RECEIVED
4-11-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 490

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. U.S. 169 south of

Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

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 [illegible] 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 2nd day of April, 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 9th day of April, 1974.

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

COMPARED

Entered upon transfer books and for taxation this 12 day of June, 1974.

George A. Abrahams,
Madison County Auditor
Fee $5.00

FILED NO. 956
BOOK 110 PAGE 423
1974 JUN 12 PM 4:30
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 70 50

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

TO:

Edna A. Clark, 223 East Greene, Winterset, Iowa
C. A. Clark, 223 East Greene, Winterset, Iowa
Vincent Wildin, R. R. #1, Winterset, Iowa
Katherine Wildin, R. R. #1, 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:

SW¼SW¼, SE¼SW¼ of Sec. 35, part of the SE¼SE¼ of Sec. 34, both in T75N, NW¼SE¼, NE¼SE¼ of Sec. 2, NW¼SW¼ of Sec. 1, part of the NE¼NE¼ of Sec. 3, all in T74N, all in R28W 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 title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the SE¼SW¼ of Sec. 35, T75N, and a parcel of land located in the NW¼SE¼ of Sec. 2, T74N, both in R28W of the 5th P.M., Madison County, Iowa, lying on both sides of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 319+33.2, a point 79.4 ft. West of the S¼ Corner of said Sec. 35 on the south line of the SW¼ thereof, thence N0°17'E 1366.8 ft. to Sta. 333+00. Also, beginning at said Sta. 319+33.2, thence S0°17'W 2016.9 ft. to Sta. 299+16.3, thence southerly 1008.3 ft. along a 26,647.9 ft. radius curve, concave easterly and tangent to the preceding and following courses, to Sta. 289+08.0, thence S1°44'E 1108.0 ft. to Sta. 278+00.

Said parcels are described as follows:

All that part of the SE¼SW¼ of said Sec. 35 lying easterly of a line beginning at a point 80 ft. normally distant westerly of centerline on the north line of said SE¼SW¼, thence to a point 80 ft. normally distant westerly from Sta. 323+00, thence to a point 100 ft. normally distant westerly of centerline on the south line of said SE¼SW¼; containing 3.8 acres, more or less, exclusive of the present established road.

Also, all that part of the NW¼SE¼ of said Sec. 2 lying westerly of a line beginning at a point 115 ft. radially distant easterly of centerline on the north line of said NW¼SE¼, thence to a point 140 ft. normally distant easterly from Sta. 289+08.0, thence to a point 140 ft. normally distant easterly of centerline on the south line of said NW¼SE¼; containing 2.5 acres, more or less,exclusive of the present established road.

Note: The south line of the SW¼ of said Sec. 35 is assumed to bear East and West.

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

Continued on next sheet

1. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

2. In the event the owner is the occupant of the property on the date of condemnation, he shall not be dispossessed of the right of possession of the dwelling house, outhouse, orchard, or garden until the condemning authority shall have the right to take possession at either the time the damages have been finally determined and paid, or one hundred eighty (180) days after the compensation commission has determined and filed its award in which event payment of all the appraisement of damages shall be paid to the owner before the dispossession can take place.

3. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing an entrance, to a maximum distance of 175 ft. easterly of centerline from Sta. 291+35 to the north line of the NW¼SE¼ of said Sec. 2.

