RECEIVED
5-26-71 9AM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

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

APPLICATION FOR CONDEMNATION OF PROPERTY

TO: M. C. HERRICK, CHIEF JUDGE, FIFTH JUDICIAL DISTRICT OF IOWA:

COMES NOW Madison County, Iowa, and hereby makes application under the provisions of Section 472.3 of the 1971 Code of Iowa, and in support of said application, states:

Par. I

That a description of all the property in the county, affected or sought to be condemned, by its Congressional Numbers, in tracts not exceeding one-sixteenth of a Section is as follows:

The northwest fractional quarter (¼) of the southwest quarter (¼); the southwest fractional quarter (¼) of the southwest quarter (¼); the southeast quarter (¼) of the southwest quarter (¼); and the southwest quarter (¼) of the southeast quarter (¼); all in Section 18, Township 74 North, Range 29 west of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "A", and by this reference made a part of this Application. That the exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "B", hereto attached, and by this reference made a part of this Application. That a Plat showing the location of the right of way or other property sought to be condemned with reference to such description is shown on Exhibit "C" hereto attached, and by this reference made a part of this Application.

and, The southwest quarter (¼) of the northwest quarter (¼); the northeast quarter (¼) of the northwest quarter (¼); the southeast quarter (¼) of the northwest quarter (¼); the northwest quarter (¼) of the northeast quarter (¼); the southwest quarter (¼) of the northeast quarter (¼); the northeast quarter (¼) of the southwest quarter (¼); the northwest quarter (¼) of the southeast quarter (¼); and the northeast quarter (¼) of the southeast quarter (¼); all in section 18, Township 74 North, Range 29 west of the 5th P.M., Madison County, Iowa. That a Plat of said property is hereto attached, marked Exhibit "D", and by this reference made a part of this Application. That the

FILED NO 881
BOOK 100 PAGE 265
1971 JUN 29 AM 10: 16
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
no fee
3 pgs.

exact legal description of that portion of said real estate which is sought to be condemned is shown in Exhibit "E", hereto attached and by this reference made a part of this Application. That a Plat showing the location of the right of way, or other property sought to be condemned with reference to such description is shown on Exhibit "F" here to attached, and by this reference made a part of this Application.

Par. 2

That the names of all record owners of the land referred to in Exhibits A, B, and C, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Calvin A. Schutz, spouse Marjory J. Schutz	Prescott, Arizona	Prescott Valley Prescott, Arizona 86301

Name of Mortgage or Lien Holder:

The Prudential Insurance Company of America

Party in Possession:	Post Office Address:
Don Schutz	Macksburg, Iowa 50155

That the names of all record owners of the land referred to in Exhibits D, E, and F, and of all record holders of liens and incumbrances on such land, and the place of residence of all such persons sofar as is known to this applicant, is as follows, to-wit:

The Owners:	Place of Residence:	Post Office Address:
Max J. Tucker and Mary Jo Tucker as Joint Tenants with Right of Survivorship and not as Tenants in Common	Macksburg, Iowa	Macksburg, Iowa 50155

Name of Mortgage or Lein Holder:

United States of America acting through the Farmers Home Administration, United States Department of Agriculture

Par. 3

That said condemnation is sought for the purpose of highway construction and relocation.

Par. 4

The Applicant hereby requests the appointment of a commission to appraise damages.

WHEREFORE, this Applicant prays for the appointment of a commission to asses damages as provided by Section 472.4 and following of the 1971 Code of Iowa.

Dated this 21 day of April, 1971.

MADISON COUNTY, IOWA

BY _____

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

Form 489-A
4M—3-67-14593
PB-14375

Plat of Property

Parcel No.....

