

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE
CONDEMNATION OF CERTAIN
RIGHTS IN LAND BY
MADISON COUNTY, IOWA

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APPLICATION FOR
CONDEMNATION

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

JUL 17 1995

BY *[Signature]*

TO: The Honorable Richard D. Morr, Chief Judge of the Fifth
Judicial District of Iowa:

1. The Applicant, Madison County, Iowa, does hereby make
application to condemn for road purposes, in fee simple title,
together with the necessary appurtenances, easement and improvement
thereto, over, across and under, the following-described real
estate situated in fee simple title, together with the necessary
appurtenances, easement and improvement thereto, over, across and
under, the following described real estate situated in Madison
County, Iowa, to-wit:

All that part of the South Fractional Half (1/2) of the
Northwest Quarter (1/4), and the North Half (1/2) of the North
Half (1/2) of the Southwest Quarter (1/4) of Section Six (6),
Township Seventy-five (75) North, Range Twenty-seven (27) West
of the 5th P.M., Madison County, Iowa, lying and begin West of
U.S. Highway No. 169

According to the public records on file in Madison County,
Iowa, the parties listed below possess an interest in the real
estate described above:

OWNERS: Jack Benoit
R.R. 3
Winterset, IA 50273

Patsy Benoit
R.R. 3
Winterset, IA 50273

FILED NO. **149**
BOOK 134 PAGE 454
95 JUL 19 AM 10:45

COMPUTER
RECORDED
COMPARED

MICHELLE UTOLLEN
RECORDER
MADISON COUNTY, IOWA

TENANTS: None.

LIENHOLDERS: Union State Bank
201 W. Court
Winterset, IA 50273

2. Attached hereto and marked Exhibit "A" is a plat showing the location of the real estate sought to be condemned.

3. The name of the record owners of said tract of land sought to be condemned in fee is set out above with the description of the land, and their residence is in Madison County, Iowa.

4. The purposes for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

5. The property to be condemned is agricultural property with damages to be paid by the State of Iowa. The land is classified as Class I and II under the United States Department of Agriculture soil conservation service land capability classification system and is reasonably necessary for the work of internal improvement for which condemnation is sought.

6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1993) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

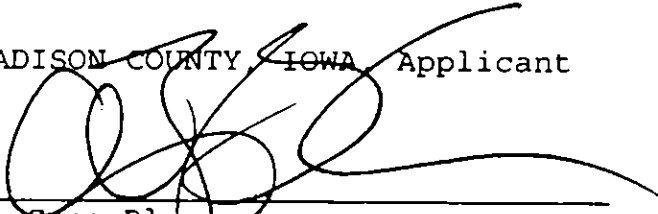
Filed in duplicate in my office at Des Moines, Iowa this 14th day of July, 1995.



