

**NOTICE OF HEARING OF ANNEXATION
PIGEON CREEK DRAINAGE DISTRICT NO. 2
SUBDRAINAGE DISTRICT NO. 3
POTTAWATTAMIE COUNTY, IOWA**

TO: BLUFF VIEW FARM INC; BOSTWICK, LARRY E-KAREN E; BROWN, RICHARD G-MARGARET A LIFE ESTATE; CHICAGO CENTAL PACIFIC C/O CANADIAN NATIONAL RAILROAD; DILTS, ELLEN R TRUST; DOYLE LAND LLC; FOLEY, PAMELA J; FRAZIER FARMS INC; FROST, JOHN DAVID-TERESA; HANSEN, ROBERT D-MARY A TRUSTS; H-H FARMS; HOHNEKE, MARK C; HOHNEKE, RALPH C-ELLEN A; IOWA, STATE OF; J-J TOMAN LLC; KNOTT, JENNY L; MAK FARM CO LLC; MANDER, KEITH E-CHARLOTTE; MARTENS, ROBERT E; MORRISON FAMILY TRUST; POTTAWATTAMIE CO SECONDARY RDS; POTTAWATTAMIE COUNTY; PRYOR, JUDY A TRUST; RAES, DOLORES E; ROHAN, MARY PATRICIA TRUST; SAMPSON, JOHN E; SAMPSON, JOHN E-MARY MARGARET; SELLERS, CHERYL K; SORENSON ENTERPRISES INC; TAYLOR TRUST; TOMAN, JERI E TRUST; UNION PACIFIC RAILROAD CO; WEST, DARREN; WEST, GEORGE C JR-KATHRYN A; WEST, GEORGE SR TRUST; WEST, MARTY CARY; WEST, RICHARD; WORTH, RANDALL A-CINDY L TRUST owners owning lands described below which are the subject matter of this annexation procedure, lien holders of record, and actual occupants of said lands and to all other persons whom it may concern.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the Trustees, acting in behalf of Pigeon Creek Drainage District No. 2 Subdrainage District No. 3, Pottawattamie County, Iowa, have adopted a Resolution of Necessity for the annexation of additional lands to Pigeon Creek Drainage District No. 2 Subdrainage District No. 3 as provided by law.

YOU ARE FURTHER NOTIFIED that the Trustees have appointed Bolton & Menk, Inc., a qualified engineer, to examine such additional lands, to make a survey and plat thereof showing the relation, elevation, and condition of drainage with reference to Pigeon Creek Drainage District No. 2 Subdrainage District No. 3 and to make and file with the Pottawattamie County Auditor a report as provided by law. Said report to specify the character of benefits received. Said report provides as follows:

**ENGINEER'S REPORT
ANNEXATION
DRAINAGE DISTRICT NO. 2, SUBDRAINAGE DISTRICT NO. 3
POTTAWATTAMIE COUNTY, IOWA
2022**

The Drainage District No. 2 Subdrainage District No. 3 Trustees have appointed Bolton & Menk, Inc. as engineer to investigate and recommend the annexation of benefited lands not now included in Drainage District No. 2 Subdrainage District No. 3. The included map shows the area of land now assessed for benefits from the DD 2 Sub 3 facilities and the 73.2 acres now recommended for annexation.

During the course of the investigation the engineer reviewed each parcel under consideration for benefit. Extensive drainage district records on file in the County Auditor's office and publicly available

aerial photographs, land surface elevations and soils information were reviewed and utilized to determine the elevation and condition of drainage with relation to the several facilities of Drainage District No. 2 Subdrainage District No. 3. It is this engineer's opinion that all of the land areas shown in yellow hatching on the included map, totaling approximately 73.2 acres, are protected by the existing DD 2 Sub 3 facilities and are materially benefited by the facilities of Drainage District No. 2 Subdrainage District No. 3. Material benefits for all parcels include protection from river overflow provided by the existing district facilities.

