RECEIVED
9-25-74
931 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

1

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

Relocated
Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

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

Group "B"

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 ~~*otherwise agricultural~~ land hereinafter described, by condemnation proceedings, as authorized and provided by law.

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

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

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

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

Dated at Ames, Iowa, this 19 day of July, 1974.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

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

Filed in duplicate in my office at Des Moines, Iowa, this 22 day of July, 1974.

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

ENTERED FOR TAXATION
THIS 8 DAY OF Oct 1974
AUDITORS FEE $ 2.00
George E Abraham
AUDITOR
Jean Ashe
DEPUTY AUDITOR

FILED NO. 1601
BOOK 110 PAGE 555
1974 OCT -1 PM 4:09
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $1.06 50

located in Madison County, Iowa

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

Group "B"

TO:

F. L. Warren Construction Company, Incorporated, c/o Laurrene Warren, 700 42nd, West Des Moines, Iowa
Dean H. Mapes, R.R. #4, Winterset, Iowa
Gean H. Mapes, R.R. #4, Winterset, Iowa
Mutual Benefit Life Insurance Company, c/o Insurance Commissioner of the State of Iowa, Lucas State Office Building, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼SW¼, NE¼SW¼, SW¼SW¼ and SE¼SW¼ of Sec. 35, T76N, 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:

Two parcels of land located in the SE¼SW¼ of Sec. 35, T76N, R28W of the 5th P.M., Madison County, Iowa, lying on the west side of part of the following described centerline of Relocated Primary Road No. U.S. 169 and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 575.2 ft. to Sta. 641+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence N89°56½'W 1309.1 ft. to Sta. 2704+00.

Said parcels are described as follows:

Bounded on the east by the east line of the SE¼SW¼ of said Sec. 35; on the south by the north line of the South 261 Feet of said SE¼SW¼; on the west by a line beginning at a point 120 ft. normally distant westerly of centerline (Reloc. U.S. 169) on the north line of said South 261 Feet, thence to a point normally distant westerly from Sta. 640+00 on the east line of said SE¼SW¼.

Also, bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the existing northerly right of way line of Primary Road No. 92; on the north by a line beginning at a point of intersection of said existing northerly right of way line and the east line of a tract of land described as exception "B" in a certain Real Estate Contract and recorded in Book 102, Page 7 in the Office of the Recorder of Madison County, Iowa and described as:

Continued on next sheet

"Commencing at a point 1217.8 ft. West of the S¼ corner of Section 35, Twp. 76N, Range 28W of the 5th P.M., thence N0°20'W a distance of 353 ft.; thence W. 150.2 ft.; thence S0°20'E a distance of 81 ft.; thence W. 120.5 ft.; thence S0°20'E a distance of 51.3 ft.; thence S88°59W a distance of 109 ft.; thence S0°20'E a distance of 32 ft.; thence N88°59'E a distance of 109 ft.; thence S0°20'E a distance of 188.7 ft.; thence E. 270.7 ft. to the point of beginning; thence to a point 80 ft. normally distant northerly from Sta. 2706+00, thence parallel with centerline (Primary Road No. 92) to a point 80 ft. normally distant northerly of centerline on the west line of the East 396 Feet of said SE¼SW¼.

Said parcels contain 0.4 acre , more or less.

Note: The south line of the SE¼ of said Sec. 35 is assumed to bear East and West for the purpose of describing the centerlines.

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of the condemnees' remaining property abutting thereon.

2. All rights of direct access between Primary Road No. 92 and that portion of condemnees' remaining property abutting thereon, lying east of Sta. 2711+00, are condemned.

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

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour road, in land described as follows:

   Bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the northerly line of the land sought in fee simple title; on the north by a line beginning at the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the east line of said tract recorded in Book 102, Page 7, thence to a point 170 ft. normally distant northerly from Sta. 2706+00, thence to a point 175 ft. normally distant northerly of centerline (Primary Road No. 92) on the west line of said East 396 Feet; containing 1.5 acres, more or less.

   It is further specifically provided that upon completion of Relocated Primary Road No. U.S. 169 and the opening to traffic thereof, the land sought by temporary easement for the specific purpose of constructing and using a detour road shall be restored to its original condition insofar as is possible by machine methods, by removal of any temporary grades, ditches or surfacing,and that said temporary easement rights for said operation shall terminate immediately upon the completion of the operations for which said rights are sought, and in no event later than December 31, 1979.

5. 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. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

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

11-71

IOWA STATE HIGHWAY COMMISSION

338

RIGHT OF WAY PLAT
EXHIBIT "A"

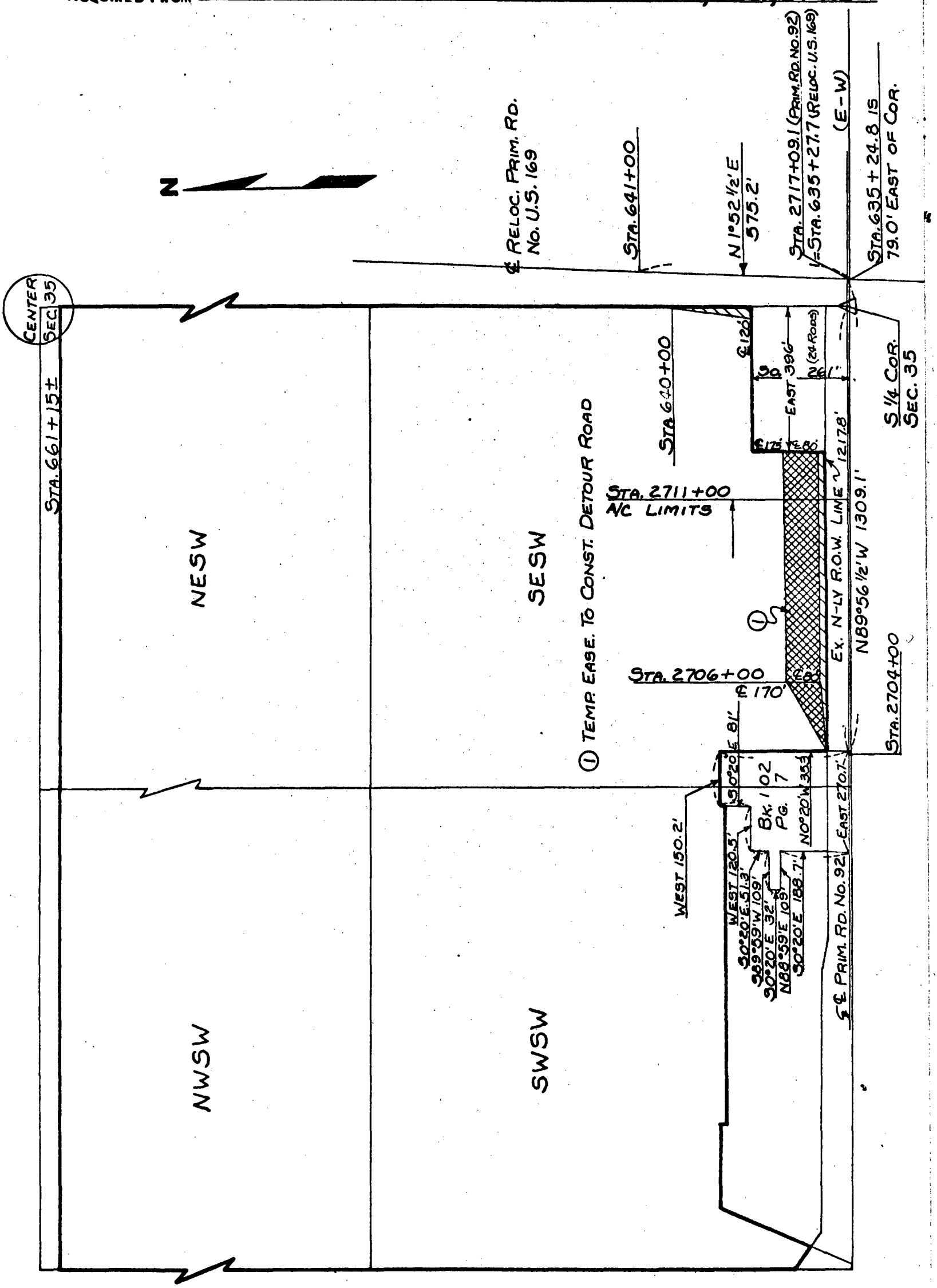
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 14

SECTION 35 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 0.4 AC, EASE AC, DETOUR RD 1.5 AC

ACQUIRED FROM F.L. WARREN CONSTRUCTION COMPANY, INC., ET AL



located in Madison County, Iowa

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

Group "B"

TO:

Glenn Horras, 536 36th Street, Des Moines, Iowa
Ruth Horras, 536 36th Street, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the SW¼SE¼ and SE¼SE¼ of Sec. 35, T76N, 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 lads 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 SW¼SE¼ and SE¼SE¼ of Sec. 35, T76N, 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, and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 775.2 ft. to Sta. 643+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, said numbers being adjusted at Sta. 2733+49.9 to equal Sta. 2733+50, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence S89°56½'E 1640.8 ft. to Sta. 2733+49.9 which equals Sta. 2733+50, thence continuing S89°56½'E 350.0 ft. to Sta. 2737+00.

Said parcel is described as follows: Commencing at the S¼ Corner of said Sec. 35, thence north along the west line of the SE¼ thereof to the existing northerly right of way line of Primary Road No. 92, the Point of Beginning, thence continuing north along the west line of said SE¼ to the north line of the South 43 Acres of said SE¼, thence east along said north line to a point 90 ft. normally distant easterly of centerline of Relocated Primary Road No. U.S. 169, thence to a point 140 ft. normally distant easterly from Sta. 637+00, thence to a point 125 ft. normally distant northerly from Sta. 2719+00 (Prim. Rd. No. 92), thence to a point 150 ft. normally distant northerly from Sta. 2724+00, thence to a point 120 ft. normally distant northerly from Sta. 2731+00, thence to a point normally distant northerly from Sta. 2734+00 on the existing northerly right of way line of Primary Road No. 92, thence westerly along said existing northerly right of way line to the west line of said SE¼, the Point of Beginning.