The Honorable Judge Richard D. Morr

MADISON COUNTY IOWA Applicant

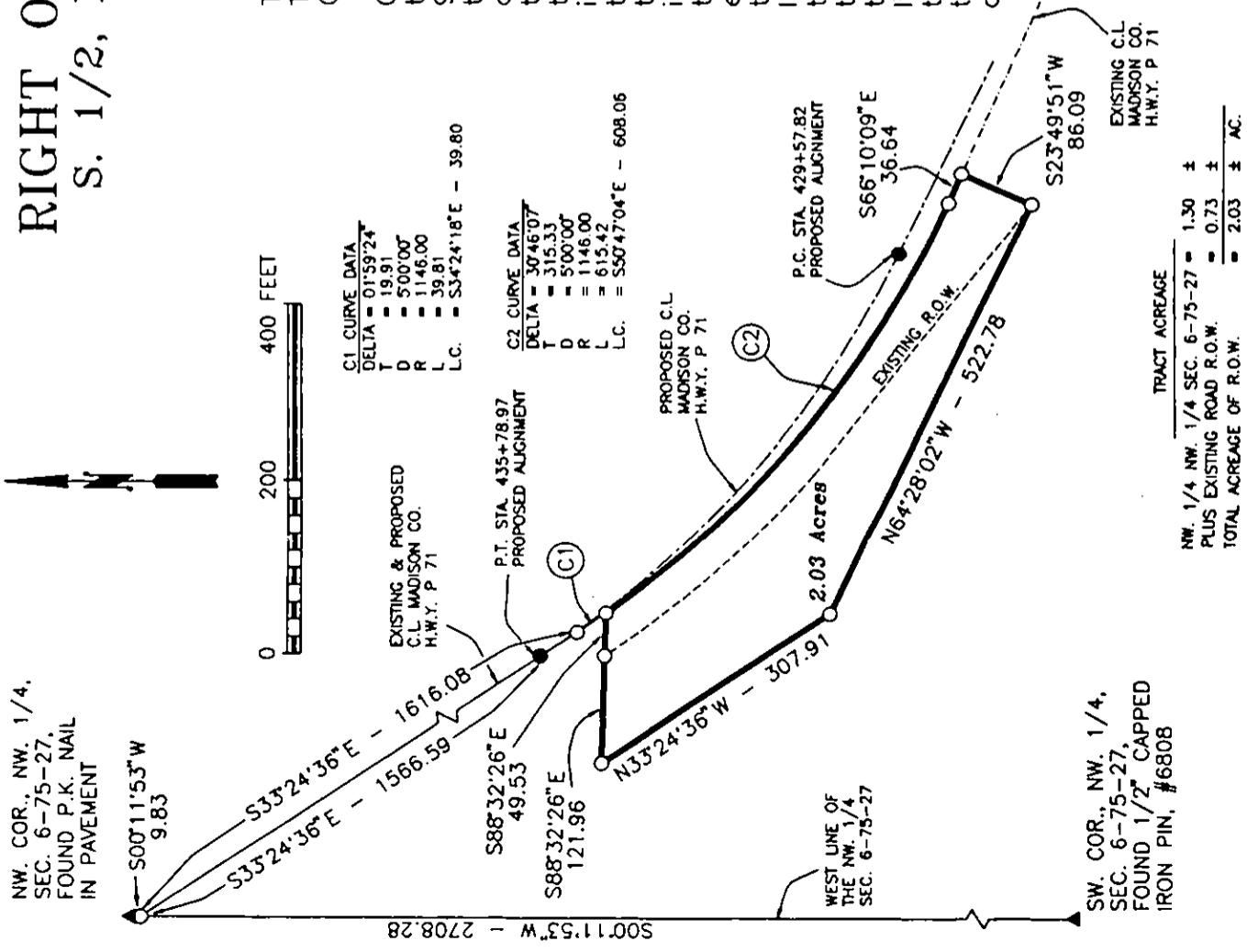
BY: _____



A. Zane Blessum
MADISON COUNTY ATTORNEY
113 N. John Wayne Drive
P.O. Box 309
Winterset, IA 50273
Telephone: (515) 462-1666

RIGHT OF WAY ACQUISITION PLAT

S. 1/2, NW. 1/4 SEC. 6, T-75N, R-27W MADISON COUNTY, IOWA PARCEL 15



DESCRIPTION

That part of the South One-Half of the Northwest Quarter of Section 6, Township 75 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Commencing at the northwest corner of the Northwest Quarter of the said Section 6, thence on an assumed bearing of South 00 degrees 11 minutes 53 seconds West 9.83 feet along the west line of the said Northwest Quarter; thence South 33 degrees 24 minutes 36 seconds East 1616.08 feet along the centerline of the existing highway;

thence continuing along the centerline of the existing highway southeasterly 39.81 feet along a tangential curve concave northeasterly, having a radius of 1146.00 feet and a chord 39.80 feet in length, bearing South 34 degrees 24 minutes 18 seconds East to the point of beginning;

thence continuing along the centerline of the existing highway southeasterly 615.42 feet along a tangential curve concave northeasterly having a radius of 1146.00 feet and a chord 608.06 feet in length bearing South 50 degrees 47 minutes 04 seconds East;

thence South 66 degrees 10 minutes 09 seconds East 36.64 feet along the centerline of the existing highway;

thence South 23 degrees 49 minutes 51 seconds West 86.09 feet to the westerly right of way line of the existing highway;

thence North 64 degrees 28 minutes 02 seconds West 522.78 feet;

thence North 33 degrees 24 minutes 36 seconds West 307.91 feet;

thence South 88 degrees 32 minutes 26 seconds East 121.96 feet to the westerly right of way line of the existing highway;

thence continuing South 88 degrees 32 minutes 26 seconds East 49.53 feet to the centerline of the existing highway and the point of beginning. Said tract contains 2.03 acres more or less, and is subject to encumbrances of record.



I hereby certify that this plan, specification, plat, map, survey, or report was prepared by me or under my direct personal supervision and that I am a duly Registered Professional Engineer and Land Surveyor under the laws of the State of Iowa.

My registration renewal date is December 31, 1995.

Signed *J. Brian Morrissey* Date June 13, 1995
J. Brian Morrissey Iowa Reg. No. 7995

MONUMENTS

- ▲ - found sec. cor. (pipe, stone, etc.)
- - monument to be set at completion of H.W.Y. construction with 5/8" rebar with cap R.L.S. 7995
- - no monument found or set
- - found lot cor. (pipe, stone, etc.)

TRACT ACREAGE	
NW. 1/4 NW. 1/4 SEC. 6-75-27	1.30 ±
PLUS EXISTING ROAD R.O.W.	0.73 ±
TOTAL ACREAGE OF R.O.W.	2.03 ± AC.