FILED NO 1689
BOOK LLL PAGE 134

1974 OCT 16 AM 8:06

MARY E. WELTY
MADISON COUNTY RECORDER
no fee

RECEIVED
8-27-74 2PM
ROR
MADISON COUNTY
SHERIFF
WINTERSET, 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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

APPLICATION FOR CONDEMNATION OF PROPERTY.

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 1973 Code of Iowa, and in support of said Application, states:

Par. 1

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 Northeast Quarter (¼) of the Southwest Quarter (¼); the Northwest Quarter (¼) of the Southwest Quarter (¼); the Southeast Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southeast Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); and the Southwest Quarter (¼) of the Northwest Quarter (¼) except cemetery in Section Two (2) and the Northwest Quarter (¼) of the Northwest Quarter (¼); the Northeast Quarter (¼) of the Northwest Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); the Southwest Quarter (¼) of the Northwest Quarter (¼); the Northwest Quarter (¼) of the Northeast Quarter (¼); and the Southwest Quarter (¼) of the Northeast Quarter (¼); in Section Eleven (11), all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa. A plat of said property it attached hereto and marked Exhibit "A" and by this reference made a part of this Application. The exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "B" attached hereto and by this reference made a part of this Application. 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", "D" and "E" attached hereto and by this reference made a part of this Application.

The Northwest Quarter (¼) of the Northwest Quarter (¼) and the Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Two (2), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa. A plat of said property it attached hereto and marked Exhibit "F" and by this reference made a part of this Application. The exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "G" attached hereto and by this reference made a part of this Application. 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 "H" attached hereto and by this reference made a part of this Application.

Par. 2

The names of all record owners of the land referred to in Exhibits "A", "B", "C", "D", and "E" and of all record holders of liens and incumbrances on such land and the place of residence of all such persons so far as is known to this applicant, is as follows:

The Owners:		Place of Residence:
Hal S. Sweeney		R. R. Truro, Iowa 50257
Name of Mortgage or Lien Holder:	Mildred Sweeney	Scottish Writes Park 2909 Woodland Des Moines, Iowa 50316
	Mutual Benefit Life Insurance Co.	315 Shops Building Des Moines, Iowa
	Commodity Credit Corporation	Highway No. 169 North Winterset, Iowa 50273

The names of all record owners of the land referred to in Exhibits "F", "G" and "H" and of all record holders of liens and incumbrances on such land and the place of residence of all such persons so far as is known to this applicant, is as follows:

The Onwers:		Place of Residence:
Pauline Travis (contract purchaser H.S. Sweeney, R. R. Truro, Iowa)		1804 East 23rd Des Moines, Iowa
Name of Mortgage or Lien Holder:	The Iowa State Bank	East 7th and Locust Des Moines, Iowa

Par. 3

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

Par. 4

In connection with this condemnation, it is specifically provided that any drainage, tile lines, or outlets which are located within the land being acquired under this proceeding and are damaged or destroyed by highway construction shall be relocated, replaced or restored by the condemnor at no expense to the condemnees and Madison County shall have a temporary easement as necessary over the condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration. A temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration.

In connection with condemnation, it is specifically provided that any crops growing on the land sought to be appropriated are reserved to the condemnee's until March 1, 1975.

Par. 5

The applicant requests the appointment of a commission to appraise damages.

WHEREFORE, the applicant prays for the appointment of a commission to assess damages as provided by Iowa Code Section 472.4 and following of the 1973 Code of Iowa.

Dated this 24 day of August, 1974.

MADISON COUNTY, IOWA

By Jerrold B. Oliver
Jerrold B. Oliver, Madison County Attorney

Received
August 26 1974
Ebsom Halliday
Chief Judge

Exhibit H

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

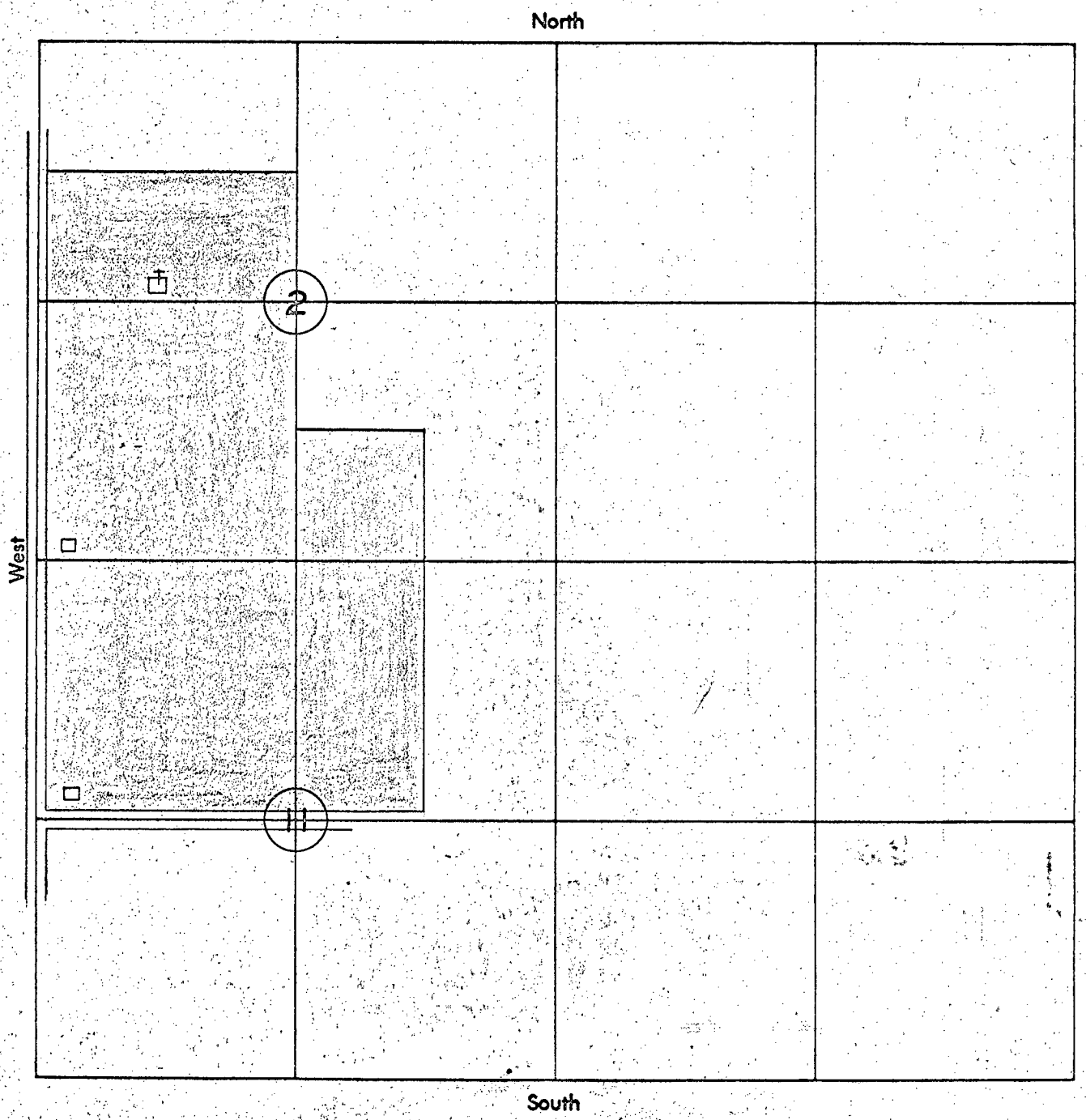
Of HAL S. SWEENEY

Area of Farm 516.88 Acres.

