186

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Form 490

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

TO: Gibson C. Holliday , Chief Judge of the 5th Judicial District, including Madison County, Iowa

Comes now the Iowa State Highway Commission and states that the public interest requires that the State of Iowa acquire certain rights in *agricultural ~~other than agricultural~~ land hereinafter described, by condemnation proceedings, as authorized and provided by law.

The lands and/or property rights affected and the record owners, lienholders, encumbrancers, and other persons interested therein, are as listed on the sheets hereto attached and made a part hereof, and are shown with reference to their location as to lands affected on the plat hereto attached, marked Exhibit "A" and made a part hereof.

The State of Iowa desires certain specific rights in the land herein sought to be condemned for Primary Road right of way and/or access control and/or for highway drainage and/or for the purpose of obtaining and removing therefrom material suitable for the improvement and/or maintenance of the Primary Roads of the State of Iowa.

The State of Iowa and the Iowa State Highway Commission as the agency used by the State of Iowa for the improvement of its Primary Roads has been unable to secure the described rights in lands by purchase and conveyance.

NOW, THEREFORE, the Iowa State Highway Commission hereby requests the appointment of a compensation commission of six persons qualified as prescribed in Sec. 306.19, Code of Iowa, 1971, not interested in the same or a like question, to view the real estate involved and appraise the damages which the owners thereof, lienholders, encumbrancers, or other persons interested therein will sustain by reason of the appropriation herein sought to be condemned, for the purpose herein stated, and make their report in writing to the Sheriff as provided by law.

Dated at Ames, Iowa, this 31st day of July, 1974.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General and
Counsel to the Iowa State Highway Commission

Filed in duplicate in my office at Des Moines, Iowa, this 1st day of August, 1974.

Gibson C. Holliday
Chief Judge of the 5th Judicial District
including Madison County, Iowa

ENTERED FOR TAXATION
THIS 18 DAY OF Oct 1974
AUDITORS FEE $ 1.00
George E. Abrahamson
AUDITOR
Jean Allen
DEPUTY AUDITOR

IND. 1
REC. 1
FEE 94 50

FILED NO. 1715
BOOK 111 PAGE 186
1974 OCT 18 PM 4:03
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

NOTICE

RECEIVED
8-16-76
9:00 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:
Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust, 220 West Washington, Winterset, Iowa
Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust, 607 Locust, Des Moines, Iowa
Harry B. Watts, R.R. #2, Winterset, Iowa
Helen Watts, R.R. #2, Winterset, Iowa
Patrick F. Corkrean, Hwy. 92 West, Winterset, Iowa
Nancy Corkrean, Hwy. 92 West, Winterset, Iowa
John R. Steffen, 1518 66th, Des Moines, Iowa
Josephine Steffen, 1518 66th, Des Moines, Iowa
Larry Watts, R.R. #2, Winterset, Iowa
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the W½N½NW Frl. ¼ and the E½N½NW Frl. ¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa.

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

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

A parcel of land located in the N½NW Frl.¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Primary Road No. 92, and on the west side of part of the following described centerline of Side Road, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the NW Corner of said Sec. 31, thence N0°31'W 37.1 ft., thence S89°54'E 0.1 ft. to Sta. 756+37.3, the Point of Beginning, thence S89°20½'E 2655.9 ft. to Sta. 782+93.2, thence easterly 406.8 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 787+00.

The centerline of Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'E 482.0 ft. to Sta. 1780+00.

Said parcel is described as follows: Beginning at a point normally distant westerly from Sta. 1780+50 (Side Road) on the present westerly right of way line of Side Road, thence to a point 85 ft. normally distant westerly from Sta. 1782+60, thence to a point 120 ft. radially distant southerly from Sta. 783+00 (Prim. Rd. No. 92), thence to a point 120 ft. normally distant southerly from Sta. 778+00, thence to a point 110 ft. normally distant southerly from Sta. 772+50, thence to the point of intersection of the present southerly right of way line of Primary Road No. 92 and the west line of the East 45.52 Acres of the N½NW Frl.¼ of said Sec. 31, thence northerly and easterly along said present southerly right of way line to the present westerly right of way line of Side Road, thence southerly along said present westerly right of way line to a point normally distant westerly from Sta. 1780+50, the Point of Beginning.

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

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NOTICE

RECEIVED
8-12-74 9AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:
Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust, 220 West Washington, Winterset, Iowa
Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust, 607 Locust, Des Moines, Iowa
Harry B. Watts, R.R. #2, Winterset, Iowa
Helen Watts, R.R. #2, Winterset, Iowa
Patrick F. Corkrean, Hwy. 92 West, Winterset, Iowa
Nancy Corkrean, Hwy. 92 West, Winterset, Iowa
John R. Steffen, 1518 66th, Des Moines, Iowa
Josephine Steffen, 1518 66th, Des Moines, Iowa
Lyle Archer, R.R. #2, Winterset, Iowa
Scott McDonald, R.R. #2, Winterset, Iowa
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

Amended

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

Parts of the W½N½NW Frl. ¼ and the E½N½NW Frl. ¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa.

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

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

A parcel of land located in the N½NW Frl.¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Primary Road No. 92, and on the west side of part of the following described centerline of Side Road, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the NW Corner of said Sec. 31, thence N0°31'W 37.1 ft., thence S89°54'E 0.1 ft. to Sta. 756+37.3, the Point of Beginning, thence S89°20½'E 2655.9 ft. to Sta. 782+93.2, thence easterly 406.8 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 787+00.

The centerline of Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'E 482.0 ft. to Sta. 1780+00.

Said parcel is described as follows: Beginning at a point normally distant westerly from Sta. 1780+50 (Side Road) on the present westerly right of way line of Side Road, thence to a point 85 ft. normally distant westerly from Sta. 1782+60, thence to a point 120 ft. radially distant southerly from Sta. 783+00 (Prim. Rd. No. 92), thence to a point 120 ft. normally distant southerly from Sta. 778+00, thence to a point 110 ft. normally distant southerly from Sta. 772+50, thence to the point of intersection of the present southerly right of way line of Primary Road No. 92 and the west line of the East 45.52 Acres of the N½NW Frl.¼ of said Sec. 31, thence northerly and easterly along said present southerly right of way line to the present westerly right of way line of Side Road, thence southerly along said present westerly right of way line to a point normally distant westerly from Sta. 1780+50, the Point of Beginning.

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

TO:
Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust, 220 West Washington, Winterset, Iowa
Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust, 607 Locust, Des Moines, Iowa
Harry B. Watts, R.R. #2, Winterset, Iowa
Helen Watts, R.R. #2, Winterset, Iowa
Patrick F. Corkrean, Hwy. 92 West, Winterset, Iowa
Nancy Corkrean , Hwy. 92 West, Winterset, Iowa
John R. Steffen, 1518 66th, Des Moines, Iowa
Josephine Steffen, 1518 66th, Des Moines, Iowa
S.L. Longabaugh, R.R. #2, Winterset, Iowa
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

Amended this copy NG

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

Parts of the W½N½NW Frl. ¼ and the E½N½NW Frl. ¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa.

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

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

A parcel of land located in the N½NW Frl.¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Primary Road No. 92, and on the west side of part of the following described centerline of Side Road, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the NW Corner of said Sec. 31, thence N0°31'W 37.1 ft., thence S89°54'E 0.1 ft. to Sta. 756+37.3, the Point of Beginning, thence S89°20½'E 2655.9 ft. to Sta. 782+93.2, thence easterly 406.8 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 787+00.

The centerline of Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'E 482.0 ft. to Sta. 1780+00.

Said parcel is described as follows: Beginning at a point normally distant westerly from Sta. 1780+50 (Side Road) on the present westerly right of way line of Side Road, thence to a point 85 ft. normally distant westerly from Sta. 1782+60, thence to a point 120 ft. radially distant southerly from Sta. 783+00 (Prim. Rd. No. 92), thence to a point 120 ft. normally distant southerly from Sta. 778+00, thence to a point 110 ft. normally distant southerly from Sta. 772+50, thence to the point of intersection of the present southerly right of way line of Primary Road No. 92 and the west line of the East 45.52 Acres of the N½NW Frl.¼ of said Sec. 31, thence northerly and easterly along said present southerly right of way line to the present westerly right of way line of Side Road, thence southerly along said present westerly right of way line to a point normally distant westerly from Sta. 1780+50, the Point of Beginning.

Said parcel contains 2.1 acres, more or less.

Note: The north line of said NW Frl.¼ is assumed to bear East and West.

