

**Resolution No. 2023-17**  
**RESOLUTION SETTING DATE FOR PUBLIC HEARING ON THE  
SALE OF REAL ESTATE IN CASS COUNTY, IOWA**

WHEREAS Cass County Care Facility a/k/a Cass County, Iowa, owns the following real estate legally-described as

Parcel A of the Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$  AND Parcel B of the Northeast  $\frac{1}{4}$  of Section 25, Township 76, Range 37 West of the 5th P.M., Cass County, Iowa, as designated by Survey recorded in Book 5, Page 584, in the office of the Cass County Iowa Recorder,

AND

Parcel E of the North  $\frac{1}{2}$  of Section 25, Township 76, Range 37 West of the 5th P.M., Cass County, Iowa, as designated by Survey recorded in Book 5, Page 584, in the Office of the Cass County Iowa Recorder.

and,

WHEREAS, Milk Unlimited Dairy Farms, L.P. ("Buyer"), has offered to purchase this property from Cass County, Iowa for a purchase price of One Million Seven Hundred Sixty Two Thousand Nine Hundred Forty Six (\$1,762,946.00) Dollars; and

WHEREAS, Buyer has informed the Board of Supervisors that they intend to use the property in a manner consistent with existing zoning regulations; and

WHEREAS, said property is not currently being used by the County for any public purpose, and there is no anticipated manner in which the property would be used for a public purpose in the foreseeable future; and

WHEREAS, the County is currently responsible for the expense of maintaining said property; and

WHEREAS, the County desires to sell this property pursuant to the offer received from the Buyer; and

WHEREAS, the disposition of an interest in real property by the Board of Supervisors requires the calling of a public hearing, pursuant to Iowa Code § 331.361.

IT IS HEREBY RESOLVED by the Board of Supervisors that a public hearing is set for the 16th day of May, 2023, at 9:00 a.m. at the Cass County Courthouse, 5 West 7th St., Atlantic, Iowa, concerning the sale of the following real estate situated in Cass County, Iowa:

Parcel A of the Northeast ¼ of Northeast ¼ AND Parcel B of the Northeast ¼ of Section 25, Township 76, Range 37 West of the 5th P.M., Cass County, Iowa, as designated by Survey recorded in Book 5, Page 584, in the office of the Cass County Iowa Recorder, AND

Parcel E of the North ½ of Section 25, Township 76, Range 37 West of the 5th P.M., Cass County, Iowa, as designated by Survey recorded in Book 5, Page 584, in the Office of the Cass County Iowa Recorder.

BE IT FURTHER RESOLVED that said property may be sold to Milk Unlimited Dairy Farms, L.P., for a purchase price of not less than One Million Seven Hundred Sixty Two Thousand Nine Hundred Forty Six (\$1,762,946.00) Dollars.

BE IT FURTHER RESOLVED that the Cass County Auditor is directed to publish notice of said public hearing and that said notice shall be published at least once in the Atlantic News-Telegraph, a newspaper of general circulation in the County, not less than four (4) nor more than twenty (20) days before the date of said hearing on the proposal.

IT IS FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and approval by the Board of Supervisors.

Moved by Green to adopt. Second by O'Brien to adopt.

Roll Call Vote:

A Baier  
A Pettinger  
A Green  
N Richter  
A O'Brien

Resolution adopted this 9<sup>th</sup> day of May, 2023.

Steve Baier  
Steve Baier, Chairman,  
Board of Supervisors

Kathy Somers  
Kathy Somers  
County Auditor