Said parcel contains 4.8 acres, more or less.

Note: The south line of said SE¼ is assumed to bear East and West.

Continued on next sheet

559

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of condemnees' remaining property abutting thereon, excepting and reserving to the condemnees the right of access at Sta. 642+36, on the east side.

2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour , in land described as follows: Beginning at a point 140 ft. normally distant easterly from Sta. 637+00 (Reloc. P. R. No. U.S. 169), thence to a point 265 ft. normally distant northerly from Sta. 2723+50 (P. R. No. 92), thence to a point 235 ft. normally distant northerly from Sta. 2730+00, thence to the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the westerly line of a tract of land conveyed to Georgia Carson in a certain Warranty Deed recorded in Book 87, Page 92 in the Office of the Recorder of Madison County, Iowa and described as "Beginning at a point 60 feet North of a point 430 feet West of the Southeast corner of Section 35, Township 76 North, Range 28 West of the 5th P.M., and running thence North 208.71 feet, thence West 208.71 feet, thence South 208.71 feet, thence East 208.71 feet to the place of beginning", thence westerly along said existing northerly right of way line to a point normally distant northerly from Sta. 2734+00, thence to a point 120 ft. normally distant northerly from Sta. 2731+00, thence to a point 150 ft. normally distant northerly from Sta. 2724+00, thence to a point 125 ft. normally distant northerly from Sta. 2719+00, thence to a point 140 ft. normally distant easterly from Sta. 637+00 (Reloc. P. R. No. U.S. 169), the Point of Beginning; containing 3.5 acres, more or less.

3. Before the termination of the temporary easement to construct and use a detour road, said land shall be returned to its original condition insofar as is possible by machine methods, by removal of any temporary grades, ditches, or surfacing.

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing an entrance, to a maximum distance of 110 ft. easterly of centerline of Relocated Primary Road No. U.S. 169 from Sta. 642+00 to the north line of the South 43 Acres of said SE¼.

5. 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.

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

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

8. 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, 1979.

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

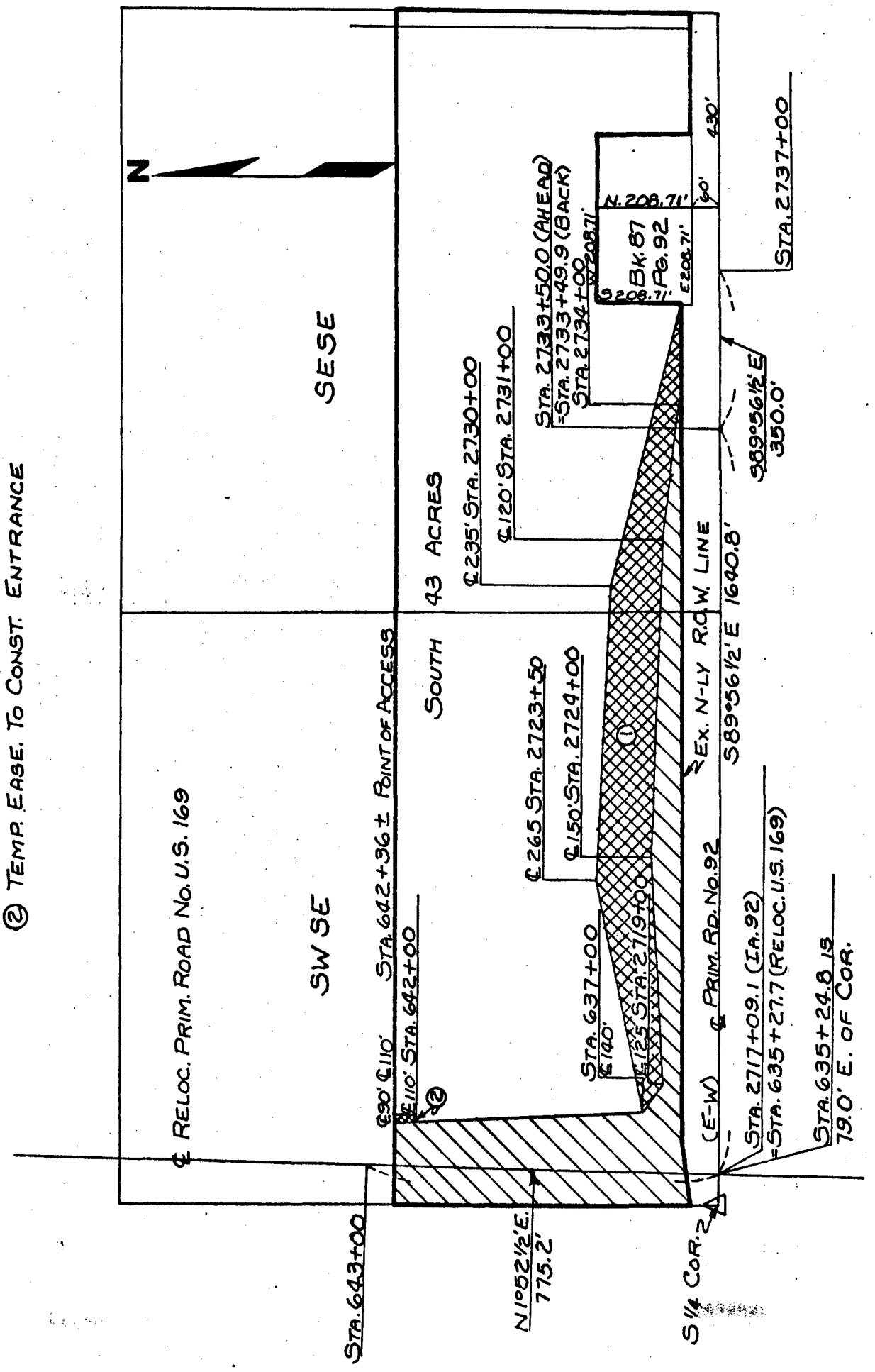
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 16

SECTION 35 TOWNSHIP 76N RANGE 28W

ROW - FEE 4.8 AC, EASE AC, DETOUR 3.5 AC

ACQUIRED FROM GLENN HORRAS



DATE DRAWN SCALE FILMED

561

3350-25

RECEIVED
8-26-74
rm.
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

362
2

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

Relocated Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

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

Group "B"

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

and

AMENDMENT TO NOTICE

TO: Rex Rouse, Sheriff of Madison County, Iowa
and
TO:
Glenn Horras, 536 36th Street, Des Moines, Iowa
Ruth Horras, 536 36th Street, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

By adding Paragraph 9 to Sheet 2 of the description of the property rights sought to be appropriated from Glenn Horras (Parcel 16) to wit:

> "9. The access right reserved to the condemnee in a certain Condemnation proceeding dated June 3, 1966 and recorded in Book 94, Page 152 in the Office of the Recorder of Madison County, Iowa, said right being identified as a field entrance at Sta. 716+29.9 on the north side is hereby condemned. It is further provided that the following access point to Primary Road No. 92 is hereby allowed to the condemnee at Sta. 2723+00, on the north side.

And further amending by striking and voiding Right of Way Plat Exhibit "A" Owners: Glenn Horras (Parcel 16), "and substituting therefore Right of Way Plat Exhibit "A"-Revised Owners: Glenn Horras (Parcel 16)", copy of which is attached hereto and by this reference made a part hereof.

Dated at Ames, Iowa, this 26th day of August, 1974.

APPROVED:

Gordon A. Sweitzer for
GORDON A. SWEITZER
Right of Way Director

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

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

Filed in my office at Winterset, Iowa, this 26 day of Aug., 1974.

Rex Rouse
Rex Rouse, Sheriff of
Madison County, Iowa

Madison County Project No. FN-169-3(3)--21-61
Glenn Horras (Parcel 16)

