IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA, FOR THE)
APPOINTMENT OF COMMISSIONERS TO) APPLICATION TO SHERIFF
ASSESS DAMAGES FOR THE TAKING OF) FOR CONDEMNATION OF
REAL ESTATE FOR ROAD IMPROVEMENT) PROPERTY
PURPOSES)

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

WHEREAS, the undersigned, Madison County, Iowa, is desirous of acquiring an easement for road purposes of certain real estate and relocating a public highway as the same now proceeds through the Fractional Section Thirty-one (31), the South Half (½) of Fractional Section Thirty (30), and the West 50.99 acres of the South Half (½) of the North Half (½) of Fractional Section Thirty (30), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, and

WHEREAS, the said Madison County cannot agree with the owners of the real estate hereinafter described as to the compensation to be paid therefore, nor as to the taking of said real estate, and,

WHEREAS, said Madison County, Iowa, is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by law of the State of Iowa, for such purposes, to-wit: Chapter 471 and 472 of the 1966 Code of Iowa, and any and all other pertinent statutory provisions, and,

WHEREAS, it is necessary and proper and within the powers of Madison County, Iowa, that said real estate should be condemned and appropriated for such purposes, the same being public purposes, and,

WHEREAS, the property sought to be condemned under this Application is described in Exhibit "A" attached hereto, and made a part hereof, and,

WHEREAS, there is attached to this Application a plat showing the location of property sought to be affected by condemnation under these proceedings and the location of improvements and relocations, which plat is marked Exhibit "B" and made a part of this Application, and,

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of any and all liens and encumbrances of said real estate, if any, together with

508

FILED NO.
BOOK 100 PAGE 87
1970 APR 17 PM 4:08
MARY E. WILLEY
RECORDER
MADISON COUNTY, IOWA
no fee 3 pgs.

each and all of their respective places of residence, so far as known to this Applicant are as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
ViKart Industries, Inc.	Des Moines, Iowa	Des Moines, Iowa
Name of Mortgage or Lien Holder:	**Place of Residence:**	**Post Office Address:**
A. D. Little, deceased and Mary E. Little	Adel, Iowa	Adel, Iowa
Ward LeCocq	Winterset, Iowa	Winterset, Iowa
Name of Occupant of Land:	**Place of Residence:**	**Post Office Address:**
Charles Yearous	Booneville, Iowa	Booneville, Iowa
Name of Easement Holder:		**Post Office Address:**
Badger Creek Watershed		Winterset, Iowa

NOW, THEREFORE, this Applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, who are not interested in the same or a like question to inspect the said real estate hereinbefore described and to assess the damages for all claims of every kind and nature including the right of lateral support, the right to light, air, and view and any other consequential damages, if any, sustained by the owners and any other persons interested in said real estate, by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said purposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this Application as provided by law.

Dated this 11 day of February, 1970.

MADISON COUNTY, IOWA

By _____
C. R. Bentz, County Attorney
in and for Madison County, Iowa.

SM-8-58-11606
PS-23981-SP

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from ViKart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 6.73 Acres.

Borrow Area Acres. Total Consideration $

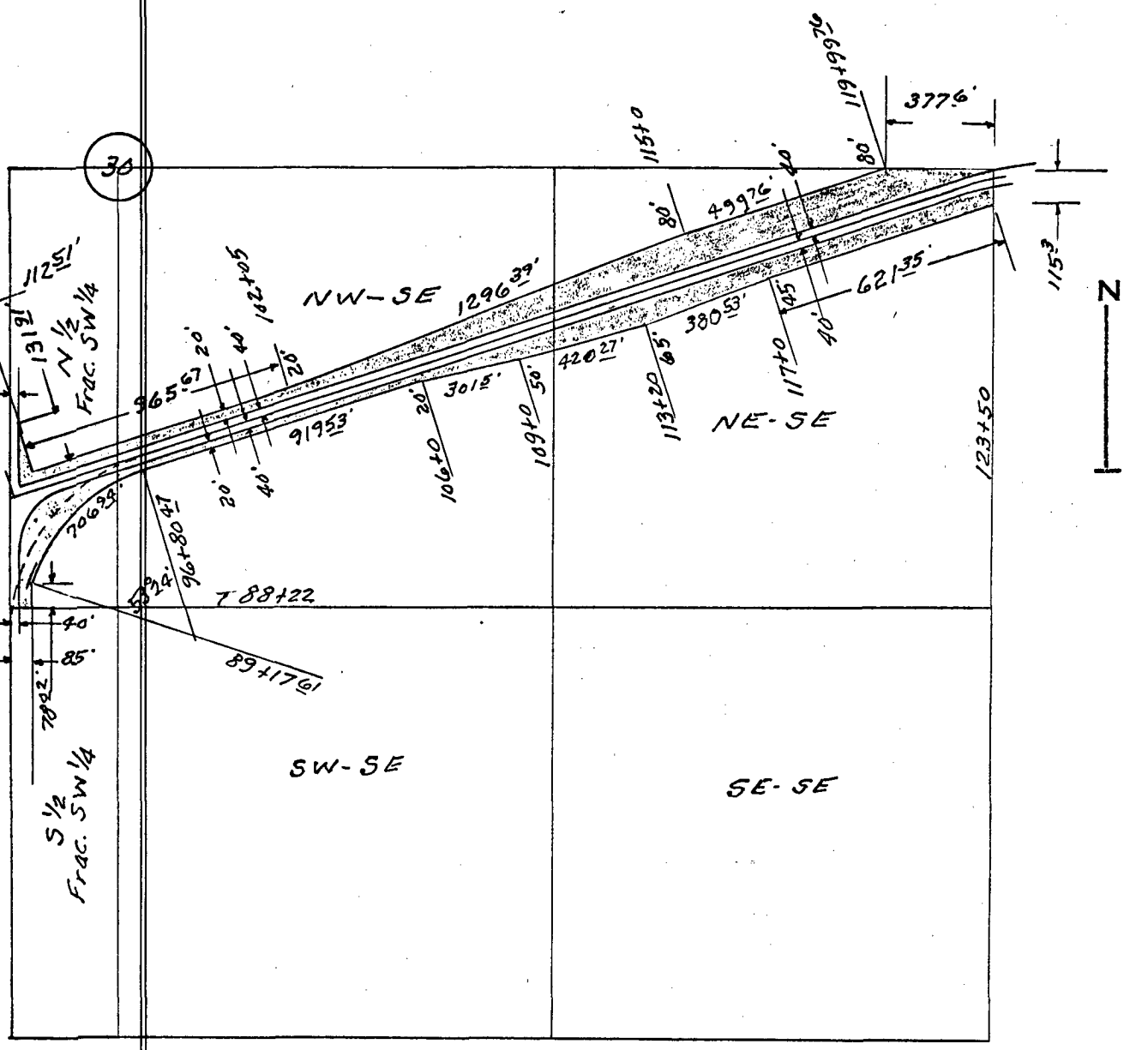
Acquired by Condemnation (Easement—Deed—Condemnation—Contract) Date of Contract , 19

LOCATION

From CL Station T 88+22 to CL Station 123+50

Section 30, Township 77N, Range 26 W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516 (1969)

EXHIBIT "A"

Description of real estate belonging to ViKart Industries, Inc., the subject matter of this condemnation proceeding:

Beginning at the NW corner of the fractional SW¼ Section 31 T77N R26W of the 5th P.M.; thence south 546.41 feet; thence northeasterly 273.34 feet along a 861.51 foot radius curve concave northwesterly and having a central angle of 18°10.73'; thence north 214.63 feet; thence N41°59.23'E 40.36 feet; thence northerly 41.6 feet to the centerline of a county road; thence westerly 70.0 feet to the point of beginning and containing 0.12 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Sec. 31 T77N R26W was assumed to bear due north and south.

Also, beginning at the SW corner of the N½ of the fractional SW¼ Section 30 T77N R26W of the 5th P.M.; thence east 85.0 feet; thence north 78.02 feet; thence northeasterly 706.94 feet along a 758.51 foot radius curve concave southeasterly and having a central angle of 53°24'; thence N68°09'E 919.53 feet; thence N73°51.64'E 301.5 feet; thence N70°11.72'E 420.27 feet; thence N65°08.23'E 380.53 feet; thence N68°09'E 621.35 feet to the east side of the NE¼ SE¼ of said Sec. 30; thence northerly 115.3 feet along the east side to the northeast corner of the said NE¼ SE¼; thence westerly 377.6 feet along the north side of the said NE¼ SE¼ to a point which is N21°51'W 120.0 feet from centerline Station 119 +99.76 on Madison County Project L-516 (1969); thence S68°09'W 499.76 feet; thence S65°29.84'W 1296.39 feet; thence S68°09'W 965.67 feet; thence N21°51'W 131.91 feet; thence west 33.0 feet to the west side of the fractional SW¼ of said Section 30; thence south 658.55 feet to the point of beginning and containing 6.73 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Section 30 T77N R26W was assumed to bear due north and south.

The West 85.0 feet of the N½ of the fractional Sec. 31 T77N R26W of the 5th P.M. and containing 3.11 acres, more or less, exclusive of the present right of way.

Also, the west 85.0 feet of the S½ of the S½ of the fractional Sec. 30 T77N R26W of the 5th P.M. and containing 1.58 acres, more or less, exclusive of the present right of way.

SM-8-58-11606
PS-23981-SP

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from Vi Kart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 1.58 Acres.

Borrow Area Acres. Total Consideration $

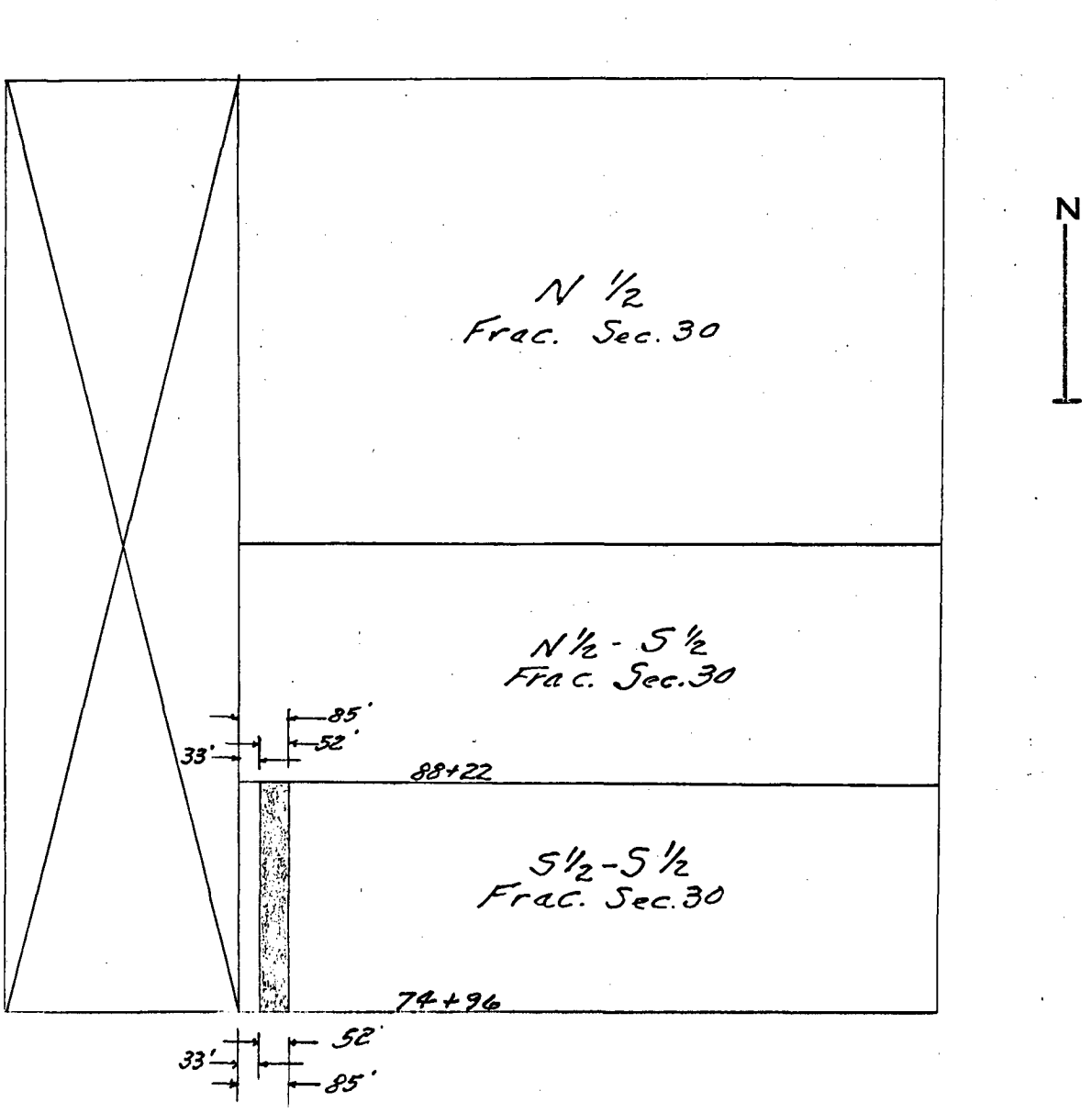
Acquired by Condemnation Date of Contract , 19
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 74+96 to CL Station 88+22

