



February 16, 2021

Woodbury County Board of Supervisors
620 Douglas Street, Room 104
Sioux City, Iowa 51102

Sioux City City Council
405 6th Street, PO Box 447
Sioux City, Iowa 51102

RE: Letter of Understanding - Current Law Enforcement Center -
407 7th Street, Sioux City, Iowa 51101

Dear Chairperson DeWitt:

The City of Sioux City ("City") and Woodbury County ("County"), Iowa are important partners in our mutual efforts to work together in the spirit of cooperation in developing each other's interests in meeting the greater public good.

On June 8, 2020 the County and the City entered into a 28E Agreement governing the development of real estate located in the vicinity of 3701 28th Street, Sioux City, Iowa, for the proposed Woodbury County Jail Site Improvements Project. A new Law Enforcement Center is to be constructed as part of this project. With the construction of the new facility, it has been determined that a plan must be made for the current Law Enforcement Center location.

This letter is to serve as a "Letter of Understanding" to establish the additional commitments made by each party regarding the construction of the proposed Woodbury County Jail Site Improvements Project, the redevelopment of the Law Enforcement Center location at 407 7th Street, Sioux City, Iowa which is further described on **Exhibit A** attached hereto, and the Elk Creek Road Development. This Letter of Understanding is intended to provide clarification of the terms and parameters between the County to the City and to ensure that both parties are proceeding according to a mutually-agreed set of

2/23/21


expectations to avoid any miscommunication and maintain a transfer process free from delays.

Under the terms of this Letter of Understanding, the County agrees to the following:


1. Within eighteen (18) months of the occupancy of the new Woodbury County Jail, the County agrees at the County's sole cost and expense to have demolished the existing Law Enforcement Center and remediated the site of contaminants and pollutants to a level which would allow construction and new development to occur at that location without further remediation required by the Iowa Department of Natural Resources.
2. At the County's sole cost and expense, the County shall consult with a qualified expert to ensure compliance with all federal, state, and local laws in the demolition and remediation of the site.
3. At the County's sole cost and expense, all necessary Closure Reports shall be obtained from DNR, EPA, and other necessary regulatory bodies to ensure that the site meets required environmental standards under federal, state, and local laws and regulations.
4. At the County's sole cost and expense, the County shall provide the City with all environmental reports for examination.
5. Upon receiving notification from the City that it is satisfied with the condition of the site, the County shall transfer the property located at 407 7th Street, Sioux City, Iowa 51101 via county deed free of all liens and encumbrances to the City for \$1.00 and other good and valuable consideration, subject to the requirements of Iowa Code Section 331.361.
6. At the County's sole cost and expense, the County will complete engineering design of Elk Creek Road within six months from the date of this letter.
7. The County shall provide up to a maximum amount \$133,300 of the costs of paving Elk Creek Road. Said paving shall begin at the intersection of Old Lakeport Road and end at a point approximately 3,840 feet to the southeast.

Under the terms of this Letter of Understanding, the City shall:

1. The City shall agree to take title to the property located at 407 7th Street, Sioux City, Iowa 51101 upon successful completion of the terms and conditions noted above.
2. The City will use its best efforts to cause the site to be developed in a manner fitting for its downtown location.
3. Via separate agreement with the Law Enforcement Authority, the City will provide up to an additional \$375,000 toward the expense of the construction of the Woodbury County Jail Site Improvements Project. The City may reduce this additional amount based upon actual bid costs.



Robert E. Scott
Mayor
City of Sioux City



Rocky DeWitt
Chairperson
Woodbury County Board of Supervisors

Attachments:

Exhibit A - Legal Description of 407 7th Street, Sioux City, Iowa

RESOLUTION NO. 2021 - 0198
with attachments

RESOLUTION APPROVING A LETTER OF UNDERSTANDING BETWEEN THE CITY OF SIOUX CITY AND WOODBURY COUNTY IN CONNECTION WITH THE PROPOSED WOODBURY COUNTY JAIL SITE IMPROVEMENTS PROJECT, THE REDEVELOPMENT OF THE LAW ENFORCEMENT CENTER LOCATION AT 407 7TH STREET AND THE ELK CREEK ROAD DEVELOPMENT.