Based on the information available to the engineer it is recommended that the trustees pursue the annexation of the several benefiting parcels described herein. Listed for each legal parcel being recommended for annexation are the owner(s) of record, the legal description and the approximate number of benefited acres within the parcel. Actual benefited acres in each parcel will be established at the time the lands are classified. Benefiting county road rights-of-way which adjoin the annexed parcels, will also be made eligible for assessment by this action. A schedule of lands benefited by the existing DD 2 Sub 3 facilities and recommended for annexation is included with this report.

Annexation of the lands recommended herein is considered feasible, practicable and for the public good. It is therefore recommended that the Trustees take appropriate steps to accomplish the following:

1. Tentatively approve this report.
2. Subject to qualified legal guidance, schedule and give formal notice of and conduct the required public hearing or hearings as needed.
3. Annex to Drainage District No. 2 Subdrainage District No. 3 the lands ultimately determined to be benefited.

Respectfully submitted,
Bolton & Menk, Inc.

[SEAL]

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Iowa. My renewal date is December 31, 2024.

By: /s/ Jonathan P. Rosengren
Jonathan P. Rosengren, P.E.
License No. 21661
Date: September 13, 2022

LANDS RECOMMENDED FOR ANNEXATION
PIGEON CREEK DRAINAGE DISTRICT NO. 2
SUB 3 & PAXTON LEVEE
POTTAWATTAMIE COUNTY, IOWA
2022

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|---------------------------------|---------------|----------|---|---------------------|
| PRYOR, JUDY A TRUST | 774427300006 | 27-77-44 | SE SW | 38.00 |
| PRYOR, JUDY A TRUST | 774434100001 | 34-77-44 | NW NW E OF RR | 32.40 |
| PRYOR, JUDY A TRUST | 774434100002 | 34-77-44 | W1/2 NE NW | 19.5 |
| PRYOR, JUDY A TRUST | 774434100003 | 34-77-44 | SW NW E RR WLY18.18 AC | 18.18 |
| PRYOR, JUDY A TRUST | 774434100004 | 34-77-44 | SW NW E RR ELY14 AC | 14.00 |
| PRYOR, JUDY A TRUST | 774434100005 | 34-77-44 | W1/2 SE NW N OF DITCH | 17.70 |
| PRYOR, JUDY A TRUST | 774434300001 | 34-77-44 | NW SW E OF RR EXC DITCH | 10.5 |
| PRYOR, JUDY A TRUST | 774434200004 | 34-77-44 | E1/2 SW NE N OF DITCH | 17.9 |
| PRYOR, JUDY A TRUST | 774434400005 | 34-77-44 | NE SE EXC DITCH | 21.3 |
| BOSTWICK, LARRY E-KAREN E | 774427100001 | 27-77-44 | NW NW E OF RR | 34.39 |
| BOSTWICK, LARRY E-KAREN E | 774427100002 | 27-77-44 | NE NW | 40.00 |
| BOSTWICK, LARRY E-KAREN E | 774427100003 | 27-77-44 | SW NW E OF RR | 34.44 |
| BOSTWICK, LARRY E-KAREN E | 774427100004 | 27-77-44 | SE NW | 40.00 |
| BOSTWICK, LARRY E-KAREN E | 774427300001 | 27-77-44 | NW SW E OF RR EXC E495' & N OF RD | 15.86 |
| BROWN, RICHARD G- MARGARET A | 774421200012 | 21-77-44 | PT SW NE & PT LT 4 A S SE NE COMM 132.44'N SE COR TH N130' NW1011.87' W1470.89'S532.34' E2423.72' TOPOB (PARCELS B) | 23.7 |
| DILTS, ELLEN R TRUST | 774434100006 | 34-77-44 | E1/2 E1/2 NW N OF DITCH | 32.4 |
| DILTS, ELLEN R TRUST | 774434200001 | 34-77-44 | NW NE | 38.4 |
| DILTS, ELLEN R TRUST | 774434200003 | 34-77-44 | W1/2 SW NE N OF DITCH | 18.2 |
| DOYLE LAND LLC | 774423376001 | 23-77-44 | W OF RD SE SW | 12.60 |
| DOYLE LAND LLC | 774426100002 | 26-77-44 | NE NW W OF RR | 23.2 |
| FOLEY, PAMELA J | 774433100001 | 33-77-44 | N304.6' W387.53' NW NW | 2.5 |
| FRAZIER FARMS INC | 774426100007 | 26-77-44 | SW NW | 40.00 |
| FRAZIER FARMS INC | 774426100008 | 26-77-44 | SE NW EXC RR & HWY & EXC S150' E OF RR | 32.8 |
| FRAZIER FARMS INC | 774426300001 | 26-77-44 | NW SW | 39.6 |
| FRAZIER FARMS INC | 774426300002 | 26-77-44 | NE SW EXC RR | 36.60 |
| FRAZIER FARMS INC | 774426300003 | 26-77-44 | SW SW | 39.0 |

