

August 4, 2014

To: Mayor Bemrich and City Council
From: David Fierke, City Manager
**Subject: Permanent & Temporary Easements
C & S Products Water Line Project**



ACTION: For Vote Monday, August 11, 2014

Brief History

The plans and specifications for the C & S Products Water Line Project have been completed by MER Engineering.

Analysis of Issue

Permanent and temporary easements are needed in order to complete the project.

Budget Impact

An agreement has been reached with the following property owners and tenant farmer for the permanent and temporary easements needed for this project:

Alstott Family LLC, permanent easement: 0.21 acres; temporary easement: 0.67 acres
No cost

C & S Products Inc., permanent easement: 0.04 acres; temporary easement: 0.63 acres
No cost

Spooner Family, permanent easement: 0.47 acres; temporary easement: 0.71 acres
Total payment: \$5,400

Gerald Simpson, crop damage (3 years): 0.68 acres; year 1=100%; year 2=50%; year
3=25% (\$5.50 per bushel); Total payment: \$1,309

Funds for the easements will be paid out of the Water Utility Fund.

Strategic Plan Impact

Policy D.4.2: Advanced planning for all infrastructure facilities shall be supported and routinely updated. Facilities benefited by advanced planning shall include, at minimum, schools, health care, residential areas, roads, water, sewer, storm water management, parks, recreation, and greenways.

Existing Plan Impact

Consistent with Envision 2030 Plan.

Subcommittee or Commission Review / Recommendation

None

Staff Conclusions / Recommendations

Staff recommends acquisition of the permanent and temporary easements needed for this project, as well as payment to the tenant farmer for crop damage.

Alternatives

The only alternative would be to not acquire the easements or pay for the crop damage and delay the project, but it is not recommended.

Implementation and Accountability

If approved, easement documents will be signed with the affected property owners and the tenant farmer.

Signed



Vickie L. Reeck,
Community Development Mgr.

Approved

David R. Fierke, City Manager

RESOLUTION NO. _____

**RESOLUTION APPROVING THE ACQUISITION OF PERMANENT AND
TEMPORARY EASEMENTS AND THE PAYMENT OF CROP DAMAGE FOR
THE C & S PRODUCTS WATER LINE PROJECT**

WHEREAS, the plans and specifications for the C & S Products water Line Project have been prepared by MER Engineering; and

WHEREAS, permanent and temporary easements are needed from the affected property owners in order to complete the project; and,

WHEREAS, the easements indicated on the attached plats have been negotiated with the following property owners and tenant farmer:

Alstott Family LLC, permanent easement: 0.21 acres; temporary easement: 0.67 acres; No cost

C & S Products Inc., permanent easement: 0.04 acres; temporary easement: 0.63 acres; No cost

Spooner Family, permanent easement: 0.47 acres; temporary easement: 0.71 acres; Total payment: \$5,400

Gerald Simpson, crop damage (3 years): 0.68 acres; year 1=100%; year 2=50%; year 3=25% (\$5.50 per bushel); Total payment: \$1,309

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Dodge, Iowa, hereby approve the acquisition of the above-referenced permanent and temporary easements needed for this project, as well as the payment for crop damage to the tenant farmer.

Passed this _____ day of _____, 2014.

Ayes: _____
Nays: _____
Other: _____

CITY OF FORT DODGE, IOWA

By: _____
Matt Bemrich, Mayor

ATTEST:

Jeff Nemmers, City Clerk

ACQUISITION PLAT

FOR
THE CITY OF FORT DODGE
PROPRIETOR: ALSTOTT FAMILY LLC

DESCRIPTION OF PERMANENT UTILITY EASEMENT:

THE SOUTH 20' OF THE NORTH 289' OF LOT 12 OF "ROGERS" COUNTY AUDITOR'S PLAT OF THE NW1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

SAID PERMANENT UTILITY EASEMENT CONTAINS 0.21 ACRES.

