2/12/75 C:kh

STATE OF IOWA, MADISON COUNTY, ss.

Inst. No. 683 Filed for Record this 28 day of May 1975 at 4:45 PM
Book 111 Page 430 Recording Fee 7.50 Mary E. Welty, Recorder, By Deputy

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

AMENDED APPLICATION FOR CONDEMNATION OF PROPERTY

: - : - :

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

The Winterset-Madison County Airport Authority, organized under the procedures of Chapter 330A, 1973 Code of Iowa, and pursuant to the power therein provided and described does hereby institute and make application for condemnation of certain interests in real estate situated in Madison County, Iowa. Applicant states:

1. The legal description of the two parcels of land (Parcel "A" and Parcel "B") sought to be condemned in fee by the Applicant is as follows:

PARCEL "A"

Parcel is described as commencing at the Northeast corner of the Southwest Quarter (SW¼) of Section 24, Township 76 North, Range 28 West of the 5th P. M., Madison County, Iowa thence N. 90° 00'W. 255.7 feet to Point of Beginning; thence S. 00° 00' 40.0 feet; thence s. 37° 30'E. 3209.6 feet; thence N. 89° 56'W. 94.62 feet; thence N. 37° 30'W. 3209.44 feet; thence N. 00° 40.0 feet to the North line of said SW¼ thence N. 90° 00' E. 94.54 feet to the Point of Beginning. Said Parcel "A" contains 5.6130 Acres including 0.0868 Acres of County Road Right of Way. North line of the SW¼ of Section 24, T76N-R28W is assumed to bear due East and West.

PARCEL "B"

Parcel is described as commencing at the Northeast Corner of the Southwest Quarter (SW¼) of Section 24, Township 76 North, Range 28 West of the 5th P. M., Madison County, Iowa: thence N. 90° 00' W. 255.7 feet thence S. 00° 00' 40.0 feet; thence S. 37° 30'E 3209.6 feet; thence N. 84° 56'W. 378.5 feet to Point of Beginning Parcel B: thence N. 37° 30'W. 1837.0 feet; thence N. 89° 52' E. 94.69 feet; thence S. 37° 30'E. 1837.45 feet; thence N. 89° 56' W. 94.62 feet to Point of Beginning Parcel B. Said Parcel "B" contains 3.2214 acres. The North line of the SE¼ of Section 24, T76N-R28W is assumed to bear due East and West.

The only improvement on said Parcels is fencing which is already owned by the Applicant. Applicant shall replace the existing fencing, at Applicant's cost, so as to constitute a boundary

ENTERED FOR TAXATION THIS 28 DAY OF May 1975
AUDITORS FEE $ 1.00
AUDITOR
DEPUTY AUDITOR

IND. ✓
REC. ✓
PAGE ✓

between the Parcels condemned and Condemnee's remaining property.

The legal description of three parcels of land in which Applicant desires to condemn an aviation easement and right of way for the unobstructed and restricted flight of air traffic in, through, and across the air space over and above the surface of said real estate, said easement being that easement prescribed for airport clear zone easements set forth by the Iowa Aeronautics Commission, is as follows:

> Commencing at the SE. Cor. of the SE¼ NW¼ Sec. 24 T76N-R28W of the 5th P. M., Madison County, Iowa, thence N. 90° 00'W. 311.5 feet to the Point of Beginning. Thence N. 31° 48' W. 954.1 feet, thence S. 52° 30' W. 450.0 feet, thence S. 43° 12'E. 736.6 feet, thence S. 90° 00' E. 355.6 feet to the Point of Beginning. Said Parcel is situated in the SE¼ NW¼ Sec. 24 and contains 7.0952 Acres.

AND

> Commencing at the SW. Cor. of the SE¼ SE¼ Sec. 24 T76N-R28W of the 5th P. M., Madison County, Iowa, thence N. 90° 00' E. 67.1 feet to the Point of Beginning. Thence N. 31° 48'W. 70.6 feet, thence N. 90° 00' E. 344.7 feet, thence S. 43° 12' E. 82.3 feet, thence S. 90° 00' W. 363.8 feet to the Point of Beginning. Said parcel is situated in the SE¼ SE¼ SEc. 24 and contains 0.4880 Acres.

AND

> Commencing at the NW. Cor. of the NE¼ NE¼ Sec. 25 T76N-R28W of the 5th P. M., Madison County, Iowa, thence N. 90° 00' E. 67.1 feet to the Point of Beginning. Thence continuing N. 90° 00' E. 363.8 feet, thence S. 43° 12'E. 699.2 feet, thence S. 52° 30' W. 450.0 feet, thence N. 31° 48' W. 921.8 feet to the Point of Beginning. Said parcel is situated in the NE¼ NE¼ Sec. 25 and contains 6.8659 Acres.

2. Attached hereto and by this reference made a part hereof are engineering plat drawings showing the location of Parcels "A" and "B" described above and the real estate in which an aviation easement is to be condemned.

3. The present owner of record of said Parcels "A" and "B" is:

MADISON COUNTY, IOWA
GEORGE ABRAHAMS, AUDITOR
MADISON COUNTY COURTHOUSE
WINTERSET, IOWA 50273

The present Contract purchasers of real estate that includes the

real estate described as Parcels "A" and "B" and one of the parcels in which an aviation easement is sought are:

Robert M. Casper, 103 West Lane, Winterset, Iowa 50273

Robert E. Casper, Rural Route 2, Winterset, Iowa 50273

Dwight Casper, 121 West Lane, Winterset, Iowa 50273

Other present owners of an interest in real estate that would be affected by such condemnation proceedings are:

CITY OF WINTERSET
O. D. SIMMONS, CLERK
WINTERSET CITY HALL
WINTERSET, IOWA 50273

Mrs. Donna Raber, Rural Route 4, Winterset, Iowa 50273

Glenn Cline, 204 W. Washington, Winterset, Iowa 50273

4. Condemnation of the property rights described above is sought for the improvement and development of the present airport operated by the Winterset-Madison County Airport Authority primarily for the purpose of meeting the physical requirements imposed for State aid for the airport development by the Iowa Aeronautics Commission.

5. Applicant respectfully requests the appointment of a Commission to appraise the damages that would result from the condemnation of the property rights described above.

