

OFFICE OF

Sheriff of Madison County



PAUL D. WELCH, SHERIFF
LARRY B. ZEUTENHORST, CHIEF DEPUTY
PHONE: (515) 462-3575
220 N. 1ST AVENUE • WINTERSET, IOWA 50273

DATE September 2, 1988

RECEIVED FROM Brian Morrissey, Madison County Engineer

ISSUED FROM Madison County Auditor

CHECK NUMBER 015738 IN THE AMOUNT OF \$ 3003.43

MADE PAYABLE TO Quenten H. Johnson and First State Bank of Stuart

Paul D. Welch, Sheriff

PAUL D. WELCH, SHERIFF

BY

[Signature]

KEN BURK DEPUTY

DATE Oct. 11, 1988

RECEIVED FROM THE MADISON COUNTY SHERIFF OFFICE THE ABOVE NAMED CHECK

Quenten H. Johnson

[Signature]

WITNESS

Compared

762

FILED NO. 762
BOOK 121 PAGE 276

1988 OCT 12 PM 1:46

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
No Fee - County

IN THE MATTER OF THE CONDEMNATION
OF CERTAIN RIGHTS IN LAND

)
) SHERIFF'S CERTIFICATION
)
) OF
)
) COSTS AND AWARDS

BY: MADISON COUNTY, IOWA

TO:

I hereby certify that the appointed Commissioners in the above entitled Condemnation Proceedings convened at Winterset, Iowa on the 2nd day of September, 1988 at 2:00 P.M. and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 2nd day of September, 1988 file their written report with me awarding damages as follows:

Harley Johnson \$3003.43 Total Award

I further certify that costs incidental to these proceedings have been taxed as follows:

Expense of Summoning Jurors	\$ _____	
Serving Condemnees	\$ _____	
Expense of Jurors	\$ 389.45	
Sheriff's Mileage Serving Condemnees	\$ _____	
Sheriff's Mileage of Jurors	\$ 13.86	
Copies & Phone Calls	\$ 12.00	
Sheriff's fee Attending Jury	\$ 60.00	
Notary	\$ _____	
Postage	\$ 5.90	
Recording Fee	\$ _____	
Total	\$ 481.21	

Jurors & Expense	
Don Eyerly, Jr	\$ 63.41
Bruce Brownlee	66.30
Loren Myers	68.40
Charles Tucker	60.00
Irvin Martens	64.62
Chester Haymond	66.72
TOTAL	\$389.45

Given under my hand this 22nd day of September, 1988.

Paul D. Welch, Sheriff
Paul D. Welch, Sheriff

Subscribed to and sworn to before me this 22nd day of September, 1988, by Paul D. Welch, Sheriff of Madison County,



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

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN * NOTICE OF APPRAISEMENT
RIGHTS IN LAND BY * OF DAMAGES AND TIME
MADISON COUNTY, IOWA * FOR APPEAL

TO:

OWNERS: William H. Symington, IV & Myong Sun Symington
2200 E.P. True Parkway
West Des Moines, Iowa 50265

Harley J. Johnson & Eleanor N. Johnson
R. R. 1, Box 71
Peru, Iowa 50222

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

10:30 AM
ll

AUG 31 1988

TENANTS: None.

LIEN OR ENCUMBRANCE HOLDERS: United Federal Savings Bank of Iowa
First & Court
Winterset, Iowa 50273

First State Bank
Box 400, 215 N. Division
Stuart, Iowa 50250

CONDEMNER: Madison County, Iowa

YOU AND EACH OF YOU are hereby notified that the duly appointed and qualified compensation commissioners assessed and appraised the damages sustained by reason of the condemnation in the above-entitled matter as set forth upon the attached Report of Compensation Commission which is made a part hereof and that pursuant to Chapter 472.18 of the Code of Iowa, as amended, you may within thirty (30) days from the date of mailing this Notice appeal to the District Court as by law provided.

Date Notice mailed: September 2nd, 1988.

Paul D. Welch, Sheriff

Paul D. Welch, Sheriff of Madison County, Iowa

Copies of:

Notice of Appraisalment of Damages and Time for Appeal and
Report of Compensation Commission

Mailed to each of above named Owners & Lien or Encumbrance Holders
on September 2, 1988.

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN *
RIGHTS IN LAND BY * REPORT OF COMPENSATION
MADISON COUNTY, IOWA * COMMISSION
***** AUG 31 1988

TO: SHERIFF OF MADISON COUNTY, IOWA

We, the undersigned, being the duly appointed and qualified commissioners to assess the damages sustained by the owners, lienholder, encumbrancers and other persons interested in the appropriation of certain specified rights as set forth and described in the Application 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 to hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

<u>Persons</u>	<u>Land and Improvements</u>	<u>Consequential Damages</u>	<u>Personal Property Including Relocation</u>	<u>Total Award</u>	<u>Attorney Fee & Costs</u>
----------------	------------------------------	------------------------------	---	--------------------	---------------------------------

ARLEY
TANSON
\$ 3003.43

\$ 3003.43

Respectfully reported at Winterset, Iowa on this 2nd day of September, 1988.

COMPENSATION COMMISSION:

Don Egaly, Jr.
Charles Mucker
Jim T. Martin

Bruce H. Brounlee
Chute Hayward
Tommy

The above report is hereby filed in the Office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on this 2nd day of September 1988.

Paul D. Welch, Sheriff

Paul D. Welch, Sheriff of Madison County, Iowa

I, the undersigned, Sheriff of Madison County, Iowa, hereby endorse and certify to the Report of Compensation Commission attached hereto; that the undersigned has mailed by ordinary mail on September 2nd, 1988, a copy of said Report of Compensation Commission together with a Notice of Appraisalment of Damages and Time for Appeal to each of the persons designed thereon.

Paul D. Welch, Sheriff

Paul D. Welch, Sheriff of Madison County, Iowa

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

10:15 AM
M

AUG 31 1988

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

OATH OF COMMISSIONERS

STATE OF IOWA, MADISON COUNTY:ss

Each of the undersigned being duly sworn says:

That the affiant does not possess an interest in the proceeding which would cause he or she to render a biased decision; and,

That the affiant will, to the best of my ability, faithfully and impartially assess the damages which owners, lienholders, encumbrancers 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 as set forth and described in the Application in the Office of the Sheriff and make a written report to the Sheriff as authorized and prescribed in Chapter 472 of the Code of Iowa and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will well and truly perform and all other duties imposed upon me by the law as a member of the compensation commission selected and appointed to assess said damages.

