FILED NO. 1643
BOOK 110 PAGE 715

1974 OCT -9 AM 11:43

Fee $7.50

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Form 490

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

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

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

Winterset

located in Madison County, Iowa

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

Group "F"

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 ~~*xxxxxxxxx~~ 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 30th 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 31 day of July, 1974.

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

ENTERED FOR TAXATION
THIS 9 DAY OF Oct 1974
AUDITORS FEE $ 1.00
George I. Abrahamse
AUDITOR
Pat Luntzgen
DEPUTY AUDITOR

For Settlement of Original File 5-84-76

located in Madison County, Iowa

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

Group "F"

TO:

Virginia Busch Hampton, aka Virginia B. Hampton, 510 Monette, Corpus Christi, Texas
Kenneth Wayne Busch, 6319 N. Charlotte, San Gabriel, California
Carrol William Busch, 6468 N. Willard, San Gabriel, California
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼NW¼, NE¼NW¼, SW¼NW¼, SE¼NW¼, NE¼SW¼ of Sec. 36, T76N, R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

Two parcels of land located in the NW¼ of Sec. 36, T76N,R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the Plat Exhibit "A", attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the N¼ Corner of Sec. 35, T76N, R28W, thence East 248.2 ft. along the north line of the NE¼ of said Sec. 35, thence N1°56'E 135.0 ft., thence S89°01'E 2380.2 ft. to Sta. 703+64.0, The Point of Beginning, thence continuing S89°01'E 2636.0 ft. to Sta. 730+00. Also, beginning at said Sta. 703+64.0, thence westerly 130.0 ft. along a 250.0 ft. spiral curve, concave southerly and tangent at Sta. 703+64.0 to a line bearing N89°01'W, having a long tangent of 166.7 ft., a short tangent of 83.3 ft. and a deflection angle of 3°04½' to Sta. 702+34.0.

Said parcels are described as follows:

A parcel bounded on the northeast and east by the westerly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the west by the west line of the NW¼ of said Sec. 36; on the south by a line beginning at a point 230 ft. radially distant southerly of centerline on the west line of said NW¼, thence to a point 300 ft. normally distant southerly of centerline on said westerly railroad right of way line.

Also, a parcel bounded on the southwest, northwest and west by the easterly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the north by the north line of the NW¼ of said Sec. 36; on the east by the east line of said NW¼; on the south by a line beginning at a point 230 ft. normally distant southerly of centerline on said easterly railroad right of way line, thence to a point 125 ft. normally distant southerly from Sta. 708+00, thence to a point 165 ft. normally distant southerly from Sta. 714+00; thence to a point 150 ft. normally distant southerly from Sta. 725+00, thence to a point 110 ft. normally distant southerly of centerline on the east line of the NW¼ of said Sec. 36.

Continued on next sheet

Said parcels contain 2.4 acres, more or less, exclusive of the present established roads.

Note: The north line of the NE¼ of said Sec. 35 is assumed to bear East and West.

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

Two parcels of land located in the NW¼ of said Sec. 36, one lying on the east side of part of the following described centerline of the Side Road on the west line of said NW¼, and the other lying on the west side of part of the following described centerline of the Local Road on the east line of said NW¼, as shown on said Plat Exhibit "A".

The centerline of the Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1702+34.0 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 702+34.0, thence S14°46'E 237.1 ft. to Sta. 1699+96.9, thence southerly 546.7 ft. along a 2291.8 ft. radius curve, concave westerly and tangent to the preceding and following courses, to Sta. 1694+50.2, thence S1°06'E 200.2 ft. to Sta. 1692+50.0.

The centerline of the Local Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1730+24.3 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 730+00, thence S4°45'E 149.6 ft. to Sta. 1728+74.7, thence southerly 299.5 ft. along a 3819.7 ft. radius curve concave westerly and tangent to the preceding and following courses, to Sta. 1725+75.2, thence S0°15½'E 125.2 ft. to Sta. 1724+50.

Said parcels are described as follows:

A parcel bounded on the west by the present easterly right of way line of the Side Road; on the west by a line beginning at a point normally distant easterly from Sta. 1692+50.0 on said easterly right of way line, thence to a point 75 ft. normally distant easterly from Sta. 1694+00, thence to a point radially distant easterly of centerline at the intersection of said easterly right of way line and the southwesterly line of the land sought in fee simple title.

Also, a parcel bounded on the east by the east line of the NW¼ of said Sec. 36; on the north by the southerly line of the land sought in fee simple title; on the west by a line beginning at a point normally distant westerly from Sta. 1724+50 on the east line of said NW¼, thence to a point 45 ft. radially distant westerly from Sta. 1726+00, thence to a point 55 ft. normally distant westerly of centerline on said southerly line of the land sought in fee simple title.

Said parcels contain 0.6 acre, more or less.

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, excepting and reserving to the condemnees the right of access at Sta. 702+34, Sta. 713+00, Sta. 724+00, and Sta. 730+00, all on the south side.

2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance, to a maximum distance of 70 ft. westerly of the centerline of the Local Road from Sta. 1727+25 to Sta. 1727+75.

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

4. 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.

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. 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.

