CERTIFICATION

Attached hereto is the supporting documentation for the creation of an agricultural district under Iowa Code Chapter 352.as follows:

1. Resolution as passed by the Board of Supervisors in their official meeting and recorded in Supervisors' Minute Book V and dated February 28, 1994, to set a public hearing on the "Proposal for Creation of an Agricultural Area" by Richard Bishop, Mary Kay Bishop, Robert Edwin Bishop, Helen M. Bishop, Denise Bishop and Doug R. Bishop.
2. Proof of Publication of "Notice of Public Hearing" on the creation of the ag district publiched March 8, 1994 in The Manchester Press.
3. Official Minutes of the Board of Supervisors, dated March 21, 1994, recording the public hearing on the proposed ag district creation.
4. Resolution as passed by the Board of Supervisors in their official meeting and recorded in Supervisors' Minute Book V dated April 4, 1994, creating the agricultural district.
5. Boundary description of the agricultural area as filed in the Auditor's Office on February 28, 1994.

I, Sharon McCrabb, County Auditor, do hereby certify that the attached are true copies of the above listed instruments.

Dated this 15th day of April, 1994.

Sharon McCrabb, Delaware County Auditor

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

Subscribed and sworn to me and in my presence by Sharon McCrabb, Delaware County Auditor this 15th day of April, 1994.

Carolyn A. Wilson, Notary Public in and for the State of Iowa.

My commission expires 12-17-95.

Withdrawn (Parcel E)
For Transfer, See Book 1994 Page 1911 6/2/99

FILE No. 27-3130
RECORDING FEE $ 56.00
TRANSFER FEE $

FILED FOR RECORD THE 15 DAY OF April, 1994 AT 11:07 O'CLOCK A. M. BOOK 4 PAGE 220

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

RESOLUTION

BE IT RESOLVED by the Delaware County Board of Supervisors, pursuant to the authority given under Iowa Code Chapter 352 and the filing on 2-10-94 of a "Proposal for Creation of an Agricultural Area" by Richard Bishop, Mary Kay Bishop, Robert Edwin Bishop, Helen M. Bishop, Denise Bishop and Doug R. Bishop, that a public hearing be held March 21st, 1994 at 10:00 A.M. in the Supervisors' Office, Courthouse, Manchester, Iowa, on the creation of a proposed agricultural district described as follows:

The East one-half (E½) of the Southeast Quarter (SE¼); the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼); the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); and the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight (88) North, Range Five (5) West of the 5th P.M., except the railroad right-of-way, and subject to public highways and easements of record; and excepting from the above described real estate the following: Commencing on the section line situated at the Northeast corner of the East one-half (E½) of the Southeast Quarter (SE¼) of Section Seven (7), Township Eighty-Eight North (T88N), Range Five West (5W) of the 5th P.M., thence west on section center line a distance of 303 feet, thence South 453 feet, thence East 303 feet, thence North on the Section line 453 feet to the point of beginning; and further excepting Parcel A located in the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M., Delaware County Iowa, as recorded in Book Seven Plats, Page 34, Delaware County Records.

The Southwest Quarter (SW¼) of Section Eight (8), Township Eighty Eight North (88N), Range Five West (5W) of the 5th P.M., subject to highways and easements of record and except the following descriptions: That part of the Southwest Quarter (SW¼) of Section eight (8), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8), thence North 2111.1 feet along the West line of said Section Eight (8) to the point of beginning; thence North 87°-54' East 240.5 feet, thence North 2°-06' West 224.9 feet, thence North 77°-45' West 237.5 feet, thence South 283.9 feet to the point of beginning, said parcel containing approximately 1.38 acres; further excepting that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8), thence North 1,915.4 feet along the West line of said Section Eight (8) to the point of beginning, thence North 88°-10' East 461.3', thence North 2°-41' West 197.7 feet, thence South 87°-54' West 452.1 feet, thence South 195.7 feet to the point of beginning; and further excepting the West 190 feet of the East 2178.7 feet of the South 197.7 feet of the North 708.5 feet of the Southwest Quarter of Section Eight (8), Township Eighty Eight North (T88N), Range Five West (R5W) of the 5th P.M.

