In the matter of the Condemnation of Real Estate for Project Designated as

FN-169-3(29)--21-61 "C"

BY: Iowa Department of Transportation

SHERIFF'S FILING OF RECORD

to

Ronald E. Brott, April S. Brott, Ralph
Lee Jennings Estate, Jeanne Jennings and
Madison County, Iowa
David T. Clark and Madison County, Iowa

TO: Mary Welty, Recorder for Madison County, Iowa

Please find attached the following papers regarding the above named condemnation which was held in my office on the 26th day of January, 1990.

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 commissioner;

All other papers filed with the sheriff in the proceedings.

I further certify that I have in my possession, warrant no. 02505893 in the amount of \$2,9650.00, payable to Brott, Ronald E.; April S. Brott; Ralph Lee Jennings; Jeanne Jennings; Madison County Treasurer, also warrant no. 02505895 in the amount of \$3,500.00 made payable to Clark, David T.; Madison County Treasurer and also warrant no. 02505894 in the amount of \$150.00 made payable to Jennings, Bryan R., Atty. This application for condemnation was filed with the county recorder on the 11th day of December, 1990 in book number 121, page number 586 - 697. These funds were received from the Iowa Department of Transportation.

Paul D. Welch, Sheriff

Madison County

On this 8th day of March, 1990, before me, a Notary Public in the State of Iowa, I worksonally appeared Paul D. Welch, Sheriff to be known to be the person

松is E. Thompson Notary Public in and for Madison County, Iowa

ENTERED FOR TAXATION

THIS 8 DAY OF MAR 19790

AUCITORS FEE \$ 15-00

1/1/0

UDITOR

DEPUTY AUDITOR

-111'

FILED NO.

L793

BOOK 127 PAGE 38

PAGE /

90 MAR -8 PM 3: 44

MARY E. WELTY RECORDER MADISON COUNTY, 10WA Fee \$240.00

Transfer at Auditors \$ 15.00

(10)11-11-11-13 2-90

MARY E. WELTY COUNTY RECORDER

in the Matter of the Condemnation of Certain Rights in Land by the lowa 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 "C"

MADE LE COLLEY SHERIFF VANTEKSET, IDWA DEC 1 1 89 APPLICATION TO THE CHIEF JUDGE
OF THE 5th JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES

# CERTIFIED TRUE COPY

TO: Richard D. Morr, Chief Judge of the 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.

been classified as Class I or Class II within an agricultural area and 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 1 day of December, 1989.

IOWA DEPARTMENT OF TRANSPORTATION

Special Assistant Attorney General and General Counsel to the Iowa Department of Transportation

Robert L. North Right of Way Director

Fred Cirksena

Condemnation Supervisor

in duplicate in my office at 🕢.

Iowa, this

Chief Judge of the 5th Judicial District including Madison County, Iowa

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

Condemnation Supervisor

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, lowa

Project No. FN-169-3(29)--21-51

Group "C"

NOTICE

TO:

Ronald E. Brott, 2411 Adams, Des Moines, Iowa April S. Brott, 2411 Adams, Des Moines, Iowa

Ralph Lee Jennings Estate, c/o Jeanne S. Jennings, Executor, 5800 Northwest 86th Street, Johnston, Iowa

Jeanne Jennings (also known as Jeanne S. Jennings), 5800 Northwest 85th Street, Johnston, Iowa

Madison County, Iowa, c/o Ccunty 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 NE 1/4 NE 1/4 of Sec. 13, T76N, R28W 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 NE 1/4 NE 1/4 of Sec. 13, T76N, R28W 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:

Beginning at the NW Corner of the NE 1/4 NE 1/4 of said Sec. 13; thence N89<sup>0</sup>32'51"E, 146.60 ft, along the north line of said NE 1/4 NE 1/4; thence S52<sup>0</sup>17'10"E, 353.11 ft.; thence S3<sup>0</sup>52'44"W, 195.16 ft.; thence N41<sup>0</sup>31'42"W, 72.63 ft.; thence N27<sup>0</sup>05'07"W, 267.46 ft.; thence N64<sup>0</sup>15'41"N, 269.54 ft. to the NW Corner of said NE 1/4 NE 1/4, the Point of Beginning, excepting therefrom present easements of record; containing 0.80 acre, more or less, exclusive of said exceptions.

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 outside of said land being acquired under this proceeding, 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-169-3(29)--21-61 Ronald E. Brott, et ux (Parcel 24)

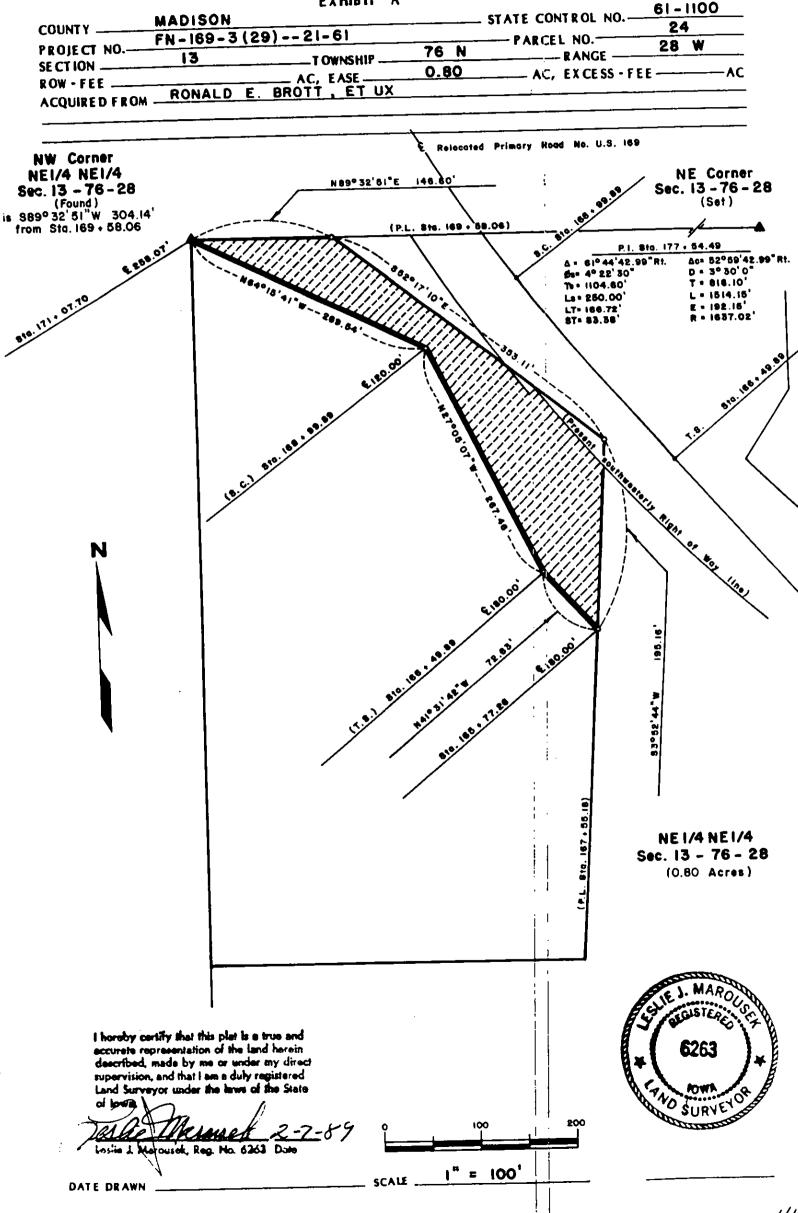
Sheet 1

677

# IOWA DEPARTMENT OF TRANSPORTATION



#### RIGHT OF WAY PLAT EXHIBIT "A"



In the Matter of the Condemnation of Certain Rights in Land by the Icwa 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 "C"



T0:

David T. Clark (also known as David Thurman Clark), R.R. 2, 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 NE Frl. 1/4 NE 1/4 and NW Frl. 1/4 NE 1/4 of Sec. 1, T76N, R28W of the 5th P.M. and the NE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4 and SE 1/4 SE 1/4 of Sec. 36, T77N, R28W of the 5th P.M., all in 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" 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 NE Frl. 1/4 NE 1/4 of Sec. 1, T76N, R28W 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:

Commencing at the NE Corner of said Sec. 1; thence SOO7'00"E, 361.04 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1 to the Point of Beginning; thence continuing SOO7'00"E, 943.78 ft. along said east line to a point on the south line of said NE Frl. 1/4 NE 1/4; thence N89 03'42"W, 99.69 ft. along said south line; thence NOO7'50"W, 590.18 ft.; thence N31 05'40"W, 58.31 ft.; thence NOO7'50"W, 250.00 ft.; thence N49 05'11"E, 79.23 ft. to a point on the present westerly right of way line of Primary Road No. U.S. 169; thence N89 53'00"E, 69.91 ft. to the Point of Beginning, excepting therefrom present easements of record; containing 0.65 acre, more or less, exclusive of said exceptions.

