

OFFICE OF  
Sheriff of Madison County

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



DATE September 2, 1988

RECEIVED FROM Brian Morrissey, Madison County Engineer

ISSUED FROM Madison County Auditor

CHECK NUMBER 015737 IN THE AMOUNT OF \$ 3377.72

MADE PAYABLE TO T. J. Hamilton

*Paul D. Welch, Sheriff*

PAUL D. WELCH, SHERIFF

BY

*[Signature]*  
KEN BURK, DEPUTY

DATE Oct 19, 1988

RECEIVED FROM THE MADISON COUNTY SHERIFF OFFICE THE ABOVE NAMED CHECK

*T. J. Hamilton*

*[Signature]*

WITNESS

COMPUTER

Compared

FILED NO. 768  
BOOK 121 PAGE 322

1988 OCT 13 AM 11:24

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 20<sup>th</sup> day of September, 1988 at 11:00AM. and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 2<sup>nd</sup> day of September, 1988 file their written report with me awarding damages as follows:

T. J. Hamilton \$3377.72 Total Award

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

Expense of Summoning Jurors	\$		
Serving Condemnees	\$	15.00	
Expense of Jurors	\$	314.07	
Sheriff's Mileage Serving Condemnees	\$	13.86	
Sheriff's Mileage of Jurors	\$	13.86	
Copies & Phone Calls	\$	12.00	
Sheriff's fee Attending Jury	\$	60.00	
Notary	\$		
Postage	\$	5.20	
Recording Fee	\$		
Total	\$	433.99	

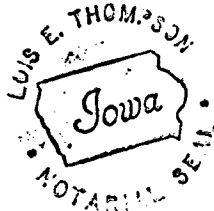
  

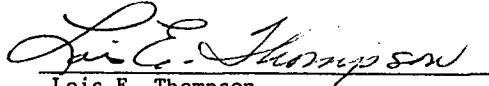
		Jurors & Expense	
George Bown	\$	63.36	
H. S. Vowell		63.78	
A.J. "Gus" Hendrichs		60.42	
Raymond Clark		65.46	
Geraldine Lee		61.05	
Margaret Schafer		00.00	(Refused Compensation)
TOTAL		\$314.07	

Given under my hand this 22<sup>nd</sup> day of September, 1988.

  
Paul D. Welch, Sheriff

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



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

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

2:35 PM  
*[Signature]*

SEP 16 1988

\*\*\*\*\*

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

\*\*\*\*\*

TO: T. J. and M. A. Hamilton  
R. R. 1  
Peru, IA 50222

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

C. R. Walk Implement  
1001 South Jefferson  
Indianola, IA 50125

Ford Motor Credit Co.  
P. O. Box 3598  
Des Moines, IA 50322

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 southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 50 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest 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 along the east line of said Northwest Quarter 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds West 60.00 feet; thence North 00 degrees 38 minutes 29 seconds East 718.05 feet; thence North 00 degrees 31 minutes 03 seconds West 359.35 feet; thence North 72 degrees 04 minutes 57 seconds West 94.87 feet; thence North 00 degrees 31 minutes 03 seconds West 160.00 feet; thence North 55 degrees 47

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

Brad Schultz, 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 Ford Motor Credit Co. of Iowa.

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

FORD MOTOR CREDIT CO. OF IOWA

By: 

Brad Schultz

attorney for  
Ford Motor Credit Company

1988 AUG -4 AM 8:05

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

MARY E. WELTY  
RECORDER  
MADISON COUNTY IOWA  
No Fee - Court

\*\*\*\*\*

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 southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 02 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest 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 along the east line of said Northwest Quarter 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds West 60.00 feet; thence North 00 degrees 38 minutes 29 seconds East 718.05 feet; thence North 00 degrees 31 minutes 03 seconds West 359.35 feet; thence North 72 degrees 04 minutes 57 seconds West 94.87 feet; thence North 00 degrees 31 minutes 03 seconds West 160.00 feet; thence North 55 degrees 47 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.

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

OWNERS:

T. J. Hamilton  
and  
M. A. Hamilton

ADDRESS:

R. R. 1  
Peru, Iowa 50222

TENANTS: None.

ADDRESS:

LIENHOLDERS:

United Federal Savings  
Bank of Iowa

First & Court  
Winterset, Iowa 50273

C. R. Walk Implement

1001 South Jefferson  
Indianola, Iowa 50125

Ford Motor Credit Co.

P. O. Box 3598  
Des Moines, Iowa 50322

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.

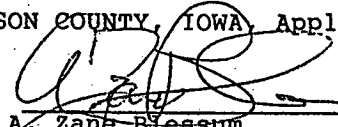
4. The purpose for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

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.