Section 30, Township 77N, Range 26W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516-69

SM-8-58-11606
PB-23981-8P

Iowa State Highway Conumission
Form No. 476

PROPERTY PLAT

Acquired from Vi Kart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 3.11 Acres.

Borrow Area Acres. Total Consideration $

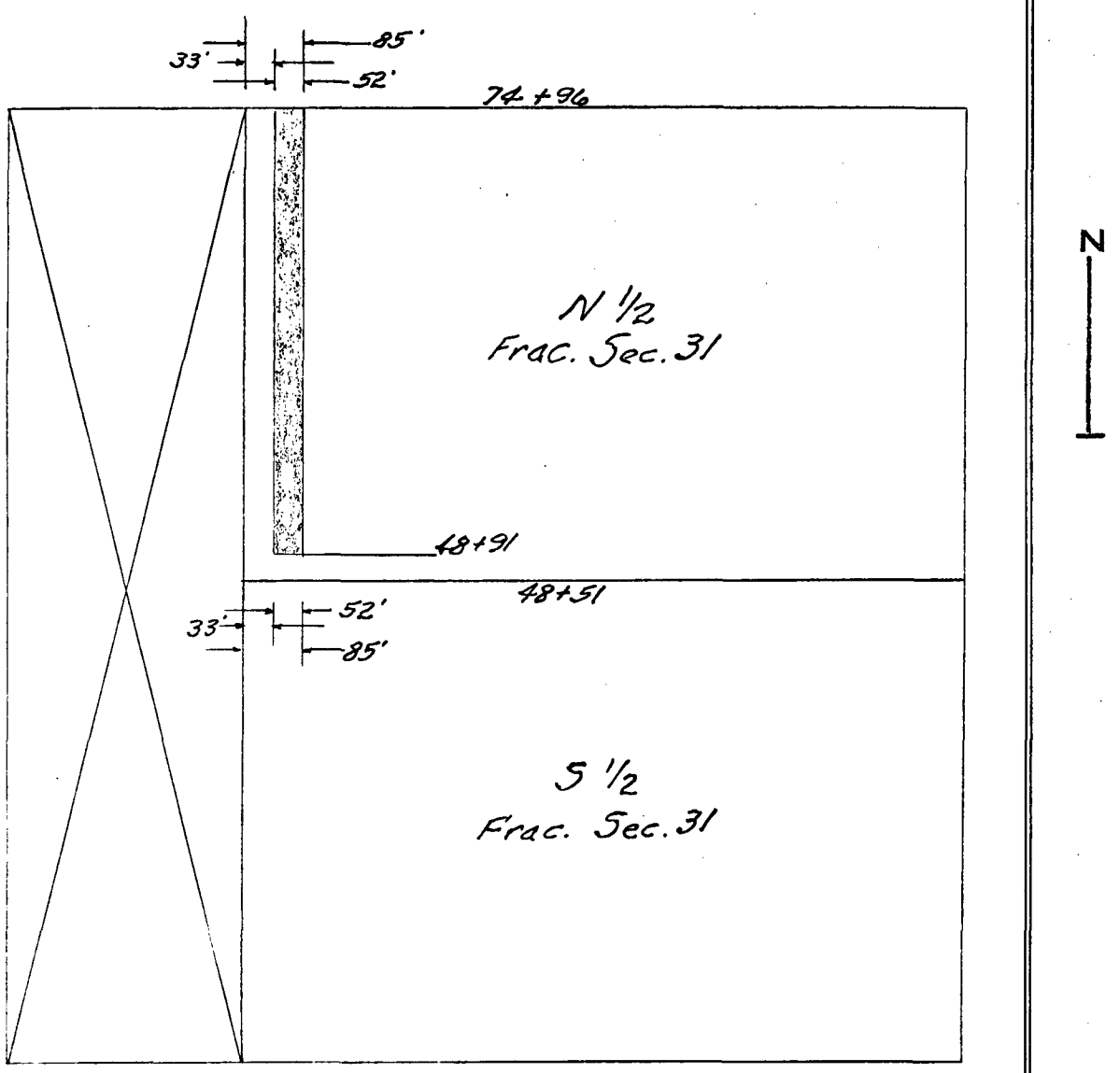
Acquired by Condemnation Date of Contract , 19
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 48+51 to CL Station 74+96

Section 31, Township 77 N, Range 26 W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516-69

SM-8-58-1160
PB-23981-8P

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from ViKart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area .12 Acres.

Borrow Area Acres. Total Consideration $

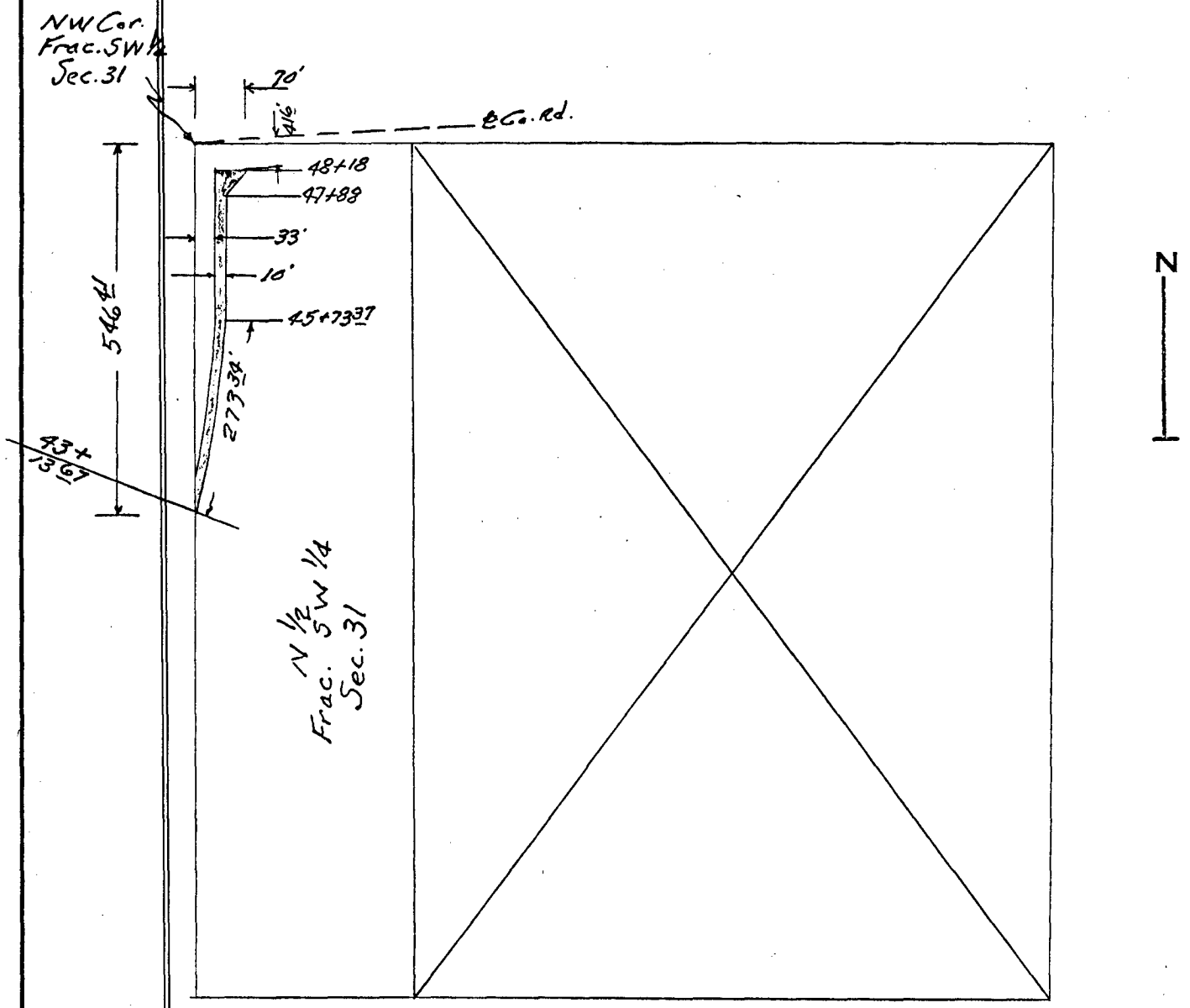
Acquired by Condemnation (Easement—Deed—Condemnation—Contract) Date of Contract , 19

LOCATION

From CL Station 43+ to CL Station 48+51

Section 31, Township 77 N, Range 26 W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516 (1969)

EXHIBIT "B"

