

# NOTICE OF RECLASSIFICATION OF Drainage District No. 3 & 4, Lateral 9

**NOTICE OF RECLASSIFICATION DRAINAGE DISTRICT NO. 3 & 4, LATERAL 9 HANCOCK COUNTY, IOWA**  
 Chizek, Marceline  
 To: Dean Cataldo, Marceline Chizek, Thomas C. Chizek, Hancock County Secondary Roads, Tad M. & Mallory R. Hartwig, Malek Family Trust, Eric Malek, Robert Malek, LeRoy J. Preuschl & Teresa M. Preuschl Revocable Living Trust, Gordon & Marilyn J. Pringnitz, Nancy L. Rayhons, Mark J. Rayhons, Scott M. Rayhons, Kimberly J. Ricke, Mark A. Ricke, Gary D. & Donna J. Schisel, Ryan & Jamie Smith, United States of America, including all owners, encumbrancers, lien holders, unknown heirs and claimants by will, and to all others to whom it may concern, including actual occupants of all the lands within Drainage District No. 3 & 4, Lateral 9, Hancock County, Iowa.

ously filed oath, depose, and say that we are the commissioners duly appointed to reclassify lands within the boundaries of Drainage District No. 3 & 4, Lateral 9, Hancock County, Iowa. Pursuant to said appointment, we have examined the Drainage District's records, as recorded by the Hancock County Auditor, to establish the original intended assessment boundary of this District. Any lands previously not recorded within the boundary of this District but have been found to be receiving benefits from the facilities of this District, were annexed into the District. We have examined each quarter-quarter section or smaller tract of land and have classified each of these parcels. The percentage of benefit each parcel derives from the District's drainage facilities has been determined. There is the Lower Lateral 9 Tile, Upper Lateral 9 Tile, and Lateral 31 Tile.

a basis upon which to spread levies required to cover the cost of the recent main tile repair project as well as those costs for future repairs to these facilities. An estimated project cost for the 2020 Main Tile Improvement Project apportioned to each facility was utilized as the dollar amount of the schedule. For the remaining Lateral 31 schedule, we have apportioned an assumed dollar amount to the lands in the district according to the relative percentages of benefit they derive. This schedule does not represent a levy but is intended to provide a basis upon which to spread levies required to cover future costs incurred by the Drainage District on this facility.

