Deed Record, No. 93, Madison County, Iowa

Robert M. Berry & wife
By Madison County, Sheriff
To
Madison County, Iowa

#2625

No Fee

Filed for record the 12 day of Sept. A. D. 1964 at 10:00 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:

Received 7-11-64
11:00 AM wb
Madison County Sheriff
Winterset, 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 West Half (½) of the Northwest Quarter (¼) of Section Twenty-nine (29), 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,

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

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 southt 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
Robert M. Berry and Catherine E. Berry	Lorimor, Iowa	Lorimor, Iowa

Name of Mortgage or Lien Holder: The Mutual Benefit Life Insurance Company

Name of Lessee: None

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.

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 Robert M. Berry and Catherine E. Berry, husband and wife, as joint tenants, with right of survivorship to apply, and not as tenants in common, the subject matter of this condemnation proceeding:

> Beginning at a point 31.1 feet south of the NW corner Sec. 29 T74N R28W of the 5th P.M.; thence east 45.11 feet; thence S0° 11.7'E 1963.0 feet; thence S0° 37.3'W 627.3 feet; thence west 45.0 feet to the W¼ corner of said Sec. 29; thence north 2590.25 feet to the point of beginning and containing 0.92 acres, more or less, exclusive of the present established highway and moving approximately 157 rods of fence.
> Note: the west line of the NW¼ Sec. 29 T74N R28 W is assumed to bear due north.

PROPERTY PLAT

Acquired from Robert M. & Catherine E. Berry Husband & Wife Married or Single------

R.O.W. Area 0.92 Acres Borrow Area - - Acres Total Consideration $ -

Acquired by Condemnation Date of Contract - - 19 - -.

