

FILED NO. 1634

BOOK 135 PAGE 339

95 DEC 11 PM 1:37

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

REC 200.00

ADV.

R.M.F. 1.00

IN THE MATTER OF THE CONDEMNATION OF)
CERTAIN RIGHTS IN LAND BY THE IOWA)
DEPARTMENT OF TRANSPORTATION FOR THE) **SHERIFF'S FILING OF RECORD**
IMPROVEMENT OF)

PRIMARY ROAD NO. 92 IN AND EAST OF
THE CITY OF BEVINGTON
LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. FN-92-4(15)--21-61 GROUP "G"

TO: MICHELLE UTSLER, MADISON COUNTY RECORDER:

PLEASE FIND ATTACHED THE FOLLOWING PAPERS REGARDING THE ABOVE NAMED
CONDEMNATION WHICH WAS HELD IN MY OFFICE OF THE 29TH DAY OF
SEPTEMBER, 1995 :

- A CERTIFIED COPY OF THE APPLICATION FOR CONDEMNATION;
- ALL NOTICES, TOGETHER WITH ALL RETURNS OF SERVICE ENDORSED ON
THE RETURNS OR ATTACHED TO THE RETURNS;
- THE REPORT OF THE COMMISSIONERS;
- ALL OTHER PAPERS FILED WITH THE SHERIFF IN THE PROCEEDINGS.

I FURTHER CERTIFY THAT I HAVE IN MY POSSESSION, WARRANT NO.
06192288 IN THE AMOUNT OF \$2,350.00, PAYABLE TO MCLAUGHLIN, VERNON
JOHN, & WARREN WATER DISTRICT & U.S. WEST COMMUNICATIONS, INC. &
MADISON COUNTY TREASURER

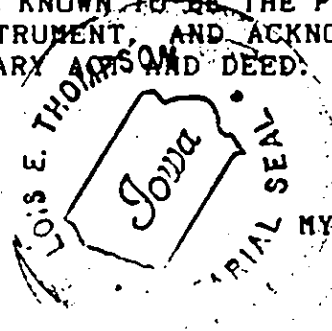
THIS APPLICATION FOR CONDEMNATION WAS FILED WITH THE COUNTY
RECORDER ON THE 28TH DAY OF SEPTEMBER, 1995, IN BOOK NO. 134 ON
PAGES 762.

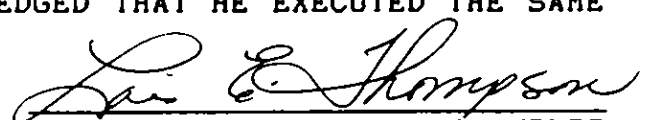
THESE FUNDS WERE RECEIVED FROM THE TREASURER OF STATE DES MOINES,
IOWA 50319.

 SHERIFF
MADISON COUNTY, IOWA

STATE OF IOWA)
) SS
MADISON COUNTY)

ON THIS 8th DAY OF DECEMBER, 1995, BEFORE ME, A NOTARY
PUBLIC IN THE STATE OF IOWA, PERSONALLY APPEARED PAUL D. WELCH,
SHERIFF TO ME KNOWN TO BE THE PERSON NAMED IN AND WHO EXECUTED THE
FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME
AS HIS VOLUNTARY APPROX AND DEED.




LOIS E. THOMPSON, NOTARY PUBLIC
IN AND FOR THE STATE OF IOWA
MY COMMISSION EXPIRES OCTOBER 15, 1996

*for Disclaimers see
Misc Rec 44-74
4-22-97*

RECEIVED
 MADISON COUNTY SHERIFF
 WINTERSSET, IOWA
 29 1995
 4:30 AM
 BY *[Signature]*

CERTIFIED TRUE COPY

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

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

APPLICATION TO THE CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES

TO: Richard D. Morr, Chief Judge, 5th Judicial District including Madison County, Iowa.

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 68.3 the Code of Iowa, the following is set forth:

Description: The lands and/or property rights sought to be condemned or affected are described on the attached Notice of Condemnation which is made a part of this Application.

Plat: The location of the right of way or other property rights sought to be condemned or affected are shown on the plat(s) attached to and a part of the attached Notice of Condemnation.

Names and Addresses: The names and addresses of the record owners, lienholders, encumbrancers, and other persons affected by this proceeding are listed on the attached Notice of Condemnation.

Purpose: The Department of Transportation desires the rights specified in the lands sought to be condemned for road right of way and/or access control and/or for highway drainage and/or obtaining and removing gravel or other suitable material for the improvement and/or maintenance of roads and streets within the State of Iowa.

Agricultural Land: A part of the lands sought to be appropriated may be classified as Class I or Class II within an agricultural area and, if so classified, is reasonably necessary for this internal improvement.

Request: NOW, THEREFORE, the Iowa Department of Transportation hereby requests the appointment of a compensation commission of six qualified persons to view the premises and appraise the damages which the owners, lienholders, encumbrancers, and other persons affected will sustain by reason of this Condemnation.

Dated at Ames, Iowa, this 14 day of September, 1995.

IOWA DEPARTMENT OF TRANSPORTATION
 DAVID A. FERREE
 Special Assistant Attorney General
 and General Counsel to the Iowa DOT

ROBERT J. NORTH
 Right of Way Director

By *[Signature]*
 Bernie Jorgensen
 Condemnation Unit Coordinator

Filed in my office at *Ames, Iowa*, this *19* day of *Sept*, 19*95*.

[Signature]
 Richard D. Morr
 Chief Judge of the 5th Judicial District
 including Madison County, Iowa.

I certify that this Application for Condemnation has been approved by the Chief Judge.

[Signature] 9/25/95
 Bernie Jorgensen
 Condemnation Supervisor

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

Primary Road No. 92 west

of the City of Bevington

located in Madison County, Iowa

Project No. FN-92-4(15)--21-61

Group "G"

NOTICE

RECEIVED	
MADISON COUNTY SHERIFF WINTERSET, IOWA	
SEP 29 1995	
4:30	AM
BY: <i>[Signature]</i>	

TO:

Vernon John McLaughlin, also known as Vernon J. McLaughlin and Vernon McLaughlin, Rural Route, Bevington, Iowa

Warren Water District, formerly known as Warren Water, Inc., c/o Peggy Crabbs, System Manager, 708 North Avenue, Norwalk, Iowa

U.S. West Communications, Inc., formerly known as Northwestern Bell Telephone Company, c/o C T Corporation System, Registered Agent, 2222 Grand Avenue, Des Moines, Iowa

Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The NE 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4 and part of the NW 1/4 SE 1/4 of Sec. 25, T76N, R26W of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plats Exhibits "A" and "B" (1 of 2) and (2 of 2) attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa, and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as follows:

A parcel of land located in the NW 1/4 SE 1/4 of Sec. 25, T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

Madison County Project No. FN-92-4(15)--21-61

Vernon John McLaughlin (Parcel 73)

Continued on next page.

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Madison County Project No. FN-92-4(15)--21-61
 Vernon John McLaughlin (Parcel 73)

Page 2

Said parcel is described as follows:

Commencing at the Center of said Sec. 25; thence $S2^{\circ}02'03''E$, 386.60 ft. along the west line of the $SE\frac{1}{4}$ of said Sec. 25 to a point on the present northerly right of way line of Primary Road No. 92, the Point of Beginning; thence $N63^{\circ}15'45''E$, 275.00 ft. along said northerly line; thence $N41^{\circ}17'30''E$, 107.79 ft.; thence $N61^{\circ}36'31''E$, 526.77 ft. to a point on said northerly line; thence $N50^{\circ}25'53''E$, 100.20 ft. along said northerly line to a point on the north line of the $NW\frac{1}{4} SE\frac{1}{4}$ of said Sec. 25; thence $N81^{\circ}20'26''E$, 440.22 ft. along said north line to the NE Corner of said $NW\frac{1}{4} SE\frac{1}{4}$; thence $S2^{\circ}13'58''E$, 44.32 ft. along the east line of said $NW\frac{1}{4} SE\frac{1}{4}$ to a point on the present southerly right of way line of said Primary Road No. 92; thence $S63^{\circ}12'47''W$, 531.83 ft. along said southerly line; thence westerly 341.54 ft. along a 2366.83 foot radius curve, concave northerly and having a chord bearing $S56^{\circ}12'06''W$, 341.25 ft.; thence $S39^{\circ}52'12''W$, 55.58 ft.; thence $S62^{\circ}40'32''W$, 102.69 ft.; thence $S85^{\circ}00'49''W$, 53.85 ft.; thence $S63^{\circ}12'44''W$, 391.86 ft. to a point on the west line of the $SE\frac{1}{4}$ of said Sec. 25; thence $N2^{\circ}02'03''W$, 159.28 ft. along said west line to the Point of Beginning, excepting therefrom present easements of record.

