

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

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

SHERIFF'S FILING OF RECORD

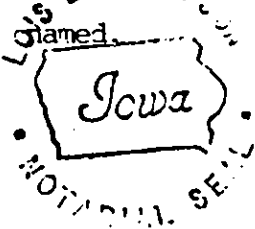
Please find attached the following papers regarding the above named condemnation which was held in my office on the 26th day of January, 1990.

- 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
Paul D. Welch, Sheriff
Madison County

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



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

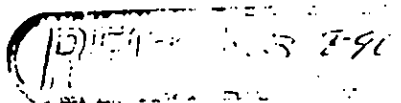
ENTERED FOR TAXATION
THIS 8 DAY OF MAR 1990
AUDITORS FEE \$ 15.00
Paul Welch
AUDITOR
Debbie
DEPUTY AUDITOR

IND.
REC.
PAGE

FILED NO. 1793
BOOK 127 PAGE 38

90 MAR -8 PM 3:44

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$240.00
Transfer at Auditors
\$ 15.00



MARY E. WELTY COUNTY RECORDER

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"

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.

Agricultural Land: A part of the lands sought to be appropriated ~~was~~ (has not) 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

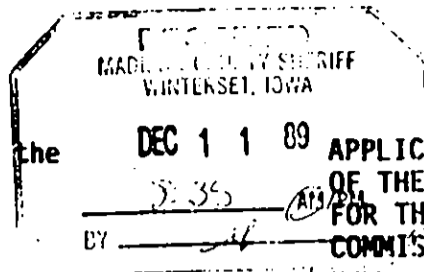
By *Fred Cirksena*
Fred Cirksena
Condemnation Supervisor

Filed in duplicate in my office at *Ames*, Iowa, this *5th* day of
December, 19 *89*.

Richard D. Morr
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.

Fred Cirksena *12/8/89*
Fred Cirksena
Condemnation Supervisor



CERTIFIED TRUE COPY

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

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

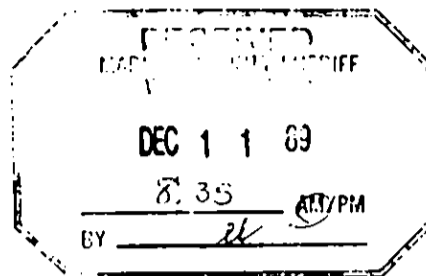
City of Winterset

located in Madison County, Iowa

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 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°32'51"E,
146.60 ft. along the north line of said NE 1/4 NE 1/4; thence S52°17'10"E, 353.11 ft.;
thence S3°52'44"W, 195.16 ft.; thence N41°31'42"W, 72.63 ft.; thence N27°05'07"W,
267.46 ft.; thence N64°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:

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.

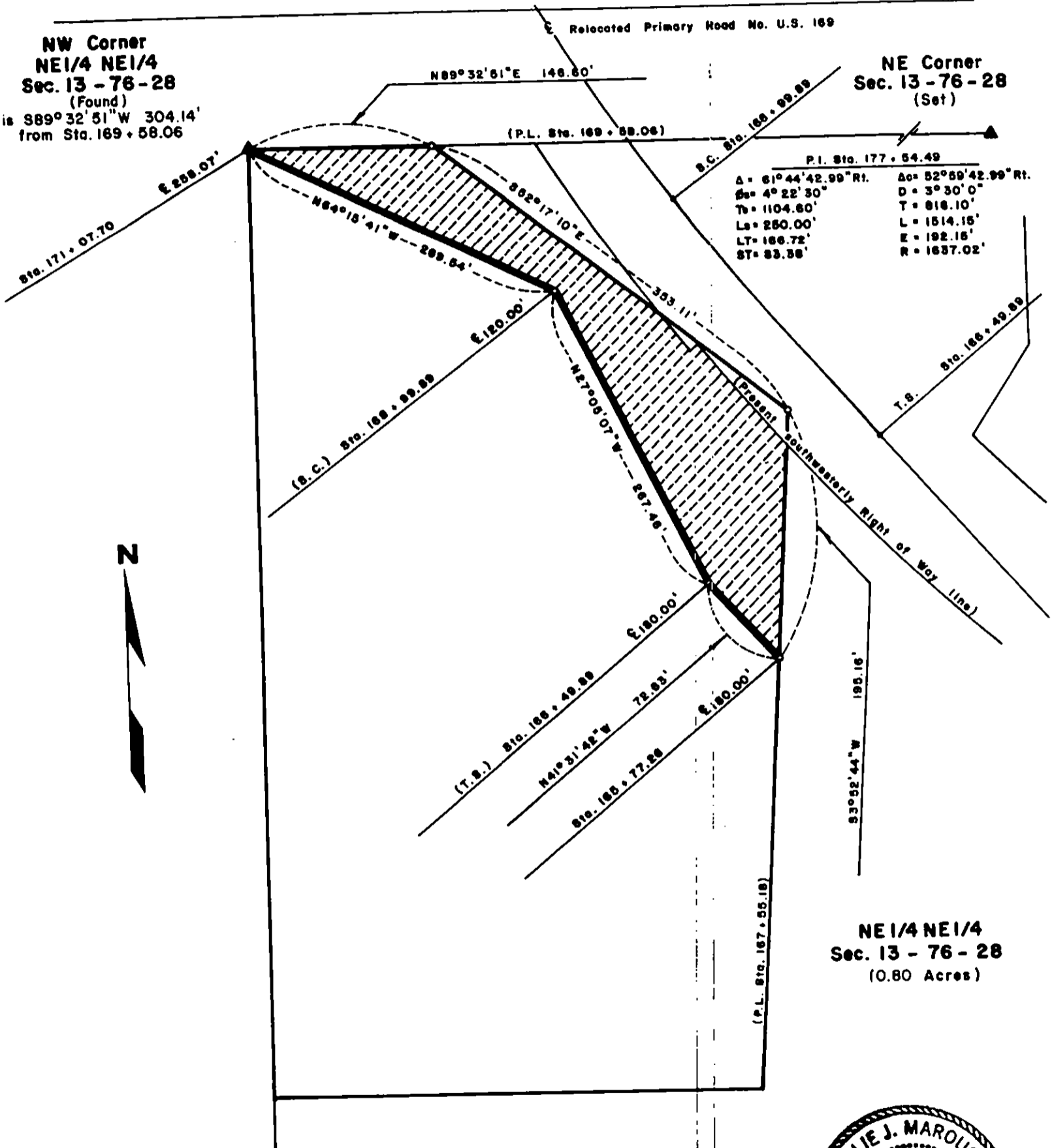
077

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT
EXHIBIT "A"

