Leo E. Benoit & wife
By Madison County Sheriff
To
Madison County, Iowa

#2729

No Fee

Filed for record the 31 day of August A. D. 1963 at 11:50 o'clock A. M.

Mary E. Welty, Recorder

CONDEMNATION PROCEEDINGS

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, a corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate and relocating a public highway as the same now proceeds through Section 1 in Township 75 North of Range 28 West of the 5th P.M., Madison County, Iowa, and

WHEREAS, the said Madison County cannot agree with the owner 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 provided by laws of the State of Iowa for such purposes, to-wit: Chapters 471 and 472 of the 1962 Code of Iowa, and for 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 place of residence, so far as known to this Applicant, are as follows, to-wit:

The Owners:	Place of Residence	Post Office Address
Leo E. Benoit and wife Gladys	Winterset, Iowa	Winterset, Iowa

Name of Mortgage or Lien Holder: None

Name of Lessee: None

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Name of Easement Holder: Iowa Power and Light Company
823 Walnut
Des Moines, 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, the right of access 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 17th day of July, 1963.

MADISON COUNTY, IOWA,
By Lewis H. Jordan County Attorney
in and for Madison County, Iowa.

EXHIBIT "A"

Description of real estate belonging to Leo E. Benoit and wife Gladys Benoit over which Iowa Power and Light Company has an easement, the subject matter of this condemnation proceeding:

Commencing at the NW corner of the NE¼ NE¼ Section 1T75N R28W of the 5th P.M.; thence west 26.3 feet; thence S0°09½'E 1386.1 feet; thence S0°20½' E. 797.0 feet; thence S0°08½'W 515.2 feet feet to the point of beginning; thence S89°51½' E 40.0 feet; thence S0°58½' E. 256.45 feet; thence S0°08½'W 158.0 feet; thence N89°51½'W 5.0 feet; thence S0°08½' W 903.0 feet; thence N89°51½'W. 40.0 feet; thence N0°08½'E 1317.4 feet to the point of beginning and containing 0.24 acres, more or less, exclusive of the present established highway and moving approximately 80 rods of fence.
Note: the north line of the NE¼ Section 1 T75N R28W is assumed to bear due east.

PROPERTY PLAT

Acquired from LEO E. BENOIT Married or Single GLADYS BENOIT (Give full name of spouse)

