

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

Date: 9/27/23

Weekly Agenda Date: 10/3/23

**ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN:** Daniel J. Priestley

**WORDING FOR AGENDA ITEM:**

- a. Motion to receive the final staff report and the Zoning Commission's recommendation from their 9/25/23 meeting to approve the final plat of Townley Addition, a minor subdivision to Woodbury County, Iowa.
- b. Motion to accept and approve Townley Addition, a minor subdivision to Woodbury County, Iowa.

**ACTION REQUIRED:**

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

**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:**

Donald J. Townley, in his capacity as Trustee of the Derrill J. Townley Revocable Trust has filed for a one (1) lot minor subdivision to be known as Townley Addition on the property identified as Parcel #894607100007 and referenced below. This subdivision is being completed to separate the house location from the abutting ground. This proposal has been properly noticed in the Sioux City Journal legals section on September 14, 2023. The neighbors within 1000 FT have been duly notified via a September 11, 2023 letter about the September 25, 2023 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 and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Sioux City conducted extraterritorial review with the acceptance and approval of the final plat with the approval of Resolution No. 2023-0696. The area of the subdivision is less than 5 acres and Base Flood Elevation (BFE) data is not required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. On September 25, 2023, the Woodbury County Zoning Commission voted 5-0 to recommend approval.

Parcel #: 894607100007  
Township/Range: T89N R46W (Concord)  
Section: 7  
Quarter: NW ¼ NW ¼  
Zoning District: Agricultural Preservation  
Floodplain District: Zone A (Floodplain)  
Address: 1414 110th St., Sioux City, IA 51108

**FINANCIAL IMPACT:**

0

**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 9/25/23 meeting.  
Approve the final plat and authorize the Chairman to sign the resolution.

**ACTION REQUIRED / PROPOSED MOTION:**

- a. Motion to receive the final staff report and the Zoning Commission's recommendation from their 9/25/23 meeting to approve the final plat of Townley Addition, a minor subdivision to Woodbury County, Iowa.
- b. Motion to accept and approve the Townley Addition, a minor subdivision to Woodbury County, Iowa.



# WOODBURY COUNTY COMMUNITY & ECONOMIC DEVELOPMENT

620 Douglas St. · Sixth Floor · Sioux City, IA 51101 · Phone: 712.279.6609 · Fax: 712.279.6530 · Web: woodburycountyiowa.gov

Daniel J. Priestley, MPA – Zoning Coordinator · dpriestley@woodburycountyiowa.gov

Dawn Norton – Senior Clerk · dnorton@woodburycountyiowa.gov

FINAL REPORT – SEPTEMBER 26, 2023

## TOWNLEY ADDITION - MINOR SUBDIVISION PROPOSAL

### Application Details

Applicant(s)/Owner(s):	Don Townley
Application Type:	Minor Subdivision
Name of Subdivision:	Townley Addition
Application Date:	August 17, 2023
Number of Lots:	1
Total Acres:	4.96
Extraterritorial Review:	July 24, 2023 (Sioux City)
Legal Notice Date:	September 14, 2023
Neighbor(s) Notice Date:	September 11, 2023
Stakeholder(s) Notice Date:	August 29, 2023
Zoning Commission Public Hearing Date:	September 25, 2023
Board of Supervisors Agenda Date:	October 3, 2023
Attorney:	Joel D. Vos
Surveyor:	Alan L. Fagan

### Property Details

Parcel #:	894607100007
Township/Range:	T89N R46W (Concord)
Section:	7
Quarter:	NW ¼ NW ¼
Zoning District:	Agricultural Preservation
Floodplain District:	Zone A (Floodplain)
Address:	1414 110 <sup>th</sup> St., Sioux City, IA 51108



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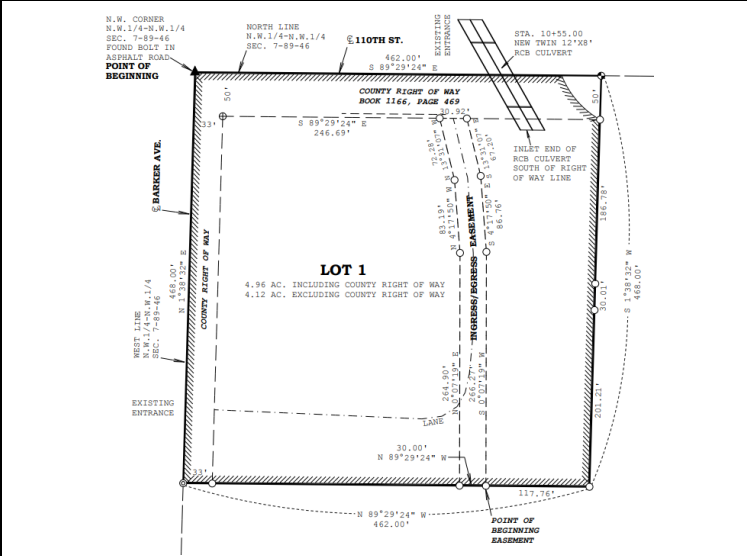
### SUMMARY

Donald J. Townley, in his capacity as Trustee of the Derrill J. Townley Revocable Trust has filed for a one (1) lot minor subdivision on the property identified as Parcel #894607100007 and referenced above. This subdivision is being completed to separate the house location from the abutting ground. This proposal has been properly noticed in the Sioux City Journal legals section on September 14, 2023. The neighbors within 1000 FT have been duly notified via a September 11, 2023 letter about the September 25, 2023 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 and found that the lot(s) have adequate access. This property is located in the Agricultural Preservation (AP) Zoning District and is located in the Special Flood Hazard Area (SFHA) – Zone A. The City of Sioux City conducted extraterritorial review with the acceptance and approval of the final plat with the approval of Resolution No. 2023-0696. The area of the subdivision is less than 5 acres and Base Flood Elevation (BFE) data is not required. Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. On September 25, 2023, the Woodbury County Zoning Commission voted 5-0 to recommend approval.

### AERIAL VIEW



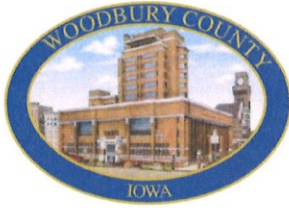
### FINAL PLAT EXCERPT



### ZONING COMMISSION AND STAFF RECOMMENDATION

On September 25, 2023, the Woodbury County Zoning Commission voted 5-0 to recommend approval.

Based on the information received and the requirements set forth in the Zoning and Subdivision Ordinance, the proposal meets the appropriate criteria for approval. Staff recommends approval.



**WOODBURY COUNTY  
ZONING COMMISSION**

WOODBURY COUNTY COURTHOUSE  
620 DOUGLAS STREET  
SIOUX CITY, IA 51101

Woodbury County Board of Supervisors  
620 Douglas Street  
Sioux City, Iowa 51101

RE: Zoning Commission Recommendation to the Board of Supervisors:

**TOWNLEY ADDITION, Minor Subdivision Proposal**

Parcel #: 894607100007  
Township/Range: T89N R46W (Concord)  
Section: 7  
Quarter: NW ¼ NW ¼  
Zoning District: Agricultural Preservation  
Floodplain District: Zone A (Floodplain)  
Address: 1414 110th St., Sioux City, IA 51108

Dear Board of Supervisors:

This letter is to inform you that the Woodbury County Zoning Commission reviewed the Townley Addition, final plat minor subdivision proposal following the scheduled public hearing that occurred at the regularly scheduled public meeting of the Woodbury County Zoning Commission on September 25, 2023.

Following the public hearing, the Zoning Commission voted 5-0 to recommend acceptance and approval of the Townley Addition, minor subdivision final plat to the Board of Supervisors.


Dated this 25 day of Sept., 2023

  
Christine Zellmer Zant, Chair  
Woodbury County Zoning Commission

**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 ADVISEMENT THE PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE 25 DAY OF September, 2023 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 25 DAY OF Sept:, 2023.

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

WOODBURY COUNTY, IOWA  
MINOR SUBDIVISION APPLICATION

Applicant: DON TOWNLEY  
Name of Owner

Mailing Address: 2323 ST. ANTHONY'S SIoux CITY, IA 51108  
Street City or Town State and Zip + 4

Property Address: 1414 110th ST SIoux CITY, IA 51108  
Street City or Town State and Zip + 4

Ph/Cell #: 712 301-8513 E-mail Address: townleyds@aol.com

To subdivide land located in the NW-NW Quarter of Section 7

Civil Township CONCORD GIS Parcel # 894607100007

Name of Subdivision: TOWNLEY ADDITION

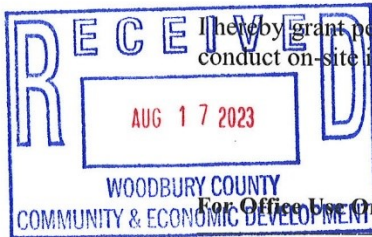
Subdivision Area in Acres 4.96 ACRES Number of Lots 1

**Attachments:**

- N/A 1. Eight (8) copies of grading plans; if required.
- 2. Eight (8) copies of final 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'.

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

Attorney: JOEL D. JOS Ph/Cell: 712 255-8838



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

Owner's Signature: [Signature]  
ALAN FAGAN FOR OWNER  
Zoning Director: [Signature]

Zoning District AP Flood District A Date 8/17/23 No. 6926

Application Fee 4 Lots or less (\$300\*+ Additional Fees) \$ 300 # 13170  
5 Lots or more (\$300\* plus \$5 per lot + Additional Fees) \_\_\_\_\_

\*Owner(s)/applicant(s) shall pay the additional costs associated with the processing, printing, and the mailing of notifications of the public hearings when the number of mailings required exceeds 30. The owner(s)/applicant(s) shall pay the additional costs of the legal publication notice(s) in newspaper(s) when the fees exceed \$100.00.