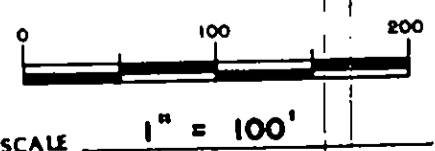
COUNTY MADISON STATE CONTROL NO. 61-1100
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 24
 SECTION 13 TOWNSHIP 76 N RANGE 28 W
 ROW - FEE AC, EASE 0.80 AC, EXCESS - FEE AC
 ACQUIRED FROM RONALD E. BROTT, ET UX



NE 1/4 NE 1/4
Sec. 13 - 76 - 28
(0.80 Acres)

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

Leslie J. Marousek 2-7-89
Leslie J. Marousek, Reg. No. 6263 Date



DATE DRAWN _____

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

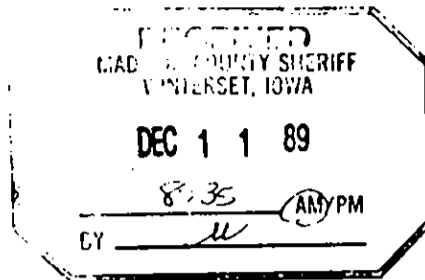
City of Winterset

located in Madison County, Iowa

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

Group "C"

NOTICE



TO:

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 Fr¹. 1/4 NE 1/4 and NW Fr¹. 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 Fr¹. 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 S0°07'00"E, 361.04 ft. along the east
line of the NE Fr¹. 1/4 NE 1/4 of said Sec. 1 to the Point of Beginning; thence continuing
S0°07'00"E, 943.78 ft. along said east line to a point on the south line of said
NE Fr¹. 1/4 NE 1/4; thence N89°03'42"W, 99.69 ft. along said south line; thence N0°07'50"W,
590.18 ft.; thence N31°05'40"W, 58.31 ft.; thence N0°07'50"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:

Commencing at the NE Corner of said Sec. 1; thence $S0^{\circ}07'00''E$, 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 $N89^{\circ}03'42''W$, 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 $N89^{\circ}03'42''W$, 90.02 ft. along said south line; thence $N0^{\circ}07'50''W$, 38.51 ft.; thence $N89^{\circ}52'10''E$, 90.00 ft. to a point on the westerly line of said land sought by permanent easement; thence $S0^{\circ}07'50''E$, 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 $N0^{\circ}10'52''W$, 187.25 ft. along the east line of the SE 1/4 SE 1/4 of said Sec. 36; thence $S89^{\circ}11'05''W$, 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 $N56^{\circ}14'48''W$, 70.30 ft.; thence $S89^{\circ}07'51''W$, 35.00 ft.; thence $N0^{\circ}54'08''W$, 48.82 ft.; thence $S85^{\circ}31'43''E$, 95.38 ft. to a point on said present westerly right of way line; thence $S0^{\circ}59'26''E$, 25.21 ft. along said westerly line; thence $S1^{\circ}22'15''W$, 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 $S0^{\circ}07'00''E$, 412.77 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1; thence $S89^{\circ}52'10''W$, 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 $N0^{\circ}07'50''W$, 250.00 ft.; thence $N89^{\circ}52'10''E$, 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.

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 30
 SECTION 1 TOWNSHIP 76 N RANGE 28 W
 ROW - FEE _____ AC, EASE 0.65 AC, EXCESS - FEE _____ AC
 ACQUIRED FROM DAVID T. CLARK



P.I. Sta. 276 + 12.77

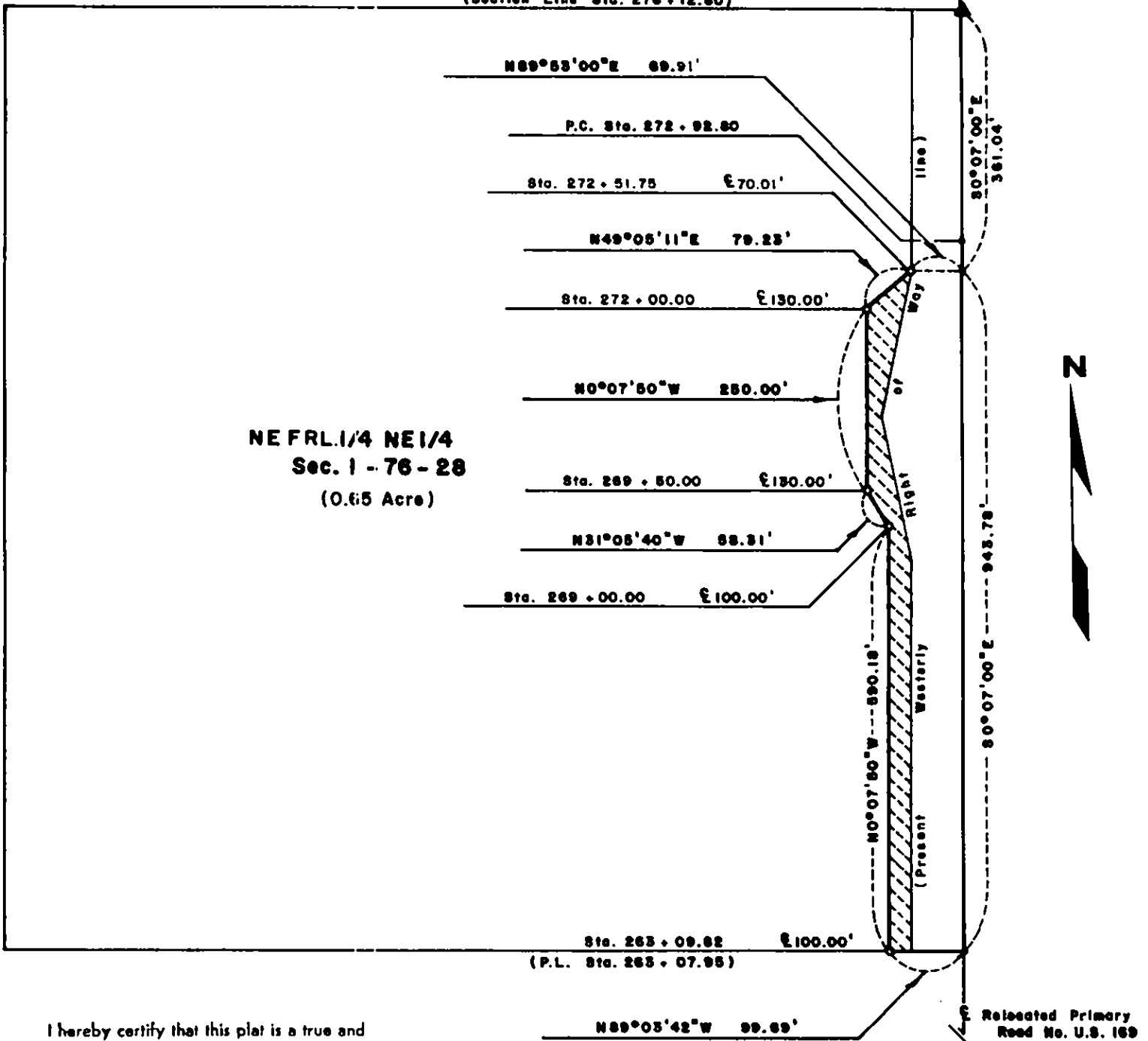
$\Delta = 0^{\circ}51'50''$ Lt.
 $D = 0^{\circ}08'06''$
 $T = 319.96'$
 $L = 639.92'$
 $E = 1.21'$
 $R = 42,441.32'$