The West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except commencing at the Southwest corner of the West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), thence North 284.0 feet, thence East 258.0 feet, thence Southeasterly 284.8 feet to a point 278.9 feet East of said Southwest corner, thence West 278.9 feet to the point of beginning; all being subject to highways and easements of record.

The North one-half (N½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Eight(8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. subject to easements of record.

The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range 5 West (R5W) of the 5th P.M. subject to easements of record.

The North one-half (N½) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except commencing at the Northwest

corner of the Northeast Quarter (NE¼) of Section Eight (8), thence N 90°-00'00" East, along the north line of the Northeast Quarter (NE¼), 1593.11 feet to the Point of Beginning; thence continuing N 90°-00'-00" East along the north line of the Northeast Quarter (NE¼) 1046.89 feet to the Northeast corner of the Northeast Quarter (NE¼), thence S 0°-06'-00" West along the east line of the Northeast Quarter (NE¼) 606.45 feet, thence N 90°-00'-00" West 1094.63 feet, thence N 4°-36'-00" East 608.41 feet to the Point of Beginning; subject to easements of record. The exception is known as the survey and plat of Bishop's Subdivision.

The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and the West one-half (W½) of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Sixteen (16), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except Parcel A located in the Northwest Quarter (NW¼) of Section 16, Township 88North, Range 5 West of the 5th P.M., Delaware County, Iowa as recorded in Book 7 Plats, Page 40, Delaware County Records.

The East one-half (E½) of the Northwest Quarter (NW¼) and the North Three Fourths (N3/4) of the Northeast Quarter (NE¼) all in Section Seventeen (17), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M.

BE IT FURTHER RESOLVED that the proposed agricultural area meets guidelines under Iowa Code Chapter 352 as follows:

1. Includes at least 300 acres of farmland;
2. The owners of all the farmland included within the proposed ag area, do state that no land is included within the proposed ag area without the consent of the owner or owners thereof;
3. No part of the proposed agricultural area is located within the corporate limits of any city.
4. Except as provided by law, the use of the farmland in the proposed ag area, if it is created, shall be limited to farm operations only.
5. The territory included within the proposed agricultural area is as compact and nearly adjacent as feasible.

IT IS FURTHER ORDERED that the County Auditor publish Notice of Public Hearing in one official paper of the county.

Dated this 28th day of February, 1994.

Delaware County Board of Supervisors

G. Eldon Koeneke

G. Eldon Koeneke, Chairman

ATTEST:

Sharon McCrabb

Sharon McCrabb, Auditor

STATE OF IOWA, Delaware County-ss.

I, Larry K. Woellert, being duly sworn depose and say that I am publisher of The Manchester Press, a newspaper published weekly in Manchester, in said county, and that the Notice of Public Hearing

In case of Delaware County Board of Supervisors

a copy of which is hereto attached, was published in said newspaper for 1 weeks consecutively; the first publication having been made on the 8th day of March A.D. 19 94, and the last on the _____ day of _____ A.D. 19____

Publication fee, $ 64.16

Larry K. Woellert

Subscribed by Larry K. Woellert and by him sworn to before me, a notary public in and of Delaware County, Iowa this 9 day of March A.D. 1994

Witness my hand and seal the date last above written.

Iowa

Dawn Tiedeken Notary Public

NOTICE OF PUBLIC HEARING

The Delaware County Board of Supervisors will hold a public hearing on the creation of an agricultural area under Iowa Code Chapter 352. The hearing will be held in the Supervisors' Office, Courthouse, Manchester, Iowa at 10:00 a.m. on March 21st, 1994. The proposed agricultural district is described as follows:

The East one-half (E½) of the Southeast Quarter (SE¼); the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼); the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); and the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight (88) North, Range Five (5) West of the 5th P.M., except the railroad right-of-way, and subject to public highways and easements of record; and excepting from the above described real estate the following: Commencing on the section line situated at the Northeast corner of the East one-half (E½) of the Southeast Quarter (SE¼) of Section Seven (7); Township Eighty-Eight North (T88N), Range Five West (5W), of the 5th P.M., thence west on section center line a distance of 303 feet, thence South 433 feet, thence East 303 feet, thence North on the Section line 433 feet to the point of beginning; and further excepting Parcel A located in the Northeast Quarter (NE¼) of Section Seven (7); Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M., Delaware County Iowa, as recorded in Book Seven Plats; Page 347 Delaware County Records.