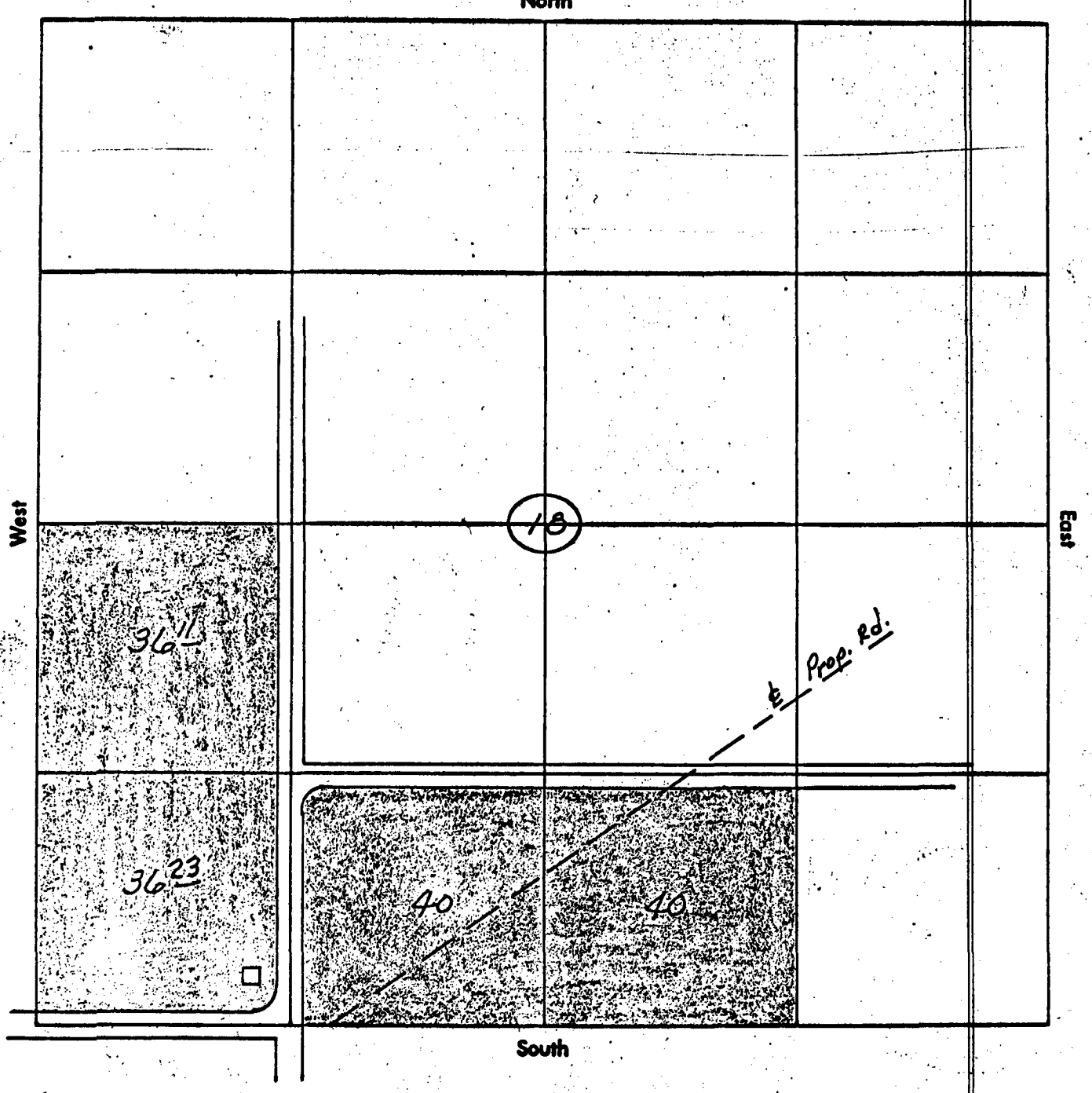
Of: Calvin A. Schutz

Area of Farm...152.34.....Acres.

Sta..0+0.....to Sta..36+03.....

Section.....18.....T...7N....N-R...2W....W.

Additional Right of Way.....8.55.....Ac.*
Area Remaining.....Ac. (Rt)
Area Remaining.....Ac. (Lt)
Borrow .....Ac.
Right of Entry.....Ac.
Move Fence.....Rods
New Fence.....Rods
*R. O. W. (Lt. Side).....Ac.
R. O. W. (Rt. Side).....Ac.



Madison.....County Project No.....L-300.....

Exhibit A

FORM 469 4M 8-48 18810 PR-11268

Parcel No. _____

INFORMATION FOR CONDEMNATION PROCEEDINGS

COUNTY Madison Project L-300

OWNER OF RECORD

Note: If Minor or incompetent, list name and address of Guardian. If an estate, give lists of heirs and their spouses and their addresses and name and address of administrator or executor.

Name	Spouse Name	Address
Calvin A. Schutz	Marjory J.	Prescott, Arizonia
	Spouse	
	Spouse	
	Spouse	

Occupant of the Land — Name: Don Schutz (Son) — Address: Macksburg, Iowa — Signed? no

Occupant of the House — Name: Same — Address: _____ — Signed? _____

NAMES AND ADDRESSES OF ALL LIENHOLDERS:

Name of holder	Address

SHOW PLAN OR SKETCH OF THE ENTIRE FARM WITH LOCATION OF ALL BUILDINGS — USE FORM NO. 489

ATTACH REPORT OF LIENS. ATTACH PLAT OF RIGHT OF WAY — FORM NO. 476.