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. 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 plat Exhibit "B" attached hereto and by reference made a part hereof:

Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30) Continued on next sheet

Sheet 1

Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30)

Commencing at the NE Corner of said Sec. 1; thence SOO07'00"E, 1304.82 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1 to the SE Corner of said NE Frl. 1/4 NE 1/4; thence N89°03'42"W, 99.69 ft. along the south line of said NE Frl. 1/4 NE 1/4 to a point on the westerly line of the land sought by permanent easement for highway purposes, the Point of Beginning; thence continuing N89°03'42"W, 90.02 ft. along said south line; thence N0°07'50"W, 38.51 ft.; thence N89°52'10"E, 90.00 ft, to a point on the westerly line of said land sought by permanent easement; thence SOO7'50"E, 40.18 ft. along said westerly line to the Point of Beginning.

Also, Commencing at the SE Corner of Sec. 36, T77N, R28W of the 5th P.M., Madison County, Iowa; thence N0°10'52"W, 187.25 ft. along the east line of the SE 1/4 SE 1/4 of said Sec. 36; thence S89°11'05"W, 64.99 ft. to a point on the present westerly right of way line of Primary Road No. U.S. 169, the Point of Beginning; thence N56°14'48"W, 70.30 ft.; thence S89°07'51"W, 35.00 ft.; thence N0°54'08"W, 48.82 ft.; thence S85°31'43"E, 95.38 ft. to a point on said present westerly right of way line; thence S0°59'26"E, 25.21 ft. along said westerly line; thence S1°22'15"W, 54.71 ft. along said westerly line to the Point of Beginning.

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

Commencing at the NE Corner of said Sec. 1; thence  $S0^007^100^{\text{H}}\text{E}$ , 412.77 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1; thence  $S89^052^10^{\text{H}}\text{W}$ , 129.89 ft. to a point on the westerly line of the land sought by easement for highway purposes, the Point of Beginning; thence  $S0^007^150^{\text{H}}\text{E}$ , 250.00 ft. along said westerly line; thence  $S89^052^10^{\text{H}}\text{W}$ , 60.00 ft.; thence  $N0^007^150^{\text{H}}\text{W}$ , 250.00 ft.; thence  $N89^052^10^{\text{H}}\text{E}$ , 60.00 ft. to the Point of Beginning.

- 4. The State of Iowa shall have a right to pond water from surface and/or tile drainage on condemnee's land located in the N Frl. 1/2 NE 1/4 of said Sec. 1 to an elevation of 1012.0 ft. above mean sea level, as illustrated on said plat Exhibit "B" and the official plans for the project.
- 5. 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 outside of said land being acquired under this proceeding, 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.
- 6. The areas sought to be appropriated by temporary easement, for the specific purpose of constructing entrances, constructing fence berm, 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.

Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30)

Sheet 2

MADISON

## IOWA DEPARTMENT OF TRANSPORTATION

#### RIGHT OF WAY PLAT EXHIBIT "A"

OUNTY	MADISON	<del></del>	•	\$1	ATE CONTROL	NO	11-00
ROJECT NO.					-PARCEL NO.		30
ECT ION		_iT Ow!		76 N	RANC		28 W
OW - FEE		AC, EA	SE	0.65			AC
CQUIRED FROM	A DAVID T.	<u>CI.ARK</u>	<del></del>				
·	· · · · · · · · · · · · · · · · · · ·			<del></del>			
	<del></del>					<del></del>	<del>                                     </del>
	<b></b>	ı					Relocated Primar Road No. U.S. I
ASSESS. MA	ROVA	•					1
SECULE J. MA				<del></del>	<u>P.T. 8ta, 279 + 32</u>	.72	†
SEGISTE OF STATE	467 CX B						
6263			276 + 12.77				
<b>4</b> 6263	* * E	A = 0*51				NE (	Corner
		; T . 319.9	••			Sec. 1 -	- 76 - 28
NO SUR	OF A	L + 639.1 E + 1.21	2'				und)
SUR	WEY SEE	R • 42,44	11.32°		,	P. I. 510.	276 + 12.77
TAO SUR							
	<del></del>		otion Line 8	ita. 276 + 12.80	1	<del></del>	7
							$\Gamma_{\lambda}$
			N89°53'00	"E 69.91"			1 }
			P.C.	Sto. 272 + 92.		þ.	8 6
			<b>A.</b> •	<b>.</b>	•	• =	361.0
			8to. 272	+ 51.75	£70.01'		S
							1 /
				49°05'11"E	79.23		1/
					`	<i>&gt;-</i> **	*
			8ta.	272 + 00.00	€130.00'		$\Gamma \lambda$
					/		1 1
					f	$\otimes$	N
			_ #0	*07'50*W	250.00'	<b>:</b>	1 1
						13	
	NE FRL.	/4 NE I/4			j	$\mathcal{U}$	1 !
	Sec.	1 - 76 - 28	••-	289 + 50.00	£180.00' \	17-	
	(0.	.65 Acre)		240 - 40.00	<u> </u>	11/2	13 1
			_			7%	8. 7.
				1°06'40"¥	38.31'		1 2
					. /	113	
		_	81a. 269 + 1	<u>00.00 £1</u>	00.00'	183	
						13.	<u>                                   </u>
							5
						80.18 1.00	80°07'00"E
					,	<b>.</b>	
						2 (1)	
						- KN	1 ;
						o [ /]	I 1
						no o7 80 m	
						( Present	
						( Present	
				la. <b>263 + 09.6</b> 8	£100.00°	( Present	
	·•••			la. <u>263 + 09.82</u> la. <del>263 +</del> 07.95	£100.00°	0.08 (Press)	
	- <u>L</u>				£100.00°	0	
I hereby certify th	hat this plat is a true a		(P.L. 81		£100.00°	ON	E Relocated Prime
accurate represen	hat this plat is a true a station of the land here	ein .	(P.L. 81	ta. <b>26</b> 8 + 07.95	€ 100.00°	ON	E Relocated Prim. Reed No. U.S.
accurate represent described, made	ntation of the land here by me or under my d	ein irect	(P.L. 81	ta. <b>26</b> 8 + 07.95	€ 100.00°		Reed No. U.S.
accurate represent described, made supervision, and the	station of the land here by me or under my di hat I am a duly register	ein irect red	(P.L. 81	ta. <b>26</b> 8 + 07.95	€ 100.00°	E1/4	Reed No. U.S. Corner
accurate represent described, made supervision, and the	ntation of the land here by me or under my d	ein irect red	(P.L. 81	ta. <b>26</b> 8 + 07.95	€ 100.00°	E1/4 Sec. 1	Rood No. U.S. Corner - 76 - 28
accurate represent described, made supervision, and the Land Surveyor un	ntation of the land here by me or under my di hat I am a duly register nder the laws of the St	ein irect red lete	(P.L. 81	ta. <b>26</b> 8 + 07.95	99.69°	E1/4 Sec. 1	Rood No. U.S. Corner - 76 - 28 Set)
accurate represent described, made supervision, and it tand Surveyor un of Java.	ntation of the land here by me or under my di hat I am a duty register inder the laws of the St	ein ireci red <b>1410</b>	(P.L. 81	ta. <b>26</b> 8 + 07.95	99.69°	E1/4 Sec. 1	Reed No. U.S. Corner - 76 - 28
accurate represent described, made supervision, and it tand Surveyor un of Java.	ntation of the land here by me or under my di hat I am a duly register nder the laws of the St	ein ireci red <b>1410</b>	(P.L. 81	ta. <b>26</b> 8 + 07.95	99.69°	E1/4 Sec. 1	Reed No. U.S.  Corner - 76 - 28  Set) B"W 2.13' from
accurate represent described, made supervision, and it tand Surveyor un of Jacks.	ntation of the land here by me or under my di hat I am a duty register inder the laws of the St	ein ireci red <b>1410</b>	(P.L. 81	ta. <b>26</b> 8 + 07.95	99.69°	E1/4 Sec. 1	<b>- 76 - 28</b> Set) B"W 2.13' from