Licensed Real Estate Salesperson or Broker

Charles Tucker
D. Egan

Knowledgeable of Property Values by Reason of Occupation

Lois E. Thompson
Eric H. Martin

Agricultural Owner - Operator

Chester Haymond
Bruce M. Brundage

Subscribed and sworn to before me this 2nd day of September 1988.



Lois E. Thompson
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Filed in the Office of the Sheriff of Madison County, Iowa at Winterset, Iowa on this 2nd day of September, 1988.

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

CONDEMNATION COMMISSIONER'S STATEMENT

TO: PAUL D. WELCH , SHERIFF OF MADISON COUNTY, IOWA

This is to certify that my fee and expense as a member of the Sheriff's Condemnation Commission, in the matter of the Condemnation of certain real estate for the use and benefit of Madison County, Iowa and the hearing have been held on the 2nd day of September, 1988 at 2:00 P. M.

<u>1</u> days service @ \$60.00	\$ <u>60⁰⁰</u>
<u>16</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>3⁴¹</u>
<u> </u> meals	\$ <u> </u>
TOTAL:	\$ <u>63⁴¹</u>

Given under my hand this 2 day of September, 1988.

Don Evers Jr
Commissioner
RR #3 Box 85
Street or RR
Winterset IA 50273
City, State, Zip Code

7

CONDEMNATION COMMISSIONER'S STATEMENT

TO: PAUL D. WELCH , SHERIFF OF MADISON COUNTY, IOWA

This is to certify that my fee and expense as a member of the Sheriff's Condemnation Commission, in the matter of the Condemnation of certain real estate for the use and benefit of Madison County, Iowa and the hearing have been held on the 2nd day of September, 1988 at 5:00 P. M.

<u>1</u> days service @ \$60.00	\$ <u>60.00</u>
<u>30</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>6.30</u>
_____ meals	\$ _____
TOTAL:	\$ <u>66.30</u>

Given under my hand this 2 day of September, 1988.

Bruce A. Rowan
Commissioner

Street or RR
St Charles Iowa
City, State, Zip Code
50240

CONDEMNATION COMMISSIONER'S STATEMENT

TO: PAUL D. WELCH , SHERIFF OF MADISON COUNTY, IOWA

This is to certify that my fee and expense as a member of the Sheriff's Condemnation Commission, in the matter of the Condemnation of certain real estate for the use and benefit of Madison County, Iowa and the hearing have been held on the 2nd day of September, 1988 at _____ . M.

<u>1</u> days service @ \$60.00	1	\$ <u>60 -</u>
<u>20</u> miles @ \$.21 (from home to Sheriff's Office and return)		\$ <u>8.40</u>
_____ meals		\$ _____
TOTAL:		\$ <u>68.40</u>
		68.40

Given under my hand this 2 day of September, 1988.

Loran Myers
Commissioner
RR1 - Box 82
~~Street or RR~~
Macksburg Iowa 50155
City, State, Zip Code

9

CONDEMNATION COMMISSIONER'S STATEMENT

TO: PAUL D. WELCH , SHERIFF OF MADISON COUNTY, IOWA

This is to certify that my fee and expense as a member of the Sheriff's Condemnation Commission, in the matter of the Condemnation of certain real estate for the use and benefit of Madison County, Iowa and the hearing have been held on the 2nd day of September, 1988 at _____ . M.

<u>1</u> days service @ \$60.00	\$ <u>60⁰⁰</u>
<u>0</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ _____
<u>0</u> meals	\$ _____
TOTAL:	\$ _____

Given under my hand this 2 day of September, 1988.

Charles Tucker
 Commissioner
RR #3
 Street or RR
Waverly, Iowa 50273
 City, State, Zip Code

CONDEMNATION COMMISSIONER'S STATEMENT

TO: PAUL D. WELCH , SHERIFF OF MADISON COUNTY, IOWA

This is to certify that my fee and expense as a member of the Sheriff's Condemnation Commission, in the matter of the Condemnation of certain real estate for the use and benefit of Madison County, Iowa and the hearing have been held on the 2nd day of September, 1988 at 4:00 PM.

<u>1</u> days service @ \$60.00	\$ <u>60⁰⁰</u>
<u>22</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>4⁶²</u>
<u>1</u> meals	\$ <u> </u>
TOTAL:	\$ <u>64⁶²</u>

Given under my hand this 2nd day of September, 1988.

James H. Martin
Commissioner

RR2 Box 68
Street or RR
North Iowa 50272
City, State, Zip Code

CONDEMNATION COMMISSIONER'S STATEMENT

TO: PAUL D. WELCH , SHERIFF OF MADISON COUNTY, IOWA

This is to certify that my fee and expense as a member of the Sheriff's
Condemnation Commission, in the matter of the Condemnation of certain
real estate for the use and benefit of Madison County, Iowa and the
hearing have been held on the 2nd day of September, 1988 at 2.00 . M.

<u>1</u> days service @ \$60.00	\$ <u>60.00</u>
<u>32</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>6.72</u>
<u> </u> meals	\$ <u> </u>
TOTAL:	\$ <u>66.72</u>

Given under my hand this 2 day of September, 1988.

Chester Hammond
Commissioner
B.F.D. #4 Box 102
Street or RR
Winterset Iowa 50273
City, State, Zip Code

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN *
RIGHTS IN LAND BY * NOTICE
MADISON COUNTY, IOWA

TO: William H. Symington IV
2200 E.P. True Parkway
West Des Moines, IA 50265

Harley J. Johnson
R. R. 1, Box 71
Peru, Iowa 50222

First State Bank
Box 400, 215 N. Division
Stuart, IA 50250

United Federal Savings Bank of Iowa
1st and Court
Winterset, Iowa 50273

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
1:22 PM
SEP 8 1998

and all other persons, companies, or corporations having any interest in or owning any of the real estate described herein.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa desires 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

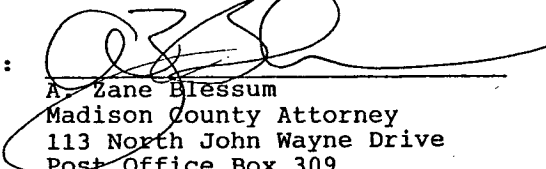
minutes 38 seconds East 102.81 feet to the north line of said Northwest Quarter, thence North 90 degrees 00 minutes 00 seconds East along said north line 83.19 feet to the point of beginning and containing 2.43 acres more or less including the present highway and subject to encumbrances of record.