P.T. Sta. 279 + 32.72

Relocated Primary Road No. U.S. 169

NE Corner
 Sec. 1 - 76 - 28
 (Found)
 = P.I. Sta. 276 + 12.77

(Section Line Sta. 276 + 12.80)



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

Leslie J. Marousek 4-10-89
 Leslie J. Marousek, Reg. No. 6263 Date

E 1/4 Corner
 Sec. 1 - 76 - 28
 (Set)
 is $N88^{\circ}20'38''W$ 2.13' from
 Sta. 249 + 86.55



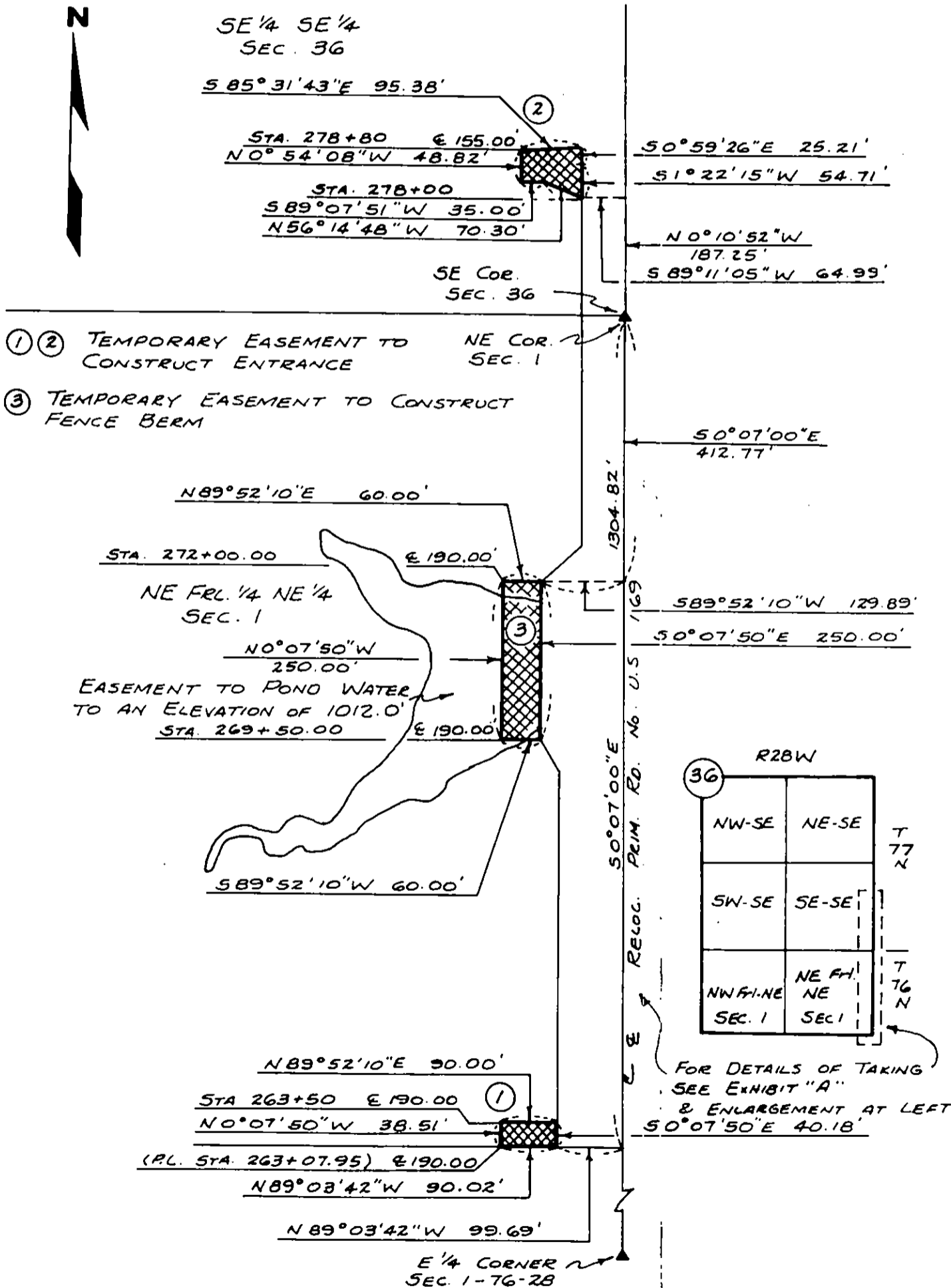
DATE DRAWN _____ SCALE $1'' = 200'$

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT
EXHIBIT "B"

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 30
 SECTION 1 & 36 TOWNSHIP 76N & 77N RANGE 28W
 ROW-FEE _____ AC, EASE _____ AC, EXCESS-FEE _____ AC
 ACQUIRED FROM DAVID T. CLARK



DATE DRAWN _____ SCALE _____

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

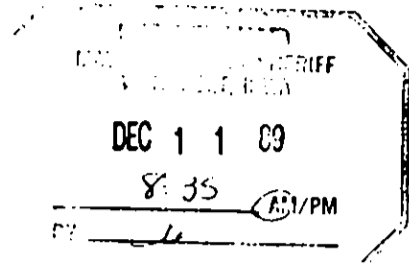
Primary Road No. U.S. 169 north of the City of Winterset

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	ADDRESS	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 GEORGE BOWN 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
Richard D. Morr
Chief Judge of the 5th Judicial District
Including Madison County, Iowa

Filed in my office Winterset, Iowa, this 11th day of December 19 89.

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

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

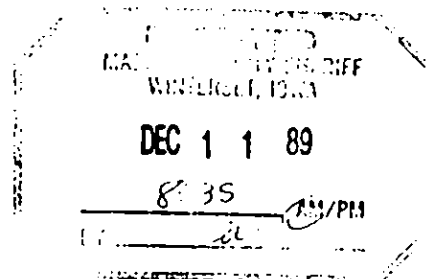
Primary Road No. U.S. 169 north of the City of Winterset

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.

