

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

Relocated Primary Road No. 92 north of the City of Patterson located in Madison County, Iowa

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

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. 472.3 of 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 13 day of May, 1992.

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

ROBERT L. NORTH
Right of Way Director

By Sharon L. Zagar
Condemnation Supervisor

FILED NO. 2829

BOOK 127 PAGE 636

92 MAY 21 PM 12:16

FRONELLE USHER
RECORDER
MADISON COUNTY, IOWA

Fee \$20.00

COMPARED

Filed in my office at Des Moines, Iowa this 13 day of May, 1992.

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.

Sharon L. Zagar 5/20/92
Sharon L. Zagar, Condemnation Supervisor

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

Relocated Primary Road No. 92

NOTICE

north of the City of Patterson

located in Madison County, Iowa

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

Group "A"

TO:

A & M Trust, c/o A. J. Severeid, Trustee, Rural Route, Patterson, Iowa

Marilyn W. Saveraid, Rural Route #1, Huxley, Iowa

U.S. West Communications, Inc., formerly known as Northwestern Bell Telephone Company, c/o CT
Corporation Systems, 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:

Part of the SW 1/4 SE 1/4, NW 1/4 SE 1/4, and the SW 1/4 NE 1/4 of Sec. 29, 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 plat Exhibit "A"
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 SW 1/4 SE 1/4 of Sec. 29, 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.

Said parcel is described as follows:

Madison County Project No. FN-92-4(15)--21-61
A & M Trust (Parcel 102)
Continued on next sheet.

Sheet 1

Madison County Project No. FN-92-4(15)-21-61
A & M Trust (Parcel 102)

Sheet 2

Commencing at the Center of said Sec. 29; thence $S1^{\circ}01'02''E$, 1349.72 ft. along the west line of the SE 1/4 of said Sec. 29 to the Point of Beginning; thence continuing $S1^{\circ}01'02''E$, 41.83 ft. along said west line to a point on the present northerly right of way line of Primary Road No. 92; thence easterly 507.00 ft. along a 1112.92 foot radius curve, concave northerly, and having a chord bearing $S70^{\circ}40'05''E$, 502.63 ft. along said present northerly right of way line; thence $N79^{\circ}34'13''E$, 237.89 ft. along said present northerly right of way line; thence westerly 735.65 ft. along a 1467.89 foot radius curve, concave northerly, and having a chord bearing $N76^{\circ}53'16''W$, 727.97 ft. to a point on the west line of said SE 1/4, the Point of Beginning; containing 0.73 acre, more or less.

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

1. Any and all improvements, including fences, and advertising devices, if any, located wholly within the land sought by easement for highway purposes are condemned in their entirety.
2. 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.

Madison County Project No. FN-92-4(15)-21-61
A & M Trust (Parcel 102)