DEED RECORD 100

20M—2-57—11009 Form 489-A

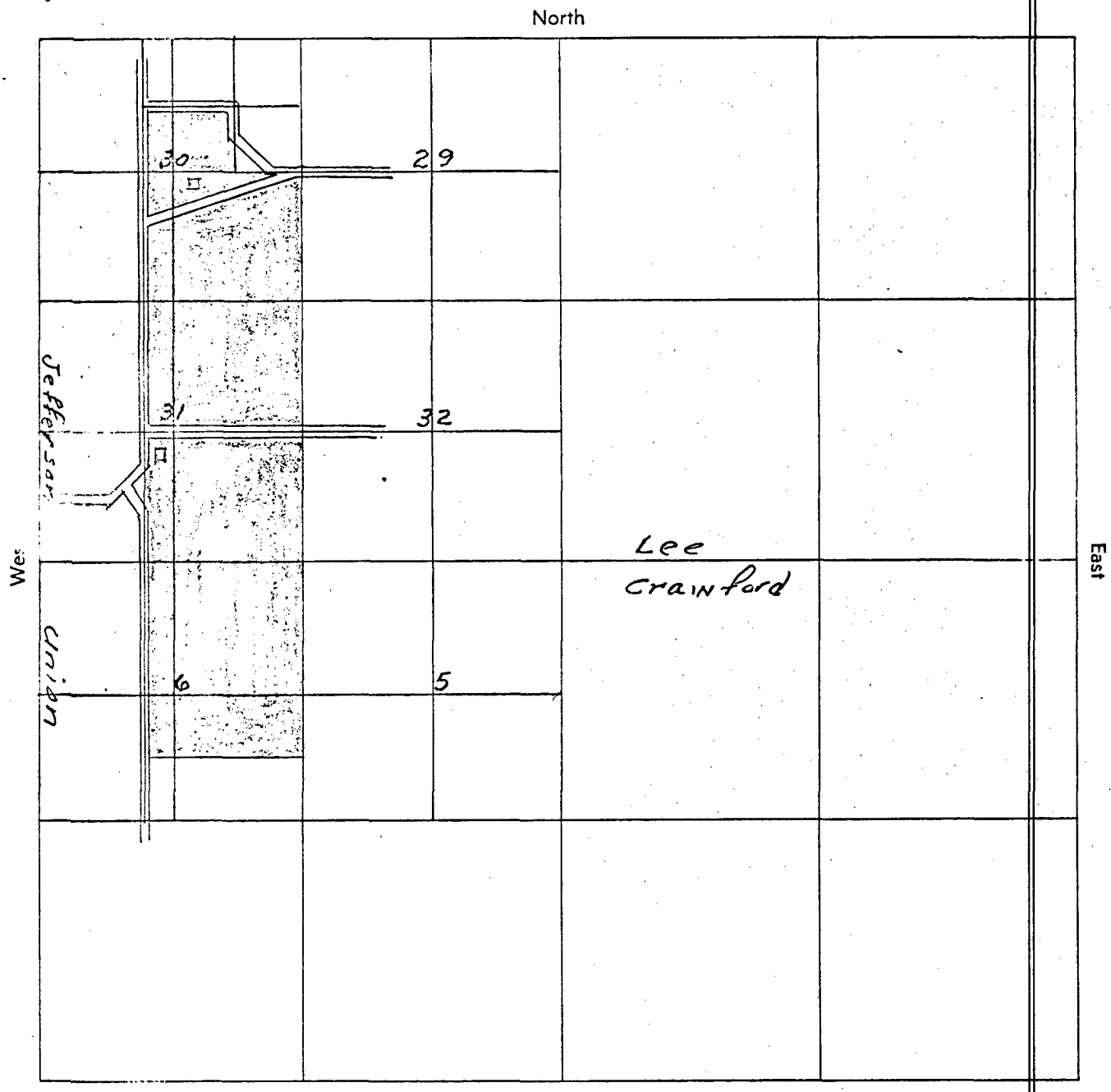
Plat of Property

Of ViKart Industries, Inc.

Area 88067 Acres.

Sta 43+1367 to Sta 123+50

Section 6 30-31 T 7N N-R 2W.



Madison County Project No. L-516 (1969)

IN THE MATTER OF THE APPLICATION BY MADISON COUNTY, IOWA, FOR THE APPOINTMENT OF COMMISSIONERS TO ASSESS DAMAGES FOR THE TAKING OF REAL ESTATE FOR ROAD IMPROVEMENT PURPOSES

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: VIKART INDUSTRIES, INC., DALLAS COUNTY STATE BANK, EXECUTOR OF THE ESTATE OF A. D. LITTLE, DECEASED, MARY E. LITTLE, WARD LECOCQ, CHARLES YEAROUS, BADGER CREEK WATERSHED, and all other persons, companies, or corporations having any interest in or owning any of the following described real estate:

Fractional Section Thirty-one (31), the South Half (½) of Fractional Section Thirty (30), and the West 50.99 acres of the South Half (½) of the North Half (½) of Fractional Section Thirty (30), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa, desires the condemnation of the real estate described in Exhibit "A" hereto attached and by this reference made a part of this notice.

That such condemnation is sought for the following purpose: widening, improving, altering and relocating the public highway along side said real estate, and for further particulars you are referred to the Application for the condemnation of said real estate now on file with the Sheriff of Madison County, Iowa.

YOU ARE FURTHER NOTIFIED that a commission of six appraisers has been appointed as provided by law for the purpose of appraising all damages which will be sustained by you and which will be caused by said condemnation of said real estate.

YOU ARE FURTHER NOTIFIED that said Commissioners will on the 17th day of March, 1970, at 10:00 o'clock AM view said premises and proceed to appraise said damages, at which time you may appear before the Commissioners, if you care to do so.

MADISON COUNTY, APPLICANT

By _____
C. R. Bentz, County Attorney
in and for Madison County, Iowa.

Beginning at the NW corner of the fractional SW¼ Section 31 T77N R26W of the 5th P.M.; thence south 546.41 feet; thence northeasterly 273.34 feet along a 861.51 foot radius curve concave northwesterly and having a central angle of 18°10.73'; thence north 214.63 feet; thence N41°59.23'E 40.36 feet; thence northerly 41.6 feet to the centerline of a county road; thence westerly 70.0 feet to the point of beginning and containing 0.12 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Sec. 31 T77N R26W was assumed to bear due north and south.

Also, beginning at the SW corner of the N½ of the fractional SW¼ Section 30 T77N R26W of the 5th P.M.; thence east 85.0 feet; thence north 78.02 feet; thence northeasterly 706.94 feet along a 758.51 foot radius curve concave southeasterly and having a central angle of 53°24'; thence N68°09'E 919.53 feet; thence N73°51.64'E 301.5 feet; thence N70°11.72'E 420.27 feet; thence N65°08.23'E 380.53 feet; thence N68°09'E 621.35 feet to the east side of the NE¼ SE¼ of said Sec. 30; thence northerly 115.3 feet along the east side to the northeast corner of the said NE¼ SE¼; thence westerly 377.6 feet along the north side of the said NE¼ SE¼ to a point which is N21°51'W 120.0 feet from centerline Station 119 +99.76 on Madison County Project L-516 (1969); thence S68°09'W 499.76 feet; thence S65°29.84'W 1296.39 feet; thence S68°09'W 965.67 feet; thence N21°51'W 131.91 feet; thence west 33.0 feet to the west side of the fractional SW¼ of said Section 30; thence south 658.55 feet to the point of beginning and containing 6.73 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Section 30 T77N R26W was assumed to bear due north and south.

The West 85.0 feet of the N½ of the fractional Sec. 31 T77N R26W of the 5th P.M. and containing 3.11 acres, more or less, exclusive of the present right of way.

Also, the west 85.0 feet of the S½ of the S½ of the fractional Sec. 30 T77N R26W of the 5th P.M. and containing 1.58 acres, more or less, exclusive of the present right of way.

EXHIBIT "A"

RETURN OF SERVICE—(Combined Forms) (No. 600) FIDLAR & CHAMBERS CO., DAVENPORT, IOWA

RETURN OF SERVICE—Personal

STATE OF IOWA, Madison County, ss.

The within notice came into my hands on the 11th day of February, 1970 and I certify that I served the same on the defendants named below by reading the same to _____ or by offering to read the original to them which he waived, and delivering to them a true copy of the same at the time and place set opposite their names.

Names of Persons	Month	Day	Year	Township	County	State
Mary E. Little	Feb	26	1970	Adel	Dallas	Iowa
Ward LeCocq	Feb.	26	1970	Center	Madison	Iowa
Charles Yearous	Feb.	25	1970	Lee	Madison	Iowa
H.B. Jacobsen, President of Dallas County State Bank, ~~Executor of the~~ Estate of A.D. Little, Deceased	Feb.	24	1970	Adel	Dallas	Iowa

FEES

Service - - $_____
Copies - - $_____
Mileage - - $_____
Total - - $_____

Rex Rouse
of Madison County
By _____ Deputy.

Subscribed and sworn to before me by the said _____ this _____ day of _____ 19____
_____ Notary Public in and for _____ County.

RETURN OF SERVICE—Company or Corporation

STATE OF IOWA, Madison County, ss.

The within notice came into my hands on the 11th day of February, 1970 and on the 26th day of February, 1970, I served the same upon the Badger Creek Watershed by offering to read the same to Gene Armstrong, he being the President of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Jefferson Township, Madison County, Iowa.

FEES

Service - - - $_____
Copies - - - $_____
Mileage - - $_____
Total - - $_____

Rex Rouse
Rex Rouse
of Madison County
By _____ Deputy.

STATE OF IOWA, Madison County, ss.

The within notice came into my hands on the 11th day of February, 1970 and on the 24th day of February, 1970, I served the same upon the Vikart Industries, Inc. by offering to read the same to Dave. W. Belin, he being the Registered Local Agent of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Des Moines Township, Polk County, Iowa.

FEES

Service - - $_____
Copies - - $_____
Mileage - - $_____
Total - - $_____

Rex Rouse
Rex Rouse
of Madison County
By _____ Deputy.

IN THE MATTER OF THE APPLICATION BY MADISON COUNTY, IOWA, FOR THE APPOINTMENT OF COMMISSIONERS TO ASSESS DAMAGES FOR THE TAKING OF REAL ESTATE FOR ROAD IMPROVEMENT PURPOSES) APPOINTMENT AND COMMISSION

WHEREAS, written application has been made to me by Madison County, Iowa, for the appointment of commissioners to assess the damages sustained by those having interest in certain real estate for the purpose of widening, improving, altering and relocating a part of the public highway system of Madison County, Iowa, which is more particularly described in said Application, a copy of which Application is attached to this order, marked Exhibit "A", and by this reference made a part hereof.

IT IS NOW HEREBY ORDERED that the following persons, to-wit:

Merle Creger, R. D. Tarlson,
Dwight Trundell, Lowell Olson,
Kale Lucas, Earl Crawford,

being six freeholders of Madison County, Iowa, not interested in the same or a like question, be and they are hereby appointed Commissioners whose duty it shall be to inspect the real estate described in said Application and assess the damages which the owner thereof and the parties interested therein will sustain by the appropriation of such land for road purposes, for the use of Madison County, Iowa, and make report thereof in writing to the undersigned Sheriff, as provided by law, said real estate being situated in Madison County, Iowa, and described as set out in said Exhibit "A", a part hereof.

Dated at Winterset, Madison County, Iowa, this 12th day of June, 1969.

Rex Reese
Sheriff of Madison County, Iowa.

IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA, FOR THE)
APPOINTMENT OF COMMISSIONERS TO) APPLICATION TO SHERIFF
ASSESS DAMAGES FOR THE TAKING OF) FOR CONDEMNATION OF
REAL ESTATE FOR ROAD IMPROVEMENT) PROPERTY
PURPOSES)

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

WHEREAS, the undersigned, Madison County, Iowa, is desirous of acquiring an easement for road purposes of certain real estate and relocating a public highway as the same now proceeds through the Fractional Section Thirty-one (31), the South Half (½) of Fractional Section Thirty (30), and the West 50.99 acres of the South Half (½) of the North Half (½) of Fractional Section Thirty (30), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, and

WHEREAS, the said Madison County cannot agree with the owners of the real estate hereinafter described as to the compensation to be paid therefore, nor as to the taking of said real estate, and,

WHEREAS, said Madison County, Iowa, is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by law of the State of Iowa, for such purposes, to-wit: Chapter 471 and 472 of the 1966 Code of Iowa, and any and all other pertinent statutory provisions, and,

WHEREAS, it is necessary and proper and within the powers of Madison County, Iowa, that said real estate should be condemned and appropriated for such purposes, the same being public purposes, and,

WHEREAS, the property sought to be condemned under this Application is described in Exhibit "A" attached hereto, and made a part hereof, and,

WHEREAS, there is attached to this Application a plat showing the location of property sought to be affected by condemnation under these proceedings and the location of improvements and relocations, which plat is marked Exhibit "B" and made a part of this Application, and,

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of any and all liens and encumbrances of said real estate, if any, together with

each and all of their respective places of residence, so far as known to this Applicant are as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
ViKart Industries, Inc.	Des Moines, Iowa	Des Moines, Iowa
Name of Mortgage or Lien Holder:	Place of Residence:	Post Office Address:
A. D. Little, deceased and Mary E. Little	Adel, Iowa	Adel, Iowa
Ward LeCocq	Winterset, Iowa	Winterset, Iowa
Name of Occupant of Land:	Place of Residence:	Post Office Address:
Charles Ye[illegible]ous	Booneville, Iowa	Booneville, Iowa
Name of Easement Holder:		Post Office Address:
Badger Creek Watershed		Winterset, Iowa

NOW, THEREFORE, this Applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, who are not interested in the same or a like question to inspect the said real estate hereinbefore described and to assess the damages for all claims of every kind and nature including the right of lateral support, the right to light, air, and view and any other consequential damages, if any, sustained by the owners and any other persons interested in said real estate, by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said purposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this Application as provided by law.

Dated this _____ day of _____, 19____.

MADISON COUNTY, IOWA

By_____
C. R. Bentz, County Attorney
in and for Madison County, Iowa.

EXHIBIT "A"

Description of real estate belonging to ViKart Industries, Inc., the subject matter of this condemnation proceeding:

Beginning at the NW corner of the fractional SW¼ Section 31 T77N R26W of the 5th P.M.; thence south 546.41 feet; thence northeasterly 273.34 feet along a 861.51 foot radius curve concave northwesterly and having a central angle of 18°10.73'; thence north 214.63 feet; thence N41°59.23'E 40.36 feet; thence northerly 41.6 feet to the centerline of a county road; thence westerly 70.0 feet to the point of beginning and containing 0.12 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Sec. 31 T77N R26W was assumed to bear due north and south.

Also, beginning at the SW corner of the N½ of the fractional SW¼ Section 30 T77N R26W of the 5th P.M.; thence east 85.0 feet; thence north 78.02 feet; thence northeasterly 706.94 feet along a 758.51 foot radius curve concave southeasterly and having a central angle of 53°24'; thence N68°09'E 919.53 feet; thence N73°51.64'E 301.5 feet; thence N70°11.72'E 420.27 feet; thence N65°08.23'E 380.53 feet; thence N68°09'E 621.35 feet to the east side of the NE¼ SE¼ of said Sec. 30; thence northerly 115.3 feet along the east side to the northeast corner of the said NE¼ SE¼; thence westerly 377.6 feet along the north side of the said NE¼ SE¼ to a point which is N21°51'W 120.0 feet from centerline Station 119 +99.76 on Madison County Project L-516 (1969); thence S68°09'W 499.76 feet; thence S65°29.84'W 1296.39 feet; thence S68°09'W 965.67 feet; thence N21°51'W 131.91 feet; thence west 33.0 feet to the west side of the fractional SW¼ of said Section 30; thence south 658.55 feet to the point of beginning and containing 6.73 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Section 30 T77N R26W was assumed to bear due north and south.

The west 85.0 feet of the N½ of the fractional Sec. 31 T77N R26W of the 5th P.M. and containing 3.11 acres, more or less, exclusive of the present right of way.

Also, the west 85.0 feet of the S½ of the S½ of the fractional Sec. 30 T77N R26W of the 5th P.M. and containing 1.58 acres, more or less, exclusive of the present right of way.

BM-S-58-11606
PS-23981-SP

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from ViKart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 6.73 Acres.

Borrow Area Acres. Total Consideration $

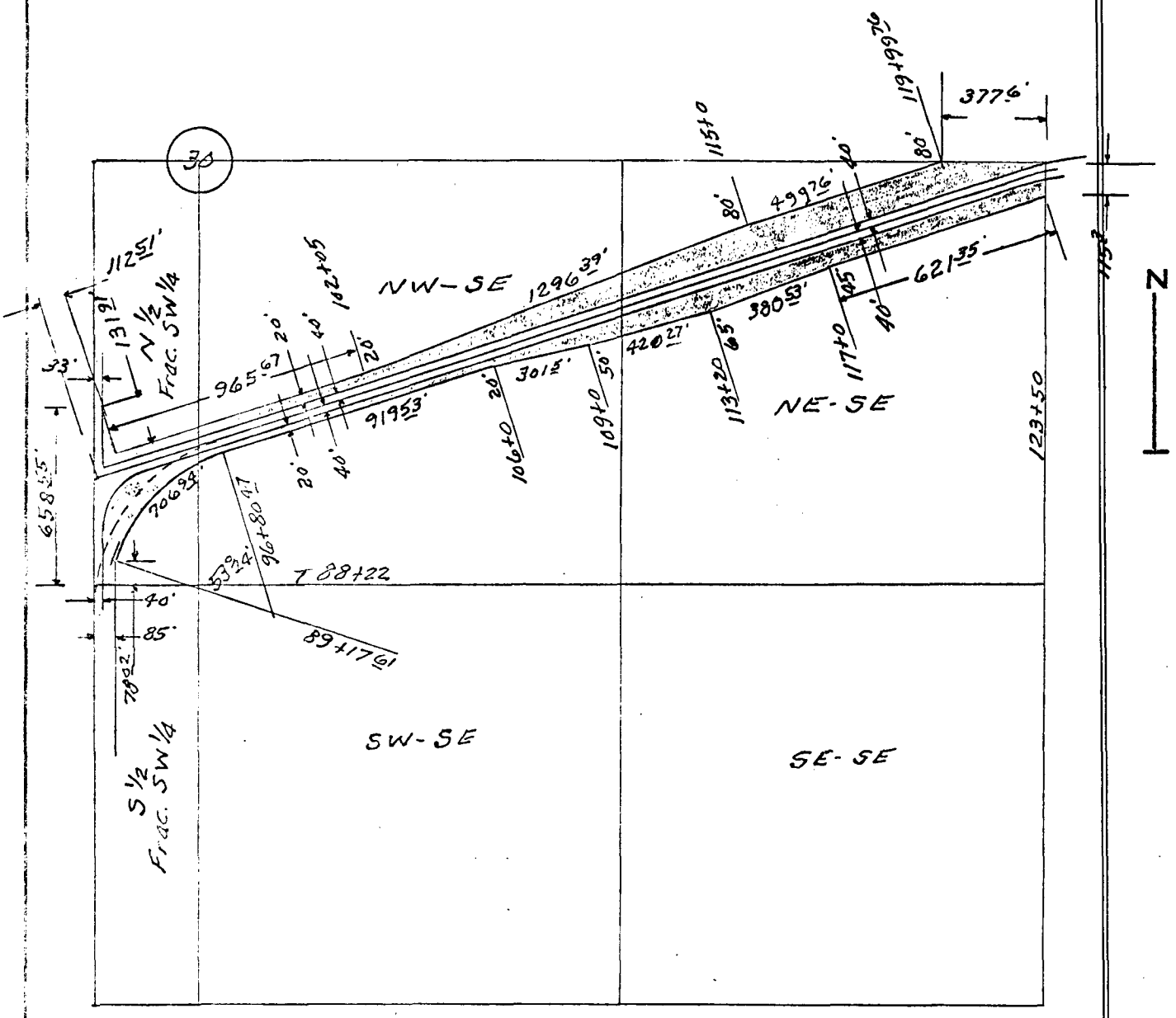
Acquired by Condemnation (Easement—Deed—Condemnation—Contract) Date of Contract , 19

LOCATION

From CL Station T 88+22 to CL Station 123+50

Section 30, Township 77N, Range 26W

Township (Civil) Lee Iowa



Madison (County) Project No. L-516 (1969)

SM-8-58-11606
PS-23981-SF

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from Vi Kart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 1.58 Acres.

Borrow Area Acres. Total Consideration $

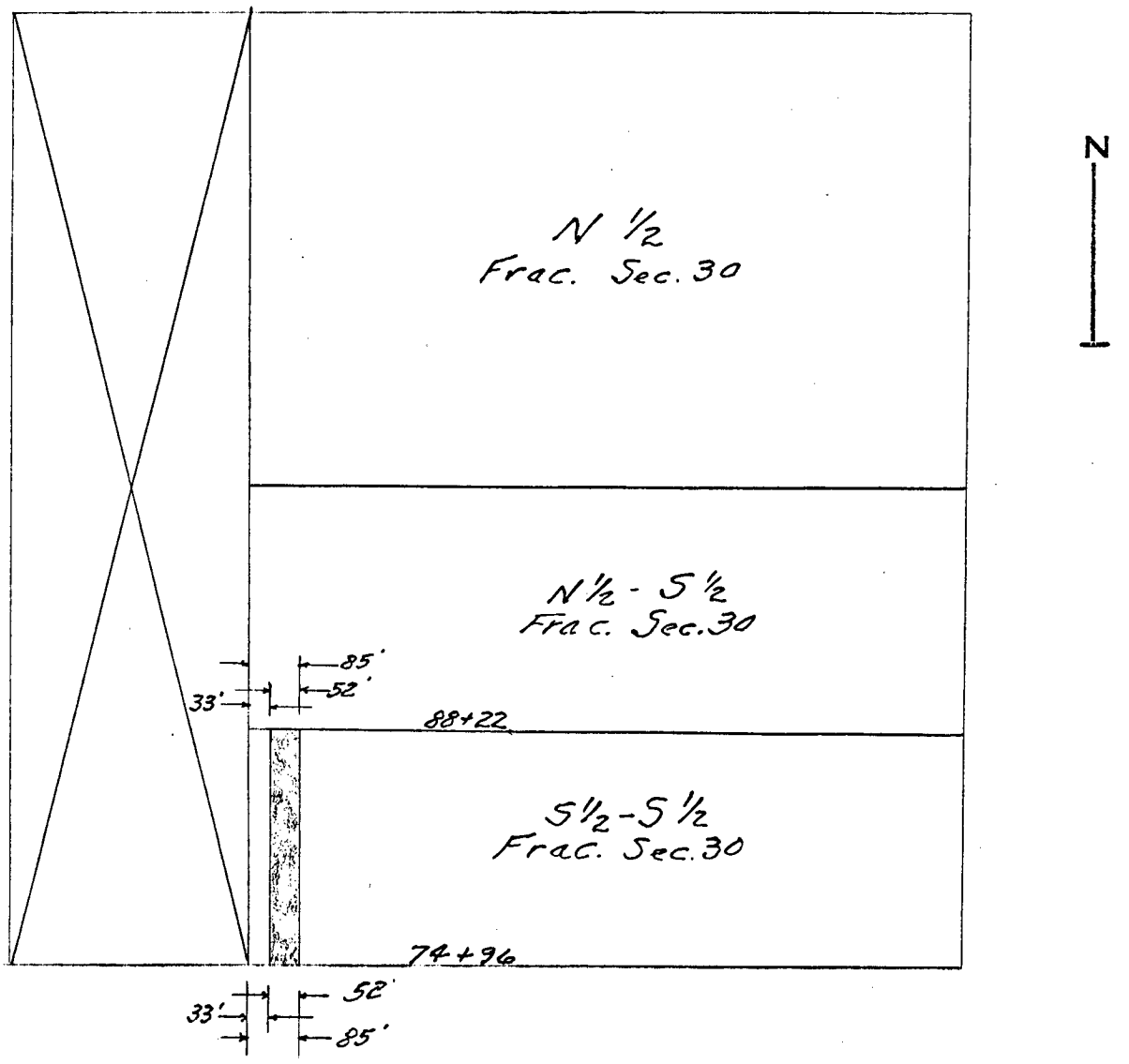
Acquired by Condemnation Date of Contract , 19
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 74+96 to CL Station 88+22

Section 30, Township 77N, Range 26W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516-69

BM-8-58-11606
PB-23981-SP

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from Vi Kart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 3" Acres.