# IOWA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT



#### RIGHT OF WAY PLAT EXHIBIT "B"

COUNTY	MADISON	21 6:	<del></del>	ST.	ATE CONTROL NO.	<u>· 11-00</u>
PROJECT NO	FN-169-3(29)				PARCEL NO.	30
SECTION ROW - FEE			76N 8		RANGE -	28W
	OM DAVID T. C	LARK			AC, EXCESS -	FEE ———AC
· <u> </u>					<del></del>	<u> </u>
NI				ı		
Ņ	5E 1/4 .					
l l	SEC.	36				
<b>A</b>	<u>5 85° 3/</u>	43'E 95.38'				
N			(2)	•		
,			155.00	***	<u>50°59</u> '26"E	25.21
	<u> </u>		82		51°22'15" N	
	5 B	<u>574 278+00</u> 9°07'51"W	35.00			<del></del>
	<u> </u>	6° 14'48"W	70 30'	$ \cdot $	N 0° 10' 52 "V	./
•				~	/87. Z5 '	
			iE Coe. 5ec.36		_5 89°11'05" N	<u>/ 64.99</u>
	<u> </u>			2	<b>\</b>	
(1) (2) TEM	PORARY EASE	MENT TO	NE COR.	2	\	
	STRUCT ENTRA		SEC. I	'		
3) TEMPOR	RARY EASEMEN	VT TO CONS	TRUCT			
FENCE					5 0° 07'0	~* <i>E</i>
					50°07'00 412.77'	<u>) E</u> _
	W 999 53 1 . a.'	·		82	;	
	N 83 52 10	E 60.00'		4	,	•
		$\sim$		39	•	
<u>57</u>	4. 272+00.00	<u>E 19</u>	0.00	/ `	<i>}</i>	
	NE FRL. 14 NE	14		╌┰╌┪	n V 589°52'/0	"L/
	SEC. 1			<u> </u>	<u> </u>	"₩ /29.89"
	_ <i>NO</i> °0	7'50"W			50°07'50"E	250.00
Eas-		0.00'			2. N	
	EMENT TO PON BY ELEVATION O		- ↓‱;			
• -	STA 269+50		0.00		8	
				\$0°07'00"E	RZE	W
				, ŏ	§ (36)———	<del></del>
	- (		/	07	NW-SE	NE-SE
		_/	/	500		77
	· U		_ / /	S	<i>q</i> .	——————————————————————————————————————
	369 32	10'W 60 0	2/	l	i 5W-5€	5E-SE [ ]
					5W-5E	! !!
					<b>&amp;</b> ,	··· 7
				1 1	NW F-I-NE	NE CALL 176
					5EC. /	5Ec /     N
					A)	
	<u> </u>	9° <i>52'10"E</i> 9	0.00			S OF TAKING
	5TA 263+	50 E 190.0	。( <b>/</b> )		SEE EXHIBIT	T"A" Ment at Lef
	NO * 07' 5	0"W 38.51		<u> </u>	50°07'50'E	40.18'
	(P.L. 574. 2G3+	07.95) 4190	00/			<del></del>
		08'42"W 90			•	
				4		
	_~	189°03'42"W	99.69'		j	
		<u> </u>	4 CORNER	~~	, <b>!</b>	
		5ec	1 <del>-</del> 76 - 28	7		
					:	
DATE DRAWN _		SCAL	E	-	<del>-! i      </del>	

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

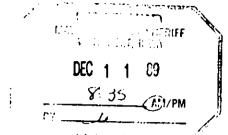
City of Winterset

located in Madison County, Iowa

Project No. FN-169-3(29)--21-61

Group "C"

SELECTION AND APPOINTMENT
OF COMPENSATION COMMISSIONERS
BY THE CHIEF JUDGE OF THE 5th
JUDICIAL DISTRICT



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	ALIDRESS	QUALIFICATIONS
George Bown	Winterset	Licensed Real Estate Salesperson or Broker
Pat Corkrean	Winterset	Licensed Real Estate Salesperson or Broker
Gail Leeper	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Gus Henrichs	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Bruce Brownlee	St. Charles	Agricultural
Dean Mollin	Winterset	Agricultural

I further designate, select, and appoint, the above named <u>GEORGE BOWN</u> to act as **Chairman** of said commission. I further designate PAT CORKREAN as Alternate Chairman of said Commission.

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 6th day of December , 1989.

Richard D. Morr

Chief Judge of the 5th Judicial District Including Madison County, Iowa

Toul D Weld Shift

Filed in my office Winterset, Iowa, this  $\frac{11}{11}$  day of  $\frac{1}{11}$  day of

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. U.S. 169 north of the

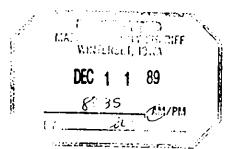
City of Winterset

located in Madison County, Iowa

Project No. FN-169-3(29)--21-61

Group "C"

SUPPLEMENTARY ORDER
APPOINTING ALTERNATE
COMPENSATION COMMISSIONERS



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	2 QUALIFICATION	
<sup>1</sup> · Charles Tucker	Winterset	<sup>2</sup> Licensed Real Estate	
<sup>2</sup> . Don Noack	Booneville	<sup>2</sup> Salesperson or Broker	
l. Loren Myers	Macksburg	<sup>2</sup> Knowledgeable of Property	
<sup>2</sup> . Gary Dwyer	Winterset	2 Values by Virtue of 2 Occupation	
<sup>l.</sup> Harrison Vowell	Peru	2	
<sup>2</sup> · Raymond Clark	Booneville	<sup>2</sup> Agricultural	

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	s . Iowa.	this	6th	day of	<u>December</u>
19 89.		<del></del>			<b>y</b>	

Richard D. Morr

CHIEF JUDGE OF THE 5th JUDICIAL

DISTRICT, including Madison County, Iowa.

Ϊ;

, Iowa, this

rul D Welch S

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. U.S. 169 north of the

City of Winterset

located in Madison County, Iowa

Project No. FN-169-3(29)--21-61

iroup "C"

TO: PAT CORKREAN

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 5th Judicial District for Macison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my has been designated as Chairman office, and further, that George Bown 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 26th day of January, 1990, 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. Tour D Weld Shift

> Paul Welch Sheriff of Madison County, Iowa

#### Acceptance of Service

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

Please sign original summons and return promptly to the Sheriff of the above named county.

Filed in my office at Winterset, Iowa, this 15 day of

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

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. U.S. 169 north of the

City of Winterset

located in Madison County, Iowa

Project No. FN-169-3(29)--21-61

Group "C"

TO: GUS HENRICHS

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 5th 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 further, that George Bown 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 26th day of

January , 19 90 , 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

Tour D Weld Shirts

## 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.

Please sign original summons and return promptly to the Sheriff of the above named county.

,<del>d</del>): :day of

Paul Welch Strip

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

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

SUMMONS TO COMMISSIONERS

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 "C"

TO: GEORGE BOWN

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 5th 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 further, that George Bown 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 26th day of January, 19 90, 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

and D Welch Stanf

#### Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at without , Iowa, this /  $\delta T d$  day of  $\delta t d$  , 19  $\delta t d$  . I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Please sign original summons and return promptly to the Sheriff of the above named county.

Senge Bown

Filed in my office at Minterset, Iowa, this 20

day of

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

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. U.S. 169 north of the

City of Winterset

located in Madison County, Iowa

Project No. FN-169-3(29)--21-61

Group "C"

TO: HARRISON VOWELL

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 5th 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 further, that George Bown 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 26th day of January, 1990, 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 19th day of December, 1989. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Please sign original summons and return promptly to the Sheriff of the above named county.

Flavien Dowe Q

Filed in my office at Winterset, Iowa, this 26 day of December, 1989.

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  $\frac{1}{2}$ 

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

SUMMONS TO COMMISSIONERS

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 \*C\*

#### TO: BRUCE BROWNLEE

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 5th 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 further, that George Bown 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 26th day of January, 1990, 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 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.

Please sign original summons and return promptly to the Sheriff of the above named county.

Filed in my office at Winterset, Iowa, this 27 day of December, 19 57.

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

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. U.S. 169 north of the

City of Winterset

1. :ated in Madison County, Iowa

Project No. FN-169-3(29)--21-61

Group "C"

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 5th Judicial District for Madison County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my George Bown office, and further, 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 26th day of January , 1990 , 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. Faul D Weld Stanfo

Paul Welch

Sheriff of Madison County, Iowa

#### Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged  $m \sim 10^{16}$ , Iowa, this 21 day of  $m \sim 10^{16}$ , 1989. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Please sign original summons and return promptly to the Sheriff of the above named county.