Harry F. Reed

Harry F. Reed, Chairman
Winterset-Madison County Airport Authority
Applicant

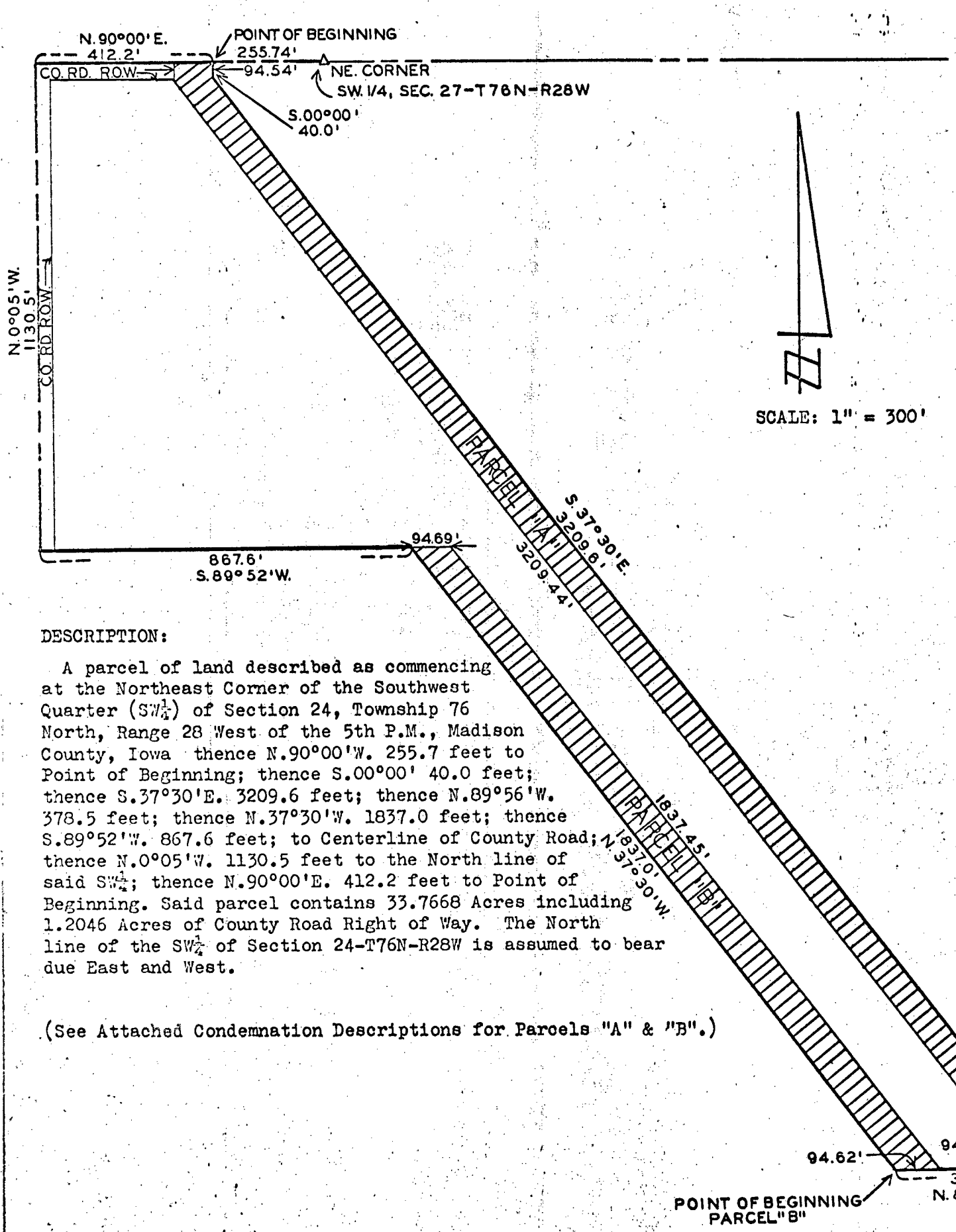
Dated this 13 day of FEB., 1975.

GORDON K. DARLING
CHET R. CHICKERING

By Chet R. Chickering
53 Jefferson Street
Winterset, Iowa 50273
Telephone 462-2442
Attorneys for Applicant

RECEIVED by Osborne Holliday Chief Judge on February 18, 1975.

Southwest Quarter ($SW\frac{1}{4}$) of Section 24, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa.



SCALE: 1" = 300'

DESCRIPTION:

A parcel of land described as commencing at the Northeast Corner of the Southwest Quarter ($SW\frac{1}{4}$) of Section 24, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa thence N.90°00'W. 255.7 feet to Point of Beginning; thence S.00°00' 40.0 feet; thence S.37°30'E. 3209.6 feet; thence N.89°56'W. 378.5 feet; thence N.37°30'W. 1837.0 feet; thence S.89°52'W. 867.6 feet; to Centerline of County Road; thence N.0°05'W. 1130.5 feet to the North line of said $SW\frac{1}{4}$; thence N.90°00'E. 412.2 feet to Point of Beginning. Said parcel contains 33.7668 Acres including 1.2046 Acres of County Road Right of Way. The North line of the $SW\frac{1}{4}$ of Section 24-T76N-R28W is assumed to bear due East and West.

(See Attached Condemnation Descriptions for Parcels "A" & "B".)

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

Signed J. M. Hochstetler Date Jan. 30 1974

J. M. Hochstetler, P.E., L.S. Iowa Reg. No. 6808

VANCE & HOCHSTETLER
CONSULTING ENGINEERS

1

433

CONDEMNATION DESCRIPTION:

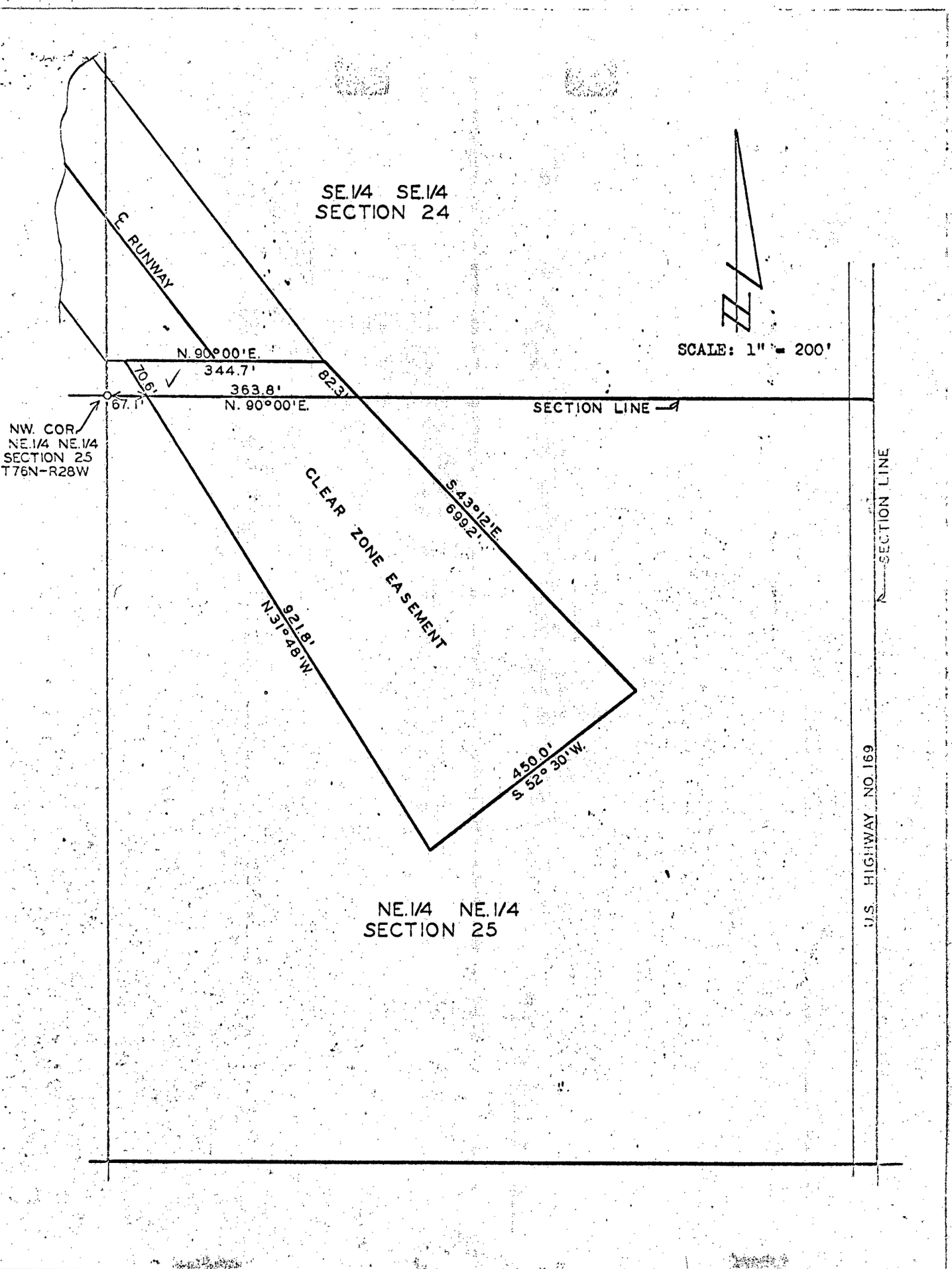
PARCEL "A"

Parcel is described as commencing at the Northeast Corner of the Southwest Quarter (SW¼) of Section 24, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa thence N.90°00'W. 255.7 feet to Point of Beginning; thence S.00°00' 40.0 feet; thence S.37° 30'E. 3209.6 feet; thence N.89°56'W. 94.62 feet; thence N.37°30'W. 3209.44 feet; thence N.00°00' 40.0 feet to the North line of said SW¼; thence N.90°00'E. 94.54 feet to Point of Beginning. Said Parcel "A" contains 5.6130 Acres including 0.0868 Acres of County Road Right of Way. North line of the SW¼ of Section 24, T76N-R28W is assumed to bear due East and West.

CONDEMNATION DESCRIPTION:

PARCEL "B"

Parcel is described as commencing at the Northeast Corner of the Southwest Quarter (SW¼) of Section 24, Township 76 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence N.90°00'W. 255.7 feet thence S.00°00' 40.0 feet; thence S.37°30'E. 3209.6 feet; thence N.84°56'W. 378.5 feet to Point of Beginning Parcel B; thence N.37°30'W. 1837.0 feet; thence N.89°52'E. 94.69 feet; thence S.37° 30'E. 1837.45 feet; thence N.89°56'W. 94.62 feet to Point of Beginning Parcel B. Said Parcel "B" contains 3.2214 Acres. The North line of the SW¼ of Section 24, T76N-R28W is assumed to bear due East and West.


SE.1/4 SE.1/4
SECTION 24
℄ RUNWAY
N. 90°00'E.
344.7'
70.6'
67.1'
363.8'
N. 90°00'E.
823'
SECTION LINE
SCALE: 1" = 200'
NW. COR.
NE.1/4 NE.1/4
SECTION 25
T76N-R28W
CLEAR ZONE EASEMENT
S.43°12'E.
699.2'
921.8'
N.31°48'W.
450.0'
S. 52° 30'W.
SECTION LINE
U.S. HIGHWAY NO. 169
NE.1/4 NE.1/4
SECTION 25

Airport Clear Zone Easement Descriptions

NORTH END - Raber

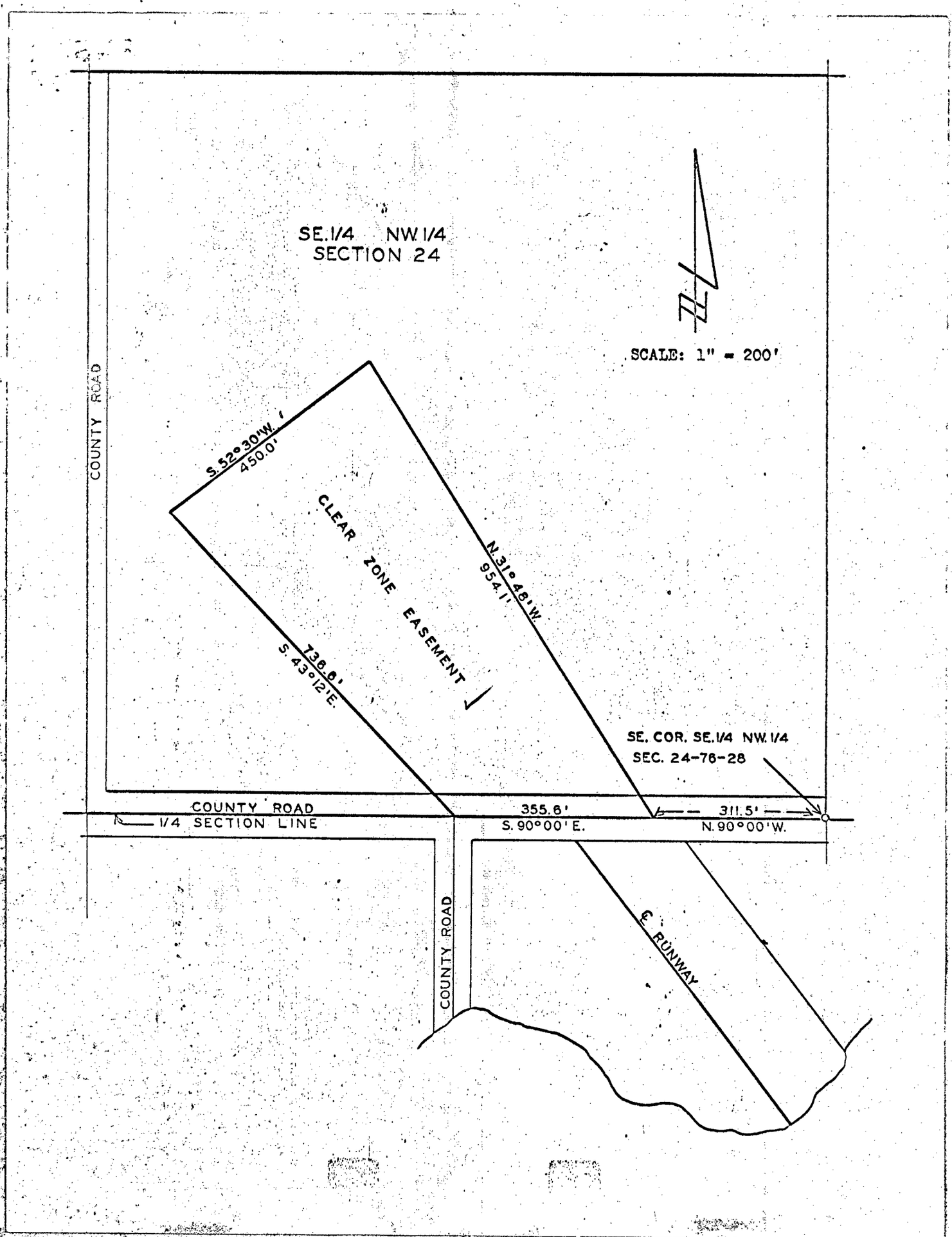
Commencing at the SE. Cor. of the SE¼ NW¼ Sec. 24 T76N-R28W of the 5th P.M., Madison County, Iowa, thence N.90°00'W. 311.5 feet to the Point of Beginning. Thence N.31°48'W. 954.1 feet, thence S.52°30'W. 450.0 feet, thence S.43°12'E. 736.6 feet, thence S.90°00'E. 355.6 feet to the Point of Beginning. Said parcel is situated in the SE¼ NW¼ Sec. 24 and contains 7.0952 Acres.