The Southwest Quarter (SW¼) of Section Eight (8), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M., subject to highways and easements of record and except the following descriptions: That part of the Southwest Quarter (SW¼) of Section eight (8) Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8); thence North 2111.1 feet along the West line of said Section Eight (8) to the point of beginning; thence North 87°-54' East 240.3 feet, thence North 2°-06' West 224.9 feet, thence North 77°-45' West 237.3 feet; thence South 283.9 feet to the point of beginning, said partal containing approximately 1.38 acres; further excepting that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8), thence North 1,915.4 feet along the West line of said Section Eight (8) to the point of beginning, thence North 88°-10' East 461.3', thence North 2°-41' West 197.7 feet, thence South 87°-54' West 452.1 feet; thence South 195.7 feet to the point of beginning; and further excepting the West 190 feet of the East 2178.7 feet of the South 197.7 feet of the North 708.3 feet of the Southwest Quarter of Section Eight (8), Township Eighty Eight North (T88N), Range Five West (R5W) of the 5th P.M.

The West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except commencing at the Southwest corner of the West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), thence North 284.0 feet, thence East 258.0 feet, thence Southeasterly 284.8 feet to a point 278.9 feet East of said Southwest corner, thence West 278.9 feet to the point of beginning; all being subject to highways and easements of record.

The North one-half (N½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. subject to easements of record.

The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range 5 West (R5W) of the 5th P.M. subject to easements of record.

The North one-half (N½) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except commencing at the Northeast corner of the Northeast Quarter (NE¼) of Section Eight (8), thence N 90°-00'00" East, along the north line of the Northeast Quarter (NE¼), 1593.11 feet to the Point of Beginning; thence continuing N 90°-00'-00" East along the north line of the Northeast Quarter (NE¼) 1046.89 feet to the Northeast corner of the Northeast Quarter (NE¼); thence S 0°-06'-00" West along the east line of the Northeast Quarter (NE¼) 606.43 feet, thence N 90°-00'-00" West 1094.63 feet, thence N 4°-36'-00" East 608.41 feet to the Point of Beginning; subject to easements of record. The exception is known as the survey and plat of Bishop's Subdivision.

The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and the West one-half (W½) of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Sixteen (16), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except Parcel A located in the Northwest Quarter (NW¼) of Section 16, Township 88North, Range 5 West of the 5th P.M., Delaware County, Iowa as recorded in Book 7 Plats, Page 48, Delaware County Records.

The East one-half (E½) of the Northwest Quarter (NW¼) and the North Three Fourths (N3/4) of the Northeast Quarter (NE¼) all in Section Seventeen (17), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M.

After the public hearing, the county Board of Supervisors may either adopt the proposal or a modification of it, unless to do so would be inconsistant with the purposes of the law. Upon adoption of the proposal, the Board is to file a description of the newly created agricultural area with the county auditor and have the description of the area recorded.

Dated this 2nd day of February, 1994.

Sharon McCrabb, County Auditor

3-8-94

PS

KOCH BROTHERS, DES MOINES 90-841

March 14, 1994
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 10:00 A.M. with all members present. G. Eldon Koeneke, Chairman, called the meeting to order.

Motion made by Besler, seconded by Clemen and carried that the following Resolution be approved:

RESOLUTION

BE IT HEREBY RESOLVED by the Delaware County Board of Supervisors that the Rescue Agreement entered into between Delaware County and the City of Manchester, Iowa, be terminated.

IT IS ORDERED that the City of Manchester be notified of this decision by mail immediately and that steps be taken to enter into a new agreement at less cost to the county.

Dated this 14th day of March, 1994.

Delaware County Board of Supervisors
/S/ G. Eldon Koeneke, Chairman

Motion made by Clemen, seconded by Besler and carried that County Attorney Lou Walker be allowed to handle a minor traffic case for Buchanan County Attorney Al Vander Hart and to perform at least 15 hours of legal work this calendar year assisting lower income Iowans with civil legal problems as requested by the Iowa State Bar Association.

