

Office Use Only		\$	
	<i>Date Filed</i>	<i>Fee</i>	<i>Application Number</i>



JOHNSON COUNTY, IOWA

APPLICATION FOR: SUBDIVISION PLAT APPROVAL

Application is hereby made for approval of a (circle): **PRELIMINARY / FINAL / COMBINED**
subdivision plat on property located at (street address if available or layman's description):

1675 500th ST. SW

Parcel Number(s): 1315202003

Proposed Subdivision Name: Lambs Ear Lane

The subdivision contains 1.65 total acres divided into 1 total lots as follows:

Buildable Lots: 1 Non-buildable outlots: _____

Total buildable acres: 1.29 Total non-buildable acres: _____

Current Zoning: A Proposed Use of the Subdivision: Residential

Scott Ritter

Name of Engineer/Surveyor

sritter@hart-frederick.com

Contact Email and Phone

Allison Goertz

Name of Attorney

goertz.allison@gmail.com

Contact Email and Phone

PLEASE PRINT OR TYPE

The undersigned affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this application being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

Brenneman Acres LLC

Name of Owner

Kristen L. Brenneman

Name of Applicant (if different)

1699 500th ST. SW Kalona, IA. 52247

Applicant Street Address (including City, State, Zip)

319-683-2661

Applicant Phone

krisbren@aol.com

Applicant Email

Kristen L. Brenneman

Applicant Signature

See back page for Application Submittal Requirements and Checklist

The following items must be submitted for the application to be complete. Incomplete applications will be returned and will not be considered until the next submission deadline. Electronic submissions should be submitted prior to hard copy delivery. In all cases electronic submission is due by 12-noon the day after the posted submission deadline. **Initial each item below** to confirm that you are aware of the submittal requirements for an application to be considered complete.

- ✓ Application Fee (varies based on nature of application) is due at the time of submittal.
- ✓ A brief letter of intent explaining the application and describing road, well, septic, etc.
- ✓ Ten (10) copies of the plat (and any other sheets larger than 11x17).
- ✓ The names and addresses of owners of all property within five hundred (500) feet of the parent property or parcel.
- ✓ A signed certificate of the Auditor approving the subdivision name.
- ✓ Resolution Affirming the Stability of the Road System (signed and notarized).
- ✓ One (1) copy of the completed Sensitive Areas Analysis in compliance with the Sensitive Areas Ordinance, or an approved waiver.
- ✓ One (1) copy of the Stormwater Management Plan (including soil erosion and sediment control) in compliance with the Stormwater Management regulations, or an approved waiver.
- ✓ Proof of application to Johnson County Public Health for a Public Health Zoning Application.
- N/A For subdivisions that propose to create a new access or upgrade an existing access to a public county road: a copy of an approved ROW Permit (Access Permit) from Johnson County Secondary Roads.
- N/A FARMSTEAD SPLITS ONLY: include a list of parcel numbers of the parent farm and the book and page(s) recorded prior to December 1, 2000.
- N/A FINAL PLATS ONLY: As-Built drawings for installed infrastructure, including statement/certification from the engineer affirming that the as-built infrastructure conforms to the intent and design parameters of the preliminary plat.
- ✓ FINAL & COMBINED PLATS: The following DRAFT (unsigned) legal documents in digital or hard copy.
 - Owner's Certificate
 - Title Opinion
 - Treasurer's Certificate
 - Subdivider's Agreement
 - Fence Agreement
 - Other as applicable (easements, ROW dedication, Consent of Mortgagee, etc.)

Electronic Submission Requirements – an electronic submission of all hard-copy materials required above should be submitted prior to hard copy delivery. In all cases, electronic submission is due by 12 noon the day after the submittal deadline for the application to be considered complete. Electronic submissions should include:

- _____ Electronic or digitized copy (CAD line work or GIS geodatabase) of proposed plat in .dwg format (.dxf is also acceptable if .dwg is not an option. No .zip files will be accepted).
 - Submission must be saved in AutoCAD 2017 or older format
 - Submissions must use Coordinate System: NAD_1983_StatePlane_Iowa_South_FIPS_1402_Feet
 - Submission **MUST** include information for Sensitive Areas Analysis/Mapping and Stormwater/Soil Erosion Control infrastructure on the site. This includes any limits of disturbance or other impact areas.
 - Submission **should NOT** include legends, legal descriptions, location maps, signature blocks, etc.
- _____ A PDF of the entire application packet (a single PDF preferred; but a separate PDF for plat, application materials, sensitive areas, stormwater plan, and legal documents are acceptable).
- _____ If only submitted electronically, DRAFT legal documents must be provided by 12 noon the day after the submission deadline or the application will be returned as incomplete.