R.O.W. Area 0.24 Acres Borrow Area - - Acres. Total Consideration $ - - -

Acquired by Condemnation Date of Contract - - 19 -

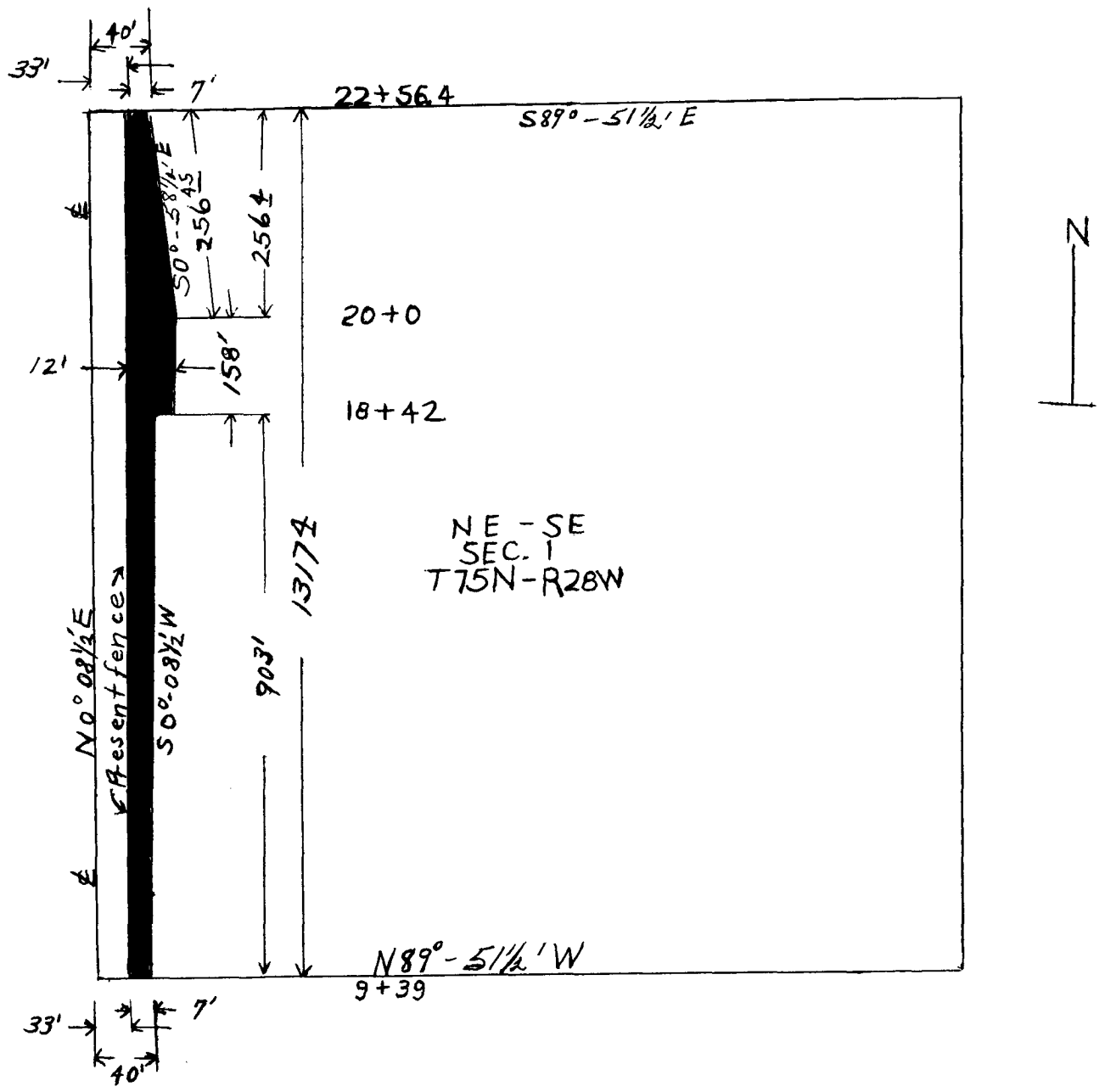
LOCATION

From CL Station 9+39 to CL Station 22+56.4 Section 1, Township 75N Range 28 W

Township (Civil) Lincoln Iowa.

