

**NOTICE OF DESIGN PUBLIC HEARING FOR THE NORTH RIVER
MITIGATION SITE IN WARREN COUNTY AND NOTICE TO ACQUIRE
PRIVATE PROPERTY FOR SAID PROJECT**

TO WHOM IT MAY CONCERN:

Notice is hereby given to all interested persons that an Open Forum Design Public Hearing will be held on February 25, 2010, between 5:30 and 7 p.m., at the Martensdale-St. Marys Community School library, 390 Burlington Avenue, Martensdale, Iowa, to discuss the proposed North River mitigation site, south of Norwalk, which is to be used to fulfill wetland mitigation needs for several projects in the Polk and Warren county areas.

This public hearing will be conducted utilizing an open forum format. No formal presentation will be made. Interested individuals are encouraged to attend the hearing anytime between 5:30 and 7 p.m. to express their views about the proposal. Oral and written statements will be accepted at the public hearing.

For general information regarding the proposal, or the public hearing, contact Pete Tollenaere, Assistant District Engineer, District 5 Office, Iowa Department of Transportation, P.O. Box 587, 307 W Briggs, Fairfield, Iowa 52556-0587, telephone 641-472-4171 or 800-766-4368, e-mail peter.tollenaere@dot.iowa.gov.

Written statements and related exhibits, in place of or in addition to oral statements made at the public hearing, will be accepted at the hearing or may be submitted to the Office of Location and Environment, Iowa DOT, 800 Lincoln Way, Ames, Iowa, 50010. All written material received by March 8, 2010, will be included in the hearing transcript.

All persons interested in the project are invited to attend this hearing. The meeting room is accessible for persons with disabilities. If you require special accommodations at the hearing, please notify Mr. Tollenaere by February 19, 2010, so arrangements can be made.

NOTICE TO PROPERTY OWNERS

A governmental body which proposes to acquire property under the power of eminent domain for a public improvement project is required to give notice of a public hearing to all owners and contract purchasers of record of agricultural land that may be subject to condemnation.

1. DESCRIPTION OF THE PROPOSED IMPROVEMENT.

NOTICE IS HEREBY GIVEN that the Iowa Department of Transportation (DOT) will consider approving the following described project:

North River mitigation site south of Norwalk to be used to fulfill wetland mitigation needs for several projects in the Polk and Warren county areas.

2. PRIVATE PROPERTY MAY BE ACQUIRED BY PURCHASE OR CONDEMNATION.

If the Iowa DOT approves the above-described project, the Iowa DOT will be required to acquire property for the proposed improvements. The Iowa DOT will attempt to purchase the required property by good faith negotiations; however, it may condemn those properties, which it is unable to purchase.

3. IOWA DEPARTMENT OF TRANSPORTATION PROCESS TO DECIDE TO FUND THE DESIGN, TO SELECT THE ROUTE OR SITE LOCATION, OR TO ACQUIRE OR CONDEMN PROPERTY INTERESTS.

In order to acquire the necessary properties and property interests required for the project, the Iowa Department of Transportation is required to approve the location of the project. The Iowa DOT will hold a public hearing to present to the public the proposed improvement and the anticipated impacts of the improvement.

Persons whose property may be affected by the project, as well as the general public, may comment on the project at the hearing. The comments will be presented to Iowa DOT staff. Based in part on the information received at the hearing, the Iowa DOT will select the location for the project and decide whether to fund the site-specific design and to authorize by purchase or condemnation the acquisition of right of way for the project.

4. OPPORTUNITY FOR PUBLIC INPUT.

As previously stated in this notice, an Open Forum Design Public Hearing will be held on February 25, 2010, between 5:30 and 7:00 p.m. at the Martensdale-St. Marys Community School library, 390 Burlington Avenue, Martensdale, Iowa. Iowa DOT staff will be available to answer questions about the proposal. Written statements can be submitted to the Iowa DOT at the hearing, or sent to Office of Location and Environment, Iowa DOT, 800 Lincoln Way, Ames, Iowa 50010.

5. IOWA DEPARTMENT OF TRANSPORTATION CONTACT.

For information regarding the proposal contact:

Pete Tollenaere
Assistant District 5 Engineer
District 5 Office
Iowa Department of Transportation
P. O. Box 587, 307 W Briggs
Fairfield, Iowa 52556-0587
Telephone 641-472-4171 or 800-766-4368
e-mail peter.tollenaere@dot.iowa.gov

This notice is given by authority of the Iowa Department of Transportation.

This notice is not an offer to buy land nor is it an offer to provide relocation assistance. Affected property owners are not required to move from their residences or relocate their

businesses at this time. Eligibility for relocation benefits will not occur until after an offer to purchase has been made to individual property owners.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's affirmative action officer. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.