HART-FREDERICK CONSULTANTS P.C.

ENGINEERS & SURVEYORS

2 May 2023

Mr. Josh Busard
Johnson County Zoning Director

Re: Lambs Ear Lane, for Brenneman Acres LLC,
a Residential Parcel Split

Dear Josh:

Attached please find the application and accompanying documents for a Residential Parcel Split application for the Brenneman family.

At this time the Brenneman family would like to split off this portion of their property for their daughter and her family of this existing residence and area around. This lot has access to 500th St. SW with water and septic established.

If you have questions or if you require further information you may contact myself, Attorney: Allison Goertz or Kristen Brenneman.

Respectfully Submitted,

J. Scott Ritter, LLS
Hart-Frederick Consultants P.C.

C: Ms. Kristen Brenneman
Ms. Allison Goertz
HFCfile

<u>MailingName</u>	<u>MailingAddress2</u>	<u>MailingAddress3</u>	<u>MailingZipCode</u>	<u>Parcel</u>
Michael Steckly	1499 480th ST. SW	Wellman, IA.	52356	1310351001
				1315126001
Deer Creek Acres LLC	1076 500th ST. SW	Wellman, IA.	52356	1310376002
				1310377002
Brenneman Acres LLC	1699 500th ST. SW	Kalona, IA.	52247	1310451001
Daryl G. & Rachel E. Beachy	1572 560th ST. SW	Kalona, IA.	52247	1315226001
James L. & Marilyn Schrock	1676 500th ST. SW	Kalona, IA.	52247	1310377003

Hart-Frederick Consultants P.C. 510 E State St., Tiffin, IA 52340 Tel: (319) 545-7215

Prepared by: J. Scott Ritter, PLS, Hart-Frederick Consultants P.C.

Return to: Hart-Frederick Consultants P.C., PO Box 560, Tiffin, IA 52340

CERTIFICATE OF COUNTY AUDITOR

STATE OF IOWA, JOHNSON COUNTY) ss:

I, Travis Weipert, herby certify that I am the duly elected, qualified, and acting auditor of Johnson County. Pursuant to Section 354.6(2), Code of Iowa, I hereby approve Lambs Ear Lane, a Residential Parcel Split, Johnson County, Iowa, as a succinct and unique name for the subdivision containing the following described real estate located in Johnson County, Iowa:

LAMBS EAR LANE

Being a part of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 78 North, Range 8 West of the 5th P.M., Johnson County, Iowa and is more particularly described as follows.

Commencing at the North 1/4 corner of said Section 15; thence S 88°51'35" W along the North line of the Northwest 1/4 of said Section 15, a distance of 717.19 feet to the Point of Beginning; thence S 01°08'25" E, a distance of 145.10 feet; thence N 88°51'35" E, a distance of 87.79 feet; thence S 01°08'25" E, a distance of 129.05 feet; thence S 88°51'35" W, a distance of 309.28 feet; thence N 01°08'25" W, a distance of 274.15 feet to a point on said North line of the Northwest 1/4 of Section 15; thence N 88°51'35" E, a distance of 221.50 feet to the Point of Beginning containing 1.65 acres of which 0.36 acre is existing county road right of way and being subject to all easements and restrictions of record.

DATED this 10 day of May, 202 3



Travis Weipert, Johnson County Auditor
Johnson County, Iowa

Subscribed and sworn to before me by Travis Weipert this 10 day of may, 202 3.


Notary Public in and for the State of Iowa



RESOLUTION 04-19-90-2
AFFIRMING THE STABILITY OF THE ROAD SYSTEM

Whereas Johnson County is one of the counties in the State of Iowa that is increasing in its population; and

Whereas there is a growing tendency for persons in Johnson County to prefer to develop lots for building purposes; and

Whereas improvement of currently non-improved roads to standards dictated by the state of Iowa for Secondary roads is expensive;

Now, therefore be it resolved that any person who develops a rezoned and subdivided lot in Johnson County should first be aware of the existing secondary road conditions serving that tract of land, and should act under the presumption that said road in all probability will continue in its present condition. Private interests or adjacent landowners may underwrite the costs to bring said road up to minimum state standards which includes providing the necessary right-of-way, moving fences, grading, culverts, surfacing, and other items that may be needed to provide an improved road. These improvements can be achieved by permission of Johnson County per the Iowa Code, Section 319.14, and by Johnson County Resolution 08-10-89-2. However, if this tract of land is located on a road that has been designated as a Level B road per Resolution 04-05-90-1, Johnson County will provide no more services than stated in Johnson County Ordinance 02-08-90-1. If possible, consideration should be given to the prospect of agreeing that said road be closed by Johnson County and maintained by the residents owning land abutting said road to county subdivision standards as a private lane.