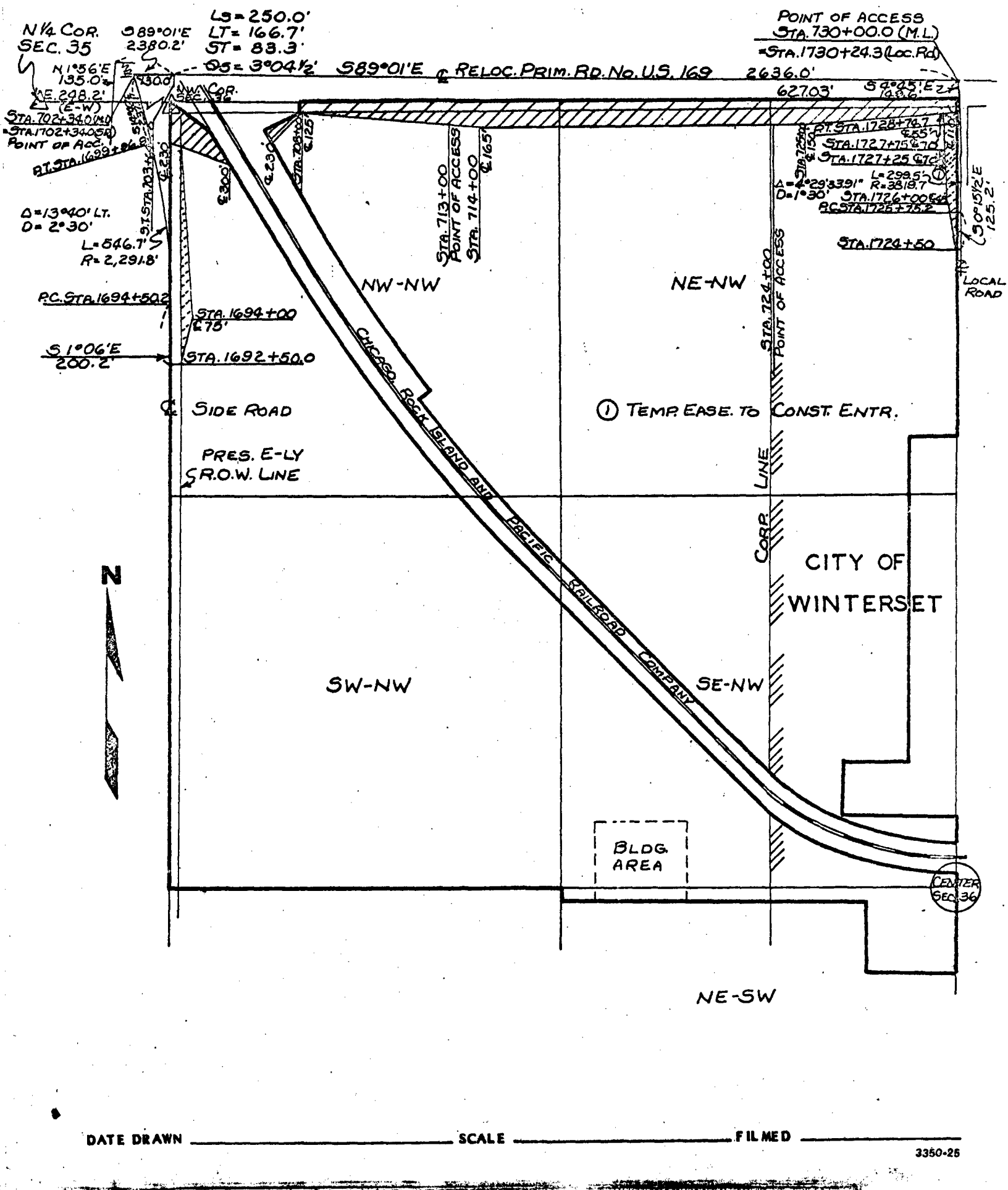
718

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON — E CONTROL NO. 10
PROJECT NO. FN-169-3(3)--61 — ARCEL NO. 21
SECTION 36 — TOWN 76N — RANGE 28W
ROW - FEE 2.4 AC, EA 0.6 — AC, EXCESS - FEE — AC
ACQUIRED FROM VIRGINIA BL[illegible] HAMPTO[illegible] ET AL



DATE DRAWN _____ SCALE _____ FILMED _____

3350-25

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

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

located in Madison County, Iowa

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

Group "F"

Form 492

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

An Application for Condemnation having been filed with me by the Iowa State Highway Commission for the selection and appointment, by lot, of six suitable persons as the law provides to act as a compensation commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by Applicant, in its Application filed in the above entitled matter, I hereby designate, select, and appoint as the members of said compensation commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Dwight Mundell	Winterset	Licensed Real Estate Salesman or Broker
Earl Whitworth	Winterset	Licensed Real Estate Salesman or Broker
Kenneth Ritter	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Gail Leeper	Winterset	Knowledgeable of Property Values by Virtue of Occupation
N. B. Hollingsworth	Winterset	Agricultural
Harrison Vowell	Winterset	Agricultural

I further designate, select, and appoint, the above named Earl Whitworth 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 31st 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 2 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

723

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

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

located in Madison County, Iowa

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

Group "F"

RECEIVED
8-2-74 9:10 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 493

SUMMONS TO COMMISSIONERS

TO: Dwight Mundell, 720 N. 3rd, Winterset

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth 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 10th day of September, 1974, at 9:30 o'clock a.m. (cdt for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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

Dwight Mundell

Filed in my office at Winterset, Iowa, this 6 day of Aug, 1974.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

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

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

located in Madison County, Iowa

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

Group "F"

Form 493

SUMMONS TO COMMISSIONERS

TO: Gail Leeper, c/o Union State Bank, Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth 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 10th day of September, 19 74, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
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 6 day of August, 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.

Gail Leeper

Filed in my office at Winterset, Iowa, this 6 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

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

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

located in Madison County, Iowa

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

Group "F"

Form 493 722

FILED
8-2-74 9 pm
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Kenneth Ritter, ~~517 N. 2nd~~ 133 S 10th Ave, Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth 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 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

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

Kenneth Ritter

Filed in my office at Winterset, Iowa, this 6 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

_____

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

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

located in Madison County, Iowa

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

Group "F"

Form 493

SUMMONS TO COMMISSIONERS

TO: N. B. Hollingsworth, R.R. 2, Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth 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 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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

N. B. Hollingsworth

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

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

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

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

Winterset

located in Madison County, Iowa

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

Group "F"

Form 493

7224

8-27 9:40 PM

WINTERSET

SUMMONS TO COMMISSIONERS

TO: Earl Whitworth, Macksberg, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth 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 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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

Earl Whitworth 8-3-74

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

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

_____

Form 493

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

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

located in Madison County, Iowa

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

Group "F"

RECEIVED
8-2-74 9:10 pm
SHERIFF
WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Harrison Vowell, Peru, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 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 Earl Whitworth 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 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

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

B. L. Vowell

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

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

724

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 494

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 "F"

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.

Name: Merrill Mundell
Licensed Real Estate Salesman or Broker

Name: Earl Gatchell
Licensed Real Estate Salesman or Broker

Name:
Knowledgeable of Property Values by Virtue of Occupation

Name: Gail Seeger
Knowledgeable of Property Values by Virtue of Occupation

Name: N. B. Hollingsworth
(As appropriate to type of property involved) Agricultural

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

Subscribed and sworn to before me this 10th day of September, 1974.

Margaret Wheeler
~~(Notary Public)~~ (Clerk of Court) Madison County and State

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

Rex Rouse
Sheriff of Madison County, Iowa

STATE OF IOWA
MADISON COUNTY
I hereby certify that I have this 10th day of September, 1974 read aloud the "WRITTEN INSTRUCTIONS FOR MEMBERS OF THE COMPENSATION COMMISSION" submitted to me for this purpose by the Chief Justice of the Iowa Supreme Court. (Senate File 1171 - 63 rd GA 2nd Session)

Rex Rouse Sheriff
Rex Rouse

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

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

Winterset

located in Madison County, Iowa

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

Group "F"

Form 495, Sheet 1

NOTICE

RECEIVED
8-2-74 10 AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Virginia Busch Hampton, aka Virginia B. Hampton, 510 Monette, Corpus Christi, Texas
Kenneth Wayne Busch, 6319 N. Charlotte, San Gabriel, California
Carrol William Busch, 6468 N, Willard, San Gabriel, California
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼NW¼, NE¼NW¼, SW¼NW¼, SE¼NW¼, NE¼SW¼ of Sec. 36, T76N, R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

Two parcels of land located in the NW¼ of Sec. 36, T76N,R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the Plat Exhibit "A", attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the N¼ Corner of Sec. 35, T76N, R28W, thence East 248.2 ft. along the north line of the NE¼ of said Sec. 35, thence N1°56'E 135.0 ft., thence S89°01'E 2380.2 ft. to Sta. 703+64.0, The Point of Beginning, thence continuing S89°01'E 2636.0 ft. to Sta. 730+00. Also, beginning at said Sta. 703+64.0, thence westerly 130.0 ft. along a 250.0 ft. spiral curve, concave southerly and tangent at Sta. 703+64.0 to a line bearing N89°01'W, having a long tangent of 166.7 ft., a short tangent of 83.3 ft. and a deflection angle of 3°04½' to Sta. 702+34.0.

Said parcels are described as follows:

A parcel bounded on the northeast and east by the westerly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the west by the west line of the NW¼ of said Sec. 36; on the south by a line beginning at a point 230 ft. radially distant southerly of centerline on the west line of said NW¼, thence to a point 300 ft. normally distant southerly of centerline on said westerly railroad right of way line.