Sta 10+00 to Sta 74+91

Section 2 & 11 T. 74 N-R. 26 W.

ADDITIONAL
Right of Way 2.56 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.



MADISON County Project No. L-3114

Exhibit "B" 138

409 4M 9-69 18510 FH-11826

Parcel No. _____

INFORMATION FOR CONDEMNATION

COUNTY Madison PROCEEDINGS Project L-3114

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.

Hal S. Sweeney (Name) Spouse Edna Shirley Sweeney (Name) (Address)

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

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

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

Occupant of the Land Same (Name) (Address) Signed? ____

Occupant of the House Same (Name) (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 NW¼ of Section 11 T74N R26W of the 5th P.M., thence east 35.0 feet, thence N0°14'12"W 280.9 feet, thence east 30.0 feet, thence N0°14'12"W 2,261.85 feet, thence west 54.5 feet to the NW corner of the NW¼ of said Section 11, a point 10.5 feet east of centerline Station 35 + 42.75 of Project L-3114, thence south 2,542.73 feet to the point of beginning and containing 0.81 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the NW¼ of Section 11 T74N R26W was assumed to bear due north and south,

Also, beginning at the SW corner of the SW¼ of Section 2 T74N R26W of the 5th P.M., thence east 39.5 feet, thence N1°05'30"E 318.25 feet, thence east 10.0 feet, thence N1°05'30"E 1,382.55 feet, thence N0°04'30"W 756.45 feet, thence N13°57'40.5"E 103.08 feet, thence N12°14'34.5"E 68.03 feet, thence S89°55'30"W 87.04 feet to centerline Station 61 + 68 of Project L-3114, thence west 20.7 feet to the NW corner of the SW¼ of said Section 2, thence south 2,624.94 feet to the point of beginning and containing 0.43 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the SW¼ of Section 2 T74N R26W was assumed to bear due north and south.

Also, beginning at the SW corner of the NW¼ of Section 2 T74N R26W of the 5th P.M., thence east 20.7 feet to centerline Station 61 + 68 of Project L-3114, thence east 87.04 feet, thence N1°43'06"E 432.19 feet, thence north 684.21 feet, thence N51°30'E 122.22 feet, thence North 76.67 feet, thence S51°30'W 122.22 feet, thence North 130.12 feet, thence West, 100.0 feet to centerline Station 74 + 91 of Project L-3114, thence west 20.7 feet to the west side of the NW¼ of said Section 2, thence south 1,323.0 feet to the point of beginning and containing 1.32 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the NW¼ of Section 2 T74N R26W was assumed to bear due north and south.

Res. Engr. John C. Calhoun, P.E. Co. Engr Address _____

Exhibit "C"

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from HAL S. SWEENEY

Married or Single? MARRIED EDNA SHIRLEY SWEENEY
(Give full name of spouse)

R. O. W. Area 0.81 Acres.

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

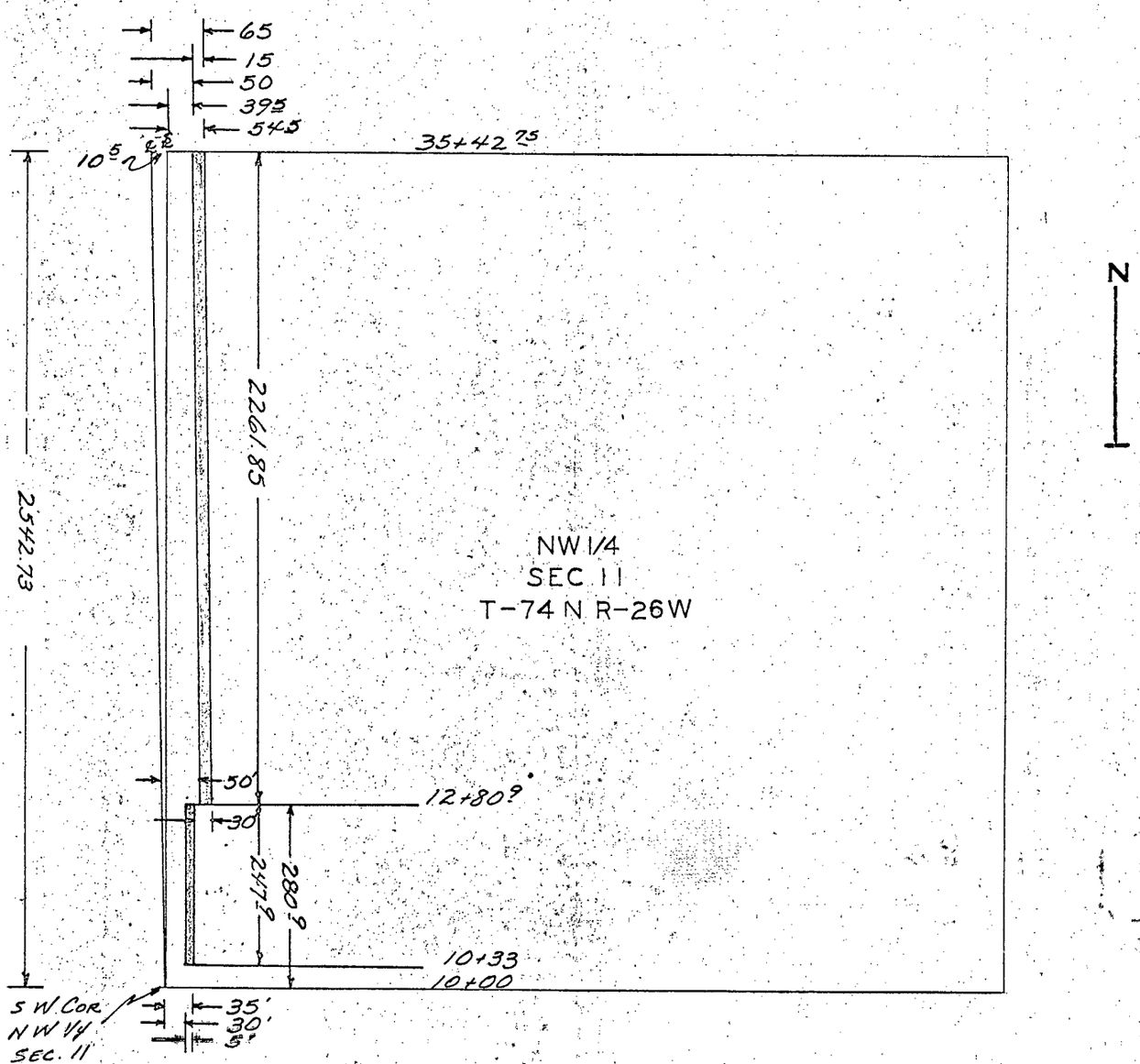
Acquired by CONDEMNATION Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 10+83 to CL Station 35+42.75

Section 11, Township 74 N, Range 26W

Township (Civil) OHIO Iowa.