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

1. Any and all improvements, including fences, located wholly within the land sought by permanent easement are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

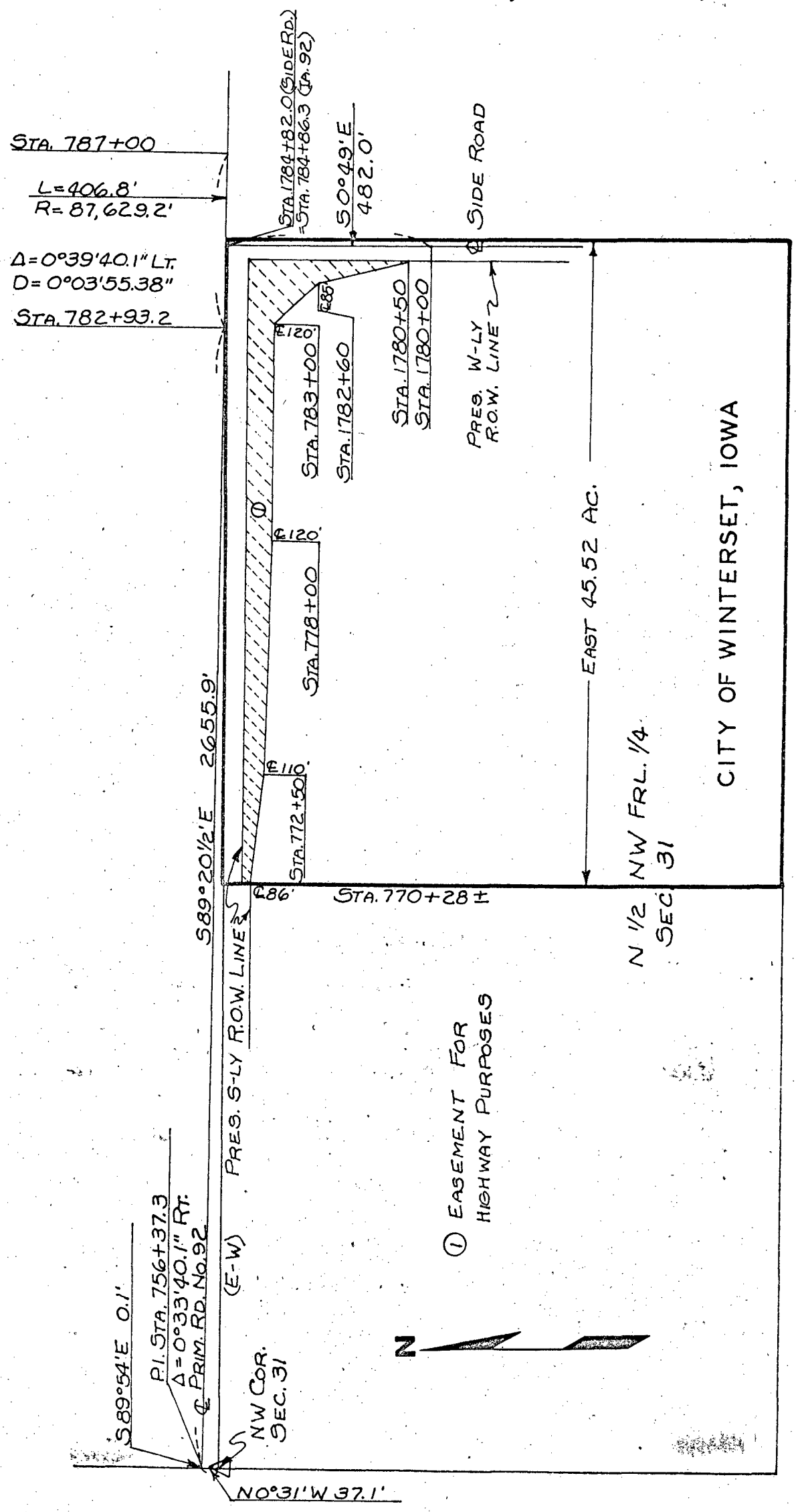
COUNTY MADISON — STATE CONTROL NO. 6

PROJECT NO. FN-92-4(10)--21-61 — PARCEL NO. 6

SECTION 31 — TOWNSHIP 76 N — RANGE 27 W

ROW - FEE ____ AC, EASE 2.1 AC, EXCESS - FEE ____ AC

ACQUIRED FROM HELEN MC CALL HUNTOON, AS TRUSTEE, ET AL



191

located in Madison County, Iowa

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Project No. FN-92-4(10)--21-61

Group "A"

TO:

Penn-Dixie Cement Corporation, c/o C.T. Corporation System, Inc., 1014 Savings and Loan Building, Des Moines, Iowa

~~National Bank of Detroit, Michigan, 611 Woodward Avenue, Detroit, Michigan~~

Victor S. McDonald, R.R. #2, Winterset, Iowa dismissed 8-22-74 ASR

Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

The SW¼SE¼ of Sec. 30, the NW¼NE¼, NE¼NE¼ and parts of the SW¼NE¼ and SE¼NE¼ of Sec. 31 and the NW¼NW¼ and parts of the NE¼NW¼, SW¼NW¼ and SE¼NW¼ of Sec. 32, all in T76N, R27W of the 5th P.M., Madison County, Iowa.

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

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

A parcel of land located in the SW¼SE¼ of Sec. 30, T76N, R27W of the 5th P.M., Madison County, Iowa, lying on the northerly side of part of the following described centerline of Primary Road No. 92 and on the easterly side of part of the following described centerline of Local Road, a parcel of land located in the NW¼NE¼ of Sec. 31, T76N, R27W of said 5th P.M., lying on the southerly side of part of the following described centerline of Primary Road No. 92 and on the easterly side of part of the following described centerline of Local Road, and a parcel of land located in said NW¼NE¼ , lying on the southerly side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, said numbers being adjusted at Sta. 796+00 to equal Sta. 796+00.3, is described as follows: Commencing at the N¼ Corner of said Sec. 31, thence East 1393.6 ft. along the north line of the NE¼ thereof to Sta. 799+00, the Point of Beginning, thence West 299.7 ft. to Sta. 796+00.3 which equals Sta. 796+00.0, thence continuing West 295.6 ft. to Sta. 793+04.4, thence westerly 704.4 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 786+00.

The centerline of Local Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'W 382.0 ft. to Sta. 1781+00; Also, beginning at said Sta. 1784+82.0, thence N0°49'E 518.0 ft. to Sta. 1790+00.

Said parcels are described as follows:

Bounded on the west by the existing easterly right of way line of Local Road; on the north by a line beginning at a point normally distant easterly from Sta. 1790+00 (Local Road) on said existing easterly right of way line, thence to a point 85 ft. normally distant easterly from Sta. 1787+00, thence to a point 85 ft. radially distant northerly from Sta. 788+50 (Prim. Rd. No. 92), thence to a point 85 ft. radially distant northerly from Sta. 791+00, thence to a

Continued on next sheet

point 75 ft. normally distant northerly from Sta. 793+25, thence to a point 75 ft. normally distant northerly from Sta. 796+00, thence to a point 60 ft. normally distant northerly of centerline on the east line of the SW¼SE¼ of said Sec. 30; on the east by the east line of said SW¼SE¼; on the south by the existing northerly right of way line of Primary Road No. 92.

Also, bounded on the west by the existing easterly right of way line of Local Road; on the north by the existing southerly right of way line of Primary Road No. 92; on the east by the existing northwesterly right of way line of Local Road Connection; on the south by a line beginning at a point 90 ft. radially distant southerly of centerline (Prim. Rd. No. 92) on said existing northwesterly right of way line, thence to a point 90 ft. radially distant southerly from Sta. 787+05, thence to a point 55 ft. normally distant easterly from Sta. 1782+25 (Local Road), thence to a point normally distant easterly from Sta. 1781+00 on the existing easterly right of way line of Local Road.

Also, bounded on the northwest and north by the existing southeasterly right of way line of Local Road connection and the existing southerly right of way line of Primary Road No. 92; on the south by a line beginning at a point normally distant southerly from Sta. 797+00 on the existing southerly right of way line of Primary Road No. 92, thence to a point 80 ft. normally distant southerly from Sta. 796+00, thence to a point 90 ft. radially distant southerly of centerline on the existing southeasterly right of way line of Local Road Connection.

Said parcels contain 2.6 acres, more or less.

Note: The north line of the NE¼ of said Sec. 31 is assumed to bear East and West.

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

1. Any and all improvements, including fences, located wholly within the land sought by permanent easement are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

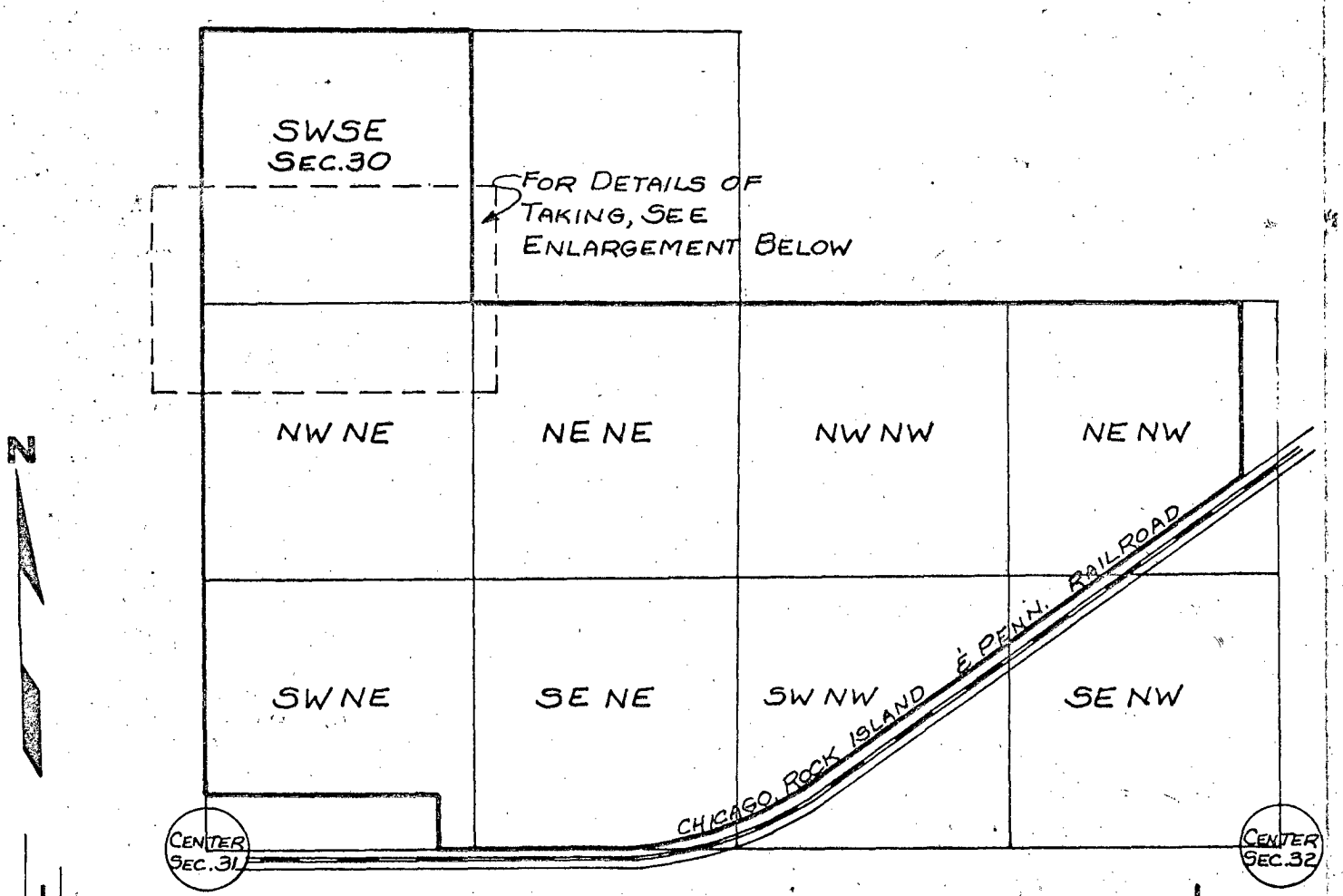
3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

