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

330 nr 1979

DEC 20 RECD

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT	APPLICATION FOR CONDEMNATION AND APPOINTMENT OF COMMISSION TO APPRAISE DAMAGES

TO: THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IOWA

The applicant, Badger Creek Watershed Subdistrict, pursuant to Chapter 472.3 of the Code of Iowa, hereby applies to the Chief Judge of the Fifth Judicial District of Iowa, for the appointment of a commission to appraise the damages to real estate hereinafter described, and in support thereof, states as follows:

1. The applicant is Badger Creek Watershed Subdistrict.

2. The applicant, for itself and its successors and assigns, seeks to condemn and acquire by eminent domain a perpetual easement for the purpose of operating, inspecting, and maintaining both permanent and occasional temporary flood water storage, detention and flowage area together with the right of ingress and egress to applicant, its successors and assigns, at any time upon, over and in the real estate to be condemned.

3. A description of all the property in the county, affected or sought to be condemned, by its congressional numbers, in tracts not exceeding one-sixteenth of a section, or, if the land consists of lots in a city, by the numbers of the lot and block, and plat designation is attached hereto as Exhibit "A" and incorporated herein.

4. The names of all record owners of the different tracts of land sought to be condemned, or otherwise affected by such proceedings, and of all record holders of liens and encumbrances on such lands; and, the place of residence of all such persons so far as known to the applicant is attached hereto and included with Exhibit "A" and incorporated herein.

5. The plat or plats showing the location of the right-of-way or other property sought to be condemned with reference to the real estate heretofore described is attached hereto as Exhibit "B" and incorporated herein.

Applicant requests that the Chief Judge of this Judicial District appoint a Commission to appraise the damages to said real estate pursuant to Chapter 472 of the Code of Iowa.

Dated this 17th day of December, 1979, at Winterset, Madison County, Iowa.

FILED NO 1395
BOOK 113 PAGE 128
1980 FEB 21 PM 1:41
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $15.00

Applicant: BADGER CREEK WATERSHED SUBDISTRICT

By John E. Casper

John E. Casper
223 East Court Avenue
Winterset, Iowa 50273
Tele: (515) 462-4912

STATE OF IOWA)
) ss
MADISON COUNTY)

I, John E. Casper, being first duly sworn on oath do hereby depose and state: that I am the attorney for the applicant in the above Application, that I have read the above and foregoing Application and

and that the statements and allegations therein contained are true and correct as I verily believe.

John E. Casper

Subscribed and sworn to before me this 17 day of December, 1979.

Notary Public

BETH FLANDER NOTARIAL SEAL

Filed in duplicate in my office at Des Moines, Iowa on this 19 day of Dec, 19 79.

Harry Perkins

Chief Judge of the Fifth Judicial District of Iowa including Madison County

EXHIBIT "A"

PARCEL No. 1

DESCRIPTION OF PROPERTY TO BE AFFECTED

South Half (S½) of the Northeast Quarter (NE¼) of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Parcel "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27, 1,307.66 feet to the north line of the South Half of said NE¼; thence N. 83°43' E. 1,389.78 feet along said north line to point of beginning; thence N. 83°43' E. 157.45 feet; thence S. 15°02' W. 47.17 feet; thence S. 23°14' W. 349.45 feet; thence S. 34°24' W. 376.15 feet; thence N. 1°41' W. 92.50 feet; thence N. 29°18' E. 310.65 feet; thence N. 13°24' E. 259.10 feet; thence N. 4°12' W. 44.50 feet to point of beginning containing 1.3897 Acres.

Parcel "B"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the North line of the South Half of said NE¼; thence N. 83°43' E. 2,499.09 feet along said north line to point of beginning; thence N. 83°43' E. 141.18 feet to the east line of said S½ of the NE¼; thence S. 0°00' 331.75 feet; thence S. 86°51' W. 34.12 feet; thence N. 19°29' W. 295.53 feet; thence N. 11°00' W. 40.30 feet to point of beginning containing 0.6812 Acres.

NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa is assumed to bear due North and South.

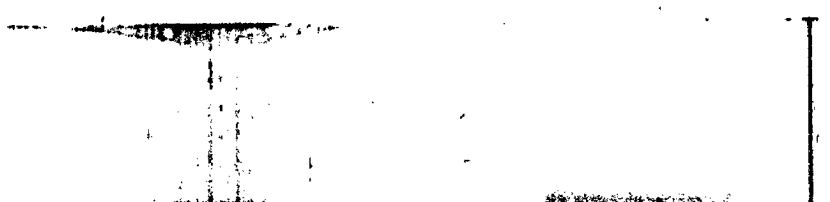
NAMES AND ADDRESSES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION OF SAID PROPERTY

OWNERS: Susie Lynch, Francis M. Lynch and Dorothy Lynch

Address: R. R. Cumming, Iowa 50061

TENANTS: None

LIENHOLDERS: None



PLAT OF A SURVEY MADE FOR BADGER CREEK WATERSHED SUBDISTRICT IN THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 27, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5th P.M., MADISON COUNTY, IOWA

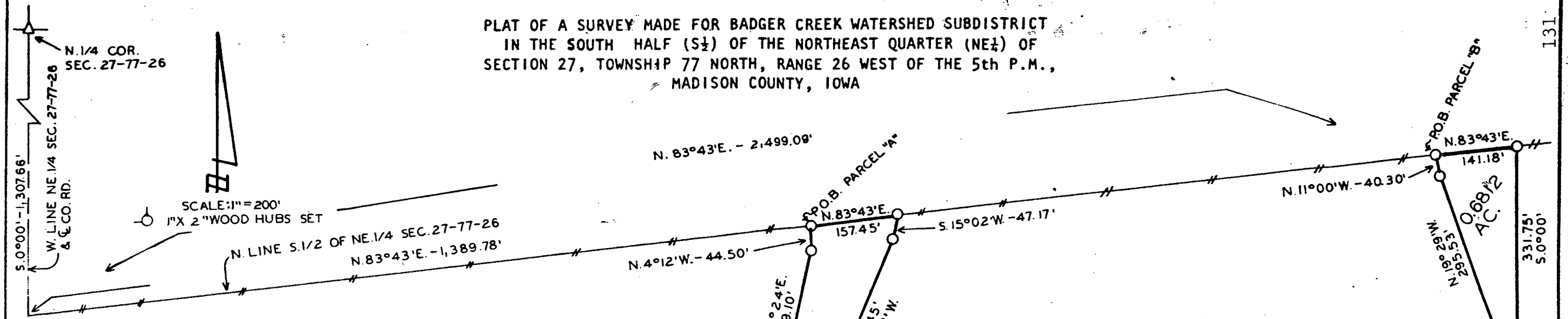


EXHIBIT "B"

DESCRIPTION - PARCEL "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 1,389.78 feet along said north line to point of beginning; thence N.83°43'E. 157.45 feet; thence S.15°02'W. 47.17 feet; thence S.23°14'W. 349.45 feet; thence S.34°24'W. 376.15 feet; thence N.1°41'W. 92.50 feet; thence N.29°18'E. 310.65 feet; thence N.13°24'E. 259.10 feet; thence N.4°12'W. 44.50 feet to point of beginning containing 1.3897 Acres.

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NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County Iowa is assumed to bear due North and South

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

Signed J. M. Hochstetler Date 11/28 1979

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
WINTERSET, IOWA

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

330

DEC 20 REC'D 1979

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 BADGER CREEK WATERSHED SUBDISTRICT	)))	SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONER BY THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT

The above entitled matter upon written Application having come before me for the selection and appointment by lot of six suitable persons as by law provided to act as a compensation commission to appraise the damage to the property described by the Applicant, the undersigned hereby selects and appoints as the members of this compensation commission the following persons:

Name	Address	Qualifications
Ole Olson	Winterset	Licensed Real Estate Broker
Gene Vierling	Winterset	Licensed Real Estate Broker
Kenneth Ritter	Winterset	Knowledgeable of Property
Ernest Stowell	Winterset	Knowledgeable of Property
N. B. Hollingsworth	Winterset	Owner Agricultural Property
Chester Haymond	Winterset	Owner Agricultural Property

The undersigned further appoints Ole Olson to serve as Chairperson of said Commission.

Substitute commissioners have been appointed by lot and shall not serve unless a vacancy occurs. In the event of a vacancy the Sheriff of Madison County, Iowa, shall notify the substitute commissioner or commissioners of their appointment in the same manner as the original commissioners were notified.

Attached hereto is the duplicate of the application for condemnation filed in this matter.

Dated at Des Moines, Iowa on this 19 day of December, 1979.

Harry Perkins
Chief Judge of the Fifth Judicial District
including Madison County, Iowa

Filed in the Sheriff's Office of Madison County at Winterset, Iowa on this 20 day of Dec, 1979.

