

**WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM**

Date: 11/23/21 Weekly Agenda Date: 11/30/21

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** David Gleiser, CED Director

**WORDING FOR AGENDA ITEM:**

Approval of Final Plat for the Homestead 1867 Addition, a Minor Subdivision

**ACTION REQUIRED:**

- |  |  |  |
|--|--|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input checked="" type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/>    | Other: Informational <input type="checkbox"/>          | Attachments <input checked="" type="checkbox"/>    |

**EXECUTIVE SUMMARY:**

The Supervisors will receive the Woodbury County Planning and Zoning (P&Z) Commission's recommendation and final staff report on said plat and shall approve, approve with conditions, or disapprove the plat. The Board may table the matter with the consent of the subdivider. Approval shall be in the form of a resolution to be certified as part of the final plat.

**BACKGROUND:**

John Weaver and Brian Weaver, owners of Parcels 884405200003, 884405200004, & 884405200001 have filed an application for a six-lot minor subdivision to divide the farm ground among the family and to establish separate parcels for the two farmhouses that are presently located on the same parcel. The proposed subdivision is located in the Wolf Creek Township, it is zoned Agricultural Preservation (AP) and portions of the property are located in the floodplain - Zone A. The proposed lot and uses are compliant with the zoning ordinance and subdivision ordinance. The County Engineer has reviewed and approved the existing/proposed driveway for access and has verified closure of the final plat and recommended an easement for the shared driveway for the benefit of future owners. All required legal notifications were made and all relevant agency stakeholders and property owners were notified of this request and the Commission's 11/22/21 public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. Significant comments included those from MidAmerican Energy who indicated that there are existing electrical lines within the subdivision and they will require that an easement is maintained. The Woodbury County Soil and Water Conservation District commented that erosion control and bank stabilization practices should be implemented if any construction takes place on Lots 1 and 2. They also stated that construction should be prohibited in the Wolf Creek floodplain. The subdivision does not require extra-territorial review as the property location exceeds 2 miles from any city. On 11/22/21, the P&Z Commission held a public hearing on the application and received public testimony. Upon closing the hearing, the Commission subsequently voted 3-0 to recommend approval of the final plat as proposed.

**FINANCIAL IMPACT:**

None

**IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?**

Yes  No

**RECOMMENDATION:**

Receive the final staff report and P&Z Commission's recommendation from their 11/22/21 meeting.  
Approve the plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

Motion to receive the final staff report and P&Z Commission's recommendation from their 11/22/21 meeting.  
Motion to approve the Homestead 1867 Addition final plat and authorize the Chairman to sign the resolution.



**WOODBURY COUNTY  
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser · Director · dgleiser@woodburycountyia.gov  
 Dan Priestley · Zoning Coordinator · dpriestley@woodburycountyia.gov  
 Dawn Norton · Sr. Clerk · dnorton@woodburycountyia.gov  
 Telephone (712) 279-6609 Fax (712) 279-6530

**HOMESTEAD 1867 ADDITION MINOR SUBDIVISION PROPOSAL  
FINAL REPORT – 11/23/21**

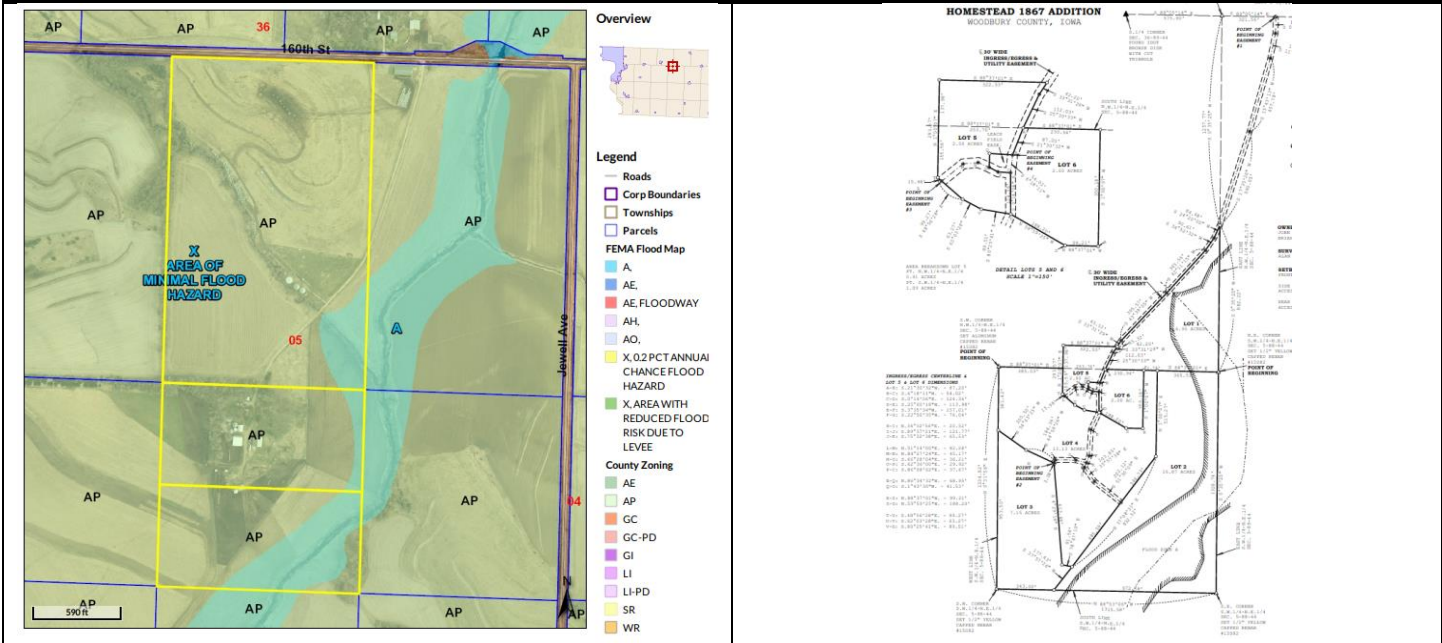
APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<b>Applicant(s):</b> John Weaver & Brian Weaver <b>Application Type:</b> Minor Subdivision <b>Subdivision Name:</b> Homestead 1867 Addition <b>Application Date:</b> October 21, 2021 <b>Subdivision Area:</b> 48.05 Acres (6 Lots) <b>Legal Notice Date:</b> November 10, 2021 <b>Stakeholders (1000') Letter Date:</b> November 4, 2021 <b>Zoning Commission Public Hearing Date:</b> November 22, 2021 at 6:00 PM	<b>Parcel(s):</b> 884405200003, 884405200004, & 884405200001 <b>Township:</b> T88N R44W (Wolf Creek) <b>Section:</b> 5; <b>Quarter:</b> NW ¼ NE ¼ & SW ¼ NE 1/4 <b>Zoning District:</b> Agricultural Preservation (AP) <b>Floodplain District:</b> Zone A (Portions in Floodplain) <b>Address:</b> 3150 160 <sup>th</sup> Street, Merville, IA 51039	<input type="checkbox"/> Summary, Aerial & Plat Excerpt, Recommendation <input type="checkbox"/> Application <input type="checkbox"/> Review Criteria <input type="checkbox"/> Extraterritorial Review <input type="checkbox"/> Legal Notification <input type="checkbox"/> Adjacent Owners' Notification <input type="checkbox"/> Stakeholder Comments <input type="checkbox"/> Supporting Documentation <input type="checkbox"/> Final Plat

**SUMMARY**

John Weaver and Brian Weaver have filed an application for a six-lot agricultural minor subdivision on the property as referenced above. The purpose is to divide the farm ground among the family and to establish separate parcels for the two farmhouses that presently reside on the same parcel. There is no expected development as Lots 1-4 will be for agricultural purposes while Lots 5-6 include the existing houses on independent lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on November 10, 2021. The neighbors within 1000 FT have been duly notified via a November 4, 2021 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. The Woodbury County Engineer found the proposal in compliance with Iowa Code closure requirements, approved the existing driveway for continued use, and recommended an easement for the benefit of future owners. Other significant comments included those from MidAmerican Energy who indicated that there are existing electrical lines within the subdivision and they will require that an easement is maintained. The Woodbury County Soil and Water Conservation District commented that erosion control and bank stabilization practices should be implemented if any construction takes place on Lots 1 and 2. They also stated that construction should be prohibited in the Wolf Creek floodplain. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets appropriate criteria for approval. It is the recommendation of staff to approve this proposal. As referenced at the Zoning Commission public hearing, it is the role of the CED staff to enforce the floodplain in conjunction with the Iowa Department of Natural Resources. The Woodbury County Zoning Commission voted 3-0 to recommend approval of the Homestead 1867 Addition Final Plat to the Board of Supervisors following their public hearing on Monday, November 22, 2021.

**AERIAL MAP**

**PLAT EXCERPT**



**ZONING COMMISSION & STAFF RECOMMENDATION**

The Woodbury County Zoning Commission voted 3-0 to recommend approval of the Homestead 1867 Addition Final Plat to the Board of Supervisors following their public hearing on Monday, November 22, 2021. Staff recommends approval of this minor subdivision proposal.

## ZONING COMMISSION DRAFT MINUTES – NOVEMBER 22, 2021

### DRAFT Minutes - Woodbury County Zoning Commission Meeting – November 22, 2021

The Zoning Commission (ZC) meeting convened on the 22th of November 2021 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Barb Parker, Corey Meister, Jeffrey O'Tool  
County Staff Present: David Gleiser, Dan Priestley  
Public Present: Alan Fagan, Brenton Feuchtenberger, Dean Kruse

#### Call to Order

Barb Parker formally called the meeting to order at 6:00 PM.

#### Public Comment on Matters Not on the Agenda

None.

#### Approval of Minutes

The 9/27/21 minutes were approved. Motion to approve: O'Tool. Second: Meister. Motion approved 3-0.

#### Public Hearing: Homestead 1867 Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. John Weaver and Brian Weaver have filed an application for a six-lot agricultural minor subdivision on the property including Parcels 884405200003, 884405200004, & 884405200001. The purpose is to divide the farm ground among the family and to establish separate parcels for the two farmhouses that presently reside on the same parcel. There is no expected development as Lots 1-4 will be for agricultural purposes while Lots 5-6 include the existing houses on independent lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on November 10, 2021. The neighbors within 1000 FT have been duly notified via a November 4, 2021 letter about the Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. Significant comments included those from MidAmerican Energy who indicated that there are existing electrical lines within the subdivision and they will require that an easement is maintained. The Woodbury County Soil and Water Conservation District commented that erosion control and bank stabilization practices should be implemented if any construction takes place on Lots 1 and 2. They also stated that construction should be prohibited in the Wolf Creek floodplain. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Priestley indicated that the easement from MidAmerican is a prescriptive easement and the property owners should continue to follow it. He also stated that staff administratively regulates the floodplain. Priestley also addressed the easement for the access to the property which clarifies the continued agricultural use and access for the two single-family dwellings. He also stated that the property owners are required to acquire the Base Flood Elevation (BFE) data from the Iowa Department of Natural Resources, which has already been requested, and subsequently record the data in the Woodbury County Recorder's office within 120 days after the approval of the subdivision. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion to recommend approval of the Homestead 1867 Addition to the Board of Supervisors: O'Tool. Second: Meister. Motion approved 3-0.

