IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

IOWA DEPARTMENT OF TRANSPORTATION, Plaintiff, v. LEON ELENZ, CITY OF DYERSVILLE, IOWA, and DELAWARE COUNTY, IOWA, Defendants.	*	LAW NO. CVCV7937 **NOTICE OF APPEAL OF CONDEMNATION AWARD**

FILED
2017 NOV -5 AM 11:18
CLERK OF COURT
DELAWARE COUNTY, IOWA

TO: **LEON ELENZ**
3332 U.S. Highway 20
Dyersville, IA 52040

CITY OF DYERSVILLE, IOWA
c/o City Clerk
340 First Avenue East
Dyersville, IA 52040

DELAWARE COUNTY, IOWA
c/o County Auditor
301 East Main Street
Manchester, IA 52057

DELAWARE COUNTY SHERIFF
304 East Delaware Street
P.O. Box 116
Manchester, IA 52057-0116

Book 2017 Page 3008
Document 2017 3008 Type 03 008 Pages 19
Date 10/31/2017 Time 11:18:37AM
Rec Amt $97.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Sue @ Iowa DOT
800 Lincoln Way
Ames IA 50010

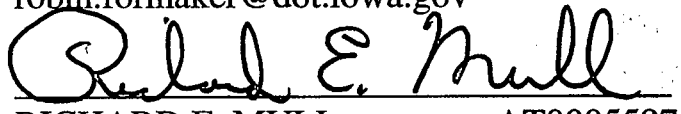
You are all hereby notified the above-named plaintiff appeals from the actions of the Delaware County Compensation Commission on October 15, 2014, involving the condemnation described in the attached Notice of Condemnation. Plaintiff appeals from the award, by that commission, of $1,767,000. The plaintiff asserts the award of just compensation should have been in the sum of $925,000.

You are all further notified that plaintiff will file a petition as prescribed by Iowa Code chapter 6B, and that this appeal is to the Iowa District Court in and for Delaware County, and will come on for hearing pursuant to the rules prescribed by that district court.

THOMAS J. MILLER
Attorney General of Iowa



ROBIN G. FORMAKER AT0002574
Assistant Attorney General
(515) 239-1465 / FAX (515) 239-1609
robin.formaker@dot.iowa.gov



RICHARD E. MULL AT0005597
Assistant Attorney General
Iowa Department of Transportation
General Counsel Division
800 Lincoln Way
Ames, IA 50010
(515) 239-1394 / FAX (515) 239-1609
richard.mull@dot.iowa.gov

In the Matter of the Condemnation of
Certain Rights in Land
by the Iowa Department of Transportation
for the Improvement of

NOTICE

Primary Road No. U.S. 20

South of and in the City of Dyersville

located in Delaware County, Iowa

Project No. NHSN-20-8(48)--2R-28

Group "A"

TO:

Leon Elenz, 3332 U.S. Highway 20, Dyersville, IA 52040
City of Dyersville, Iowa, c/o City Clerk, 340 1st Ave E, Dyersville, IA 52040
Delaware County, Iowa, c/o County Auditor, 301 E Main Street, Manchester, IA 52057

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the Northwest Quarter of the Northwest Fractional Quarter, the Northeast Quarter of the Northwest Fractional Quarter, the Southwest Quarter of the Northwest Fractional Quarter and the Northwest Quarter of the Northeast Fractional Quarter all in Section 1, Township 88 North, Range 3 West, of the 5th Principal Meridian, Delaware County, Iowa.

You, and each of you, are hereby notified that the State of Iowa and the City of Dyersville, Iowa, desire certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the Acquisition Plats Exhibit "A-1" (land needed for public improvement), "A-2" (uneconomical remnant), and "A-3" (land needed for public improvement), attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Delaware County, Iowa, and in the Office of the Sheriff of Delaware County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated, for the use and benefit of the State of Iowa, is in land described as follows:

A parcel of land located in the Northwest Fractional Quarter of Section 1, Township 88 North, Range 3 West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-1", attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Commencing at the Northwest Corner of Section 1; thence South 01°56'07" East 156.35 feet along the west line of the Northwest Fractional Quarter of Section 1 to the southerly right of way of Primary Road No. U.S. 20 and

