FILED NO. 1217
BOOK 110 PAGE 1
1972 AUG 23 PM 4:41
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

1

RECEIVED
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MADISON COUNTY
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE APPLICATION BY MADISON COUNTY, IOWA, FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE THE DAMAGES FOR THE TAKING OF REAL ESTATE FOR ROAD IMPROVEMENT PURPOSES

APPLICATION FOR CONDEMNATION OF PROPERTY

IND. 1
REC. 1
PAGE 1

TO: GIBSON C. HOLLIDAY, CHIEF JUDGE, FIFTH JUDICIAL DISTRICT OF IOWA:

COMES NOW Madison County, Iowa, and hereby makes application under the provisions of Section 472.3 of the 1971 Code of Iowa, and in support of said Application, states;

Par. 1

That 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 is as follows:

The southeast quarter (¼) of the southeast quarter (¼); and the southwest quarter (¼) of the southeast quarter (¼), all in Section 28, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "A", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "B", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "C" hereto attached, and by this reference made a part of this Application, and,

The southeast quarter (¼) of the southeast quarter (¼); the northeast quarter (¼) of the southeast quarter (¼); the northwest quarter (¼) of the southeast quarter (¼); the southeast quarter (¼) of the northeast quarter (¼); and the southwest quarter (¼) of the northeast quarter (¼), all in Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, Marked Exhibit "D", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "E", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "F" hereto attached, and by this reference made a part of this Application, and,

The south one-half (½) of the northwest quarter (¼) of the southwest quarter (¼); and the southwest quarter (¼) of the southwest quarter (¼), all in Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "G", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "H", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "I" hereto attached, and by this reference made a part of this Application, and,

The southwest quarter (¼) of the northeast quarter (¼); and the southeast quarter (¼) of the northeast quarter (¼), all in Section 33, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "J", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "K", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "L" hereto attached, and by this reference made a part of this Application, and,

The north one-half (½) of the northwest quarter (¼) of the southwest quarter (¼) in Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "M", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "N", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "O" hereto attached, and by this reference made a part of this Application, and,

The east three-quarters (3/4) of the northwest quarter (¼) of the southeast quarter (¼); the northeast quarter (¼) of the southeast quarter (¼); the east three-quarters (3/4) of the southwest quarter (¼) of the southeast quarter (¼); and the southeast quarter (¼) of the southeast quarter (¼), all in Section 9, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "P", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "Q", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "R" hereto attached, and by this reference made a part of this Application.

Par. 2

That the names of all record owners of the land referred to in Exhibits A, B, and C, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Mary M. Maeder, single	Winterset, Iowa	Winterset, Iowa 50273

That the names of all record owners of the land referred to in Exhibits D, E, and F, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Faye E. Leeper, single	Winterset, Iowa	Winterset, Iowa 50273
Contract Purchasers:		
Russell W. Leeper and Shirley J. Leeper, husband and wife.	Earlham, Iowa	Earlham, Iowa 50072

That the names of all record owners of the land referred to in Exhibits G, H, and I, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Merle J. Leeper, spouse Ruth E. Leeper	Earlham, Iowa	Earlham, Iowa 50072
Easement:		
Iowa Power & Light Company for transmission lines.		

That the names of all record owners of the land referred to in Exhibits J, K, and L, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Clem D. Mitchell and Vera L. Mitchell, husband and wife	Winterset, Iowa	Winterset, Iowa 50273

Name of Mortgage or Lien Holder: Bankers Life Company

That the names of all record owners of the land referred to in Exhibits M, N, and O, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Byron Jones, single, and Helen Jones, single	628 West 5th Street Boone, Iowa	628 West 5th Street Boone, Iowa 50036

Party in Possession:

Marion L. Patience, spouse Berneita J. Patience — Earlham, Iowa 50072

Easement:

Iowa Power & Light Company for transmission line.

That the names of all record owners of the land referred to in Exhibits P, Q, and R, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Byron Jones, single, and Helen Jones, single	628 West 5th Street Boone, Iowa	628 West 5th Street Boone, Iowa 50036

Contract Purchaser:

Marion L. Patience and Berneita J. Patience, husband and wife	Earlham, Iowa	Earlham, Iowa 50072

Lease Holder:

Iowa Power and Light Company

Easement:

Iowa Power and Light Company for transmission line.

Par. 3

That said condemnation is sought for the purpose of highway construction and relocation.

Par. 4

The Applicant hereby requests the appointment of a commission to appraise damages.

WHEREFORE, this Applicant prays for the appointment of a commission to assess damages as provided by Section 472.4 and following of the 1971 Code of Iowa.

Dated this 20 day of June, 1972.

MADISON COUNTY, IOWA

BY _____
C. R. Bentz, County Attorney
in and for Madison County, Iowa

Received June 27 1972
Robert A. Halliday
Chief Judge

FORM 490 4M 2-63 16510 PE-11886

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY Madison PROCEEDINGS Project L-809

OWNER OF RECORD Note: If Minor or Incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Name		Name	Address
Mary M. Maeder	Spouse	Single	Wintereet, Iowa
	Spouse		
	Spouse		
	Spouse		

Occupant of the Land _____ (Name) _____ (Address) Signed? _____

Occupant of the House Mary M. Maeder (Name) Winterset, Iowa (Address) Signed? _____

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

Name of holder	Address

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS. ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

Beginning at the SE corner of the SE¼ of Section 28 T76N R29W of the 5th P.M.; thence west 90.0 feet; thence north 36.4 feet; thence N45°E 49.5 feet; thence north 1250.0 feet; thence east 55.0 feet; thence south 1321.4 feet to the point of beginning and containing 0.46 acres, more or less, exclusive of the present right of way.

Note: the east side of the SE¼ of Section 28 T76N R29W was assumed to bear due north and south.

81 rods woven wire fence.

EXHIBIT "D"

Res. Engr. _____ Address _____

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

Of MARY M. MAEDER

ADDITIONAL

Area of Farm 79.79 Acres.

Sta 52+83.6 to Sta 66+05

Section 28 T 76 N-R 29 W.

Right of Way 0.46 Ac.*
Area Remaining_____Ac. (Rt)
Area Remaining_____Ac. (Lt)
Borrow _____Ac.
Right of Entry_____Ac.
Move Fence_____Rods
New Fence_____Rods
*R. O. W. (Lt. Side)_____Ac.
R. O. W. (Rt. Side)_____Ac.

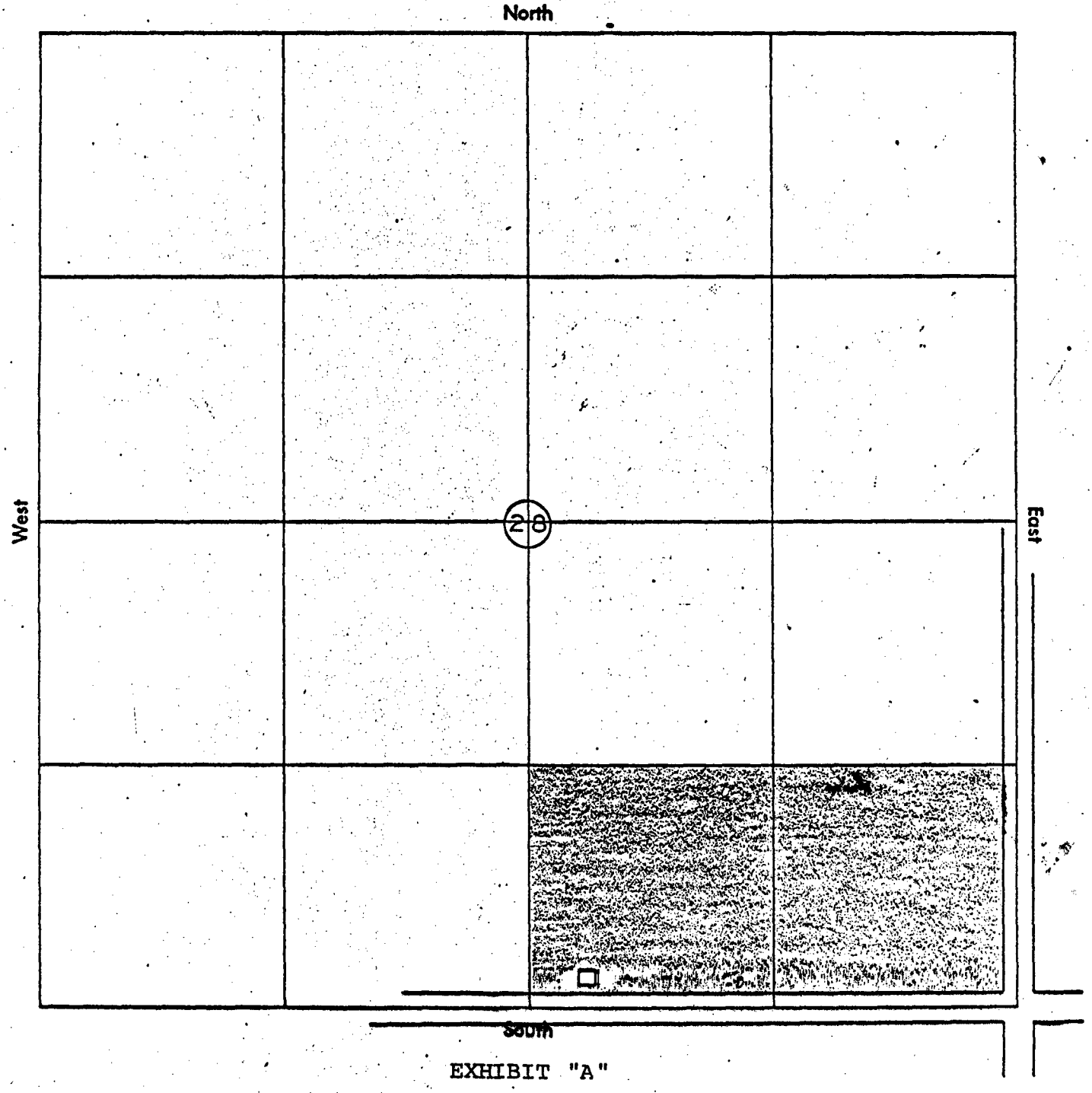


EXHIBIT "A"

MADISON County Project No. L-809

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from MARY M. MAEDER

Married or Single? SINGLE (Give full name of spouse)

R. O. W. Area .076 Acres.

Borrow Area ..... Acres. Total Consideration $.....

Acquired by CONDEMNATION Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 52+836 to CL Station 66+05

Section 28, Township 76 N, Range 29 W

Township (Civil) JACKSON, Iowa.

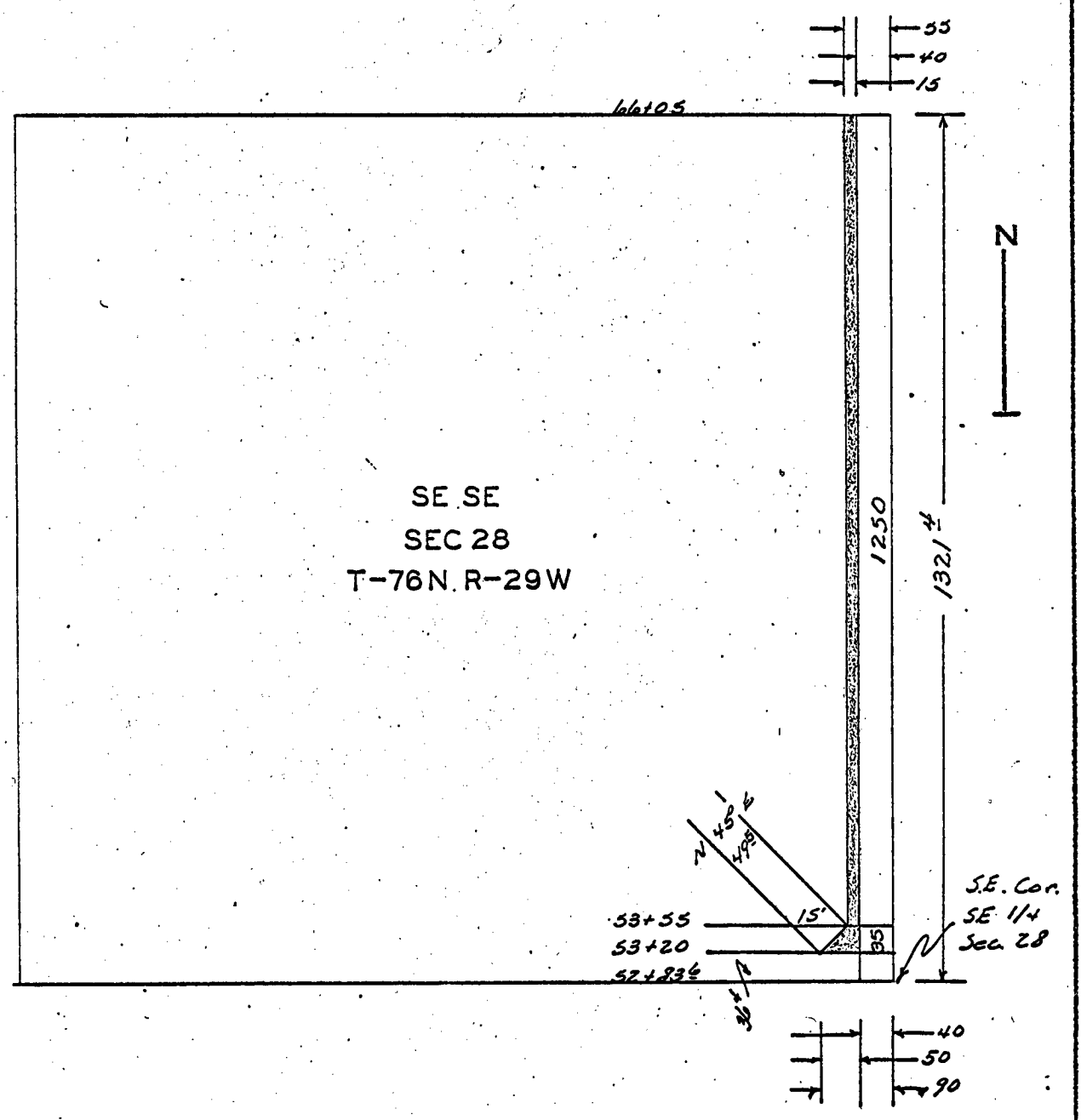


EXHIBIT "C"