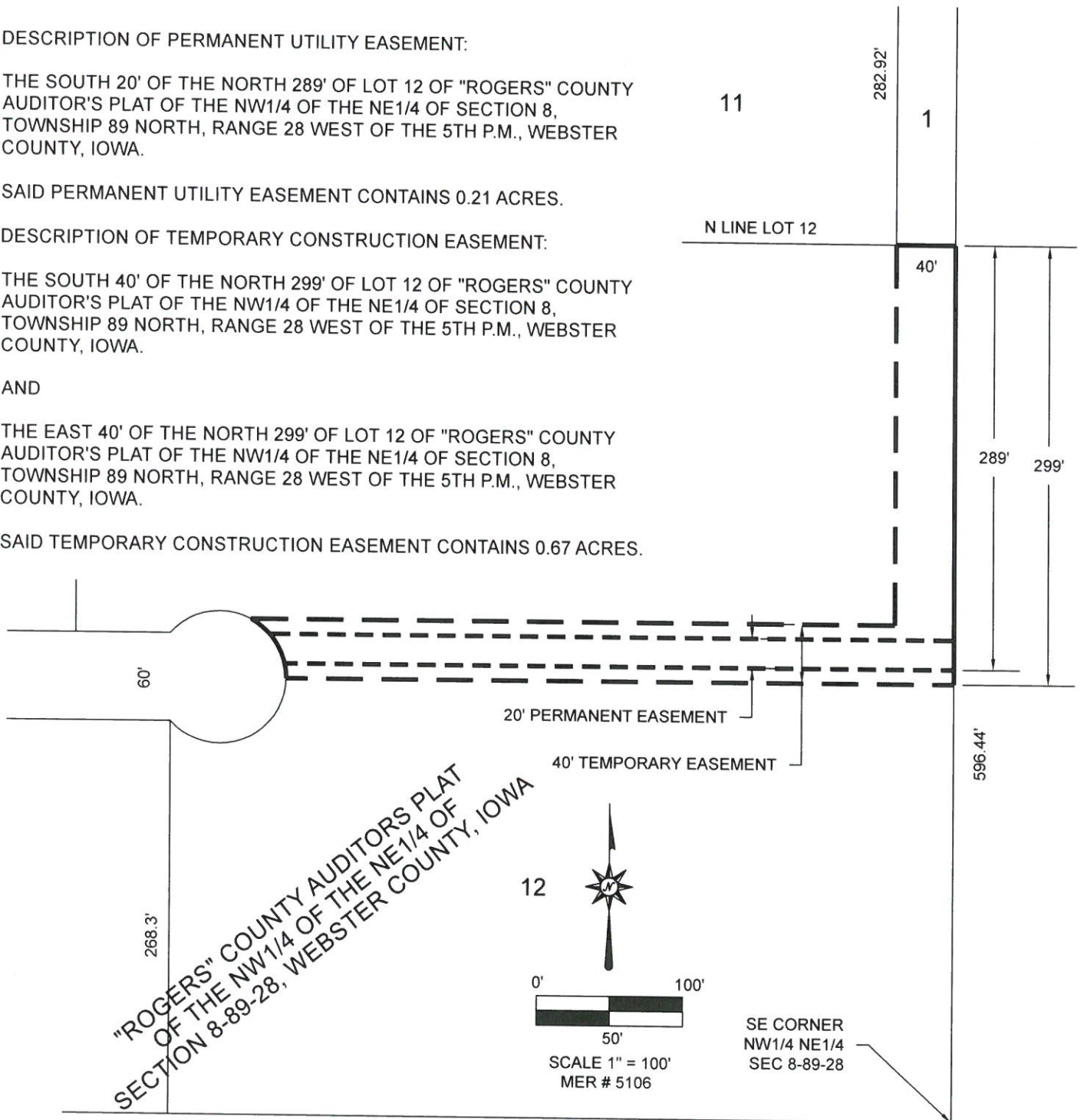
DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT:

THE SOUTH 40' OF THE NORTH 299' OF LOT 12 OF "ROGERS" COUNTY AUDITOR'S PLAT OF THE NW1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

AND

THE EAST 40' OF THE NORTH 299' OF LOT 12 OF "ROGERS" COUNTY AUDITOR'S PLAT OF THE NW1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

SAID TEMPORARY CONSTRUCTION EASEMENT CONTAINS 0.67 ACRES.



