

IOWA DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF:

Farmers Mutual Cooperative Company

**NOTICE OF INTENT TO
REMOVE PROPERTY
FROM REGISTRY OF
CONFIRMED ABANDONED
OR UNCONTROLLED
DISPOSAL SITES**

**TO: Farmers Mutual Cooperative Company
c/o Harold Schmit
405 Highway 60 South
Hospers, IA 51238**

**CON 12-15
Doc #18574**

I. CURRENT STATUS

Pursuant to Iowa Code section 455B.426, the director of the Department of Natural Resources is required to maintain a registry of confirmed abandoned or uncontrolled disposal sites located in Iowa. Pursuant to this authority the director placed a property owned by Farmers Mutual Cooperative Company Hospers, Iowa on the registry on or before September 17, 1989. A legal description of the property is attached as Exhibit "A."

Pursuant to section 455B.427(3) of the Code of Iowa the director shall assess the relative priority of the need for action at each site to remedy environmental and health problems resulting from the presence of hazardous wastes or hazardous substances at the sites. In making assessments of relative priority, the director, shall place every site in one of the classifications listed at 455B.427(3) "a" through "e". The subject site was placed on the registry as a classification "b" site.

II. RECLASSIFICATION

Pursuant to the requirements of section 455B.427(3) of the Code of Iowa the director has now reclassified the subject property. The above-described property in Hospers, Iowa is now classified as:

"e. Site properly closed, no evidence of present or potential adverse impact, no further action required."

Pursuant to section 455B.427(4) of the Code of Iowa the site shall be removed from all subsequent annual reports and the registry of hazardous waste or hazardous substance disposal sites. Pursuant to section 455B.431 the director shall file a notice of the reclassification and removal with the county recorder. Pursuant to section 455B.431 this reclassification does not warrant to a future purchaser of the site that the site will be free from any future adverse impacts as a result of use of the site as a hazardous waste or hazardous substance disposal site.

IOWA DEPARTMENT OF NATURAL RESOURCES
REGISTRY NOTICE
Farmers Mutual Cooperative

III. APPEAL RIGHTS

Pursuant to Iowa Code sections 455B.429 and 561 IAC 7.5(1), as adopted by reference by chapter 567 IAC 7, a written Notice of Appeal to the Environmental Protection Commission may be filed within 30 days of receipt of this Order. The Notice of Appeal should be filed with the Director of the department, and must identify the specific portion or portions of this order being appealed and include a short and plain statement of the reasons for appeal. A contested case hearing will then be commenced pursuant to Iowa Code chapter 17A and chapter 561 IAC 7.

Appeal, if any, addressed to:

Director, Iowa Dept. of Natural Resources
Henry A. Wallace Building
Des Moines, Iowa 50319-0034

Questions relating to appeal rights:

Jon C. Tack
Iowa Department of Natural Resources
Henry A. Wallace Building
Des Moines, Iowa 50319-0034
Ph: 515/281-8889



JEFFREY R. VONK, DIRECTOR
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 21 day of
July, 2003

The Farmers Mutual Coop Company Site is briefly described as nine parcels of land within the NW 1/4 of the SE 1/4 of Section 3, Township 95 North, Range 43 West of the 5th P.M., Sioux County, Iowa. Railroad rights-of-way and public road rights-of-way are not considered to be parts of the site. Plat maps of the nine parcels are shown in Figures A-1 & A-2.

Parcel #1. Warranty Deed, Sioux County, executed December 19, 1968.

The North 138 feet of Block 1, First Addition, in the Incorporated City of Hospers, Iowa.

Parcel #2. Warranty Deed, Sioux County, executed May 13, 1959.

The South 4 feet of the North 142 feet of Block 1, First Addition, in the Incorporated City of Hospers, Iowa.

Parcel #3. (Village) Deeds, Sioux County, executed February 13, 1914.

The South 206 feet of Block 1, First Addition, in the Incorporated City of Hospers, Iowa.

Parcel #5. Warranty Deed, Sioux County, executed May 25, 1978.

That part of Lot 1, Christiany's Subdivision of part of the SE 1/4 Section 3, Township 95, Range 43, Hospers, Iowa, described as follows: Commencing at the Northeast corner of Lot 1 in Christiany's Subdivision, thence due west 20.4 feet to POINT OF BEGINNING; thence South 10 degree 53 minutes West a distance of 49.2 feet; thence South 79 degrees 07 minutes East a distance of 20 feet; thence Southwesterly along an irregular curve, concave northwesterly, said curve is 100 feet radially distant northwesterly from and concentric with the center line of the main track of the Chicago, St. Paul, Minneapolis and Omaha Railroad Company, the long cord of said irregular curve bears South 10 degrees 53 minutes West, a distance of 360.5 feet; thence north 79 degrees 07 minutes West a distance of 20 feet; thence South 10 degrees 53 minutes West a distance of 24.3 feet; thence North 77 degrees 07 minutes West a distance of 114 feet; thence North 10 degrees 53 minutes East a distance of 406.2 feet; thence due East a distance of 115.2 feet to the point of beginning, containing 1.267 acres.

Parcel #6. Warranty Deed, Sioux County, executed May 25, 1978.