Continued on next page

the point of beginning; thence North 86°31'04" East 33.01 feet along said right of way; thence North 88°27'16" East 791.25 feet along said right of way; thence North 82°47'38" East 101.39 feet along said right of way; thence North 88°27'16" East 434.96 feet along said right of way; thence South 86°45'41" East 359.74 feet along said right of way; thence North 88°27'03" East 522.36 feet along said right of way; thence South 71°25'14" West 347.06 feet; thence South 69°12'36" West 401.83 feet; thence South 66°05'12" West 213.79 feet; thence South 54°57'09" West 141.49 feet; thence South 38°08'44" West 400.50 feet; thence South 51°27'42" West 81.76 feet; thence North 85°51'40" West 117.18 feet; thence North 62°54'04" West 235.48 feet; thence North 16°32'50" East 298.64 feet; thence North 36°32'52" West 61.03 feet; thence North 75°44'01" West 616.77 feet; thence North 75°46'56" West 34.36 feet to the west line of the Northwest Fractional Quarter of Section 1; thence North 01°56'07" West 134.06 feet along said section line to the point of beginning; containing 16.61 acres more or less.

and,

Two parcels of land located in the Northwest Fractional Quarter of Section 1, Township 88 North, Range 3 West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-2", attached hereto and by reference made a part hereof.

Said parcels are described as follows:

Commencing at the Northwest Corner of Section 1; thence South 01°56'07" East 290.41 feet along the west line of the Northwest Fractional Quarter of Section 1 to the point of beginning; thence South 75°46'56" East 34.36 feet; thence South 75°44'01" East 616.77 feet; thence South 36°32'52" East 61.03 feet; thence South 16°32'50" West 298.64 feet; thence North 70°48'42" West 332.75 feet; thence North 82°19'32" West 258.50 feet to the west line of the Northwest Fractional Quarter of Section 1; thence North 01°56'07" West 352.04 feet along said section line to the point of beginning; containing 4.77 acres more or less.

And,

Commencing at the Northwest Corner of Section 1; thence South 01°56'07" East 854.31 feet along the west line of the Northwest Fractional Quarter of Section 1 to the point of beginning and the beginning of a 650.00 foot radius curve concave Southerly whose 325.27 foot chord bears South 81°02'35" East; thence Easterly along said curve an arc distance of 328.76 feet; thence South 65°05'00" East 194.93 feet; thence South 18°55'55" West 277.72 feet; thence South 23°26'48" West 295.00 feet; thence South 24°54'33" West 593.36 feet to the west line of the Northwest Fractional Quarter of Section 1; thence North 01°56'07" West 1204.96 feet along said section line to the point of beginning; containing 7.45 acres more or less.

Continued on next page

The title in fee simple sought to be appropriated, for the use and benefit of the City of Dyersville, is in land described as follows:

A parcel of land located in the Northwest Fractional Quarter and in the Northeast Fractional Quarter of Section 1, Township 88 North, Range 3 West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A-3", attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Commencing at the Northwest Corner of Section 1; thence South 01°56'07" East 642.45 feet along the west line of the Northwest Fractional Quarter of Section 1 to the Point of Beginning; thence South 82°19'32" East 258.50 feet; thence South 70°48'42" East 332.75 feet; thence South 62°54'04" East 235.48 feet; thence South 85°51'40" East 117.18 feet; thence North 51°27'42" East 81.76 feet; thence North 38°08'44" East 400.50 feet; thence North 54°57'09" East 141.49 feet; thence North 66°05'12" East 213.79 feet; thence North 69°12'36" East 401.83 feet; thence North 71°25'14" East 347.06 feet to the southerly right of way of Primary Road No. U.S. 20; thence North 88°27'03" East 1223.07 feet along said right of way; thence North 87°18'59" East 505.18 feet along said right of way to the east line of the Northwest Quarter of the Northeast Fractional Quarter of Section 1; thence South 02°12'41" East 135.56 feet along said section line; thence South 88°55'28" West 776.29 feet; thence North 89°29'22" West 535.84 feet; thence South 82°30'20" West 464.37 feet; thence South 67°47'35" West 823.03 feet; thence South 43°49'41" West 551.65 feet; thence South 49°08'28" West 147.83 feet; thence South 78°18'07" West 134.22 feet; thence South 88°09'21" West 128.91 feet; thence South 27°39'41" West 382.90 feet; thence South 22°12'19" West 692.33 feet to the beginning of a 965.00 foot radius curve concave easterly whose 415.62 foot chord bears South 11°00'39" West; thence southerly along said curve an arc distance of 418.91 feet; thence South 16°33'17" West 170.17 feet; thence South 14°08'38" West 119.21 feet to the west line of the Northwest Fractional Quarter of said Section 1; thence North 01°56'07" West 709.99 feet along said section line; thence North 24°54'33" East 593.36 feet; thence North 23°26'48" East 295.00 feet; thence North 18°55'55" East 277.72 feet; thence North 65°05'00" West 194.93 feet to the beginning of a 650.00 foot radius curve concave southerly whose 325.27 foot chord bears North 81°02'35" West; thence westerly along said curve an arc distance of 328.76 feet to the west line of the Northwest Fractional Quarter of said Section 1; thence North 01°56'07" West 211.86 feet along said section line to the Point of Beginning; containing 20.24 acres more or less.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including buildings, fences or agricultural crops, if any, located wholly within the land sought in fee simple title are condemned in their entirety.