#### Public Hearing: Whiskey Creek 170th Addition Minor Subdivision Proposal

Priestley read the preliminary report and staff recommendation into the record. Brenton Feuchtenberger has filed an application for a two-lot minor subdivision on the property identified as Parcel #884702400006. The purpose is to divide the parcel into two lots for the eventual sale of the lots. This proposal has been properly noticed in the Sioux City Journal Legals Section on November 13, 2021. The neighbors within 1000 FT have been duly notified via a November 10, 2021 letter about the November 22, 2021 Zoning Commission public hearing. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No significant comments of opposition were received. Extraterritorial review is to be completed by the Sioux City Zoning Commission on November 23, 2021 and the Sioux City Council on December 6, 2021. The city must complete their extraterritorial review before the Board of Supervisors can approve this subdivision. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinances, this proposal meets appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Parker inquired about what would happen if the city found an issue with the plat after the Zoning Commission's approval. Director Gleiser indicated that the proposal would need to go back through the commission for another public hearing. Property owner Brenton Feuchtenberger indicated that the lots are being sold. Motion to close public hearing: O'Tool. Second: Meister. Motion approved 3-0. Motion to recommend approval of the Whiskey Creek 170th Addition to the Board of Supervisors: Parker. Second: O'Tool. Motion approved 3-0.

#### Review: Conditional Use Permit (Residential Solar Panels)

Priestley read the preliminary report and staff recommendation into the record. Dean A. Kruse has filed a conditional use permit application to request for the installation and use of solar panels on the roof of his single-family dwelling on the property (Parcel #864303300004). This proposal is properly set to go into the Sioux City Journal Legals Section on November 20, 2021 for the Board of Adjustment public hearing on December 6, 2021. The neighbors within 500 FT have been duly notified via a November 17, 2021 letter about the November 22, 2021 Zoning Commission review meeting and the December 6, 2021 Board of Adjustment public hearing and have been requested to comment. As of the printing of this packet, no comments have been received in opposition. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No major concerns were reported. This property is not located in the floodplain. Based on the information received and the requirements set forth in the Zoning Ordinance, this proposal meets appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Property owner Dean Kruse addressed the Zoning Commission and stated the purpose of the solar panels is to reduce his energy costs. Motion to recommend approval to the Board of Adjustment: Parker. Second: O'Tool. Motion approved 3-0.

#### Discussion/Action: Proposed Rules of Procedure for The Woodbury County Planning And Zoning Commission

Gleiser discussed the proposed rules of procedure which are allowed by the Zoning Ordinance. The rules are necessary if the commission were to hold electronic meetings. The assistant county attorney provided this proposed language based on the current Board of Supervisors' rules of procedure. Gleiser indicated that these rules codify the commission practices and add the ability to participate electronically for practical difficulties.

#### Discussion/Action: Proposed Zoning Ordinance Amendment Planning and Zoning Commission and Board of Adjustment (Sections 2.01.4 & 5).

Gleiser stated that the proposed amendment to the text of the zoning ordinance is to bring the ordinance up to date with current code based on eligibility changes made by the state in 2020. He indicated that the term limits portion was requested by one of the county supervisors. Dating back to 2020, the Board of Supervisors were informed of the law change and so the process of eligibility, recruitment, terms, etc. came up as part of the process. Other jurisdictions such as Sioux City include two terms. Gleiser indicated that the review process of the zoning ordinance text amendment is formally reviewed by the Zoning Commission and a recommendation is made to the Board of Supervisors who would hold up to three public readings/hearings. Gleiser asked the commission what their thoughts were about term limits. O'Tool inquired about how this would impact past service and suggested two complete terms to address issues with partial terms. Gleiser indicated that a disclaimer can be put in place that starts at the time of implementation. Pre-past service would not count. Presently it appears the practice has been for two terms at the Board of Adjustment with no limit at the Zoning Commission. Other issues such as attendance and gender balance were discussed.

#### Discussion: Solar Energy

Both commercial and residential solar use was discussed. Gleiser referenced an email that was sent to the Zoning Commission and Board of Adjustment concerning solar energy practices. He inquired if the commission had any recommendations about solar energy including stakeholder engagement, stakeholders from the public, etc. as the county will work toward preparing a solar ordinance. Gleiser indicated that a work group has been formed including the CED staff, assistant county attorney, the county engineer, conservation director, emergency services director, emergency management director, the assessor, and the finance director. He also indicated that staff contacted the cities concerning their solar ordinances and found that residential solar is a permitted accessory use in many of the cities including Sioux City. Some of the communities do not have solar in their zoning ordinances. Gleiser indicated that residential solar could fit as a permitted allowed accessory use while commercial large scale solar should require parameters such as road use agreements and decommission plans.

#### Public Comment on Matters Not on the Agenda

None.

#### Commissioner Comment or Inquiry

None.

#### Adjourn

Motion to adjourn: O'Tool. Second: Meister. Motion passed: 3-0. Meeting adjourned at 7:07 PM.

APPLICATION

WOODBURY COUNTY, IOWA  
MAJOR SUBDIVISION APPLICATION

Applicant: ALAN FAGAN FOR JOHN WEAVER / BRIAN WEAVER  
Name of Owner

Mailing Address: 3155 160th ST. MOVILLE IA 51039-8104  
Street City or Town State and Zip + 4

Property Address: 3150 160th ST. MOVILLE, IA 51039  
Street City or Town State and Zip + 4

Ph/Cell #: ALAN 712-539-1471 E-mail Address: ALAN rlfsurveying@aol.com  
BRIAN 712-490-8669 JOHN J weaver@wntel.net

To subdivide land located in the NE 1/4 Quarter of Section 5-88-44

Civil Township WOLF CREEK GIS Parcel # 88440520003 88440520004

Name of Subdivision: HOMESTEAD 1867 ADDITION

Subdivision Area in Acres 48.05 Number of Lots 6

**Attachments:**

- 1. Ten (10) copies of grading plans; if required. NO GRADING
- 2. Twenty six (26) copies of preliminary plats (Complete per Section 4.01 of the Subdivision Ordinance).
- 3. An attorney's opinion of the abstract.
- 4. A Certified abstractor's certificate to include:
  - a. Legal description of proposed subdivision.
  - b. Plat showing clearly the boundaries of the subdivision.
  - c. A list of names, mailing addresses (including the ZIP + 4), and legal descriptions of all property owners within 1000'.
- 5. Fifteen (15) copies of the final plats (Complete per Section 9 of the Subdivision Ordinance).

Surveyor: ALAN FAGAN Ph/Cell: 712 539-1471

Attorney: GLENN METCALF Ph/Cell: 712 873-3229

I hereby grant permission to the Woodbury County Zoning Staff and elected or appointed officials to conduct on-site inspections.

Owner's Signature: ALAN FAGAN FOR OWNERS

Zoning Director: [Signature]

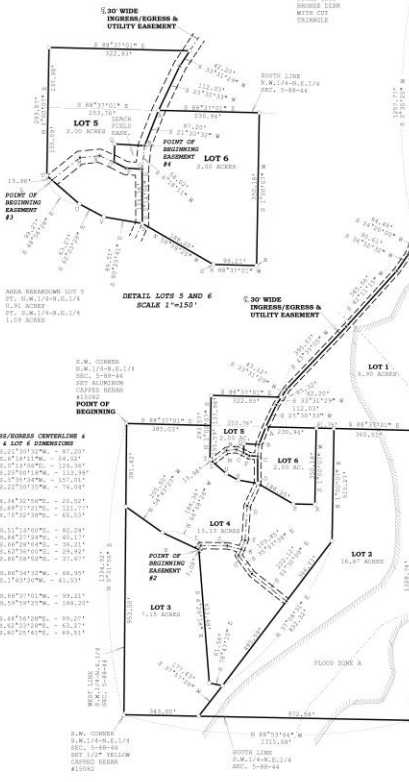
**For Office Use Only**  
Zoning District AP Flood District \_\_\_\_\_ Date 10-21-21 No. 6719

Preliminary Plat-4 lots or less	\$200	
Preliminary Plat-more than 4 lots	\$250 plus \$5.00 per lot	
Final Plat-4 Lots or less	\$200	
Final Plat-more than 4 lots	\$250 plus \$5.00 per lot	<u>250 + 50 = \$280</u>

\$280



**FINAL PLAT**  
A MINOR SUBDIVISION PLAT  
OF  
**HOMESTEAD 1867 ADDITION**  
WOODBURY COUNTY, IOWA



**MONUMENTS**  
 - 1/2" YELLOW CAPPED  
 - 1/2" SPIKE SET  
 - 1/2" SPIKE SET IN ASPHALT ROAD

**OWNERS/SUBDIVIDERS**  
 BALDO WEAVER  
 DIANE WEAVER

**SURVEYOR**  
 ALAN L. FAGAN  
 IOWA NO. 15082

**SETBACK REQUIREMENTS**  
 FRONT YARD - 10'  
 SIDE YARD - 5'  
 REAR YARD - 5'  
 ACCESSORY STRUCTURE - 10'

**AUDITOR'S APPROVAL OF SUBDIVISION NAME ON TITLE**  
 THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

**AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING**  
 STATE OF IOWA: ss  
 COUNTY OF WOODBURY: ss  
 DOCKET NO: \_\_\_\_\_  
 FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_  
 O'CLOCK \_\_\_\_\_ M., RECORDED IN PLAT ENVELOPE \_\_\_\_\_ INDEXED AND DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.  
 DATED: \_\_\_\_\_  
 PATRICK F. GILL  
 COUNTY AUDITOR AND RECORDER  
 WOODBURY COUNTY, IOWA  
 BY: DIANE WEAVER, DEPUTY

**COUNTY ENGINEER'S CERTIFICATE**  
 I, \_\_\_\_\_, COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MEASURED AND CORRECTED IN ACCORDANCE WITH THE REQUIREMENTS AS PROVIDED FOR IN THE SUBDIVISION ORDINANCE, THAT ALL DIMENSIONS BOTH LINEAL AND ANGULAR NECESSARY FOR THE LOCATION OF LOTS, TRACTS, STREETS, ALLEYS AND EASEMENTS ARE SHOWN.

**BARB WARRA, P.E.**  
 COUNTY ENGINEER  
 WOODBURY COUNTY, IOWA

**BOARD OF SUPERVISOR'S RESOLUTION**  
 RESOLUTION ACCEPTING AND APPROVING HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

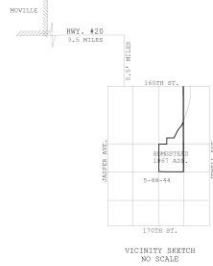
WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

**BOB DEMITT**  
 CHAIRMAN  
 BOARD OF SUPERVISORS  
 WOODBURY COUNTY, IOWA

ATTEST: \_\_\_\_\_  
 PATRICK F. GILL  
 SECRETARY



**SURVEYOR'S DESCRIPTION**  
 PART OF THE N.E.1/4 OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE S.W. CORNER OF THE N.E.1/4 OF SAID N.E.1/4; THENCE S.88°37'10" E, ALONG THE SOUTH LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 380.03 FEET; THENCE N.70°00'57" E, FOR 137.98 FEET; THENCE S.88°37'10" E, FOR 222.35 FEET; THENCE N.23°31'27" E, FOR 82.12 FEET; THENCE N.41°39'05" E, FOR 395.57 FEET; THENCE S.42°11'15" W, FOR 345.56 FEET; THENCE S.30°52'27" E, FOR 96.41 FEET; THENCE S.24°40'18" E, FOR 84.48 FEET TO THE EAST LINE OF SAID N.E.1/4 OF THE N.E.1/4; THENCE S.0°30'25" W, ALONG SAID EAST LINE FOR 882.22 FEET TO THE N.E. CORNER OF THE S.W.1/4 OF SAID N.E.1/4; THENCE S.0°30'25" W, ALONG THE EAST LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1326.74 FEET TO THE S.E. CORNER OF SAID S.W.1/4 OF THE N.E.1/4; THENCE N.8°53'00" W, ALONG THE SOUTH LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1311.58 FEET TO THE S.W. CORNER OF SAID S.W.1/4 OF THE N.E.1/4; THENCE N.0°31'16" E, ALONG THE WEST LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 338.40 FEET TO THE POINT OF BEGINNING, CONTAINING 48.05 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE EAST LINE OF THE W.1/2 OF SAID N.E.1/4 IS ASSIGNED TO BEAR S.0°35'25" W.

