Loren V. Caudle et al
by Madison County Sheriff
To
City of Winterset, Iowa

#11
[redacted]
Fee $25.50

Filed for record the 2 day of January
A. D. 1970 at 4:26 o'clock P.M.

Mary E. Welty, Recorder
RECEIVED 12-3-69 2:45 P.L.
Madison County Sheriff
Winterset, Iowa

CONDEMNATION PROCEEDINGS

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.	APPLICATION FOR CONDEMNATION AND APPOINTMENT OF COMMISSION TO APPRAISE DAMAGES

TO... THE SHERIFF OF MADISON COUNTY, IOWA:

The applicant, the City of Winterset, Iowa, hereby applies to Rex Rouse, the duly appointed, qualified and acting Sheriff of Madison County, Iowa, for the appointment of a commission to appraise the damages to the real estate hereinafter described and in connection therewith applicant states as follows:

1. Applicant, the City of Winterset, Iowa, is a municipal corporation of Madison

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

County, Iowa.

2. Applicant seeks to condemn and acquire, by the process of eminent domain, a permanent right of way and easement 20 feet in width over, under, across and through the real estate hereinafter described for the construction, maintenance and operation of a sanitary sewer constructed from 8 inch vitrified clay sanitary sewer pipe, together with the permanent right of ingress and egress over and across said 20 foot strip of real estate for the purpose of constructing, inspecting, repairing or removing said sanitary sewer.

3. Applicant seeks to condemn and acquire, by the process of eminent domain, a temporary right of way and easement over and across two strips of real estate 5 feet in width located on both sides of said 20 foot strip of real estate referred to above for the construction of said sanitary sewer. The temporary easement and right of way over and across the two 5 foot strips of real estate shall be abandoned and terminated and all rights of the applicant in and to the two 5 foot strips of real estate shall cease when said sanitary sewer has been constructed and said project accepted by the applicant or on January 1, 1972, whichever shall first occur.

4. The description of the property to be affected or sought to be condemned by the numbers of the lots and blocks; a description of the specific property to be condemned from each of said parcels of property; a plat showing the location of the right of way sought to be condemned with reference to such description; the names of all record owners and parties in possession of the parcels of property sought to be condemned or otherwise affected by such proceedings; the holders of liens or encumbrances upon such land; and the places of residence of all such persons as far as is known to the applicant are as follows:

ITEM I.

DESCRIPTION OF PROPERTY TO BE AFFECTED

The North Half (½) of Outlot Eleven (11) of East Addition of Outlots on the East side of the City of Winterset, Madison County, Iowa.

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Permanent Easement and Right of Way:

The sanitary sewer shall be located within a strip of land 20 feet in width across the above described property. The center line of said strip shall enter the property at a point on the north property line 15 feet west of the east property line running thence south to a point on the south property line 15 feet west of the east property line of the North Half (½) of said Outlot Eleven (11).

Temporary Easement and Right of Way:

The temporary right of way and easement shall consist of two strips of real estate 5 feet in width, said 5 foot strips being more specifically described as follows:

The East 5 feet of the North Half (½) of said Outlot Eleven (11) and the West 5 feet of the East 30 feet of the North Half (½) of said Outlot Eleven (11).

A plat showing the location of the property sought to be affected and the location of the specific property sought to be condemned is attached hereto, marked Exhibit "A" and by this reference made a part hereof.

NAMES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION

Owners: Loren V. Caudle and Dona J. Caudle
Winterset, Iowa

HOLDERS OF LIENS OR ENCUMBRANCES

Madison County

Farmers & Merchants State Bank, Winterset, Iowa.

ITEM II.

DESCRIPTION OF PROPERTY TO BE AFFECTED

The South Half (½) of Outlot Eleven (11) of East Addition of Outlots on the East side of the City of Winterset, Madison County, Iowa.

