Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Sadie M. Emerson et al
By Madison County Sheriff
To
Madison County, Iowa

#2482

No Fee

Filed for record the 25 day of August A. D. 1964 at 3:45 o'clock P. M.

Mary E. Welty, Recorder
RECEIVED 7-11-64 11:00 A.M.
Madison County Sheriff Winterset, Iowa

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 the South 100 acres of the Southeast Quarter (¼) of Section Thirty-one (31), Township Seventy-four (74) North, Range Twenty-eight (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 as provided by laws of the State of Iowa, for such purposes, to-wit: Chapter 471 and 472 of the 1962 Code of Iowa, and any and all other pertinent statutory provisions,and,

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

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

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

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of any and all liens and encumbrances of said real estate, if any, together with each and all of their respective places of residence, so far as known to this Applicant are as follows,

The Owners:	Place of Residence	Post Office Address
Sadie M. Emerson	Lorimor, Iowa	Lorimor, Iowa
Golda L. La Follette	El Cerrito, California	1704 E. Ganges
Opal I. Allen	Lorimor, Iowa	Lorimor, Iowa
Wilma M. Clancy	Waterloo, Iowa	67 Ricker
Verne H. Emerson	Lorimor, Iowa	Lorimor, Iowa
Hazel D. Pickerd	Englewood, California	Apt. 2 - 815 Cory Drive
Charles E. Emerson	Clinton, Missouri	729 E. Franklin

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Everette E. Emerson Lloyd A. Emerson	Los Angeles, California Germany	154 N. New Hampshire AF 17268008 2nd M.O.B. Comm. 6th G.P. Box 142, A.P.O. 83 New York, New York

Name of Nortgage or Lien Holder: None

Name of Lessee: W. A. Winkler

Name of Easement Holder: None

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 11th day of July, 1964.

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

EXHIBIT "A"

Description of real estate belonging to Sadie M. Emerson, Golda L. La Follette, Opal I. Allen, Wilma M. Clancy, Verne H. Emerson, Hazel D. Pickard, Charles E. Emerson, Everette E.Emerson and Lloyd A. Emerson, the subject matter of this condemnation proceeding:

> Beginning at a point 21.0 feet north of the SE corner Sec. 31 T74N R28W of the 5th P.M.; thence West 40.0 feet, thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and containing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence.
>
> Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

PROPERTY PLAT

Acquired from Sadie M. Emerson Married or Single --- R.O.W. Area 0.26 Acres

Borrow Area - Acres Total Consideration $ - Acquired by CONDEMNATION

Date of Contract - 19 - .