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|--------------------------------|---------------|----------|--|---------------------|
| FRAZIER FARMS INC | 774426300004 | 26-77-44 | SE SW EXC RR & W1/2 SW1/4 SE1/4 LYING W OF RR | 30.1 |
| FRAZIER FARMS INC | 774433200001 | 33-77-44 | NW NE | 39.00 |
| FRAZIER FARMS INC | 774433200002 | 33-77-44 | NE NE W OF I-29 | 31.90 |
| FRAZIER FARMS INC | 774433200003 | 33-77-44 | SW NE | 39.00 |
| FRAZIER FARMS INC | 774433200004 | 33-77-44 | SE NE EXC I-29 | 31.50 |
| FRAZIER FARMS INC | 774435100001 | 35-77-44 | NW NW | 20.5 |
| FRAZIER FARMS INC | 774435100004 | 35-77-44 | SW NW | 10.4 |
| FRAZIER FARMS INC | 774435300001 | 35-77-44 | NW SW | 13.8 |
| FRAZIER FARMS INC | 774435300002 | 35-77-44 | NE SW | 0.6 |
| FROST, JOHN DAVID-TERESA | 774421300004 | 21-77-44 | SE SW | 32.1 |
| FROST, JOHN DAVID-TERESA | 774428100002 | 28-77-44 | NE NW | 31.6 |
| FROST, JOHN DAVID-TERESA | 774428100003 | 28-77-44 | SW NW | 24.8 |
| FROST, JOHN DAVID-TERESA | 774428100004 | 28-77-44 | SE NW | 39.00 |
| FROST, JOHN DAVID-TERESA | 774428300001 | 28-77-44 | NW SW | 38.20 |
| FROST, JOHN DAVID-TERESA | 774428300002 | 28-77-44 | NE SW | 38.10 |
| H-H FARMS | 774415400008 | 15-77-44 | SE SE | 28.2 |
| H-H FARMS | 774422200002 | 22-77-44 | NE NE | 38.2 |
| H-H FARMS | 774423100001 | 23-77-44 | NW NW W OF RR | 7.1 |
| HANSEN, ROBERT D-MARY A TRUSTS | 774433300001 | 33-77-44 | G/L 1 NW SW | 25.9 |
| HANSEN, ROBERT D-MARY A TRUSTS | 774433300002 | 33-77-44 | NE SW N OF DD | 33.5 |
| HANSEN, ROBERT D-MARY A TRUSTS | 774433300003 | 33-77-44 | AUD SUB ACCRE TO G/L 1 & 2 NW SW LT 7 | 6.8 |
| HANSEN, ROBERT D-MARY A TRUSTS | 774433400001 | 33-77-44 | NW SE EXC DITCH | 34.0 |
| HANSEN, ROBERT D-MARY A TRUSTS | 774433400002 | 33-77-44 | NE SE EXC DD & EXC I-29 | 25.2 |
| H-H FARMS | 774415400004 | 15-77-44 | EXC W247' S1/2 NW SE | 14.4 |
| H-H FARMS | 774415400005 | 15-77-44 | EXC W247' SW SE | 33.2 |
| H-H FARMS | 774415400007 | 15-77-44 | S1/2 NE SE LYING W OF RR | 10.6 |
| HOHNEKE, MARK C | 774435300005 | 35-77-44 | SE SW W OF RR SW SE | 19.7 |
| HOHNEKE, RALPH C-ELLEN A | 774427200002 | 27-77-44 | NE NE W OF DITCH | 27.70 |
| HOHNEKE, RALPH C-ELLEN A | 774427200005 | 27-77-44 | SE NE | 40.00 |
| HOHNEKE, RALPH C-ELLEN A | 774427400001 | 27-77-44 | NW SE | 40.00 |
| HOHNEKE, RALPH C-ELLEN A | 774427400003 | 27-77-44 | SW SE | 37.4 |
| HOHNEKE, RALPH C-ELLEN A | 774434200002 | 34-77-44 | NE NE | 39.00 |
| HOHNEKE, RALPH C-ELLEN A | 774434200005 | 34-77-44 | SE NE N OF DITCH | 34.3 |
| KNOTT, JENNY L | 774432200008 | 32-77-44 | PT SE NE COMM 218'N E1/4 COR SECT 32 TH W433' N300' E433' S300' TO POB | 3.0 |

