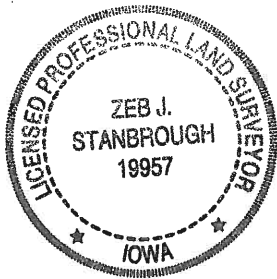


**HARDIN COUNTY, IOWA**

**2020**



**SURVEYOR'S  
REPORT  
ON MAIN TILE  
RIGHT OF WAY  
DRAINAGE FOR  
DISTRICT NO. 143  
HARDIN 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 PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA

*Zeb J. Stanbrough*  
ZEB J. STANBROUGH, P.L.S.

*1-2-2020*

DATE

LICENSE NUMBER: 19957  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2021  
PAGES OR SHEETS COVERED BY THIS SEAL:  
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**CLAPSADDLE-GARBER ASSOCIATES OFFICE LOCATIONS**

16 East Main Street, PO Box 754 | Marshalltown, IA 50158  
1523 S. Bell Avenue, Suite 101 | Ames, IA 50010  
5106 Nordic Drive | Cedar Falls, IA 50613  
739 Park Avenue | Ackley, IA 50601  
511 Bank Street | Webster City, IA 50595

**Project Office**  
739 Park Avenue  
Ackley, IA. 50601  
Phone: 641-847-3273  
Fax: 641-847-2303

**Surveyor's Report on Main Tile Right of Way for  
Drainage District No. 143  
Hardin County, Iowa**

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# Surveyor's Report on Main Tile Right of Way for Drainage District No. 143 Hardin County, Iowa

## 1.0 INTRODUCTION

- SCOPE OF WORK – The Hardin County Board of Supervisors, acting as District Trustees, requested Clapsaddle-Garber Associates to determine the current easement width of the Main tile of Drainage District No. 143 through the City of Radcliffe. This report will summarize the history of establishment for said Drainage District 143 and the establishment of City of Radcliffe along with the surrounding subdivisions. At the Drainage District 143 Landowner Meeting held on April 24, 2019 the results of the investigation for Work Order #167 were discussed and reviewed by the District Trustees and landowners. For reference, a copy of the meeting minutes is included in Appendix A and a copy of the Investigation Summary for Work Order #167 (as considered at the April 24, 2019 Drainage District 143 Landowner Meeting) is included in Appendix B. As a result of this meeting, the District Trustees requested Clapsaddle-Garber Associates to move ahead with the Surveyor's Report to determine the width of the easement for the Main tile through the City of Radcliffe.
- LOCATION – The area of investigation was limited to the upper end of the Main tile located in Section 29, Township 87 North (T87N), Range 22 West (R22W), Hardin County, Iowa. Specifically, the downstream limit was where the Main tile crosses the east side of Section 29 (center of East Street aka County Highway S27) at approximately  $\frac{3}{8}$  mile north of Highway #175. It then goes west on Ionia Street with the upstream limit being where the Main tile crosses the south right of way line of Ionia Street at approximately  $\frac{3}{4}$  mile, which is just west of May Street. For reference, a copy of a Drainage District No. 2 map by Reigles Engineering Company, showing said limits is included in Appendix C.

2.0 PARTIAL DISTRICT HISTORY – The following is a summary of the pertinent history (prior to 2014) of the main of Drainage Districts No. 2 (renamed 143 later) and 143 as obtained from the Hardin County Auditor’s drainage minutes and records and those of Clapsaddle-Garber Associates. The partial Drainage District History also includes recorded subdivision that are on file in the *Hardin County Recorder’s office*.

1881, Jun. 8 *Original Town Radcliffe*

1883, Nov. 9 *Rumper’s Addition*

1884, May 23 *Stukenberg’s Addition*

1895, Jul. 16 *Rumpers Fourth Addition*

1901 Jun. 6 *Drake and Dallard’s Addition*

1903, Aug. 15 Petition and Bond for establishment of Drainage District No. 2 was filed. Said petition indicated that a main drain, sub-mains, and laterals should be installed. Specifically, it indicated that the main should start on the west side of Section 32, run northeast and east into Section 29 to Ionia Street. There it should run east on Ionia Street to the east side of Section 29 where it would continue southeast and terminate in an open ditch.

1903 E.E. Fox is appointed as the Engineer for the project and an Engineer's Report was filed for this project. Although no copies of said report could be located, it is known to have existed as E.E. Fox revised it through a letter dated Sept. 10, 1903.