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Permanent Easement and Right of Way:

The sanitary sewer shall be located within a stip of land 20 feet in width across the above described property. The center line of said strip shall enter the property at a point on the north property line 15 feet west of the east property line running thence south to a point on the south property line 15 feet west of the east property line of the South Half (½) of said Outlot Eleven (11).

Temporary Easement and Right of Way:

The temporary right of way and easement shall consist of two strips of real estate 5 feet in width, said 5 foot strips being more specifically described as follows:

The East 5 feet of the South Half (½) of said Outlot Eleven (11) and the West 5 feet of the East 30 feet of the South Half (½) of said Outlot Eleven (11).

A plat showing the location of the property sought to be affected and the location of the specific property sought to be condemned is attached hereto, marked Exhibit "A" and by this reference made a part hereof.

NAMES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION

Owners: Clara I. Burd
Winterset, Iowa

HOLDERS OF LIENS OR ENCUMBRANCES

Madison County

ITEM III.

DESCRIPTION OF PROPERTY TO BE AFFECTED

Outlot Ten (10) of East Addition of Outlots on the East side of the City of Winterset, Madison County, Iowa.

DESCRIPTION OF SPECIFIC PROPERTY SOUGHT TO BE CONDEMNED

Permanent Easement and Right of Way:

The sanitary sewer shall be located within a strip of land 20 feet in width across the above described property. The center line of said strip shall enter the property at a point on the north property line 15 feet west of the east property line running thence south to a point on the south property line 15 feet west of the east property line of said Outlot Ten (10).

Temporary Easement and Right of Way:

The temporary right of way and easement shall consist of two strips of real estate 5 feet in width, said 5 foot strips being more specifically described as follows:

The East 5 feet of said Outlot Ten (10) and the West 5 feet of the East 30 feet of said Outlot Ten (10).

A plat showing the location of the property sought to be affected and the location of the specific property sought to be condemned is attached hereto, marked Exhibit "A" and by this reference made a part hereof.

NAMES OF ALL RECORD OWNERS AND PARTIES IN POSSESSION

Owners: Elbe Berry and Dorothy I. Berry
3401 Southeast Eighth
Des Moines, Iowa

HOLDERS OF LIENS OR ENCUMBRANCES

Madison County

5. Applicant requests that the Sheriff of Madison County appoint a commission to appraise the damages to said real estate in accordance with the terms and provisions of Chapter 472 of the 1966 Code of Iowa.

Dated at Winterset, Iowa, this 3 day of December, 1969.

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

CITY OF WINTERSET, IOWA, Applicant
By Jerrold B. Oliver
Jerrold B. Oliver
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 515-462-3731

CITY ATTORNEY

STATE OF IOWA)
ss
MADISON COUNTY)

I, Jerrold B. Oliver, being first duly sworn state, that I am the City Attorney for the City of Winterset, Iowa, applicant named in the foregoing application; that I have read the above and foregoing application; that I know the facts therein set forth, and that the same are true and correct as I verily believe.