The purpose for which condemnation of the above-described real estate is sought is to establish, operate and maintain county road right-of-way, that there has been filed with the Chief Judge of the Fifth Judicial District in the State of Iowa an application for the condemnation of the said particularly described real estate, and that the Order of the Court has been entered appointing a Commission as provided by law for the purpose of appraising the damages which will be caused by said condemnation.

The said Commissioners, on Friday, September 2, 1988, commencing at 11:00 o'clock a.m., will meet at the office of the Sheriff in Madison County, Iowa, to be sworn in and on that morning will view the premises particularly described above. You may appear before the said Commissioners while they view the premises or subsequently at the office of the Sheriff in Winterset, Madison County, Iowa, at the time mention.

MADISON COUNTY, IOWA

By:


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

ACCEPTANCE OF SERVICE

William H. Symington, IV, the undersigned, hereby acknowledges receipt of a true copy of the Notice and copy of the Application attached thereto and accepts service thereof.

All done in the City of Des Moines, Polk County, Iowa on this 31 day of August, 1988.


William H. Symington, IV

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:

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

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

FILED NO. 291
BOOK 121 PAGE 241
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.

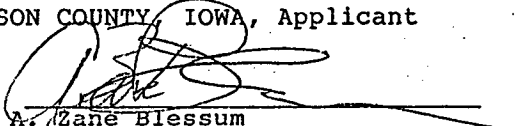
4. The purpose for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

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.

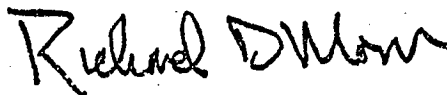
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:


A. Zane 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.



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

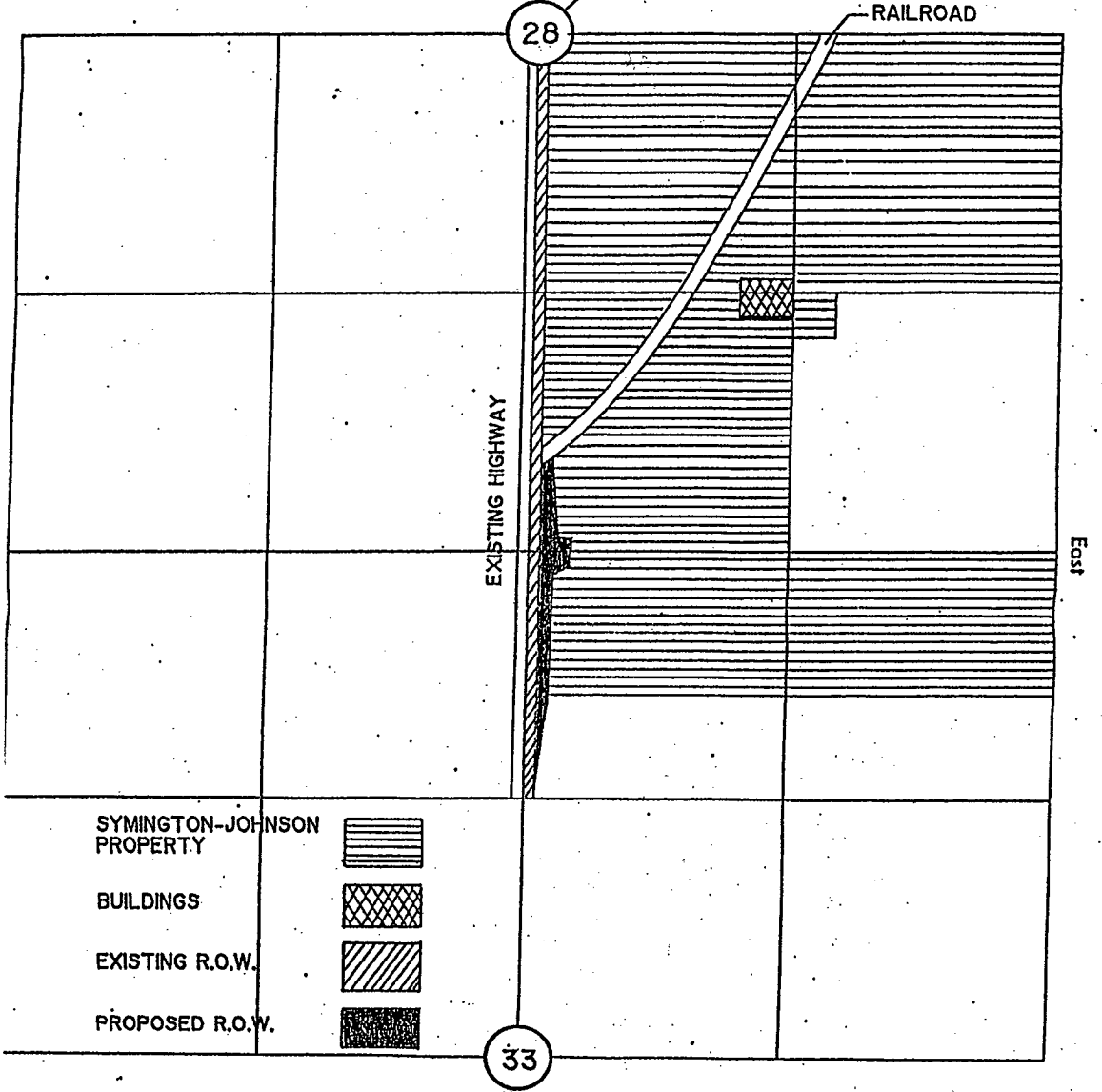
Area of Farm 193.57 Acres.

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

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN * NOTICE
RIGHTS IN LAND BY *
MADISON COUNTY, IOWA *

TO: William H. Symington IV
2200 E.P. True Parkway
West Des Moines, IA 50265

Harley J. Johnson
R. R. 1, Box 71
Peru, Iowa 50222

First State Bank
Box 400, 215 N. Division
Stuart, IA 50250

United Federal Savings Bank of Iowa
1st and Court
Winterset, Iowa 50273

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

10:30 AM
W

AUG 31 1988

and all other persons, companies, or corporations having any interest in or owning any of the real estate described herein.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa desires 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

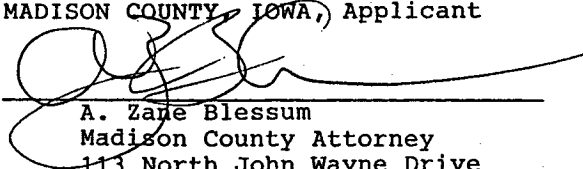
degrees 30 minutes 29 seconds West 16.91 feet to the north line of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West 85.28 feet along said north line to the point of beginning and containing 2.09 acres more or less including the present highway and subject to encumbrances of record.