Said parcel contains 1.29 acres, exclusive of said exceptions.

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

1. Any and all improvements, including fences, if any, located wholly within the land sought by easement for highway purposes are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of filling channel, in land described as follows and as shown on the plat Exhibit "B" (1 of 2) attached hereto and by reference made a part hereof:

Commencing at the $S\frac{1}{4}$ Corner of said Sec. 25; thence $N2^{\circ}02'03''W$, 2102.63 ft. along the west line of the $SE\frac{1}{4}$ of said Sec. 25 to a point on the southerly line of the land sought by easement; thence $N63^{\circ}12'44''E$, 391.86 ft. along said southerly line; thence $N85^{\circ}00'49''E$, 16.15 ft. along said southerly line to the Point of Beginning; thence continuing $N85^{\circ}00'49''E$, 37.70 ft. along said southerly line; thence $N62^{\circ}40'32''E$, 102.69 ft. along said southerly line; thence $N39^{\circ}52'12''E$, 55.58 ft. along said southerly line; thence $S29^{\circ}39'52''E$, 120.00 ft.; thence $S43^{\circ}55'43''W$, 206.31 ft.; thence $N26^{\circ}47'16''W$, 179.00 ft. to the Point of Beginning.

3. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing entrances, in land described as follows and as shown on the plats Exhibit "B" (1 of 2) and (2 of 2) attached hereto and by reference made a part hereof:

Madison County Project No. FN-92-4(15)--21-61
 Vernon John McLaughlin (Parcel 73)
 Continued on next page.

Page 2

Exhibit "B" (1 of 2)

Commencing at the S $\frac{1}{4}$ Corner of said Sec. 25; thence N2°02'03"W, 2102.63 ft. along the west line of the SE $\frac{1}{4}$ of said Sec. 25; thence N63°12'44"E, 391.86 ft.; thence N85°00'49"E, 53.85 ft.; thence N62°40'32"E, 102.69 ft.; thence N39°52'12"E, 55.58 ft.; thence N59°57'38"E, 30.98 ft. to a point on the southerly line of the land sought by easement, the Point of Beginning; thence easterly 72.29 ft. along a 2366.83 foot radius curve, concave northerly and having a chord bearing N58°42'38"E, 72.29 ft.; thence S32°09'52"E, 45.00 ft.; thence S58°42'38"W, 73.66 ft.; thence N30°24'52"W, 45.00 ft. to the Point of Beginning.

Exhibit "B" (2 of 2)

Commencing at the S $\frac{1}{4}$ Corner of said Sec. 25; thence N2°02'03"W, 2262.30 ft. along the west line of the SE $\frac{1}{4}$ of said Sec. 25 to a point on the present northerly right of way line of Primary Road No. 92, the Point of Beginning; thence continuing along said west line N2°02'03"W, 33.04 ft.; thence N63°12'44"E, 36.17 ft.; thence S26°47'16"E, 30.04 ft. to said northerly line; thence S63°15'45"W, 50.00 ft. along said northerly line to the Point of Beginning.

Also, commencing at the S $\frac{1}{4}$ Corner of said Sec. 25; thence N2°02'03"W, 2262.30 ft. along the west line of the SE $\frac{1}{4}$ of said Sec. 25; thence N63°15'45"E, 275.00 ft.; thence N41°17'30"E, 107.79 ft.; thence N61°36'31"E, 182.51 ft. to a point on the northerly line of the land sought by easement, the Point of Beginning; thence N30°39'52"W, 49.89 ft.; thence N57°50'08"E, 111.61 ft.; thence S33°39'52"E, 57.43 ft. to said northerly line; thence S61°36'31"W, 114.67 ft. along said northerly line to the Point of Beginning.

4. Any drain tile lines, 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 condemnor and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of filling channel and constructing entrances, relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.

LDL Printed
March 4 88

IOWA DEPARTMENT OF TRANSPORTATION



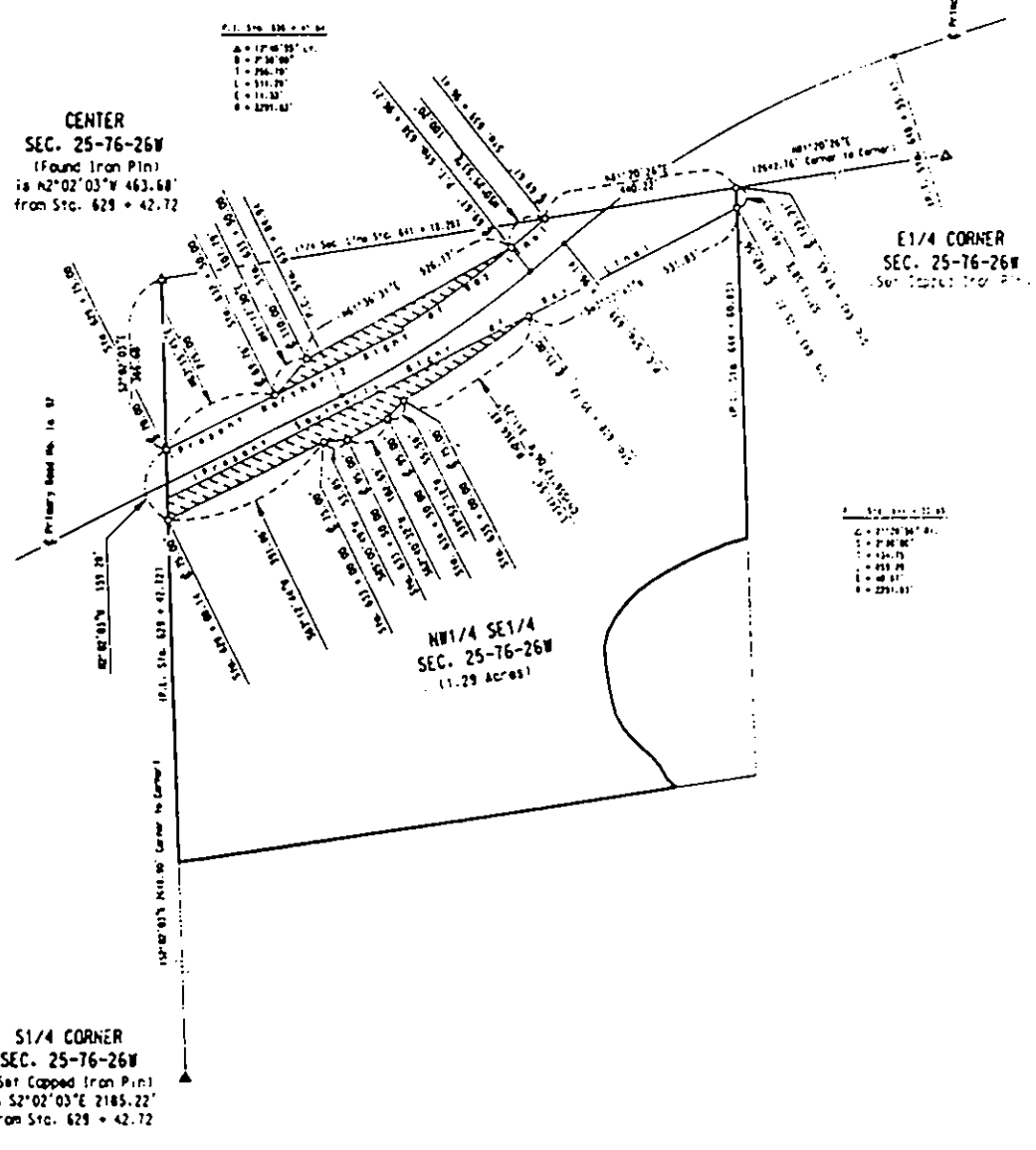
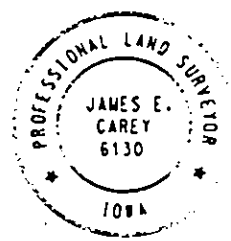
ACQUISITION PLAT EXHIBIT 'A'

COUNTY	MADISON	STATE CONTROL NO.	61-0600
PROJECT NO.	FN-92-4(15)--21-61	PARCEL NO.	73
SECTION	25	TOWNSHIP	76 N
ROW-FEE		RANGE	26 W
		AC. EASE	1.29
ACQUIRED FROM	VERNON JOHN MCLAUGHLIN		