Borrow Area Acres. Total Consideration $

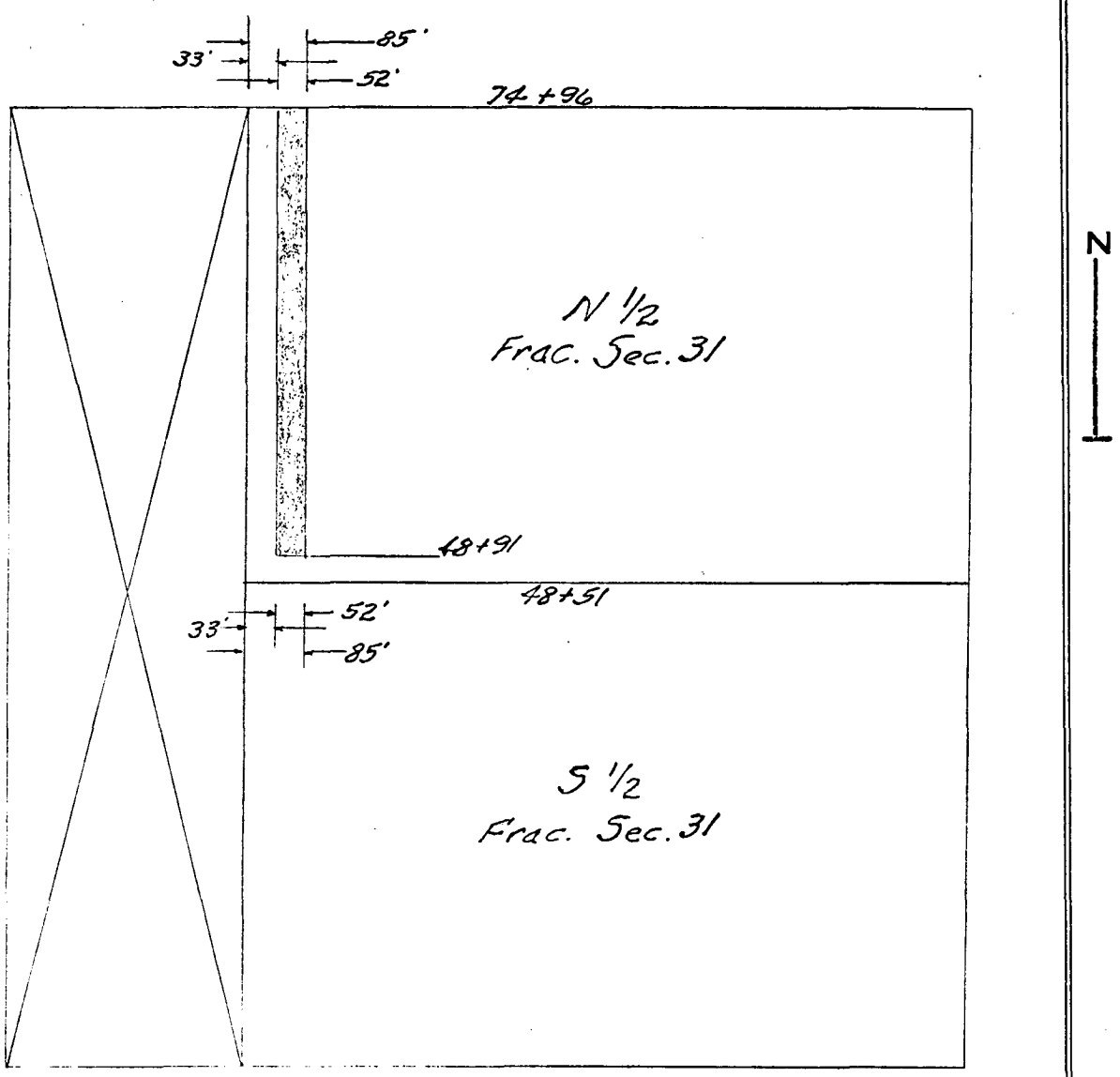
Acquired by Condemnation Date of Contract , 19
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 48+51 to CL Station 74+96

Section 31, Township 77 N, Range 26 W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516-69

BM-B-58-11606
PB-23981-BR

Iowa State H... Commission
Fe...

PROPERTY PLAT

Acquired from ViKart Industries, Inc.

Married or Single? ..... (Give full name of spouse)

R. O. W. Area .012 Acres.

Borrow Area ..... Acres. Total Consideration $ .....

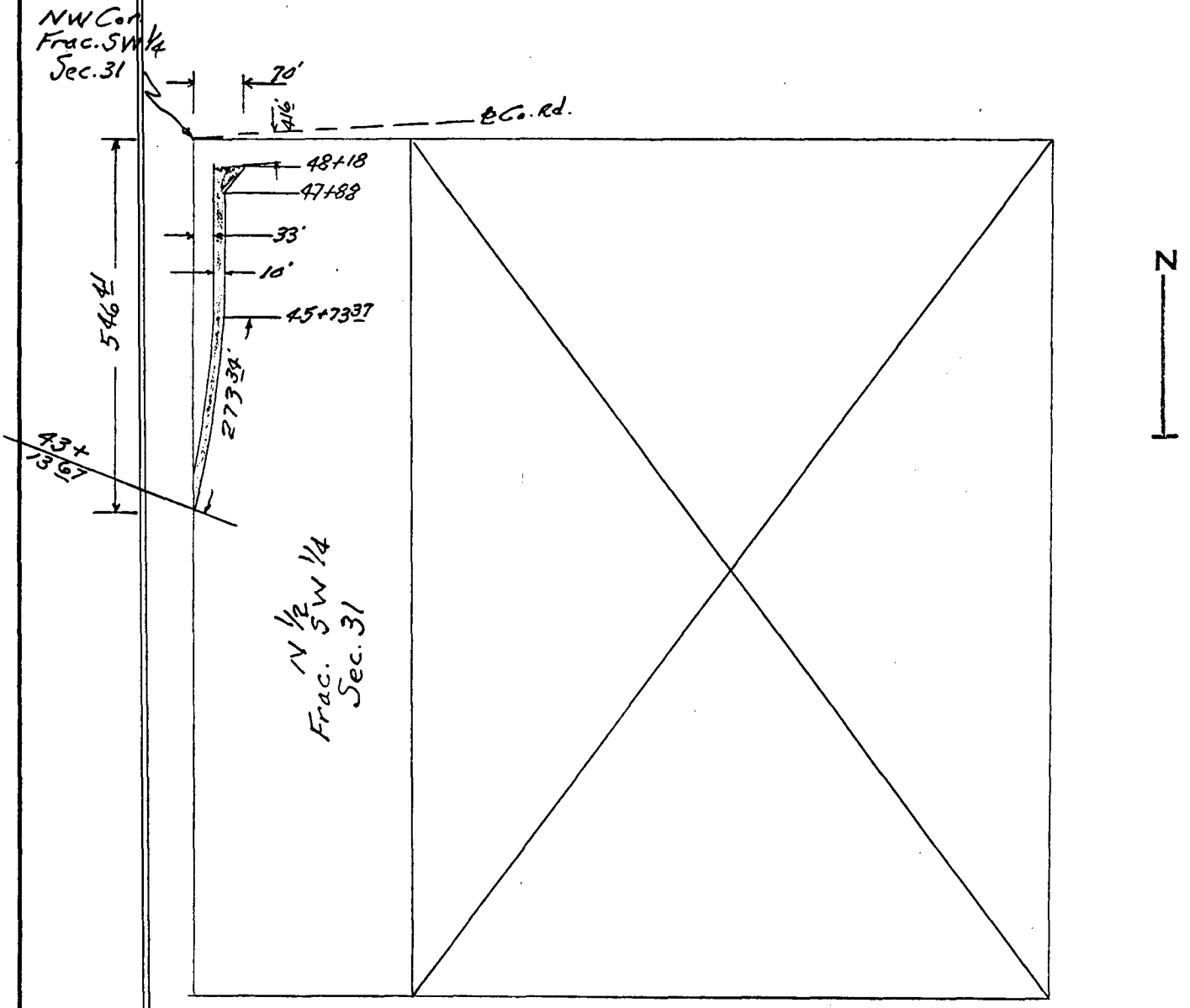
Acquired by Condemnation Date of Contract ....., 19....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 43+ to CL Station 48+51

Section 31, Township 77 N, Range 26 W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516 (1969)

EXHIBIT "B"

