

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

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

located in Madison County, Iowa

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

Group "B"

TO: Richard M. Morr, Chief Judge of the 5th Judicial District, including Madison County, Iowa.

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 472.3 of the Code of Iowa, the following is set forth:

Description: The lands and/or property rights sought to be condemned or affected are described on the attached Notice of Condemnation which is made a part of this Application.

Plat: The location of the right of way or other property rights sought to be condemned or affected are shown on the plat(s) attached to and a part of the attached Notice of Condemnation.

Names and Addresses: The names and addresses of the record owners, lienholders, encumbrancers, and other persons affected by this proceeding are listed on the attached Notice of Condemnation.

Purpose: The Department of Transportation desires the rights specified in the lands sought to be condemned for road right of way and/or access control and/or for highway drainage and/or obtaining and removing gravel or other suitable material for the improvement and/or maintenance of roads and streets within the State of Iowa.

Agricultural Land: A part of the lands sought to be appropriated ~~(was)~~ (has not) been classified as Class I or Class II within an agricultural area and is reasonably necessary for this internal improvement.

Request: NOW, THEREFORE, the Iowa Department of Transportation hereby requests the appointment of a compensation commission of six qualified persons to view the premises and appraise the damages which the owners, lienholders, encumbrancers, and other persons affected will sustain by reason of this Condemnation.

Dated at Ames, Iowa, this 13 day of December, 1989.

IOWA DEPARTMENT OF TRANSPORTATION

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

Robert L. North
Right of Way Director

By Fred Cirksena
Fred Cirksena
Condemnation Supervisor

Filed in duplicate in my office at _____, Iowa, this _____ day of _____, 19 _____.

Richard M. Morr
Chief Judge of the 5th Judicial District
including Madison County, Iowa

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

Fred Cirksena 12/15/89
Fred Cirksena
Condemnation Supervisor

FILED NO. 1276

BOOK 121 PAGE 726

Compared 89 DEC 19 PM 2:37

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$45.00

Filed in duplicate in my office at _____, Iowa, this _____ day of _____, 19 _____.

IND. REC. PAGE

Vertical handwritten note on the left margin: "Assessment issued by Gary & Co., 1990. Need Rev 12/1-78/".

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

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

NOTICE

located in Madison County, Iowa

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

Group "B"

TO:

Gretchen Casper, R.R. 2, Winterset, Iowa
Robert M. Casper, R.R. 2, Winterset, Iowa
Margaret M. Casper, R.R. 2, Winterset, Iowa
Dorothy Sue Baker, 622 Wells Court, Chapel Hills, North Carolina
Ronald Baker, 622 Wells Court, Chapel Hills, North Carolina
John E. Casper, 1002 West Summit, Winterset, Iowa
Winnie Casper, 1002 West Summit, Winterset, Iowa
Casper Farm, Inc., c/o Robert M. Casper, Registered Agent, R.R. 2, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of
the following described real estate:

Part of the NW Fr1. 1/4 SW 1/4 of Sec. 18, T76N, R27W of the 5th P.M., Madison County,
Iowa.

You, and each of you, are hereby notified that the State of Iowa and Madison County, Iowa,
desire certain rights in land more specifically described as follows and shown with
reference to their location as to lands affected on the plats Exhibit "A" (1 of 2) and (2
of 2) attached hereto and to the Application filed with the Chief Judge of the Judicial
District containing Madison County, Iowa, and in the Office of the Sheriff of Madison
County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated for the use and benefit for the
State of Iowa is in land described as follows:

A parcel of land located in the NW Fr1. 1/4 SW 1/4 of Sec. 18, T76N, R27W of the 5th P.M.,
Madison County, Iowa, as shown on the plat Exhibit "A" (1 of 2) attached hereto and by
reference made a part hereof.