Motion made by Besler, seconded by Clemen and carried that the quarterly Veterans Affairs Report ending March 31, 1994 be approved in the amount of $1,490.65.

Motion made by Clemen, seconded by Besler and carried that the collective bargaining agreement between the Delaware County Sheriff's Department and The American Federation of State County, and Municipal Employees, AFL-CIO, Local 1835 for the year 7-1-94 through 6-30-95 be approved as filed this date.

Lou Walker advised the Board that the property purchased by the fairboard from R. E. Tool will be deeded over to the County, however, they need to pass a resolution to that effect before proceeding with a deed.

Motion made by Besler, seconded by Clemen and carried that the proposal of Lynch Roofing & Siding Co. for installation of a new roof on the flat area of the courthouse building in the amount of $11,706.00 be accepted.

Motion made by Clemen, seconded by Besler and carried that the Contract and Official Bond of Steger Heiderscheit Construction Corp of Dyersville, Iowa for road grading project no. L-2485(1) in the amount of one hundred eleven thousand, five hundred seventy one dollars and forty cents be approved.

The following claims were allowed for payment as shown on pages 267a through 267e.

There being no further business, this meeting adjourned. These minutes were read and approved.

G. Eldon Koeneke, Chairman

Sharon McCrabb, Auditor

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March 21, 1994
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 10:00 A.M. with all members present. G. Eldon Koeneke, Chairman, called the meeting to order.

Eighteen persons were present for the public hearing on the proposed agricultural district as requested by Richard Bishop, Mary Kay Bishop, Robert Edwin Bishop, Helen M. Bishop, Denise Bishop and Doug Bishop.

Notice of the public hearing was presented showing publication in The Manchester Press on the 8th day of March, 1994.

The area under consideration is legally described as the East one-half (E½) of the Southeast Quarter (SE¼); the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼); the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); and the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight (88) North, Range Five (5) West of the 5th P.M., except the railroad right-of-way, and subject to public highways and easements of record; and excepting from the above described real estate the following: Commencing on the section line situated at the Northeast corner of the East one-half (E½) of the Southeast Quarter (SE¼) of Section Seven (7), Township Eighty-Eight North (T88N), Range Five West (5W) of the 5th P.M., thence west on section center line a distance of 303 feet, thence South 453 feet, thence East 303 feet, thence North on the section line 453 feet to the point of beginning; and further excepting Parcel A located in the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M., Delaware County Iowa, as recorded in Book Seven Plats, Page 34, Delaware County Records.

The Southwest Quarter (SW¼) of Section Eight (8), Township Eighty Eight North (88N), Range Five West (5W) of the 5th P.M., subject to highways and easements of record and except the following descriptions: That part of the Southwest Quarter (SW¼) of Section eight (8), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8), thence North 2111.1 feet along the West line of said Section Eight (8) to the point of beginning; thence North 87° 54' East 240.5 feet, thence North 2°-16' West 224.9 feet, thence North 77°-45' West 237.5 feet, thence South 283.9 feet to the point of beginning, said parcel containing approximately 1.38 acres; further excepting that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. described as commencing at the Southwest Corner of said Section Eight (8), thence North 1,915.4 feet along the West line of said Section Eight (8) to the point of beginning, thence North 88°-10' East 461.3', thence North 2°-41' West 197.7 feet, thence South 87°-54' West 452.1 feet, thence South 195.7 feet

to the point of beginning; and further excepting the West 190 feet of the East 2178.7 feet of the South 197.7 feet of the North 708.5 feet of the Southwest Quarter of Section Eight (8), Township Eighty Eight North (T88N), Range Five West (R5W) of the 5th P.M..

The West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), Township Eighty-Eight North (T88N) Range Five West (R5W) of the 5th P.M. except commencing at the Southwest corner of the West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), thence North 284.0 feet, thence East 258.0 feet, thence Southeasterly 284.8 feet to a point 278.9 feet East of said Southwest corner, thence West 278.9 feet to the point of beginning; all being subject ot highways and easements of record.

The North one-half (N½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M., subject to easements of record.

The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range 5 West (R5W) of the 5th P.M. subject to easements of record.

