

RESOLUTION 2019-06

APPROVAL OF OFFER TO PURCHASE INTEREST IN REAL ESTATE PURSUANT TO IOWA CODE  
331.212(d)

**WHEREAS**, the Lyon County Board of Supervisors has previously approved a project to build a bridge, said project being Project No. BRS-SWAP-CO60(95)—FF-60, and hereinafter referred to as “The Project”;

**WHEREAS**, the bridge project on A52 between Jay and Jefferson Avenue requires permanent and temporary easements to build a new bridge that meets the Iowa Department of Transportation’s Standard Specifications;

**WHEREAS**, to comply with the requirements set by the Iowa Department of Transportation, hereinafter referred to as “DOT”, the proposed project will contemplate the building of the bridge and the foregoing interest in real estate is necessary to completion of said project;

**WHEREAS**, in order to complete The Project, the Lyon County Engineer’s Office must obtain temporary construction easements as well as a permanent easements. Attached to this resolution is a copy of the Easement Drawing. The Easement Drawing outlines the property and area necessary to the completion of The Project;

**WHEREAS**, in order to complete The Project, the Lyon County Engineer’s Office must obtain a temporary construction easement as located on said survey. The said property is owned by Hank Vander Waal, John Vander Waal, and James Vander Waal.

**WHEREAS**, said temporary construction easement is legally described as follows:

DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #3 IN THE SE1/4 SECTION 27-98-44

That part of the Southeast Quarter (SE1/4) of Section Twenty-Seven (Sec. 27), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa, described as follows:

Commencing at the South Quarter Corner of said Section 27; thence North 02°25'41" East along the west line of said SE1/4 for a distance of 49.51 feet to the north line of the presently established Public Road right-of-way and to the Point of Beginning thence South 86°40'21" East along said north line for a distance of 63.77 feet; thence North 03°19'39" East for a distance of 50.39 feet; thence North 86°39'43" West for a distance of 64.56 feet to the west line of said SE1/4; thence South 02°25'41" West along said west line for a distance of 50.41 feet to the Point of Beginning, containing 0.07 acres.

**WHEREAS**, the Lyon County Engineer, Laura Sievers, proposes that Lyon County pay \$500 for the above temporary easement, said amount being calculated using the values found in Chapter 2 of the September 2018 Realtors Land Institute;

**WHEREAS**, stated above the property interest will be acquired for the above project and will be used for a public purpose; to wit: to construct, install, and maintain a pretensioned prestressed concrete beam bridge for use by the traveling public; and

**WHEREAS**, this Resolution was introduced and Birkey moved that said Resolution be adopted. The motion was seconded by Koedam. The roll was called and the vote was: AYES: Feucht, Koedam, Behrens, Birkey, and Herman; and NAYS: None.

**NOW, THEREFORE, BE IT RESOLVED** by the Lyon County Board of Supervisors of Lyon County Iowa:

1. That the Lyon County Engineer be and is hereby authorized to proceed with the necessary activities to acquire the aforesaid property interest for The Project;
2. If the property owner agrees to convey the property interest to the County in the above amount, the Lyon County Auditor's Office is authorized and directed to issue a check in the amount authorized above as necessary to carry out these transactions and to pay any unforeseen additional costs as certified by the Lyon County Engineer's Office; the Lyon County Attorney's Office is authorized and directed to complete these transaction in accordance with Iowa Code.

Passed and approved this 2nd day of January, 2019.

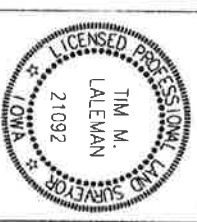
  
\_\_\_\_\_  
Mark Behrens, Chairman  
Lyon County Board of Supervisors

ATTEST:   
\_\_\_\_\_  
Jen Smit  
Lyon County Auditor

LOCATION:  
 S1/2 SECTION 27-98-44 & N1/2 SECTION 34-98-44  
 PREPARED BY AND RETURN TO:  
 TIM M. LALEMAN, PLS  
 DGR ENGINEERING  
 1302 SOUTH UNION STREET  
 ROCK RAPIDS, IOWA 51246  
 P.O. BOX 511  
 PHONE: 712-472-2531  
 SURVEY REQUESTED BY: LAURA SIEVERS, LYON CO. ENGINEER