My (our) signature on this document indicates that I have read the above road policy of Johnson County, Iowa, and understand the contents of the above shown policy, and that the zoning, or subdivision, action that is being taken by me (us) would be subject to the above Resolution by the Johnson County Board of Supervisors.

Kristen L. Breneman

Signature of Owner, Contract Owner, Option Purchaser

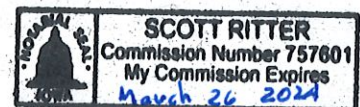
1699 500th St. SW Kalona, IA. 52247

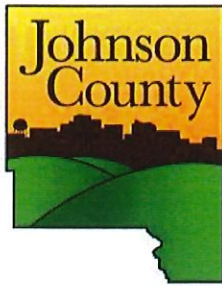
Address and Phone Number

Subscribed and sworn to before me on this 10th day of May, 2023.

Scott Ritter

Notary Public, in & for the State of Iowa.





PLANNING, DEVELOPMENT AND SUSTAINABILITY

PLANNING DIVISION

JOSH BUSARD
AICP, LEED-AP, CFM
DIRECTOR

NATHAN MUELLER, AICP, CFM
ASSISTANT DIRECTOR

WAIVER RESPONSE

Date: April 20th, 2023
To: Hart-Frederick Consultants; Attn. Scott Ritter
From: Kasey Hutchinson, Soil and Water Conservation Coordinator
Re: Waiver Request for 1675 500th Street SW (PPN 1315202003)

Recently, your firm submitted a request to waive the Stormwater Management and Sensitive Areas requirements for a subdivision located off of 1675 500th Street SW (PPN 1315202003). After a thorough review, the PDS Administrative Officer has issued the following decision on the request:

Request to waive Stormwater Management: **With Building Permit**

- Stormwater management planning will be required with any future building permit.

Request to waive Sensitive Areas: **Approved**

- Waiver has been requested and approved for all sensitive areas.
- This project is exempt from the Historic Properties requirements.

Please contact me at khutchinson@johnsoncountyia.gov if you have any questions.

Respectfully,

Kasey Hutchinson
Soil and Water Conservation Coordinator

Office Use Only	4/19/23 Date Filed	PDS-23-28356 Application Number
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JOHNSON COUNTY, IOWA
REQUEST FOR WAIVER: Sensitive Areas Ordinance

Type of Development Application: Historic Residential Parcel Split
 Street Address or Layman's Description: 1675 500th St. SW
 Parcel Number(s): 1315202003

Please check all sensitive areas for which waiver is being requested:

- | | | | | |
|---|--|--|--|---|
| <input type="checkbox"/> Critical Wildlife Habitat | <input type="checkbox"/> Historic Properties | <input type="checkbox"/> Prairie & Prairie Remnant | <input type="checkbox"/> Savanna & Savanna Remnant | <input type="checkbox"/> Significant Slopes |
| <input type="checkbox"/> Stream Corridors, Watercourses, and Surface Water Bodies | <input type="checkbox"/> Floodplain & Floodway | <input type="checkbox"/> Wetlands | <input type="checkbox"/> Woodlands | |

Justification for granting this waiver request should be attached hereto. See back of this page.

The undersigned hereby requests waiver from the Sensitive Areas Ordinance requirements of the Johnson County Unified Development Ordinance in connection with this project, and affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this waiver being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

<u>Allison Goertz</u> Name of Applicant	<u>goertz@hebbblaw.com</u> Applicant Email Address
<u>319-621-4896</u> Applicant Phone	

<u>1675 500th St. SW Kalona, IA. 52247</u> Name of Owner (if different)	<u></u> Owner Email Address
<u>Owner Mailing Address (include City, State, Zip)</u>	

<u>Allison M. Goertz</u> Applicant Signature	<u>4/19/2023</u> Date
---	--------------------------

ADMINISTRATIVE OFFICER'S DECISION: ☒ APPROVE ☐ PARTIAL APPROVAL** ☐ DENY

4/20/2023
 ADMINISTRATIVE OFFICER DATE

**See accompanying letter for explanation for specific requirements.

Initial or check each item below to confirm that you are aware of the submittal requirements for a waiver request application to be considered complete.



A waiver request fee of \$50 due at time of submittal.



A written narrative explaining the request.



Supporting documentation to justify waiver approval for each sensitive area for which waiver is being requested (see below).