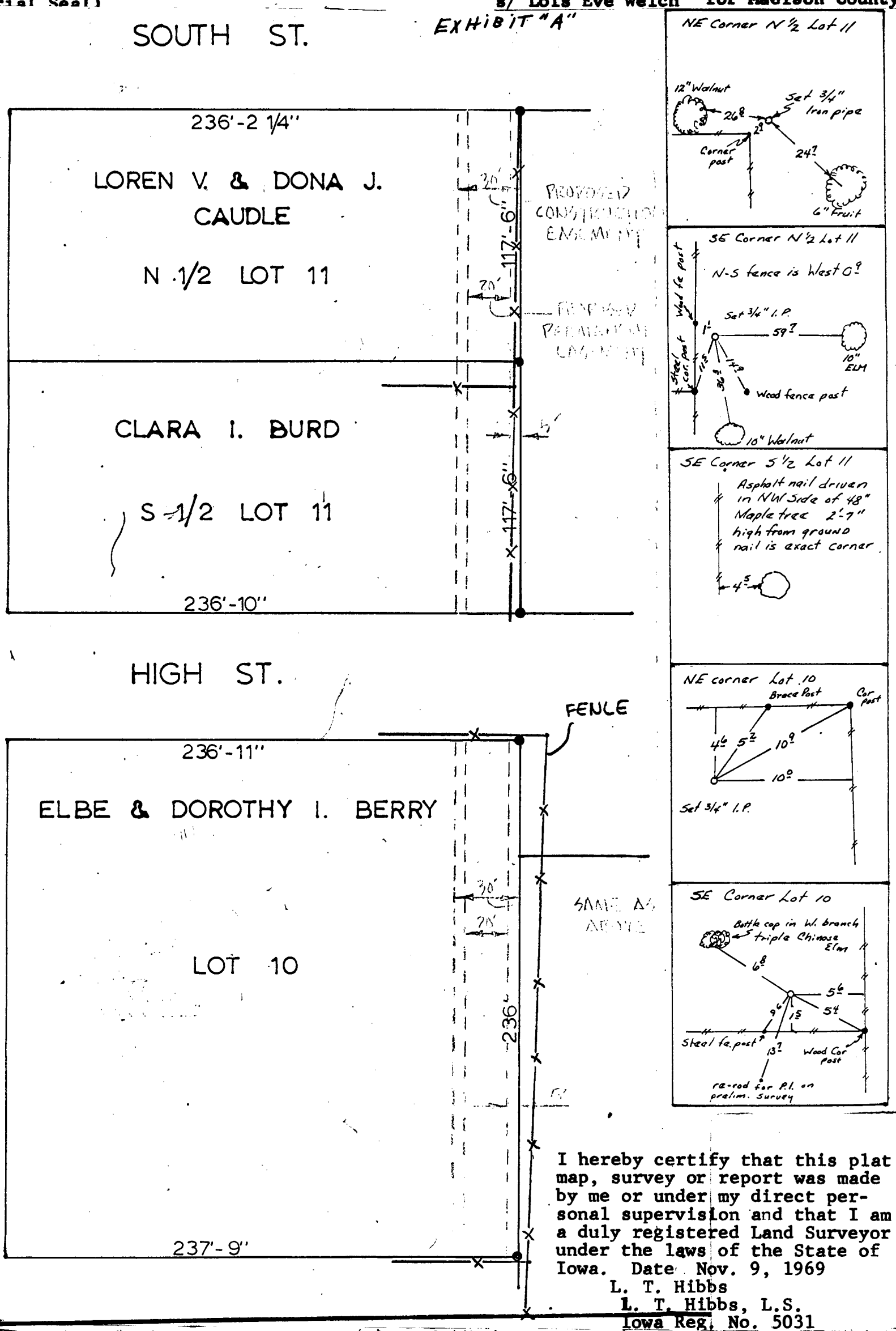
s/ Jerrold B. Oliver

Subscribed and sworn to before me by Jerrold B. Oliver this 3 day of December, 1969.

(Notarial Seal)

s/ Lois Eve Welch Notary Public in and for Madison County, Iowa

EXHIBIT "A"



I hereby certify that this plat map, survey or report was made by me or under my direct personal supervision and that I am a duly registered Land Surveyor under the laws of the State of Iowa. Date Nov. 9, 1969

L. T. Hibbs

L. T. Hibbs, L.S.
Iowa Reg. No. 5031

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.

NOTICE OF HEARING BEFORE COMMISSIONERS

TO: ELBE BERRY and DOROTHY I. BERRY
3401 Southeast Eighth
Des Moines, Iowa

MADISON COUNTY

FARMERS AND MERCHANTS STATE BANK
Winterset, Iowa

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

Outlot Ten (10) of East Addition of Outlots on the East side of the City of Winterset, Madison County, Iowa.