CURRENT PROPRIETORS:  
 EASEMENT #1 & TEMPORARY CONSTRUCTION EASEMENTS #1 & #2:  
 KATHRYN D. KOOMA REVOCABLE TRUST AGREEMENT  
 TEMPORARY CONSTRUCTION EASEMENT #3:  
 HAWK, JOHN & JAMES WANDER WAAL  
 TEMPORARY CONSTRUCTION EASEMENT #4:  
 CHRISTOPHER D. & DAWN M. COPPINGER, JOHN D. TIEDEMAN  
 AND FEDERSONS CORP.  
 EASEMENT #2 & TEMPORARY CONSTRUCTION EASEMENTS #5 & #6:  
 GREGORY L. & JULIE A. VERSTEG  
 TEMPORARY CONSTRUCTION EASEMENT #7:  
 LA YONNE MEYER LIFE ESTATE, PERCY MEYER, JANET SCHMITH,  
 CAROL DIRKS AND BEVERLY RABER

- SECTION CORNER AS NOTED
- FOUND MAG NAIL
- FOUND 1/2" DIA. REBAR WITH YELLOW SURVEYOR'S I.D. CAP NO. 10041
- FOUND YELLOW SURVEYOR'S I.D. CAP NO. 10041 ON WOOD FENCE POST
- CALCULATED EASEMENT CORNER



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

By: Tim M. Laleman, L.S. License No. 21092

My license renewal date is: December 31, 2019

Sheets covered by this spot: SHEETS 1 OF 3, 2 OF 3 AND 3 OF 3

EASEMENTS IN THE SW1/4 & SE1/4 SECTION 27-98-44 AND IN THE NW1/4 & NE1/4 SECTION 34-98-44 LYON COUNTY, IOWA

N1/4 COR. SECTION 27-98-44 FOUND 606 NAIL NEAR C.L. GRAVEL ROAD

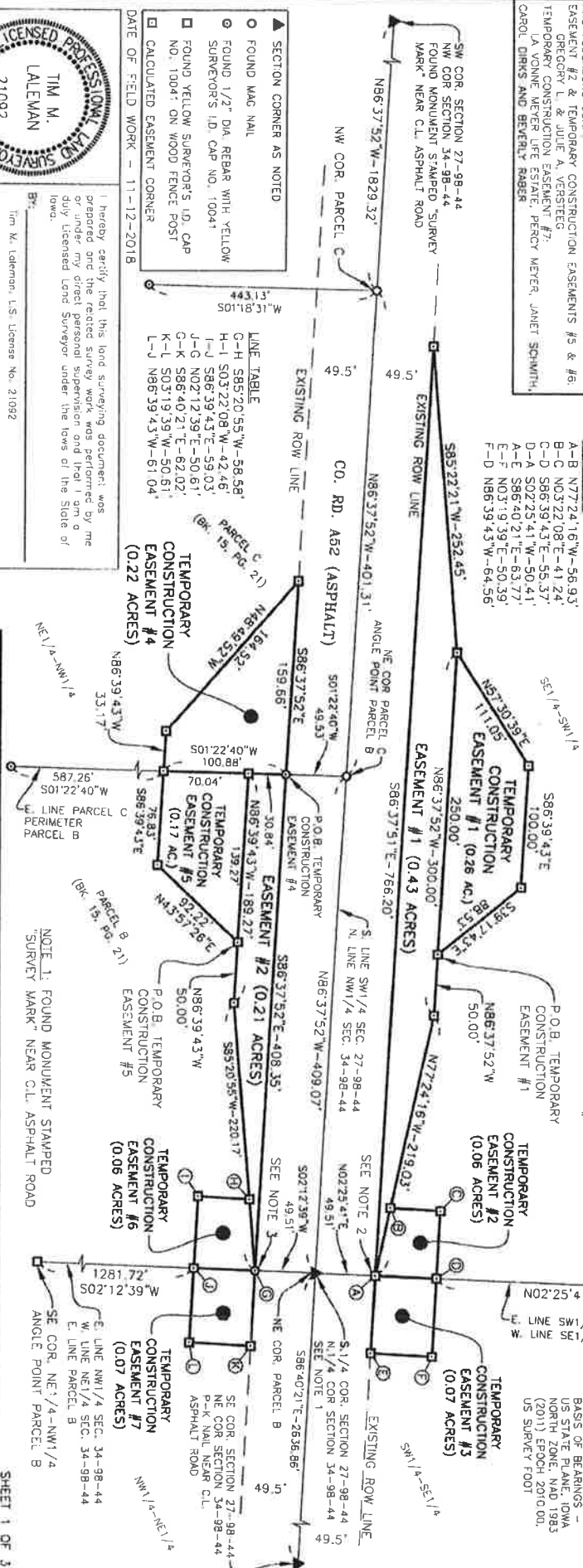
NOTE 2: POINT OF BEGINNING EASEMENT #1, TEMPORARY CONSTRUCTION EASEMENT #2 AND TEMPORARY CONSTRUCTION EASEMENT #3