FINAL PLAT  
A MINOR SUBDIVISION PLAT  
OF  
TOWNLEY ADDITION  
WOODBURY COUNTY, IOWA

TITLE OPINION  
Re: Townley Addition Description:

PARCEL DESCRIPTION:  
PART OF THE N.W.1/4 OF THE N.W.1/4 OF SECTION 7, TOWNSHIP 89 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.W.1/4 OF THE N.W.1/4; THENCE S.89°29'24"E. ALONG THE NORTH LINE OF SAID N.W.1/4 OF THE N.W.1/4 FOR 462.00 FEET; THENCE S.1°38'32"W. FOR 468.00 FEET; THENCE N.89°29'24"W. FOR 462.00 FEET TO THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4; THENCE N.1°38'32"E. ALONG SAID WEST LINE FOR 468.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.96 ACRES INCLUDING COUNTY RIGHT OF WAY AND 4.12 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4 IS ASSUMED TO BEAR N.1°38'32"E. COUNTY AUDITOR AND RECORDER WOODBURY COUNTY, IOWA

Dear Auditor and Recorder:

We have this date examined a complete abstract of title, pursuant to Iowa Code Section 354.11(3), to the property described in the Surveyor's Certificate on the Plat of Townley Addition, an Addition to Woodbury County, Iowa, last certified by Sedgwick Tally Abstract, dated \_\_\_\_\_, 2023 at \_\_\_\_\_ A.M. and from said abstract find good and merchantable title to said premises vested in the Derrill J. Townley Revocable Trust under instrument dated April 15, 2021, the proprietor, free and clear of all mortgages, liens and other encumbrances, except as follows:

1. At entry 1 of the abstract is shown an Easement dated May 5, 1941 and filed August 6, 1941 at Book 154, Page 191. The easement granted to Socony-Vacuum Oil Company, Inc. and its successors and assigns, the right to lay pipelines for the transportation of oil and gas across the N 1/2 of the NW 1/4 of Section 7, Twp. 89, Range 46. From the abstract, it cannot be determined whether any portion of the pipeline, as constructed, crosses any portion of the property described in the Surveyor's Certificate on the Plat of Townley Addition. At entries 2 and 7 of the abstract are shown subsequent conveyances of the Easement, so that the current owner of the pipeline is Williams Pipe Line Company, by virtue of an assignment dated October 31, 1983 and file January 10, 1984 at Roll 138, Image 1428.

2. At entry 6 of the abstract is shown a Right of Way Easement to the Woodbury County Rural Electric Cooperative Association dated September 10, 1976 and filed April 1, 1977 in Roll 61, Page 401. The easement grants the right to construct electric transmission lines across of the N 1/2 of the NW 1/4 of Section 7, T89N, R46W of the 5th P.M., Woodbury County, Iowa.

All certified real estate taxes and special assessments due and payable have been paid. Real estate taxes and special assessments not certified are a lien in an undetermined amount.

Dated: June \_\_\_\_\_, 2023.

Joel D. Vos  
ATTORNEY AT LAW

AUDITOR AND RECORDER'S CERTIFICATE OF RECORDING

STATE OF IOWA : SS  
COUNTY OF WOODBURY:

DOCKET NO: \_\_\_\_\_

FILED FOR RECORD, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202 \_\_\_\_\_ AT \_\_\_\_\_

O'CLOCK \_\_\_\_\_ M. RECORDED IN PLAT ENVELOPE \_\_\_\_\_, INDEXED AND

DELIVERED TO THE COUNTY AUDITOR OF WOODBURY COUNTY, IOWA.

DATED \_\_\_\_\_

PATRICK F. GILL  
AUDITOR AND RECORDER  
WOODBURY COUNTY, IOWA  
BY: DIANE SWOBODA PETERSON, DEPUTY

COUNTY ENGINEER'S CERTIFICATE

I, MARK NAHRA, P.E. COUNTY ENGINEER FOR WOODBURY COUNTY, IOWA, DO HEREBY CERTIFY THAT THE BOUNDARY LINES OF THE PLAT AND LOTS THEREIN WERE MATHEMATICALLY CHECKED AND CONFORM 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.

MARK NAHRA, P.E.  
COUNTY ENGINEER  
WOODBURY COUNTY, IOWA

CERTIFICATE OF PLANNING AND ZONING COMMISSION

WE DO HEREBY CERTIFY THAT WE ARE THE CHAIRPERSON AND ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR, RESPECTIVELY, OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIOUX CITY, IOWA, AND WE DO FURTHER CERTIFY THAT SAID PLANNING AND ZONING COMMISSION DID TAKE UNDER ADVISEMENT THE ATTACHED PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID PLANNING AND ZONING COMMISSION DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 RECOMMEND TO THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, THE ACCEPTANCE AND APPROVAL OF THE PLAT OF SAID SUBDIVISION.

DATED \_\_\_\_\_

ANDREW GLISAR  
CHAIRPERSON

DATED \_\_\_\_\_

MARTIN DOUGHERTY  
ECONOMIC AND COMMUNITY  
DEVELOPMENT DIRECTOR

ANNEXATION AGREEMENT CERTIFICATE

THE PROPERTY INCLUDED ON THE ATTACHED PLAT IS SUBJECT TO AN ANNEXATION AGREEMENT RECORDED AS INSTRUMENT # \_\_\_\_\_ IN THE WOODBURY COUNTY RECORDER'S OFFICE.

DATE OF SURVEY:  
MARCH 28, 2023

AL FAGAN  
LAND SURVEYING, P.C.  
P.O. BOX 858  
MERRILL, IA 51088  
712 539-1471

BOARD OF SUPERVISORS' RESOLUTION  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION ACCEPTING AND APPROVING TOWNLEY ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE OWNERS AND PROPRIETORS DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, FILE WITH THE WOODBURY COUNTY ZONING COMMISSION A CERTAIN PLAT DESIGNATED AS TOWNLEY 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 TOWNLEY 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 \_\_\_\_\_, 2023.

MATTHEW UNG  
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 ADVISEMENT THE PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, AND THAT SAID WOODBURY COUNTY ZONING COMMISSION OF WOODBURY COUNTY, IOWA DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 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 \_\_\_\_\_, 2023.

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

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

DONALD J. TOWNLEY, SUCCESSOR TRUSTEE OF THE DERRILL J. TOWNLEY REVOCABLE TRUST UNDER INSTRUMENT DATED APRIL 15, 2021, THE OWNER OF THE REAL ESTATE DESCRIBED IN THE ATTACHED SURVEYOR'S CERTIFICATE, HAS IN THE PURSUANCE OF LAW, CAUSED SAID DESCRIBED REAL ESTATE TO BE SURVEYED, STAKED AND PLATTED INTO LOTS, TOGETHER WITH AN INGRESS/EGRESS EASEMENT FOR THE BENEFIT OF ADJACENT PROPERTY, 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 TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, AND THAT THE SAME IS PREPARED WITH THE FREE CONSENT AND ACCORDANCE WITH THE DESIRES AS OWNER AND PROPRIETOR THEREOF.

EXECUTED AT \_\_\_\_\_, IOWA, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

DONALD J. TOWNLEY, IN HIS CAPACITY  
AS TRUSTEE OF THE DERRILL J. TOWNLEY  
REVOCABLE TRUST

INDIVIDUAL ACKNOWLEDGMENT

STATE OF IOWA : SS  
WOODBURY COUNTY:

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED DONALD J. TOWNLEY, IN HIS CAPACITY AS TRUSTEE OF THE DERRILL J. TOWNLEY REVOCABLE TRUST, TO ME KNOWN TO BE THE PERSON NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR VOLUNTARY ACT AND DEED.

NOTARY PUBLIC

CITY COUNCIL RESOLUTION NO. \_\_\_\_\_

RESOLUTION ACCEPTING AND APPROVING THE PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA.

WHEREAS, THE PLANNING AND ZONING COMMISSION OF THE CITY OF SIOUX CITY, IOWA, HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT. NOW, THEREFORE BE, AND IT IS, RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, THAT SAID PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, AS HERETO ATTACHED AND FORMING PART OF THIS RESOLUTION BE, AND THE SAME HEREBY IS, ACCEPTED AND APPROVED.

PASSED \_\_\_\_\_

APPROVED \_\_\_\_\_

ROBERT E. SCOTT  
MAYOR

LISA MCCARDLE  
CITY CLERK

STATE OF IOWA :  
: SS  
COUNTY OF WOODBURY:

I, LISA MCCARDLE, CLERK OF THE CITY OF SIOUX CITY, IOWA, DO HEREBY CERTIFY THAT THE FOREGOING IS A FULL, TRUE, AND CORRECT COPY OF A RESOLUTION ACCEPTING AND APPROVING THE PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, WHICH SAID RESOLUTION WAS ADOPTED BY THE CITY COUNCIL OF SAID CITY ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 AND APPROVED BY THE MAYOR OF SAID CITY ON SAID DATE ALL AS FULL, TRUE AND COMPLETE AS THE SAME APPEARS OF RECORD IN THE OFFICE OF SAID CITY CLERK.