Rex Rouse
Sheriff of Madison County, Iowa

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 BADGER CREEK WATERSHED SUBDISTRICT	)))	SELECTION AND APPOINTMENT OF SUBSTITUTE COMPENSATION COMMISSIONERS

The above entitled matter upon written application having come before me and a Compensation Commission so appointed pursuant thereto, the undersigned, in the event a commission or commissioners are unable to serve herein, does hereby select and appoint by lot the following persons as substitute commissioners to fill the vacancy in the category in which their name appears:

CATEGORY	NAME	ADDRESS
Licensed Real Estate Broker	Dwight Mundell	Winterset
Knowledgeable of Property	John Foster	Winterset
Owner of Agricultural Property	Darrell Daggett	Earlham

These substitute commissioners shall not serve unless a vacancy occurs. In the event of a vacancy the Sheriff of Madison County, Iowa shall notify the substitute commissioner or commissioners of their appointment as by law provided.

In the event Ole Olson who has been designated as Chairperson of the said Commission is unable to serve, then, and only then, Gene Vierling shall serve as the Chairperson of the said Commission.

Dated at Des Moines, Iowa on this 19 day of December, 1979.

/Harry Perkins
CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT including
MADISON COUNTY, IOWA

Filed in the Sheriff's Office of Madison County, Iowa at Winterset, Iowa on this 20 day of Dec, 1979.

Rex Rueso
Sheriff of Madison County, Iowa

MAD... WINTERSET

330
1979
DEC 2 0 RECD

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	)	APPLICATION FOR CONDEMNATION AND APPOINTMENT OF COMMISSION TO APPRAISE DAMAGES
BADGER CREEK WATERSHED SUBDISTRICT	)	

TO: THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IOWA

The applicant, Badger Creek Watershed Subdistrict, pursuant to Chapter 472.3 of the Code of Iowa, hereby applies to the Chief Judge of the Fifth Judicial District of Iowa, for the appointment of a commission to appraise the damages to real estate hereinafter described, and in support thereof, states as follows:

1. The applicant is Badger Creek Watershed Subdistrict.

2. The applicant, for itself and its successors and assigns, seeks to condemn and acquire by eminent domain a perpetual easement for the purpose of operating, inspecting, and maintaining both permanent and occasional temporary flood water storage, detention and flowage area together with the right of ingress and egress to applicant, its successors and assigns, at any time upon, over and in the real estate to be condemned.

3. A description of all the property in the county, affected or sought to be condemned, by its congressional numbers, in tracts not exceeding one-sixteenth of a section, or, if the land consists of lots in a city, by the numbers of the lot and block, and plat designation is attached hereto as Exhibit "A" and incorporated herein.

4. The names of all record owners of the different tracts of land sought to be condemned, or otherwise affected by such proceedings, and of all record holders of liens and encumbrances on such lands; and, the place of residence of all such persons so far as known to the applicant is attached hereto and included with Exhibit "A" and incorporated herein.

5. The plat or plats showing the location of the right-of-way or other property sought to be condemned with reference to the real estate heretofore described is attached hereto as Exhibit "B" and incorporated herein.

Applicant requests that the Chief Judge of this Judicial District appoint a Commission to appraise the damages to said real estate pursuant to Chapter 472 of the Code of Iowa.

Dated this 17th day of December, 1979, at Winterset, Madison County, Iowa.

Applicant: BADGER CREEK WATERSHED SUBDISTRICT

By John E. Casper
John E. Casper
223 East Court Avenue
Winterset, Iowa 50273
Tele: (515) 462-4912

STATE OF IOWA)
) ss
MADISON COUNTY)

I, John E. Casper, being first duly sworn on oath do hereby depose and state: that I am the attorney for the applicant in the above Application, that I have read the above and foregoing Application and

and that the statements and allegations therein contained are true and correct as I verily believe.

John E. Casper

Subscribed and sworn to before me this 17th day of December, 1979.

Notary Public

Filed in duplicate in my office at Des Moines, Iowa on this 19 day of Dec, 19 79.

Harry Perkins

Chief Judge of the Fifth Judicial District of Iowa including Madison County

EXHIBIT "A"

PARCEL No. 1

DESCRIPTION OF PROPERTY TO BE AFFECTED

South Half (S½) of the Northeast Quarter (NE¼) of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Parcel "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27, 1,307.66 feet to the north line of the South Half of said NE¼; thence N. 83°43' E. 1,389.78 feet along said north line to point of beginning; thence N. 83°43' E. 157.45 feet; thence S. 15°02' W. 47.17 feet; thence S. 23°14' W. 349.45 feet; thence S. 34°24' W. 376.15 feet; thence N. 1°41' W. 92.50 feet; thence N. 29°18' E. 310.65 feet; thence N. 13°24' E. 259.10 feet; thence N. 4°12' W. 44.50 feet to point of beginning containing 1.3897 Acres.

Parcel "B"

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NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa is assumed to bear due North and South.

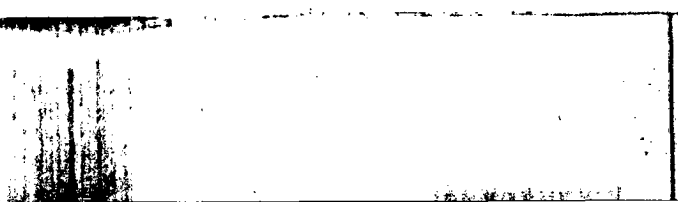
NAMES AND ADDRESSES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION OF SAID PROPERTY

OWNERS: Susie Lynch, Francis M. Lynch and Dorothy Lynch

Address: R. R. Cumming, Iowa 50061

TENANTS: None

LIENHOLDERS: Nofie



PARCEL No. 2

DESCRIPTION OF PROPERTY TO BE AFFECTED

Southeast Quarter (SE¼) of Section 20, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa.

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

A parcel of land described as commencing at the Southeast corner of Section 20, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa. Thence N. 90° 00' W. 2,246.82 feet along the South line of the Southeast Quarter (SE¼) of said Section 20; thence N. 1°14' W. 99.32 feet to point of beginning; thence N. 39°34' W. 231.98 feet; thence N. 1° 52' W. 99.50 feet; thence N. 15°10' E. 171.37 feet; thence N. 9°23' W. 298.00 feet; thence N. 12°15' E. 141.31 feet; thence N. 72°14' E. 146.18 feet; thence N. 12°29' E. 457.16 feet; thence N. 3°41' E. 631.30 feet; thence N. 7°40' W. 187.00 feet; thence N. 36°26' E. 82.39 feet; thence N. 57°07' W. 188.60 feet; thence N. 80°41' E. 134.10 feet; thence N. 29°51' E. 178.00 feet to the North line of the Southeast Quarter (SE¼) of said Section 20; thence N. 90°00' E. 558.00 feet along said North line; thence S. 24°13' W. 657.66 feet; thence S. 8°52' E. 478.00 feet; thence S. 43°17' E. 266.00 feet; thence S. 81°11' W. 355.10 feet; thence S. 30°07' W. 324.75 feet; thence S. 72°35' W. 207.00 feet; thence S. 5°58' W. 602.60 feet; thence S. 4°56' E. 213.34 feet; thence S. 29°01' W. 59.40 feet to point of beginning. Containing 20.4309 acres.
Note: The South line of the SE¼ of Section 20, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa is assumed to bear due East and West.

NAMES AND ADDRESSES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION OF SAID PROPERTY

OWNERS: Susie Lynch, John Lynch and Joan Lynch

ADDRESS: R. R., Cumming, Iowa 50061

TENANTS: None

LIENHOLDERS: Bankers Life Company, 711 High Street, Des Moines, Iowa 50007 and Small Business Administration an agency of the government of the United States of America, East First and Walnut, Des Moines, Iowa 50309

PLAT OF A SURVEY MADE FOR BADGER CREEK WATERSHED SUBDISTRICT IN THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 27, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5th P.M., MADISON COUNTY, IOWA