| Deed Holder   | Parcel Number | Sec-Twp-Rng | Legal Description                              | Benefited Acres  | Class. % | Assessment (\$)     | Ratio To Total Cost |
|---|---------------|-------------|--|------------------|----------|---------------------|---------------------|
| Deed Holder: Malek, Robert<br>Contract Buyer: Malek, Eric | 0716126002    | 16-96-24    | TR IN NE COR NW NE EXC TRACT 16 96 24          | 1.61             | 4.94     | \$866.42            | 0.578%              |
| Deed Holder: Malek, Robert<br>Contract Buyer: Malek, Eric | 0716101001    | 16-96-24    | N 287' OF W 157' NE NE 16 96 24                | 0.81             | 1.72     | \$301.67            | 0.201%              |
| Malek, Robert   | 0716101002    | 16-96-24    | NE NE EXC TRACT 16 96 24                       | 36.05            | 100.00   | \$17,538.94         | 11.693%             |
| Malek, Robert   | 0716176000    | 16-96-24    | SE NE 16 96 24                                 | 38.63            | 53.95    | \$9,462.26          | 6.308%              |
| Malek, Robert   | 0716401000    | 16-96-24    | NE SE EXC W 71.9' 16 96 24                     | 21.31            | 37.98    | \$6,661.29          | 4.441%              |
| Preuschl, Leroy J & Teresa M Revocable Living Trust       | 0715352000    | 15-96-24    | S 1/2 S 1/2 SW 15 96 24                        | 0.33             | 0.08     | \$14.03             | 0.009%              |
| Pringnitz, Gordon   | 0710326000    | 10-96-24    | NW SW 10 96 24                                 | 27.51            | 78.61    | \$13,787.36         | 9.192%              |
| Pringnitz, Gordon & Marilyn J                             | 0710351000    | 10-96-24    | SW SW 10 96 24                                 | 26.05            | 81.64    | \$14,318.79         | 9.546%              |
| Pringnitz, Gordon & Marilyn J                             | 0715101000    | 15-96-24    | NE NE 15 96 24                                 | 19.42            | 2.44     | \$427.95            | 0.285%              |
| Pringnitz, Gordon & Marilyn J                             | 0715127000    | 15-96-24    | NW NE EXC TR 15 96 24                          | 17.88            | 1.90     | \$333.24            | 0.222%              |
| Pringnitz, Gordon & Marilyn J                             | 0715151000    | 15-96-24    | SW NE 15 96 24                                 | 40.00            | 7.71     | \$1,352.25          | 0.902%              |
| Pringnitz, Gordon & Marilyn J                             | 0715176000    | 15-96-24    | SE NE 15 96 24                                 | 17.01            | 1.80     | \$315.70            | 0.210%              |
| Rayhons, Nancy L  | 0715301000    | 15-96-24    | NE SW 15 96 24                                 | 37.22            | 26.96    | \$4,728.50          | 3.152%              |
| Rayhons, Nancy L  | 0715326000    | 15-96-24    | NW SW 15 96 24                                 | 28.58            | 21.91    | \$3,842.78          | 2.562%              |
| Rayhons, Nancy L  | 0715351000    | 15-96-24    | N 1/2 S 1/2 SW 15 96 24 PIT EXEMPTION 75-W-193 | 4.95             | 2.03     | \$356.04            | 0.237%              |
| Rayhons, Nancy L  | 0716451000    | 16-96-24    | SW SE 16 96 24                                 | 20.21            | 20.77    | \$3,642.84          | 2.429%              |
| Rayhons, Nancy L  | 0716476002    | 16-96-24    | SE SE EXC TRACT 16 96 24                       | 6.08             | 6.57     | \$1,152.31          | 0.768%              |
| Rayhons, Scott  | 0715201000    | 15-96-24    | NE NW 15 96 24                                 | 27.50            | 4.28     | \$750.67            | 0.500%              |
| Rayhons, Scott M  | 0715226000    | 15-96-24    | NW NW 15 96 24                                 | 33.04            | 25.43    | \$4,460.15          | 2.973%              |
| Rayhons, Scott M  | 0715251000    | 15-96-24    | N 1/2 S 1/2 NW 15 96 24                        | 39.32            | 17.86    | \$3,132.45          | 2.088%              |
| Rayhons, Scott M  | 0715252000    | 15-96-24    | S 1/2 SW NW 15 96 24                           | 19.31            | 26.82    | \$4,703.94          | 3.136%              |
| Rayhons, Scott M  | 0715277000    | 15-96-24    | S 1/2 SE NW 15 96 24                           | 20.00            | 6.43     | \$1,127.75          | 0.752%              |
| Ricke, Kimberly J Etal                                    | 0709401000    | 09-96-24    | NE SE EXC TR 09 96 24                          | 16.25            | 46.52    | \$8,159.11          | 5.439%              |
| Ricke, Kimberly J Etal                                    | 0709476000    | 09-96-24    | SE SE EXC TR 09 96 24                          | 25.00            | 70.62    | \$12,386.00         | 8.257%              |
| Smith, Ryan & Jamie                                       | 0715126000    | 15-96-24    | TR 406' X 782.2' NW NE 15 96 24                | 0.98             | 0.09     | \$15.79             | 0.011%              |
| United States Of America                                  | 0709402000    | 09-96-24    | TR IN SE 09 96 24                              | 10.35            | 18.57    | \$3,256.98          | 2.171%              |
| Hancock County Secondary Roads Department                 | 101           | 0           | 0  | 14.02            | 50.76    | \$8,902.74          | 5.935%              |
| <b>Total</b>  |               |             |  | <b>692.87 Ac</b> |          | <b>\$150,000.00</b> | <b>100.00%</b>      |