MADISON (County) Project No. L-3114

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

Exhibit "D"

140

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from HAL S. SWEENEY

Married or Single? MARRIED EDNA SHIRLEY SWEENEY
(Give full name of spouse)

R. O. W. Area 0.43 Acres.

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

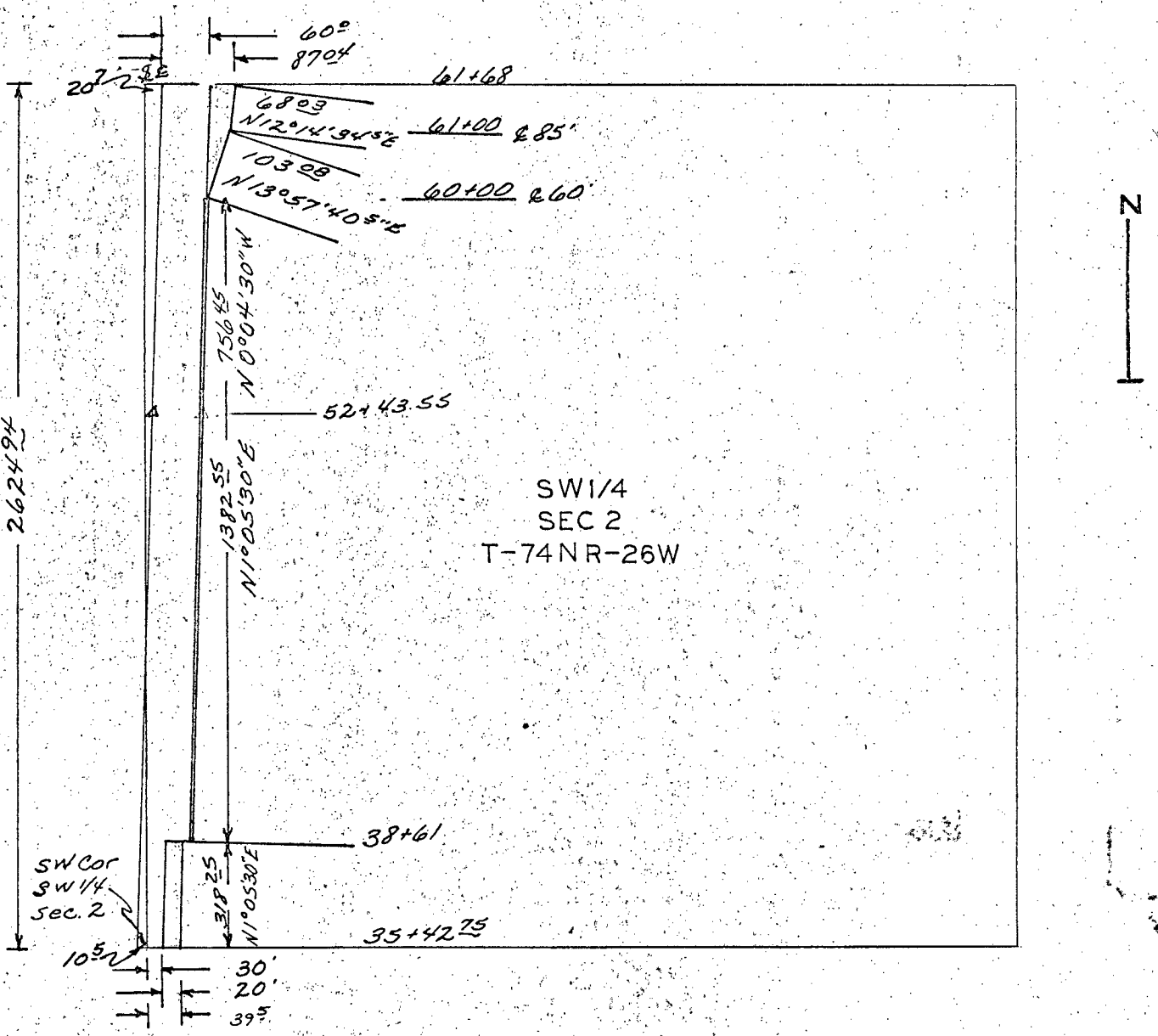
Acquired by CONDEMNATION Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 35+42.75 to CL Station 61+68

Section 2, Township 74-N, Range 26 W

Township (Civil) OHIO Iowa.



MADISON (County) Project No. L-3114

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

Exhibit "E"

Iowa. State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from HAL S SWEENEY

Married or Single? MARRIED EDNA SHIRLEY SWEENEY
(Give full name of spouse)

R. O. W. Area 1.32 Acres.

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

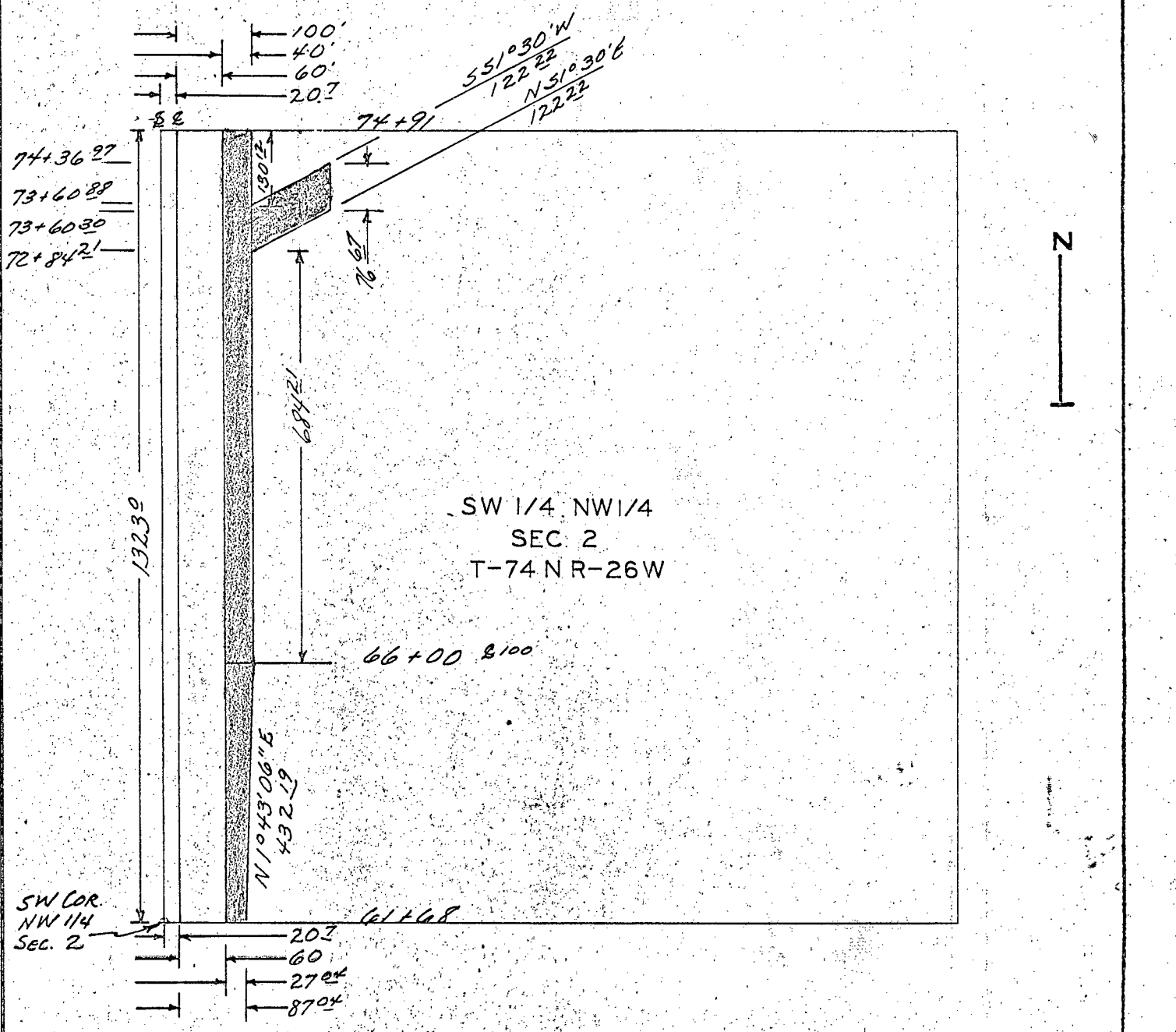
Acquired by CONDEMNATION Date of Contract ....., 19....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 61+68 to CL Station 74+91