Examples of supporting information for each of the sensitive areas is listed below. Information additional to this may be necessary to sufficiently illustrate the absence of sensitive areas. If provided information does not confirm the absence of the sensitive area(s), the waiver request will be denied. The list below is meant to illustrate *potential* supporting information, and should not be construed as a complete list, or that including the provided items will guarantee waiver approval. Please initial or check each sensitive area for which material has been provided in support of the waiver request.



Critical Wildlife Habitat: documentation, such as aerial photographs, showing absence of potential habitat for Threatened and Endangered species.



Floodplain and Floodway: FEMA map showing absence of floodplain and floodway.



Historic Properties: letter from the Office of the State Archaeologist indicating that survey is not warranted. Residential subdivisions which propose no more than one buildable lot and no more than three outlots are exempt from Historic Properties requirements.



Prairie and Prairie Remnant: aerial photographs showing history of row crops.



Savanna and Savanna Remnant: aerial photographs showing absence of open-grown trees.



Significant Slopes: soil survey map showing absence of soils characterized by excessive slopes and/or contour map showing slopes less than 25%.



Stream Corridors, Watercourses, and Surface Water Bodies: U.S. Geological Survey Quadrangle Map showing absence of a blue line river, stream, or drainageway, and aerials showing the absence of watercourses and surface water bodies.



Wetlands: National Wetlands Inventory (NWI) map showing absence of wetlands, soil survey map showing absence of hydric soils, and contour map showing absence of a geomorphic setting supportive of wetlands (e.g. depression, drainageway, surface water body, etc.).



Woodlands: aerial photographs showing absence or sparse distribution of trees.

Office Use Only		
	Date Filed	Application Number



JOHNSON COUNTY, IOWA

REQUEST FOR WAIVER: Storm-water Management Requirements

Type of Development Application: Historic Residential Parcel Split

Street Address or Layman's Description: 1675 500th St. SW

Parcel Number(s): 1315202003

A written narrative explaining justification for granting this waiver request should be attached hereto.

The undersigned hereby requests waiver from the Stormwater Management Ordinance requirements of the Johnson County Unified Development Ordinance in connection with this project, and affirms that the information provided herein is true and correct. If applicant is not the owner, applicant affirms that the owner(s) of the property described on this application consent to this waiver being submitted, and said owners hereby give their consent for the office of Johnson County Planning, Development, and Sustainability to conduct a site visit and photograph the subject property.

Allison Goertz

goertz@hebbblaw.com

Name of Applicant

Applicant Email Address

319-621-4896

Applicant Phone

Name of Owner (If different)

Owner Email Address

1675 500th St. SW Kalona, IA. 52247

Owner Mailing Address (Include City, State, Zip)

Allison M. Goertz

4/19/2023

Applicant Signature

Date

ADMINISTRATIVE OFFICER'S DECISION: ☐ APPROVE ☒ WITH BUILDING PERMIT** ☐ DENY

[Signature]

4/20/2023

ADMINISTRATIVE OFFICER

DATE

**Sediment and Erosion control, and Stormwater Management compliance will not be required with this development application, but will be required with any future building permits on this site.

Initial each item below to confirm that you are aware of the submittal requirements for a waiver request application to be considered complete.

 A waiver request fee of \$50 due at time of submittal.

 A written narrative explaining the request.

2 May 2023

Parcel # and Deed Book & page for Brenneman Acres LLC,

Parcel ID: 1315202003 Book 5328 on page 907

C: Brenneman Acres LLC
Ms, Allison Goertz
HFC file

FOR OFFICE USE ONLY:
ZONING NUMBER: _____

Johnson County Public Health
855 S. Dubuque Street * Iowa City, Iowa 52240 * 319/356-6040 * Fax: 319/356-6044

Johnson County Public Health Zoning Application

Applicant Name: <i>Kristen Brennenman</i>	Phone Number: <i>(319) 683-2661</i>		
Address: <i>1699 500th St. SW</i>	City: <i>Kalona</i>	State: <i>IA</i>	Zip: <i>52247</i>

NOTE: THIS APPLICATION NEED NOT BE SUBMITTED FOR FINAL PLATS.