**SURVEYOR'S CERTIFICATE**  
 I, ALAN L. FAGAN, A LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 15082, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND CORRECTED AS SHOWN ON SAID PLAT AND THAT YOUR STAKES WERE GIVEN AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.  
 DATED AT SIOUX CITY, IOWA, \_\_\_\_\_, 2021.

ALAN L. FAGAN  
 IOWA NO. 15082  
 LICENSE RENEWAL DATE: DECEMBER 31, 2021



**INDEX LEGEND**

SURVEYOR	ALAN L. FAGAN	15082-1471
MAIL TO	AL FAGAN LAND SURVEYING, P.C.	P.O. BOX 808 - MERIDELL, IA 50808
COUNTY	WOODBURY	
SECTION(S)	5	T. 28 N. R. 44 W.
ALLOT/ADJ PART	PART OF THE N.E.1/4	
SUBDIVISION		
BLOCK(S)		
LOTS		
PROPRIETORS	JOHN WEAVER AND BRIAN WEAVER	
REQUESTED BY	BRIAN WEAVER AND JOHN WEAVER	

**HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA IS SUBJECT TO AND TOGETHER WITH THE FOLLOWING EASEMENTS:**

**EASEMENT #1:**  
 A 50 FOOT WIDE INGRESS/EGRESS AND UTILITY EASEMENT IN THE N.E.1/4 OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF THE N.E.1/4 OF SAID N.E.1/4 FOR 321.54 FEET TO THE CENTERLINE OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE S.75°54'40" W, ALONG SAID CENTERLINE FOR 100.00 FEET; THENCE S.11°32'12" W, ALONG SAID CENTERLINE FOR 151.57 FEET; THENCE S.12°41'33" W, ALONG SAID CENTERLINE FOR 457.78 FEET; THENCE S.11°33'16" W, ALONG SAID CENTERLINE FOR 96.25 FEET TO THE EAST LINE OF THE N.E.1/4 OF SAID N.E.1/4; THENCE S.12°41'33" W, ALONG SAID CENTERLINE FOR 84.48 FEET; THENCE S.34°52'32" W, ALONG SAID CENTERLINE FOR 98.41 FEET; THENCE S.42°11'15" W, ALONG SAID CENTERLINE FOR 345.56 FEET; THENCE S.43°39'05" W, ALONG SAID CENTERLINE FOR 395.57 FEET; THENCE S.31°31'29" W, ALONG SAID CENTERLINE FOR 85.32 FEET; THENCE S.25°30'13" W, ALONG SAID CENTERLINE FOR 112.03 FEET TO THE NORTH LINE OF THE S.W.1/4 OF SAID N.E.1/4; THENCE S.21°30'33" W, ALONG SAID CENTERLINE FOR 87.20 FEET; THENCE S.6°18'11" W, ALONG SAID CENTERLINE FOR 54.12 FEET; THENCE S.3°14'48" E, ALONG SAID CENTERLINE FOR 124.16 FEET; THENCE S.25°58'18" W, ALONG SAID CENTERLINE FOR 111.98 FEET; THENCE S.3°35'14" W, ALONG SAID CENTERLINE FOR 157.01 FEET; THENCE S.22°50'25" W, ALONG SAID CENTERLINE FOR 76.64 FEET; THENCE S.35°51'38" E, ALONG SAID CENTERLINE FOR 131.85 FEET; THENCE S.35°10'00" E, ALONG SAID CENTERLINE FOR 202.15 FEET TO THE EASTERN LINE OF LOT 4, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA AND THE END OF SAID EASEMENT DESCRIPTION. THE SIDELINES OF SAID EASEMENT BEING SHORTENED OR ELONGATED TO MEET THE EASTERN LINE OF SAID LOT 4.

**EASEMENT #2:**  
 A 50 FOOT WIDE INGRESS/EGRESS AND UTILITY EASEMENT, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 3, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA; THENCE N.48°18'24" W, ALONG THE WESTERLY LINE OF SAID LOT 3 FOR 3.08 FEET TO THE CENTERLINE OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE N.51°14'00" E, ALONG SAID CENTERLINE FOR 82.28 FEET; THENCE N.64°27'44" E, ALONG SAID CENTERLINE FOR 45.13 FEET; THENCE S.44°19'44" E, ALONG SAID CENTERLINE FOR 36.21 FEET; THENCE S.42°34'30" E, ALONG SAID CENTERLINE FOR 29.92 FEET TO THE CENTERLINE OF EASEMENT #1 DESCRIBED IN SAID ADDITION AND THE END OF SAID EASEMENT DESCRIPTION. THE SIDELINES OF SAID EASEMENT BEING SHORTENED OR ELONGATED TO MEET THE SOUTHERLY LINE OF SAID LOT 3.

**EASEMENT #3:**  
 A 50 FOOT WIDE INGRESS/EGRESS AND UTILITY EASEMENT, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 5, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA; THENCE N.48°18'24" W, ALONG THE WESTERLY LINE OF SAID LOT 5 FOR 15.98 FEET TO THE CENTERLINE OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE N.51°14'00" E, ALONG SAID CENTERLINE FOR 82.28 FEET; THENCE N.64°27'44" E, ALONG SAID CENTERLINE FOR 45.13 FEET; THENCE S.44°19'44" E, ALONG SAID CENTERLINE FOR 36.21 FEET; THENCE S.42°34'30" E, ALONG SAID CENTERLINE FOR 29.92 FEET TO THE CENTERLINE OF EASEMENT #1 DESCRIBED IN SAID ADDITION AND THE END OF SAID EASEMENT DESCRIPTION. THE SIDELINES OF SAID EASEMENT BEING SHORTENED OR ELONGATED TO MEET THE SOUTHERLY LINE OF SAID LOT 5.

**EASEMENT #4:**  
 A LEAN FIELD EASEMENT IN PART OF LOT 6, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF SAID LOT 6; THENCE S.11°30'33" W, ALONG THE WESTERLY LINE OF SAID LOT 6 FOR 87.20 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE N.48°18'24" W, ALONG THE WESTERLY LINE OF SAID LOT 6 FOR 64.95 FEET; THENCE S.11°30'33" W, ALONG SAID WESTERLY LINE FOR 41.53 FEET; THENCE S.42°34'30" E, ALONG SAID WESTERLY LINE FOR 29.92 FEET; THENCE S.44°19'44" E, ALONG SAID WESTERLY LINE FOR 37.67 FEET; THENCE N.6°18'11" E, FOR 54.00 FEET TO THE POINT OF BEGINNING.

ALL BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL OTHER EASEMENTS, RESTRICTIONS AND COVENANTS.

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA**  
 I, CHRIS TELLEHER, CHAIRMAN, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA, AND DO HEREBY CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER CONSIDERATION THE PLAN OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT. I, CHRIS TELLEHER, CHAIRMAN, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA, AND DO HEREBY CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER CONSIDERATION THE PLAN OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

**CHRIS TELLEHER**  
 CHAIRMAN  
 WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA

**CERTIFICATE OF COUNTY ASSESSOR**  
 I, SHELL CONOLLY, COUNTY ASSESSOR, DO HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.  
 DATED: \_\_\_\_\_  
 SHELL CONOLLY  
 WOODBURY COUNTY ASSESSOR

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**  
 I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FORWARDED SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.  
 DATED: \_\_\_\_\_  
 TINA BERTRAND  
 TREASURER  
 WOODBURY COUNTY, IOWA

**DEDICATION**  
 I, JOHN ALAN WEAVER, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA, AND DO HEREBY CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER CONSIDERATION THE PLAN OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

**BRIAN E. WEAVER**  
 HUSBAND AND WIFE, THE OWNERS OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAVE IN THE FOREGOING OF LAW, CONSENTED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS AND STREETS, AS IS PARTICULARLY SHOWN AND SET FORTH IN THE ATTACHED PLAT AND SAID CERTIFICATE OF ALAN L. FAGAN, A LICENSED SURVEYOR WHO SURVEYED AND PLATTED THE REAL ESTATE TO BE KNOWN AS HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND ACCORDANCE WITH THE WRITES AS OWNERS AND PROPRIETORS THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

**BRIAN E. WEAVER**  
**DIANE WEAVER**  
**JOHN E. WEAVER**  
**DIANE WEAVER**

**INDIVIDUAL ACKNOWLEDGMENT**  
 STATE OF IOWA: ss  
 COUNTY OF WOODBURY: ss  
 ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED BRIAN E. WEAVER AND DIANE WEAVER, HUSBAND AND WIFE, AND JOHN E. WEAVER AND DIANE WEAVER, HUSBAND AND WIFE, TO BE KNOWN TO BE THE PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

**ATTORNEY'S TITLE OPINION**  
 TO THE PUBLIC:  
 I, GLENN A. METCALF, ATTORNEY AT LAW, HAVE CAREFULLY EXAMINED AN ABSTRACT OF TITLE SPECIFICALLY PREPARED FOR PLATTING OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA. THE CAPTION DESCRIBED FULLY DESCRIBED AS SET OUT IN THE SURVEYOR'S CERTIFICATE ATTACHED AND FILED HERewith. THE ABSTRACT OF TITLE WAS PREPARED BY ENGLISHMAN ABSTRACT COMPANY AND LAST CONTAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021 AS \_\_\_\_\_, AN ABSTRACT ESTABLISHING THE INTERESTS OF BRIAN WEAVER AND DIANE WEAVER AS TENANTS IN COMMON IN THE SIMPLE, FREE AND CLEAR OF ALL ENCUMBRANCES, LIENS, AND MORTGAGES.

**GLENN A. METCALF, ATTORNEY**  
 METCALF & BARNHART

AL FAGAN  
 LAND SURVEYING, P.C.  
 P.O. BOX 808  
 MERIDELL, IA 50808  
 712.539.1471



**CED STAFF - REVIEW CRITERIA (SUBDIVISION ORDINANCE)**

The County's Zoning and Subdivision Ordinances require certain actions from County staff and the Planning and Zoning Commission. Per these requirements, CED staff:

**shall review a subdivision application for completeness and for approval of a final plat by ensuring it is submitted in accordance with the standards for a subdivision plat per Iowa Code.**

Staff reviewed the subdivision application, deemed it complete, and verified the final plat's conformance to the County's Zoning Ordinance, Subdivision Ordinance, and the Code of Iowa, all as required by law.

**shall accept payment of applicable fees, and distribute copies of the final plat to the Planning & Zoning Commission, the appropriate county departments and public utilities; and**

Staff received the application fee and the account is paid-in-full. Staff also distributed copies of the application, final plat, and other materials to all relevant stakeholders as required.

**shall coordinate with the County Engineer who shall review the final plat to determine conformance with the engineering design standards of these regulations and to verify accuracy of the legal descriptions and survey data; and**

Staff have received written confirmation that the County Engineer has reviewed and determined that the final plat conforms to the engineering and design standards of these regulations, and he has verified the accuracy of the legal descriptions and survey data.

**shall review the final plat to determine conformance with the design standards of these regulations and with the required form of the plat and related documents; and**

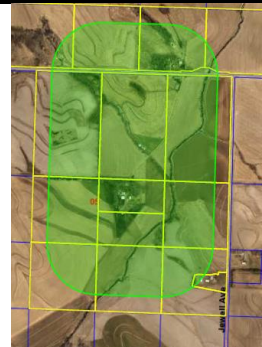
Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.

**shall assure conformance with the goals and objectives of the County's General Plan, the CED staff may make recommendations for conditions for approval including use restrictions required to preserve and improve the peace, safety, health, welfare, comfort, and convenience of the future residents of the subdivision and neighboring properties.**

Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff does not recommend any specific use conditions for this final plat. Staff recommends approval of the final plat.