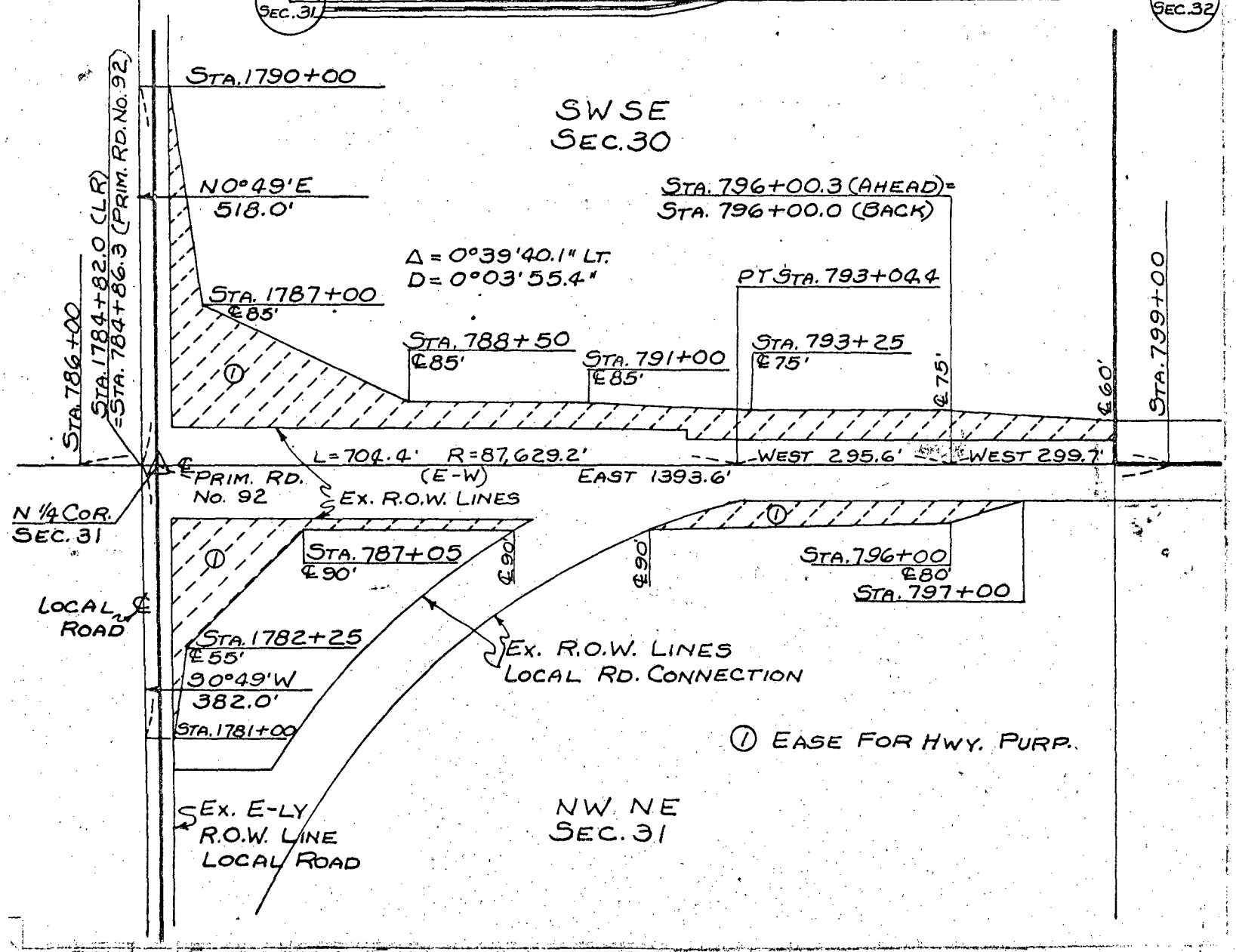
Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON — STATE CONTROL NO. 6
PROJECT NO. FN-92-4(10)--21-61 — PARCEL NO. 7
SECTION 30, 31, 32 — TOWNSHIP 76 N — RANGE 27 W
ROW - FEE — AC, EASE 2.6 — AC, EXCESS - FEE — AC
ACQUIRED FROM PENN-DIXIE CEMENT CORPORATION





In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

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

and

AMENDMENT TO NOTICE

TO: Rex Rouse, Sheriff of Madison County, Iowa
and
TO:
Penn-Dixie Cement Corporation, c/o C.T. Corporation System, Inc., 1014 Savings and Loan Building, Des Moines, Iowa
~~National Bank of Detroit, Michigan, 611 Woodward Avenue, Detroit, Michigan~~
~~Victor S. McDonald, R.R. #2, Winterset, Iowa~~
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

Comes now the Iowa State Highway Commission and amends the Application and Notice filed in the above entitled proceedings as follows:

By striking and voiding the Second, Third and Fourth Paragraphs of Sheet 2 of the description of the property rights sought to be appropriated from Penn-Dixie Cement Corp., et al (Parcel 7) to wit:

"Also, bounded on the west by the existing easterly right of way line of Local Road; on the north by the existing southerly right of way line of Primary Road No. 92; on the east by the existing northwesterly right of way line of Local Road Connection; on the south by a line beginning at a point 90 ft. radially distant southerly of centerline (Prim. Rd. No. 92) on said existing northwesterly right of way line, thence to a point 90 ft. radially distant southerly from Sta. 787+05, thence to a point 55 ft. normally distant easterly from Sta. 1782+25 (Local Road), thence to a point normally distant easterly from Sta. 1781+00 on the existing easterly right of way line of Local Road.

Also, bounded on the northwest and north by the existing southeasterly right of way line of Local Road connection and the existing southerly right of way line of Primary Road No. 92; on the south by a line beginning at a point normally distant southerly from Sta. 797+00 on the existing southerly right of way line of Primary Road No. 92, thence to a point 80 ft. normally distant southerly from Sta. 796+00, thence to a point 90 ft. radially distant southerly of centerline on the existing southeasterly right of way line of Local Road Connection.

Said parcels contain 2.6 acres, more or less."

And substituting therefor the following to wit:

"Also, bounded on the west by the existing easterly right of way line of the Local Road; on the north by the existing southerly right of way line of Primary Road No. 92; on the south and east by a line beginning at a point normally distant easterly from Sta. 1781+00 (Local Road) on the existing easterly right of way line of the Local Road, thence to a point 55 ft. normally distant easterly from Sta. 1782+25, thence to a point 90 ft. radially distant southerly from Sta. 787+05, thence to a point 90 ft. radially distant southerly from Sta. 791+75; thence to a point 80 ft. normally distant southerly from Sta. 796+00, thence to a point normally distant southerly from Sta. 797+00 on the existing southerly right of way line of Primary Road No. 92.

Said parcels contain 2.9 acres, more or less."

Madison County Project No. FN-92-4(10)--21-61
Penn-Dixie Cement Corporation, et al (Parcel 7)

And further amending by striking and voiding Right of Way Plat "Exhibit "A" Owners: Penn-Dixie Cement Corporation, et al, "and substituting therefor Right of Way Plat "Exhibit "B" Owners: Penn-Dixie Cement Corporation, et al", copy of which is attached hereto and by this reference made a part hereof.

Dated at Ames, Iowa, this 12 day of September, 1974.

APPROVED:

IOWA STATE HIGHWAY COMMISSION
By Richard C. Turner
Attorney General of Iowa

Gordon A. Sweitzer

GORDON A. SWEITZER
Right of Way Director

By Asher E. Schroeder

ASHER E. SCHROEDER
Special Assistant Attorney General
and General Counsel to the Department
of Transportation, Ames, Iowa

Filed in my office at Winterset, Iowa, this 12 day of Sept, 1974.