2. The State of Iowa will construct an entrance at Sta. 11037+42 on the east side of local road 330th Avenue. The existing entrance at Sta. 1070+65.5 on the south side of Primary Road No. U.S. 20 will be closed and the entrance eliminated.

Continued on next page

3. Any farm field drainage tile, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemner and at no expense to the condemnee, and the State of Iowa shall have a right of temporary easement as necessary over condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration.

4. The area sought to be appropriated by temporary easement, for the specific purpose of relocating, replacing, or restoring tile, if any, is reserved to the condemnee until the actual date said area is required for construction of this highway improvement. Also, said temporary easement right shall terminate immediately upon completion of the operations for which said right is sought and in no event later than the completion of this highway improvement.

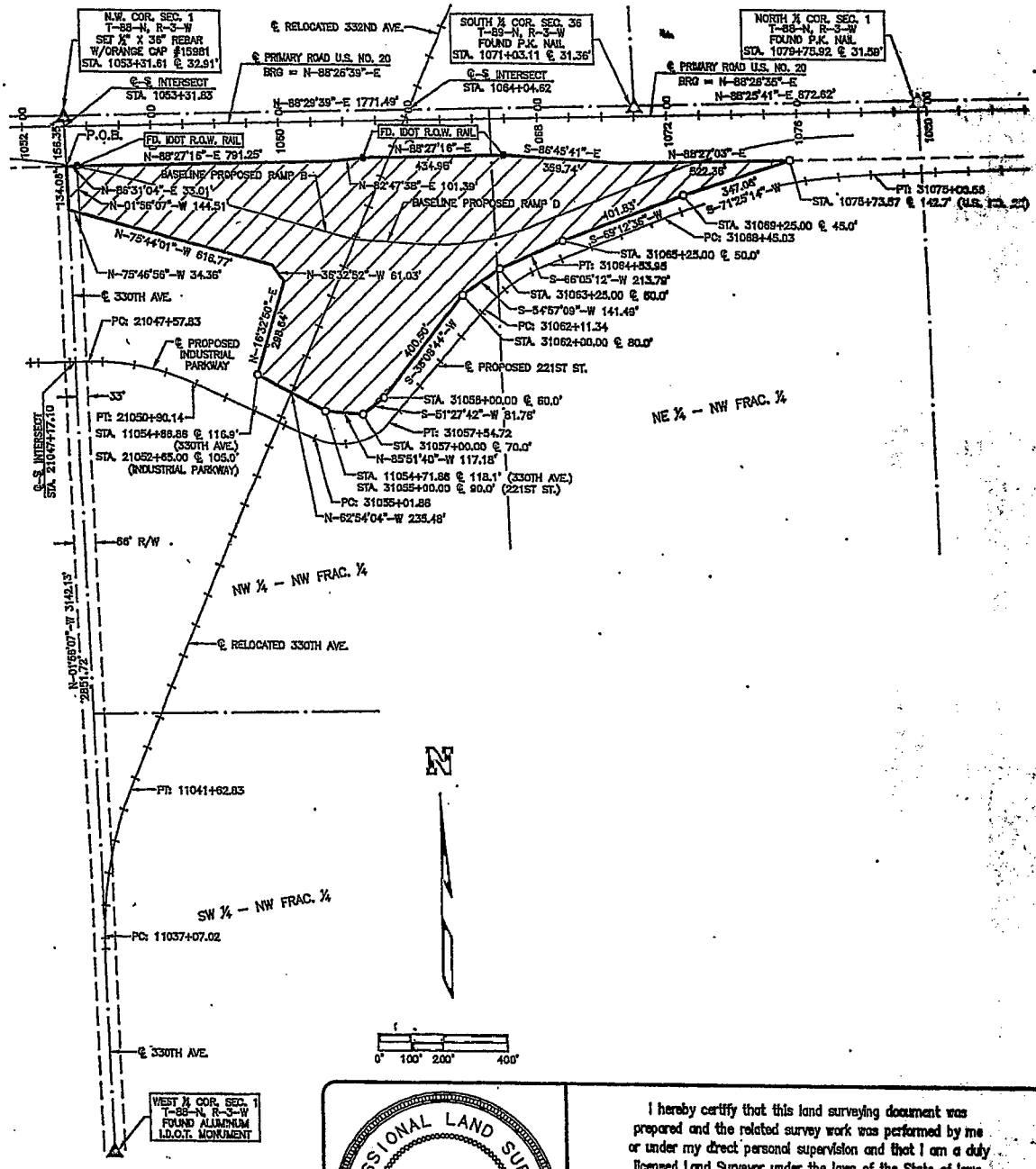
5. Condemner hereby gives notice of condemnee's five-year right to renegotiate construction or maintenance damages not apparent at the time of the condemnation as required by the Code of Iowa, Section 6B.52.