### RECLASSIFICATION SCHEDULE UPPER LATERAL 9 DRAINAGE DISTRICT NO. 3 & 4 HANCOCK COUNTY, IOWA

#### Upper Lateral 9 Maintenance Assessment Schedule

This schedule is intended for payment of the Upper Lateral 9 portion of the 2020 Drainage Improvement costs and all future maintenance.

| Deedholder(s)  | Parcel Number | Sec-Twp-Rng | Legal Description                              | Benefited Acres  | Class. % | Assessment (\$)     | Ratio To Total Cost |
|--|---------------|-------------|--|------------------|----------|---------------------|---------------------|
| Cataldo, Dean  | 0715401000    | 15-96-24    | NE SE 15 96 24                                 | 22.36            | 5.64     | \$989.20            | 0.659%              |
| Cataldo, Dean  | 0715426000    | 15-96-24    | NW SE EXC TR 15 96 24                          | 11.18            | 3.64     | \$638.42            | 0.426%              |
| Cataldo, Dean  | 0715452000    | 15-96-24    | SW SE EXC TR 15 96 24                          | 3.01             | 0.72     | \$126.28            | 0.084%              |
| Cataldo, Dean  | 0715476000    | 15-96-24    | SE SE 15 96 24                                 | 6.53             | 0.81     | \$142.07            | 0.095%              |
| Deed Holder: Chizek, Marceline<br>Contract Buyer: Chizek, Thomas C | 0715427000    | 15-96-24    | TR IN NW SE 15 96 24                           | 24.39            | 8.62     | \$1,511.86          | 1.008%              |
| Chizek, Thomas C   | 0715451000    | 15-96-24    | TR IN SW SE 15 96 24                           | 2.65             | 0.83     | \$145.57            | 0.097%              |
| Malek Family Trust   | 0716128000    | 16-96-24    | NW NE EXC IRREG TR 16 96 24                    | 9.81             | 17.34    | \$3,041.25          | 2.028%              |
| Malek Family Trust   | 0716151000    | 16-96-24    | SW NE 16 96 24                                 | 30.12            | 50.69    | \$8,890.49          | 5.927%              |
| Malek Family Trust   | 0716402000    | 16-96-24    | W 71.9' NE SE 16 96 24                         | 2.18             | 4.93     | \$864.67            | 0.576%              |
| Malek Family Trust   | 0716426000    | 16-96-24    | NW SE 16 96 24                                 | 30.80            | 43.04    | \$7,548.76          | 5.033%              |
| Malek, Eric  | 0716126001    | 16-96-24    | N 217' OF E 170' NW NE 16 96 24                | 0.42             | 0.59     | \$103.48            | 0.069%              |
| Deed Holder: Malek, Robert<br>Contract Buyer: Malek, Eric          | 0716126002    | 16-96-24    | TR IN NE COR NW NE EXC TRACT 16 96 24          | 1.61             | 4.94     | \$866.42            | 0.578%              |
| Deed Holder: Malek, Robert<br>Contract Buyer: Malek, Eric          | 0716101001    | 16-96-24    | N 287' OF W 157' NE NE 16 96 24                | 0.81             | 1.72     | \$301.67            | 0.201%              |
| Malek, Robert  | 0716101002    | 16-96-24    | NE NE EXC TRACT 16 96 24                       | 36.05            | 100.00   | \$17,538.94         | 11.693%             |
| Malek, Robert  | 0716176000    | 16-96-24    | SE NE 16 96 24                                 | 38.63            | 53.95    | \$9,462.26          | 6.308%              |
| Malek, Robert  | 0716401000    | 16-96-24    | NE SE EXC W 71.9' 16 96 24                     | 21.31            | 37.98    | \$6,661.29          | 4.441%              |
| Preuschl, Leroy J & Teresa M Revocable Living Trust                | 0715352000    | 15-96-24    | S 1/2 S 1/2 SW 15 96 24                        | 0.33             | 0.08     | \$14.03             | 0.009%              |
| Pringnitz, Gordon  | 0710326000    | 10-96-24    | NW SW 10 96 24                                 | 27.51            | 78.61    | \$13,787.36         | 9.192%              |