NOTE 3: POINT OF BEGINNING EASEMENT #2, TEMPORARY CONSTRUCTION EASEMENT #6 AND TEMPORARY CONSTRUCTION EASEMENT #7

SCALE IN FEET

0 100

BASIS OF BEARINGS - STATE AND IOWA NORTH ZONE NAD 1983 (2011) EPOCH 2010.00, US SURVEY FOOT



DGR ENGINEERING  
 Rock Rapids, Iowa 712-472-2531  
 Sioux City, Iowa  
 Sioux Falls, South Dakota

Date: 11-15-18  
 Drawn By: TML  
 Approved: TML  
 Revised:

PROJECT NO. 368065  
 DWG. # P:03\068\065\368065\DR\DR2-61Y EASEMENTS\DWG\368065-61Y EASEMENTS.DWG

SHEET 1 OF 3

**EASEMENTS IN THE SW1/4 & SE1/4 SECTION 27-98-44  
AND IN THE NW1/4 & NE1/4 SECTION 34-98-44  
LYON COUNTY, IOWA**

REVIEW DRAFT

**DESCRIPTION - EASEMENT #1 IN THE SW1/4 SECTION 27-98-44**

That part of the Southwest Quarter (SW1/4) of Section Twenty-Seven (Sec. 27), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa, described as follows:

Commencing at the South Quarter Corner of said Section 27; thence North 02°25'41" East along the east line of said SW1/4 for a distance of 49.51 feet to the north line of the presently established Public Road right-of-way and to the Point of Beginning; thence North 77°24'16" West for a distance of 219.03 feet; thence North 86°37'52" West for a distance of 300.00 feet; thence South 85°22'21" West for a distance of 252.45 feet to said north line of the presently established Public Road right-of-way; thence South 86°37'51" East along said north line for a distance of 766.20 feet to the Point of Beginning, containing 0.43 acres.

**DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #1 IN THE SW1/4 SECTION 27-98-44**

That part of the Southwest Quarter (SW1/4) of Section Twenty-Seven (Sec. 27), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa, described as follows:

Commencing at the South Quarter Corner of said Section 27; thence North 02°25'41" East along the east line of said SW1/4 for a distance of 49.51 feet; thence North 77°24'16" West for a distance of 219.03 feet; thence North 86°37'52" West for a distance of 50.00 feet to the Point of Beginning; thence North 86°37'52" West for a distance of 250.00 feet; thence North 57°30'39" East for a distance of 111.05 feet; thence South 86°39'43" East for a distance of 100.00 feet; thence South 39°17'43" East for a distance of 88.53 feet to the Point of Beginning, containing 0.26 acres.

**DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT #2 IN THE SW1/4 SECTION 27-98-44**

That part of the Southwest Quarter (SW1/4) of Section Twenty-Seven (Sec. 27), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa, described as follows:

Commencing at the South Quarter Corner of said Section 27; thence North 02°25'41" East along the east line of said SW1/4 for a distance of 49.51 feet to the north line of the presently established Public Road right-of-way and to the Point of Beginning; thence North 77°24'16" West for a distance of 56.93 feet; thence North 03°22'08" East for a distance of 41.24 feet; thence South 86°39'43" East for a distance of 55.37 feet to the east line of said SW1/4; thence South 02°25'41" West along said east line for a distance of 50.41 feet to the Point of Beginning, containing 0.06 acres.

**DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #3 IN THE SE1/4 SECTION 27-98-44**

That part of the Southeast Quarter (SE1/4) of Section Twenty-Seven (Sec. 27), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa, described as follows:

Commencing at the South Quarter Corner of said Section 27; thence North 02°25'41" East along the west line of said SE1/4 for a distance of 49.51 feet to the north line of the presently established Public Road right-of-way and to the Point of Beginning; thence South 86°40'21" East along said north line for a distance of 63.77 feet; thence North 03°19'39" East for a distance of 50.39 feet; thence North 86°39'43" West for a distance of 64.56 feet to the west line of said SE1/4; thence South 02°25'41" West along said west line for a distance of 50.41 feet to the Point of Beginning, containing 0.07 acres.

**DESCRIPTION - EASEMENT #2 IN PARCEL B IN THE NW1/4 SECTION 34-98-44**

That part of Parcel B in the Northwest Quarter (NW1/4) of Section Thirty-Four (Sec. 34), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa (the Plat of Survey of said Parcel B being recorded in Plat Book 15, Page 21), described as follows:

Commencing at the North Quarter Corner of said Section 34 and at the Northeast Corner of said Parcel B; thence South 02°12'39" West along the east line of said NW1/4 and along the east line of said Parcel B for a distance of 49.51 feet to the south line of the presently established Public Road right-of-way and to the Point of Beginning; thence South 85°20'55" West for a distance of 220.17 feet; thence North 86°39'43" West for a distance of 189.27 feet to the perimeter of said Parcel B; thence North 01°22'40" East along said perimeter for a distance of 30.84 feet to the south line of said presently established Public Road right-of-way; thence South 86°37'52" East along said south line for a distance of 408.35 feet to the Point of Beginning, containing 0.21 acres.