Also, a parcel bounded on the southwest, northwest and west by the easterly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the north by the north line of the NW¼ of said Sec. 36; on the east by the east line of said NW¼; on the south by a line beginning at a point 230 ft. normally distant southerly of centerline on said easterly railroad right of way line, thence to a point 125 ft. normally distant southerly from Sta. 708+00, thence to a point 165 ft. normally distant southerly from Sta. 714+00; thence to a point 150 ft. normally distant southerly from Sta. 725+00, thence to a point 110 ft. normally distant southerly of centerline on the east line of the NW¼ of said Sec. 36.

Continued on next sheet

Said parcels contain 2.4 acres, more or less, exclusive of the present established roads.

Note: The north line of the NE¼ of said Sec. 35 is assumed to bear East and West.

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

Two parcels of land located in the NW¼ of said Sec. 36, one lying on the east side of part of the following described centerline of the Side Road on the west line of said NW¼, and the other lying on the west side of part of the following described centerline of the Local Road on the east line of said NW¼, as shown on said Plat Exhibit "A".

The centerline of the Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1702+34.0 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 702+34.0, thence S14°46'E 237.1 ft. to Sta. 1699+96.9, thence southerly 546.7 ft. along a 2291.8 ft. radius curve, concave westerly and tangent to the preceding and following courses, to Sta. 1694+50.2, thence S1°06'E 200.2 ft. to Sta. 1692+50.0.

The centerline of the Local Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1730+24.3 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 730+00, thence S4°45'E 149.6 ft. to Sta. 1728+74.7, thence southerly 299.5 ft. along a 3819.7 ft. radius curve concave westerly and tangent to the preceding and following courses, to Sta. 1725+75.2, thence S0°15½'E 125.2 ft. to Sta. 1724+50.

Said parcels are described as follows:

A parcel bounded on the west by the present easterly right of way line of the Side Road; on the west by a line beginning at a point normally distant easterly from Sta. 1692+50.0 on said easterly right of way line, thence to a point 75 ft. normally distant easterly from Sta. 1694+00, thence to a point radially distant easterly of centerline at the intersection of said easterly right of way line and the southwesterly line of the land sought in fee simple title.

Also, a parcel bounded on the east by the east line of the NW¼ of said Sec. 36; on the north by the southerly line of the land sought in fee simple title; on the west by a line beginning at a point normally distant westerly from Sta. 1724+50 on the east line of said NW¼, thence to a point 45 ft. radially distant westerly from Sta. 1726+00, thence to a point 55 ft. normally distant westerly of centerline on said southerly line of the land sought in fee simple title.

Said parcels contain 0.6 acre, more or less.

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, excepting and reserving to the condemnees the right of access at Sta. 702+34, Sta. 713+00, Sta. 724+00, and Sta. 730+00, all on the south side.

2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance, to a maximum distance of 70 ft. westerly of the centerline of the Local Road from Sta. 1727+25 to Sta. 1727+75.

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

4. 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.

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. 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.

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 10th day of September, 1974, at 10:20 o'clock, a.m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder

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

ACCEPTANCE OF SERVICE

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

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

_____

State of Iowa, County, ss:

Received the within notice the 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

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice came into my hands on the 2nd day of August, 1974 and on the 7th day of August, 1974, I served the same upon the Madison County, Iowa by offering to read the same to George Abrahams, he being the Auditor of said Governmental Body, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

FEES

Service - - - $1.25

Copies - - - $_____

Mileage - - - $_____

Total - - - $_____

Rex Rouse, Sheriff

of Madison County

By _____ Deputy.

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

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice came into my hands on the 2nd day of August, 1974 and on the 7th day of August, 1974, I served the same upon the City of Winterset, Iowa by offering to read the same to Dale Simmons, he being the City Clerk of said Governmental Body, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

FEES

Service - - - $_____

Copies - - - $_____

Mileage - - - $_____

Total - - - $_____

Rex Rouse, Sheriff

of Madison County

By _____ Deputy.

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

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

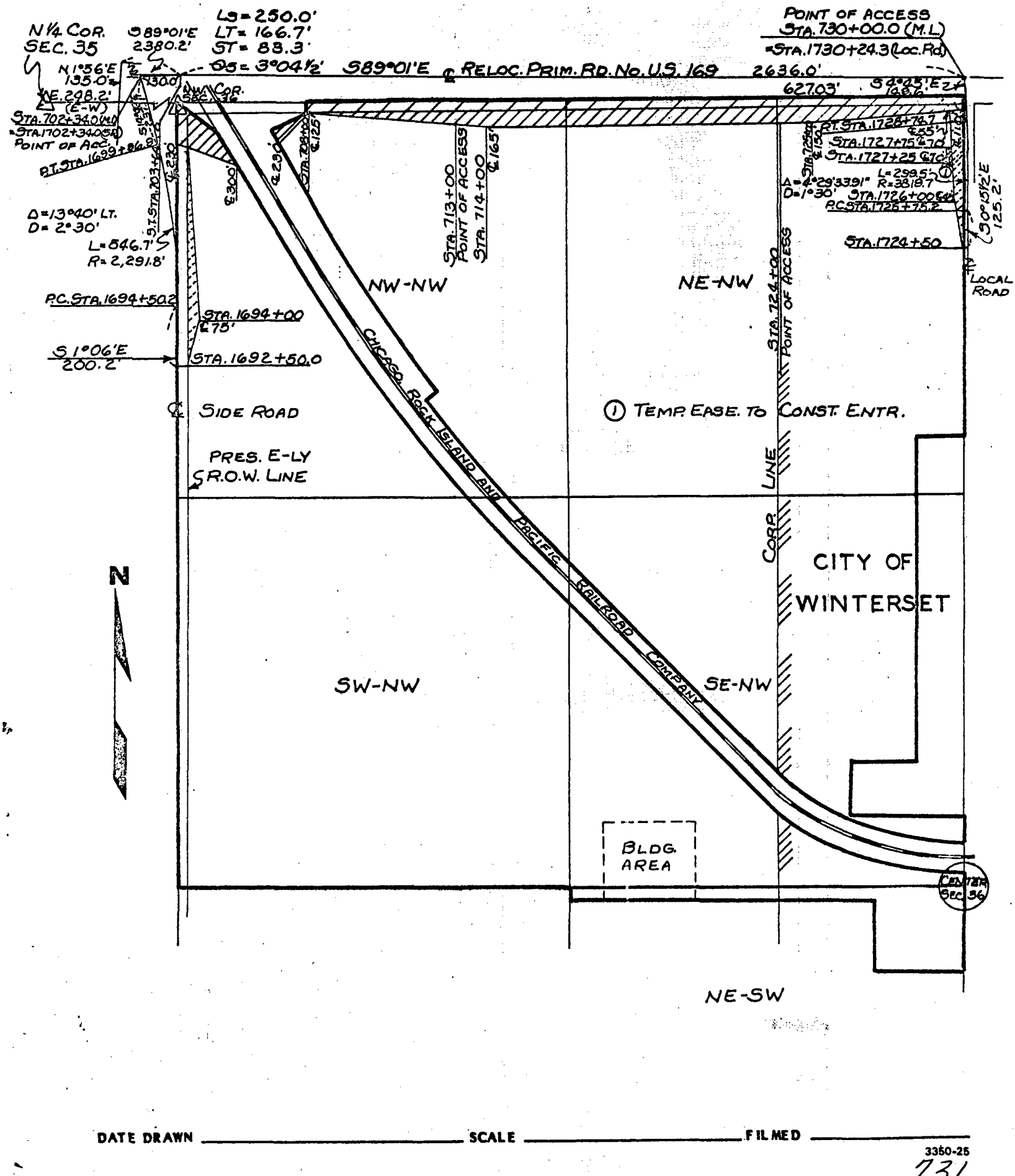
COUNTY MADISON STATE CONTROL NO. 10

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

SECTION 36 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 2.4 AC, EASE 0.6 AC, EXCESS - FEE ——— AC