Form 187
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A" REVISED

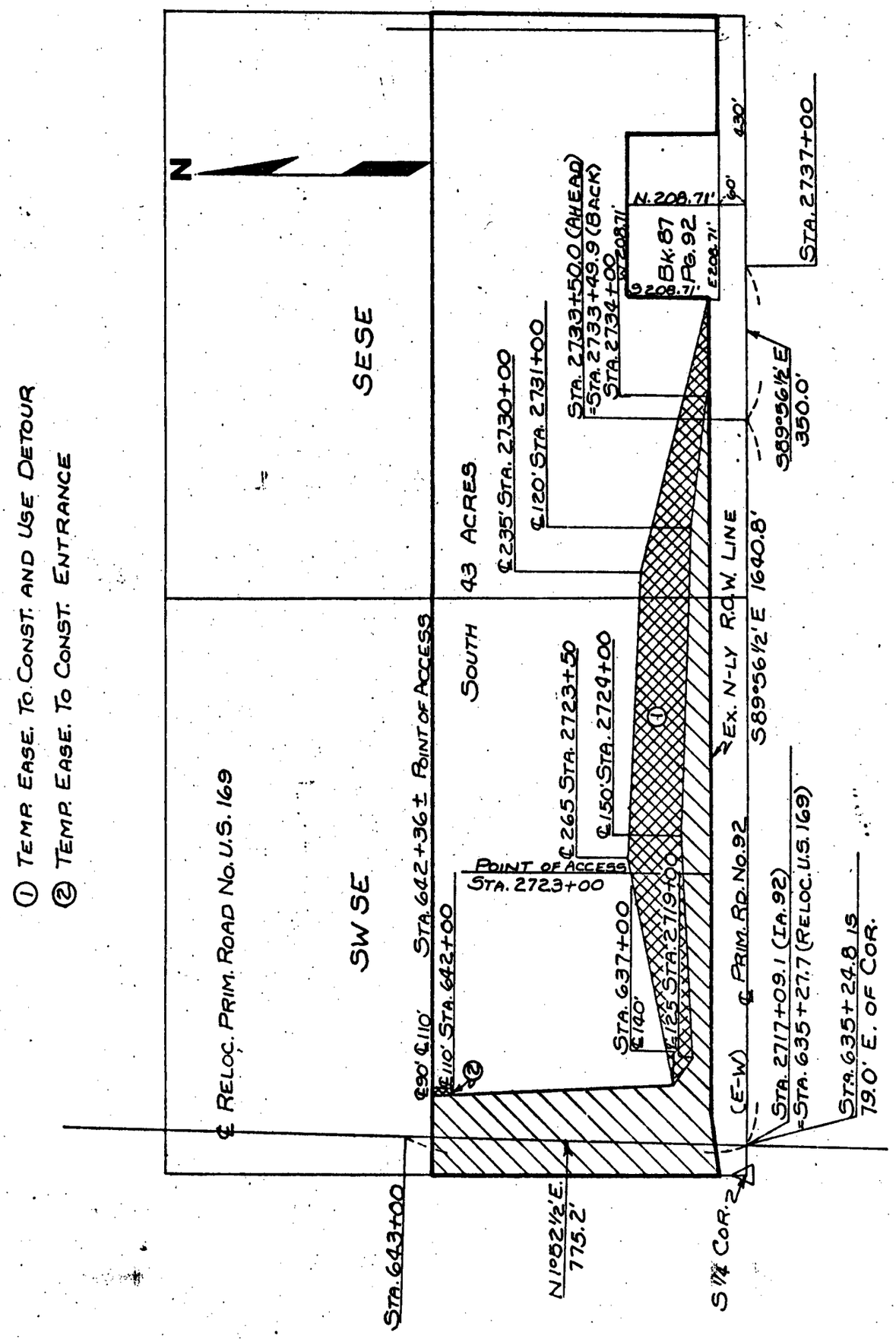
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 16

SECTION 35 TOWNSHIP 76N RANGE 28W

ROW - FEE 4.8 AC, EASE AC, DETOUR 3.5 AC

ACQUIRED FROM GLENN HORRAS



DATE DRAWN SCALE FILMED

563

3350-25

564

3

RECEIVED
4-25-74
930 pm
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

Relocated
Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

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

Group "B"

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
Merrill Creger	Winterset	Licensed Real Estate Salesman or Broker
Gene Vierling	Winterset	Licensed Real Estate Salesman or Broker
Kenneth Ritter	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Wallace Jackson	~~Winterset~~ Earlham	Knowledgeable of Property Values by Virtue of Occupation
Darrell Daggett	Winterset	Agricultural
Harrison Vowell	Winterset	Agricultural

I further designate, select, and appoint, the above named Kenneth Ritter 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 22 day of July, 19 74.

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

Filed in my office at Winterset, Iowa, this 25 day of July, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

Form 493 4

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 Relocated Primary Road No. U.S. 169 in and west of Winterset

RECEIVED
7-25-74
930 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

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

Group "B"

TO: Mr. Merrill Creger, Winterset, IA 50273

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 Kenneth Ritter 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 27th day of August, 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 Truro, Iowa, this 26 day of July, 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.

Merrill Creger

Filed in my office at Winterset, Iowa, this 29 day of July, 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

565

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 Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

3666
Form 493

RECEIVED
7-25-74
730 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Mr. Wallace Jackson, 422 Sycamore, Earlham, Iowa 50072

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 Kenneth Ritter 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 27th day of August, 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 Earlham, Iowa, this 29 day of July, 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.

Wallace Jackson

Filed in my office at Winterset, Iowa, this 29 day of July, 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 Relocated Primary Road No. U.S. 169 in and west of Winterset

Form 493

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

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

Group "B"

RECEIVED
7-25-74
930 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO: Mr. Darrell Daggett, Winterset, IA 50273 R1, Earlham

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 **Kenneth Ritter** 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 **27th** day of **August**, 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 Earlham, Iowa, this 30 day of July, 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.

Darrell Daggett

Filed in my office at Winterset, Iowa, this 30 day of July, 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

567

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 Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

SUMMONS TO COMMISSIONERS

RECEIVED
7-25-74
9:30 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO: Mr. Kenneth Ritter, ~~517 N. 2nd~~ 1335 - 12th St., Winterset, IA 50273

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 Kenneth Ritter 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 27th day of August, 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 Winterset, Iowa, this 24 day of July, 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.

Kenneth Ritter

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 July, 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
Relocated
Primary Road No. U.S. 169 in and west of
Winterset

Form 493

SUMMONS TO COMMISSIONERS

located in Madison County, Iowa

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

Group "B"

RECEIVED
7-25-74
9:30 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO: Mr. Harrison Vowell, R.R. 1, ~~Winterset~~ Dexter, IA 50222 50273

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 **Kenneth Ritter** 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 **27th** day of **August**, 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 Dexter, Iowa, this 30 day of July, 19 74.
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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

H. S. Vowell

Filed in my office at Winterset, Iowa, this 30 day of July, 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

569

570

Form 493

RECEIVED
7-25-74
930 PM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

SUMMONS TO COMMISSIONERS

TO: Mr. Gene Vierling, 115 W. Buchanan, Winterset, Iowa 50273

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 Kenneth Ritter 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 27th day of August, 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 Winterset, Iowa, this 5th day of August, 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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

Gene Vierling

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

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

_____

5

RECEIVED
1-25-74
930 PM
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 Relocated Primary Road No. U.S. 169 in and west of Winterset

OATH OF COMMISSIONERS

located in Madison County, Iowa

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

Group "B"

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.

Merrell Sage
Name:
Licensed Real Estate Salesman or Broker

Gene Werling
Name:
Licensed Real Estate Salesman or Broker

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

Bruce Ritter
Name:
Knowledgeable of Property Values by Virtue of Occupation

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

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

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

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

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

Rex Rouse
Rex Rouse
Sheriff of Madison County, Iowa

STATE OF IOWA
Madison County
I hereby certify that I have this 27th day of August, 1974 read aloud the "WRITTEN INSTRUCTIONS FOR MEMBERS OF THE COMPENSATION COMMISSION" submitted to me for this purpose by the Chief Justice of the Iowa Supreme Court. (Senate File 1171 - 63rd GA 2nd Session)

Rex Rouse Sheriff
Rex Rouse

571

572 6

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

Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

NOTICE

RECEIVED
1-25-74
930
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

F. L. Warren Construction Company, Incorporated, c/o Laurrene Warren, 700 42nd, West Des Moines, Iowa
Dean H. Mapes, R.R. #4, Winterset, Iowa
Gean H. Mapes, R.R. #4, Winterset, Iowa
Mutual Benefit Life Insurance Company, c/o Insurance Commissioner of the State of Iowa, Lucas State Office Building, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼SW¼, NE¼SW¼, SW¼SW¼ and SE¼SW¼ of Sec. 35, T76N, 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:

Two parcels of land located in the SE¼SW¼ of Sec. 35, T76N, R28W of the 5th P.M., Madison County, Iowa, lying on the west side of part of the following described centerline of Relocated Primary Road No. U.S. 169 and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 575.2 ft. to Sta. 641+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence N89°56½'W 1309.1 ft. to Sta. 2704+00.

Said parcels are described as follows:

Bounded on the east by the east line of the SE¼SW¼ of said Sec. 35; on the south by the north line of the South 261 Feet of said SE¼SW¼; on the west by a line beginning at a point 120 ft. normally distant westerly of centerline (Reloc. U.S. 169) on the north line of said South 261 Feet, thence to a point normally distant westerly from Sta. 640+00 on the east line of said SE¼SW¼.

Also, bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the existing northerly right of way line of Primary Road No. 92; on the north by a line beginning at a point of intersection of said existing northerly right of way line and the east line of a tract of land described as exception "B" in a certain Real Estate Contract and recorded in Book 102, Page 7 in the Office of the Recorder of Madison County, Iowa and described as:

Continued on next sheet

"Commencing at a point 1217.8 ft. West of the S¼ corner of Section 35, Twp. 76N, Range 28W of the 5th P.M., thence N0°20'W a distance of 353 ft.; thence W. 150.2 ft.; thence S0°20'E a distance of 81 ft.; thence W. 120.5 ft.; thence S0°20'E a distance of 51.3 ft.; thence S88°59W a distance of 109 ft.; thence S0°20'E a distance of 32 ft.; thence N88°59'E a distance of 109 ft.; thence S0°20'E a distance of 188.7 ft.; thence E. 270.7 ft. to the point of beginning; thence to a point 80 ft. normally distant northerly from Sta. 2706+00, thence parallel with centerline (Primary Road No. 92) to a point 80 ft. normally distant northerly of centerline on the west line of the East 396 Feet of said SE¼SW¼.

Said parcels contain 0.4 acre , more or less.

Note: The south line of the SE¼ of said Sec. 35 is assumed to bear East and West for the purpose of describing the centerlines.

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of the condemnees' remaining property abutting thereon.

2. All rights of direct access between Primary Road No. 92 and that portion of condemnees' remaining property abutting thereon, lying east of Sta. 2711+00, are condemned.

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

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour road, in land described as follows:

   Bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the northerly line of the land sought in fee simple title; on the north by a line beginning at the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the east line of said tract recorded in Book 102, Page 7, thence to a point 170 ft. normally distant northerly from Sta. 2706+00, thence to a point 175 ft. normally distant northerly of centerline (Primary Road No. 92) on the west line of said East 396 Feet; containing 1.5 acres, more or less.