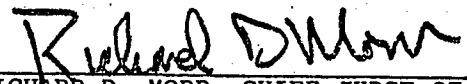
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:

  
A. Zane Biessum  
Madison County Attorney  
113 North 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.

  
RICHARD D. MORR, CHIEF JUDGE OF THE  
FIFTH JUDICIAL DISTRICT OF IOWA

Parcel No. 1

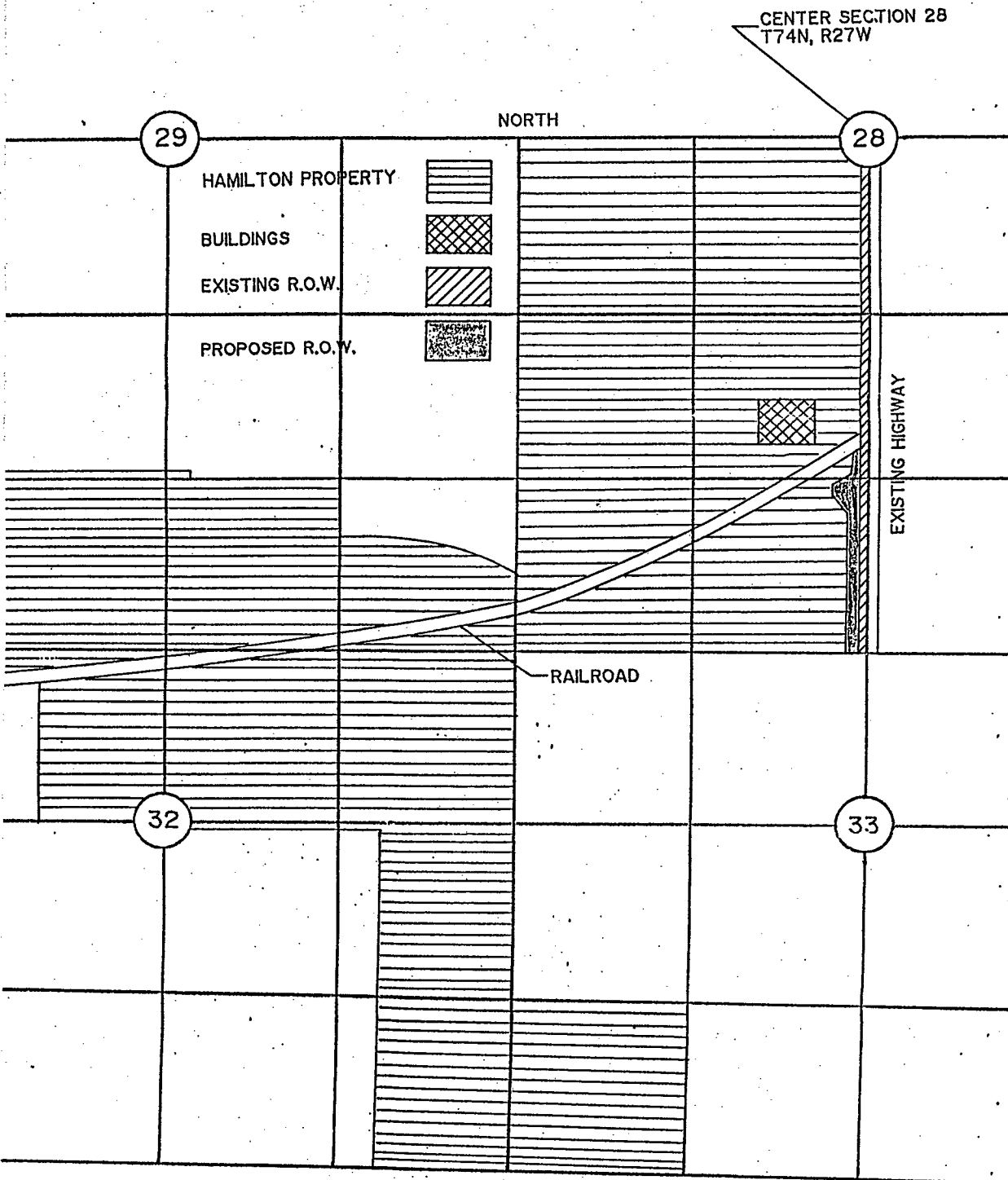
Of Hamilton, T.J. & M.A.

Area of Farm 530.05 Acres.

Sta 8 + 82 to Sta 25 + 60.92

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

Right of Way 1.60 Ac.\*  
 Area Remaining --- Ac. (Rt)  
 Area Remaining 528.45 Ac. (Lt)  
 Borrow --- Ac.  
 Right of Entry --- Ac.  
 Move Fence --- Rods  
 New Fence 108 Rods  
 \*R. O. W. (Lt. Side) 1.60 Ac.  
 R. O. W. (Rt. Side) --- Ac.



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

\*\*\*\*\*

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA  
10:15 AM  
W  
AUG 31 1988

TO:

OWNERS: T. J. and M. A. Hamilton  
R. R. 1  
Peru, Iowa 50222

TENANTS: None.

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

C. R. Walk Implement  
1001 South Jefferson  
Indianola, Iowa 50125

Ford Motor Credit Co.  
Attention: Joseph Bertroche  
4044 S.E. 14th  
Des Moines, IA 50320

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 2<sup>nd</sup>, 1988.