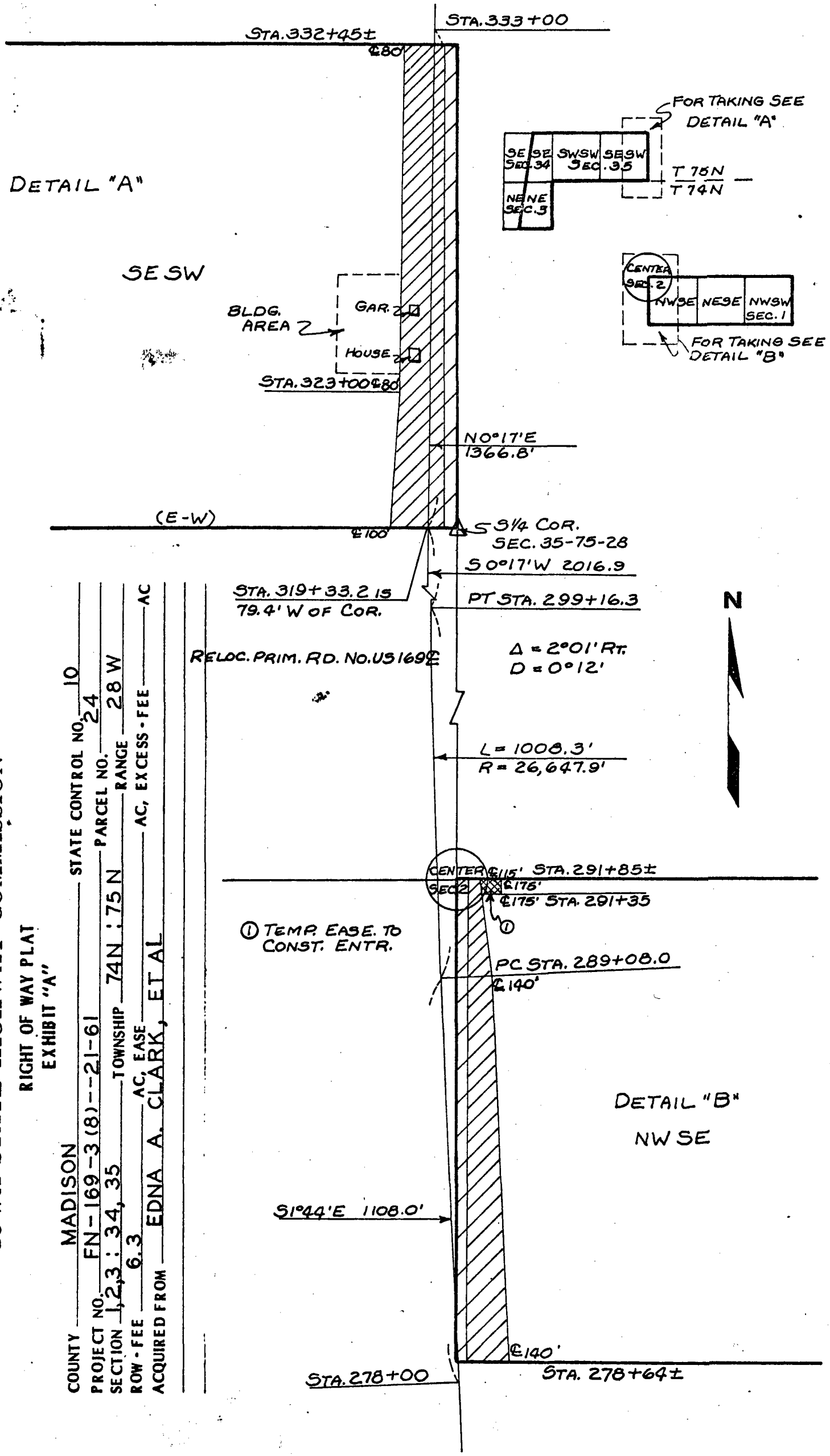
4. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at 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.

