

BEFORE THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY MADISON COUNTY, IOWA APPLICATION FOR CONDEMNATION

TO: The Honorable Richard D. Morr, Chief Judge of the Fifth Judicial District of Iowa:

1. The Applicant, Madison County, Iowa, does hereby make application to condemn for road purposes, in fee simple title, together with the necessary appurtenances, easement and improvement thereto, over, across and under, the following-described real estate situated in Madison County, Iowa, to-wit:

Beginning at the southwest corner of the Southeast Quarter of Section 28, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence on an assumed bearing of North 00 degrees 01 minutes 43 seconds East along the west line of said Southeast Quarter 392.48 feet; thence North 52 degrees 27 minutes 54 seconds East 41.51 feet; thence South 01 degrees 25 minutes 22 seconds East 403.81 feet; thence South 71 degrees 30 minutes 28 seconds East 44.44 feet to the south line of said Southeast Quarter; thence North 90 degrees 00 minutes 00 seconds West along said south line 85.28 feet to the point of beginning and containing 0.36 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northwest corner of the Northeast Quarter of Section 33, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa, thence on an assumed bearing of South 00 degrees 55 minutes 17 seconds West 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds East 33.00 feet; thence North 05 degrees 46 minutes 52 seconds East 469.45 feet; thence North 00 degrees 37 minutes 48 seconds East 250.82 feet; thence North 00 degrees 31 minutes 03 seconds West 300.70 feet; thence North 13 degrees 31 minutes 07 seconds East 185.54 feet; thence North 00 degrees 31 minutes 03 seconds West 120.00 feet; thence North 71 degrees 30 minutes 29 seconds West 16.91 feet to the north line of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West 85.28 feet along said north line to the point of beginning and containing 2.09 acres more or less including the present highway and subject to encumbrances of record.

According to the public records on file in Madison County, Iowa, the parties listed below possess an interest in real estate described above:

Compared

OWNERS: WILLIAM H. SYMINGTON, IV and MYONG SUN SYMINGTON

ADDRESS: 2200 E.P. True Parkway West Des Moines, IA 50265

No Rec

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1988 AUG -4 AM 8:04

MARY E. WELTY RECORDER

HARLEY J. JOHNSON
and
ELEANOR N. JOHNSON

R. R. 1, Box 71
Peru, Iowa 50222

FIRST STATE BANK

Box 400, 215 N. Division
Stuart, Iowa 50250

TENANTS: None.

ADDRESS:

LIENHOLDERS:

United Federal Savings
Bank of Iowa

First & Court
Winterset, Iowa 50273

First State Bank

Box 400, 215 N. Division
Stuart, Iowa 50250

2. Attached hereto and marked Exhibit "A" is a plat showing the location of the real estate sought to be condemned.

3. The name of the record owners of said tract of land sought to be condemned in fee is set out above with the description of the land, and their residence is in Madison County, Iowa.

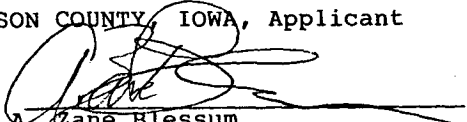
4. The purpose for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

5. The property to be condemned is agricultural property with damages to be paid by the State of Iowa. The land is classified as Class I and II under the United States Department of Agriculture soil conservation service land capability classification system and is reasonably necessary for the work of internal improvement for which condemnation is sought.

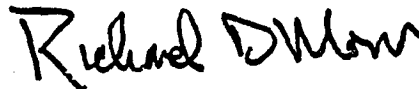
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:


A. Lane Blessum
Madison County Attorney
113 N. John Wayne Drive
Post Office Box 309
Winterset, Iowa 50273
Telephone: (515) 462-1666

Filed in duplicate in my office at Des Moines, Iowa this 27
day of July, 1988.



Plat of Property

Parcel No. 2

Of Symington, William H. IV & Myong Sun contract Johnson, Harley J. & Eleanor N.