You are hereby notified that the City of Winterset, Iowa, a municipal corporation of Madison County, Iowa, desire the condemnation of the following described land:

Permanent Easement and Right of Way:

The sanitary sewer shall be located within a strip of land 20 feet in width across the above described property. The center line of said strip shall enter the property at a point on the north property line 15 feet west of the east property line running thence south to a point on the south property line 15 feet west of the east property line of said Outlot Ten (10).

Temporary Easement and Right of Way:

The Temporary right of way and easement shall consist of two strips of real estate 5 feet in width, said 5 foot strips being more specifically described as follows:

The East 5 feet of said Outlot Ten (10) and the West 5 feet of the East 30 feet of said Outlot Ten (10).

That such condemnation is sought for the following purpose:

Permanent Easement and Right of Way:

For the construction, maintenance and operation of a sanitary sewer together with the permanent right of ingress and egress over and across said 20 foot strip of real estate for the purpose of constructing, inspecting, repairing, maintaining, or removing said sanitary sewer.

Temporary Easement and Right of Way:

For the construction of said sanitary sewer. The temporary easement and right of way over and across the two 5 foot strips of real estate shall be abandoned and terminated and all rights of applicants in and to the two 5 foot strips of real estate shall cease when said sanitary sewer has been constructed and said project accepted by the applicant or on January 1, 1972, whichever shall first occur.

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

That said Commission will, on the 23rd day of December, 1969, at 9:00 o'clock A.M., view said premises and proceed to appraise said damages, at which time you may appear before the Commissioners, if you care to do so.

CITY OF WINTERSET, IOWA,
Applicant
By Jerrold B. Oliver
Jerrold B. Oliver
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 515-462-3731
CITY ATTORNEY

RETURN OF NOTICE OF CONDEMNATION

STATE OF IOWA MADISON COUNTY) ss.

The within notice received this 3rd day of December, 1969, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

Name of Defendants	Month	Day	Year	~~City, town~~ or Township	County	State
Elbe Berry	Dec.	9th	1969	Des Moines	Polk	Iowa
Dorothy I. Berry	Dec.	9th	1969	Des Moines	Polk	Iowa

Service & Copy 2.25
Mileage 8.00
Total $10.25

Rex Rouse
Official Title
Rex Rouse, Sheriff

RETURN OF SERVICE -- COMPANY OR CORPORATION

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and on the 9th day of December, 1969, I served the same upon the Madison County by offering to read the same to George Abrahams, he being the Auditor of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

Rex Rouse
~~Rex Rouse~~, Sheriff
of Madison County.

RETURN OF SERVICE -- COMPANY OR CORPORATION

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and on the 9th day of December, 1969, I served the same upon the Farmers and Merchants State Bank by offering to read the same to Neil Kelley, he being the President of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

Rex Rouse
~~Rex Rouse~~, Sheriff
of Madison County.

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.) NOTICE OF HEARING BEFORE COMMISSIONERS

TO: LOREN V. CAUDLE and DONA J. CAUDLE
Winterset, Iowa

MADISON COUNTY

FARMERS AND MERCHANTS STATE BANK
Winterset, Iowa

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

The North Half (½) of Outlot Eleven (11) of East Addition of Outlots on the East side of the City of Winterset, Madison County, Iowa.

You are hereby notified that the City of Winterset, Iowa, a municipal corporation of Madison County, Iowa, desires the condemnation of the following described land:

Permanent Easement and Right of Way:

The Sanitary sewer shall be located within a strip of land 20 foot in width across the above described property. The center line of said strip shall enter the property at a point on the north property line 15 feet west of the east property line running thence south to a point on the south property line 15 feet west of the east property line of the North Half (½) of said Outlot Eleven (11).

Temporary Easement and Right of Way:

The temporary easement and right of way shall consist of two strips of real estate 5 feet in width, said 5 foot strips being more specifically described as follows:

The East 5 feet of the North Half (½) of said Outlot Eleven (11), and the West 5 feet of the East 30 feet of the North Half (½) of said Outlot Eleven (11).