5. The temporary easement rights of the State of Iowa shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1978.

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON — STATE CONTROL NO. 24-10
PROJECT NO. FN-169-3(8)--21-61 — PARCEL NO. 28 W
SECTION 1,2,3 : 34, 35 — TOWNSHIP 74N : 75N — RANGE 28 W
ROW - FEE 6.3 — AC, EASE — AC, EXCESS - FEE — AC
ACQUIRED FROM EDNA A. CLARK, ET AL



Form 137
11-71

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RECEIVED
4-11-74
9:10 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 492

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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

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
Charles Tucker, Jr.	RR 3 Winterset	Licensed Real Estate Salesman or Broker
Dwight Mundell	720 N 3 Winterset	Licensed Real Estate Salesman or Broker
Willard Mease	223 S 1 Av. Winterset	Knowledgeable of Property Values by Virtue of Occupation
John Foster	317 N 4 Av. Winterset	Knowledgeable of Property Values by Virtue of Occupation
Raymond Clark	Winterset	Agricultural
Harrison Vowell	RR 1 - Peru ~~Winterset~~	Agricultural

I further designate, select, and appoint, the above named Charles Tucker, Jr. to act as Chairman of said commission.

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

Dated at Des Moines, Iowa, this 9 day of April, 19 74.

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

Filed in my office at Winterset, Iowa, this 11th day of April, 1974.

Res Rouse
Sheriff of Madison County, Iowa

427

6 428

Form 493

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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

SUMMONS TO COMMISSIONERS

TO: Ole Olson, 623 W. Washington, 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 Ole Olson 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 8th day of May ,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 Winterset, Iowa, this 2 day of May, 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.

Farrell L. Olson

Filed in my office at Winterset, Iowa, this 2 day of May, 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

_____

7

Form 493

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. U.S. 169 south of

Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

RECEI
5-3-74
9:10
COUNTY
SHERIFF
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Wallace Jackson, 423 Sycamore, 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 Ole Olson 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 8th day of May ,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.

Wallace Jackson

Filed in my office at Winterset , Iowa, this 3 day of May , 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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

8 Form 493 43

SUMMONS TO COMMISSIONERS

TO: Harrison Vowell, RR 1, Peru, 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 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 Charles Tucker, Jr. 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 8th day of May ,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 , 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.

Harrison Vowell

Filed in my office at Winterset , Iowa, this 22 day of April , 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. U.S. 169 south of Winterset

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4-11-74
9:10 am
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

9 Form 493

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

TO: Raymond Clark, 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 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 Charles Tucker, Jr. 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 8th day of May ,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
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Booneville , Iowa, this 15 day of April , 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.

Raymond Clark

Filed in my office at Winterset , Iowa, this 17 day of Apr , 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

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

Primary Road No. U.S. 169 south of Winterset

RECEIVED
4-11-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

10 Form 493

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

TO: John Foster, 317 N 4th Av., 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 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 Charles Tucker, Jr. 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 8th day of May ,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
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 15 day of April , 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

_____

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

Primary Road No. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

RECEIVED
4-11-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

// Form 493

SUMMONS TO COMMISSIONERS

TO: Dwight Mundell, 720 N 3, 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 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 Charles Tucker, Jr. 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 8th day of May ,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
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.

Dwight Mundell

Filed in my office at Winterset, Iowa, this 15 day of April, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

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

Primary Road No. U.S. 169 south of Winterset
Located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group D

ORDER APPOINTING SUBSTITUTE COMPENSATION COMMISSIONER

NOW ON THIS 24 day of April, 1974, an Order Appointing Substitute Compensation Commissioner having been presented to me due to the inability of Chas. Tucker, Jr. and his alternate Ralph Hunter, both having qualifications as being Licensed Real Estate Salesman or Broker, 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
Licensed Real Estate Brokers	Ole Olson *	Winterset
"	Gene Vierling	Winterset 462-1662

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 24 day of April, 1974.

* Mr. Ole Olson appointed Chairman.

Gibson C. Holliday
HON. GIBSON C. HOLLIDAY
Judge of the 5th Judicial District, including _____ County, Iowa

Filed in my office at Winterset, Iowa, this 1st day of May, 1974.