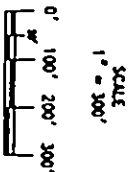
Sheet 2

IOWA DEPARTMENT OF TRANSPORTATION

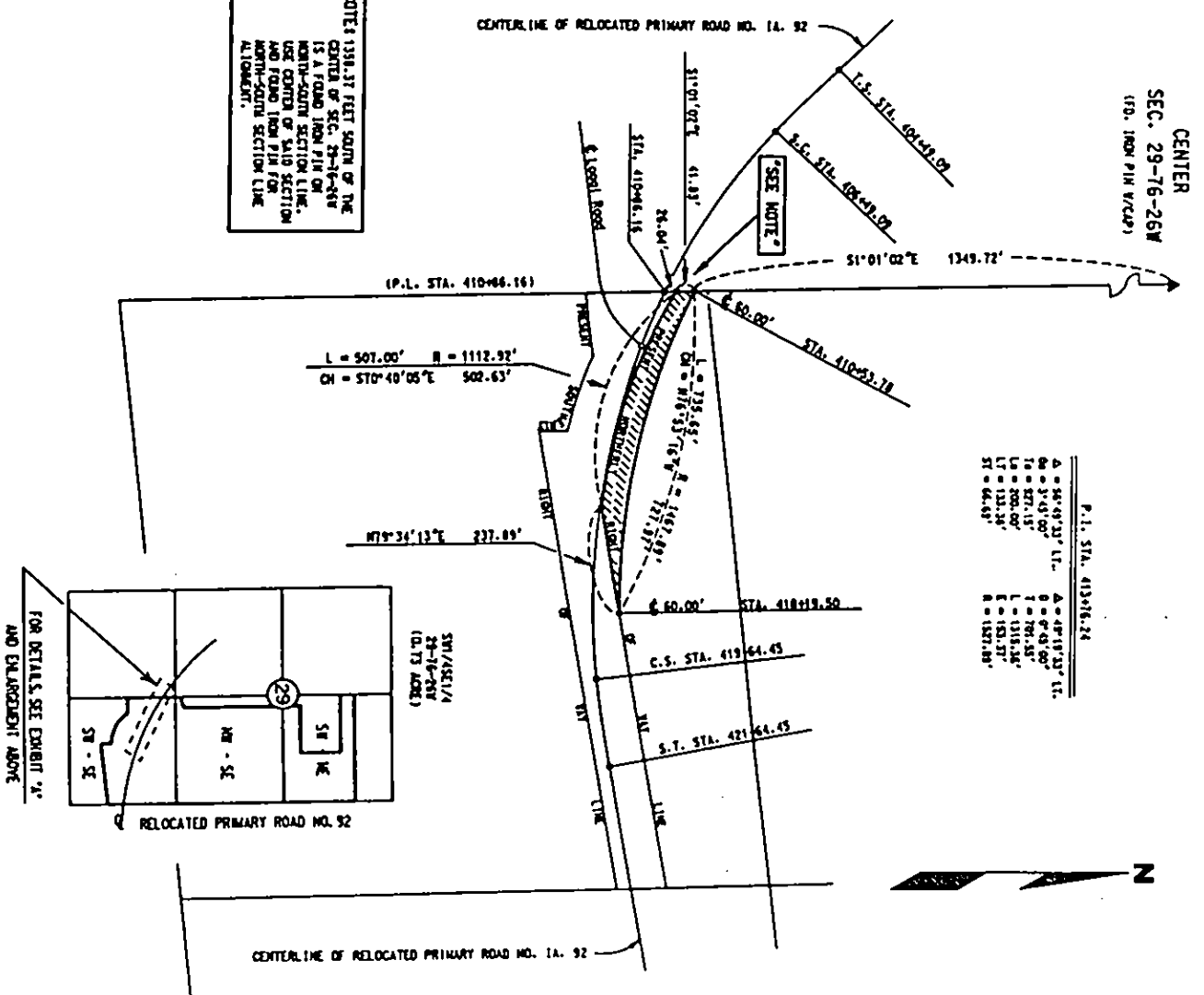
ACQUISITION PLAT
EXHIBIT "A"



COUNTY MADISON STATE CONTROL NO. 06-00
 PROJECT NO. FN-92-4(15)-21-61 PARCEL NO. 102
 SECTION 29 TOWNSHIP 76N RANGE 26W
 ROW-FEE _____ AC. EASE 0.73 AC. EXCESS - FEE _____ AC
 ACQUIRED FROM A & M TRUST

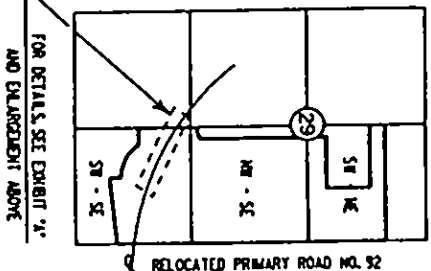


NOTE: 1391.37 FEET SOUTH OF THE CENTER OF SEC. 29-76-26W IS A FOUND IRON PIN ON NORTH-SOUTH SECTION LINE. USE CENTER OF SAID SECTION AND FOUND IRON PIN FOR NORTH-SOUTH SECTION LINE ALIGNMENT.



P.L. STA. 410+76.24

A = 344°02' LT.	B = 49°18'33" LT.
C = 271°17'	D = 7°43'00"
E = 280°00'	F = 78°58'
G = 123.39'	H = 1115.56'
I = 64.45'	J = 150.37'
K = 1527.80'	



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered land surveyor under the laws of the State of Iowa.

James E. Carey
 James E. Carey Reg.-No. 6330 Date

