RWG:jsh 2-13-75

DW, 474

IN THE DISTRICT COURT OF THE STATE OF IOWA

IN AND FOR MADISON COUNTY

FILED
1975 FEB 19 PM 4:29
MARGARET WHEELER
CLERK OF DISTRICT COURT
MADISON COUNTY, IOWA

WILL C. JOHNSON, et al

Plaintiffs,

v.

IOWA STATE HIGHWAY COMMISSION
Parcel 18

Defendant.

LAW NO. 21272

IND. ✓
REC. ✓
PAGE ✓

STIPULATION OF SETTLEMENT

FILED NO. 550
BOOK 111 PAGE 348

1975 MAY -2 PM 2:54

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee #6 50

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. On the 5th day of September, 1974, the Defendant, on behalf of the State of Iowa, appropriated by condemnation proceedings a portion of a parcel of land owned by the above-captioned Plaintiffs. This parcel of land, as well as the portion condemned, are fully described in the condemnation proceedings from which this appeal was taken. Said parcel has been designated parcel 18 on Project Number FN-169-3(3)--21-61 by the Defendant.

2. The Defendant has caused to be deposit in the office of the clerk of court of Madison County, Iowa State Comptroller Warrant Number 03145184 in the amount of $55,300.00, which is the amount of damages determined by the compensation commission. Pursuant to court order dated October 14, 1974, said $55,300.00 warrant was withdrawn by the Plaintiffs and receipt of said warrant is hereby acknowledged by the Plaintiffs. The Defendat will cause to be issued an additional warrant in the amount of $6,200.00.

3. Plaintiffs hereby agree to accept both warrants totaling the sum of $61,500.00 as full and complete compensation for said appropriation and any and all damages arising out of or resulting therefrom, and do hereby waive any and all claims for interest or attorney fees, and the within appeal will be dismissed by order of court confirming this Stipulation of Settlement with court costs to be taxed against the Plaintiffs.

Date this 19 day of February, 1975.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

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

BY Robert W. Goodwin
ROBERT W. GOODWIN
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa 50010

ATTORNEYS FOR DEFENDANT.

C. R. Bentz
Attorney at Law
210 N. 1st Street
Winterset, Iowa 50273

ATTORNEY FOR PLAINTIFFS.

RWG:jsh 2-13-75

OR-476

IN THE DISTRICT COURT OF THE STATE OF IOWA

IN AND FOR MADISON COUNTY

FILED
1975 FEB 20 AM 8:15
MARGARET HEFFELLER
CLERK OF DISTRICT COURT
MADISON COUNTY, IOWA

WILL C. JOHNSON, et al Plaintiffs, v. IOWA STATE HIGHWAY COMMISSION Defendant.	)	LAW NO. 21272 ORDER CONFIRMING STIPULATION OF SETTLEMENT

NOW ON THIS 20th Day of Feb., 1975, a Stipulation of Settlement dated the 19th day of Feb, 1975, in the above-captioned case, having been presented to the Court, and the Court being fully advised in the premises, confirms the settlement of this case in the total amount of Sixty one thousand five hundred dollars ($61,500). Receipt of said monies shall be made on the Clerk of the District Court's Docket of the above-entitled case. Court costs in the amount of 6.00 shall be taxed to the Plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Stipulation of Settlement filed herein is hereby confirmed and Plaintiffs' cause of action dismissed with prejudice.

Robert O Fredericks
JUDGE OF THE 5th JUDICIAL DISTRICT
OF THE STATE OF IOWA

FILED NO. 550
BOOK 111 PAGE 348
1975 MAY -2 PM 2:54
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Approved as to form:

C. R. Bentz
Attorney for Plaintiffs

Robert W. Goodwin
Robert W. Goodwin
Attorney for Defendant