Section 2, Township 74 N, Range 26 W

Township (Civil) OHIO Iowa.



MADISON (County) Project No. L-3114

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

Exhibit "F"

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No._____

Of PAULINE TRAVIS

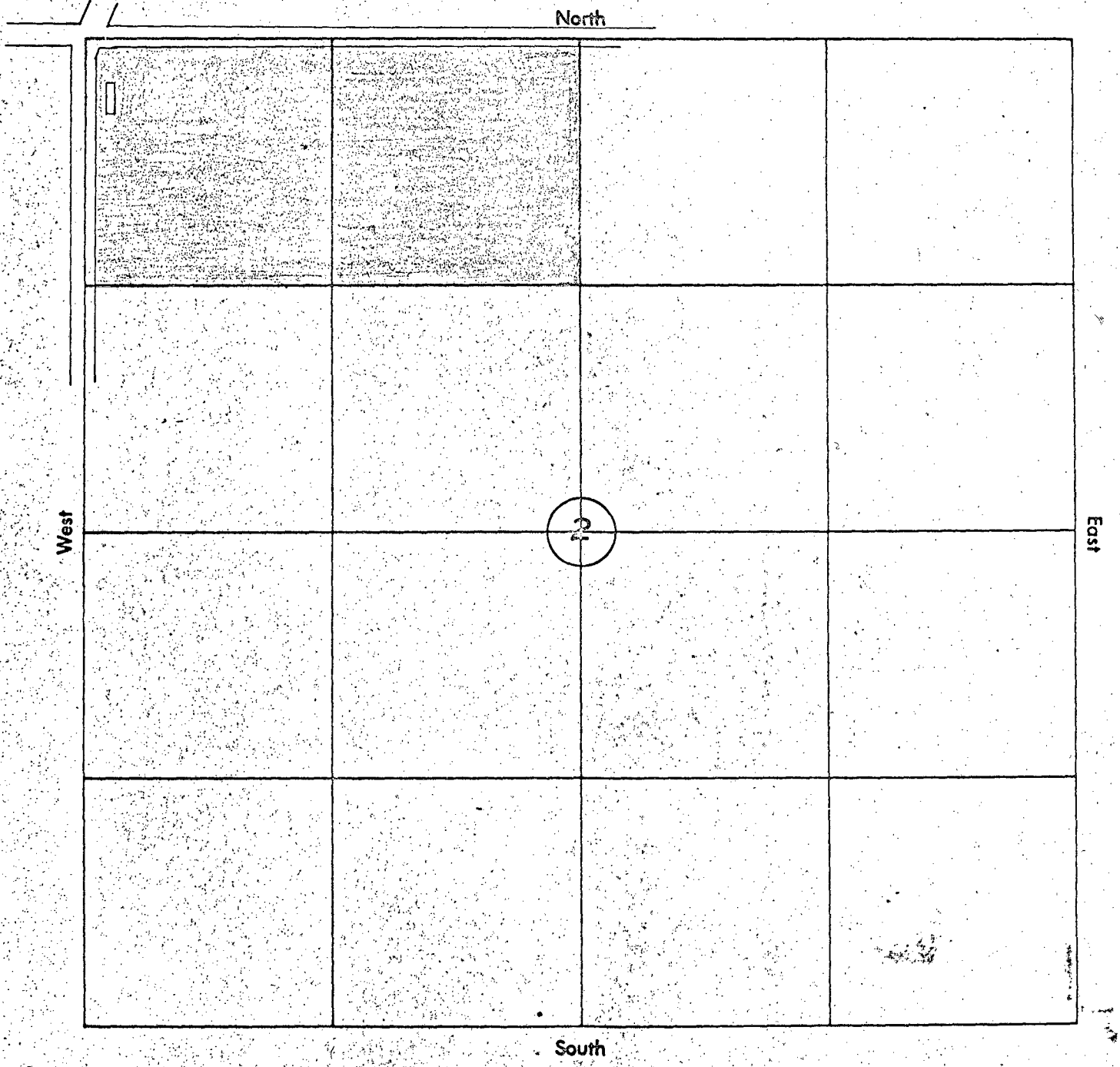
ADDITIONAL

Area of Farm 99.14 Acres.

Sta 74+91 to Sta 90+58

Section 2 T 74 N-R 26 W.

Right of Way 0.67 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.



MADISON County Project No. L-3114

FORM 400 4M 2-63 18510 PE-11C63

Parcel No. _____

INFORMATION FOR CONDEMNATION PROCEEDINGS

COUNTY Madison

Project L-3114

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
Pauline Travis		1804 E. 23rd Des Moines, Iowa
	Spouse	
	Spouse	
	Spouse	

Occupant of the Land Hal S. Sweeney (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.

Beginning at the NW corner of the NW¼ of Section 2 T74N R26W of the 5th P.M., a point 20.7 feet west of tangent Station 90 + 58 of Project L-3114, thence south 1,567.0 feet; thence east 120.7 feet, thence N4°11'42.5"W 410.10 feet, thence north 600.0 feet, thence N5°42'38"W 201.0 feet; thence north 155.18 feet, thence N2°23'22"E 119.82 feet, thence N37°52'30"E 57.01 feet to the present right-of-way fence, thence north 38.0 feet, thence west 110.7 feet to the point of beginning and containing 0.67 acres, more or less exclusive of the present right-of-way.

