Deed Record, No. 94, Madison County, Iowa

MATT PARROTT & SONS CO., WATERLOO, IOWA 64-3012

Madison County Livestock & Fair Asso.
To
State of Iowa

#275

Fee $20.50 I.M.M.

Filed for record the 8 day of February A. D. 1967 at 8:24 A.M.

Mary E. Welty, Recorder

SETTLEMENT & DISMISSAL OF APPEAL FROM CONDEMNATION AWARD

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

FILED
1966 Aug 10 AM 10:10
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

MADISON COUNTY LIVESTOCK AND FAIR ASSOCIATION, Plaintiff, :
v. :
IOWA STATE HIGHWAY COMMISSION, :
Defendant. :

LAW NO. 20028

APPLICATION TO WITHDRAW FUNDS

COMES NOW the Defendant in the above-entitled action and states and shows to the Court:

1. That on the 2nd day of June, 1966, the Defendant, Iowa State Highway Commission on behalf of the State of Iowa, acquired certain rights in land of which Plaintiff was the owner through condemnation proceedings, and that the award of the condemnation commission was in the sum of Ten Dollars ($10.00) for which amount a warrant has been deposited with the Sheriff of Madison County, Iowa.

2. That the above-named Plaintiff is entitled to the award of the condemnation commission and that Section 472.25 of the 1962 Code of Iowa applies to the within procedure.

3. That the Defendant is entitled to take possession of the rights in land condemned and to proceed with the improvement and that the best interests of the parties will be served by this Court directing that damages to the extent of Ten Dollars ($10.00)said sum representing the full amount of the award of the condemnation commission deposited with the Sheriff, be paid to the Plaintiff herein.

WHEREFORE, the Defendant, Iowa State Highway Commission, respectfully requests this Court to enter an Order entitling the Plaintiff to withdraw the sum of Ten Dollars ($10.00) heretofore deposited with the Sheriff of Madison County in the within matter and entitling the Defendant herein to continued possession of the property rights condemned in this proceeding and for such other and further Orders as to this Court may seem proper and just.

IOWA STATE HIGHWAY COMMISSION
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
L. Michael McGrane
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa
Phone: 232-7250, Ext. 342 (A.C. 515)

By Leonard M. Flander
Leonard M. Flander Attorney at Law
Winterset, Iowa
Phone: 462-4912 (A.C. 515)
ATTORNEYS FOR DEFENDANT

Copy for:
Webster, Frederick & Jordan
Attorneys at Law
Farmers' & Merchants' State Bank Bldg.
Winterset, Iowa Phone: 462-3731
ATTORNEYS FOR PLAINTIFF

Copy Hereof Delivered to
Webster, Frederick & Jordan
on August 11, 1966
Beverly Ham Deputy
Clerk of District Court
Madison County, Iowa

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

FILED
1966 Aug 10 A, 11:58
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

MADISON COUNTY LIVESTOCK AND FAIR ASSOCIATION, Plaintiff :
v. :
IOWA STATE HIGHWAY COMMISSION, :
Defendant :

LAW NO. 20028

ORDER FOR DISBURSEMENT OF FUNDS

NOW ON THIS 10 day of August, 1966 the Application to Withdraw Funds comes before this Court in its regular order wherein the Defendant, Iowa State Highway Commission, requests the disbursement of certain funds now held by the Sheriff of Madison County in the above

MATT PARROTT & SONS CO., WATERLOO, IOWA 64-3012

entitled condemnation action.

After reviewing the Application and the court file and hearing statements of counsel, this Court finds that the award of the condemnation commission was in the sum of Ten Dollars ($10.00) for which amount a warrant is presently on deposit with the Sheriff of Madison County, Iowa, and that Section 472.25, 1965 Code of Iowa, applies to the within procedure and that the paynent sought in the Application to Withdraw Funds and in connection with the Order herein is without prejudice to or effect upon the rights of any of the parties and is subject to the provisions of the Code Section referred to above.