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

Signature: *James E. Casey*
Date: *August 29, 1992*

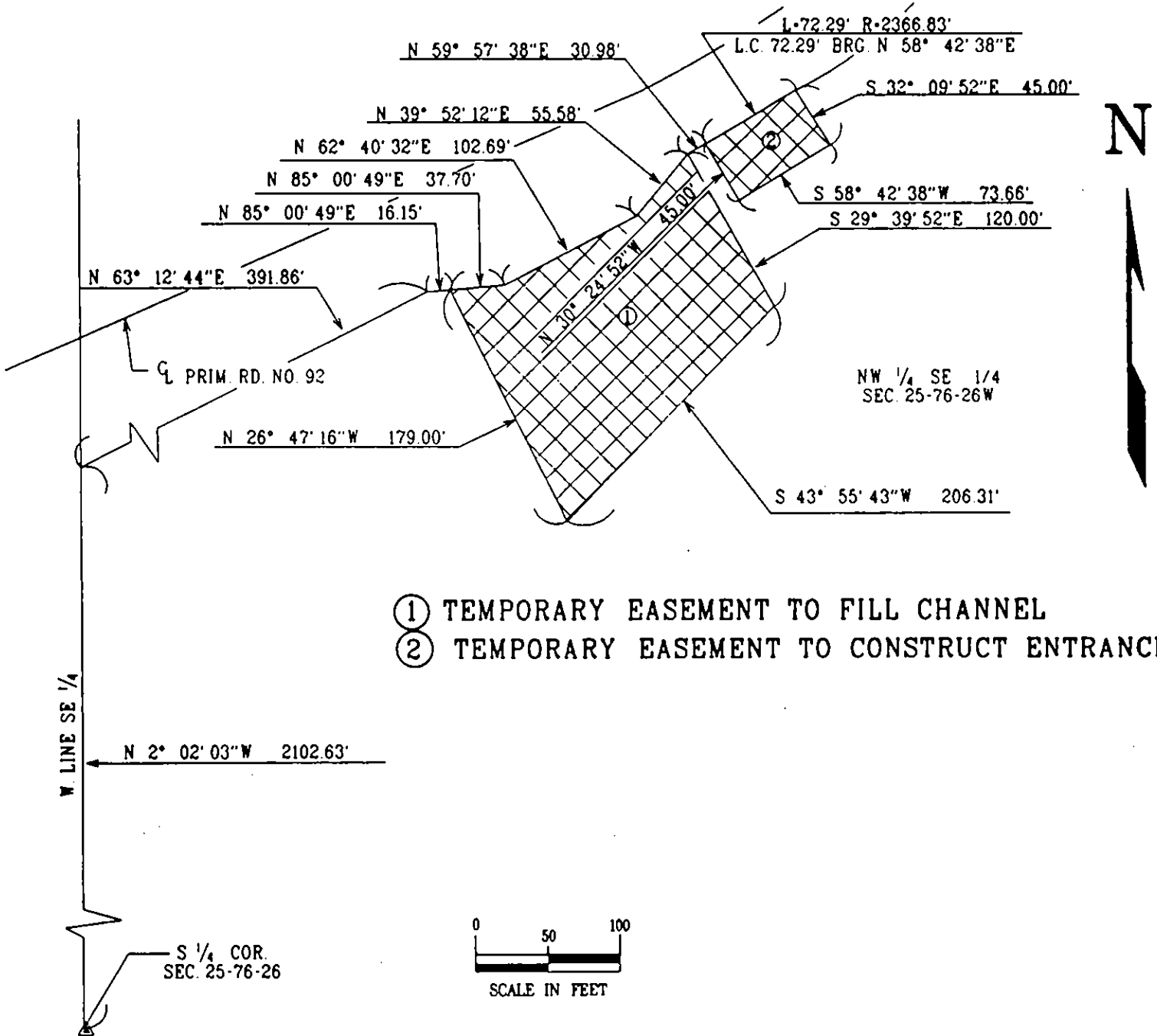
My registration expires December 31, 1992



IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (1 OF 2)



COUNTY MADISON
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 73
 SECTION 25 TOWNSHIP 76N RANGE 26W
 BORROW AC
 ACQUIRED FROM VERNON JOHN MCLAUGHLIN



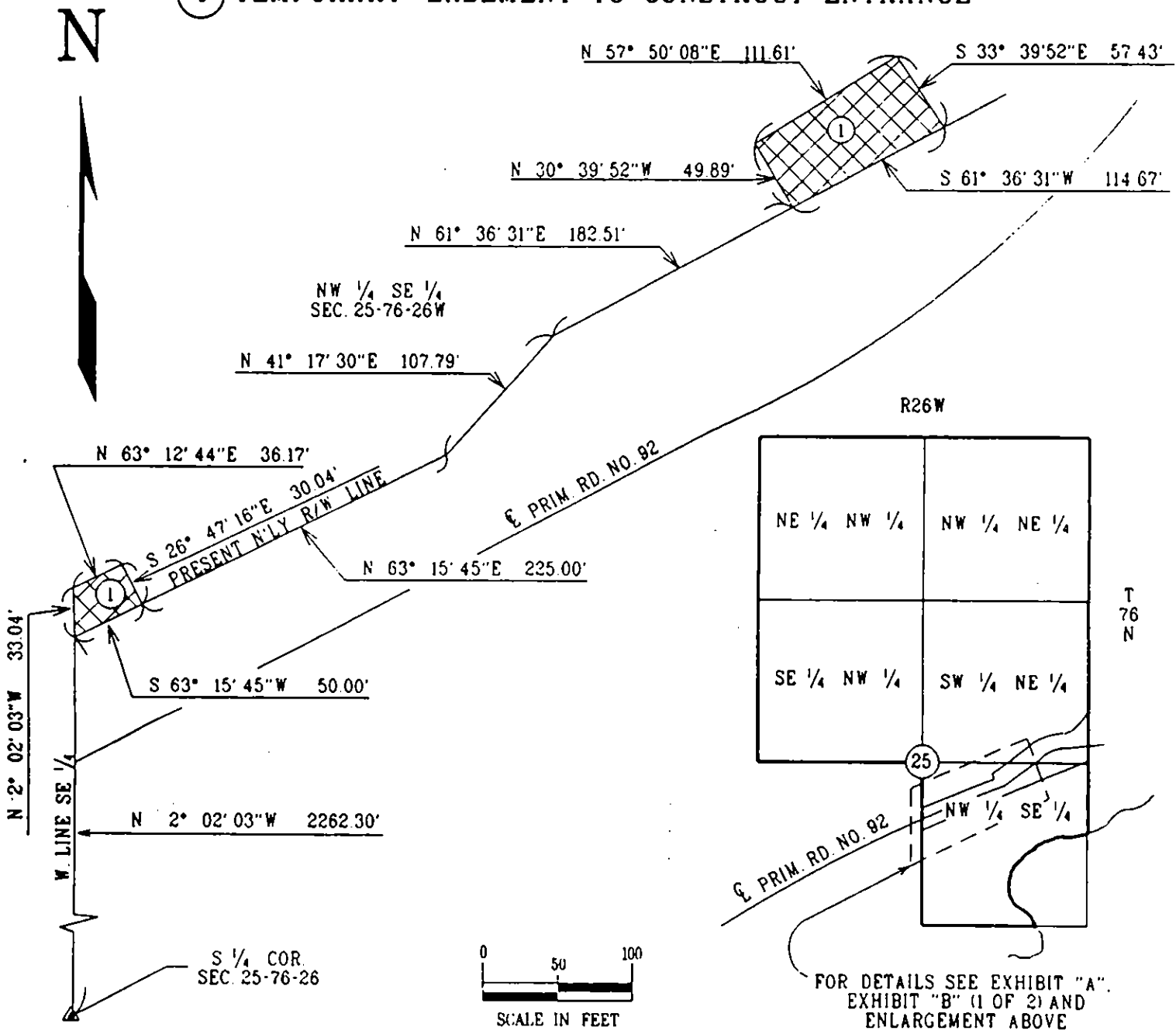
FORM 654-077
1-83

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (2 OF 2)



COUNTY MADISON
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 73
 SECTION 25 TOWNSHIP 76N RANGE 26W
 BORROW AC
 ACQUIRED FROM VERNON JOHN MCLAUGHLIN

① TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE



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

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa
Project No. FN-92-4(15)--21-61 Group "G"

SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS BY THE CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT
SEP 29 1995
4:30 AM
BY [Signature]

An Application and Notice of Condemnation having been filed with me by the Iowa Department of Transportation for the selection and appointment, by lot, of six suitable persons as the law provides to act as a compensation commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by Applicant, in the Notice of Condemnation filed in the above entitled matter, I hereby designate, select, and appoint as the members of said compensation commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Gene Vierling	Winterset	Licensed Real Estate Salesperson or Broker
Don Noack	Booneville	Licensed Real Estate Salesperson or Broker
Margaret Schafer	Earlham	Knowledgeable of Property Values by Virtue of Occupation
Loren Myers	Macksburg	Knowledgeable of Property Values by Virtue of Occupation
Darrell Daggett	Winterset	Agricultural
Vincent Wildin	Winterset	Agricultural

I further designate, select, and appoint, the above named GENE VIERLING to act as Chairperson of said commission. I further designate DON NOACK as Alternate Chairperson.