Note: the west side of the NW¼ of Section 2 T74N R26W was assumed to bear due north and south.

Res. Engr. John C. Callon, P.E. Co. Engr Address _____

Exhibit "H"

144

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from PAULINE TRAVIS

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

R. O. W. Area 0.67 Acres.

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

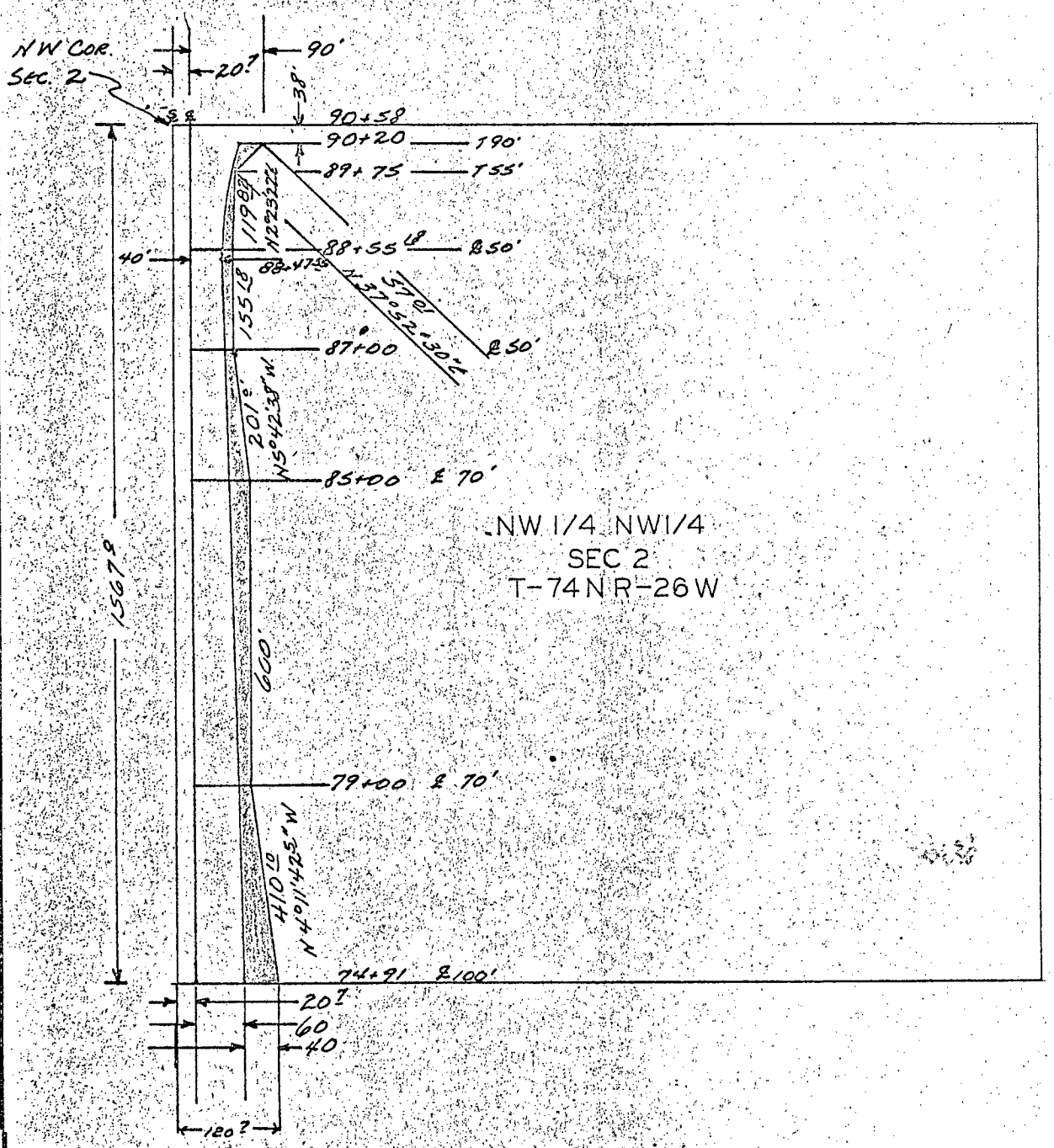
Acquired by CONDEMNATION (Easement—Deed—Condemnation—Contract) Date of Contract ....., 19.....

LOCATION

From CL Station 74+91 to CL Station 90+58

Section 2, Township 74 N, Range 26 W

Township (Civil) OHIO Iowa.



MADISON (County) Project No. L-3114

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

2

RECEIVED
9-11-74
MADISON COUNTY
SHERIFF
WINTERSET, 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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

AMENDMENT TO APPLICATION FOR CONDEMNATION OF PROPERTY

COMES NOW Madison County, Iowa, and hereby amends its application for condemnation of property as follows:

It amends paragraph two of said application be deleting Commodity Credit Corporation as a lienholder.

MADISON COUNTY, IOWA

By Jerrold B. Oliver

Jerrold B. Oliver, Madison County Attorney

RECEIVED
8-27-74 2PM
RDR
MADISON COUNTY
SHERIFF
WINTERSET, 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 R35 LOCATED IN MADISON COUNTY, IOWA PROJECT NO. L-3114	:	SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS BY THE CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT.

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 provided to act as a compensation commission to access 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 Broker or Salesman	Dwight Mundell	Winterset
	Bert Smith	Winterset
Knowledgeable of Property Values by Virtue of Occupation	Gail Leeper	Winterset
	John Foster	Winterset
Agricultural	Don Beeler	Winterset
	Chester Haymond	Winterset

I further designate, select, and appoint Gail Leeper as Chairman.

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~~ Des Moines, Iowa, this 26 day of August, 1974.

Edson L. Holliday
Chief Judge of the Fifth Judicial District including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 27 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

RECEIVED
6-27-74 2PM
MADISON COUNTY
SHERIFF
WINTERSET, 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 R35 LOCATED IN MADISON COUNTY, IOWA	:	ORDER APPOINTING SUBSTITUTE COMPENSATION COMMISSIONERS
PROJECT NO. L-3114	:	

NOW ON THIS 26th day of August, 1974, 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	Merrill Creger	Winterset
Knowledgeable of Property Values by Virtues of Occupation	Ernest Stowell	Winterset
Agricultural	N. B. Hollingsworth	Winterset

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 Des Moines, Iowa, this 26 day of August, 1974.

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

Filed in my office at Winterset, Iowa, this 27 day of Aug, 1974.

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

SUMMONS TO COMMISSIONERS

TO: GAIL LEEPER

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 GAIL LEEPER 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 16th day of September, 1974, at 9:30 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 30 day of August 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Gail Leeper

Filed in my office at Winterset, Iowa, this 30 day of Aug, 1974.

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

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

SUMMONS TO COMMISSIONERS

TO: CHESTER HAYMOND

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 GAIL LEEPER 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 16th day of September, 1974, at 9:30 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.

Rep Ronse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____ 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Chester Haymond

Filed in my office at Winterset, Iowa, this 3 day of Sept., 1974.