Table with 3 columns: NAME, ADDRESS, QUALIFICATION. Rows include Charles Tucker (Winterset, Licensed Real Estate), Don Noack (Booneville, Salesperson or Broker), Loren Myers (Macksburg, Knowledgeable of Property Values by Virtue of Occupation), Harrison Vowell (Peru, Agricultural), and Raymond Clark (Booneville).

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

Dated at Des Moines, Iowa, this 6th day of December 19 89.

Richard D. Morr, CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT, including Madison County, Iowa.

Filed in my office at Winterset, Iowa, this 11th day of December, 19 89.

Paul B. 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
Group "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 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 D. Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged
at Winterset, Iowa, this 14th day of Dec, 19 89. I further
certify that I do not possess any interest in the above proceedings which would cause me
to render a biased decision therein.

Richard F. Cook

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

Filed in my office at Winterset, Iowa, this 15th day of
December, 19 89.

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

REFUSAL TO SERVE

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

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 D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, 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.

Gus Henrichs

Filed in my office at Winterset, Iowa, this 18th day of December, 19 89.

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

REFUSAL TO SERVE

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

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: 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, 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 D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 18th day of Dec, 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.

George Bown

Filed in my office at Winterset, Iowa, this 20th day of Dec 1989.

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

REFUSAL TO SERVE

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

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 D Welch, Sheriff

Paul Welch Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Peru, 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.

Harrison Vowell

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

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

REFUSAL TO SERVE

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

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: 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 D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, 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.

Bruce A Brownlee

Filed in my office at Winterset, Iowa, this 27th day of December, 19 87.

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

REFUSAL TO SERVE

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

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: 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 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 D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 21 day of Dec, 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.

Loren Myers

Filed in my office at Winterset, Iowa, this 28th day of December, 1989.

Paul D Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

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: 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 D. Welch, Sheriff

Paul Welch
Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, 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 15th day of December, 1987.

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

REFUSAL TO SERVE

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

Dean Mollin

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: 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 D Welch, Sheriff

Paul Welch Sheriff of Madison County, Iowa

Acceptance of Service

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , 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 19th day of December, 19 89.

Paul D Welch, Sheriff

Paul Welch Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

I will be out of State for the winter months from Jan 10th until spring [Signature]

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

)
) ss
)

Each of the undersigned being duly sworn says:

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

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

That I will, to the best of my ability, faithfully and impartially assess the damages which owners, lienholders, encumbrances and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the rights set forth and described in the Application and Notice of Condemnation in the Office of the Sheriff for the improvement of roads and streets and make a written report to the Sheriff as Authorized and prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 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.

George Bown
Name: GEORGE BOWN
Licensed Real Estate Salesperson or Broker

Pat Corkrean
Name: PAT CORKREAN
Licensed Real Estate Salesperson or Broker

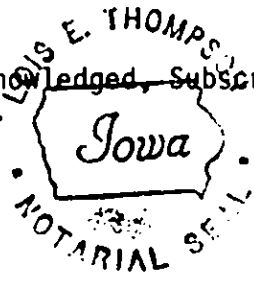
Gus Henrichs
Name: GUS HENRICHS
Knowledgeable of Property Values by Virtue Occupation

Loren Meyers
Name: LOREN MEYERS
Knowledgeable of Property Values by Virtue Occupation

Bruce Brownlee
Name: BRUCE BROWNLEE
Agricultural

Harrison Vowel
Name: HARRISON VOWEL
Agricultural

Acknowledged, subscribed and sworn to before me this 26th day of January, 19 90.



J. E. Thompson
(Notary Public) in and for said
(Clerk of Court) MADISON County and State

Filed in my office at, Winterset, Iowa, this 26th day of January, 19 90.

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

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

ROAD NO.

IN MADISON COUNTY)

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

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK 121, PAGE 586-697, OR INSTRUMENT NUMBER AND DATED December 11, 1989.

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Winterset, Iowa, on the 26th day of January, 1990, and thereupon proceeded to view the premises and said commissioners did thereafter on the 26th day of January, 1990, file their report in my office awarding damages as follows:

NAMES OF CONDEMNEES	AWARD	ATTORNEY FEES AND COSTS
PARCEL 24 - Ronald E. Brott; April S. Brott; Ralph Lee Jennings; Jeanne Jennings; Madison County Treasurer	\$ 2965.00	\$ 150.00
PARCEL 30 - David T. Clark; Madison County Treasurer	\$ 3500.00	
TOTAL DAMAGES AWARDED	\$ 6465.00	\$ 150.00

I certify that the costs incident to this proceeding have been taxed as follows: Serving Notices as listed below:

Date	Name of Condemnees Served	Fee	Mileage	Rate .21	Amount	Total
12/12/89	Dean Mapes c/o Barbara	\$10.00			\$2.40	\$12.40
12/12/89	Barbara Jean Mapes Madison County, Iowa	5.00				5.00
12/15/89	c/o Joan Welch, Auditor Madison County, Iowa	10.00			2.40	12.40
12/15/89	c/o Joan Welch, Auditor	10.00				10.00
12/18/89	David T. Clark a/k/a David Thurman Clark Madison County, Iowa	10.00			2.88	12.88
12/15/89	c/o Joan Welch, Auditor	10.00				10.00
					POSTAGE COPIES	11.40 5.50

Sub Total \$ 79.58

Sheriff, Summoning and attending Commissioners..... \$60.00
Sheriff, Mileage while attending Commissioners, 27 miles @.21 = 5.67