Legal Description of parcel to be condemned.

Beginning at the SW corner of Section 18 T74N R29W of the 5th P.M.; thence north 65.0 feet; thence east 500.0 feet; thence south 5.0 feet; thence east 400.0 feet; thence south 29.0 feet; thence east 23.24 feet; thence north 24.0 feet; thence northeasterly 195.37 feet along a 1208.88 foot radius curve concave northwesterly and having a central angle of 9.26°to the present right of way; thence northerly 154.46 feet along the present right of way and a 171.63 foot radius curve concave westerly and having a central angle of 51.563°; thence N89.517°E 73.0 feet across the present road; thence S0.483°E 6.67 feet along the present right of way; thence S17.35°E 88.95 feet; thence northeasterly 364.55 feet along a 1203.88 foot radius curve concave northwesterly and having a central angle of 17.35°; thence N55.3°E 1011.32 feet; thence N34.7°W 50.0 feet; thence N55.3°E 742.25 feet to the centerline of the present road and north side of the SW¼ SE¼ of said Section 18; thence N89.683°E 301.03 feet along the centerline of the present road and north side of the said SW¼ SE¼; thence S55.3°W 540.69 feet; thence S34.7°E 50.0 feet; thence S55.3°W 250.0 feet; thence S65.504°W 254.02 feet; thence S55.3°W 1262.31 feet to the south side of SE¼ SW¼ of said Section 18; thence west 1432.28 feet to the point of beginning and containing 8.55 acres, more or less, exclusive of the present right of way.
Note: the south side of the SW¼ Section 18 T74N R29W was assumed to bear due east and west.

103 rods of woven wire fence to be removed.

272 rods of new fence required.

Res. Engr. _____ Address _____

Exhibit B

Iowa State Highway Commission
Form No. 476

PROPERTY PLAT

Acquired from Calvin A. Schutz

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

R. O. W. Area 8.55 Acres.

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

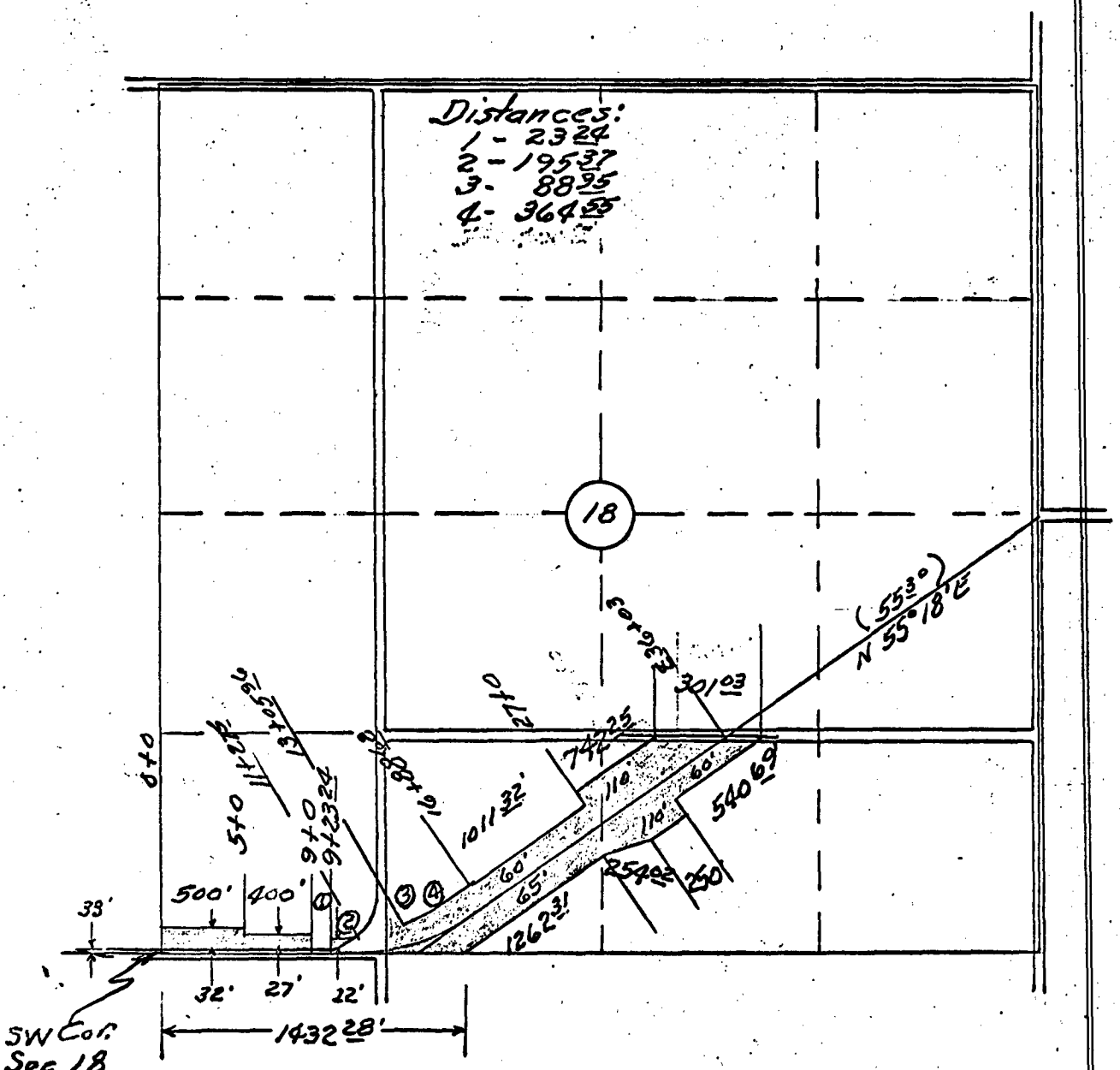
Acquired by Condemnation Date of Contract ....., 19.....
(Easement—Deed—Condemnation—Contract)