That such condemnation is sought for the following purpose:

Permanent Easement and Right of Way:

For the construction, maintenance and operation of a sanitary sewer together with the permanent right of ingress and egress over and across said 20 foot strip of real estate for the purpose of constructing, inspecting, repairing, maintaining, or removing said

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

sanitary sewer.

Temporary Easement and Right of Way:

For the construction of said sanitary sewer. The temporary easement and right of way over and across the two 5 foot strips of real estate shall be abandoned and terminated and all rights of applicants in and to the two 5 foot strips of real estate shall cease when said sanitary sewer has been constructed and said project accepted by the applicant or on January 1, 1972, whichever shall first occur.

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

That said Commission will, on the 23rd day of December, 1969, at 9:15 o'clock A.M., view said premises and proceed to appraise said damages, at which time you may appear before the Commissioners, if you care to do so.

CITY OF WINTERSET, IOWA, Applicant
By Jerrold B. Oliver
Jerrold B. Oliver
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 515-462-3731

CITY ATTORNEY

RETURN OF SERVICE -- COMPANY OR CORPORATION

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and on the 9th day of December, 1969, I served the same upon the Farmers and Marchants State Bank by offering to read the same to Neil Kelley, he being the President of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

Rex Rouse
Rex Rouse
Sheriff of Madison County.

RETURN OF SERVICE -- COMPANY OR CORPORATION

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and on the 9th day of December, 1969, I served the same upon the Madison County by offering to read the same to George Abrahams, he being the Auditor of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

Rex Rouse
Rex Rouse, Sheriff
of Madison County

RETURN OF SERVICE -- PERSONAL

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and I certify that I served the same on the defendants named below by reading the same to Dona J. Caudle or by offering to read the original to Dona J. Caudle which he waived, and delivering to Dona J. Caudle a true copy of the same at the time and place set opposite her names.

Names of Persons	Month	Day	Year	Township	County	State
Dona J. Caudle	Dec.	9th	1969	Center	Madison	Iowa

Service 2.25
Copies

Rex Rouse
Rex Rouse, Sheriff of Madison County

RETURN OF SERVICE -- LEAVING COPY

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969 and on the 9th day of December, 1969, I served the same on Loren V. Caudle, by leaving a

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

true copy thereof at the house of Dona J. and Loren V. Caudle, situated in the township of Center, Madison County, Iowa, the same being the usual place of residence of said defendant, with Dona J. Caudle a member of said defendant's family, with whom he resides, and over 18 years of age, the said defendant not being found within the County.

Rex Rouse
Rex Rouse, Sheriff of Madison County

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.

NOTICE OF HEARING BEFORE COMMISSIONERS

TO: CLARA I. BURD
Winterset, Iowa

MADISON COUNTY

FARMERS AND MERCHANTS STATE BANK
Winterset, Iowa

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

The South Half (½) of Outlot Eleven (11) of East Addition of Outlots on the East side of the City of Winterset, Madison County, Iowa.

You are hereby notified that the City of Winterset, Iowa, a municipal corporation of Madison County, Iowa, desires the condemnation of the following described land:

Permanent Easement and Right of Way:

The sanitary sewer shall be located within a strip of land 20 feet in width across the above described property. The center line of said strip shall enter the property at a point on the north property line 15 feet west of the east property line running thence south to a point on the south property line 15 feet west of the east property line of the South Half (½) of said Outlot Eleven (11).

Temporary Easement and Right of Way:

The temporary easement and right of way shall consist of two strips of real estate 5 feet in width, said 5 foot strips being more specifically described as follows:

The East 5 feet of the South Half (½) of said Outlot Eleven (11) and the West 5 feet of the East 30 feet of the South Half (½) of said Outlot Eleven (11).