TOTAL \$145.25

Paul D Welch, Sheriff

Sheriff of MADISON County, Iowa

COMMISSIONERS' COSTS

58

-2-

<u>GEORGE BOWN</u>	of	<u>WINTERSET</u>	, Iowa
<u>1</u> day service			\$ <u>50.00</u>
<u>16</u> miles at .21			<u>3.36</u>
<u>1</u> meals			<u>5.00</u>
		TOTAL \$	<u>58.36</u>
<u>PATRICK E. CORKREAN</u>	of	<u>WINTERSET</u>	, Iowa
<u>1</u> day service			\$ <u>50.00</u>
<u> </u> miles at .21			<u>2.10</u>
<u>1</u> meals			<u>5.00</u>
		TOTAL \$	<u>57.10</u>
<u>LORSEN MYERS</u>	of	<u>MACKSBURG</u>	, Iowa
<u>1</u> day service			\$ <u>50.00</u>
<u>40</u> miles at .21			<u>8.40</u>
<u>1</u> meals			<u>5.00</u>
		TOTAL \$	<u>63.40</u>
<u>GUS HENDRICKS</u>	of	<u>WINTERSET</u>	, Iowa
<u>1</u> day service			\$ <u>50.00</u>
<u>10</u> miles at .21			<u>2.10</u>
<u>1</u> meals			<u>5.00</u>
		TOTAL \$	<u>57.10</u>
<u>BRUCE G. BROWNLEE</u>	of	<u>ST. CHARLES</u>	, Iowa
<u>1</u> day service			\$ <u>50.00</u>
<u>30</u> miles at .21			<u>6.30</u>
<u>1</u> meals			<u>5.00</u>
		TOTAL \$	<u>61.30</u>
<u>H. S. VOWELL</u>	of	<u>PERU</u>	, Iowa
<u>1</u> day service			\$ <u>50.00</u>
<u>18</u> miles at .21			<u>3.78</u>
<u>1</u> meals			<u>5.00</u>
		TOTAL \$	<u>58.78</u>
		GRAND TOTAL \$	<u>356.04</u>

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

Dated this 31st day of January, 1990.

Paul D. Welch, Sheriff

Sheriff of MADISON
County, Iowa

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-169-3(29)--21-61 "C", held on the 26th day of January, 1990, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>16</u> miles at \$.21	\$ <u>3.36</u>
meals	\$ <u>5.00</u>

Signed this 26 day of January, 1990.

George Bown
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-169-3(29)--21-61 "C", held on the 26th day of January, 1990, are as follows and that these claims are due, just and unpaid.

<u> </u> day service at \$50.00	\$ <u>50⁰⁰</u>
<u> </u> miles at \$.21	\$ <u>2.10</u>
<u> </u> meals	\$ <u>5⁰⁰</u>

Signed this 26 day of Jan, 1990.

Patrick F. Cochran
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-169-3(29)--21-61 "C", held on the 26th day of January, 1990, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50 -</u>
<u>40</u> miles at \$.21	\$ <u>8.40</u>
meals	\$ <u> </u>

Signed this 26 day of January, 1990.

Loran Meyer
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-169-3(29)--21-61 "C", held on the 26th day of January, 19 90, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.⁰⁰</u>
<u>10</u> miles at \$.21	\$ <u>2¹⁰</u>
<u>1</u> meals	\$ <u>5⁰⁰</u>

Signed this 26 day of JANUARY, 19 90.

Carl Amick
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-169-3(29)--21-61 "C", held on the 26th day of January, 1990, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50</u>
<u>30</u> miles at \$.21	\$ <u>6.21</u>
<u>1</u> meals	\$ <u>5.00</u>

Signed this 26 day of Jan, 1990.

Paul Bonduke
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. FN-169-3(29)--21-61 "C", held on the 26th day of January, 1990, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>18</u> miles at \$.21	\$ <u>3.78</u>
<u>1</u> meals	\$ <u>5.00</u>

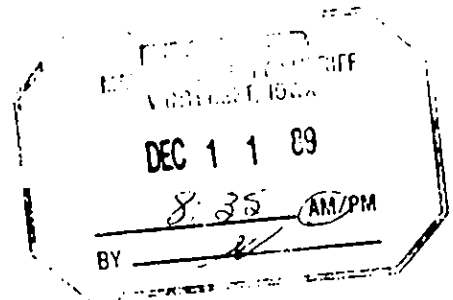
Signed this 26 day of Jan, 1990.

R. S. Howell
COMMISSIONER

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



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 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°32'51"E,
146.60 ft. along the north line of said NE 1/4 NE 1/4; thence S52°17'10"E, 353.11 ft.;
thence S3°52'44"W, 195.16 ft.; thence N41°31'42"W, 72.63 ft.; thence N27°05'07"W,
267.46 ft.; thence N64°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:

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.

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

By *Fred Cirksena*
Fred Cirksena
Chief Condemnation Agent
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____.

STATE OF IOWA)
) SS.
COUNTY OF MADISON)

Received the within notice the 11th day of December, 19 89, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

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

Fees:

Service \$ 10.00
Mileage \$ _____
Total \$ 10.00

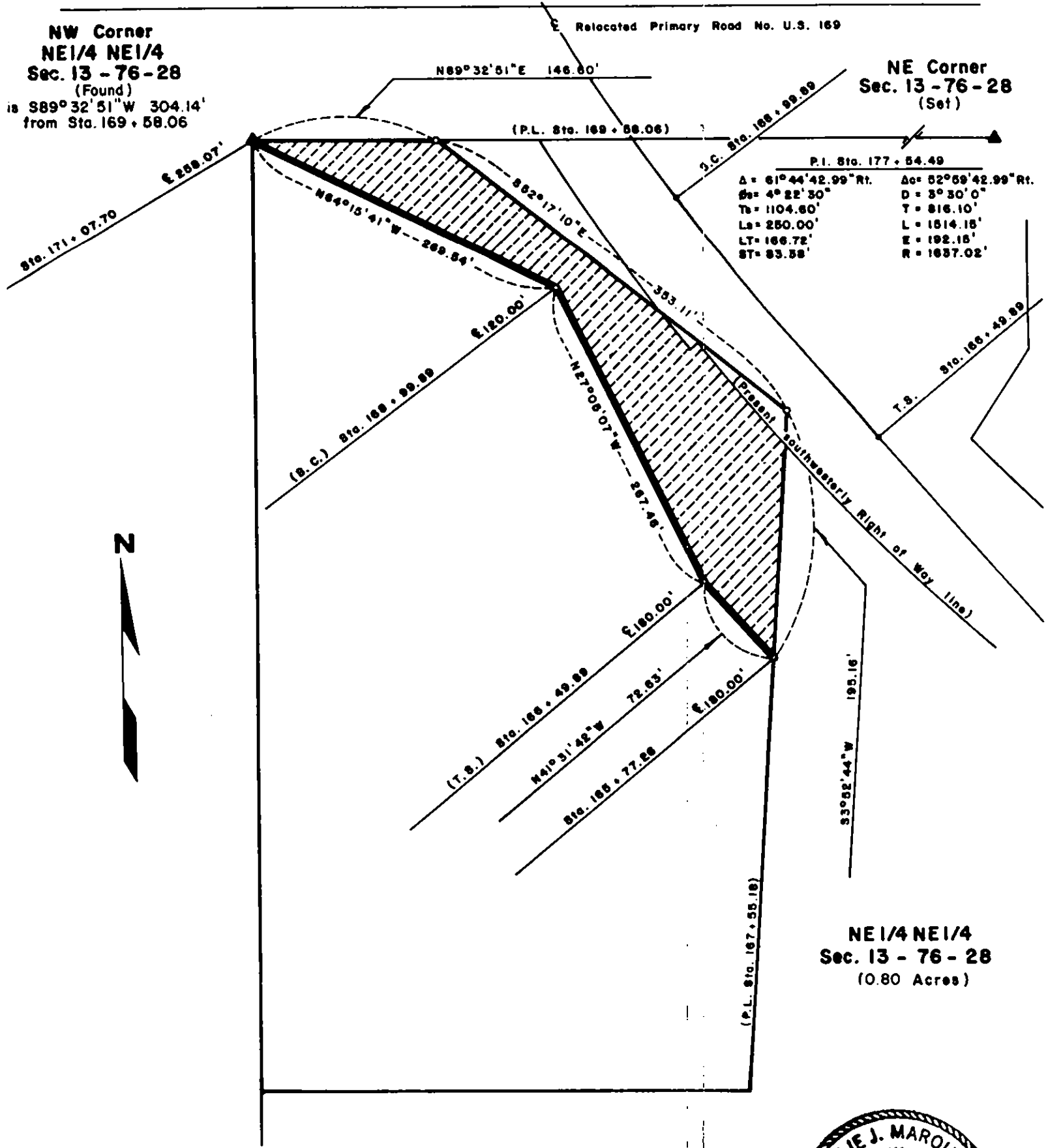
Paul D Welch, Sheriff
Sheriff of Madison County, Iowa