TYPE OF ZONING REQUEST:	APPLICATION FEE:
<input type="checkbox"/> Zoning reclassification from _____ to _____	\$75.00 Application Fee
<input checked="" type="checkbox"/> Combined preliminary and final plat	\$50.00 + \$20.00 per Lot Application Fee*
<input type="checkbox"/> Preliminary plat using private onsite/centralized waste water systems	\$50.00 + \$20.00 per Lot Application Fee*
<input type="checkbox"/> Conditional Use Permit	\$25.00 Application Fee
*Outlots Exempt	

Application Fee 50 + Number of lots 1 Minus Number of Outlots = 1 x \$20.00 Fee Per Lot
= Enclosed Fee \$75

PLEASE RETURN THIS APPLICATION AND APPROPRIATE APPLICATION FEE TO:

**JOHNSON COUNTY PUBLIC HEALTH
855 S. DUBUQUE STREET
IOWA CITY, IA 52240**

The application and fee must be received by the department NO LESS THAN 24 HOURS prior to the Johnson County Zoning commission public hearing and/or the Johnson County Zoning Board of Adjustment.

No refund shall be made of any required fee accompanying a required application once filed with the administrative officer.

Signature of Applicant: *Kristen Brennenman* Date: *5-10-23*

INDEX LEGEND

LOCATION: NORTHEAST 1/4-NORTHWEST 1/4
SECTION 15, T-78-N, R-8-W

REQUESTOR: ALLISON GOERTZ
PROPRIETOR: BRENNEMAN ACRES LLC
SURVEYOR: J. SCOTT RITTER, PLS #16546
COMPANY: HART-FREDERICK CONSULTANTS P.C.
510 STATE ST. PO BOX 560 TIFFIN, IA 52340
RETURN TO: sritter@hart-frederick.com (319) 545-7215



HART-FREDERICK CONSULTANTS P.C.



510 State Street P.O. Box 560 TIFFIN, IOWA 52340-0560 Phone: (319) 545-7215 www.hart-frederick.com

Donna Chupp Living Trust

APPROVED BY THE JOHNSON COUNTY BOARD OF SUPERVISORS

CHAIRPERSON _____ DATE _____

Deer Creek Acres, LLC

AUDITOR PARCEL 2018135
BK. 62, PG. 326

SUBDIVIDORS/OWNERS: BRENNEMAN ACRES LLC
1699 500th ST. SW
KALONA, IA. 52247

ATTORNEY: ALLISON M. GOERTZ
330 E COURT ST.
IOWA CITY, IA. 52240

PLAT PREPARED BY: HART-FREDERICK CONSULTANTS P.C.
510 EAST STATE STREET
P.O. BOX 560
TIFFIN, IA. 52340

LOT 1
SCHROCK SUBDIVISION
BK. 38, PG. 12

James L. &
Marilyn Schrock

NORTH 1/4 CORNER
SECTION 15-78-8
FOUND
IN PAVEMENT
TIES BK. 62, PG. 375

LOT 1
MJB and KLB FIRST SUBDIVISION
BK. 30, PG. 221

Michael J. &
Kristen L. Brenneman

AUDITOR'S PARCEL 96096
BK. 37, PG. 81

Brenneman Acres, LLC

NORTHEAST 1/4-NORTHWEST 1/4

70' REQUIRED RIGHT OF WAY ACQUISITION

Being a part of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 78 North, Range 8 West of the 5th P.M., Johnson County, Iowa and is described as Commencing at the North 1/4 corner of said Section 15; thence S 88°51'35" W along the North line of the Northwest 1/4 of said Section 15, a distance of 717.19 feet; thence S 01°08'25" E, a distance of 45.00 feet to a point on the South right of way line for 500th Street SW, being the Point of Beginning; thence continuing S 01°08'25" E, a distance of 25.00 feet; thence S 88°51'35" W, a distance of 221.50 feet; thence N 01°08'25" W, a distance of 16.20 feet to a point on said South right of way line; thence N 80°19'45" E along said South right of way line, a distance of 59.35 feet; thence N 88°51'35" E along said South right of way line, a distance of 162.81 feet to the Point of Beginning containing 0.12 acre.

NUMBER	DIRECTION	DISTANCE
L1	S 01°08'25" E	25.00'
L2	N 01°08'25" W	16.20'
L3	N 80°19'45" E	59.35'

Deer Creek Acres, LLC

NORTHWEST CORNER
SECTION 15-78-8
FOUND MAG NAIL
IN PAVEMENT
TIES BK. 54, PG. 217

EASEMENT FOR
BK. 623, PGS. 435-438

PUBLIC HIGHWAY

PGS. 435-438

ROW

60'

1703.26'

53.80'

1.29'

204.15'

274.15'

106.0'

36.6'

74.7'

75.10'

145.10'

87.79'

129.05'

309.28'

S 88°51'35" W

221.50'

N 88°51'35" E

162.81'

N 88°51'35" E

45.00'

P.O.B.

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162.81'

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221.50'

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45.00'

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