LOCATION

From CL Station 0+00 to CL Station 36+03

Section 18, Township 74 N, Range 29 W

Township (Civil) Grand River, Iowa.



Madison (County) Project No. L-382

List areas by 40 acre tracts or Gov't lots, etc. (to tenths of an acre).

Exhibit C

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa
In the Improvement of

Madison County Road No. G61

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

Located in Madison County, Iowa

Project No. L-300

Group

An Application for Condemnation having been filed by Madison County, Iowa 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
Ralph Hunter	Earlham, Iowa	Licensed Real Estate Salesman or Broker
Gene Vierling	115 W. Buchanan Winterset, Iowa	Licensed Real Estate Salesman or Broker
Ernest Stowell	610 W. Filmore Winterset, Iowa	Knowledgeable of Property Values by Virtue of Occupation
Irvin Martens	Rt. 2 Winterset, Iowa	Knowledgeable of Property Values by Virtue of Occupation
Chester Haymond	Rt. 4 Winterset, Iowa	Agricultural Owner-Operator
Harrison Vowell	Rt. 1 Peru, Iowa	Agricultural Owner-Operator

I further designate, select, and appoint, the above named Gene Vierling 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 Winterset, Iowa, this 29 day of April, 1971.

M. C. Rehrich
Chief Judge of the 5th Judicial District
Including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 3rd day of May 1971.

Rep Rouse
Sheriff of Madison County, Iowa

In the Matter of the Condemnation of
Certain Rights in Land by Madison
County, Iowa for the Use and Benefit
of Madison County, Iowa
In the Improvement of

Madison County Road No. G61
located in Madison County, Iowa

ORDER APPOINTING SUBSTITUTE
COMPENSATION COMMISSIONERS

Project No. L-300

NOW ON THIS 29 day of April, 1971, an Application to the Chief Judge of the 5th Judicial District for the Selection and Appointment of a Commission to Appraise Damages, having been presented to me and a Commission so appointed, it is ordered that in the event a commissioner or commissioners are unable to serve, the following persons shall be substituted to fill the vacancy in the category in which their name appears:

	NAME	ADDRESS
Licensed real estate salesman or broker	Dwight Mundell	winterset
Knowledgeable of Property Values by Virtue of Occupation	Bob Christenson	224 S 10 Ave Winterset
Agricultural	Carl Downs	Rt. 1 St. Charles

Said substitute commissioners have been appointed by lot and shall not serve unless a vacancy occurs. In the event of a vacancy, the Sheriff of Madison County, Iowa shall notify the substitute commissioner or commissioners of their appointment in the same manner as the original commissioners were notified.

Dated at Indianola, Iowa, this 29 day of April, 1971.

M. E. Hewitt
Chief Judge of the 5th Judicial District
Including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 3rd day of May, 1971.