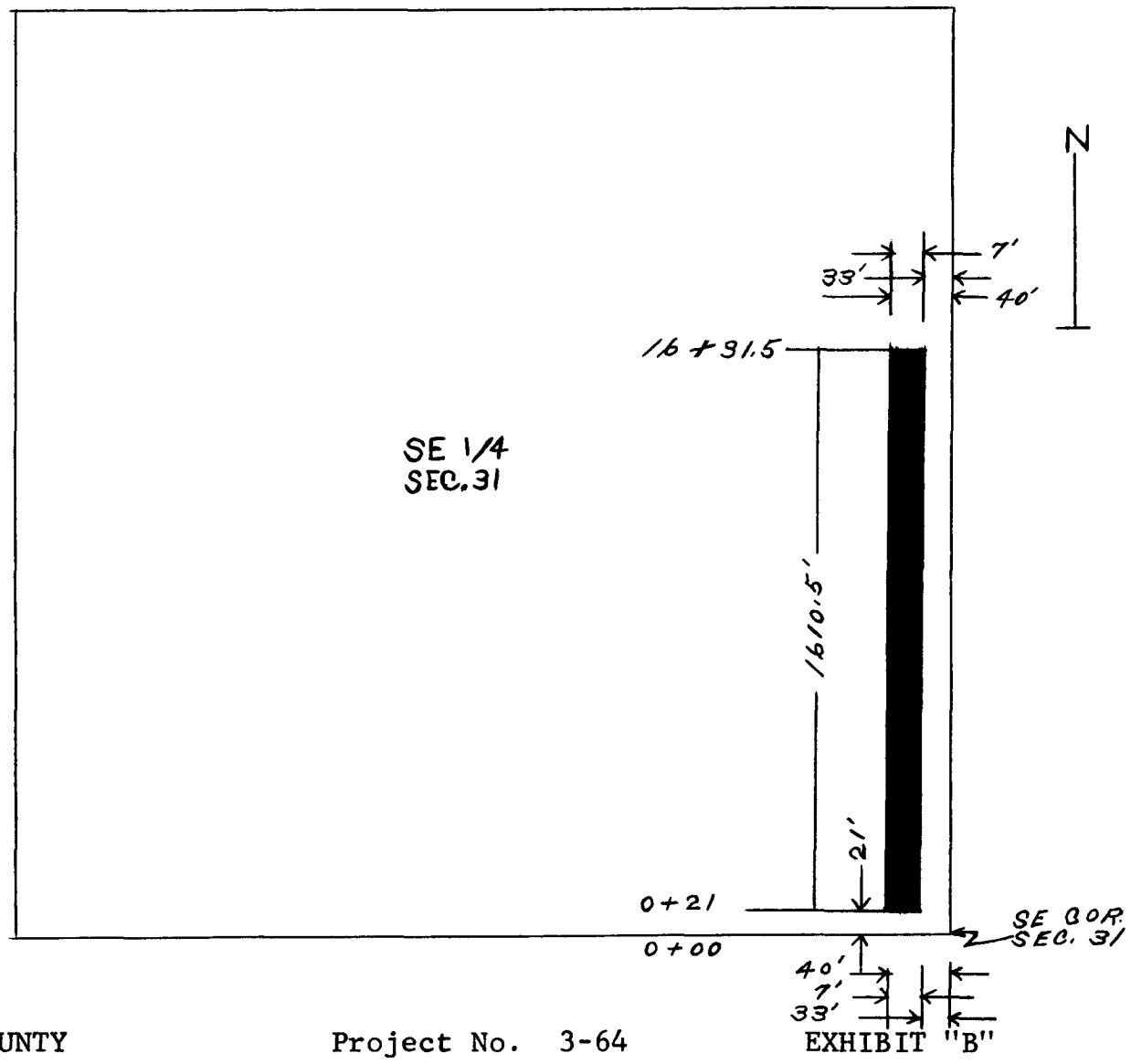
LOCATION

From CL Station 0+21 to CL Station 16+31.5 Section 31, Township 74N , Range 28W

Township (Civil) Monroe Iowa.