*Paul D. Welch, Sheriff*

Paul D. Welch, Sheriff of Madison County, Iowa

Copies of:  
Notice of Appraisement of Damages and Time for Appeal and  
Report of Compensation Commission  
Mailed to each owner and each Lien or Encumbrance Holder listed above  
on September 2nd, 1988.



BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

\*\*\*\*\*  
IN THE MATTER OF THE \*  
CONDEMNATION OF CERTAIN \*  
RIGHTS IN LAND BY \*  
MADISON COUNTY, IOWA \*  
\*\*\*\*\*  
REPORT OF COMPENSATION \*  
COMMISSION \*  
\*\*\*\*\*  
AUG 31 1968

10:15 AM

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>Attorn Fee &amp; Co</u>
J. J. Hamilton		3377.72		3377.72	

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

COMPENSATION COMMISSION:

<u>George Brown</u>	<u>C. J. "Gus" Hennrich</u>
<u>Geraldine Lee</u>	<u>Raymond Clark</u>
<u>H. S. Dowell</u>	<u>Margaret Schafel</u>

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 2nd Sept, 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

10:15 AM

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

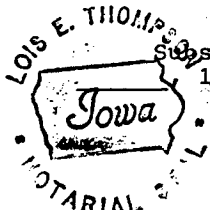
George Bown  
Geraldine Lee

Knowledgeable of Property Values by Reason of Occupation

Maquet Schlafer  
A. "Cous" Hemmick

Agricultural Owner - Operator

Raymond Clark  
R. A. Howell



Subscribed and sworn to before me this 2<sup>nd</sup> 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 2<sup>nd</sup> day of September, 1988.

Paul D. Welch, Sheriff  
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 11 A. M.

<u>1</u> days service @ \$60.00	\$ <u>60. -</u>
<u>16</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>3.36</u>
<u>      </u> meals	\$ <u>      </u>
TOTAL:	\$ <u>63.36</u>

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

Merge Bowin  
 Commissioner  
RR 4 Box 186  
 Street or RR  
Winterset, Ia 50273  
 City, State, Zip Code

CONDEMNATION COMMISSIONER'S STATEMENT

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

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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 11 a.m.

<u>1</u> days service @ \$60.00	\$ <u>60.00</u>
<u>18</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>3.78</u>
<u>        </u> meals	\$ <u>        </u>
TOTAL:	\$ <u>63.78</u>

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

H. A. Dowell  
Commissioner

Street or RR  
Flow 50222  
City, State, Zip Code

CONDEMNATION COMMISSIONER'S STATEMENT

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

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<u>1</u> days service @ \$60.00	\$ <u>60</u>
<u>2</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>.42</u>
<u>0</u> meals	\$ <u>- 0 -</u>
TOTAL:	\$ <u>60.42</u>

Given under my hand this 20 day of September, 1988.

A. J. "Cous" Hennrich  
 Commissioner  
303 W. Filmore  
 Street or RR  
WINTERSSET, IA 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 11 A. M.

<u>1</u> days service @ \$60.00	\$ <u>60.00</u>
<u>26</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>5.46</u>
<u>        </u> meals	\$ <u>        </u>
TOTAL:	\$ <u>65.46</u>

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

Raymond Clark  
Commissioner

Box 111  
Street or RR  
Boonville Iowa 50038  
City, State, Zip Code

15'

CONDEMNATION COMMISSIONER'S STATEMENT

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

This is to certify that my fee and expense a 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 11 A. M.

<u>1</u> days service @ \$60.00	\$ <u>60 -</u>
<u>5</u> miles @ \$.21 (from home to Sheriff's Office and return)	\$ <u>1.05</u>
<u>      </u> meals	\$ <u>      </u>
TOTAL:	\$ <u>61.05</u>

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

Geraldine Lee  
Commissioner

RR1 Box 166  
Street or RR  
Westport Iowa 5021  
City, State, Zip Code

IN THE IOWA DISTRICT COURT FIFTH JUDICIAL DISTRICT

State of Iowa  
Madison County  
Case Name Madison Co. Condemnation  
Case Number \_\_\_\_\_  
Notice received this date August 17, 1988

RETURN OF SERVICE  
( ) Personal  
( ) Dwelling House  
( ) Hotel, Boarding House, or Rooming House  
(X) Corporation/ Association  
( ) State Official

I certify that I served a copy of:

- (X) Petition and Original Notice ( ) Order Filed \_\_\_\_\_ (Date)  
( ) Modification/Application and Notice ( ) Writ Filed \_\_\_\_\_ (Date)  
( ) Order to Show Cause  
(X) Other Application for Condemnation Notice

Served:

C. R. Walk Implement At 1001 South Jefferson On Aug. 19th, 1988  
(Name) (Address) (Date)  
\_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_  
\_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_  
\_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_

By Serving Clarence Walk At 1001 So. Jefferson On 8-19-88  
(Name) (Address) (Date)  
Indianola, Iowa 50125

Notes:

FEES: Paid By  
Service - \$ 10.00 Madison Co. Auditor Puff's Atty. Def. Atty.  
Copies - \$ \_\_\_\_\_ Date 8-31-88 [Signature] Official Title  
Mileage - \$ 1.00 By Carmine Miller Deputy  
Total - \$ 11.00  
WARREN CO. SHERIFF

Note: Copy of Original Notice, if served, must be attached to this form.