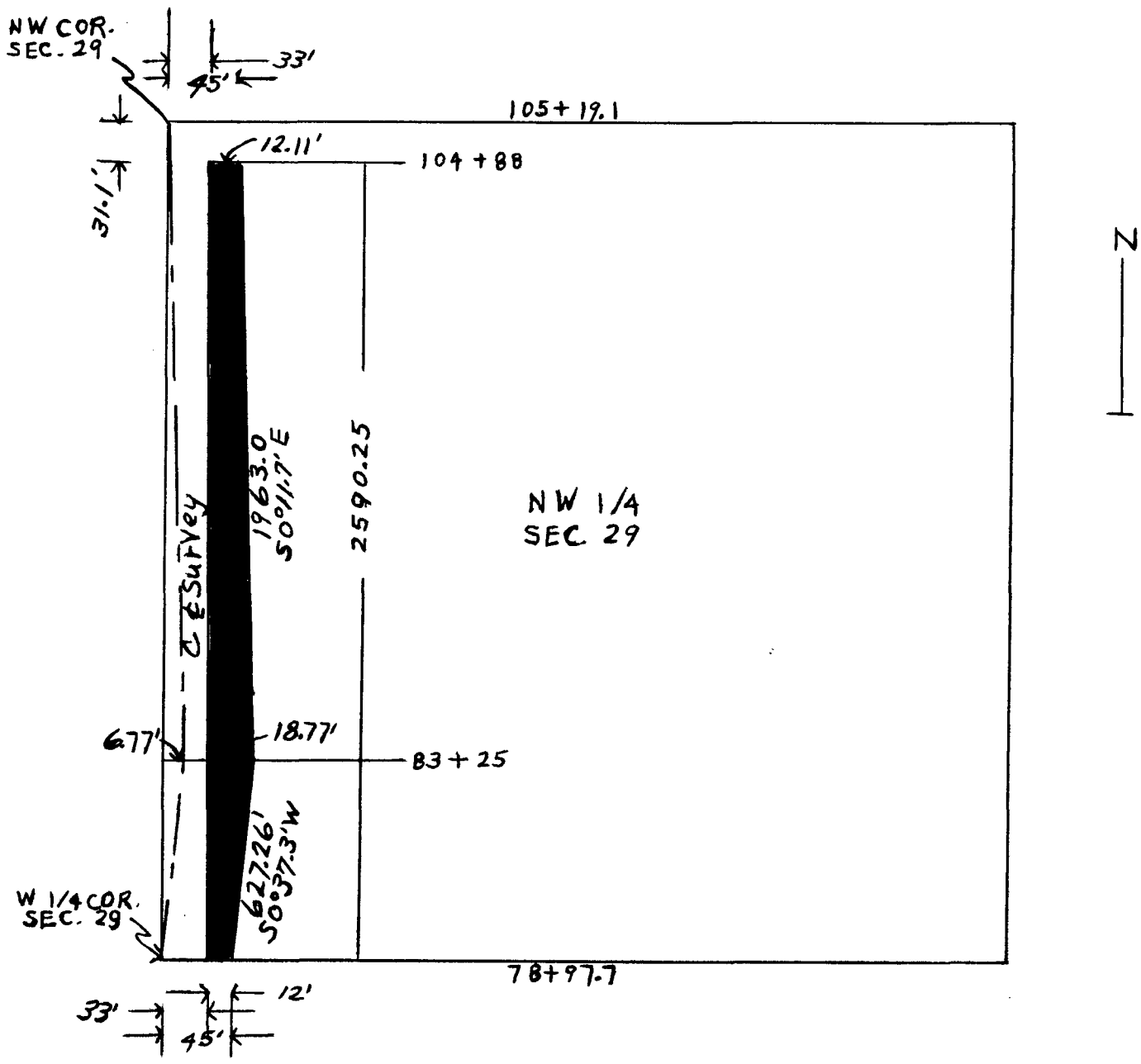
LOCATION

From CL Station 78+97.7 to CL Station 104+88 Section 29, Township 74N

Range 28 W Township (Civil) Monroe, Iowa.