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "A-1"
(Land needed for public improvement)

COUNTY DELAWARE STATE CONTROL NO. _____
PROJECT NO. NHSN–20–8(48)– –2R–28 PARCEL NO. 4
SECTION 1 TOWNSHIP 88–N RANGE 3–W
ROW–FEE 16.61* AC, EASE _____ AC EXCESS–FEE _____ AC
ACCESS RIGHTS ACQUIRED – STA _____ STA _____ MAIN LINE _____ SIDE
ACCESS RIGHTS ACQUIRED – STA _____ STA _____ SIDE ROAD _____ SIDE

ACQUIRED FROM Leon Elenz

* INCLUDING 0.11 ACRES WITHIN THE PRESENTLY ESTABLISHED RIGHT OF WAY.



AREAS

TOTAL = 16.61 ACRES
NE ¼ – NW FRAC. ¼ = 3.31 ACRES
NW ¼ – NW FRAC. ¼ = 13.30 ACRES

LEGEND

○ SET ½" X 36" REBAR WITH ORANGE CAP #15981
△ SECTION CORNER, AS NOTED
● FOUND, AS NOTED

PROFESSIONAL LAND SURVEYOR
MATTHEW W. KRAUSE
15981
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

MATTHEW W. KRAUSE LICENSE NO. 15981 DATE 2/28/14

My license renewal date is December 31, 2015.

Pages or sheets covered by this seal: 1 OF 1

DATE DRAWN FEBRUARY 28, 2014

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "A-2"
(Uneconomical remnant)

COUNTY DELAWARE STATE CONTROL NO. _____

PROJECT NO. NHSN--20--8(48)-- --2R--28 PARCEL NO. 4

SECTION 1 TOWNSHIP 88--N RANGE 3--W

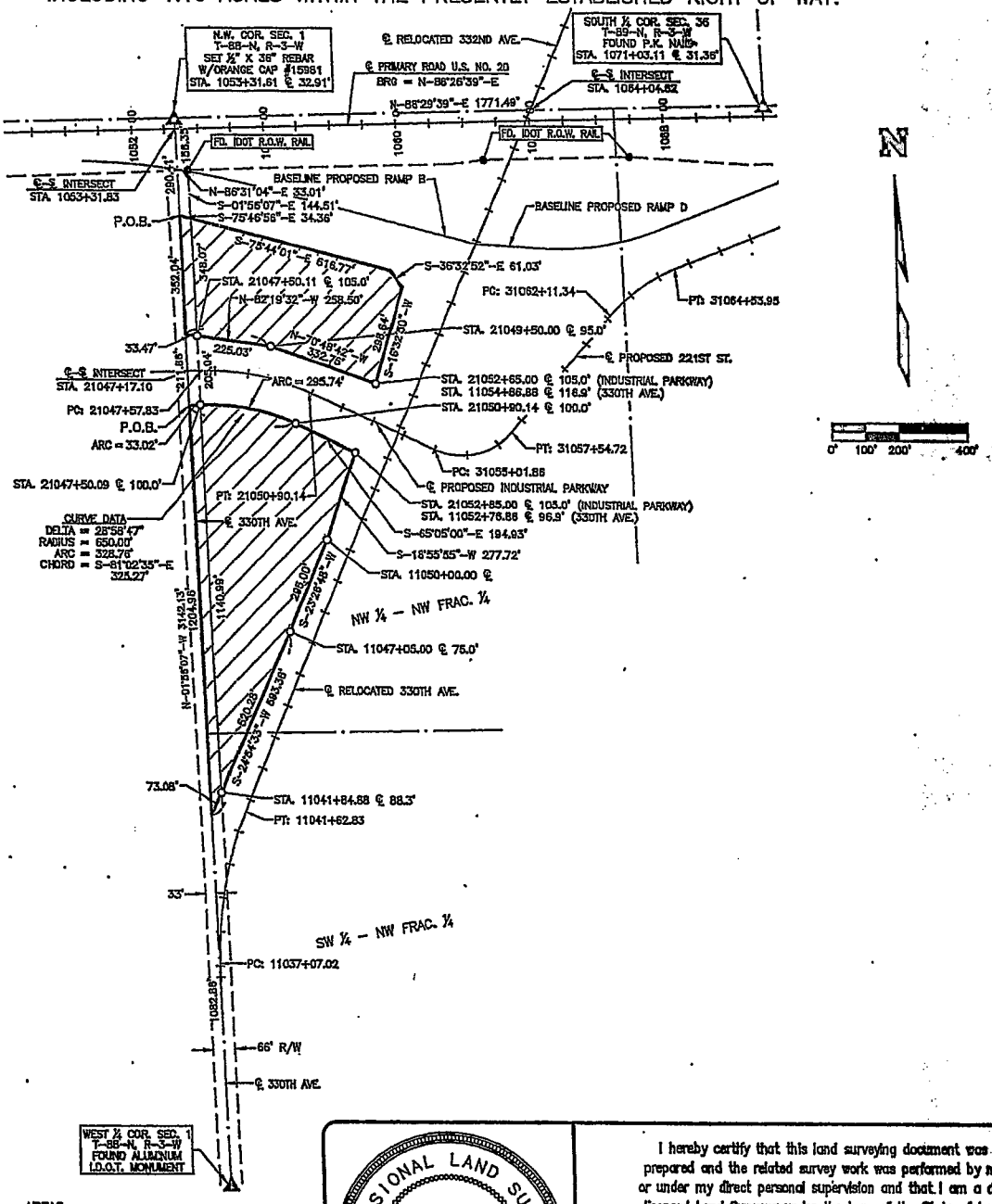
ROW--FEE _____ AC, EASE _____ AC EXCESS--FEE 12.22* AC

