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FILED

IN THE IOWA DISTRICT COURT IN AND FOR MADISON COUNTY

1990 MAR 30 AM 10:32

IOWA DEPARTMENT OF  
TRANSPORTATION,

Plaintiff,

vs.

GRETCHEN M. CASPER,  
ROBERT M. CASPER,  
MARGARET MARIE CASPER,  
JOHN E. CASPER, WINNIE  
CASPER, DOROTHY SUE BAKER,  
RONALD BAKER, and CASPER  
FARM, INC.,

Defendant.

Law  
No. 23212

CLERK OF DISTRICT COURT  
MADISON COUNTY, IOWA

NOTICE OF APPEAL

FILED NO. 2512  
127 PAGE 619  
BOOK PAGE

92 APR 20 PM 1:32

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$45.00

CORRECTED

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. 169 NORTH OF THE CITY OF  
WINTERSSET, LOCATED IN MADISON COUNTY,  
IOWA, PROJECT NO. FN-169-3(29)--21-61  
GROUP "D"

- TO: Gretchen M. Casper (also known as Gretchen Casper), c/o  
John E. Casper, Attorney, 1002 West Summit, Winterset, IA
- Robert M. Casper (also known as Robert M. Casper, Jr.),  
RR 2, Winterset, IA
- Margaret Marie Casper (also known as Margaret M. Casper),  
R.R. 2, Winterset, Iowa
- John E. Casper, 1002 West Summit, Winterset, IA
- Winnie Casper, 1002 West Summit, Winterset, IA
- Dorothy Sue Baker, 622 Wells Court, Chapel Hills,  
North Carolina
- Ronald Baker, 622 Wells Court, Chapel Hills, North Carolina
- Casper Farm, Inc., c/o Robert M. Casper, Registered Agent,  
RR 2, Winterset, IA
- Madison County, Iowa, c/o County Auditor, Winterset, Iowa

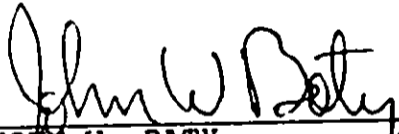
YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the Plaintiff, Iowa Department of Transportation, condemnor of certain property described in the attached Notice of Condemnation, does in accordance with Iowa Code Chapter 472 appeal to the District Court in and for Madison County the award of the Compensation Commission found and made on the 9th day of March, 1990.

YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that the Plaintiff will have its Petition on file in the Office of the Clerk of the District Court in and for Madison County, Iowa, within twenty (20) days after the perfection of this appeal, in accordance with Section 472.22 of the 1989 Code of Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

THOMAS J. MILLER  
Attorney General of Iowa

MERRELL M. PETERS  
Acting Special Asst. Attorney General

  
\_\_\_\_\_  
JOHN W. BATY  
Assistant Attorney General  
Iowa Department of Transportation  
General Counsel Division  
800 Lincoln Way  
Ames, IA 50010  
(515) 239-1368

ATTORNEYS FOR PLAINTIFF

Service of the foregoing Notice of Appeal is accepted by the Madison County Sheriff this \_\_\_\_\_ day of March, 1990.

\_\_\_\_\_  
SHERIFF OF MADISON COUNTY

FILED

1990 APR -2 11 0 34 AM

IN THE IOWA DISTRICT COURT IN AND FOR MADISON COUNTY

IOWA DEPARTMENT OF  
TRANSPORTATION,

Plaintiff,

vs.

GRETCHEN M. CASPER,  
ROBERT M. CASPER,  
MARGARET MARIE CASPER,  
JOHN E. CASPER, WINNIE  
CASPER, and CASPER FARM  
INC.,

Defendant.

CLERK OF DISTRICT COURT  
MADISON COUNTY, IOWA

Law  
No. 23213

NOTICE OF APPEAL

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. 169 NORTH OF THE CITY OF  
WINTERSET, LOCATED IN MADISON COUNTY,  
IOWA, PROJECT NO. FN-169-3(29)--21-61  
GROUP "D"

- TO: Gretchen M. Casper (also known as Gretchen Casper), c/o  
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- Robert M. Casper (also known as Robert M. Casper, Jr.),  
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- John E. Casper, 1002 West Summit, Winterset, IA
- Winnie Casper, 1002 West Summit, Winterset, IA
- Casper Farm, Inc., c/o Robert M. Casper, Registered Agent,  
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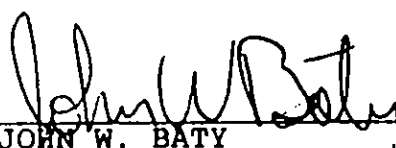
YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the Plaintiff, Iowa Department of Transportation, condemnor of certain property described in the attached Notice of Condemnation, does in accordance with Iowa Code Chapter 472 appeal to the District Court in and for Madison County the award of the Compensation Commission found and made on the 9th day of March, 1990.

YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that the Plaintiff will have its Petition on file in the Office of the Clerk of the District Court in and for Madison County, Iowa, within twenty (20) days after the perfection of this appeal, in accordance with Section 472.22 of the 1989 Code of Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

THOMAS J. MILLER  
Attorney General of Iowa

MERRELL M. PETERS  
Acting Special Asst. Attorney General

  
\_\_\_\_\_  
JOHN W. BATY  
Assistant Attorney General  
Iowa Department of Transportation  
General Counsel Division  
800 Lincoln Way  
Ames, IA 50010  
(515) 239-1368

ATTORNEYS FOR PLAINTIFF

Service of the foregoing Notice of Appeal is accepted by the Madison County Sheriff this \_\_\_\_\_ day of March, 1990.

\_\_\_\_\_  
SHERIFF OF MADISON COUNTY

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

IOWA DEPARTMENT OF TRANSPORTATION, :  
Plaintiff, : Law No. 23212  
vs. :  
GRETCHEN M. CASPER, ROBERT M. : FORMS OF VERDICT  
CASPER, MARGARET M. CASPER, JOHN E.  
CASPER, WINNIE CASPER, DOROTHY S.  
BAKER, RONALD BAKER, and CASPER FARM  
INC., :  
Defendants. :

1991 JAN 22 11 3:59

Verdict Form No. 1

We, the jury, fix the damages incurred by the Caspers, representing the difference in value for parcel no. 9 (South tract) before and after March 9, 1990, at \$ 39,000.00.

Beverly Armstrong  
Foreman\*

\*To be signed only if verdict is unanimous.

\_\_\_\_\_  
juror\*\*

\_\_\_\_\_  
juror\*\*

\_\_\_\_\_  
juror\*\*

\_\_\_\_\_  
juror\*\*

\_\_\_\_\_  
juror\*\*

\_\_\_\_\_  
juror\*\*

\_\_\_\_\_  
juror\*\*

\*\*To be signed by the jurors agreeing thereto after six hours or more of the deliberation.

IN THE IOWA DISTRICT COURT FOR MADISON COUNTY

IOWA DEPARTMENT OF TRANSPORTATION,	:	
Plaintiff,	:	Law No. 23213
vs.	:	
GRETCHEN M. CASPER, ROBERT M. CASPER, MARGARET M. CASPER, JOHN E. CASPER, WINNIE CASPER, and CASPER FARM INC.,	:	FORMS OF VERDICT
Defendants.	:	

FILED  
 1991 JAN 22 PM 3:59  
 CLERK OF DISTRICT COURT  
 MADISON COUNTY IOWA

Verdict Form No. 2

We, the jury, fix the damages incurred by the Caspers, representing the difference in value for parcel no. 9B (North tract) before and after March 9, 1990, at \$27,000.

Beverly Armstrong  
Foreman\*

\*To be signed only if verdict in unanimous.

_____ juror**	_____ juror**
_____ juror**	_____ juror**
_____ juror**	_____ juror**
_____ juror**	

\*\*To be signed by the jurors agreeing thereto after six hours or more of deliberation.

FILED

IN THE IOWA DISTRICT COURT IN AND FOR MADISON COUNTY

1991 MAR 18

JANIE WEEKS  
CLERK OF DISTRICT COURT  
MADISON COUNTY, IOWA

IOWA DEPARTMENT OF  
TRANSPORTATION,  
  
Plaintiff,  
  
vs.  
  
GRETCHEN M. CASPER,  
ROBERT M. CASPER,  
MARGARET MARIE CASPER,  
JOHN E. CASPER, WINNIE  
CASPER, and CASPER FARM  
INC.,  
  
Defendant.

Law No. 23213

SUPPLEMENTAL ORDER

IOWA DEPARTMENT OF  
TRANSPORTATION,  
  
Plaintiff,  
  
vs.  
  