To the Sheriff of Madison County, Iowa: Attached hereto please find a duplicate of the Application for Condemnation in the above-entitled matter.

Dated at Des Moines, Iowa, this 20 day of September, 1995.

[Signature: Richard D. Morr]
Richard D. Morr
Chief Judge of the 5th Judicial District including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 29th day of September 1995.

[Signature: Paul D. Welch]
Paul Welch
Sheriff of Madison County, Iowa

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

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

RECEIVED
 MADISON COUNTY SHERIFF
 SUPPLEMENTARY ORDER
 APPOINTING ALTERNATE
 COMPENSATION COMMISSIONERS
 SEP 29 1995
 4:30 AM
 BY *[Signature]*

An Application and Notice of Condemnation having been filed with me by the Iowa Department of Transportation, entitled as above, for the selection and appointment, by lot, of a duly constituted compensation commission, and said selection and appointment having been made by me, I further, DESIGNATE, SELECT, and APPOINT the following persons to serve as alternate members of said compensation commission, in the event that any of the said members having the same qualifications are unable to serve for any reason.

NAME	ADDRESS	QUALIFICATION
1. Jim Kress	Earlham	Licensed Real Estate
2. Pat Corkrean	Winterset	Salesperson or Broker
1. Jim Mease	Winterset	Knowledgeable of Property Values by Virtue of Occupation
2. Gail Leeper	Winterset	
1. Raymong Clark	Booneville	Agricultural
2. John Spera	Winterset	

The Sheriff of Madison County, Iowa, shall have upon being informed of a vacancy in the compensation commission, notify an alternate member appointed having the same qualifications as the person unable to serve in the same manner as the original commissioners were notified.

Dated at Des Moines, Iowa, this 20 day of September 1995.

[Signature of Richard D. Morr]

Richard D. Morr
Chief Judge of the 5th Judicial District
including Madison County, Iowa.

Filed in my office at Winterset, Iowa, this 29th day of September, 19 95.

[Signature of Paul Welch]
Paul Welch
Sheriff of Madison County, Iowa

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

SUMMONS TO COMMISSIONERS

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: JIM KRESS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Madison County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that
DON NOACK has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 7th day of November, 19 95, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul D Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 7 day of November, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Jim Kress

Filed in my office at Winterset, Iowa, this 19th day of October, 19 95.

Paul D Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

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

SUMMONS TO COMMISSIONERS

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: RAYMOND CLARK

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Madison County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that _____ has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 7th day of November, 19 95, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul D. Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at van Meter, Iowa, this 13 day of October, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Raymond Clark

Filed in my office at Winterset, Iowa, this 18th day of October, 19 95.

Paul D. Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____

Please sign original summons and return promptly to the Sheriff of County.

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

SUMMONS TO COMMISSIONERS

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: LOREN MYERS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Madison County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that DON NOACK has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 7th day of November, 19 95, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Iowa, this 19 day of 19 I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Loren Myers

Filed in my office at Winterset, Iowa, this 10th day of October, 19 95.
Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

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

SUMMONS TO COMMISSIONERS

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: DON NOACK

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Madison County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that DON NOACK has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 7th day of November, 19 95, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul B Welch, Sheriff

Paul Welch Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Iowa, this day of 19 I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Don Noack

Filed in my office at Winterset, Iowa, this 10th day of October, 19 95.

Paul Welch Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

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

SUMMONS TO COMMISSIONERS

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: DARRELL DAGGETT

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Madison County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that DON NOACK has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 7th day of November, 19 95, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 10 day of Nov, 19 95. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Darrell Daggett

Filed in my office at Winterset, Iowa, this 10 day of Nov, 19 95.

Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

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

SUMMONS TO COMMISSIONERS

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: MARGARET SCHAFER

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrances, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets and/or for highway drainage in Madison County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the [Judicial] District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that DON NOACK has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Winterset, Madison County, State of Iowa, on the 7th day of November, 1995, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul D Welch Sheriff Paul Welch Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at EARLHAM, Iowa, this 9th day of October, 1995. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Margaret Schaffer

Filed in my office at Winterset, Iowa, this 10th day of October, 1995.

Paul D Welch Sheriff Paul Welch Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

Please sign original summons and return promptly to the Sheriff of County.

12

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

OATH OF COMMISSIONERS

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

STATE OF IOWA

Madison County

}ss

Each of the undersigned being duly sworn says:

That I do possess the qualifications listed under my name below, and

That I do not possess any interest in the proceeding which would cause me to render a biased decision,

and, that I will, to the best of my ability, faithfully and impartially assess the damages which owners, lienholders, encumbrances and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the rights set forth and described in the Application and Notice of Condemnation in the Office of the Sheriff for the improvement of roads and streets and make a written report to the Sheriff as Authorized and prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B, Code of Iowa, and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Signature: Don Noack
Name: DON NOACK
Licensed Real Estate Salesperson or Broker

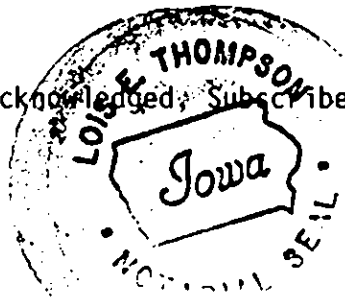
Signature: Jim Kress
Name: JIM KRESS
Licensed Real Estate Salesperson or Broker

Signature: Margaret Schaefer
Name: MARGARET SCHAEFER
Knowledgeable of Property Values by Virtue of Occupation

Signature: Loren Myers
Name: LOREN MYERS
Knowledgeable of Property Values by Virtue of Occupation

Signature: Darrell Daggett
Name: DARRELL DAGGETT
Agricultural

Signature: Raymond Clark
Name: RAYMOND CLARK
Agricultural



Acknowledged, Subscribed and sworn to before me this 7th day of November, 1995.

Signature: Lois E. Thompson
(Notary Public) in and for said County and State
(Clerk of Court)

Filed in my office at, Winterset, Iowa, this 7th day of November, 1995.

Signature: Paul D. Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa

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

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK 134, PAGE 762, OR INSTRUMENT NUMBER, AND DATED September 28, 1995.

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Winterset Iowa, on the 7th day of November, 1995 and thereupon proceeded to view the premises and said commissioners did on the 7th day of November, 1995, file their report in my office awarding damages as follows:

NAMES OF CONDEMNEES	AWARD	ATTORNEY FEES AND COSTS
Vernon John McLaughlin;	\$ 2,350.00	\$
Warren Water District;	\$	\$
U.S. West Communications, Inc	\$	\$
Madison County Treasurer	\$	\$
	\$	\$
TOTAL DAMAGES AWARDED	\$ 2,350.00	\$

I certify that the costs incident to this proceeding are taxed and Notices were Served as listed below:

Date:	Name of Condemnees Served	: Fee	: Mileage ⁴⁴ at	Rate	: Amount	: Total :
	Vernon John McLaughlin	\$10.00	\$9.18	27 cents	\$19.18	\$19.18
	Madison Co Auditor, Joan Welch	\$10.00	\$2.70		\$12.70	\$12.70

	Sub Total	\$	\$31.88
Sheriff, Summoning and attending Commissioners.....	\$	60.00	
Sheriff, Mileage while attending Commissioners, 52 miles, at .27 cents =		14.04	
COPIES & POSTAGE		11.87	
	TOTAL	\$	117.79

Paul D Welch, Sheriff
Paul Welch
Sheriff of Madison, County, Iowa

COMMISSIONERS' COSTS

-2-

Don Noack of
Van Meter, Iowa
1 day service \$ 50.00
34 miles at 27 cents \$ 9.18
 meals _____
TOTAL \$ 59.18

Jim Kress of
Earlham, Iowa
1 day service \$ 50.00
36 miles at 27 cents \$ 9.72
 meals _____
TOTAL \$ 59.72

LOREN MYERS of
MACKSBURG, Iowa
1 day service \$ 50.00
40 miles at 27 cents \$ 10.80
 meals _____
TOTAL \$ 60.80

MARGARET SCHAFER of
EARLHAM, Iowa
1 day service \$ 00.00
0 miles at -- cents 00.00
 meals _____
TOTAL \$ 00.00

Darrell Daggett of
Winterset, Iowa
1 day service \$ 50.00
10 miles at cents 2.70
 meals _____
TOTAL \$ 52.70

Raymond Clark of
Van Meter, Iowa
1 day service \$ 50.00
28 miles at 27 cents 7.56
 meals _____
TOTAL \$ 57.56

GRAND TOTAL \$ 350.19

I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that the payment has been received.