   It is further specifically provided that upon completion of Relocated Primary Road No. U.S. 169 and the opening to traffic thereof, the land sought by temporary easement for the specific purpose of constructing and using a detour road shall be restored to its original condition insofar as is possible by machine methods, by removal of any temporary grades, ditches or surfacing, and that said temporary easement rights for said operation shall terminate immediately upon the completion of the operations for which said rights are sought, and in no event later than December 31, 1979.

5. 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. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

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

574

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 27th day of August, 19 74, 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 25th day of July, 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
Dean H. Mapes	August	2nd	1974	Douglas	Madison	Iowa
Gean H.Mapes	August	2nd	1974	Douglas	Madison	Iowa

Fees:
Service $1.75
Mileage $[redacted]
Total $[redacted]

Rex Rouse

Sheriff, Madison County, Iowa

By, _____ Deputy

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Original Notice came into my hands on the 25th day of July, 1974 and on the 2nd day of August, 1974, I served the same upon the Mad ison 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

Rex Rouse

of Madison County

By _____
Deputy.

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

11-71

576

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

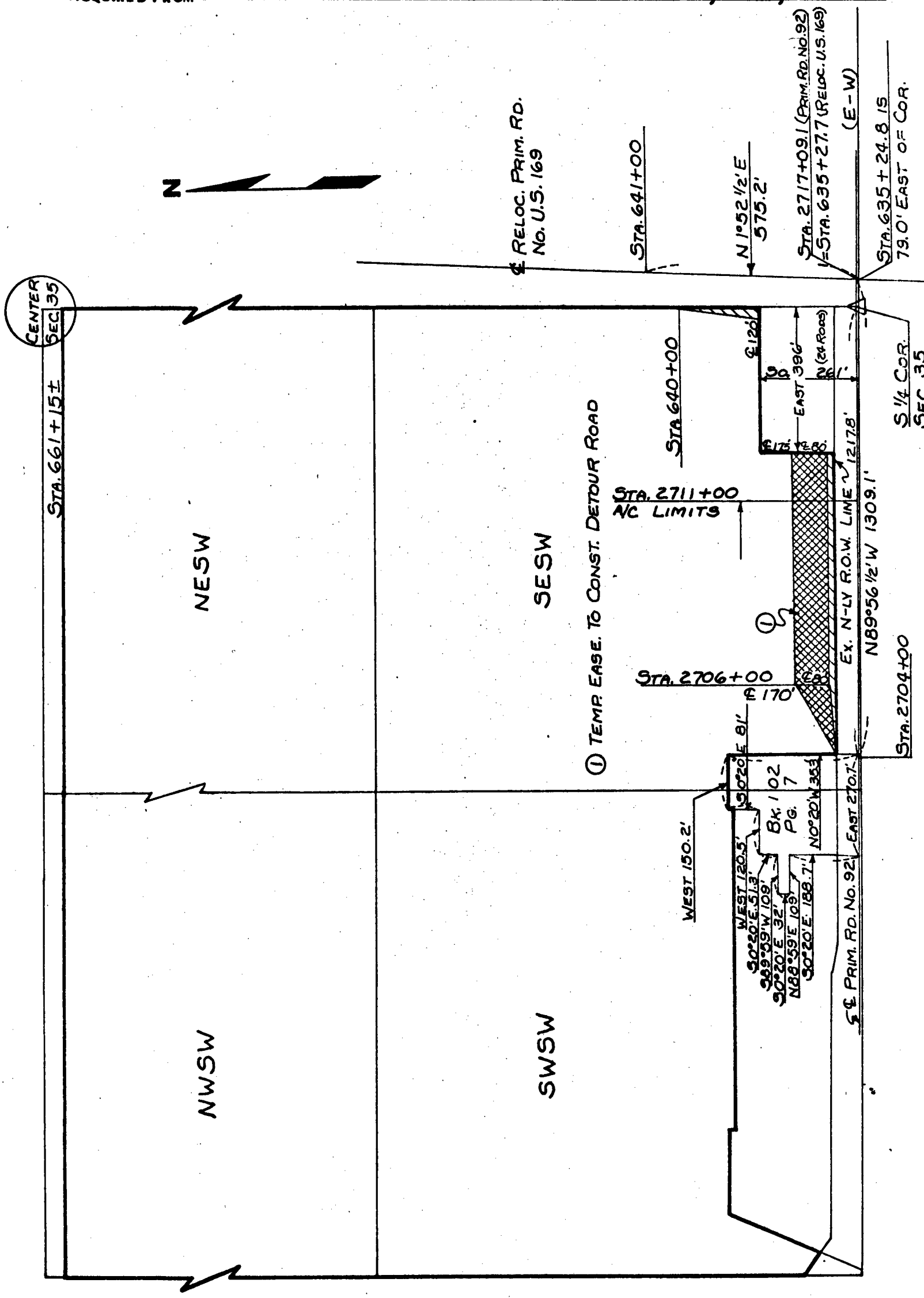
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 14

SECTION 35 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 0.4 AC, EASE AC, DETOUR RD 1.5 AC

ACQUIRED FROM F.L. WARREN CONSTRUCTION COMPANY, INC., ET AL



RECEIVED
1-30-74
10 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 495, Sheet 1

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

Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

ACCEPTANCE OF SERVICE

STATE OF IOWA } SS
COUNTY OF POLK } NOTICE

Service of the foregoing Condemnation Notice is hereby accepted as is provided by the law for the Mutual Benefit Life Insurance Company defendant named therein, this 25 day of July 19 74

Des Moines, Iowa.

COMMISSIONER OF INSURANCE
By Deputy Commissioner

TO:

F. L. Warren Construction Company, Incorporated, c/o Laurrene Warren, 700 42nd, West Des Moines, Iowa
Dean H. Mapes, R.R. #4, Winterset, Iowa
Gean H. Mapes, R.R. #4, Winterset, Iowa
Mutual Benefit Life Insurance Company, c/o Insurance Commissioner of the State of Iowa, Lucas State Office Building, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼SW¼, NE¼SW¼, SW¼SW¼ and SE¼SW¼ of Sec. 35, T76N, 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:

Two parcels of land located in the SE¼SW¼ of Sec. 35, T76N, R28W of the 5th P.M., Madison County, Iowa, lying on the west side of part of the following described centerline of Relocated Primary Road No. U.S. 169 and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 575.2 ft. to Sta. 641+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence N89°56½'W 1309.1 ft. to Sta. 2704+00.

Said parcels are described as follows:

Bounded on the east by the east line of the SE¼SW¼ of said Sec. 35; on the south by the north line of the South 261 Feet of said SE¼SW¼; on the west by a line beginning at a point 120 ft. normally distant westerly of centerline (Reloc. U.S. 169) on the north line of said South 261 Feet, thence to a point normally distant westerly from Sta. 640+00 on the east line of said SE¼SW¼.

Also, bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the existing northerly right of way line of Primary Road No. 92; on the north by a line beginning at a point of intersection of said existing northerly right of way line and the east line of a tract of land described as exception "B" in a certain Real Estate Contract and recorded in Book 102, Page 7 in the Office of the Recorder of Madison County, Iowa and described as:

Continued on next sheet

"Commencing at a point 1217.8 ft. West of the S¼ corner of Section 35, Twp. 76N, Range 28W of the 5th P.M., thence N0°20'W a distance of 353 ft.; thence W. 150.2 ft.; thence S0°20'E a distance of 81 ft.; thence W. 120.5 ft.; thence S0°20'E a distance of 51.3 ft.; thence S88°59'W a distance of 109 ft.; thence S0°20'E a distance of 32 ft.; thence N88°59'E a distance of 109 ft.; thence S0°20'E a distance of 188.7 ft.; thence E. 270.7 ft. to the point of beginning, thence to a point 80 ft. normally distant northerly from Sta. 2706+00, thence parallel with centerline (Primary Road No. 92) to a point 80 ft. normally distant northerly of centerline on the west line of the East 396 Feet of said SE¼SW¼.

Said parcels contain 0.4 acre , more or less.

Note: The south line of the SE¼ of said Sec. 35 is assumed to bear East and West for the purpose of describing the centerlines.

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of the condemnees' remaining property abutting thereon.

2. All rights of direct access between Primary Road No. 92 and that portion of condemnees' remaining property abutting thereon, lying east of Sta. 2711+00, are condemned.

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

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour road, in land described as follows:

   Bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the northerly line of the land sought in fee simple title; on the north by a line beginning at the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the east line of said tract recorded in Book 102, Page 7, thence to a point 170 ft. normally distant northerly from Sta. 2706+00, thence to a point 175 ft. normally distant northerly of centerline (Primary Road No. 92) on the west line of said East 396 Feet; containing 1.5 acres, more or less.

   It is further specifically provided that upon completion of Relocated Primary Road No. U.S. 169 and the opening to traffic thereof, the land sought by temporary easement for the specific purpose of constructing and using a detour road shall be restored to its original condition insofar as is possible by machine methods, by removal of any temporary grades, ditches or surfacing, and that said temporary easement rights for said operation shall terminate immediately upon the completion of the operations for which said rights are sought, and in no event later than December 31, 1979.

