

LINN COUNTY BOARD OF SUPERVISORS  
CEDAR RAPIDS, LINN COUNTY, IOWA  
WEDNESDAY, OCTOBER 26, 2022 11:00 A.M.

The Board met in session at the Linn County Jean Oxley Public Service Center.  
Present: Chairperson Rogers, Vice Chairperson Zumbach (via phone) and Supervisor Walker. Board members voting "AYE" unless otherwise noted.

Chairperson Rogers called the meeting to order and led the Pledge of Allegiance.

Motion by Rogers, seconded by Walker to approve Consent Agenda as follows:

Approve and authorize the Chair to sign a Vacancy Form requesting to change a position from Secretary to a Senior Account Clerk for the Sheriff's office

Resolution 2022-10-163

PETITION FOR THE SUSPENSION OF FISCAL YEAR 2023/ASSESSMENT YEAR 2021 PROPERTY TAXES WHEREAS, the Linn County Board of Supervisors is this day presented with a petition for the suspension of taxes and/or special assessments pursuant to Iowa Code Section 427.8; and

WHEREAS, the property for which assessments against the Petitioner are made lie within Linn County; and

WHEREAS, the Petitioner is unable to contribute to the public revenue by reason of age, infirmity, or both.

BE IT THEREFORE RESOLVED by the Linn County, Iowa Board of Supervisors, this date met in lawful session, that the petition listed below is approved as described.

PETITIONER	PARCEL #	TAX YEARS	SPECIAL #
Nassif, shaker	14263-01002-00000	2021	

BE IT FURTHER RESOLVED, the Linn County Treasurer is ordered to suspend the collection of taxes assessed against the Petitioner, and his or her polls or estates, for the parcel listed above for the tax years as indicated.

Resolution 2022-10-164

A Resolution approving a final plat for Ashbacher First Addition, case JF22-0013. The following description is a summary of Resolution 2022-10-164 as passed and approved by Linn County Board of Supervisors, effective October 26, 2022.

Ashbacher First Addition (Case # JF22-0013) to Linn County, Iowa, containing three (3) lots, numbered lot 1, lettered lot A and outlot A, a subdivision of real estate located in the SWNE of Section 12, Township 83 North, Range 8 West of the 5th P.M., Linn County, Iowa, described as follows: BEGINNING AT THE CENTER OF SAID SECTION 12, ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°27'04"W ALONG THE WEST LINE OF THE NE1/4 OF SAID SECTION 12, 1319.14 FEET TO THE NORTHWEST CORNER OF THE SW1/4 NE1/4 OF SAID SECTION 12, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1; THENCE N89°12'39"E ALONG THE NORTH LINE OF THE SW1/4 NE1/4 OF SAID SECTION 12, 159.72 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE S00°27'04"E ALONG THE EAST LINE OF SAID LOT 2, 1319.44 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S89°19'00"W ALONG THE SOUTH LINE OF THE SW1/4 NE1/4 OF SAID SECTION 12, 159.72 FEET TO THE POINT OF BEGINNING CONTAINING 4.84 ACRES (210,717 SQ.FT.) MORE OR LESS.

The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at [www.linncountyiowa.gov](http://www.linncountyiowa.gov).

Resolution 2022-10-165

A Resolution approving a two lot final plat to be named Price's North Linn Third Addition. The following description is a summary of Resolution 2022-10-165 as passed and approved by Linn County Board of Supervisors, effective October 26, 2022.

Price's North Linn Third Addition (Case # JF22-0004) to Linn County, Iowa, containing two (2) lots, numbered lot 1 and lot 2, a subdivision of real estate located in the NW SE of Section 4, Township 86 North, Range 7 West of the 5th P.M., Linn County, Iowa, described as follows: Lots 1, 2 and A of Price's North Linn Second Addition, Linn County, Iowa, containing 4.93 acres.