DATED \_\_\_\_\_

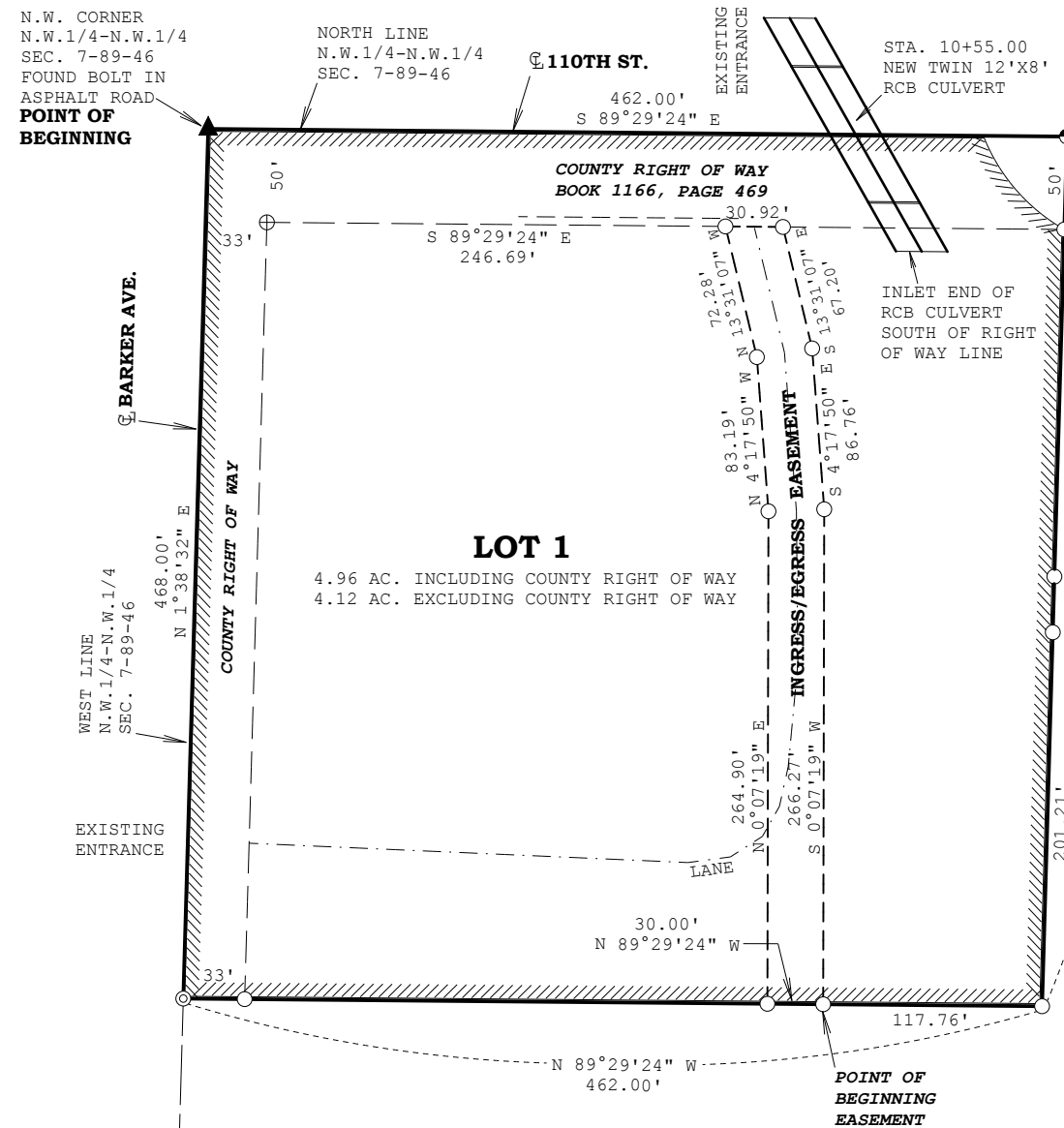
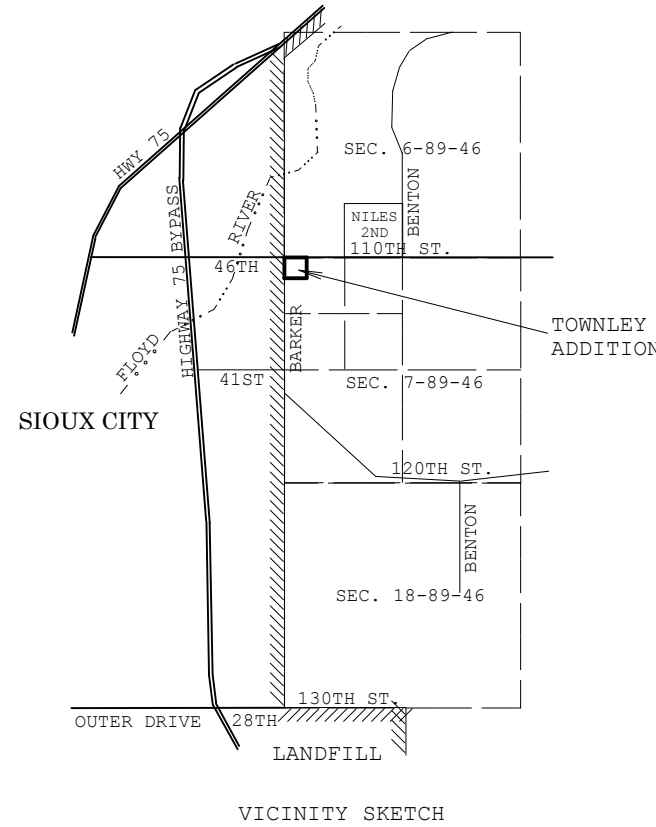
ROBERT E. SCOTT  
MAYOR

LISA MCCARDLE  
CITY CLERK

MONUMENTS

- = 1/2" YELLOW CAPPED REBAR #15082 SET
- ⊙ = MAG SPIKE SET
- ⊙ = MAG NAIL SET IN ASPHALT ROAD
- ⊙ = NOTHING SET

SCALE 1"=100'  
0 50 100  
7-89-46 NW NW III  
2023 (38)



NOTE:  
THERE MAY BE OTHER EASEMENTS, RESTRICTIONS AND COVENANTS NOT SHOWN THAT AFFECT LOT 1, TOWNLEY ADDITION, WOODBURY COUNTY, IOWA.

OWNER/SUBDIVIDER  
DERRILL J. TOWNLEY  
REVOCABLE TRUST

SURVEYOR  
ALAN L. FAGAN

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

REAR YARD - 50'  
ACCESSORY STRUCTURE - 10'

S.W. CORNER  
N.W.1/4-N.W.1/4  
SEC. 7-89-46  
FOUND 1/2" YELLOW  
CAPPED REBAR  
#15082

SURVEYOR'S DESCRIPTION:

PART OF THE N.W.1/4 OF THE N.W.1/4 OF SECTION 7, TOWNSHIP 89 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.W.1/4 OF THE N.W.1/4; THENCE S.89°29'24"E. ALONG THE NORTH LINE OF SAID N.W.1/4 OF THE N.W.1/4 FOR 462.00 FEET; THENCE S.1°38'32"W. FOR 468.00 FEET; THENCE N.89°29'24"W. FOR 462.00 FEET TO THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4; THENCE N.1°38'32"E. ALONG SAID WEST LINE FOR 468.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.96 ACRES INCLUDING COUNTY RIGHT OF WAY AND 4.12 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4 IS ASSUMED TO BEAR N.1°38'32"E.

LOT 1, TOWNLEY ADDITION, WOODBURY COUNTY, IOWA IS SUBJECT TO AN INGRESS/EGRESS EASEMENT DESCRIBED AS FOLLOWS: COMMENCING AT THE S.E. CORNER OF SAID LOT 1; THENCE N.89°29'24"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 117.76 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE CONTINUING N.89°29'24"W. ALONG SAID SOUTH LINE FOR 30.00 FEET; THENCE N.0°07'19"E. FOR 264.90 FEET; THENCE N.4°17'50"W. FOR 83.19 FEET; THENCE N.13°31'07"W. FOR 72.28 FEET TO THE SOUTH RIGHT OF WAY LINE OF 110TH STREET; THENCE S.89°29'24"E. ALONG SAID RIGHT OF WAY LINE FOR 30.92 FEET; THENCE S.13°31'07"E. FOR 67.20 FEET; THENCE S.4°17'50"E. FOR 86.76 FEET; THENCE S.0°07'19"W. FOR 266.27 FEET TO THE POINT OF BEGINNING.

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 TOWNLEY 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 COMPRISES 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 \_\_\_\_\_, 2023.

ALAN L. FAGAN  
IOWA NO. 15082

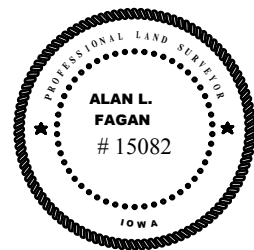
LICENSE RENEWAL DATE: DECEMBER 31, 2023

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



AUDITOR'S APPROVAL OF SUBDIVISION NAME OR TITLE

THE COUNTY AUDITOR HEREBY ACCEPTS AND APPROVES THE NAME OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA, FOR USE IN WOODBURY COUNTY, IOWA AS REQUIRED BY IOWA CODE SECTION 354.6(2).

DATED \_\_\_\_\_, 2023.

PATRICK F. GILL  
WOODBURY COUNTY AUDITOR  
BY: DIANE SWOBODA PETERSON, DEPUTY

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

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):	7 T. 89 N., R. 46 W.
ALIQUOT PART:	PART OF THE N.W.1/4 OF THE N.W.1/4
CITY:	
SUBDIVISION:	
BLOCK(S):	
LOT(S):	
PROPRIETOR(S):	DERRILL J. TOWNLEY REVOCABLE TRUST
REQUESTED BY:	DONALD J. TOWNLEY

**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:

	<b>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.</b>
	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.
	<b>shall accept payment of applicable fees, and distribute copies of the final plat to the Planning &amp; Zoning Commission, the appropriate county departments and public utilities; and</b>
	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.
	<b>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</b>
	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.
	<b>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</b>
	Staff verified that the final plat conforms to the design standards of these regulations, as well as the required form of the final plat.
	<b>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.</b>
	Staff attest to the final plat conforming to the goals and objectives of the county plan. Staff recommends approval of the final plat.