That such condemnation is sought for the following purpose:

Permanent Easement and Right of Way:

For the construction, maintenance and operation of a sanitary sewer together with the permanent right of ingress and egress over and across said 20 foot strip of real estate for the purpose of constructing, inspecting, repairing, maintaining, or removing said sanitary sewer.

Temporary Easement and Right of Way:

For the construction of said sanitary sewer. The temporary easement and right of way over and across the two 5 foot strips of real estate shall be abandoned and terminated and all rights of applicants in and to the two 5 foot strips of real estate shall cease when said sanitary sewer has been constructed and said project accepted by the applicant or on January 1, 1972, whichever shall first occur.

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

That said Commission will, on the 23rd day of December, 1969, at 9:30 o'clock A.M., view said premises and proceed to appraise said damages, at which time you may appear before the Commissioners, if you care to do so.

CITY OF WINTERSET, IOWA,
Applicant
By Jerrold B. Oliver
Jerrold B. Oliver
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 515-462-3731

CITY ATTORNEY

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

RETURN OF ORIGINAL NOTICE

STATE OF IOWA MADISON COUNTY) SS.

The within notice received this 3rd day of December, 1969, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

Name of Defendants	Month	Day	Year	City, Town or Township	County	State
Clara I. Burd	Dec.	9th	1969	Center	Madison	Iowa

Service & Copy 1.75

Rex Rouse
Rex Rouse, Sheriff

RETURN OF SERVICE -- COMPANY OR CORPORATION

STATE OF IOWA MADISON COUNTY) ss

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and on the 9th day of December, 1969, I served the same upon the Farmers and Merchants State Bank by offering to read the same to Neil Kelley, he being the President of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

Rex Rouse
Rex Rouse, Sheriff of Madison County

RETURN OF SERVICE -- COMPANY OR CORPORATION

STATE OF IOWA MADISON COUNTY) ss.

The within Condemnation Notice came into my hands on the 3rd day of December, 1969, and on the 9th day of December, 1969, I served the same upon the Madison County by offering to read the same to George Abrahams, he being the Auditor of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

Rex Rouse
Rex Rouse, Sheriff of Madison County.

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.	APPOINTMENT OF CONDEMNATION COMMISSIONERS

An Application for condemnation and appointment of commission to appraise damages having been filed in the office of the undersigned, Rex Rouse, Sheriff of Madison County, Iowa, by the above named City of Winterset, as by law provided, to act as a condemnation commission to assess and appraise the damages sustained by reason of the appropriation or condemnation of certain land described by Applicant in its application filed in the above matter:

I, Rex Rouse, Sheriff of Madison County, Iowa, do hereby select, designate, and appoint as members of said condemnation commission required in this matter, the following persons:

NAME	ADDRESS
Merrill Creger	Truro
Pat Corkrean	Winterset
Earl Shalkle	Earlham
Robert Hibbs	Earlham
Carol Beverlin	Peru
Glen Stephenson	Peru

The persons above named being six freeholders of said County of Madison, State of Iowa, not interested in the same or a like question, whose duty it shall be to inspect the real estate described in the said Application and assess the damages which the respective owners of the real estate described and parties interested therein will sustain by the appropriation

MATT PARROTT & SONS CO., WATERLOO, IOWA 69-1841

of said land for the operation and maintenance of said transmission line, and make report thereof in writing to the undersigned, as provided by law.

Witness my hand at Winterset, Madison County, Iowa, this 18th day of December, 1969.

Rex Rouse
Rex Rouse
Sheriff of Madison County, Iowa

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.) SUMMONS TO CONDEMNATION COMMISSIONERS

TO: Merrill Creger

Pat Corkrean

Earl Shalkle

Robert Hibbs

Carol Beverlin

Glen Stephenson

WHEREAS, The City of Winterset, Iowa, has filed in the office of the Sheriff of Madison County, Iowa, an Application for condemnation and appointment of commission to appraise damages which the owners, lien holders and encumbrancers and other persons interested in the land sought to be condemned in these proceedings will sustain by reason of such condemnation, and

WHEREAS, you have been selected and appointed by the undersigned, Rex Rouse, Sheriff of Madison County, Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office.