20M—2-57—11009 Form 489-A

Plat of Property

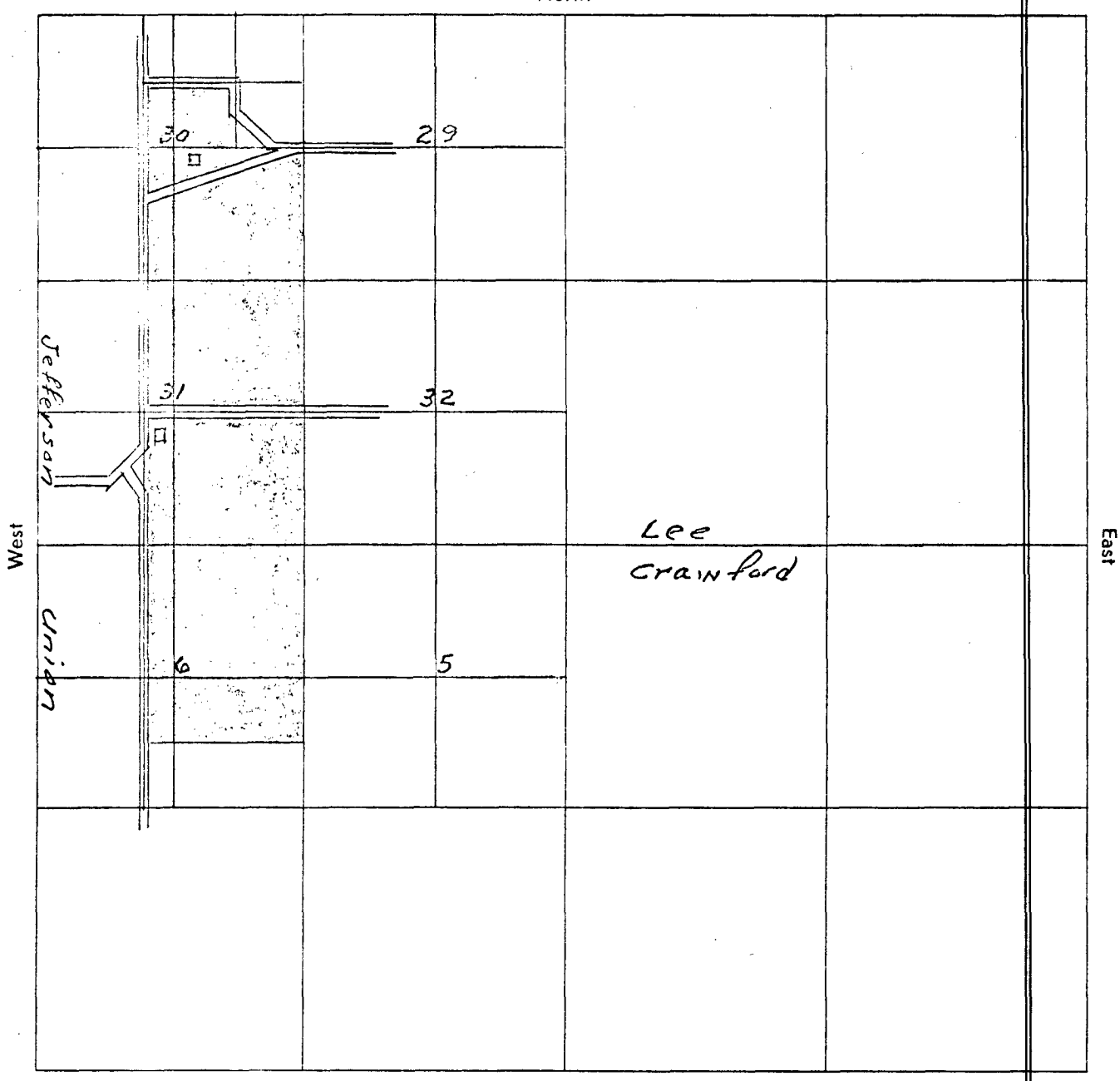
Of ViKart Industries, Inc.

Area 8.80 67/100 Acres.

Sta 43+13 67 to Sta 123+50

Section 6 30-31 T. 76 77 N-R 26 W.

North



West East

South

Madison County Project No. L-516 (1969)

IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA, FOR THE)
APPOINTMENT OF COMMISSIONERS TO) NOTICE TO APPRAISERS OF
ASSESS DAMAGES FOR THE TAKING OF) TIME FOR APPRAISEMENT
REAL ESTATE FOR ROAD IMPROVEMENT)
PURPOSES)

TO: Merle Creger; Dwight Mundell; Kale Lucas; R.D. Wilson; Lowell Olson; Earl Crawford

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that, having heretofore been appointed by me as appraisers to appraise the damage to certain real estate owned by ViKart Industries, Inc, located in the Fractional Section Thirty-one (31) and Fractional Section Thirty (30) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, taking and appropriating a part thereof for road purposes, which part said Madison County, Iowa, asked to have condemned in an application filed by said Madison County, Iowa, with the undersigned Sheriff on the 11 day of February, 1970, and that notice of such condemnation has been served on all the parties named in said Application as being interested in said real estate as shown by the Returns of Service thereon on file in my office, and that the time stated in said notice as the time when the Commissioners will view the premises and appraise the damages is the 17th day of March, 1970, at 10:00 o'clock A. M., and that you are now and hereby notified that you are required to proceed with the appraisement of damages in connection with the condemnation of said real estate at the time and date so stated.

YOU ARE FURTHER NOTIFIED that the real estate affected by said condemnation is described in said application and in the copy of said application which is attached to this notice, marked Exhibit "A" and by this reference made a part hereof.

Dated this 12th day of March, 1970.

Rep Ponse

Sheriff of Madison County, Iowa.

IN THE MATTER OF THE APPLICATION BY MADISON COUNTY, IOWA, FOR THE APPOINTMENT OF COMMISSIONERS TO ASSESS DAMAGES FOR THE TAKING OF REAL ESTATE FOR ROAD IMPROVEMENT PURPOSES	)	APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY

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

WHEREAS, the undersigned, Madison County, Iowa, is desirous of acquiring an easement for road purposes of certain real estate and relocating a public highway as the same now proceeds through the Fractional Section Thirty-one (31), the South Half (½) of Fractional Section Thirty (30), and the West 50.99 acres of the South Half (½) of the North Half (½) of Fractional Section Thirty (30), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, and

WHEREAS, the said Madison County cannot agree with the owners of the real estate hereinafter described as to the compensation to be paid therefore, nor as to the taking of said real estate, and,

WHEREAS, said Madison County, Iowa, is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by law of the State of Iowa, for such purposes, to-wit: Chapter 471 and 472 of the 1966 Code of Iowa, and any and all other pertinent statutory provisions, and,

WHEREAS, it is necessary and proper and within the powers of Madison County, Iowa, that said real estate should be condemned and appropriated for such purposes, the same being public purposes, and,

WHEREAS, the property sought to be condemned under this Application is described in Exhibit "A" attached hereto, and made a part hereof, and,

WHEREAS, there is attached to this Application a plat showing the location of property sought to be affected by condemnation under these proceedings and the location of improvements and relocations, which plat is marked Exhibit "B" and made a part of this Application, and,

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of any and all liens and encumbrances of said real estate, if any, together with

each and all of their respective places of residence, so far as known to this Applicant are as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
ViKart Industries, Inc.	Des Moines, Iowa	Des Moines, Iowa
Name of Mortgage or Lien Holder:	Place of Residence:	Post Office Address:
A. D. Little, deceased and Mary E. Little	Adel, Iowa	Adel, Iowa
Ward LeCocq	Winterset, Iowa	Winterset, Iowa
Name of Occupant of Land:	Place of Residence:	Post Office Address:
Charles Yearous	Booneville, Iowa	Booneville, Iowa
Name of Easement Holder:		Post Office Address:
Badger Creek Watershed		Winterset, Iowa

NOW, THEREFORE, this Applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, who are not interested in the same or a like question to inspect the said real estate hereinbefore described and to assess the damages for all claims of every kind and nature including the right of lateral support, the right to light, air, and view and any other consequential damages, if any, sustained by the owners and any other persons interested in said real estate, by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said purposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this Application as provided by law.

Dated this _____ day of _____, 19____.

MADISON COUNTY, IOWA

By_____
C. R. Bentz, County Attorney
in and for Madison County, Iowa.

EXHIBIT "A"

Description of real estate belonging to ViKart Industries, Inc., the subject matter of this condemnation proceeding:

Beginning at the NW corner of the fractional SW¼ Section 31 T77N R26W of the 5th P.M.; thence south 546.41 feet; thence northeasterly 273.34 feet along a 861.51 foot radius curve concave northwesterly and having a central angle of 18°10.73'; thence north 214.63 feet; thence N41°59.23'E 40.36 feet; thence northerly 41.6 feet to the centerline of a county road; thence westerly 70.0 feet to the point of beginning and containing 0.12 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Sec. 31 T77N R26W was assumed to bear due north and south.

Also, beginning at the SW corner of the N½ of the fractional SW¼ Section 30 T77N R26W of the 5th P.M.; thence east 85.0 feet; thence north 78.02 feet; thence northeasterly 706.94 feet along a 758.51 foot radius curve concave southeasterly and having a central angle of 53°24'; thence N68°09'E 919.53 feet; thence N73°51.64'E 301.5 feet; thence N70°11.72'E 420.27 feet; thence N65°08.23'E 380.53 feet; thence N68°09'E 621.35 feet to the east side of the NE¼ SE¼ of said Sec. 30; thence northerly 115.3 feet along the east side to the northeast corner of the said NE¼ SE¼; thence westerly 377.6 feet along the north side of the said NE¼ SE¼ to a point which is N21°51'W 120.0 feet from centerline Station 119 +99.76 on Madison County Project L-516 (1969); thence S68°09'W 499.76 feet; thence S65°29.84'W 1296.39 feet; thence S68°09'W 965.67 feet; thence N21°51'W 131.91 feet; thence west 33.0 feet to the west side of the fractional SW¼ of said Section 30; thence south 658.55 feet to the point of beginning and containing 6.73 acres, more or less, exclusive of the present right of way.

Note: the west side of the fractional SW¼ Section 30 T77N R26W was assumed to bear due north and south.

The west 85.0 feet of the E½ of the fractional Sec. 31 T77N R26W of the 5th P.M. and containing 3.11 acres, more or less, exclusive of the present right of way.

Also, the west 33.0 feet of the S½ of the S½ of the fractional Sec. 30 T77N R26W of the 5th P.M. and containing 1.58 acres, more or less, exclusive of the present right of way.

SM-8-58-116C5
PS-23981-SP

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from ViKart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 6.73 Acres.

Borrow Area Acres. Total Consideration $

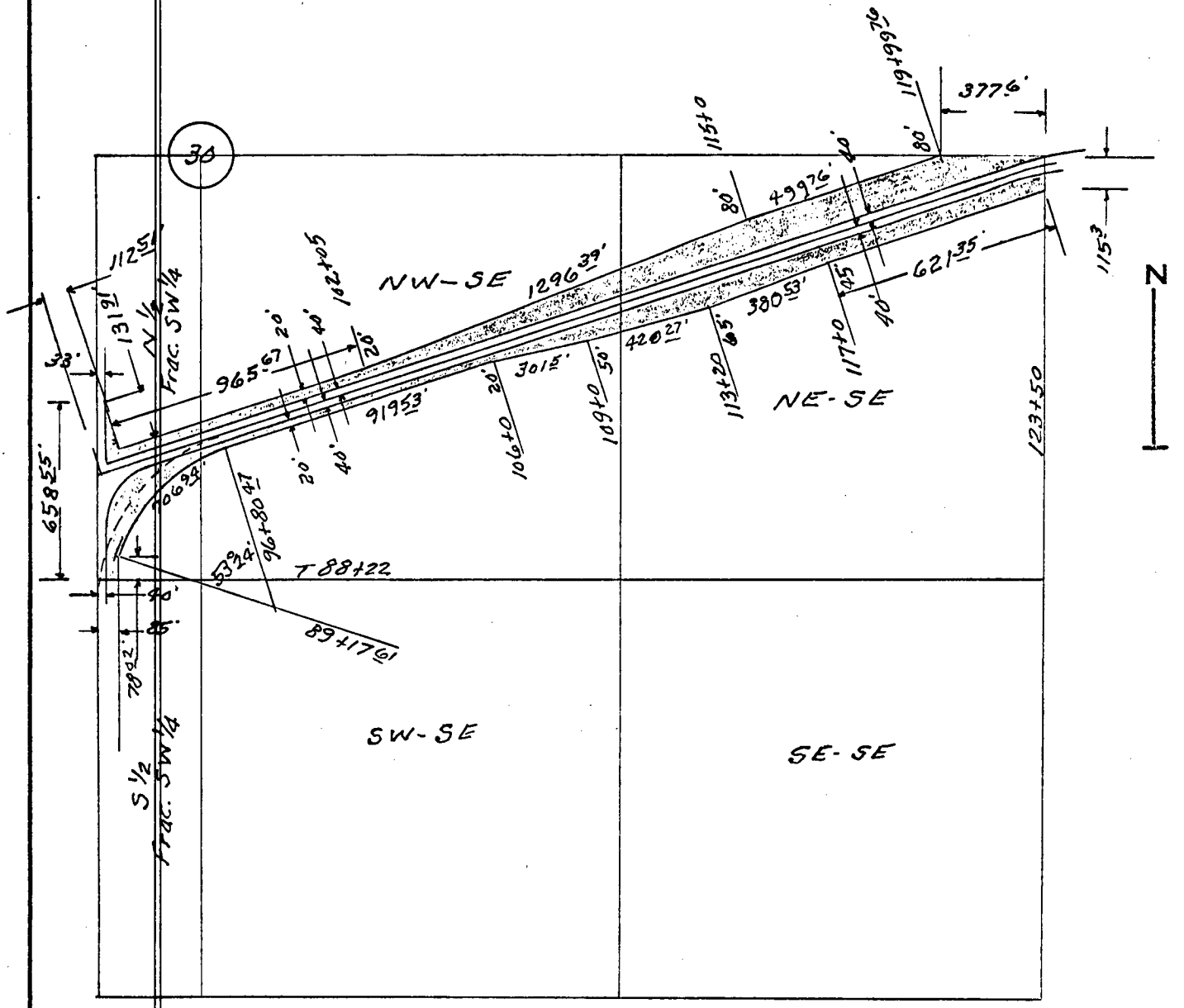
Acquired by Condemnation (Easement—Deed—Condemnation—Contract) Date of Contract , 19

LOCATION

From CL Station T 88+22 to CL Station 123+50

Section 30, Township 77N, Range 26W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516 (1969)

BM-8-58-11606
PB-23981-SP

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from Vi-Kart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 1.58 Acres.