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JOHN P. LENNON *John P. Lennon* July 29, 2014 (DATE)
 LICENSE NUMBER 10164
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014
 PAGES COVERED BY THIS SEAL, 1

LEGEND

LOT NUMBERS	12
TEMPORARY EASEMENT	---
PERMANENT EASEMENT	----

ACQUISITION PLAT

FOR
THE CITY OF FORT DODGE
PROPRIETOR: C&S PRODUCTS INC.

NE CORNER
NW1/4 NE1/4
SEC 8-89-28

DESCRIPTION OF PERMANENT UTILITY EASEMENT:

THE NORTH 30' OF THE EAST 20' OF LOT 11 OF "ROGERS" COUNTY AUDITOR'S PLAT OF THE NW1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

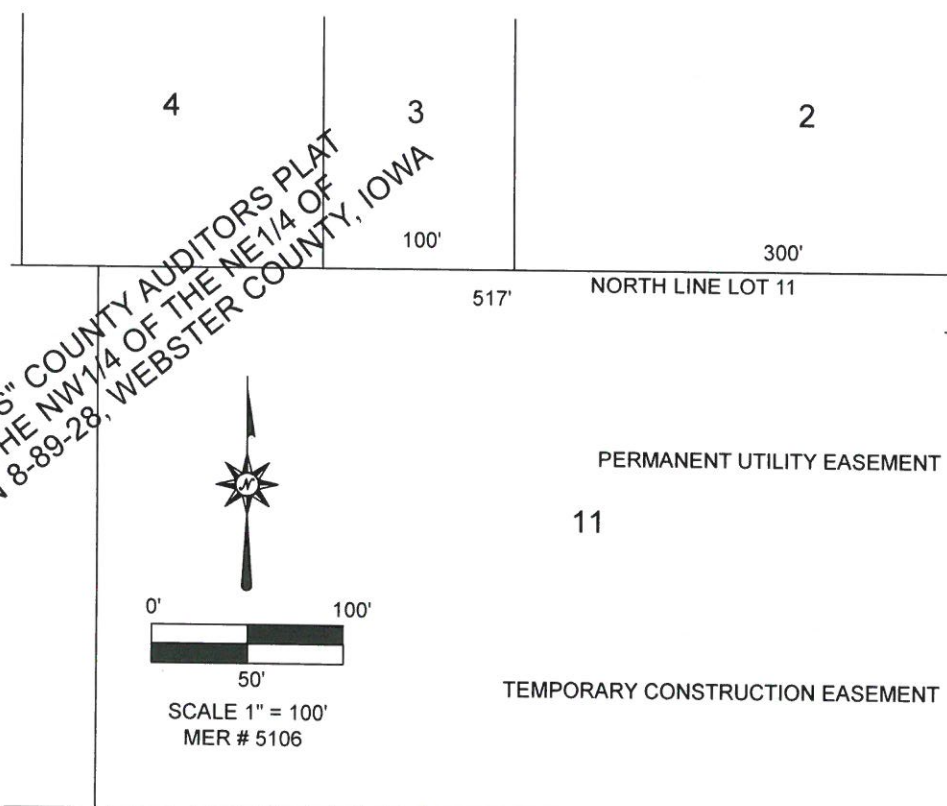
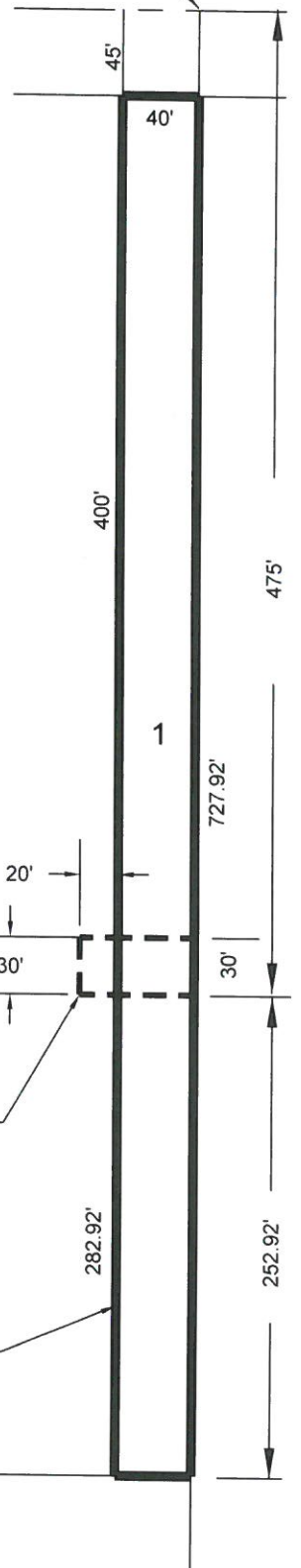
THE SOUTH 30' OF THE NORTH 475' OF LOT 1 OF "ROGERS" COUNTY AUDITOR'S PLAT OF THE NW1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