Rex Rouse

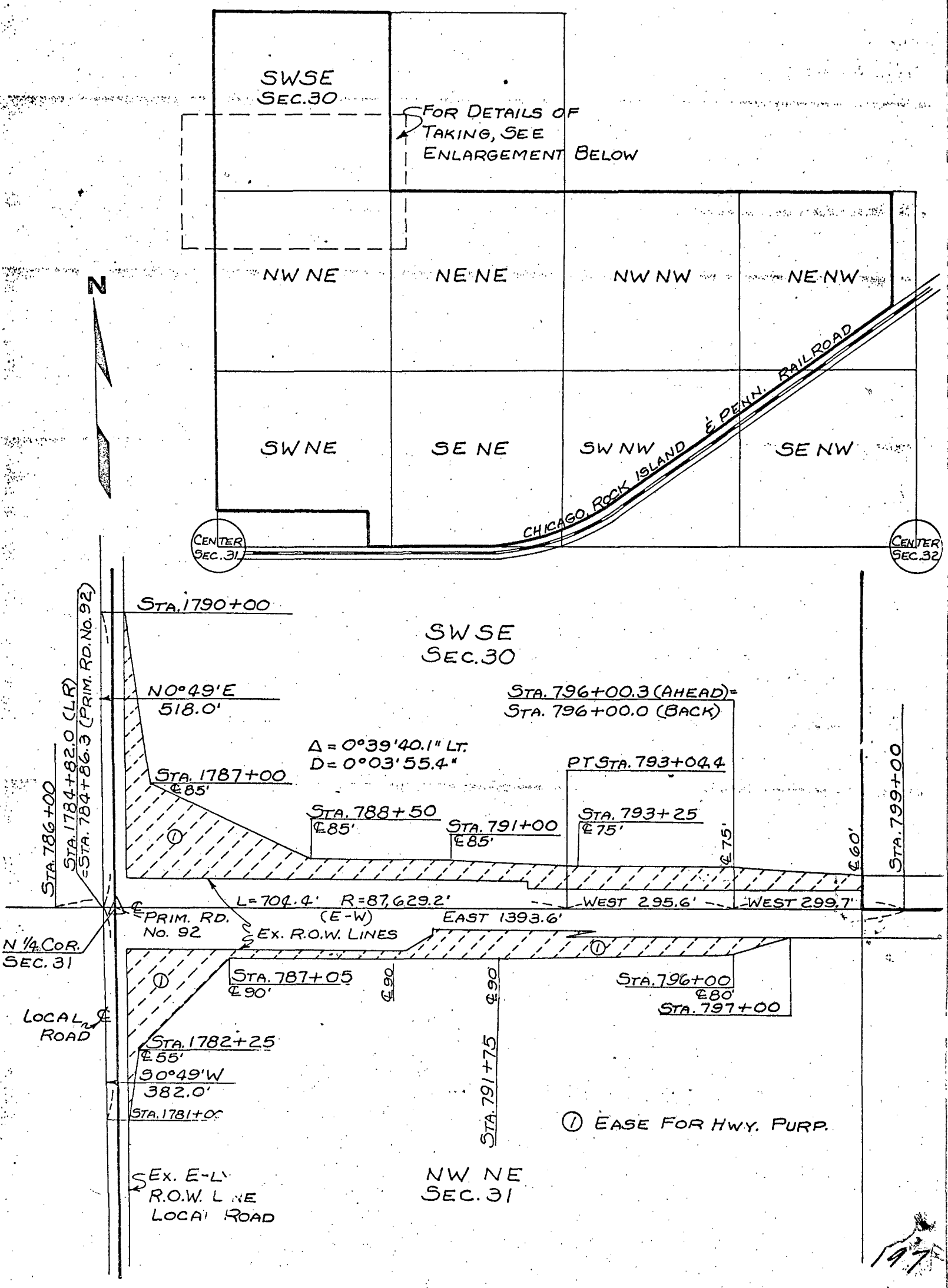
Rex Rouse, Sheriff of
Madison County, Iowa

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "B"

COUNTY MADISON STATE CONTROL NO. 6
PROJECT NO. FN-92-4(10)--21-61 PARCEL NO. 7
SECTION 30, 31, 32 TOWNSHIP 76 N RANGE 27 W
ROW - FEE ____ AC, EASE 2.9 AC, EXCESS - FEE ____ AC
ACQUIRED FROM PENN-DIXIE CEMENT CORPORATION



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In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County,

Project No. FN-92-4(10)--21-61

Group "A"

PARTIAL DISMISSAL

RECEIVED
8-22-74 9AM
RMR
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO: Parcel No. 7

Penn-Dixie Cement Corporation, c/o C.T. Corp. System, Inc., 1014 Savings and Loan Building, Des Moines, Iowa
Victor S. McDonald, R R # 2, Winterset, Iowa
Madison County, County Auditor, Winterset, Iowa

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

The SW 1/4 SE 1/4 of Sec. 30, the NW 1/4 NE 1/4, NE 1/4 NE 1/4 and parts of the SW 1/4 NE 1/4 and SE 1/4 NE 1/4 of Sec. 31 and the NW 1/4 NW 1/4 and parts of the NE 1/4 NW 1/4, SW 1/4 NW 1/4 and SE 1/4 NW 1/4 of Sec. 32, all in T76N, R27W of the 5th P.M., Madison County, Iowa.

The Iowa State Highway Commission dismisses, without prejudice the above-entitled proceeding against the following party only:

Victor S. McDonald

Dated at Ames, Iowa, this 21st day of August, 1974.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

Asher E. Schroeder

ASHER E. SCHROEDER
Special Assistant Attorney General and Counsel to the Iowa State Highway Commission

Filed in my office at Winterset, Iowa, this 22 day of Aug., 1974.

Rep Rouse

SHERIFF of MADISON COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Form 492

SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS BY THE CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT

An Application for Condemnation having been filed with me by the Iowa State Highway Commission 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	QUALIFICATIONS
Bert Smith	Winterset	Licensed Real Estate Salesman or Broker
Merrill Creger	Winterset	Licensed Real Estate Salesman or Broker
Ernest Stowell	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Wallace Jackson	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Darrell Daggett	Winterset	Agricultural
Carl Downs	Winterset	Agricultural

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

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

Dated at Des Moines, Iowa, this 5th day of August, 1974

Gibson C. Holliday
Chief Judge of the 5th Judicial District
Including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 7 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

V99

RECEIVED
8-16-74
900
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No.

Located in Madison County, Iowa

Project No. FN-92-4(10)--21-61 "A"

Group A

ORDER APPOINTING SUBSTITUTE COMPENSATION COMMISSIONER

NOW ON THIS 13 day of August 12, 1974, an Order Appointing Substitute Compensation Commissioner having been presented to me due to the inability of Wallace Jackson, and his alternate Wayne Newton, both having qualifications as being Knowledgeable, to serve as a compensation commissioner in the condemnation referenced above, it is ordered that the vacancy shall be filled by the following commissioner:

QUALIFICATIONS	NAME	ADDRESS
Knowledgeable	John Foster	Winterset - Commissioner
"	Irvin Martens	Winterset - Alternate

The Sheriff of Madison County, Iowa, shall notify the substitute commissioner in the same manner as the original commissioners were notified.

Dated at Des Moines, Iowa, this 13th day of August, 1974.

Judge of the 5th Judicial District, including Madison County, Iowa

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

Sheriff of Madison County, Iowa

Department of Justice

RICHARD C. TURNER
ATTORNEY GENERAL

ASHER E. SCHROEDER
SPECIAL ASSISTANT ATTORNEY GENERAL
HIGHWAY COMMISSION

ADDRESS REPLY TO
DEPARTMENT OF
JUSTICE
C/O IOWA STATE HWY. COMM.
AMES, IOWA 50010

RECEIVED
8-16-74
900
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

August 15, 1974

Sheriff Rex Rouse
Madison County Sheriff
Madison County Courthouse
Winterset, Iowa 50273

Dear Sheriff Rouse:

RE: Madison County Condemnation FN-92-4(10)--21-61 "A"

Enclosed is an Order signed by the Chief Judge appointing John Foster of Winterset, Iowa, to replace Wallace Jackson and Wayne Newton who are unable to serve on the date scheduled for this hearing. Please file this Order with the Papers pertaining to this condemnation.

Also enclosed are Summonses to be mailed to John Foster, with the request that he return one signed copy to you. The copy to be retained by the substitute commissioner has attached to it the Notices of Condemnation which indicate all persons and real estate affected by the condemnation on which he will serve.

Very truly yours,

ASHER E. SCHROEDER
Special Assistant Attorney General

AES:rn
Enclosures

201

Form 463
7-71

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION ~~COMMISSIONERS~~

RECEIVED
8-19-74 9AM
RMR
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

An Application for Condemnation having been filed with me by the Iowa State Highway Commission, entitled as above, for the selection and appointment, by lot, of a duly constituted compensation commission, and said selection and appointment having been made by me, I further, DESIGNATE, SELECT, and APPOINT the following persons to serve as alternate members of said compensation commission, in the event that any of the said members having the same qualifications are unable to serve for any reason.

NAME	ADDRESS	QUALIFICATION
Earl Whitworth	Winterset	Licensed Real Estate Salesman or Broker
Wayne Newton	Winterset	Knowledgeable or Property Values by Virtue of Occupation
Harrison Vowell	Winterset	Agricultural ~~or Other Than Agricultural~~

The Sheriff of Madison County, Iowa, shall upon being informed of a vacancy in the compensation commission, notify the alternate member appointed having the same qualifications as the person unable to serve in the same manner as the original commissioners were notified.

Dated at Des Moines, Iowa, this 6th day of August, 19 74.

Gibson O. Holliday

JUDGE OF THE 5th JUDICIAL DISTRICT, including Madison County, Iowa.

Filed in my office at Winterset, Iowa, this 19 day of Aug, 19 74.

Rex Poise

SHERIFF OF MADISON COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

TO: Mr. Harrison Vowell, Peru, Iowa

Form 493

RECEIVED
9-6-74
9:30 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

RECEIVED
9-10-74
9:20 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

The Iowa State Highway Commission 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 primary 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 Ernest Stowell 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 at Madison County, State of Iowa, on 12th day of September ,1974 , at 9:30 o'clock a.m. (CDT) 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 day of , 19 . I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

H. S. Vowell

Filed in my office at Winterset , Iowa, this 10 day of Sept , 1974.

Rex Rouse

Sheriff of 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

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In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Primary Road No. 92 in and north of

Winterset

Form 493

204

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

TO: Mr. Merrill Creger, Truro, Iowa

The Iowa State Highway Commission 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 primary 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 Ernest Stowell 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 at Winterset, Madison County, State of Iowa, on 12th day of September, 19 74, at 9:30 o'clock a.m. (CDT) 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

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Truro, Iowa, this 8 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.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

M D Creger

Filed in my office at Winterset, Iowa, this 9 day of Aug, 1974.