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

SEP 1 1988



BEFORE THE SHERIFF OF MADISON COUNTY, IOWA 88 AUG 17 A8:20

\*\*\*\*\*

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

\*\*\*\*\*

TO: T. J. and M. A. Hamilton  
R. R. 1  
Peru, IA 50222

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

C. R. Walk Implement  
1001 South Jefferson  
Indianola, IA 50125

Ford Motor Credit Co.  
P. O. Box 3598  
Des Moines, IA 50322

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

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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 southeast corner of the Southwest  
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 east line of said Southwest  
Quarter 392.48 feet; thence South 52 degrees 27 minutes  
54 seconds West 78.23 feet; thence South 02 degrees 50  
minutes 04 seconds West 342.23 feet; thence South 55  
degrees 47 minutes 47 seconds West 5.35 feet to the  
south line of said Southwest Quarter; thence North 90  
degrees 00 minutes 00 seconds East along said south  
line 83.19 feet to the point of beginning and  
containing 0.59 acres more or less including the  
present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest  
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 along the east line of said Northwest  
Quarter 1324.49 feet; thence North 90 degrees 00  
minutes 00 seconds West 60.00 feet; thence North 00  
degrees 38 minutes 29 seconds East 718.05 feet; thence  
North 00 degrees 31 minutes 03 seconds West 359.35  
feet; thence North 72 degrees 04 minutes 57 seconds  
West 94.87 feet; thence North 00 degrees 31 minutes 03  
seconds West 160.00 feet; thence North 55 degrees 47

COPY

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

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

\*\*\*\*\*

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

\*\*\*\*\*

TO: T. J. and M. A. Hamilton  
R. R. 1  
Peru, IA 50222

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA

10:15 AM  
W

AUG 31 1983

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

C. R. Walk Implement  
1001 South Jefferson  
Indianola, IA 50125

Ford Motor Credit Co.  
P. O. Box 3598  
Des Moines, IA 50322

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 southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 50 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest 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 along the east line of said Northwest Quarter 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds West 60.00 feet; thence North 00 degrees 38 minutes 29 seconds East 718.05 feet; thence North 00 degrees 31 minutes 03 seconds West 359.35 feet; thence North 72 degrees 04 minutes 57 seconds West 94.87 feet; thence North 00 degrees 31 minutes 03 seconds West 160.00 feet; thence North 55 degrees 47

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

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 16<sup>th</sup> day of August, 1988.

UNITED FEDERAL SAVINGS BANK OF IOWA

By: 

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:

Beginning at the southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 50 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest 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 along the east line of said Northwest Quarter 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds West 60.00 feet; thence North 00 degrees 38 minutes 29 seconds East 718.05 feet; thence North 00 degrees 31 minutes 03 seconds West 359.35 feet; thence North 72 degrees 04 minutes 57 seconds West 94.87 feet; thence North 00 degrees 31 minutes 03 seconds West 160.00 feet; thence North 55 degrees 47 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.

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

OWNERS: T. J. Hamilton and M. A. Hamilton ADDRESS: R. R. 1 Peru, Iowa 50222

TENANTS: None.

ADDRESS:

LIENHOLDERS:

United Federal Savings  
Bank of Iowa

First & Court  
Winterset, Iowa 50273

C. R. Walk Implement

1001 South Jefferson  
Indianola, Iowa 50125

Ford Motor Credit Co.

P. O. Box 3598  
Des Moines, Iowa 50322

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.

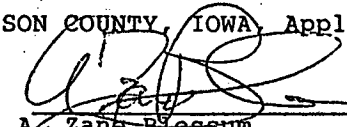
4. The purpose for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

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 Bressum~~  
Madison County Attorney  
113 North 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.

  
RICHARD D. MORR, CHIEF JUDGE OF THE  
FIFTH JUDICIAL DISTRICT OF IOWA

# Plat of Property

Parcel No. 1

Of Hamilton, T.J. & M.A.