ACQUIRED FROM VIRGINIA BUSCH HAMPTON ET AL



DATE DRAWN _____ SCALE _____ FILMED _____

3350-25

731

7324

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

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

Winterset

located in Madison County, Iowa

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

Group "F"

Form 495, Sheet 1

NOTICE

RECEIVED
8-26-74 9AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Virginia Busch Hampton, aka Virginia B. Hampton, 510 Monette, Corpus Christi, Texas
Kenneth Wayne Busch, 6319 N. Charlotte, San Gabriel, California
Carrol William Busch, 6468 N, Willard, San Gabriel, California
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼NW¼, NE¼NW¼, SW¼NW¼, SE¼NW¼, NE¼SW¼ of Sec. 36, T76N, R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa.

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

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The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the N¼ Corner of Sec. 35, T76N, R28W, thence East 248.2 ft. along the north line of the NE¼ of said Sec. 35, thence N1°56'E 135.0 ft., thence S89°01'E 2380.2 ft. to Sta. 703+64.0, The Point of Beginning, thence continuing S89°01'E 2636.0 ft. to Sta. 730+00. Also, beginning at said Sta. 703+64.0, thence westerly 130.0 ft. along a 250.0 ft. spiral curve, concave southerly and tangent at Sta. 703+64.0 to a line bearing N89°01'W, having a long tangent of 166.7 ft., a short tangent of 83.3 ft. and a deflection angle of 3°04½' to Sta. 702+34.0.

Said parcels are described as follows:

A parcel bounded on the northeast and east by the westerly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the west by the west line of the NW¼ of said Sec. 36; on the south by a line beginning at a point 230 ft. radially distant southerly of centerline on the west line of said NW¼, thence to a point 300 ft. normally distant southerly of centerline on said westerly railroad right of way line.

Also, a parcel bounded on the southwest, northwest and west by the easterly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the north by the north line of the NW¼ of said Sec. 36; on the east by the east line of said NW¼; on the south by a line beginning at a point 230 ft. normally distant southerly of centerline on said easterly railroad right of way line, thence to a point 125 ft. normally distant southerly from Sta. 708+00, thence to a point 165 ft. normally distant southerly from Sta. 714+00; thence to a point 150 ft. normally distant southerly from Sta. 725+00, thence to a point 110 ft. normally distant southerly of centerline on the east line of the NW¼ of said Sec. 36.

Continued on next sheet

Said parcels contain 2.4 acres, more or less, exclusive of the present established roads.

Note: The north line of the NE¼ of said Sec. 35 is assumed to bear East and West.

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

Two parcels of land located in the NW¼ of said Sec. 36, one lying on the east side of part of the following described centerline of the Side Road on the west line of said NW¼, and the other lying on the west side of part of the following described centerline of the Local Road on the east line of said NW¼, as shown on said Plat Exhibit "A".

The centerline of the Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1702+34.0 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 702+34.0, thence S14°46'E 237.1 ft. to Sta. 1699+96.9, thence southerly 546.7 ft. along a 2291.8 ft. radius curve, concave westerly and tangent to the preceding and following courses, to Sta. 1694+50.2, thence S1°06'E 200.2 ft. to Sta. 1692+50.0.

The centerline of the Local Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1730+24.3 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 730+00, thence S4°45'E 149.6 ft. to Sta. 1728+74.7, thence southerly 299.5 ft. along a 3819.7 ft. radius curve concave westerly and tangent to the preceding and following courses, to Sta. 1725+75.2, thence S0°15½'E 125.2 ft. to Sta. 1724+50.

Said parcels are described as follows:

A parcel bounded on the west by the present easterly right of way line of the Side Road; on the west by a line beginning at a point normally distant easterly from Sta. 1692+50.0 on said easterly right of way line, thence to a point 75 ft. normally distant easterly from Sta. 1694+00, thence to a point radially distant easterly of centerline at the intersection of said easterly right of way line and the southwesterly line of the land sought in fee simple title.

Also, a parcel bounded on the east by the east line of the NW¼ of said Sec. 36; on the north by the southerly line of the land sought in fee simple title; on the west by a line beginning at a point normally distant westerly from Sta. 1724+50 on the east line of said NW¼, thence to a point 45 ft. radially distant westerly from Sta. 1726+00, thence to a point 55 ft. normally distant westerly of centerline on said southerly line of the land sought in fee simple title.

Said parcels contain 0.6 acre, more or less.

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, excepting and reserving to the condemnees the right of access at Sta. 702+34, Sta. 713+00, Sta. 724+00, and Sta. 730+00, all on the south side.

2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance, to a maximum distance of 70 ft. westerly of the centerline of the Local Road from Sta. 1727+25 to Sta. 1727+75.

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

4. 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.

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. 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.

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 10th day of September, 1974, at 10:20 o'clock, a.m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

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

ACCEPTANCE OF SERVICE

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

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

_____

State of ~~Iowa~~ TEXAS, NUECES County, ss:

Received the within notice the 8th day of August, 1974, 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
VIRGINIA BUSCH HAMPTON AKA						
VIRGINIA B. HAMPTON	Aug	8	74	510 Mouettes Corpus Christi	Nueces	TEXAS

Fees:

Service $ 4.00

Mileage $ _____

Total $ 4.00

JOHNNIE MITCHELL, SHERIFF

~~Sheriff~~ NUECES County, ~~Iowa~~ TEXAS

By Paul H. Allen Deputy

SWORN TO AND SUBSCRIBED BEFORE ME, THIS THE 8TH DAY OF AUGUST, 1974.

(Seal)

Elsie E. Massey

ELSIE E. MASSEY, NOTARY PUBLIC IN AND FOR NUECES COUNTY, TEXAS. MY COMMISSION EXPIRES JUNE 1, 1975.