This Court further finds that the Sheriff of Madison County should be and he is hereby authorized to transfer the warrant of the State Comptroller payable to the above-named Plaintiff in the amount of Ten Dollars ($10.00) to the Clerk of the District Court of the State of Iowa in and for Madison County to be receipted out therefrom by the Plaintiff on the docket in the within cause.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Sheriff of Madison County be and he is hereby ordered to transfer the warrant of the State Comptroller persently in his possession payable to the above-named Plaintiff in the amount of Ten Dollars ($10.00) to the Ckerk of the District Court of the State of Iowa in and for Madison County to re receipted out therefrom by the Plaintiff on the docket in the within cause.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the right of possession to the property herein on the part of the Defendant, Iowa State Highway Commission, shall remain and continue as provided by law.

S. E. Prall Judge
of the Fifth Judicial District of Iowa

Copy hereof delivered to
Webster, Frederick & Jordan
on August 11, 1966
Beverly Ham Deputy
Clerk of District Court
Madison County, Iowa

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

MADISON COUNTY LIVESTOCK & FAIR ASSOCIATION, Plaintiff	:	Law No. 20028
vs.	:	PETITION AT LAW ON APPEAL FROM DAMAGES AWARDED FOR CONDEMNATION OF CERTAIN REAL ESTATE.
IOWA STATE HIGHWAY COMMISSION, Defendant	:	

FILED
1966 Sep. 2 PM 4:08
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

Comes now the Plaintiff and for cause of action against the Defendant, respectfully states to the Court:

Par. 1

That the Plaintiff is a corporation organized and existing under the laws of the State of Iowa.

Par. 2

That the Plaintiff is the onwer of the following described real estate, to-wit:

> Commencing at the Northwest Corner of the East 21.12 acres of the Northwest Fractional Quarter (¼) of the Northwest Quarter (¼) of Section One (1) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P. M., Madison County, Iowa, and at a point on the centerline of Highway No. 92, running thence South 17.77 rods, thence East 9 rods, thence North 17.77 rods, and thence West 9 rods to the place of beginning.

Par. 3.

That said real estate was purchased by Plaintiff for use as a part of the grounds and buildings of the Madison County Livestock and Fair Association on June 23, 1964.

Par. 4

That on or about the 3rd day of June, 1966, the Defendant, Iowa State Highway Commission, took and appropriated by condemnation proceedings a part of Plaintiff's real estate above

MATT PARROTT & SONS CO., WATERLOO, IOWA 64-3012

Paragraph 2.

That it admits the allegation contained in Paragraph 2 of Plaintiff's petition.

Paragraph 3.

That it admits the real estate was purchased on June 23, 1964, but has no information concerning the purpose of said purchase and, therefore, denies the other allegations contained in Paragraph 3 of Plaintiff's petition for lack of sufficient knowledge or information upon which ot form a belief.

Paragraph 4.

That it admits the allegations contained in Paragraph 4 of Plaintiff's petition.

Paragraph 5.

That it denies the allegations contained in Paragraph 5 of Plaintiff's petition.

Paragraph 6.

That it denies the allegations contained in Paragraph 6 of Plaintiff's petition.

Paragraph 7.

That it denies the Allegations contained in Paragraph 7 of Plaintiff's petition and specifically denies the allegations contained in sub-paragraph "A" and "B" of said Paragraph 7.

Paragraph 8.

That it denies the allegations contained in Paragraph 8 of Plaintiff's petition.

WHEREFORE, Defendants pray that Plaintiff's petition be dismissed or in the alternative that Plaintiff be held to strict proof of the allegations of its petition, and that its damages be determined according to law.

IOWA STATE HIGHWAY COMMISSION
LAWRENCE F. SCALISE
Attorney General of Iowa
RAYMOND T. WALTON
Special Assistant Attorney General
and Counsel to Iowa State Highway
Commission, Ames, Iowa
L. MICHAEL MCGRANE
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa Phone: 232 7250, Ext. 342(A.C. 515)
By Leonard M. Flander
Leonard M. Flander
Attorney at Law Winterset, Iowa
Phone: 462 4912 (A.C. 515)
ATTORNEYS FOR DEFENDANT

Copy for: Delivered 9-28-66
Webster, Frederick & Jordan
Attorneys at Law Winterset, Iowa
Attorneys for Plaintiff.