**ZONING COMMISSION - 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, the Planning and Zoning Commission:

	<b>shall conduct a public hearing on a final plat for a minor subdivision. Notice of the date, time and location of the hearing will be mailed to the owners of all property within 1,000 feet for the subject property not less than four nor more than twenty days prior to the date of the hearing; and</b>
	Staff have ensured that the legal requirements have been met for publicly noticing this public hearing, all as required by law. Staff have also ensured the notice requirement for adjacent landowners within 1000 FT have also been met.
	<b>shall review the final plat and the staff reports and other information presented to determine whether the plat conforms to the ordinances, general plan and other policies of the county; and</b>
	Staff have compiled, reviewed, and analyzed all relevant materials to determine whether the plat conforms to the ordinances, general plan, and other policies of the County, or not. Staff provided this information in a "Staff Report" format and made them available to the Commission well in advance of the required public hearing. The Commission also held a public hearing to review, analyze, and discuss the final plat and other relevant information.
	<b>may recommend specific 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; and</b>
	Staff does not recommend any specific conditions for this final plat. However, specific conditions (if any) may be recommended by the Commission.
	<b>shall forward a report of its finding and a recommendation to the Board of Supervisors. The recommendation shall be in the form of a resolution to be certified as part of the final plat materials. A copy of the report and the resolution shall also be forwarded to the property owner, the subdivider and the land surveyor for the subdivision.</b>
	During its required public hearing on the final plat, the Board of Supervisors will receive the final staff report and the Commission's recommendation on said plat and shall approve, approve with conditions, or disapprove the plat. The Supervisors 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. Staff will coordinate with the subdivider and land surveyor to ensure all copies and recordings are submitted and received, all as required by law.



RESOLUTION NO. 2023 - 0696  
with attachments

RESOLUTION ACCEPTING AND APPROVING THE "FINAL PLAT OF TOWNLEY ADDITION, WOODBURY COUNTY, IOWA" (A ONE LOT RESIDENTIAL SUBDIVISION LOCATED AT 1414 110<sup>TH</sup> STREET)

WHEREAS, Donald J. Townley, successor Trustee of the Derrill J. Townley Revocable Trust, did file with the City Clerk of the City of Sioux City, Iowa, a certain Final Plat designated as "Townley Addition, Woodbury County, Iowa"; and

WHEREAS, the Planning and Zoning Commission, at their July 11, 2023, meeting has recommended the acceptance and approval of said Final Plat.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that said "Final Plat of Townley Addition, Woodbury County, Iowa", be, and the same hereby is, accepted and approved, and the Mayor and the City Clerk are hereby directed to furnish to the proprietors a certified copy of this resolution, as required by law.

BE IT FURTHER RESOLVED that this approval is conditional on the owner executing an Extraterritorial Agreement pursuant to Section 25.04.040 (1.b.5.E.vi) of the Sioux City Municipal Code, which Extraterritorial Agreement was recorded in the office of the Woodbury County Recorder/Auditor on \_\_\_\_\_, 2023 at Instrument No. \_\_\_\_\_.

PASSED AND APPROVED: July 24, 2023

  
\_\_\_\_\_  
Robert E. Scott, Mayor

ATTEST:   
\_\_\_\_\_  
Lisa L. McCardle, City Clerk



NATURAL RESOURCES CONSERVATION SERVICES (NRCS):	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	Have reviewed this zoning request. NIPCO has no issues with this request. – Jeff Zettel, 8/31/23.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
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 no comments regarding this proposal. – Neil Stockfleth, 8/29/23.



## 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@woodburycountyiowa.gov

ASSISTANT TO THE COUNTY ENGINEER  
 Benjamin T. Kusler, E.I.T.  
 bkusler@woodburycountyiowa.gov

SECRETARY  
 Tish Brice  
 tbrice@woodburycountyiowa.gov

To: Dan Priestley, Woodbury County Zoning Coordinator

From: Mark J. Nahra, County Engineer

Date: September 19, 2023

Subject: Townley Addition – a minor subdivision application

The Secondary Road Department has reviewed the information provided for the above referenced subdivision forwarded with your memo dated May 1, 2023.

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 is adequate for access and may continue to be used. If an additional entrance is needed for any part of the remaining property, the landowner will need to file for a permit with the secondary road department for any new access.
- I note that the driveway is shown as subject to an ingress/egress easement. It is described with its own legal description on the plat. I assume this easement is for the purpose of accessing farm ground outside the platted lot 1. There are no terms for the use and maintenance of that easement specified on any document included in the application and I recommend that maintenance terms for the easement be set to writing and recorded for when the land eventually changes hands.
- 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

**Special Note:**  
 Following the County Engineer's comments, the applicant(s) have prepared an easement to be recorded. A copy of the easement is available in this packet in the subsequent pages.

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

**SURVEYOR'S DESCRIPTION:**

PART OF THE N.W.1/4 OF THE N.W.1/4 OF SECTION 7, TOWNSHIP 89 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.W.1/4 OF THE N.W.1/4; THENCE S.89°29'24"E. ALONG THE NORTH LINE OF SAID N.W.1/4 OF THE N.W.1/4 FOR 462.00 FEET; THENCE S.1°38'32"W. FOR 468.00 FEET; THENCE N.89°29'24"W. FOR 462.00 FEET TO THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4; THENCE N.1°38'32"E. ALONG SAID WEST LINE FOR 468.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.96 ACRES INCLUDING COUNTY RIGHT OF WAY AND 4.12 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4 IS ASSUMED TO BEAR N.1°38'32"E.

LOT 1, TOWNLEY ADDITION, WOODBURY COUNTY, IOWA IS SUBJECT TO AN INGRESS/EGRESS EASEMENT DESCRIBED AS FOLLOWS: COMMENCING AT THE S.E. CORNER OF SAID LOT 1; THENCE N.89°29'24"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 117.76 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE CONTINUING N.89°29'24"W. ALONG SAID SOUTH LINE FOR 30.00 FEET; THENCE N.0°07'19"E. FOR 264.90 FEET; THENCE N.4°17'50"W. FOR 83.19 FEET; THENCE N.13°31'07"W. FOR 72.28 FEET TO THE SOUTH RIGHT OF WAY LINE OF 110TH STREET; THENCE S.89°29'24"E. ALONG SAID RIGHT OF WAY LINE FOR 30.92 FEET; THENCE S.13°31'07"E. FOR 67.20 FEET; THENCE S.4°17'50"E. FOR 86.76 FEET; THENCE S.0°07'19"W. FOR 266.27 FEET TO THE POINT OF BEGINNING.

**OWNER/SUBDIVIDER**

DERRILL J. TOWNLEY, TRUSTEE OF THE  
 DERRILL J. TOWNLEY REVOCABLE TRUST

**SURVEYOR**

ALAN L. FAGAN

**SETBACK REQUIREMENTS**

FRONT YARD - 100'

SIDE YARD - 20'

ACCESSORY STRUCTURE - 10'

REAR YARD - 50'

ACCESSORY STRUCTURE - 10'

**ZONING**

AP AG PRESERVATION

**TELEPHONE**

CENTURYLINK

**POWER**

WOODBURY COUNTY R.E.C.

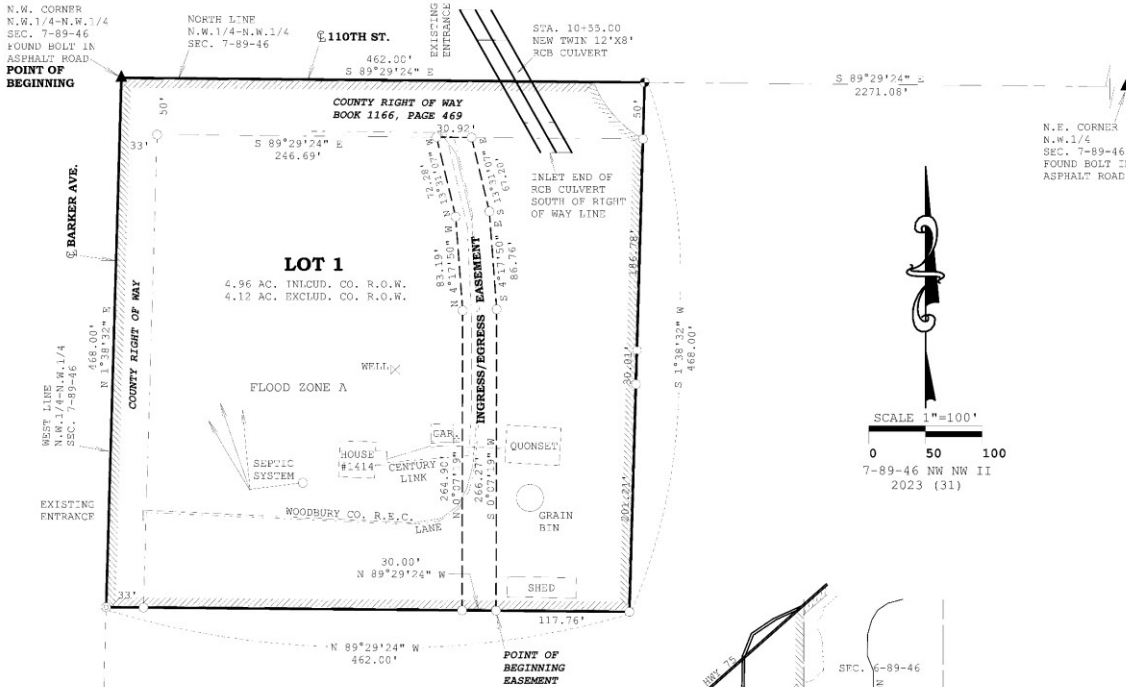
BURIED

**WATER**

PRIVATE WELL

**SEWER**

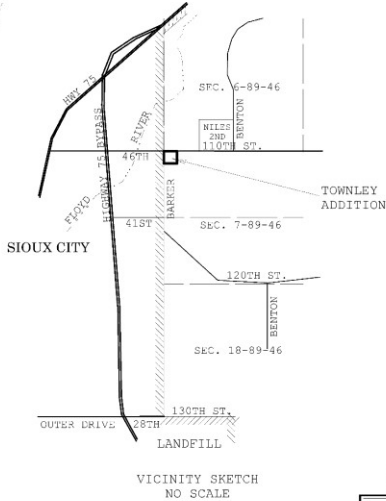
PRIVATE SEPTIC SYSTEM



**NOTE:**  
 THERE MAY BE OTHER EASEMENTS, RESTRICTIONS AND COVENANTS NOT SHOWN THAT AFFECT LOT 1, TOWNLEY ADDITION, WOODBURY COUNTY, IOWA.