5. 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. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

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

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 27th day of August, 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 ~~25th~~ day of ~~July~~, 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
~~Dean H. Mapes~~	~~August~~	~~2nd~~	~~1974~~	~~Douglas~~	~~Madison~~	~~Iowa~~
~~Dean H. Mapes~~	August	~~2nd~~	~~1974~~	~~Douglas~~	~~Madison~~	~~Iowa~~

Fees:
Service $ ~~1.75~~
Mileage $ ~~5.50~~
Total $ ~~7.25~~

Rex Rouse

Sheriff, Madison County, Iowa

By, _____ Deputy

579

580

11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

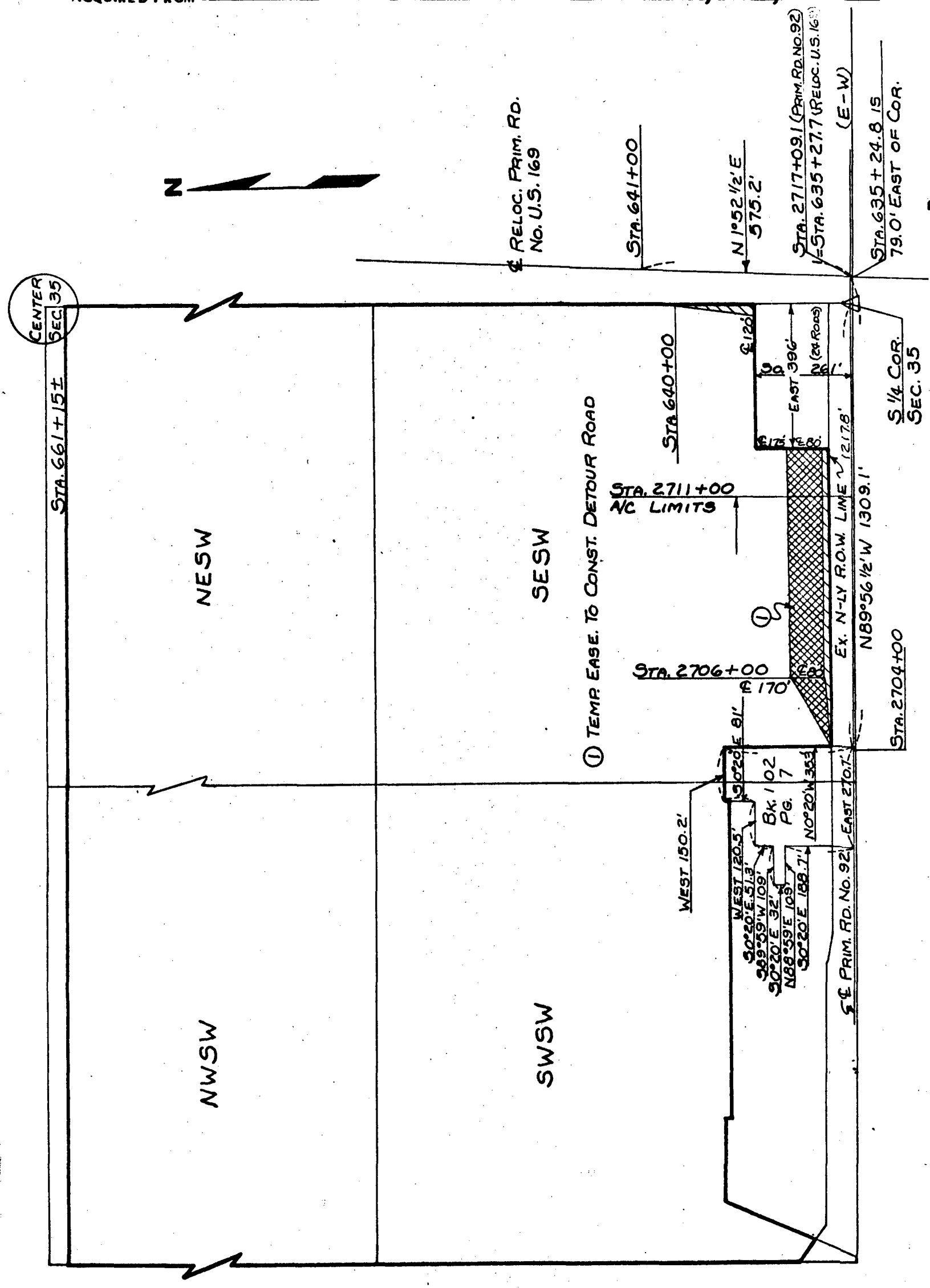
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 14

SECTION 35 TOWNSHIP 76 N 28 W

ROW - FEE 0.4 AC, EASE ER RD 1.5 AC

ACQUIRED FROM F.L. WARREN CONSTRUCTION COMPANY, INC., ET AL



8

RECEIVED

1974 JUN 25 AM 8:33

SHERIFF POLK COUNTY, IOWA

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

Form 495, Sheet 1

Relocated Primary Road No. U.S. 169 in and west of Winterset

NOTICE

located in Madison County, Iowa

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

Group "B"

RECEIVED
9-3-74
920 am
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

F. L. Warren Construction Company, Incorporated, c/o Laurrene Warren, 700 42nd, West Des Moines, Iowa
Dean H. Mapes, R.R. #4, Winterset, Iowa
Gean H. Mapes, R.R. #4, Winterset, Iowa
Mutual Benefit Life Insurance Company, c/o Insurance Commissioner of the State of Iowa, Lucas State Office Building, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼SW¼, NE¼SW¼, SW¼SW¼ and SE¼SW¼ of Sec. 35, T76N, 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:

Two parcels of land located in the SE¼SW¼ of Sec. 35, T76N, R28W of the 5th P.M., Madison County, Iowa, lying on the west side of part of the following described centerline of Relocated Primary Road No. U.S. 169 and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 575.2 ft. to Sta. 641+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence N89°56½'W 1309.1 ft. to Sta. 2704+00.

Said parcels are described as follows:

Bounded on the east by the east line of the SE¼SW¼ of said Sec. 35; on the south by the north line of the South 261 Feet of said SE¼SW¼; on the west by a line beginning at a point 120 ft. normally distant westerly of centerline (Reloc. U.S. 169) on the north line of said South 261 Feet, thence to a point normally distant westerly from Sta. 640+00 on the east line of said SE¼SW¼.

Also, bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the existing northerly right of way line of Primary Road No. 92; on the north by a line beginning at a point of intersection of said existing northerly right of way line and the east line of a tract of land described as exception "B" in a certain Real Estate Contract and recorded in Book 102, Page 7 in the Office of the Recorder of Madison County, Iowa and described as:

Continued on next sheet

581

"Commencing at a point 1217.8 ft. West of the S¼ corner of Section 35, Twp. 76N, Range 28W of the 5th P.M., thence N0°20'W a distance of 353 ft.; thence W. 150.2 ft.; thence S0°20'E a distance of 81 ft.; thence W. 120.5 ft.; thence S0°20'E a distance of 51.3 ft.; thence S88°59W a distance of 109 ft.; thence S0°20'E a distance of 32 ft.; thence N88°59'E a distance of 109 ft.; thence S0°20'E a distance of 188.7 ft.; thence E. 270.7 ft. to the point of beginning, thence to a point 80 ft. normally distant northerly from Sta. 2706+00, thence parallel with centerline (Primary Road No. 92) to a point 80 ft. normally distant northerly of centerline on the west line of the East 396 Feet of said SE¼SW¼.

Said parcels contain 0.4 acre , more or less.

Note: The south line of the SE¼ of said Sec. 35 is assumed to bear East and West for the purpose of describing the centerlines.

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of the condemnees' remaining property abutting thereon.

2. All rights of direct access between Primary Road No. 92 and that portion of condemnees' remaining property abutting thereon, lying east of Sta. 2711+00, are condemned.

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

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour road, in land described as follows:

   Bounded on the east by the west line of the East 396 Feet of said SE¼SW¼; on the south by the northerly line of the land sought in fee simple title; on the north by a line beginning at the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the east line of said tract recorded in Book 102, Page 7, thence to a point 170 ft. normally distant northerly from Sta. 2706+00, thence to a point 175 ft. normally distant northerly of centerline (Primary Road No. 92) on the west line of said East 396 Feet; containing 1.5 acres, more or less.

   It is further specifically provided that upon completion of Relocated Primary Road No. U.S. 169 and the opening to traffic thereof, the land sought by temporary easement for the specific purpose of constructing and using a detour road shall be restored to its original condition insofar as is possible by machine methods, by removal of any temporary grades, ditches or surfacing, and that said temporary easement rights for said operation shall terminate immediately upon the completion of the operations for which said rights are sought, and in no event later than December 31, 1979.

5. 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. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

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

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 27th day of August, 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 day of , 19 , and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service $
Mileage $_____
Total $

_____

Sheriff, County, Iowa

By, _____ Deputy

584

STATE OF IOWA
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 25 day of July, 1974, and that on the 26 day of July, 1974, I served the same on the within named defendant F. L. Warren Construction Company at 700-42 - West Des Moines (Address), Polk County, Iowa, by delivering a true copy thereof, ~~with copy of petition attached~~ (Strike out if not so attached), to Raygean Warren Vice President (Give title of person served) of said F. L. Warren Construction Company (Name of defendant)

Mike Lipsmeier Deputy Sheriff

Subscribed and sworn to before me this 26 day of July, 1974

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

Fees:
Notary $.....
Mileage $ 7.00
County $ .75
Total $ 7.75

Paid by Plt'ffs. Attorney.