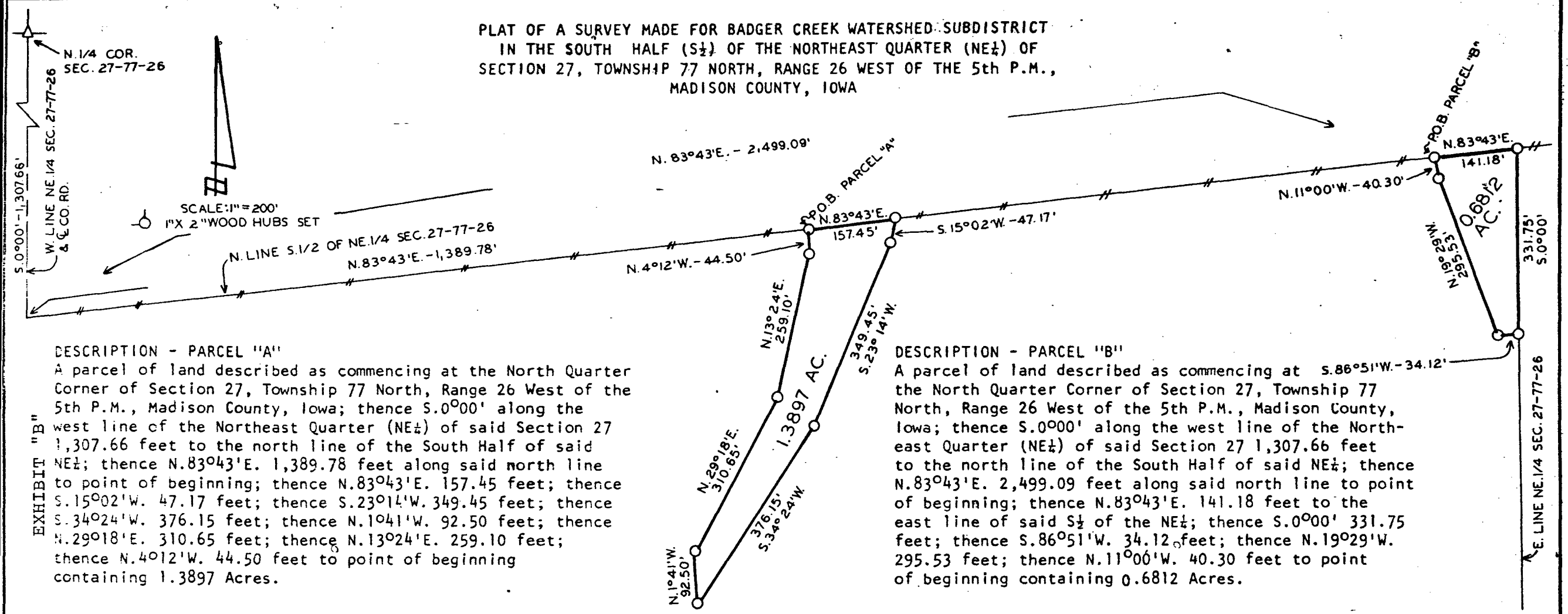


EXHIBIT "B"

DESCRIPTION - PARCEL "A"
A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 1,389.78 feet along said north line to point of beginning; thence N.83°43'E. 157.45 feet; thence S.15°02'W. 47.17 feet; thence S.23°14'W. 349.45 feet; thence S.34°24'W. 376.15 feet; thence N.1°41'W. 92.50 feet; thence N.29°18'E. 310.65 feet; thence N.13°24'E. 259.10 feet; thence N.4°12'W. 44.50 feet to point of beginning containing 1.3897 Acres.

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NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County Iowa is assumed to bear due North and South

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

Signed J. M. Hochstetler Date 11/28 1979

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
WINTERSET, IOWA

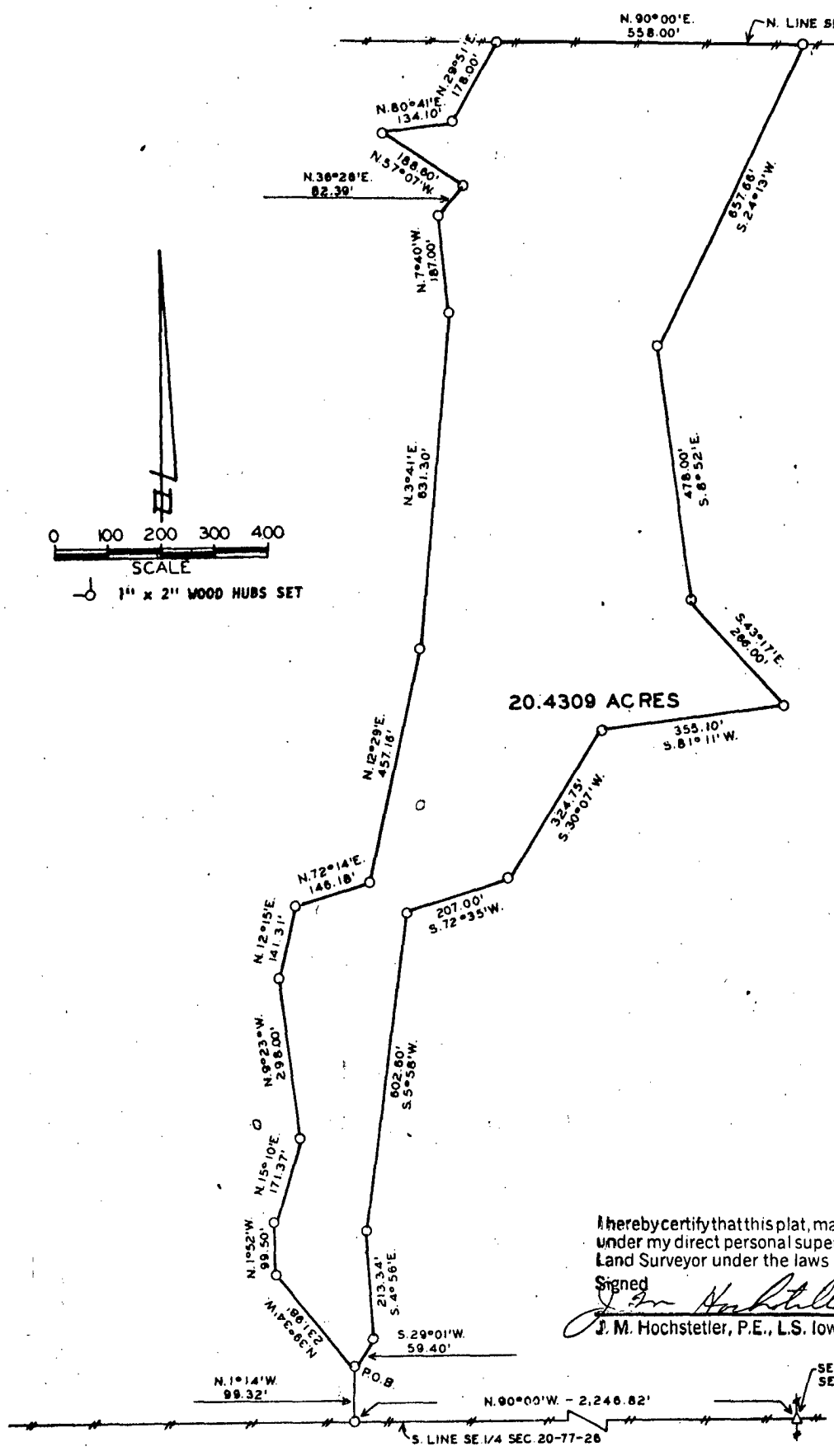
EXHIBIT "B"

PLAT OF A SURVEY MADE FOR THE BADGER CREEK WATERSHED SUBDISTRICT

IN THE SOUTHEAST QUARTER (SE¼)

OF SECTION 20, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M.,

MADISON COUNTY, IOWA



DESCRIPTION:

A PARCEL OF LAND DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA. THENCE N.90°00'W. 2,246.82 FEET ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 20; THENCE N.1°14'W. 99.32 FEET TO POINT OF BEGINNING; THENCE N.39°34'W. 231.98 FEET; THENCE N.1°52'W. 99.50 FEET; THENCE N.15°10'E. 171.37 FEET THENCE N.9°23'W. 298.00 FEET; THENCE N.12°15'E. 141.31 FEET; THENCE N.72°14'E. 146.18 FEET; THENCE N.12°29'E. 457.16 FEET; THENCE N.3°41'E. 631.30 FEET; THENCE N.7°40'W. 187.00 FEET; THENCE N.36°26'E. 82.39 FEET; THENCE N.57°07'W. 188.60 FEET; THENCE N.80°41'E. 134.10 FEET; THENCE N.29°51'E. 178.00 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 20; THENCE N.90°00'E. 558.00 FEET ALONG SAID NORTH LINE; THENCE S.24°13'W. 657.66 FEET; THENCE S.8°52'E. 478.00 FEET; THENCE S.43°17'E. 266.00 FEET; THENCE S.81°11'W. 355.10 FEET; THENCE S.30°07'W. 324.75 FEET; THENCE S.72°35'W. 207.00 FEET; THENCE S.5°58'W. 602.60 FEET; THENCE S.4°56'E. 213.34 FEET; THENCE S.29°01'W. 59.40 FEET TO POINT OF BEGINNING. CONTAINING 20.4309 ACRES.

NOTE: THE SOUTH LINE OF THE SE¼ OF SECTION 20, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA IS ASSUMED TO BEAR DUE EAST AND WEST.