Dated this 15th day of November, 1995.

Paul D. Welch
Paul Welch
Sheriff of Madison County, Iowa

14

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of _____ County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. _____, held on the 7 day of November, 199, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>34</u> miles at <u>27</u> cents	\$ <u>9.18</u>
_____ meals	\$ _____

Signed this 7th day of November, 1995.

Donald P. Neach
COMMISSIONER

15

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-92-4 (15)-21-61, held on the 7 day of November, 1995, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50⁰⁰</u>
<u>36</u> miles at <u>27</u> cents	\$ <u>9.72</u>
_____ meals	\$ <u>59.72</u>

Signed this 7th day of November, 1995.

Jim Kress
COMMISSIONER

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CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. _____, held on the 7 day of Nov, 1995, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50 -</u>
<u>40</u> miles at <u>27</u> cents	\$ <u>10 80</u>
_____ meals	\$ _____

Signed this 7 day of Nov, 1995.

Loan mason
COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-92-4(15) --21-61, held on the 7 day of Nov, 1995, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50⁰⁰</u>
<u>7</u> miles at _____ cents	\$ <u>2⁷⁰</u>
_____ meals	\$ _____

Signed this 7 day of Nov, 1995.

Darrell Daggott
COMMISSIONER

18

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN 92 4152161, held on the 7 day of November, 19 95, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>28</u> miles at <u>27</u> cents	\$ <u>7.56</u>
_____ meals	\$ _____

Signed this 7 day of November, 19 95.

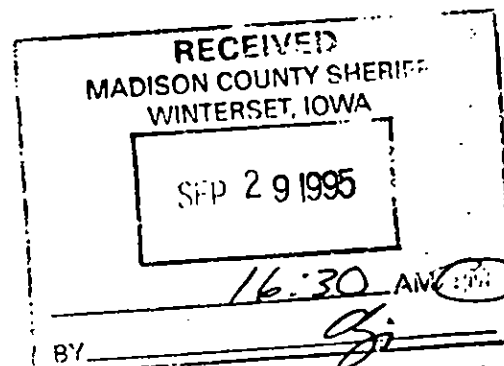
Raymond Clark
COMMISSIONER

19

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

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa
Project No. FN-92-4(15)--21-61
Group "G"

NOTICE



TO:

- ✓ Vernon John McLaughlin, also known as Vernon J. McLaughlin and Vernon McLaughlin, Rural Route, Bevington, Iowa
- Warren Water District, formerly known as Warren Water, Inc., c/o Peggy Crabbs, System Manager, 708 North Avenue, Norwalk, Iowa
- U.S. West Communications, Inc., formerly known as Northwestern Bell Telephone Company, c/o C T Corporation System, Registered Agent, 2222 Grand Avenue, Des Moines, Iowa
- Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The NE 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4 and part of the NW 1/4 SE 1/4 of Sec. 25, T76N, R26W of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plats Exhibits "A" and "B" (1 of 2) and (2 of 2) attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa, and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as follows:

A parcel of land located in the NW 1/4 SE 1/4 of Sec. 25, T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

Madison County Project No. FN-92-4(15)--21-61
Vernon John McLaughlin (Parcel 73)
Continued on next page.

Said parcel is described as follows:

Commencing at the Center of said Sec. 25; thence S2°02'03"E, 386.60 ft. along the west line of the SE¼ of said Sec. 25 to a point on the present northerly right of way line of Primary Road No. 92, the Point of Beginning; thence N63°15'45"E, 275.00 ft. along said northerly line; thence N41°17'30"E, 107.79 ft.; thence N61°36'31"E, 526.77 ft. to a point on said northerly line; thence N50°25'53"E, 100.20 ft. along said northerly line to a point on the north line of the NW¼ SE¼ of said Sec. 25; thence N81°20'26"E, 440.22 ft. along said north line to the NE Corner of said NW¼ SE¼; thence S2°13'58"E, 44.32 ft. along the east line of said NW¼ SE¼ to a point on the present southerly right of way line of said Primary Road No. 92; thence S63°12'47"W, 531.83 ft. along said southerly line; thence westerly 341.54 ft. along a 2366.83 foot radius curve, concave northerly and having a chord bearing S56°12'06"W, 341.25 ft.; thence S39°52'12"W, 55.58 ft.; thence S62°40'32"W, 102.69 ft.; thence S85°00'49"W, 53.85 ft.; thence S63°12'44"W, 391.86 ft. to a point on the west line of the SE¼ of said Sec. 25; thence N2°02'03"W, 159.28 ft. along said west line to the Point of Beginning, excepting therefrom present easements of record.

Said parcel contains 1.29 acres, exclusive of said exceptions.

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

1. Any and all improvements, including fences, if any, located wholly within the land sought by easement for highway purposes are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of filling channel, in land described as follows and as shown on the plat Exhibit "B" (1 of 2) attached hereto and by reference made a part hereof:

Commencing at the S¼ Corner of said Sec. 25; thence N2°02'03"W, 2102.63 ft. along the west line of the SE¼ of said Sec. 25 to a point on the southerly line of the land sought by easement; thence N63°12'44"E, 391.86 ft. along said southerly line; thence N85°00'49"E, 16.15 ft. along said southerly line to the Point of Beginning; thence continuing N85°00'49"E, 37.70 ft. along said southerly line; thence N62°40'32"E, 102.69 ft. along said southerly line; thence N39°52'12"E, 55.58 ft. along said southerly line; thence S29°39'52"E, 120.00 ft.; thence S43°55'43"W, 206.31 ft.; thence N26°47'16"W, 179.00 ft. to the Point of Beginning.

3. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing entrances, in land described as follows and as shown on the plats Exhibit "B" (1 of 2) and (2 of 2) attached hereto and by reference made a part hereof:

Exhibit "B" (1 of 2)

Commencing at the S $\frac{1}{4}$ Corner of said Sec. 25; thence N2°02'03"W, 2102.63 ft. along the west line of the SE $\frac{1}{4}$ of said Sec. 25; thence N63°12'44"E, 391.86 ft.; thence N85°00'49"E, 53.85 ft.; thence N62°40'32"E, 102.69 ft.; thence N39°52'12"E, 55.58 ft.; thence N59°57'38"E, 30.98 ft. to a point on the southerly line of the land sought by easement, the Point of Beginning; thence easterly 72.29 ft. along a 2366.83 foot radius curve, concave northerly and having a chord bearing N58°42'38"E, 72.29 ft.; thence S32°09'52"E, 45.00 ft.; thence S58°42'38"W, 73.66 ft.; thence N30°24'52"W, 45.00 ft. to the Point of Beginning.

Exhibit "B" (2 of 2)

Commencing at the S $\frac{1}{4}$ Corner of said Sec. 25; thence N2°02'03"W, 2262.30 ft. along the west line of the SE $\frac{1}{4}$ of said Sec. 25 to a point on the present northerly right of way line of Primary Road No. 92, the Point of Beginning; thence continuing along said west line N2°02'03"W, 33.04 ft.; thence N63°12'44"E, 36.17 ft.; thence S26°47'16"E, 30.04 ft. to said northerly line; thence S63°15'45"W, 50.00 ft. along said northerly line to the Point of Beginning.

Also, commencing at the S $\frac{1}{4}$ Corner of said Sec. 25; thence N2°02'03"W, 2262.30 ft. along the west line of the SE $\frac{1}{4}$ of said Sec. 25; thence N63°15'45"E, 275.00 ft.; thence N41°17'30"E, 107.79 ft.; thence N61°36'31"E, 182.51 ft. to a point on the northerly line of the land sought by easement, the Point of Beginning; thence N30°39'52"W, 49.89 ft.; thence N57°50'08"E, 111.61 ft.; thence S33°39'52"E, 57.43 ft. to said northerly line; thence S61°36'31"W, 114.67 ft. along said northerly line to the Point of Beginning.

4. Any drain tile lines, 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 condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of filling channel and constructing entrances, relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.