The purpose for which condemnation of the above-described real estate is sought is to establish, operate and maintain county road right-of-way, that there has been filed with the Chief Judge of the Fifth Judicial District in the State of Iowa an application for the condemnation of the said particularly described real estate, and that the Order of the Court has been entered appointing a Commission as provided by law for the purpose of appraising the damages which will be caused by said condemnation.

The said Commissioners, on Friday, September 2, 1988, commencing at 2:00 o'clock p.m., will meet at the office of the Sheriff in Madison County, Iowa, to be sworn in and on that afternoon will view the premises particularly described above. You may appear before the said Commissioners while they view the premises or subsequently at the office of the Sheriff in Winterset, Madison County, Iowa, at the time mention.

MADISON COUNTY, IOWA, Applicant

By:


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

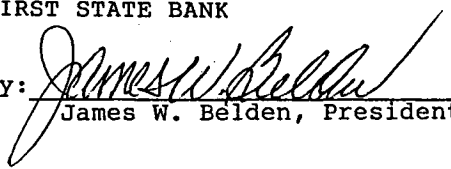
ACCEPTANCE OF SERVICE

James W. Belden, the undersigned, hereby acknowledges receipt of a true copy of the Notice and copy of the Application attached thereto and accepts service thereof on behalf of First State Bank.

this 19 All done in the Town of Stuart, Guthrie County, Iowa on day of August, 1988.

FIRST STATE BANK

By:


James W. Belden, President

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

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

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:

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

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

FILED NO. 291
BOOK 121 PAGE 241

1988 AUG -4 AM 8:04

MARY E. WELTY
RECORDED

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.

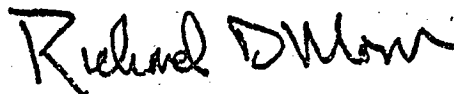
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:


A. Zane 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.



Parcel No. 2

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

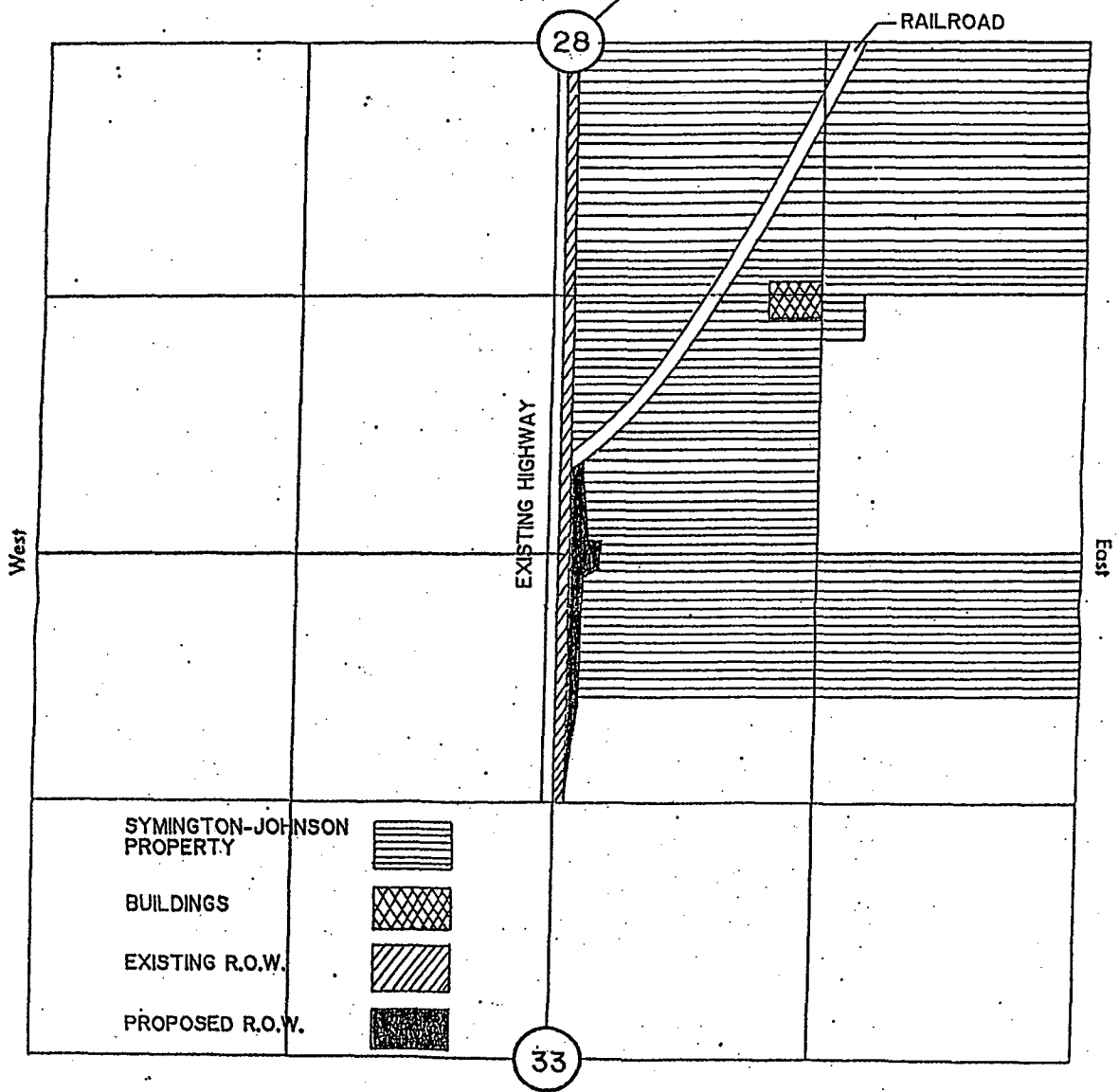
Right of Way	1.30	Ac.*
Area Remaining	192.27	Ac. (Rt)
Area Remaining		Ac. (Lt)
Borrow		Ac.
Right of Entry		Ac.
Move Fence		Rods
New Fence	109	Rods
*R. O. W. (Lt. Side)		Ac.
R. O. W. (Rt. Side)	1.30	Ac.