| Pringnitz, Gordon & Marilyn J                                      | 0710351000    | 10-96-24    | SW SW 10 96 24                                 | 26.05            | 81.64    | \$14,318.79         | 9.546%              |
| Pringnitz, Gordon & Marilyn J                                      | 0715101000    | 15-96-24    | NE NE 15 96 24                                 | 19.42            | 2.44     | \$427.95            | 0.285%              |
| Pringnitz, Gordon & Marilyn J                                      | 0715127000    | 15-96-24    | NW NE EXC TR 15 96 24                          | 17.88            | 1.90     | \$333.24            | 0.222%              |
| Pringnitz, Gordon & Marilyn J                                      | 0715151000    | 15-96-24    | SW NE 15 96 24                                 | 40.00            | 7.71     | \$1,352.25          | 0.902%              |
| Pringnitz, Gordon & Marilyn J                                      | 0715176000    | 15-96-24    | SE NE 15 96 24                                 | 17.01            | 1.80     | \$315.70            | 0.210%              |
| Rayhons, Nancy L   | 0715301000    | 15-96-24    | NE SW 15 96 24                                 | 37.22            | 26.96    | \$4,728.50          | 3.152%              |
| Rayhons, Nancy L   | 0715326000    | 15-96-24    | NW SW 15 96 24                                 | 28.58            | 21.91    | \$3,842.78          | 2.562%              |
| Rayhons, Nancy L   | 0715351000    | 15-96-24    | N 1/2 S 1/2 SW 15 96 24 PIT EXEMPTION 75-W-193 | 4.95             | 2.03     | \$356.04            | 0.237%              |
| Rayhons, Nancy L   | 0716451000    | 16-96-24    | SW SE 16 96 24                                 | 20.21            | 20.77    | \$3,642.84          | 2.429%              |
| Rayhons, Nancy L   | 0716476002    | 16-96-24    | SE SE EXC TRACT 16 96 24                       | 6.08             | 6.57     | \$1,152.31          | 0.768%              |
| Rayhons, Scott   | 0715201000    | 15-96-24    | NE NW 15 96 24                                 | 27.50            | 4.28     | \$750.67            | 0.500%              |
| Rayhons, Scott M   | 0715226000    | 15-96-24    | NW NW 15 96 24                                 | 33.04            | 25.43    | \$4,460.15          | 2.973%              |
| Rayhons, Scott M   | 0715251000    | 15-96-24    | N 1/2 S 1/2 NW 15 96 24                        | 39.32            | 17.86    | \$3,132.45          | 2.088%              |
| Rayhons, Scott M   | 0715252000    | 15-96-24    | S 1/2 SW NW 15 96 24                           | 19.31            | 26.82    | \$4,703.94          | 3.136%              |
| Rayhons, Scott M   | 0715277000    | 15-96-24    | S 1/2 SE NW 15 96 24                           | 20.00            | 6.43     | \$1,127.75          | 0.752%              |
| Ricke, Kimberly J Etal   | 0709401000    | 09-96-24    | NE SE EXC TR 09 96 24                          | 16.25            | 46.52    | \$8,159.11          | 5.439%              |
| Ricke, Kimberly J Etal   | 0709476000    | 09-96-24    | SE SE EXC TR 09 96 24                          | 25.00            | 70.62    | \$12,386.00         | 8.257%              |
| Smith, Ryan & Jamie  | 0715126000    | 15-96-24    | TR 406' X 782.2' NW NE 15 96 24                | 0.98             | 0.09     | \$15.79             | 0.011%              |
| United States Of America   | 0709402000    | 09-96-24    | TR IN SE 09 96 24                              | 10.35            | 18.57    | \$3,256.98          | 2.171%              |
| Hancock County Secondary Roads Department                          | 101           | 0           | 0  | 14.02            | 50.76    | \$8,902.74          | 5.935%              |
| <b>Total</b>   |               |             |  | <b>692.87 Ac</b> |          | <b>\$150,000.00</b> | <b>100.00%</b>      |