736

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

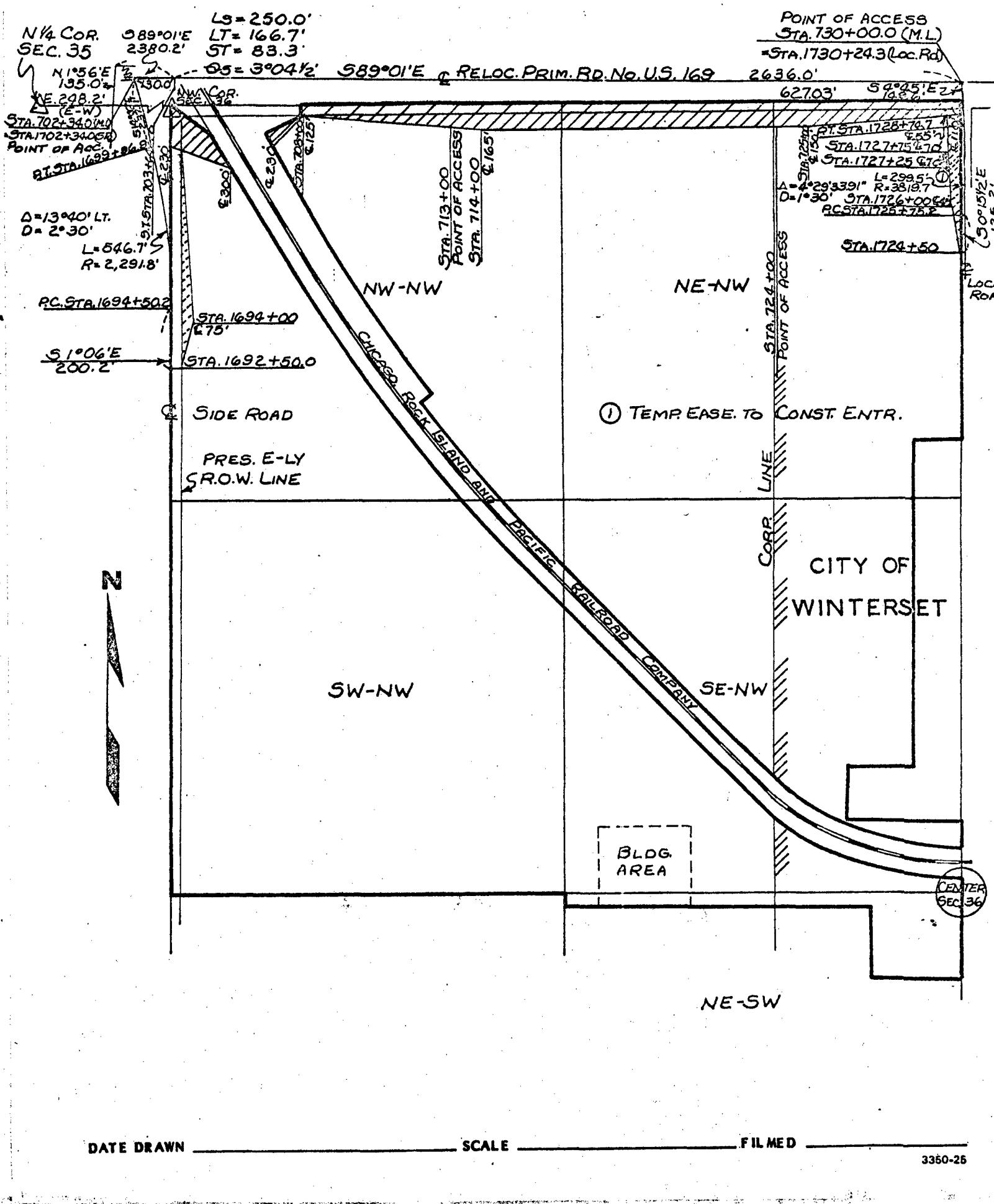
COUNTY MADISON STATE CONTROL NO. 10

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

SECTION 36 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 2.4 AC, EASE 0.6 AC, EXCESS - FEE ——— AC

ACQUIRED FROM VIRGINIA BUSCH HAMPTON ET AL



DATE DRAWN ——— SCALE ——— FILMED ———

3350-25

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

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

Winterset

located in Madison County, Iowa

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

Group "F"

Form 495, Sheet 1

NOTICE

RECEIVED
8-29-74 9AM
RJR
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Virginia Busch Hampton, aka Virginia B. Hampton, 510 Monette, Corpus Christi, Texas
Kenneth Wayne Busch, 6319 N. Charlotte, San Gabriel, California
Carrol William Busch, 6468 N, Willard, San Gabriel, California
City of Winterset, Iowa, c/o City Clerk, Winterset, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

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

Parts of the NW¼NW¼, NE¼NW¼, SW¼NW¼, SE¼NW¼, NE¼SW¼ of Sec. 36, T76N, R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa.

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Said parcels are described as follows:

A parcel bounded on the northeast and east by the westerly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the west by the west line of the NW¼ of said Sec. 36; on the south by a line beginning at a point 230 ft. radially distant southerly of centerline on the west line of said NW¼, thence to a point 300 ft. normally distant southerly of centerline on said westerly railroad right of way line.

Also, a parcel bounded on the southwest, northwest and west by the easterly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the north by the north line of the NW¼ of said Sec. 36; on the east by the east line of said NW¼; on the south by a line beginning at a point 230 ft. normally distant southerly of centerline on said easterly railroad right of way line, thence to a point 125 ft. normally distant southerly from Sta. 708+00, thence to a point 165 ft. normally distant southerly from Sta. 714+00; thence to a point 150 ft. normally distant southerly from Sta. 725+00, thence to a point 110 ft. normally distant southerly of centerline on the east line of the NW¼ of said Sec. 36.

Said parcels contain 2.4 acres, more or less, exclusive of the present established roads.

Note: The north line of the NE¼ of said Sec. 35 is assumed to bear East and West.

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

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Said parcels are described as follows:

A parcel bounded on the west by the present easterly right of way line of the Side Road; on the west by a line beginning at a point normally distant easterly from Sta. 1692+50.0 on said easterly right of way line, thence to a point 75 ft. normally distant easterly from Sta. 1694+00, thence to a point radially distant easterly of centerline at the intersection of said easterly right of way line and the southwesterly line of the land sought in fee simple title.

Also, a parcel bounded on the east by the east line of the NW¼ of said Sec. 36; on the north by the southerly line of the land sought in fee simple title; on the west by a line beginning at a point normally distant westerly from Sta. 1724+50 on the east line of said NW¼, thence to a point 45 ft. radially distant westerly from Sta. 1726+00, thence to a point 55 ft. normally distant westerly of centerline on said southerly line of the land sought in fee simple title.

Said parcels contain 0.6 acre, more or less.

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, excepting and reserving to the condemnees the right of access at Sta. 702+34, Sta. 713+00, Sta. 724+00, and Sta. 730+00, all on the south side.

2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance, to a maximum distance of 70 ft. westerly of the centerline of the Local Road from Sta. 1727+25 to Sta. 1727+75.

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

4. 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.

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. 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.

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 10th day of September, 1974, at 10:20 o'clock, a.m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

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

ACCEPTANCE OF SERVICE

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

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

_____

State of California / Los Angeles County, ss:

Received the within notice the 6th day of August, 1974, 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
Kenneth Way Busch	August	20	1974	Los Angeles	Los Angeles	Calif.
Carrol William Busch	August	21	1974	San Gabriel	Los Angeles	Calif.