IOWA DEPARTMENT OF TRANSPORTATION



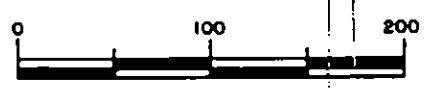
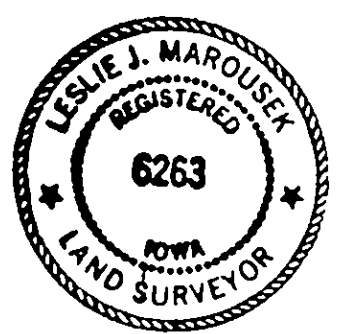
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 61-1100
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 24
 SECTION 13 TOWNSHIP 76 N RANGE 28 W
 ROW - FEE _____ AC, EASE 0.80 AC, EXCESS - FEE _____ AC
 ACQUIRED FROM RONALD E. BROTT, ET UX



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

Leslie J. Marousek 2-7-89
 Leslie J. Marousek, Reg. No. 6263 Date



DATE DRAWN _____ SCALE 1" = 100'

STATE OF IOWA

Polk County

SS

POLK COUNTY SHERIFF RETURN OF SERVICE

The within Notice Order received this 12 day of Dec 1990 and I certify that I served the defendant HAROLD S. BERTH on the 16 day of 1990 in Polk County, State of Iowa:

- 1. By delivering a copy thereof to said defendant personally at 2411 Adams
2. By delivering a copy thereof to a person at least eighteen years old residing at 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 a person at least eighteen years old residing at 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

Processing \$
Mileage \$
Total \$
Universal Return

BOB E. RICE

Sheriff of Polk County

By R. Stuen Deputy

STATE OF IOWA
Polk County

SS

POLK COUNTY SHERIFF RETURN OF SERVICE

The within Notice Order received this 12 day of Dec, 1989 and I certify that I served the defendant ROBERT E. BEWITT on the 16 day of JAN, 1990, in Polk County, State of Iowa:

- 1. By delivering a copy thereof to said defendant personally at 3
- 2. By delivering a copy thereof to APRIL S. BEWITT a person at least eighteen years old residing at 2411 ADAMS 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 a person at least eighteen years old residing at 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

Processing \$30.00
 Mileage \$9.24
 Total \$39.24
 Universal Return

RECEIVED
 FEB 7 1990
 By Plaintiff's Attorney
 POLK COUNTY SHERIFF

BOB E. RICE
 Sheriff of Polk County

R. Stewart

Deputy

STATE OF IOWA }
Polk County } SS

POLK COUNTY SHERIFF RETURN OF SERVICE

The within Notice received this 12 day of Dec, 1985 and I certify that I served the defendant Ralph Lee Jennings Estate on the 19 day of Dec, 1985, in Polk County, State of Iowa:

- 1. By delivering a copy thereof to said defendant personally at
- 2. By delivering a copy thereof to Jessie Jennings a person at least eighteen years old residing at 5800 N.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..... a person at least eighteen years old residing at 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

Processing \$

Mileage \$

Total \$

Universal Return

BOB E. RICE
 Sheriff of Polk County

By [Signature] Deputy

STATE OF IOWA

Polk County

} SS

POLK COUNTY SHERIFF RETURN OF SERVICE

The within Notice Order received this 12 day of Dec, 1989, and I certify that I served the defendant James Jennings on the 19 day of Dec, 1989, in Polk County, State of Iowa:

- 1) By delivering a copy thereof to said defendant personally at 5800 NW 86
2. By delivering a copy thereof to a person at least eighteen years old residing at 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 a person at least eighteen years old residing at 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

Processing \$
Mileage \$
Total \$
Universal Return

BOB E. RICE

Sheriff of Polk County

By [Signature] 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

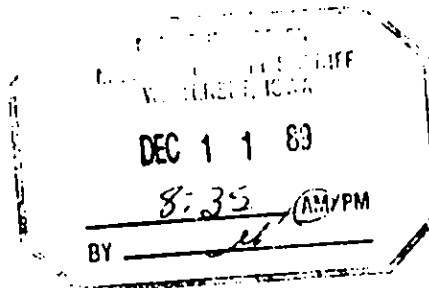
City of Winterset

located in Madison County, Iowa

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

Group "C"

NOTICE



TO:

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 Fr1. 1/4 NE 1/4 and NW Fr1. 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 Fr1. 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 S0°07'00"E, 361.04 ft. along the east
line of the NE Fr1. 1/4 NE 1/4 of said Sec. 1 to the Point of Beginning; thence continuing
S0°07'00"E, 943.78 ft. along said east line to a point on the south line of said
NE Fr1. 1/4 NE 1/4; thence N89°03'42"W, 99.69 ft. along said south line; thence N0°07'50"W,
590.18 ft.; thence N31°05'40"W, 58.31 ft.; thence N0°07'50"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:

Commencing at the NE Corner of said Sec. 1; thence $S0^{\circ}07'00''E$, 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 $N89^{\circ}03'42''W$, 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 $N89^{\circ}03'42''W$, 90.02 ft. along said south line; thence $N0^{\circ}07'50''W$, 38.51 ft.; thence $N89^{\circ}52'10''E$, 90.00 ft. to a point on the westerly line of said land sought by permanent easement; thence $S0^{\circ}07'50''E$, 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 $N0^{\circ}10'52''W$, 187.25 ft. along the east line of the SE 1/4 SE 1/4 of said Sec. 36; thence $S89^{\circ}11'05''W$, 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 $N56^{\circ}14'48''W$, 70.30 ft.; thence $S89^{\circ}07'51''W$, 35.00 ft.; thence $N0^{\circ}54'08''W$, 48.82 ft.; thence $S85^{\circ}31'43''E$, 95.38 ft. to a point on said present westerly right of way line; thence $S0^{\circ}59'26''E$, 25.21 ft. along said westerly line; thence $S1^{\circ}22'15''W$, 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 $S0^{\circ}07'00''E$, 412.77 ft. along the east line of the NE Frl. 1/4 NE 1/4 of said Sec. 1; thence $S89^{\circ}52'10''W$, 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 $N0^{\circ}07'50''W$, 250.00 ft.; thence $N89^{\circ}52'10''E$, 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.

