

RESOLUTION NO. 130

BE IT RESOLVED by the Board of Supervisors of Mitchell County, Iowa, meeting in Special Session at 3:00 o'clock P.M. in the Board Room in the Mitchell County Courthouse, Osage, Iowa, as follows:

WHEREAS, a petition for the establishment of a Drainage District under the provisions of Chapter 455 of the 1983 Code of Iowa, as amended, has previously been filed with the Board of Supervisors, and

WHEREAS, the necessary bonds having been filed, the Board of Supervisors retained the engineering firm of Wallace, Holland, Kastler, Schmitz and Co. of Mason City, Iowa, to make the necessary surveys, studies, and to prepare a plan for the establishment of a Drainage District to be known as Drainage District No. 13 in Mitchell County, Iowa, and

WHEREAS, the Board of Supervisors pursuant to the provisions of Chapter 455 of the 1983 Code of Iowa, as amended, has appointed three commissioners to classify and apportion costs and expenses against the property owners to be included in Drainage District No. 13, and

WHEREAS, the Board of Supervisors by resolution passed and approved on the 2nd day of August, 1984, tentatively approved the plan and report filed by Wallace, Holland, Kastler, Schmitz & Co. of Mason City, Iowa, to establish the district on the 24th day of September the classification report filed by the commissioners for said district was tentatively approved and at said meeting authorized the issuance of waivers and releases to be signed by all interested parties in order to expedite construction of the Drainage District, and

WHEREAS, the Board of Supervisors has now received waivers and releases signed by all interested parties in said Drainage District which said waivers waive and disclaim all objections to the plan and report for the establishment of Drainage District No. 13 in Mitchell County, Iowa, prepared by Wallace, Holland, Kastler, Schmitz & Co., drainage engineers, and do specifically waive all objections to the classification report prepared by the commissioners and filed in the office of the County Auditor on September 20, 1984, which said classification report assesses and apportions the cost of construction and other costs against owners and occupants, and

WHEREAS, said waivers do further waive all legal requirements for notice and hearings and other legal proceedings provided by Chapter 455 of the 1983 Code of Iowa, as amended, including the right to appeal from assessments.

BE IT, THEREFORE, FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF MITCHELL COUNTY, IOWA, THAT THE WAIVERS AND RELEASES SIGNED BY EACH OF THE INTERESTED PARTIES IN DRAINAGE DISTRICT NO. 13, MITCHELL COUNTY, IOWA, BE AND THE SAME ARE HEREBY ACCEPTED and the Board of Supervisors does hereby formally approve and establish Drainage District No. 13 as prepared in the plan and report on file which plan was filed by Wallace, Holland, Kastler, Schmitz & Co., drainage engineers.

The Board of Supervisors does further formally approve the classification report prepared by the commissioners appointed by the Mitchell County Board of Supervisors and filed in the office of the County Auditor on September 20, 1984, and the Mitchell County Board of Supervisors does further direct Wallace, Holland, Kastler, Schmitz & Co., drainage engineers, to prepare bid documents and to advertise a bid letting for the construction of Drainage District No. 13 to be held at 10:00 o'clock A.M. on the 15th day of October, 1984.

WITNESS OUR HANDS THIS 1st day of October, 1984.

MITCHELL COUNTY BOARD OF SUPERVISORS

By Betty McCarthy
(Betty McCarthy, Chairperson)

ATTESTED:

Dorothy Kindachuk
(Secretary)