Rep Ronse
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

_____

150

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

SUMMONS TO COMMISSIONERS

TO: DON BEELER

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 GAIL LEEPER 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 16th day of September, 1974, at 9:30 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.

Rep Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____ 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Don Beeler

Filed in my office at Winterset, Iowa, this 5 day of Sept., 1974.

Rep 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

_____

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

SUMMONS TO COMMISSIONERS

TO: 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 GAIL LEEPER 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 16th day of September, 1974, at 9:30 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.

Rep Ronse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this 29 day of Aug. 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Dwight Mundell

Filed in my office at Winterset, Iowa, this 30 day of Aug, 1974.

Rep Ronse
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

_____

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

SUMMONS TO COMMISSIONERS

TO: JOHN FOSTER

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 GAIL LEEPER 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 16th day of September, 1974, at 9:30 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 _____, Iowa, this _____ day of _____ 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

John M. Foster

Filed in my office at Winterset, Iowa, this 30 day of Aug, 1974.

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

_____

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

SUMMONS TO COMMISSIONERS

TO: BURT SMITH

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 GAIL LEEPER 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 16th day of September, 1974, at 9:30 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.

Rep Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____ 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Burt Smith

Filed in my office at Winterset, Iowa, this 4 day of Sept., 1974.

Rep 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

_____

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

OATH OF COMMISSIONERS

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 1973 Code of Iowa and any amendements 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.

Benton J. Smith — Name:
Dwight Mundell — Name:
Licensed Real Estate Salesman or Broker

John W. Foster — Name:
Gail Jeeper — Name:
Knowledgeable of Property Values by Virtue of Occupation

Don Beeler — Name:
Chester Haymond — Name:
Agricultural Owner-Operator

Subscribed and sworn to before me this 16th day of September, 1974.

Margaret Wheeler
Notary Public in and for the State of Iowa

Filed in my office at Winterset, Iowa, this 16th day of September, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

ATE OF IOWA
)ISON COUNTY
iereby certify that I have this 16th day of September, 1974 read aloud the RITTEN INSTRUCTIONS FOR MEMBERS OF THE COMPENSATION COMMISSION"submitted to me r this purpose by the Chief Justice of the Iowa Supreme Court. (Senate File 71 - 63 rd GA 2nd Session). Rex Rouse, Sheriff

6

RECEIVED
8-27-74
1 00 PM
MADISON COUNTY
SHERIFF
WINTERSET, 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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: Hal S. Sweeney, Mildred Sweeney, Mutual Benefit Life Insurance Co., Commodity Credit Corporation, Pauline Travis, and the Iowa State Bank; and all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The Northeast Quarter (¼) of the Southwest Quarter (¼); the Northwest Quarter (¼) of the Southwest Quarter (¼); the Southeast Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southeast Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); and the Southwest Quarter (¼) of the Northwest Quarter (¼) except cemetery in Section Two (2) and the Northwest Quarter (¼) of the Northwest Quarter (¼); the Northeast Quarter (¼) of the Northwest Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); the Southwest Quarter (¼) of the Northwest Quarter (¼); the Northwest Quarter (¼) of the Northeast Quarter (¼); and the Southwest Quarter (¼) of the Northeast Quarter (¼); in Section Eleven (11), all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

The Northwest Quarter (¼) of the Northwest Quarter (¼) and the Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Two (2), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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

Beginning at the SW corner of the NW¼ of Section 11 T74N R26W of the 5th P.M., thence east 35.0 feet, thence N0°14'12"W 280.9 feet, thence east 30.0 feet, thence N0°14'12"W 2,261.85 feet, thence west 54.5 feet to the NW corner of the NW¼ of said Section 11, a point 10.5 feet east of centerline Station 35 + 42.75 of Project L-3114, thence south 2,542.73 feet to the point of beginning and containing 0.81 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the NW¼ of Section 11 T74N R26W was assumed to bear due north and south,

Also, beginning at the SW corner of the SW¼ of Section 2 T74N R26W of the 5th P.M., thence east 39.5 feet, thence N1°05'30"E 318.25 feet, thence east 10.0 feet, thence N1°05'30"E 1,382.55 feet, thence N0°04'30"W 756.45 feet, thence N13°57'40.5"E 103.08 feet, thence N12°14'34.5"E 68.03 feet, thence S 89°55'30"W 87.04 feet, to centerline Station 61 + 68 of Project L-3114, thence west 20.7 feet to the NW corner of the SW¼ of said Section 2, thence south 2,624.94 feet to the point of beginning and containing 0.43 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the SW¼ of Section 2 T74N R26W was assumed to bear due north and south.

Also, beginning at the SW corner of the NW¼ of Section 2 T74N R 26W of the 5th P.M., thence east 20.7 feet to centerline Station 61 + 68 of Project L-3114, thence east 87.04 feet, thence N1°43'06"E 432.19 feet, thence north 684.21 feet, thence N51°30'E 122.22 feet, thence North 76.67 feet, thence S51°30'W 122.22 feet, thence North 130.12 feet, thence West, 100.0 feet to centerline Station 74 + 91 of Project L-3114, thence west 20.7 feet to the west side of the NW¼ of said Section 2, thence south 1,323.0 feet to the point of beginning and containing 1.32 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the NW¼ of Section 2 T74N R26W was assumed to bear due north and south.

and Beginning at the NW corner of the NW¼ of Section 2 T74N R26W of the 5th P.M., a point 20.7 feet west of tangent Station 90 + 58 of Project L-3114, thence south 1,567.0 feet; thence east 120.7 feet, thence N4°11'42.5"W 410.10 feet, thence north 600.0 feet, thence N5°42'38"W 201.0 feet, thence North 155.18 feet, thence N2°23'22"E 119.82 feet, thence N37°52'30"E 57.01 feet to the present right-of-way fence, thence north 38.0 feet, thence west 110.7 feet to the point of beginning and containing 0.67 acres, more or less exclusive of the present right-of-way.
Note: the west side of the NW¼ of Section 2 T74N R26W was assumed to bear due north and south.

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

In connection with this condemnation, it is specifically provided that any drainage, tile lines, or outlets which are located within the land being acquired under this proceeding and are damaged or destroyed by highway construction shall be relocated, replaced or restored by the condemnor at no expense to the condemnees and Madison County shall have a temporary easement as necessary over the condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration. A temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration.

In connection with condemnation, it is specifically provided that any crops growing on the land sought to be appropriated are reserved to the condemnee's until March 1, 1975.

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 16 day of September, 1974, at 10:15 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 Jerrold B. Oliver
Jerrold B. Oliver, County Attorney in and for Madison County, Iowa.

OFFICERS RETURN OF SERVICE

BBB

STATE OF IOWA, Madison County, ss.