## PROPERTY OWNER(S) NOTIFICATION – 1000'



The **three (3)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **November 4, 2021** letter of the public hearing before the Woodbury County Zoning Commission on **November 22, 2021 at 6:00 PM.**

As of **November 19, 2021**, the Community and Development office has received:

- 0 Phone Inquiry
- 0 Written Comments

The names of the property owners are listed below.

When more comments are received after the printing of this packet, they will be provided at the meeting.

Property Owner(s)	Mailing Address	Comments
John Weaver & Brian Weaver	3155 160th St., Merville, IA 51039	No comments.
Henry A. Kollbaum, Lyla K. Kollbaum, and Jason Kollbaum	PO Box 195, Anthon, IA 51004-0195 1673 Jewell Ave., Merville, IA 51039	No comments.
Rochelle Wilson	1610 Jasper Ave., Merville, IA 51039	No comments.

## STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No issues here. – Glenn Sedivy, 10/25/21.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments, Dan. – Bill Cappuccio, 10/26/21.
LONGLINES:	No comments.
LUMEN:	The properties in question do not have any Lumen facilities near or within them. Please let me know if you have any questions. – Paul Kingrey, 10/22/21.
MAGELLAN PIPELINE:	This project will not impact Magellan facilities. – Bryan Ferguson, 10/22/21.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the proposed minor subdivision for MEC electric: There are existing MidAmerican Energy electric lines within the proposed subdivision MidAmerican Energy will require that an easement is maintained. Any requested relocations of our facilities would be subject to reimbursement. Let me know if you have any questions or concerns. – Casey Meinen, 10/22/21.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflict for MEC "Gas". – Tyler Ahlquist, 10/25/21.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has no issues with the John and Brian Weaver subdivision at 3150 160th Street Merville IA. – 10/25/21.
NUSTAR PIPELINE:	I do not have any of my Petroleum pipeline in this area. Thank you. – Domingo Torres, 10/22/21.
SIUXLAND DISTRICT HEALTH DEPARTMENT:	It does not appear that they would need anything on our end as no changes to the septic or well are anticipated. – Ivy Bremer, 10/22/21.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I have no comments or concerns. – Rebecca Socknat, 10/22/21.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	<b>SEE REVIEW MEMO BELOW</b>
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has the following comments regarding this proposed minor subdivision. Construction should be prohibited in the Wolf Creek flood plain. Erosion control and bank stabilization practices should be implemented along the Wolf Creek if construction takes place in Lots 1 and 2. – Neil Stockfleth, 10/25/21.
WOODBURY COUNTY TREASURER:	For parcel #884405200003 the total amount due is \$2203.00 for the March 2022 payment, Parcel #884405200004 has \$330.00 due for the March 2022 payment, and Parcel #884405200001 has \$905.00 due for the March 2022 payment. – Kimberlee Koepke, 10/22/21.





## Woodbury County Secondary Roads Department

759 E. Frontage Road • Moville, Iowa 51039  
Telephone (712) 279-6484 • (712) 873-3215 • Fax (712) 873-3235

COUNTY ENGINEER  
Mark J. Nahra, P.E.  
mnahra@sioux-city.org

ASSISTANT TO THE COUNTY ENGINEER  
Benjamin T. Kusler, E.I.T.  
bkusler@sioux-city.org

SECRETARY  
Tish Brice  
tbrice@sioux-city.org

To: Dan Priestley, Woodbury County Zoning Coordinator  
David Gleiser, Woodbury County Community and Economic Development Director

From: Mark J. Nahra, County Engineer

Date: November 1, 2021

Subject: Homestead 1867 Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated October 21, 2021.

I am offering the following comments for your consideration.

- We checked the closure on the plat and found it in compliance with the requirements for the full subdivision of 1 in 10,000 and 1 in 5,000 for each lot as required by Section 355.8 of the Code of Iowa.
- I reviewed the parcel for access. The existing driveway has been in use for a very long time and is approved for continued use. I recommend that the owners prepare a clearly written easement agreement to cover issues such as snow removal and maintenance of the shared access driveway and record the easement for the benefit of future owners.
- I have no other concerns or issues with this minor subdivision application.

If there are any more questions or issues that arise later, please contact this office.

Cc: File

# PARCEL REPORT

## Summary

Parcel ID 884405200001  
 Alternate ID 797805  
 Property Address N/A  
 Sec/Twp/Rng 5-88-44  
 Brief Tax Description NWNE 5-88-44  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 706-7344  
 Gross Acres 63.20  
 Net Acres 63.20  
 Adjusted CSR Pts 3779.4  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0056 WOLF CREEK/WD-C  
 School District WOODBURY CENTRAL  
 Neighborhood N/A

## Owner

**Deed Holder**  
 Weaver, John & Brian  
 3155 160th St  
 Merville IA 51039-8104

**Contract Holder**

**Mailing Address**  
 Weaver John & Brian  
 3155 160th St  
 Merville IA 51039-8104

## Land

Lot Area 63.20 Acres; 2,752,992 SF

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
10/15/2009	WEAVER DORIS	WEAVER JOHN & BRIAN	706/7344	Exchange, trade, gift, transfer from Estate (Including 1031 Exchanges)	Deed		\$0.00

Show There are other parcels involved in one or more of the above sales:

## Valuation

	2021	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$95,660	\$90,440	\$90,440	\$131,640	\$131,640
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$95,660	\$90,440	\$90,440	\$131,640	\$131,640
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$95,660	\$90,440	\$90,440	\$131,640	\$131,640

## Summary

Parcel ID 884405200003  
 Alternate ID 797821  
 Property Address 3150 160TH ST  
 MOVILLE IA 51039  
 Sec/Twp/Rng 5-88-44  
 Brief Tax Description N1/2 SWNE 5-88-44  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 706-7344 (10/15/2009)  
 Gross Acres 20.00  
 Net Acres 20.00  
 Adjusted CSR Pts 1133.43  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0056 WOLF CREEK/WD-C  
 School District WOODBURY CENTRAL  
 Neighborhood N/A



## Owner

**Deed Holder**  
 Weaver, John & Brian  
 3155 160th St  
 Merville IA 51039-8104

**Contract Holder**

**Mailing Address**  
 Weaver John & Brian  
 3155 160th St  
 Merville IA 51039-8104

## Land

Lot Area 20.00 Acres; 871,200 SF

## Residential Dwellings

Residential Dwelling  
 Occupancy Single-Family / Owner Occupied  
 Style 1 1/2 Story Frame  
 Architectural Style N/A  
 Year Built 1940  
 Condition Above Normal  
 Roof Asph / Gable  
 Flooring  
 Foundation C Blk  
 Exterior Material Vinyl  
 Interior Material Pls  
 Brick or Stone Veneer  
 Total Gross Living Area 1,618 SF  
 Main Area Square Feet 952  
 Attic Type None;  
 Number of Rooms 6 above; 2 below  
 Number of Bedrooms 4 above; 0 below  
 Basement Area Type Full  
 Basement Area 952  
 Basement Finished Area  
 Plumbing 1 Base Plumbing (Full); 1 Three Quarter Bath;  
 Appliances 1 Dishwasher;  
 Central Air Yes  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (120 SF);  
 Decks  
 Additions  
 Garages 480 SF - Det Frame (Built 1900);

**Residential Dwelling**  
 Occupancy: Single-Family / Owner Occupied  
 Style: 1 Story Frame  
 Architectural Style: N/A  
 Year Built: 1945  
 Condition: Above Normal  
 Roof: Asph / Gable  
 Flooring: C Blk  
 Foundation: Vinyl  
 Exterior Material: Plas  
 Interior Material: C Blk  
 Brick or Stone Veneer: 1,298 SF  
 Total Gross Living Area: 950  
 Main Area Square Feet: Fully Finished: 528 SF  
 Attic Type: 9 above; 2 below  
 Number of Rooms: 4 above; 0 below  
 Number of Bedrooms: Full  
 Basement Area Type: 950  
 Basement Area: 1 Sink; 1 Base Plumbing (Full); 1 Three Quarter Bath;  
 Plumbing: 1 Dishwasher;  
 Appliances: No  
 Central Air: Yes  
 Heat: 15 Frame Open (224 SF);  
 Fireplaces: Wood Deck-Med (588 SF);  
 Porches: 1 Story Frame (338 SF);  
 Decks:  
 Additions:  
 Garages:

### Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Barn - Flat	BARN	56	56	1920	1
0	Poultry House	HEN HOUSE	20	20	1920	1
0	Crib	CRIB	32	40	1920	1
0	Bin - Grain Storage (Bushel)	BIN	0	0	1960	1
0	Steel Utility Building	QUONSET	40	60	1962	1
0	Silo - Concrete	SILO	6	20	1963	1
0	Shed	SHED	12	20	1965	1
0	Swine Finish and Farrow (Old Style)		28	48	1960	1
0	Lean-To	LEAN-TO	26	60	1977	1
0	Silage Trench/Bunker	TRENCH SILO	24	120	1977	1
0	Bin - Grain Storage (Bushel)	BIN	30	18	1978	1
0	Silo - Concrete	SILO	24	70	1980	1
0	Bin - Grain Storage (Bushel)	BIN	24	33	1983	1
0	Steel Utility Building		48	105	2003	1
0	Bin - Grain Storage (Bushel)		36	27	2003	1
0	Bin - Grain Storage (Bushel)		36	27	2006	1
0	Bin - Grain Storage (Bushel)		27	42	2013	1

### Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
10/15/2009	WEAVER DORIS	WEAVER JOHN & BRIAN	706/7344	Exchange, trade, gift, transfer from Estate (Including 1031 Exchanges)	Deed		\$0.00

Show There are other parcels involved in one or more of the above sales.

### Permits

Permit #	Date	Description	Amount
02111001084110	08/23/2002	New Blog	0

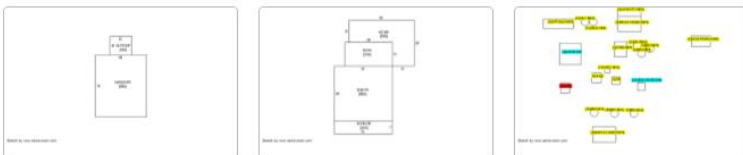
### Valuation

Classification	2021	2020	2019	2018	2017
+ Assessed Land Value	\$28,700	\$27,120	\$27,120	\$39,480	\$39,480
+ Assessed Building Value	\$61,430	\$56,110	\$56,110	\$77,470	\$77,470
+ Assessed Dwelling Value	\$194,890	\$185,720	\$185,720	\$154,770	\$154,770
= Gross Assessed Value	\$285,020	\$268,950	\$268,950	\$271,720	\$271,720
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$285,020	\$268,950	\$268,950	\$271,720	\$271,720

### Photos



### Sketches



## Summary

Parcel ID 884405200004  
 Alternate ID 797820  
 Property Address N/A  
 Sec/Twp/Rng 5-88-44  
 Brief Tax Description S1/2 SWNE 5-88-44 PROBATE 42668 LE  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 706-7341 (10/15/2009)  
 Gross Acres 20.00  
 Net Acres 20.00  
 Adjusted CSR Pts 1379.45  
 Zoning AP - AGRICULTURAL PRESERVATION  
 District 0056 WOLF CREEK/WD-C  
 School District WOODBURY CENTRAL  
 Neighborhood N/A

## Owner

<b>Deed Holder</b>	<b>Contract Holder</b>	<b>Mailing Address</b>
<a href="#">Weaver John &amp; Brian</a>		Weaver John & Brian
<a href="#">3155 160th St</a>		3155 160th St
Moville IA 51039-8104		Moville IA 51039-8104

