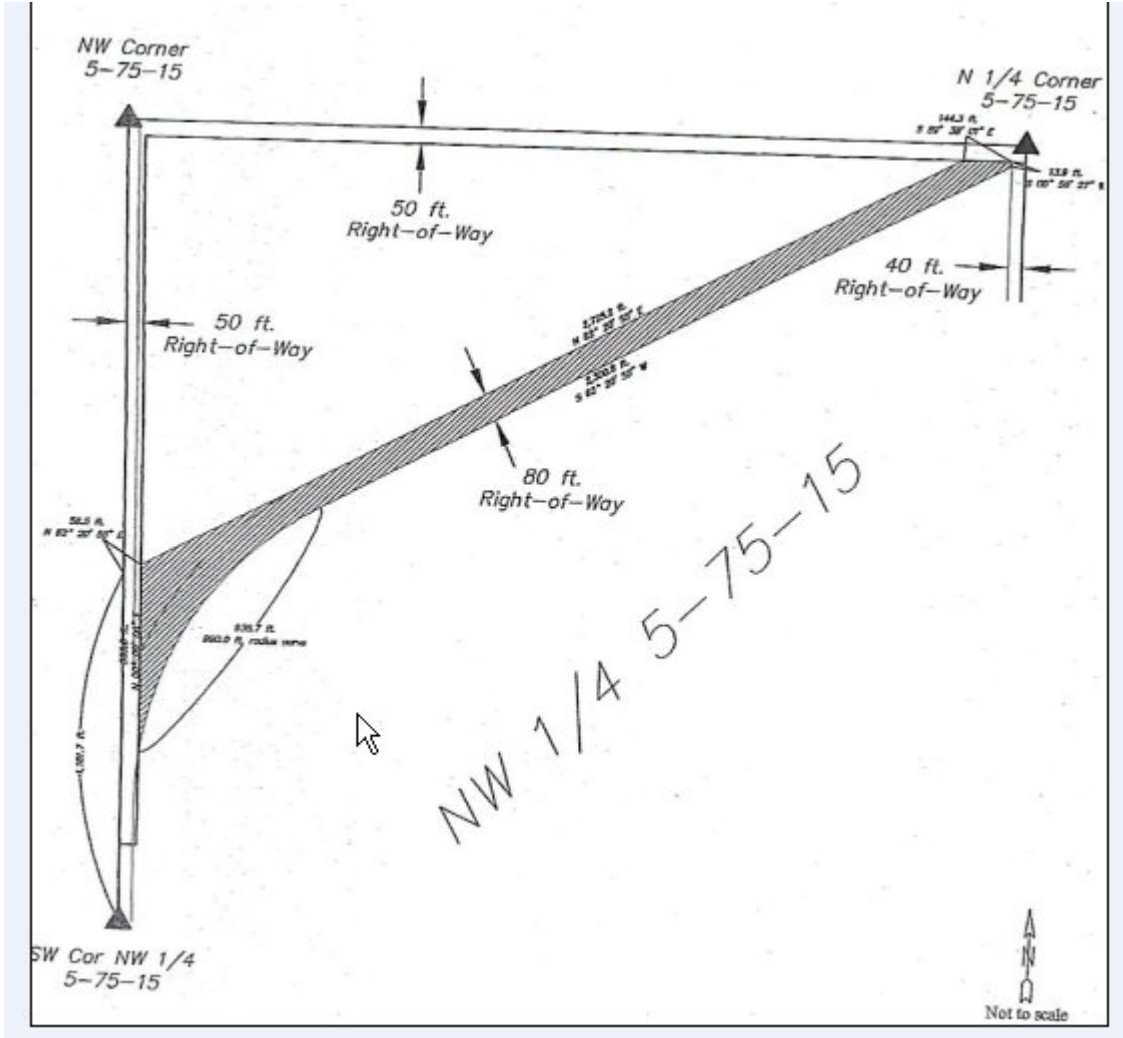
Section 5, Township 75 North, Range 15 West (Spring Creek Township)

### DESCRIPTION:

The following describes the vacated ROW of the existing diagonal roadway from Merino Avenue north and east through the Nelson Pioneer Farm Complex to the intersection of Newport Avenue and 220<sup>th</sup> Street.

A parcel of land located in the NW  $\frac{1}{4}$  of Section 5, Township 75 North, Range 15 West of the 5<sup>th</sup> P.M. Mahaska County, Iowa more particularly described as follows: commencing at the SW corner of the NW  $\frac{1}{4}$  of said section 5; thence north 1,181.7 feet along the west line of the NW  $\frac{1}{4}$  of said section 5; thence N 62°20' 55" E 56.5 feet to the point of beginning; thence N 62°20' 55" E 2,725.2 feet to the south ROW line of 220th Street; thence S 89° 38' 01" E 144.3 feet along the south ROW line of 220th Street; thence S 00°56' 27" W 13.9 feet along the west ROW line of Newport Avenue; thence S 62° 20' 55" W 2,300.8 feet; thence 935.7 feet along a 990.0 feet radius curve tangent to the preceding course; thence N 00°00' 00" E 553.8 feet to the point of beginning.

Said parcel contains 7.9 acres.



It was moved by Rouw seconded by Gordy to adjourn. All present voted aye. Motion carried.

Henry W. VanWeelden, Chairman  
Mahaska County Board of Supervisors

ATTEST: \_\_\_\_\_  
Kay Swanson, Mahaska County Auditor