Fees:

Service $
Mileage $
Total $

_____

Los Angeles County, California

By, Robert J. Lesak
ROBERT J. LESAK

739

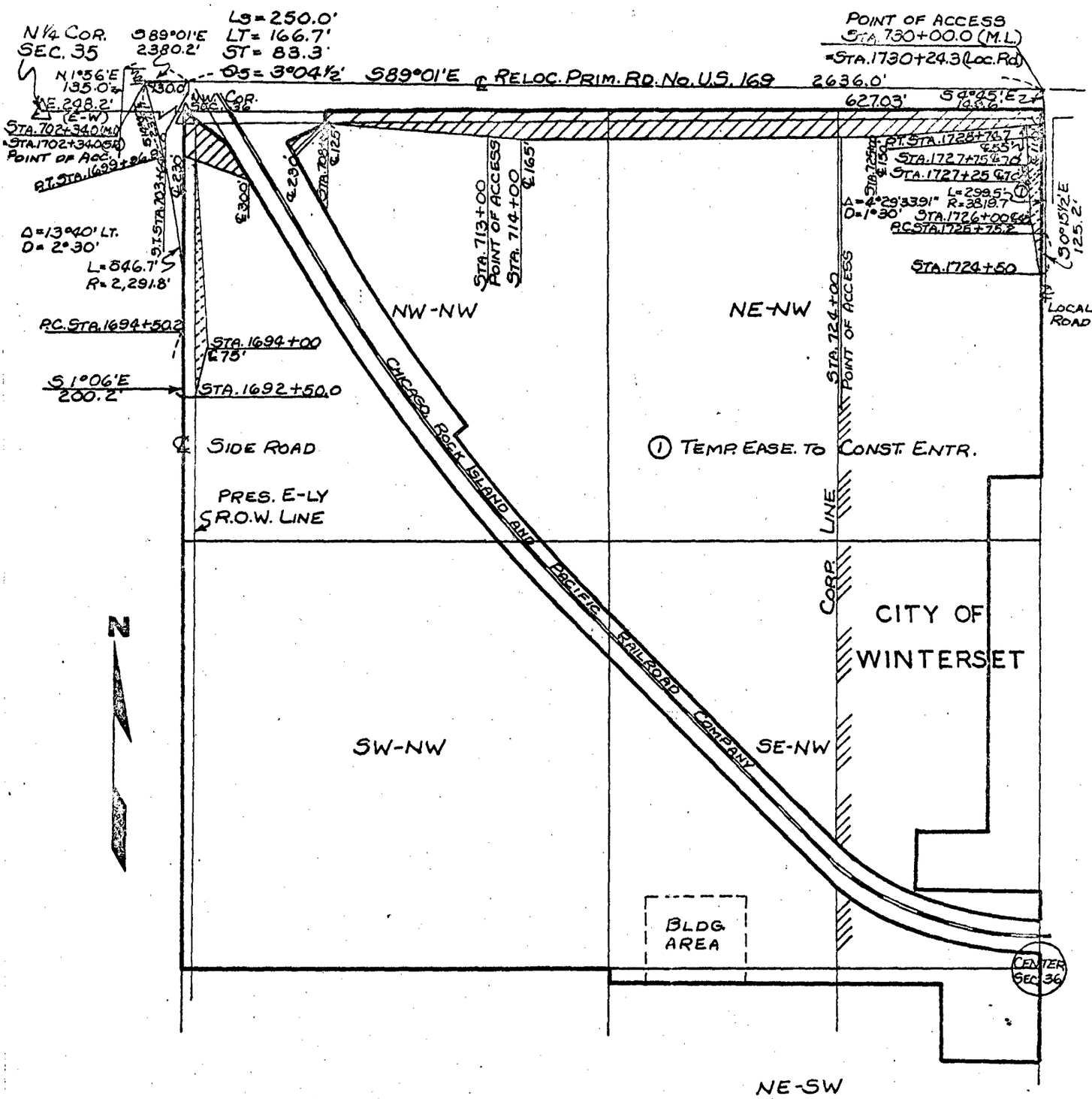
740

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. 21
SECTION 36 — TOWNSHIP 76 N — RANGE 28 W
ROW - FEE 2.4 AC, EASE 0.6 AC, EXCESS - FEE ——— AC
ACQUIRED FROM VIRGINIA BUSCH HAMPTON ET AL



DATE DRAWN ——— SCALE ——— FILMED ———

3350-25

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

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 "F"

AFFIDAVIT OF FINAL OFFER

On this the 10th day of September, 1974, comes the Iowa State Highway Commission and states, as by law provided, that the most recent offers made to the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in the Application filed in the above matter are as follows:

(Names as on Notice) $ 7500.00

PARCEL 21 -
Virginia Busch Hampton

Kenneth Wayne Busch

Carrol William Busch

City Clerk of Winterset

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 10th day of September, 19 74.

Notary Public in and for Madison County, Iowa
Deputy Clerk

Filed in my office at Winterset, Iowa, this 10th day of September, 19 74.

Sheriff of Madison County, Iowa

Form 496
17-71

7428

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

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

located in Madison County

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

Group "F"

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 5	$	$	$ -	$
Beatrice Clarke, Indv. and as Administrator of the Estate of Willis J. Clarke; Ivan D. Clarke; Marvel D. Clarke; Marjorie A. Baker; Madison County Treasurer	$	$	$ 20,000	$
	$	$	$	$
	$	$	$	$
Parcel 21	$	$	$	$
Virginia Busch Hampton, Kenneth Wayne and Carrol William Busch; City Clerk of Winterset, Iowa; Madison County Treasurer	$	$	$ 7,240	$ 200.00
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

Respectfully reported at Winterset, Iowa, this 10th day of September, 1974

Hal Fuges
N. Bigham Longsworth
Dwight Mundell

Lucile Cates
R. S. Powell
Earl Elliott

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 10th day of Sept., 1974

Rex Rouse
Sheriff, Madison County, Iowa

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

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

located in Madison County, Iowa

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

Group "F"

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 10th day of Sept., 1974, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.

Rex Rouse

SHERIFF OF MADISON COUNTY, IOWA

7464

Form 486
7-71

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

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

located in Madison County, Iowa

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

Group "F"

Parcel No. 21

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Virginia Busch Hampton	$	$	$ 9,240.00	$ 200.00
Kenneth Wayne Busch	$	$	$	$
Carroll William Busch	$	$	$	$
City Clerk of Winterset	$	$	$	$
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: 10th Day of Sept, 1974

Rep Rouse

SHERIFF OF MADISON COUNTY, IOWA

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

IN Madison COUNTY

PROJECT NO. FN-169-3(3)-21-61 Group "F"

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 10th day of September, 1974 and thereupon proceeded to view the premises and said commissioners did thereafter on the 10th day of September, 1970x 4 file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 5	
Beatrice Clarke, Indv. and as Administrator of the Estate of Willis J. Clarke; Ivan D. Clarke; Marvel D. Clarke; Marjorie A. Baker; Madison County Treasurer	$ 20,000.00
Parcel 21	
Virginia Busch Hampton, Kenneth Wayne and Carrol William Busch; Madison County Treasurer	9,240.00
Gordon Darling , Attorney	200.00
TOTAL DAMAGES AWARDED	$ 29,440.00

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

Date:	Name of Persons Served	Fee	Mileage	Rate ~~.10~~ .15	Amount	Total
8-12-74	Beatrice Clarke	.75				.75
8-7-74	Ivan D. Clarke	.50				.50
8-7-74	Madison County, Iowa	.50				.50
8-7-74	City of Winterset	.75				.75
8-7-74	Madison County, Iowa	.50				.50
			52	.15		7.80
	Postage					3.00
	copy fee					1.50

Sheriff, Summoning and attending commissioners $7.50

Sheriff, Mileage while attending commissioners, 10 Miles @ .1~~0~~x15 1.50

$ 24.30

745

Earl Whitworth of Macksburg, Iowa

one	day service	$ 50.00
~~10~~ 34	miles at .10	5.10
one	meals	1.91
Lodging	Hotel	
	Total	$ 57.01