Rex Rouse
REX ROUSE
Sheriff of Madison County, Iowa

13

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. U.S. 169 south of Winterset
Located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group D

ORDER APPOINTING SUBSTITUTE COMPENSATION COMMISSIONER

NOW ON THIS 24 day of April, 1974, an Order Appointing Substitute Compensation Commissioner having been presented to me due to the inability of Willard Mease, and his alternate Kenneth Ritter, both having qualifications as being Knowledgeable of Property Value by Virtue of Occ, 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
Property Managers, Bankers, Auctioneers	Irvin Martens	Winterset
"	Wallace Jackson	~~Winterset~~ EARLHAM

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 24 day of April, 1974.

Gibson C. Holliday

HONORABLE GIBSON C. HOLLIDAY
Judge of the 5th Judicial District, including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 1st day of May, 1974.

Rex Rouse

REX ROUSE
Sheriff of Madison County, Iowa

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RECEIVED
4-11-74
9:10 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

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4-30-74
9:10 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 493

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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

SUMMONS TO COMMISSIONERS

TO: Charles Tucker, Jr., RR 3, 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 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 Charles Tucker, Jr. 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 8th day of May ,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 , 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.

_____

Filed in my office at Winterset , Iowa, this 30 day of April , 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 I will not be available

Charles Tucker

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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

RECEIVED
4-11-74
9:10 am
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 493

SUMMONS TO COMMISSIONERS

TO: Willard Mease, 223 S 1 Av., 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 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 Charles Tucker, Jr. 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 8th day of May ,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 , 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.

Filed in my office at Winterset, Iowa, this 15 day of April, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

conflict of Interest situation
4-15-74

Willard Mease

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. U. S. 169 south of

NOTICE

Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

RECEIVED
4-1-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Edna A. Clark, 223 East Greene, Winterset, Iowa
C. A. Clark, 223 East Greene, Winterset, Iowa
Vincent Wildin, R. R. #1, Winterset, Iowa
Katherine Wildin, R. R. #1, 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:

SW¼SW¼, SE¼SW¼ of Sec. 35, part of the SE¼SE¼ of Sec. 34, both in T75N, NW¼SE¼, NE¼SE¼ of Sec. 2, NW¼SW¼ of Sec. 1, part of the NE¼NE¼ of Sec. 3, all in T74N, all in R28W 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 title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the SE¼SW¼ of Sec. 35, T75N, and a parcel of land located in the NW¼SE¼ of Sec. 2, T74N, both in R28W of the 5th P.M., Madison County, Iowa, lying on both sides of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 319+33.2, a point 79.4 ft. West of the S¼ Corner of said Sec. 35 on the south line of the SW¼ thereof, thence N0°17'E 1366.8 ft. to Sta. 333+00. Also, beginning at said Sta. 319+33.2, thence S0°17'W 2016.9 ft. to Sta. 299+16.3, thence southerly 1008.3 ft. along a 26,647.9 ft. radius curve, concave easterly and tangent to the preceding and following courses, to Sta. 289+08.0, thence S1°44'E 1108.0 ft. to Sta. 278+00.

Said parcels are described as follows:

All that part of the SE¼SW¼ of said Sec. 35 lying easterly of a line beginning at a point 80 ft. normally distant westerly of centerline on the north line of said SE¼SW¼, thence to a point 80 ft. normally distant westerly from Sta. 323+00, thence to a point 100 ft. normally distant westerly of centerline on the south line of said SE¼SW¼; containing 3.8 acres, more or less, exclusive of the present established road.

Also, all that part of the NW¼SE¼ of said Sec. 2 lying westerly of a line beginning at a point 115 ft. radially distant easterly of centerline on the north line of said NW¼SE¼, thence to a point 140 ft. normally distant easterly from Sta. 289+08.0, thence to a point 140 ft. normally distant easterly of centerline on the south line of said NW¼SE¼; containing 2.5 acres, more or less,exclusive of the present established road.

Note: The south line of the SW¼ of said Sec. 35 is assumed to bear East and West.