**MONUMENTS**

- = 1/2" YELLOW CAPPED REBAR #15082 SET
- ⊙ = MAG SPIKE SET
- ⊕ = MAG NAIL SET IN ASPHALT ROAD
- ⊖ = NOTHING SET



S.W. CORNER  
 N.W.1/4-N.W.1/4  
 SEC. 7-89-46  
 FOUND 1/2" YELLOW  
 CAPPED REBAR  
 #15082

DATE OF SURVEY:  
 MARCH 28, 2023

AL FAGAN  
 LAND SURVEYING, P.C.  
 P.O. BOX 858  
 MERRILL, IA 51038  
 712.539-1471

**DECLARATION OF EASEMENT**

**Recorder's Cover Sheet**

**Preparer Information:** Joel D. Vos, Heidman Law Firm, 1128 4<sup>th</sup> St., P.O. Box 3086, Sioux City, IA 51102-3086; Phone: 712-255-8838

**Taxpayer Information:** Derrill J. Townley Revocable Trust

**Return Document To:** Joel D. Vos, Heidman Law Firm, 1128 4<sup>th</sup> St., P.O. Box 3086, Sioux City, IA 51102-3086; Phone: 712-255-8838

**Grantor:** Derrill J. Townley Revocable Trust

**Grantee:** Derrill J. Townley Revocable Trust

**Legal Description:** See Recital C on Page 1 of the Declaration of Easement

## DECLARATION OF EASEMENT

THIS DECLARATION OF EASEMENT ("Declaration") is made this 20 day of September, 2023, on behalf of the Derrill J. Townley Revocable Trust under instrument dated April 15, 2021, by and through its successor Trustee, Donald J. Townley (hereinafter "Townley Trust").

### RECITALS:

A. TOWNLEY TRUST is the owner of the entirety of real property (hereinafter "Lot 1, Townley Addition") which is or will be subdivided into a minor subdivision in Woodbury County, Iowa, and which is legally described as follows:

PART OF THE N.W.1/4 OF THE N.W.1/4 OF SECTION 7, TOWNSHIP 89 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.W.1/4 OF THE N.W.1/4; THENCE S.89°29'24"E. ALONG THE NORTH LINE OF SAID N.W.1/4 OF THE N.W.1/4 FOR 462.00 FEET; THENCE S.1°38'32"W. FOR 468.00 FEET; THENCE N.89°29'24"W. FOR 462.00 FEET TO THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4; THENCE N.1°38'32"E. ALONG SAID WEST LINE FOR 468.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.96 ACRES INCLUDING COUNTY RIGHT OF WAY AND 4.12 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

NOTE: THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4 IS ASSUMED TO BEAR N.1°38'32"E.

Lot 1, Townley Addition is further depicted on the attached Exhibit A.

B. After creation of the Townley Addition, the TOWNLEY TRUST intends to convey Lot 1, Townley Addition to a purchaser.

C. The proposed subdivision of the Townley Addition shows an ingress/egress easement crossing Lot 1, Townley Addition (the "Ingress/Egress Easement") legally described as follows:

COMMENCING AT THE S.E. CORNER OF SAID LOT 1; THENCE N.89°29'24"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 117.76 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT; THENCE CONTINUING N.89°29'24"W. ALONG SAID SOUTH LINE FOR 30.00 FEET; THENCE N.0°07'19"E. FOR 264.90 FEET; THENCE N.4°17'50"W. FOR 83.19 FEET; THENCE N.13°31'07"W. FOR 72.28 FEET TO THE SOUTH RIGHT OF WAY LINE OF 110TH STREET; THENCE S.89°29'24"E. ALONG SAID RIGHT OF WAY LINE FOR 30.92 FEET; THENCE S.13°31'07"E. FOR 67.20 FEET;

THENCE S.4°17'50"E. FOR 86.76 FEET; THENCE S.0°07'19"W. FOR 266.27 FEET TO THE POINT OF BEGINNING.

D. The purpose of the ingress/egress easement is to provide for access for farm implements and equipment from the County Right of Way locally known as 110<sup>th</sup> Street to farmland owned by the TOWNLEY TRUST in the N.W.1/4 of the N.W.1/4 of Section 7, Township 89 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, which is adjacent to Lot 1, Townley Addition.

NOW, THEREFORE, Declarants hereby grant and impose the following easement upon that portion of Lot 1, Townley Addition described as the Ingress/Egress Easement in the foregoing recitals, which shall be for the benefit or burden, as the case may be, of all future owners, occupants, and mortgagees of Lot 1, Townley Addition or the N.W.1/4 of the N.W.1/4 of Section 7, Township 89 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, and their respective heirs, devisees, legatees, assigns, representatives, tenants, invitees, and licensees ("Permittees"):

1. Declarant hereby grants a nonexclusive permanent and irrevocable ingress/egress easement upon that portion of Lot 1, Townley Addition described as the Ingress/Egress Easement in the foregoing recitals, for the purpose of providing access to the farmland in the N.W.1/4 of the N.W.1/4 of Section 7, Township 89 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, which is adjacent to Lot 1, Townley Addition.

2. The owners of Lot 1, Townley Addition shall keep the Ingress/Egress Easement free from any obstructions, and no barricades, fences, or other dividers will be constructed and nothing will be done to prohibit or impede the vehicular or implement traffic within the area of the Ingress/Egress Easement granted herein.

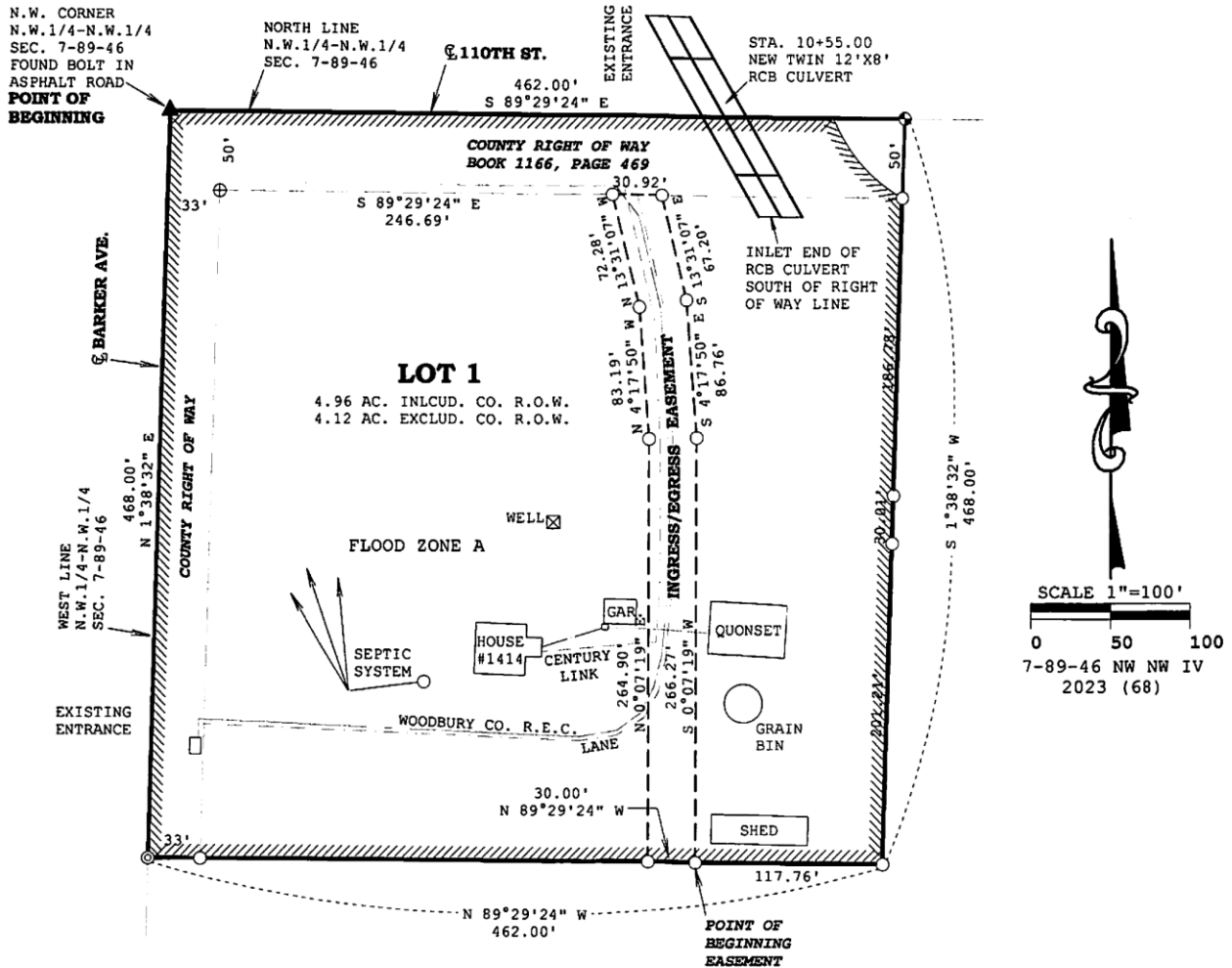
3. The owners of Lot 1, Townley Addition shall not be required to maintain the Ingress/Egress Easement to any particular standard. The owners of the farmland in the N.W.1/4 of the N.W.1/4 of Section 7, Township 89 North, Range 46 West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, which is adjacent to Lot 1, Townley Addition may maintain and repair the Ingress/Egress Easement as they see fit, including but not limited to grading, placement or replacement of gravel or other surface materials on the Ingress/Egress Easement.