Rex Rouse

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 the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Form 493

SUMMONS TO COMMISSIONERS

TO: Mr. Ernest Stowell, 610 W. Filmore, Winterset

The Iowa State Highway Commission 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 primary 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 Ernest Stowell 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 at Winterset, Madison County, State of Iowa, on 12th day of September, 1974, at 9:30 o'clock a.m. (CDT) 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

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 , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Ernest Stowell

Filed in my office at Winterset, Iowa, this 9 day of Aug, 1974.

Rex Rouse

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 the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Form 493

#96

SUMMONS TO COMMISSIONERS

TO: Mr. Darrell Daggett, Earlham, Iowa

The Iowa State Highway Commission 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 primary 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 Ernest Stowell 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 at Winterset, Madison County, State of Iowa, on 12th day of September, 1974, at 9:30 o'clock a.m. (CDT) 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

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 , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Darrell Daggett

Filed in my office at Winterset, Iowa, this 12 day of Aug, 1974.

Rex Rouse

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

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In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. 92

RECEIVED 8-16-74 9:00 pm MADISON COUNTY SHERIFF WINTERSET, IOWA

Form 493

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61 "A"

Group "A"

TO: Mr. John Foster, 317 No. 4th Ave, Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 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 primary 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 Ernest Stowell 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 at Madison County, State of Iowa, on 12th day of September ,19 74 , at 9:30 o'clock a.m. (CDT) 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 , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

John W. Foster

Filed in my office at Winterset, Iowa; this 19 day of Aug , 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

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In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group A

Form 493

RECEIVED
8-19-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Mr. Earl Whitworth, Macksburg, Iowa 50155

The Iowa State Highway Commission 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 primary 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 Ernest Stowell 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 at Madison County, State of Iowa, on 12th day of September, 1974, at 9:30 o'clock a.m. (CDT) 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 Macksburg, Iowa, this 20 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.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Earl Whitworth 8-20-74

Filed in my office at Winterset, Iowa, this 19 day of Aug, 1974.

Rep Rouse

Sheriff of 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 the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Form 494

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 primary 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 471 and 472, Code of Iowa, 1971 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.

Merrill Sayre
Name:
Licensed Real Estate Salesman or Broker

Earl E. Stubbs
Name:
Licensed Real Estate Salesman or Broker

Ernest Stowell
Name:
Knowledgeable of Property Values by Virtue of Occupation

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

Darrell Daggett
Name:
(As appropriate to type of property involved) Agricultural

W. S. Dowell
Name:
(As appropriate to type of property involved) Agricultural

Subscribed and sworn to before me this 12th day of September, 1974.

Margaret Wheeler
~~(Notary Public)~~
(Clerk of Court) in and for said County and State

Filed in my office at Winterset, Iowa, this 12th day of September, 1974.

Rex Rouse
Rex Rouse
Sheriff of Madison County, Iowa

STATE OF IOWA
MADISON COUNTY
I hereby certify that I have this 12th day of September, 1974, read aloud the "WRITTEN INSTRUCTIONS FOR MEMBERS OF THE COMPENSATION COMMISSION" submitted to me for this purpose by the Chief Justice of the Iowa Supreme Court. (Senate File 1171 - 63rd GA 2nd Session)

Rex Rouse
Rex Rouse, Sheriff of Madison County Iowa

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

210

NOTICE

RECEIVED
8-16-74 4:00 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:
Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust, 220 West Washington, Winterset, Iowa
Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust, 607 Locust, Des Moines, Iowa
Harry B. Watts, R.R. #2, Winterset, Iowa
Helen Watts, R.R. #2, Winterset, Iowa
Patrick F. Corkrean, Hwy. 92 West, Winterset, Iowa
Nancy Corkrean, Hwy. 92 West, Winterset, Iowa
John R. Steffen, 1518 66th, Des Moines, Iowa
Josephine Steffen, 1518 66th, Des Moines, Iowa
Larry Watts, R.R. #2, Winterset, Iowa
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the W½N½NW Frl. ¼ and the E½N½NW Frl. ¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa.

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

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

A parcel of land located in the N½NW Frl.¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Primary Road No. 92, and on the west side of part of the following described centerline of Side Road, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the NW Corner of said Sec. 31, thence N0°31'W 37.1 ft., thence S89°54'E 0.1 ft. to Sta. 756+37.3, the Point of Beginning, thence S89°20½'E 2655.9 ft. to Sta. 782+93.2, thence easterly 406.8 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 787+00.

The centerline of Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'E 482.0 ft. to Sta. 1780+00.

Said parcel is described as follows: Beginning at a point normally distant westerly from Sta. 1780+50 (Side Road) on the present westerly right of way line of Side Road, thence to a point 85 ft. normally distant westerly from Sta. 1782+60, thence to a point 120 ft. radially distant southerly from Sta. 783+00 (Prim. Rd. No. 92), thence to a point 120 ft. normally distant southerly from Sta. 778+00, thence to a point 110 ft. normally distant southerly from Sta. 772+50, thence to the point of intersection of the present southerly right of way line of Primary Road No. 92 and the west line of the East 45.52 Acres of the N½NW Frl.¼ of said Sec. 31, thence northerly and easterly along said present southerly right of way line to the present westerly right of way line of Side Road, thence southerly along said present westerly right of way line to a point normally distant westerly from Sta. 1780+50, the Point of Beginning.

Continued on next sheet

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

NOTICE

RECEIVED
8-7-74 10 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:
Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust, 220 West Washington, Winterset, Iowa
Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust, 607 Locust, Des Moines, Iowa
Harry B. Watts, R.R. #2, Winterset, Iowa
Helen Watts, R.R. #2, Winterset, Iowa
Patrick F. Corkrean, Hwy. 92 West, Winterset, Iowa
Nancy Corkrean , Hwy. 92 West, Winterset, Iowa
John R. Steffen, 1518 66th, Des Moines, Iowa
Josephine Steffen, 1518 66th, Des Moines, Iowa
~~S.L. Longabaugh, R.R. #2, Winterset, Iowa~~
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

Amended
This page N.G.

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

Parts of the W½N½NW Frl. ¼ and the E½N½NW Frl. ¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa.

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

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

A parcel of land located in the N½NW Frl.¼ of Sec. 31, T76N, R27W of the 5th P.M., in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Primary Road No. 92, and on the west side of part of the following described centerline of Side Road, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the NW Corner of said Sec. 31, thence N0°31'W 37.1 ft., thence S89°54'E 0.1 ft. to Sta. 756+37.3, the Point of Beginning, thence S89°20½'E 2655.9 ft. to Sta. 782+93.2, thence easterly 406.8 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 787+00.

The centerline of Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'E 482.0 ft. to Sta. 1780+00.

Said parcel is described as follows: Beginning at a point normally distant westerly from Sta. 1780+50 (Side Road) on the present westerly right of way line of Side Road, thence to a point 85 ft. normally distant westerly from Sta. 1782+60, thence to a point 120 ft. radially distant southerly from Sta. 783+00 (Prim. Rd. No. 92), thence to a point 120 ft. normally distant southerly from Sta. 778+00, thence to a point 110 ft. normally distant southerly from Sta. 772+50, thence to the point of intersection of the present southerly right of way line of Primary Road No. 92 and the west line of the East 45.52 Acres of the N½NW Frl.¼ of said Sec. 31, thence northerly and easterly along said present southerly right of way line to the present westerly right of way line of Side Road, thence southerly along said present westerly right of way line to a point normally distant westerly from Sta. 1780+50, the Point of Beginning.

Said parcel contains 2.1 acres, more or less.

Note: The north line of said NW Frl.¼ is assumed to bear East and West.

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

1. Any and all improvements, including fences, located wholly within the land sought by permanent easement are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice came into my hands on the 16th day of August, 1974 and on the 16th day of August, 1974, I served the same upon the Madison County, Iowa by offering to read the same to George Abrahams, he being the Auditor of said Governmental Body, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

FEES

Service - - - $_____

Copies - - - $_____

Mileage - - - $_____

Total - - - $_____

Rex Rouse, Sheriff

of Madison County

By _____ Deputy.

BOONE BLANK BOOK CO., BOONE, IOWA 1081-72

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice came into my hands on the 16th day of August, 1974 and on the 16th day of August, 1974, I served the same upon the City of Winterset, Iowa by offering to read the same to Dale Simmons, he being the City Clerk of said Governmental Body, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

FEES

Service - - - $_____

Copies - - - $_____

Mileage - - - $_____

Total - - - $_____

Rex Rouse, Sheriff

of Madison County

By _____ Deputy.

BOONE BLANK BOOK CO., BOONE, IOWA 1081-72

213

Form 495, Sheet

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the Code of Iowa and any amendments thereto.

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

You are further notified that said commission will on the 12th day of September, 19 74, at 10:20 o'clock, a. m. (CDT) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

- - - - - - - - - - - - -

ACCEPTANCE OF SERVICE

Service of the above and foregoing notice is hereby accepted and receipt of a copy thereof acknowledged, and I hereby waive time of service and/or any publications of such notice in a newspaper.

Dated at _____ this _____ day of _____, 19_____.