Area of Farm 193.57 Acres.

Sta 8 + 82 to Sta 26 + 24.20

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

CENTER SECTION 28
T74N, R27W



Madison County

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

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN *
RIGHTS IN LAND BY * NOTICE
MADISON COUNTY, IOWA *

TO: William H. Symington IV
2200 E.P. True Parkway
West Des Moines, IA 50265

Harley J. Johnson
R. R. 1, Box 71
Peru, Iowa 50222

First State Bank
Box 400, 215 N. Division
Stuart, IA. 50250

United Federal Savings Bank of Iowa
1st and Court
Winterset, Iowa 50273

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

10:30 AM
ll

AUG 31 1938

and all other persons, companies, or corporations having any interest in or owning any of the real estate described herein.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa desires 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.

The purpose for which condemnation of the above-described real estate is sought is to establish, operate and maintain county road right-of-way, that there has been filed with the Chief Judge of the Fifth Judicial District in the State of Iowa an application for the condemnation of the said particularly described real estate, and that the Order of the Court has been entered appointing a Commission as provided by law for the purpose of appraising the damages which will be caused by said condemnation.

The said Commissioners, on Friday, September 2, 1988, commencing at 2:00 o'clock p.m., will meet at the office of the Sheriff in Madison County, Iowa, to be sworn in and on that afternoon will view the premises particularly described above. You may appear before the said Commissioners while they view the premises or subsequently at the office of the Sheriff in Winterset, Madison County, Iowa, at the time mention.


MADISON COUNTY, IOWA, Applicant

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

ACCEPTANCE OF SERVICE

Lewis H. Jordan, the undersigned, hereby acknowledges receipt of a true copy of the Notice and copy of the Application attached thereto and accepts service thereof as attorney for Harley J. Johnson and Eleanor N. Johnson.

All done in the Town of Winterset, Madison County, Iowa on this 16 day of August, 1988.


Lewis H. Jordan
Attorney for Harley J. Johnson
and Eleanor N. Johnson

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:

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

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

FILED NO. 291 BOOK 121 PAGE 241

1988 AUG -4 AM 8:04

MARY E. WELTY RECORDER MADISON COUNTY IOWA 299

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.

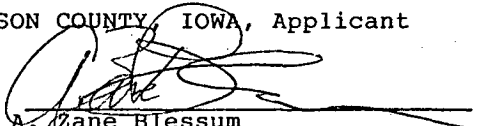
4. The purpose for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

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.

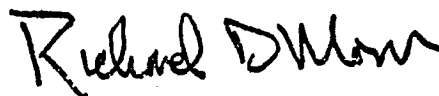
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:


A. Zane 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.



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

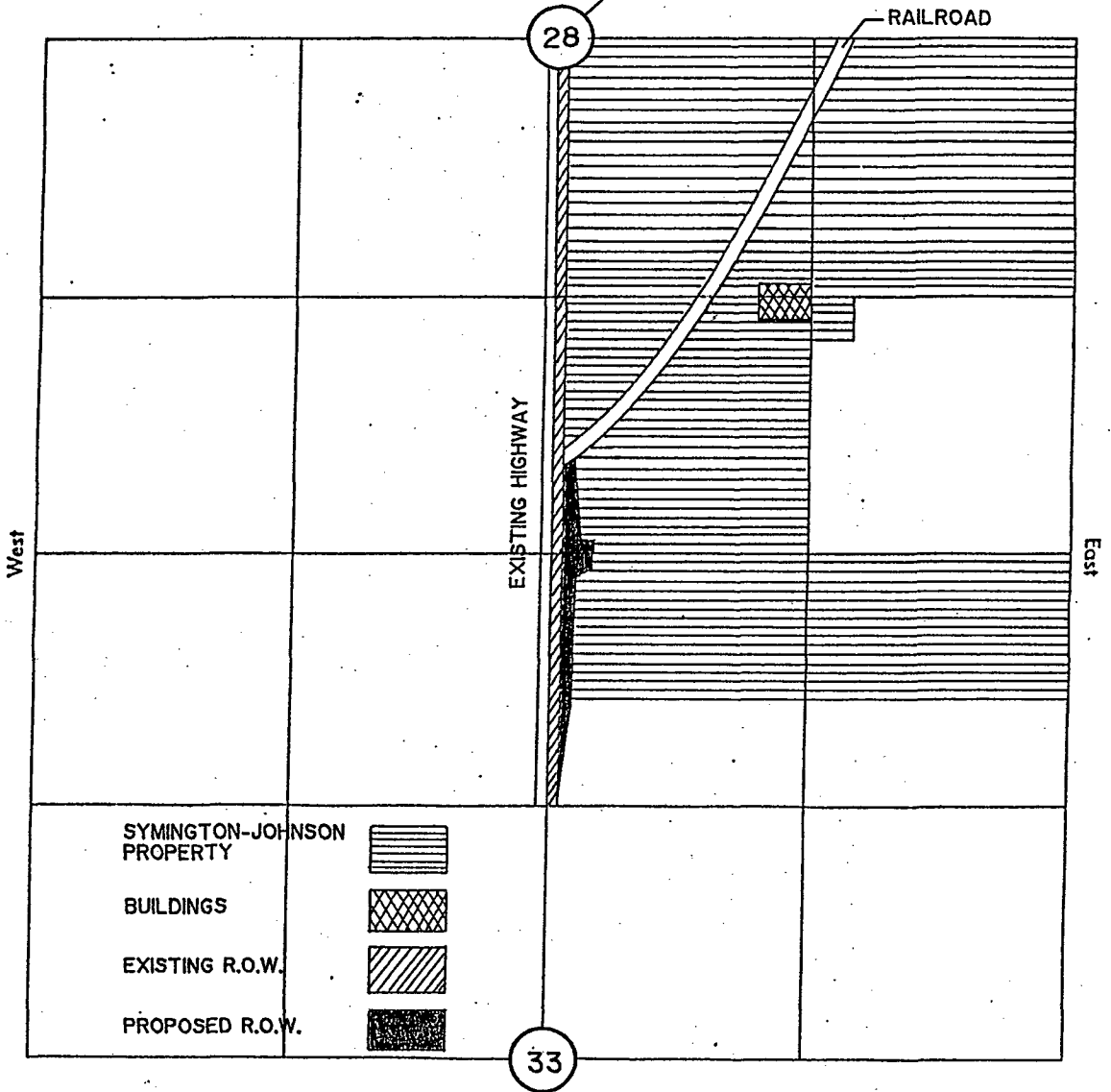
Area of Farm 193.57 Acres.