4. The Ingress/Egress Easement is a permanent, private easement, which runs with the land. Each owner of Lot 1, Townley Addition or the adjacent farmland, and his or her heirs, successors and assigns, by the acceptance of a deed of conveyance, accepts the same subject to all terms and conditions of this Declaration, and all rights, benefits and privileges of every character hereby granted, created, reserved, or declared and all impositions and obligations hereby imposed shall be deemed and taken to be covenants running with the land and shall bind any person or entity having at any time any interest of estate in said property, and shall inure to the benefit of such owners on like manner as though the provisions, terms, and restrictions of this Declaration were received and stipulated at length in each and every deed of conveyance.





**TOWNLEY ADDITION**  
**WOODBURY COUNTY, IOWA**



**SURVEYOR'S DESCRIPTION:**

PART OF THE N.W.1/4 OF THE N.W.1/4 OF SECTION 7, TOWNSHIP 89 NORTH, RANGE 46 WEST OF THE 5TH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: BEGINNING AT THE N.W. CORNER OF SAID N.W.1/4 OF THE N.W.1/4; THENCE S.89°29'24"E. ALONG THE NORTH LINE OF SAID N.W.1/4 OF THE N.W.1/4 FOR 462.00 FEET; THENCE S.1°38'32"W. FOR 468.00 FEET; THENCE N.89°29'24"W. FOR 462.00 FEET TO THE WEST LINE OF SAID N.W.1/4 OF THE N.W.1/4; THENCE N.1°38'32"E. ALONG SAID WEST LINE FOR 468.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.96 ACRES INCLUDING COUNTY RIGHT OF WAY AND 4.12 ACRES EXCLUDING SAID RIGHT OF WAY. SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS, RESTRICTIONS AND COVENANTS.

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**Exhibit A**

**PARCEL REPORT**

**Woodbury County, IA / Sioux City**

**Summary**

Parcel ID 894607100007  
 Alternate ID 883561  
 Property Address 1414 110TH ST  
 SIOUX CITY IA 51108  
 Sec/Twp/Rng 7-89-46  
 Brief Tax Description NW NW (EXT TCT COMM NW COR THEC E 1021.02' TO POB; THEC E 295' S 361.85' W 295' & N 361.85') 7-89-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 2021-05003 14/16/2021  
 Gross Acres 39.53  
 Net Acres 39.53  
 Adjusted CSR Pts 3031.4  
 Zoning AP-AGRICULTURAL PRESERVATION  
 District 0057 CONCORD/SIOUX CITY  
 School District SIOUX CITY COMM  
 Neighborhood N/A



**Owner**

Deed Holder  
 TOWNLEY DERRILL J REVOCABLE TRUST  
 1414 110TH ST  
 SIOUX CITY IA 51108  
 Contract Holder  
 Mailing Address  
 TOWNLEY DERRILL J REVOCABLE TRUST  
 1414 110TH ST  
 SIOUX CITY IA 51108

**Land**

Lot Area 39.53 Acres : 1,721,927 SF

**Residential Dwellings**

Residential Dwelling  
 Occupancy Single-Family / Owner Occupied  
 Style 1 Story Frame  
 Architectural Style N/A  
 Year Built 1942  
 Condition Above Normal  
 Roof Asph / Gable  
 Flooring  
 Foundation C Blk  
 Exterior Material Vinyl  
 Interior Material Pls  
 Brick or Stone Veneer  
 Total Gross Living Area 1,587 SF  
 Main Area Square Feet 1024  
 Attic Type Fully Finished: 563 SF  
 Number of Rooms 5 above; 0 below  
 Number of Bedrooms 3 above; 0 below  
 Basement Area Type Full  
 Basement Area 1,024  
 Basement Finished Area  
 Plumbing 1 Standard Bath - 3 Fi; 1 Sink;  
 Appliances  
 Central Air Yes  
 Heat Yes  
 Fireplaces  
 Porches 15 Frame Enclosed (120 SF);  
 Decks  
 Additions  
 Garages 320 SF (16F W x 20F L) - Det Frame (Built 2001);

**Agricultural Buildings**

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Steel Utility Building	QUONSET	32	48	1953	1
0	Machine or Utility Building	MACHINE SHED	18	60	1950	1
0	Bin - Grain Storage (Bushel)		24	13	1977	1

**Sales**

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
4/15/2021	TOWNLEY DERRILL J	TOWNLEY DERRILL J REVOCABLE TRUST	2021-05003	No consideration	Deed		\$0.00
2/1/2021	TOWNLEY DOLORES A	TOWNLEY DERRILL J	2021-02851	No consideration	Deed		\$0.00

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

**Permits**

Permit #	Date	Description	Amount
4488	08/02/2004	New Dwlg	0

**Valuation**

	2023	2022	2021	2020	2019
Classification	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture	Ag Dwelling / Agriculture
+ Assessed Land Value	\$99,350	\$77,190	\$77,190	\$72,540	\$72,540
+ Assessed Building Value	\$7,130	\$4,220	\$4,220	\$3,860	\$3,860
+ Assessed Dwelling Value	\$136,320	\$112,160	\$112,160	\$110,530	\$110,530
= Gross Assessed Value	\$242,800	\$193,570	\$193,570	\$186,930	\$186,930
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$242,800	\$193,570	\$193,570	\$186,930	\$186,930

## Sioux City Special Assessments and Fees

[Click here to view special assessment information for this parcel.](#)

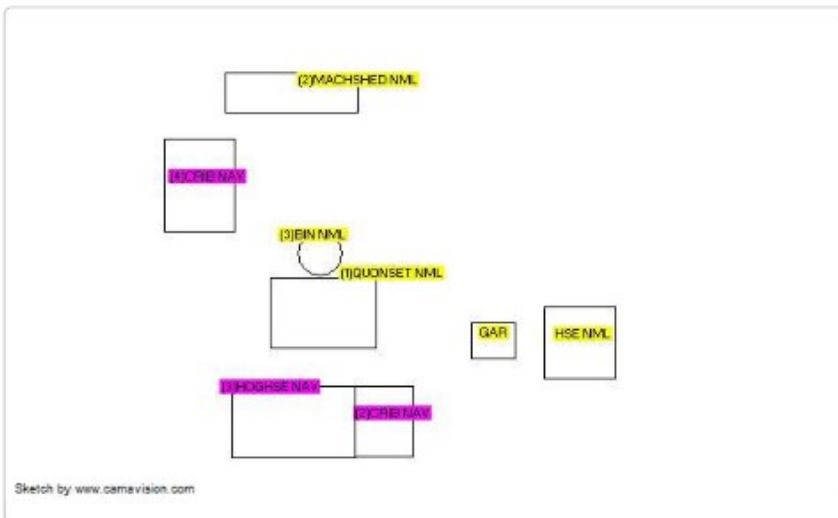
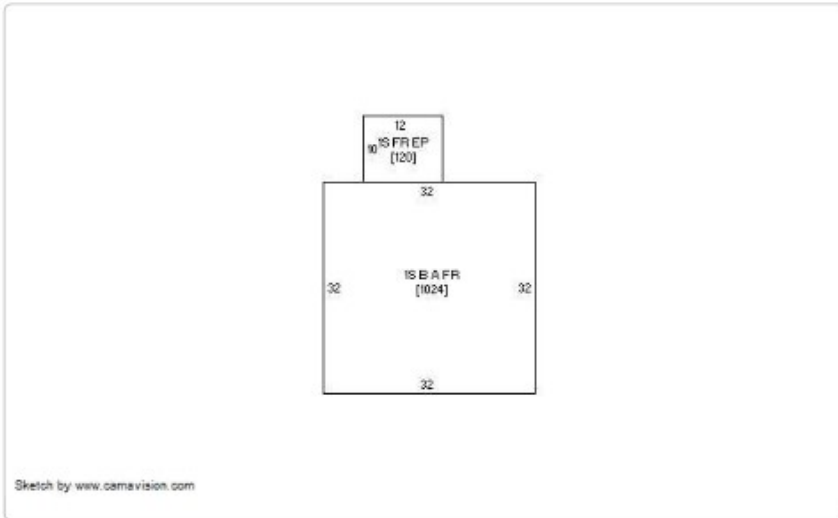
## Woodbury County Tax Credit Applications

[Apply for Homestead, Military or Business Property Tax Credits](#)