Filed in my office at Winterset, Iowa, this 28 day of December, 19 89.

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

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

Project No. FN-169-3(29)--21-61

Group "C"

TO: DEAN MOLLIN

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 5th 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 further, that George Bown 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 26th day of January, 1990, 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 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.

Please sign original summons and return promptly to the Sheriff of the above named county.

Filed in my office at Winterset, Iowa, this 15 day of

Paul Welch Sheriff of Madison County, Iowa

Sheriff of Madison County, 10%

#### 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

Den Mollin

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

Froject No. FN-169-3(29)--21-61

Group "C"

TO: GAIL LEEPER

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 5th 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 further, that George Bown 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 26th day of January, 19 90, 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

SUMMONS TO COMMISSIONERS

#### 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.

Please sign original summons and return promptly to the Sheriff of the above named county.

Filed in my office at Winterset, Iowa, this December, 1989.

19 th day of

Paul Welch i 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

from Jan 10 1 until spring the the tree pen

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 OATH OF COMMISSIONERS City of Winterset located in Madison County, Iowa Project No. FN-169-3(29)--21-61 Group "C" STATE OF IOWA Madison County 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, 471, and 472, 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.

PAT CORKREAN Name: GEORGE BOWN Licensed Real Estate Salesperson or Broker Licensed Real Estate Salesperson or Broker Name: GUS HENWRICKS Name: LOREN MEYERS Knowledgeable of Property Values by Virtue Knowledgeable of Property Values by Virtue Occupation Occupation Name: BRUCE BROWNLEE Agricultural Agricultural ubscribed and sworn to before me this 26th day of January **19** 90 in and for said Notary Public) (Clerk of Court) MADISON County and State Filed in my office at, Winterset, Iowa, this 26th day of January 19 90

> **Paul Weich** Sheriff of Madison County, Iowa

RIGHTS	MATTER OF THE CONDEM IN LAND BY THE IOWA ORTATION FOR THE IMPR	DEPARTMENT	OF )	SHERIF	'S CERTIFI	CATION
ROAD NO. AS TO AW						COSTS
IN	MADISON		COUNTY)			
PROJEC	T NO. FN-169-3(29)21	-61 "C"	)			
THE OF	RIGINAL CERTIFIED APPL	ICATION FO	OR CONDEMNA	TION IS I	RECORDED IN	
	121 , PAGE 586-697					
	TED December 11, 1989			-		
ro: 1	Owa Department of Tra	nsportatio	on, Ames, I	owa		
I at	certify that the com	missioner:	s in the ab	ove-enti	led cause	convened
19 <u>90</u> ,	Winterset and thereupon procee	ded to vie	ew the prem	ises and	January said commi	ssioners
report	ereafter on the <u>26th</u> : in my office awardir	day or g damages	as follows	:	19 <u>90</u> , file	tneir
					ATTOR	NEY FEES
	NAMES OF CONDEMNEES	·	AWA	RD	AMD	COSTS
PARCEL Conald	24 - E. Brott: April S. Brott:		\$ 2965.00	<del></del>	\$ 150.00	<u> </u>
	ee Jennings; Jeanne Jenni					
ladison	County Treasurer				<del></del>	
PARCEL					<del></del>	
	. Clark; Madison County			1		
Creasur	er	<del></del>	\$_3500_00	<del></del> _		<u> </u>
_		<del></del>				
	TOTAL DAMAGES AWARDS	ED	\$_6465.00		\$_150.00	<b>1</b> .
,	corrify that the co	sta impido				
	I certify that the cos Llows: Serving Notice			proceedi	ng nave bee	n taxed
Date	Name of Condemnees Served	Fee :	Mileage	Rate	Amount	: Tota
12/89	Dean Mapes c/o Barbara	\$10.00			\$2.40	\$12.40
12/89	Barbara Jean Mapes	5.00		<u> </u>		5.00
15/89	Madison County, Iowa c/o Joan Welch. Auditor	10.00		<del></del>	2.40	12.40
15/89	Madison County, Iowa c/o Joan Welch, Auditor	10.00				10,00
18/89	David T. Clark a/k/a David Thurman Clar	10,00			2.88	12.88
15/89	Madison County, Iowa c/o Joan Welch, Auditor	10.00		<u> </u>		10.00
				<u> </u>	88\$TAGE	11.40 5.50
					Sub Total \$	79.58
	ff, Summoning and atte ff, Mileage while atte			,		60.00 5.67
~ · · · ·					TOTAL	145.25
				· -—-		
			1	2.	eld.	Shi's
			( )	Tau y L	, he mand .	10

1

Sheriff of MADISON County, Iowa

	- COMMISS	-2-	0313	
		- <b>2</b>		
GEORGE BOWN	. '	of	WINTERSET	, Iowa
day service				\$_50.00
				3.36
neals				
· · · · · · · · · · · · · · · · · · ·	ŀ			TOTAL \$ 58.36
	₩bæyn 	of	WINTERSET	, Iowa
day service	ı			\$_50.00
miles at .				_2.10
 1 meals	•			
				TOTAL \$ 57.10
LOREN MYERS		of	MACKSBURG	, Iowa
day servic	:e	· ·		\$_50_00
40 miles at		•		8.40
1 meals	. – <del>-</del>			5.00
				TOTAL \$ 63.40
GUS HENDRIC	KS	of	WINTERSET	, Iowa
l day servi		<del></del>	<del></del>	\$ 50.00
10 miles at	•			2.10
1 meals				5.00
				TOTAL \$ 57.10
BRUCE G. BR	OWNLEE	of	ST. CHARLES	, Iowa
l day servi	<del></del>			\$ 50.00
30 miles at				6.30
1 meals				5.00
meda5				TOTAL \$ 61.30
H.S.VOWEL	г.	of	PERU	, Iowa
l day servi				\$_50.00
18 miles at				3.78
l meals	· • •			
meals				TOTAL \$ 58.78
				GRAND TOTAL \$356.04
				T <u>378.114</u>
I certify claimant and th not been receiv	at the claim i	oing amour s correct	nts are legall and just and	ly payable to each that payment has
Dated this	31st day of	Januar	Υ	, 19 <u>90</u> .

Faul D Welst Stays

Sheriff of MADISON County, Iowa

27

To the Sheri	lff of	MADISON		County	
I cert:	ify that my	fee and expe	nses as a r	member of the	!
commission :	in the matt	er of the con	demnation o	of certain re	al estate
or rights to	real esta	te for Projec	t No. FN-	169-3 (29)21-	61 "C",
held on the	<u>26th</u> da	y of <u>Januar</u>	<b>y</b>	, 19	90_, are
as follows	and that th	ese claims ar	e due, jus	t and unpaid.	
	day serv	vice at \$50.00		\$ <u> </u>	0. —
_16	miles at	\$.21		\$	3.36
<del> </del>	meals .			\$	5
Signed	this 24	day of	Janu	ng.	19 <u>90</u> .
		CO	MISSIONER	enge B	own

To th	e Sheriff of	MADISON		_ County		
	I certify tha					
	ssion in the					
or ri	ghts to real	estate for Pr	oject No. <u>I</u>	N-169-3 (2	9)21-61	<u>'C"</u> ,
held	on the 26th	day of	January		, 19 <u>_90</u>	_, are
as fo	ollows and tha	t these claim	s are due,	just and	unpaid.	el.
	day	service at \$5	0.00		\$_ <u>.50</u> `	
	mile	es at \$.21			. \$	2.10 ae
	meal	ls			. \$5	
	Signed this	26 day of	Jon.		, 19	90_·
			COMMISSION	k=7.	Cerpu	

To the	sneriff of	MADISON		_ County	
I	certify that	at my fee and	expenses as a	a member of	the
commis	sion in the	matter of the	condemnation	n of certain	real estate
or rig	hts to real	estate for Pr	oject No. <u>F</u>	N-169-3 (29)2	1-61 "C"
held o	on the 26th	day of	January		19 <u>90</u> , are
as fol	lows and the	at these claim	s are due, j	ust and unpa	id.
_		service at \$5	0.00	\$	50 -
	40 mile	es at \$.21		\$_	8.40
_	mea	ls		\$_	
S	Signed this	26 day of	January		_, 19 <u>9ª</u> .
			Lorm		·
			COMMISSIONE	ĸ	