### RECLASSIFICATION SCHEDULE LATERAL 31 DRAINAGE DISTRICT NO. 3 & 4 HANCOCK COUNTY, IOWA

#### Lateral 31 Maintenance Assessment Schedule

This schedule is intended for future maintenance. It is not a 2021 levy.

| Deedholder(s)                             | Parcel Number | Sec-Twp-Rng | Legal Description        | Benefited Acres | Class. % | Assessment (\$)    | Ratio To Total Cost |
|---|---------------|-------------|--------------------------|-----------------|----------|--------------------|---------------------|
| Malek, Robert                             | 016101002     | 16-96-24    | NE NE EXC TRACT 16 96 24 | 9.96            | 20.88    | \$1,296.65         | 12.967%             |
| Malek, Robert                             | 0716176000    | 16-96-24    | SE NE 16 96 24           | 2.46            | 11.43    | \$709.81           | 7.098%              |
| Rayhons, Scott M                          | 0715226000    | 15-96-24    | NW NW 15 96 24           | 17.26           | 100.00   | \$6,210.02         | 62.100%             |
| Rayhons, Scott M                          | 0715251000    | 15-96-24    | N 1/2 S 1/2 NW 15 96 24  | 2.93            | 4.27     | \$265.17           | 2.652%              |
| Hancock County Secondary Roads Department | 101           | 0           | 0                        | 2.97            | 24.45    | \$1,518.35         | 15.184%             |
| <b>Total</b>                              |               |             |                          | <b>35.58 Ac</b> |          | <b>\$10,000.00</b> | <b>100.00%</b>      |

YOU ARE FURTHER NOTIFIED that the assessment schedule sets out a classification and assessment which shall be the basis for future repairs and improvements made in this District. The Hancock County Board of Supervisors has tentatively approved the report as filed and has fixed the time for hearing on said report for March 8, 2021 at 11:15 a.m. at the Basement Meeting room, Hancock County Law Enforcement Center, 875 State Street, Garner, Iowa. Additionally, the meeting will be held online using go to meeting link: <https://global.gotomeeting.com/join/469669877> or by calling: 1 (646) 749-3122 and using access code: 469-669-877.

YOU ARE FURTHER NOTIFIED that all objections to the Reclassification Report must be in writing and filed with the Hancock County Auditor at or before the time set

for the hearing. At said hearing the Hancock County Board of Supervisors shall hear and determine all written objections to the report, and may affirm, increase or decrease the percentage of benefits or apportionment of costs and expenses made in the report against any tract of land in the District, as may appear to the Board to be just and equitable.

YOU ARE FURTHER NOTIFIED that at such hearing, the Board may hear evidence both for and against the approval of the report or any portion thereof, but it shall not be competent to show that any of the land in the district assessed for benefits will not be benefited by such repairs or improvements to some degree. Any interested party may be heard in argument by himself or counsel.

If Landowners have private tile

maps that display water being tiled into or out of the watershed as depicted in the Engineer's Report, they are asked to provide these maps to the Engineer before the time set for hearing so that the impact of such maps can be determined.

YOU ARE FINALLY NOTIFIED that your failure to file a written objection may result in the consequence of waiving your right to appeal any decision to the District Court.

THIS NOTICE is published and mailed as provided by law at the direction of the Board of Supervisors of Hancock County, Iowa, acting as Trustees of Drainage District No. 3 & 4, Lateral 9.