## Land

Lot Area 20.00 Acres ; 871,200 SF

## Sales

Columns

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
10/15/2009	WEAVER DORIS LEWEAVER BRIAN & JOHN REM	WEAVER JOHN & BRIAN	706/7341	Life Estates	Deed		\$0.00

Show There are other parcels involved in one or more of the above sales:

## Valuation

Columns

	2021	2020	2019	2018	2017
Classification	Agriculture	Agriculture	Agriculture	Agriculture	Agriculture
+ Assessed Land Value	\$34,930	\$33,020	\$33,020	\$48,050	\$48,050
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$34,930	\$33,020	\$33,020	\$48,050	\$48,050
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$34,930	\$33,020	\$33,020	\$48,050	\$48,050

# SOIL REPORT

## Summary

Parcel ID	884405200001
Gross Acres	63.20
ROW Acres	0.00
Gross Taxable Acres	63.20
Exempt Acres	0.00
Net Taxable Acres	63.20 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	65.34 (4129.8 CSR2 Points / 63.2 Gross Taxable Acres)
Agland Active Config	2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	53.29	62.85	3,349.09	3,349.09
Non-Crop	9.91	78.78	780.71	430.31
<b>Total</b>	<b>63.20</b>		<b>4,129.80</b>	<b>3,779.40</b>

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	10.02	921.84	921.84
100% Value	9C	JUDSON SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES	86.00	0.38	32.48	32.48
100% Value	100C2	MONONA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ER	85.00	3.73	317.05	317.05
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	5.04	413.28	413.28
100% Value	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	16.84	1,010.40	1,010.40
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	3.88	225.04	225.04
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	13.40	428.80	428.80
Non-Crop	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	4.77	438.84	223.52
Non-Crop	100C2	MONONA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ER	85.00	0.31	26.35	13.98
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	1.76	144.32	77.90
Non-Crop	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	0.99	59.40	38.15
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	1.74	100.92	66.15
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.34	10.88	10.63
<b>Total</b>				<b>63.20</b>	<b>4,129.80</b>	<b>3,779.40</b>

## Summary

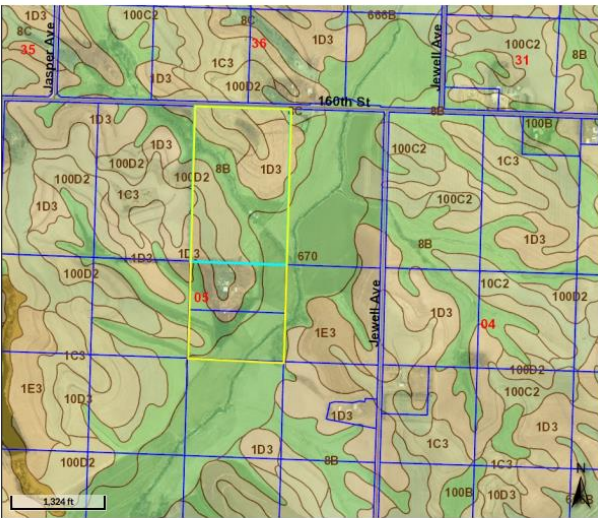
Parcel ID	884405200003
Gross Acres	20.00
ROW Acres	0.00
Gross Taxable Acres	20.00
Exempt Acres	0.00
Net Taxable Acres	20.00 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	67.61 (1352.14 CSR2 Points / 20 Gross Taxable Acres)
Agland Active Config	2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8.29	83.67	693.58	693.58
Non-Crop	11.71	56.24	658.56	658.56
<b>Total</b>	<b>20.00</b>		<b>1,352.14</b>	

## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	3.08	283.36	283.36
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	4.87	399.34	399.34
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.34	10.88	10.88
Non-Crop	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	2.42	222.64	222.64
Non-Crop	100C2	MONONA SILTY CLAY LOAM, 5 TO 9 PERCENT SLOPES, MODERATELY ER	85.00	2.60	221.00	221.00
Non-Crop	100D2	MONONA SILTY CLAY LOAM, 9 TO 14 PERCENT SLOPES, MODERATELY E	60.00	0.03	1.80	1.80
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	6.56	213.12	213.12
<b>Total</b>				<b>20.00</b>	<b>1,352.14</b>	



## Overview



**Legend**

- Roads
- Soils
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000
- Corp Bounds
- Townships
- Parcels

Parcel ID 884405200001      Alternate ID 797805      Owner Address WEAVER JOHN & BRIAN  
 Sec/Twp/Rng 5-88-44      Class A      3155 160TH ST  
 Property Address      Acreage 63.2      MOVILLE, IA 51039-8104  
 District 0056  
 Brief Tax Description NWNE 5-88-44  
 (Note: Not to be used on legal documents)

## Summary

Parcel ID	884405200004
Gross Acres	20.00
ROW Acres	0.00
Gross Taxable Acres	20.00
Exempt Acres	0.00
Net Taxable Acres	20.00 (Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	82.03 (1640.66 CSR2 Points / 20 Gross Taxable Acres)
Agland Active Config	2017 CSR2

## Sub Parcel Summary

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12.71	83.53	1,061.68	1,061.68
Non-Crop	7.29	79.42	578.98	317.77
<b>Total</b>	<b>20.00</b>		<b>1,640.66</b>	<b>1,379.45</b>

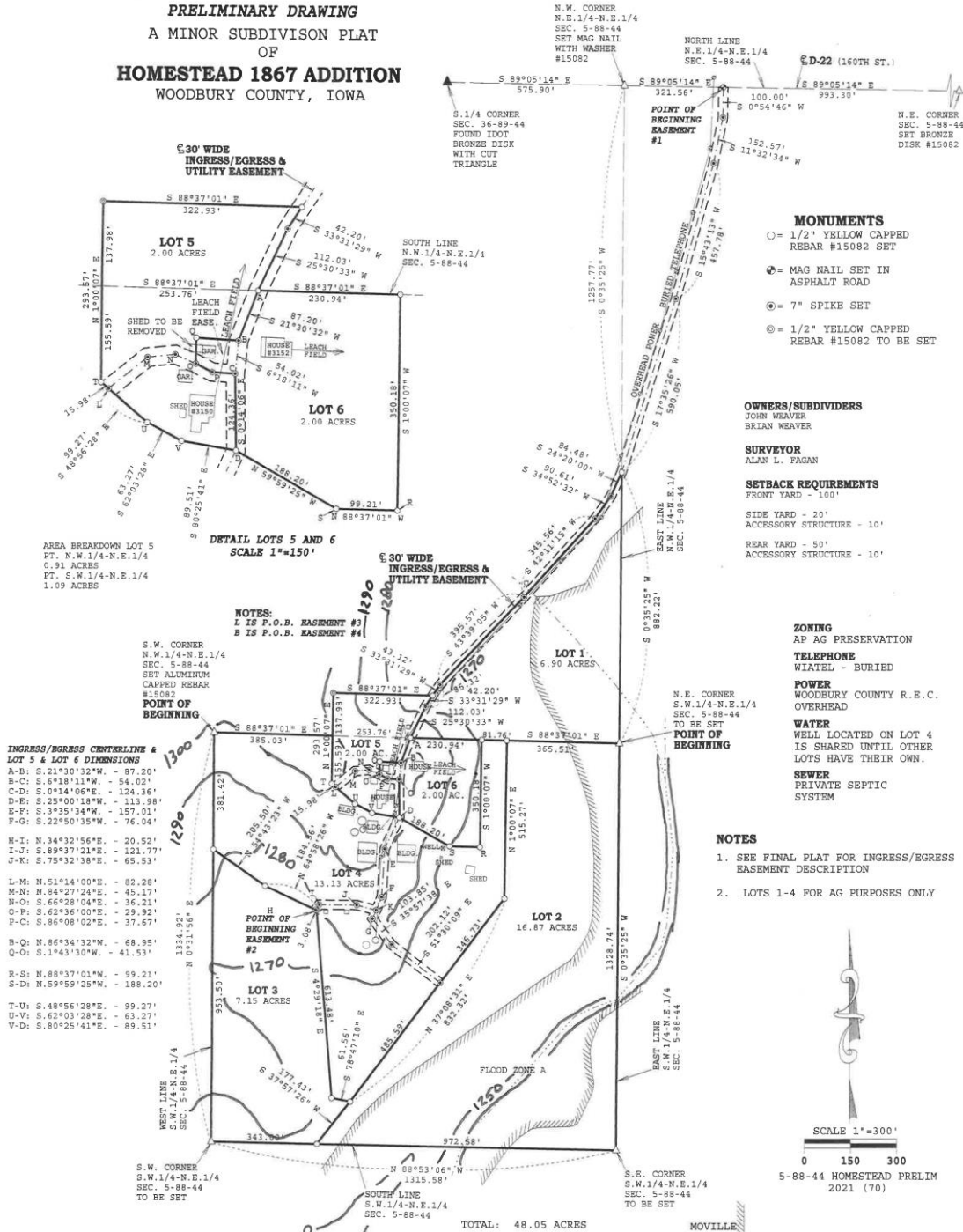
## Soil Summary

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	4.13	379.56	379.56
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	7.67	628.94	628.94
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.91	52.78	52.78
Non-Crop	8B	JUDSON SILTY CLAY LOAM, 2 TO 5 PERCENT SLOPES	92.00	2.27	208.84	208.37
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	4.19	343.58	185.45
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.83	26.56	25.95
<b>Total</b>				<b>20.00</b>	<b>1,640.66</b>	<b>1,379.45</b>



**ELEVATION**

**PRELIMINARY DRAWING**  
**A MINOR SUBDIVISION PLAT**  
**OF**  
**HOMESTEAD 1867 ADDITION**  
**WOODBURY COUNTY, IOWA**



AREA BREAKDOWN LOT 5  
 P.T. N.W.1/4-N.E.1/4  
 0.91 ACRES  
 P.T. S.W.1/4-N.E.1/4  
 1.09 ACRES

DETAIL LOTS 5 AND 6  
 SCALE 1"=150'

NOTES:  
 L IS P.O.B. BASEMENT #1  
 B IS P.O.B. BASEMENT #4

**INGRESS/EGRESS CENTRALLINE & LOT 5 & LOT 6 DIMENSIONS**  
 A-B: S.21°30'32"W - 87.20'  
 B-C: S.6°18'11"W - 54.02'  
 C-D: S.0°14'05"E - 124.36'  
 D-E: S.43°00'18"W - 113.98'  
 E-F: S.3°35'34"W - 157.01'  
 F-G: S.22°50'35"W - 76.04'  
 H-I: N.34°32'56"E - 20.52'  
 I-J: S.89°37'21"E - 121.77'  
 J-K: S.75°32'38"E - 69.53'  
 L-M: N.51°14'00"E - 82.28'  
 M-N: N.64°27'24"E - 45.17'  
 N-O: S.62°28'04"E - 36.21'  
 O-P: S.62°36'00"E - 29.92'  
 P-Q: S.86°08'02"E - 37.67'  
 B-Q: N.86°34'32"W - 68.95'  
 Q-O: S.1°43'30"W - 41.53'  
 R-S: N.88°37'01"W - 99.21'  
 S-D: N.59°55'25"W - 188.20'  
 T-U: S.48°56'28"E - 99.27'  
 U-V: S.62°03'28"E - 63.27'  
 V-D: S.80°25'41"E - 89.51'

S.W. CORNER  
 S.W.1/4-N.E.1/4  
 SEC. 5-88-44  
 TO BE SET

S.E. CORNER  
 S.W.1/4-N.E.1/4  
 SEC. 5-88-44  
 TO BE SET

TOTAL: 48.05 ACRES

- MONUMENTS**
- = 1/2" YELLOW CAPPED REBAR #15082 SET
  - ⊕ = MAG NAIL SET IN ASPHALT ROAD
  - ⊙ = 7" SPIKE SET
  - ⊗ = 1/2" YELLOW CAPPED REBAR #15082 TO BE SET