"Foreign Corporation Notice Return"

NADINE HALL
MY COMMISSION EXPIRES
SEPTEMBER 30, 1977

Bradley Printing

11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

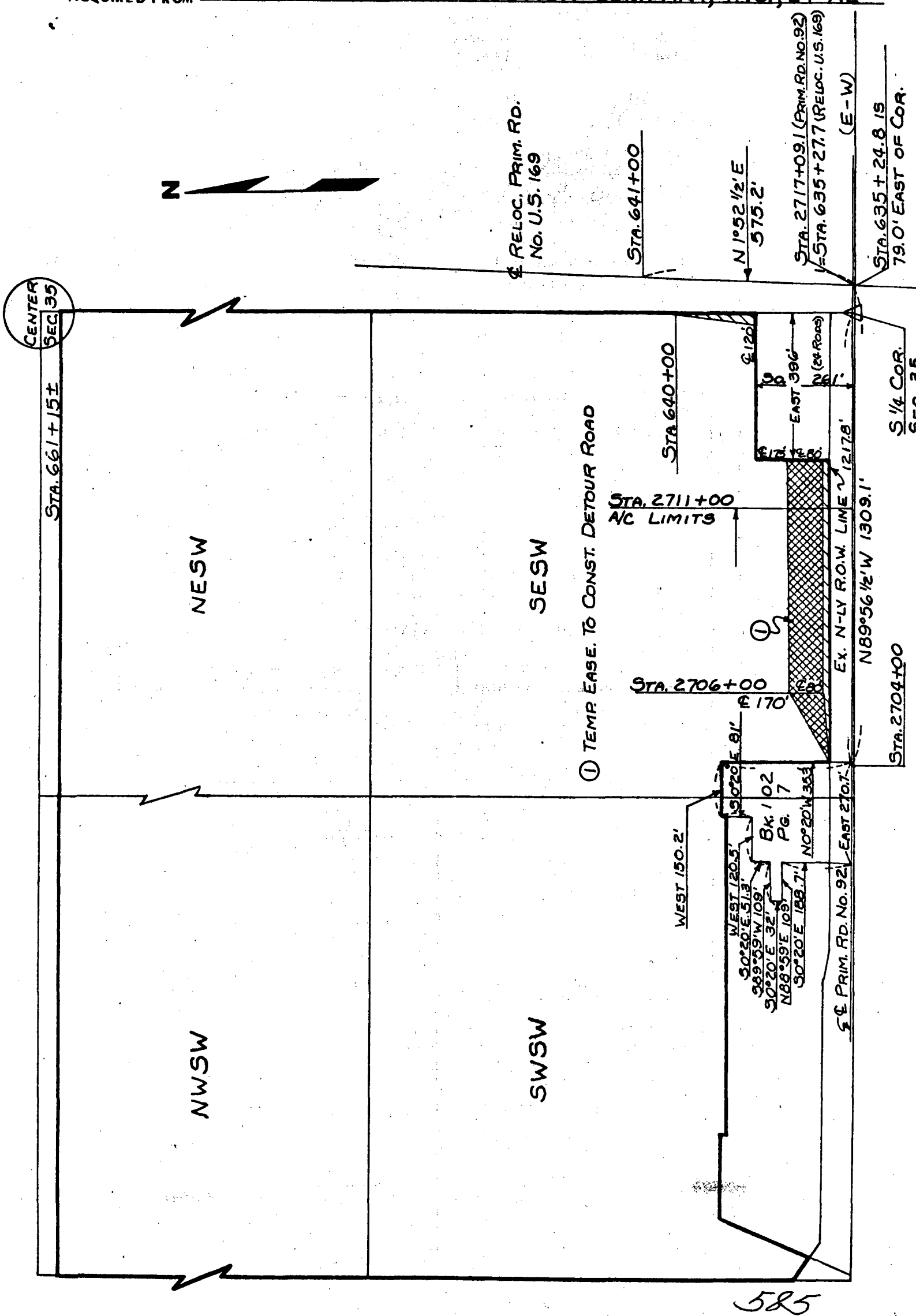
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 14

SECTION 35 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 0.4 AC, EASE AC, DETOUR RD 1.5 AC

ACQUIRED FROM F.L. WARREN CONSTRUCTION COMPANY, INC., ET AL



586 9

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

Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

NOTICE

RECEIVED
7-25-74
9:30
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Glenn Horras, 536 36th Street, Des Moines, Iowa
Ruth Horras, 536 36th Street, Des Moines, Iowa
✓Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the SW¼SE¼ and SE¼SE¼ of Sec. 35, T76N, 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 lads 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 SW¼SE¼ and SE¼SE¼ of Sec. 35, T76N, 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, and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 775.2 ft. to Sta. 643+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, said numbers being adjusted at Sta. 2733+49.9 to equal Sta. 2733+50, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence S89°56½'E 1640.8 ft. to Sta. 2733+49.9, which equals Sta. 2733+50, thence continuing S89°56½'E 350.0 ft. to Sta. 2737+00.

Said parcel is described as follows: Commencing at the S¼ Corner of said Sec. 35, thence north along the west line of the SE¼ thereof to the existing northerly right of way line of Primary Road No. 92, the Point of Beginning, thence continuing north along the west line of said SE¼ to the north line of the South 43 Acres of said SE¼, thence east along said north line to a point 90 ft. normally distant easterly of centerline of Relocated Primary Road No. U.S. 169, thence to a point 140 ft. normally distant easterly from Sta. 637+00, thence to a point 125 ft. normally distant northerly from Sta. 2719+00 (Prim. Rd. No. 92), thence to a point 150 ft. normally distant northerly from Sta. 2724+00, thence to a point 120 ft. normally distant northerly from Sta. 2731+00, thence to a point normally distant northerly from Sta. 2734+00 on the existing northerly right of way line of Primary Road No. 92, thence westerly along said existing northerly right of way line to the west line of said SE¼, the Point of Beginning.

Said parcel contains 4.8 acres, more or less.

Note: The south line of said SE¼ is assumed to bear East and West.

Continued on next sheet

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of condemnees' remaining property abutting thereon, excepting and reserving to the condemnees the right of access at Sta. 642+36, on the east side.

2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour , in land described as follows: Beginning at a point 140 ft. normally distant easterly from Sta. 637+00 (Reloc. P. R. No. U.S. 169), thence to a point 265 ft. normally distant northerly from Sta. 2723+50 (P. R. No. 92), thence to a point 235 ft. normally distant northerly from Sta. 2730+00, thence to the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the westerly line of a tract of land conveyed to Georgia Carson in a certain Warranty Deed recorded in Book 87, Page 92 in the Office of the Recorder of Madison County, Iowa and described as "Beginning at a point 60 feet North of a point 430 feet West of the Southeast corner of Section 35, Township 76 North, Range 28 West of the 5th P.M., and running thence North 208.71 feet, thence West 208.71 feet, thence South 208.71 feet, thence East 208.71 feet to the place of beginning", thence westerly along said existing northerly right of way line to a point normally distant northerly from Sta. 2734+00, thence to a point 120 ft. normally distant northerly from Sta. 2731+00, thence to a point 150 ft. normally distant northerly from Sta. 2724+00, thence to a point 125 ft. normally distant northerly from Sta. 2719+00, thence to a point 140 ft. normally distant easterly from Sta. 637+00 (Reloc. P. R. No. U.S. 169), the Point of Beginning; containing 3.5 acres, more or less.

3. Before the termination of the temporary easement to construct and use a detour road, said land shall be returned to its original condition insofar as is possible by machine methods, by removal of any temporary grades, ditches, or surfacing.

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing an entrance, to a maximum distance of 110 ft. easterly of centerline of Relocated Primary Road No. U.S. 169 from Sta. 642+00 to the north line of the South 43 Acres of said SE¼.

5. 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.

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

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

8. 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, 1979.

588

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 27th day of August, 1974, at 10:40 o'clock, a. m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

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

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Original Notice came into my hands on the 25th day of July, 19 74 and on the 2nd day of August, 19 74, 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 - - - $ .75
Copies - - - $
Mileage - - - $ [redacted]
Total - - - $ [redacted]

Rex Rouse
Rex Rouse

of Madison County

By
Deputy.

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

By,

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

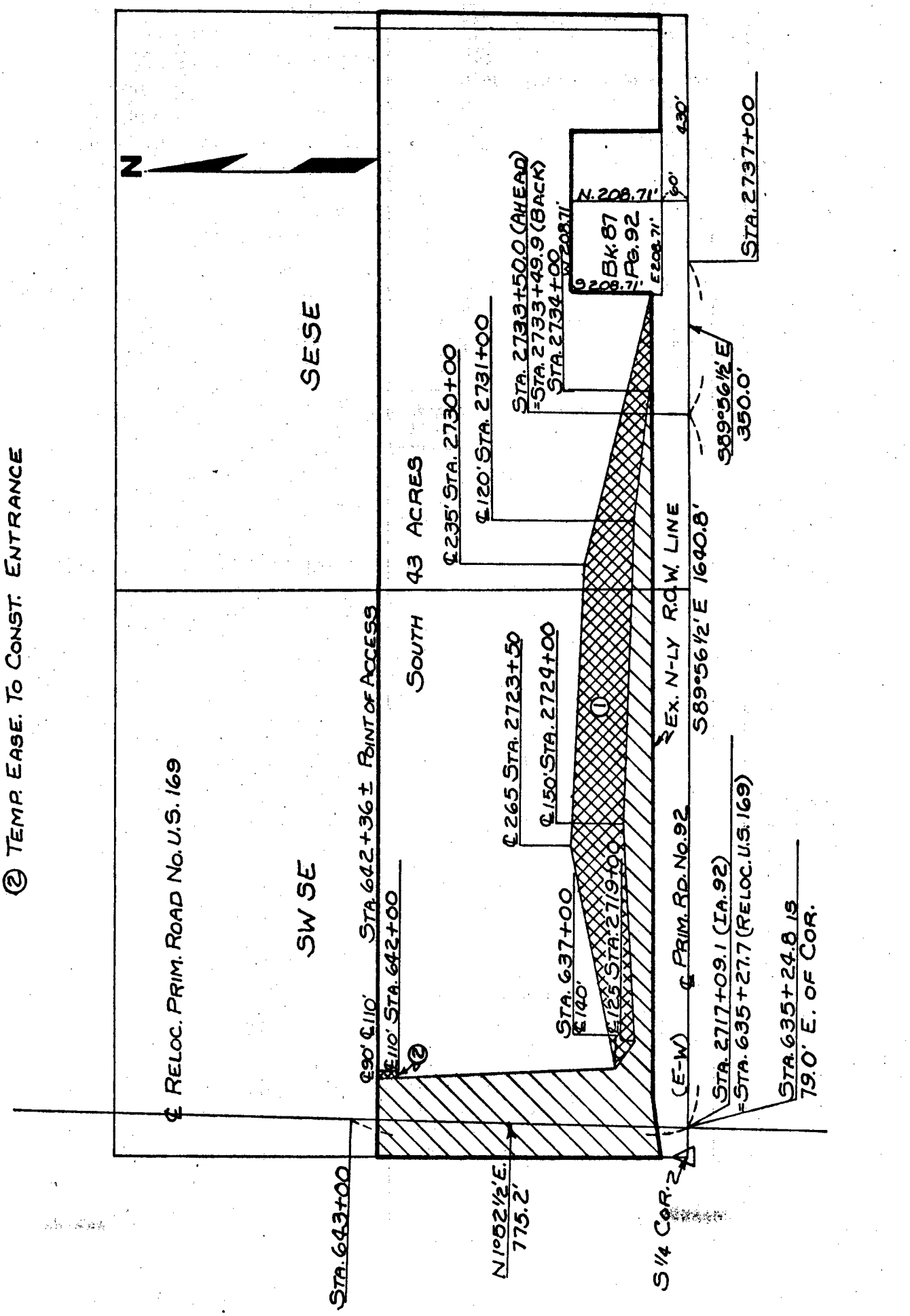
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 16