WHEREAS, on June 8, 2020, pursuant to Resolution No. 2020-0469, Woodbury County and the City of Sioux City entered into a 28E Agreement governing the development of real estate located in the vicinity of 3701 28th Street, Sioux City, Iowa, for the proposed Woodbury County Jail Site Improvements Project; and

WHEREAS, a part of the Woodbury County Jail Site Improvements Project, a new Law Enforcement Center is to be constructed; and

WHEREAS, with the construction of the new Law Enforcement Center, it has been determined that a plan must be made for the redevelopment of the Law Enforcement Center location at 407 7th Street, Sioux City, Iowa and the Elk Creek Road Development; and

WHEREAS, a Letter of Understanding between Woodbury County and the City of Sioux City, a copy of which is attached hereto and by this reference made a part hereof, sets forth the responsibilities and obligations of the parties in developing such Projects and should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Letter of Understanding between Woodbury County and the City of Sioux City, in connection with the proposed Woodbury County Jail Site Improvements Project, the redevelopment of the Law Enforcement Center location at 407 7th Street and the Elk Creek Road Development, as referred to in the preamble hereof, be and the same is hereby approved and the Mayor be and he is hereby authorized and directed to execute said Letter of Understanding for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: March 1, 2021


Robert E. Scott, Mayor

ATTEST:


Lisa L. McCardle, City Clerk

REI1002 PID 8947 28 166 007 00 Tax Dist. 184 000 Class C INQUIRY C N
 2019 097 Map# 021886 GIS#

Property 002784116 DED WOODBURY COUNTY
 Ownership 620 DOUGLAS ST
 SIOUX CITY IA 51101-0000
 0000000000

Location 401 Street 7TH ST City SIOUX CITY
 Recorded 000/00/00
 Documents 000/00/00
 Misc 504 NEW Exempt Code 002 Area 47,400.00 SQFT
 Sec-Twp-Rng 000 000 000 City-Adm-Blk 1 00045 038 Lot#
 Legal Desc SIOUX CITY EAST LOT 1, 2, 3, 4, 5, 6 , & VAC E-W ALLEY BE +
 Applications Typ 1 Ovr Amt Typ 2 Ovr Amt
 Typ 3 Ovr Amt Typ 4 Ovr Amt
 Not Certified Value Acres Typ Value Acres CSR DU B1
 Gross
 Exempt
 PtExmt
 Drain
 Net
 F3=Exit F10=Owners F12=Prev F13=Rec Doc F14=Image F15=Legal F16=Notes
 F17=IE F18=TaxHist F19=Aplc F20=Value F21=Print F22=ViewImage F23=Index

"EXHIBIT A"

184 8947 28 166 007 Legal Descriptions

SIOUX CITY EAST LOT 1, 2, 3, 4, 5, 6 , & VAC E-W ALLEY BE
TWN LOT 3 & 4 BLK 38

F3=Exit F12=Previous

**Lots 1, 2, 3, 4, 5, & 6; and the vacated East/West
alley lying between Lots 3 & 4 all in Block 38, Sioux
City East Addition to Sioux City, Woodbury County,
Iowa**

ROLL 156 IN 2196

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION in hand paid by Woodbury County

of the County of Woodbury, and State of Iowa, does hereby release, remise, convey and quitclaim unto the said Woodbury County

all its right, title and interest in and to the following described premises situated in the County of Woodbury, and State of Iowa, to-wit:

The vacated East/West alley lying between Lots 3 and 4, Block 38, Sioux City East Addition to Sioux City, Woodbury County, Iowa.

Subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of a certain No. 35/T-3723, duly passed and approved on the sixth day of May, 1985, under the provision of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, The City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this seventy day of May, 1985.

CITY OF SIOUX CITY, IOWA

BY: John Van Dyke
JOHN VAN DYKE, MAYOR

ATTEST: G. W. Gross
G. W. GROSS, CITY CLERK

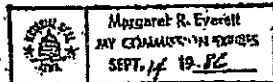
ROLL 156 IMAGE 2197

STATE OF IOWA

WOODBURY COUNTY

On this 7th day of May, A.D. 1985, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally appeared John Van Dyke, Mayor of the City of Sioux City, Iowa, and G. W. Gross, City Clerk of said City, each being to me personally known to be the identical persons and officers named in the foregoing instrument, who executed the same under and by virtue of the authority vested in them by the City Council of said City, and each for himself acknowledged the execution thereof to be his voluntary act and deed for the purposes herein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at Sioux City, Iowa, the day and year last above written.