Rep Rose
Sheriff of Madison County, Iowa

For return of service

RECEIVED
5-12-77 4:15PM
RDR
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

IN THE MATTER OF THE APPLICATION BY MADISON COUNTY, IOWA, FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE THE DAMAGES FOR THE TAKING OF REAL ESTATE FOR ROAD IMPROVEMENT PURPOSES	))))))	NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: CALVIN A. SCHUTZ, MARJORY J. SCHUTZ, THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, DON SCHUTZ, MAX J. TUCKER, MARY JO TUCKER, UNITED STATES OF AMERICA acting through the FARMERS HOME ADMINISTRATION, UNITED STATES DEPARTMENT OF AGRICULTURE, and all other persons, companies, or corporations having any interest in or owning any of the following described real estate:

The northwest fractional quarter (¼) of the southwest quarter (¼); the southwest fractional quarter (¼) of the southwest quarter (¼); the southeast quarter (¼) of the southwest quarter (¼); and the southwest quarter (¼) of the southeast quarter (¼), all in Section 18, Township 74 North, Range 29 West of the 5th P.M., Madison County, Iowa, and

The southwest quarter (¼) of the northwest quarter (¼); the northeast quarter (¼) of the northwest quarter (¼); the southeast quarter (¼) of the northwest quarter (¼); the northwest quarter (¼) of the northeast quarter (¼); the southwest quarter (¼) of the northeast quarter (¼); the northeast quarter (¼) of the southwest quarter (¼); the northwest quarter (¼) of the southeast quarter (¼); and the northeast quarter (¼) of the southeast quarter (¼); all in Section 18, Township 74 North, Range 29 west of the 5th P.M., Madison County, Iowa.

YOU ARE HEREBY NOTIFIED that Madison County, Iowa, desires the condemnation of the following described land:

Beginning at the SW corner of Section 18 T74N R29W of the 5th P.M.; thence north 65.0 feet; thence east 500.0 feet; thence south 5.0 feet; thence east 400.0 feet; thence south 29.0 feet; thence east 23.24 feet; thence north 24.0 feet; thence northeasterly 195.37 feet along a 1208.88 foot radius curve concave northwesterly and having a central angle of 9.26° to the present right of way; thence northerly 154.46 feet along the present right of way and a 171.63 foot radius curve concave westerly and having a central angle of 51.563°; thence N89.517°E 73.0 feet across the present road; thence SO.483°E 6.67 feet along the present right of way; thence S17.35°E 88.95 feet; thence northeasterly 364.55 feet along a 1203.88 foot radius curve concave northwesterly and having a central angle of 17.35°; thence N55.3°E 1011.32 feet; thence N34.7°W 50.0 feet; thence N55.3°E 742.25 feet to the centerline of the present road and north side of the SW¼ SE¼ of said Section

18; thence N89.683^{0}E 301.03 feet along the centerline of the present road and north side of the said SW¼ SE¼; thence S55.3^{0}W 540.69 feet; thence S34.7^{0}E 50.0 feet; thence S55.3^{0}W 250.0 feet; thence S65.504^{0}W 254.02 feet; thence S55.3^{0}W 1262.31 feet to the south side of SE¼ SW¼ of said Section 18; thence west 1432.28 feet to the point of beginning and containing 8.55 acres, more or less, exclusive of the present right of way.

Note: the south side of the SW¼ Section 18 T74N R29W was assumed to bear due east and west.

and, Commencing at the SW corner of the SW¼ of Section 18 T74N R29W of the 5th P.M.; thence east 1318.1 feet; thence N55.3^{0}E 2309.18 feet to a point on the south side of the NW¼ SE¼ of said Section 18, the point of beginning and centerline of the present road; thence S89.683^{0}W 162.9 feet along the centerline of the present road and south side of the said NW¼ SE¼; thence N69.433^{0}E 163.81 feet; thence N55.3^{0}E 1450.0 feet; thence S34.7^{0}E 15.0 feet; thence N55.3^{0}E 754.37 feet to the north side of the NE¼ SE¼ of said Section 18; thence easterly approximately 108.6 feet along the north side of the said NE¼ SE¼ to the west right of way of a local road; thence easterly 40.0 feet to the centerline of said local road and assumed E¼ corner of said Section 18; thence southerly approximately 295.0 feet along the centerline of said local road; thence westerly 40.0 feet to the west right of way; thence N23.483^{0}W 125.0 feet; thence southwesterly 225.68 feet along a 1152.77 foot radius curve concave southeasterly and having a central angle of 11.2167^0; thence S55.3^{0}W 724.72 feet; thence S34.7^{0}E 20.0 feet; thence S55.3^{0}W 200.0 feet; thence N34.7^{0}W 20.0 feet; thence S55.3^{0}W 937.39 feet to a point on the south side of the NW¼ SE¼ of said Section 18 and centerline of the present road; thence S89.683^{0}W 132.81 feet along the centerline of the present road and south side of the said NW¼ SE¼ to the point of beginning and containing 8.26 acres, more or less, exclusive of the present right of way.