*Michelle K. Eisenman*  
 Hancock County Auditor  
 Published in The Leader on  
 Wednesday, Feb. 3, 2021

HEREBY NOTIFIED that the Board of Supervisors of Hancock County, Iowa, acting as Trustees for Drainage District No. 3 & 4, Lateral 9, appointed a Classification Commission, as provided by law, for the reclassification of Drainage District No. 3 & 4, Lateral 9, Hancock County, Iowa. The classification commission has filed its report with the Hancock County Auditor, 855 State Street, Garner, Iowa. The report fixes the percentage of actual benefits and makes an equitable apportionment of costs and expenses of the repairs or improvements required in this District.

The Lower Lateral 9 schedule apportions costs related to improving the Lateral 9 Tile as part of the 2020 Lateral 9 Improvement Project. The costs are divided to the lands in the district according to the relative percentages of benefit they derive. This schedule is intended to provide a basis upon which to spread levies required to cover the cost of the recent main tile improvement project as well as those costs for future repairs to these facilities. An estimated project cost for the 2020 Main Tile Improvement Project apportioned to each facility was utilized as the dollar amount of the schedule. The Lateral 9 Tile was separated into a Lower Lateral 9 Tile which was the portion of the lateral that was improved from the outlet to approximate Station 7+16 and an Upper Lateral 9 Tile which was the portion that has not yet been improved.

Schedules: The individual schedules are intended to list all parcels benefited by the district facility for which the schedule is prepared. For each parcel in the district, the schedules provide the following:  
 1. The names of the landowner thereof as shown on the transfer books in the Hancock County Auditor's Offices.  
 2. The parcel numbers and descriptions.  
 3. The number of benefited acres.  
 4. The classification or percentage of benefits derived relative to a 100% benefit assigned to the tract found to have the greatest benefit.  
 5. An apportionment of the estimated total project costs for 2020 Lateral 9 Improvement Project or of the assumed dollar amount for the remaining lateral facilities according to our classification of the benefited lands.  
 6. The ratio of cost to the total cost.

The Upper Lateral 9 schedule apportions costs related to repairing the Lateral 9 Tile as part of the 2020 Lateral 9 Improvement Project. The costs are divided to the lands in the district according to the relative percentages of benefit they derive. This schedule is intended to provide

The schedules also show benefits to the Hancock County's Secondary Road Right-of-Way. We recommend that this report containing three (3) schedules be adopted.

### COMMISSIONERS' REPORT RECLASSIFICATION OF BENEFITS DRAINAGE DISTRICT NO. 3 & 4, LATERAL 9 HANCOCK COUNTY, IA 2021

We, Brent Renner, Jon Hollatz, and Kent L. Rode, P.E., having previ-

### RECLASSIFICATION SCHEDULE LOWER LATERAL 9 DRAINAGE DISTRICT NO. 3 & 4 HANCOCK COUNTY, IOWA

#### Lower Lateral 9 Maintenance Assessment Schedule

This schedule is intended for payment of the Lower Lateral 9 portion of the 2020 Drainage Improvement costs and all future maintenance.

| Deedholder(s)  | Parcel Number | Sec-Twp-Rng | Legal Description     | Benefited Acres | Class. % | Assessment (\$) | Ratio To Total Cost |
|--|---------------|-------------|-----------------------|-----------------|----------|-----------------|---------------------|
| Cataldo, Dean  | 0715401000    | 15-96-24    | NE SE 15 96 24        | 22.36           | 34.71    | \$3,794.36      | 4.216%              |
| Cataldo, Dean  | 0715426000    | 15-96-24    | NW SE EXC TR 15 96 24 | 11.18           | 22.28    | \$2,435.56      | 2.706%              |
| Cataldo, Dean  | 0715452000    | 15-96-24    | SW SE EXC TR 15 96 24 | 27.71           | 32.70    | \$3,574.64      | 3.972%              |
| Cataldo, Dean  | 0715476000    | 15-96-24    | SE SE 15 96 24        | 11.98           | 7.99     | \$873.44        | 0.970%              |
| Deed Holder: Chizek, Marceline<br>Contract Buyer: Chizek, Thomas C | 0715427000    | 15-96-24    | TR IN NW SE 15 96 24  | 28.82           | 51.75    | \$5,657.11      | 6.286%              |