Margaret R. Everett
Notary Public, in and for
Woodbury County, Iowa

Exempt From Transfer Tax pursuant to Chapter 428A.2(6)

WOODBURY COUNTY, IOWA

Entered upon the transfer book and
for location this 8 day of

May 19 25

Wagon paid by Recorder *nc*

DONALD E. LINDUSKI, Auditor

James H. Daughton

Rec'd. Rec. \$ *11.00*
Aud. Rec. \$ *11.00*
Total \$ *22.00*

Rec'd. 12713

STATE OF IOWA

Woodbury County

Filed for record, index and delivery to
County Auditor this 8 day of

May 19 1925

Attest and record on this 8 day of

May 19 1925

Recorded and indexed in *11.00*

By *J. H. Daughton*

Board of Supervisors

" DELIVER "

155 June 21 1925



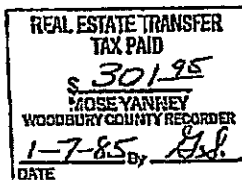
WARRANTY DEED (CORPORATE)

Know All Men by These Presents:

That ELKS BUILDING ASSOCIATION
having its principal place of business at 722 Douglas St., Sioux City in Woodbury
County and State of Iowa, a corporation organized and existing under the
laws of Iowa, in consideration of the sum of Two Hundred Seventy-five
Thousand and 00/100 Dollars (\$275,000.00)
in hand paid does hereby CONVEY unto WOODBURY COUNTY, IOWA

Grantee's Address:
the following described real estate situated in WOODBURY County, Iowa, to-wit:

Lots one (1), two (2), and three (3) in block
thirty-eight (38), Sioux City East Addition,
in this County of Woodbury and State of Iowa.



And said Corporation hereby covenants with said grantee, and successors in interest, that it holds said real estate by title in fee simple; that it has good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever, except as may be above stated; and it covenants to Warrant and Defend the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to the context.

IN WITNESS WHEREOF said corporation has caused this instrument to be duly executed this 7th
day of January 19 85

ELKS BUILDING ASSOCIATION

By Sidney S. Slater, President Title

By Keith E. Anderson, Secretary Title

722 Douglas St.

Sioux City, Iowa 51101
(Grantee's Address)

STATE OF IOWA WOODBURY COUNTY, ss
On this 7th day of January A.D. 1985 before me the undersigned, a Notary Public in and for said State personally appeared Sidney S. Slater and Keith E. Anderson
In and personally known, who, being by me duly sworn, did say that they are the President and Secretary respectively, of said corporation; that [no seal has been procured by the said] corporation; that said instrument was signed 200,000.00 on behalf of said corporation by authority of its Board of Directors; and that the said Sidney S. Slater and Keith E. Anderson as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

DONALD W. SYLVESTER Notary Public in and for said State of Iowa.

Warranty Deed
(CORPORATE)

Rec. fee \$ n/k
Aud. fee \$ n/k
Total \$ n/k to 7355

My fee paid by recorder, REC
Entered upon transfer books and for taxation
this 7 day of January 1985
by James E. Anderson Auditor
by Randy McLaughlin Deputy
STATE OF INDIANA
WOODBURY COUNTY

Filed for record, indexed and delivered to
County Auditor this 7 day

of January, 1985
at 3:05 o'clock P.M. and recorded in
book 152 of Deeds on page 1540
at Woodbury County Records.
Recorder's and Auditor's fee \$ n/k PAID.
By James E. Anderson Recorder
By Randy McLaughlin Deputy

WHEN RECORDED RETURN TO

County Road of Harrison
Attn: Roger McStafford
Delmar

152-1541



WARRANTY DEED (CORPORATE)

Know All Men by These Presents:

That PESTER MARKETING COMPANY
having its principal place of business at 303 Keo, Des Moines in Polk
County and State of Iowa, a corporation organized and existing under the
laws of Iowa, in consideration of the sum of Two Hundred Ten
Thousand and 00/100 Dollars (\$210,000.00)
in hand paid does hereby CONVEY unto WOODBURY COUNTY, IOWA

Grantees' Address:

the following described real estate situated in Woodbury County, Iowa, to-wit:

Lot four (4) and the West One Hundred (100) feet of Lots
five (5) and six (6) in Block Thirty-eight (38), Sioux
City East Addition, in the County of Woodbury and state
of Iowa.