GRETCHEN M. CASPER,  
ROBERT M. CASPER,  
MARGARET MARIE CASPER,  
JOHN E. CASPER, WINNIE  
CASPER, DOROTHY SUE BAKER,  
RONALD BAKER, and CASPER  
FARM, INC.,  
  
Defendant.

Law No. 23212

Be it remembered that the jury on January 22, 1991, ascertained the damages in Law #23212 to be \$39,000 and in Law #23213 to be \$27,000. This exceeded the condemnation awards made March 9, 1990 of \$33,790 and \$24,875.00 by \$5,210.00 and \$2,125.00 respectively. Be it also remembered that the condemnation awards were released to the defendants by order of this court dated May 14, 1990.

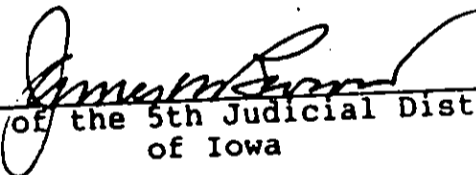
7/11/91  
2/13

Interest at 10% per annum is payable by the plaintiff to defendants on unpaid sums from the date of possession, stipulated by the parties to have been April 17, 1990. Therefore interest on the entire amounts is due the defendants for the 27 days from April 17 - May 14. Those interest amounts are \$288.49 and \$199.73 respectively. Interest on \$5,210 and \$2,125.00 from May 14, 1990, until paid shall also be paid by the plaintiff to the defendants.

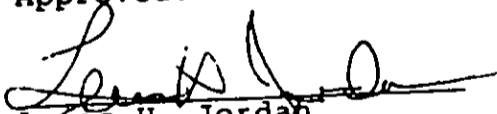
Pursuant to Iowa Code § 472.33 the condemnor is liable to the condemnee for its reasonable attorney's fee if the jury's award exceeds that of the compensation commission. The parties have stipulated that \$4,300.00 is the reasonable attorney's fee and expenses to be awarded in each of the two cases to the defendants. Those sums are ordered payed by plaintiff to defendants.

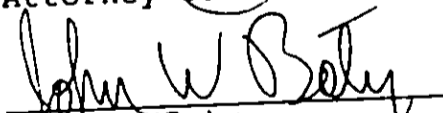
Court costs are taxed to the plaintiff. Pursuant to Iowa Code § 622.72 the clerk shall add \$150.00 to the witness fee of Appraiser Currier and \$75.00 each to the fee of witnesses Garry Kiernan and Carl Henry.

It is so ordered.

  
 Judge of the 5th Judicial District  
 of Iowa

Approved:

  
 Lewis H. Jordan  
 Attorney for Defendants

  
 John W. Baty  
 Attorney for Plaintiff



OFFICE OF  
MADISON COUNTY  
CLERK OF DISTRICT COURT  
WINTERSSET, IOWA 50273

April 17, 1992

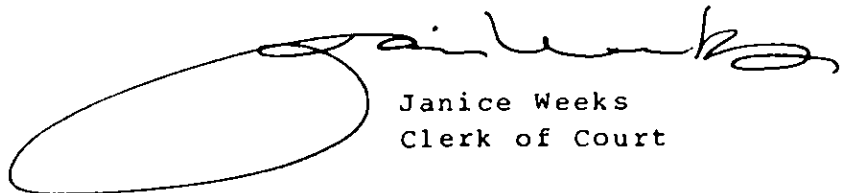
RE: Iowa Department of Transportation vs  
Gretchen M. Casper, Robert M. Casper, Margaret Marie Casper,  
John E. Casper, Winnie Casper, and Casper Farm Inc. #23212  
and

RE: Iowa Department of Transportation vs  
Gretchen M. Casper, Robert M. Casper, Margaret Marie Casper,  
John E. Casper, Winnie Casper, Dorothy Sue Baker,  
Ronald Baker, and Casper Farm, Inc. #23213

I received State Warrants made payable to Defendants on  
March 19, 1991 for the following amounts:

	23212	23213
Judgment and interest	\$5939.56	\$2504.63
Attorney Fees	\$4300.00	\$4300.00
Court Cost		\$1084.49

The money was disbursed accordingly March 19, 1991.



Janice Weeks  
Clerk of Court