MADISON (County) Project No. L-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

FORM 400 4M 2-62 18510 FB-11886

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY Madison **PROCEEDINGS** Project L-809

OWNER OF RECORD Note: If Minor or incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Name	Spouse Name	Address
Faye E. Leeper	Single	Winterset, Iowa

Occupant of the Land Russell Leeper — Earlham, Iowa — Signed? no
(Name — Address)

Occupant of the House Russell Leeper — Earlham, Iowa — Signed? no
(Name — Address)

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

Name of holder	Address

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS. ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

Beginning at the SE corner of Section 9 T76N R29W of the 5th P.M.; thence west 105.0 feet; thence north 36.2 feet; thence N45°E49.5 feet; thence north 785,0 feet; thence N17°06.16'W 136.01 feet; thence N16°23.37'E 177.2 feet; thence north 400.0 feet; thence N11°18.6'W 305.94 feet; thence north 150.0 feet; thence N8°55.84'E 289.88 feet; thence north 421.26 feet; thence N48°25'W 258.52 feet; thence east 181.58 feet; thence north 49.0 feet; thence N9°38.88'W 101.43 feet; thence N2°17.44'E 300.24 feet; thence N8°19.54'W 207.18 feet; thence north 368.0 feet; thence east 100.0 feet; thence south 3929.2 feet to the point of beginning and containing 4.66 acres, more or less, exclusive of the present established highway.

Note: the east side of Section 9 T76N R29W was assumed to bear due north and south.

22 rods barbed wire fence

218 rods woven wire fence

EXHIBIT "E"

Form 489-A
4M—3-67-14593
PB-14373

Plat of Property

Parcel No._____

Of FAYE E LEEPER

Area of Farm 200 Acres.

Sta. 211+43.8 to Sta. 250+73

Section 9 T. 76 N-R. 29 W.

ADDITIONAL
Right of Way 4.66 Ac.*
Area Remaining_____Ac. (Rt)
Area Remaining_____Ac. (Lt)
Borrow _____Ac.
Right of Entry_____Ac.
Move Fence_____Rods
New Fence_____Rods
*R. O. W. (Lt. Side)_____Ac.
R. O. W. (Rt. Side)_____Ac.

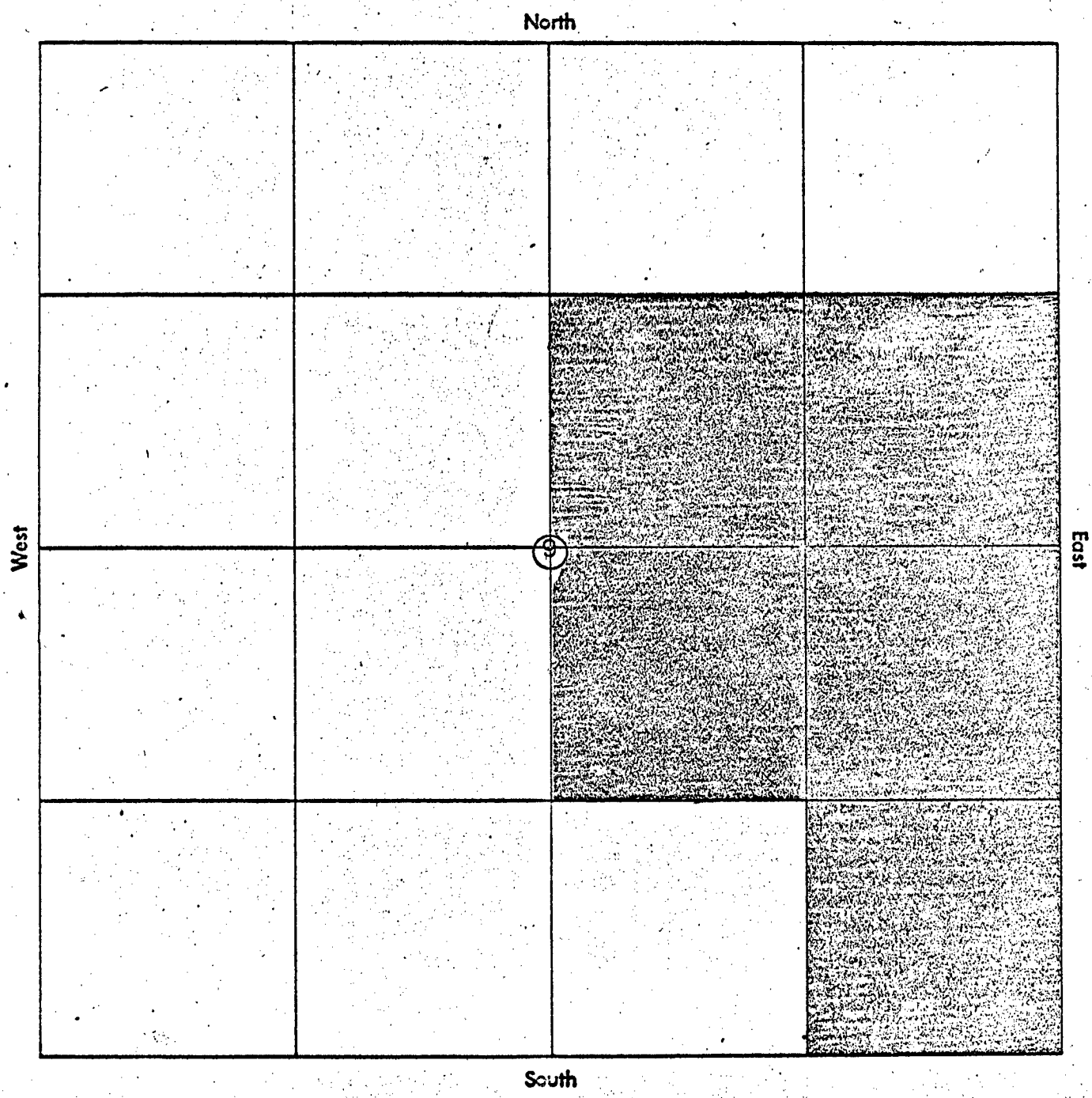


EXHIBIT "D"

MADISON County Project No. L-809

Iowa State Highway Commission
Form No. 476

SHEET 1 OF 2

PROPERTY PLAT

Acquired from FAYE E. LEEPER

Married or Single? (Give full name of spouse)

R. O. W. Area 2.76 Acres.

Borrow Area ..... Acres. Total Consideration $.....

Acquired by CONDEMNATION Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 211+43.8 to CL Station 237+63 ±

Section 9, Township 76 N, Range 29 W

Township (Civil) JACKSON Iowa.

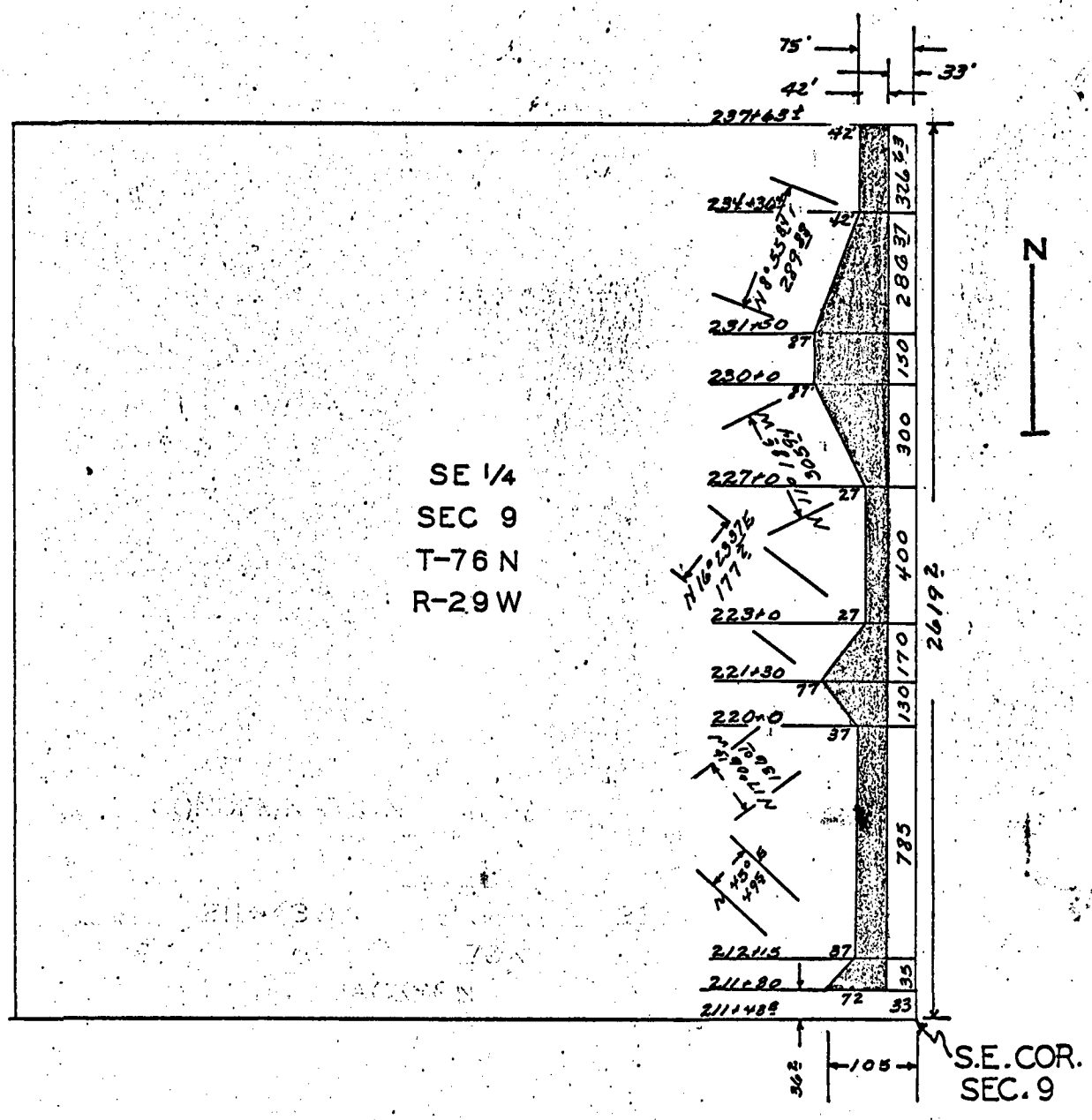


EXHIBIT "F"

MADISON (County) Project No. L-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from FAYE E. LEEPER

Married or Single? SINGLE (Give full name of spouse)

R. O. W. Area 1.90 Acres.

Borrow Area ..... Acres. Total Consideration $.....

Acquired by CONDEMNATION (Easement—Deed—Condemnation—Contract) Date of Contract ....., 19.....

LOCATION

From CL Station 237+63± to CL Station 250+73

Section 9, Township 76 N, Range 29W

Township (Civil) JACKSON, Iowa.