Note: the south side of the SW¼ of Section 18 T74N R29W was assumed to bear due east and west.

That such condemnation is sought for the following purpose: widening, improving, altering and relocating the public highways of Madison County, Iowa.

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

That said Commissioners will, on the 26 day of May,

1971, 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.

MADISON COUNTY, APPLICANT

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

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 Winterset Iowa this 12 day of May 1971.

✓ Don Schutz

Read 5-10-71 RRR

For Return of Service

RECEIVED
5-10-71
RRR
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

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

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MADISON COUNTY, APPLICANT

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

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 Prescott, Arizona this 7th day of May 1971.

Calvin A. Schultz

Margery J. Schultz

RECEIVED
4-29-71
150
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

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

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18; thence N89.683^{0}E 301.03 feet along the centerline of the present road and north side of the said SW¼ SE¼; thence S55.3^{0}W 540.69 feet; thence S34.7^{0}E 50.0 feet; thence S55.3^{0}W 250.0 feet; thence S65.504^{0}W 254.02 feet; thence S55.3^{0}W 1262.31 feet to the south side of SE¼ SW¼ of said Section 18; thence west 1432.28 feet to the point of beginning and containing 8.55 acres, more or less, exclusive of the present right of way.

Note: the south side of the SW¼ Section 18 T74N R29W was assumed to bear due east and west.

and, Commencing at the SW corner of the SW¼ of Section 18 T74N R29W of the 5th P.M.; thence east 1318.1 feet; thence N55.3^{0}E 2309.18 feet to a point on the south side of the NW¼ SE¼ of said Section 18, the point of beginning and centerline of the present road; thence S89.683^{0}W 162.9 feet along the centerline of the present road and south side of the said NW¼ SE¼; thence N69.433^{0}E 163.81 feet; thence N55.3^{0}E 1450.0 feet; thence S34.7^{0}E 15.0 feet; thence N55.3^{0}E 754.37 feet to the north side of the NE¼ SE¼ of said Section 18; thence easterly approximately 108.6 feet along the north side of the said NE¼ SE¼ to the west right of way of a local road; thence easterly 40.0 feet to the centerline of said local road and assumed E¼ corner of said Section 18; thence southerly approximately 295.0 feet along the centerline of said local road; thence westerly 40.0 feet to the west right of way; thence N23.483^{0}W 125.0 feet; thence southwesterly 225.68 feet along a 1152.77 foot radius curve concave southeasterly and having a central angle of 11.2167^0; thence S55.3^{0}W 724.72 feet; thence S34.7^{0}E 20.0 feet; thence S55.3^{0}W 200.0 feet; thence N34.7^{0}W 20.0 feet; thence S55.3^{0}W 937.39 feet to a point on the south side of the NW¼ SE¼ of said Section 18 and centerline of the present road; thence S89.683^{0}W 132.81 feet along the centerline of the present road and south side of the said NW¼ SE¼ to the point of beginning and containing 8.26 acres, more or less, exclusive of the present right of way.

Note: the south side of the SW¼ of Section 18 T74N R29W was assumed to bear due east and west.

That such condemnation is sought for the following purpose: widening, improving, altering and relocating the public highways of Madison County, Iowa.

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

That said Commissioners will, on the 29 day of May,

1971, 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.

MADISON COUNTY, APPLICANT

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

STATE OF IOWA,

COUNTY OF MADISON, ss.

The undersigned, first being duly sworn states that on the 29th day of April, 1971, she personally mailed to the Attorney General of the United States, Washington, District of Columbia a Notice (a true copy of which Notice is attached hereto and made a part hereof), by certified mail, such Notice being mailed in a sealed envelope with proper postage thereon, addressed to the said Attorney General of the United States, by depositing the same on said date in a United States Post Office mail receptacle in said County.

C. R. BENTZ IOWA NOTARIAL SEAL

Georgia Haspels

Subscribed and sworn to before me this 29th day of April, 1971.