The North one-half (N½) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty Eight North (T88N) Range Five West (R5W) of the 5th P.M. except commencing at the Northwest corner of the Northeast Quarter (NE¼) of Sectoin Eight (8), thence N 90°-00'-00" East, along the north line of the Northeast Quarter (NE¼), 1593.11 feet to the Point of Beginning; thence continuing N 90°-00'-00" East along the north line of the Northeast Quarter (NE¼) 1046.89 feet ot the Northeast corner of the Northeast Quarter (NE¼), thence S 0°-06'-00" West along the east line of the Northeast Quarter (NE¼) 606.45 feet, thence N 90°-00'-00" West 1094.63 feet, thence N 4°-36'-00" East 608.41 feet to the Point of Beginning; subject to easements of record. The exception is known as the survey and plat of Bishop's Subdivision.

The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and the West one-half (W½) of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Sixteen (16), Township Eighty Eight North (T88N), Range Five West (R5W) of the 5th P.M. except Parcel A located in the Northwest Quarter (NW¼) of Section 16, Township 88 North, Range 5 West of the 5th P.M., Delaware County, Iowa as recorded in Book 7 Plats, Page 40, Delaware County Records.

The East one-half (E½) of the Northwest Quarter (NW¼) and the North Three Fourths (N 3/4) of the Northeast Quarter (NE¼) all in Section Seventeen (17), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M..

Jim McGraw expressed his concerns for some of the persons present and asked that approximately 160 acres be deleted and the description modified since a hog confinement set up in the area would make a smell objectionable to people living in the existing subdivisions located in the area.

Discussion was held on the reason for establishing an agricultural district and whether county zoning would help in certain situations.

Motion made by Clemen, seconded by Besler and carried that no action be taken on establishing the ag district at this time until some of the questions presented at this hearing could be pursued.

Motion made by Besler, seconded by Clemen and carried that the fuel quotes of Swiss Valley in the amount of $4,775.00 be accepted. Quotes considered for 3,000 gallons of gasohol and 5,000 of premium diesel were as follows: Fauser Oil $4,866.00; Three Rivers $4,975.00 and Swiss Valley $4,775.00.

Motion made by Clemen, seconded by Besler and carried that the following Resolution be approved:

RESOLUTION

BE IT HEREBY RESOLVED by the Board of Supervisors of Delaware County, Iowa, that the vacancy created in the office of County Treasurer be filled by appointment with the appointee serving until the next pending General Election on November 8, 1994. This option will be the most effective and least costly since the public will decide the four year office holder of November 8th.

IT IS HEREBY ORDERED that the County Auditor cause Public Notice to be published in the official county newspapers stating the intention of the Board to fill the vacancy by appointment.

Dated this 21st day of March, 1994.

Delaware County Board of Supervisors
/S/ G. Eldon Koeneke
/S/ Jerome E. besler
/S/ Bob Clemen

ATTEST:
/S/ Sharon McCrabb, County Auditor

Motion made by Besler, seconded by Clemen and carried that the following employees be allowed to attend their respective meetings during the month of March: The Board of Supervisors to attend an RTA meeting in Dubuque and a substance abuse meeting in Independence; Bob Clemen to attend a Scenic Valley meeting in Dubuque; Bob Clemen and Brian Ridenour to attend an ISTEA meeting in Dubuque.

Motion made by Clemen, seconded by Besler and carried that the following Resolution be approved:

RESOLUTION

BE IT HEREBY RESOLVED by the board of Supervisors of Delaware County, Iowa, that the county audit for the fiscal years 1993/94, 1994/95 and 1995/96 be set for bids submitted by certified public accountants pursuant to the specifications of the 1993 Code of Iowa.

The Auditor is hereby ordered to publish in one county newspaper, a Public Notice requesting proposals for the three year audits with the bid letting date set for April 18, 1994 at 10:00 A.M., in the Supervisors' Office, Courthouse, Manchester, Iowa.

Dated this 21st day of March, 1994.

Delaware County Board of Supervisors
/S/ G. Eldon Koeneke, Chairman
/S/ Jerome E. Besler
/S/ Bob Clemen

ATTEST:
/S/ Sharon McCrabb, Auditor

Motion made by Besler, seconded by Clemen and carried that the contract #588FR014 with the Department of Public Health in the amount of $9,768.00 for flood recovery be approved.