To t	he Sheriff o	f MADISON		_ County	
	I certify t	hat my fee and	expenses as	a member of	the
comm	ission in th	e matter of the	e condemnatio	n of certain	real estate
or r	ights to rea	al estate for P	roject No	FN-169-3 (29)	21-61 "C" ,
held	on the26	th day of	January		19 <u>90</u> , are
as f	follows and t	that these claim	ms are due, j	ust and unpa	id.
	/_ da	y service at \$	50.00	\$	50.0
		les at \$.21 .		\$	2 /0
		eals		\$_	<u>5 *</u>
		i <u>76</u> day of			
			COMMISSION	Jemis ER Jemis	To

2.5

To the	e Sheriff o	f MADISON		County
		hat my fee and		
commi	ssion in th	e matter of the	condemnation	of certain real estate
or ri	ghts to rea	l estate for Pr	oject No. <u>F</u>	N-169-3(29)21-61 "C"
held	on the 26t	h day of	January	, 19 <u>90</u> , are
as fo		hat these claim		
	/ da	y service at \$5	60.00	\$ <u>50</u>
		les at \$.21		s <u>6.2</u>
	/ me	eals		\$ <u>5</u> ,00
		s <u>26</u> day of		, 19 <u>90</u> .
			07	Call a
			Trul	Manuel
			/AMMISSIONE!	of the state of th

То	the Sheriff of	MADISON	County	
	I certify that	my fee and expense	es as a member of	the
con	mmission in the m	atter of the conder	mnation of certai	n real estate
or	rights to real e	state for Project	No. <u>FN-169-3(29)</u>	21-61 "C" ,
hel	ld on the 26th	day ofJanuary		19 <u>90</u> , are
as		these claims are eservice at \$50.00.		2.4
		; at \$.21		
	meals		\$_	500
	Signed this _	26 day of	fan	, 19 <u>90</u> .
		COMMÍ	SSIONER	Nowe W

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 "C"

rom ( ) and the contract of th

NOTICE

DEC 1 1 89

8:35 AM/PM

T0:

Ronald E. Brott, 2411 Adams, Des Moines, Iowa April S. Brott, 2411 Adams, Des Moines, Iowa

Ralph Lee Jennings Estate, c/o Jeanne S. Jennings, Executor, 5800 Northwest 86th Street, Johnston, Iowa

Jeanne Jennings (also known as Jeanne S. Jennings), 5800 Northwest 86th Street, Johnston, 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 NE 1/4 NE 1/4 of Sec. 13, T76N, R28W 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 NE 1/4 NE 1/4 of Sec. 13, T76N, R28W 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:

Beginning at the NW Corner of the NE 1/4 NE 1/4 of said Sec. 13; thence N89 $^{0}$ 32'51"E, 146.60 ft, along the north line of said NE 1/4 NE 1/4; thence S52 $^{0}$ 17'10"E, 353.11 ft.; thence S3 $^{0}$ 52'44"W, 195.16 ft.; thence N41 $^{0}$ 31'42"W, 72.63 ft.; thence N27 $^{0}$ 5'07"W, 267.46 ft.; thence N64 $^{0}$ 15'41"W, 269.54 ft. to the NW Corner of said NE 1/4 NE 1/4, the Point of Beginning, excepting therefrom present easements of record; containing 0.80 acre, more or less, exclusive of said exceptions.

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

- 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 outside of said land being acquired under this proceeding, 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-169-3(29)--21-61 Ronald E. Brott, et ux (Parcel 24)

Sheet 1

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, 471, and 472 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 26th day of January , 19 90 and will view your property at approximately 10:10 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

Right of Way Director

ву 🦪	Fidliheem			
Fred C		Agent of Transportation 50010		

#### ACCEPTANCE OF SERVICE

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

Dated at	in a newspaper, this day of	
STATE OF IOWA ) ) SS. COUNTY OF MADISON)		
in on and I haraby cortify t	that I have served to each person name	d bel d pla

Lov BC by delivering a true copy of the same to set opposite their respective names:

Name	Date	City or Town	County	State
Madison County, Iowa c/o Joan Welch, Audit	or 12/15/89	Winterset	Madison	Iowa
				1

Fees:

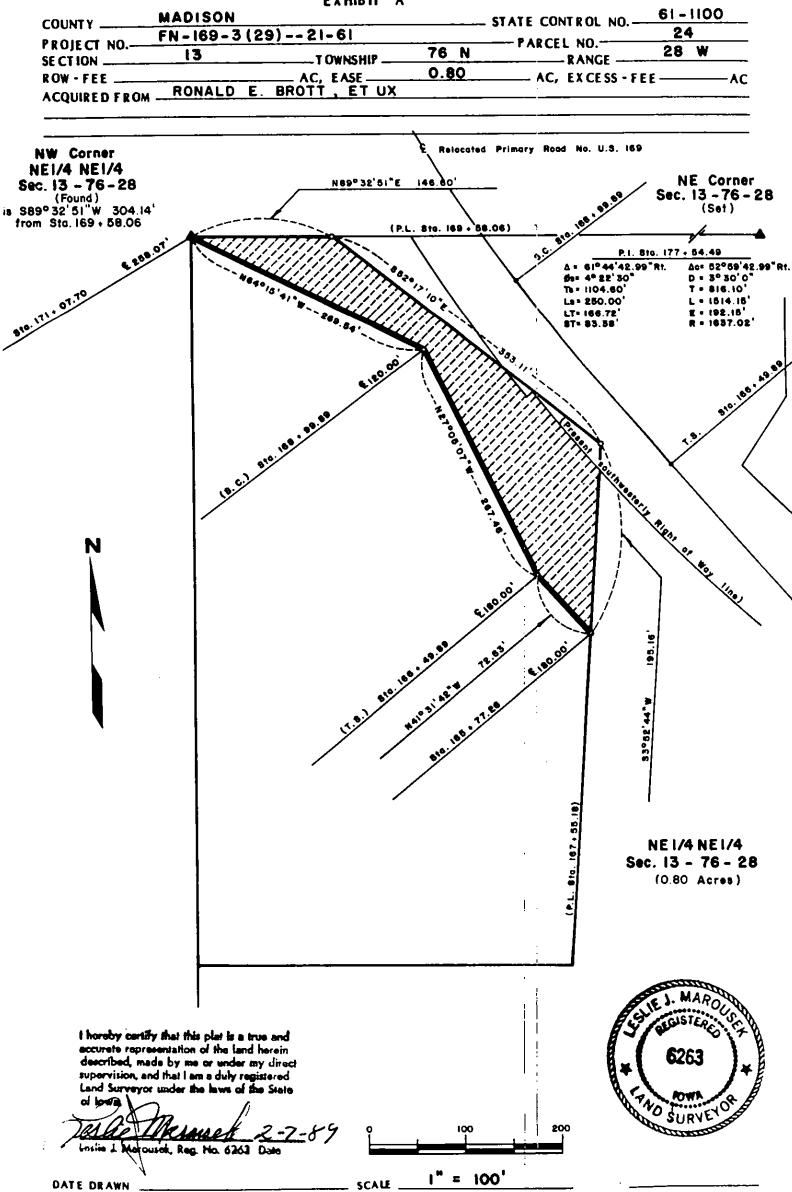
Service \$ 10.00 Mileage \$ Total \$ 10.00

D Well Shiff Sheriff of Madison County, Iowa

#### IOWA DEPARTMENT OF TRANSPORTATION



# RIGHT OF WAY PLAT EXHIBIT "A"



	Notice received this	POLK COUNTY SHI	
I. By delive	ering a copy thereof to said	defendant personally at	/ Del country state of towar
a person the dwell	at least eighteen years old	residing atbode of the defendant, and which place	
a person the dwel	at least eighteen years old ling house or usual place of a	residing at	e was a rooming house, hotel, club, or
Processing	<b>S</b>		BOB E. RICE
Mileage Total	\$ \$	Sher	riff of Polk County
Universal	Return		Deputy

_	
. ~	
$\overline{}$	•

l'ATE OF 10 olk County	SS			OUNTY SHERIFF RE		
The within	Notice Order recei	red this	day of	)e (	. , 19 Å. J. and 1 certify	
on the . )	the detendant day of	A. S. C.		, 19 .9, in Pol	k County, State of Iowa:	;
1. By deliv	ering a copy there	of to said defendant	personally at .	<del>.2</del>		
					•••••••	
	lling house or usua tment building.	I place of abode of th	e defendant, and	i which place was not a re	ooming house, hotel, club,	١
-	•	of to	• • • • • • • • • • • • • • • • • • • •		••••	
a perso	n at least eighteen	years old residing a	·	•••••	••••••	,
					ming house, hotel, club, or	
apartm	ent building, and	hat she person to w	hom the copy w	as delivered was		
Processing	30.00	FEB 7	1990	BOB E. RI		
Mileage	5.4.2.4.	1	}	Sheriff of Polk	County	
Total	\$3.4.2.4	By Plaintiff's	Attorney or Byrock	K. Ster	0.29	
Universal	l Return	POLK COUNTY	our our		Deputy	•

STATE OF IOWA POLK COUNTY SHERIFF RETURN OF SERVICE **Polk County** Notice that I served the defendant . K.A. ...... 19 a.F., in Polk County, State of Iowa: on the ..../9...day of .... A. l. 1. By delivering a copy thereof to said defendant personally at .......... a person at least eighteen years old residing at ... 5800 ... M.W. ... 86 ............ the dwelling house or usual place of abode of the defendant, and which place was not a rooming house, hotel, club, or apartment building. 3. By delivering a copy thereof to...... the dwelling house or usual place of abode of the defendant, and which place was a rooming house, hotel, club, or apartment building, and that the person to whom the copy was delivered was ....... **BOB E. RICE Processing** Sheriff of Polk County Mileage Total Universal Return

3**.**2.