### Photos



### Sketches



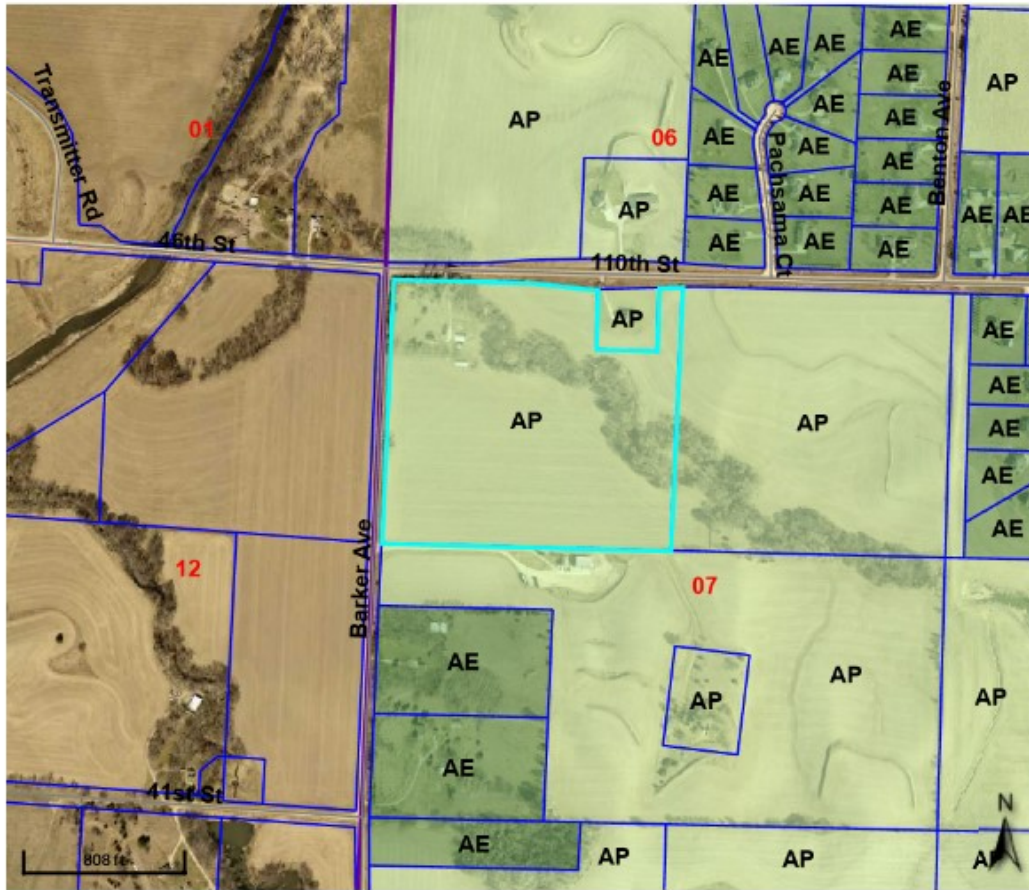
No data available for the following modules: Commercial Buildings, Yard Extras, Sioux City Tax Credit Applications, Sioux City Board of Review Petition.

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ZONING MAP



Overview



Legend

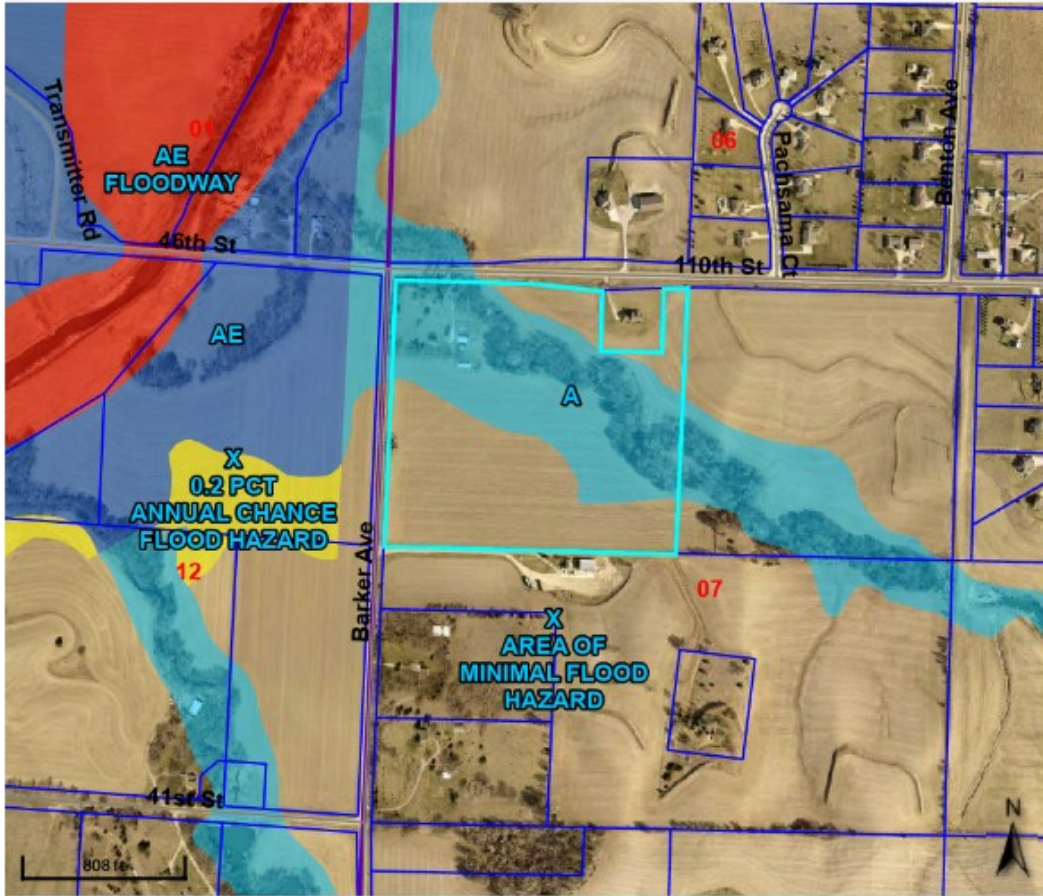
- Roads
- ▭ Corp Boundaries
- ▭ Townships
- ▭ Parcels
- County Zoning**
- AE
- AP
- GC
- GC-PD
- GI
- LI
- LI-PD
- SR
- WR

Parcel ID	894607100007	Alternate ID	883561	Owner Address	TOWNLEY DERRILL J REVOCABLE TRUST
Sec/Twp/Rng	7-89-46	Class	A		1414 110TH ST
Property Address	1414 110TH ST SIOUX CITY	Acreage	39.53		SIOUX CITY, IA 51108
District	0057				
Brief Tax Description	NW NW (EX TCT COMM NW COR THEC E 1021.02' TO POB; THEC E 295' S 361.85' W 295' & N 361.85') 7-89-46				
	<i>(Note: Not to be used on legal documents)</i>				

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**EFFECTIVE FLOODPLAIN MAP**



**Overview**



**Legend**

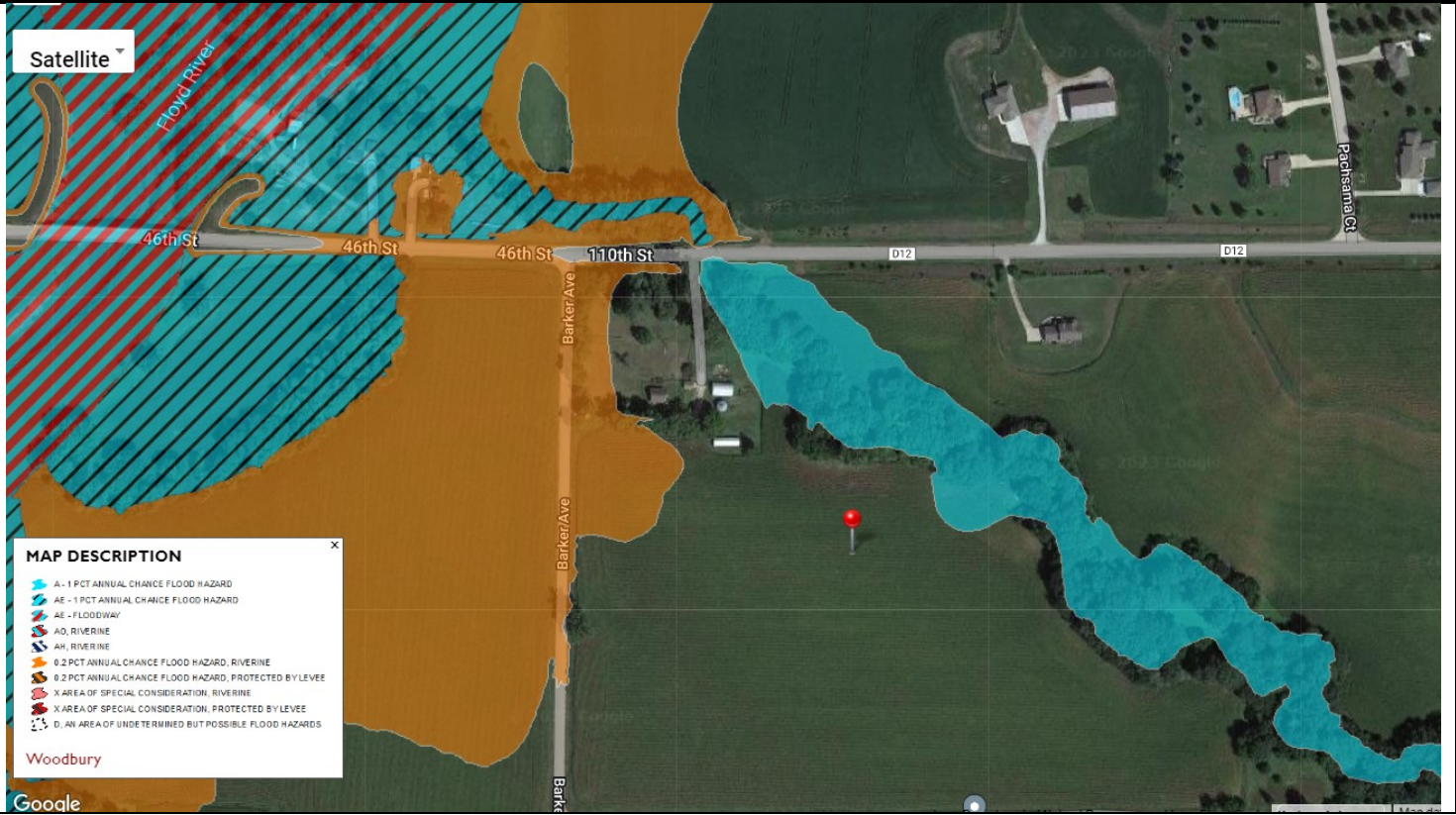
- Roads
- Corp Boundaries
- Townships
- Parcels
- FEMA Flood Map**
- A,
- AE,
- AE, FLOODWAY
- AH,
- AO,
- X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, AREA WITH REDUCED FLOOD RISK DUE TO LEVEE