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

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN *
RIGHTS IN LAND BY * NOTICE
MADISON COUNTY, IOWA *

TO: William H. Symington IV
2200 E.P. True Parkway
West Des Moines, IA 50265

Harley J. Johnson
R. R. 1, Box 71
Peru, Iowa 50222

First State Bank
Box 400, 215 N. Division
Stuart, IA 50250

United Federal Savings Bank of Iowa
1st and Court
Winterset, Iowa 50273

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
10-3000
ll
AUG 31 1968

and all other persons, companies, or corporations having any interest in or owning any of the real estate described herein.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa desires 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

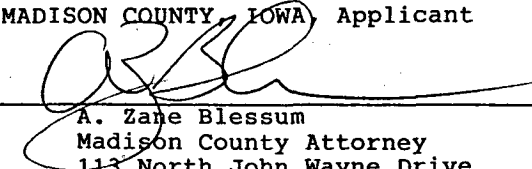
degrees 30 minutes 29 seconds West 16.91 feet to the north line of said Northeast Quarter; thence North 90 degrees 00 minutes 00 seconds West 85.28 feet along said north line to the point of beginning and containing 2.09 acres more or less including the present highway and subject to encumbrances of record.

The purpose for which condemnation of the above-described real estate is sought is to establish, operate and maintain county road right-of-way, that there has been filed with the Chief Judge of the Fifth Judicial District in the State of Iowa an application for the condemnation of the said particularly described real estate, and that the Order of the Court has been entered appointing a Commission as provided by law for the purpose of appraising the damages which will be caused by said condemnation.

The said Commissioners, on Friday, September 2, 1988, commencing at 2:00 o'clock p.m., will meet at the office of the Sheriff in Madison County, Iowa, to be sworn in and on that afternoon will view the premises particularly described above. You may appear before the said Commissioners while they view the premises or subsequently at the office of the Sheriff in Winterset, Madison County, Iowa, at the time mention.

MADISON COUNTY, IOWA, Applicant

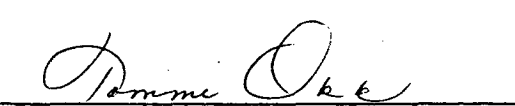
By:


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

ACCEPTANCE OF SERVICE

Tommi Orr, the undersigned, hereby acknowledges receipt of a true copy of the Notice and copy of the Application attached thereto and accepts service thereof on behalf of United Federal Savings Bank of Iowa.

All done in the Town of Winterset, Madison County, Iowa on this 16th day of August, 1988.


Tommi Orr

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:

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also:

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

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

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

FILED NO. 291 BOOK 121 PAGE 241 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.

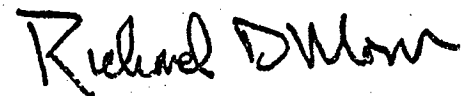
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:


A. Azane 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.



Parcel No. 2

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

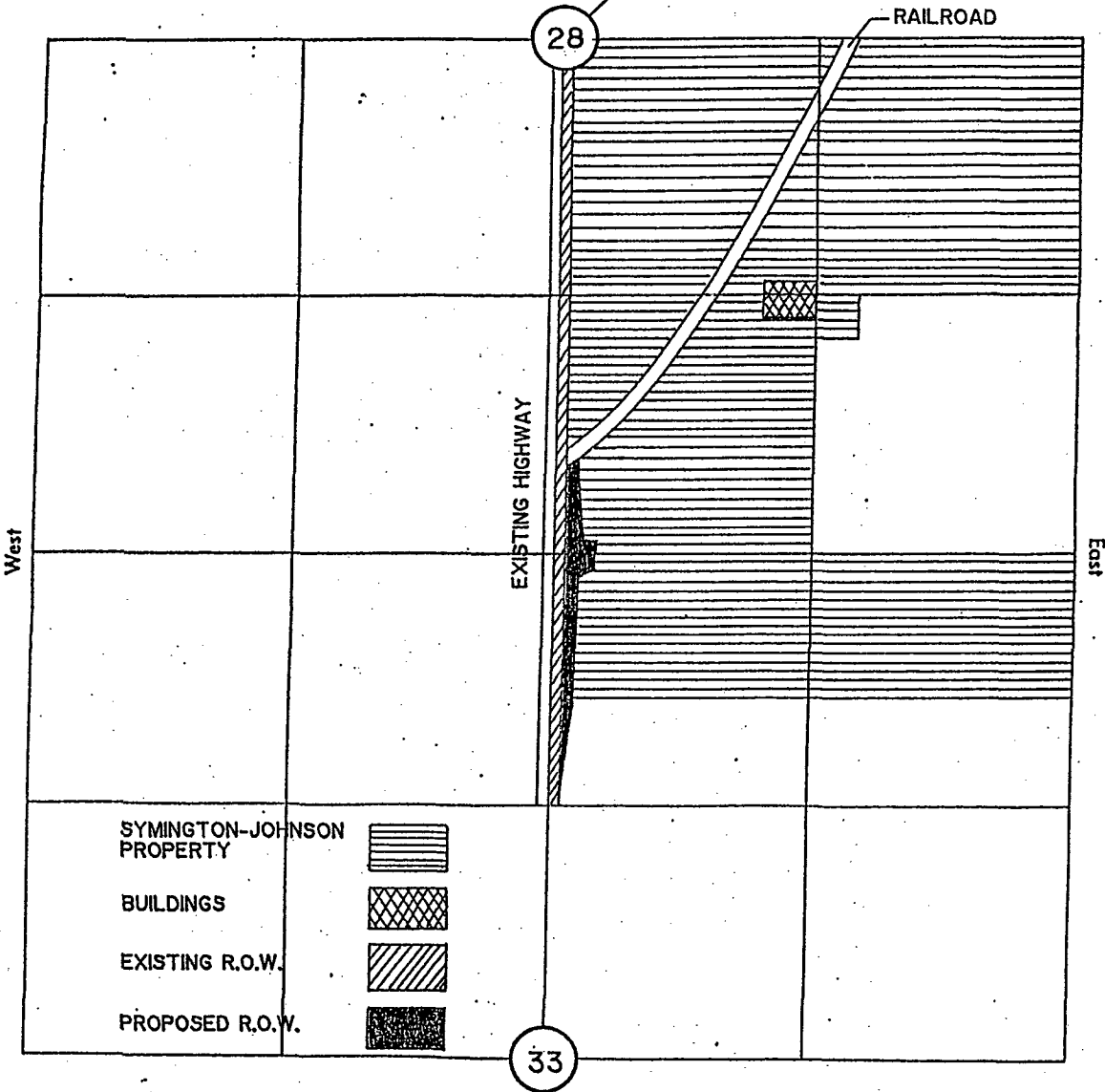
Area of Farm 193.57 Acres.