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|---------------------------|---------------|----------|--|---------------------|
| KNOTT, JENNY L | 774432200010 | 32-77-44 | PT G/L 1 & G/L 2 & AUD SUB OF ACCRETIONS PT LTS 1,2,3,4,5,6,11 & 12 COMM 518.04'NE1/4 COR SECTION 32TH N722.71' W1402.23'S33.13' WLY1010.74' SWLY656.93'SLY3309.26' E422.45'NLY2762.93' NE259.91'S1193.1' E1273.93' N1046.01' W435.78'N600' E433' TO POB(PARCEL A) | 56.4 |
| MAK FARM CO LLC | 764431100001 | 31-76-44 | G/L 1 S OF I-680 N1/2 NW | 3.0 |
| MAK FARM CO LLC | 764431200002 | 31-76-44 | NW NE S OF INTERSTATE & GOVT LTS 2 & 3 NW SE EXC ELY300' | 3.8 |
| MANDER, KEITH E-CHARLOTTE | 774422300001 | 22-77-44 | NW SW EXC RR | 35.61 |
| MANDER, KEITH E-CHARLOTTE | 774422300003 | 22-77-44 | NE SW SE OF CRK | 24.40 |
| MANDER, KEITH E-CHARLOTTE | 774422300004 | 22-77-44 | SW SW & W16.5' S1/2 SE SW EXC COMM 16.5'E SW COR SE SW TH W156.5' N311.14'E156.5' S311.14' TOPOB | 33.94 |
| MANDER, KEITH E-CHARLOTTE | 774422300005 | 22-77-44 | SE SW N1/2 | 19.8 |
| MARTENS, ROBERT E | 774415300001 | 15-77-44 | NW SW EXC RR | 8.8 |
| MARTENS, ROBERT E | 774415300002 | 15-77-44 | SW SW EXC RR | 31.4 |
| MARTENS, ROBERT E | 774416400006 | 16-77-44 | SE SE EXC N225' E200' W OF I-29 | 24.4 |
| MARTENS, ROBERT E | 774421200005 | 21-77-44 | NE NE AUD SUB LT 2 | 12.80 |
| MARTENS, ROBERT E | 774421200006 | 21-77-44 | AUD SUB LT 1 NE NE EXC I-29 | 13.50 |
| MARTENS, ROBERT E | 774421200009 | 21-77-44 | SE NE AUD SUB LT 2 | 4.70 |
| MARTENS, ROBERT E | 774421200010 | 21-77-44 | AUD SUB LT 1 SE NE EXC I-29 | 8.00 |
| MORRISON FAMILY TRUST | 774427300005 | 27-77-44 | SW SW E OF RR | 31.97 |
| NELSON, KATHY JO | 774415400002 | 15-77-44 | PT NW SE BEG 1739.19'N OF S1/4 COR TH E247' S183.39' W157.3' N46.4' W41.5'N17.5' W48.1' N122.3'TO POB | 0.8 |