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

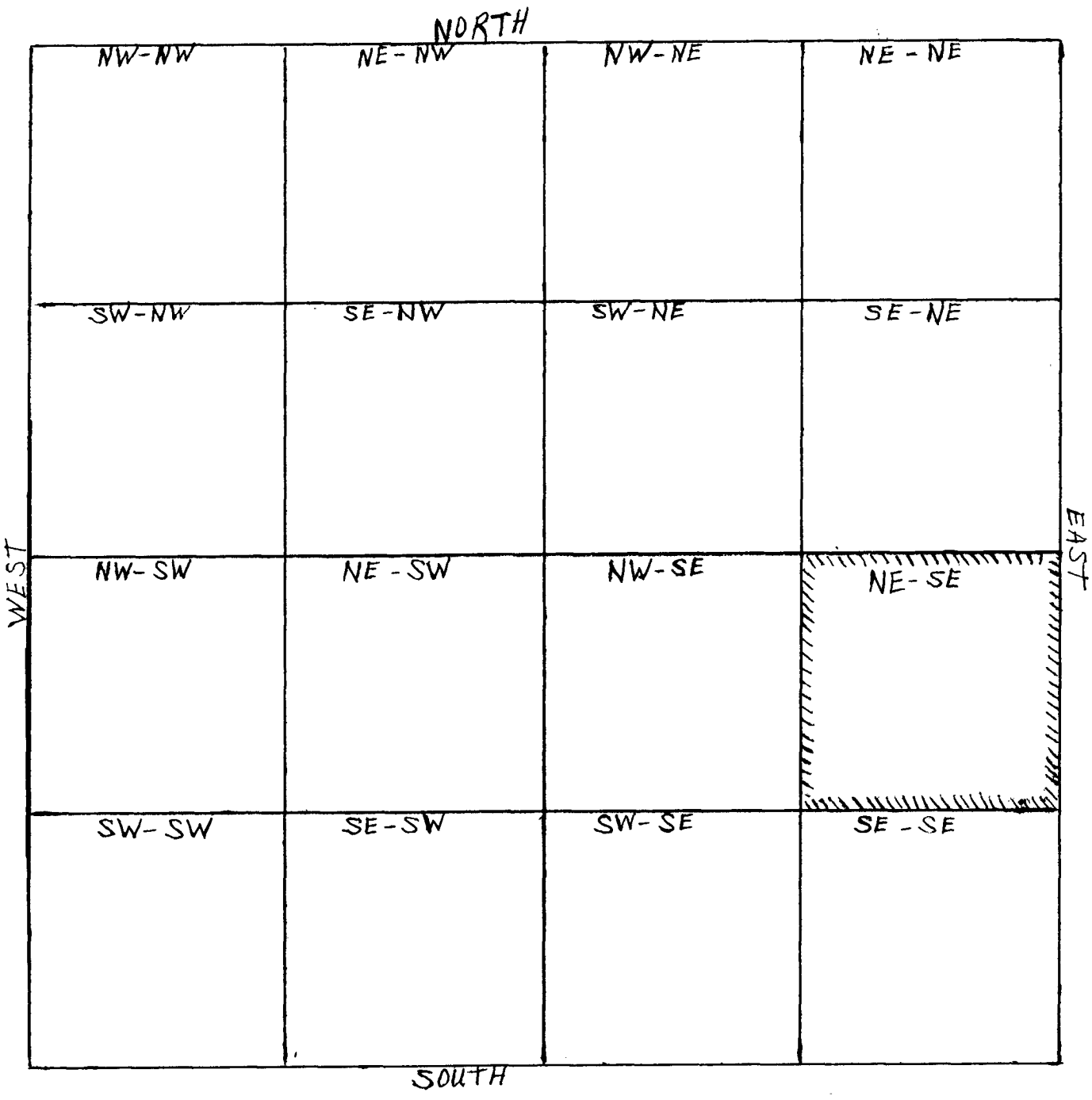


Madison County Project No. 4-63 Exhibit B

PLAT OF FARM

Of Leo E. Benoit Area 40 Acres. Sta. 9+39 to Sta. 22+56.4 Section One

T 75 N-R 28 W



Madison County Project No. 4-63

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

INFORMATION FOR CONDEMNATION PROCEEDINGS

County Madison Project 4-63

OWNER OF RECORD Leo E. Benoit Spouse Gladys Winterset, Iowa Address

OCCUPANT OF THE LAND Leo E. Benoit Winterset, Iowa

OCCUPANT OF THE HOUSE - -

NAMES AND ADDRESSES OF ALL LIENHOLDERS - - - -

Legal Description of parcel to be condemned

Commencing at the NW corner of the NE¼ NE¼ Section 1 T75N R28W of the 5th P.M.; thence west 26.3 feet; thence SO°09½'E 1386.1 feet; thence SO°20½'E 797.0 feet; thence SO°08½'W 515.2 feet to the point of beginning; thence S89°51½'E 40.0 feet; thence SO°58½'E 256.45 feet; thence SO°08½'W 158.0 feet; thence N89°51½'W 5.0 feet; thence SO°08½'W 903.0 feet; thence N89°51½'W 40.0 feet; thence NO°08½'E 1317.4 feet to the point of beginning and containing 0.24 acres, more or less, exclusive of the present established highway and moving approxiametly 80 rods of fence.
Note: the north line of the NE¼ Section 1 T75N R28W is assumed to bear due east.

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) AMENDMENT TO APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY.

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

Comes now Madison County, Iowa, and amends its Application to Sheriff for condemnation of property by inserting the following between the first and second paragraphs of said Application:

WHEREAS, Iowa Power and Light Company is now the holder of an easement, which easement is located on a portion of the real estate to be condemned and appropriated by this Application, Madison County, Iowa, states that the easement for road purposes to be acquired hereby shall be coexistent with the easement of Iowa Power and Light Company insofar as the easement for road purposes encroaches on the easement of Iowa Power and Light Company with both Madison County, Iowa, and Iowa Power and Light Company having the right to enter upon that portion of their respective easements that overlap for the purpose of use and enjoyment of their respective easements.

Madison County, Iowa, also amends the last paragraph of said Application by deleting therefrom the following language commencing on the fourth line "of every kind and nature including the right of lateral support, the right to light, air and view, the right of access".

Dated August 6, 1963.

RECEIVED
8-6-63 9:50 AM
Madison County Sheriff
Winterset, Iowa

MADISON COUNTY, IOWA
By Lewis H. Jordan
Lewis H. Jordan, County Attorney
in and for 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) STIPULATION

IT IS STIPULATED by and between the condemnor, Madison County, Iowa, and Iowa Power and Light Company, one of the condemnees herein, as follows:

1. That the condemnor, Madison County, Iowa, has filed an amendment to its original application herein modifying its taking as stated in said amendment.