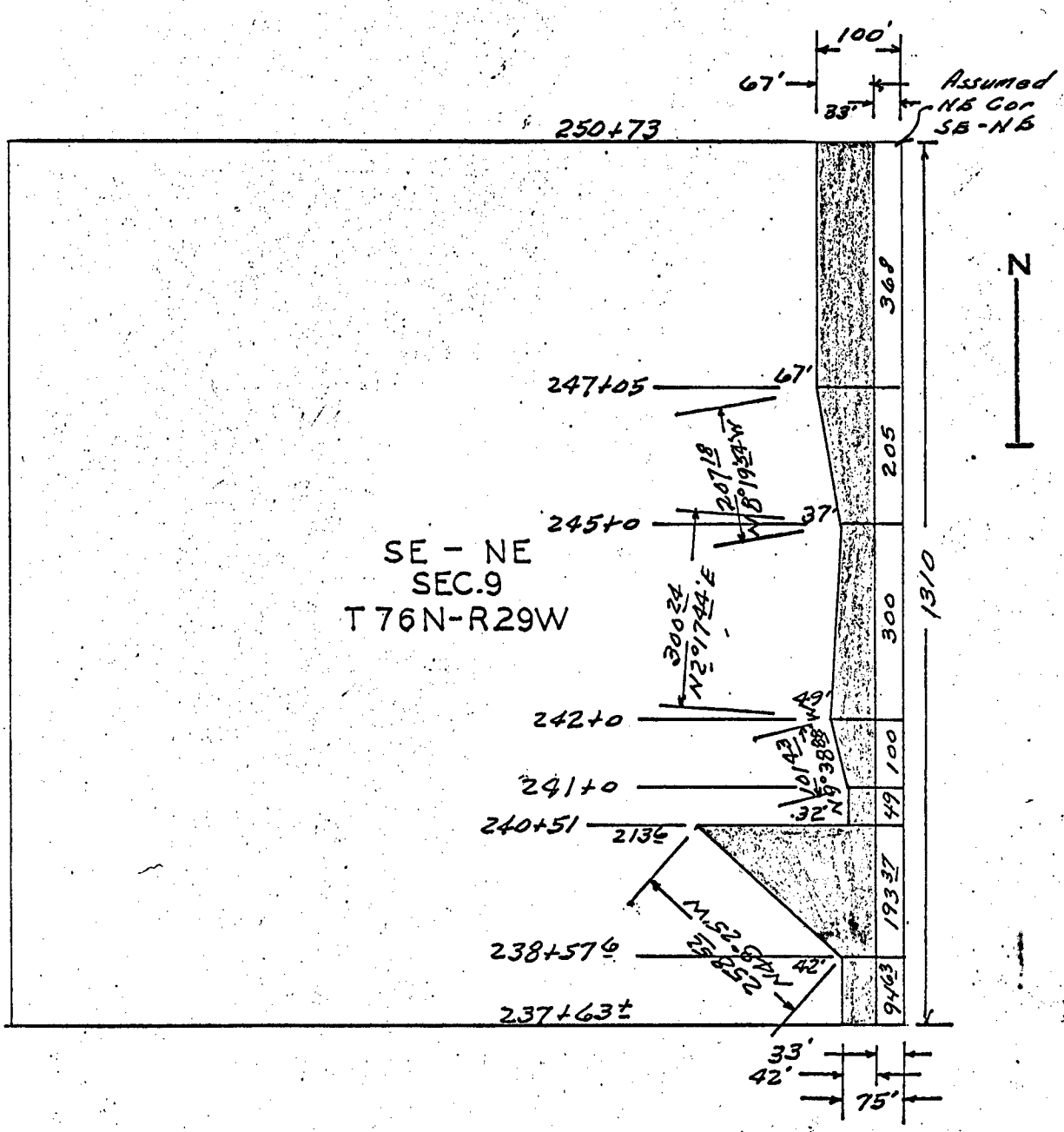


EXHIBIT "F"

MADISON (County) Project No. L-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre). .....

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

Of MERLE J. LEEPER

ADDITIONAL

Right of Way 1.10 Ac.*
Area Remaining_____Ac. (Rt)
Area Remaining_____Ac. (Lt)
Borrow _____Ac.
Right of Entry_____Ac.
Move Fence_____Rods
New Fence_____Rods
*R. O. W. (Lt. Side)_____Ac.
R. O. W. (Rt. Side)_____Ac.

Area of Farm 59.65 Acres.

Sta 526+80.15 to Sta 546+56

Section 10 T 77 N-R 29 W.

North

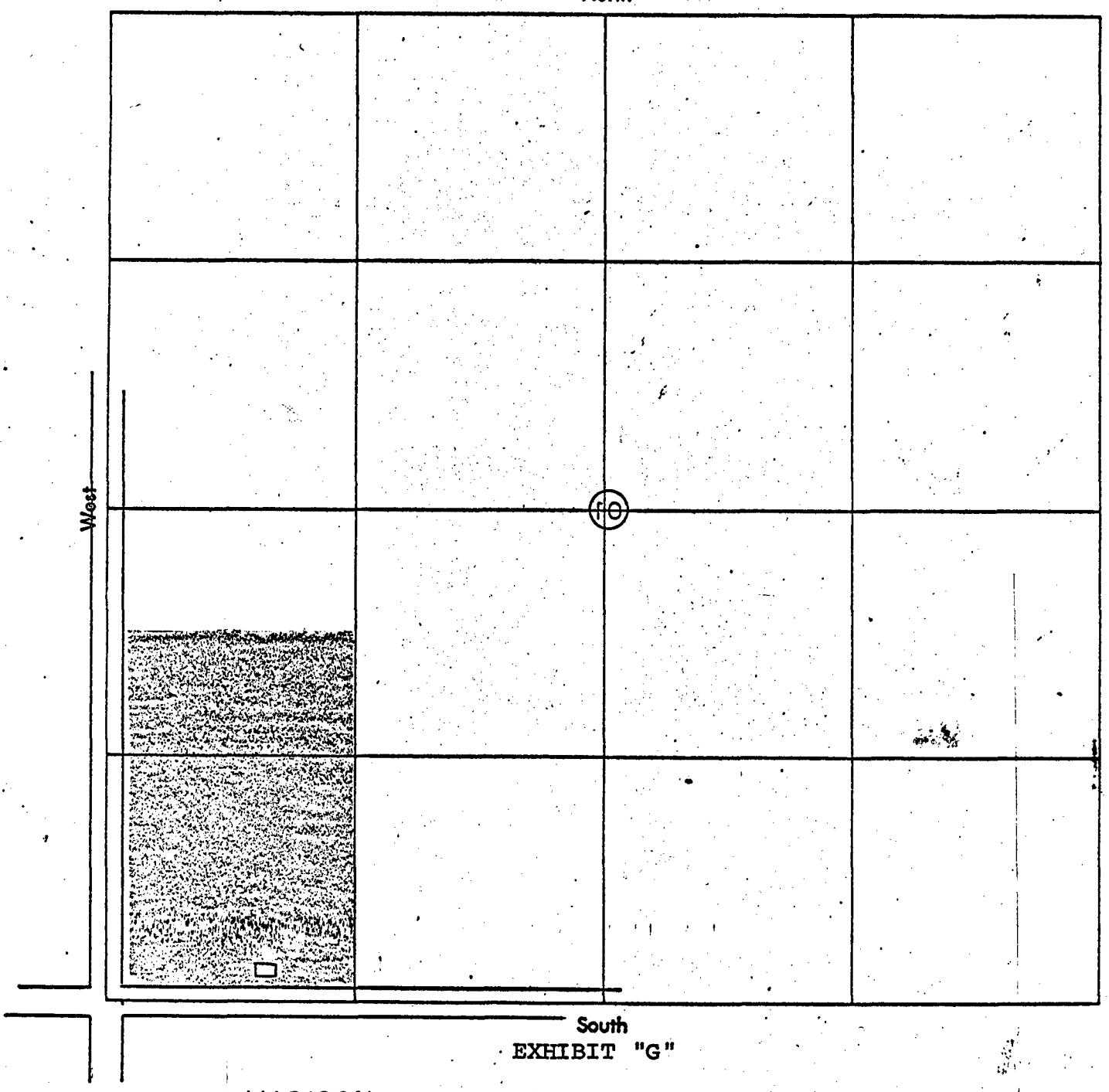


EXHIBIT "G"

MADISON County Project No. L-809

FORM 403 4M 2-62 12510 PM-11868

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY Madison PROCEEDINGS Project L-809

OWNER OF RECORD Note: If Minor or incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Merle J. Leeper (Name) Spouse Ruth E. (Name) Earlham, Iowa (Address)

_____ (Name) Spouse _____ (Name) _____ (Address)

_____ (Name) Spouse _____ (Name) _____ (Address)

_____ (Name) Spouse _____ (Name) _____ (Address)

Occupant of the Land Merle J. Leeper (Name) Earlham, Iowa (Address) Signed? _____

Occupant of the House Merle J. Leeper (Name) Earlham, Iowa (Address) Signed? _____

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

_____ (Name of holder) _____ (Address)

_____ (Name of holder) _____ (Address)

_____ (Name of holder) _____ (Address)

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS. ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

Beginning at the SW corner of the SW¼ of Section 10 T77N R29W of the 5th P.M.; thence east 95.0 feet; thence north 33.85 feet; thence N45°W 49.5 feet; thence north 606.0 feet; thence east 20.0 feet; thence north 239.0 feet; thence west 15.0 feet; thence north 1062.0 feet; thence west 65.0 feet; thence south 1975.85 feet to the point of beginning and containing 1.10 acres, more or less, exclusive of the present right of way.

Note: the west side of the SW¼ of Section 10 T77N R29W was assumed to bear due north and south.

121 rods woven wire fence.

EXHIBIT "H"

Res. Engr. _____ Address _____

PROPERTY PLAT

Acquired from MERLE J. LEEPER

Married or Single? MARRIED, RUTH E
(Give full name of spouse)

R. O. W. Area 1.10 Acres.

Borrow Area ..... Acres. Total Consideration $.....

Acquired by CONDEMNATION Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 526+80.15 to CL Station 546+56

Section 10, Township 77 N, Range 29 W

Township (Civil) PENN, Iowa.

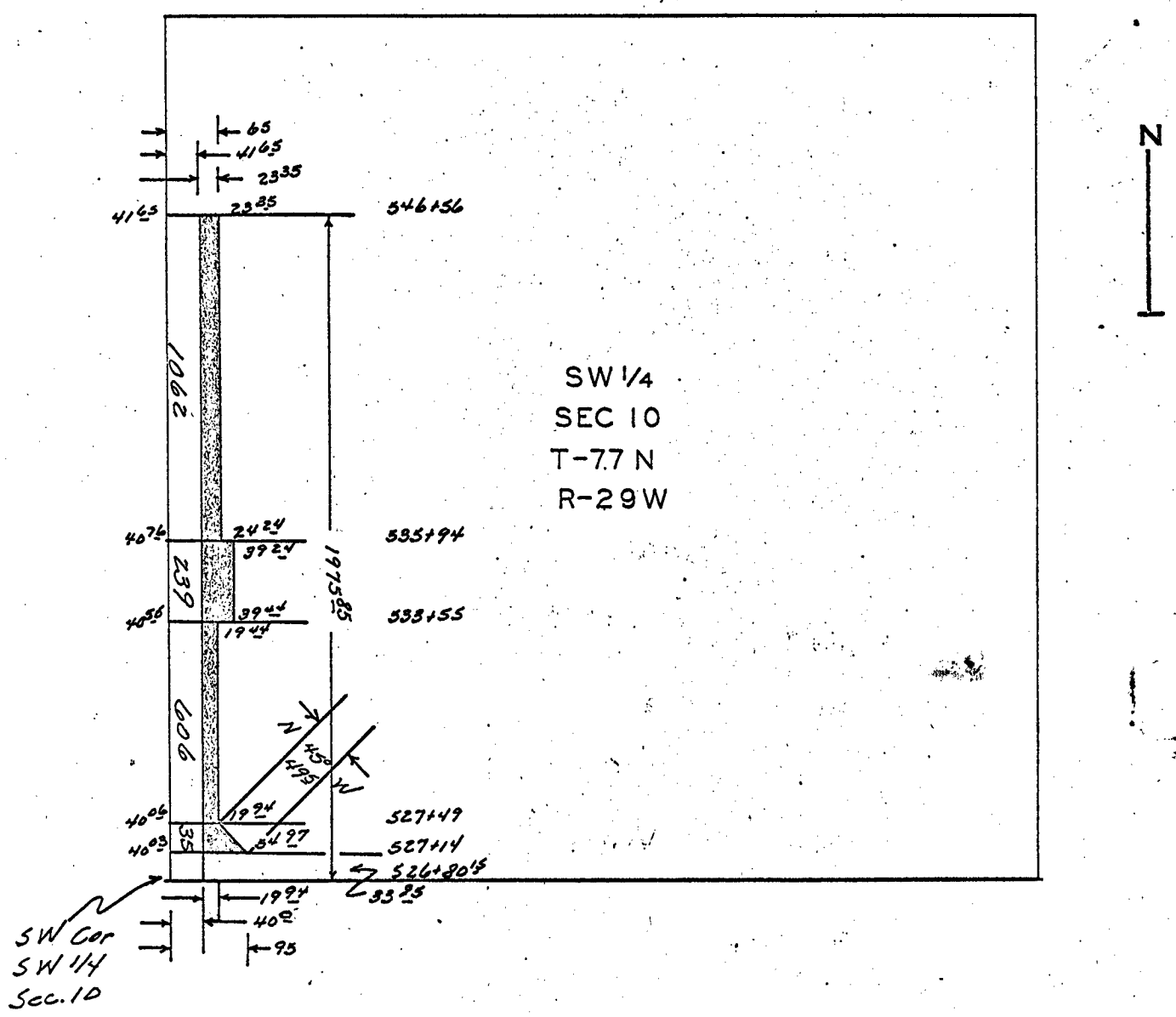


EXHIBIT "I"

MADISON (County) Project No. I-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

Of: CLEM D. AND VERA L. MITCHELL

Area of Farm 80 Acres.

Sta 26+45 to Sta 39+62

Section 33 T 76 N-R 29 W.