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

Continued on next sheet

1. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

2. In the event the owner is the occupant of the property on the date of condemnation, he shall not be dispossessed of the right of possession of the dwelling house, outhouse, orchard, or garden until the condemning authority shall have the right to take possession at either the time the damages have been finally determined and paid, or one hundred eighty (180) days after the compensation commission has determined and filed its award in which event payment of all the appraisement of damages shall be paid to the owner before the dispossession can take place.

3. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing an entrance, to a maximum distance of 175 ft. easterly of centerline from Sta. 291+35 to the north line of the NW¼SE¼ of said Sec. 2.

4. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, 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.

5. The temporary easement rights of the State of Iowa shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1978.

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 8th day of May, 1974, at 10:00 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 11th day of April, 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
Edna A. Clark	April	11th	1974	Center	Madison	Iowa
C. A. Clark	April	11th	1974	Center	Madison	Iowa
Katherine Wildin	April	11th	1974	Lincoln	Madison	Iowa

Fees:
Service $ 2.75
Mileage $ 2.40
Total $ 5.15

Rex Rouse
Sheriff, Madison County, Iowa.

By, _____ Deputy

KOOM BROTHERS, DES MOINES K23999 19

RETURN OF ORIGINAL NOTICE

STATE OF IOWA, Madison County, ss.

The within notice came into my hands on the 11th day of April 1974, and on the 11th day of April, 1974, I served the same on Vincent Wildin, by leaving a true copy thereof at the house of Vincent Wildin, situated in the Township of Lincoln Madison County, Iowa, the same being the usual place of residence of said defendant, with Katherine Wildin, a member of said defendant's family, with whom he resides, and over 14 years of age, the said defendant not being found within the County.

FEES

Service, $_____

Copies, $_____

Mileage, $_____

Total, $_____

Rex Rouse

Rex Rouse

Sheriff of Madison County

By _____, Deputy

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice came into my hands on the 11th day of April, 1974 and on the 12th day of April, 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