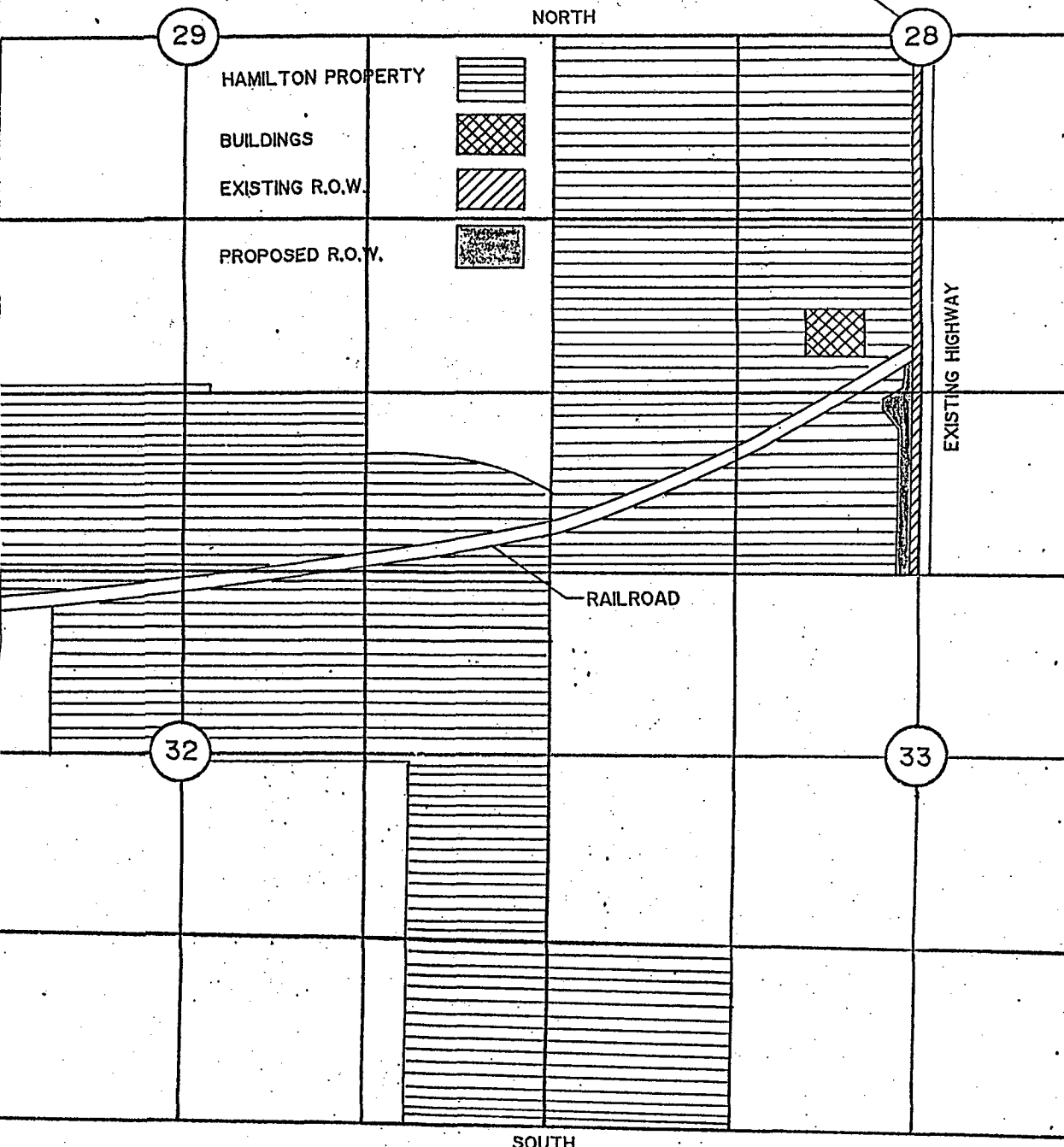
Area of Farm 530.05 Acres.

Sta. 8 + 82 to Sta. 25 + 60.92

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

Right of Way 1.60 Ac.\*  
Area Remaining --- Ac. (Rt)  
Area Remaining 528.45 Ac. (Lt)  
Borrow --- Ac.  
Right of Entry --- Ac.  
Move Fence --- Rods  
New Fence 108 Rods  
\*R. O. W. (Lt. Side) 1.60 Ac.  
R. O. W. (Rt. Side) --- Ac.

CENTER SECTION 28  
T74N, R27W



IN THE IOWA DISTRICT COURT FIFTH JUDICIAL DISTRICT

State of Iowa

Madison County

Case Name \_\_\_\_\_

Case Number \_\_\_\_\_

Notice received this date August 9, 1988

RETURN OF SERVICE

- Personal
- Dwelling House
- Hotel, Boarding House, or Rooming House
- Corporation/Association
- State Official

I certify that I served a copy of:

- Petition and Original Notice  Order Filed \_\_\_\_\_ (Date)
- Modification/Application and Notice  Writ Filed \_\_\_\_\_ (Date)
- Order to Show Cause
- Other Application for Condemnation Notice

Served:

T.J. & M.A. Hamilton At R. R. 1, Peru, IA 50222 On August 11, 1988  
(Name) (Address) (Date)

\_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_

\_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_

\_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_

By Serving \_\_\_\_\_ At \_\_\_\_\_ On \_\_\_\_\_  
(Name) (Address) (Date)

Notes:

*Paul D. Welch, Sheriff*

FEES:

Service - \$ 15.00

Copies - \$ \_\_\_\_\_

Mileage - \$ 13.86

Total - \$ 28.86

MADISON COUNTY

*Ken Burk*

\_\_\_\_\_  
Official Title

Ken Burk, Deputy  
Madison County

Note: Copy of Original Notice, if served, must be attached to this form.