ACCESS RIGHTS ACQUIRED -- STA _____ STA _____ MAIN LINE _____ SIDE

ACCESS RIGHTS ACQUIRED -- STA _____ STA _____ SIDE ROAD _____ SIDE

ACQUIRED FROM Leon Elenz

* INCLUDING 1.16 ACRES WITHIN THE PRESENTLY ESTABLISHED RIGHT OF WAY.



AREAS

NORTH PARCEL -- TOTAL = 4.77 ACRES

SOUTH PARCEL -- TOTAL = 7.45 ACRES
NW ¼ - NW FRAC. ¼ = 7.12 ACRES
SW ¼ - NW FRAC. ¼ = 0.33 ACRES

LEGEND

○ SET ½" X 36" REBAR WITH ORANGE CAP #15981
△ SECTION CORNER, AS NOTED
● FOUND, AS NOTED

PROFESSIONAL LAND SURVEYOR
MATTHEW W. KRAUSE
15981
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

2/28/14

MATTHEW W. KRAUSE LICENSE NO. 15981 DATE

My license renewal date is December 31, 2015.

Pages or sheets covered by this seal: 1 OF 1

DATE DRAWN FEBRUARY 28, 2014

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "A-3"
(Land needed for public improvement)

COUNTY DELAWARE STATE CONTROL NO. _____

PROJECT NO. NHSN--20--8(48)-- --2R--28 PARCEL NO. 4

SECTION 1 TOWNSHIP 88--N RANGE 3--W

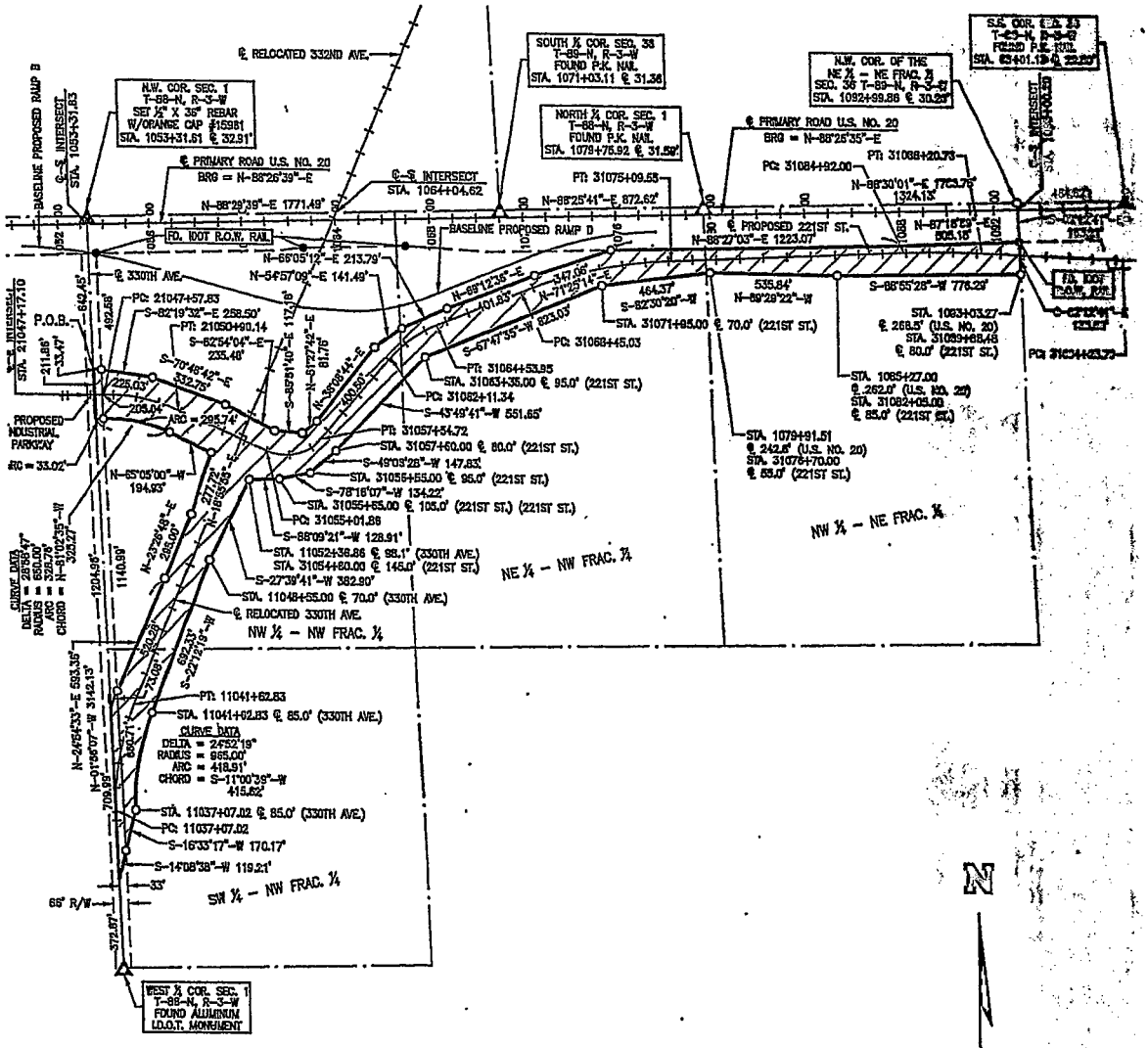
ROW--FEE 20.24* AC, EASE _____ AC EXCESS--FEE _____ AC

ACCESS RIGHTS ACQUIRED -- STA _____ STA _____ MAIN LINE _____ SIDE

ACCESS RIGHTS ACQUIRED -- STA _____ STA _____ SIDE ROAD _____ SIDE

ACQUIRED FROM Leon Elenz

* INCLUDING 0.68 ACRES WITHIN THE PRESENTLY ESTABLISHED RIGHT OF WAY. ACQUIRED IN THE NAME OF THE CITY OF DYERSVILLE



PROFESSIONAL LAND SURVEYOR
MATTHEW W. KRAUSE
15981
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