Dwight Mundell of Winterset, Iowa

one	day service	$ 50.00
10	miles at .10	1.50
one	meals	2.25
Lodging	Hotel	
	Total	$ 53.75

Kenneth Ritter of Winterset, Iowa

one	day service	$ 50.00
10	miles at .10	1.50
one	meals	2.25
Lodging	Hotel	~~53.75~~
	Total	$ 53.75

Gail Leeper of Winterset, Iowa

one	day service	$ 50.00
10	miles at .10	1.50
one	meals	1.55
Lodging	Hotel	
	Total	$ 53.05

N. B. Hollingsworth of Winterset, Iowa

one	day service	$ 50.00
13	miles at .10	1.95
one	meals	1.91
Lodging	Hotel	
	Total	$ 53.86

Harrison Vowell of ~~Fw~~ Peru, Iowa

one	day service	$ 50.00
18	miles at .10	2.70
one	meals	1.50
Lodging	Hotel	
	Total	$ 54.20

TOTAL " COMMISSIONER AND SHERIFF"S " EXPENSES $349.92

Given under my hand this 10th day of September, 19 74.

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 originals and/or copies pertaining thereto.

Dated this 10th day of September, 19 74.

Rex Rouse

Rex Rouse
Sheriff of Madison County

12

1974 OCT -7 PM 4:05

MARGARET WHEELER
CLERK OF DISTRICT COURT
MADISON COUNTY, IOWA

FILED

1974 OCT -7 PM 4:05

MARGARET WHEELER
CLERK OF DISTRICT COURT
MADISON COUNTY, IOWA

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

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 "F"

VIRGINIA BUSCH HAMPTON,

KENNETH WAYNE BUSCH, and

CARROL WILLIAM BUSCH,

Plaintiffs,

vs.

IOWA STATE HIGHWAY COMMISSION, for the use and benefit of the State of Iowa,

CITY OF WINTERSET, IOWA, and

MADISON COUNTY, IOWA,

Defendants.

Sheriff's filing of Record after receiving Notice of Apeal

(Parcel 21)

To: Margaret Wheeler, Clerk of the Madison County District Court

This is to advise you that I have this 7th day of October, 1974, been served with a Notice of Appeal by the above named plaintiffs. These proceedings were held on the10th day September , 1974.

I hereby certify that the attached documents are the ORIGINAL/TRUE COPIES of the Proceedings which were held on the 10th day of September ,1974, and I am in receipt of $9,240.00 which represents the Jury Award in this matter.

Rex Rouse, Sheriff

748

Project No. FN=169=3(3)=21=61
Group "F" (Parcel 21)

10-1-74 kh

13

FILED
1974 OCT -7 PM 4:55
MARGARET MILLER
CLERK OF DISTRICT COURT
MADISON COUNTY, IOWA

IN THE DISTRICT COURT OF THE STATE OF IOWA

IN AND FOR MADISON COUNTY

: - : - :

VIRGINIA BUSCH HAMPTON,	:	LAW NO. 21273
KENNETH WAYNE BUSCH, and	:	
CARROL WILLIAM BUSCH,	:	
Plaintiffs,	:	
vs.	:	
IOWA STATE HIGHWAY COMMISSION, for the use and benefit of the State of Iowa,	:	
CITY OF WINTERSET, IOWA, and	:	NOTICE OF APPEAL TO THE DISTRICT COURT OF
MADISON COUNTY, IOWA,	:	IOWA, IN AND FOR MADISON COUNTY.
Defendants.	:	

: - : - :

TO: IOWA STATE HIGHWAY COMMISSION for the use and benefit of the State of Iowa;
CITY OF WINTERSET, IOWA;
MADISON COUNTY, IOWA; and
REX ROUSE, Sheriff of Madison County, Iowa.

YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the above named Plaintiffs do hereby appeal to the District Court of the State of Iowa in and for Madison County from the award made to the Plaintiffs by the Condemnation Commission on the 10th day of September, 1974, as damages as a result of the condemnation and taking by right of eminent domain for highway purposes by the Defendant, Iowa State Highway Commission, for the use and benefit of the State of Iowa, of the following described real estate, to-wit:

The title in fee simple sought to be appropriated is in land described as follows:

Two parcels of land located in the NW¼ of Sec. 36, T76N,R28W of the 5th P.M., lying partially in the City of Winterset, Madison County, Iowa, lying on the south side of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the Plat Exhibit "A", attached hereto and by reference made a part hereof.

The centerline of Relocated Primary Road No. U.S. 169, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Commencing at the N¼ Corner of Sec. 35, T76N, R28W, thence East 248.2 ft. along the north line of the NE¼ of said Sec. 35, thence N1°56'E 135.0 ft., thence S89°01'E 2380.2 ft. to Sta. 703+64.0, The Point of Beginning, thence continuing S89°01'E 2636.0 ft. to Sta. 730+00. Also, beginning at said Sta. 703+64.0, thence westerly 130.0 ft. along a 250.0 ft. spiral curve, concave southerly and tangent at Sta. 703+64.0 to a line bearing N89°01'W, having a long tangent of 166.7 ft., a short tangent of 83.3 ft. and a deflection angle of 3°04½' to Sta. 702+34.0.

Said parcels are described as follows:

A parcel bounded on the northeast and east by the westerly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the west by the west line of the NW¼ of said Sec. 36; on the south by a line beginning at a point 230 ft. radially distant southerly of centerline on the west line of said NW¼, thence to a point 300 ft. normally distant southerly of centerline on said westerly railroad right of way line.

Also, a parcel bounded on the southwest, northwest and west by the easterly right of way line of the Chicago, Rock Island and Pacific Railroad Company; on the north by the north line of the NW¼ of said Sec. 36; on the east by the east line of said NW¼; on the south by a line beginning at a point 230 ft. normally distant southerly of centerline on said easterly railroad right of way line, thence to a point 125 ft. normally distant southerly from Sta. 708+00, thence to a point 165 ft. normally distant southerly from Sta. 714+00; thence to a point 150 ft. normally distant southerly from Sta. 725+00, thence to a point 110 ft. normally distant southerly of centerline on the east line of the NW¼ of said Sec. 36.

Said parcels contain 2.4 acres, more or less, exclusive of the present established roads.

Note: The north line of the NE¼ of said Sec. 35 is assumed to bear East and West.

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

Two parcels of land located in the NW¼ of said Sec. 36, one lying on the east side of part of the following described centerline of the Side Road on the west line of said NW¼, and the other lying on the west side of part of the following described centerline of the Local Road on the east line of said NW¼, as shown on said Plat Exhibit "A".

The centerline of the Side Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1702+34.0 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 702+34.0, thence S14°46'E 237.1 ft. to Sta. 1699+96.9, thence southerly 546.7 ft. along a 2291.8 ft. radius curve, concave westerly and tangent to the preceding and following courses, to Sta. 1694+50.2, thence S1°06'E 200.2 ft. to Sta. 1692+50.0.

The centerline of the Local Road, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 1730+24.3 a point on the centerline of Relocated Primary Road No. U.S. 169 located at Sta. 730+00, thence S4°45'E 149.6 ft. to Sta. 1728+74.7, thence southerly 299.5 ft. along a 3819.7 ft. radius curve concave westerly and tangent to the preceding and following courses, to Sta. 1725+75.2, thence S0°15½'E 125.2 ft. to Sta. 1724+50.