2. That the condemnee, Iowa Power and Light Company shall not be allowed any damages under the Application as amended.

3. In the event that it becomes necessary at any furture time for Iowa Power and Light Company to enter upon that portion of the easement which is coexistent for the purpose of repairing, maintaining, altering or reconstructing its pipe line, then Madison County, Iowa, agrees to take out and replace, at its expense, any fences located on the property line

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

between the dominate owner and the easement for road purposes acquired by Madison County, Iowa.

4. The condemnee, Iowa Power and Light Company, agrees not to interfere with any culvert constructed by Madison County, Iowa, on the easement acquired by Madison County, Iowa.

5. The condemnee, Iowa Power and Light Company, in the event of relocating its pipe line agrees not to relocate the same any nearer the easement acquired by Madison County, Iowa, then the present pipe line is now located.

MADISON COUNTY, IOWA
By Lewis H. Jordan
Lewis H. Jordan, County Attorney

IOWA POWER AND LIGHT COMPANY
By Shirley A. Webster
Shirley A. Webster Attorney for
Iowa Power and Light Company

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: Leo E. Benoit and Gladys Benoit, husband and wife, and Iowa Power and Light Company.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that Madison County, Iowa, a corporation, desires the condemnation of the following described real estate, and has filed with the Sheriff of Madison County, Iowa, a written application for the condemnation of said real estate, which real estate is described as follows, to-wit:

> Commencing at the NW corner of the NE¼ NE¼ Section 1 T75N R28W of the 5th P.M.; thence West 26.3 feet; thence SO°09½'E 1386.1 feet; thence SO°20½'E 797.0 feet; thence SO°08½'W 515.2 feet to the point of beginning; thence S89°51½'E 40.0 feet; thence SO°58½'E 256.45 feet; thence SO°08½'W 158.0 feet; thence N89°51½'W 5.0 feet; thence SO°08½'W 903.0 feet; thence N89°51½'W 40.0 feet; thence NO°08½'E 1317.4 feet to the point of beginning and containing 0.24 acres, more or less, exclusive of the present established highway and moving approximately 80 rods of fence.
>
> Note: the north line of the NE¼ Section 1 T75N R28W is assumed to bear due east.

YOU ARE FURTHER NOTIFIED that such condemnation is sought for the purpose of widening, improving, altering and relocating the public highway which now adjoins said real estate, and for further particulars you are referred to said Application now on file with the Sheriff of Madison County, Iowa, as aforesaid.

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 6th day of August, 1963, at 10:30 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 Lewis H. Jordan County Attorney
in and for 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, a corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate and relocating a public highway as the same now proceeds through Section 1 in Township 75 North of Range 28 West of the 5th P.M., Madison County, Iowa, and

WHEREAS, the said Madison County cannot agree with the owner of the real estate herein-

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after 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 provided by laws of the State of Iowa for such purposes, to-wit: Chapters 471 and 472 of the 1962 Code of Iowa, and for 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
Leo E. Benoit and wife Gladys	Winterset, Iowa	Winterset, Iowa

Name of Mortgage or Lien Holder: None

Name of Lessee: None

Name of Easement Holder: Iowa Power and Light Company
823 Walnut
Des Moines, 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, the right of access 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 17th day of July, 1963.

MADISON COUNTY, IOWA,
BY Lewis H. Jordan
County Attorney in and for
Madison County, Iowa.

EXHIBIT "A"

Description of real estate belonging to Leo E. Benoit and wife Gladys Benoit over which Iowa Power and Light Company has an easement, the subject matter of this condemnation proceeding:

Commencing at the NW corner of the NE¼ NE¼ Section 1T75N R28W of the 5th P.M.; thence west 26.3 feet; thence S0°09½'E 1386.1 feet; thence S0°20½' E. 797.0 feet; thence S0°08½'W 515.2 feet feet to the point of beginning; thence S89°51½' E 40.0 feet; thence S0°58½' E. 256.45 feet; thence S0° 08½'W 158.0 feet; thence N89°51½'W 5.0 feet; thence S0°08½' W 903.0 feet; thence N89°51½'W, 40.0 feet; thence N0°08½'E 1317.4 feet to the point of beginning and containing 0.24 acres, more or less, exclusive of the present established highway and moving approximately 80 rods of fence.

Note: the north line of the NE¼ Section 1 T75N R28W is assumed to bear due east.