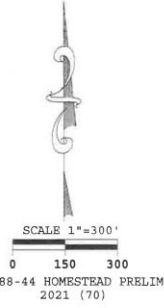
**OWNERS/SUBDIVIDERS**  
 JOHN WEAVER  
 BRIAN WEAVER

**SURVEYOR**  
 ALAN L. PAGAN

- SETBACK REQUIREMENTS**
- FRONT YARD - 100'
  - SIDE YARD - 20'
  - ACCESSORY STRUCTURE - 10'
  - REAR YARD - 50'
  - ACCESSORY STRUCTURE - 10'

- ZONING**  
 AP AG PRESERVATION
- TELEPHONE**  
 WIATLE - BURIED
- POWER**  
 WOODBURY COUNTY R.E.C. OVERHEAD
- WATER**  
 WELL LOCATED ON LOT 4 IS SHARED UNTIL OTHER LOTS HAVE THEIR OWN.
- SEWER**  
 PRIVATE SEPTIC SYSTEM

- NOTES**
1. SEE FINAL PLAT FOR INGRESS/EGRESS BASEMENT DESCRIPTION
  2. LOTS 1-4 FOR AG PURPOSES ONLY

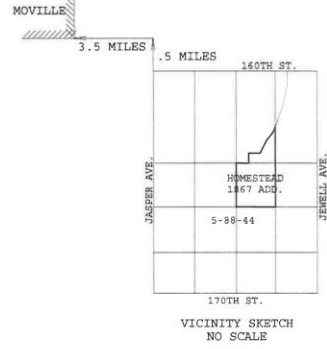


SCALE 1"=300'

**SURVEYOR'S DESCRIPTION:**  
 PART OF THE N.E.1/4 OF SECTION 5, TOWNSHIP 88 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE S.W. CORNER OF THE N.W.1/4 OF SAID N.E.1/4; THENCE S.88°37'01"E. ALONG THE SOUTH LINE OF SAID N.W.1/4 OF THE N.E.1/4 FOR 385.03 FEET; THENCE N.1°00'07"E. FOR 137.98 FEET; THENCE S.88°37'01"E. FOR 322.93 FEET; THENCE N.33°31'29"E. FOR 43.12 FEET; THENCE N.43°39'05"E. FOR 395.57 FEET; THENCE N.42°11'15"E. FOR 345.56 FEET; THENCE N.34°52'32"E. FOR 90.61 FEET; THENCE N.24°20'00"E. FOR 84.48 FEET TO THE EAST LINE OF SAID N.W.1/4 OF THE N.E.1/4; THENCE S.0°35'25"W. ALONG SAID EAST LINE FOR 882.22 FEET TO THE N.E. CORNER OF THE S.W.1/4 OF SAID N.E.1/4; THENCE S.0°35'25"W. ALONG THE EAST LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1328.74 FEET TO THE S.E. CORNER OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1315.58 FEET TO THE S.W. CORNER OF SAID S.W.1/4 OF THE N.E.1/4; THENCE N.0°31'56"E. ALONG THE WEST LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1334.92 FEET TO THE POINT OF BEGINNING. CONTAINING 48.05 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE EAST LINE OF THE W.1/2 OF SAID N.E.1/4 IS ASSUMED TO BEAR S.0°35'25"W.



VICINITY SKETCH  
 NO SCALE

**EASEMENT AGREEMENT FOR ACCESS**

The property owner will record the enclosed easement for access and maintenance.

**EASEMENT  
Recorder's Cover Sheet**

**Preparer Information:**  
Glenn A. Metcalf  
METCALF & BEARDSHEAR  
P. O. Box 454  
Moville, IA 51039  
Phone: (712) 873-3229

**Taxpayer Information:**  
Brian Weaver and John Weaver  
3155 160<sup>th</sup> Street  
Moville, IA 51039

**Return Document To:**  
Glenn A. Metcalf  
METCALF & BEARDSHEAR  
P. O. Box 454  
Moville, IA 51039  
Phone: (712) 873-3229

**Grantors:** See Page 2  
**Grantees:** See Page 2

Legal description: See Page 2

**EASEMENT**

WHEREAS, the parties hereto have heretofore orally agreed upon an Easement for ingress and egress which is given by grantors, owners of the burdened property to grantee, owner of the benefited property. The Easement herein described is permanent in nature, and runs with the land.

Grantors, Brian Weaver and Deborah Weaver, Husband and Wife and John Weaver and Diane Weaver, Husband and Wife

Grantees, Brian Weaver and John Weaver as tenants in common.

Benefited property: Lots 1 through 6 of Homestead 1867 Addition, a Subdivision of Woodbury County located in Section 5, Township 88 North, Range 44 West of the 5<sup>th</sup> PM

**Burdened property:**

Easement #1: A Thirty Foot (30') wide ingress/egress and utility easement in the Northeast Quarter (NE¼) of Section Five (5), Township Eighty-eight (88) North, Range Forty-four (44) West of the 5<sup>th</sup> Principal Meridian, Woodbury County, Iowa, the centerline being described as follows: Commencing at the Northwest (NW) corner of the Northeast Quarter (NE¼) of said Northeast Quarter (NE¼); thence South Eighty-nine Degrees Five Minutes Fourteen Seconds (S 89° 5' 14") East along the North line of said Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) for Three Hundred Twenty-one and Fifty-six Hundredths Feet (321.56') to the centerline of said Easement and the point of beginning; thence South Zero Degrees Fifty-four Minutes Forty-six Seconds (S 0° 54' 46") West along said centerline for One Hundred Feet (100'); thence South Eleven Degrees Thirty-two Minutes Thirty-four Seconds (S 11° 32' 34") West along said centerline for One Hundred Fifty-two and Fifty-seven Hundredths Feet (152.57'); thence South Fifteen Degrees Forty-three Minutes Thirteen Seconds (S 15° 43' 13") West along said centerline for Four Hundred Fifty-seven and Seventy-eight Hundredths Feet (457.78'); thence South Seventeen Degrees Thirty-five Minutes Twenty-six Seconds (S 17° 35' 26") West along said centerline for Five Hundred Ninety and Five Hundredths Feet (590.05') to the East line of the Northwest Quarter (NW¼) of said Northwest Quarter (NW¼); thence South Twenty-four Degrees Twenty Minutes Zero Seconds (S 24° 20' 00") along said centerline for Eighty-four and Forty-eight Hundredths Feet (84.48'); thence South Thirty-four Degrees Fifty-two Minutes Thirty-two Seconds (S 34° 52' 32") West along said centerline for Ninety and Sixty-one Hundredths Feet (90.61'); thence South Forty-two Degrees Eleven Minutes Fifteen Seconds (S 42° 11' 15") West along said centerline for

Three Hundred Forty-five and Fifty-six Hundredths Feet (345.56'); thence South Forty-three Degrees Twenty-three Minutes Five Seconds (S 43° 23' 5") West along said centerline for Three Hundred Ninety-five and Fifty-seven Hundredths Feet (395.57'); thence South Thirty-three Degrees Thirty-one Minutes Twenty-nine Seconds (S 33° 31' 29") West along said centerline for Eighty-five and Thirty-two Hundredths Feet (85.32'); thence South Twenty-five Degrees Thirty Minutes Thirty-three Seconds (S 25° 30' 33") West along said centerline for One Hundred Twelve and Three Hundredths Feet (112.03') to the North line of the Southwest Quarter (SW¼) of said Northeast Quarter (NE¼); thence South Twenty-one Degrees Thirty Minutes Thirty-two Seconds (S 21° 30' 32") West along said centerline for Eighty-seven and Twenty Hundredths Feet (87.20'); thence South Six Degrees Eighteen Minutes Eleven Seconds (S 6° 18' 11") West along said centerline for Fifty-four and Two Hundredths Feet (54.02'); thence South Zero Degrees Fourteen Minutes Six Seconds (S 0° 14' 6") East along said centerline for One Hundred Twenty-four and Thirty-six Hundredths Feet (124.36'); thence South Twenty-five Degrees Zero Minutes Eighteen Seconds (S 25° 0' 18") West along said centerline for One Hundred Thirteen and Ninety-eight Hundredths Feet (113.98'); thence South Three Degrees Thirty-five Minutes Thirty-four Seconds (S 3° 35' 34") West along said centerline for One Hundred Fifty-seven and One Hundredth Feet (157.01'); thence South Twenty-two Degrees Fifty Minutes Thirty-five Seconds (S 22° 50' 35") West along said centerline for Seventy-six and Four Hundredths Feet (76.04'); thence South Thirty-five Degrees Fifty-seven Minutes Thirty-eight Seconds (S 35° 57' 38") East along said centerline for One Hundred Three and Thirty-five Hundredths Feet (103.35'); thence South Fifty-one Degrees Thirty Minutes Nine Seconds (S 51° 30' 9") East along said centerline for Two Hundred Two and Twelve Hundredths Feet (202.12') to the Easterly line of Lot Four (4), Homestead 1867 Addition, Woodbury County, Iowa and the end of said Easement description. The sidelines of said Easement being shortened or elongated to meet the Easterly line of said Lot Four (4).

Easement #2: A Thirty Foot (30') wide ingress/egress and utility easement, the centerline being described as follows: Commencing at the Northeast corner of Lot Three (3), Homestead 1867 Addition, Woodbury County, Iowa; thence North Sixty-four Degrees Fifty-eight Minutes Twenty-six Seconds (N 64° 58' 26") West along the Northerly line of said Lot Three (3) for Three and Eight Hundredths Feet (3.08') to the centerline of said easement and the point of beginning; thence North Thirty-four Degrees Thirty-two Minutes Fifty-six Seconds (N 34° 32' 56") East along said centerline for Twenty and Fifty-two Hundredths Feet (20.52'); thence South Eighty-nine Degrees Thirty-seven Minutes Twenty-one Seconds (S 89° 37' 21") East along said centerline for One Hundred Twenty-one and Seventy-seven Hundredths Feet (121.77') thence South Seventy-five Degrees Thirty-two Minutes Thirty-eight Seconds (S 75° 32'

38") East along said centerline for Sixty-five and Fifty-three Hundredths Feet (65.53') to the centerline of easement #1 described in said addition and the end of said easement description. The sidelines of said easement being shortened or elongated to meet the Northerly and Easterly lines of said Lot Three (3).

Easement #3: A Thirty Foot (30') wide ingress/egress and utility easement, the centerline being described as follows: Commencing at the Southwesterly corner of Lot Five (5), Homestead 1867 Addition, Woodbury County, Iowa; thence South Forty-eight Degrees Fifty-six Minutes Twenty-eight Seconds (S 48° 56' 28") East along the Southerly line of said Lot Five (5) for Fifteen and Ninety-eight Hundredths Feet (15.98') to the centerline of said easement and the point of beginning; thence North Fifty-one Degrees Fourteen Minutes Zero Seconds (N 51° 14' 00") East along said centerline for Eighty-two and Twenty-eight Hundredths Feet (82.28'); thence North Eighty-four Degrees Twenty-seven Minutes Twenty-four Seconds (N 84° 27' 24") East along said centerline for Forty-five and Seventeen Hundredths Feet (45.17'); thence South Sixty-six Degrees Twenty-eight Minutes Four Seconds (S 66° 28' 04") East along said centerline for Thirty-six and Twenty-one Hundredths Feet (36.21'); thence South Sixty-two Degrees Thirty-six Minutes Zero Seconds (S 62° 36' 00") East along said centerline for Twenty-nine and Ninety-two Hundredths Feet (29.92'); thence South Eighty-six Degrees Eight Minutes Two Seconds (S 86° 8' 2") East along said centerline for Thirty-seven and Sixty-seven Hundredths Feet (37.67') to the centerline of Easement #1 described in said addition and the end of said easement description. The sidelines of said easement being shortened or elongated to meet the Southerly line of said Lot Five (5).

as platted and shown on the Subdivision Plat

Easement: The right to ingress and egress over the described land constituting the burdened property and the right to maintain utility service as necessary in said Easement area for household and farm purposes. This Easement shall not be expanded to support more than two single-family dwellings. The agricultural uses of the easement are not limited as the primary purpose is to support agricultural use of the land.