MATTHEW W. KRAUSE LICENSE NO. 15981 DATE 2/28/14

My license renewal date is December 31, 2015.

Pages or sheets covered by this seal: 1 OF 1

AREAS

TOTAL = 20.24 ACRES
NW ¼ -- NE FRAC. ¼ = 3.61 ACRES
NE ¼ -- NW FRAC. ¼ = 4.46 ACRES
NW ¼ -- NW FRAC. ¼ = 8.65 ACRES
SW ¼ -- NW FRAC. ¼ = 2.49 ACRES

LEGEND

○ SET ½" X 36" REBAR WITH ORANGE CAP
△ SECTION CORNER, AS NOTED
● FOUND, AS NOTED

DATE DRAWN FEBRUARY 28, 2014

In the Matter of the Condemnation of Certain Rights in Land by the Iowa Department of Transportation for the Improvement of

Primary Road No. U.S. 20

South of and in the City of Dyersville

located in Delaware County, Iowa

Project No. NHSN-20-8(48)--2R-28

Group "A"

AMENDMENT TO APPLICATION TO THE CHIEF JUDGE OF THE 1ST JUDICIAL DISTRICT FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES

AND

AMENDMENT TO NOTICE

TO: John Le Clere, Sheriff of Delaware County, Iowa

and

TO: Leon Elenz, 3332 U.S. Highway 20, Dyersville, IA 52040
City of Dyersville, Iowa, c/o City Clerk, 340 1st Ave E, Dyersville, IA 52040
Delaware County, Iowa, c/o County Auditor, 301 E Main Street, Manchester, IA 52057

COMES NOW THE IOWA DEPARTMENT OF TRANSPORTATION AND AMENDS THE APPLICATION AND NOTICE IN THE ABOVE ENTITLED PROCEEDINGS AS FOLLOWS:

Striking Paragraph No. 1 on Page 3 of the Notice and replacing it with the following:
Any and all improvements, including buildings or fences, if any, located wholly within the land sought in fee simple title are condemned in their entirety.