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

BROS 9061(27)--8J-61

Project No.

BROS 9061(27)
Condemnation Proceedings
(Final Contract Offers)

William Symington IV (Harley Johnson Contract)

1.30 acres land @ \$458.36 =	\$ 595.87
109 rods fence @ \$16.75 =	1,825.75
Add'l fencing mt'ls & labor =	581.81
	<hr/>
Total	\$ 3,003.43

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

10:30 AM
W

AUG 31 1988

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *

OF CERTAIN RIGHTS IN LAND BY *

SUMMONS TO COMMISSIONERS

MADISON COUNTY, IOWA *

RECEIVED

MADISON COUNTY SHERIFF
WINTERSSET, IOWA

8:00 a.m.

de

AUG 15 1988

TO: Irvin Martens
RR 2 Box 68
Winterset, Iowa 50273

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 2:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff

Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at WINTERSSET, Iowa, this 12th day of AUGUST, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Irvin H. Martens

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 _____

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *

OF CERTAIN RIGHTS IN LAND BY * SUMMONS TO COMMISSIONERS

MADISON COUNTY, IOWA *

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

TO: Loren Myers
RR 1
Macksburg, Iowa 50155

8:00 a.m.
dx

AUG 15 1988

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 1:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff

Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Macksburg, Iowa, this 11 day of August, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Loren Myers

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 _____

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *

OF CERTAIN RIGHTS IN LAND BY *
MADISON COUNTY, IOWA *

SUMMONS TO COMMISSIONERS

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

1:40 PM
ll

AUG 11 1988

TO: Chester Haymond
RR 4 Box 102
Winterset, Iowa 50273

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 2:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff

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 _____, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Chester Haymond

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 _____

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *
OF CERTAIN RIGHTS IN LAND BY * SUMMONS TO COMMISSIONERS
MADISON COUNTY, IOWA *

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

10:30 a.m.
dx
AUG 16 1988

TO: Pat Corkrean
719 N. 8th Avenue
Winterset, Iowa 50273

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 2:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff
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 10 day of Aug, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.~~

~~*Robert F. Cooper*~~

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 not be able to serve on the 2nd day of Sept because of another commitment.
Pat Corkrean 311

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *

OF CERTAIN RIGHTS IN LAND BY *

SUMMONS TO COMMISSIONERS

MADISON COUNTY, IOWA *

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

12:43 p.m.

AUG 17 1988

TO: Don Eyerly
RR 3
Winterset, Iowa 50273

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 2:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff

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 16 day of August, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Don Eyerly

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 _____

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *

OF CERTAIN RIGHTS IN LAND BY * SUMMONS TO COMMISSIONERS
MADISON COUNTY, IOWA

TO: Bruce Brownlee
RR 2
St. Charles, Iowa 50240

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

2:12 p.m.
d
AUG 18 1988

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 2:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff

Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at St Charles, Iowa, this day of 17 Aug, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Bruce R Brownlee

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 _____

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *

OF CERTAIN RIGHTS IN LAND BY *

SUMMONS TO COMMISSIONERS

MADISON COUNTY, IOWA *

TO: Charles Tucker
RR3, Box 58A
Winterset, Iowa 50273

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

11:20 a.m.
dh
AUG 24 1988

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 2:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.

Paul D. Welch, Sheriff
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 22 day of August, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Charles Tucker

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 _____

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION *
OF CERTAIN RIGHTS IN LAND BY * SUMMONS TO COMMISSIONERS
MADISON COUNTY, IOWA *

TO:

Upon application of the above condemnor to the Chief Judge of the Fifth Judicial District of Iowa for the selection of a compensation commission to appraise damages to real estate by reason of these proceedings, the Chief Judge of the Fifth Judicial District has selected and appointed you as a member of such compensation commission, which selection has been duly filed in my office. Further, the Chief Judge designated DON EYERLY as Chairman of the said Commission.

YOU ARE THEREFORE COMMANDED to appear before the undersigned in the office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on the 2nd day of September, 1988, at 1:00 o'clock P.M. for the purpose of qualifying as a member of such commission and to proceed to view the premises and make an award of damages according to law.

Filed in my office this 9th day of August, 1988.


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 _____, 1988. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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
MADISON COUNTY, IOWA

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

Madison County, Iowa

An Application and Notice of Condemnation having been filed with me by Madison County, Iowa 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
Don Eyerly	Winterset	Licensed Real Estate Salesperson Broker
Pat Corkrean	Winterset	Licensed Real Estate Salesperson Broker
Loren Myers	Macksburg	Knowledgeable of Property Values by Virtue of Occupation
Irvin Martens		Knowledgeable of Property Values by Virtue of Occupation
Bruce Brownlee	St. Charles	Agricultural/City Property Owner
Chester Haymond	Winterset	Agricultural/City Property Owner

I further designate, select and appoint the above named DON EYERLY to act as 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 27 day of July, 1988.

Richard D. Moran

CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF IOWA

Filed in my office at Winterset, Iowa this 9th day of August, 1988.

RECEIVED
MADISON COUNTY SHERIFF
WINTERSSET, IOWA

Paul B. Weber, Sheriff

Sheriff of Madison County, Iowa

4:50
2:00
AUG 9 1988

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

SUPPLEMENTARY ORDER APPOINTING
ALTERNATE COMPENSATION COM-
MISSIONERS AND ALTERNATE CHAIRMAN

Madison County, Iowa

An Application and Notice of Condemnation having been filed with me by Madison County, Iowa 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	QUALIFICATIONS
1. Charles Tucker	Winterset	Licensed Real Estate Salesperson/Broker
2. Micki Utsler	Winterset	Licensed Real Estate Salesperson/Broker
1. Gary Dwyer	Winterset	Knowledgeable of Property Values by Virtue of Occupation
2. Gail Leeper	Winterset	Knowledgeable of Property Values by Virtue of Occupation
1. Dean Mollin	Winterset	Agricultural/XXXXXXXXXXXX XXXX
2. Darrell Daggett	Winterset	Agricultural/XXXXXXXXXXXX XXXX

I further appoint PAT CORKREAN to serve as the Alternate Chairman of the Commission in the event that the Chairman listed in the Order of Selection and Appointment is unable to serve for any reason.