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

PROPERTY PLAT

Acquired from LEO E. BENOIT Married or Single MARRIED GLADYS BENOIT (Give full name of spouse)

R. O. W. Area 0.24 Acres. Borrow Area - - Acres. Total Consideration $ - -

Acquired by CONDEMNATION Date of Contract -- , 19 --

LOCATION

From CL Station 9 + 39 to CL Station 22 + 56.4 Section 1, Township 75N, Range 28W

Township (Civil) LINCOLN Iowa.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 175

MADISON County Project No. 4-63

Exhibit "B"

PLAT OF FARM

Of LEO E. BENOIT Area 40 Acres. Sta. 9 + 39 to Sta. 22 + 56.4 Section ONE

T 75 N-R 28 W

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 175

MADISON County Project No. 4-63

INFORMATION FOR CONDEMNATION

COUNTY Madison PROCEEDINGS Project 4-63

OWNER OF RECORD Leo E. Benoit Spouse Gladys Winterset, Iowa Address

Occupant of the Land Leo E. Benoit Winterset, Iowa Address

NAMES AND ADDRESSES OF ALL LIENHOLDERS: - - -

Legal Description of parcel to be condemned.

Commencing at the NW corner of the NE¼ NE¼ Section 1 T75N R28W of the 5th P.M.; thence west 26.3 feet; thence S0°09½'E 1386.1 feet; thence S0°20½'E 797.0 feet; thence S0°08½'W 515.2 feet to the point of beginning; thence S89°51½'E 40.0 feet; thence S0°58½'E 256.45 feet; thence S0°08½'W 158.0 feet; thence N89°51½'W 5.0 feet; thence S0°08½'W 903.0 feet; thence N89°51½'W 40.0 feet; thence N0°08½'E 1317.4 feet to the point of beginning and containing 0.24 acres, more or less, exclusive of the present established highway and moving approximately 80 rods of fence.

Note: the north line of the NE¼ Section 1 T75N R28W is assumed to bear due east.

RETURN OF ORIGINAL NOTICE

STATE OF IOWA)
Madison County) ss.

The within notice received this 17th day of July, 1963, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

Name of Defendants	Month	Day	Year	City, Town or Township	County	State
Gladys Benoit	July	19,	1963	Center twp.	Madison	Iowa

Service & Copy $1.75
Mileage - -
TOTAL $1.75

Rex Rouse
Official Title
Sheriff of Madison County, Iowa

RETURN OF SERVICE--Company or Corporation

STATE OF IOWA, Madison County, ss.

The within notice came into my hands on the 17th day of July, 1963 and on the 19th day of July, 1963, I served the same upon the Iowa Power and Light Company by offering to read the same to Ervin Roberts, he being the Commercial Manager of said corporation or company, which he waived, and by giving him a true copy thereof, all done in Adel, Dallas County, Iowa.

FEES

Service $ - -
Copies $ - -
Mileage $ - -
Total $ XXXXX

Rex Rouse —
of Madison County

RETURN OF ORIGINAL NOTICE

STATE OF IOWA, Madison County, ss.

The within notice came into my hands on the 17th day of July 1963, and on the 19th day of July, 1963, I served the same on Leo E. Benoit, by leaving a true copy thereof at the house of defendant, situated in the Township of Center Madison County, Iowa, the same being

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

the usual place of residence of said defendant with Gladys Benoit, a member of said defendant's family, with whom he resides, and over 18 years of age, the said defendant not being found within the County.

FEES
Service, $ - -
Copies, $ - -
Mileage, $ - -
Total, $ XXXXX

Rex Rouse
Sherriff of Madison County

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, a corporation, 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:

Merrill Creger, Ohio Township
Charles Crow, Grand River Township
Earl Crawford, Jackson Township
Claude Shearer, Walnut Township
Harvey Davis, Scott Township
Roy Pond, Lee Township

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, Iowa, Madison County, Iowa, this 19th day of July, 1963.

Rex Rouse
Sheriff of Madison County, Iowa.

OATH AND QUALIFICATION OF COMMISSIONERS

STATE OF IOWA :
: ss.
MADISON COUNTY :

We, and each of us, being first duly sworn on oath depose and state that we are each one of the persons appointed by Rex Rouse, Sheriff of Madison County, Iowa, on the 19th day of July, 1963, 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 Section 1, in Township 75 North, of Range 28 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 he is a resident freeholder of Madison County, Iowa; that he is not interested in the same or a like or similar question; that he will to the best of his ability faithfully and impartially assess said damages and make written report to the Sheriff, as provided by law.