GIS Project
Number 4-02

1982 12



IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT EXHIBIT "A"

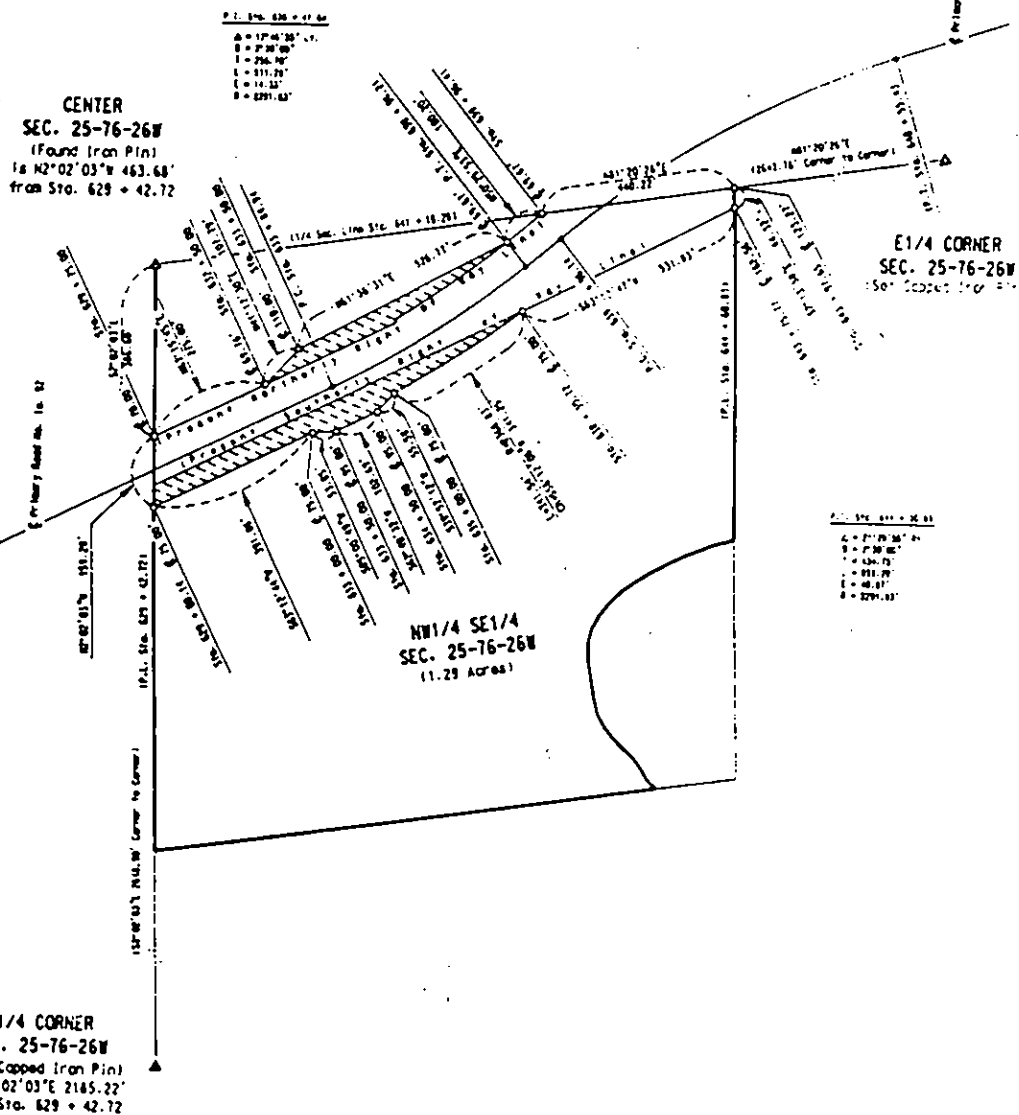
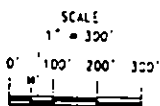
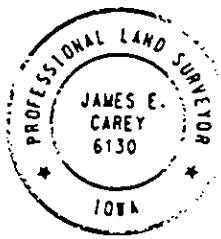
COUNTY MADISON STATE CONTROL NO. 61-0600
 PROJECT NO. FN-92-4(15)--21-81 PARCEL NO. 73
 SECTION 25 TOWNSHIP 76 N RANGE 26 W
 ROW-FEE _____ AC. EASE 1.29 AC. EXCESS - FEE _____
 ACQUIRED FROM VERNON JOHN MCLAUGHLIN

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

Signature: James E. Carey
 Date: August 29, 1992 Reg. No. 6130

My registration expires December 31, 1992

N

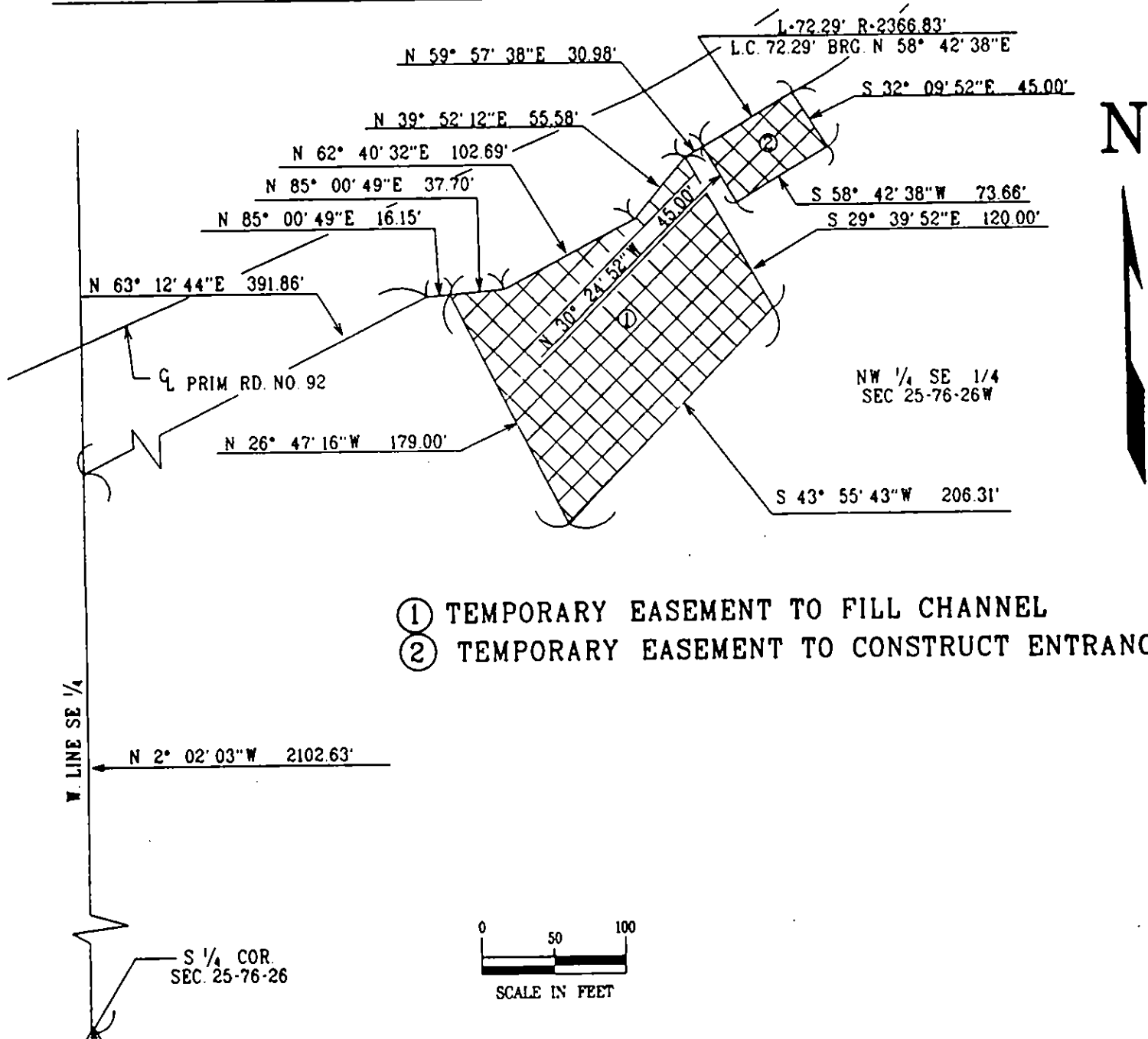


FORM 634-077
1-83

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (1 OF 2)



COUNTY MADISON
PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 73
SECTION 25 TOWNSHIP 76N RANGE 26W
BORROW AC
ACQUIRED FROM VERNON JOHN MCLAUGHLIN