7	3
_	٠/

I ATE OF IO	'*^	901.1	COUNTY SHERIFF RETURN OF SERVICE
Polk County	)	• • • •	
The within	(Notice) Order	ecoived this/. 2 day of	. No. 19.8.5. and I certify
that I served	the defendant	the transmitted	nondarge
on the/		Like	1958., in Polk County, State of Iowa:
			at 5 800 MW 86
• • • • • •			••••••
2. By deliv	vering a copy t	hereof to	
a perso	n at least eight	een years old residing at	,
the dwe	lling house or	isual place of abode of the defendant	t, and which place was not a rooming house, hotel, club,
or apar	tment building	<b>.</b> .	
•	•		•••••
			······
			t, and which place was a rooming house, hotel, club, or
apartm	ent building, a	nd that the person to whom the co	py was delivered was
	•		BOB E. RICE
Processing	\$	••••	
Mileage	\$	••••	Sheriff of Polk County
Total	\$		1 Secretary
Universa	l Return	By	Deputy

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

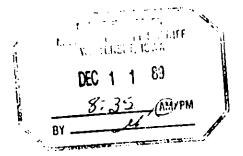
City of Winterset

located in Madison County, Iowa

Project No. FN-169-3(29)--21-61

Group "C"

NOTICE



T0:

David T. Clark (also known as David Thurman Clark), R.R. 2, 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 NE Frl. 1/4 NE 1/4 and NW Frl. 1/4 NE 1/4 of Sec. 1, T76N, R28W of the 5th P.M. and the NE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4 and SE 1/4 SE 1/4 of Sec. 36, T77N, R28W of the 5th P.M., all in 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" 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 NE Frl. 1/4 NE 1/4 of Sec. 1, T76N, R28W 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:

Commencing at the NE Corner of said Sec. 1; thence SOO7'00"E, 361.04 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1 to the Point of Beginning; thence continuing SOO7'00"E, 943.78 ft. along said east line to a point on the south line of said NE Frl. 1/4 NE 1/4; thence NE9'03'42"W, 99.69 ft. along said south line; thence NOO7'50"W, 590.18 ft.; thence N31'05'40"W, 58.31 ft.; thence NOO7'50"W, 250.00 ft.; thence N49'05'11"E, 79.23 ft. to a point on the present westerly right of way line of Primary Road No. U.S. 169; thence N89'53'(10"E, 69.91 ft. to the Point of Beginning, excepting therefrom present easements of record; containing 0.65 acre, more or less, exclusive of said exceptions.

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

- 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. 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 plat Exhibit "B" attached hereto and by reference made a part hereof:

Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30) Continued on next sheet

Sheet 1

Sheet 2

Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30)

Commencing at the NE Corner of said Sec. 1; thence  $S0^007'00^n$ E, 1304.82 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1 to the SE Corner of said NE Frl. 1/4 NE 1/4; thence N89 03'42"W, 99.69 ft. along the south line of said NE Frl. 1/4 NE 1/4 to a point on the westerly line of the land sought by permanent easement for highway purposes, the Point of Beginning; thence continuing N89 03'42"W, 90.02 ft. along said south line; thence N0 07'50"W, 38.51 ft.; thence N89 52'10"E, 90.00 ft. to a point on the westerly line of said land sought by permanent easement; thence S0 07'50"E, 40.18 ft. along said westerly line to the Point of Beginning.

Also, Commencing at the SE Corner of Sec. 36, T77N, R28W of the 5th P.M., Madison County, Iowa; thence NO<sup>0</sup>10'52"W, 187.25 ft. along the east line of the SE 1/4 SE 1/4 of said Sec. 36; thence S89'11'05"W, 64.99 ft. to a point on the present westerly right of way line of Primary Road No. U.S. 169, the Point of Beginning; thence N56'14'48"W, 70.30 ft.; thence S89'07'51"W, 35.00 ft.; thence N0<sup>0</sup>54'08"W, 48.82 ft.; thence S85'31'43"E, 95.38 ft. to a point on said present westerly right of way line; thence S0<sup>0</sup>59'26"E, 25.21 ft. along said westerly line; thence S1<sup>0</sup>22'15"W, 54.71 ft. along said westerly line to the Point of Beginning.

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

Commencing at the NE Corner of said Sec. 1; thence  $S0^007'00^{\circ}E$ , 412.77 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1; thence  $S89^{\circ}52'10^{\circ}W$ , 129.89 ft. to a point on the westerly line of the land sought by easement for highway purposes, the Point of Beginning; thence  $S0^{\circ}07'50''E$ , 250.00 ft. along said westerly line; thence  $S89^{\circ}52'10''W$ , 60.00 ft.; thence  $S89^{\circ}52'10''W$ , 60.00 ft.; thence  $S89^{\circ}52'10''$ E,  $S89^{$ 

- 4. The State of Iowa shall have a right to pond water from surface and/or tile drainage on condemnee's land located in the N Frl. 1/2 NE 1/4 of said Sec. 1 to an elevation of 1012.0 ft. above mean sea level, as illustrated on said plat Exhibit "B" and the official plans for the project.
- 5. 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 outside of said land being acquired under this proceeding, 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.
- 6. The areas sought to be appropriated by temporary easement, for the specific purpose of constructing entrances, constructing fence berm, 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.

Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30)

Sheet 2

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, 471, and 472 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 26th day of January , 1990 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

Right of Way Director

Ву	. (	Wollisher	···
	Fred	Cirksena	
	Chief	Condemnation	Agent of Transportation
	Iowa	Department	of Transportation
	Ames.	Iowa	50010

#### ACCEPTANCE OF SERVICE

I accept service of the above and foregoing 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	<u>-</u>	
STATE OF IOWA )	SS.		
COUNTY OF MADISON)		•	

Received the within notice the <a href="https://linear.com/linear.

Name	Date	City or Town	County	State
David T. Clark a/k/a David Thurman C.	ark 12/18/89	Madison Township Winterset	Madison	Iowa
Madison County, Icwa c/o Joan Welch, Audito	r 12/15/89	Winterset	Madison	Iowa
Fees:			<u> </u>	<u> </u>

