



JACOBSON-WESTERGARD & ASSOCIATES, INC.
Consulting Engineers & Land Surveyors

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Estherville IA 51334
Phone (712) 362-2647

REPORT ON

**ANNEXATION OF ADDITIONAL LANDS
INTO
DRAINAGE DISTRICT NO. 78
WINNEBAGO COUNTY**

TRUSTEES: Winnebago County Board of Supervisors

Terry Durby
Bill Jensvold
Susan Smith

Karla Weiss, County Auditor
Kris Oswald, Drainage Administrator



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

Collin Klingbeil Date 4/23/25

Collin J. Klingbeil, P.E.

License number 24741

My license renewal date is December 31, 2025

Pages or sheets covered by this seal: ALL

I. INTRODUCTION / HISTORY

This annexation report is being completed for Winnebago County Drainage District No. 78 (DD78). The Winnebago County Board of Supervisors, acting as trustees for DD78, have appointed Jacobson-Westergard & Associates, Inc. as engineer to investigate lands benefited by DD78 that are not currently included in the district.

II. DETERMINATION OF LANDS TO BE ANNEXED

Under Iowa Code, the principal requirement for the annexation of additional lands into a drainage district is that they be materially benefitted by the district. Iowa Code does not define what constitutes “material” benefit. In general terms, a material amount is something large enough to matter, to be worth noting, or to be otherwise significant. Without further definition, determining the level of benefit which meets the “material” threshold is subjective. As such, professional judgment on the part of the appointed engineer is needed to determine whether benefit meets the threshold of being material.

“Benefit” from a drainage district facility is only loosely defined in Iowa Code. Specific benefits listed include those received in providing an outlet to lands, bringing an outlet closer to lands, or relieving the lands from overflow and protecting the lands from damage by erosion.

We have researched the history of the drainage district, studied topographic data and historical aerial imagery, soil maps, etc. to determine what (if any) lands are materially benefited by the facilities of DD78 but are not currently in the district. Lands were investigated in regard to relation, elevation, and condition of drainage with reference to DD78.

A. Main Open Ditch

In 1979 a petition was filed for improvements, for an outlet downstream of the existing DD78 tile system, in the NW ¼ of Section 26 of Newton Township, south of Highway 9. An open ditch was constructed, approximately 1,700 feet in length with a 4 foot wide bottom and 2:1 bank slopes. There was an agreement between DD78 and the landowner granting a perpetual easement to the district for the open ditch. DD78 agreed to maintain the open ditch, and a crossing culvert. The lands that benefit from the ditch, but not the tile system of DD78, have not yet been annexed into the district. The ditch provided an improved outlet closer to these lands, and in our opinion are materially benefited and should be annexed into the district at this time.

B. Tile System

We also have found additional lands that are not currently in the district but are materially benefited in that an improved and closer outlet is provided for drainage of all, or in part, surface and/or subsurface drainage of excess waters from the land by the existing facilities of DD78. These facilities were designed for this purpose.

It is this engineer’s opinion that a total of **74.6 acres** of land are materially benefited by the facilities of DD78 and should be annexed into the district.

A table of the parcels we are recommending for annexation into DD78 is enclosed, as are a plat map of lands recommended for annexation, and an elevation map.

III. CONCLUSIONS / RECOMMENDATIONS

We recommend that the Winnebago County Board of Supervisors, acting as trustees for DD78, proceed with the annexation of the above lands. We consider the annexation of these lands to be feasible, practicable, and for the public good.

We recommend that the trustees tentatively approve this report and set a date for a public hearing. All parties having an interest in the lands proposed to be annexed have the right to receive notice. At such hearing, the trustees will review the Engineer's annexation report. They will then approve the report, modify and approve the report, or reject the report. Any land annexed will be included in the reclassification. This will ensure that all property owners will pay the appropriate share of the cost for improvements and future maintenance.

Sincerely,

JACOBSON-WESTERGARD & ASSOCIATES, INC.