ADDITIONAL
Right of Way 0.90 Ac.*
Area Remaining_____Ac. (Rt)
Area Remaining_____Ac. (Lt)
Borrow _____Ac.
Right of Entry_____Ac.
Move Fence_____Rods
New Fence_____Rods
*R. O. W. (Lt. Side)_____Ac.
R. O. W. (Rt. Side)_____Ac.

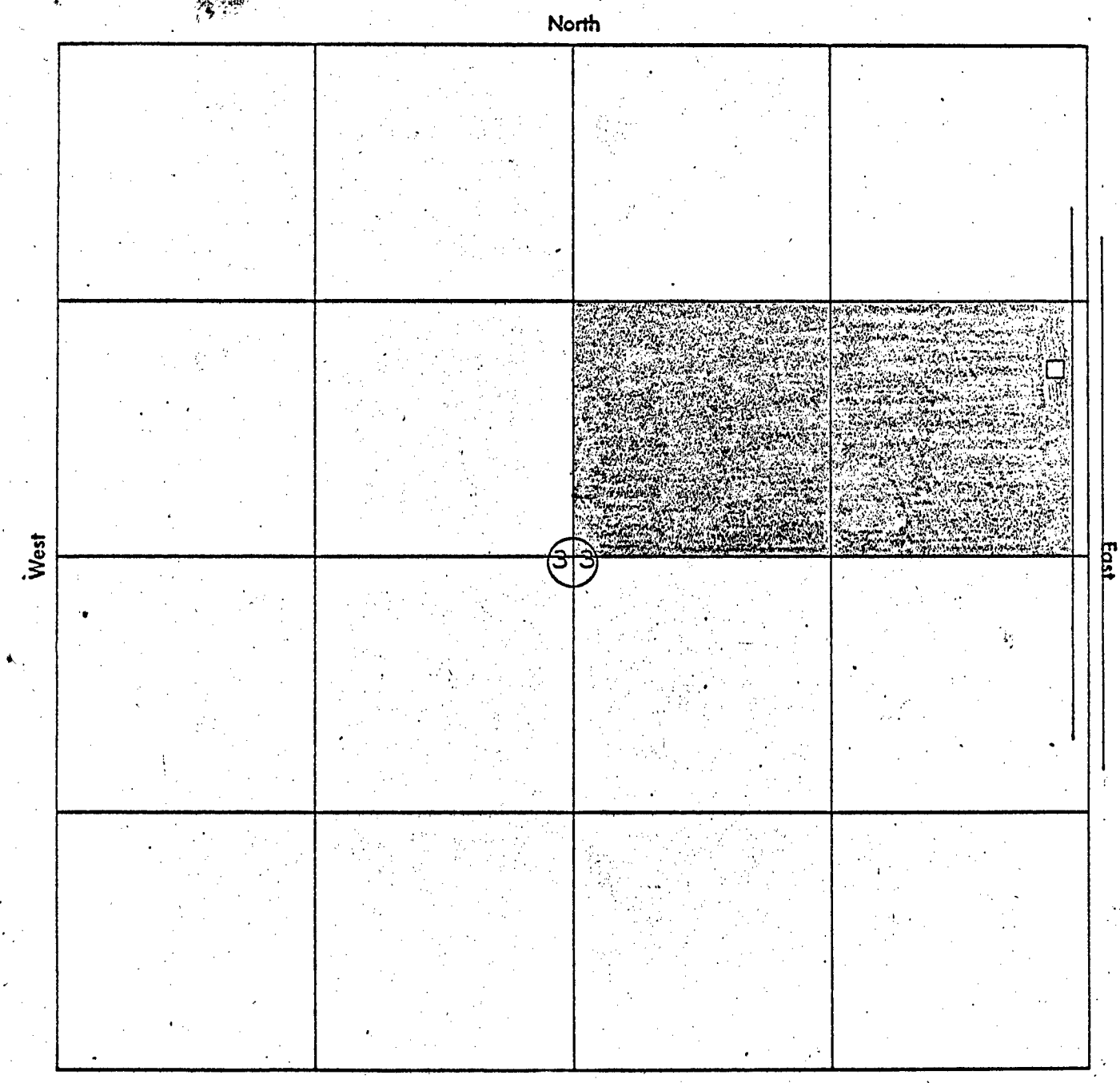


EXHIBIT "J"

MADISON County Project No. L-809

FORM 400 4M 2-63 18510 PB-113C0

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY ~~Madison~~ **PROCEEDINGS** Project L-809

OWNER OF RECORD Note: If Minor or incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Name	Spouse	Name	Address
Clem D. Mitchell	Spouse	Vera L.	Winterset, Iowa
Vera L. Mitchell	Spouse	Clem D.	Winterset, Iowa
	Spouse		
	Spouse		

Occupant of the Land Clem D. Mitchell (Name) Winterset, Iowa (Address) Signed? no

Occupant of the House _____ (Name) _____ (Address) Signed? _____

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

Name of holder	Address

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS. ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

Beginning at a point 1321.6 feet south of the NE corner of the NE¼ of Section 33 T76N R29W of the 5th P.M.; thence west 53.15 feet; thence S0°04.82'E 377.0 feet; thence east 13.0 feet; thence S0°04.82'E 70.0 feet; thence west 18.0 feet; thence S0°04.82'E 315.0 feet; thence S5°37.87'W 301.45 feet; thence S3°26.82'E 255.46 feet; thence east 71.3 feet to the assumed SE corner of the NE¼ of said Section 33; thence north 1317.0 feet to the point of beginning and containing 0.90 acres, more or less, exclusive of the present right of way.

Note: the east side of Section 33 T76N R29W was assumed to bear due north and south.

53 rods woven wire fence.

EXHIBIT "K"

Res. Engr. _____ Address _____

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from CLEM D. AND VERA L. MITCHELL

HUSBAND AND WIFE

Married or Single? (Give full name of spouse)

R. O. W. Area 0.90 Acres.

Borrow Area ..... Acres. Total Consideration $ .....

Acquired by CONDEMNATION Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 26+45 to CL Station 39+62

Section 33, Township 76 N, Range 29 W

Township (Civil) JACKSON, Iowa.

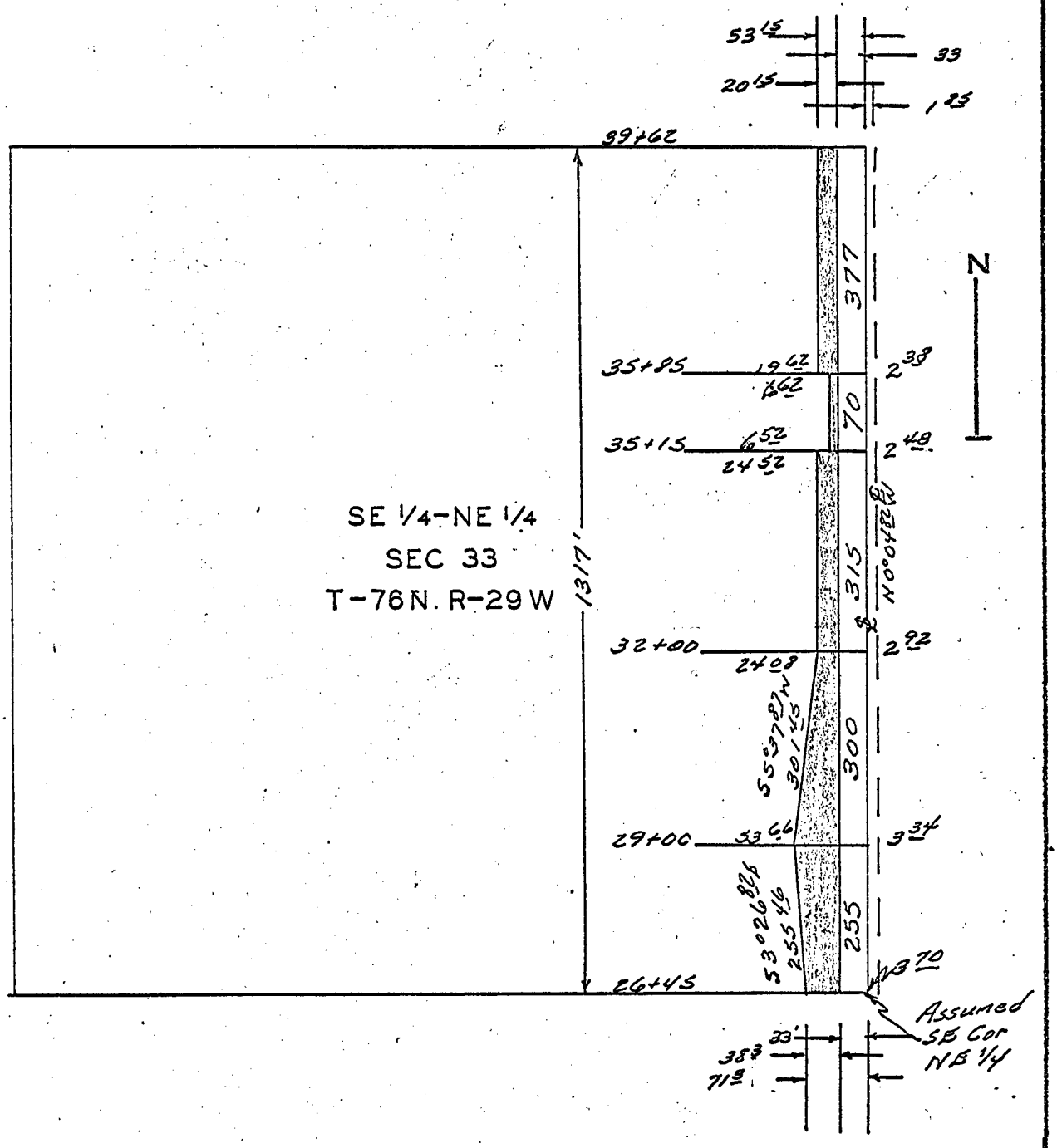


EXHIBIT "L"

MADISON (County) Project No. L-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

Of BYRON JONES AND HELEN JONES

ADDITIONAL

Right of Way 0.27 Ac.*
Area Remaining_____Ac. (Rt)
Area Remaining_____Ac. (Lt)
Borrow _____Ac.
Right of Entry_____Ac.
Move Fence_____Rods
New Fence_____Rods
*R. O. W. (Lt. Side)_____Ac.
R. O. W. (Rt. Side)_____Ac.

Area of Farm 20 Acres.

Sta 546+56.0 to Sta 553+16.45

Section 10 T 77 N-R 29 W.

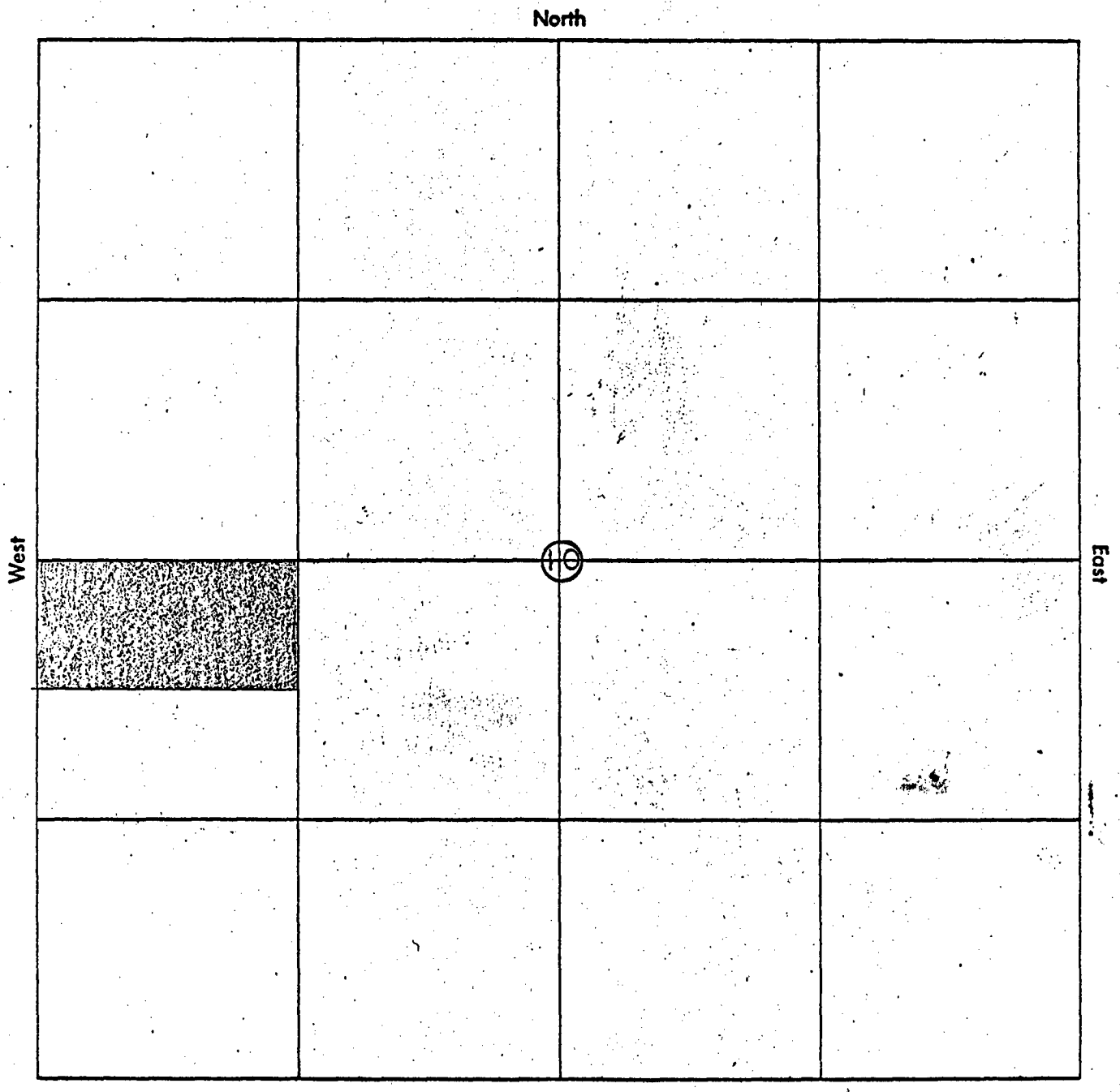


EXHIBIT "M"

MADISON County Project No. L-809

FORM 409 4M 9-62 12510 PB-11808

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY Madison

PROCEEDINGS

Project L-809

OWNER OF RECORD

Note: If Minor or incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Name	Spouse Name	Address
Byron Jones	Single	628 W. 5th St., Boone, Iowa 50036
Helen Jones	Single	628 W. 5th St., Boone, Iowa 50036

Occupant of the Land _____ Name _____ Address _____ Signed? _____

Occupant of the House _____ Name _____ Address _____ Signed? _____

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

Name of holder	Address

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS.

ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

The west 60.0 feet of the north half of the NW¼ of the SW¼ of Section 10 T77N R29W of the 5th P.M. containing 0.27 acres, more or less, exclusive of the present right of way.

40 rods woven wire fence.

EXHIBIT "N"

Res. Engr. _____ Address _____

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from BYRON JONES AND HELEN JONES

Married or Single? SINGLE (Give full name of spouse)

R. O. W. Area 0.27 Acres.

Borrow Area ..... Acres. Total Consideration $.....

Acquired by CONDEMNATION (Easement—Deed—Condemnation—Contract) Date of Contract ....., 19.....

LOCATION

From CL Station 546+56 to CL Station 553+16.45

Section 10, Township 77 N, Range 29 W

Township (Civil) PENN, Iowa.

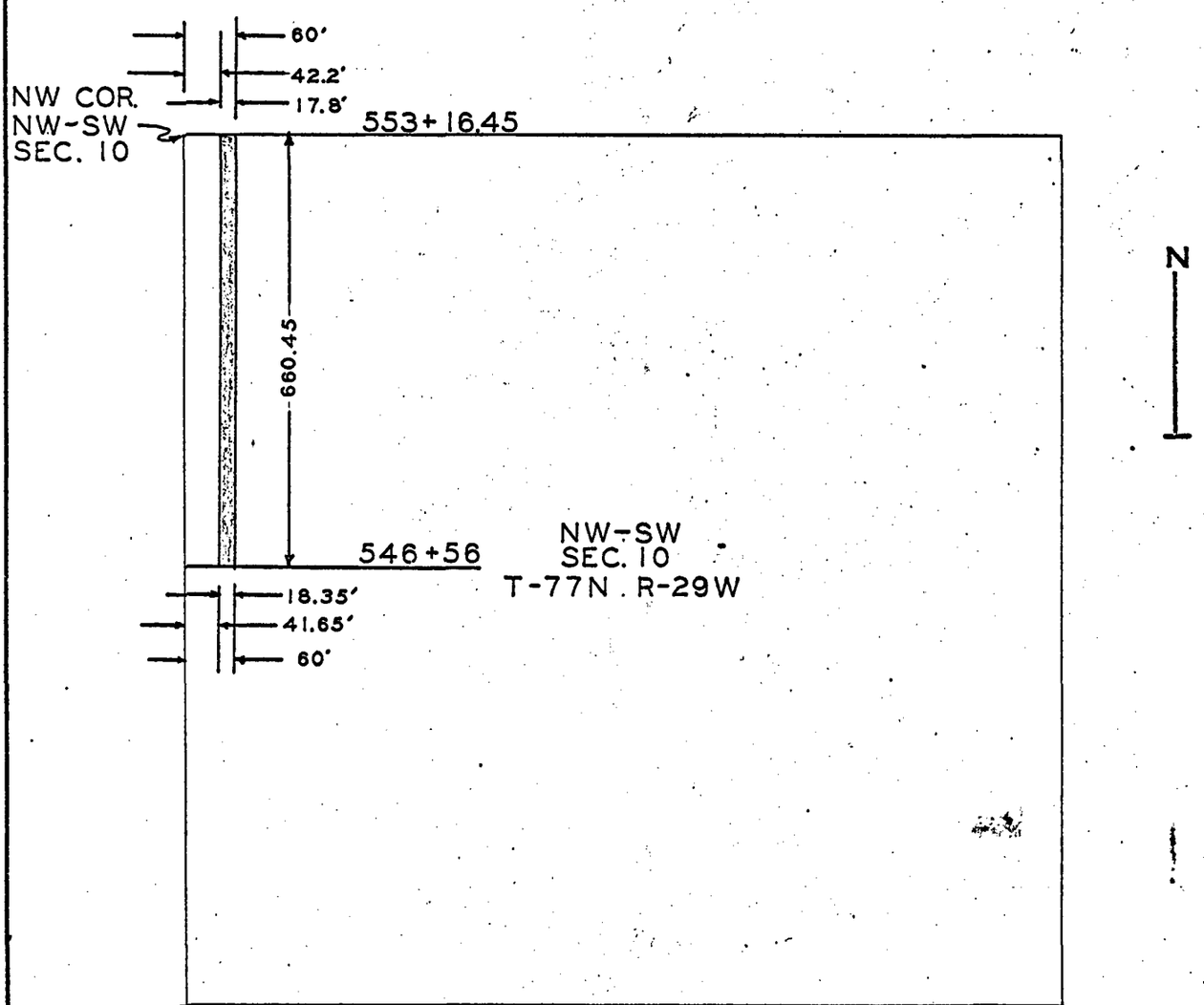


EXHIBIT "O"

MADISON (County) Project No. I-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

Form 489-A
-4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

Of BYRON JONES AND HELEN JONES

Area of Farm 141.50 Acres.

Sta. 526+80.15 to Sta. 553+16.45

Section 9 T. 77 N-R. 29 W.

ADDITIONAL
Right of Way 1.25 Ac.*
Area Remaining_____Ac. (Rt)
Area Remaining_____Ac. (Lt)
Borrow _____Ac.
Right of Entry_____Ac.
Move Fence_____Rods
New Fence_____Rods
*R. O. W. (Lt. Side)_____Ac.
R. O. W. (Rt. Side)_____Ac.

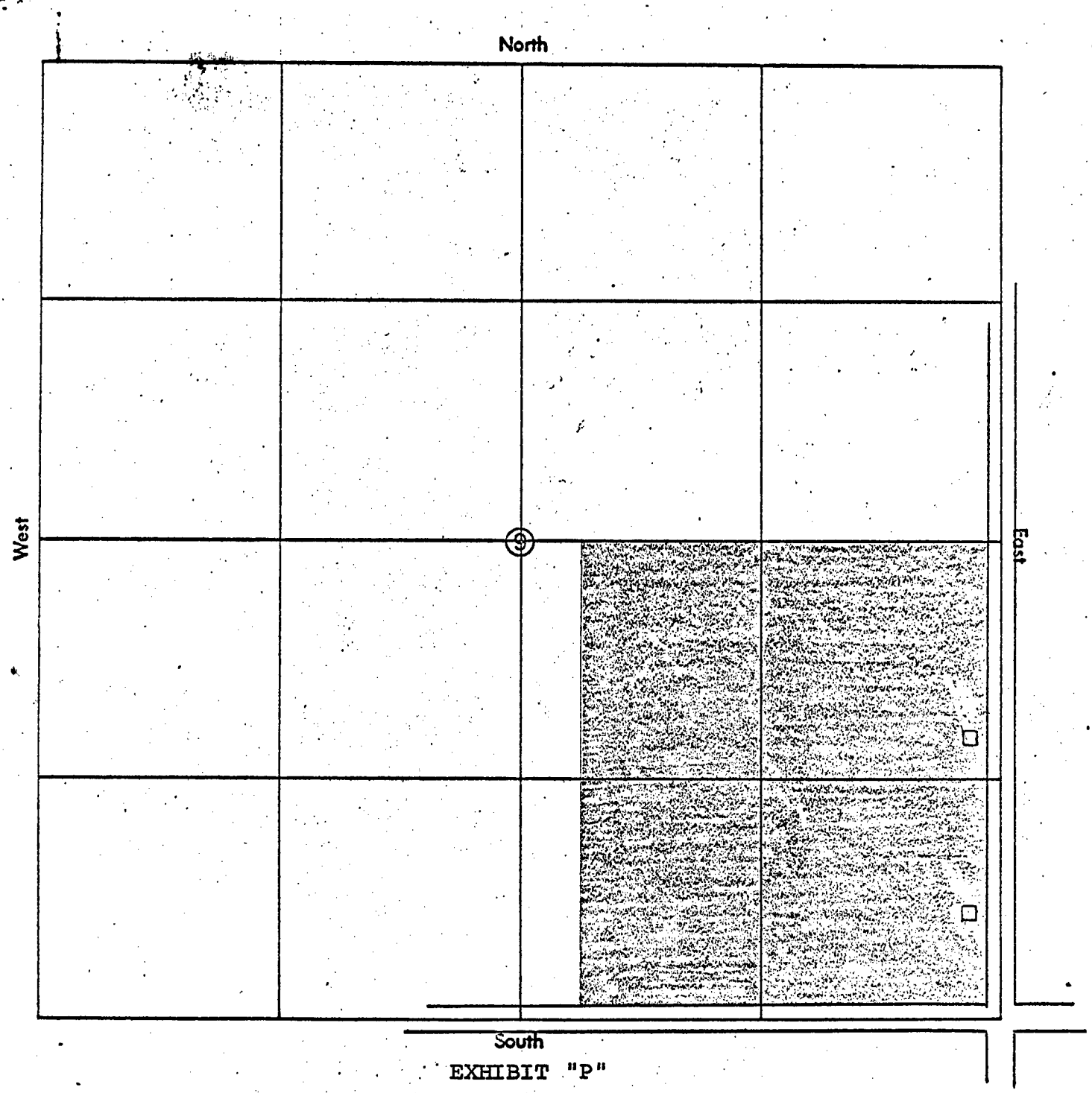


EXHIBIT "P"

MADISON County Project No. L-809

FORM 400 4M 2-62 12510 PB-11286

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY Madison

PROCEEDINGS

Project L-809

OWNER OF RECORD

Note: If Minor or incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Name	Spouse Name	Address
Byron Jones	Single	628 W. 5th St., Boone, Iowa 50036
Helen Jones	Single	628 W. 5th St., Boone, Iowa 50036
Marion Patience	Berneita	Earlham, Iowa

Occupant of the Land Marion Patience (Name) Earlham, Iowa (Address) Signed?

Occupant of the House Marion Patience (Name) Earlham, Iowa (Address) Signed?

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

Name of holder	Address

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS. ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

Beginning at the SE corner of the SE¼ of Section 9 T77N R29W of the 5th P.M.; thence west 95.0 feet; thence north 32.85 feet; thence N45°E 49.5 feet; thence north 218.0 feet; thence east 10.0 feet; thence north 162.0 feet; thence N10°03.26'W 143.2 feet; thence north 226.0 feet; thence N8°31.85'E 101.12 feet; thence north 498.0 feet; thence east 15.0 feet; thence north 442.0 feet; thence west 15.0 feet; thence north 781.45 feet; thence east 60.0 feet to the NE corner of the SE¼ of said Section 9; thence south 2636.3 feet to the point of beginning and containing 1.25 acres, more or less, exclusive of the present right of way.

Note: the east side of the SE¼ of Section 9 T77N R29W was assumed to bear due north and south.

5 rods chain link fence
133 rods woven fence

EXHIBIT "Q"

Res. Engr. _____ Address _____

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from BYRON JONES AND HELEN JONES

Married or Single? SINGLE (Give full name of spouse)

R. O. W. Area 0.69 Acres.

Borrow Area ..... Acres. Total Consideration $.....

Acquired by CONDEMNATION (Easement—Deed—Condemnation—Contract) Date of Contract ....., 19.....

LOCATION

From CL Station 526+80.15 to CL Station 539+98

Section 9, Township 77 N, Range 29 W

Township (Civil) PENN Iowa.