SOUTH END - Casper

Commencing at the SW. Cor of the SE¼ SE¼ Sec. 24 T76N-R28W of the 5th P.M., Madison County, Iowa, thence N.90°00'E. 67.1 feet to the Point of Beginning. Thence N.31°48'W. 70.6 feet, thence N.90°00'E. 344.7 feet, thence S.43°12'E. 82.3 feet, thence S.90°00'W. 363.8 feet to the Point of Beginning. Said parcel is situated in the SE¼ SE¼ Sec. 24 and contains 0.4880 Acres.

SOUTH END - Cline

Commencing at the NW. Cor. of the NE¼ NE¼ Sec. 25 T76N-R28W of the 5th P.M., Madison County, Iowa, thence N.90°00'E. 67.1 feet to the Point of Beginning. Thence continuing N.90°00'E. 363.8 feet, thence S.43°12'E. 699.2 feet, thence S.52°30'W. 450.0 feet, thence N.31°48'W. 921.8 feet to the Point of Beginning. Said parcel is situated in the NE¼ NE¼ Sec. 25 and contains 6.8659 Acres.


SE.1/4 NW.1/4
SECTION 24
SCALE: 1" = 200'
COUNTY ROAD
S. 52° 30' W.
450.0'
CLEAR ZONE EASEMENT
N. 31° 48' W.
954.1'
738.6'
S. 43° 12' E.
SE. COR. SE.1/4 NW.1/4
SEC. 24-76-28
COUNTY ROAD
1/4 SECTION LINE
355.6'
S. 90° 00' E.
311.5'
N. 90° 00' W.
COUNTY ROAD
℄ RUNWAY

Airport Clear Zone Easement Descriptions

✓NORTH END - Raber

Commencing at the SE. Cor. of the SE¼ NW¼ Sec. 24 T76N-R28W of the 5th P.M., Madison County, Iowa, thence N.90°00'W. 311.5 feet to the Point of Beginning. Thence N.31°48'W. 954.1 feet, thence S.52°30'W. 450.0 feet, thence S.43°12'E. 736.6 feet, thence S.90°00'E. 355.6 feet to the Point of Beginning. Said parcel is situated in the SE¼ NW¼ Sec. 24 and contains 7.0952 Acres.

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SOUTH END - Cline

Commencing at the NW. Cor. of the NE¼ NE¼ Sec. 25 T76N-R28W of the 5th P.M., Madison County, Iowa, thence N.90°00'E. 67.1 feet to the Point of Beginning. Thence continuing N.90°00'E. 363.8 feet, thence S.43°12'E. 699.2 feet, thence S.52°30'W. 450.0 feet, thence N.31°48'W. 921.8 feet to the Point of Beginning. Said parcel is situated in the NE¼ NE¼ Sec. 25 and contains 6.8659 Acres.

2/12/75 C:kh 2

RECEIVED
2-20-75
1030
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

NOTICE OF CONDEMNATION OF PROPERTY BY WINTERSET-MADISON COUNTY AIRPORT AUTHORITY

: - : - :

TO: ROBERT M. CASPER, ROBERT E. CASPER, DWIGHT CASPER, DONNA RABER, Glenn CLINE, CITY OF WINTERSET, IOWA, AND MADISON COUNTY, IOWA; AND ALL OTHER PERSONS, COMPANIES OR CORPORATIONS HAVING ANY INTEREST IN OR OWNING ANY OF THE FOLLOWING DESCRIBED REAL ESTATE:

The Southeast Quarter (¼) of the Northwest Quarter (¼), East Quarter of the Southwest Quarter (¼), and the Southeast Quarter (¼) of Section 24, and the Northeast Quarter (¼) of the Northeast Quarter (¼) of Section 25, all in Township 76 North, Range 28 West of the 5th P. M., Madison County, Iowa.

YOU ARE HEREBY NOTIFIED that the Winterset-Madison County Airport Authority desires the condemnation in fee of the two following described parcels of real estate:

PARCEL "A"

Parcel is described as commencing at the Northeast Corner of the Southwest Quarter (SW¼) of Section 24, Township 76 North, Range 28 West of the 5th P. M., Madison County, Iowa, thence N. 90° 00' W. 255.7 feet to Point of Beginning; thence S. 00° 00' 40.0 feet; thence S. 37° 30'E. 3209.6 feet; thence N. 89° 56' W. 94.62 feet; thence N. 37° 30' W. 3209.44 feet; thence N. 00° 00' 40.0 feet to the North line of said SW¼ thence N. 90° 00' E. 94.54 feet to Point of Beginning. Said Parcel "A" contains 5.6130 Acres including 0.0868 Acres of County Road Right of Way. North line of the SW¼ of Section 24, T76N-R28W is assumed to bear due East and West.