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

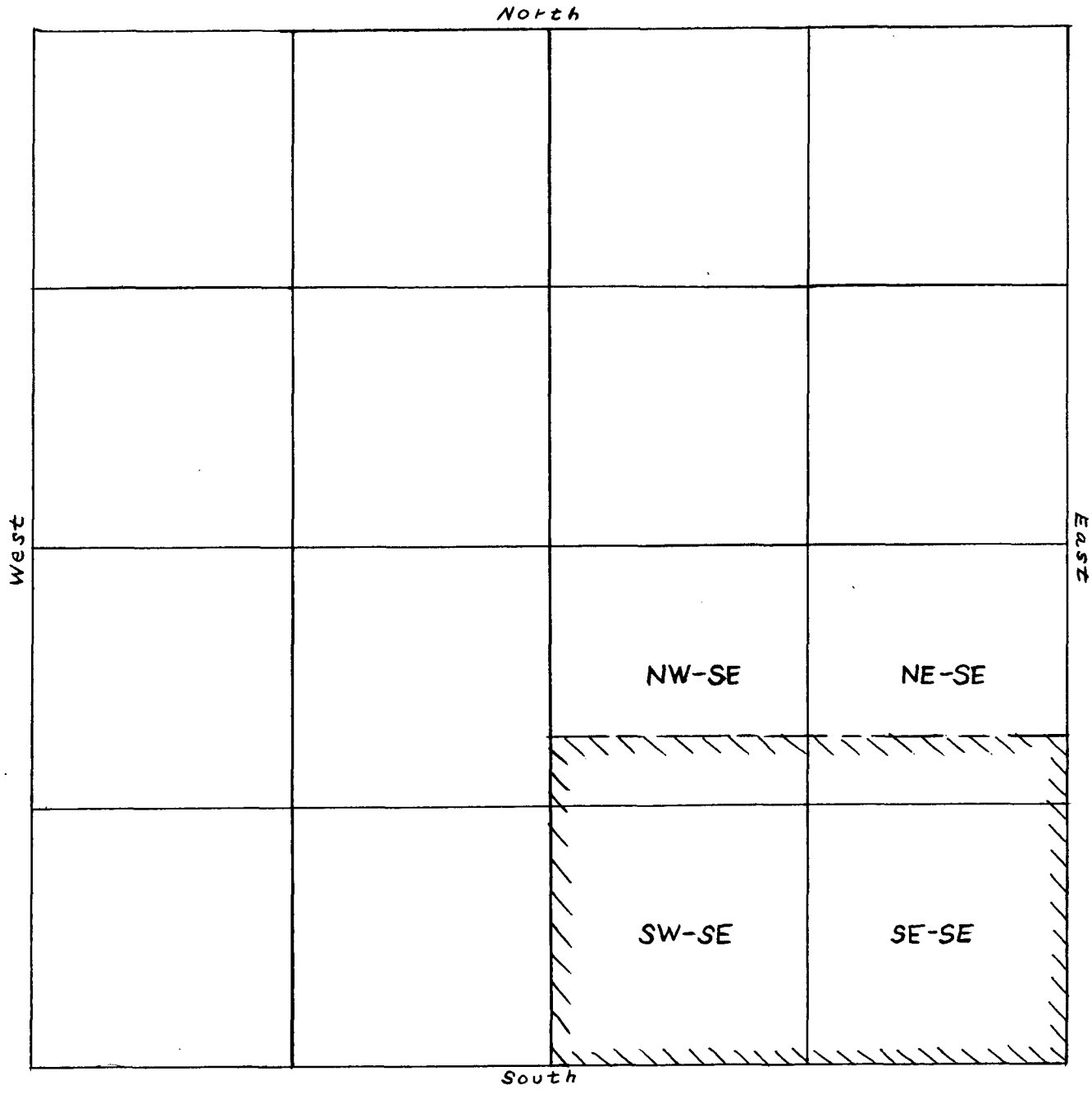


MADISON COUNTY Project No. 3-64 EXHIBIT "B"

PLAT OF PROPERTY

OF SADIE M. EMERSON Area 100 Acres Sta 0+21 to Sta 16 + 31.5

Section 31 T 74 N-R 28 W.



MADISON COUNTY Project No. 3 - 64

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 ESTAE FOR ROAD IMPROVEMENT PURPOSES) NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: Sadie M. Emerson; Golda L. La Follette; Opal I. Allen; Wilma M. Clancy; Verne H. Emerson; Hazel D. Pickerd; Charles E. Emerson; Everette E. Emerson; Lloyd A Emerson; and W. A. Winkler

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:

> Beginning at a point 21.0 feet north of the SE corner Sec. 31 T74N R28W of the 5th P.M.; thence west 40.0 feet; thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and containing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence.
>
> Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

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 14th day of August, 1964, at 11:30 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

RETURN OF ORIGINAL NOTICE

STATE OF IOWA)
Madison County) ss.

The within notice came into my hands on the 11th day of July, 1964, and on the 4th day of August, 1964, I served the same on Sadie M. Emerson, by leaving a true copy thereof at the house of Opal I. Emerson, situated in the Town of Lorimor Union County, Iowa, the same being the usual place of residence of said defendant, with Opal I. Emerson, a member of said defendant's family, with whom he resides, and over 14 years of age, the said defendant not being found within the County.