The full text of the Resolution may be inspected in the Linn County Auditor's Office located at 935 Second Street SW, Cedar Rapids, Iowa, during regular business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday or on the Linn County website at [www.linncountyiowa.gov](http://www.linncountyiowa.gov).

Resolution 2022-10-166

AUTHORIZE CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361, Code of Iowa, to dispose of the interest of Linn County, in real property, and, WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of right-of-way described as: LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the

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5th P.M., Linn County, Iowa described as follows:

The alley lying Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7. Said vacated area = 787 sf or 0.02 acres

and,

WHEREAS, Heidi L. Sherman, owner of real property adjacent to the above-described parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa may have in the above-described parcel of vacated right-of-way,

and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed whatever interest Linn County, Iowa, may have in the above described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way shall be conveyed to Heidi L. Sherman, owner of real property adjacent to the above-described vacated right-of-way, by quit claim deed.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County, Iowa, hereby authorize to execute said quit claim deed conveying whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way to Heidi L. Sherman.

Resolution 2022-10-167

APPROVE QUIT CLAIM DEED

WHEREAS, there is presented to the Board of Supervisors, Linn County, Iowa, for its approval, a quit claim deed

executed and acknowledged by Ben Rogers, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, conveying the interests of Linn County, Iowa, to Heidi L. Sherman, and

WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows: The alley lying Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7. Said vacated area = 787 sf or 0.02 acres.

and

WHEREAS, said deed was executed by Ben Rogers, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, pursuant to resolution 2022-10-167 adopted by the Board of Supervisors, Linn County, Iowa, on the 26<sup>th</sup> day of October, 2022.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session, that the above described quit claim deed, dated the 26th day of October, 2022 conveying whatever interest Linn County, Iowa, may have, to Heidi L. Sherman, be and the same is hereby approved.

Resolution 2022-10-168

AUTHORIZE CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361, Code of Iowa, to dispose of the interest of Linn County, in real property, and,

WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of right-of-way described as:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows: The alley lying between Lots 7 and 8, Lots 5 and 6 of said Johnsons First Addition, Block 7. Said vacated area = 787 sf or 0.02 acres.

and,

WHEREAS, Lonnie Oliphant, Zonna Bonar and Nina Williams, owner of real property adjacent to the above-described parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa may have in the above-described parcel of vacated right-of-way, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way shall be conveyed to Lonnie Oliphant, Zonna Bonar and Nina Williams, owner of real property adjacent to the above-described vacated right-of-way, by quit claim deed.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County, Iowa, hereby authorize to execute said quit claim deed conveying whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way to Lonnie Oliphant, Zonna Bonar and Nina Williams.

Resolution 2022-10-169

APPROVE QUIT CLAIM DEED

WHEREAS there is presented to the Board of Supervisors, Linn County, Iowa, for its approval, a quit claim deed executed and acknowledged by Ben Rogers, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Page 3  
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Linn County, Iowa, conveying the interests of Linn County, Iowa, to Lonnie Oliphant, Zonna Bonar and Nina Williams, and

WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows: The alley lying between Lots 7 and 8, Lots 5 and 6 of said Johnsons First Addition, Block 7. Said vacated area = 787 sf or 0.02 acres.

WHEREAS, said deed was executed by Ben Rogers, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, pursuant to resolution 2022-10-169 adopted by the Board of Supervisors, Linn County, Iowa, on the 26<sup>th</sup> day of October, 2022.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session, that the above described quit claim deed, dated the 26th day of October, 2022, conveying whatever interest Linn County, Iowa, may have, to Lonnie Oliphant, Zonna Bonar and Nina Williams, be and the same is hereby approved.