PARCEL "B"

Parcel is described as commencing at the Northeast Corner of the Southwest Quarter (SW¼) of Section 24, Township 76 North, Range 28 West of the 5th P. M., Madison County, Iowa: thence N. 90° 00'W. 255.7 feet thence S. 00° 00' 40.0 feet; thence S. 37° 30' E 3209.6 feet; thence N. 84° 56' W. 378.5 feet to Point of Beginning Parcel B; thence N. 37° 30' W. 1837.0 feet; thence N. 89° 52' E. 94.69 feet; thence S. 37° 30'E. 1837.45 feet; thence N. 89° 56' W. 94.62 feet to Point of Beginning Parcel B. Said Parcel "B" contains 3.2214 Acres. The North line of the SE¼ of Section 24, T76N-R28W is assumed to bear due East and West.

YOU ARE FURTHER NOTIFIED that the Winterset-Madison County Airport Authority desires condemnation of an aviation easement, meeting the requirements set forth by the Iowa Aeronautics Commission for airport clear zone easements, in the following parcels of real estate:

Commencing at the SE. Cor. of the SE¼ NW¼ Sec. 24 T76N-R28W of the 5th P. M., Madison County, Iowa, thence N. 90° 00' W. 311.5 feet to the Point of Beginning. Thence N. 31° 48' W. 954.1 feet, thence S. 52° 30' W. 450.0 feet, thence S. 43° 12' E. 736.6 feet, thence S. 90° 00' E. 355.6 feet to the Point of Beginning. Said parcel is situated in the SE¼ NW¼ Sec. 24 and contains 7.0952 Acres.

AND

Commencing at the SW. Cor. of the SE¼ SE¼ Sec. 24 T-76N R28W of the 5th P. M., Madison County, Iowa, thence N. 90° 00' E. 67.1 feet to the Point of Beginning. Thence N. 31° 48' W. 70.6 feet, thence N. 90° 00' E. 344.7 feet, thence S. 43° 12' E. 82.3 feet, thence S. 90° 00' W. 363.8 feet to the Point of Beginning. Said parcel is situated in the SE¼ SE¼ Sec. 24 and contains 0.4880 Acres.

AND

Commencing at the NW. Cor. of the NE¼ NE¼ Sec. 25 T76N R28W of the 5th P. M., Madison County, Iowa, thence N. 90° 00' E. 67.1 feet to the Point of Beginning. Thence continuing N. 90° 00' E. 363.8 feet, thence S. 43° 12'E. 699.2 feet, thence S. 52° 30'W. 450.0 feet, thence N. 31° 48' W. 921.8 feet to the Point of Beginning. Said parcel is situated in the NE¼ NE¼ of Sec. 25 and contains 6.8659 Acres.

That such condemnation is sought for the following purposes; for the improvement and development of the present airport operated by the Winterset-Madison County Airport Authority primarily for the purpose of meeting the physical requirements imposed for State aid for airport development by the Iowa Aeronautics Commission. In connection with this condemnation it is specifically provided that the Winterset-Madison County Airport Authority shall replace the existing fencing at the Authority's cost, so as to constitute a boundary between the parcels condemned in fee and Condemnee's remaining property.

That a Commission has been appointed as provided by law for the purpose of appraising the damages which will be caused by said condemnation.

That said Commissioners will, on the 24th day of April, 1975, at 10:00 O'clock A. M., view said premises and proceed to appraise said damages at which time you may appear before the Commissioners, if you care to do so.

WINTERSET-MADISON COUNTY AIRPORT AUTHORITY
APPLICANT

GORDON K. DARLING

CHET R. CHICKERING

By_____

53 Jefferson Street
Winterset, Iowa 50273
Telephone 462-2442
Attorneys for Applicant.

OFFICERS RETURN OF SERVICE

BBB

STATE OF IOWA, MADISON County, ss.

The attached notice with copy of Petition attached received this 20th day of February, 19 75, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective name.

Name of Defendants	Month	Day	Year	Township	County	State
Robert M. Casper	April	11th	1975	Center	Madison	Iowa
Robert E. Casper	April	11th	1975	Center	Madison	Iowa
Dwight Casper	April	11th	1975	Center	Madison	Iowa
Donna Raber	April	11th	1975	Center	Madison	Iowa

Rex Rouse Sheriff
Rex Rouse
Madison County, Iowa

By _____, Deputy Sheriff

RETURN OF ORIGINAL NOTICE

STATE OF IOWA, MADISON County, ss.

The within notice came into my hands on the 20th day of February 19 75, and on the 11th day of April, 1975, I served the same on Glenn Cline _____, by leaving a true copy thereof at the house of Glenn Cline, situated in the Township of Center Madison County, Iowa, the same being the usual place of residence of said defendent with Mrs. Glenn Cline, a member of said defendant's family, with whom he resides, and over 18 years of age, the said defendant not being found within the County.

FEES

Service, $_____

Copies, $_____

Mileage, $_____

Total, $_____

Rex Rouse
Rex Rouse

Sherriff of Madison County

By _____, Deputy

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice of Condemnation came into my hands on the 20th day of February, 19 75 and on the 11th day of April, 19 75, I served the same upon the City of Winterset

by offering to read the same to Dale Simmons, he being the Clerk of the City of Winterset

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

Rex Rouse

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 of Condemnation came into my hands on the 20th day of February, 19 75 and on the 11th day of April, 19 75, I served the same upon the Madison County, Iowa

by offering to read the same to George Abrahams, he being the Auditor of the County of Madison, State of Iowa

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

Rex Rouse

of Madison County

By _____ Deputy.

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

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA,

RECEIVED
2-20-75
MADISON 1030 AM
WINTERSET, IOWA

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

Madison County, Iowa

An Application for Condemnation having been filed with me by the Winterset-Madison Cty. Airport Authority 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	QUALIFICATION
Ole Olson	Winterset	Licensed Real Estate Salesman or Broker
Merrill Creger	Winterset	
Kenneth Ritter	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Gail Leeper	Winterset	
Darrell Daggett	Winterset	Agricultural ~~of/Other Than/Agricultural~~
Harrison Vowell	Winterset	

I further designate, select, and appoint the above named Merrill Creger 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 matter.

Dated at Des Moines, Iowa this 18th day of February, 1975.

Gibson C. Holliday
Chief Judge of the Fifth Judicial District, Inluding Madison County

Filed in my office at Des Moines, Iowa this 18 day of Feb 1975.