Said parcel is described as follows:

Beginning at the W 1/4 Corner of said Sec. 18; thence S0°03'25"W, 1312.86 ft. along the
west line of the NW Fr1. 1/4 SW 1/4 of said Sec. 18 to the SW Corner of said NW Fr1. 1/4
SW 1/4; thence S89°05'39"E, 242.91 ft. along the south line of said NW Fr1. 1/4 SW 1/4;
thence N3°46'23"W, 1317.23 ft. to a point on the north line of said NW Fr1. 1/4 SW 1/4;
thence N89°08'26"W, 154.91 ft. along said north line to the Point of Beginning, excepting
therefrom present easements of record; containing 3.37 acres, more or less, exclusive of
said exceptions.

The easement for highway purposes sought to be appropriated for the use and benefit of
Madison County, Iowa, is in land described as follows:

A parcel of land located in the NW Fr1. 1/4 SW 1/4 of said Sec. 18, as shown on the plat
Exhibit "A" (2 of 2) attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Madison County Project No. FN-169-3(29)--21-61
Gretchen Casper, et al (Parcel 18)
Continued on next sheet

Sheet 1

Commencing at the W 1/4 Corner of said Sec. 18; thence S89°08'26"E, 154.91 ft. along the north line of the NW Frl. 1/4 SW 1/4 of said Sec. 18 to the Point of Beginning; thence continuing S89°08'26"E, 292.57 ft. along the north line of said NW Frl. 1/4 SW 1/4; thence S1°02'30"W, 50.00 ft. to a point on the present southerly right of way line of the east-west Local Road along the north line of said NW Frl. 1/4 SW 1/4; thence S86°19'28"W, 200.68 ft.; thence N88°57'30"W, 87.04 ft. to a point on the easterly line of the land sought by easement for the use and benefit of the State of Iowa; thence N3°46'23"W, 65.81 ft. along said easterly line to the Point of Beginning, excepting therefrom present easements of record; containing 0.07 acre, more or less, exclusive of said exceptions.

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

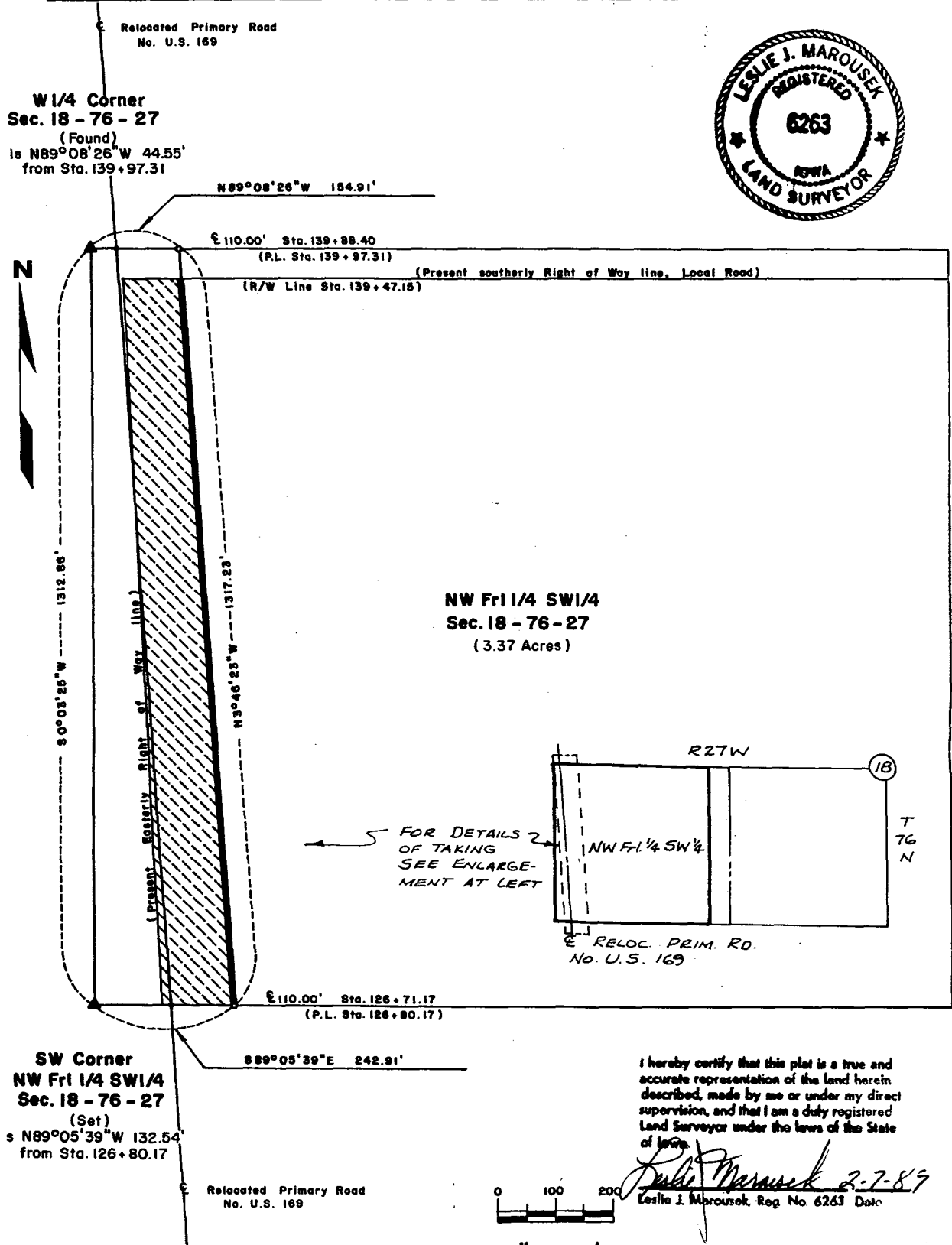
1. Any and all improvements, including fences, and advertising devices, if any, located wholly within the land sought by easement for highway purposes are condemned in their entirety.
2. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT
EXHIBIT "A" (1 OF 2)

