

RESOLUTION NO. 2026-38

RESOLUTION OF NECESSITY AND AUTHORIZATION FOR ACQUISITION OF REAL PROPERTY FOR SECONDARY ROAD IMPROVEMENTS

A RESOLUTION determining the necessity for acquisition of certain real property interests for the improvement of a portion of the Poweshiek County Secondary Road System and authorizing acquisition of such interests by purchase or condemnation.

WHEREAS The Board of Supervisors of Poweshiek County, Iowa, is vested with the authority and responsibility for the construction, reconstruction, improvement, and maintenance of the county secondary road system pursuant to Iowa Code Chapter 306; and

WHEREAS, the County Engineer has recommended improvements to County Road V18, located in Bear Creek Township, Poweshiek County, Iowa, including but not limited to roadway widening, grading, drainage improvements, shoulder improvements, and related work (the "Project"); and

WHEREAS, the Board of Supervisors has reviewed the recommendations of the County Engineer and finds that the proposed improvements are necessary to promote the safety, welfare, and convenience of the traveling public; and

WHEREAS, the construction and completion of the Project require the acquisition of certain real property interests, including permanent road right-of-way, temporary construction easements, and/or drainage easements across certain privately owned parcels adjacent to the roadway; and

WHEREAS, the County has attempted or will attempt to acquire the necessary property interests through good-faith negotiations with the affected property owners; and

WHEREAS, if voluntary acquisition cannot be accomplished, the County may acquire such interests by condemnation pursuant to Iowa Code Chapter 6A.

NOW, THEREFORE, BE RESOLVED BY THE BOARD OF SUPERVISORS OF POWESHIEK COUNTY, IOWA:

Section 1. Determination of Public Necessity

The Board of Supervisors hereby finds and determines that the acquisition of the real property interests described herein is necessary for the public purpose of improving and maintaining the secondary road system of Poweshiek County, Iowa, specifically for the improvement of County Road V18 between 415th Avenue and 410th Avenue.

Section 2. Property Interests to Be Acquired

The property interests to be acquired consist of permanent right-of-way, temporary construction easements, drainage easements, and such other interests as may be reasonably necessary for the construction, operation, and maintenance of the Project.

The parcels affected are generally described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 3. Authorization to Acquire Property

The County Engineer and County Attorney are hereby authorized and directed to proceed with the acquisition of the necessary property interests by voluntary purchase whenever possible.

Section 4. Authorization of Condemnation

In the event that any necessary property interests cannot be acquired through voluntary agreement, the County Attorney is authorized and directed to initiate condemnation proceedings on behalf of Poweshiek County pursuant to Iowa Code Chapter 6A for the purpose of acquiring such interests. The Board of Supervisors finds that there is a reasonable expectation that the condemnation will achieve the public purpose of the Project, that all applicable standards will be complied with and that all necessary permits can be obtained.

Section 5. Just Compensation

The County shall pay just compensation to property owners for property interests acquired for the Project as required by law.

Section 6. Further Authority

The County Engineer, County Attorney, County Auditor, and other appropriate County officials are authorized and directed to take all actions necessary to implement this Resolution and to complete the acquisition of property interests required for the Project.

PASSED AND APPROVED

Passed and approved by the Board of Supervisors of Poweshiek County, Iowa, this 16 day of March, 2026.

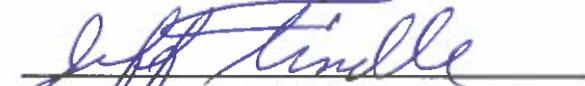
POWESHIEK COUNTY BOARD OF SUPERVISORS



Jason Roudabush, Chairperson



Jacki Bolen, Vice Chairperson



Jeff Tindle, Supervisor

ATTEST:



Melissa Eilander, Poweshiek County Auditor

EXHIBIT A
Legal Description
Proposed Condemnation Area for Improvements to County Highway V18

Permanent Right of Way

A part of the Northeast Quarter of the Northwest Quarter of Section 35 Township 80 North, Range 14 West of the Fifth Principal Meridian, Poweshiek County, Iowa, being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of said Section 35; Thence South 00 degrees 15 minutes 10 seconds East along the east line of the Northeast Quarter of said Section a distance of 974.37 feet; thence North 89 degrees 58 minutes 02 seconds West a distance of 56.36 feet to the westerly easement line of Poweshiek County Highway V18 as presently established, and the Point of Beginning; thence continuing North 89 degrees 58 minutes 02 seconds West a distance of 5.00 feet; thence South 00 degrees 05 minutes 36 seconds East a distance of 280.15 feet; thence North 89 degrees 44 minutes 50 seconds East a distance of 5.00 feet to said westerly easement line; thence North 00 degrees 07 minutes 03 seconds West along said westerly line a distance of 234.96; thence North 00 degrees 01 minutes 58 seconds East along said westerly line a distance of 45.16 feet to the Point of Beginning, containing 0.03 acres more or less.