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

*4:50 AM*  
*2:00 PM*  
AUG 9 1988



BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

\*\*\*\*\*

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

\*\*\*\*\*

TO: T. J. and M. A. Hamilton  
R. R. 1  
Peru, IA 50222

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

C. R. Walk Implement  
1001 South Jefferson  
Indianola, IA 50125

Ford Motor Credit Co.  
P. O. Box 3598  
Des Moines, IA 50322

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA  
4:50 AM  
302-001PM  
AUG 9 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 southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 50 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest 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 along the east line of said Northwest Quarter 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds West 60.00 feet; thence North 00 degrees 38 minutes 29 seconds East 718.05 feet; thence North 00 degrees 31 minutes 03 seconds West 359.35 feet; thence North 72 degrees 04 minutes 57 seconds West 94.87 feet; thence North 00 degrees 31 minutes 03 seconds West 160.00 feet; thence North 55 degrees 47

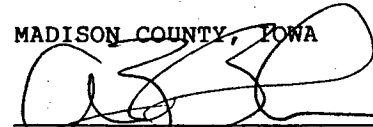
minutes 38 seconds East 102.81 feet to the north line of said Northwest Quarter, thence North 90 degrees 00 minutes 00 seconds East along said north line 83.19 feet to the point of beginning and containing 2.43 acres more or less including the present highway and subject to encumbrances of record.

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 ~~Thursday, August 10, 1988,~~ **Friday, September 2, 1988** commencing at ~~9:30~~ <sup>11:00</sup> 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

1988 AUG -4 AM 8:05

BEFORE THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IOWA  
MARY E. WELTY  
RECORDER  
MADISON COUNTY IOWA

\*\*\*\*\*  
No Fee - Count

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

APPLICATION FOR  
CONDEMNATION

RECEIVE  
MADISON COUNTY SH  
WINTERSSET, IOWA  
2:00 P.  
lh

\*\*\*\*\*

TO: The Honorable Richard D. Morr, Chief Judge of the Fifth Judicial District of Iowa: AUG 9 1988

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 southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 50 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

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: T. J. Hamilton and M. A. Hamilton ADDRESS: R. R. 1 Peru, Iowa 50222

TENANTS: None.

ADDRESS:

LIENHOLDERS:

United Federal Savings  
Bank of Iowa

First & Court  
Winterset, Iowa 50273

C. R. Walk Implement

1001 South Jefferson  
Indianola, Iowa 50125

Ford Motor Credit Co.

P. O. Box 3598  
Des Moines, Iowa 50322

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 Bressum  
Madison County Attorney  
113 North 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.

  
RICHARD D. MORR, CHIEF JUDGE OF THE  
FIFTH JUDICIAL DISTRICT OF IOWA

# Plat of Property

352

Parcel No. 1

Of Hamilton, T.J. & M.A.

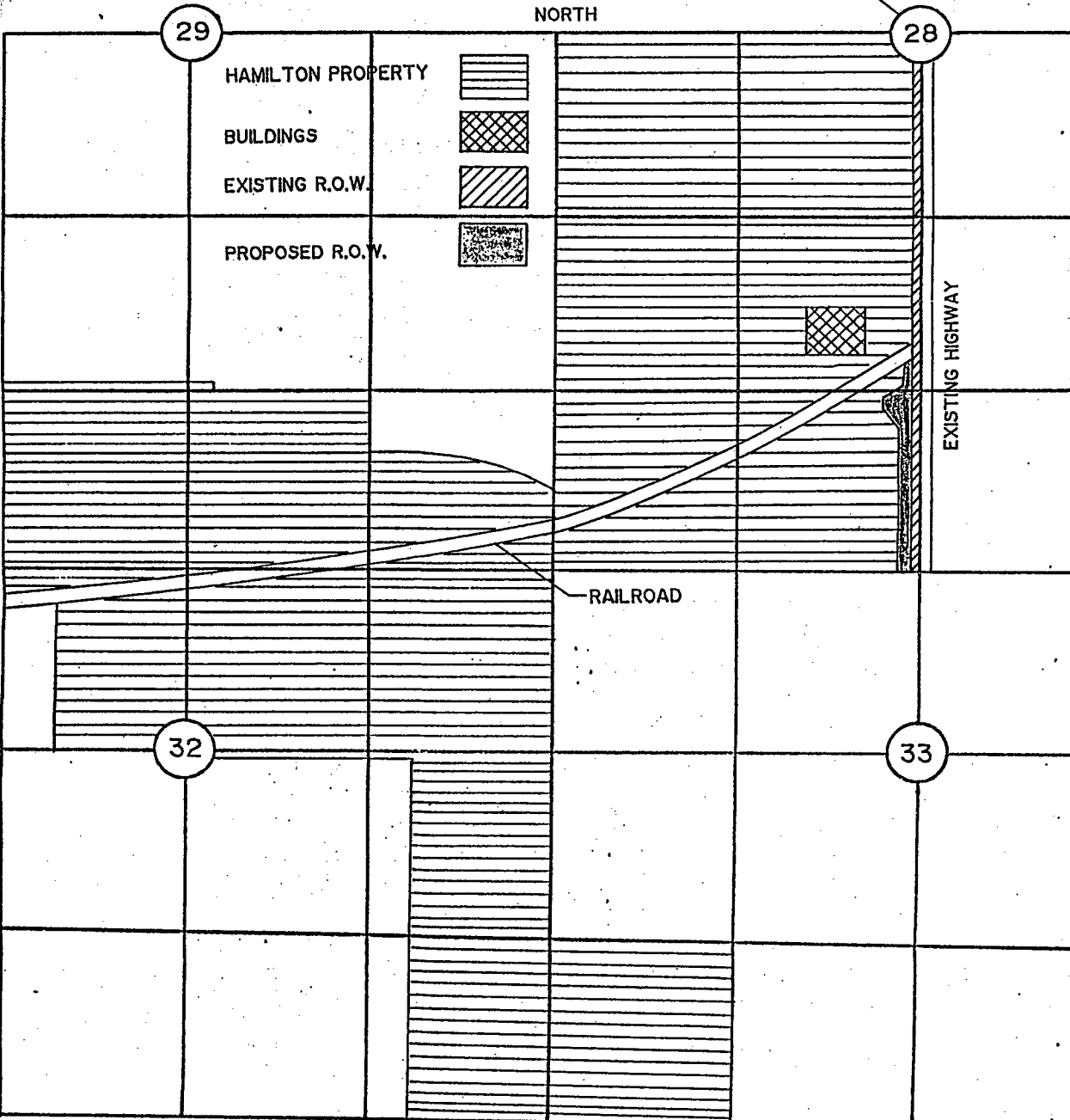
Area of Farm 530.05 Acres.