SAID PERMANENT EASEMENT CONTAINS 0.04 ACRES.

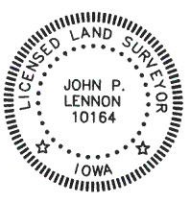
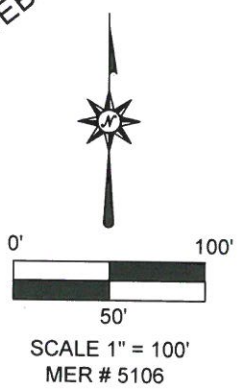
DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT:

LOT 1 OF "ROGERS" COUNTY AUDITOR'S PLAT OF THE NW1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA. EXCEPT THE N 45'.

SAID TEMPORARY EASEMENT CONTAINS 0.63 ACRES.



"ROGERS" COUNTY AUDITORS PLAT
OF THE NW1/4 OF THE NE1/4 OF
SECTION 8-89-28, WEBSTER COUNTY, IOWA



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JOHN P. LENNON
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MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014
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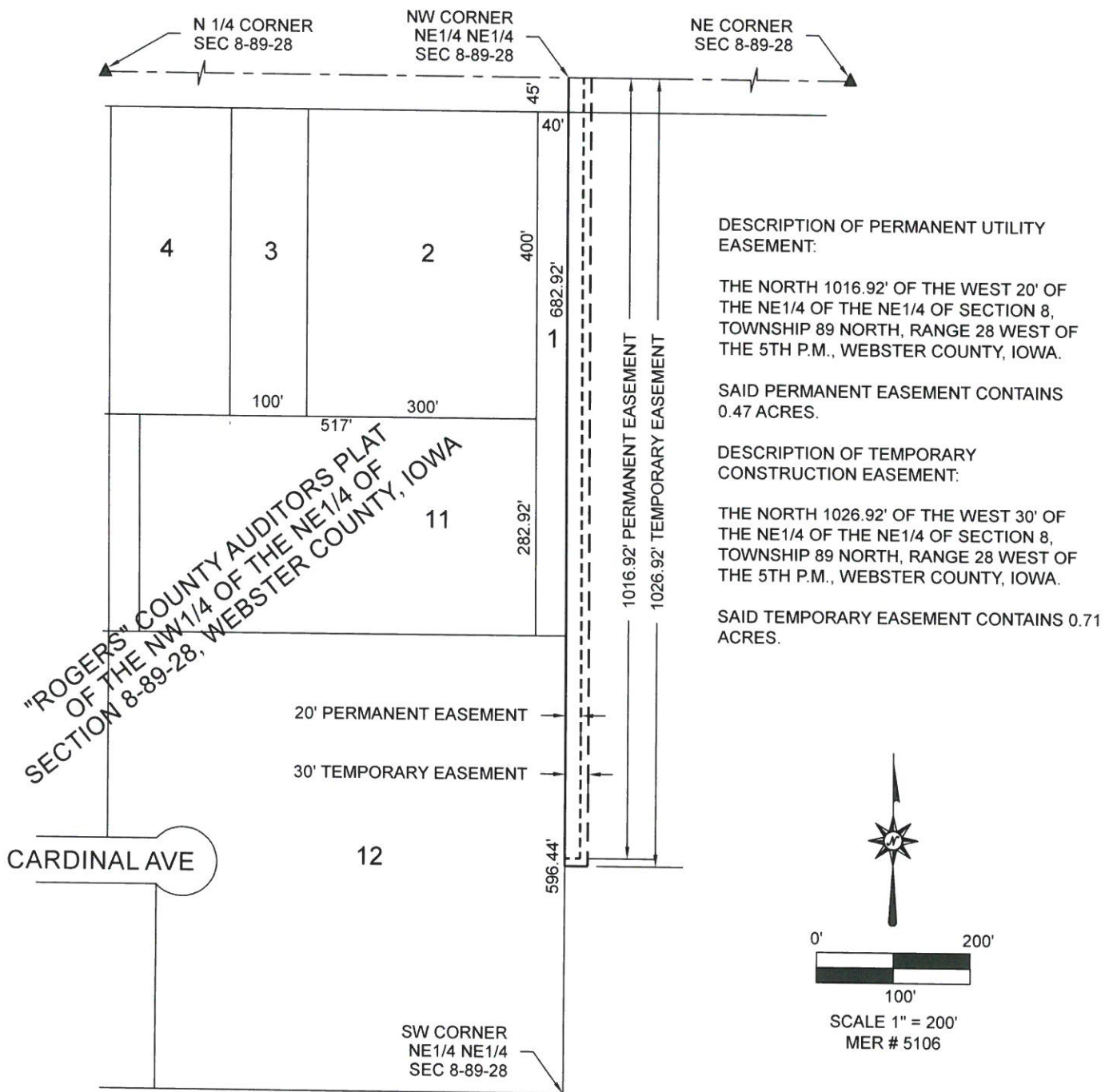
John P. Lennon July 29, 2014 (DATE)

LEGEND

- LOT NUMBERS 1
- TEMPORARY EASEMENT
- PERMANENT EASEMENT

ACQUISITION PLAT

FOR
THE CITY OF FORT DODGE
PROPRIETOR: MICHAEL SPOONER



DESCRIPTION OF PERMANENT UTILITY EASEMENT:

THE NORTH 1016.92' OF THE WEST 20' OF THE NE1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

SAID PERMANENT EASEMENT CONTAINS 0.47 ACRES.

DESCRIPTION OF TEMPORARY CONSTRUCTION EASEMENT:

THE NORTH 1026.92' OF THE WEST 30' OF THE NE1/4 OF THE NE1/4 OF SECTION 8, TOWNSHIP 89 NORTH, RANGE 28 WEST OF THE 5TH P.M., WEBSTER COUNTY, IOWA.

SAID TEMPORARY EASEMENT CONTAINS 0.71 ACRES.



SCALE 1" = 200'
MER # 5106



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

JOHN P. LENNON *John P. Lennon* (Signature)
 LICENSE NUMBER 10164
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014
 PAGES COVERED BY THIS SEAL, 1 (DATE) July 29, 2014

LEGEND

- LOT NUMBERS 12
- TEMPORARY EASEMENT - - - - -
- PERMANENT EASEMENT - - - - -