Grant of Easement: The undersigned hereby grant and convey the above-described Easement to Brian Weaver and John Weaver as tenants in common, their heirs, successors, and assigns for the purpose set forth.

Maintenance Agreement: The Easement area shall be maintained by the owners of Lots 1 through 4 for agricultural purposes. The level of maintenance, repairs, and improvements shall be established for agricultural purposes. The owners of residential Lots 5 and 6 shall have the use of the easement maintained for agricultural purposes. In the event the owners of Lots 5 and 6 collectively or individually desire to make

improvements or repairs they may do so at their sole expense so long as the improvement in no way reduces the usability of the access for agricultural purposes. Improvements for the purposes of the residential owners shall be made to such specification as will support the use of agricultural equipment which are commonly in use. The cost to repair, maintain or remove such improvement shall be born solely by the residential user or users causing the improvement to be made. Damage to such improvement caused by agricultural use shall be repaired by the residential owners at their sole cost.

\_\_\_\_\_  
John Weaver

\_\_\_\_\_  
Diane Weaver

\_\_\_\_\_  
Brian Weaver

\_\_\_\_\_  
Deborah Weaver

STATE OF IOWA            )  
                                  ) ss:  
COUNTY OF WOODBURY)

On this \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared John Weaver and Diane Weaver, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as there voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for said State.

STATE OF IOWA            )  
                                  ) ss:  
COUNTY OF WOODBURY)

On this \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Brian Weaver and Deborah Weaver, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as there voluntary act and deed.

\_\_\_\_\_  
Notary Public in and for said State.

4

## BASE FLOOD ELEVATION (BFE) REQUEST (IN PROGRESS)

The property owner shall receive the Base Flood Elevation (BFE) data for the area within the subdivision that is within the Special Flood Hazard (Zone A - floodplain) from the Iowa Department of Natural Resources (IDNR) and record a separate document in the Woodbury County Recorder's office disclosing the BFE no later than 120 days following approval of the subdivision plat. **The BFE data request has been completed (see below) and the data will be recorded following its receipt from the IDNR.**

The property owner shall comply with all floodplain regulations enforced by the federal, state and the county not limited to erosion control measures. Staff will administratively enforce.

**From:** [BFERequest@dnr.iowa.gov](mailto:BFERequest@dnr.iowa.gov) <[BFERequest@dnr.iowa.gov](mailto:BFERequest@dnr.iowa.gov)>  
**Sent:** Tuesday, October 19, 2021 1:35 PM  
**To:** Glenn Metcalf <[glenn.metcalf@movillelawoffice.com](mailto:glenn.metcalf@movillelawoffice.com)>  
**Cc:** [weaveranches@aol.com](mailto:weaveranches@aol.com); [glennmetcalf@wiatel.net](mailto:glennmetcalf@wiatel.net)  
**Subject:** 2021-1974 BFE Request Tracking Number - 42.4683/-95.9884

Tracking Number: 2021-1974

Your application was logged under the tracking number listed above. Please use the assigned tracking number on all future correspondence for this project.

Requests are reviewed on a first in/first out basis.

This correspondence does not constitute approval. When review has been completed a letter or email will be sent.

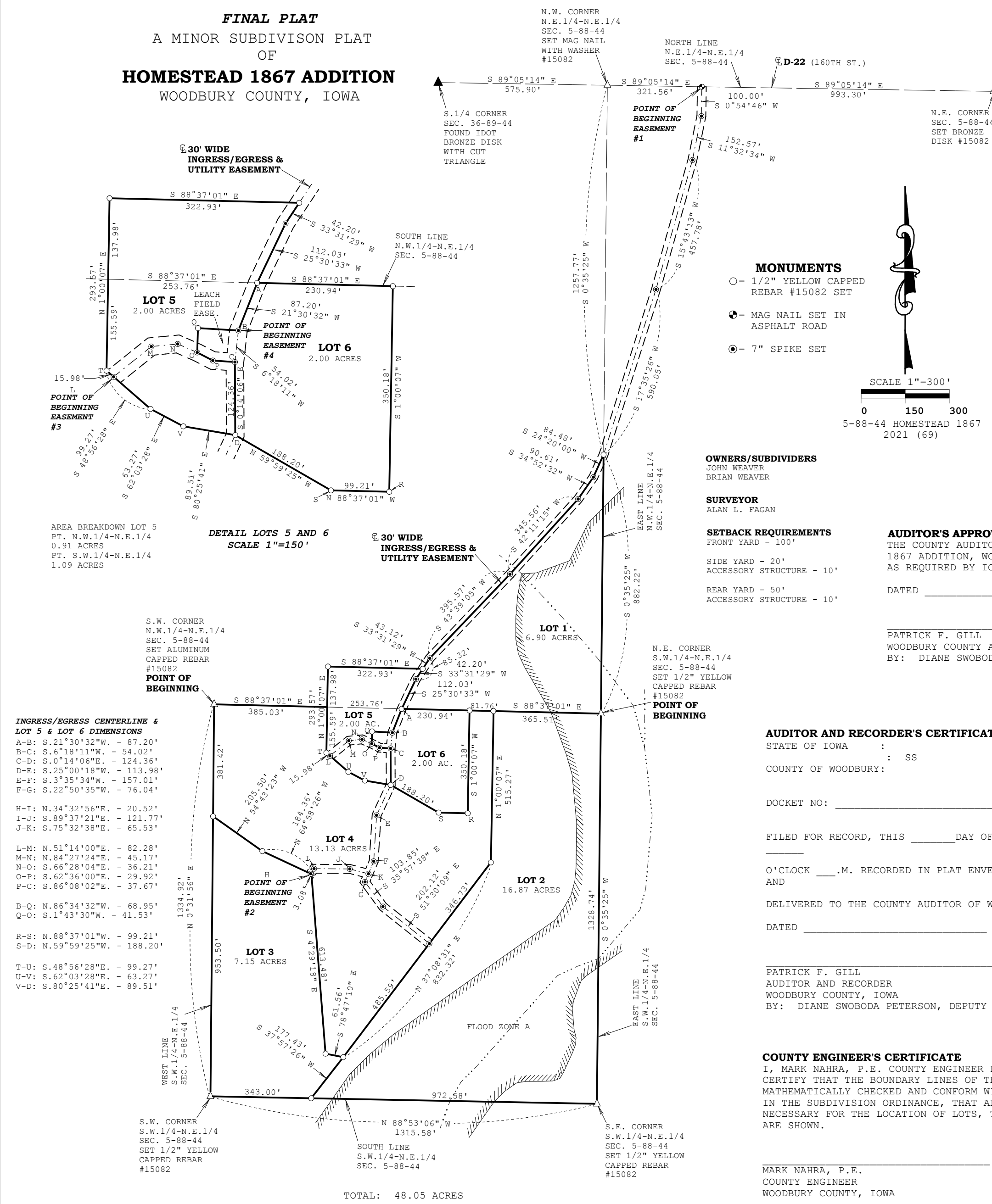
Log in to <https://programs.iowadnr.gov/permt/Home/Dashboard> to check the status of your project.

Thank you,



**Flood Plain / Dam Safety Section**  
Iowa Department of Natural Resources  
P 866-849-0321 | F 515-725-8202  
502 E 9th St, Des Moines, IA 50319  
[BFERequest@dnr.iowa.gov](mailto:BFERequest@dnr.iowa.gov)

**FINAL PLAT**  
A MINOR SUBDIVISION PLAT  
OF  
**HOMESTEAD 1867 ADDITION**  
WOODBURY COUNTY, IOWA



**BOARD OF SUPERVISOR'S RESOLUTION**  
**RESOLUTION NO. \_\_\_\_\_**

RESOLUTION ACCEPTING AND APPROVING HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA; AND

WHEREAS, IT APPEARS THAT SAID PLAT CONFORMS WITH ALL OF THE PROVISIONS OF THE CODE OF THE STATE OF IOWA AND ORDINANCES OF WOODBURY COUNTY, IOWA, WITH REFERENCE TO THE FILING OF SAME; AND

WHEREAS, THE ZONING COMMISSION OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT; AND

WHEREAS, THE COUNTY ENGINEER OF WOODBURY COUNTY, IOWA HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

NOW THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, THAT THE PLAT OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED, AND THE CHAIRMAN AND SECRETARY OF THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, STATE OF IOWA, ARE HEREBY DIRECTED TO FURNISH TO THE OWNERS AND PROPRIETORS A CERTIFIED COPY OF THIS RESOLUTION AS REQUIRED BY LAW.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_.

ROCKY DEWITT  
CHAIRMAN  
BOARD OF SUPERVISORS  
WOODBURY COUNTY, IOWA

ATTEST:  
PATRICK F. GILL  
SECRETARY

**RESOLUTION AND CERTIFICATE OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA**

I, CHRIS ZELLMER ZANT, DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA AND DO FURTHER CERTIFY THAT SAID COMMISSION HAS HERETOFORE TAKEN UNDER ADVICE THE PLAT OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_ APPROVE THE SAME AND DOES FURTHER HEREBY RECOMMEND TO THE WOODBURY COUNTY BOARD OF SUPERVISORS, WOODBURY COUNTY, IOWA, THE ACCEPTANCE AND APPROVAL OF SAID PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_.

CHRIS ZELLMER ZANT  
CHAIRMAN  
WOODBURY COUNTY ZONING COMMISSION OF  
WOODBURY COUNTY, IOWA

**CERTIFICATE OF COUNTY ASSESSOR**

I, JULIE CONOLLY, HEREBY CERTIFY THAT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 202\_\_, A COPY OF THIS PLAT WAS FILED IN THE WOODBURY COUNTY ASSESSOR'S OFFICE.