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 18
 SECTION 18 TOWNSHIP 76 N RANGE 27 W
 ROW - FEE AC, EASE 3.37 AC, EXCESS - FEE AC
 ACQUIRED FROM GRETCHEN CASPER, ET AL



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

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



1" = 200'

DATE DRAWN _____ SCALE _____

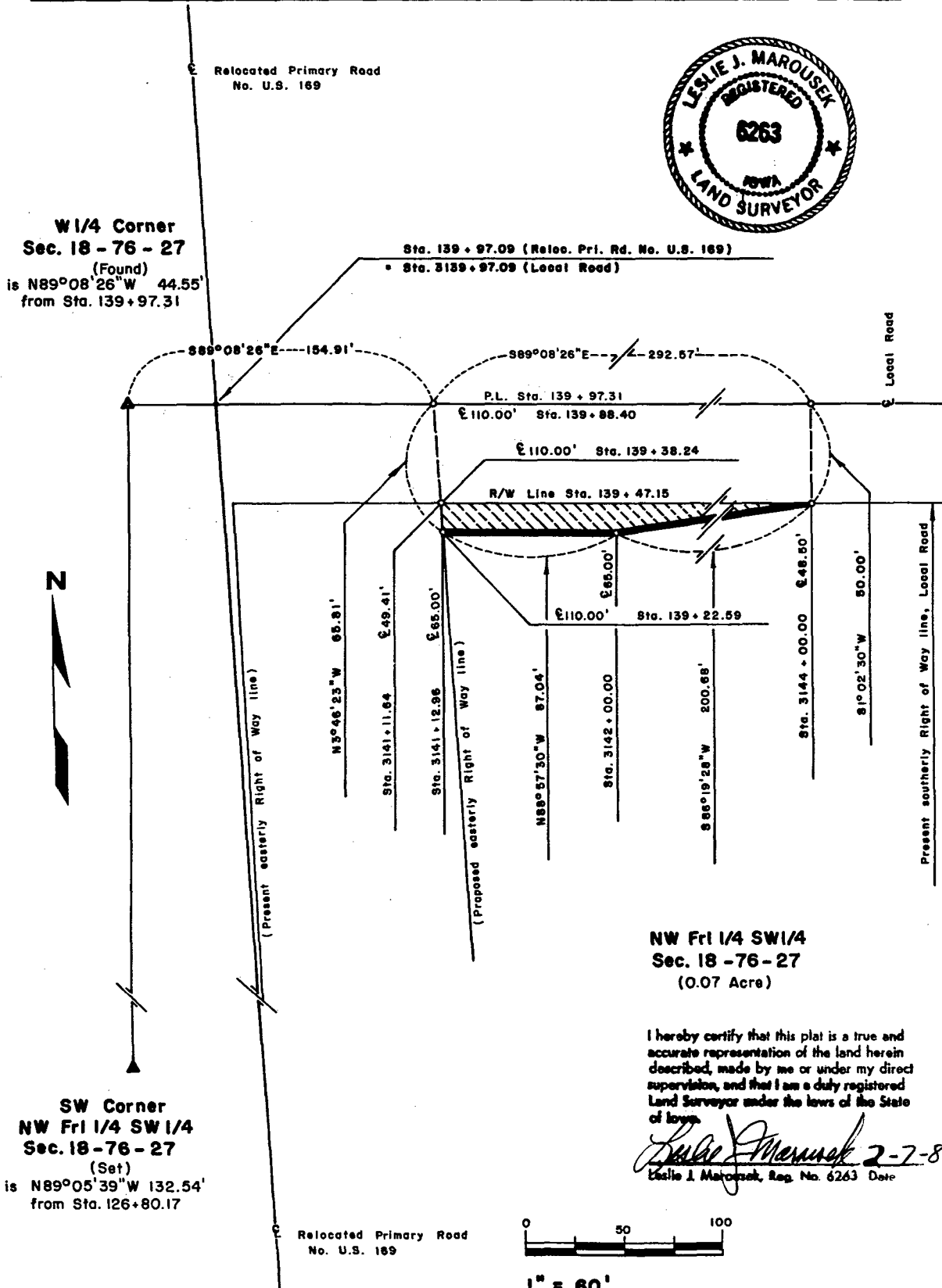
IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT (2 OF 2)
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3(29)--21-61 PARCEL NO. 18
 SECTION 18 TOWNSHIP 76 N RANGE 27 W
 ROW - FEE _____ AC, EASE * 0.07 AC, EXCESS - FEE _____ AC
 ACQUIRED FROM GRETCHEN CASPER, ET AL

* (To be acquired in the name of Madison County, Iowa)



NW 1/4 SW 1/4
Sec. 18 - 76 - 27
(0.07 Acre)

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

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



1" = 60'

DATE DRAWN _____

SCALE _____

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

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

NOTICE

City of Winterset

located in Madison County, Iowa

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

Group "B"

TO:

Robert M. Casper, R.R. 2, Winterset, Iowa
Margaret M. Casper, R.R. 2, Winterset, Iowa
John E. Casper, 1002 West Summit, Winterset, Iowa
Winnie Casper, 1002 West Summit, Winterset, Iowa
Casper Farm, Inc., c/o Robert M. Casper, Registered Agent, R.R. 2, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of
