

RESOLUTION 2019-05

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 a temporary construction easement as well as a permanent easement. 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 Kathryn D. Kooima Revocable Trust;

**WHEREAS**, said temporary construction easement(s) are legally described as follows:

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.

**WHEREAS**, said permanent easement is legally described as follows:

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.

**WHEREAS**, the Lyon County Engineer, Laura Sievers, proposes that Lyon County pay \$500 for the above temporary easements and \$4,742.47 for the permanent easement for a total of \$5,242.47, 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, a pretensioned prestressed concrete beam bridge for use by the traveling public; and

**WHEREAS**, this Resolution was introduced and Feucht moved that said Resolution be adopted. The motion was seconded by Birkey. 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.

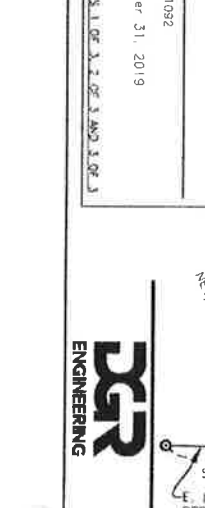
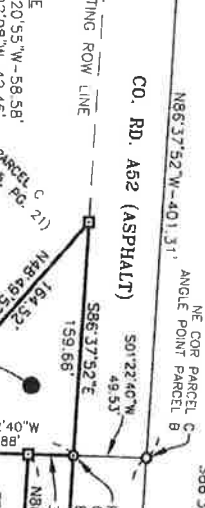
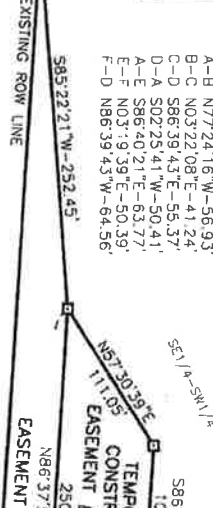
Passed and approved this 2nd day of January, 2019.

  
\_\_\_\_\_  
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  
 P.O. BOX 511  
 ROCK RAPIDS, IOWA 51246  
 PHONE: 712-472-2531  
 SURVEY REQUESTED BY: LAURA SILVER, LYON CO. ENGINEER

CURRENT PROPRIETORS:  
 EASEMENT #1 & TEMPORARY CONSTRUCTION EASEMENTS #1 & #2:  
 KATHRYN D. KOOMA REVOCABLE TRUST AGREEMENT  
 TEMPORARY CONSTRUCTION EASEMENT #3:  
 HANK, JOHN & JAMES VANDER WAAL  
 TEMPORARY CONSTRUCTION EASEMENT #4:  
 CHRISTOPHER D. & DAWN M. COPPINGER, JOHN D. TEDEMAN  
 AND FEDERSON CORP  
 EASEMENT #2 & TEMPORARY CONSTRUCTION EASEMENTS #5 & #6:  
 GREGORY L. & JULIE A. VERSTEEG  
 TEMPORARY CONSTRUCTION EASEMENT #7:  
 LA YVONNE MEYER LIFE ESTATE, PERCY MEYER, JANET SCHWITZ,  
 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  
 DATE OF FIELD WORK - 11-12-2018

LINE TABLE  
 C-H 585.20'55"W-58.58'  
 H-I 503'22'08"W-42.46'  
 I-J 586.39'43"E-59.03'  
 J-C 502'12'39"E-50.61'  
 C-K 586.40'21"E-62.02'  
 K-L 503'19'35"W-50.51'  
 L-J 586.39'43"W-51.04'

NOTE 1: POINT OF BEGINNING EASEMENT #1, TEMPORARY CONSTRUCTION EASEMENT #2 AND TEMPORARY CONSTRUCTION EASEMENT #3  
 NOTE 2: POINT OF BEGINNING EASEMENT #2, TEMPORARY CONSTRUCTION EASEMENT #2, TEMPORARY CONSTRUCTION EASEMENT #7  
 NOTE 3: POINT OF BEGINNING EASEMENT #2, TEMPORARY CONSTRUCTION EASEMENT #2  
 N1/4 COR. SECTION 27-98-44  
 FOUND 604 NAIL NEAR C.L.  
 GRAVEL ROAD

DATE OF FIELD WORK - 11-12-2018

PROFESSIONAL LAND SURVEYOR  
 TIM M. LALEMAN  
 21092  
 IOWA

I hereby certify that the 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.  
 My license renewal date is December 31, 2019

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

DGR ENGINEERING  
 Rock Rapids, Iowa 51246  
 712-472-2531  
 Stouk City, Iowa  
 Stouk Falls, South Dakota

PROJECT NO. 368065  
 DWG # P:\03\068\065\368065\BRIDGES\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 85°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  
Rook Rapids, Iowa 712.472.2531  
Sioux City, Iowa  
Sioux Falls, South Dakota

Date 11-15-18  
Drawn By TML  
Approved  
Revised

PROJECT NO. 368065  
DWG. # P:\31068\1065\368065\BRIDGE 61Y  
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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.



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

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

PROJECT NO. 368065  
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