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

Signed J. M. Hochstetler Date Dec. 3 19 79

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
WINTERSET, IOWA

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 BADGER CREEK WATERSHED SUBDISTRICT	)	AMENDED APPLICATION FOR CONDEMNATION AND APPOINTMENT OF COMMISSION TO APPRAISE DAMAGES

TO: The Chief Judge of the Fifth Judicial District of the State of Iowa

The applicant, Badger Creek Watershed Subdistrict, pursuant to Chapter 472.3 of the Code of Iowa, hereby applies to the Chief Judge of the Fifth Judicial District of Iowa, for the appointment of a commission to appraise the damages to real estate hereinafter described, and in support thereof, states as follows:

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2. The applicant, for itself and its successors and assigns, seeks to condemn and acquire by eminent domain a perpetual easement for the purpose of operating, inspecting, and maintaining both permanent and occasional temporary flood water storage, detention and flowage area together with the right of ingress and egress to applicant, its successors and assigns, at any time upon, over and in the real estate to be condemned.

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Applicant requests that the Chief Judge of this Judicial District appoint a Commission to appraise the damages to said real estate pursuant to Chapter 472 of the Code of Iowa.

Dated this 2nd day of January, 1980, at Winterset, Madison County, Iowa.

Applicant: BADGER CREEK WATERSHED SUBDISTRICT

By John E. Casper

John E. Casper
223 East Court Avenue
Winterset, Iowa 50273
Tele: (515) 462-4912

STATE OF IOWA)
) ss
MADISON COUNTY)

I, John E. Casper, being first duly sworn on oath do hereby depose and state: that I am the attorney for the applicant in the above Application, that I have read the above and foregoing Application and that the statements and allegations therein contained are true and correct as I verily believe.

John E. Casper

Subscribed and sworn to before me this 2nd day of January, 1980.

Notary Public

Filed in duplicate in my office at Des Moines, Iowa on this 4th day of January, 1980.

Harry Perkins
Chief Judge of the Fifth Judicial District of Iowa
including Madison County

EXHIBIT "A"

PARCEL No. 1

DESCRIPTION OF PROPERTY TO BE AFFECTED

South Half (S½) of the Northeast Quarter (NE¼) of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Parcel "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27, 1,307.66 feet to the north line of the South Half of said NE¼; thence N. 83°43' E. 1,389.78 feet along said north line to point of beginning; thence N. 83°43' E. 157.45 feet; thence S. 15°02' W. 47.17 feet; thence S. 23°14' W. 349.45 feet; thence S. 34°24' W. 376.15 feet; thence N. 1°41' W. 92.50 feet; thence N. 29°18' E. 310.65 feet; thence N. 13°24' E. 259.10 feet; thence N. 4°12' W. 44.50 feet to point of beginning containing 1.3897 Acres.

Parcel "B"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the North line of the South Half of said NE¼; thence N. 83°43' E. 2,499.09 feet along said north line to point of beginning; thence N. 83°43' E. 141.18 feet to the east line of said S½ of the NE¼; thence S. 0°00' 331.75 feet; thence S. 86°51' W. 34.12 feet; thence N. 19°29' W. 295.53 feet; thence N. 11°00' W. 40.30 feet to point of beginning containing 0.6812 Acres.

NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa is assumed to bear due North and South.

NAMES AND ADDRESSES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION OF SAID PROPERTY

OWNERS: Susie Lynch, Francis M. Lynch and Dorothy Lynch

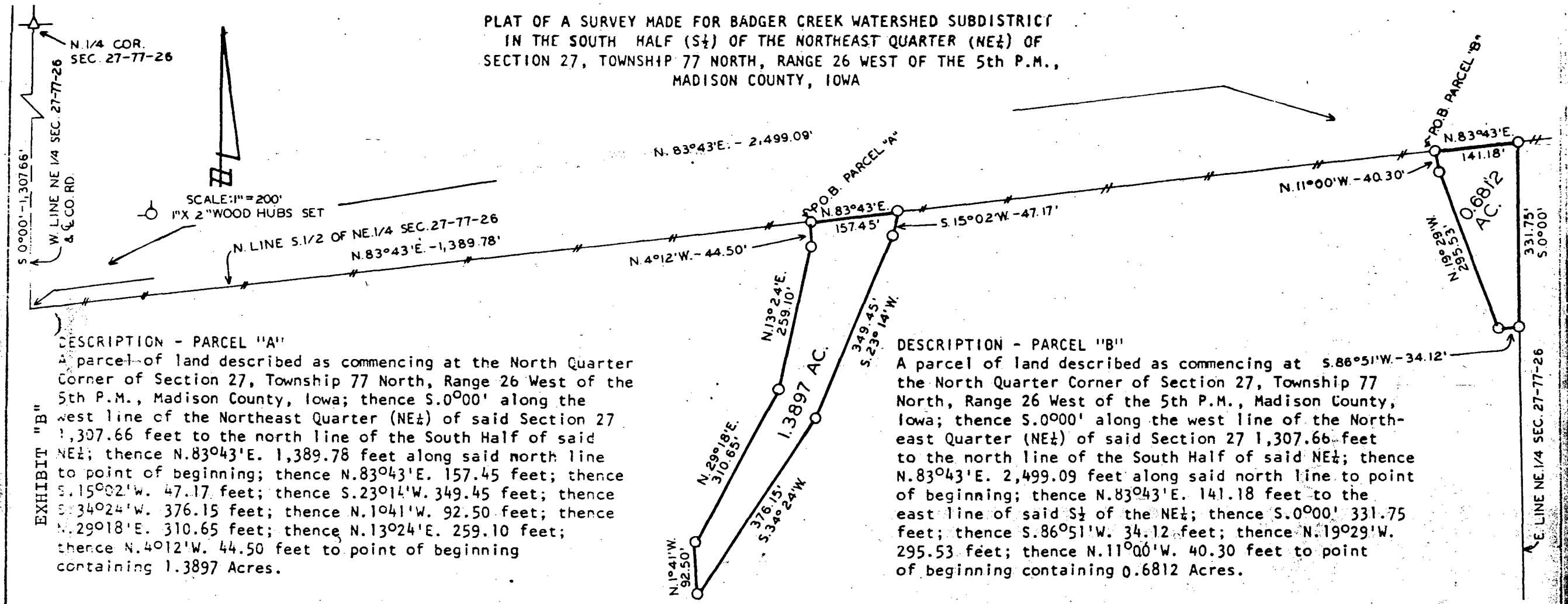
Address: R. R. Cumming, Iowa 50061

TENANTS: None

LIENHOLDERS: None

EXHIBIT "B"

PLAT OF A SURVEY MADE FOR BADGER CREEK WATERSHED SUBDISTRICT IN THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 27, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5th P.M., MADISON COUNTY, IOWA



DESCRIPTION - PARCEL "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 1,389.78 feet along said north line to point of beginning; thence N.83°43'E. 157.45 feet; thence S.15°02'W. 47.17 feet; thence S.23°14'W. 349.45 feet; thence S.34°24'W. 376.15 feet; thence N.10°41'W. 92.50 feet; thence N.29°18'E. 310.65 feet; thence N.13°24'E. 259.10 feet; thence N.4°12'W. 44.50 feet to point of beginning containing 1.3897 Acres.

DESCRIPTION - PARCEL "B"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 2,499.09 feet along said north line to point of beginning; thence N.83°43'E. 141.18 feet to the east line of said S½ of the NE¼; thence S.0°00' 331.75 feet; thence S.86°51'W. 34.12 feet; thence N.19°29'W. 295.53 feet; thence N.11°00'W. 40.30 feet to point of beginning containing 0.6812 Acres.

NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County Iowa is assumed to bear due North and South

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

Signed J. M. Hochstetler Date 11/28 1979

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

VANCE & HOCHSTETLER, P.C
CONSULTING ENGINEERS
WINTERSET, IOWA

143

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	)	AMENDED SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONER BY THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT
BADGER CREEK WATERSHED SUBDISTRICT	)	

The above entitled matter upon written Application having come before me for the selection and appointment by lot of six suitable persons as by law provided to act as a compensation commission to appraise the damage to the property described by the Applicant, the undersigned hereby selects and appoints as the members of this compensation commission the following persons:

Name	Address	Qualifications
Ole Olson	Winterset, Iowa	Licensed Real Estate Broker
Gene Vierling	Winterset, Iowa	Licensed Real Estate Broker
Kenneth Ritter	Winterset, Iowa	Knowledgeable of Property
Ernest Stowell	Winterset, Iowa	Knowledgeable of Property
N. B. Hollingsworth	Winterset, Iowa	Owner Agricultural Property
Chester Haymond	Winterset, Iowa	Owner Agricultural Property

The undersigned further appoints Ole Olson to serve as Chairperson of said Commission.

Substitute commissioners have been appointed by lot and shall not serve unless a vacancy occurs. In the event of a vacancy the Sheriff of Madison County, Iowa, shall notify the substitute commissioner or commissioners of their appointment in the same manner as the original commissioners were notified.

Attached hereto is the duplicate of the application for condemnation filed in this matter.

Dated at Des Moines, Iowa on this 4th day of January, 1980.

/Harry Perkins
Chief Judge of the Fifth Judicial District
including Madison County, Iowa

Filed in the Sheriff's office of Madison County at Winterset, Iowa on this 7th day of Jan, 1980.