_____
Notary Public in and for
Madison County, Iowa.

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 Des Moines, Ia. this 30th day of April 1971.

Richard J Barry
Asst. U.S. Attorney

RETURN OF SERVICE—Company or Corporation

STATE OF IOWA, Madison County, ss.

The within Condemnation Notice came into my hands on the 29th day of April, 19 71 and on the 3rd day of May, 1971, I served the same upon the Prudential Insurance Company of America

by offering to read the same to Gene Ehlert, he being the Senior Appraiser, Farm Office 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, Sheriff

of Madison County

By _____ Deputy.

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61 located in Madison County, Iowa

OATH OF COMMISSIONERS

Project No. L-300

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 county 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 472 of the 1971 Code of Iowa and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will well and truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Name: Licensed Real Estate Salesman or Broker

Name:

Name: Knowledgeable of Property Values by Virtue of Occupation

Name:

Name: Agricultural Owner-Operator

Name:

Subscribed and sworn to before me this 26th day of May, 1971.

No SEAL SHOWN

Notary Public in and for Madison County, Iowa

Filed in my office at Winterset, Iowa, this 26th day of May, 1971.

Sheriff of Madison County, Iowa

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa in the Improvement of

County Road No. G61 located in Madison County, Iowa

REPORT OF CONDEMNATION COMMISSION

Project No. L-300

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
Calvin A. Schultz	$	$	$ 965.00	$ 300.00
	$	$	$	$
Roy Tucker & Mary Tucker	$	$	$ 792.00	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

Respectully reported at Winterset, Iowa, this 26th day of May, 1971.

ss Gene Vierling — Ernest Stowell

Irvin Martens — H.S. Vowell

Chester Raymond — Ralph Hunter

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 26th day of May, 1971.

Rex Rouse
Sheriff, Madison County, Iowa.

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61 located in Madison County, Iowa

Project No. L-300

AFFIDAVIT OF FINAL OFFER

On this the 30th day of April, 1971, comes Madison County, Iowa 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:

Calvin A. Schutz	Land 8.55 acres	$2,303.20
	Old fence 103 rods	360.50
	New fence 272 rods	1,496.00
	Damage	3,400.00
		$7,559.70
Max J. Tucker and Mary Jo Tucker	Land 8.26 acres	$2,250.08
	Old fence 42 rods	147.00
	New fence 277 rods	1,523.50
	Damage	3,400.00
		$7,320.58

MADISON COUNTY, IOWA

BY: S. B. Agnew

S. B. Agnew, County Engineer

Subscribed and sworn to before me this 30th day of April, 1971.

Georgia Hespole

Notary Public in and for Madison County Iowa

Filed in my office at Winterset, Iowa, this 3rd day of May, 1971.

Ray Ponder

Sheriff of Madison County, Iowa

May 26, 1971

SHERIFF'S CERTIFICATION OF COSTS

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

	FEE	MILEAGE	TOTAL
1. Serving Notices of Condemnation	1.25	16.50	17.75
2. Swearing Commissioners	3.25	9.30	12.55
3. Sheriff attending Condemnation Commissioners	7.50	4.30	11.80
TOTAL SHERIFF COSTS			$42.10

4. COMMISSIONERS EXPENSES:

Jury meals	6.55
Ralph Hunter (Earlham, Ia.	50.00
Mileage (car used on viewing)	7.90
Gene Vierling (Winterset, Ia.)	50.00
Mileage	1.00
Ernest Stovall (Winterset, Ia.)	50.00
Mileage	1.00
Irvin Mittens (Winterset, Ia.)	50.00
Mileage	2.20
Chester Raymond (Winterset, Ia.	50.00
Mileage	3.20
Harrison Vowell (Peru, Ia.)	50.00
Mileage	1.70
TOTAL COMMISSIONERS COSTS	$325.55

5. DAMAGES AWARDED:

Calvin A. Schutz, Marjory J. Schutz, Dan Schutz, The Prudential Insurance Company of America	$9,651.00
Gordon E. Darling, Attorney for Schutz (offer raised over 110%)	300.00
Max J. Tucker; Mary Jo Tucker; United States of America acting through the Farmers Home Administration, United States Department of Agriculture	7,927.00
TOTAL DAMAGES AWARDED	$17,878.00

RECAPITULATION

TOTAL SHERIFF'S COSTS	42.10
TOTAL COMMISSIONERS COSTS	325.55
TOTAL DAMAGES AWARDED	17,878.00
GRAND TOTAL	$18,245.65

Certified a true statement of Calvin A. Schutz, et al and Max J. Tucker, et al condemnation expenses and original copies of proceedings therewith.