The Sheriff of Madison County, Iowa shall 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 27 day of July, 1988.

Richard D. Mow

CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF IOWA

Filed in my office at Winterset, Madison County, Iowa this 9th day of August, 1988.

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
4:50 PM
AUG 5 1988

Paul B. Welch, Sheriff

Sheriff of Madison County, Iowa

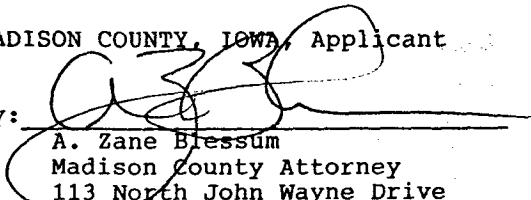
BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE *
CONDEMNATION OF CERTAIN *
RIGHTS IN LAND BY * CERTIFICATION
MADISON COUNTY, IOWA *

TO: Paul D. Welch, Madison County Sheriff

The Applicant Madison County, Iowa pursuant to Iowa Code Section 472.3(7) does hereby certify that the application for condemnation has been approved by the Chief Judge of the Fifth Judicial District for the State of Iowa and the original approved Application has been filed with the Madison County Recorder on the 4th day of August, 1988 in Deed Record Book 121 at Page 241.

MADISON COUNTY, IOWA, Applicant

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

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
4:50 PM
AUG 9 1988

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

RECEIVED
MADISON COUNTY SHERIFF
WINNEBAGO, IOWA

4:50 PM
2:00 PM
AUG 5 1988

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:

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

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

FILED NO. 291
BOOK 121 PAGE 241

1988 AUG -4 AM 8:04

MARY E. WELTY
RECORDER
319

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.

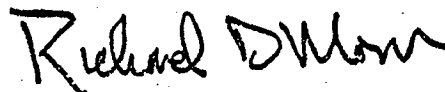
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:


A. Zane 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.



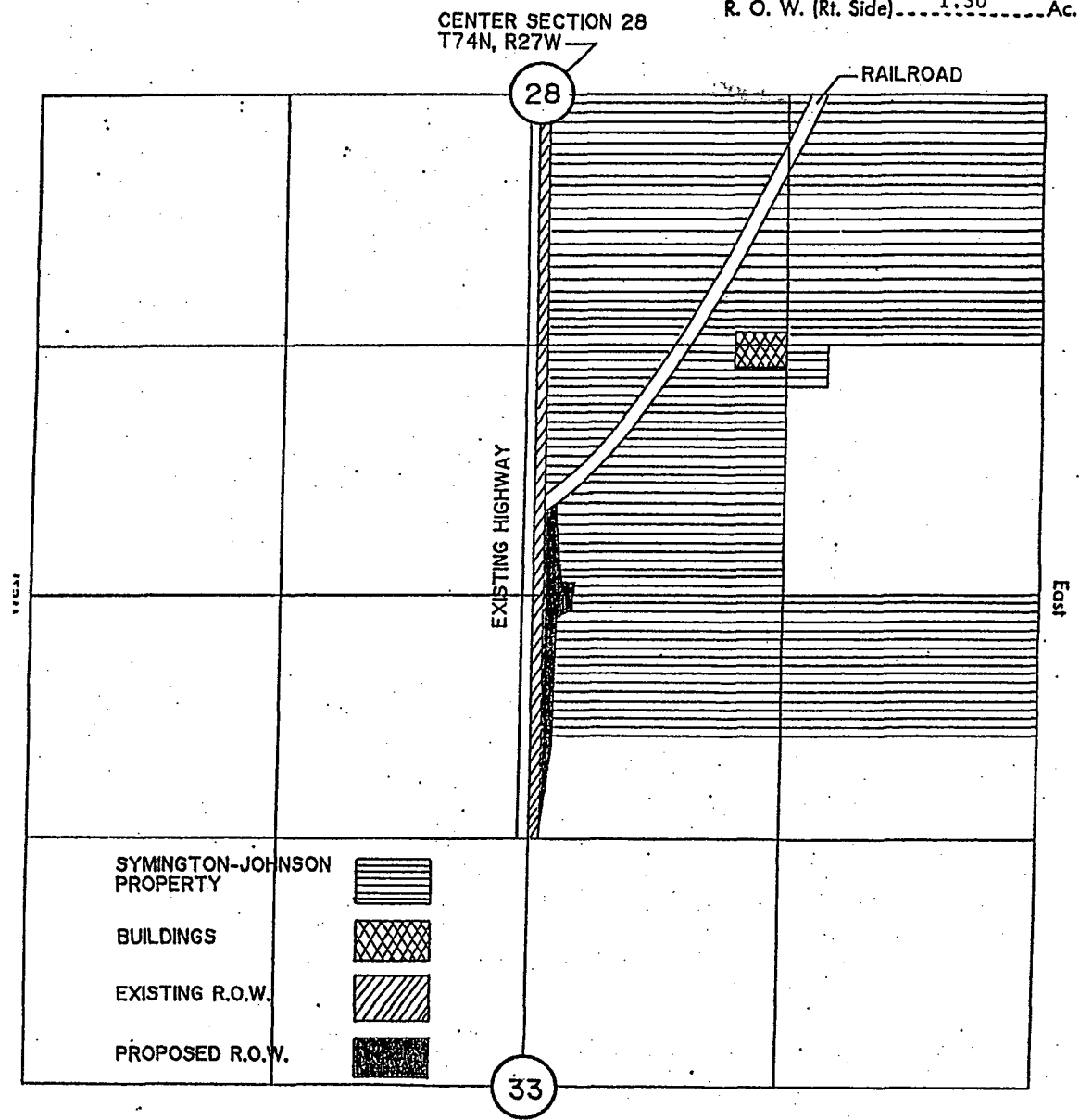
Of Symington, William H. IV & Myong Sun contract Johnson, Harley J. & Eleanor N.

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.



Madison County

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

EXHIBIT "A"