Rep Rouse
Sheriff of Madison County, Iowa

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 BADGER CREEK WATERSHED SUBDISTRICT	)))	AMENDED SELECTION AND APPOINTMENT OF SUBSTITUTE COMPENSATION COMMISSIONERS

The above entitled matter upon written application having come before me and a Compensation Commission so appointed pursuant thereto, the undersigned, in the event a commission or commissioners are unable to serve herein, does hereby select and appoint by lot the following persons as substitute commissioners to fill the vacancy in the category in which their name appears:

CATEGORY	NAME	ADDRESS
Licensed Real Estate Broker	Dwight Mundell	Winterset, Iowa
Knowledgeable of Property	John Foster	Winterset, Iowa
Owner of Agricultural Property	Darrell Daggett	Earlham, Iowa

These substitute commissioners shall not serve unless a vacancy occurs. In the event of a vacancy the Sheriff of Madison County, Iowa shall notify the substitute commissioner or commissioners of their appointment as by law provided.

In the event Ole Olson who has been designated as Chairperson of the said Commission is unable to serve, then, and only then, Gene Vierling shall serve as the Chairperson of the said Commission.

Dated at Des Moines, Iowa on this 4 day of January, 1980.

/Harry Perkins

Chief Judge of the Fifth Judicial District including Madison County, Iowa

Filed in the Sheriff's Office of Madison County, Iowa at Winterset, Iowa on this 2nd day of Jan., 1980.

Rex Rouse

Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY	)	No.
BADGER CREEK WATERSHED SUBDISTRICT	)	NOTICE OF HEARING BEFORE COMMISSIONERS

TO: Francis M. Lynch and Dorothy Lynch and Susie Lynch
Cumming, Iowa 50061

OWNER: Susie Lynch, Francis M. Lynch and Dorothy Lynch

TENANT: None

MORTGAGE HOLDER: None

LIEN OR ENCUMBRANCE HOLDER: None

and all other persons, companies, or corporations having any interest in or owning any of the real estate described in Exhibit "A" attached hereto and incorporated herein.

YOU ARE HEREBY NOTIFIED that Badger Creek Watershed Subdistrict desires the condemnation of the land described in Exhibit "B" attached hereto and incorporated herein.

That such condemnation is sought for the following purpose, to-wit: To obtain the permanent and perpetual right and easement to operate, inspect and maintain an occasional temporary flood water storage, detention and flowage area together with the right of ingress and egress to condemnor at any time upon, over and in the real estate legally described in Exhibit "B".

That a commission has been appointed as provided by law for the purpose of appraising the damages which will be caused by said condemnation.

That said commissioners will, on the 15th day of January, 1980, at 10:00 o'clock a m., view said premises and proceed to appraise said damage, at which time you may appear before the commissioners if you care to do so.

By John E Casper
Badger Creek Watershed Subdistrict
John E. Casper, Attorney for Badger Creek Watershed Subdistrict

EXHIBIT "A"

PARCEL No. 1

DESCRIPTION OF PROPERTY TO BE AFFECTED

South Half (S½) of the Northeast Quarter (NE¼) of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Parcel "A"

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NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa is assumed to bear due North and South.

NAMES AND ADDRESSES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION OF SAID PROPERTY

OWNERS: Susie Lynch, Francis M. Lynch and Dorothy Lynch

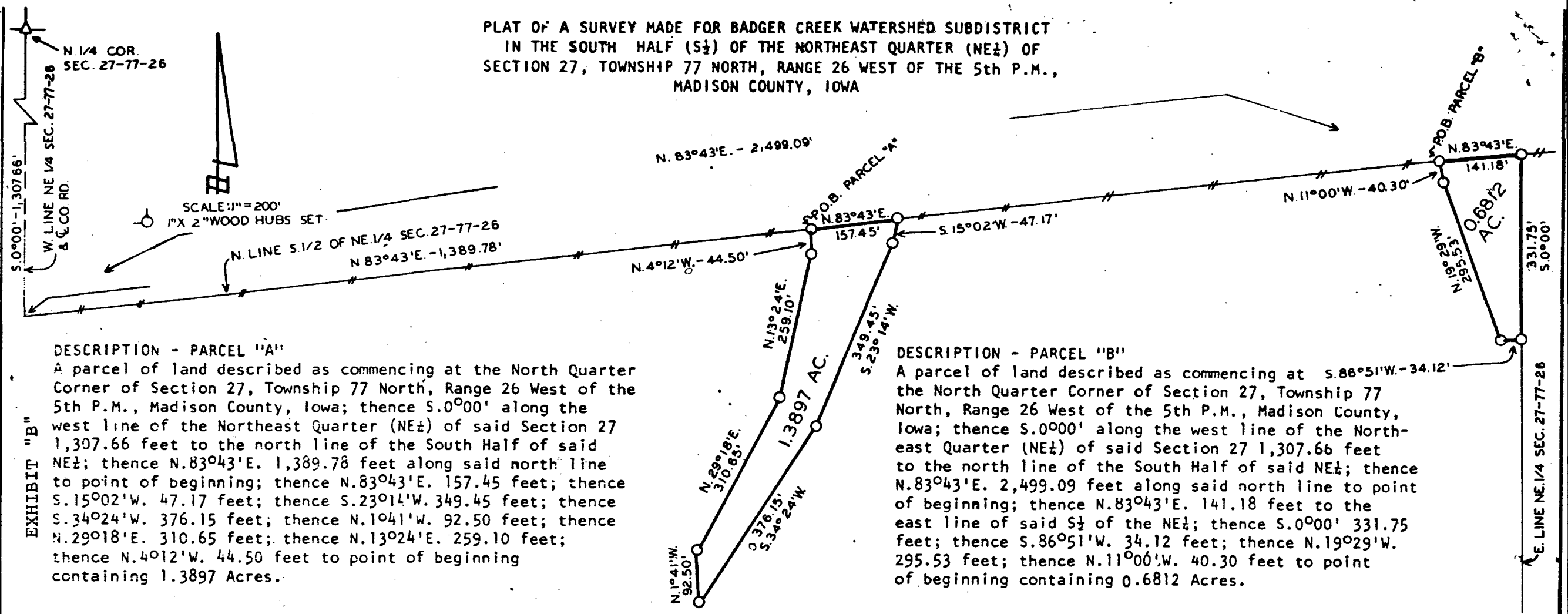
Address: R. R. Cumming, Iowa 50061

TENANTS: None

LIENHOLDERS: None

PLAT OF A SURVEY MADE FOR BADGER CREEK WATERSHED SUBDISTRICT IN THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 27, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5th P.M., MADISON COUNTY, IOWA

EXHIBIT "B"



DESCRIPTION - PARCEL "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 1,389.78 feet along said north line to point of beginning; thence N.83°43'E. 157.45 feet; thence S.15°02'W. 47.17 feet; thence S.23°14'W. 349.45 feet; thence S.34°24'W. 376.15 feet; thence N.10°41'W. 92.50 feet; thence N.29°18'E. 310.65 feet; thence N.13°24'E. 259.10 feet; thence N.4°12'W. 44.50 feet to point of beginning containing 1.3897 Acres.

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NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County Iowa is assumed to bear due North and South

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa

Signed J. M. Hochstetler Date 11/28 1979

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
WINTERSET, IOWA

1148

OFFICERS RETURN OF SERVICE

STATE OF IOWA, Madison County, ss.

The attached notice with copy of Petition attached received this 20th day of December, 1979, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective name.

Name of Defendants	Month	Day	Year	Township	County	State
Francis M. Lynch	December	20th	1979	Lee	Madison	Iowa
Dorothy Lynch	December	20th	1979	Lee	Madison	Iowa
Susie Lynch	December	20th	1979	Lee	Madison	Iowa

Rex Rouse Sheriff

Rex Rouse
Madison County, Iowa

By _____, Deputy Sheriff

FEES

Service $_____

Copies $_____

Notary $_____

Mileage $_____

Total $_____

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

330
1979

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

DEC 2 0 REC'D

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT	SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONER BY THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT

The above entitled matter upon written Application having come before me for the selection and appointment by lot of six suitable persons as by law provided to act as a compensation commission to appraise the damage to the property described by the Applicant, the undersigned hereby selects and appoints as the members of this compensation commission the following persons:

Name	Address	Qualifications
Ole Olson	Winterset	Licensed Real Estate Broker
Gene Vierling	Winterset	Licensed Real Estate Broker
Kenneth Ritter	Winterset	Knowledgeable of Property
Ernest Stowell	Winterset	Knowledgeable of Property
N. B. Hollingsworth	Winterset	Owner Agricultural Property
Chester Haymond	Winterset	Owner Agricultural Property

The undersigned further appoints Ole Olson to serve as Chairperson of said Commission.

Substitute commissioners have been appointed by lot and shall not serve unless a vacancy occurs. In the event of a vacancy the Sheriff of Madison County, Iowa, shall notify the substitute commissioner or commissioners of their appointment in the same manner as the original commissioners were notified.