_____

State of Iowa, County, ss:

Received the within notice the 16th day of August, 19 74, and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State
Helen McCall Huntoon as trustee of the Harold V. Huntoon Trust.	August	16th	1974	Center	Madison	Iowa
Harry Watts	August	16th	1974	Center	Madison	Iowa
Helen Watts	August	16th	1974	Center	Madison	Iowa
Patrick F. Corkrean	August	16th	1974	Center	Madison	Iowa
Nancy Corkrean	August	16th	1974	Center	Madison	Iowa
Larry Watts	August	16th	1974	Union	Madison	

Fees:
Service $ 4.25
Mileage $_____
Total $

Rex Rouse
Rex Rouse
Sheriff, Madison County, Iowa

By, _____ Deputy

Form 137
c 11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

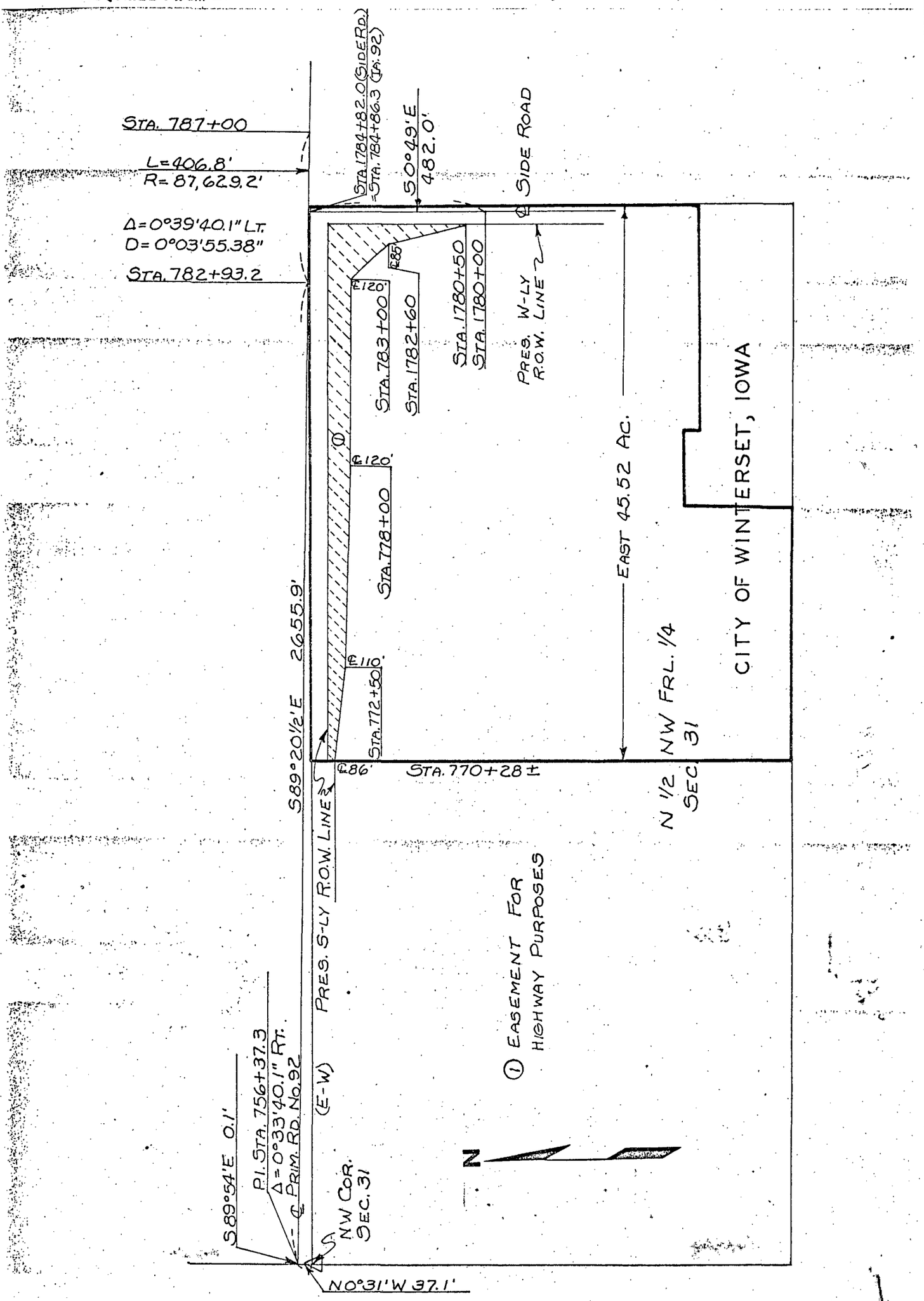
COUNTY MADISON STATE CONTROL NO. 6

PROJECT NO. FN-92-4(10)--21-61 PARCEL NO. 6

SECTION 31 TOWNSHIP 76 N RANGE 27 W

ROW - FEE ____ AC, EASE 2.1 AC, EXCESS - FEE ____ AC

ACQUIRED FROM HELEN MC CALL HUNTOON, AS TRUSTEE, ET AL



216

RECEIVED
AUG - [illegible]
SHERIFF [illegible] COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

NOTICE

RECEIVED
9-10-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Penn-Dixie Cement Corporation, c/o C.T. Corporation System, Inc., 1014 Savings and Loan Building, Des Moines, Iowa

~~National Bank of Detroit, Michigan, 611 Woodward Avenue, Detroit, Michigan~~

Victor S. McDonald, R.R. #2, Winterset, Iowa

Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

The SW¼SE¼ of Sec. 30, the NW¼NE¼, NE¼NE¼ and parts of the SW¼NE¼ and SE¼NE¼ of Sec. 31 and the NW¼NW¼ and parts of the NE¼NW¼, SW¼NW¼ and SE¼NW¼ of Sec. 32, all in T76N, R27W of the 5th P.M., Madison County, Iowa.

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

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

A parcel of land located in the SW¼SE¼ of Sec. 30, T76N, R27W of the 5th P.M., Madison County, Iowa, lying on the northerly side of part of the following described centerline of Primary Road No. 92 and on the easterly side of part of the following described centerline of Local Road, a parcel of land located in the NW¼NE¼ of Sec. 31, T76N, R27W of said 5th P.M., lying on the southerly side of part of the following described centerline of Primary Road No. 92 and on the easterly side of part of the following described centerline of Local Road, and a parcel of land located in said NW¼NE¼ , lying on the southerly side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, said numbers being adjusted at Sta. 796+00 to equal Sta. 796+00.3, is described as follows: Commencing at the N¼ Corner of said Sec. 31, thence East 1393.6 ft. along the north line of the NE¼ thereof to Sta. 799+00, the Point of Beginning, thence West 299.7 ft. to Sta. 796+00.3 which equals Sta. 796+00.0, thence continuing West 295.6 ft. to Sta. 793+04.4, thence westerly 704.4 ft. along an 87,629.2 ft. radius curve, concave northerly and tangent to the preceding course, to Sta. 786+00.

The centerline of Local Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1784+82.0, a point on the centerline of Primary Road No. 92 located at Sta. 784+86.3, thence S0°49'W 382.0 ft. to Sta. 1781+00; Also, beginning at said Sta. 1784+82.0, thence N0°49'E 518.0 ft. to Sta. 1790+00.

Said parcels are described as follows:

Bounded on the west by the existing easterly right of way line of Local Road; on the north by a line beginning at a point normally distant easterly from Sta. 1790+00 (Local Road) on said existing easterly right of way line, thence to a point 85 ft. normally distant easterly from Sta. 1787+00, thence to a point 85 ft. radially distant northerly from Sta. 788+50 (Prim. Rd. No. 92), thence to a point 85 ft. radially distant northerly from Sta. 791+00, thence to a

Continued on next sheet

point 75 ft. normally distant northerly from Sta. 793+25, thence to a point 75 ft. normally distant northerly from Sta. 796+00, thence to a point 60 ft. normally distant northerly of centerline on the east line of the SW¼SE¼ of said Sec. 30; on the east by the east line of said SW¼SE¼; on the south by the existing northerly right of way line of Primary Road No. 92.

Also, bounded on the west by the existing easterly right of way line of Local Road; on the north by the existing southerly right of way line of Primary Road No. 92; on the east by the existing northwesterly right of way line of Local Road Connection; on the south by a line beginning at a point 90 ft. radially distant southerly of centerline (Prim. Rd. No. 92) on said existing northwesterly right of way line, thence to a point 90 ft. radially distant southerly from Sta. 787+05, thence to a point 55 ft. normally distant easterly from Sta. 1782+25 (Local Road), thence to a point normally distant easterly from Sta. 1781+00 on the existing easterly right of way line of Local Road.

Also, bounded on the northwest and north by the existing southeasterly right of way line of Local Road connection and the existing southerly right of way line of Primary Road No. 92; on the south by a line beginning at a point normally distant southerly from Sta. 797+00 on the existing southerly right of way line of Primary Road No. 92, thence to a point 80 ft. normally distant southerly from Sta. 796+00, thence to a point 90 ft. radially distant southerly of centerline on the existing southeasterly right of way line of Local Road Connection.

Said parcels contain 2.6 acres, more or less.

Note: The north line of the NE¼ of said Sec. 31 is assumed to bear East and West.

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

1. Any and all improvements, including fences, located wholly within the land sought by permanent easement are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

Form 495, Sheet

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the Code of Iowa and any amendments thereto.

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

You are further notified that said commission will on the 12th day of September, 19 74, at 10:40 o'clock, a.m. (CDT) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

- - - - - - - - - - - - -

ACCEPTANCE OF SERVICE

Service of the above and foregoing notice is hereby accepted and receipt of a copy thereof acknowledged, and I hereby waive time of service and/or any publications of such notice in a newspaper.

Dated at _____ this _____ day of _____, 19_____.