Service \$ 20.00 Mileage \$ 2.88 Total \$ 22.88

Gand & Weld Stay

684 077

# IOWA DEPARTMENT OF TRANSPORTATION



## RIGHT OF WAY PLAT EXHIBIT "A"

ENJECT NO. I TOWNSHIP 76 N PARCEL NO. 28 W  TOWN - FEE	
TOWN TEE AC, EASE O.65 AC, EXCESS-FEE  CQUIRED FROM DAVID T. CLARK  P.T. Sto. 279 - 12.77  A - 0"51/50" L1.7  A - 0"51/50" L1.7  A - 0"50" 10" L1.	
DAVID T. CLARK    A	
MARO   PT. B10, 270 + 12.77   NE Corner   Sec. 1 - 76 - 28   Found   Pt. Sto. 272 + 52.78	-AC
NE   Sto. 276 + 12.77   Sto. 2	
P.I. Sto. 276 + 12.77  A - 0° 50' 50' L.1. D - 0° 00' 00' 00' T - 216.96' L - 629.92' E - 1.21' R - 42.441.92'  (Section Line Sto. 276 + 12.80)  HS9°53'00'E 69.91'  P.C. Sto. 272 + 91.75  Sto. 272 + 91.75  Sto. 272 + 90.00  NE FRL 1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  NE FRL 1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  R0°07'90'W 280.00'  NE FRL 1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  R131°06'40'W 38.31'  Sto. 289 + 90.00  £150.00'	
P.I. Sto. 276 + 12.77  A - 0° 50' 50' L.1. D - 0° 00' 00' 00' T - 216.96' L - 629.92' E - 1.21' R - 42.441.92'  (Section Line Sto. 276 + 12.80)  HS9°53'00'E 69.91'  P.C. Sto. 272 + 91.75  Sto. 272 + 91.75  Sto. 272 + 90.00  NE FRL 1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  NE FRL 1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  R0°07'90'W 280.00'  NE FRL 1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  R131°06'40'W 38.31'  Sto. 289 + 90.00  £150.00'	
### Property of the property o	
### Corner    A	). U.S.
### Corner    A	
### Corner    A	
Survive   Found   Fo	
Survive   Found   Fo	
Survive   Found   Fo	
Sign	_
Sign	7
Sign	
P.C. \$10. 272 - 92.60  \$10. 272 - 51.75	
P.C. \$10. 272 - 92.60  \$10. 272 - 51.75	
P.C. \$10. 272 - 92.60  \$10. 272 - 51.75	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  M510-05'40"W 58.21'  Ste. 269 + 00.00 £ 100.00'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  M510-05'40"W 58.21'  Ste. 269 + 00.00 £ 100.00'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  M510-05'40"W 58.21'  Ste. 269 + 00.00 £ 100.00'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  M510-05'40"W 58.21'  Ste. 269 + 00.00 £ 100.00'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  N81°06'40"W 88.51'  810. 269 + 00.00 £ 100.00'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  N81°06'40"W 88.51'  810. 269 + 00.00 £ 100.00'	
NE FRL.I/4 NE I/4 Sec. I - 76 - 28 (0.65 Acre)  N31°06'40"W 58.51'  Sta. 269 + 00.00 £ 100.00'	
NE FRL.I/4 NE I/4 Sec. I - 76 - 28 (0.65 Acre)  N31°06'40"W 58.51'  Sta. 269 + 00.00 £ 100.00'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  NS1*08'40"W S8.31'  S1a. 269 + 00.00 £ 100.00'  NS1*08'40"W S8.31'  NS1*08'40"W S8.31'  NS1*08'40"W S8.31'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  NS1*08'40"W S8.31'  S1a. 269 + 00.00 £ 100.00'  NS1*08'40"W S8.31'  NS1*08'40"W S8.31'  NS1*08'40"W S8.31'	
NE FRL.1/4 NE 1/4 Sec. 1 - 76 - 28 (0.65 Acre)  NS1*08'40"W S8.31'  S1a. 269 + 00.00 £ 100.00'  NS1*08'40"W S8.31'  NS1*08'40"W S8.31'  NS1*08'40"W S8.31'	N
Sec. 1 - 76 - 28 (0.65 Acre)    MS1*05'40"W	l
Sec. 1 - 76 - 28 (0.65 Acre)    MS1*05'40"W	A
81g. 269 + 80.00 (130.00)    NSI*08'40"W	1
#\$1°08'40"W \$8.51'	
81a. 269 + 00.00 £ 100.00'	
Westerly Westerly	
Westerly Westerly	
	7
	•
. N₂ 1 !	
810. 263 + 09.82   £100.001	
(P.L. 81e. 268 • 07.95)	
I hereby certify that this plat is a true and Na9*03'42"W DD.69' Relected Road N	
accurate representation of the land herein	MU. U.
described, made by me or under my direct	
Supervision, and that I am a duly registered  Land Surveyor under the laws of the State  E   /4 Corner	
Sec. 1 - 76 - 28	•
	from
is N88°20'38"W 2.13' Leslie J. Majourek, Reg. No. 6263 Date  is N88°20'38"W 2.13' Sta. 249 + 86.55	🕶
Paris S. Marionner, Red. 140. 0403 PSIS	
0 100	
ATE DRAWN SCALE SCALE	<b>20</b> 0

# IOWA DEPARTMENT OF TRANSPORTATION



RIGHT	OF	WAY	P	LAT	
EX	UB I	T "B'	,		

OUNTY	MADISON			STA	TE CONTROL	NO. 11-00	
ROIECT NO.	FN-169-3(29)-	-'21-61	70		PARCEL NO.	30 28W	
ECTION	1 8 36	TOWNSHIF			RANGE		
OW - FEE					— AC, EXCES	S·FEE	—AC
CQUIRED FR	OM DAVID T. CL	ARK			···		
	<del></del>		<del></del>				
••				- 1			
Ņ	5E 1/4 S	!		l			
	SEC.	36					
	5.85° 3/'	13'E 95.38'		1			
, and the second	<u>5 55 5</u>	1	(2)				
	C-a	278+80 E	155.00		50°59'26"	E 25 21'	
1			82'	ズ∰∼−↓			•
	<del></del>	STA 278+00		<b>⊗</b> ; ∣	5/02/15	5"W 54.71	
	5 89	9°07'5/"W	35.00	77			
		0° 14'48" W	70.30	1 1 1	NO°10'5		
•					/87.25		
			SE Coe.	니니	<u> 5 89 77 05</u>	5"W 64.99"	
			5EC 36 -	2			
			NE COR	أبسرار			
1) (2) TE	MPORARY EASE	MENT TO	SEC. I	7 4	,		
C0/	NSTRUCT ENTRA	WGE					
3) TEMPO	RARY EASEMEN	IT TO CONS	TRUCT				
FENCE	BERM	· 1		1 1		7'00"E	
					412.7	7.	
	_ , ,			82			
	N 69° 52'10'	E 60.00					
		^	1	304	1		
ءِ	5TA. 272+00.00	E /2	0.00	/ `	<i>;</i>		
_				- <b>T</b>	6	. "	ae'
	NE FRL 14 NE	4-			589*52	2'10"W 129.	
	SEC. I		ˈ <i>(</i> 3)[_		50°07'5	0"E 250.0	<u>oʻ</u>
		7'50"W \	<b>—-</b> ₩		ly.		
<b>~</b> .	25 SEMENT TO PO	0.00'	<b>₩</b>		2		
EAS	AN ELEVATION O	E 1012.0'1					
70	STA. 269 + 50	00 /8	190.00	l	¥		
				, , , , , , , , , , , , , , , , , , ,	6 @	R28W	
				,ŏ	2 (36)		
		_ / /	/	7.0	l. NW	SE NE-SE	
			/	"	MA KO.		77 77 ~
	. (/ )	~	/	v			N
	<u>_589°5</u>	2'10'W 601	oo' /		50	SE SE-SE	1
					RECOC	i	l
				1	اين ا	_	<u> </u>
				}	1 1	NE FH	76
					1 <b>1</b> 1	FINE NE	! Ã
						c. / SEc!	-
					m	L.	
	<u>~</u>	89°52'10"E	90.00	1	J FOR D	ETAILS OF TA	KING
	5-1 263	1750 E 190	.00 (7)	1	SEE C	ARGEMENT A	r LE
		60"W 38.5			50075	O'E 40.18'	
				M 1	4		
	(P.L. 5TA 263			Ţ	1		
	_ <i>N8</i>	9°08'42"W	90.02	}	7		
		√ 89°03'42"	w/ 99 69'		1		
	-						
		5	E 14 CORNE EC. 1-76-2	K / / ** B			
		9	~				

DATE DRAWN \_\_\_\_\_\_ SCALE \_\_\_\_\_

Form Barwi

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

Primary Road No. U.S. 169 north of the

AFFIDAVIT OF FINAL OFFER

City	of	Winterset

located in

Madison

County, lows

Project No.

FN-169-3(29)--21-61

Group

"C"

On this the 26th day of Van	vary	, 19 <u>90</u>	
Department of Transportation and states, as by	aw provided, that the mos	t recent offers ma	de to the owners,
lienholders, encumbrancers and other persons in	iterested in the appropriati	on of certain spec	itled rights in cer-
tain land as described by the Applicant in the No	itice of Condemnation file	d in the above mat	ter are as follows:

(Names as on Notice)

2,763	
·	

## PARCEL 24

Ronald E. Brott April S. Brott Ralph Lee Jennings Jeanne Jennings Madison County Treasurer

#### IOWA DEPARTMENT OF TRANSPORTATION

		•
		Right of Way Director  By:
Acknowledged, Subscribe	ed and sworn to before me th	nis 26 day of Jaruary
Ja Dai		(Rotery Public) In and for said County and State (Cters of Court)
Filed in my office at	Winterset	, lowa, this day of

In the Matter of the Condemnation of Certain Rights in Land by the lowa Department of Transportation for the improvement of

Primary Road No. U.S. 169 north of the

AFFIDAVIT OF FINAL OFFER

City	of	Winterset	
------	----	-----------	--

located in

Madison

County, lowa

Project No.