SECTION 35 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 4.8 AC, EASE AC, DETOUR 3.5 AC

ACQUIRED FROM GLENN HORRAS



DATE DRAWN SCALE FILMED

589

3350-25

590 10

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

Relocated Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

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

Group "B"

NOTICE

RECEIVED
9-3 1970
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Glenn Horras, 536 36th Street, Des Moines, Iowa
Ruth Horras, 536 36th Street, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the SW¼SE¼ and SE¼SE¼ of Sec. 35, T76N, 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 lads 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 SW¼SE¼ and SE¼SE¼ of Sec. 35, T76N, 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, and on the north side of part of the following described centerline of Primary Road No. 92, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 635+24.8, a point 79.0 ft. East of the S¼ Corner of said Sec. 35 on the south line of the SE¼ thereof, thence N1°52½'E 775.2 ft. to Sta. 643+00.

The centerline of Primary Road No. 92, designated by station points 100 feet apart, numbered consecutively from west to east, said numbers being adjusted at Sta. 2733+49.9 to equal Sta. 2733+50, is described as follows: Beginning at Sta. 2717+09.1, a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 635+27.7, thence S89°56½'E 1640.8 ft. to Sta. 2733+49.9 which equals Sta. 2733+50, thence continuing S89°56½'E 350.0 ft. to Sta. 2737+00.

Said parcel is described as follows: Commencing at the S¼ Corner of said Sec. 35, thence north along the west line of the SE¼ thereof to the existing northerly right of way line of Primary Road No. 92, the Point of Beginning, thence continuing north along the west line of said SE¼ to the north line of the South 43 Acres of said SE¼, thence east along said north line to a point 90 ft. normally distant easterly of centerline of Relocated Primary Road No. U.S. 169, thence to a point 140 ft. normally distant easterly from Sta. 637+00, thence to a point 125 ft. normally distant northerly from Sta. 2719+00 (Prim. Rd. No. 92), thence to a point 150 ft. normally distant northerly from Sta. 2724+00, thence to a point 120 ft. normally distant northerly from Sta. 2731+00, thence to a point normally distant northerly from Sta. 2734+00 on the existing northerly right of way line of Primary Road No. 92, thence westerly along said existing northerly right of way line to the west line of said SE¼, the Point of Beginning.

Said parcel contains 4.8 acres, more or less.

Note: The south line of said SE¼ is assumed to bear East and West.

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

1. No rights of direct access to and from Relocated Primary Road No. U.S. 169 shall inure to that portion of condemnees' remaining property abutting thereon, excepting and reservin to the condemnees the right of access at Sta. 642+36, on the east side.

2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing and using a detour , in land described as follows: Beginning at a point 140 ft. normally distant easterly from Sta. 637+00 (Reloc. P. R. No. U.S. 169), thence to a point 265 ft. normally distant northerly from Sta. 2723+50 (P. R. No. 92), thence to a point 235 ft. normally distant northerly from Sta. 2730+00, thence to the point of intersection of the existing northerly right of way line of Primary Road No. 92 and the westerly line of a tract of land conveyed to Georgia Carson in a certain Warranty Deed recorde in Book 87, Page 92 in the Office of the Recorder of Madison County, Iowa and described as "Beginning at a point 60 feet North of a point 430 feet West of the Southeast corner of Section 35, Township 76 North, Range 28 West of the 5th P.M., and running thence North 208.71 feet, thence West 208.71 feet, thence South 208.71 feet, thence East 208.71 feet to the place of beginning", thence westerly along said existing northerly right of way line to a point normally distant northerly from Sta. 2734+00, thence to a point 120 ft. normally distant northerly from Sta. 2731+00, thence to a point 150 ft. normally distant northerly from Sta. 2724+00, thence to a point 125 ft. normally distant northerly from Sta. 2719+00, thence to a point 140 ft. normally distant easterly from Sta. 637+00 (Reloc. P. R. No. U.S. 169), the Point of Beginning; containing 3.5 acres, more or less.

3. Before the termination of the temporary easement to construct and use a detour road, said land shall be returned to its original condition insofar as is possible by machine methods by removal of any temporary grades, ditches, or surfacing.

4. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing an entrance, to a maximum distance of 110 ft. easterly of centerline of Relocated Primary Road No. U.S. 169 from Sta. 642+00 to the north line of the South 43 Acres of said SE¼.

5. 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.

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

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

8. 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, 1979.

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 27 day of August, 1974, at 10:30 o'clock, a.m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

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

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

ACCEPTANCE OF SERVICE

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

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

_____

State of Iowa, County, ss:

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

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service $
Mileage $_____
Total $

_____

Sheriff, County, Iowa

By, _____ Deputy

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

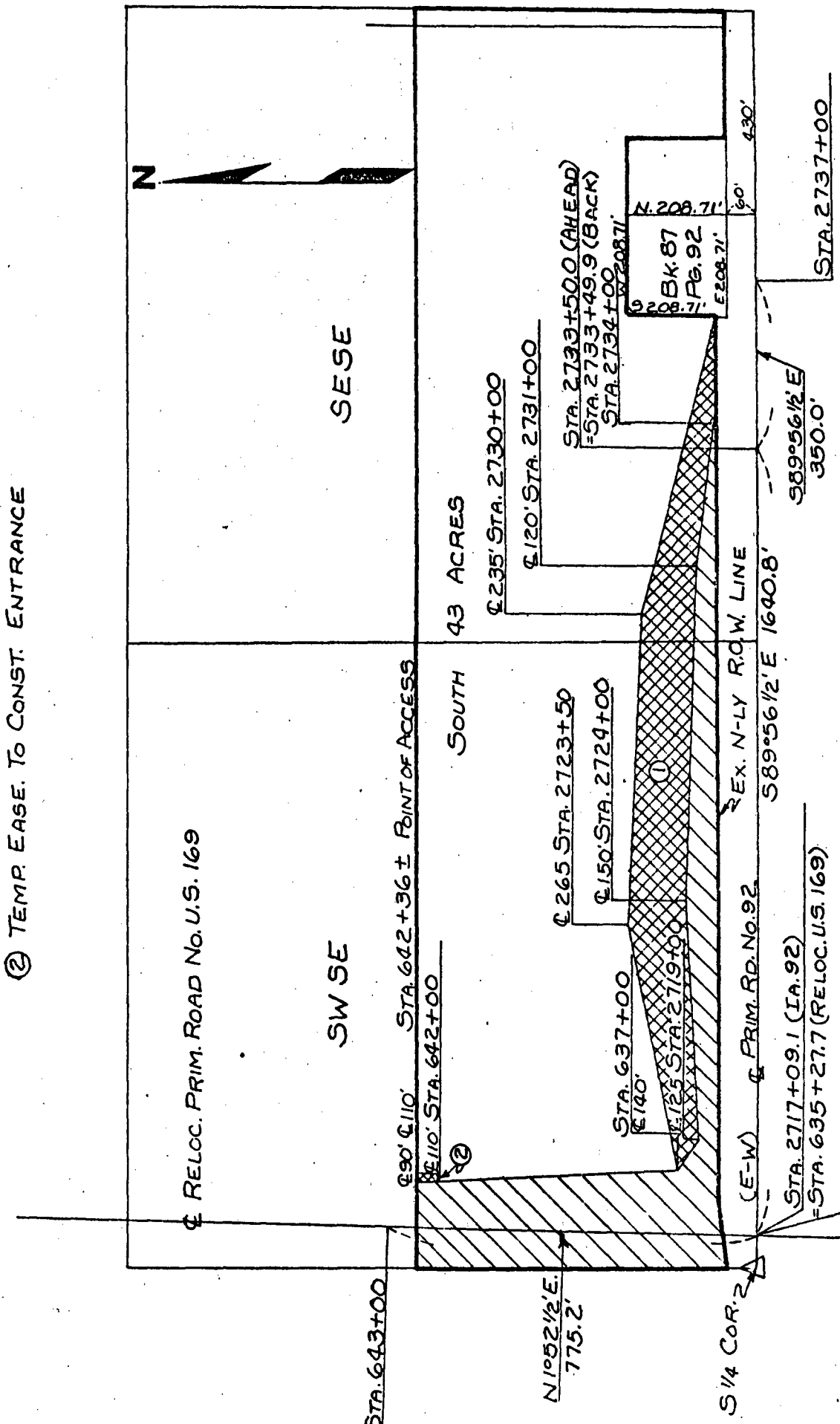
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 16

SECTION 35 TOWNSHIP 76N RANGE 28W

ROW - FEE 4.8 AC, EASE AC, DETOUR 3.5 AC

ACQUIRED FROM GLENN HORRAS



DATE DRAWN SCALE FILMED

593

3360-25

594

STATE OF IOWA
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 25 day of July, 1974, and that on the 29 day of July, 1974, I served the same on the within named defendant Ruth Horras by delivering a true copy thereof, ~~with copy of petition attached~~, to said Ruth Horras
(Strike out if not so attached)
at 536-36 Des Moines, Polk County, Iowa.
(Address)

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

Mike Lipsner Deputy Sheriff

Subscribed and sworn to before me this 29 day of July, 1974

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

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

STATE OF IOWA
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 25 day of July, 1974, and that on the 29 day of July, 1974 I served the same on the within named defendant Ellen Horras at his dwelling house or usual place of abode at 536-36 Des Moines, Polk
(Address)
County, Iowa, by there delivering a true copy thereof, ~~with copy of petition attached~~, to
(Strike out if not so attached)
Ruth Horras, a person residing therein, who was then at least eighteen years old; that such place was not a rooming house, hotel, club or apartment building.