the following described real estate:

Part of the SE 1/4 NE 1/4 and NE 1/4 SE 1/4 of Sec. 13, T76N, R28W of the 5th P.M., Madison
County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in
land more specifically described as follows and shown with reference to their location as
to lands affected on the plat Exhibit "A" attached hereto and to the Application filed with
the Chief Judge of the Judicial District containing Madison County, Iowa, and in the Office
of the Sheriff of Madison County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as
follows:

A parcel of land located in the NE 1/4 SE 1/4 and SE 1/4 NE 1/4 of Sec. 13, T76N, R28W of
the 5th P.M., Madison County, Iowa, as shown on the plat Exhibit "A" attached hereto and by
reference made a part hereof.

Said parcel is described as follows:

Beginning at the E 1/4 Corner of said Sec. 13; thence N0°10'17"E, 339.40 ft. along the east
line of the SE 1/4 NE 1/4 of said Sec. 13; thence S89°17'22"W, 64.03 ft.; thence
S3°46'23"E, 142.93 ft.; thence S6°38'08"E, 100.12 ft.; thence S2°30'53"E, 203.57 ft. to a
point on the present westerly right of way line of Primary Road No. U.S. 169; thence
N89°17'00"E, 33.00 ft. to a point on the east line of the NE 1/4 SE 1/4 of said Sec. 13;
thence N0°03'25"E, 106.43 ft. along said east line to the Point of Beginning, excepting
therefrom present easements of record; containing 0.09 acre, more or less, exclusive of
said exceptions.