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|----------------------------------|---------------|----------|--|---------------------|
| POTTAWATTAMIE COUNTY | 774416400004 | 16-77-44 | PT E1/2 SE1/4 BEG INTER OF I-29 & CRK TH S340' W200' N225' NE TO POB | 0.1 |
| POTTAWATTAMIE COUNTY | 774421400001 | 21-77-44 | PT W1/2 SE COMM 1005.11'S NW COR TH E312.51' S270.32' SW59.37' S187.4'W259.38' N507.37' TOPOB (PARCELS A) | 3.1 |
| POTTAWATTAMIE COUNTY | 774427400004 | 27-77-44 | PT SE SE COMM SW COR TH N381.52' E125' S381.52' W125' TO POB (INCLUDES PARCELA) | 1.0 |
| RAES, DOLORES E | 774427400002 | 27-77-44 | NE SE | 40.00 |
| RAES, DOLORES E | 774427400006 | 27-77-44 | SE SE EXC S381.52' W125' | 38.00 |
| ROHAN, MARY PATRICIA TRUST | 774416400002 | 16-77-44 | NW SE EXC DRAINAGE DIST | 0.4 |
| ROHAN, MARY PATRICIA TRUST | 774416400005 | 16-77-44 | SW SE & E OF C/L RD SE SW | 32.7 |
| ROHAN, MARY PATRICIA TRUST | 774421200002 | 21-77-44 | NW NE AUD SUB LT 1 | 33.00 |
| ROHAN, MARY PATRICIA TRUST | 774421200004 | 21-77-44 | NE NE AUD SUB LT 3 | 3.80 |
| ROHAN, MARY PATRICIA TRUST | 774421200008 | 21-77-44 | SE NE AUD SUB LT 3 | 0.70 |
| SAMPSON, JOHN E | 774427200001 | 27-77-44 | NW NE | 40.00 |
| SAMPSON, JOHN E | 774427200004 | 27-77-44 | SW NE | 40.00 |
| SAMPSON, JOHN E | 774427300003 | 27-77-44 | NW SW E495' | 14.1 |
| SAMPSON, JOHN E | 774427300004 | 27-77-44 | NE SW | 39.00 |
| SAMPSON, JOHN E-MARY MARGARET | 774421200001 | 21-77-44 | NW NE AUD SUB LT 2 | 3.9 |
| SAMPSON, JOHN E-MARY MARGARET | 774421200003 | 21-77-44 | NW NE AUD SUB LT 3 | 1.9 |
| SAMPSON, JOHN E-MARY MARGARET | 774421200007 | 21-77-44 | SW NE EXC COMM SW COR TH N652.24' SE1367.58' S613.93' W1361.81' TO POB(PARCEL A) | 22.54 |
| SAMPSON, JOHN E-MARY MARGARET | 774421200011 | 21-77-44 | AUD SUB LT 4 SE NE EXC COMM SE COR TH W1055.82' N613.93' E103.51' SE1011.87'S265.98' TO POB & EXCI-29 (PARCEL A) | 6.81 |