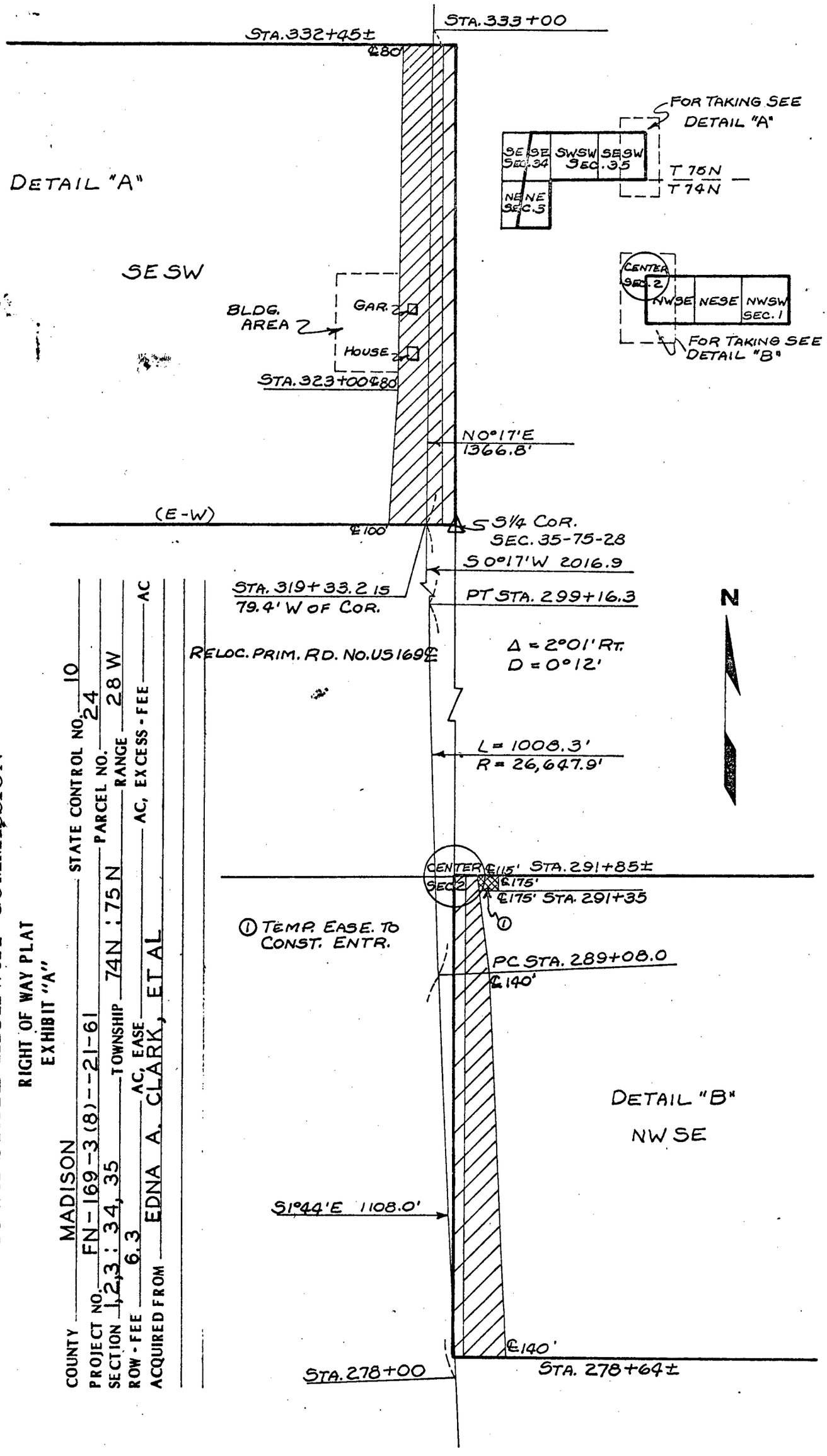
REX ROUSE

of MADISON County

By _____ Deputy.

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

441



IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 10
PROJECT NO. FN-169-3(8)--21-61 PARCEL NO. 24
SECTION 1,2,3 : 34, 35 TOWNSHIP 74N : 75 N RANGE 28 W
ROW - FEE 6.3 AC, EASE AC, EXCESS - FEE AC
ACQUIRED FROM EDNA A. CLARK, ET AL

Form 137
11-71

21

RECEIVED
4-11-74
9:10 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 494

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. U.S. 169 south of Winterset

OATH OF COMMISSIONERS

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

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.

Lowell L. Olson
Name:
Licensed Real Estate Salesman or Broker

Dwight Mundell
Name:
Licensed Real Estate Salesman or Broker

Johnnie Foster
Name:
Knowledgeable of Property Values by Virtue of Occupation

Wallace Jackson
Name:
Knowledgeable of Property Values by Virtue of Occupation

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

Raymond Clark
Name:
(As appropriate to type of property involved) Agricultural

Subscribed and sworn to before me this 8th day of May, 1974.

(DISTRICT COURT SEAL)

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

Filed in my office at Winterset, Iowa, this 8th day of May, 1974.

Rex Rouse
Rex Rouse
Sheriff of Madison County, Iowa

Form 130
6-70

22 444

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. U.S. 169 south of

Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

On this the 8th day of May, 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) $ 18450.00

PARCEL 24 -

Edna A. Clark

C. A. Clark

Vincent Wildin

Katherine Wildin

Madison County Treasurer

IOWA STATE HIGHWAY COMMISSION

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

Subscribed and sworn to before me this 8th day of May, 1974.

(DISTRICT COURT SEAL)

Margaret N. Wheeler
Clerk of Court ~~Notary Public~~ in and for ~~Story~~ Madison County, Iowa

Filed in my office at Winterset, Iowa, this 8 day of May, 1974.