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

1. Any and all improvements, including fences, and advertising devices, if any, located
wholly within the land sought by easement for highway purposes are condemned in their
entirety.
2. Any drain tile lines, or outlets, which are located within the land being acquired
under this proceeding, and are damaged or destroyed by highway construction, shall be
relocated, replaced or restored by the condemnor outside of said land being acquired
under this proceeding, and at no expense to the condemnees, and the State of Iowa shall
have a right of temporary easement as necessary over condemnees' remaining property for
the specific purpose of effecting such relocation, replacement or restoration.

Madison County Project No. FN-169-3(29)--21-61
Robert M. Casper, et al (Parcel 20)

Sheet 1

IOWA DEPARTMENT OF TRANSPORTATION



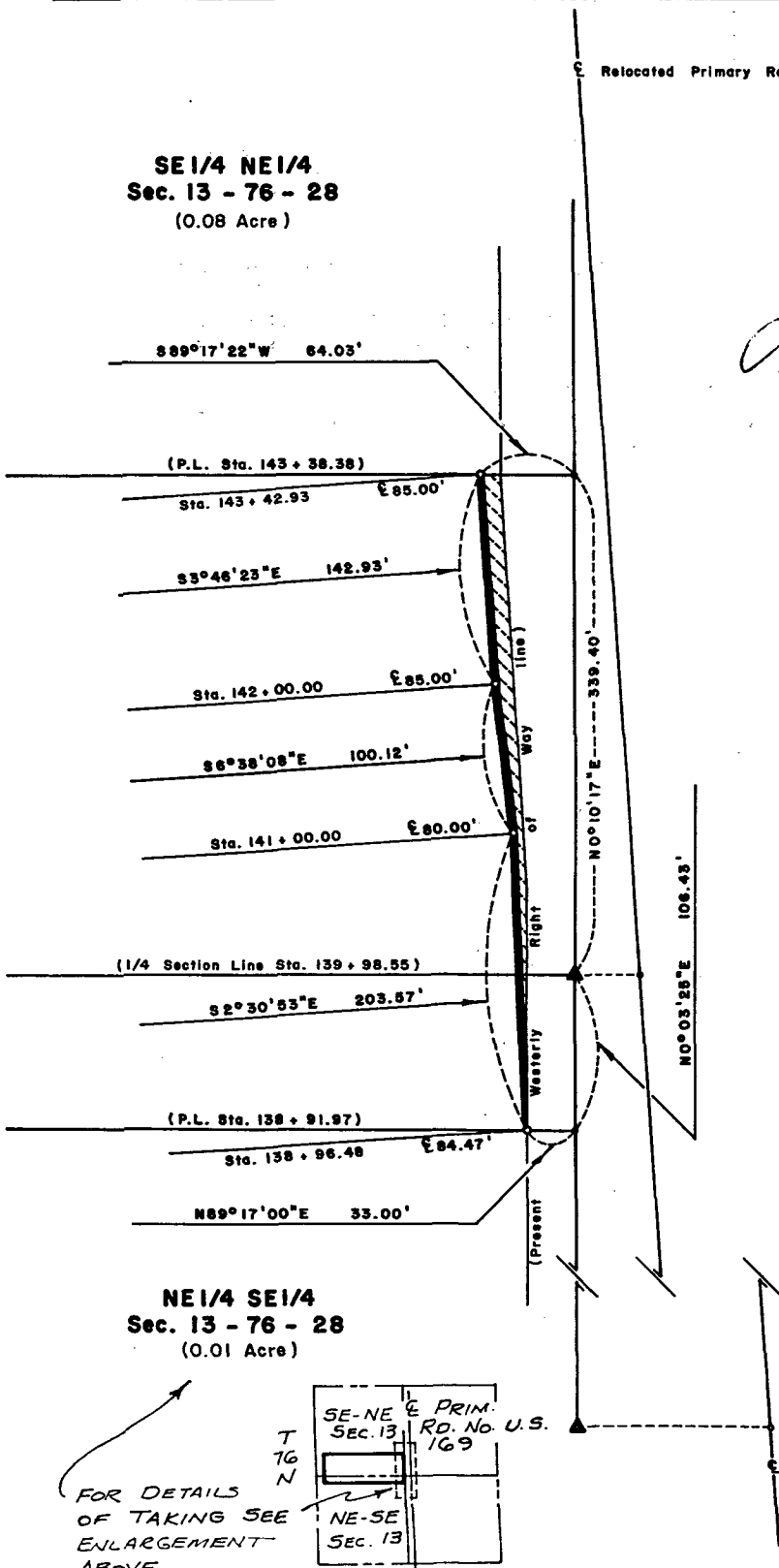
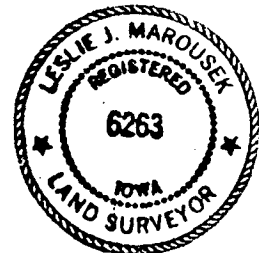
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-189-3 (29) -- 21-61 PARCEL NO. 20
 SECTION 13 TOWNSHIP 76 N RANGE 28 W
 ROW - FEE AC, EASE 0.09 AC, EXCESS - FEE AC
 ACQUIRED FROM ROBERT M. CASPER, ET AL