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

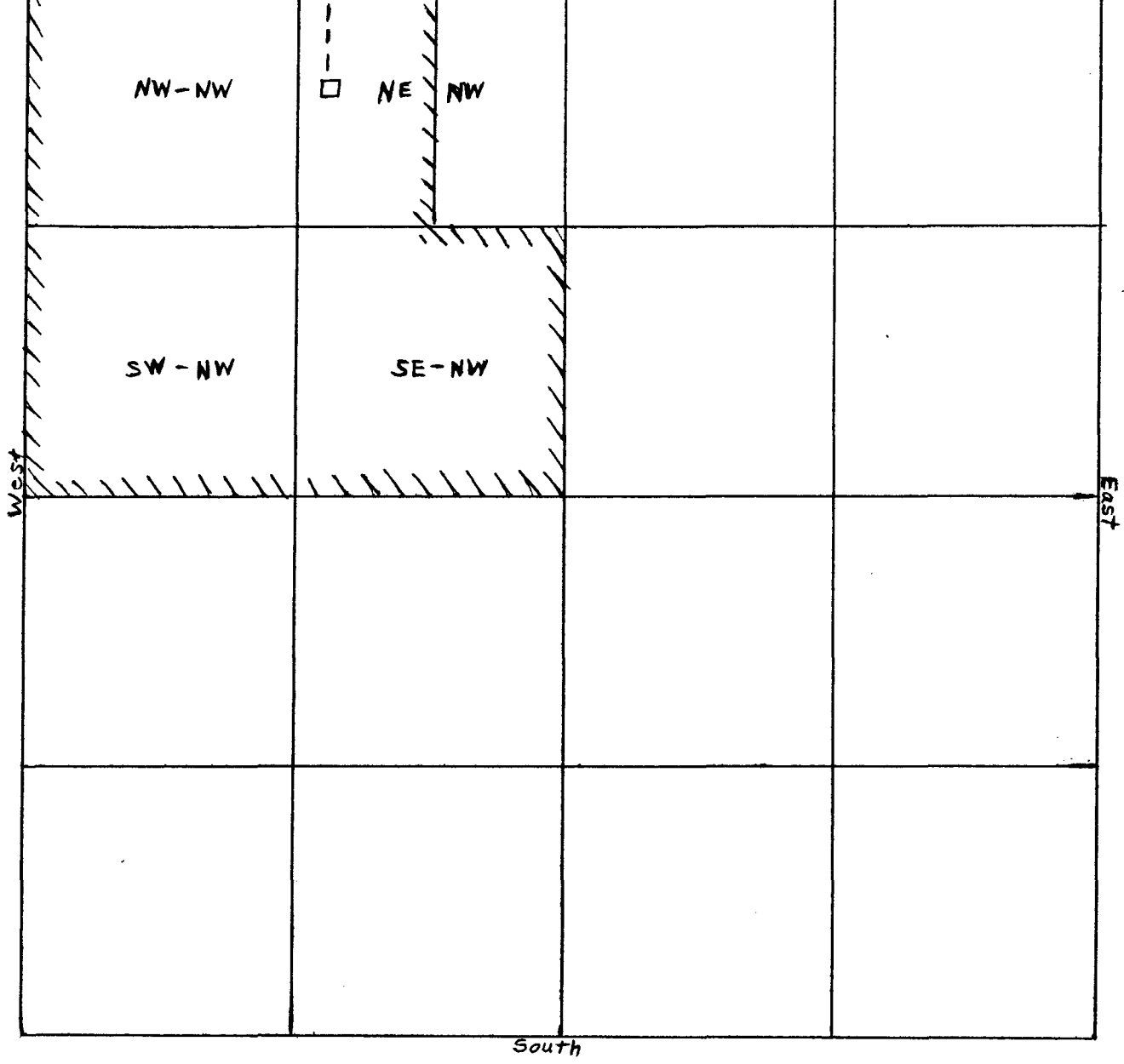


MADISON COUNTY Project No. 3-64 EXHIBIT "B"

PLAT OF PROPERTY

Of Robert M. & Catherine E. Berry Husband & Wife Area 140 Acres

Sta 78+97.7 to Sta 104+88 Section 29 T74 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 ESTATE FOR ROAD IMPROVEMENT PURPOSES : NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA.

TO: ROBERT M. BERRY AND CATHERINE E. BERRY AND MUTUAL BENEFIT LIFE INSURANCE 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:

Beginning at a point 31.1 feet south of the NW corner Sec. 29 T74N R28 W of the 5th P.M.; thence east 45.11 feet; thence S0° 11.7'E 1963.0 feet; thence S0° 37.3'W 627.3 feet; thence west 45.0 feet to the W¼ corner of said Sec. 29; thence north 2590.25 feet to the point of beginning and containing 0.92 acres, more or less, exclusive of the present established highway and moving approximately 157 rods of fence.
Note: the west line of the NW¼ Sec. 29 T74N R28 W is assumed to bear due north.

YOU ARE FURTHER NOTIFIED that such condmenation 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 9:30 o'clock A.M., view said premises and proceed to appraise said damages, at which time you may appear before the commissioners, if you care to do so.

MADISON COUNTY, APPLICANT
By Lewis H. 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 placed set opposite their respective names:

Name of Defendants	Month	Day	Year	City, Town or Township	County	State
Robert M. Berry	Aug.	4	1964	Monroe	Madison	Iowa
Catherine E. Berry	Aug.	4	1964	Monroe	Madison	Iowa

Service & Copy $1.25
Mileage - -

Rex Rouse Sheriff
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 : NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA

TO: ROBERT M. BERRY AND CATHERINE E. BERRY AND MUTUAL BENEFIT LIFE INSURANCE 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:

Beginning at a point 31.1 feet south of the NW corner Sec. 29 T74N R28W of the 5th P. M.; thence east 45.11 feet; thence S0° 11.7'E 1963.0 feet; thence S0° 37.3'W 627.3 feet; thence west 45.0 feet to the W¼ corner of said Sec. 29; thence north 2590.25 feet to the point of beginning and containing 0.92 acres, more or less, exclusive of the present established highway and moving approximately 157 rods of fence.
Note: the west line of the NW¼ Sec. 29 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,

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

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 9:30 o'clock A. M., view said premises and proceed to appraise said damages, at which time you may appear before the commissioners, if you care to do so.

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

RECEIVED
JUL 16 1964
Sheriff Story County, Iowa
J.I. SHALLEY, Sheriff

RETURN OF NOTICE

STATE OF IOWA, STORY COUNTY) SS.

The within notice received this 16" day of July, 1964, and I certify that on the 16" day of July, 1964, I served the same on the defendant Mutual Benefit Life Insurance Company, a corporation (1), by delivering a copy thereof to Richard J. Lowther a resident attorney therefor, in the City, of Ames in Story County, State of Iowa.