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|-----------------------------------|---------------|----------|--|---------------------|
| SAMPSON, JOHN E-MARY MARGARET | 774421200013 | 21-77-44 | PT SW NE & PT LT 4 A S SE NE COMM SE COR TH N132.44' W2423.72' S119.9' E2417.63' TOPOB (PARCELS C) | 7.0 |
| SAMPSON, JOHN E-MARY MARGARET | 774421400002 | 21-77-44 | W1/2 SE EXC COMM 1005.11'S NW COR TH E312.51' S270.32' SW113.23' S133.54'W259.38' N507.37' TOPOB | 75.27 |
| SAMPSON, JOHN E-MARY MARGARET | 774421400003 | 21-77-44 | NE SE EXC I-29 | 30.70 |
| SAMPSON, JOHN E-MARY MARGARET | 774421400004 | 21-77-44 | SE SE EXC I-29 | 30.50 |
| SAMPSON, JOHN E-MARY MARGARET | 774428200001 | 28-77-44 | NW NE | 38.40 |
| SAMPSON, JOHN E-MARY MARGARET | 774428200002 | 28-77-44 | NE NE W OF I-29 | 30.80 |
| SAMPSON, JOHN E-MARY MARGARET | 774428200003 | 28-77-44 | SW NE | 39.00 |
| SAMPSON, JOHN E-MARY MARGARET | 774428200004 | 28-77-44 | SE NE W OF I-29 | 31.50 |
| SAMPSON, JOHN E-MARY MARGARET | 774428400001 | 28-77-44 | NW SE | 39.00 |
| SAMPSON, JOHN E-MARY MARGARET | 774428400002 | 28-77-44 | NE SE W OF I-29 | 31.70 |
| SAMPSON, JOHN E-MARY MARGARET | 774428400003 | 28-77-44 | SW SE | 39.00 |
| SAMPSON, JOHN E-MARY MARGARET | 774428400004 | 28-77-44 | SE SE W OF I-29 | 31.90 |
| SELLERS, CHERYL K | 774433100007 | 33-77-44 | PT G/L 1 & NW NW COMM W1/4 COR SECT 33 TH N2258.13' E387.35' N304.69' E536.01' S2592.43' W923.8' TO POB (PARCEL A) ' | 49.52 |
| SORENSEN ENTERPRISES INC | 774432200009 | 32-77-44 | PT SE NE & PT NE SE COMM E1/4 COR SECT 32 TH N218' W433' S300' E435.82' N82.05' TO POB | 3.0 |
| WORTH, RANDALL A-CINDY L TRUST | 774428300003 | 28-77-44 | SW SW | 38.20 |
| WORTH, RANDALL A-CINDY L TRUST | 774428300004 | 28-77-44 | SE SW | 38.10 |
| TAYLOR TRUST | 774415300004 | 15-77-44 | AUD SUB LT 2 NE SW | 13.8 |
| TAYLOR TRUST | 774415300005 | 15-77-44 | SE SW | 40.00 |

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|-----------------------------------|---------------|----------|--|---------------------|
| TAYLOR TRUST | 774415400003 | 15-77-44 | W1/2 SE1/4 S10 AC W12 AC EXC COMM 1739'N & 2604'E OF SW COR E247' S183'W157' N46' W41' N17'W48' N122' TO POB | 9.04 |
| TAYLOR TRUST | 774422100001 | 22-77-44 | NW NW EXC RR | 33.97 |
| TAYLOR TRUST | 774422100002 | 22-77-44 | NE NW | 40.00 |
| TAYLOR TRUST | 774422200001 | 22-77-44 | LTS 1,2,3,4 & 5 AUD SUB NW1/4 NE1/4 | 40.00 |
| J-J TOMAN LLC | 774433100006 | 33-77-44 | E255' W1396.85' SELY318.03' S1/2 NW | 1.7 |
| J-J TOMAN LLC | 774433100008 | 33-77-44 | PT G/L 1, N1/2 NW & SE NW COMM 42.67'E SW COR SE NW TH E406.34' N2621.03' W853.38' S2592.43' E218.05' N318.03' E256.09' S303.03' TO POB (PARCEL B) ' | 49.53 |
| TOMAN, JERI ELAINE | 774433100004 | 33-77-44 | N330' E363' NE NW | 2.50 |
| TOMAN, JERI ELAINE | 774433100009 | 33-77-44 | PT E1/2 NW COMM SE COR SE NW TH W905.13' N2621.03' E541.11' S330.18' E362.92' S2319.96' TO POB (PARCEL C) | 49.53 |
| WEST, GEORGE C JR- KATHERINE A | 774422200003 | 22-77-44 | N1/2 S1/2 NE | 40.00 |
| WEST, GEORGE SR TRUST | 774422100003 | 22-77-44 | SW NW EXC RR | 33.67 |
| WEST, GEORGE SR TRUST | 774422100004 | 22-77-44 | SE NW | 40.00 |
| WEST, GEORGE SR TRUST | 774422200004 | 22-77-44 | S1/2 S1/2 NE1/4 | 40.00 |
| WEST, GEORGE SR TRUST | 774422300002 | 22-77-44 | NE SW N OF CRK | 15.4 |
| WEST, GEORGE SR TRUST | 774422400001 | 22-77-44 | NW SE | 40.00 |
| WEST, GEORGE SR TRUST | 774422400002 | 22-77-44 | NE SE | 40.00 |
| WEST, GEORGE SR TRUST | 774422400003 | 22-77-44 | SW SE | 40.00 |
| WEST, GEORGE SR TRUST | 774422400004 | 22-77-44 | SE SE | 40.00 |
| WEST, GEORGE SR TRUST | 774423100011 | 23-77-44 | SW NW W OF RR-EXC S16' | 30.2 |
| WEST, GEORGE SR TRUST | 774423100012 | 23-77-44 | SW NW S16' W OF RR | 0.4 |
| WEST, GEORGE SR TRUST | 774423301001 | 23-77-44 | NW SW EXC RR & PT NE SW TRI TRACT W RR ROW | 35.8 |
| WEST, GEORGE SR TRUST | 774423351001 | 23-77-44 | SW SW | 40.00 |
| WEST, GEORGE SR TRUST | 774426100001 | 26-77-44 | NW NW | 40.00 |
| WEST, GEORGE SR TRUST | 774427200003 | 27-77-44 | NE NE E OF DITCH | 12.30 |