DGR ENGINEERING  
Rock Rapids, Iowa 712-472-2531  
Stout City, Iowa  
Stout Falls, South Dakota

Date 11-15-18  
Drawn By TML  
Approved TML  
Revised

PROJECT NO. 368065  
DWG. # P:10310681065\368065\18\RDGE 61Y  
EASEMENTS\DWG\368065 61Y EASEMENTS.DWG

EASEMENTS IN THE SW1/4 & SE1/4 SECTION 27-98-44  
 AND IN THE NW1/4 & NE1/4 SECTION 34-98-44  
 LYON COUNTY, IOWA

REVIEW DRAFT

DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #4 IN PARCEL C IN THE NW1/4 SECTION 34-98-44

That part of Parcel C in the Northwest Quarter (NW1/4) of Section Thirty-Four (Sec. 34), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa (the Plat of Survey of said Parcel C being recorded in Plat Book 15, Page 21), described as follows:

Commencing at the North Quarter Corner of said Section 34; thence North 86°37'52" West along the north line of said NW1/4 for a distance of 409.07 feet to the Northeast Corner of said Parcel C; thence South 01°22'40" West along the east line of said Parcel C for a distance of 49.53 feet to the south line of the presently established Public Road right-of-way and to the Point of Beginning; thence continuing South 01°22'40" West along said east line for a distance of 100.88 feet; thence North 86°39'43" West for a distance of 33.17 feet; thence North 48°49'52" West for a distance of 164.52 feet to the south line of said presently established Public Road right-of-way; thence South 86°37'52" East along said south line for a distance of 159.66 feet to the Point of Beginning; containing 0.22 acres.

DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #5 IN PARCEL B IN THE NW1/4 SECTION 34-98-44

That part of Parcel B in the Northwest Quarter (NW1/4) of Section Thirty-Four (Sec. 34), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa (the Plat of Survey of said Parcel B being recorded in Plat Book 15, Page 21), described as follows:

Commencing at the North Quarter Corner of said Section 34 and at the Northeast Corner of said Parcel B; thence South 02°12'39" West along the east line of said NW1/4 and along the east line of said Parcel B for a distance of 49.51 feet; thence South 85°20'55" West for a distance of 220.17 feet; thence North 86°39'43" West for a distance of 50.00 feet to the Point of Beginning; thence North 86°39'43" West for a distance of 139.27 feet to the perimeter of said Parcel B; thence South 01°22'40" West along said perimeter for a distance of 70.04 feet; thence South 86°39'43" East for a distance of 76.83 feet; thence North 43°57'26" East for a distance of 92.22 feet to the Point of Beginning; containing 0.17 acres.

DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #6 IN PARCEL B IN THE NW1/4 SECTION 34-98-44

That part of Parcel B in the Northwest Quarter (NW1/4) of Section Thirty-Four (Sec. 34), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa (the Plat of Survey of said Parcel B being recorded in Plat Book 15, Page 21), described as follows:

Commencing at the North Quarter Corner of said Section 34 and at the Northeast Corner of said Parcel B; thence South 02°12'39" West along the east line of said NW1/4 and along the east line of said Parcel B for a distance of 49.51 feet to the south line of the presently established Public Road right-of-way and to the Point of Beginning; thence South 85°20'55" West for a distance of 58.58 feet; thence South 03°22'08" West for a distance of 42.46 feet; thence South 86°39'43" East for a distance of 59.03 feet to the east line of said NW1/4 and to the east line of said Parcel B; thence North 02°12'39" East along said east line for a distance of 50.61 feet to the Point of Beginning; containing 0.06 acres.

DESCRIPTION - TEMPORARY CONSTRUCTION EASEMENT #7 IN THE NE1/4 SECTION 34-98-44

That part of the Northeast Quarter (NE1/4) of Section Thirty-Four (Sec. 34), Township 98 North, Range 44 West of the 5th P.M., Lyon County, Iowa, described as follows:

Commencing at the North Quarter Corner of said Section 34; thence South 02°12'39" West along the west line of said NE1/4 for a distance of 49.51 feet to the south line of the presently established Public Road right-of-way and to the Point of Beginning; thence South 86°40'21" East along said south line for a distance of 62.02 feet; thence South 03°19'39" West for a distance of 50.61 feet; thence North 86°39'43" West for a distance of 61.04 feet to the west line of said NE1/4; thence North 02°12'39" East along said west line for a distance of 50.61 feet to the Point of Beginning; containing 0.07 acres.



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