Subject to easements and restrictions of record.

And said Corporation hereby covenants with said grantees, and successors in interest, that it holds said real
estate by title in fee simple; that it has good and lawful authority to sell and convey the same; that said premises
are free and clear of all liens and encumbrances whatsoever, except as may be above stated; and it covenants to
Warrant and Defend the said premises against the lawful claims of all persons whatsoever, except as may be above
stated.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, according to
the context.

IN WITNESS WHEREOF said corporation has caused this instrument to be duly executed this 31st
day of December 1984

PESTER MARKETING COMPANY

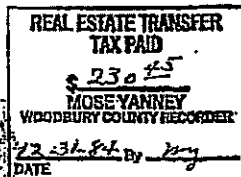
By C. R. Norman
C. R. Norman, President Title

By John R. Leftwich
John R. Leftwich, Secretary Title

303 Keo, P. O. Box 10006

Des Moines, IA 50306

(Grantees' Address)



Polk COUNTY, ss:
On this 31st day of December A.D. 1984 before me, the undersigned, a Notary Public in and for said
State, personally appeared C. R. Norman and John R. Leftwich
known to me, being by me duly sworn, did say that they are the President and
Secretary respectively, of said corporation; that (so and has been procured by the said)

corporation that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and that the
said C. R. Norman and John R. Leftwich as such officers,
acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by their voluntary assent.

My commission expires: 8/12/85 Ann C. Quick Notary Public in and for said County and said State.

Warranty Deed
(CORPORATE)

Rec. fee \$	7138
Auditor's fee \$	
Total \$	7138

Entered upon transfer books and for location
this 31 day of December 1984
James F. Schmitt, Auditor
By Ronald McNaughton, Clerk
STATE OF IOWA
WOODBURY COUNTY

Filed for record, indexed and delivered to
County Auditor this 31 day
of December 1984

at 12:15 o'clock P.M. and recorded in
Book 152 of Deeds Page 1050
of Woodbury County Records,
Recorder's and Auditor's fee \$116.00 PAID.
Mae L. Gannon, Recorder
By _____ Deputy

WHEN RECORDED RETURN TO

Atty. General
Des Moines

ind 152 page 1051

DEED RECORD, LOTS, No. 240

WOODBURY COUNTY, IOWA

Docket No. 11672

Recording Fee \$ No chg ✓

The Family Welfare Bureau
of Sioux City

TO

Woodbury County, Iowa.

Filed for record, indexed and delivered
to County Auditor this 7 day of
April A. D. 1941
at 4:20 o'clock P. M.
Recorder's and Auditor's Fee \$ No chg
C. H. Jandt Recorder
Bluma Merlin DeputyEntered upon the transfer book and for
taxation this 7 day of
April A. D. 1941My fee 23c paid by Recorder.
W. H. Thompson Auditor
E. S. Locke, Clerk Deputy

Know all Men by these Presents:

That The Family Welfare Bureau of Sioux City

of Woodbury County and State of Iowa in consideration of the sum of
One Dollar and other valuable consideration Dollars
in hand paid by Woodbury County, Iowa.of Woodbury County and State of Iowa, do hereby SELL AND CONVEY
unto the said Woodbury County, Iowa,
the following described premises situated
in the county of Woodbury and State of Iowa, to-wit:

East 50 Feet of Lots 5 and 6, Block 38, Sioux City East Addition, Woodbury County, Iowa,

And the said grantor hereby covenants with the said
grantee that it hold said premises by good
and perfect title; that it has have good right and lawful authority to sell and convey the same; that they
are free and clear of all liens and incumbrances whatsoever.And it covenants to WARRANT AND DEFEND the title to said premises against the law-
ful claims of all persons whomsoever.And the said hereby relinquish all contingent rights, including
all rights of dower, homestead or distributive share in and to the above described premises.Signed the 19th day of March A. D. 1941
In Presence ofTHE FAMILY WELFARE BUREAU OF SIOUX CITY
By Ed. V. Corbett, President
By E. N. McIlrath, SecretarySTATE OF } ss. On this day of A. D. 19, before me,
County of }
a Notary Public in and for County, State of
personally appearedto me known to be the identical person named in and who executed the foregoing instrument, and
acknowledged that executed the same as voluntary act and deed.
WITNESS my official signature and seal of office, at
the day and year last above written.