FEES
Service, $ .75 RRRR

REX ROUSE
Sheriff 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) NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

RECEIVED JUL 17 8:05 AM '64
Black Hawk County Sheriff's Office

TO: Sadie M. Emerson; Golda L. La Follette; Opal I. Allen; Wilma M. Clancy; Verne H. Emerson; Hazel D. Pickerd; Charles E. Emerson; Everette E. Emerson; Lloyd A. Emerson; and W. A. Winkler

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:

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Beginning at a point 21.0 feet north of the SE corner Sec. 31 T74N R28W of the 5th P.M.; thence West 40.0 feet; thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and containing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence.

Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

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 14th day of August, 1964, at 11:30 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

SHERIFF'S RETURN
Personal Service

STATE OF IOWA)
BLACK HAWK COUNTY) ss.

I hereby certify and return that the attached Notice came into my hands for service on this 17th day of July 1964 and I further certify that I served the same on the person named below by delivering a copy thereof to each of said person personally at the time and place set opposite their respective names:

Name of Persons	Month	Day	Year	City	Township	County	State
Wilma M. Clancy	July	17	1964	Waterloo-East	Waterloo	Black Hawk	Iowa

Elmer Hightower, Sheriff of
Black Hawk County, Iowa
By W. H. Eichmeier, Deputy
W. H. Eichmeier

FEES
Service - - $ .75
Mileage - - $ .65
Copy - - - $ ----
Total - - $ 1.40

CORRR

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR 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)

No. - - -

AFFIDAVIT OF MAILING NOTICE

STATE OF IOWA,)
) ss.
COUNTY OF MADISON,)

The undersigned, first being duly sworn (or affirmed), states that on the 16th day, of July, 1964, She personally mailed to each of the following named persons a Notice of Condemnation (a true copy of which Notice is attached hereto and made a part hereof), by ordinary mail, each such notice being mailed in a sealed envelope with proper postage thereon, addressed to the said persons respectively, at their last known Post Office addresses, by depositing the same on said date in a United States Post Office mail receptacle at Winterset, Iowa, to-wit:

Golda L. La Follette	1704 E. Ganges, El Cerrito, California
Hazel D. Pickerd	Apt. 2 - 815 Cory Drive, Englewood, California
Charles E. Emerson	729 E. Franklin, Clinton, Missouri
Everette E. Emerson	154 N. New Hampshire, Los Angeles, California

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Lloyd A. Emerson AF 17268008 2nd M.O.B. Comm. 6th G.P.
Box 142, A.P.O. 83 New York, New York

(if return receipts are required so state and attach).
Wanda Bane
Wanda Bane, Affiant

Subscribed and sworn to (or affirmed) before me this 16th day of July, 1964.

(NOTARIAL SEAL)

Fayola McKee
Notary Public in and for said County

July 16, 1964

E. Hightower, Sheriff
Black Hawk County
Waterloo, Iowa

Dear Sheriff:

Enclosed is an original and 2 copies of a notice of Condemnation to be served on Wilma M. Clancy who resides at 67 Ricker your city and Sadie M. Emerson who I believe is living with Wilma M. Clancy.
Please return the original to this office and I will remit your fees.
Thank-you.

Yours truly,
Rex Rouse, Sheriff

RR/wb

Waterloo, Iowa, July 17, 1964 Rex Rouse, Sheriff Winterset, Iowa

Statement of Account with the OFFICE OF BLACK HAWK COUNTY SHERIFF

IN THE CASE OF 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.

TO - Sadie M. Emerson et al

Served as requested. Will be returned or filed with Clerk on receipt of fees.

Service, $ .75
Copies, - - -
Mileage, .65
Total $ 1.40

N. of Condemnation served 7-17-64

Elmer Hightower
Sheriff of Black Hawk County, Iowa

Paid 8-19-64 By Sheriff Rex Rouse

AFFIDAVIT OF PUBLICATION

STATE OF IOWA)
Madison County) ss.