DATED \_\_\_\_\_

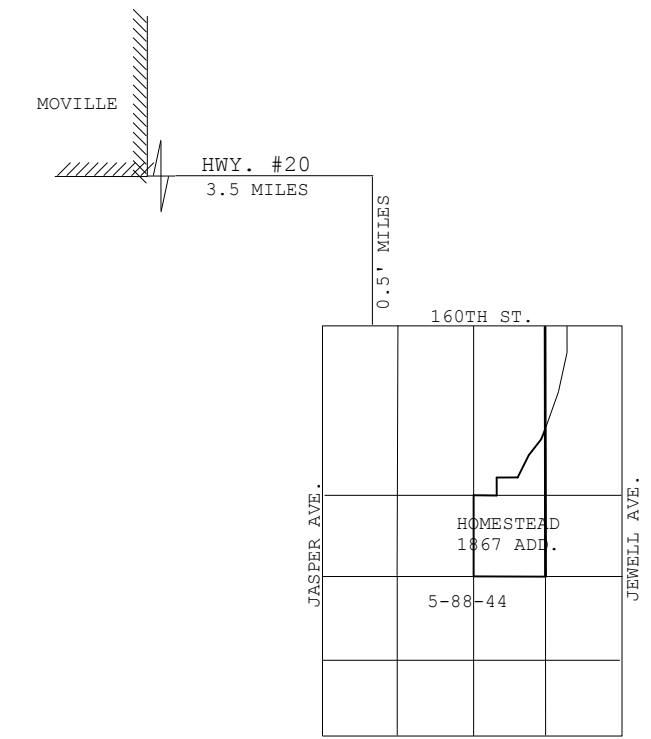
JULIE CONOLLY  
WOODBURY COUNTY ASSESSOR

**TREASURER'S CERTIFICATE OF TAXES AND SPECIAL ASSESSMENTS**

I, TINA BERTRAND, TREASURER OF WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE ATTACHED AND FOREGOING SURVEYOR'S CERTIFICATE IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

DATED \_\_\_\_\_

TINA BERTRAND  
TREASURER,  
WOODBURY COUNTY, IOWA



VICINITY SKETCH  
NO SCALE

**SURVEYOR'S DESCRIPTION:**  
PART OF THE N.E.1/4 OF SECTION 5, TOWNSHIP 88 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE S.W. CORNER OF THE N.W.1/4 OF SAID N.E.1/4; THENCE S.88°37'01"E. ALONG THE SOUTH LINE OF SAID N.W.1/4 OF THE N.E.1/4 FOR 385.03 FEET; THENCE N.1°00'07"E. FOR 137.98 FEET; THENCE S.88°37'01"E. FOR 322.93 FEET; THENCE N.33°31'29"E. FOR 43.12 FEET; THENCE N.43°39'05"E. FOR 395.57 FEET; THENCE N.42°11'15"E. FOR 345.56 FEET; THENCE N.34°52'32"E. FOR 90.61 FEET; THENCE N.24°20'00"E. FOR 84.48 FEET TO THE EAST LINE OF SAID N.W.1/4 OF THE N.E.1/4; THENCE S.0°35'25"W. ALONG SAID EAST LINE FOR 82.22 FEET TO THE N.E. CORNER OF THE S.W.1/4 OF SAID N.E.1/4; THENCE S.0°35'25"W. ALONG THE EAST LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1328.74 FEET TO THE S.E. CORNER OF SAID S.W.1/4 OF THE N.E.1/4; THENCE N.88°53'06"W. ALONG THE SOUTH LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1315.58 FEET TO THE S.W. CORNER OF SAID S.W.1/4 OF THE N.E.1/4; THENCE N.0°31'56"E. ALONG THE WEST LINE OF SAID S.W.1/4 OF THE N.E.1/4 FOR 1334.92 FEET TO THE POINT OF BEGINNING. CONTAINING 48.05 ACRES. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE EAST LINE OF THE W.1/2 OF SAID N.E.1/4 IS ASSUMED TO BEAR S.0°35'25"W.

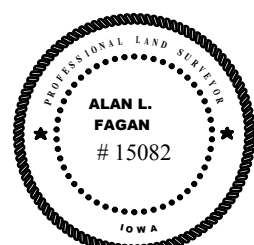
**SURVEYOR'S CERTIFICATE**

I, ALAN L. FAGAN, A DULY LICENSED LAND SURVEYOR UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF IOWA, HOLDING CERTIFICATE NO. 15082, DO HEREBY CERTIFY THAT THE SUBDIVISION PLAT OF HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE SAME IS LOCATED UPON AND COMPRESSES THE WHOLE OF THE ATTACHED DESCRIBED PROPERTY.

I DO HEREBY CERTIFY THAT THERE ARE CONTAINED IN SAID DESCRIPTION THE LOTS AND STREETS DESCRIBED IN THE ADDITION PLATTED; THAT THE SAME ARE OF THE DIMENSIONS, NUMBERS, NAMES AND LOCATIONS AS SHOWN ON SAID PLAT AND THAT IRON STAKES WERE DRIVEN AT EACH CORNER OF EVERY LOT AND TRACT EXCEPT AS NOTED ON SAID PLAT.

DATED AT SIOUX CITY, IOWA \_\_\_\_\_, 2021.

ALAN L. FAGAN  
IOWA NO. 15082  
LICENSE RENEWAL DATE: DECEMBER 31, 2021



INDEX LEGEND	
SURVEYOR:	ALAN L. FAGAN 712 539-1471
MAIL TO:	AL FAGAN LAND SURVEYING, P.C. P.O. BOX 858 - MERRILL, IA 51038
COUNTY:	WOODBURY
SECTION(S):	5 T. 88 N., R. 44 W.
ALIQUOT PART:	PART OF THE N.E.1/4
CITY:	
SUBDIVISION:	
BLOCK(S):	
LOT(S):	
PROPRIETOR(S):	JOHN WEAVER AND BRIAN WEAVER
REQUESTED BY:	BRIAN WEAVER AND JOHN WEAVER

**HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA IS SUBJECT TO AND TOGETHER WITH THE FOLLOWING EASEMENTS:**

**EASEMENT #1:**  
A 30 FOOT WIDE INGRESS/EGRESS AND UTILITY EASEMENT IN THE N.E.1/4 OF SECTION 5, TOWNSHIP 88 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF THE N.E.1/4 OF SAID N.E.1/4; THENCE S.89°05'14"E. ALONG THE NORTH LINE OF SAID N.E.1/4 OF THE N.E.1/4 FOR 321.56 FEET TO THE CENTERLINE OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE S.0°54'46"W. ALONG SAID CENTERLINE FOR 100.00 FEET; THENCE S.11°32'34"W. ALONG SAID CENTERLINE FOR 152.57 FEET; THENCE S.15°43'13"W. ALONG SAID CENTERLINE FOR 457.78 FEET; THENCE S.17°35'26"W. ALONG SAID CENTERLINE FOR 590.05 FEET TO THE EAST LINE OF THE N.W.1/4 OF SAID N.E.1/4; THENCE S.24°20'00"W. ALONG SAID CENTERLINE FOR 84.48 FEET; THENCE S.34°52'32"W. ALONG SAID CENTERLINE FOR 90.61 FEET; THENCE S.42°11'15"W. ALONG SAID CENTERLINE FOR 345.56 FEET; THENCE S.43°39'05"W. ALONG SAID CENTERLINE FOR 395.57 FEET; THENCE S.33°31'29"W. ALONG SAID CENTERLINE FOR 85.32 FEET; THENCE S.25°30'33"W. ALONG SAID CENTERLINE FOR 112.03 FEET TO THE NORTH LINE OF THE S.W.1/4 OF SAID N.E.1/4; THENCE S.21°30'32"W. ALONG SAID CENTERLINE FOR 87.20 FEET; THENCE S.6°18'11"W. ALONG SAID CENTERLINE FOR 54.02 FEET; THENCE S.0°14'06"E. ALONG SAID CENTERLINE FOR 124.36 FEET; THENCE S.25°00'18"W. ALONG SAID CENTERLINE FOR 113.98 FEET; THENCE S.3°35'34"W. ALONG SAID CENTERLINE FOR 157.01 FEET; THENCE S.22°50'35"W. ALONG SAID CENTERLINE FOR 76.04 FEET; THENCE S.35°57'38"E. ALONG SAID CENTERLINE FOR 103.85 FEET; THENCE S.51°30'09"E. ALONG SAID CENTERLINE FOR 202.12 FEET TO THE EASTERLY LINE OF LOT 4, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA AND THE END OF SAID EASEMENT. THE SIDELINES OF SAID EASEMENT BEING SHORTENED OR ELONGATED TO MEET THE EASTERLY LINE OF SAID LOT 4.

**EASEMENT #2:**  
A 30 FOOT WIDE INGRESS/EGRESS AND UTILITY EASEMENT, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEASTERLY CORNER OF LOT 3, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA; THENCE N.64°58'26"W. ALONG THE NORTHERLY LINE OF SAID LOT 3 FOR 3.08 FEET TO THE CENTERLINE OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE S.11°32'34"W. ALONG SAID CENTERLINE FOR 152.57 FEET; THENCE S.15°43'13"W. ALONG SAID CENTERLINE FOR 457.78 FEET; THENCE S.17°35'26"W. ALONG SAID CENTERLINE FOR 590.05 FEET TO THE EAST LINE OF THE N.W.1/4 OF SAID N.E.1/4; THENCE S.24°20'00"W. ALONG SAID CENTERLINE FOR 84.48 FEET; THENCE S.34°52'32"W. ALONG SAID CENTERLINE FOR 90.61 FEET; THENCE S.42°11'15"W. ALONG SAID CENTERLINE FOR 345.56 FEET; THENCE S.43°39'05"W. ALONG SAID CENTERLINE FOR 395.57 FEET; THENCE S.33°31'29"W. ALONG SAID CENTERLINE FOR 85.32 FEET; THENCE S.25°30'33"W. ALONG SAID CENTERLINE FOR 112.03 FEET TO THE NORTH LINE OF THE S.W.1/4 OF SAID N.E.1/4; THENCE S.21°30'32"W. ALONG SAID CENTERLINE FOR 87.20 FEET; THENCE S.6°18'11"W. ALONG SAID CENTERLINE FOR 54.02 FEET; THENCE S.0°14'06"E. ALONG SAID CENTERLINE FOR 124.36 FEET; THENCE S.25°00'18"W. ALONG SAID CENTERLINE FOR 113.98 FEET; THENCE S.3°35'34"W. ALONG SAID CENTERLINE FOR 157.01 FEET; THENCE S.22°50'35"W. ALONG SAID CENTERLINE FOR 76.04 FEET; THENCE S.35°57'38"E. ALONG SAID CENTERLINE FOR 103.85 FEET; THENCE S.51°30'09"E. ALONG SAID CENTERLINE FOR 202.12 FEET TO THE EASTERLY LINE OF LOT 4, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA AND THE END OF SAID EASEMENT. THE SIDELINES OF SAID EASEMENT BEING SHORTENED OR ELONGATED TO MEET THE NORTHERLY AND EASTERLY LINES OF SAID LOT 3.

**EASEMENT #3:**  
A 30 FOOT WIDE INGRESS/EGRESS AND UTILITY EASEMENT, THE CENTERLINE BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWESTERLY CORNER OF LOT 5, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA; THENCE S.48°56'28"E. ALONG THE SOUTHERLY LINE OF SAID LOT 5 FOR 15.98 FEET TO THE CENTERLINE OF SAID EASEMENT AND THE POINT OF BEGINNING; THENCE N.51°14'00"E. ALONG SAID CENTERLINE FOR 82.28 FEET; THENCE N.84°27'24"E. ALONG SAID CENTERLINE FOR 45.17 FEET; THENCE S.66°28'04"E. ALONG SAID CENTERLINE FOR 36.21 FEET; THENCE S.62°36'00"E. ALONG SAID CENTERLINE FOR 29.92 FEET; THENCE S.86°08'02"E. ALONG SAID CENTERLINE FOR 37.67 FEET TO THE CENTERLINE OF EASEMENT #1 DESCRIBED IN SAID ADDITION AND THE END OF SAID EASEMENT DESCRIPTION. THE SIDELINES OF SAID EASEMENT BEING SHORTENED OR ELONGATED TO MEET THE SOUTHERLY LINE OF SAID LOT 5.

**EASEMENT #4:**  
A LEACH FIELD EASEMENT IN PART OF LOT 6, HOMESTEAD 1867 ADDITION, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE N.W. CORNER OF SAID LOT 6; THENCE S.21°30'32"W. ALONG THE WESTERLY LINE OF SAID LOT 6 FOR 87.20 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE N.86°34'32"W. ALONG THE WESTERLY LINE OF SAID LOT 6 FOR 68.95 FEET; THENCE S.1°43'30"W. ALONG SAID WESTERLY LINE FOR 41.53 FEET; THENCE S.62°36'00"E. ALONG SAID WESTERLY LINE FOR 29.92 FEET; THENCE S.86°08'02"E. ALONG SAID WESTERLY LINE FOR 37.67 FEET; THENCE N.6°18'11"E. FOR 54.02 FEET TO THE POINT OF BEGINNING.

ALL BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL OTHER EASEMENTS, RESTRICTIONS AND COVENANTS.

AL FAGAN  
LAND SURVEYING, P.C.  
P.O. BOX 858  
MERRILL, IA 51038  
712 539-1471