Gibson C. Holliday
Sheriff of County, Iowa

Chief Judge

4444

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA,

2-20-75 1030 AM

SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS

Madison County, Iowa

An Application for Condemnation having been filed with me by the Winterset-Madison County Airport Authroity 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
Sam Buck	Winterset	Licensed Real Estate Salesman or Broker
Ernest Stowell	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Raymond Clark	Winterset	Agricultural /o/r/ /O/t/h/e/r/ /T/h/a/n/ /A/g/r/i/c/u/l/t/u/r/a/l/

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 18th day of February, 19 75.

Gibson A. Holliday
JUDGE OF THE FIFTH JUDICIAL DISTRICT
Including Madison County
Iowa.

Filed in my office at Winterset, Iowa this 20 day of Feb, 1975.

Rex Rose
SHERIFF OF Madison COUNTY, IOWA

5

RECEIVED
4-18-75
11 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

Madison County, Iowa

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

S U B S T I T U T I O N

An Application for Condemnation having been filed with me by the Winterset-Madison County Airport Authority 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	QUALIFICATION
----------	----------	Licensed Real Estate Salesman or Broker
Wayne Newton	Winterset	Knowledgeable of Property Values by Virtue of Occupation
----------	----------	Agricultural ~~or Other Than Agricultural~~

I further designate, select, and appoint the above named ---------- ---------- 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 matter.

Dated at Des Moines, Iowa this 17th day of April, 19[illegible]

Chief Judge of the Fifth Judicial District, Inluding Madison County

Filed in my office at Winterset, Iowa this 18 day of April .75

Sheriff of Madison County, Iowa

RECEIVED
4-18-75
1:15 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

6 446

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

Madison County, Iowa

SUPPLEMENTARY ~~ORDER~~ APPOINTING ALTERNATE COMPENSATION COMMISSIONERS

S U B S T I T U T I O N

An Application for Condemnation having been filed with me by the Winterset-Madison County Airport Authority 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
----------		Licensed Real Estate Salesman or Broker
John Foster	Winterset	Knowledgeable of Property Values by Virtue of Occupation
----------		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 17th day of April, 19 75.

Robert Hallada
JUDGE OF THE FIFTH JUDICIAL DISTRICT
Including Madison County
Iowa.

Filed in my office at Winterset, Iowa this 18 day of April, 1975.

Ray Reuse
SHERIFF OF Madison COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

Madison County, Iowa

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

S U B S T I T U T I O N

An Application for Condemnation having been filed with me by the Winterset-Madison County Airport Authority 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	QUALIFICATION
Gene Vierling	Winterset	Licensed Real Estate Salesman or Broker
----------		Knowledgeable of Property Values by Virtue of Occupation
----------		Agricultural ~~Owner/Owner~~ ~~Farm/Agriculture~~

I further designate, select, and appoint the above named ---------- 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 matter.

Dated at Des Moines, Iowa this 23rd day of April, 1975.

Robson C. Holliday
Chief Judge of the Fifth Judicial District, Inluding Madison County

Filed in my office at Winterset, Iowa this ___ day of _____.

Roy Ranse
Sheriff of _____ County, Iowa

1-20-75 C:kh

8 448

RECEIVED
1-21-75
420 PM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

TO: DARRELL DAGGETT, HARRISON VOWELL, ~~OLE OLSON~~, SAM BUCK E.C. VIERLING ~~MERRILL GREGER~~, KENNETH RITTER, ~~GAIL LEEPER~~: JOHN FOSTER ~~KATHRINE NEWTON~~

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 ~~Merrill Greger~~ E.C. VIERLING has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

_____

Filed in my office at Winterset, Iowa, this 24th day of April, 1975.

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 desicion, or for the reason that

_____

Please sign and return by mail one copy to my office.

9

REX ROUSE
SHERIFF, MADISON COUNTY
WINTERSET, IOWA 50273
PHONE 462-3529

RECEIVED
1-21-75
4:20 pm
MADISON COUNTY
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

TO: DARRELL DAGGETT, HARRISON VOWELL, SAM BUCKON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merrill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Earlham, Iowa, this 12 day of April, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Sam Buck

Filed in my office at Winterset, Iowa, this 14th day of April, 1975.

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 desicion, or for the reason that

_____

1-20-75 C:kh

450

RECEIVED
1-21-75
4:20
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

: - : - :

TO: DARRELL DAGGETT, HARRISON VOWELL, OLE OLSON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merrill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Reese
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this 14 day of April, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

J O Daggett

Filed in my office at Winterset, Iowa, this 15 day of April, 1975.

Rex Reese
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 desicion, or for the reason that

_____

Please sign and return by mail one copy to my office.

REX ROUSE
SHERIFF, MADISON COUNTY
WINTERSET, IOWA 50273
PHONE 462-3575

RECEIVED
4-21-75
4:20 pm
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

: - : - :

TO: DARRELL DAGGETT, HARRISON VOWELL, OLE OLSON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merrill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

_____

Filed in my office at Winterset, Iowa, this 15 day of April, 1975.

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 desicion, or for the reason that

_____

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

RECEIVED
1-21-75
420
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

: - : - :

TO: DARRELL DAGGETT, HARRISON VOWELL, OLE OLSON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merrill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Reese
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Texas, Iowa, this 14 day of April, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

H. S. Dowell

Filed in my office at Winterset, Iowa, this 16 day of April, 1975.

Rex Reese
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 desicion, or for the reason that

_____

Please sign and return by mail one copy to my office.

RECEIVED
1-21-75
4:20 PM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

TO: DARRELL DAGGETT, HARRISON VOWELL, ~~OLE OLSON~~ SAM BUCK, MERRILL CREGER, KENNETH RITTER, ~~GAIL LEEPER~~ JOHN FOSTER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rep Ponse
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 21 day of April, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

John W. Foster

Filed in my office at Winterset, Iowa, this 21 day of April, 1975.

Rep Ponse
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 desicion, or for the reason that

_____

1-20-75 C:kh

454

RECEIVED
1-21-75
420 pm
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

TO: DARRELL DAGGETT, HARRISON VOWELL, OLE OLSON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merrill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rep Ronse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Truro, Iowa, this 13 day of April, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Merrill Creger

Filed in my office at Winterset, Iowa, this 15 day of April, 1975.

Rep Ronse
Sheriff of Madison County, Iowa.

REFUSAL TO SERVE

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

4-22-75 deceased

1-20-75 C:kh

RECEIVED
1-21-75
420 PM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

TO: DARRELL DAGGETT, HARRISON VOWELL, ~~OLE OLSON~~ SAM BUCK, MERRILL CREGER, KENNETH RITTER, ~~GAIL LEEPER~~ WAYNE NEWTON:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rep Ronse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

_____

Filed in my office at Winterset, Iowa, this 21 day of April, 1975.