J. C. Moore Being duly sworn says he is Publisher of the Winterset Madisonian, a weekly newspaper of general circulation, published in Winterset, Iowa, and that the notice, a copy of which is annexed and made part hereof, was correctly published in said newspaper for the period of 4 consecutive weeks, the last publication thereof being on the 5th day of August, 1964

J. C. Moore

Subscribed and sworn to before me this 5th day of August, 1964.

Fee $ 56.80 (NOTARY SEAL)

Paul J. White
Notary Public in and for
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)

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: SADIE M. EMERSON; GOLDA L. LA FOLLETTE; OPAL I. ALLEN; WILMA M. CLANCY; VERNE H. EMERSON; HAZEL D. PICKERD; CHARLES E. EMERSON; EVERETTE E. EMERSON; LLOYD A. EMERSON; and W. A. WINKLER

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,

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

which real estate,is described as follows, to-wit:

Beginning at a point 21.0 feet north of the SE corner Sec. 31 T74N R28W of the 5th P.M.; thence west 40.0 feet; thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and continuing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence.

Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

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 be on the 14th day of August, 1964, at 11:30 o'clock A. M. view said premises and proceed to appraise said damages, at which time you may appear before the Commission, if you care to do so.

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

RETURN OF ORIGINAL NOTICE

STATE OF IOWA)
Madison County) ss.

The within notice received this 11th day of July, 1964, 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
Opal I. Allen	July	13,	1964	New Hope twp.	Union	Iowa
Verne H. Emerson	July	13,	1964	New Hope, twp.	Union	Iowa

Rex Rouse, Sheriff

Service & Copy 1.00 pd RRR
Mileage 2.24
TOTAL $ 3.24

Edward A. Powell
by Edward A. Powell, Deputy Sheriff

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

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:

Lowell Olson, Center twp. , Fred Morford, Jr., Penn twp.
Merrill Creger, Ohio twp. , Alfred Koch, Jefferson twp.
Roy Pond, Lee twp. and Grant Martens, Madison twp.

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

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

in writing to the undersigned Sheriff as provided by law, said real estate being situated in Madison County, Iowa, and described as set out in said Exhibit "A" a part hereof.

Dated at Winterset, Madison County, Iowa, this 10th day of August, 1964.

Rex Rouse
Sheriff of Madison County, Iowa

EXHIBIT "A"

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 the South 100 acres of the Southeast Quarter (¼) of Section Thirty-one (31), Township Seventy-four (74) North, Range Twenty-eight (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 as provided by laws of the State of Iowa, for such purposes, to-wit: Chapter 471 and 472 of the 1962 Code of Iowa, and any and all other pertinent statutory provisions, and,

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

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

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

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of any and all liens and encumbrances of said real estate, if any, together with each and all of their respective places of residence, so far as known to this Applicant are as follows, to-wit:

The Owners	Place of Residence	Post Office Address
Sadie M. Emerson	Lorimor, Iowa	Lorimor, Iowa
Golda L. La Follette	El Cerrito, California	1704 E. Ganges
Opal I. Allen	Lorimor, Iowa	Lorimor, Iowa
Wilma M. Clancy	Waterloo, Iowa	67 Ricker
Verne H. Emerson	Lorimor, Iowa	Lorimor, Iowa
Hazel D. Pickerd	Englewood, California	Apt. 2 - 815 Cory Drive
Charles E. Emerson	Clinton, Missouri	729 E. Franklin
Everette E. Emerson	Los Angeles, California	154 N. New Hampshire
Lloyd A. Emerson	Germany	AF 17268008 2nd M.O.B. Comm. 6th G.P. Box 142, A.P.O. 83 New York, New York

Name of Mortgage or Lien Holder: None

Name of Lessee: W. A. Winkler

Name of Easement Holder: None

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

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

the damages for all clains 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 11th day of July, 1964.