Borrow Area Acres. Total Consideration $

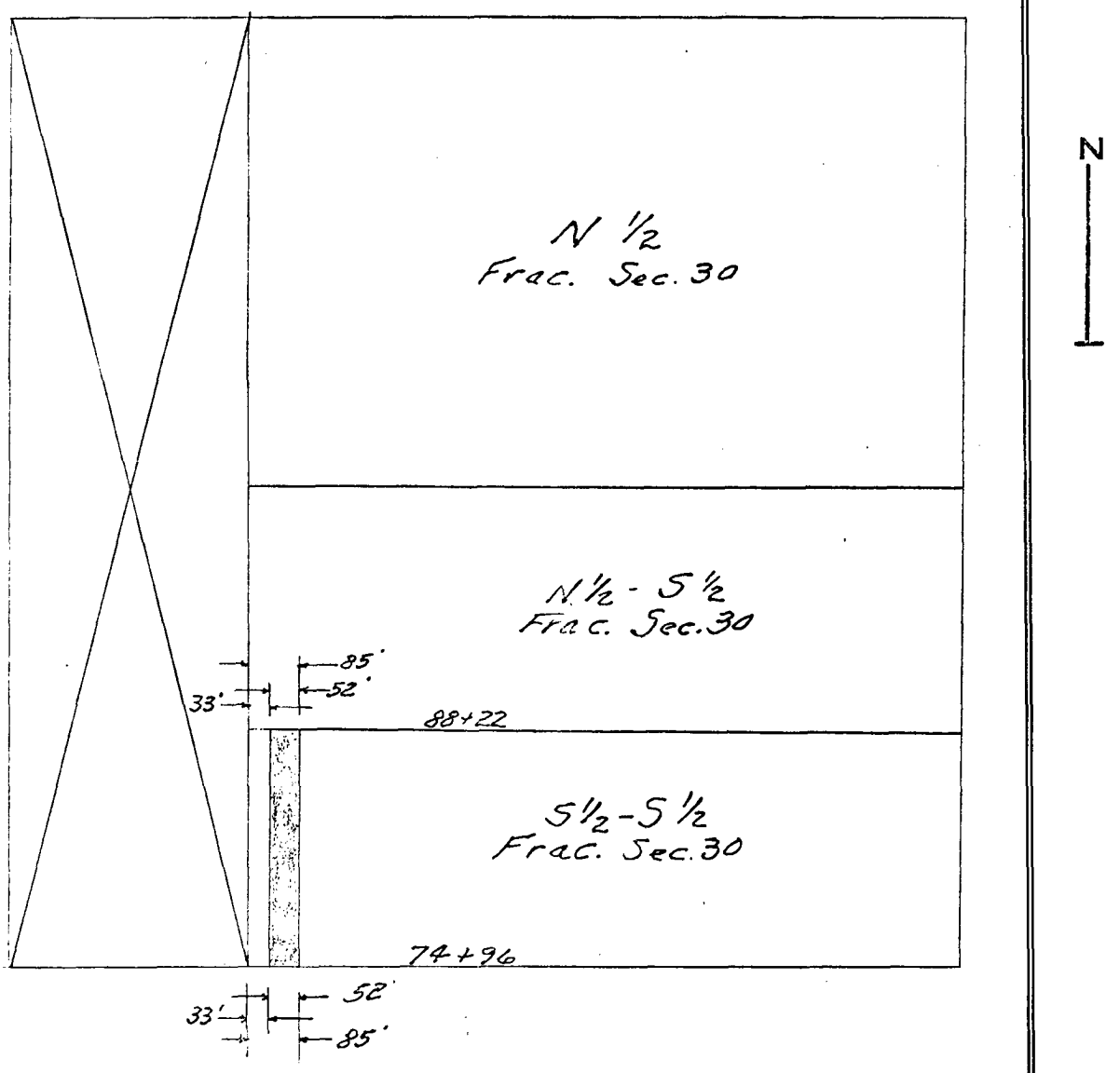
Acquired by Condemnation (Easement—Deed—Condemnation—Contract) Date of Contract , 19

LOCATION

From CL Station 74+96 to CL Station 88+22

Section 30, Township 77N, Range 26W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516-69

SM-8-58-11606
FS-23981-SF

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from Vi Kart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area 3.1 Acres.

Borrow Area Acres. Total Consideration $

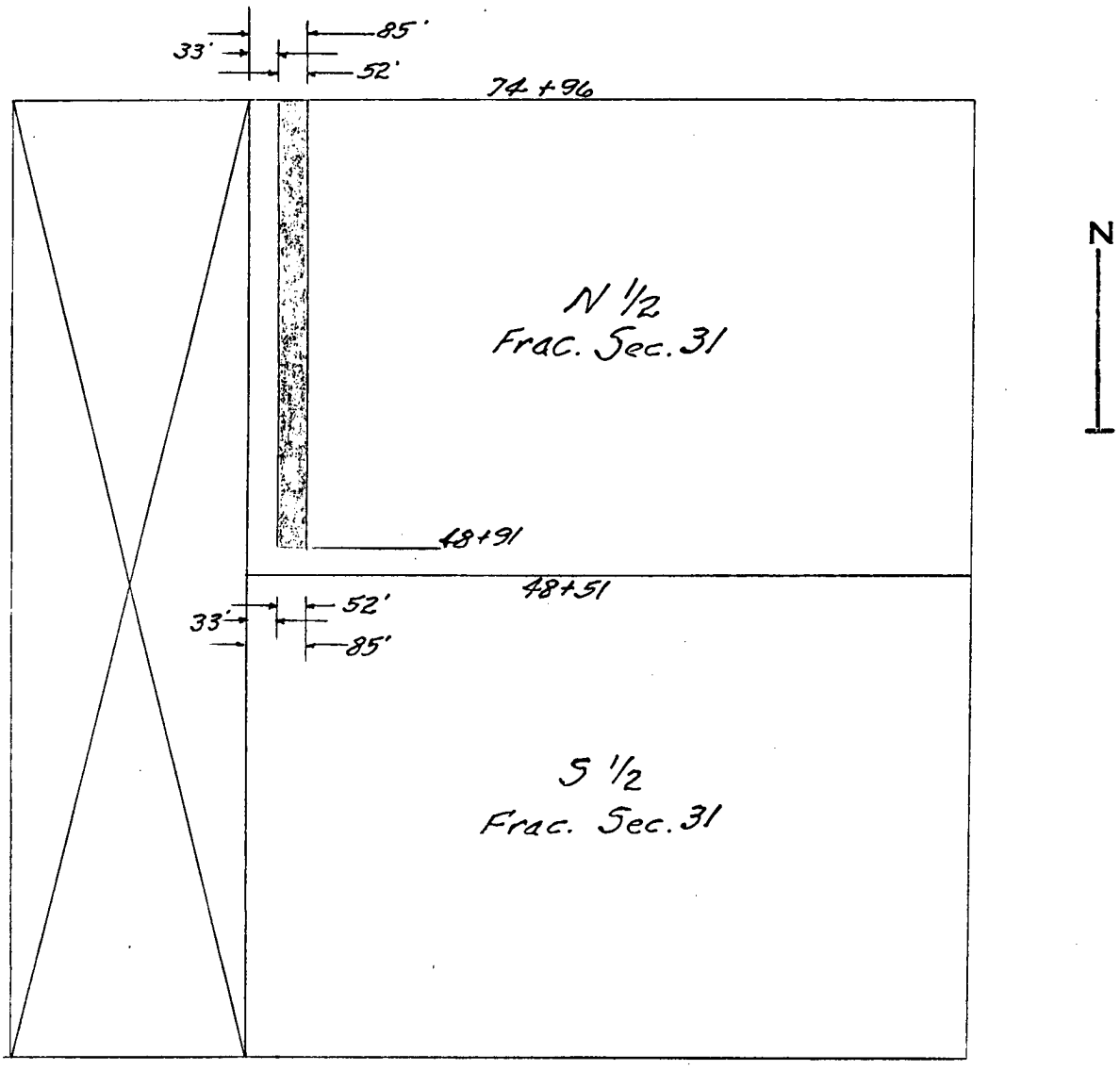
Acquired by Condemnation Date of Contract , 19
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 48+51 to CL Station 74+96

Section 31, Township 77 N, Range 26 W

Township (Civil) Lee Iowa.



Madison (County) Project No. L-516-69

BM-B-58-11606
PB-23981-BP

Iowa State Highway Commission
Form No. 478

PROPERTY PLAT

Acquired from ViKart Industries, Inc.