Parcel ID	894607100007	Alternate ID	883561	Owner Address	TOWNLEY DERRILL J REVOCABLE TRUST
Sec/Twp/Rng	7-89-46	Class	A		1414 110TH ST
Property Address	1414 110TH ST	Acreage	39.53		SIOUX CITY, IA 51108
	SIOUX CITY				
District	0057				
Brief Tax Description	NW NW (EX TCT COMM NW COR THEC E 1021.02' TO POB; THEC E 295' S 361.85' W 295' & N 361.85') 7-89-46				
	<i>(Note: Not to be used on legal documents)</i>				

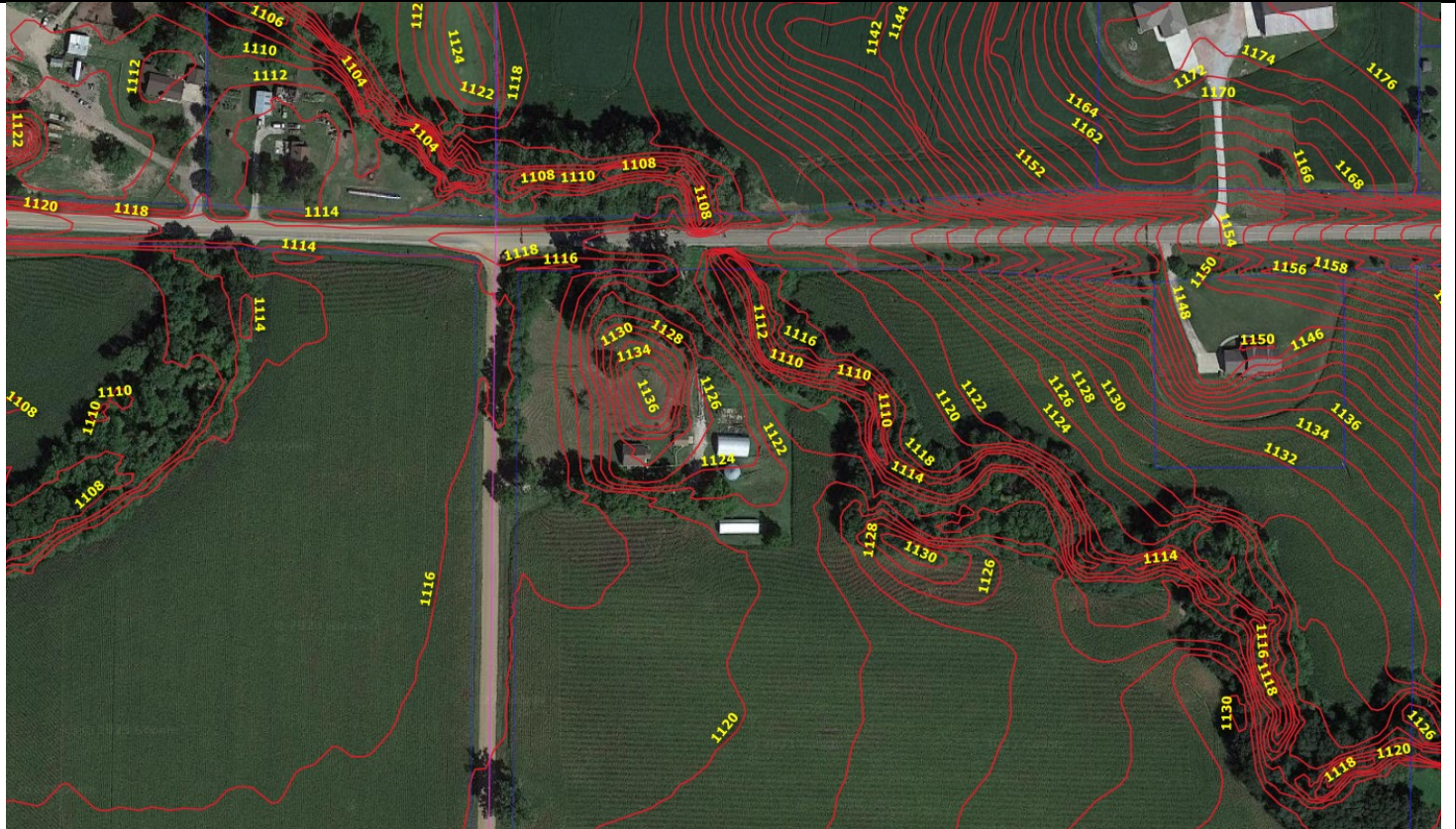
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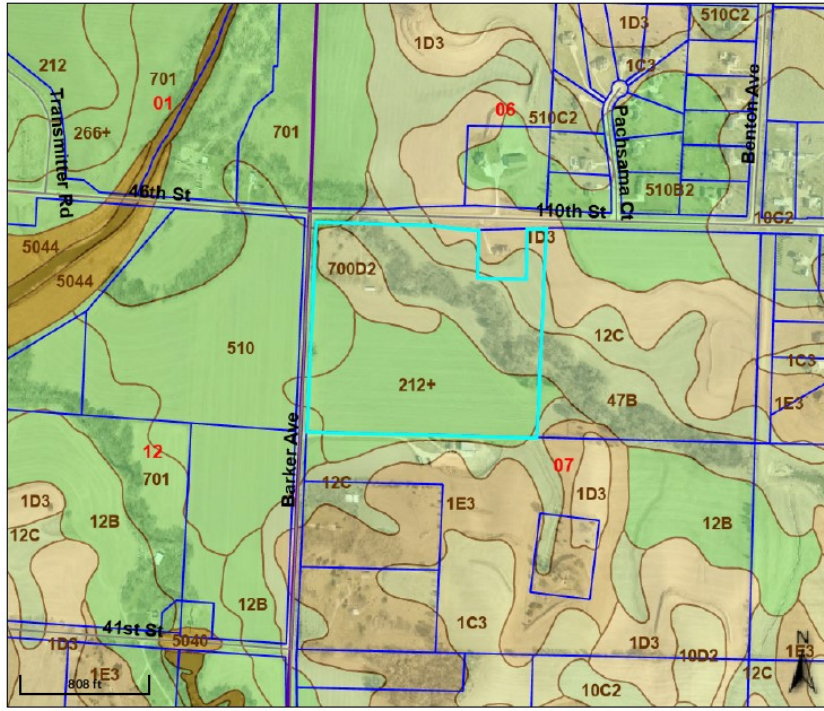
# DRAFT FLOODPLAIN MAP



# ELEVATION MAP



**SOIL MAP**



**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 Boundaries
- Townships
- Parcels

Parcel ID 894607100007      Alternate ID 883561      Owner Address TOWNLEY DERRILL J REVOCABLE TRUST  
 Sec/Twp/Rng 7-89-46      Class A      1414 110TH ST  
 Property Address 1414 110TH ST      Acreage 39.53      SIOUX CITY, IA 51108  
 SIOUX CITY  
 District 0057  
 Brief Tax Description NW NW (EX TCT COMM NW COR THEC E 1021.02' TO POB; THEC E 295' S 361.85' W 295' & N 361.85') 7-89-46  
 (Note: Not to be used on legal documents)

**SOIL REPORT**

**Woodbury County, IA / Sioux City**

**Summary**

Parcel ID 894607100007  
 Gross Acres 39.53  
 ROW Acres 0.00  
 Gross Taxable Acres 39.53  
 Exempt Acres 0.00  
 Net Taxable Acres 39.53 (Gross Taxable Acres - Exempt Land)  
 Average Unadjusted CSR2 84.38 (3335.6 CSR2 Points / 39.53 Gross Taxable Acres)

Agland Active Config 2017 CSR2

**Sub Parcel Summary**

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	30.85	86.08	2,655.43	2,655.43
Non-Crop	8.68	78.36	680.17	375.97
<b>Total</b>	<b>39.53</b>		<b>3,335.60</b>	<b>3,031.40</b>

**Soil Summary**

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	510	MONONA SILT LOAM, BENCH, 0 TO 2 PERCENT SLOPES	96.00	3.28	314.88	314.88
100% Value	212+	KENNEBEC SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOOD	90.00	17.31	1,557.90	1,557.90
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	2.80	249.20	249.20
100% Value	47B	NAPIER-RAWLES COMPLEX, 2 TO 5 PERCENT SLOPES	85.00	4.31	366.35	366.35
100% Value	700D2	MONONA SILTY CLAY LOAM, BENCH, 9 TO 14 PERCENT SLOPES, MODER	62.00	2.21	137.02	137.02
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.94	30.08	30.08
Non-Crop	510	MONONA SILT LOAM, BENCH, 0 TO 2 PERCENT SLOPES	96.00	0.24	23.04	11.50
Non-Crop	212+	KENNEBEC SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOOD	90.00	0.20	18.00	9.27
Non-Crop	47B	NAPIER-RAWLES COMPLEX, 2 TO 5 PERCENT SLOPES	85.00	5.48	465.80	246.82
Non-Crop	701	WILSEY SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	79.00	0.13	10.27	5.65
Non-Crop	700D2	MONONA SILTY CLAY LOAM, BENCH, 9 TO 14 PERCENT SLOPES, MODER	62.00	2.63	163.06	102.73
<b>Total</b>				<b>39.53</b>	<b>3,335.60</b>	<b>3,031.40</b>

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