State of Iowa

to

John K. Sawyer

#942

Fee $1.40 ✓

Filed for record the 8 day of April A. D. 1930 at 1:08 Oclock P. M.

Mildred E. Knott, Recorder.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA

In Madison County

Project No. P-173

APPLICATION TO THE SHERIFF FOR THE APPOINTMENT OF A CONDEMNATION COMMISSION

To John K. Sawyer, Sheriff of Madison County, Iowa,

Exhibit "A"

WHEREAS, In the opinion of the Highway Commission of the State of Iowa, the public interest requires the taking of the following described real estate, to-wit:

Property of

Alice Doud, Mary Carney, Celia Schuler, E. D. Hartley, Martin Hartley, Elizabeth Nolan, Anna Murray, Kate Hartley, Agnes Hartley

in the SW¼ SW¼ Sec. 12, T 74 N, R 28 W

Madison County P-173

Commencing at the SE Cor. SW¼ SW¼ Sec. 12, T 74 N, R 28 W, thence West 27.87 ft. to the point of beginning.
Thence W 80.73 ft., thence N 43 deg. 25 min. East 116.15 ft., thence S 0 deg. 37 min. E 84.36 ft. to the point of beginning, containing .08 acres, more or less.
Note: The South line of Sec. 12 is taken as due East and West.

Occupant of the Land

None

Lien Holder

Judgment Liens:
Costs, taxed to date, $45.20, in partition action brought by Alice Doud in District Court of Madison County, Iowa, at No. 14270, Equity, are unpaid. Action pending. No decree rendered at this date.

Tax Liens:
Land sold for tax of 1928 on Dec. 2, 1929 to W. T. Guiher. No redemption of record.

Property of C. C. Hakes

in the SE¼ SW¼, SW¼ SE¼, NW¼ SE¼ Sec. 14, T 74 N, R 28 W and
in the NE¼ NW¼ Sec. 23, T 74 N, R 28 W

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Commencing at the NW Cor. of the SW¼ SE¼ Sec. 14, T 74 N, R 28 W, thence S 51.31 ft. to the point of beginning:
Thence N 42 deg. 52 min. E 798.63 ft., thence N 41 deg. 26 min. 4 sec. E 400.12 ft., thence N 42 deg. 52 min. E 681.79 ft., thence S 0 deg. 50 min. E 173.69 ft., thence S 42 deg. 52 min. W 556.22 ft., thence S 44 deg. 17 min. 56 sec. W 400.12 ft., thence S 42 deg. 52 min. W 1569.4 ft., thence Southwesterly 1119.89 ft. along a 1860 ft. radius curve concave easterly and with a central angle of 34 deg. 30 min. thence S 8 deg. 22 min. W 948.05 ft., thence S 89 deg. 47 min. W 101.13 ft., thence N 8 deg. 22 min. E 963.14 ft., thence Northeasterly 1180.11 ft. along a 1960 ft. radius curve concave easterly and with a central angle of 34 deg. 30 min., thence N 42 deg. 52 min. E 770.77 ft. to the point of beginning, containing 11.15 acres, more or less.
Note: The west line of the SW¼ SE¼ Sec. 14 is taken as due North and South.

Occupant of the Land

Guy Williams,
RFD #1,
Barney, Iowa.

Lien Holder

Titus Loan and Investment Company,
Muscatine, Iowa.
Mortgage--$29000.00.

Titus Loan and Investment Company,
Muscatine, Iowa.
Mortgage--$1445.00

In addition to the award granted by the condemnation jury, there shall be constructed by the State Highway Commission a stock pass at Station 152404, said stock pass to be the size of 5'x7'. It is also agreed to construct a stock pass at Station 175487, size of this stock pass to be 5'x7'.

NOTE; A description of all the property in the county, affected or sought to be condemned, by its congressional numbers, in tracts not exceeding one-sixteenth of a section, or, if the land consists of lots in a city or town, by the numbers of the lot and block, and plat designation.

A plat showing the location of the right of way or other property sought to be condemned with reference to such description.

The names of all record owners of the different tracts of land sought to be condemned, or otherwise affected by such proceedings, and of all record holders of liens and incumbrances on such lands; also the place of residence of all such persons so far as known to the applicant.

(For Plat see Record ____ Page _____)

For the purposes of procuring a right of way for a Primary road, for the use and benefit of the State of Iowa as authorized and permitted by law; and,

WHEREAS, The Highway Commission of the State of Iowa by Resolution adopted on the 22nd day of January, 1930, declared it to be their opinion that the interest of the public required the taking of said real estate for right of way purposes for a Primary road and for other state purposes as authorized and permitted by the provisions of the statutes of the State of Iowa (Chapters 365 and 366 of the Code of Iowa, 1924, and Chapters 101, 102, and 103 of the Acts of the 42nd General Assembly, and amendments thereto); and,

WHEREAS, The Highway Commission of the State of Iowa, and the parties owing the above described lands and interests therein, are unable to agree upon the compensation to be paid for the same;

NOW THEREFORE, The State of Iowa and the State Highway Commission hereby request the appointment of six (6) freeholders of the State of Iowa, not interested in the same, or a like question, in order that they may inspect said real estate and assess the damages which the owners thereof, and persons owning interests therein, will sustain by reason of the appropriation of said land for the purposes herein stated, and make their report of their doings in the premises in writing to you, as provided by law.

Dated at Des Moines, Iowa, this 27 day of January, A. D. 1930.

THE STATE OF IOWA and
THE IOWA STATE HIGHWAY COMMISSION
By John Fletcher Attorney General.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA

In Madison County Project No. P-173

NOTICE TO CHIEF JUSTICE OF THE SUPREME COURT OF IOWA

TO THE HONORABLE E. G. ALBERT,

Chief Justice of The Supreme Court of the State of Iowa:

You are hereby notified that an application, a copy of which is attached hereto, has this day been filed in the office of the undersigned, and you are therefore requested to select the members of the Condemnation Commission to assess the damages which the owners of the land, and the owners of interests therein, referred to in the application will sustain by reason of the appropriation of such land for Primary road purposes, as provided in Chapters 365 and 366 of the Code of Iowa, 1924, and Chapters 101, 102, and 103 of the Acts of the 42nd General Assembly, and amendments thereto, and make return to me of the name and place of residence of each member of the Commission so selected by you.

Dated at Winterset Iowa, this 31st day of January A. D., 1930.

John K. Sawyer

Sheriff of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA

In Madison County, Project No. P-173

SELECTION OF COMMISSIONERS BY CHIEF JUSTICE

An application having been on this day presented to me for the appointment of a Condemnation Commission in the above entitled matter, I hereby designate, select and appoint as members of the Condemnation Commission required in said matter, the following:

Name	Address	County
John Gordinier	Des Moines	Polk
George Stevens	Macedonia	Pottawattamie
C. F. Wennerstrum	Chariton	Lucas
John N. Langfitt	Greenfield	Adair
Jervis C. Johnson	New Virginia	Warren
Rob't. L. Leach	Adel	Dallas

Dated at Des Moines, Iowa, this 1 day of Feb. A. D. 1930.

Edgar A. Morling
Chief Justice of the Supreme Court of Iowa.

COMPARED