Sta 8 + 82 to Sta 25 + 60.92

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

Right of Way 1.60 Ac.  
 Area Remaining --- Ac. (Rt)  
 Area Remaining 528.45 Ac. (Lt)  
 Borrow --- Ac.  
 Right of Entry --- Ac.  
 Move Fence --- Rods  
 New Fence 108 Rods  
 \*R. O. W. (Lt. Side) 1.60 Ac.  
 R. O. W. (Rt. Side) --- Ac.

CENTER SECTION 28  
T74N, R27W



BROS 9061(27)  
Condemnation Proceedings  
(Final contract offers)

T. J. Hamilton

1.6 acres land @ \$726.65 =	\$ 1,162.64
108 rods fence @ \$16.75 per rod =	1,809.00
Add'l fencing mt'ls & labor =	406.08
	<hr/>
Total	\$ 3,377.72

RECEIVED  
MADISON COUNTY SHERIFF  
WINTerset, IOWA

10:15 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 \*

\*\*\*\*\*

TO: George Bown  
RR 4 Box 186  
Winterset, Iowa 50273

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA  
1:30 PM  
AUG 12 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 GEORGE BOWN 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 11:00 o'clock A.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 9<sup>th</sup> 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 11<sup>th</sup> 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.

George Bown

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: Raymond Clark  
RR 1  
Booneville, Iowa 50038

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA  
1:30 PM  
u  
AUG 12 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 GEORGE BOWN 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 11:00 o'clock A.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 9<sup>th</sup> 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 Booneville, 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.

Raymond Clark

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: Harrison Vowell  
RR 1  
Peru, Iowa 50222

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA  
1:30 PM  
le  
AUG 12 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 GEORGE BOWN 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 11:00 o'clock A.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 9<sup>th</sup> 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 Peru, Iowa, this 10th 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.

Harrison Vowell

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 \*

\*\*\*\*\*  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

RECEIVED

8:40 AM  
LV

AUG 11 1988

TO: Gus Henrichs  
303 W Filmore  
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 GEORGE BOWN 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 11:00 o'clock A.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 9<sup>th</sup> 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 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.

*Gus Henrichs*  
\_\_\_\_\_

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: Geraldine Lee  
RR 1 Box 166  
Winterset, Iowa 50273

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA  
10:30 a.m.  
dh  
AUG 16 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 GEORGE BOWN 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 11:00 o'clock A.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 9<sup>th</sup> 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 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.

*Geraldine Lee*  
\_\_\_\_\_

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: Margaret Schafer  
1104 Main  
Earlham, Iowa 50072

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

2:12 p.m.  
dx  
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 GEORGE BOWN as Chairman of the said Commission.

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Filed in my office this 9<sup>th</sup> 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 Earlham, Iowa, this 15<sup>th</sup> 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.

Margaret Schafer

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 GEORGE BOWN 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 11:00 o'clock A.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 9<sup>th</sup> day of August, 1988.

*Paul D. Wells 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.

*[Signature]*  
\_\_\_\_\_

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
George Bown	Winterset	Licensed Real Estate Salesperson/ Broker
Geraldine Lee	Winterset	Licensed Real Estate Salesperson/ Broker
Gus Henrichs	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Margaret Schafer	Earlham	Knowledgeable of Property Values by Virtue of Occupation
Harrison Vowell	Peru	Agricultural/XXXXXXXXXXXX XXXXX
Raymond Clark	Booneville	Agricultural/XXXXXXXXXXXX XXXXX

I further designate, select and appoint the above named GEORGE BOWN 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 9<sup>th</sup> day of August, 1988.