Supervisor's Minutes,

KOCH BROTHERS, DES MOINES 80-841

Motion made by Clemen, seconded by Besler and carried that the following Resolution be approved:

RESOLUTION

WHEREAS: The Code of Iowa, Section 321, grants the Board of Supervisors the authority to impose restrictions as to the weight of vehicles operated upon a highway for a period not to exceed 90 days because of climatic conditions,

NOW, THEREFORE, BE IT RESOLVED: That the following described roads be restricted to twelve (12) ton load limit for a period of 90 days beginning March 21, 1994, or until conditions improve and signs are removed.

Local road from near the NE corner of Section 1-T88N-R6W to the NW corner of Section 2-T88N-R6W (known as the Dureyville cutoff).

Also the secondary road from the W½ Corner of teh NW¼ of Section 4-T89N-R3W easterly to the Dubuque County line near the E¼ corner, Section 1-T89N-R3W (known as the Petersburg to New Vienna road).

Delaware County Board of Supervisors
/S/ G. Eldon Koeneke, Chairman

There being no further business, this meeting adjourned. These minutes were read and approved.

G. Eldon Koeneke, Chairman — Sharon McCrabb, Auditor

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March 28, 1994
Manchester, Iowa

STATE OF IOWA)
) SS:
DELAWARE COUNTY)

The Delaware County Board of Supervisors met in regular session this date at 10:00 A.M. with all members present. G. Eldon Koeneke, Chairman, called the meeting to order.

Motion made by Besler, seconded by Clemen and carried that the following claims be approved:

	SECONDARY ROAD FUND	
Swiss Valley Ag Service	diesel fuel	$2,892.00
	GENERAL BASIC FUND	
Swiss Valley Ag Service	fuel	1,645.00

Motion made by Besler, seconded by Clemen and carried that the Application for Approval of Underground Construction on Delaware County Right-of-Way by GTE Midwest, Inc. for a buried cable 2½ miles NW from Hopkinton be approved.

Motion made by Besler, seconded by Clemen and carried that the following Resolution be approved:

RESOLUTION

Pursuant to the 1993 Code of Iowa, Section 331.323 Sub Section 2d, we do hereby authorize the destruction of the following records in the Auditor's Office:

1984 Assessor Real Estate & Personal Property Books
Election Registers from 1988 thru 1991
Cancelled Warrants and Duplicate Warrants from 1983 thru June 30, 1991
Voided Warrants from 1975 thru June 30, 1991

Dated this 28th day of March, 1994.

Delaware County Board of Supervisors
/S/ Eldon Koeneke, Chairman
/S/ Jerome Besler
/S/ Bob Clemen

Motion made by Clemen, seconded by Besler and carried that Clifford Newton be hired as the flood recovery worker effective this date at $8.00 per hour as part-time temporary employee.

Motion made by Besler, seconded by Clemen and carried that the following Resolution be approved as follows:

RESOLUTION

WHEREAS, counties nationwide spend at least $4.8 billion annually to comply with just 12 of the many unfunded mandates in federal programs; and

WHEREAS, Iowa counties generally spend between 55 cents and 65 cents of every county property tax dollar on mandates; and

WHEREAS, the number of mandates and the cost of mandates both keep increasing with no end in sight; and

WHEREAS, legislation is needed to guarantee that no mandate shall apply to any county unless the funds necessary to pay for that mandate are provided as well:

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF DELAWARE COUNTY that the county supports federal efforts to stop the mandate madness, in particular the Kempthorne/Condit Bill (S. 993/H.R.140), and urges all members of the Iowa Congressional delegation to cosponsor this important legislation.

/S/ G. Eldon Keoneke, Chairperson
Delaware County Board of Supervisors

ATTEST: /S/ Sharon McCrabb
County Auditor
Dated March 28, 1994.

Motion made by Clemen, seconded by Besler and carried that a letter be sent signed by the Board Chairperson

RESOLUTION

BE IT RESOLVED by the Delaware County Board of Supervisors, pursuant to the 1993 Iowa Code Chapter 352, that a public hearing was held on March 21, 1994, by the Delaware County Board of Supervisors to consider a "Proposal for Creation of an Agricultural Area" filed under this chapter wherein the petitioners proposed creating a legally described agricultural area.