Married or Single? (Give full name of spouse)

R. O. W. Area .012 Acres.

Borrow Area ..... Acres. Total Consideration $

Acquired by Condemnation Date of Contract , 19

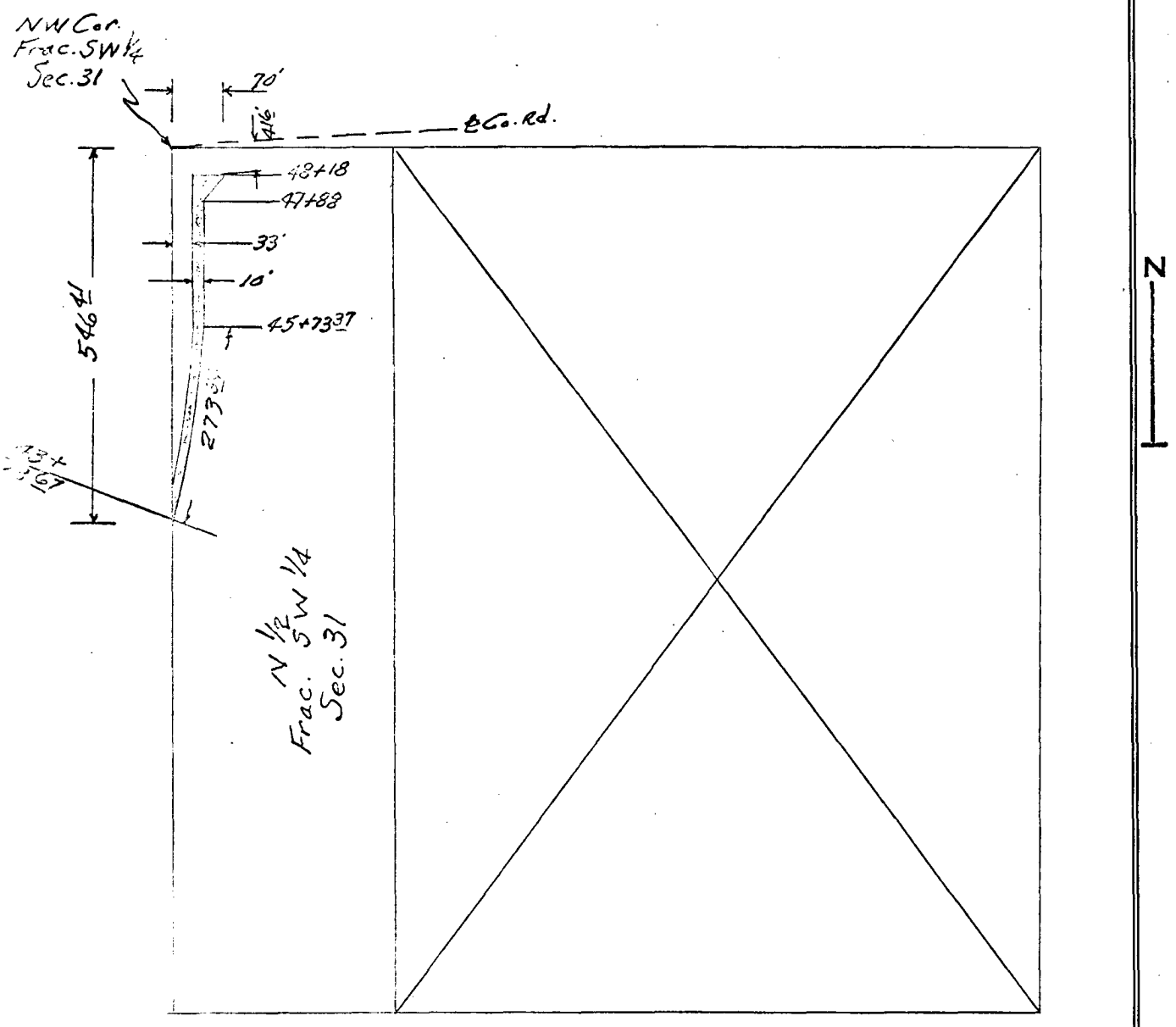
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 43+ to CL Station 48+51

Section 31, Township 77 N, Range 26 W

Township (City) Lee Iowa.



Madison (County) Project No. L-516 (1969)

EXHIBIT "B"

20M—2-57—11009 Form 489-A

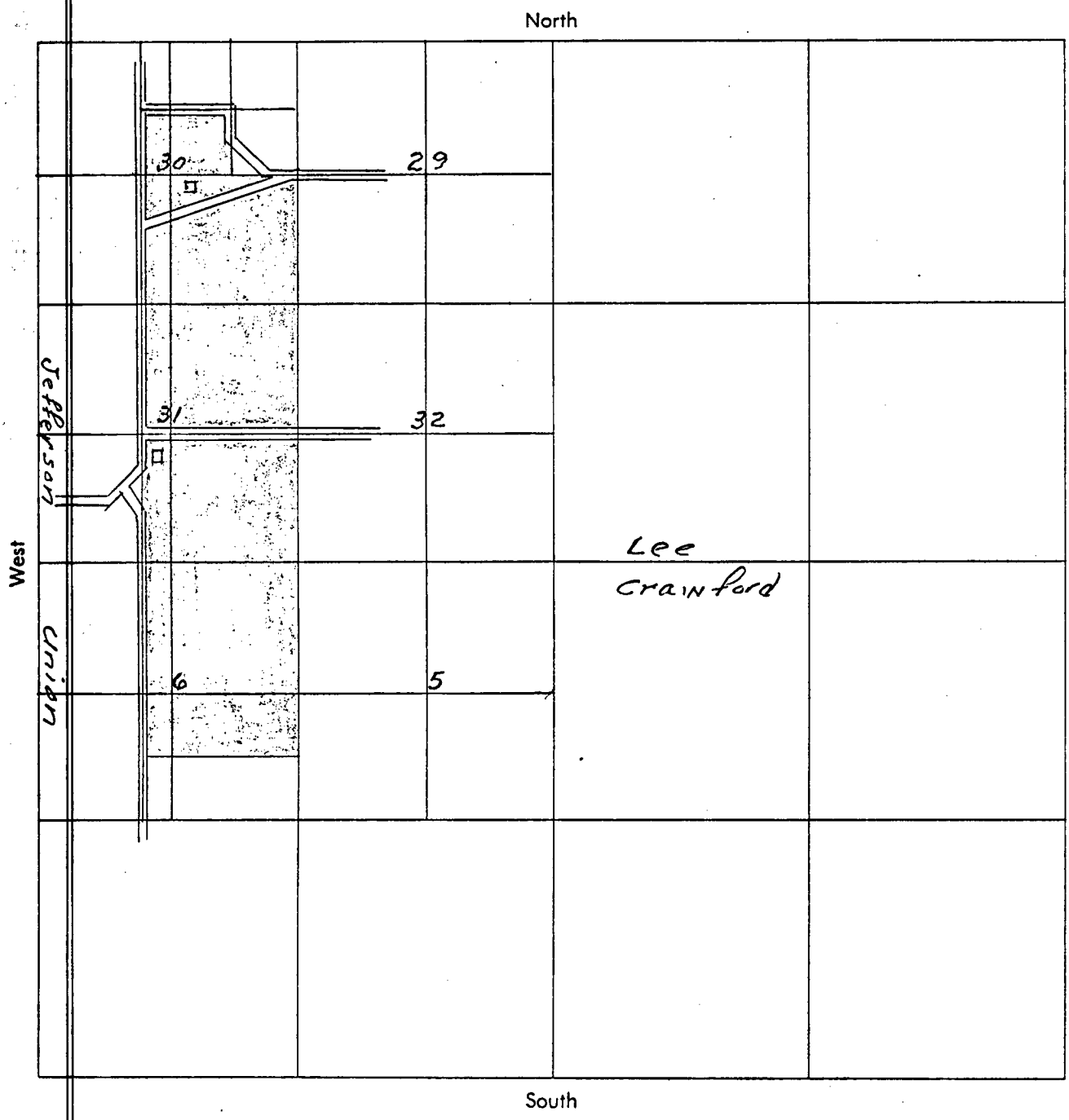
Plat of Property

Of ViKart Industries, Inc.

Area 8806⅞ Acres.

Sta 93+13⅔ to Sta 123+50

Section 6 30-31 T 76 77 N-R 26 W.



Madison County Project No. L-516 (1969)

OATH AND QUALIFICATION OF COMMISSIONERS

STATE OF IOWA)
) ss.
MADISON COUNTY)

We, and each of us, being first duly sworn on oath depose and say that we are each one of the persons appointed by Rex Rouse, Sheriff of Madison County, Iowa, on the 12th day of March, 1970, as a commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned and set over to it for road purposes, said real estate being located in Fractional Section Thirty-one (31) and Fractional Section Thirty (30) in Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, and being more particularly described in the order for Appointment of Commissioners to which this oath and qualification is attached; we, and each of us, further state that we are resident free-holders of Madison County, Iowa; that we are not interested in the same or a like or similar question; that we will to the best of our ability faithfully and impartially assess said damages and make written report to the Sheriff as provided by law.

M S Cooper — Hale Lucas

Carl E. Cunningham — Dwight Mundell

Lowell L. Allen — R B Forbes

Subscribed and sworn to before me this 17th day of March, 1970.

Phyllis McNeil
Notary Public in and for
Madison County, Iowa.

SHERIFF'S CERTIFICATE OF COSTS

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

	MILEAGE	FEE	TOTAL
1. Serving original Notices	20.80	11.50	40.40
2. Summoning Condemnors	10.20	3.25	13.45
3. Sheriff attending Condemnation Commissioners	3.60	7.60	11.20
TOTAL SHERIFF'S COSTS			64.05

4. COMMISSIONERS EXPENSE:

Jury meals	7.31
Merrill Cregger, Cato Twp 1 day service and mileage	26.60
Kale Lucas, Center Twp. 1 day service and mileage (car used in viewing)	28.70
Robert McNeil, Center Twp. 1 day service and mileage	25.20
Lowell Olson, Center Twp. 1 day service and mileage	25.20
Neil Crawford, Jasper Twp. 1 day service and mileage	27.00
E.O. Wilson, Cedar Twp. 1 day service and mileage	26.00
TOTAL JURY COSTS	$170.01

6. Damages awarded:

Willis Fletcher, et al	5,230.00
Vikart Industries, et al	2,070.75
Austin Comer, et al	466.78
Vincent King, et al	2,400.00
TOTAL DAMAGES AWARDED	$11,237.53

RECAPITULATION

TOTAL DAMAGES AWARDED	$11,237.53
TOTAL SHERIFF'S COSTS	64.05
TOTAL COMMISSIONER'S EXPENSE	170.81
GRAND TOTAL	$11,522.19

NOTE: A copy of this report attached to each set of papers.

Certified a true statement of Willis Fletcher, et al; Vikart Industries, et al; Austin T. Comer, et al; and Vincent King, et al condemnation expenses and original copies of proceedings therewith.

Ray Rouse

Ray Rouse, Sheriff
Mahaska County
Oskaloosa, Iowa

IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA, FOR THE)
APPOINTMENT OF COMMISSIONERS TO) REPORT OF COMMISSIONERS
ASSESS DAMAGES FOR THE TAKING OF)
REAL ESTATE FOR ROAD IMPROVEMENT)
PURPOSES)

— — —

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

The undersigned Commissioners appointed by you by Order of Appointment dated the 12th day of March, 1970, to inspect the real estate hereinafter described and assess the damages which the owner and parties interested therein are sustaining by reason of the condemnation and appropriation thereof, for the use of Madison County, Iowa, in connection with the improvement of certain roads in Madison County, Iowa, as stated in the Application for Condemnation of Property, filed with you the 11th day of February, 1970, do hereby make report that upon due notice we met upon said premises, viewed and inspected the same on the 17th day of March, 1970, at 10:00 o'clock A M., and appraised and assessed the damages sustained by reason of said condemnation as follows by reason of the taking of the real estate described on Exhibit "A" hereto attached and by this reference made a part of this report by Madison County, Iowa.

TO: VIKART INDUSTRIES, INC. Jeff Davis $ 2870.75
Award Accepted 4/16/70 for Vikart.

We further report that the costs of said assessment are as follows:

NOTICES: Sheriff of Madison County, Iowa,
Cost of mileage and attendance of Sheriff's office
Mileage $_____
Attendance and notices $_____

APPRAISERS'S FEES:

W. S. Cregan $ 25.00

Ed. Lucas $ 25.00

Dwight Mendell $ 25.00

APPRAISER'S FEES continued:

W. Kerr Industries	$ 25.00
Earl A. Brumbaugh	$ 25.00
R. D. Fitzsimmons	$ 25.00

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