FN-169-3(29)--21-61

Group

"C"

On this the 26th day of January 19 90, comes the lowar Department of Transportation and stites, as by law provided, that the most recent offers made to the owners, lienholders, encumbrancers 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)

: 3,500

#### PARCEL 30

David T. Clark Madison County Treasurer

# IOWA DEPARTMENT OF TRANSPORTATION

41 cm

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

REPORT OF COMPENSATION COMMISSION

City of Winterset

located in Madison County, Iowa Project No. FN-169-3(29)--21-61

Group "C"

TO:	Paul	Welch.	Shoriff	٥f	Madison	County	Inus
10.	iaui	MCICII,	Juei III	vı	mau 15011	County,	TOMO

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 16 -  Dean Mapes: Barbara Jean  Mapes: Madison-Gounty  Treasurer	\$ \$ \$ \$	\$ \$ \$ \$		\$ \$ \$
PARCEL 24 - Ronald E. Brott; April S Brott; Ralph Lee Jennings; Jeanne Jennings; Madison County Transport	2465	500	2965	\$
County Treasurer  PARCEL 30 - David T. Clark; Madison County Treasurer	3500		X 3500	\$ \$
	\$ \$ \$ \$			\$ \$ \$ \$
Respectfully reported at	19 90	, Iow	va, this <u>26</u>	day of
Senge Bown	<del></del>	Salut 7.	Carle	
Brune Grown	nlee	Cells Him	iha	wex-

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 26 th day of Mruaur, 1

In the Matter of the Condemnation of Cartain Rights in Land by the Iowa Dapartment of Transportation for the Improvement of

Primary Road No. U.S. 169 north of the

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

City of Winterset

located in Madison County, Iowa
Project No. FN-169-3(29)--21-61

Group "C"

The undersigned hereby endorse and certify that a true copy of the foregoing Notice 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

Iowa, on the 26 Hday of

Paul Welch

Form 634-099 1-80

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

Primary Road No.

U.S. 169 noth of the

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

City of Winterset

located in

Madison

County, lowa

Project No.

FN-169-3(29)--21-61

Group

"C"

Parcel No.

24

TO:

· •	Land & Consequentia Improvements Damages	al Total Award	Condemnees' Atty. Fees and Costs
Ronald E. Brott;	: 2765 : 500	s. 2,965	_s <u>/50</u>
April S. Brott;			\$
Ralph Lee Jennings;		<b>\$</b>	\$
Jeanne Jennings;	ss	\$	\$
Madison County Treasurer	\$\$	\$	\$
		\$	\$
	\$\$	\$	\$
	\$\$	\$	\$
	\$\$	\$	\$
	\$\$	\$	\$
	\$\$	\$;	\$
	ss	s :	\$
	ss	\$ :	\$
	\$\$	\$	\$
	\$\$	\$:	\$
	\$\$	\$	\$
	\$\$	\$	\$
	ss	\$	\$

You and each of you are hereby notified that 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 lows, you may within thirty (30) days from the date of mailing this Notice, appeal to the District Court as by law provided.

Date: 26th Day	of January	1990
(mills	Well Fair	
Sheriff of	Madison	County, lowa

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

Primary Road No. U.S. 169 north of the

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

City of Winterset

located in	Madison	County, Iowa
Project No.	FN-169-3(29)21-	-61
Group	"C"	
Parcel No.	30	·

TO:

David T. Clark;	- 0	Consequential Damages \$\$	Total Award	Condemnees' Atty. Fees and Costs
Madison County Treasurer	\$	\$\$	<u> </u>	\$
	\$	\$\$		\$
	\$	_ss		
	\$	_ss	<del></del>	
	\$	_\$\$		\$
	\$	_\$\$		
	s	_\$\$		\$
	s	ss		\$
	<u> </u>	s\$		\$
	\$	s\$		\$
		<u> </u>	i	s
		vv ss		s
		_•·	i	s
		_,	:	s
		_ •		<u> </u>
	s	_ •·		

You and each of you are hereby notified that 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 lowa, you may within thirty (30) days from the date of mailing this Notice, appeal to the District Court as by law provided.

Date: 26 th_ Da	yor Vanuary	,19.90
(mar)	Allel Fr	ent
Sheriff of	Madison	County, low

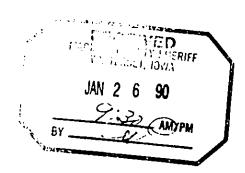
IN THE MATTER OF THE CONDEMNATION
OF CERTAIN RIGHTS IN LAND BY THE
IOWA DEPARTMENT OF TRANSPORTATION
FOR THE IMPROVEMENT OF PRIMARY ROAD
NO. U.S. 169 NORTH OF THE CITY OF
WINTERSET LOCATED IN MADISON, COUNTY, IOWA

PROJECT NO. FN-169-3(29)--21-61

GROUP "C"

PARCEL NO. 24

OWNERS: Ronald E. Brott and April S. Brott, husband and wife



APPLICATION TO COMPENSATION COMMISSION

TO DIVIDE DAMAGES INTO PARTS

PURSUANT TO SECTION 472.14, CODE OF IOWA

COMES NOW the owners of real estate being assessed by Compensation Commission identified above, Ronald E. Brott and April S. Brott, husband and wife, by and through their attorney, Bryan R. Jennings, and hereby applies for the Commission to divide its assessed damages into parts pursuant to Section 472.14, Code of Iowa.

The existing circumstances regarding the real estate being taken make it advisable to determine and assess damages in the following parts:

- 1. Value of Land being taken;
- 2. Reduction in value of remaining property;
- 3. Value of trees being taken; and
- 4. Value of fence taken.

WHEREFORE, the OWNERS pray that the Compensation Commission

divide its assessment of damages into the foregoing parts pursuant to Section 472.14, Code of Iowa.

Bryan R. JENNINGS

801 Main

Adel, Iowa 50003 (515) 993-4254

ATTORNEY FOR OWNERS

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 "C" Parcel 30

TO: Paul Welch, Sheriff of Madison County, Iowa and

TO:

David T. Clark (also known as David Thurman Clark), R.R. 2, Winterset, Iowa Madison County, Iowa, c/o County Auditor, Winterset, Iowa

COMES NOW THE IOWA DEPARTMENT OF TRANSPORTATION AND AMENDS THE APPLICATION AND NOTICE FILED IN THE ABOVE ENTITLED PROCEEDINGS AS FOLLOWS:

BY REDUCING THE AMOUNT OF LAND REQUIRED BY TEMPORARY EASEMENT, FOR THE SPECIFIC PURPOSE OF CONSTRUCTING AN ENTRANCE, AS FOLLOWS:

By striking and removing the second paragraph of the description found on Sheet 2 of the Original Notice which reads, in part:

"Also, Commencing at the SE Corner of Sec. 36, T77N, R28W of the 5th P.M., Madison County, Iowa ... thence S1°22'15"W, 54.71 ft. along said westerly line to the Point of Beginning."

This temporary easement area previously required for the specific purpose of constructing an entrance is no longer required for said purpose or any other and therefore, no longer sought to be appropriated.

A substitute plat Exhibit "B-1" is attached to this Amendment and serves to replace the plat Exhibit "B" attached to the Original Notice. Any reference in the Original Notice to the plat Exhibit "B" is hereby amended to be a reference to the plat Exhibit "B-1".

Dated at Ames, Iowa, this 1.9th day of January, 1990.

#### IOWA DEPARTMENT OF TRANSPORTATION

Charles J. Krogmeier Special Assistant Attorney General and General Counsel to the Iowa Department of Transportation

Robert L. North Right of Way Director

Chief Condemnation Agent

Highway Division

Filed in my office at Winterself, Iowa, this 24th day of January, 1990.

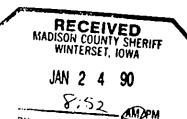
Madison County Project No. FN-169-3(29)--21-61 David T. Clark (Parcel 30)

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

and

DAMAGES

AMENDMENT TO NOTICE



03--077

#### IOWA DEPARTMENT OF TRANSPORTATION



### RIGHT OF WAY PLAT EXHIBIT "B-I"