IN THE DISTRICT COURT OF IOWA
IN AND FOR MADISON COUNTY

MADISON COUNTY LIVESTOCK AND FAIR ASSOCIATION, Plaintiff,	:		FILED 1966 OCT 21 PM 4:00
-vs-	:	Law No. 20028	Marguerite Morrissey
IOWA STATE HIGHWAY COMMISSION,	:		Clerk of District Court
Defendant.	:	INTERROGATORIES	Madison County, Iowa

Pursuant to R.C.P. 121, Plaintiff propounds the following interrogatories to be answered by the defendant under oath:

1. State the names and addresses of all persons who to your knowledge have made appraisals of the plaintiff's property on your behalf and the dates that such appraisals were made by each individual appraiser.

2. Do you plan any further appraisals of plaintiff's property and, if so, list the names and addresses of the persons who will make said appraisals.

3. State the name, address and position of the person who is in charge of or is in a supervisory position over all appraisals made or to be made by you of the plaintiff's property.

4. State which persons, if any, listed in your answer to interrogatories 1 and 2 hereof

HAIT PARROTT & SONS CO., WATERLOO, IOWA 64-3012

are employees of the Iowa State Highway Commission or were at the time of making such appraisals and which are independent appraisers engaged by the Highway Commission.

5. State the names and addresses of all persons employed by or who appeared in behalf of the Iowa State Highway Commission before the Condemnation Commissioners who met on June 2 and 3, 1966, to appraise the damages sustained by plaintiff by virtue of the condemnation which is the subject matter of this cause and the position or capacity in which such persons appeared.

6. State the name and address of the engineer or engineers who either designed or are familiar with the road design of the improvements now being made to Highway 92 as said Highway extends west of the City of Winterset and who could accurately interpret the plans and specifications for the proposed improvements to said Highway as the same affect the plaintiff's property.

7. State the name, address and position of the person who has charge of and is in control of the various maps, plats, charts, drawings and all other engineering date pertinent to the improvement of Highway 92 as the same affects the plaintiff's property.

WEBSTER, FREDERICK & JORDAN
By Lewis H. Jordan
Lewis H. Jordan
Farmers & Merchants State Bank Building
Winterset, Iowa 50273
ATTORNEYS FOR PLAINTIFF

Original and 2 copies filed

CCto: L. Michael McGrane Mailed 10-22-66
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa

CCto: Leonard M. Flander Delivered 10-22-66
Attorney at Law Winterset, Iowa

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

FILED
1966 Oct 27 AM 10:53
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

MADISON COUNTY LIVESTOCK & FAIR ASSOCIATION, Plaintiff
vs.
IOWA STATE HIGHWAY COMMISSION, Defendant.

Law No. 20028

ANSWER TO INTERROGATORIES

Comes now the Defendant Iowa State Highway Commission and in answer to Plaintiff's Interrogatories states in answers corresponding to the numbered interrogatory:

1. Robert P. Hayes, Burrell Appraisal and Investment Company, Knoxville, Iowa, December 22, 1965.

2. No further appraisals are planned at this time, but such may be considered before trail.

3. James L. Stober, Right of Way Engineer, Iowa State Highway Commission, Ames, Iowa.

4. Robert P. Hayes is an independent appraiser.

5. Robert R. Oglesby, Right of Way Department, Iowa State Highway Commission, Ames, Iowa; Duncan Baird, Condemnation Examiner, Iowa State Highway Commission, Ames, Iowa; and Andrew Garnes, formerly Assistant Resident Construction Engineer, Creston, Iowa, present address unknown.