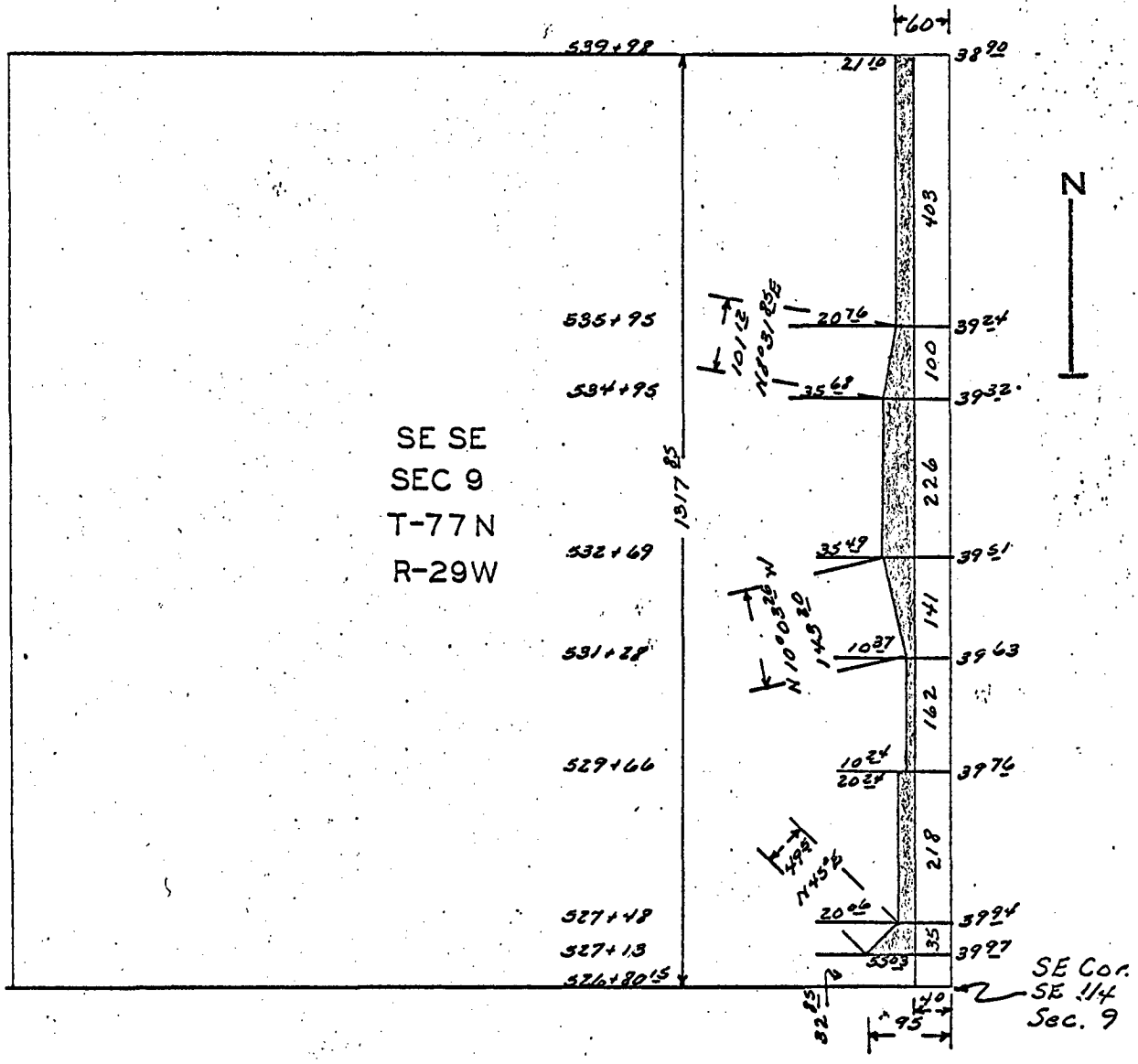


EXHIBIT "R"

MADISON (County) Project No. L-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from BYRON JONES AND HELEN JONES

Married or Single? SINGLE (Give full name of spouse)

R. O. W. Area 0.56 Acres.

Borrow Area ..... Acres. Total Consideration $ .....

Acquired by CONDEMNATION (Easement—Deed—Condemnation—Contract) Date of Contract ....., 19.....

LOCATION

From CL Station 539+98 to CL Station 553+16.45

Section 9, Township 77 N, Range 29 W

Township (Civil) PENN, Iowa.

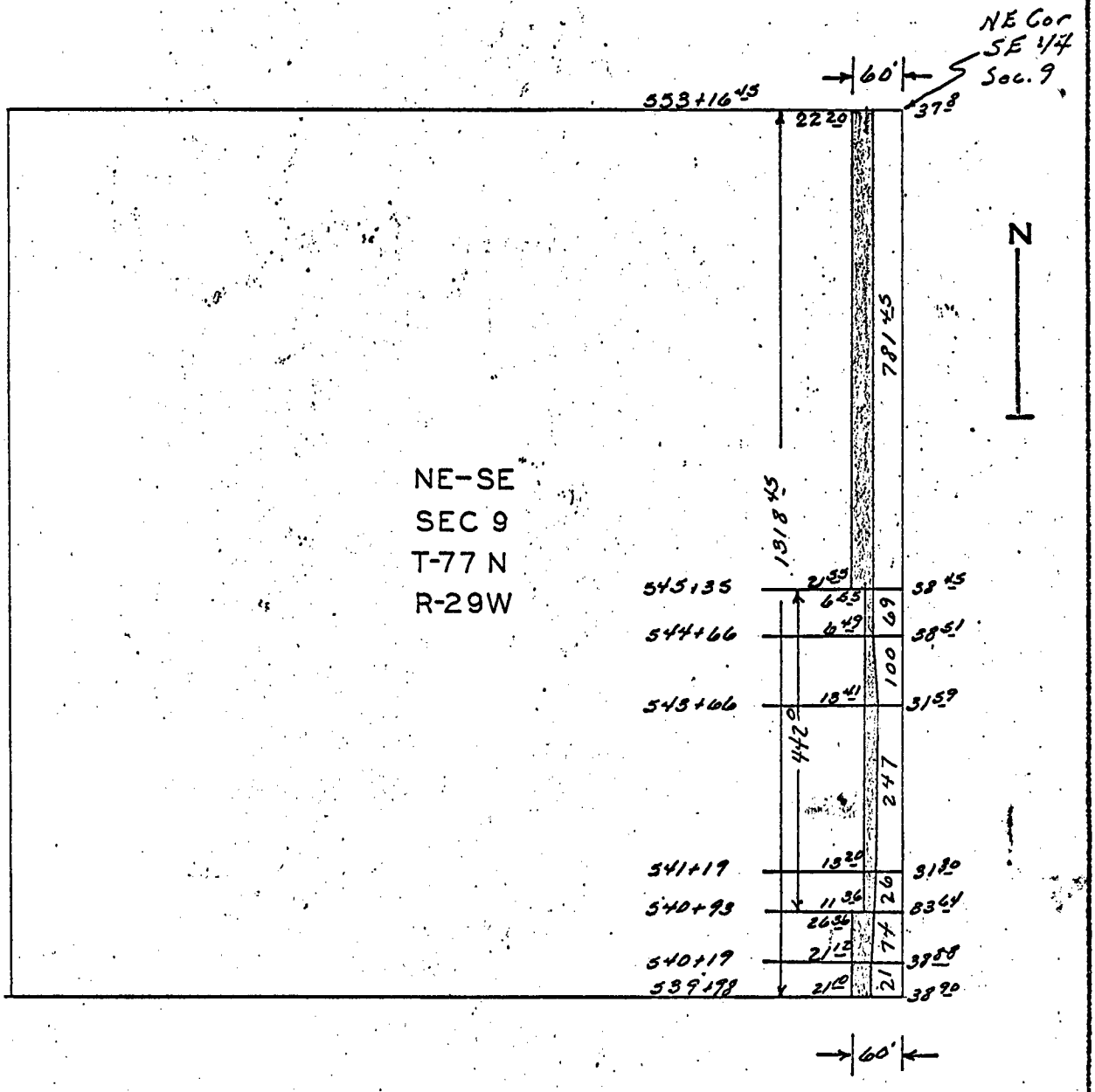


EXHIBIT "R"

MADISON (County) Project No. L-809

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre). .....

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY MADISON COUNTY, IOWA FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA IN THE IMPROVEMENT OF COUNTY ROAD NO. P53 LOCATED IN MADISON COUNTY, IOWA PROJECT NO. L-809	NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: MARY M. MAEDER, FAYE E. LEEPER, RUSSELL W. LEEPER, SHIRLEY J. LEEPER, MERLE J. LEEPER, RUTH E. LEEPER, IOWA POWER AND LIGHT COMPANY, CLEM D. MITCHELL, VERA L. MITCHELL, BANKERS LIFE COMPANY, BYRON JONES, HELEN JONES, MARION L. PATIENCE, BERNEITA J. PATIENCE, and all other persons, companies, or corporations having any interest in or owning any of the following described real estate:

The southeast quarter (¼) of the southeast quarter (¼); and the southwest quarter (¼) of the southeast quarter (¼), all in Section 28, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The southeast quarter (¼) of the southeast quarter (¼); the northeast quarter (¼) of the southeast quarter (¼); the northwest quarter (¼) of the southeast quarter (¼); the southeast quarter (¼) of the northeast quarter (¼); and the southwest quarter (¼) of the northeast quarter (¼), all in Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The south one-half (½) of the northwest quarter (¼) of the southwest quarter (¼); and the southwest quarter (¼) of the southwest quarter (¼), all in Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The southwest quarter (¼) of the northeast quarter (¼); and the southeast quarter (¼) of the northeast quarter (¼), all in Section 33, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The north one-half (½) of the northwest quarter (¼) of the southwest quarter (¼) in Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The east three-quarters (3/4) of the northwest quarter (¼) of the southeast quarter (¼); the northeast quarter (¼) of the southeast quarter (¼); the east three-quarters (3/4) of the southwest quarter (¼) of the southeast quarter (¼); and the southeast quarter (¼) of the southeast quarter (¼), all in Section 9, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

YOU ARE HEREBY NOTIFIED that Madison County, Iowa, desires the condemnation of the following described land:

Beginning at the SE corner of the SE¼ of Section 28 T76N R29W of the 5th P.M.; thence west 90.0 feet; thence north 36.4 feet; thence N45°E 49.5 feet; thence north 1250.0 feet; thence east 55.0 feet; thence south 1321.4 feet to the point of beginning and containing 0.46 acres, more or less, exclusive of the present right of way.

Note: the east side of the SE¼ of Section 28 T76N R29W was assumed to bear due north and south.

81 rods woven wire fence,

and, beginning at the SE corner of Section 9 T76N R29W of the 5th P.M.; thence west 105.0 feet; thence north 36.2 feet; thence N45°E49.5 feet; thence north 785.0 feet; thence N17°06.16'W 136.01 feet; thence N16°23.37'E 177.2 feet; thence north 400.0 feet; thence N11°18.6'W 305.94 feet; thence north 150.0 feet; thence N8°55.84'E 289.88 feet; thence north 421.26 feet; thence N48°25'W 258.52 feet; thence east 181.58 feet; thence north 49.0 feet; thence N9°38.88'W 101.43 feet; thence N2°17.44'E 300.24 feet; thence N8°19.54'W 207.18 feet; thence north 368.0 feet; thence east 100.0 feet; thence south 3929.2 feet to the point of beginning and containing 4.66 acres, more or less, exclusive of the present established highway.

Note: the east side of Section 9 T76N R29W was assumed to bear due north and south.

22 rods barbed wire fence, and 218 rods woven wire fence,

and, beginning at the SW corner of the SW¼ of Section 10 T77N R29W of the 5th P.M.; thence east 95.0 feet; thence north 33.85 feet; thence N45°W 49.5 feet; thence north 606.0 feet; thence east 20.0 feet; thence north 239.0 feet; thence west 15.0 feet; thence north 1062.0 feet; thence west 65.0 feet; thence south 1975.85 feet to the point of beginning and containing 1.10 acres, more or less, exclusive of the present right of way.

Note: the west side of the SW¼ of Section 10 T77N R29W was assumed to bear due north and south.

121 rods woven wire fence,

and, beginning at a point 1321.6 feet south of the NE corner of the NE¼ of Section 33 T76N R29W of the 5th P.M.; thence west 53.15 feet; thence S0°04.82'E 377.0 feet; thence east 13.0 feet; thence S0°04.82'E 70.0 feet; thence west 18.0 feet; thence S0°04.82'E 315.0 feet; thence S5°37.87'W 301.45 feet; thence S3°26.82'E 255.46 feet; thence east 71.3 feet to the assumed SE corner of

the NE¼ of said Section 33; thence north 1317.0 feet to the point of beginning and containing 0.90 acres, more or less, exclusive of the present right of way.

Note: the east side of Section 33 T76N R29W was assumed to bear due north and south.

53 rods woven wire fence,

and, the west 60.0 feet of the north half of the NW¼ of the SW¼ of Section 10 T77N R29W of the 5th P.M. containing 0.27 acres, more or less, exclusive of the present right of way.

40 rods woven wire fence

and, beginning at the SE corner of the SE¼ of Section 9 T77N R29W of the 5th P.M.; thence west 95.0 feet; thence north 32.85 feet; thence N45°E 49.5 feet; thence north 218.0 feet; thence east 10.0 feet; thence north 162.0 feet; thence N10°03.26'W 143.2 feet; thence north 226.0 feet; thence N8°31.85'E 101.12 feet; thence north 498.0 feet; thence east 15.0 feet; thence north 442.0 feet; thence west 15.0 feet; thence north 781.45 feet; thence east 60.0 feet to the NE corner of the SE¼ of said Section 9; thence south 2636.3 feet to the point of beginning and containing 1.25 acres, more or less, exclusive of the present right of way.