A tract of land in Lots 1 and 2, Christiany's Subdivision of part of the SE 1/4 of Section 3, Township 95, Range 43, Hospers, Iowa, commencing at the Southeast corner of Lot 2 Christiany's Subdivision, Hospers, Iowa; thence North 28 degrees 15 minutes East a distance of 361.5 feet to a POINT OF BEGINNING on the East line of said lot 2; thence North 59 degrees 23 minutes West a distance of 134.0 feet; thence North 18 degrees 01 minutes East a distance of 484.5 feet; thence South 77 degrees 07 minutes East a distance of 134.0 feet to the East line of Lot 1 of Christiany's Subdivision; thence Southwesterly along an irregular curve of the East line of said Lots 1 and 2, the long chord of said curve bears South 18 degrees 21 minutes West a distance of 525.7 feet to the point of beginning, containing 1.54 acres.

Parcel #7. Deed, Sioux County, executed July 10, 1974.

That part of the NW 1/4 SE 14 of Section 3, Township 95 North, Range 43 West of the 5th P.M., Hospers, Iowa, lying Southeasterly of a line parallel with and distant 100 feet Northwesterly, measured radially, from the center line of the main track of the Sioux City and St. Paul Rail Road Company, (Later the Chicago, St. Paul, Minneapolis & Omaha Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established across said Section 3; lying Northwesterly, a line parallel with and distant 50 feet Northwesterly, measured radially from the center line of the main track of the Chicago and North Western Transportation Company (formerly the Chicago, St. Paul, Minneapolis and Omaha Railway Company), as said main track is now located; and lying Northeasterly of the Northwesterly extension to the center line of Ninth Street.

Parcel #8 (North Tract). Deed, Sioux County, executed December 18, 1963.

That part of the NW 1/4 of the SE 1/4 of Section 3, Township 95 North, Range 43 West of the 5th Principal Meridian, bounded and described as follows: Commencing at the South quarter corner of said Section 3; thence West along the South line of said Section, a distance of 113.7 feet; thence North 31 degrees 15 minutes East along the center line of First Avenue, a distance of 1812.3 feet; thence North 58 degrees 45 minutes West, a distance of 36.7 feet, more or less, to a point on the Northwesterly line of said First Avenue; thence North 58 degrees 45 minutes West, a distance of 13.3 feet; thence Northeasterly along a curved line, concave Northwesterly and tangent to a line which bears North 31 degrees 15 minutes East and having a radius of 1860 feet, a distance of 40 feet to the POINT OF BEGINNING; thence continuing Northeasterly along the last described curve, a distance of 530 feet, more or less, to the Northwesterly extension of the Northeasterly line of Block 1 in the Town of Hospers, Iowa; thence Northwesterly along the extension of the Northeasterly line of Block 1 to a point 9 feet Southeasterly of, as measured radially from, the center line of Spur Track I.C.C. No. 4 of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, as now located and established; thence Southwesterly along a line parallel with the center line of said spur track to a line drawn perpendicular to the Northwesterly line of said First Avenue, through the point of beginning; thence Southeasterly along a line drawn perpendicular to the Northwesterly line of said Avenue, a distance of 42 feet, more or less, to the point of beginning.

Parcel #9 Warranty Deed, Sioux County, executed July 24, 1978.

That part of the NW 1/4 of the SE 1/4 of Section 3, Township 95 North, Range 43 West of the 5th Principal Meridian, bounded and described as follows: Commencing at the South quarter corner of said Section 3; thence West along the South line of said Section, a distance of 113.7 feet; thence North 31 degrees 15 minutes East along the center line of First Avenue, a distance of 1828.3 feet; thence North 58 degrees 45 minutes West, a distance of 50 feet, to a POINT OF BEGINNING; thence continuing North 58 degrees 45 minutes West a distance of 34.7 feet; thence Northeasterly along a segment of irregular curve, the chord of said segment bears North 14 degrees 20 minutes East a distance of 25.1 feet; thence South 58 degrees 45 minutes East a distance of 42 feet; thence Southwesterly along a segment of circular curve concave Northwesterly, having a radius of 1860 feet and tangent at its termini to a line which bears South 31 degrees 15 minutes West a distance of 24 feet to the point of beginning, containing 0.02 acres.

Parcel #10. Quit Claim Deed, Sioux County, executed September 2, 1969.

That part of the NW 1/4 of the SE 1/4 of Section 3, Township 95 North, Range 43 West of the 5th Principal Meridian, bounded and described as follows: Commencing at a point on the North line of the Southeast Quarter of said Section 3, distant 100 feet southeasterly, measured at right angles, from the center line of the main track of the Sioux City and St. Paul Railroad Company (now the Chicago, St. Paul, Minneapolis and Omaha Railway Company), as said main track center line was originally located and established across said Section 3; thence Southwesterly along a line parallel with said original main track center line, and the Southwesterly extension of the tangent segment thereof, to a point on the Northwesterly extension of the Northeasterly line of Block 1 in the Town of Hospers (according to the recorded plat thereof), for the POINT OF BEGINNING; thence Northeasterly along the last described course a distance of 80 feet; thence Northwesterly along a line at right angles to the last described course to a point distant 9.5 feet Southeasterly, measured radially, from the center line of the Chicago, St. Paul, Minneapolis and Omaha Railway Company Spur Track I.C.C. #4, as said spur track is now located; thence Southwesterly along a line parallel with said spur track center line to a point on the Northwesterly extension of the Northeasterly line of said Block 1; thence Southeasterly along said Northwesterly line, extended, of Block 1, to the point of beginning.