BE IT HEREBY RESOLVED that the agricultural area be established as legally described:

The East one-half (E½) of the Southeast Quarter (SE¼); the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼); the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); and the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight (88) North, Range Five (5) West of the 5th P.M., except the railroad right-of-way, and subject to public highways and easements of record; and excepting from the above described real estate the following: Commencing on the section line situated at the Northeast corner of the East one-half (E½) of the Southeast Quarter (SE¼) of Section Seven (7), Township Eighty-Eight North (T88N), Range Five West (5W) of the 5th P.M., thence west on section center line a distance of 303 feet, thence South 453 feet, thence East 303 feet, thence North on the Section line 453 feet to the point of beginning; and further excepting Parcel A located in the Northeast Quarter (NE¼) of Section Seven (7), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M., Delaware County Iowa, as recorded in Book Seven Plats, Page 34, Delaware County Records.

The Southwest Quarter (SW¼) of Section Eight (8), Township Eighty Eight North (88N), Range Five West (5W) of the 5th P.M., subject to highways and easements of record and except the following descriptions: That part of the Southwest Quarter (SW¼) of Section eight (8), Township Eighty-Eight North (88N), Range Five West (5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8), thence North 2111.1 feet along the West line of said Section Eight (8) to the point of beginning; thence North 87°-54' East 240.5 feet, thence North 2°-06' West 224.9 feet, thence North 77°-45' West 237.5 feet, thence South 283.9 feet to the point of beginning, said parcel containing approximately 1.38 acres; further excepting that part of the Southwest Quarter (SW¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. described as commencing at the Southwest corner of said Section Eight (8), thence North 1,915.4 feet along the West line of said Section Eight (8) to the point of beginning, thence North 88°-10' East 461.3', thence North 2°-41' West 197.7 feet, thence South 87°-54' West 452.1 feet, thence South 195.7 feet to the point of beginning; and further excepting the West 190 feet of the East 2178.7 feet of the South 197.7 feet of the North 708.5 feet of the Southwest Quarter of Section Eight (8), Township Eighty Eight North (T88N) Range Five West (R5W) of the 5th P.M.

The West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except commencing at the Southwest corner of the West one-half (W½) of the Southeast Quarter (SE¼) of Section Eight (8), thence North 284.0 feet, thence East 258.0 feet, thence Southeasterly 284.8 feet to a point 278.9 feet East of said Southwest corner, thence West 278.9 feet to the point of beginning; all being subject to highways and easements of record.

The North one-half (N½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. subject to easements of record.

The Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eighty-Eight North (T88N), Range 5 West (R5W) of the 5th P.M. subject to easements of recor

The North one-half (N½) of the Northeast Quarter (NE¼) of Section Eight (8), Township Eight Eight North (T88N), Range Five West (R5W) of the 5th P.M. except commencing at the Northwes

corner of the Northeast Quarter (NE¼) of Section Eight (8), thence N 90°-00'00" East, along the north line of the Northeast Quarter (NE¼), 1593.11 feet to the Point of Beginning; thence continuing N 90°-00'-00" East along the north line of the Northeast Quarter (NE¼) 1046.89 feet to the Northeast corner of the Northeast Quarter (NE¼), thence S 0°-06'-00" West along the east line of the Northeast Quarter (NE¼) 606.45 feet, thence N 90°-00'-00" West 1094.63 feet, thence N 4°-36'-00" East 608.41 feet to the Point of Beginning; subject to easements of record. The exception is known as the survey and plat of Bishop's Subdivision.

The Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and the West one-half (W½) of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section Sixteen (16), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M. except Parcel A located in the Northwest Quarter (NW¼) of Section 16, Township 88North, Range 5 West of the 5th P.M., Delaware County, Iowa as recorded in Book 7 Plats, Page 40, Delaware County Records.

The East one-half (E½) of the Northwest Quarter (NW¼) and the North Three Fourths (N3/4) of the Northeast Quarter (NE¼) all in Section Seventeen (17), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M.

Dated this 4th day of April, 1994.