SE 1/4 NE 1/4
Sec. 13 - 76 - 28
 (0.08 Acre)

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

Leslie J. Marousek 5-4-89
 Leslie J. Marousek, Reg. No. 6263 Date



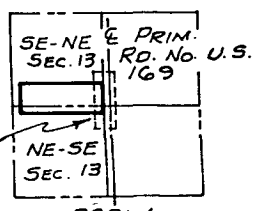
E 1/4 Corner
Sec. 13 - 76 - 28
 (Found)
 is S89°16'02"W 44.47'
 from Sta. 139 + 98.55



SE Corner
NE 1/4 SE 1/4
Sec. 13 - 76 - 28
 (Set)
 is S89°18'04"W 132.29'
 from Sta. 126 + 83.89

Relocated Primary Road No. U.S. 169

NE 1/4 SE 1/4
Sec. 13 - 76 - 28
 (0.01 Acre)



FOR DETAILS OF TAKING SEE ENLARGEMENT ABOVE

DATE DRAWN _____ SCALE 1" = 100'



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

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

NOTICE

City of Winterset

located in Madison County, Iowa

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

Group "B"

TO:

Gretchen Casper, R.R. 2, Winterset, Iowa
Robert M. Casper, R.R. 2, Winterset, Iowa
Margaret M. Casper, R.R. 2, Winterset, Iowa
John E. Casper, 1002 West Summit, Winterset, Iowa
Winnie Casper, 1002 West Summit, Winterset, Iowa
Casper Farm, Inc., c/o Robert M. Casper, Registered Agent, R.R. 2, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of
the following described real estate:

The NW 1/4 SE 1/4 and part of the NE 1/4 SW 1/4, SE 1/4 NW 1/4, SW 1/4 NE 1/4, and SE 1/4
NE 1/4 of Sec. 12, T76N, R28W of the 5th P.M. and part of the SW 1/4 NW 1/4 of Sec. 7,
T76N, R27W of the 5th P.M., all in Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in
land more specifically described as follows and shown with reference to their location as
to lands affected on the plat Exhibit "A" attached hereto and to the Application filed with
the Chief Judge of the Judicial District containing Madison County, Iowa, and in the Office
of the Sheriff of Madison County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as
follows:

A parcel of land located in the NW 1/4 SE 1/4 of Sec. 12, T76N, R28W of the 5th P.M.,
Madison County, Iowa, as shown on the plat Exhibit "A" attached hereto and by reference
made a part hereof.