Attached hereto is the duplicate of the application for condemnation filed in this matter.

Dated at Des Moines, Iowa on this 19 day of December, 1979.

Harry Perkins
Chief Judge of the Fifth Judicial District
including Madison County, Iowa

Filed in the Sheriff's Office of Madison County at Winterset, Iowa on this 20th day of Dec, 1979.

Rex Rouse
Sheriff of Madison County, Iowa

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

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

DEC 20 REC'D 19 79

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT	)))	SELECTION AND APPOINTMENT OF SUBSTITUTE COMPENSATION COMMISSIONERS

The above entitled matter upon written application having come before me and a Compensation Commission so appointed pursuant thereto, the undersigned, in the event a commission or commissioners are unable to serve herein, does hereby select and appoint by lot the following persons as substitute commissioners to fill the vacancy in the category in which their name appears:

CATEGORY	NAME	ADDRESS
Licensed Real Estate Broker	Dwight Mundell	Winterset
Knowledgeable of Property	John Foster	Winterset
Owner of Agricultural Property	Darrell Daggett	Earlham

These substitute commissioners shall not serve unless a vacancy occurs. In the event of a vacancy the Sheriff of Madison County, Iowa shall notify the substitute commissioner or commissioners of their appointment as by law provided.

In the event Ole Olson who has been designated as Chairperson of the said Commission is unable to serve, then, and only then, Gene Vierling shall serve as the Chairperson of the said Commission.

Dated at Des Moines, Iowa on this 19 day of December, 1979.

Harry Perkins
CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT including
MADISON COUNTY, IOWA

Filed in the Sheriff's Office of Madison County, Iowa at Winterset, Iowa on this 20th day of Dec, 1979.

Rep Reuse
Sheriff of Madison County, Iowa

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

330 PM
DEC 20 1979

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT

SUMMONS TO COMMISSIONERS

TO: Ole Olson; Gene Vierling; Kenneth Ritter; John Foster; [illegible]; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at _____, Iowa on this ____day of _____, 1980.

_____
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

_____
Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

_____
Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this ___day of _____, 1980.

_____
Sheriff of Madison County, Iowa



COUNTY OF COVERED BRIDGES

OFFICE OF

Sheriff of Madison County

REX ROUSE, SHERIFF
PAUL D. WELCH, DEPUTY
JOHN TOPPENBERG, DEPUTY
WINTERSET, IOWA 50273

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Dec. 20, 1979

Sirs:

This condemnation concerns the Badger Creek Watershed and involved property owned by - Susie Lynch, Francis M. Lynch, Dorothy Lynch John Lynch and Joan Lynch for your information.

Yours truly,

Rex Rouse

Rex Rouse, Sheriff

PLEASE SIGN AND RETURN ONE COPY TO MY OFFICE.

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

330 PM DEC 20 RECD 1979

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY)
BADGER CREEK WATERSHED SUBDISTRICT) SUMMONS TO COMMISSIONERS

TO: Ole Olson; Gene Vierling; Kenneth Ritter; John Foster; [illegible];
N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at Winterset, Iowa on this 31 day of December, ~~1980~~ 1979

John W. Foster
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 31 day of Dec., 1979.

Rep Rouse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT) SUMMONS TO COMMISSIONERS

TO: Ole Olson; Gene Vierling; Kenneth Ritter; Ernest Stowell; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at _____, Iowa on this 27 day of Dec., 1979.

Chester Haymond
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

Chester Haymond
Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

_____
Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 28 day of Dec, 1979.

Rep Rouse
Sheriff of Madison County, Iowa

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
DEC 26 1979
REC'D

1250

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT)

SUMMONS TO COMMISSIONERS

TO: Ole Olson; Gene Vierling; Kenneth Ritter; Ernest Stowell; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at Winterset, Iowa on this 24th day of Dec, 1979.

Kenneth Ritter
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

Kenneth Ritter
Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 26 day of Dec, 1979.

Rep Rouse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY	)	SUMMONS TO COMMISSIONERS
BADGER CREEK WATERSHED SUBDISTRICT	)	

TO: Ole Olson; Gene Vierling; Kenneth Ritter; Ernest Stowell; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at _____, Iowa on this ____day of _____, 1979.

N.B. Hollingsworth
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

N.B. Hollingsworth
Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

_____
Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 26 day of Dec, 1979.

Rep Rouse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT) SUMMONS TO COMMISSIONERS

TO: Ole Olson; Gene Vierling; Kenneth Ritter; Ernest Stowell; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at Winterset, Iowa on this 21 day of Dec, 1988.

Gene Vierling
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

Gene Vierling
Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 22 day of Dec, 1988.

Rep Rouse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT)

SUMMONS TO COMMISSIONERS

TO: Ole Olson; Gene Vierling; Kenneth Ritter; Ernest Stowell; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at _____, Iowa on this 21 day of Dec, 1979.

Lowell L. Olson
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

Lowell L. Olson
Commission Member

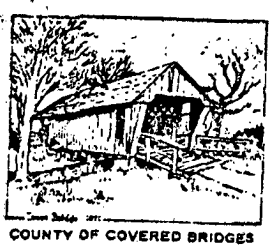
REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

_____
Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 21 day of Dec, 1979.

Rep Rouse
Sheriff of Madison County, Iowa



OFFICE OF

Sheriff of Madison County

REX ROUSE, SHERIFF
PAUL D. WELCH, DEPUTY
JOHN TOPPENBERG, DEPUTY
WINTERSET, IOWA 50273

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Dec. 20, 1979

Sirs:

This condemnation concerns the Badger Creek Watershed and involves property owned by - Susie Lynch, Francis M. Lynch, Dorothy Lynch John Lynch and Joan Lynch for your information.

Yours truly,
Rex Rouse
Rex Rouse, Sheriff

PLEASE SIGN AND RETURN ONE COPY TO MY OFFICE.

Unable to serve on this date
Ernest Stowell

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY	)	SUMMONS TO COMMISSIONERS
BADGER CREEK WATERSHED SUBDISTRICT	)	

TO: Ole Olson; Gene Vierling; Kenneth Ritter; Ernest Stowell; N.B. Hollingsworth; Chester Haymond.

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 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 Ole Olson as Chairperson 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 15th day of January, 1980, at 8:30 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.

Rep Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and proper service of the above summons is hereby accepted and receipt of a copy of the Summons acknowledged at _____, Iowa on this 21 day of Dec, 1979.

_____
Commission Member

CERTIFICATION

The undersigned hereby certifies that he or she does not possess any interest in the above proceeding which would cause the undersigned to render a biased decision herein.

_____
Commission Member

REFUSAL TO SERVE

The undersigned will be unable to serve for the reason that the undersigned possesses an interest in the above proceeding which would cause me to render a biased decision and/or for the reason that

_____
Commission Member

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 22 day of Dec, 1979.

Rep Rouse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY	)	No. _____
BADGER CREEK WATERSHED SUBDISTRICT	)	AFFIDAVIT OF FINAL OFFER

STATE OF IOWA)
) ss
MADISON COUNTY)

The undersigned upon being duly sworn says:

That the most recent offer made to the following person or persons whose property is sought to be condemned was:

Person	Offer
Francis M. Lynch, Dorothy Lynch and Susie Lynch	$150.00

as shown by the duplicate Original of the "Final Offer to Acquire Easement, a true copy of which is attached hereto as Exhibit "A" and incorporated herein.

Dated on this 31st day of December, 1979.

Cyrus B. McDonald

BETH LANDIS Notary Public Iowa NOTARIAL SEAL

Subscribed and sworn to before me this 31st day of December, 1979.

Notary Public

Filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 7th day of Jan, 1980.

Sheriff of Madison County, Iowa

John E. Casper
Madison County Attorney
223 E. Court Ave.
Winterset, Iowa 50273
Tele: (515)462-4912

December 11, 1979

Francis M. Lynch and Dorothy Lynch
R. R.
Cumming, Iowa 50061

and

Susie Lynch
Cumming, Iowa 50061

FINAL OFFER TO ACQUIRE EASEMENT

Pursuant to Chapter 472 of the Code of Iowa the Badger Creek Watershed Subdistrict hereby makes its final offer to pay you the total lump sum of $150.00 in consideration of your execution, acknowledgement and delivery of an easement agreement in form and substance as, and across real estate described in, the Easement Agreement attached hereto as Exhibit "A" and made a part hereof.

A plat showing the proposed easement on your property is enclosed for your information.

If you wish to accept this offer, please advise us by no later than December 31, 1979 of this intention. If a voluntary easement is not acquired for this purpose, condemnation proceedings will be initiated.