Delaware County Board of Supervisors

G. Eldon Koeneke

G. Eldon Koeneke, Chairman

ATTEST:

Sharon McCrabb

Sharon McCrabb, Auditor

BOUNDARY DESCRIPTION

The following are the boundaries of Section Seven (7), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M.:

The North Section line of the Northeast Quarter (NE¼); the West line of the Northeast Quarter (NE¼); the North line of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); the West line of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); the South line of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼); the South line of the Northwest Quarter (NE¼) of the Southeast Quarter (SE¼); the West line of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼); the South Section line of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼); the West Section line of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼); commencing at the Northeast corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) thence West on the section center line 303 feet, thence South 453 feet, thence East 303 feet to the East Section line, thence South to the Southeast corner of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼); and commencing at the Northeast corner of Section Seven (7), thence S 0°-03'-05" East along the East line of Section Seven (7) 1327.63 feet, thence S 89°-05'-03" West 494.03 feet, thence S 00°-21'-52" West 472.70 feet, thence N 89°-51'-03" East 135.67 feet, thence S 01°-50'-13" East 47.95 feet, thence N 88°-48'-22" East 360.32 feet, thence S 00°-03'-05" East 808.69 feet to the Southeast Corner of the Northeast Quarter (NE¼) of Section Seven (7).

The following are the boundaries of Section Eight (8), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th p.m.:

The South Section line of the Southwest Quarter (SW¼); commencing at the Southwest corner of the Southwest Quarter (SW¼) thence North 1915.4 feet along the WEst line of said Section Eight (8), thence North 88°-10' East 651.30 feet, thence N 2°-41' West 197.7 feet, thence S 87°-54' West 407.60 feet, thence N 2°-06' West 224.9 feet, thence N 77°-45' West 237.5 feet, thence North to the Northwest corner of the Southwest Quarter (SW¼) of said Section Eight (8); the North line of the Southwest Quarter (SW¼); the North line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼); the East line of the West one-half (W½) of the Southeast Quarter (SE¼); commencing at the Southeast corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), thence West to a point 278.9 feet East of the Southwest Corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), thence Northwesterly 284.8 feet, thence West 258.0 feet, thence South 284.0 feet.

The West line of the North one-half (N½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼); the West line of the Northwest Quarter (NW¼) of the Northeast Quarter (NE¼); commencing at the Northwest corner of the Northeast Quarter (NE¼) of said Section Eight (8), thence N 90°-00'-00" East along the North line of the Northeast Quarter (NE¼) 1593.11 feet, thence S 04°-36'-00" West 608.41 feet, thence S 90°-00'-00" East 1094.63 feet, thence South along the East Section line of the Northeast Quarter (NE¼) to the Southeast corner of the Northeast Quarter (NE¼); the South line of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼); the West line of the South one-half (S½) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼); the North line of the South one-half (S½) of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼)

The following are the boundaries of Section Sixteen (16), Township Eighty-Eight North (T88N), Range Five West (R5W) of the 5th P.M.:

The North Section line of the West Three Fourths (W3/4) of the Northwest Quarter (NW¼); the East line of the West Three Fourths (W3/4) of the North one-half (N½) of the Northwest Quarter (NW¼); the South line of the West Three Fourths (W3/4) of the North one-half (N½) of the Northwest Quarter (NW¼); commencing at the Southwest corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) thence North 110.09 feet, thence N 90°-00'-00" East 509.40 feet, thence N 00°-01'-56" East 476.50 feet, thence S 90°-00'-00" West 509.66 feet, thence N 00°-00'-00" East 735.10 feet along the West line of Section Sixteen (16).

The following are the boundaries of Section Seventeen (17), Township Eighty Eight North (T88N), Range Five West (R5W) of the 5th P.M.:

The North Section line of the East Three Fourths (E3/4) of Section Seventeen (17); the East Section line of the North Three Fourths (N3/4) of the Northeast Quarter (NE¼); the South line of the North Three Fourths (N3/4) of the Northeast Quarter (NE¼); the East line of the South one-half (S½) of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼); the South line of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼); and the West line of the East one half (E½) of the Northwest Quarter (NW¼).

All of the preceeding descriptions are subject to highways and easements of record.

FILED
SHARON McCRABB
DELAWARE COUNTY AUDITOR

FEB 28 1994