NOW THEREFORE, in the name of the State of Iowa, you and each of you are hereby summoned and required to be and appear before the undersigned at the office of the Sheriff in the Courthouse in Winterset, Madison County, Iowa, on the 23rd day of December, 1969, at 8:30 o'clock A.M., for the purpose of qualifying as such commissioner and to view the premises and make a report of damages as provided by law, and hereof fail not to make an appearance at your peril.

Dated at Winterset, Madison County, Iowa, this 19th day of December, 1969.

Rex Rouse
Rex Rouse, Sheriff of Madison Countyy Iowa

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing summons to Condemnation Commissioners is hereby accepted and receipt of a copy thereof is hereby acknowledged at Winterset, Madison County, Iowa, this 19 day of Dec., 1969.

Glenn F. Stephenson

M. S. Creger

Patrick F. Corkrean

Earl Schalkle

R. P. Hibbs

C. O. Beverlin

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.) OATH OF CONDEMNATION COMMISSIONERS

STATE OF IOWA)
) ss
MADISON COUNTY)

We, Merrill Creger, Pat Corkrean, Earl Shalkle, Robert Hibbs, Carol Beverlin, and Glenn Stephenson, each being duly sworn, on oath depose and state, that we will well

MERRY PARROTT & SONS CO., WATERLOO, IOWA 68-1841

and truly, without partiality or prejudice, and to the best of our skill and judgment, faithfully and impartially perform all of the duties imposed upon each of us by law as a member of the condemnation commission selected and appointed to assess the amount of damages to be paid to the respective record owners, lien holders, encumbrancers, or other persons having any interest in or upon, the real estate involved in the above entitled proceedings by reason of the appropriation or condemnation of the real estate described in said City of Winterset's application; as required in our appointment as commissioners by the Sheriff of Madison County, Iowa, bearing date of December 18th, 1969, so help us God.

Glenn F. Stephenson — Earl Schalkle

M. S. Creger — R. P. Hibbs

Patrick F. Corkrean — C. O. Beverlin

Subscribed in my presence and sworn to before me by

Merrill Creger, — Pat Corkrean,

Earl Shalkle, — Robert Hibbs,

Carol Beverlin, and Glen Stephenson,

this 23rd day of December, 1969.

Fayola McKee
Notary Public in and for
Madison County, Iowa.

(Notarial Seal)

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.

REPORT OF CONDEMNATION COMMISSION

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

We, the undersigned, being duly appointed and qualified commissioners appointed by you to inspect the land described in the Application of the City of Winterset, Iowa, and to assess the damages sustained by the respective owners, lien holders, encumbrancers and other persons interested in the premises affected by the condemnation of the real estate described in said application for a permanent easement and right of way for construction, maintenance and operation of a sanitary sewer located on a strip of land twenty feet in width as specifically described in said application and for a temporary easement and right of way over and across two strips of real estate five feet in width as specifically described in said application located on both sides of said twenty foot strip of real estate, which temporary easement and right of way will be abandoned and terminated by the City of Winterset, Iowa, upon completion of the construction of said sanitary sewer, or on January 1, 1972, whichever shall occur first, do hereby make report as follows:

That we proceeded to view the prospective premises at the time fixed in the notices to the persons interested in the parcel numbers hereinafter mentioned, which parcel numbers in this report correspond with the parcel numbers in said application. We do hereby assess the damages sustained by the respective persons interested in said land as follows.

ITEM I.

We hereby award $475.00 as damages, including consequential damages to:

Owners: Loren V. Caudle and Dona J. Caudle
Winterset, Iowa

Holders of Liens: Farmers & Merchants State Bank
Winterset, Iowa

ITEM II

We hereby award $375.00 as damages, including consequential damages, to:

Owners: Clara I. Burd
Winterset, Iowa

ITEM III

We hereby award $404.00 as damages, including consequential damages, to:

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

Owners: Elbe Berry and Dorothy I. Berry
3401 Southeast Eighth
Des Moines, Iowa

all of which is respectfully submitted.