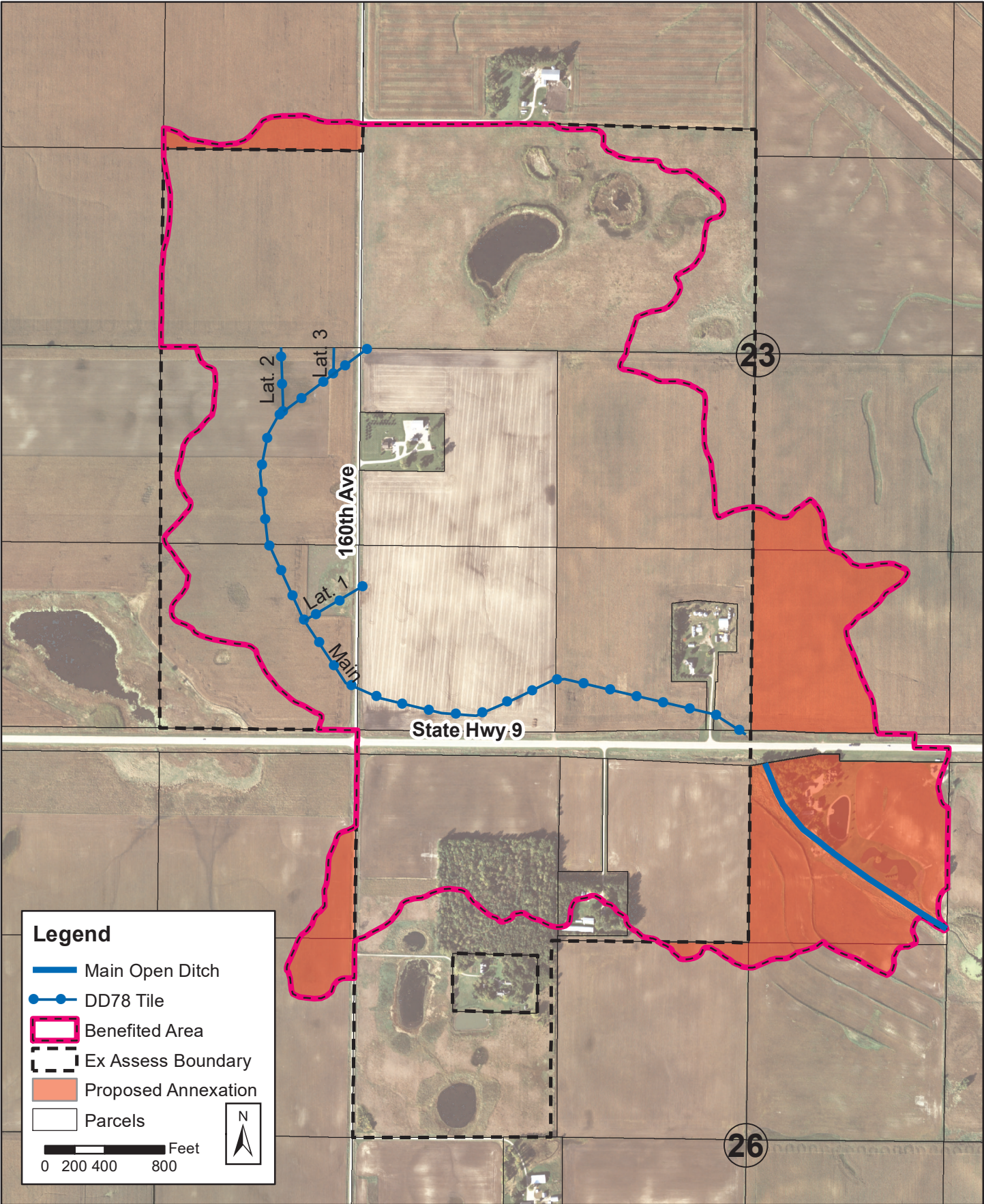
Collin J. Klingbeil, P.E.

Encl. Annexation Plat Map
 Table of Lands Recommended for Annexation
 Elevation Map

Drainage District No. 78
Annexation Plat

Winnebago County, Iowa

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DRAINAGE DISTRICT NO. 78
WINNEBAGO COUNTY ANNEXATION



PROJECT No. E25023
 BY: COLLIN KLINGBEIL
 DATE: 4/22/2025

PARCEL ID	DEEDHOLDER	S-T-R	LEGAL DESCRIPTION	LANDS TO BE ANNEXED (AC)
0723400001	ALBERTSON DAVID C & SHERYL D	23-99-24	NW SE	2.9
0723400003	ALBERTSON DAVID C & SHERYL D	23-99-24	SW SE	21.8
0726200001	CHARLSON PAUL & PATRICIA H	26-99-24	NW NE	36.1
0726200003	CHARLSON PAUL & PATRICIA H	26-99-24	SW NE	2.3
0726100006	SCHUTTER WILLIAM E & RITA L	26-99-24	SE NW EX 2 RDS ON W SIDE	1.2
0722200002	SLEPER J & M TRUST	22-99-24	NE NE	4.2
0727200002	SLEPER J & M TRUST	27-99-24	NE NE	2.9
0727200004	SLEPER J & M TRUST	27-99-24	SE NE	3.2
TOTAL				74.60

Drainage District No. 78
Elevation Map

Winnebago County, Iowa