Yours truly,

John E. Casper
Madison County Attorney

enclosure

EASEMENT

Francis M. Lynch, Dorothy Lynch and Susie Lynch, hereafter called the Grantor, does hereby grant to the Badger Creek Watershed Subdistrict, hereafter called the Grantee, their successors and assigns, the permanent and perpetual right and easement to operate, inspect and maintain an occasional temporary flood water storage, detention and flowage area together with the right of ingress and egress to Grantee at any time upon, over and in the real estate legally described as:

Parcel "A"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N. 83°43' E. 1,389.78 feet along said north line to point of beginning; thence N. 83°43' E. 157.45 feet; thence S. 15°02' W. 47.17 feet; thence S. 23°14' W. 349.45 feet; thence S. 34°24' W. 376.15 feet; thence N. 1°41' W. 92.50 feet; thence N. 29°18' E. 310.65 feet; thence N. 13°24' E. 259.10 feet; thence N. 4°12' W. 44.50 feet to point of beginning containing 1.3897 Acres.

Parcel "B"

A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S. 0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the North line of the South Half of said NE¼; thence N. 83°43' E. 2,499.09 feet along said north line to point of beginning; thence N. 83°43' E. 141.18 feet to the east line of said S½ of the NE¼; thence S. 0°00' 331.75 feet; thence S. 86°51' W. 34.12 feet; thence N. 19°29' W. 295.53 feet; thence N. 11°00' W. 40.30 feet to point of beginning containing 0.6812 Acres.

NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa is assumed to bear due North and South.

In consideration of this grant, Grantee agrees to pay Grantor the sum of $150.00, receipt of which Grantor hereby acknowledges. This consideration shall constitute full payment for any damages to the land of the Grantor, their successors and assigns, by reason of the operation, inspection and maintenance of the easement referred to herein. The Grantee covenants to maintain the easement area so that no damage will result from its use by Grantee to the adjacent land of the Grantor, their successors and assigns.

The Grantor covenants that no act will be permitted which is inconsistent with the rights hereby conveyed to the Grantee including, but not limited to, the erection of buildings or other structures upon the easement premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush, whether located on the easement property or hanging over the same, and the right to remove from the easement therein any brush or other obstructions which will interfere with or endanger the operation, inspection and maintenance of this easement for its intended purposes and to have reasonable access to this easement area from Grantors adjoining lands in the event other reasonable access is unavailable.

This easement agreement shall run with the land and bind the heirs, successors and assigns of the parties hereto.

The Grantor covenants with Grantee that it is the owner of the above described real estate and has full right and authority to validly grant this easement and the Grantee may quietly enjoy the easement premises.

Dated this ____ day of _____, 19____, at Winterset, Iowa.

GRANTEE

BADGER CREEK WATERSHED SUBDISTRICT

By_____
Chairman

By_____
Secretary

GRANTOR

_____
Francis M. Lynch

_____
Dorothy Lynch

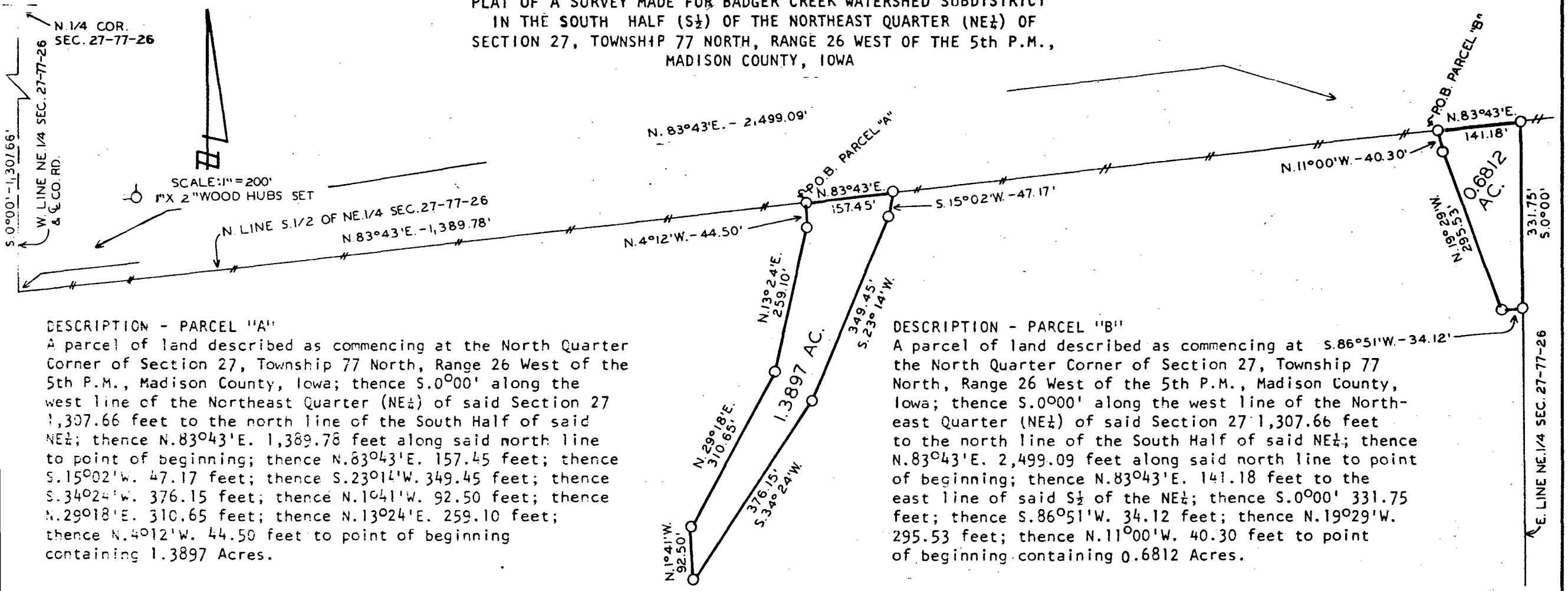
_____
Susie Lynch

STATE OF IOWA)
) ss
MADISON COUNTY)

On this ___ day of _____, 19___ before me, the undersigned, a Notary Public in and for said County and State, personally appeared Francis M. Lynch, Dorothy Lynch and Susie Lynch to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

_____
Notary Public in and for said County and State

PLAT OF A SURVEY MADE FOR BADGER CREEK WATERSHED SUBDISTRICT IN THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 27, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5th P.M., MADISON COUNTY, IOWA



DESCRIPTION - PARCEL "A"
A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 1,389.78 feet along said north line to point of beginning; thence N.83°43'E. 157.45 feet; thence S.15°02'W. 47.17 feet; thence S.23°14'W. 349.45 feet; thence S.34°24'W. 376.15 feet; thence N.1°41'W. 92.50 feet; thence N.29°18'E. 310.65 feet; thence N.13°24'E. 259.10 feet; thence N.4°12'W. 44.50 feet to point of beginning containing 1.3897 Acres.

DESCRIPTION - PARCEL "B"
A parcel of land described as commencing at the North Quarter Corner of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence S.0°00' along the west line of the Northeast Quarter (NE¼) of said Section 27 1,307.66 feet to the north line of the South Half of said NE¼; thence N.83°43'E. 2,499.09 feet along said north line to point of beginning; thence N.83°43'E. 141.18 feet to the east line of said S½ of the NE¼; thence S.0°00' 331.75 feet; thence S.86°51'W. 34.12 feet; thence N.19°29'W. 295.53 feet; thence N.11°00'W. 40.30 feet to point of beginning containing 0.6812 Acres.

NOTE: The west line of the NE¼ of Section 27, Township 77 North, Range 26 West of the 5th P.M., Madison County Iowa is assumed to bear due North and South

Land Surveyor under the laws of the State of Iowa.
By: J. M. Hochstetler
M. Hochstetler P.E. L.S. Iowa Reg. No. 6813
Date 11/28 1979

VANCE & HOCHSTETLER, P.C.
CONSULTING ENGINEERS
WINTERSET, IOWA

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA
330
DEC 20 1971
REC'D

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY)

BADGER CREEK WATERSHED SUBDISTRICT)

OATH OF COMMISSIONERS

STATE OF IOWA)
) ss
MADISON COUNTY)

Each of the undersigned being duly sworn says:

That the affiant does possess the qualifications listed below by his or her name; and

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 Chapters 471 and 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 any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Licensed Real Estate Salesperson or Broker

X Lacye C. L. Olson

Ella Wineinger

Knowledgeable of Property Values by Reason of Occupation

John W. Foster

Kenneth E. Ritter

Agricultural Owner-Operator

N. B. Hollingsworth

Chester C Raymond

City Property Owner

Subscribed and sworn to before me this 15 day of January, 1980.

Ila L. Silvertooth
~~Notary Public~~
Deputy Clerk of Court

Filed in the Office of the Sheriff of Madison County, Iowa at Winterset, Iowa, on this 15th day of January, 1980.

Rep Rouse
Sheriff of Madison County, Iowa

AUG 29 1977

CLERK SUPREME COURT

INSTRUCTIONS TO CONDEMNATION COMMISSIONERS FROM IOWA CHIEF JUSTICE

You have been selected as a compensation commission to determine and assess damages to property condemned for a public use under the power of eminent domain.