Said parcel is described as follows:

Commencing at the NE Corner of the NW 1/4 SE 1/4 of said Sec. 12; thence S0°11'22"W,
1069.49 ft. along the east line of said NW 1/4 SE 1/4 to the Point of Beginning; thence
continuing S0°11'22"W, 246.98 ft. along the east line of said NW 1/4 SE 1/4 to a point on
the south line of said NW 1/4 SE 1/4; thence N89°42'18"W, 98.63 ft. along said south line;
thence northeasterly 115.67 ft. along a 1777.02 foot radius curve, concave southeasterly
and having a chord bearing N13°58'38"E, 115.65 ft.; thence N28°02'38"E, 152.11 ft. to the
Point of Beginning; containing 0.33 acre, more or less.

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

1. Any and all improvements, including fences, and advertising devices, if any, located
wholly within the land sought by easement for highway purposes are condemned in their
entirety.
2. Any drain tile lines, or outlets, which are located within the land being acquired
under this proceeding, and are damaged or destroyed by highway construction, shall be
relocated, replaced or restored by the condemnor outside of said land being acquired
under this proceeding, and at no expense to the condemnees, and the State of Iowa shall
have a right of temporary easement as necessary over condemnees' remaining property for
the specific purpose of effecting such relocation, replacement or restoration.

Madison County Project No. FN-169-3(29)--21-61
Gretchen Casper, et al (Parcel 25)

Sheet-1

RIGHT OF WAY PLAT
EXHIBIT "A"



COUNTY MADISON STATE CONTROL NO. 11-00
 PROJECT NO. FN-169-3 (29) -- 21-61 PARCEL NO. 25
 SECTION 12 TOWNSHIP 76 N RANGE 28 W
 ROW - FEE _____ AC, EASE 0.33 AC, EXCESS - FEE _____ AC
 ACQUIRED FROM GRETCHEN CASPER, ET AL

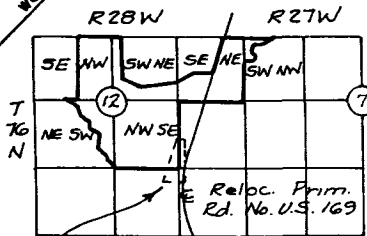


NE Corner
NW1/4 SE1/4
Sec. 12 - 76 - 28
(Set)
is N88°57'26"W 506.91'
from Sta. 197 + 06.90

E1/4 Corner
Sec. 12 - 76 - 28
(Found)
is S88°57'26"E 825.93'
from Sta. 197 + 06.90

Relocated Primary Road No. U.S. 169

(Section Line Sta. 197 + 06.90)



FOR DETAILS OF TAKING
SEE ENLARGEMENT BELOW

NW1/4 SE1/4
Sec. 12 - 76 - 28
(0.33 Acre)

NE1/4 SE1/4
Sec. 12 - 76 - 28

P.I. Sta. 177 + 54.49

$\Delta = 61^{\circ}44'42.99''$ Rt.	$\Delta a = 52^{\circ}59'42.99''$ Rt.
$\beta a = 4^{\circ}22'30''$	$D = 3^{\circ}30'0''$
$Ta = 1104.60'$	$T = 816.10'$
$La = 250.00'$	$L = 1514.15'$
$LT = 166.72'$	$E = 192.15'$
$ST = 83.38'$	$R = 1637.02'$

Equation:
Sta. 198 + 00.00 (Ahead)
Sta. 188 + 18.81 (Back)

Sta. 185 + 55.81 E 113.04'
N28°02'38"E 182.11'
Sta. 184 + 14.04 E 140.00'
L = 115.67' R = 1777.02'
Ch. = N12°58'38"E 118.66'
Sta. 183 + 07.48 E 140.00'

S.T. Sta. 186 + 64.04

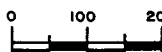
C.S. Sta. 184 + 14.04 (1/4 Section Line Sta. 183 + 36.83)

N89°42'18"W 98.63'

Relocated Primary Road No. U.S. 169

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

Leslie J. Marousek 3-21-
Leslie J. Marousek, Reg. No. 6263 Date



DATE DRAWN _____

SCALE _____

1" = 200'