1903, Aug. 27 Publication of Notice of Drainage District No. 2 establishment.

1903, Sept. 29 Notice to Contractors for construction of Drainage District No. 2 facilities with a bid date of Nov. 11, 1903.

1906, Mar. 1 Publication of Notice of Drainage District No. 2 establishment.

1906, Jul. 7 Publication of Notice to Contractors for construction of Drainage District No. 2 facilities with a bid date of Aug. 6, 1906.

1906, Aug. 14 Construction bond with Austin Rorem for construction of Drainage District No. 2 facilities was filed.

3.0 INVESTIGATION – All investigation for this report was limited to office work only. Said investigation included to looking for right of way information for the Drainage District 143 within the City of Radcliffe. The following Hardin County offices were searched for any information regarding Drainage District 143 right of way within the City of Radcliffe:

- County Auditor’s Office
  - Transfer books – Nothing was found related to Drainage District 143 right of way
  - Current plat books – Nothing was found related to Drainage District 143 right of way
  - Old plat books – Nothing was found related to Drainage District 143 right of way
  
- County Engineer’s Office
  - Field books – Nothing was found related to Drainage District 143 right of way
  - Sherman Township field book – Nothing was found related to Drainage District 143 right of way
  
- County Recorder’s Office
  - Record subdivisions – Nothing was found related to Drainage District 143 right of way

City of Radcliffe offices were not searched for any information in regard to Drainage District 143 right of way as it is not believed that the city would have any pertinent Drainage District records that would date back to the early 1900’s. A review of the district history shows that the City of Radcliffe existed prior to the Drainage District 143 establishment and therefore the right of way were platted existed prior to said Drainage District 143.

4.0 DISCUSSION AND CONCLUSIONS – Based on the above, it appears that no width was ever stated for to Drainage District 143 right of way and that no damages paid for taking the land to establish said right of way. As the City of Radcliffe and its surrounding subdivisions were established prior to Drainage District 143, it would logical that the existing street right of way for Ionia Street (66 feet) would have been used for the Drainage District 143 right of way through the City of Radcliffe. This would explain why no damages had been paid. Essentially, the right of way for Ionia Street and Drainage District 143 right of way are one and the same from East Street (aka County Highway S27) to east side of Cleveland Street. See attached City of Radcliffe map included in Appendix D.

5.0 RECOMMENDATIONS – Definition of the Drainage District 143 right of way would help define where maintenance could be done in the future to protect and ensure Main tile performance. Therefore, it is recommended that the Hardin County Board of Supervisors, acting as District Trustees, should take action to accomplish the following:

- Approve the Surveyor’s Report as prepared by Clapsaddle-Garber Associates.
- Hold the required hearing on the proposed Surveyor’s Report.

NOTE: It should be noted that Ionia street right of way and Drainage District 143 right of way may be one and the same, but trees outside of right of way may be influencing and/or having a negative effect of the Main tile performance.



## **DRAINAGE DISTRICT 143 LANDOWNER MEETING**

4/24/2019 - Minutes

### 1. Open Meeting

Hardin County Drainage District Board of Trustee, Lance Granzow, opened the meeting. Also present was Trustee, Lance Granzow; Landowners Taylor Roll, Jacob Handsaker, Kris Bell, Paul Handsaker, Phyllis Drake, Jim and Helen Granzow, Doris Eike, Bryan Drake, Calvin Hyland, Carole Topp, Kathy Houck, Curt Groen, Kim and Hope Boddard; Lee Gallentine and Zeb Stanbrough with Clapsaddle-Garber Associates; Drainage Clerks Becca Junker and Tine Schlemme.

### 2. Approve Agenda

Hoffman moved, Granzow seconded to approve the agenda as presented. All ayes. Motion carried.

### 3. Explanation Of Project

Gallentine explained at the hearing for the upper end of the main tile that was back in 2017 it was requested that instead of just worrying about trees in the golf course, the entire route to the main tile be looked at for possible trees causing root issues. CGA went out and took an inventory of all the trees within 50 feet of the main tile. Referring to the Investigation Summary, Gallentine explained the trees that were a main concern due to species were highlighted. Gallentine then directed the meeting back to the Trustee's to talk about the Landowner Meeting that took place in Radcliffe that he was not in attendance of.

