

02/09/16



December 28, 2015

To: Randall Beck  
P.O. Box 845  
Sergeant Bluff, IA. 51054

Re: Right-of-Way Acquisition along the Open Ditch  
Orton Slough Drainage District  
Woodbury County, Iowa

Dear Landowner:

On June 2, 2015, the Woodbury County Board of Supervisors acting as Trustees for the Orton Slough Drainage District directed I+S Group, Inc. (ISG) to proceed with preparing plans for the repair of the open channel facility. The District has maintained the open channel since 1986, however has never acquired right-of-way (ROW) along the ditch. Therefore, the Board of Supervisors has also approved the acquisition of ROW. This is the second letter to inform you of the acquisition of ROW.

The work involves the cleanout of the open ditch from Station 0+00 to Station 34+93, NE ¼ NE ¼ to the SE ¼ NW ¼, all within Section 21, to Liberty Township. Approximately 5,768 cubic yards of material is to be removed from the open ditch and will be excavated with a two (2) foot bottom width and 3 to 1 side slopes.

Acquisition of Right-of-Way: The District currently has no permanent right-of-way. Therefore, the District is acquiring a 66 feet wide (33 foot width each side of centerline) along the entire length of the open ditch. The average width from the top of ditch bank to top of the ditch bank is 24'. The remaining 42' will provide unimpaired access along the open ditch for future maintenance work of approximately 21' on each side. To provide the recommended right-of-way, 5.20 acres will need to be acquired. The District would like to negotiate the terms of the right-of-way with the landowners traversed without appointing appraisers and holding proceedings as specified in the Iowa Drainage Code Section 468.25 in an effort to keep expenses down.

Iowa Code Section 468.25 states:

*The appraisers appointed to assess damages shall view the premises and determine and fix the amount of damages to which each claimant is entitled, and shall place a separate valuation upon the acreage of each owner taken for right of way for open ditches or for settling basins, as shown by plat of engineer, and shall, at least five days before the date fixed by the board to hear and determine the same, file with the county auditor reports in writing, showing the amount of damage sustained by each claimant. Should the report not be filed in time, or should any good cause for delay exist, the board may postpone the time of final action on the subject, and, if necessary, the auditor may appoint other appraisers.*

The open ditch takes 1.90 acres from production and the landowner should be compensated at fair market value. Average land values are compiled and published by Iowa State Extension Service and were considered in recommending compensation. Included with this letter is a Corn Suitability Rating (CSR) map for the area under consideration, which shows the land to have a CSR value of 51. The average crop land value for Woodbury County is reported as \$7,600/AC and the average CSR value of 49.7, for an average value of \$153/AC/CSR point. Therefore we are recommending compensation for this right-of-way of \$7,800/AC for the crop land, \$3,000/AC for the grassland, and \$2,500/AC for the timber land.

1725 North Lake Avenue + PO Box 458 + Storm Lake, IA 50588-7610

info@is-grp.com + www.is-grp.com

P: 712.732.7745

I+S GROUP

PATRICK F. GILL  
AUDITOR / RECORDER

FEB 23 2016

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WOODBURY CO., IA

I+S GROUP

The landowner will maintain the right to farm the remaining 3.30 acres of adjacent access easement and the area is to be removed from property taxes however; crop damages will not be paid by the District in the future for access to maintain the facility. This easement area for maintenance of the facility is typically used on average twice during an individual's career as a farmer. Therefore, we recommend a compensation value equivalent to two (2) times the average cash rent for Woodbury County as published by Iowa State Extension, or \$600 per acre.

Included with this letter is a table which shows the acres involved per landowner along with the recommended compensation. Also enclosed is the supporting documentation of land values from the Iowa State University Extension Service. A plat showing the location of the right-of-way is also provided for your reference. If you are willing to accept the recommended payment for the establishment of right-of-way of the Orton Slough Drainage District, please sign both copies of the letter. Please keep one copy of the letter for your records, and send the other in the return addressed stamped envelope by January 15, 2016. Record of this right-of-way will be maintained as part of the District records kept on file in the Auditor's Office of Woodbury County. If you would like to discuss the recommended compensation value, please contact Brian Blomme or Ivan Droessler at I+S Group (712-732-7745) at your convenience.


Sincerely,



Brian W. Blomme, P.E.  
Project Engineer  
I+S Group

c: Woodbury County Board of Supervisors  
Mark Nahra, Woodbury County Engineer

***I agree with the recommended compensation for right-of-way along the alignment of the Orton Slough Drainage District. By signing below, I will accept payment from the Orton Slough Drainage District for the right-of-way documented in the attached 2015 Right-of-Way Acquisition Table.***

  
Landowner, Woodbury County

1-14-2016  
Date

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2015 RIGHT-OF-WAY ACQUISITION  
ORTON SLOUGH DRAINAGE DISTRICT  
WOODBURY COUNTY, IOWA



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| Owner   | Section | Township | Range | Parcel              | Station<br>From | Station<br>To | Total Required ROW, Ac. | Taken R.O.W. Acres | Easement ROW, Ac. | Taken Cropland<br>\$7,800/AC* | Taken Timberland<br>\$2,500/AC• | Easement \$600/AC□ | Total Cost          |
|---|---------|----------|-------|---------------------|-----------------|---------------|-------------------------|--------------------|-------------------|-------------------------------|---------------------------------|--------------------|---------------------|
| <b>WOODBURY COUNTY, LIBERTY TWP: T-87N, R-47W</b> |         |          |       |                     |                 |               |                         |                    |                   |                               |                                 |                    |                     |
| BROUILLETTE, DENNIS M                             | 21      | 87       | 47    | SE NW               | 0+00            | 6+54          | 1.00                    | 0.40               | 0.60              | \$ 3,120.00                   | \$ -                            | \$ 360.00          | \$ 3,480.00         |
| BECK, RANDALL T                                   | 21      | 87       | 47    | SW NE               | 6+54            | 20+66         | 2.20                    | 0.80               | 1.40              | \$ 6,240.00                   | \$ -                            | \$ 840.00          | \$ 7,080.00         |
|   | 21      | 87       | 47    | PT NE NE & PT SE NE | 20+66           | 23+02         | 0.30                    | 0.10               | 0.20              | \$ 780.00                     | \$ -                            | \$ 120.00          | \$ 900.00           |
| SHERRICK PROPERTIES LLC                           | 21      | 87       | 47    | PT NE NE            | 23+02           | 34+18         | 1.70                    | 0.60               | 1.10              | \$ -                          | \$ 1,500.00                     | \$ 660.00          | \$ 2,160.00         |
| <b>TOTALS FOR ORTON DRAINAGE DISTRICT=</b>        |         |          |       |                     |                 |               | <b>5.20</b>             | <b>1.90</b>        | <b>3.30</b>       | <b>\$ 10,140.00</b>           | <b>\$ 1,500.00</b>              | <b>\$ 1,980.00</b> | <b>\$ 13,620.00</b> |

**FOOTNOTES:**

- \*Cropland Value is from the ISU Extension Ag Decision Maker 2014 Land Values Report for Woodbury County
- Timber Land Value is from the ISU Extension Ag Decision Maker 2015 Land Values Report for West Central Iowa
- Easement Value is two times Crop Cash Rent in Woodbury County from ISU Extension Ag Decision Maker 2015