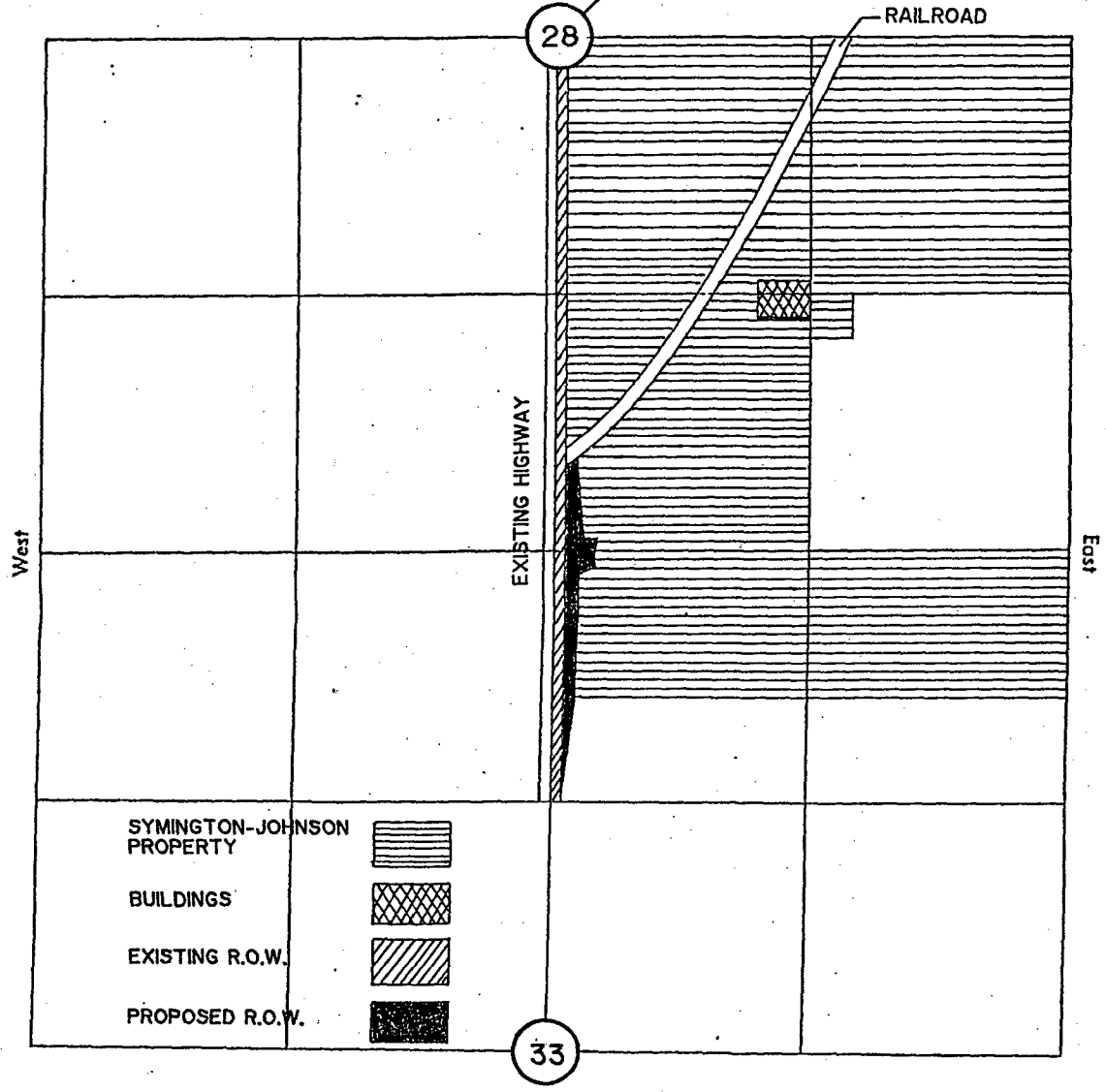
Area of Farm 193.57 Acres.

Sta 8 + 82 to Sta 26 + 24.20

Section 28, 33 T. 74 N-R. 27 W.

Right of Way 1.30 Ac.*
 Area Remaining 192.27 Ac. (Rt)
 Area Remaining --- Ac. (Lt)
 Borrow --- Ac.
 Right of Entry --- Ac.
 Move Fence --- Rods
 New Fence 109 Rods
 *R. O. W. (Lt. Side) --- Ac.
 R. O. W. (Rt. Side) 1.30 Ac.

CENTER SECTION 28
 T74N, R27W



Madison County

Project No. BROS 9061(27)--8J-61

EXHIBIT "A"