6. Del S. Jesperson, Resident Construction Engineer, Iowa State Highway Commission, Creston, Iowa.

7. Del S. Jesperson, Resident Construction Engineer, Iowa State Highway Commission, Creston, Iowa.

IOWA STATE HIGHWAY COMMISSION
By Leonard M. Flander
Leonard M. Flander

MATT PARROTT & SONS CO., WATERLOO, IOWA 64-3012

STATE OF IOWA, MADISON COUNTY, SS):

I, Leonard M. Flander, being first duly sworn on oath do hereby depose and state: That I am the attorney for the above named defendant; That I am authorized to sign these answers as such attorney; That I prepared the above and foregoing answers and know the contents thereof, and that the statements and allegations therein contained are true and correct as I verily believe.

Leonard M. Flander
Leonard M. Flander

Subscribed and sworn to before me this 27 day of October, 1966.

(DISTRICT COURT SEAL) Marguerite Morrissey Clerk of Court
in and for Madison County, Iowa

Copy hereof Delivered to
Webster, Frederick & Jordan
on 10-27-66
M. Morrissey Clerk of District Court
Madison County, Iowa.

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

FILED
1966 Nov 17 AM 10:23
Marguerite Morrissey
Clerk of District Court
Madison County, Iow

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFITS OF THE STATE OF IOWA IN THE IMPROVEMENTS OF PRIMARY ROAD NO. 92, WEST OF WINTERSET, IOWA, LOCATED IN MADISON COUNTY: PROJECT NO. F-92-4(2)--20-61, "F".	LAW NO. 20028 STIPULATION OF SETTLEMENT OF APPEAL FROM CONDEMNATION AWARD.
MADISON COUNTY LIVESTOCK ASSOCIATION, Plaintiff, v. IOWA STATE HIGHWAY COMMISSION, Defendant.	

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

1. That on the 2nd day of June, 1966, the Defendant, on behalf of the State of Iowa, appropriated by condemnation proceedings certain rights in land of which Plaintiff association was the owner, said rights being fully described in the condemnation proceedings from which this appeal was taken.

2. That the Defendant has heretofore caused to be deposited in the office of the Sheriff of Madison County, Iowa, a warrant of the State Comptroller in the amount of Ten Dollars ($10.00) payable to the above-named Plaintiff association, which amount represents in full award of the Condemnation Commission in connection with the proceedings from which this appeal was taken.

3. That pursuant to proper Application and Order of this Court heretofore filed in these proceedings, the said award of Ten Dollars ($10.00) was ordered paid to the Plaintiff association without prejudice to the rights of any of the parties herein and pending outcome of the within matter.

4. That the Defendant will cause to be issued an additional warrant of the State Comptroller in the amount of One Hundred Ninety Dollars ($190.00) payable to the above-named Plaintiff association, and will cause the same to be delivered to the Clerk of the District Court of the State of Iowa in and for Madison County to be receipted out therefrom by the Plaintiff association on the docket in the within cause.

5. That the Plaintiff association will accept both State Comptroller warrants referred to above totaling Two Hundred Dollars ($200.00) as full and complete compensation for said appropriation and all damages resulting therefrom, will waive any claim for interest in this proceeding and will dismiss the within appeal with prejudice, costs to be taxed to the Defendant.

6. That it is hereby stipulated and agreed to by the parites hereto that Plaintiff's attorney, Lewis H. Jordan, of the firm of Webster, Frederick & Joradn, Winterset, Iowa, will

MARY PARROTT & SONS CO., WATERLOO, IOWA 64-3012

submit to the Court an accounting of the time spent in preparation for trail in connection with this appeal, and that the above-named Court will set the amount of attorney fees due and payable to Mr. Jordan in connection therewith, and that said allowance of fees will be paid by the Defendant, Iowa State Highway Commission.

Dated this 17 day of November, 1966.

MADISON COUNTY LIVESTOCK ASSOCIATION, Plaintiff,
By Lewis J. Jordan
Lewis H. Jordan
Webster, Frederick & Jordan
Attorneys at Law
Winterset, Iowa 50273
Phone: 462-3731
ATTORNEY FOR PLAINTIFF.