Resolution 2022-10-170

AUTHORIZE CONVEYANCE OF VACATED RIGHT-OF-WAY

WHEREAS, the Board of Supervisors, Linn County, Iowa, is empowered under §331.361, Code of Iowa, to dispose of the interest of Linn County, in real property, and, WHEREAS, the Board of Supervisors, Linn County, Iowa, has vacated the portions of right-of-way described as:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows: Second Street lying north of Lot 2 and north of the alley between Lot 1 and Lot 2 of said Johnsons First Addition, Block 7. Said vacated area = 4,323 sf or 0.10 acres.

and,

WHEREAS Gary L. Holsinger, owner of real property adjacent to the above-described parcel of vacated right-of-way desire to obtain whatever interest Linn County, Iowa may have in the above-described parcel of vacated right-of-way, and

WHEREAS, the Board of Supervisors, Linn County, Iowa, has pursuant to §331.361, Code of Iowa, conducted a public hearing upon the proposal to convey by quit claim deed whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session that whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way shall be conveyed to Gary L. Holsinger, owner of real property adjacent to the above-described vacated right-of-way, by quit claim deed.

BE IT FURTHER RESOLVED that the Chairperson of the Board of Supervisors, Linn County, Iowa, hereby authorize to execute said quit claim deed conveying whatever interest Linn County, Iowa, may have in the above-described parcel of vacated right-of-way to Gary L. Holsinger.

Resolution 2022-10-171

APPROVE QUIT CLAIM DEED

WHEREAS there is presented to the Board of Supervisors, Linn County, Iowa, for its approval, a quit claim deed executed and acknowledged by Ben Rogers, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, conveying the interests of Linn County, Iowa, to Gary L. Holsinger, and

WHEREAS, said deed conveys the following real estate described as follows:

LEGAL DESCRIPTION

A portion of Johnsons First Addition to Toddville, Block 7, located in the SE 1/4 SE 1/4, Section 12, T. 84N., R. 08W. of the 5th P.M., Linn County, Iowa described as follows:

Second Street lying north of Lot 2 and north of the alley between Lot 1 and Lot 2 of said Johnsons First Addition, Block 7. Said vacated area = 4,323 sf or 0.10 acres.

and

WHEREAS, said deed was executed by Ben Rogers, Chairperson of the Board of Supervisors, Linn County, Iowa, and Joel D. Miller, County Auditor of Linn County, Iowa, pursuant to resolution 2022-10-171 adopted by the Board of Supervisors, Linn County, Iowa, on the 26<sup>th</sup> day of October, 2022.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors, Linn County, Iowa, this date met in lawful session, that the above described quit claim deed, dated the 26th day of October, 2022, conveying whatever interest Linn County, Iowa, may have, to Gary L. Holsinger, be and the same is hereby approved.

Approve and authorize Chair to sign a Quit Claim Deed to Heidi L. Sherman of Linn County, Iowa's interest of vacated right-of-way along former alleys lying Lots 3 and 4, and Lots 1 and 2 of said Johnsons First Addition, Block 7

Approve and authorize Chair to sign a Quit Claim Deed to Lonnie Oliphant, Zonna Bonar and Nina Williams of Linn County, Iowa's interest of vacated right-of-way along former alley lying between Lots 7 and 8, Lots 5 and 6 of said Johnsons First Addition, Block 7.

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Approve and authorize Chair to sign a Quit Claim Deed to Gary L. Holsinger of Linn County, Iowa's interest of vacated right-of-way along former Second Street lying north of Lot 2 and north of the alley between Lot 1 and Lot 2 of said Johnsons First Addition, Block 7.

Motion by Rogers, seconded by Walker to approve minutes of Oct. 24 & 25, 2022 as printed.

Motion by Rogers, seconded by Walker to approve Claims for AP Checks #71008838-#71008883 in the amt. of \$40,736.33, and AP ACH in the amt. of \$738,441.01 for a total of \$779,177.34.

Board Member Reports - Chairperson Rogers reported that the overflow shelter received unanimous approval by the Cedar Rapids City Council last evening.

Adjournment at 11:02 a.m.

Respectfully submitted,

JOEL D. MILLER, Linn County Auditor  
By: Rebecca Shoop, Deputy Auditor

Approved by:

BEN ROGERS, Chairperson  
Board of Supervisors