J. I. Shalley, Sheriff
Story County, Iowa
By J. P. Stock Deputy

Service $ .75
Mileage 1.80
$2.55

Pd July 22, 1964
By Webster, Frederick & Jordan Attys. Pltff.
J. I. SHALLEY, Sheriff of Story County, Iowa No. 37054

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:

Lowell Olson,	Center twp.	Fred Morford, Jr.	Penn twp.
Merrill Creger,	Ohio twp.	Alfred Koch,	Jefferson twp.
Roy Pond,	Lee twp.	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 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 Aug. 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 West Half (½) of the Northwest

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Quarter (¼) of Section Twenty-nine (29), 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 condmened 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 condmened and appropriated for such purposes, the same being pub lic purposes,

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 southt 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
Robert M. Berry and Catherine E. Berry	Lorimor, Iowa	Lorimor, Iowa

Name of Mortgage or Lien Holder: The Mutual Benefit Life Insurance Company

Name of Lessee: None

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 Robert M. Berry and Catherine E. Berry, husband and wife, as joint tenants, with right of survivorship to apply, and not as tenants in common, the subject matter of this condemnation proceeding:

Beginning at a point 31.1 feet south of the NW corner Sec. 29 T74N R28W of the 5th P.M.; thence east 45.11 feet; thence S0° 11.7'E 1963.0 feet; thence S0° 37.3'W 627.3 feet; thence west 45.0 feet to the W¼ corner of said Sec. 29; thence north 2590.25 feet to the point of beginning and containing 0.92 acres, more or less, exclusive of the present established highway and moving approximately 157 rods of fence.
Note: the west line of the NW¼ Sec. 29 T74N R28W is assumed to bear due north.

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

PROPERTY PLAT

Acquired from Robert M. & Catherine E. Berry Husband & Wife Married or Single - -

R.O.W. 0.92 Acres Borrow Area - - Acres. Total Consideration $ - - -

Acquired by Condemnation Date of Contract 19 - - -

LOCATION

From CL Station 78+97.7 to CL Station 104+88 Section 29, Township 74N, Range 28 W

Township (Civil) Monroe Iowa.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 335.

Madison County Project No. 3-64

PLAT OF PROPERTY

Of Robert M. & Catherine E. Berry Husband & Wife Area 140 Acres Sta. 78+97.7 to Sta. 104+88 Section 29 T 74 N-R 28 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 335.

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, Merrill Creger, Roy Pond, Fred Morford, Jr., Alfred Koch, and Grant Martens

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 Robert M. Berry and Catherine E. Berry, husband and wife and located in Section 29, 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 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 9:30 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

ACCEPTANCES 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 10th day of August, 1964.

Merrill Creger
Lowell L. Olson
Fred Morford Jr.

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

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:

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

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 West Half (½) of the Northwest Quarter (¼) of Section Twenty-nine (29), 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
Robert M. Berry and Chatherine E. Berry	Lorimor, Iowa	Lorimor, Iowa

Name of Mortgage or Lien Holder: The Mutual Benefit Life Insurance Company

Name of Lessee: None

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 Robert M. Berry and Catherine E. Berry, husband and wife, as joint tenants, with right of survivorship to apply, and not as tenants in common, the subject matter of this condemnation proceeding:

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

Beginning at a point 31.1 feet south of the NW corner Sec. 29 T74N R28W of the 5th P.M.; thence east 45.11 feet; thence S0° 11.7'E 1963.0 feet; thence S0° 37.3'W 627.3 feet; thence west 45.0 feet to the W¼ corner of said Sec. 29; thence north 2590.25 feet to the point of beginning and containing 0.92 acres, more or less, exclusive of the present established highway and moving approximately 157 rods of fence.
Note: the west line of the NW¼ Sec 29 T74N R28W is assumed to bear due north.

PROPERTY PLAT

Acquired from Robert M. & Catherine E. Berry Husband & Wife Married or Single - -

R.O.W. 0.92 Acres Borrow Area - - Acres. Total Consideration $ - - -

Acquired by Condemnation Date of Contract - - 19- -.