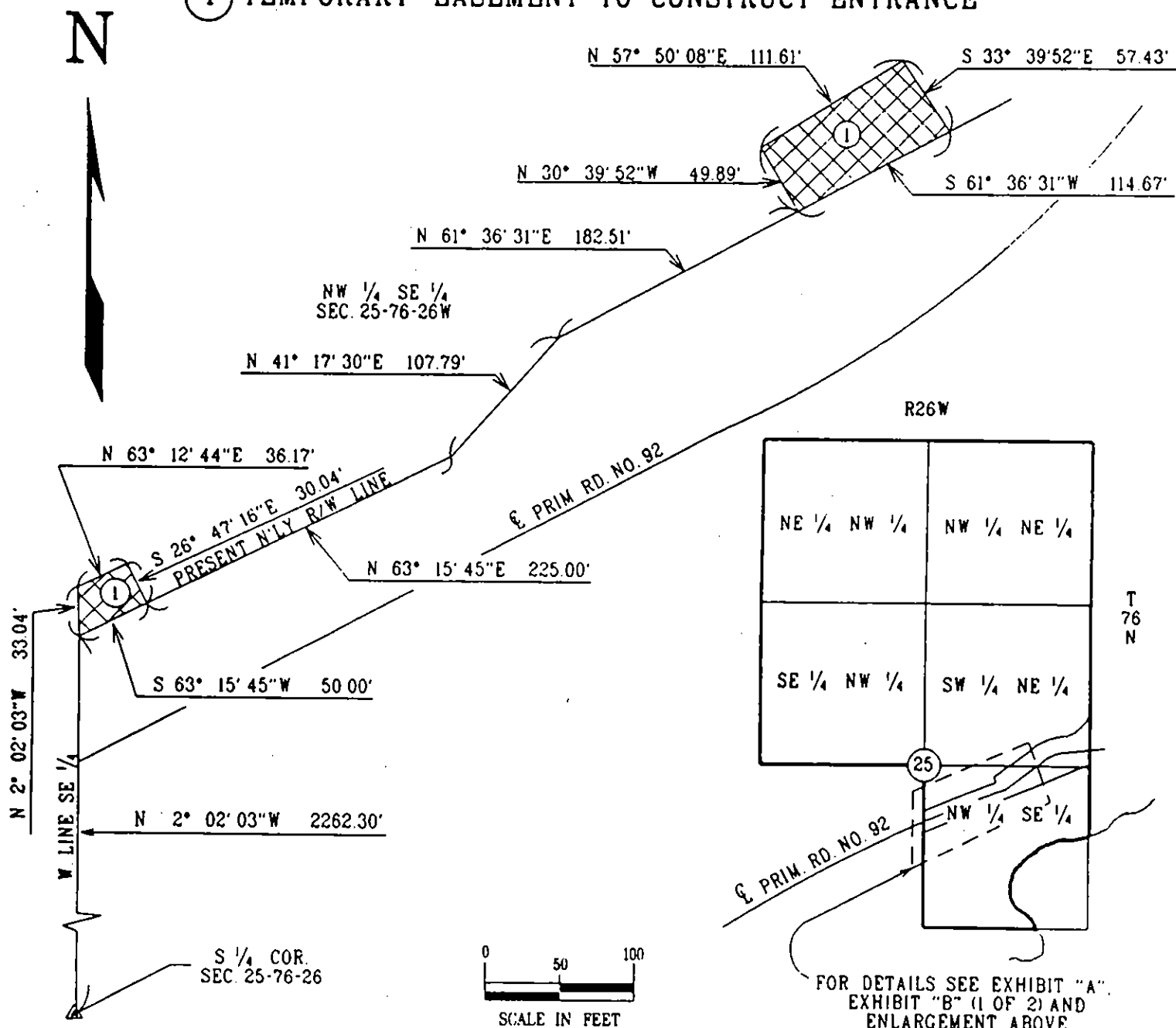
FORM 634-077
1-63

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (2 OF 2)



COUNTY MADISON
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 73
 SECTION 25 TOWNSHIP 76N RANGE 26W
 BORROW AC
 ACQUIRED FROM VERNON JOHN MCLAUGHLIN

① TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE



FOR DETAILS SEE EXHIBIT "A",
EXHIBIT "B" (1 OF 2) AND
ENLARGEMENT ABOVE

That such condemnation is sought for the improvement and/or the maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B of the Code of Iowa and all amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed.

You are further notified that the Commissioners will report to the Sheriff's Office in Winterset, Iowa, at 9:30 o'clock a.m., on the 7th day of November, 1995 and will view your property at approximately 10:20 o'clock a.m. on the same day, they will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION
Special Assistant Attorney General and Counsel

Robert J. North
Right of Way Director
By [Signature]
Bernie Jorgensen
Condemnation Unit Coordinator
Iowa Department of Transportation
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy, and I waive time of service and any requirements that such notice be published in a newspaper.

Dated at _____, this _____ day of _____, 19____.

STATE OF IOWA }
COUNTY OF MADISON } ss:

Received the within notice the 29th day of September, 1995, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

NAME	DATE	CITY OR TOWN	COUNTY	STATE
VERNON JOHN MCLAUGHLIN	Oct8,1995	Lee Twnshp #13	Madison	Iowa
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

Fees:
Service \$ 10.00
Mileage \$ 9.18
Total \$ 19.18

PAUL D. WELCH

Sheriff of MADISON County, Iowa
BY [Signature]
KEN BURK, DEPUTY


That such condemnation is sought for the improvement and/or the maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B of the Code of Iowa and all amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed.

You are further notified that the Commissioners will report to the Sheriff's Office in Winterset, Iowa, at 9:30 o'clock a.m. on the 7th day of November, 1995 and will view your property at approximately 10:20 o'clock a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION
Special Assistant Attorney General and Counsel

Robert L. North
Right of Way Director

By 
Bernie Jorgensen
Condemnation Unit Coordinator
Iowa Department of Transportation
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy, and I waive time of service and any requirements that such notice be published in a newspaper.


Dated at _____, this _____ day of _____, 19____.

STATE OF IOWA }
COUNTY OF MADISON } ss:

Received the within notice the 29th day of September, 1995, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

NAME	DATE	CITY OR TOWN	COUNTY	STATE
JOAN WELCH MADISON COUNTY AUDITOR	OCT 3, 95	Madison Co Courthouse	Madison	Iowa
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

Fees:
Service \$ 10.00
Mileage \$ 2.70
Total \$ 12.70


PAUL D. WELCH
Sheriff of MADISON County, Iowa

20


That such condemnation is sought for the improvement and/or the maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B of the Code of Iowa and all amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed.

You are further notified that the Commissioners will report to the Sheriff's Office in Winterset, Iowa, at 9:30 o'clock a.m. on the 7th day of November, 1995 and will view your property at approximately 10:20 o'clock a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION
Special Assistant Attorney General and Counsel

Robert L. North
Right of Way Director

By 
Bernie Jorgensen
Condemnation Unit Coordinator
Iowa Department of Transportation
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy, and I waive time of service and any requirements that such notice be published in a newspaper.

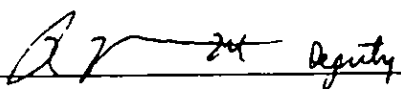
Dated at _____, this ____ day of _____, 19__.

STATE OF IOWA }
COUNTY OF WARREN } ss:

Received the within notice the 28TH day of SEPTEMBER, 1995, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

NAME	DATE	CITY OR TOWN	COUNTY	STATE
WARREN WATER DISTRICT	9-29-95	GREENFIELD	WARREN	IOWA
BY SERVING THILA SALSBUARY-SSISTANT				
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----
-----	-----	-----	-----	-----

Fees:
Service \$ 10.00
Mileage \$ 8.84
Total \$ 18.84


Deputy
Sheriff of _____ County, Iowa

21

RETURN OF SERVICE

SHERIFF'S FILE # I-127

IN THE IOWA DISTRICT COURT FOR Madison COUNTY

Case Name IA Dept of Transp.
Case No. FN-92-4 (15)-21-61-6

Notice Rec'd this date 9-28-95

STATE OF IOWA }
POLK County } ss.

RETURN OF SERVICE

- Personal
- Dwelling Substitute
- Hotel, Boarding/Rooming House
- Corporation/Association
- Official (State, County, City)
- Spouse away from residence
- Other _____
- Posted Per Court Order

- Type of Service Code
- 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7
 - 8

I certify that I served a copy of:

- Petition and Original Notice
- Modification/Application and Notice
- Order to Show Cause

- Order Filed _____
- Writ/FED _____
- Other Writ of Condemnation

Served:

(Name)	at	(Address)	on	(Date)	(Time)	Type Code
	at		on			
	at		on			
	at		on			
	at		on			
	at		on			

BY DELIVERING A COPY TO:

- NAME _____ A person at least 18 years old residing there.
- NAME _____ TITLE _____ The usual dwelling of the defendant, which place was a rooming house, hotel, apartment bldg.
- NAME _____ Spouse of defendant, which was not the defendants dwelling house or usual place of abode.

____ The Spouse stated that he/she lived together.
____ I have reason to believe that this Spouse lives at defendant's dwelling:

Because: _____

4. I served the same on the within named defendant U.S. West Comm Inc company
by delivering a true copy to Rolland E. Grefe, Asst. Sec. C.T. Corp Systems, R.A. name
at 2222 Grand Ave., Des Moines, IA 50309 use Date & Time 10-2-95 1030

NOTE: (Diligent search, etc.)

