

**Resolution No. 41-20**

**RESOLUTION TO APPROVE THE D.D. KENNEDY PARK LAND-SWAP**

ROLL CALL Board Members	Aye	Nay	Exc.
Olson			
Route			
Warhdahl			
Nelson (Chairperson)			
LaBlanc			
Ruck			
Prichard			
Kelly			
O'Connell			
Middleton			
Luke (2 <sup>nd</sup> Vice Chair)			
Duncanson			
Arcand			
Bonneprise (Vice Chair)			
Demulling			

**BOARD ACTION**

Vote Required: Majority Vote of a Quorum

Approved Unanimously as part of Consent Agenda

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Motion to Approve      Adopted

1st \_\_\_\_\_      Defeated

2nd \_\_\_\_\_

Yes: \_\_\_\_\_ No: \_\_\_\_\_ Exc: \_\_\_\_\_

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

Reviewed by: [Signature], Finance

**FISCAL & LEGAL IMPACT:**

**Certification:**

I, Lisa Ross, Clerk of Polk County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 15<sup>th</sup> day of Sept., 2020 by the Polk County Board of Supervisors.

[Signature]

Lisa Ross  
County Clerk, Polk County

1 **TO THE POLK COUNTY BOARD OF SUPERVISORS:**

2

3 **WHEREAS**, Polk County owns and maintains the D.D. Kennedy Park, a

4 recreational County park; and

5

6 **WHEREAS**, it was recently discovered that the portion of the area

7 maintained by the County as a part of the Park, including the location of the

8 bridge, is actually owned by Theodore and Patricia Hansen (the Hansens) and

9 Kim M. Burlage and Mark C. Hansen rather than the County; and

10

11 **WHEREAS**, the Hansens and Kim M. Burlage and Mark C. Hansen have

12 agreed to a mutual land swap with the County of parcels of nearly equal size

13 (4.26 acres); and

14

15 **WHEREAS**, this land swap would allow the County to continue maintain

16 the property that was previously believed to be a part of the Park and will not

17 impact the current trail and recreation generally available to the public at the

18 Park.

19

20 **NOW, THEREFORE, BE IT RESOLVED**, that the Polk County Board of

21 Supervisors hereby authorizes the County to deed part of parcel number

22 024000360000, a parcel of land located in the Southeast Quarter of the

23 Northwest Quarter Section 3, Township 33 North, Range 17 West, in the Town

24 of Garfield to the Hansens in consideration of the Hansens contemporaneously

25 deeding part of County parcel number 024000310000, a parcel of land located

26 in the Northeast Quarter of the Northwest Quarter Section 3, Township 33

27 North, Range 17 West, in the Town of Garfield.

28

29 **BE IT FURTHER RESOLVED**, that the parcel deeded to the Hansens is

30 intended to be considered a single parcel a with the parcel described in

31 Document number 590855, Volume 798, Page 471.

32

33 **BE IT FURTHER RESOLVED**, the parcel deeded to the County is intended

34 to be considered as a single parcel with the parcel description in Document

35 number 354352, Volume 356, Page 26.

36

37

**SUBMITTED BY:**

[Signature]

Committee ESC

Recommended

Not Recommended

Neutral