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

EXHIBIT "A"

Description of real estate belonging to Sadie M. Emerson, Golda L. La Follette, Opal I. Allen, Wilma M. Clancy, Verne H. Emerson, Hazel D. Pickard, Charles E. Emerson, Everette E. Emerson and Lloyd A. Emerson, the subject matter of this condemnation proceeding:

Beginning at a point 21.0 feet north of the SE corner Sec. 31 T74N R28W of the 5th P.M.; thence West 40.0 feet, thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and containing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence.

Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

PROPERTY PLAT

Acquired from Sadie M. Emerson Married or Single - - R.O.W. Area 0.26 Acres

Borrow Area - Acres Total Consideration $ - Acquired by CONDEMNATION

Date of Contract - , 19 -

LOCATION

From CL Station 0 + 21 to CL Station 16 + 31.5 Section 31, Township 74N, Range 28W

Township (Civil) Monroe

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 312.

MADISON COUNTY Project No. 3-64 EXHIBIT "B"

PLAT OF PROPERTY

OF SADIE M. EMERSON Area 100 Acres. Sta 0 + 21 to Sta 16 + 31.5

Section 31 T 74 N-R 28 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 312.

MADISON COUNTY Project No. 3 - 64

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: Lowell Olson, Center twp.; Merrill Creger, Ohio twp.; Roy Pond, Lee twp., Fred Moreford, Jr., Penn twp.; Alfred Koch, Jefferson twp.; Grant Martens, Madison twp.

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 Sadie M. Emerson, Golda L. La Follette, Opal I. Allen, Wilma M. Clancy, Verne H. Emerson, Hazel D. Pickerd, Charles E. Emerson, Everette E. Emerson and Lloyd A. Emerson and located in Section 31, Township 74 North, of Range 28 West of the 5th P.M., Madison County, Iowa, taking and appropriating a part thereof for road purposes, which part said Madison County, Iowa, asked to have condemned in an application filed by said Madison County, Iowa, with the undersigned Sheriff on the 11th day of July, 1964, and that Notices of such condemnation

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

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 14th day of August, 1964, at 11:30 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 10th day of August, 1964.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE AND ACKNOWLEDGEMENTS 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 10 day of August, 1964.

Merrill Creger
Lowell L. Olson
Fred Morford, Jr

A. H. Koch
Roy L. Pond
Grant J. Martens

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

EXHIBIT "A"

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 the South 100 acres of the Southeast Quarter (¼) of Section Thirty-one (31), Township Seventy-four (74) North, Range Twenty-eight (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 as provided by laws of the State of Iowa, for such purposes, to-wit: Chapter 471 and 472 of the 1962 Code of Iowa, and any and all other pertinent statutory provisions, and,

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

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

WHEREAS, there is attached to this Application a plat showing the location of property sought to be affected by condemnation under these proceedings and the location of improvements and relocation, 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:

Deed Record, No. 93, Madison County, Iowa

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The Owners:	Place of Residence	Post Office Address
Sadie M. Emerson	Lorimor, Iowa	Lorimor, Iowa
Golda L. La Follette	El Cerrito, California	1704 E. Ganges
Opal I. Allen	Lorimor, Iowa	Lorimor, Iowa
Wilma M. Clancy	Waterloo, Iowa	67 Ricker
Verne H. Emerson	Lorimor, Iowa	Lorimor, Iowa
Hazel D. Pickerd	Englewood, California	Apt. 2 - 815 Cory Drive
Charles E. Emerson	Clinton, Missouri	729 E. Franklin
Everette E. Emerson	Los Angles, California	154 N. New Hampshire
Lloyd A. Emerson	Germany	AF 17268008 2nd M.O.B. Comm. 6th G.P. Box 142, A.P.O. 83 New York, New York

Name of Mortgage or Lien Holder: None

Name of Lessee: W. A. Winkler

Name of Easement Holder: None

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 11th day of July, 1964.