Claude N. Shearer
Earl E. Crawford
Chas. G. Crow
Harvey L. Davis
Merrill Creger
Roy L. Pond

Subscribed and sworn to before me this 6th day of August, 1963.

(DISTRICT COURT SEAL)

Marguerite Morrissey
Clerk of District Court

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

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 TO APPRAISERS OF TIME FOR APPRAISEMENT

TO: Merrill Creger, Charles Crow, Earl Crawford, Claude Shearer, Harvey Davis, and Roy Pond

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 Leo E. Benoit and wife Gladys Benoit and located in Section 1, in Township 75 North, of Range 28 West of the 5th P.M., Madison County, Iowa, on account of 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, with the undersigned Sheriff on the 17th day of July, 1963, and that Notices of such Condemnation have 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 6th day of August, 1963, at 10:30 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 19th day of July, 1963.

Rex Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCES AND ACKNOWLEDGMENTS OF SERVICE

We, the undersigned, having been appointed as Commissioners to appraise the damages to real estate in connection with the Condemnation by Madison County, Iowa, do hereby acknowledge and accept due and legal service of the above and foregoing Notice this 31st day of July, 1963.

Earl E. Crawford
C. G. Crow
Claude Shearer
Roy L. Pond
Harvey L. Davis
Merrill S. Creger

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

TO: REX ROUSE SHERIFF OF MADISON COUNTY, IOWA:

The undersigned, Commissioners, appointed by you by Order of Appointment dated the 19th day of July, 1963, 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 17th day of July, 1963, do hereby make report that upon due notice we met upon said premises, viewed and inspected the same on the 6th day of August, 1963, at 10:30 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 following described tract of real estate by Madison County, Iowa, to-wit:

> Commencing at the NW corner of the NE¼ NE¼ Section 1 T75N R28 W of the 5th P.M.; thence West 26.3 feet; thence S0°09½'E 1386.1 feet; thence S0°20½'E 797.0 feet; thence S0°08½'W 515.2 feet to the point of beginning; thence S89°51½'E 40.0 feet; thence S0°58½'E 256.45 feet; thence S0°08½'W 158.0 feet; thence N89°51½'W 5.0 feet; thence S0°08½'W 903.0 feet; thence N89°51½'W. 40.0 feet; thence N0°08½'E 1317.4 feet to the point of beginning and containing 0.24 acres, more or less, exclusive of the present established highway and moving approximately 80 rods of fence.

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Note: the north line of the NE¼ Section 1 T75N R28W is assumed to bear due east.

TO: Leo E. Benoit $285.00

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

NOTICES:	Sheriff of Madison County, Iowa Cost of mileage and attendance of Sheriff's Office	
	Mileage	$ 15.39
	Attendance and notices	$ 12.50
APPRAISER'S FEES:		
	Harvey L. Davis	$ 15.90
	Earl E. Crawford	$ 17.16
	Claude N. Shearer	$ 17.34
	Roy L. Pond	$ 18.96
	Merrill S. Creger	$ 18.24
	Chas. G. Crow	$ 18.24
Meals		$ 6.68

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

1.	Serving Original Notices	5.80
2.	Sheriff Serving Notice on Appoint-ment of Commissioners	14.23
3.	Sheriff Attending Commissioners	7.86
	TOTAL SHERIFF'S COSTS	$ 27.89
4.	Commissioners Expenses:	
	Harvey L. Davis, 1 day service and mileage (used his car on viewing)	15.90
	Earl Crawford, 1 day service and mileage	17.16
	Claude N. Shearer, 1 day service and mileage	17.34
	Roy L. Pond, 1 day service and mileage	18.96
	Merrill S. Creger, 1 day service and mileage	18.24
	Charles G. Crow, 1 day service and mileage	18.24
	Meals	6.68
	TOTAL JURY COSTS	112.52
5.	Damage awarded Leo E. Benoit	285.00

RECAPITULATION

TOTAL DAMAGES AWARDED	285.00
TOTAL SHERIFF'S COSTS	27.89
TOTAL COMMISSIONER'S EXPENSES	112.52
GRAND TOTAL	$ 425.41

Certified a true statement of Leo E. Benoit condemnation expenses and original copies of proceedings therewith.

Rex Rouse Rex Rouse
Sheriff of Madison County, Iowa

COMPARED