Granzow explained that at the Radcliffe meeting the idea was to break up the project into different targeted sections so that it did not exceed the \$50,000 threshold. Following the Radcliffe meeting, it was brought to the Trustee's attention that the Code of Iowa specifically states that separating any project to keep under the \$50,000 threshold cannot be done. The Trustee's then decided to hold another landowners meeting to decide what the next step in clearing the tile would be.

### 4. Comments/Discussion

Hoffman explained that his duty as a drainage district trustee is to make sure the facility is flowing water. He expressed that he does not want to stand in front of the landowners and say they have to do one thing or another, but it is his duty to in fact do something so that the facility is flowing water properly. He addressed the written and verbal responses that were received by the landowners who could not make the meeting. There were more responses of no than there were of yes to move forward. He said that his initial opinion is to go with the voice of no but there has to be an understanding by not doing anything, if things get bad and there become damages, the Trustees will have to take action right away.

Granzow then explained that there are tree roots in the tile, they can be left or they can be taken out. There are trees growing, they can be left or they can be cut down. He does not want to demolish the town, but it is his feeling the trees need to come out. If that means ordering an easement then they need to order one. The Trustees need to protect the facilities. The tree roots are going to keep growing and keep blocking the infrastructure and could cause more damage resulting in tearing up the entire title versus jet cleaning now.

The Trustees then opened the floor for discussion.

Landowners brought up cutting problematic trees down and then jet cleaning the tile. While discussing this option, Gallentine informed the landowners that jetting the tile is an option but depending what kind of jet is used, it could possibly damage the tile. There would also have to be an access point every 500-1000 feet which adds to costs. If the tile is damaged during the jetting process then there will be added costs for replacing the tile completely.

There was discussion on how much of the tile has roots blocking the flow of water. After reviewing the footage that was taken, Schlemme came up with an estimated 1000 feet of blocked tile. Roll then added that 1/3 of it has roots in the tile. It was discussed that if trees were cut, it was still very important to do something with the roots that are already in the tile.

Lining the tile through the urban area was discussed. Once the tile was lined, there would be no need to do anything with the trees because the lining would block the roots from causing problems in the tile. Granzow then stated that they are saving the trees in the district at the expense of the people who do not want the trees. The larger expense of this project is falling on the farm ground rather than the people in town. It was brought up classifying on assessed value rather than drainage benefit and it was discussed that there would have to be a petition and a possible election that majority of the landowners agree on. Schlemme informed the landowners that if this was something they wanted to do, it would be important to get legal advice.

It was then brought up by a landowner that if CGA is going to be making a report, he would like them to also look into how much it would cost to install a new tile to the side of Ionia Street. He wanted to compare the price of lining the tile to the price of installing new tile that is not under the roadway as repairing tile under the roadway is expensive.

#### 5. Possible Action

Hoffman moved, Granzow seconded to instruct CGA to prepare a report and plans for a few different options.

- 1) CGA is to prepare a report and costs to partially and fully line the facility.
- 2) CGA is to prepare a report and costs to cut trees and clean the tile.
- 3) CGA is to prepare a report and costs to install a new tile to the side of Ionia.
- 4) CGA is to determine the current easement.

Hoffman informed the landowners that once CGA has completed the reports, another landowners meeting will be scheduled to go over the results. He also thought it would be beneficial for there to be a vendor who supplies the slip lining present to discuss and explain their products and educate both the landowners and Trustees.

#### 6. Other Business

Hoffman thanked everyone who was present for partaking in quality, constructive dialogue.

#### 7. Adjourn Meeting

Hoffman moved, Granzow seconded to adjourn the meeting. All ayes. Motion Carried.

## Drainage District:

143

### Investigation Summary:

- At the Hearing on Engineer's Report for Repairs to Upper End of Main Tile, the District Trustees requested an inventory of trees within the 50' of the Main Tile from the west end of town to the east end of town (i.e. west side of the golf course) be performed.
- CGA staff performed a site visit along the Main Tile route and found the following trees within 50' of the Main Tile (unless noted otherwise):
  - 3 Walnuts (28"-36")
  - 1 Buckeye (12")
  - 3 Oak (6"-36")
  - 12 Brush or Brush Lines
  - 1 Cedar (24")
  - 4 Blue Spruce (8"-15")
  - 13 Apple (2"-24")
  - 2 Honey Locusts (24"-36")
  - 10 Ash (10"-48")
  - 4 River Birch (24"-36")
  - 22 Soft Maple (2"-48")
  - 12 Hard Maple (8"-48")
  - 3 Mulberry (6")
  - 1 Boxelder (24")
  - 1 Sycamore (48") at 54' from tile