LOCATION

From C1 Station 78+97.7 to CL Station 104+88 Section 29, Township 74 N, Range 28W

Township (Civil) Monroe Iowa

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 93, PAGE 335.

Madison County Project No. 3-64 EXHIBIT "B"

PLAT OF PROPERTY

Of Robert M. & Catherine E. Berry Husband & Wife Area 140 Acres Stat. 78+97.7 to Sta. 104+88 Section 29 T74 N-R 28 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED REOCRD 93, PAGE 335.

Madison County Project No. 3-64

OATH AND QUALIFICATION OF COMMISSIONERS

STATE OF IOWA MADISON COUNTY : SS

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 29, 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 question; that we will to the best of our ability faithfully and 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 14th 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 there of, 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

Deed Record, No. 93, Madison County, Iowa

MARSHALL PRINTING CO., MARSHALLTOWN, IOWA 52302

day of August, 1964, at 9:30 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 31.1 feet south of the NW corner Sec. 29 T74N R28W of the 5th P.M.; thence east 45.11 feet; thence S0° 11.7'E 1963.0 feet; thence S0° 37.3'W 627.3 feet; thence west 45.0 feet to the W¼ corner of said Sec. 29; thence north 2590.25 feet to the point of beginning and containing 0.92 acres, more or less, exclusive of the present established highway and moving approximately 157 rods of fence.
Note: the west line of the NW¼ Sec. 29 T74N R28 W is assumed to bear due north.

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

TO: Robert M. Berry and Catherine E. Berry $850.00

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 $ -

APPRAISER'S FEES:
Fred Mordord Jr. $ -
Roy L. Pond $ -
Grant J. Martens $ -
Alfred Koch $ -
Merrill S. Creger $ -
Lowell L. Olson $ -

Sept. 11, 1964

RECEIVED OF Rex Rouse, Sheriff
Eight Hundred Fifty & no/100 Dollars
Condemnation Award

Robert Berry

SHERIFF'S CERTIFICATION OF COSTS

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

	Fees	Mileage	Total
1. Serving Original Notices	6.75	22.58	$ 29.33
(a) Sheriff Black Hawk County	1.40	- -	1.40
(b) Sheriff - Nebraska	2.00	.18	2.18
(c) Sheriff Story County	2.55	- -	2.55
(d) Madisonian - Advertising	56.80	- -	56.80
(e) Mailing	.25	- -	.25
2. Sheriff Service Notice of Appointment of Commissioners	3.25	8.28	11.53
3. Sheriff Attending Commissioners	7.50	3.24	10.74
TOTAL SHERIFF'S COSTS			$114.78

4. Commissioner's Expenses:

Meals	7.24
Roy Pond, Lee twp. 1 day service and mileage	18.96
Alfred Koch, Jefferson twp. 1 day service and mileage	17.10
Fred Morford, Jr., Penn twp. 1 day service and mileage	17.80
Grant Martens, Madison twp. 1 day service and mileage	16.98
Lowell Olson, Center twp. 1 day service and mileage	15.18
Merrill Creger, Ohio Twp. 1 day service and mileage (used his car on viewing)	21.48
total Jury Costs	$114.74

5. Damages awarded:

Robert M. Berry and Catherine E. Berry	850.00
V. L. Kersn	425.00
Vernie E. Lewis	420.00
William C. Baker and Hazel B. Baker	1700.00
Sadie M. Emerson, Golda L. LaFollette, 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
TOTAL DAMAGES AWARDED	$3739.00

Deed Record, No. 93, Madison County, Iowa

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RESCAPITULATION

TOTAL DAMAGES AWARDED		$3739.00
TOTAL SHERIFF'S COSTS		114.78
TOTAL COMMISSIONER'S EXPENSES		114.74
	GRAND TOTAL	$3968.52

All commissioner's ffes charged on Robert M. Berry and Catherine E. Berry condemnation.

Certified a true statement of Robert M. Berry and Catherine E. Berry; L. V. Kerns; Vernie E. Lewis; William C. Baker and Hazel B. Baker; Sadie M. Emerson, Golda L. LaFollette, 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 condemnation expenses and original copies of proceedings therewith.

Rex Rouse
Rex Rouse, Sheriff Madison County, Iowa