Margaret E. Hoffman et al
To
Iowa State Highway Comm.

#98

Fee $3.50

I.M.M.

Filed for record the 10 day of January A. D. 1967 at 11:21 A.M.
Mary E. Welty, Recorder

SETTLEMENT OF APPEAL FROM CONDEMNATION AWARD

Filed 1966 Oct 3 AM 933
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR MADISON COUNTY

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. 92 WEST OF WINTERSET, IOWA, LOCATED IN MADISON COUNTY, IOWA; PROJECT NO. F-327 "B", Group "C"

MARGARET E. HOFFMAN and DALE S. HOFFMAN,
Plaintiffs,
vs.
IOWA STATE HIGHWAY COMMISSION,
Defendant

LAW NO. 20020

STIPULATION OF SETTLEMENT OF APPEAL FROM CONDEMNATION AWARD

For original Condemnation see Deed Record 94 - 124

IT IS HEREBY STIPULATED AND AGREED TO BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. That on the 31st day of May, 1966, the Defendant, on behalf of the State of Iowa, appropriated by condemnation proceedings certain rights in land of which Plaintiffs were the owners, said rights being fully described in the condemnation proceedings from which this appeal was taken.

2. That the Defendant has caused to be deposited in the office of the Sheriff of Madison County, Iowa, the warrant of the State Comptroller in the amount of One Thousand Sixty-nine Dollars ($1,069.00) payable to the above named Plaintiffs, which amount represents the award of the condemnation commission.

3. That in connection with the above entitled condemnation proceedings it is hereby stipulated and agreed to by and between the parties that the Condemnor, Iowa State Highway Commission, makes no claim to any control or limitation of access rights between Primary Road No. 92 and the remaining land of the Plaintiffs.

4. It is further stipulated and agreed to by and between the parties that the Condemnor, Iowa State Highway Commission, will construct a field entrance upon the property of the Plaintiffs at approximately Station No. 624+44 at no expense to the Condemnee, property owner. It is further stipulated and agreed that the west line of Condemnee's premise_is at Station 624+32.

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5. That the Plaintiffs will accept the warrant of the State Comptroller payable to them in the amount of One Thousand Sixty-nine Dollars ($1,069.00) as full and complete compensation for said appropriation and all damages resulting therefrom, and will waive any claim for interest or attorney fees, and will dismiss the within appeal with costs to be taxed to the Defendant, Iowa State Highway Commission.

Dated this 1st day of October, 1966.

Margaret E. Hoffman and
Dale S. Hoffman, Plaintiffs.
By Robert O. Frederick
Robert O. Frederick
Webster, Frederick & Jordan
Attorneys at Law
Farmers & Merchants State
Bank Building
Winterset, Iowa
Attorneys for Plaintiffs.

Copy Delivered to Webster,
Frederick & Jordan
by Leonard Flander.

IOWA STATE HIGHWAY COMMISSION,
Defendant.
LAWRENCE F. SCALISE
Attorney General of Iowa
RAYMOND T. WALTON
Special Assistant Attorney General
and Counsel to Iowa State Highway
Commission, Ames, Iowa
By L. Michael McGrane
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Assistant Attorney General
Iowa State Highway Commission Ames, Iowa
Phone: 232 7250, Ext. 342 (AC 515)
By Leonard M. Flander Attorney at Law
Leonard M. Flander
Winterset, Iowa Phone 462 4912 (AC 515)
Attorneys for Defendant.

IN THE DISTRICT COURT OF IOWA
IN AND FOR MADISON COUNTY

Filed 1966 Oct. 19 AM 9:19
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. 92 WEST OF WINTERSET, IOWA, LOCATED IN MADISON COUNTY, IOWA; PROJECT NO. F-327 "B", Group "C".

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vs.
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LAW NO. 20020

DISMISSAL.

Comes now the Plaintiffs, Margaret E. Hoffman and Dale S. Hoffman, and hereby dismiss with prejudice the Petition on appeal, this cause having been settled by stipulation and agreement with costs to be paid by the Defendant, Iowa State Highway Commission, as per stipulation.

The Plaintiffs hereby acknowledge receipt of the warrant of the State Comptroller in the amount of One Thousand Sixty-nine Dollars ($1,069).

WEBSTER, FREDERICK & JORDAN
By Robert O. Frederick
Robert O. Frederick
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 515-462-3731
Attorneys for Plaintiffs.

Original and two copies filed.
Copy to: Leonard M. Flander, Winterset, Iowa
Iowa State Highway Commission, c/o Leonard M. Flander, Winterset, Iowa

COMPARED