Said parcels are described as follows:

A parcel bounded on the west by the present easterly right of way line of the Side Road; on the west by a line beginning at a point normally distant easterly from Sta. 1692+50.0 on said easterly right of way line, thence to a point 75 ft. normally distant easterly from Sta. 1694+00, thence to a point radially distant easterly of centerline at the intersection of said easterly right of way line and the southwesterly line of the land sought in fee simple title.

Also, a parcel bounded on the east by the east line of the NW¼ of said Sec. 36; on the north by the southerly line of the land sought in fee simple title; on the west by a line beginning at a point normally distant westerly from Sta. 1724+50 on the east line of said NW¼, thence to a point 45 ft. radially distant westerly from Sta. 1726+00, thence to a point 55 ft. normally distant westerly of centerline on said southerly line of the land sought in fee simple title.

Said parcels contain 0.6 acre, more or less.

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, excepting and reserving to the condemnees the right of access at Sta. 702+34, Sta. 713+00, Sta. 724+00, and Sta. 730+00, all on the south side.

2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance, to a maximum distance of 70 ft. westerly of the centerline of the Local Road from Sta. 1727+25 to Sta. 1727+75.

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

4. 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.

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. 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.

All as described and referred to in the notice of condemnation and assessment served upon the Plaintiffs in said matter.

YOU AND EACH OF YOU ARE FURTHER NOTIFIED that said appeal will come on for hearing before said Court, which convenes and is held at Winterset, in Madison County, Iowa, as by law provided.

GORDON K. DARLING

CHET R. CHICKERING

By Gordon K. Darling

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

752

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

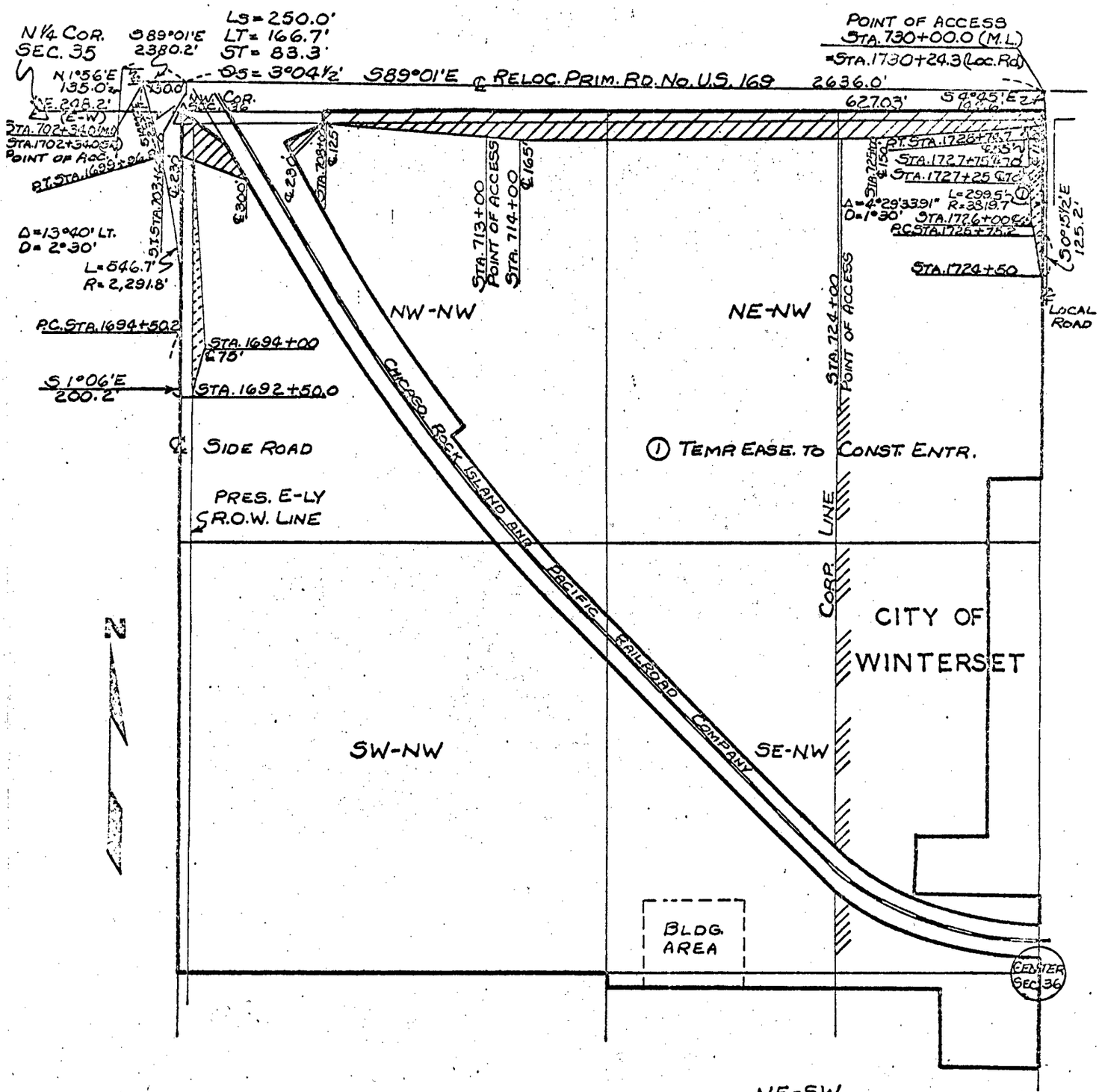
COUNTY MADISON STATE CONTROL NO. 10

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

SECTION 36 TOWNSHIP 76 N RANGE 28 W

ROW - FEE 2.4 AC, EASE 0.6 AC, EXCESS - FEE ——— AC

ACQUIRED FROM VIRGINIA BUSCH HAMPTON ET AL



DATE DRAWN ——— SCALE ——— FILMED ———

3350-25

ACKNOWLEDGMENT OF SERVICE

Iowa State Highway Commission, for the use and benefit of the State of Iowa, hereby acknowledges service of the within and foregoing notice of appeal.

Dated at Ames, Iowa this 4th day of October, 1974.

IOWA STATE HIGHWAY COMMISSION

By Asher E. Schroeder
Asher E. Schroeder
Special Assistant Attorney General
Counsel to the Iowa State Highway Commission
Ames, Iowa 50010

ACKNOWLEDGMENT OF SERVICE

I hereby acknowledge service of the within and foregoing notice of appeal dated at Winterset, Iowa this 7 day of October, 1974.

MADISON COUNTY, IOWA

By George E. Abrahams
George Abrahams, Madison County Auditor

ACKNOWLEDGMENT OF SERVICE

I, Rex Rouse Sheriff of Madison County, Iowa hereby acknowledge service of the within and foregoing notice of appeal dated at Winterset, Iowa this 7th day of October, 1974.

Rex Rouse
Rex Rouse, Sheriff of Madison County, Iowa

ACKNOWLEDGMENT OF SERVICE

I hereby acknowledge service of the within and foregoing notice of appeal dated in Winterset, Iowa this 7th day of October, 1974.

CITY OF WINTERSET, IOWA

By O. D. Simmons
O. D. Simmons
Clerk of the City of Winterset