The attached notice with copy of Petition attached received this 27th day of August, 1974, 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
Hal S. Sweeney	August	28th	1974	Ohio	Madison	Iowa

Rex Rouse Sheriff

Rex Rouse

Madison County, Iowa

By _____, Deputy Sheriff

FEES

Service $ 9.75

Copies $ _____

Notary $ _____

Mileage $ 6.60

Total $ 7.35

157

138

ACCEPTANCE OF SERVICE

STATE OF IOWA } ss
COUNTY OF POLK }

Service of the foregoing Notice of Condemnation is hereby accepted as is provided by the law for the Mutual Benefit Life Insurance Company defendant named therein, this 29 day of August 19 74

Des Moines, Iowa.

W. L. Shull
COMMISSIONER OF INSURANCE

Deputy Commissioner

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: Hal S. Sweeney, Mildred Sweeney, Mutual Benefit Life Insurance Co., Commodity Credit Corporation, Pauline Travis, and the Iowa State Bank; and all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The Northeast Quarter (¼) of the Southwest Quarter (¼); the Northwest Quarter (¼) of the Southwest Quarter (¼); the Southeast Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southeast Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); and the Southwest Quarter (¼) of the Northwest Quarter (¼) except cemetery in Section Two (2) and the Northwest Quarter (¼) of the Northwest Quarter (¼); the Northeast Quarter (¼) of the Northwest Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); the Southwest Quarter (¼) of the Northwest Quarter (¼); the Northwest Quarter (¼) of the Northeast Quarter (¼); and the Southwest Quarter (¼) of the Northeast Quarter (¼); in Section Eleven (11), all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

The Northwest Quarter (¼) of the Northwest Quarter (¼) and the Northeast Quarter (¼) of the Northwest Quarter (¼) of Section Two (2), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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

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Note: the west side of the NW¼ of Section 11 T74N R26W was assumed to bear due north and south,

Also, beginning at the SW corner of the SW¼ of Section 2 T74N R26W of the 5th P.M., thence east 39.5 feet, thence N1°05'30"E 318.25 feet, thence east 10.0 feet, thence N1°05'30"E 1,382.55 feet, thence N0°04'30"W 756.45 feet, thence N13°57'40.5"E 103.08 feet, thence N12°14'34.5"E 68.03 feet, thence S 89°55'30"W 87.04 feet, to centerline Station 61 + 68 of Project L-3114, thence west 20.7 feet to the NW corner of the SW¼ of said Section 2, thence south 2,624.94 feet to the point of beginning and containing 0.43 acres, more or less, exclusive of the present right-of-way.
Note: the west side of the SW¼ of Section 2 T74N R26W was assumed to bear due north and south.

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Note: the west side of the NW¼ of Section 2 T74N R26W was assumed to bear due north and south.

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

In connection with this condemnation, it is specifically provided that any drainage, tile lines, or outlets which are located within the land being acquired under this proceeding and are damaged or destroyed by highway construction shall be relocated, replaced or restored by the condemnor at no expense to the condemnees and Madison County shall have a temporary easement as necessary over the condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration. A temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration.

In connection with condemnation, it is specifically provided that any crops growing on the land sought to be appropriated are reserved to the condemnee's until March 1, 1975.

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 16 day of September, 1974, at 10:15 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 Jerrold B. Oliver
Jerrold B. Oliver, County Attorney in and for 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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: Hal S. Sweeney, Mildred Sweeney, Mutual Benefit Life Insurance Co., Commodity Credit Corporation, Pauline Travis, and the Iowa State Bank; and all other persons, companies or corporations having any interest in or owning any of the following described real estate:

The Northeast Quarter (¼) of the Southwest Quarter (¼); the Northwest Quarter (¼) of the Southwest Quarter (¼); the Southeast Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southwest Quarter (¼); the Southwest Quarter (¼) of the Southeast Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); and the Southwest Quarter (¼) of the Northwest Quarter (¼) except cemetery in Section Two (2) and the Northwest Quarter (¼) of the Northwest Quarter (¼); the Northeast Quarter (¼) of the Northwest Quarter (¼); the Southeast Quarter (¼) of the Northwest Quarter (¼); the Southwest Quarter (¼) of the Northwest Quarter (¼); the Northwest Quarter (¼) of the Northeast Quarter (¼); and the Southwest Quarter (¼) of the Northeast Quarter (¼); in Section Eleven (11), all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

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Note: the west side of the SW¼ of Section 2 T74N R26W was assumed to bear due north and south.

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SHERIFF POLK COUNTY, IOWA

Also, beginning at the SW corner of the NW¼ of Section 2 T74N R 26W of the 5th P.M., thence east 20.7 feet to centerline Station 61 + 68 of Project L-3114, thence east 87.04 feet, thence N1°43'06"E 432.19 feet, thence north 684.21 feet, thence N51°30'E 122.22 feet, thence North 76.67 feet, thence S51°30'W 122.22 feet, thence North 130.12 feet, thence West, 100.0 feet to centerline Station 74 + 91 of Project L-3114, thence west 20.7 feet to the west side of the NW¼ of said Section 2, thence south 1,323.0 feet to the point of beginning and containing 1.32 acres, more or less, exclusive of the present right-of-way.
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That such condemnation is sought for the following purpose: widening, improving, altering and relocating the public highways of Madison County, Iowa.

In connection with this condemnation, it is specifically provided that any drainage, tile lines, or outlets which are located within the land being acquired under this proceeding and are damaged or destroyed by highway construction shall be relocated, replaced or restored by the condemnor at no expense to the condemnees and Madison County shall have a temporary easement as necessary over the condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration. A temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration.

In connection with condemnation, it is specifically provided that any crops growing on the land sought to be appropriated are reserved to the condemnee's until March 1, 1975.

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 16 day of September, 1974, at 10: 15 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 Jerrold B. Oliver
Jerrold B. Oliver, County Attorney in and for Madison County, Iowa.

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STATE OF IOWA
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 28 day of August, 1974, and that on the 28 day of August, 1974, I served the same on the within named defendant Mildred Sweeney by delivering a true copy thereof, with ~~copy of petition attached~~, to said Mildred Sweeney at 2109 Woodland Des Moines, Polk County, Iowa.
(Strike out if not so attached) (Address)

Fees:
Notary $ .75
Mileage $ 6.00
County $ 1.75
Total $ 8.50 Pd 9-13-74

Paid by Plt'ffs. Attorney

Bradley Printing

Mike Sievers Deputy Sheriff

Subscribed and sworn to before me this 28 day of August, 1974

Nadine Hall
Notary Public, Polk County, Iowa
Notary commission expires September 30, 1977

NOTARIAL SEAL IOWA
NADINE HALL
MY COMMISSION EXPIRES
SEPTEMBER 30, 1977

STATE OF IOWA
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 28 day of August, 1974, and that on the 29 day of August, 1974, I served the same on the within named defendant Pauline Trowbridge by delivering a true copy thereof, ~~with copy of petition attached~~, to said Pauline Trowbridge at 1804 E. 23 Des Moines, Polk County, Iowa.
(Strike out if not so attached) (Address)

Fees:
Notary $
Mileage $
County $
Total $

Paid by Plt'ffs. Attorney.