_____

State of Iowa, County, ss:

Received the within notice the day of , 19 , and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State

Fees:
Service $
Mileage $
Total $

_____
Sheriff, County, Iowa

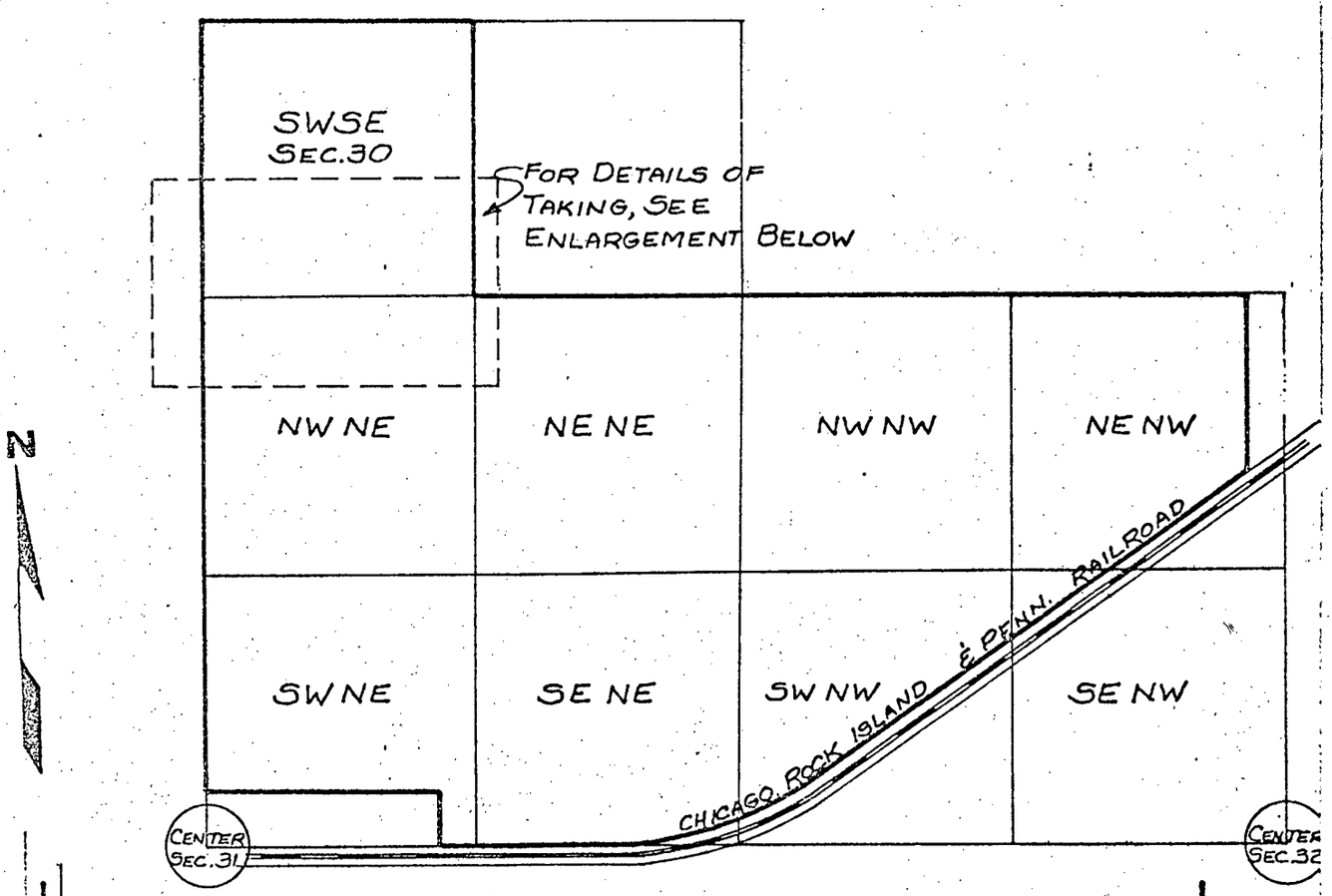
By _____ Deputy

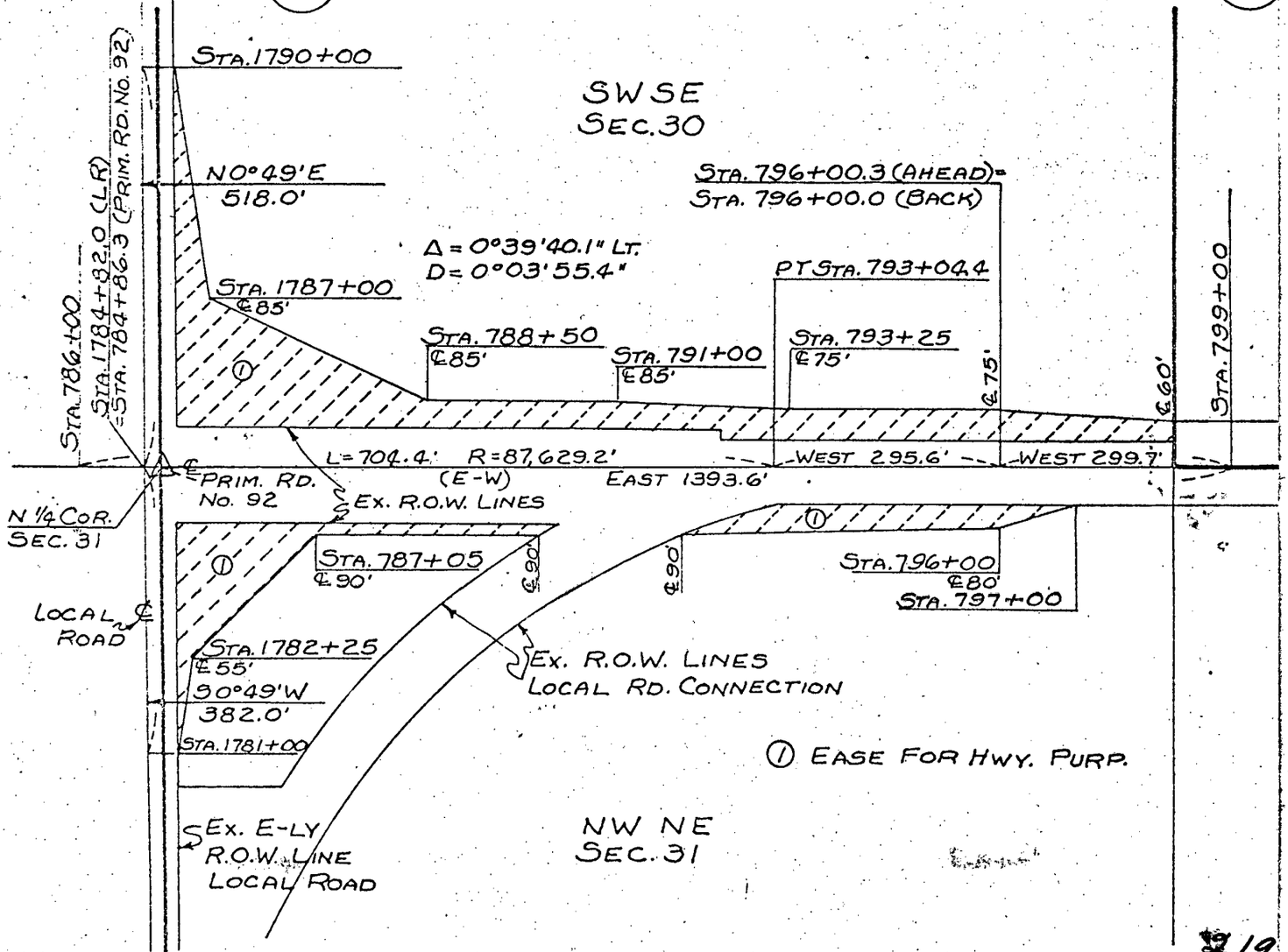
Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 6
PROJECT NO. FN-92-4(10)--21-61 PARCEL NO. 7
SECTION 30, 31, 32 TOWNSHIP 76 N RANGE 27 W
ROW - FEE ____ AC, EASE 2.6 AC, EXCESS - FEE ____ AC
ACQUIRED FROM PENN-DIXIE CEMENT CORPORATION





19

220

STATE OF IOWA } SS.
POLK COUNTY }

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 7 day of August 1979, and that on the 7 day of August 1979 I served the same on the within named defendant Donald R. Stephens at his dwelling house or usual place of abode in 1518 60th Urbandale Polk (Name of City, Town or Twp.) (Name County) County, Iowa, by there delivering a true copy thereof, ~~with copy of petition attached,~~ to (strike out if not so attached) Josephine Stephens a person residing therein, who was then at least eighteen years old; that such place was not a rooming house, hotel, club or apartment building.

Mileage $.....
County $.....
Total $.....
Paid by Plt'fs. Attorney.

SAM WISE
JACK L. WOODARD
Sheriff of Polk County, Iowa.

By Ronald R. Hallock Deputy.

"Polk County Personal Notice Service Return"

KOCH BROTHERS, DES MOINES

STATE OF IOWA } SS
Polk County }

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 7th day of August, 19 74, and that on the 7th day of August, 19 74, I served the same on the within named defendant Penn-Dixie Cement Corporation at Des Moines, Iowa (Address), Polk County, Iowa, by delivering a true copy thereof, ~~with a copy of petition attached~~ (Strike out if not so attached) to Clarence Cosson, Asst Sec., C T Corporation System Registered Agent (Give title of person served) of said Penn-Dixie Cement Corporation (Name of defendant)

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

SAM WISE
Sheriff of Polk County, Iowa.

By Barbara Cosson Deputy

"Polk County Corporation Notice Return"

Bradley Printing

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 7th day of August, 1974, and that on the 7th day of August, 1974, I served the same on the within named defendant Bankers Trust Company, as trustee of the Harold V Huntoon Trust at Des Moines, Iowa (Address), Polk County, Iowa, by delivering a true copy thereof, with copy of petition attached, to Robert W Lemmon (Strike out if not so attached)

Vice President (Give title of person served) of said Bankers Trust Company, as trustee of the Harold V Huntoon Trust (Name of defendant)

Fees:
Mileage $ 2.40
County $ 2.25
Total $ 4.65 pd 9.6.74
Paid by Plt'ffs. Attorney.

SAM WISE
Sheriff of Polk County, Iowa.

By [signature] Deputy

"Polk County Corporation Notice Return"

Bradley Printing

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 7 day of August 1974, and that on the 7 day of August, 1974, I served the same on the within named defendant Dolphine Stephens by delivering a true copy thereof, ~~with copy of petition attached~~, to said Dolphine Stephens (Strike out if not so attached) at 1518 66th Windsor Heights (Address), Polk County, Iowa.