Notary Public in and for said County and State

CORPORATE CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Iowa } ss. On this 19th day of March A. D. 1941, before me,
County of Woodbury }
Stanley M. Corbett, a Notary Public in and for Woodbury County, State of Iowa
personally appeared Ed. V. Corbett and E. N. McIlrath,and to me personally known, who being
by me severally sworn did severally say that the said Ed. V. Corbett
is President and the said E. N. McIlrath
is Secretary of The Family Welfare Bureau of Sioux City
a corporation duly organized and existing; that the said instrument is the act of said corporation,
said corporation has no seal.That the said instrument was signed, sealed and executed in behalf of said corporation by authority of its Board of Directors
and the said Ed. V. Corbett and E. N. McIlrath
Stanley M. Corbett acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said cor-
poration by authority of its Board of Directors.
Iowa
Notarial Seal
WITNESS my official signature and seal of office, at Sioux City, Iowa.

The Family Welfare Bureau
of Sioux City

TO

Woodbury County, Iowa.

Filed for record, indexed and delivered
to County Auditor this 7 day of
April, A. D. 1941
at 4:20 o'clock P. M.
Recorder's and Auditor's Fee \$ No ong
C. H. Jandt Recorder
Bluma Merlin Deputy

Entered upon the transfer book and for
taxation this 7 day of
April, A. D. 1941

My fee 25c paid by Recorder.

W. H. Thompson Auditor
H. E. Locke, Clerk Deputy

Know all Men by these Presents:

That The Family Welfare Bureau of Sioux City

of Woodbury County and State of Iowa in consideration of the sum of
One Dollar and other valuable consideration Dollars
in hand paid by Woodbury County, Iowa,

of Woodbury County and State of Iowa do hereby SELL AND CONVEY
unto the said Woodbury County, Iowa,

the following described premises situated
in the county of Woodbury and State of Iowa, to-wit:

East 50 Feet of Lots 5 and 6, Block 38, Sioux City East Addition, Woodbury County, Iowa,

And the said grantor hereby covenant with the said
grantee that it hold said premises by good
and perfect title that it has have good right and lawful authority to sell and convey the same; that they
are free and clear of all liens and incumbrances whatsoever.

And it covenant to WARRANT AND DEFEND the title to said premises against the law-
ful claims of all persons whatsoever.

And the said hereby relinquish all contingent rights, including
all rights of dower, homestead or distributive share in and to the above described premises.

Signed the 19th day of March A. D. 1941

In Presence of

THE FAMILY WELFARE BUREAU OF SIOUX CITY
By Ed. V. Corbett, President
By E. N. McIlrath, Secretary

STATE OF }
County of } ss. On this day of A. D. 19, before me,
a Notary Public in and for County, State of
personally appeared

to me known to be the identical person named in and who executed the foregoing instrument, and
acknowledged that executed the same as voluntary act and deed.

WITNESS my official signature and seal of office, at
the day and year last above written.

Notary Public in and for said County and State

CORPORATE CERTIFICATE OF ACKNOWLEDGMENT

STATE OF Iowa }
County of Woodbury } ss. On this 19th day of March A. D. 1941, before me,
Stanley M. Corbett, a Notary Public in and for Woodbury County, State of Iowa
personally appeared Ed. V. Corbett and E. N. McIlrath,

and to me personally known, who being
by me severally sworn did severally say that the said Ed. V. Corbett
is President and the said E. N. McIlrath
is Secretary of The Family Welfare Bureau of Sioux City

a corporation duly organized and existing; that
said corporation has no seal.

That the said instrument was signed, sealed and executed in behalf of said corporation by authority of its Board of Directors
Stanley M. Corbett and the said Ed. V. Corbett and E. N. McIlrath
acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said cor-
poration by which it was voluntarily executed.

Notarial Seal

WITNESS my official signature and seal of office, at Sioux City, Iowa,
the day and year last above written.

Stanley M. Corbett

Notary Public in and for said County and State