Note: the east side of the SE¼ of Section 9 T77N R29W was assumed to bear due north and south.

5 rods chain link fence; 133 rods woven fence.

That such condemnation is sought for the following purpose: widening, improving, altering and relocating the public highways of Madison County, Iowa.

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 17th day of July, 1972, at 9:00 o'clock A M., view said premises and proceed to appraise said damages, at which time you may appear before the Commissioners, if you care to do so.

MADISON COUNTY, APPLICANT

By _____
C. R. Bentz, County Attorney
in and for Madison County, Iowa.

STATE OF IOWA
Madison County } ss.

RETURN OF ORIGINAL NOTICE No._____

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

The within notice received this 26th day of June, 19 72 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 names:

Name of Defendants	Month	Day	Year	~~City, Town~~ or Township	County	State
Clem D. Mitchell	June	27th	1972	Center	Madison	Iowa
Marion L. Patience	June	27th	1972	Penn	Penn	Iowa
Berneita J. Patience	June	27th	1972	Penn	Madison	Iowa
Mary M. Meader	June	28th	1972	Jackson	Madison	Iowa
Faye E. Leeper	July	5th	1972	Center	Madison	Iowa
Shirley J. Leeper	June	27th	1972	Jackson	Madison	Iowa
Merle J. Leeper	June	27th	1972	Penn	Madison	Iowa
Service & Copy Ruth E. Leeper	June	27th	1972	Penn	Madison	Iowa

~~Mileage~~ $6.25

Rex Rouse, Sheriff of Madison County, Iowa

Official Title

243-1. STATES PUBLISHING CO., BETTENDORF, IOWA

RETURN OF SERVICE—Company or ~~Corporation~~

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

STATE OF IOWA, MADISON County, ss.

The within NOTICE came into my hands on the 26th day of June, 19 72

and on the 30th day of June, 19 72, I served the same upon the

Bankers Life Company

by offering to read the same to Kirk L. Mac Kinnon, he being the Attorney

of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Des Moines

~~Township~~, Polk County, Iowa.

FEES

Service - - - $_____

Copies - - - $_____

Mileage - - $_____

Total - - $_____

Rex Rouse, Sheriff

of Madison County

By_____ Deputy.

RETURN OF SERVICE—Company or ~~Corporation~~

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

STATE OF IOWA, MADISON County, ss.

The within NOTICE came into my hands on the 26th day of June, 19 72

and on the 30th day of June, 19 72, I served the same upon the

Iowa Power and Light Company

by offering to read the same to John H. Martin, he being the Attorney

of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Des Moines

~~Township~~, Polk County, Iowa.

FEES

Service - - - $_____

Copies - - - $_____

Mileage - - $_____

Total - - $_____

Rex Rouse, Sheriff

of Madison County

By_____ Deputy.

KOCH BROTHERS, DES MOINES K23999

RETURN OF ORIGINAL NOTICE

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

STATE OF IOWA, MADISON County, ss.

The within notice came into my hands on the 26th day of June 19 72, and on the 27th day of June, 19 72 I served the same on Vera L. Mitchell, by leaving a true copy thereof at the house of Vera L. Mitchell, situated in the Township of Center Madison County, Iowa, the same being the usual place of residence of said defendant, with Clem D. Mitchell, a member of said defendant's family, with whom he resides, and over ~~18~~ 18 years of age, the said defendant not being found within the County.

FEES

Service, $_____

Copies, $_____

Mileage, $_____

Total, $_____

Rex Rouse

Sheriff of Madison County

By _____, Deputy

KOCH BROTHERS, DES MOINES K23999

RETURN OF ORIGINAL NOTICE

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

STATE OF IOWA, MADISON County, ss.

The within notice came into my hands on the 26th day of June 19 72, and on the 27th day of June, 19 72, I served the same on Russell W. Leeper, by leaving a true copy thereof at the house of Russell W. Leeper, situated in the Township of Jackson Madison County, Iowa, the same being the usual place of residence of said defendant, with Shirley J. Leeper, a member of said defendant's family, with whom he resides, and over ~~18~~ 18 years of age, the said defendant not being found within the County.

FEES

Service, $_____

Copies, $_____

Mileage, $_____

Total, $_____

Rex Rouse

Sheriff of Madison County

By _____, Deputy

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa in the Improvement of

County Road No. P53
Located in Madison County, Iowa

AFFIDAVIT OF FINAL OFFER

Project No. L-809

On this the 17 day of July, 1972, comes Madison County, Iowa and states, as by law provided, that the most recent offers made to the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in the Application filed in the above matter are as follows:

Mary M. Maeder	Land 0.46 acres	$ 224.94
	Fence 81 rods	526.56
		$ 751.50
Faye E. Leeper,	Land 4.66 acres	$ 1,370.04
Russell W. Leeper, and	Fence 241 rods	1,566.50
Shirley J. Leeper	Damages	2,563.46
		$ 5,500.00
Merle J. Leeper and	Land 1.10 acres	$ 473.00
Ruth E. Leeper,	Fence 121 rods	786.50
Iowa Power & Light Co.		$ 1,259.50
Clem D. Mitchell and	Land 0.68 acres	$ 149.60
Vera L. Mitchell,	Fence 72 rods	468.00
Bankers Life Company	Trees (2)	70.00
		$ 687.60
Byron Jones and	Land 0.27 acres	$ 161.46
Helen Jones,	Fence 40 rods	260.00
~~Marion L. Patience and~~		$ 421.46
~~Berneita J. Patience,~~		
~~Iowa Power and Light Co.~~		
Byron Jones and	Land 1.25 acres	$ 576.25
Helen Jones,	Fence 133 rods	864.50
Marion L. Patience and		$ 1,440.75
Berneita J. Patience,		
Iowa Power and Light Co.		

MADISON COUNTY, IOWA

BY: S. B. Agnew
S. B. Agnew, County Engineer

C. R. BEINTZ IOWA NOTARIAL SEAL

Subscribed and sworn to before me this 17 day of July, 1972.

Notary Public in and for the State of Iowa

Filed in my office at Winterset, Iowa, this 17th day of July, 1972.

RECEIVED
7-17-72 8:23AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Rep Rouse
Sheriff of Madison County, Iowa.

4

RECEIVED from Linn Co.
7-6-72 9:10 pm
COUNTY
SHERIFF
ANAMOSA, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY MADISON COUNTY, IOWA FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA IN THE IMPROVEMENT OF

COUNTY ROAD NO. P53
LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-809

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

RECEIVED 6-27-1972
TIME 9:25 A.M.
JACK H. CAMELIN, Sheriff

TO: MARY M. MAEDER, FAYE E. LEEPER, RUSSELL W. LEEPER, SHIRLEY J. LEEPER, MERLE J. LEEPER, RUTH E. LEEPER, IOWA POWER AND LIGHT COMPANY, CLEM D. MITCHELL, VERA L. MITCHELL, BANKERS LIFE COMPANY, BYRON JONES, HELEN JONES, MARION L. PATIENCE, BERNEITA J. PATIENCE, and all other persons, companies, or corporations having any interest in or owning any of the following described real estate:

The southeast quarter (¼) of the southeast quarter (¼); and the southwest quarter (¼) of the southeast quarter (¼), all in Section 28, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The southeast quarter (¼) of the southeast quarter (¼); the northeast quarter (¼) of the southeast quarter (¼); the northwest quarter (¼) of the southeast quarter (¼); the southeast quarter (¼) of the northeast quarter (¼); and the southwest quarter (¼) of the northeast quarter (¼), all in Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The south one-half (½) of the northwest quarter (¼) of the southwest quarter (¼); and the southwest quarter (¼) of the southwest quarter (¼), all in Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The southwest quarter (¼) of the northeast quarter (¼); and the southeast quarter (¼) of the northeast quarter (¼), all in Section 33, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The north one-half (½) of the northwest quarter (¼) of the southwest quarter (¼) in Section 10, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The east three-quarters (3/4) of the northwest quarter (¼) of the southeast quarter (¼); the northeast quarter (¼) of the southeast quarter (¼); the east three-quarters (3/4) of the southwest quarter (¼) of the southeast quarter (¼); and the southeast quarter (¼) of the southeast quarter (¼), all in Section 9, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa, desires the condemnation of the following described land:

Beginning at the SE corner of the SE¼ of Section 28 T76N R29W of the 5th P.M.; thence west 90.0 feet; thence north 36.4 feet; thence N45°E 49.5 feet; thence north 1250.0 feet; thence east 55.0 feet; thence south 1321.4 feet to the point of beginning and containing 0.46 acres, more or less, exclusive of the present right of way.

Note: the east side of the SE¼ of Section 28 T76N R29W was assumed to bear due north and south.

81 rods woven wire fence,

and, beginning at the SE corner of Section 9 T76N R29W of the 5th P.M.; thence west 105.0 feet; thence north 36.2 feet; thence N45°E49.5 feet; thence north 785.0 feet; thence N17°06.16'W 136.01 feet; thence N16°23.37'E 177.2 feet; thence north 400.0 feet; thence N11°18.6'W 305.94 feet; thence north 150.0 feet; thence N8°55.84'E 289.88 feet; thence north 421.26 feet; thence N48°25'W 258.52 feet; thence east 181.58 feet; thence north 49.0 feet; thence N9°38.88'W 101.43 feet; thence N2°17.44'E 300.24 feet; thence N8°19.54'W 207.18 feet; thence north 368.0 feet; thence east 100.0 feet; thence south 3929.2 feet to the point of beginning and containing 4.66 acres, more or less, exclusive of the present established highway.

Note: the east side of Section 9 T76N R29W was assumed to bear due north and south.

22 rods barbed wire fence, and 218 rods woven wire fence,

and, beginning at the SW corner of the SW¼ of Section 10 T77N R29W of the 5th P.M.; thence east 95.0 feet; thence north 33.85 feet; thence N45°W 49.5 feet; thence north 606.0 feet; thence east 20.0 feet; thence north 239.0 feet; thence west 15.0 feet; thence north 1062.0 feet; thence west 65.0 feet; thence south 1975.85 feet to the point of beginning and containing 1.10 acres, more or less, exclusive of the present right of way.

Note: the west side of the SW¼ of Section 10 T77N R29W was assumed to bear due north and south.

121 rods woven wire fence,

and, beginning at a point 1321.6 feet south of the NE corner of the NE¼ of Section 33 T76N R29W of the 5th P.M.; thence west 53.15 feet; thence S0°04.82'E 377.0 feet; thence east 13.0 feet; thence S0°04.82'E 70.0 feet; thence west 18.0 feet; thence S0°04.82'E 315.0 feet; thence S5°37.87'W 301.45 feet; thence S3°26.82'E 255.46 feet; thence east 71.3 feet to the assumed SE corner of

the NE¼ of said Section 33; thence north 1317.0 feet to the point of beginning and containing 0.90 acres, more or less, exclusive of the present right of way.

Note: the east side of Section 33 T76N R29W was assumed to bear due north and south.

53 rods woven wire fence,

and, the west 60.0 feet of the north half of the NW¼ of the SW¼ of Section 10 T77N R29W of the 5th P.M. containing 0.27 acres, more or less, exclusive of the present right of way.

40 rods woven wire fence

and, beginning at the SE corner of the SE¼ of Section 9 T77N R29W of the 5th P.M.; thence west 95.0 feet; thence north 32.85 feet; thence N45°E 49.5 feet; thence north 218.0 feet; thence east 10.0 feet; thence north 162.0 feet; thence N10°03.26'W 143.2 feet; thence north 226.0 feet; thence N8°31.85'E 101.12 feet; thence north 498.0 feet; thence east 15.0 feet; thence north 442.0 feet; thence west 15.0 feet; thence north 781.45 feet; thence east 60.0 feet to the NE corner of the SE¼ of said Section 9; thence south 2636.3 feet to the point of beginning and containing 1.25 acres, more or less, exclusive of the present right of way.

Note: the east side of the SE¼ of Section 9 T77N R29W was assumed to bear due north and south.

5 rods chain link fence; 133 rods woven fence.

That such condemnation is sought for the following purpose: widening, improving, altering and relocating the public highways of Madison County, Iowa.

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 17th day of July, 1972, at 11:00+11:30 o'clock A M., view said premises and proceed to appraise said damages, at which time you may appear before the Commissioners, if you care to do so.

MADISON COUNTY, APPLICANT

By _____
C. R. Bentz, County Attorney
in and for Madison County, Iowa.

BBB

32532

The State of Iowa }
BOONE COUNTY } ss.

RETURN OF SERVICE—Personal Service

of condemnation of property by Madison County, Iowa

The within notice received this 27th day of June, 1972, and I certify that I served the same on the defendants named below by delivering a copy thereof, ~~with~~ ~~the~~ ~~petition~~ ~~thereto~~ to each of said defendants personally at the time and place set opposite their respective names:

Name of Defendants	Month	Day	Year	City, ~~or Township~~	County	State
Byron Jones	June	28th.	1972	Boone	Boone	Iowa
Helen Jones	June	28th.	1972	Boone	Boone	Iowa

FEES

Service - $ 1.25

Copies - $

Mileage - $ 1.00

Total - $ 2.25

Received Payment from Sheriff of Boone

Date July 5, 1972

JACK H. CAMELIN Sheriff of Boone County, Iowa

By Maurice W. Good, Deputy

Maurice W. Good

Subscribed and sworn to before me by the said

this day of 19

Notary Public

(Seal)

Sheriff

By

5

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. P53 located in Madison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. L-809

TO: Kenneth Ritter, Bob Christenson, Chester Haymond, Earl Crawford, Merrill Creger and Dwight Mundell.