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

SAM WISE
Sheriff of Polk County, Iowa.

By Ronald A Wallace Deputy

"Polk County Personal Notice Return"

Bradley Printing

221

Form 130
6-70

222

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. 92 in and north of
Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

On this the 12th day of September, 1974, comes the Iowa State Highway Commission 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:

(Names as on Notice) $ 9690.00

PARCEL 6 -
Helen McCall Huntoon, as Trustee . . .
Bankers Trust Company, as Trustee . . .
Harry B. Watts
Helen Watts
Patrick F. Corkrean
Nancy Corkrean — City Clerk of Winterset
John R. Steffen — Madison County Treasurer
Josephine Steffen — IOWA STATE HIGHWAY COMMISSION
Larry Watts — 0

BY: Gordon A. Sweitzer
Gordon A. Sweitzer
Right of Way Director by Robert L. North
Condemnation Agent

Subscribed and sworn to before me this 12th day of September, 1974.

Faye L. McKee
Notary Public in and for [redacted] County, Iowa

Filed in my office at Winterset, Iowa, this 12th day of September, 1974.

Rep Rouse
Sheriff of Madison County, Iowa

Form 130
6-70

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. 92 in and north of

Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

On this the 12th day of September, 1974, comes the Iowa State Highway Commission 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:

(Names as on Notice) $ 10,750.00

PARCEL 7 -
Penn-Dixie Corporation, c/o C.T. Corp. System, Inc.

Madison County Treasurer

IOWA STATE HIGHWAY COMMISSION

BY: Gordon A. Sweitzer
Gordon A. Sweitzer
Right of Way Director by Robert L. North
Condemnation Agent

Subscribed and sworn to before me this 12th day of September

1974 Iowa

Notary Public in and for [redacted] County, Iowa

Filed in my office at Winterset, Iowa, this 12th day of September, 1974.

Sheriff of Madison County, Iowa

223

Form 496
17-71

224

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of Winterset

REPORT OF COMPENSATION COMMISSION

located in Madison **County**, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

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
PARCEL 6 - Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust; Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust; Harry B. and Helen Watts; Patrick F. and Nancy Corkrean; John R. and Josephine Steffen; City Clerk of Winterset, Iowa; Madison County Treasurer	$	$	$ 15825	$
TENANT - Larry Watts	$	$	$ 10.00	$
PARCEL 7 - Penn-Dixie Cement Corporation, c/o C. T. Corporation System, Inc.; Madison County Treasurer	$	$	$ 11,695	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

Respectfully reported at Winterset, **Iowa, this** 12 **day of** September, 19 74

John W. Foster
Merrell Cox
H. S. Darrell
Daniel Doggett
Earl Hollowell
Ernest Stowell

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** 12th **day of** Sept, 1974

Rex Rouse
Sheriff, Madison **County, Iowa**

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

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 12th day of Sept., 1974, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.

Reps Reese

SHERIFF OF MADISON COUNTY, IOWA

Form 486
7-71

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In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Parcel No. 6

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust; Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust; Harry B. Watts; Helen Watts; Patrick F. Corkrean; Nancy Corkrean; John R. Steffen; Josephine Steffen; City Clerk of Winterset; Madison County Treasurer	$	$	$15,825.00	$
TENANT: Larry Watts	$	$	$10.00	$

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: 12 Day of Sept., 1974

Rep Rouse

SHERIFF OF MADISON COUNTY, IOWA

Form 486
7-71

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. 92 in and north of Winterset

located in Madison County, Iowa

Project No. FN-92-4(10)--21-61

Group "A"

Parcel No. 7

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Penn-Dixie Cement Corporation, c/o C. T. Corporation System, Inc.	$	$	$ 11,695.00	$
	$	$	$	$
Madison County Treasurer	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

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: 12 Day of Sept., 1974

Rep Rouse

SHERIFF OF MADISON COUNTY, IOWA

227

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA.

IN MADISON COUNTY

PROJECT NO. FN-92-4(10)21-61-"A"

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

To: Iowa State Highway Commission, Ames, Iowa

I hereby certify that the commissioners in the above-entitled cause convened at Winterset, Iowa, on the 12th day of September, 1970, and thereupon proceeded to view the premises and said commissioners did thereafter on the 12th day of September, 1970, file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 6 - Helen McCall Huntoon, as Trustee of Harold V. Huntoon Trust; ~~Bankers~~ Bankers Trust Company, as Trustee of Harold V. Huntoon Trust; Harry B. and Helen Watts; Patrick F. and Nancy Corkrean; John R. and Josephine Steffen; City Clerk of Winterset, Iowa; Madison County Treasurer	$ 15,825.00
TENANT - Larry Watts	10.00
Parcel 7 - Penn-Dixie Cement Corporation, c/o C. T. Corporation System, Inc.; Madison County Treasurer	11,695.00
TOTAL DAMAGES AWARDED	$ 27,530.00

I further certify that costs incident to this proceeding have been taxed as follows: Serving Notices as listed below:

Date:	Name of Persons Served	Fee	Mileage	Rate .10~~.15~~	Amount	Total
8-16-74	Helen McCall Huntoon	.75				.75
8-16-74	Winterset Development	.50				.50
8-16-74	City of Winterset	.50				.50
8-16-74	Madison County, Iowa	.50				.50
8-16-74	Donald Bruett	.50				.50
8-19-74	Bill Rhoads	.50				.50
8-19-74	Lester Rhoads	.50				.50
8-16-74	Helen McCall Huntoon	.75				.75
8-16-74	Harry Watts	.50				.50
8-16-74	Helen Watts	.50				.50
8-16-74	Pat Corkrean	.50				.50
8-16-74	Nancy Corkrean	.50				.50
8-16-74	Madison County, Iowa	.50				.50
8-16-74	City of Winterset	.50				.50
8-16-74	Larry Watts	.50				.50
8-16-74	Victor Scott McDonald	.75				.75
8-16-74	Madison County, Iowa	.50				.50

Sheriff, Summoning and attending commissioners $7.50

Mileage $4.65 + Copy $1.50 + Postage $2.40 8.55

Sheriff, Mileage while attending commissioners, 10 Miles @ 15~~10~~ 1.50

$ 26.80

Ernest Stowell of Winterset, Iowa

one	day service	$ 50.00
10	miles at .~~10~~ .15	1.50
one	meals	2.10
Lodging	Hotel	
	Total	$ 53.60

Earl Whitworth of Macksburg, Iowa

one	day service	$ 50.00
34	miles at .~~10~~ .15	5.10
one	meals	2.06
Lodging	Hotel	
	Total	$ 57.16

Merrill Creger of Truro, Iowa

one	day service	$ 50.00
56	miles at .~~10~~ .15	8.40
one	meals	1.82
Lodging	Hotel	
	Total	$ 60.22

~~xKxjm~~ John Foster of Winterset, Iowa

one	day service	$ 50.00
10	miles at .~~10~~ .15	1.50
one	meals	1.86
Lodging	Hotel	
	Total	$ 53.36

Darrell Daggett of Earlham, Iowa

one	day service	$ 50.00
30	miles at .~~10~~ .15	4.50
one	meals	2.10
Lodging	Hotel	
	Total	$ 56.60

Harrison Vowell of Peru, Iowa

one	day service	$ 50.00
18	miles at .~~10~~ .15	2.70
one	meals	1.86
Lodging	Hotel	
	Total	$ 54.56

TOTAL " COMMISSIONERS AND SHERIFF"S" EXPENSES. $362.30

Given under my hand this 12th day of September, 1974.

Rex Rouse

Sheriff of Madison County, Iowa

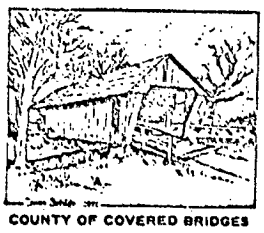
I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received, and this file contains the originals thereto.

Dated this 12th day of September 1974.

Rex Rouse

REX ROUSE

Sheriff of MADISON County



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. 25, 1974

TO: Helen McCall Huntoon, as Trustee of the Harold V. Huntoon Trust; Bankers Trust Company, as Trustee of the Harold V. Huntoon Trust; Harry B. Watts; Helen Watts; Patrick F. Corkrean; Nancy Corkrean; John R. Steffen; Josephine Steffen; City Clerk of Winterset, Ia; Madison County Treasurer.

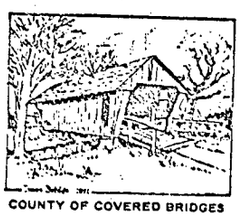
This is to advise you that there has been deposited with me Check #03158487 in the amount of $15,825.00. This check represents the amount of the Condemnation Conpensation Commission award made on Sept. 12, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between 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

Rec'd 9-27-74
Harry B Watts



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. 25, 1974

TO: Larry Watts

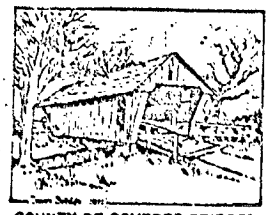
This is to advise you that there has been deposited with me Check # 03158489 in the amount of $ 10.00.
This check represents the amount of the Condemnation Conpensation Commission award made on Sept. 12, 19 74. This check may be picked up at the Madison County Sheriff's Office at your convenience between 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

Date Rec'd Sept 27- 1974
By Larry Watts
Lana Watts



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. 25, 1974

TO: Penn-Dixie Cement Corp, %C.T. Corporation System, Inc.; 1014 Savings & Loan Bldg Des Moines
Madison County Treasurer.

This is to advise you that there has been deposited with me Check #03158489 in the amount of $11,695.00. This check represents the amount of the Condemnation Conpensation Commission award made on Sept. 12, 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

Award accepted (date) October 18, 1974

By: Glenn L Smith, attorney for Penn-Dixie
222 Equitable Bldg.
Des Moines, Iowa 50309
288-0145