Dated at Winterset, Iowa, this 23 day of December, 1969.

C. O. Beverlin

R. P. Hibbs

Earl Schalkle

Glenn F. Stephenson

Patrick F. Corkrean

Merrill S. Creger

BEFORE THE SHERIFF OF THE COUNTY OF MADISON, STATE OF IOWA

IN THE MATTER OF THE APPLICATION OF THE CITY OF WINTERSET, IOWA, FOR CONDEMNATION OF RIGHT OF WAY FOR SANITARY SEWER IN WINTERSET, MADISON COUNTY, IOWA.) SHERIFF'S CERTIFICATION OF COSTS

I, Rex Rouse, Sheriff of Madison County, Iowa, hereby certify that the costs incident to the above entitled condemnation proceedings have been taxed as follows:

Rex Rouse, Sheriff's fees and mileage for serving notices			$ 14.25
Rex Rouse, Sheriff's fees and mileage for summoning and attending commissioners			$ 3.25
Rex Rouse, Sheriff's mileage while attending commissioners			$ 8.00
Merrill Creger	appraisal fees,		
	- days		$ 25.00
	- miles		$ 3.20
		Total	$ 28.20
Pat Corkrean	appraisal fees,		
	- days		$ 25.00
	- miles		$ .40
		Total	$ 25.40
Earl Shalkle	appraisal fees,		
	- days		$ 25.00
	- miles		$ 3.60
		Total	$ 28.60
Robert Hibbs	appraisal fees,		
	- days		$ 25.00
	- miles		$ 2.60
		Total	$ 27.60
Carol Beverlin	appraisal fees,		
	- days		$ 25.00
	- miles		$ 2.00
		Total	$ 27.00
Glen Stephenson	appraisal fees,		
	- days		$ 25.00
	- miles		$ 2.80
		Total	$ 27.80
Total			$190.10

IN WITNESS WHEREOF, I have hereunto set my hand at Winterset, Madison County, Iowa, this 23rd day of December, 1969.

Rex Rouse
Rex Rouse
Sheriff of Madison County, Iowa.

SHERIFF'S CERTIFICATION OF COSTS

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

	FEES	MILEAGE	TOTAL
1. Serving Original Notices	6.25	8.00	14.25
2. Sheriff Serving Notice of Appointment of Commissioners	3.25		3.25
3. Sheriff Attending Commissioners	7.50	.50	8.00
		TOTAL SHERIFF'S COSTS	$25.50

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5. Commissioner's Expenses:

Merrill Creger, Truro
1 day service and mileage 28.20

Pat Corkrean, Winterset
1 day service and mileage 25.40

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-1841

Earl Shalkie, Earlham
1 day service and mileage — 28.60

Robert Hibbs, Earlham
1 day service and mileage — 27.60

Carol Beverlin, Peru
1 day service and mileage — 27.00

Glen Stephenson, Peru
1 day service and mileage — 27.80

TOTAL JURY COSTS — 164.60

6. Damages Awarded:
Loren V. Caudle et al — 475.00
Elbe Berry et al — 404.00
Clara I. Burd et al — 375.00

TOTAL DAMAGES AWARDED — $1254.00

RECAPITULATION

TOTAL DAMAGES AWARDED	$1,254.00
TOTAL SHERIFF'S COSTS	25.50
TOTAL COMMISSIONERS EXPENSES	164.60
GRAND TOTAL	$1,444.10

Certified a true statement of Loren V. Caudle et al, Elbe Berry et al, and Clara I. Burd et al condemnation expenses and original copies of proceedings therewith.

Rex Rouse
Rex Rouse, Sheriff
Madison County, Iowa

COMPARED