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSSET, IOWA

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

450 JH  
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. Steve Weeks	Winterset	Licensed Real Estate Salesperson/Broker
2. Micki Utsler	Winterset	Licensed Real Estate Salesperson/Broker
1. Jim Mease	Winterset	Knowledgeable of Property Values by Virtue of Occupatio
2. Gail Leeper	Winterset	Knowlegeable of Property Values by Virtue of Occupatio
1. John Spera	Winterset	Agricultural/City Property Owner
2. Darrell Daggett	Winterset	Agricultural/City Property Owner

I further appoint Geraldine Lee 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 27th day of July, 1988.

*Richard D. Mann*

CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF IOWA

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

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA

4:50 AM  
J. S. [unclear]  
AUG 9 1988

*Paul D. Welch*  
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

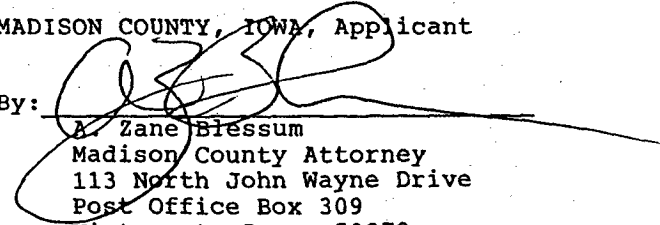
\*\*\*\*\*

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 244.

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  
WINTERSSET, IOWA

AUG 31 1988



1988 AUG -4 AM 8:05

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

BARY E. WELTY  
RECORDER  
MADISON COUNTY IOWA  
No Fee - Court

\*\*\*\*\*

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 southeast corner of the Southwest 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 east line of said Southwest Quarter 392.48 feet; thence South 52 degrees 27 minutes 54 seconds West 78.23 feet; thence South 02 degrees 50 minutes 04 seconds West 342.23 feet; thence South 55 degrees 47 minutes 47 seconds West 5.35 feet to the south line of said Southwest Quarter; thence North 90 degrees 00 minutes 00 seconds East along said south line 83.19 feet to the point of beginning and containing 0.59 acres more or less including the present highway and subject to encumbrances of record.

also:

Beginning at the northeast corner of the Northwest 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 along the east line of said Northwest Quarter 1324.49 feet; thence North 90 degrees 00 minutes 00 seconds West 60.00 feet; thence North 00 degrees 38 minutes 29 seconds East 718.05 feet; thence North 00 degrees 31 minutes 03 seconds West 359.35 feet; thence North 72 degrees 04 minutes 57 seconds West 94.87 feet; thence North 00 degrees 31 minutes 03 seconds West 160.00 feet; thence North 55 degrees 47 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.

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

described above:

RECEIVED  
MADISON COUNTY SHERIFF  
WINTERSET, IOWA  
450  
AUG 9 1988

OWNERS:

T. J. Hamilton  
and  
M. A. Hamilton

ADDRESS:  
R. R. 1  
Peru, Iowa 50222

TENANTS: None.

ADDRESS:

LIENHOLDERS:

United Federal Savings  
Bank of Iowa

First & Court  
Winterset, Iowa 50273

C. R. Walk Implement

1001 South Jefferson  
Indianola, Iowa 50125

Ford Motor Credit Co.

P. O. Box 3598  
Des Moines, Iowa 50322

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.

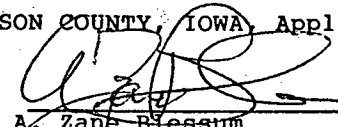
4. The purpose for which the condemnation is sought is fee title for road purposes over and across the above described real estate.

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.

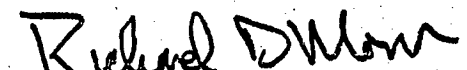
6. You are requested to appoint a Commission in compliance with Chapter 472 of the Code of Iowa (1987) to appraise the damages, said commissioners shall be six in number and shall be residence of Madison County, Iowa.

MADISON COUNTY, IOWA, Applicant

By:

  
A. Zane Blessum  
Madison County Attorney  
113 North 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.

  
RICHARD D. MORR, CHIEF JUDGE OF THE  
FIFTH JUDICIAL DISTRICT OF IOWA

Plat of Property

Parcel No. 1

Of Hamilton, T.J. & M.A.

Area of Farm 530.05 Acres.

Sta 8 + 82 to Sta 25 + 60.92

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

Right of Way	1.60	Ac.*
Area Remaining	---	Ac. (Rt)
Area Remaining	528.45	Ac. (Lt)
Borrow	---	Ac.
Right of Entry	---	Ac.
Move Fence	---	Rods
New Fence	108	Rods
*R. O. W. (Lt. Side)	1.60	Ac.
R. O. W. (Rt. Side)	---	Ac.

CENTER SECTION 28  
T74N, R27W