Rep Ronse
Sheriff of Madison County, Iowa.

REFUSAL TO SERVE

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

Wayne Newton

1-20-75 C:kh

456

RECEIVED
1-21-75
4:00 PM
WINTERSET, IOWA

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

TO: DARRELL DAGGETT, HARRISON VOWELL, OLE OLSON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merrill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rep Reuse
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 _____, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

_____

Filed in my office at Winterset, Iowa, this 11th day of April, 1975.

Rep Reuse
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 desicion, or for the reason that

Lowell L. Olson

1-20-75 C:kh

RECEIVED
1-21-75
4:20
SHERIFF
WINTERSET, IOWA

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

SUMMONS TO COMMISSIONERS

: - : - :

TO: DARRELL DAGGETT, HARRISON VOWELL, OLE OLSON, MERRILL CREGER, KENNETH RITTER, GAIL LEEPER:

The Winterset-Madison County Airport Authority has filed with the Chief Judge of the Fifth Judicial District of Iowa, including Madison County, an Application for the selection of a Compensation Commission to assess the damages which owners, lien holders, 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 condemnation of real estate for the improvement of Winterset-Madison County Airport,

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth 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 Merill Creger has been designated as Chairman of the Commission.

NOW THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff of Madison County, State of Iowa, on the 24th day of April, 1975, at 9:30 o'clock A. M. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Rep Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____, 1975. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

_____

Filed in my office at Winterset, Iowa, this 14 day of April, 1975.

Rep Rouse
Sheriff of Madison County, Iowa.

APR 18 1975

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 desicion, or for the reason that)

I am Treas. of the Mad-Co. Airport Authority
Gail R Leeper

457

458
10

1-20-75 C:kh

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

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 condemnation of real estate for the improvement of the Winterset-Madison County Airport and make a written report to the Sheriff as authorized and prescribed in Chapter 306, 306A, 306B, 313, 471 and 472 of the 1973 Code of Iowa and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will well and truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

E. M. Twiling
Name:
Licensed Real Estate Salesman or Broker

G. S. Buck
Name:

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

Dennis Ritter
Name:

Ed. S. Powell
Name:
Agricultural Owner/Operator

J. Bennett
Name:

Subscribed and sworn to before me this 24 day of April, 1975.

Angela McKee
Notary Public in and for the State of Iowa

Filed in my office at Winterset, Iowa, this 24 day of April, 1975.

Roy Rouse
Sheriff of Madison County, Iowa

INSTRUCTIONS TO CONDEMNATION COMMISSIONERS FROM IOWA CHIEF JUSTICE

You have been selected as a compensation commission to determine and assess damages to property condemned for a public use under the power of eminent domain.

Pursuant to the provisions of section 5, Senate File 1171, Acts of the 63rd General Assembly, you are instructed as follows:

1. The Constitution prohibits the taking of private property for a public use without just compensation. Governmental units and certain utilities are authorized by statute to condemn private property or a certain use thereof for public purposes and it is your duty to fix a just compensation for that taking or use. You shall arrive at such compensation in a fair and impartial manner and on an independent basis without taking into consideration any advantages or benefits which may accrue to the property from such public use. The property owner is entitled to be made whole but double recovery is not allowed.

2. Where the entire property unit is taken, the measure of damages is the fair market value of the property immediately before condemnation and before such value has been affected by the proposed public use. Where only a portion of the property unit is taken, including certain rights such as an easement, the measure of damages is the difference between the fair market value of the property as a whole immediately before condemnation and before it has been affected by the proposed public use and the fair market value of what is left after the taking. Any advantage which may accrue to the remaining property by reason of the public use is not to be considered. Substantially the same measure applies to damages to a leasehold.

3. Allowance shall be made to the owner for any personal property damaged or destroyed, for the cost of removing and replacing fences and removing buildings onto abutting property of the owner.

4. Allowance shall be made for cost, if any, of removing personal property a distance not to exceed 25 miles but not over $500.

5. In arriving at the fair market value of the property you shall not consider evidence or information regarding prior negotiations between the parties. However, when you report the commission's award to the sheriff, if it exceeds 110% of the condemnor's final offer, he will so advise you and you will then determine and fix reasonable attorney fees and costs, if any, incurred by the condemnee in presenting his case before your commission.

6. You will be in charge of the sheriff who will administer the oath to you and furnish transportation to and from the site of the property or properties you are required to view.

These brief and general instructions do not purport to enumerate all problems which might confront you but the position of the parties or their attorneys on any additional problems may be explained to you at the time of the hearing.

Prepared at Des Moines, Iowa this 29th day of June, 1970.

C. Edwin Moore

C. EDWIN MOORE, CHIEF JUSTICE
SUPREME COURT OF IOWA

2/12/75 C:kh

12 460

RECEIVED
4-22-75
335
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA. : AFFIDAVIT OF FINAL OFFER

: - : - :

On this 22 day of APRIL, 1975, comes Winterset-Madison County Airport Authority, 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:

Robert Casper	Land	$2,943.34
	Fence	-0-
	Aviation Easement	.34
Robert E. Casper	Land	$2,943.33
	Fence	-0-
	Aviation Easement	.33
Dwight Casper	Land	$2,943.33
	Fence	-0-
	Aviation Easement	.33
Donna Raber	Aviation Easement	500.00
Glenn V. Cline	Aviation Easement	1.00
City of Winterset, Iowa	Land	-0-
	Fence	-0-
	Aviation Easement	-0-
Madison County, Iowa	Land	-0-
	Fence	-0-
	Aviation Easement	-0-

WINTERSET - MADISON COUNTY AIRPORT AUTHORITY

By Harry F. Reed
Chairman

Subscribed and sworn to before me this 22 day of APRIL, 1975.

CHET R. CHICKERING
MY COMMISSION EXPIRES
September 30, 1977

Chet R. Chickering
Notary Public in and for the State of Iowa

Filed in my Office at Winterset, Iowa, this 22 day of April, 1975.

Rex Reese
Sheriff of Madison County, Iowa.

: - : - :

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

REPORT OF CONDEMNATION COMMISSION

TO: REX ROUSE, SHERIFF OF MADISON COUNTY, IOWA.

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

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

	LAND & IMPROVEMENTS	CONSEQUENTIAL DAMAGES	TOTAL AWARD	CONDEMNEES ATTY. FEES AND COSTS
DONNA RABER	$	$500.00	$500.-	$250.—
ROBERT M CASPER ET AL	$ 8,830	easement 1.- Damages 300.00	$9,131.00	$
GLENN CLINE	$	$ 500.-	$ 500.—	$ 150.—
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

Respectfully reported at Winterset, Iowa this 24th day of April, 1975.