| Deedholder(s) | Parcel Number | S-T-R | Legal Description | Benefited Area (ac) |
|--------------------------------------|----------------------|--------------|--|----------------------------|
| WEST, MARTY CARY | 774422300007 | 22-77-44 | PT S1/2 SW COMM SE COR SW SW TH W140' N311.14' E280' S311.14' W140' TO POB (PARCELS A) | 2.0 |
| WEST, DARREN | 774422300008 | 22-77-44 | PT SE SW COMM 140'E SW COR TH N311.22' W125.03' N402.51' E678.22' S704.1' W566.7' TO POB (PARCEL B) ' | 9.8 |
| WEST, RICHARD | 774422300009 | 22-77-44 | PT SE SW COMM SE COR TH N694.88' W638.28' S704.1' E638' TO POB (PARCEL C) | 10.20 |
| UNIION PACIFIC RAILROAD | | | | 11.2 |
| CANADIAN NATIONAL RAILROAD | | | | 65.3 |
| POTTAWATTAMIE COUNTY SECONDARY ROADS | | | | 59.1 |
| STATE OF IOWA PRIMARY ROADS | | | | 94.2 |
| | | | Total Acres | 3,819.57 |

YOU ARE FURTHER NOTIFIED that said report has been filed with the County Auditor of Pottawattamie County, Iowa and the Trustees have set the time and place of hearing on said report for **February 10th, 2023 at 10:00 a.m.**, in the **Pottawattamie County Board Room, Pottawattamie County Courthouse, 227 S. 6th Street, Council Bluffs, Iowa**. At said hearing the Trustees shall consider such report, plats, and profiles and if satisfied that any of such lands are materially benefited by the district and that such annexation is feasible, expedient, and for the public good, it shall proceed to annex said lands to Pigeon Creek Drainage District No. 2 Subdrainage District No. 3 as provided by law.

YOU ARE FURTHER NOTIFIED that all objections to the proposed annexation of said lands and any claim for damages must be in writing and filed with the County Auditor of Pottawattamie County at or before the time set for hearing.

YOU ARE FURTHER NOTIFIED that at such hearing, the Trustees 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.

YOU ARE FURTHER NOTIFIED that if you fail to object, the Trustees can make a final decision to make repairs and/or improvements of Pigeon Creek Drainage District No. 2 Subdrainage District No. 3, acquire additional right of way, annex additional lands and reclassify. **As a consequence of your**

failure to object you lose your right to appeal the final decision within twenty (20) days to the Iowa District Court.

THIS NOTICE is published and mailed as provided by law at the direction of the Trustees of Pigeon Creek Drainage District No. 2 Subdrainage District No. 3. At the time fixed for hearing, the Trustees shall examine said report, and may hear evidence thereon, both for and against the annexation of said lands to said district. For further particulars you are referred to the Engineer's Report of Annexation which is on file at the County Auditor's Office of Pottawattamie County, Iowa.

Dated this 30th day of December, 2022, at Council Bluffs, Iowa.

By order of the Trustees of Pigeon Creek Drainage District No, 2 Subdrainage District No. 3, Pottawattamie, County, Iowa.

/s/ Melvyn Houser

Melvyn Houser, Pottawattamie County Auditor