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 50010
By L. Michael McGrane
L. Michael McGrane
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa 50010
Phone: 232-7250, Ext. 342

By Leonard M. Flander
Leonard M. Flander State Counsel
Winterset, Iowa 50273
Phone: 462-4912
Attorneys for Defendant.

Copy hereof delivered to
Webster, Frederick & Jordan
by Leonard M. Flander on
11-17-66.
Beverly Ham
Deputy Clerk of Court
Madison County, Iowa

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

MADISON COUNTY LIVESTOCK & FAIR ASSOCIATION, Plaintiff, -vs- IOWA STATE HIGHWAY COMMISSION, Defendant.	:	No. 20028	FILED 1966 Nov 18 PM 3:53 Marguerite Morrissey Clerk of District Court Madison County, Iowa
	:	APPLICATION FOR ALLOWANCE OF ATTORNEY FEES.	

Comes now Lewis H. Jordan of Webster, Frederick & Jordan, Attorney for the Plaintiff herein, and respectfully states to the Court:

That the within and foregoing case was settled between the parties hereto on November 7, 1966, the morning which had been set for the trial of this cause; that a stipulation was filed herein on or about the 17th day of November, 1966, whereby the Defendant agreed to pay reasonable attorney fees to Plaintiff's attorneys as fixed by the Court.

That attached hereto and by this reference made a part hereof, marked Exhibit "A", is an itemized statement of this applicant's services in connection with theappeal herein. That this applicant spent approximately twelve (12) hours in preparation for the trial, and in view of the settlement of this cause, feels that the Court should fix his fees at One Hundred Fifty Dollars ($150).

WHEREFORE, this applicant prays for an Order fixing his fees herein at One Hundred Fifty Dollars ($150).

WEBSTER, FREDERICK & JORDAN
By Lewis H. Jordan
Lewis H. Jordan
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 462-3731
ATTORNEYS FOR PLAINTIFF.

Original and two copies filed.

Copies to: L. Michael McGrane, Assistant Attorney General
Iowa State Highway Commission, Ames, Iowa Copy mailed 11-21-66

Leonard M. Flander, Winterset, Iowa Copy delivered 11-21-66

LAW OFFICES WEBSTER, FREDERICK & JORDAN
FARMERS' & MERCHANTS' BANK BLDG.
WINTERSET, IOWA 50273

November 17, 1966

Madison County Livestock & Fair Association
Winterset, Iowa 50273

Re: Law No. 20028
Hart Property (Parcel 44)

1966
June 3 Conference with appraisers Re: Appeal.
June 4 Taking pictures.
June 20 Preparing appeal.
June 21 Research Re: service of notice upon agency of the United States Government.

MATT PARROTT & SONS CO., WATERLOO, IOWA 64-3012

June 22 Letter to Iowa State Highway Commission Re: service of notice.
June 23 Letter to United States District Attorney Re: serivce of notice.
June 23 Mailing notice to United States Attorney General.
June 30 Study of letter from United States Attorney.
July 1 Examining returns of service from Iowa Highway Commission; telephone call to legal office of Iowa State Highway Commission at Ames; letter to legal department of Iowa State Highway Commission.
July 8 Study of letter from United States Attorney Re: Service of notice.
Aug. 30 Checking records and conference with Frank Jorgenson and Pat Morrissey.
Aug. 31 Partial preparation of petition.
Sept 2 Filing of Petition.
Sept 28 Study of Answer.
Oct. 20 Preparing interrogatories and research.
Oct. 27 Study of Answers to interrogatories.
Oct. 27 Conference with attorneys Re: settlement.
Oct. 27 Appear in Court Re: assignment.
Oct. 31 Conference with Pat Morrissey; telephone calls to Clarence Johnson and Frank Jorgenson.
Nov. 1 Conference with Frank Jorgenson.
Nov. 1 Research.
Nov. 2 Research.
Nov. 3 Conference with Clarence Johnson.
Nov. 5 Research.
Nov. 6 Research and conference with witness: Herb Reed.
Nov. 7 Preparation and appearance at Court for trial.