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT EXHIBIT "A"

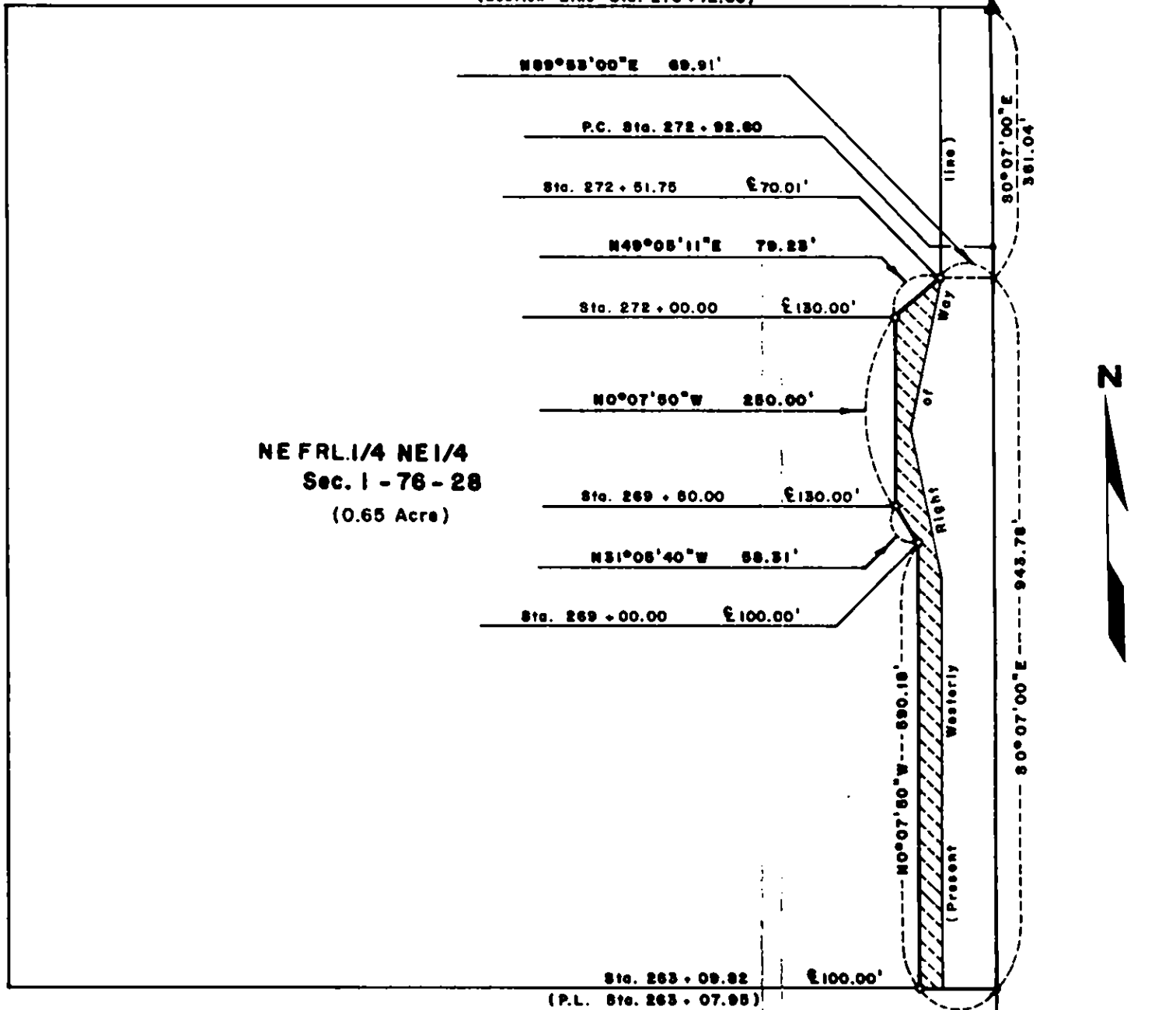
COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3 (29) -- 21-61 PARCEL NO. 30
 SECTION 1 TOWNSHIP 76 N RANGE 28 W
 ROW - FEE _____ AC, EASE 0.65 AC, EXCESS - FEE _____ AC
 ACQUIRED FROM DAVID T. CLARK



P.I. Sta. 276 + 12.77
 Δ = 0° 51' 50" Lt.
 D = 0° 08' 06"
 T = 319.96'
 L = 639.92'
 E = 1.21'
 R = 42,441.32'

NE Corner
 Sec. 1 - 76 - 28
 (Found)
 = P.I. Sta. 276 + 12.77

(Section Line Sta. 276 + 12.80)



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

Leslie J. Marousek 4-10-89
 Leslie J. Marousek, Reg. No. 6263 Date

E 1/4 Corner
 Sec. 1 - 76 - 28
 (Set)
 is N88°20'38"W 2.13' from
 Sta. 249 + 86.55

DATE DRAWN _____

SCALE _____

1" = 200'



IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT
EXHIBIT "B"

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 30
 SECTION 1 & 36 TOWNSHIP 76N & 77N RANGE 28W
 ROW - FEE _____ AC. EASE _____ AC, EXCESS - FEE _____ AC
 ACQUIRED FROM DAVID T. CLARK



SE 1/4 SE 1/4
SEC. 36

S 85° 31' 43" E 95.38'

STA. 278+80 € 155.00
N 0° 54' 08" W 48.82'

STA. 278+00
S 89° 07' 51" W 35.00'
N 56° 14' 48" W 70.30'

SE COR.
SEC. 36

50° 59' 26" E 25.21'

51° 22' 15" W 54.71'

N 0° 10' 52" W
187.25'

S 89° 11' 05" W 64.99'

- ① ② TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE
- ③ TEMPORARY EASEMENT TO CONSTRUCT FENCE BERM

NE COR.
SEC. 1

50° 07' 00" E
412.77'