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

Mike Lipsner Deputy Sheriff

Subscribed and sworn to before me this 29 day of July, 1974

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

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

Form 130
6-70

//

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of
Relocated
Primary Road No. U.S. 169 in and west of
Winterset

AFFIDAVIT OF FINAL OFFER

located in Madison County, Iowa

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

Group "B"

On this the 27th day of August, 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) $ 2800.00

PARCEL 14 -
F.L. Warren Construction Company, Incorporated

Dean H. Mapes

Gean H. Mapes

Mutual Benefit Life Insurance Company

Madison County Treasurer

IOWA STATE HIGHWAY COMMISSION

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

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

Margaret Wheeler
~~Notary Public~~ in and for ~~Story~~ County, Iowa

Clerk of Court

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

Ross Rouse
Sheriff of Madison County, Iowa

595

Form 130
6-70

596 12

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
Relocated
Primary Road No. U.S. 169 in and west of
Winterset

AFFIDAVIT OF FINAL OFFER

located in Madison County, Iowa

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

Group "B"

On this the 27th day of August, 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) $ 16,925.00

PARCEL 16 -
Glenn Horras

Ruth Horras

Madison County Treasurer

IOWA STATE HIGHWAY COMMISSION

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

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

IOWA 1ST JUD. DIST. MADISON COUNTY Clerk of Court

Margaret N. Wheeler
Notary Public in and for ~~Story~~ County, Iowa

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

Pop Rouse
Sheriff of Madison County, Iowa

Form 496
17-71

4 Acres

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

Relocated

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County

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

Group "B"

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 14 - F. L. Warren Construction Company, Incorporated, ~~xxxxx~~ Dean H. and Gean H. Mapes, Mutual Benefit Life Insurance Company, Madison County Treasurer	$ 600.00	$ 3883.00	$ 4483.00	$ 225.00
PARCEL 15 - ~~Iowa-Des Moines~~ National Bank as the Executor of the Mont C. Johnson Estate, Darlene O. Johnson, Individually and as Executor of the Mont C. Johnson Estate, Madison County Treasurer				
PARCEL 16 - Glenn and Ruth Horras, Madison County Treasurer	$ 9900.00	$ 10,113.00	$ 20,013.00	$ 225.00

Respectfully reported at Winterset, Iowa, this 27th day of Aug, 1974

Lowell E. Miller
Wallace Jackson
Darrell Daggett
R. L. Worrell
Glen Hutching
Murrell Boyer

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 27 day of Aug, 1974

Rex Rouse
Sheriff, Madison County, Iowa

598

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 Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

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 27th day of Aug., 1974, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.

Rex Rouse

SHERIFF OF MADISON COUNTY, IOWA

Form 486
7-71

/ 4

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 Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

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

Group "B"

Parcel No. 16

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Glenn Horras	$9,900.00	$10,113.00	$20,013.00	$225.00
Ruth Horras	$	$	$	$
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: 27th Day of Aug, 1974

Rex Rouse

REX ROUSE
SHERIFF, MADISON COUNTY
WINTERSET, IOWA

SHERIFF OF MADISON COUNTY, IOWA

599

609s

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

Relocated
Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

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

Group "B"

Parcel No. 14

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
F. L. Warren Construction Company, Incorporated	$ 600 00	$ 3883 00	$ 4483 00	$ 225 00
Dean H. Mapes	$	$	$	$
Gean H. Mapes	$	$	$	$
Mutual Benefit Life Ins. Company	$	$	$	$
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: 27th Day of Aug, 1974

Rex Rouse

REX ROUSE
SHERIFF, MADISON COUNTY
WINTERSET, IOWA 50273

SHERIFF OF MADISON COUNTY, IOWA

7-25-74

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(3)--21-61 "B"

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 27th day of August, 1974 and thereupon proceeded to view the premises and said commissioners did thereafter on the 27th day of August, 1974 file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 14	
F. L. Warren Construction Company, Incorporated	$ 4483.00
Dean H. Mapes	
Gean H. Mapes	
Mutual Benefit Life Ins. Company	
Madison County Treasurer	
Gordon Darling, attorney	225.00
Parcel 16	20013.00
Glenn Horras	
Ruth Horras	
Madison County Treasurer	
John Crouch, attorney	225.00
TOTAL DAMAGES AWARDED	$ 24,946.00

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 .15	Amount	Total
M P.14	Madison County, Iowa					
8-2-74	blw George Abrahams	.75				
8-2-74	Dean H. Mapes	.50				
8-2-74	Gean H. Mapes	.50				
P.15						
8-2-74	Madison County, Iowa blw	.75				
8-2-74	Darlene O. Johnson	.50				
P.16						
8-2-74	Madison County, Iowa blw	.75				3.75
	Copy fee					1.50
			42	.15		6.30
	Postage					2.40

Sheriff, Summoning and attending commissioners $7.50

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

Total $ 22.95

601

602

Kenneth Ritter of Winterset, Iowa

One	day service	$ 50.00
	miles at .10-15	1.00
One	meals	2.30
Lodging	Hotel	
	Total	$ 53.30

Merrill Creger of Truro, Iowa

One	day service	$ 50.00
34	miles at .10-15	5.10
One	meals	1.91
Lodging	Hotel	
	Total	$ 57.01

Wallace Jackson of Earlham, Iowa

One	day service	$ 50.00
40	miles at .10--15	6.00
One	meals	1.85
Lodging	Hotel	
	Total	$ 57.85

Darrell Daggett of Earlham, Iowa

One	day service	$ 50.00
30	miles at .10---15	4.50
One	meals	2.01
Lodging	Hotel	
	Total	$ 56.51

Gene Vierling of Winterset, Iowa

ONe	day service	$ 50.00
(car)	miles at .10-15	2.50
One	meals	1.91
Lodging	Hotel	
	Total	$ 54.41

GRAND TOTAL COMMISSIONER AND SHERIFF's EXPENSE

H. S. Vowell of Peru, Iowa

One	day service	$ 50.00
19	miles at .10	2.85
One	meals	1.91
Lodging	Hotel	
	Total	$ 54.76

GRAND TOTAL COMMISSIONER AND SHERIFF'S EXPENSE $ 356.79

Given under my hand this 27th day of Aug. 1974.

Rex Rouse

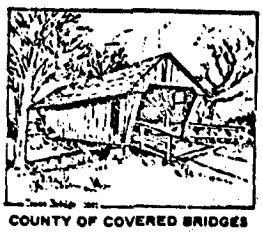
Rex Rouse
Sheriff of Madison County, Iowa

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 therewith.

Dated this 27th day of Aug. 1974.

Rex Rouse
Sheriff of MADISON County

17



COUNTY OF COVERED BRIDGES

OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 18, 1974

TO: F.L. Warren Construction Co., Inc.; Dean H. Mapes; Gean H. Mapes; Mutual Benefit Life Insurance Co; Madison County Treasurer.

This is to advise you that there has been deposited with me Check #03129565 in the amount of $4,483.00. This check represents the amount of the Condemnation Conpensation Commission award made on August 27, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

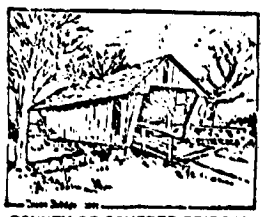
Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted (Date) 9/25/74

Graham K Dorle
Atty for Payees.

603

604



OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 18, 1974

TO; F.L. Warren Construction Co. Inc.; Dean H. Mapes; Gean H. Mapes; Gordon Darling, attorney.

This is to advise you that there has been deposited with me Check #03129566 in the amount of $225.00. This check represents the amount of the Condemnation Conpensation Commission award made on August 27, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

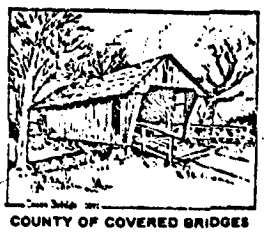
Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted (date) 9/25/74

Gordon K. Darling

Atty for Payee

19



COUNTY OF COVERED BRIDGES

OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 18, 1974

TO: Glenn Horras; Ruth Horras; Madison County Treasurer

This is to advise you that there has been deposited with me Check # 03129567 in the amount of $20,013.00.

This check represents the amount of the Condemnation Conpensation Commission award made on August 27, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

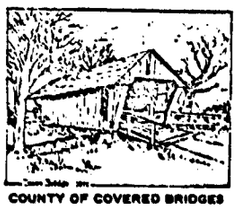
Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted 9-26-74 (date) Glenn Horras

605

606

20



OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 18, 1974

TO: Glenn Horras; Ruth Horras; John Crouch, attorney

This is to advise you that there has been deposited with me Check # 03129568 in the amount of $225.00. This check represents the amount of the Condemnation Conpensation Commission award made on August 27, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa 50273

Check accepted 9-26-74 (date) Glenn Horras

5 3