Ray Pence

Ray Pence, Sheriff
Madison County, Ia.

COPY

June 1, 1971.

Mr. Ralph Hunter
Earlham, Iowa 50072

Dear Mr. Hunter:

Enclosed is your fee for services on the condemnation commission held May 26, 1971.

I wish to thank you for your diligence and service.

Yours truly,

REX ROUSE, SHERIFF
MADISON COUNTY, IOWA

Rr:rm

Encl: check for $57.90

Copies to: Mr. Ec. Vidrling $51.00
Mr. Ernest Stowell 51.00
Mr. Irvin Martens 52.20
Mr. Chester Haymond 53.20
Mr. Harrison Vowell 51.70

COPY

RECEIVED
4/29/71
1:30
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61 located in Madison County, Iowa

Project No. L-300

SUMMONS TO COMMISSIONERS

TO: Irvin Martens

Madison County, Iowa 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 county 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 Gene Vierling has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Madison County, State of Iowa, on the 26th day of May, 1971, at 9:30 o'clock a.m. for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Roy Reuse

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 12 day of May, 1971. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Irvin L. Martens

Filed in my office at Winterset, Iowa, this 26th day of May, 1971.

Roy Reuse

Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

N½ Sec 18
Grand River Twp

RECEIVED
4-29-71
5:00 pm
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61
located in Madison County, Iowa

Project No. L-300

SUMMONS TO COMMISSIONERS

TO: Ralph Hunter

Madison County, Iowa 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 county 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 Gene Vierling has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Madison County, State of Iowa, on the 26th day of May, 1971, at 9:30 o'clock a.m. for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Ray Reuse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Earlham, Iowa, this 13th day of May, 1971. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Ralph Hunter

Filed in my office at Winterset, Iowa, this 26 day of May, 1971.

Ray Reuse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

RECEIVED
4-29-71
150
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61 located in Madison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. L-300

TO: Ernest Stowell

Madison County, Iowa 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 county 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 Gene Vierling has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Madison County, State of Iowa, on the 26th day of May, 1971, at 9:30 o'clock a.m. for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Roy Reese

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 12th day of May 1971. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Ernest Stowell

Filed in my office at Winterset, Iowa, this 26 day of May, 1971.

Roy Reese

Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

RECEIVED
4-29-71
1:50
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61 located in Madison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. L-300

TO: Chester Haymond

Madison County, Iowa 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 county 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 Gene Vierling has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Madison County, State of Iowa, on the 26th day of May, 1971, at 9:30 o'clock a.m. for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Reese

Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 12th day of May, 1971. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Chester Haymond

Filed in my office at Winterset, Iowa, this 26 day of May, 1971.

Rex Reese

Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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

_____

DEED REC. 100

RECEIVED
4-29-71
150
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

In the Matter of the Condemnation of Certain Rights in Land by Madison County, Iowa for the Use and Benefit of Madison County, Iowa In the Improvement of

County Road No. G61
located in Madison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. L-300

TO: Harrison Vowell

Madison County, Iowa 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 county 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 Gene Vierling has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Madison County, State of Iowa, on the 26th day of May, 1971, at 9:30 o'clock a.m. for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Ronse

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 26th day of May, 1971. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

H. L. Vowell

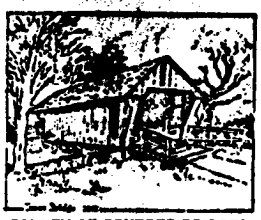
Filed in my office at Winterset, Iowa, this 26 day of May, 1971.

Rex Ronse

Sheriff of Madison County, Iowa

REFUSAL TO SERVE

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



OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Received of REX ROUSE, SHERIFF OF MADISON COUNTY, check in the amount of Three hundred dollars and no cents ($300.00), as attorney in the Condemnation proceedings. (Attorney for Schutz)

Signed this 23 day of June, 1971.

Gordon Darling
Attorney at Law



OFFICE OF

Sheriff of Madison County

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

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Received of REX ROUSE, SHERIFF OF MADISON COUNTY, Check in the amount of Nine thousand six hundred fifty-one dollars and no cents.($9651.00) Condemnation proceedings pay to the order of Calvin A. and Marjory J. Schutz, Don Schutz, The Prudential Insurance Co. of American.

Signed this 23 day June, 1971

Gordon Darling,
Atty for Calvin A.,
Marjory J. & Don Schutz