E. E. Hutchison — J. D. Daggett

L. L. Beck — John W. Foster

Francis Potter — H. S. Dowell

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 24th day of April, 1975.

Rex Rouse

Sheriff, Madison County, Iowa

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA,

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO: Robert M. Casper; Robert E. Casper; Dwight Casper; Donna Raber; Glenn Cline; City of Winterset, Iowa; Madison County, Iowa.

You and each of you are hereby notified that the duly appointed and qualified commissioners assessed and appraised the damages sustained by you by reason of the condemnation as set out upon the attached report of Compensation Commission, 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.

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa

Mailed April 25, 1975.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA

ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

I, Rex Rouse, Sheriff of Madison County, Iowa, hereby endorse and certify to the attached report of Compensation Commission that I have mailed by ordinary mail on this 25th day of April, 1975, the likewise attached Notice of Appraisement of Damages and Time for Appeal to each of the persons which it is addressed.

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa

SHERIFF'S CERTIFICATION OF COSTS

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

		POSTAGE FEE	MILEAGE	TOTAL
1.	Sheriff serving notices and copy	3.75	3.00	$ 6.75
2.	Summoning commissioners	1.80		1.80
3.	Sheriff attending commissioners	7.50	1.50	9.00
				$ 17.55

4.	COMMISSIONERS EXPENSES:	
	E. C. Vierling (Chairman one day service and mileage - meal	53.50
	G. S. Buck one day service and mileage - meal	58.60
	Kenneth Ritter one day service and mileage - meal	53.50
	J. D. Daggett one day service and mileage - meal	56.61
	John W. Foster one day service and mileage - meal	53.50
	H. S. Vowell one day service and mileage - meal	53.00
		$ 328.71
5.	DAMAGES AWARDED	
	Donna Raber	5000.00
	Attorney Chester Bentz	250.00
	Robert M. Casper et al	9131.00
	Glenn Cline	500.00
	Attorney Leonard Flander	150.00
		$ 15,031.00

RECAPITULATION

TOTAL DAMAGES AWARDED	$15,031.00
TOTAL SHERIFF'S COSTS	17.55
TOTAL COMMISSIONER'S EXPENSES	328.71
	$15,377.26

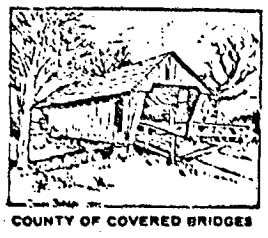
Certified a true statement of condemnation awards and expense in connection with: "In the Matter of the Condemnation of Certain Real Estate by the Winterset-Madison County Airport Authority, for the use and Benefit of Madison County, Iowa, in the Improvement of the Winterset-Madison County Airport located in Madisnn County, Iowa, and the original copies thereof.

Dated in my office at Winterset, Iowa, this 24th day of April, 1975.

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa

17



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 9, 1975

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE BY THE WINTERSET-MADISON COUNTY AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT LOCATED IN MADISON COUNTY, IOWA.

TO: ROBERT M. CASPER, ROBERT E. CASPER AND DWIGHT CASPER

This is to advise you that there has been deposited with me Check #_____ in the amount of $9,131.00 xx. This check represents the amount of the Condemnation Conpensation Commission award made on April 24, 1975. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted:

Robert Casper

5-23-75

4-28-75 c:mp

RECEIVED
6-3-75
900
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

: - : - :

IN THE MATTER OF THE CONDEMNATION : OF CERTAIN RIGHTS AND LAND BY THE WINTERSET-MADISON COUNTY : AIRPORT AUTHORITY, FOR THE USE AND BENEFIT OF MADISON COUNTY, : IOWA, IN THE IMPROVEMENT OF THE WINTERSET-MADISON COUNTY AIRPORT : ABANDONMENT LOCATED IN MADISON COUNTY, IOWA.

: - : - :

Comes now the Winterset-Madison County Airport Authority and declares and states that it hereby abandons two of the aviation clear zone easement property rights heretofore condemned by Madison County Compensation Commission on 24 April 1975, pursuant to and in connection with the above titled cause insofar (and only insofar) as said aviation clear zone easements pertain to the following described real estate owned by Mrs. Donna Raber and Glenn V. Cline respectively, to-wit:

Commencing at the SE Cor. of the SE¼ NW¼ Sec. 24, T76N-R28W of the 5th P. M., Madison County, Iowa, thence N.90°00'W. 311.5 feet to the point of beginning. Thence N.31°48'W. 954.1 feet, thence S.52°30'W. 450.0 feet, thence S.43°12'E. 736.6 feet, thence S. 90°00'E. 355.6 feet to the Point of Beginning. Said parcel is situated in the SE¼ NW¼ Sec. 24 and contains 7.0952 acres.

Commencing at the NW Cor. of the NE¼ NE¼ Sec. 25 T76N-R28W of the 5th P. M., Madison County, Iowa, thence N.90°00'E. 67.1 feet to the Point of beginning. Thence continuing N.90°00'E. 363.8 feet, thence S.43°12'E.699.2 feet, thence S.52°30'W. 450.0 feet, thence N.31°48'W. 921.8 feet to the point of Beginning. Said parcel is situated in the NE¼ NE¼ Sec. 25 and contains 6.8659 Acres.

This is an abandonment of the aviation clear zone easements (sometimes referred to as airport clear zone easements) in land owned by Mrs. Donna Raber and Glenn V. Cline, only.

Dated this 28th day of April, 1975.

GORDON K. DARLING
CHET R. CHICKERING

By Chet R. Chickering
53 Jefferson Street
Winterset, Iowa 50273
Telephone 462-2442
Attorneys for Winterset-Madison County Airport Authority

Copies to -
Gibson C. Holliday, Chief Judge, Fifth Judicial District of Iowa
Rex Rouse, Madison County Sheriff
C. R. Bentz
Leonard Flander
Mrs. Donna Raber
Glenn V. Cline

Filed in my Office at Winterset, Iowa, this 3rd day of June, 1975.

Rex Rouse
Sheriff of Madison County, Iowa.

STATE OF IOWA)
) SS
MADISON COUNTY

I, Chet R. Chickering, being first duly sworn, on oath depose and state that on the 28th day of April, 1975, I mailed, by ordinary mail, to the following individuals a copy of the within document of abandonment, to-wit:

Gibson C. Holliday, Chief Judge, Fifth Judicial District of Iowa
Rex Rouse, Madison County Sheriff
C. R. Bentz
Leonard Flander
Mrs. Donna Raber
Glenn V. Cline

Chet R. Chickering

Subscribed and sworn to before me this 28th day of April, 1975.

MARTHA K. PATON NOTARIAL SEAL

Martha K Paton
Notary Public in and for Iowa