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

EXHIBIT "A"

Description of real estate belonging to Sadie M. Emerson, Golda L. La Follette, Opal I. Allen, Wilma M. Clancy, Verne H. Emerson, Hazel D. Pickard, Charles E. Emerson, Everette E. Emerson and Lloyd A. Emerson, the subject matter of this condemnation proceeding:

> Beginning at a point 21.0 feet north of the SE corner Sec. 31 T74N R28W of the 5th P.M.; thence West 40.0 feet, thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and containing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence.
>
> Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

PROPERTY PLAT

Acquired from Sadie M. Emerson Married or Single - - R.O.W. Area 0.26 Acres

Borrow Area - Acres Total Consideration $ - Acquired by CONDEMNATION

Date of Contract - , 19 -

LOCATION

From CL Station 0 + 21 to CL Station 16 + 31.5 Section 31, Township 74N, Range 28W

Township (Civil) Monroe

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 312.

MADISON COUNTY Project No. 3-64 EXHIBIT "B"

PLAT OF PROPERTY

OF SADIE M. EMERSON Area 100 Acres. Sta 0 + 21 to Sta 16 + 31.5

Section 31 T 74 N-R 28 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 312.

MADISON COUNTY Project No. 3 - 64

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

OATH AND QUALIFICATION OF COMMISSIONERS

STATE OF IOWA)
ss
MADISON COUNTY)

We and each of us, being first duly sworn on oath depose and say that we are each one of the persons appointed by Rex Rouse, Sheriff of Madison County, Iowa, on the 10th day of August, 1964, 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 31, Township 74 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 we are resident freeholders of Madison County, Iowa; that we are not interested in the same or a like or similar question; that we will to the best of our ability faithfully or impartially assess said damages and make written report to the Sheriff as provided by law.

Merrill Creger
Lowell L. Olson
Fred Morford, Jr
A. H. Koch
Roy L. Pond
Grant J. Martens

Subscribed and sworn to before me this 14 day of August, 1964.

(DISTRICT COURT SEAL)

Marguerite Morrissey
Clerk of Court 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)

REPORT OF COMMISSIONERS

TO: REX ROUSE, SHERIFF OF MADISON COUNTY, IOWA

The undersigned Commissioners appointed by you by Order of Appointment dated the 10th day of August, 1964, to inspect the real estate hereinafter described and assess the damages which the owner and parties interested therein are sustaining by reason of the condemnation and appropriation thereof, for the use of Madison County, Iowa, in connection with the improvement of certain roads in Madison County, Iowa, as stated in the Application for Condemnation of Property, filed with you the 11th day of July, 1964, do hereby make report that upon due notice we met upon said premises, viewed and inspected the same on the 14th day of August, 1964, at 11:30 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, to-wit:

Beginning at a point 21.0 feet north of the SE corner Sec. 31 T 74N R 28W of the 5th P.M.; thence west 40.0 feet; thence North 1610.5 feet; thence east 40.0 feet; thence south 1610.5 feet to the point of beginning and containing 0.26 acres, more or less, exclusive of the present established highway and moving approximately 98 rods of fence

Note: the east line of the SE¼ Sec. 31 T74N R28W is assumed to bear due north.

Madison County condemns only easement for road purposes and does not condemn right of access.

TO: SADIE M. EMERSON, GOLDA L. LA FOLLETTE, OPAL I. ALLEN, WILMA M. CLANCY, VERNE H. EMERSON, HAZEL D. PICKERD, CHARLES E. EMERSON, EVERETTE E. EMERSON, LLOYD A. EMERSON AND W. A. WINKLER $ 344.00

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 $ —
Attendance and notices $ —

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APPRAISER'S FEES:

Fred Morford, Jr.	$ -
Roy L. Pond	$ -
Grant J. Martens	$ -
Alfred Koch	$ -
Merrill S. Creger	$ -
Lowell L. Olson	$ -

Filed with recorder 8-25-64
Rex Rouse, Sheriff

Aug. 25 , 1964

Received of Rex Rouse, Sheriff Three Hundred Forty-four & no/100 Dollars

Condemnation Award

Verne H. Emerson Atty-in-fact

Amount Paid $ -
Balance Due $ -

COMPARED