Rex Ponse
Sheriff of Madison County, Iowa

23

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-169-3(8)--21-61, hearing having been held on the 8th day of May, 19 74, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1	day service at $50.00	$ 50.00
18	miles at $.10	$ 1.80
1	meals	$ 1.81
	Lodging at _____ Hotel at _____	$ 3.61

GUEST CHECK

TABLE	PERSONS	87056	SERVER
5-8-74			
1			
1.81			
Monthross			
TAX			
Thank You - Call Again			

nd this 8th day of May, 1974.

Laurell L. Olson
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-169-3(8)--21-61, hearing having been held on the 8 day of May, 19 74, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1	day service at $50.00	$ 50.00
36	miles at $.10	$ 3.60
1	meals	$ 1.86
None	Hotel at _____	
	. . . . .	$ 55.46

GUEST CHECK

TABLE	PERSONS	86399	SERVER
5-8-74			
1.86			
Mattress			
W. Jackson			
TAX			
Thank You - Call Again			

d this 8 day of May, 19 74

Wallace Jackson
COMMISSIONER

25

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-169-3(8)--21-61, hearing having been held on the 8 day of May, 1974, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

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

16 miles at $.10 . . . . . $ 1.60

1 meals . . . . . $ 1.50

_____ Hotel at _____

. . . . . $ 53.10

d this 8 day of May, 1974.

W. S. Dowell

COMMISSIONER

GUEST CHECK

TABLE	PERSONS	86398	SERVER

5-8-74

W. S. Dowell

1 1.50

Montross

TAX

Thank You - Call Again

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-169-3(8)--21-61, hearing having been held on the 8th day of May, 19 74, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1	day service at $50.00	$ 50.00
28	miles at $.10	$ 2.80
1	meals	$ 1.81
	Hotel at	$ 54.61

Dated this 8 day of May, 1974.

Raymond Clark
COMMISSIONER

GUEST CHECK

TABLE	PERSONS	86400	SERVER
5-8-74			
1.81			
Montross			
TAX			
Thank You - Call Again			

27

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-169-3(8)--21-61, hearing having been held on the 8th day of May May, 1974 are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1	day service at $50.00	$ 50.00
	miles at $.10	$
1	meals	$ 1.50
	Hotel at	
	. . . . .	$ 51.50

GUEST CHECK

TABLE	PERSONS	86397	SERVER
		5-X-74	
1	50		
mortross			
Foster			
TAX			
Thank You - Call Again			

d this 8th day of May, 1974

John M. Foster
COMMISSIONER

449

450

28

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-169-3(8)--21-61, hearing having been held on the 8th day of May, 1974, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

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

_____ miles at $.10 . . . . . $ _____

_____ meals . . . . . $ _____

Lodging at _____ Hotel at _____

_____, Iowa . . . . . $ 50.00

Given under my hand this 8th day of May, 1974.

Dwight Mundell

COMMISSIONER

29

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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

Parcel No. 24

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Edna A. Clark, et al	$	$	$ 22,450.00	$
C. A. Clark	$	$	$	$
Vincent Wildin	$	$	$	$
Katherine Wildin	$	$	$	$
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: 8th Day of May, 1974

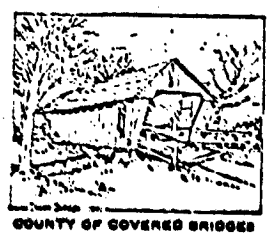
Rex Rouse

REX ROUSE
SHERIFF, MADISON COUNTY
WINTERSET, IOWA 50273

SHERIFF OF MADISON COUNTY, IOWA

451

30



OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

May 21, 1974

Mr. Vincent Wildin
RR 1
Winterset, Iowa

This is to advise you that there has been deposited with me Check # 02447614 in the amount of $22,450.00. This check represents the amount of the Sheriff's Condemnation Jury award made on May 8th 19 74. This check may be picked up at your convenience between the hours of 8 A.M. and 5 P.M. any Monday thru Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa

31

Form 496
17-71

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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