And adding the following as Paragraph No. 6 to the Notice:
Any 2014 crops growing on the land sought to be appropriated are reserved to the condemnee until February 28, 2015. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

Dated this 9th day of October, 2014.

IOWA DEPARTMENT OF TRANSPORTATION
David S. Gorham
Special Assistant Attorney General
and General Counsel to the Iowa DOT

By Katie A. Johnson
Katie A. Johnson
Condemnation Unit Coordinator
Office of Right of Way

Filed in my office at Wapello, Iowa, this ____ day of _____, 2014.

_____
John Le Clere
Sheriff of Delaware County, Iowa

E-FILED 2016 DEC 15 11:11 AM DELAWARE - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

IOWA DEPARTMENT OF TRANSPORTATION, Plaintiff, v. LEON ELENZ, CITY OF DYERSVILLE, IOWA, AND DELAWARE COUNTY, Defendants	* * * * * * * * * * * * * * *	LAW NO. CVCV007937 **STIPULATION OF SETTLEMENT**

The Iowa Department of Transportation (DOT), plaintiff, and Leon Elenz, defendant, do hereby stipulate to the terms set forth below in final settlement of all claims made by each in the above action:

1. On October 15, 2014, DOT appropriated by condemnation proceedings a parcel of land owned by Leon Elenz in Delaware County, Iowa. The parcel of land is more particularly described in the notice of condemnation attached to DOT's Notice of Appeal of Condemnation Award filed in these proceedings on November 5. 2014.

2. Pursuant to the findings of the Delaware County Compensation Commission, DOT caused to be deposited as provided by law the sum of one million seven hundred sixty-seven thousand dollars ($1,767,000) with the Office of the Delaware County Sheriff. In accordance with the order of this court entered on

March 31, 2015, the entire amount of the compensation commission's award was released to Leon Elenz.

3. It is agreed pursuant to this stipulation of settlement the prior award of the Delaware County Compensation Commission is amended to reflect an award of one million six hundred seventeen thousand dollars ($1,617,000). DOT and Leon Elenz agree this amount shall reflect the final award for the appropriation of the above-referenced parcel of land by DOT in order to achieve a full and complete settlement of all causes, claims and damages arising out of or resulting from the condemnation, and DOT and Leon Elenz hereby waive any additional claim for attorney fees, interest or expenses of any sort arising out of or resulting from the condemnation. Furthermore, DOT and Leon Elenz, except as necessary to enforce the terms of this stipulation, hereby release each other, and their respective assigns and successors, from any and all claims, demands, causes of action or suits, and any other claims for compensation, caused by, arising out of, or resulting in any manner from the condemnation, including any and all claims for damages cognizable in an eminent domain proceeding.

4. Leon Elenz shall promptly repay to DOT the sum of one hundred fifty thousand dollars ($150,000) in accordance with the reduced award stipulated to in numbered paragraph three above. In the event Leon Elenz fails to make repayment to DOT, then DOT shall be entitled to have judgment entered against Leon Elenz in

the sum of one hundred fifty thousand dollars ($150,000). Upon receipt of the full amount of repayment, DOT shall cause to be promptly filed in this action a satisfaction fully releasing Leon Elenz from any further obligation for payment. Moreover, upon repayment in full as evidenced by DOT's filing of a satisfaction in this proceeding, this case shall stand dismissed in its entirety with prejudice.

5. Each party shall bear their own court costs, except DOT shall pay and satisfy the late settlement fee imposed by the court under Iowa R. Civ. P. 1.909.

Dated this 13th day of December 2016.

By: Leon Elenz
Leon Elenz

By: Martin J. Sankey
Martin J. Sankey, for the Iowa Department of Transportation

Approved as to form:

E. Kelly Keady, Attorney for Leon Elenz

Approved as to form:

Robin G. Formaker, Attorney for Iowa Department of Transportation

E-FILED 2016 DEC 15 5:27 PM DELAWARE - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

IOWA DEPARTMENT OF TRANSPORTATION, Plaintiff, v. LEON ELENZ, CITY OF DYERSVILLE, IOWA, AND DELAWARE COUNTY, Defendants.	*	LAW NO. CVCV007937 **ORDER APPROVING STIPULATION OF SETTLEMENT**

A stipulation of settlement having come before the Court and the Court having been fully advised in the premises, finds that the same should be approved and confirmed. It is therefore Ordered, Adjudged and Decreed the stipulation of settlement of the parties on file is hereby approved, and it is incorporated in full in this order by reference.

