RESOLUTION SETTING PUBLIC HEARING ON PROPOSAL TO CONVEY TO LOIS M. HART VACATED ALLEYWAY AND STREET RIGHT-OF-WAY IN THE UNINCORPORATED TOWN OF VIOLA, IOWA

WHEREAS Linn County, Iowa in 1976 vacated that portion of Williams Street along the East side of Lots 21 and 22 in Brown’s Addition to the unincorporated town of Viola, Iowa located in the NE¼ of the NE¼ of Section 14, Township 84 North, Range 5 West of the 5th P.M.; and,

WHEREAS Linn County, Iowa in 2007 vacated the alley running from John Street East to Williams Street in Brown’s Addition to the unincorporated town of Viola, Iowa; and,

WHEREAS Lois M. Hart and her late husband, Edwin N. Hart, have been in possession of the East 80 feet of the vacated alleyway lying between John Street to the West and Williams Street to the East in Brown’s Addition to the unincorporated town of Viola, Iowa along with all that part of vacated Williams Street lying West of Lots 42 and 43 of Brown’s Addition to the unincorporated town of Viola, Iowa and the West Half of the balance of Williams Street North thereof to the South right-of-way line of County Home Road since each was vacated; and,

WHEREAS Ms. Hart and her late husband maintained the vacated alleyway and street right-of-way as if they were their own property since both were vacated and with Mr. Hart’s recent passing it has come to Ms. Hart’s attention that neither she nor her husband ever received a conveyance from Linn County for the vacated alleyway or street right-of-way in question; and,

WHEREAS Ms. Hart has offered to pay all out-of-pocket expenses incurred by the County in conveying the vacated alleyway and street right-of-way in question to her; and,

WHEREAS this Board believes Ms. Hart’s offer is a fair one and should be accepted;

BE IT RESOLVED, THEREFORE, that the proposal of this Board to convey by quit claim deed the vacated alleyway and street right-of-way referenced above to Lois M. Hart in return for Ms. Hart’s payment of all out-of-pocket costs incurred by the County in connection with the process shall come on for hearing before this Board on the 13th day of Sept., 2021 at 11 o’clock A.M.
PASSED this 18th day of Aug., 2021

Stacey Walker, District 1 and 2021 Chair
Ben Rogers, District 2 and 2021 Vice Chair
Louis J. Zumbach, District 3

ATTEST:  
Joel D. Miller  
Linn County Auditor

[Signature]  
Deputy