Madison County, Iowa has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to 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 such appropriation of the rights as described in the Application for the improvement and/or the maintenance of county roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Kenneth Ritter has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff of Madison County, State of Iowa, on the 17th day of July, 1972, at 8:30 o'clock a.m. for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 27th 30th day of June, 1972. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Winterset, Iowa, this 30th day of June, 1972.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

SS/ Chas. Tucker

STATE OF IOWA
Madison County } ss.

RETURN OF ORIGINAL NOTICE

No.

The within notice received this 26th day of June, 1972 and I certify that I served the same on the persons named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

Name of Defendants	Month	Day	Year	~~City~~ or Township	County	State
Merrill Creger	June	27th	1972	Ohio	Madison	Iowa
Bob Christensen	June	30th	1972	Center	Madison	Iowa
Kenneth Ritter	June	27th	1972	Center	Madison	Iowa
Chester Haymond	June	27th	1972	Webster	Madison	Iowa
Earl Crawford	June	27th	1972	Center	Madison	Iowa
Dwight Mundell	June	27th	1972	Center	Madison	Iowa

Service & Copy 3.25

Mileage

Rex Rouse, Sheriff of Madison County, Iowa

Rex Rouse

Official Title

243-1. STATES PUBLISHING CO., BETTENDORF, IOWA

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IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA, FOR THE) SELECTION AND APPOINTMENT
APPOINTMENT OF A COMMISSION TO) OF COMPENSATION COMMISSIONERS
APPRAISE THE DAMAGES FOR THE) BY THE CHIEF JUDGE OF THE
TAKING OF REAL ESTATE FOR ROAD) FIFTH JUDICIAL DISTRICT
IMPROVEMENT PURPOSES)

An Application for Condemnation having been filed with me by Madison County, Iowa, for the selection and appointment, by lot, of six suitable persons as the law provides to act as a compensation commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by Applicant, in its Application filed in the above entitled matter, I hereby designate, select, and appoint as the members of said compensation commission required in this matter the following persons:

		NAME	ADDRESS
Licensed Real Estate Salesman or Broker		Chas Tucker	(Not furnished
	6-27	Merrill Cregar	" "
Knowledgeable of Property Values by Virtue of Occupation	6-30	Bob Christensen	" "
	6-27	Kenneth Ritter	" "
Agricultural	6-27	Chester Haywood	" "
	6-27	Earl Crawford	" "

I further designate, select, and appoint the above named Kenneth Ritter to act as Chairman of said commission.

TO THE SHERIFF OF MADISON COUNTY, IOWA: Attached hereto please find a duplicate of the Application for Condemnation in the above-entitled matter.

Dated at Winterset, Iowa, this 22 day of June, 1972.

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

Filed in my office at Winterset, Iowa, this 26th day of June, 1972.

Ray Rouse
Sheriff of Madison County, Iowa

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IN THE MATTER OF THE APPLICATION BY MADISON COUNTY, IOWA, FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE THE DAMAGES FOR THE TAKING OF REAL ESTATE FOR ROAD IMPROVEMENT PURPOSES

ORDER APPOINTING SUBSTITUTE COMPENSATION COMMISSIONERS

NOW ON THIS 22 day of June, 1972, an Application to the Chief Judge of the Fifth Judicial District for the Selection and Appointment of a Commission to Appraise Damages, having been presented to me and a Commission so appointed, it is ordered that in the event a commissioner or commissioners are unable to serve, the following persons shall be substituted to fill the vacancy in the category in which their name appears:

	NAME:	ADDRESS:
Licensed Real Estate Salesman or Broker	Dwight Mundell	Not furnished
	Gene Overlng	" "
Knowledgeable of Property Values by Virtue of Occupation	Willard Meese	" "
	Orris Martens	" "
Agricultural	Raynard Clark	" "
	Earl Downs	" "

Said 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.

Dated at Winterset, Iowa, this 22 day of June, 1972.

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

Filed in my office at Winterset, Iowa, this 26th day of June, 1972.

Rex Rouse
Sheriff of Madison County, Iowa

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. P53 located in Madison County, Iowa

OATH OF COMMISSIONERS

Project No. L-809

STATE OF IOWA)
) ss.
MADISON COUNTY)

Each of the undersigned being duly sworn says:

That I do possess the qualifications listed under my name below, and,

That I do not possess any interest in the proceeding which would cause me to render a biased decision, and,

That I 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 for the improvement and/or the maintenance of county roads and/or for highway drainage and make a written report to the sheriff as authorized and prescribed in Chapters 306, 306A, 306B, 313, 471, and 472 of the 1971 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.

Name: Licensed Real Estate Salesman or Broker

Name:

Name: Knowledgeable of Property Values by Virtue of Occupation

Name:

Name: Agricultural Owner-Operator

Name:

FAYOLA McKEE Iowa NOTARIAL SEAL

Subscribed and sworn to before me this 17 day of July, 1972.

Notary Public in and for Madison County, Iowa.

Filed in my office at Winterset, Iowa, this 17th day of July, 1972.

Sheriff of Madison County, Iowa.

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In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa in the Improvement of

County Road No. P53
Located in Madison County, Iowa

Project No. L-809

REPORT OF CONDEMNATION COMMISSION.

TO: Rex Rouse, Sheriff of Madison County, Iowa.

We, the undersigned, being the duly appointed and qualified commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights as set forth and described in the Application filed in the above entitled matter respectfully report as follows:

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein and do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Byron Jones & Helen Jones Exh B, I + M	$	$	$ 421.46	$
Byron Jones & Helen Jones + Marion Patience - Exh O	$	$	$ 1940.15	$
Mary M. Meader	$	$	$ 871.00	$
Merle J. Leeper	$	$	$ 1556.50	$
Clem D. Mitchell & Vera L. Mitchell	$	$	$ 1344.50	$
Faye E. Leeper & Russell Leeper	$	$	$ 7586.00	$ 250.00
	$	$	$	$
	$	$	$	$
	$	$	$	$
Iowa Power & Light Co. Exh. N. Right of Way & Leasehold	$	$	$ 100.00	$

Respectfully reported at Winterset, Iowa, this 17th day of July, 1972.

Everett E. Ritter — Dwight Mundell
Chester Haymond — Bob Chesterman
W. J. Craigen — Earl O. Crawford

I certify that the above amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received.

Filed in my office at Winterset, Iowa, this 17th day of July, 1972.

Rex Rouse
Sheriff, Madison County, Iowa.

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July 18, 1972

Gamble, Riepe, Martin, Webster & Fletcher
Attorneys a t Law
500 Bankers Trust Building
Des Moines, Iowa

Re: Condemnation of Certain Rights in Madison County,Iowa
Project No. L-809

Dear Mr. Martin:

On July 17, 1972 the Condemnation Commission awarded the Iowa Power and Light damages in the amount of $100.00.

Your award check is available in my office. Thank you.

Yours truly,

Rex Rouse, Sheriff of Madison County,Iowa

RR:rm

GAMBLE, RIEPE, MARTIN, WEBSTER & FLETCHER
500 Bankers Trust Building
Des Moines, Iowa 50309

Check received by By

//

July 18, 1972

Mrs. Mary M. Maeder
RR
Winterset, Iowa 50273

Dear Mrs. Maeder:

On July 17, 1972 the Condemnation Commission awarded you damages in the amount of $871.00.

Your award check is available in my office. Thank you.

Yours truly,

Rex Rouse, Sheriff
Madison County, Iowa

RR:rm

Check received by _____

8-23-72 attempted to personally deliver check and she refused to accept. Appeal period has expired.
Rex Rouse, Sheriff

Condemnation Award 7-17-72

No 28-72

[redacted]

WINTERSET, IOWA, July 18 19 72

PAY TO THE ORDER OF Mary M. Meader $871.00

Eight hundred seventy-one and no/100 - DOLLARS

VOID

To UNION STATE BANK

WINTERSET, IOWA

Paid over to Treasurer
8-23-72

[redacted]

ORIGINAL

No 6732

TREASURER'S OFFICE
Madison County, Iowa

$ 871 00

Winterset, Iowa, 8-23- 1972

RECEIVED OF Ray Rouse, Sheriff

for Secondary Road Fund,

the sum of Eight Hundred Seventy One 00 DOLLARS,

for Condemnation Award Rd P53 #100 1-809

County Treasurer

By Earl B. Gregg

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA

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RECEIVED
1-28-72
9:00 am
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

July 18, 1972

Mr. Byron Jones
Ms. Helen Jones
628 West 5th Street
Boone, Iowa

Dear Mr. Jones and Ms. Jones:

On July 17, 1972 the Condemnation Commission awarded you damages in the amount of $421.46.

Your award check is available in my office. Thank you.

Yours truly,

Rex Rouse, Sheriff
Madison County, Iowa

RR·rm

Check received

Byron N. Jones Helen N. Jones
Please sign and mail to my office.
Rex Rouse, Sheriff

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July 18, 1972

Mr. Marion L. Patience
Earlham, Iowa 50072

Dear Mr. Patience:

On July 17, 1972 the Condemnation Commission awarded you damages in the amount of $1,940.75.

Your award check is available in my office. Thank you.

Yours truly,

Rex Rouse, Sheriff
Madison County, Iowa

RR:rm

Check received by + Marion L Patience
July 26. 1972

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July 18, 1972

Mr. Merle J. Leeper
RR
Earlham, Iowa 50072

Dear Mr. Leeper:

On July 17, 1972 the Condemnation Commission awarded you damages in the amount of $1,556.50.

Your award check is available in my office. Thank you.

Yours truly,

Rex Rouse, Sheriff
Madison County, Iowa

RR:rm

7-31-72.
Check received by Merle J. Leeper

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July 18, 1972

Mr. Clem Mitchell
409 S 8th Avenue
Winterset, Iowa 50273

Dear Mr. Mitchell:

On July 17, 1972 the Condemnation Commission awarded you damages in the amount of $1,344.50.

Your award check is available in my office. Thank you.

Yours truly,

Rex Rouse, Sheriff
Madison County, Iowa

RR:rm

Check received by Clem Mitchell 8-11-72

To: Merrill Creger, Truro, Iowa 50257
Bob Christense, 224 S 10th, Winterset
Kenneth Ritter, 517 N 2nd Winterset
Chester Haymond, RR4, Winterset
Earl Crawford, 610 W. Washington,

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July 19, 1972

Mr. Dwight Mundell
720 N 3rd
Winterset, Iowa

Dear Mr. Mundell:

Enclosed is your check for services on the Condemnation Commission July 17.

Thank you for your assistance.

Yours truly,

Rex Rouse, Sheriff
Madison County, Iowa

RR:rm

All checks mailed to commissioners.

SHERIFF'S CERTIFICATION OF COSTS

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

	FEE	MILEAGE	TOTAL
1. Sheriff, serving notices	$6.25	$14.70	$20.95
2. Sheriff Boone Co. serving notice (advanced by me)	1.25	1.00	2.25
3. Summoning Commissioners	3.25	4.50	7.75
4. Sheriff attending commissioners	7.50	4.30	11.80
	$18.25	$24.50	$42.75

6. COMMISSIONERS EXPENSES:

Dwight Mundell, 720 N. 3rd St., Winterset 1 day service, mileage and meal	$52.50
Merrill Creger, Truro, Ia. 1 day service, mileage and meal (car used in viewing)	59.09
Bob Christenson, 224 So. 10th Ave., Winterset 1 day service, mileage and meal	52.50
Kenneth Ritter, 517 N. 2nd St., Winterset 1 day service, mileage and meal	52.50
Chester Haymond, RR-4, Winterset 1 day service, mileage and meal	54.74
Earl Crawford, 610 W. Washington, Winterset 1 day service, mileage and meal	52.44
TOTAL COMMISSIONER EXPENSES	$323.77

7. DAMAGES AWARDED:

Byron Jones and Helen Jones	$ 421.46
Byron Jones and Helen Jones Marion Patience	1,940.75
Mary M. Meader	871.00
Merle J. Leeper	1,556.50
Clem D. Mitchell and Vera L Mitchell	1,344.50
Faye E. Leeper, Russell Leeper and Shirley J. Leeper	7,586.00
Dean R. Nelson, Attorney Fees	250.00
Iowa Power and Light	100.00
TOTAL DAMAGES AWARDED	$14,070.21

RECAPITULATION

TOTAL DAMAGES AWARDED	$14,070.21
TOTAL SHERIFF'S COSTS	42.75
TOTAL COMMISSIONER'S EXPENSES	323.77
GRAND TOTAL	$14,436.73

NOTE: A copy of this report attached to each set of papers.

Certified a true statement of condemnation awards and expenses in connection with: "In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa in the Improvement of County Road No.P53, Project No. L-809, Located in Madison County, Iowa".

Rex Rouse

Rex Rouse, Sheriff
Madison County
Winterset, Iowa 50273