The award for the appropriation of land as described in the notice of condemnation on file in these proceedings is reduced to $1,617,000. Leon Elenz shall repay to the Iowa Department of Transportation (DOT) the sum of $150,000. In the event Leon Elenz fails to make repayment as required, DOT shall be entitled to have judgment entered against Leon Elenz in the sum of $150,000. DOT, upon receipt of the full amount of repayment, shall file in this case a satisfaction fully releasing Leon Elenz from any further obligation for payment. Upon DOT's filing

of the satisfaction showing repayment in full has been received by it, this case shall stand dismissed in its entirety with prejudice.

Each party shall bear their own court costs, except DOT shall pay and satisfy the late settlement fee imposed by the Court under Iowa R. Civ. P. 1.909.

State of Iowa Courts

Type: OTHER ORDER

Case Number	**Case Title**
CVCV007937	IOWA DEPT OF TRANSPORTATION V LEON ELENZ ETAL

So Ordered

Michael J. Shubatt, District Court Judge,
First Judicial District of Iowa

E-FILED 2016 DEC 21 10:07 AM DELAWARE - CLERK OF DISTRICT COURT

IN THE IOWA DISTRICT COURT FOR DELAWARE COUNTY

IOWA DEPARTMENT OF TRANSPORTATION, Plaintiff, v. LEON ELENZ, CITY OF DYERSVILLE, IOWA, AND DELAWARE COUNTY, Defendants.	*	LAW NO. CVCV007937 **RECEIPT, SATISFACTION AND RELEASE OF IOWA DEPARTMENT OF TRANSPORTATION**

The Iowa Department of Transportation (DOT), plaintiff, in accordance with the order of Judge Michael J. Shubatt, filed in this case on December 15, 2016, hereby acknowledges of record through the undersigned DOT's receipt in full from Leon Elenz of his repayment of the sum of $150,000 in full satisfaction of the amount Leon Elenz was ordered to repay DOT in this case, and DOT hereby releases Leon Elenz from any further obligation for payment as a result of this case. Pursuant to the order of Judge Shubatt filed December 15, 2016, upon the filing of this receipt, satisfaction and release, this case shall stand dismissed in its entirety with prejudice.

THOMAS J. MILLER
Attorney General of Iowa

/s/ Robin G. Formaker
ROBIN G. FORMAKER AT0002574
Assistant Attorney General
Iowa Department of Transportation
General Counsel Division
800 Lincoln Way
Ames, IA 50010
(515) 239-1465 / FAX (515) 239-1609
robin.formaker@iowadot.us

Copy electronically to:

E. Kelly Keady
150 South Fifth Street, Suite 3100
Minneapolis, MN 55402

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2016, I electronically filed the foregoing with the Clerk of Court using the electronic filing system.

/s/ Debbie Landuyt

F&M BANK

"The Right Choice"

ACCOUNT NUMBER
[redacted]
TAX ID NUMBER
STATEMENT DATE
Jun 30, 2015

CLERK OF DISTRICT COURT DELAWARE COUNTY 1
301 E MAIN STREET
MANCHESTER IA 52057

FDIC

DATE	DESCRIPTION	REFERENCE	CHECK NO.	AMOUNT	BALANCE
SAVINGS PUB FND					
04/01/2015	Beginning Balance				1,768,074.84
	0 Deposits/Other Credits			+	.00
	1 Checks/Other Debits			-	1,768,074.84
06/30/2015	Ending Balance	1 Days in Statement Period			.00

Other Debits

04/01/2015	Closing Withdrawal				1,768,074.84

Daily Ending Balance

04/01	0.00

Earnings Summary

** Below is an itemization of the Earnings **
** for this statement period **

Interest Earned This Period	0.00	Annual Percentage Yield Earned	0.00 %
Interest Paid YTD	871.51	Days in Earnings Period	1
		Earnings Balance	0.00

F&M BANK ACCOUNT CLOSED

CUSTOMER COPY

MONEY ORDER

F&M Bank
P.O. Box 588
Manchester, IA 52057
563-927-4475

F&M BANK *"The Right Choice"*

110171

DATE **04/01/2015**

PAY TO THE ORDER OF **LEON ELENZ**

$ 1,768,074.84

$1,768,074.84 DOLLARS

++++ DOLLAR ONE COMMA SEVEN SIX EIGHT COMMA ZERO SEVEN FOUR PERIOD EIGHT FOUR

REMITTER **CLERK OF COURT - COURT ORDER - 3/31/15 - CVCV7937**

NON-NEGOTIABLE

AUTHORIZED SIGNATURE

COPY

COPY