### Contractor Time and Materials (spent while CGA was on-site):

None as only investigation was performed

### Additional Actions Recommended:

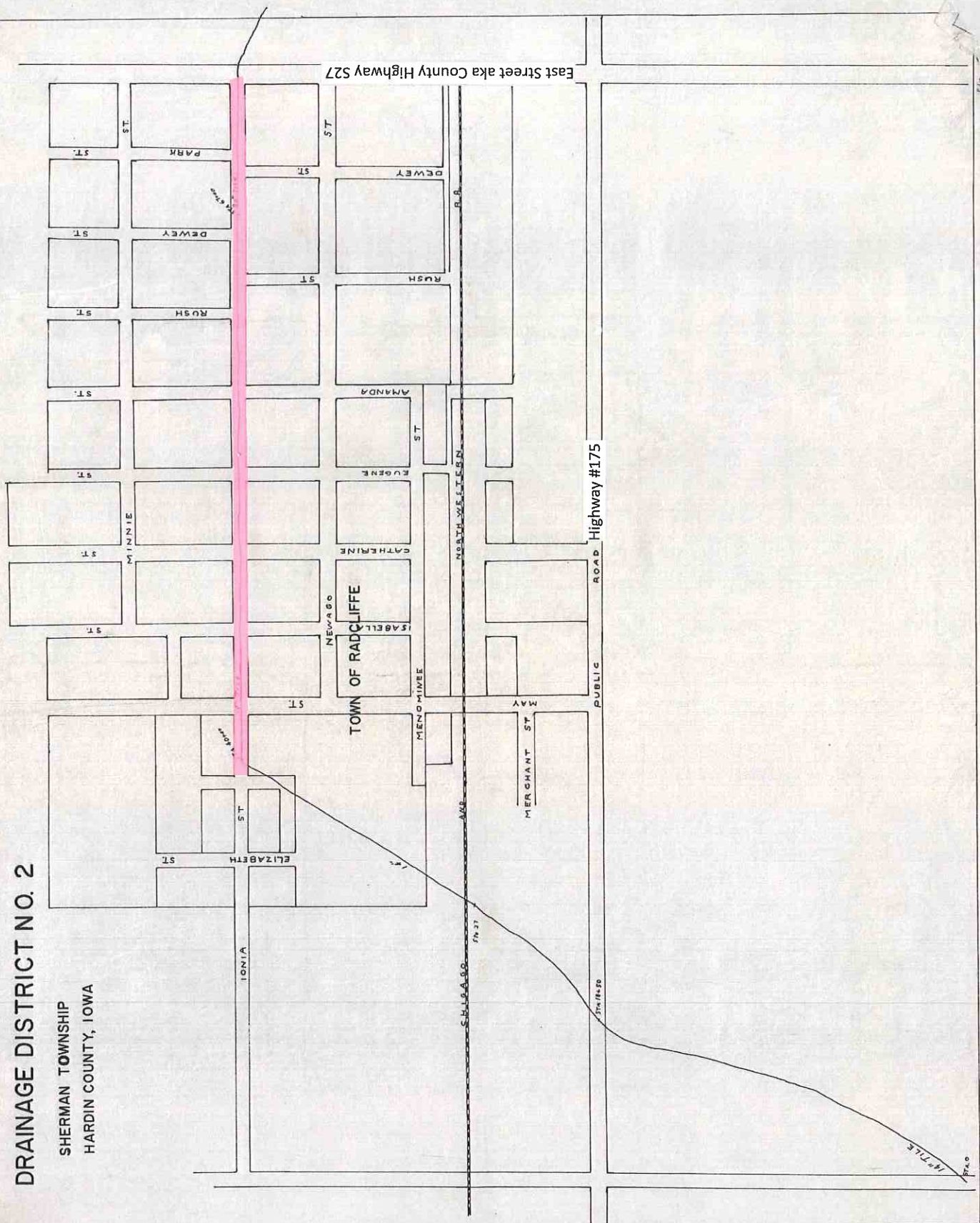
Although all trees are capable of producing tree roots which can negatively impact tile, the above yellow highlighted trees species are some that we typically find majorly impacting tile negatively. If the District Trustees do not pursue lining the Main tile, they may wish to pursue removal of at least the yellow highlighted trees as it is CGA's opinion that they will eventually (or may already be) negatively impacting the Main Tile. It is also our opinion that the cost of removal of just these trees would be over \$50,000. This cost is high enough that a hearing and engineer's report would be required.





