

RESOLUTION NO. 6 22/23

Resolution Fixing a Date of Meeting for Public Hearing on the Receipt and Approval of Proposals for the Disposal and Development of Certain County-Owned Real Property in the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a/k/a Otter Creek Ethanol, LLC)

WHEREAS, Osceola County, Iowa (the "County") has previously established the 2003 Urban Renewal District 1 (Spirit Lake Ethanol, LLC a/k/a Otter Creek Ethanol, LLC) (the "Urban Renewal Area"); and

WHEREAS, one of the County's objectives for the Urban Renewal Area is to promote the development of new commercial and industrial enterprises in the Osceola County Enterprise Park; and

WHEREAS, the County has received a proposal from MBN Pallets LLC (the "Company") which includes the construction of a new facility for use in the Company's business operations (the "Project") on certain real property (the "Property") currently owned by the County, the description of which is set forth as Exhibit A hereto; and

WHEREAS, it is now necessary to make provision for the disposition of the Property, in accordance with the provisions of Sections 403.8 and 331.361 of the Code of Iowa, to a developer who can undertake the development thereof;

NOW, THEREFORE, IT IS RESOLVED by the Board of Supervisors (the "Board") of Osceola County, Iowa, as follows:

Section 1. In accordance with the provisions of Section 403.8.1 of the Code of Iowa, the Board hereby prescribes the following process for the disposition of the Property:

A. The Board will advertise for proposals for the acquisition and development of the Property in a newspaper of general circulation in the County at least once not less than twenty-one (21) days in advance of the date on which the proposals shall be due. In addition, the County shall advertise for proposals by posting the advertisement at the Osceola County Courthouse and through available electronic means as soon as may be practical.

B. The Board will make information packets (the "Development Proposal Packets") detailing the development objectives for the Property and the expectations to be placed upon the Company of the Property available in the Office of the County Auditor. Proposals shall be due by no later than 12:00 p.m. on August 25, 2022 at the office of the County Auditor at the Osceola County Courthouse, Sibley, Iowa. Each proposal submitted shall set forth the proposed Company's plan for developing the Property in accordance with the Development Proposal Packet.

C. A public hearing will be held on the proposal to sell the Property as set forth in Section 2 of this Resolution. Following the public hearing, the Board may determine to dispose of the Property to the developer whose proposal, if carried out, would be in the best interests of

the County in light of the urban renewal and development objectives of the County as set forth in the Development Proposal Packet.

Section 2. The Board will hold a public hearing on the proposal to sell the Property as set out in the preamble hereof at 9 a.m., on August 26, 2022, at the Osceola County Courthouse, Sibley, Iowa. Following the public hearing the Board may accept the proposal deemed to be in the best interests of the County and proceed with the disposition of the Property.

Section 3. The County Auditor is hereby authorized and directed to give notice of this resolution and of the public hearing on the proposal to sell the Property, by publication, at least once, not less than twenty-one (21) days prior to the date set for acceptance of proposals, in a newspaper of general circulation in the County. Furthermore, the County Auditor is hereby authorized and directed to give notice by posting notice at the Osceola County Courthouse and by such reasonable electronic means as may be available to the County as soon as practical following the adoption of this resolution. Such notice shall be substantially in the form which is attached to this resolution.

Section 4. The Board hereby declares that a proposal for the development of the Property has been received from the Company, and unless a subsequent proposal is submitted which better represents the best interests of the County with respect to the development of the Property as set forth in the Development Proposal Packets, this proposal shall be approved by the Board on August 26, 2022, and the Property shall be subsequently disposed of in accordance therewith. The Board further declares that this Resolution constitutes the notification of intent to accept proposal as provided for in Section 403.8 of the Code of Iowa. The County reserves the right to consider the legal and financial ability of developers submitting proposals to carry out the desired development of the Property. Furthermore, the County reserves the right to negotiate for proposals with respect to the desired development of the Property.

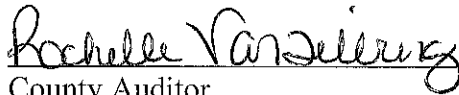
Section 5. All resolutions or parts thereof which are in conflict herewith are hereby repealed.

Passed and approved this 26th day of July, 2022.



Chairperson, Board of Supervisors

Attest:



County Auditor