REPORT OF COMPENSATION COMMISSION

TO: Rex Rouse, Sheriff of Madison County, Iowa

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

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

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Parcel 24 - Edna A. & C. A. Clark; Vincent & Katherine Wildin; Madison County Treasurer	$	$	$ 22450.00	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

Respectfully reported at Winterset, Iowa, this 8 day of May, 1974

Ferrell L. Olson
Raymond Clark
Llewyn Mundell
John W. Foster
Wallace Jackson
R. L. Powell

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 8 day of May, 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. U.S. 169 south of Winterset

located in Madison County, Iowa

Project No. FN-169-3(8)--21-61

Group "D"

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 8th day of May, 19 74, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.

Rex Ronse

SHERIFF OF MADISON COUNTY, IOWA

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-169-3(8)--21-61 Group "D"

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 8th day of May, 1974 and thereupon proceeded to view the premises and said commissioners did thereafter on the 8th day of May, 1974 file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 24 - Edna A. & C. A. Clark: Vincent & Katherine Wildin: Madison County Treasurer	$ 22,450.00
TOTAL DAMAGES AWARDED	$ 22,450.00

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	Amount	Total
4-12-74	Madison County, blw George Abrahams, Auditor	75				.75
4-11-74	Vincent Wildin blw	50				.50
4-11-74	Edna A. Clark	50				.50
4-11-74	C. A. Clark	50	~~12~~	~~10~~	~~1.20~~ .50	.50
4-11-74	Katherine Wildin	50	~~12~~	~~10~~	~~1.20~~ .50	.50
4-11&12-74			24	10	2.40	2.40
					POSTAGE	2.80
					TOTAL	$ 7.95

Sheriff, Summoning and attending commissioners $7.50

Sheriff, Mileage while attending commissioners, 18 Miles @ .10 1.80

TOTAL GRAND/SHERIFF'S COSTS $ 9.30

$ 17.25

Lowell L. Olson of Winterset, Madison County, Iowa

1	day service	$ 50.00
18	miles at .10	1.80
1	meals	1.81
Lodging	Hotel	
	Total	$53.61

Wallace Jackson of Earlham, Iowa

1	day service	$ 50.00
36	miles at .10	3.60
1	meals	1.86
Lodging	Hotel	
	Total	$ 55.46

H. S. Vowell of Peru, Iowa

1	day service	$ 50.00
16	miles at .10	1.60
1	meals	1.50
Lodging	Hotel	
	Total	$53.10

Raymond Clark of Winterset, Iowa

1	day service	$ 50.00
28	miles at .10	2.80
1	meals	1.81
Lodging	Hotel	
	Total	$54.61

John Foster of Winterset, Iowa, Iowa

1	day service	$ 50.00
	miles at .10	
1	meals	1.50
Lodging	Hotel	
	Total	$ 51.50

Dwight Mundell of Winterset, Iowa

1	day service	$ 50.00
	miles at .10	
	meals	
Lodging	Hotel	
	Total	$50.00

GRAND TOTAL COMMISSIONER" AND SHERIFF"S EXPENSE $335.53

Given under my hand this 8th day of May, ~~19~~ 1974.

All commissioners paid by Sheriffs check May 28, 1974
Rex Rouse, Sheriff

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.

I further certify that this file contains all the original papers thereto.

Dated this 8th day of May, 19 74.

Rex Rouse
Sheriff of Madison County

RE: Madison County Condemnation FN-169-3(8)--21-61 "D"
Hearing held May 8, 1974

WARRANT NO	PAYEE	AMOUNT
02447614	Edna A. & C. A. Clark; Vincent & Katherine Wildin; Madison County Treasurer	$22,450.00

cc: Gordon Sweitzer
Robert Garrard
Erling Larson
Harvey Olson
Robert I. Bortle

Date July 3, 1974 This check accepted this date.

Vincent Wildin
Vincent Wildin by - Katherine Wildin