EXHITIT "A"

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

MADISON COUNTY LIVESTOCK & FAIR ASSOCIATION, Plantiff, -vs- IOWA STATE HIGHWAY COMMISSION, Defendant.) No. 20028 ORDER

FILED
1966 Nov 23 AM 10:27
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

BE IT REMEMBERED THAT on this 23rd day of November, 1966, this matter comes on before the Court on the Application of Lewis H. Jordan for the allowance of attorney fees herein, and the Court having examined said Application and the Stipulation filed herein, finds:

That the fees of the said Lewis H. Jordan, as attorney for the Plaintiff, should be fixed in the sum of $150.00, said fees to be paid by the Defendant, Iowa State Highway Commission.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the fees of Lewis H. Jordan, as attorney for the Plaintiff herein, be and are hereby fixed in the sum of $150.00.

IT IS FURTHER ORDERED that said fee be paid by the Defendant, Iowa State Highway Commission.

James E. Hughes Judge of the
Fifth Judicial District of Iowa.

STATEMENT OF COSTS

STATE OF IOWA,
Madison County
Madison County Livestock and Fiar Association Plaintiff vs. Iowa State Highway Commission Defendant

IN THE DISTRICT COURT OF IOWA
in and for Madison
Combination Docket 40 Page 136
Cause No. 20028

DATE Month	Day	Year	FOR WHAT	TO WHOM DUE	AMOUNT DUE	BY WHOM PAID
7	6	66	Filing & Docketing	M. Morrissey, Clerk	3.00	W.F.&.J.
7	6	66	Judicial Fund	Treasurer of State	1.00	W.F.&.J.
8	11	66	Copy Fees	Leonard M. Flander	4.00	
9	2	66	Copy Fees	Webster, Frederick & Jordan	3.00	
9	28	66	Copy Fees	Leonard M. Flander	2.00	
10	21	66	Copy Fees	Webster, Frederick & Jordan	4.00	
10	27	66	Copy Fees	Leonard M. Flander	2.00	
11	7	66	Order of Court	M. Morrissey,Clerk	1.00	
11	18	66	Copy Fees	Webster, Frederick & Jordan	4.00	
11	23	66	Dismissal Fee	M. Morrissey, Clerk	2.00	
11	23	66	Attorney Fees	Webster, Frederick & Jordan	150.00	
				Total	176.00	

I, Marguerite Morrissey, Clark of said Court, do hereby certify that the foregoing is a full, true and complete statement of the costs of the above entitled cause, as the same appears of record in my office.

WITNESS my hand and seal of said Court hereto affixed this 23 day of November A.D. 1966.

- - - - - - - - - - - - -
Clerk of said Court.

Deed Record, No. 94, Madison County, Iowa

MAIL PARROTT & SONS CO., WATERLOO, IOWA 64-3012

IN THE DISTRICT COURT OF IOWA
IN AND FOR MADISON COUNTY

FILED
1966 Dec 14 PM 2:01
Marguerite Morrissey
Clerk of District Court
Madison County, Iowa

MADISON COUNTY LIVESTOCK & FAIR ASSOCIATION, Plaintiff,
-vs-
IOWA STATE HIGHWAY COMMISSION, Defendant.

No. 20028

DISMISSAL WITH PREJUDICE.

Comes now the Plaintiff herein and pursuant to the Stipulation filed herein on the 17th day of November, 1966, hereby dismisses its cause of action with prejudice, all costs to be taxed to the Defendant.

WEBSTER, FREDERICK & JORDAN
By Lewis H. Jordan
Lewis H. Jordan
Farmers & Merchants State Bank Bldg.
Winterset, Iowa 50273
Telephone 462-3731
ATTORNEYS FOR PLAINTIFF.

Original and two copies filed.

Copies to: L. Michael McGrane
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa

Leonard M. Flander
Winterset, Iowa

Copy hereof mailed to
L. Michael McGrane &
copy delivered to
Leonard M. Flander on
12-14-1966
Beverly Ham Deputy
Clerk of District Court
Madison County, Iowa