N 89° 52' 10" E 60.00'

STA. 272+00.00 € 190.00'

NE FRL 1/4 NE 1/4
SEC. 1

N 0° 07' 50" W
250.00'

EASEMENT TO POND WATER
TO AN ELEVATION OF 1012.0'

STA. 269+50.00 € 190.00'

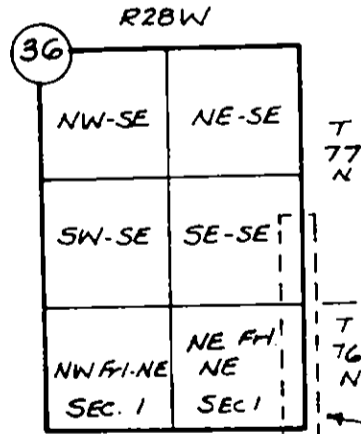
S 89° 52' 10" W 60.00'

1304.82'

S 89° 52' 10" W 129.89'

50° 07' 50" E 250.00'

50° 07' 00" E
PRIM. RD. No. U.S. 169



FOR DETAILS OF TAKING
SEE EXHIBIT "A"
& ENLARGEMENT AT LEFT
50° 07' 50" E 40.18'

N 89° 52' 10" E 90.00'

STA. 263+50 € 190.00

N 0° 07' 40" W 38.51'

(REL. STA. 263+07.95) € 190.00

N 89° 03' 42" W 90.02'

N 89° 03' 42" W 99.69'

E 1/4 CORNER
SEC. 1-76-28

DATE DRAWN _____ SCALE _____

Form 1400
1-60

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

AFFIDAVIT OF FINAL OFFER

Primary Road No. U.S. 169 north of the
City of Winterset
located in Madison County, Iowa
Project No. FN-169-3(29)--21-61
Group "C"

On this the 26th day of January, 19 90, comes the Iowa
Department of Transportation and states, 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 cer-
tain land as described by the Applicant in the Notice of Condemnation filed in the above matter are as follows:

(Names as on Notice)

\$ 2,965⁵

PARCEL 24

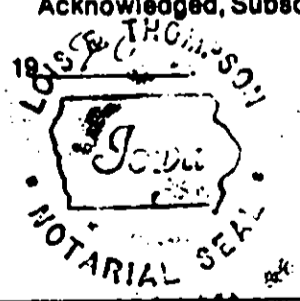
Ronald E. Brott
April S. Brott
Ralph Lee Jennings
Jeanne Jennings
Madison County Treasurer

IOWA DEPARTMENT OF TRANSPORTATION

Right of Way Director

By: [Signature]
Condemnation Agent

Acknowledged, Subscribed and sworn to before me this 26th day of January



[Signature]
(Notary Public)
In and for said County and State
(Chief of Court)

Filed in my office at Winterset, Iowa, this 26 day of January, 19 90

[Signature]
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

AFFIDAVIT OF FINAL OFFER

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"

On this the 26th day of January, 19 90, comes the Iowa
Department of Transportation and states, 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 cer-
tain 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

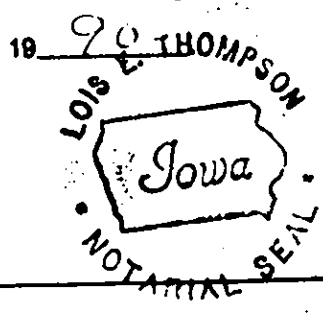
David T. Clark
Madison County Treasurer

IOWA DEPARTMENT OF TRANSPORTATION

Right of Way Director

By: [Signature]
Condemnation Agent

Acknowledged, Subscribed and sworn to before me this 26th day of January, 19 90



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

Filed in my office at Winterset, Iowa, this 26th day of January, 19 90

[Signature]
Sheriff of Madison County, Iowa

41^{one}

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"

REPORT OF COMPENSATION COMMISSION

TO: Paul Welch, Sheriff of Madison County, Iowa

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

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

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
PARCEL 16 - Dean Mapes; Barbara Jean Mapes; Madison County Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
PARCEL 24 - Ronald E. Brott; April S. Brott; Ralph Lee Jennings; Jeanne Jennings; Madison County Treasurer	\$ 2465	\$ 500	\$ 2965	\$ 150.-
PARCEL 30 - David T. Clark; Madison County Treasurer	\$ 3500	\$ -	\$ 3500	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

Respectfully reported at Winterset, Iowa, this 26 day of January, 1990.

George Bown

Richard F. Cushman

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 26th day of January, 1990.

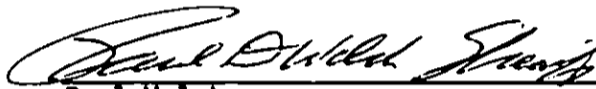
Paul Welch
Paul Welch
Sheriff of Madison County, Iowa

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

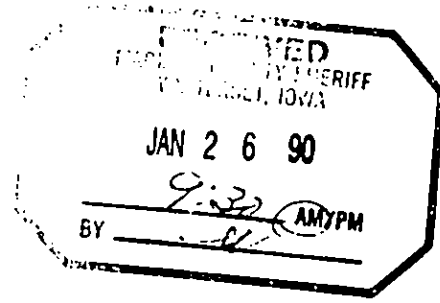
Primary Road No. U.S. 169 north of the
City of Winterset
located in Madison County, Iowa
Project No. FN-169-3(29)--21-61
Group "C"

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

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 Winterset, Iowa, on the 26th day of January, 19 90.


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
WINTERSSET 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
BRYAN R. JENNINGS
801 Main
Adel, Iowa 50003
(515) 993-4254
ATTORNEY FOR OWNERS

45
84

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

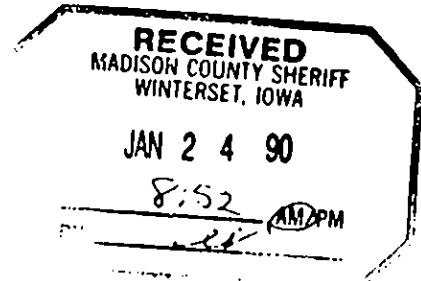
Project No. FN-169-3(29)--21-61

Group "C" Parcel 30

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

and

AMENDMENT TO NOTICE



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 19th 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

By Fred Cirkse
Fred Cirkse
Chief Condemnation Agent
Highway Division

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

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

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

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT EXHIBIT "B-1"

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 30
 SECTION 1 & 36 TOWNSHIP 76N & 77N RANGE 28W
 ROW-FEE _____ AC. EASE _____ AC, EXCESS-FEE _____ AC
 ACQUIRED FROM DAVID T. CLARK