FEEs:

Processing 10.00

Mileage 1.20

Copy _____

Notary _____

TOTAL 11.20

BOB E. RICE
Sheriff of Polk County

By Bob Hargens
Bob Hargens Deputy

Fees charged to/paid by Atty/Party: _____

22

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

AFFIDAVIT OF FINAL OFFER

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

Parcel No. 73

On this the 7 day of November, 1995, comes the Iowa Department
of Transportation and states, as by law provided, that the most recent offers made the
owners lienholders, encumbrances and other persons interested in the appropriation of
certain specified rights in certain land as described by the Applicant in the Notice of
Condemnation filed in the above matter are as follows:

(Names as on Notice)

\$ 3402.00

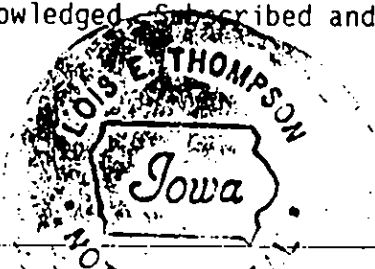
Vernon John McLaughlin
Warren Water District
U.S. West Communications, Inc.
Madison County Treasurer

IOWA DEPARTMENT OF TRANSPORTATION

Robert L. North
Right of Way Director

By Janida R. Martens
Condemnation Agent

Acknowledged, subscribed and sworn to before me this 7th day of November, 1995:



Lois E. Thompson

(Notary Public)
in and for said County and State
(Clerk of Court)

Filed in my office at Winterset, Iowa, this 7th day of November, 1995.

Paul D. Welch, Sheriff

PAUL WELCH
Sheriff of Madison County, Iowa

23

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

REPORT OF COMPENSATION COMMISSION

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

TO: Paul Welch, Sheriff of Madison County, Iowa

We, the undersigned, being duly appointed and qualified Commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrances and other persons interested in the appropriation of certain specified rights as set forth and described in the Notice of Condemnation filed in the above entitled matter respectfully report as follows:

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein and do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
PARCEL 62 - Nyle B. Jurgensen; Warren Water District; U.S. West Communications, Inc.; Madison County Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
PARCEL 73 - Vernon John McLaughlin; Warren Water District; U.S. West Communications, Inc.; Madison County Treasurer	\$ _____	\$ _____	\$ 2350.	\$ _____

Respectfully reported at Winterset, Iowa, this 7 day of Nov, 1995.

Donald P. Speck
Margaret Schaefer
Raymond Clark

Jim Kross
Darrell Diggert
Tom O. ...

I certify that the above amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received.

Filed in my office at Winterset, Iowa, this 7th day of November, 1995.

Paul Welch, Sheriff
Paul Welch
Sheriff of Madison County, Iowa

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

ENDORSEMENT OF SHERIFF
OF MAILING OF NOTICE OF
APPRAISEMENT OF DAMAGES
AND TIME FOR APPEAL

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

The undersigned hereby endorse and certify that a true copy of the Notice of Appraisal of Damages and Time for Appeal was served upon each of the parties of this proceeding, as listed herein, by enclosing said Notice in an envelope addressed to each such party at their respective last known mailing address as disclosed by the record in the Application to the Chief Judge (excepting those parties, if any, listed below), with postage prepaid, and by depositing said envelope in a United States Post Office depository in Winterset, Iowa, on the 7th day of November, 19 95.


Paul Weiden
Sheriff of Madison County, Iowa

24

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

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

Primary Road No. 92 west of the City of Bevington located in Madison County, Iowa

Project No. FN-92-4(15)--21-61 Group "G"

Parcel No. 73

TO:	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Vernon John McLaughlin;	\$	\$	\$ 2,350.00	\$
Warren Water District;	\$	\$	\$	\$
U.S. West Communications, inc.;	\$	\$	\$	\$
Madison County Treasurer	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

NOTE:

If Owner-Occupied Dwelling is acquired: Value of Condemnees' Dwelling \$ Value of Land and Improvements other than Condemnees' Dwelling \$

You and each of you are hereby notified that on the 7th day of November, 1995, the duly appointed and qualified commissioners assessed and appraised the damages sustained by reason of the condemnation as set out above, and that pursuant to the Code of Iowa, you may within (30) days from the date of mailing this Notice, appeal to the District Court as by law provided.

Signed this 7th day of November, 1995 Paul D Welch Sheriff of Madison County, Iowa

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

DISMISSAL

Primary Road No. 92 west
of the City of Bevington
located in Madison County, Iowa
Project No. FN-92-4(15)--21-61
Group "G" Parcel 64

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
OCT 20 1995
f. 50
BY <u>W</u>

TO: Paul Welch, Sheriff of Madison County, Iowa
and
TO:
Effie E. Blosser Estate, c/o Len Flanders, Executor, 223 East Court, Winterset, Iowa
Arthur Speer, 410 Olive Street, Martinsdale, Iowa
American Bible Society of America, Legacy Department, 1865 Broadway, New York, New York
Salvation Army of Iowa, 1216 East 25 Court, Des Moines, Iowa
Madison County Memorial Hospital, c/o Robert Young, Administrator, 300 Hutchings, Winterset, Iowa
Tim Camp, Rural Route 1, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The NW¼ SE¼, NE¼ SE¼, SW¼ SE¼ and SE¼ SE¼, all in Sec. 27, T76N, R26W of the 5th P.M., Madison County, Iowa.

The Iowa Department of Transportation dismisses, without prejudice, the above-referenced proceeding against all properties and property owners.

The original Certified Application for Condemnation approved by the Chief Judge was filed in the Office of the Madison County Recorder on September 28, 1995, and occurs in Book 134 on Page 762.

Dated at Ames, Iowa, this 18th day of October, 19 95.

IOWA DEPARTMENT OF TRANSPORTATION

DAVID A. FERREE
Special Assistant Attorney General and Counsel

ROBERT L. NORTH, Right of Way Director

By Bernie Jorgensen
Bernie Jorgensen
Condemnation Unit Coordinator

Time-Stamped in my office at Winterset, Iowa, this

20th day of October, 19 95.

Paul D. Welch, Sheriff
Sheriff of Madison County, Iowa

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

DISMISSAL

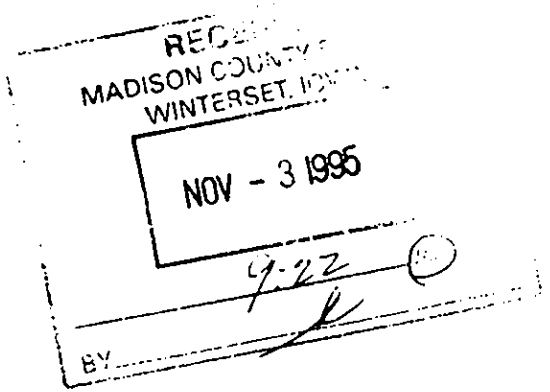
Primary Road No. 92 west

of the City of Bevington

located in Madison County, Iowa

Project No. FN-92-4(15)--21-61

Group "G" Parcel 62



TO: Paul Welch, Sheriff of Madison County, Iowa

and

TO:

Nyle B. Jurgensen, Rural Route 1, Prole, Iowa

Warren Water District, formerly known as Warren Water, Inc., c/o Peggy Crabbs, System Manager, 708 North Avenue, Norwalk, Iowa

U.S. West Communications, Inc., formerly known as Northwestern Bell Telephone Company, c/o C T Corporation System, Registered Agent, 2222 Grand Avenue, Des Moines, Iowa

Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The SW 1/4 SE 1/4 and SE 1/4 SE 1/4 of Sec. 28; the NW 1/4 NE 1/4, NE 1/4 NE 1/4 and part of the SE 1/4 NE 1/4 of Sec. 33; the NW 1/4 NW 1/4 and part of the SW 1/4 NW 1/4 of Sec. 34, all in T76N, R26W of the 5th P.M., Madison County, Iowa.

The Iowa Department of Transportation dismisses, without prejudice, the above-referenced proceeding against all properties and property owners.

The original Certified Application for Condemnation approved by the Chief Judge was filed in the Office of the Madison County Recorder on September 28, 1995, and occurs in Book 134 on Page 762.

Dated at Ames, Iowa, this 2nd day of November, 19 95.


IOWA DEPARTMENT OF TRANSPORTATION

DAVID A. FERREE

Special Assistant Attorney General and Counsel

ROBERT L. NORTH, Right of Way Director

By


Bernie Jorgensen

Condemnation Unit Coordinator

Time-Stamped in my office at Winterset, Iowa, this

3rd day of November, 19 95.


Sheriff of Madison County, Iowa