# DRAINAGE DISTRICT NO. 2

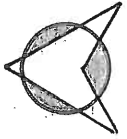
SHERMAN TOWNSHIP  
HARDIN COUNTY, IOWA



180. 2

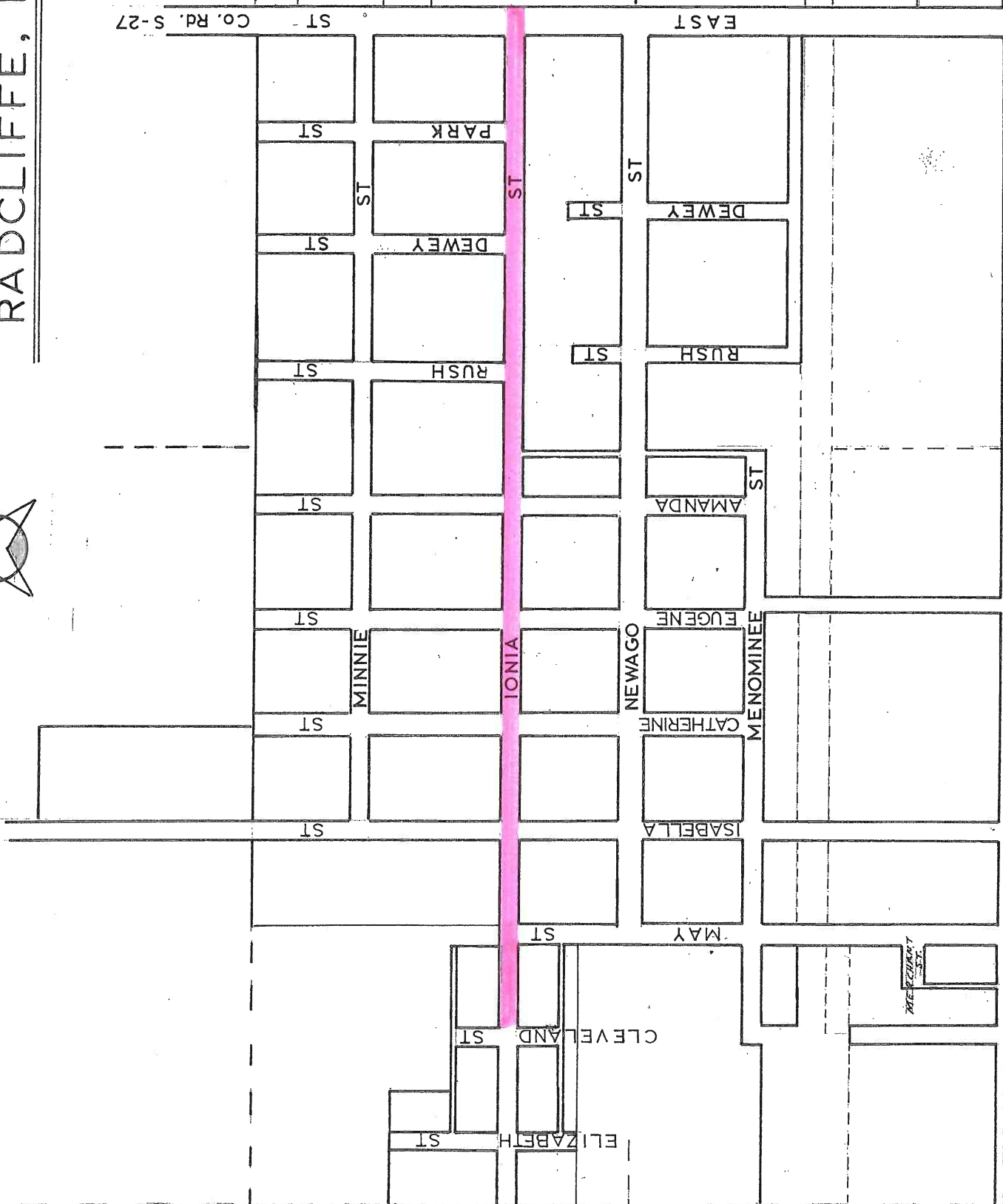
1/8" = 100'

NORTH



# CITY OF RADCLIFFE, IOWA

Co. Rd. S-27



IOWA HWY. NO. 175

IOWA