Pursuant to the provisions of Section 472.43 Code of Iowa 1977, you are instructed as follows:

1. The Constitution prohibits the taking of private property for a public use without just compensation. Governmental units and certain utilities are authorized by statute to condemn private property or a certain use thereof for public purposes and it is your duty to fix a just compensation for that taking or use. You shall arrive at such compensation in a fair and impartial manner and on an independent basis without taking into consideration any advantages or benefits which may accrue to the property from such public use. The property owner is entitled to be made whole but double recovery is not allowed.

2. Where the entire property unit is taken, the measure of damages is the fair market value of the property immediately before condemnation and before such value has been affected by the proposed public use. Where only a portion of the property unit is taken, including certain rights such as an easement, the measure of damages is the difference between the fair market value of the property as a whole immediately before condemnation and before it has been affected by the proposed public use and the fair market value of what is left after the taking. Any advantage which may accrue to the remaining property by reason of the public use is not to be considered. Substantially the same measure applies to damages to a leasehold.

3. Allowance shall be made to the owner for any personal property damaged or destroyed, for the cost of removing and replacing fences and removing buildings onto abutting property of the owner.

4. Allowance shall be made for cost, if any, of removing personal property a distance not to exceed 25 miles but not over $500.

5. In arriving at the fair market value of the property you shall not consider evidence or information regarding prior negotiations between the parties. However, when you report the commission's award to the sheriff, if it exceeds 110% of the condemnor's final offer, he will so advise you and you will then determine and fix reasonable attorney fees and costs, if any, incurred by the condemnee in presenting his case before your commission.

6. You will be in charge of the sheriff who will administer the oath to you and furnish transportation to and from the site of the property or properties you are required to view.

These brief and general instructions do not purport to enumerate all problems which might confront you but the position of the parties or their attorneys on any additional problems may be explained to you at the time of the hearing.

Prepared at Des Moines, Iowa this 29th day of August, 1977.

RECEIVED
MADISON COUNTY SHERIFF
WINTERSET, IOWA

RPR

AUG 31 1977

C. Edwin Moore

C. EDWIN MOORE, CHIEF JUSTICE
SUPREME COURT OF IOWA

Read to & copy to each commissioner 1-15-80.
Rep Reise, Sheriff

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY	)	No._____
BADGER CREEK WATERSHED SUBDISTRICT	)	NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO: FRANCIS LYNCH: DOROTHY LYNCH: SUSIE LYNCH

OWNERS:

TENANTS:

LIEN OR ENCUMBRANCE HOLDERS:

CONDEMNER:

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: Jan. 15, 1960

Roy Ponse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF MADISON COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY BADGER CREEK WATERSHED SUBDISTRICT	))	No._____ REPORT OF COMPENSATION COMMISSION

TO: SHERIFF OF MADISON COUNTY, IOWA

We, the undersigned, being the duly appointed and qualified commissioners to assess the damages sustained by the owners, lienholders, encumbrancers and other persons interest 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 do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

PERSONS	LAND AND IMPROVEMENTS	CONSEQUENTIAL DAMAGES	TOTAL AWARD	ATTORNEY FEES AND COSTS
Francis Lynch Dorothy Lynch Susie Lynch	$	$	$200.00	$

Respectfully reported at Winterset, Iowa on this 15 day of January, 1980.

COMPENSATION COMMISSION:

Leopold L. Olson — John W. Foster — Chester Haymond — Everett E. Peterson — N.B. Hollingsworth

The above report is hereby filed in the Office of the Sheriff of Madison County, Iowa, at Winterset, Iowa, on this 15th day of Jan., 1980.

Rep Ranse
Sheriff of Madison County, Iowa

Badger Creek Watershed Subdistrict

Report of Compensation Commission Page -2-

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 Jan. 15, 1980, a copy of said Report of Compensation Commission together with a Notice of Appraisement of Damages and Time for Appeal to each of the persons designated thereon.

Rex Ronse
Sheriff of Madison County, Iowa

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for ~~primary road right-of-way on Project~~ BADGER CREEK WATERSHED, hearing having been held on the 15th day of JAN, 1980, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1	day service at $50.00	$ 50.00
	miles at $ ~~.10~~ .18	$ 1.00
1	meals	$ 3.19
	Lodging at _____ Hotel at _____, Iowa	$ 3.19

Given under my hand this 15 day of Jan, 1980.

Lowell D. Olson
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for ~~primary road right-of-way on Project~~ BADGER CREEK WATERSHED, hearing having been held on the 15th day of JAN, 1980, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

_____	day service at $50.00	$ 50 00
42	miles at $ ~~.15~~ .18	$ 7 56
1	meals	$ 3.19
Lodging at _____	Hotel at _____	
_____, Iowa		$ 60 75

Given under my hand this 15th day of January, 1980.

E B Winding
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for ~~primary road right-of-way on Project~~ BADGER CREEK WATERSHED, hearing having been held on the 15th day of JAN, 1980, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

One day service at $50.00 . . . . . $ 50.00

18 miles at $.~~10~~ .18 . . . . . $ 1.80

One meals . . . . . $ 3.19

Lodging at _____ Hotel at _____

_____, Iowa . . . . . $ 5.19

Given under my hand this 15 day of January, 1980.

Everett E. Sitter

COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for ~~primary road right-of-way on Project~~ BADGER CREEK WATERSHED, hearing having been held on the 15th day of JAN., 1980, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1 day service at $50.00	$ 50.00
18 miles at $ ~~.10~~ .18	$ 1.00
1 meals	$ 3.00
Lodging at _____ Hotel at _____ _____, Iowa	$ 54.00

Given under my hand this 15 day of January, 1980.

John W Foster
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for ~~primary road right-of-way on Project~~ BADGER CREEK WATERSHED, hearing having been held on the 15th day of JAN, 1980, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1	day service at $50.00	$ 50.00
16	miles at $ ~~.10~~ .18	$ 2.88
1	meals	$ 3.19
Lodging at _____	Hotel at _____	
_____, Iowa		$ 56.07

Given under my hand this 15 day of Jan, 1980.

Chester Haymond
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of MADISON County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for ~~primary road right of way on Project~~ BADGER CREEK WATERSHED, hearing having been held on the 15th day of JAN, 1980, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1 day service at $50.00 . . . . . $ 50.00

6 miles at $.~~15~~ .18 . . . . . $ 1.08

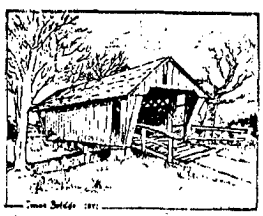
1 meals . . . . . $ 3.19

Lodging at _____ Hotel at _____

_____, Iowa . . . . . $ 54.27

Given under my hand this 15 day of Jan., 1980.

N.B. Hollingsworth
COMMISSIONER


COUNTY OF COVERED BRIDGES

OFFICE OF

Sheriff of Madison County

REX ROUSE, SHERIFF
PAUL D. WELCH, DEPUTY
JOHN TOPPENBERG, DEPUTY
WINTERSET, IOWA 50273

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

SHERIFF'S CERTIFICATION OF COSTS

I further certify that costs incident to this proceeding have been taxed as follows:

	FEES	POSTAGE	MILEAGE	TOTAL
1. Sheriff serving notices	8.00		6.30	$14.30
2. Summoning Commissioners		2.10		2.10
3. Sheriff attending commissioners	30.00		7.56	37.56
	$38.00	2.10	13.86	$53.96

4. COMMISSIONER'S EXPENSES:

Lowell Olson, Chairman 1 day service, mileage and meal	$54.19
E.C. Vierling 1 day service, mileage and meal	60.75
Kenneth Ritter 1 day service, mileage and meal	54.19
John Foster 1 day service, mileage and meal	54.00
Chester Haymond 1 day service, mileage and meal	56.07
N.B. Hollingsworth 1 day service, mileage and meal	54.27
TOTAL COMMISSIONERS EXPENSES	$333.47

5. DAMAGES AWARDED:

John Lynch, Joan Lynch, Susie Lynch	$2,000.00
Lewis Jordan, Attorney fee	350.00
Francis Lynch, Dorothy Lynch, Susie Lynch	200.00
TOTAL DAMAGES AWARDED	$2,550.00

RECAPITULATION

TOTAL SHERIFF'S COSTS	$53.96
TOTAL COMMISSIONER'S EXPENSES	$333.47
TOTAL DAMAGES AWARDED	$2,550.00
GRAND TOTAL	$2,937.43

Certified a true statement of condemnation awards and expenses in connection with: "In the Matter of the Condemnation of Certain Rights in Land by Badger Creek Watershed Subdistrict" and the Original Copies thereof on this 15th day of January, 1980.

Rex Rouse

Rex Rouse, Sheriff
Madison County, Ia.