Bradley Printing

Lawrence Davis Deputy Sheriff

Subscribed and sworn to before me this 9 day of September, 1974

Nadine Hall
Notary Public, Polk County, Iowa
Notary commission expires September 30, 1977

NOTARIAL SEAL IOWA
NADINE HALL
MY COMMISSION EXPIRES
SEPTEMBER 30, 1977

STATE OF IOWA
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 28 day of aug, 19 74, and that on the 28 day of aug, 19 74, I served the same on the within named defendant Iowa State Bank at E 7th & Locust (Address) Des Moines, Polk County, Iowa, by delivering a true copy thereof, ~~with copy of petition attached~~ (Strike out if not so attached), to Milton Paul President (Give title of person served) of said Iowa State Bank (Name of defendant)

Fees:
Notary $.....
Mileage $.....
County $.....
Total $.....
Paid by Plt'ffs. Attorney.

"Foreign Corporation Notice Return"

Frank VanDeBoe Deputy Sheriff

Subscribed and sworn to before me this 28 day of August, 19 74

Nadine Hall
Notary Public, Polk County, Iowa
Notary commission expires September 30, 1977

NOTARIAL SEAL IOWA
NADINE HALL
MY COMMISSION EXPIRES
SEPTEMBER 30, 1977

Bradley Printing

9

RECEIVED
8-27-74
3:00 p.m.
MADISON COUNTY
SHERIFF
WINTERSET, 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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

AFFIDAVIT OF FINAL OFFER

On this 27 day of September, 1974, 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:

Hal S. Sweeney Mildred Sweeney Mutual Benefit Life Insurance Co. Commodity Credit Corporation	Land Fence	$ 989.46 3357.00 $ 4346.46
Pauline Travis H. S. Sweeney The Iowa State Bank	Land Fence	$ 207.03 846.00 $ 1053.03

MADISON COUNTY, IOWA

By: John C. Calhoun
County Engineer

Subscribed and sworn to before me this 27 day of August, 1974.

JERROLD B. OLIVER
MY COMMISSION EXPIRES
SEPTEMBER 30, 1976

Jerrold B. Oliver
Notary Public in and for the State of Iowa.

Filed in my office at Winterset, Iowa, this 27 day of Aug, 1974.

Rep Rouse
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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

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 reports 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
Hal S. Sweeney	$	$	$ ~~1560.00~~	$
Mildred Sweeney	$	$	$ 7920.00	$
Mutual Benefit Life Insur. Co	$	$	$	$
	$	$	$	$
Pauline Travis	$	$	$ 1580.00	$
H.S. Sweeney	$	$	$	$
The Iowa State Bank	$	$	$	$

Respectfully reported at Winterset, Iowa, this 16th day of Sept., 1974.

Burton J. Smith — John W. Foster

Chester Haymond — Don Beeler

Merrill Mendell — Dail Yeager

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 16th day of Sept., 1974.

Rex Rouse

Sheriff, 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 R35 LOCATED IN MADISON COUNTY, IOWA PROJECT NO. L-3114	ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

I, the undersigned, Sheriff of Madison -------- County, Iowa, hereby endorse and certify to the Report of Compensation Commission; appearing upon the opposite side hereof that I have mailed by ordinary mail on this 16th day of September, 1974, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.

Rex Rouse

Rex Rouse, Sheriff Madison County, Ia.

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 R35 LOCATED IN MADISON COUNTY, IOWA

PROJECT NO. L-3114

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
	$	$	$	$
Hal S. Sweeney	$	$	$ 7,920.00	$
Mildred Sweeney	$	$	$	$
Mutual Benefit Life Insur.Co	$	$	$	$
	$	$	$	$
Pauline Travis	$	$	$ 1,580.00	$
H. S. Sweeney	$	$	$	$
The Iowa State Bank	$	$	$	$

You and each of you are hereby notified that the duly appointed and qualified commissioners assessed and appraised the damages sustained by reason of the condemnation as set out above, and that pursuant to Section 472.18 of the Code of Iowa, as amended by House File 215, Acts of the 64th General Assembly, you may within thirty (30) days from the date of mailing of this Notice, appeal to the district court as by law provided.

Date: 16th Day of September, 1974

Rep Rouse

Sheriff of Madison County, Iowa

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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 & copy	$2.25	$ 6.60	$ 8.85
2. Summoning Commissioners (postage)	1.20		1.20
3. Sheriff attending commissioners	7.50	6.60	14.10
			$24.15

4. COMMISSIONERS EXPENSES:

Gail L. Leeper, % Union State Bank,Winterset 1 day service - mileage - meal	$ 53.25
Burton J. Smith, 624 S. 8th Ave.,Winterset 1 day service - mileage - meal	53.32
John W. Foster, 317 N 4th Ave, Winterset 1 day service - mileage - meal	53.10
Dwight Mundell, 720 N 3rd, Winterset 1 day service - mileage - meal	58.85
Dona Beeler, Peru, 1 day service - mileage - meal	56.50
Chester Haymond, RR,Winterset, 1 day service - mileage - meal	56.80
TOTAL COMMISSIONER EXPENSES	$331.82

5. DAMAGES AWARDED:

Hal S. Sweeney Mildred Sweeney Mutual Benefit Life Insur. Co.	$7,920.00
Pauline Travis H. S. Sweeney The Iowa State Bank	1,580.00
TOTAL DAMAGES AWARDED	$9,500.00

RECAPITULATION

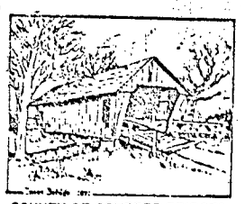
TOTAL DAMAGES AWARDED	$9,500.00
TOTAL SHERIFF's COSTS	24.15
TOTAL COMMISSIONER'S EXPENSES	331.82
GRAND TOTAL	$9,855.97

Certified a true statement of condemnation awards and expense 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 R 35 Located in Madison County, Iowa, Project No. L-3114" and the original copies thereof.

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa

B



COUNTY OF COVERED BRIDGES

OFFICE OF

Sheriff of Madison County

REX ROUSE, SHERIFF
EDWARD POWELL, DEPUTY
WINTERSET, IOWA 50273

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 18, 1974

TO: Hal S. Sweeney; Mildred Sweeney; Mutual Benefit Life Insurance Co.

This is to advise you that there has been deposited with me Check #_____ in the amount of $7,920.00. This check represents the amount of the Condemnation Conpensation Commission award made on Sept. 16, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

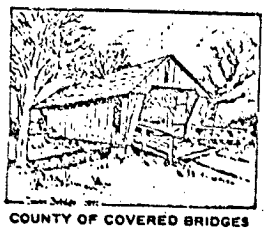
Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted (date) 10-15-74

Mrs. Hal S. Sweeney

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OFFICE OF
Sheriff of Madison County
REX ROUSE, SHERIFF
EDWARD POWELL, DEPUTY
WINTERSET, IOWA 50273

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 18, 1974

TO: Pauline Travis; H.S. Sweeney; The Iowa State Bank

This is to advise you that there has been deposited with me Check #_____ in the amount of $1,580.00. This check represents the amount of the Condemnation Conpensation Commission award made on Sept. 16, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted (date) 10-15-74

Mrs. H. S. Sweeney