FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

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

RYMAN J. SMITH TO MADISON COUNTY, IOWA

APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY

#3679

Filed for record the 19 day of September A. D. 1960 at 1:06 o'clock P. M.
Mary E. Welty, Recorder No Fee

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 widening, improving, altering and relocating a public highway as the same now proceeds through Section 23, in Township 77 North of Range 27 West of the 5th P. M., Madison County, Iowa, and

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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 power as provided by the laws of the State of Iowa for such purpose, to-wit: Chapter 471 and 472 of the 1958 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 effected 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:

		Place of Residence	Post Office Address
The Owner:	Ryman J. Smith	Winterset, Iowa	Winterset, Iowa
Mortgagee:	None		
Lessee:	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 any 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 9th day of May, 1960.

MADISON COUNTY, IOWA
By Emery L. Goodenberger
County Attorney in and for Madison
County, Iowa

EXHIBIT "A"

Description of real estate belonging to Ryman J. Smith, the subject matter of this condemnation proceeding:

Commencing at a point 33 feet West and 3.4 feet South of the S.E. corner NE¼ SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line of said Section 23, is assumed to bear due North and South.

PROPERTY PLAT

Acquired from Ryman J. Smith Married or Single? Married Meriam Aileen Smith
(Give full name of spouse)

R.O.W. Area 1.49 Acres. Borrow Area - - Acres. Total Consideration $ - -

Acquired by Condemnation Date of Contract - - 19--

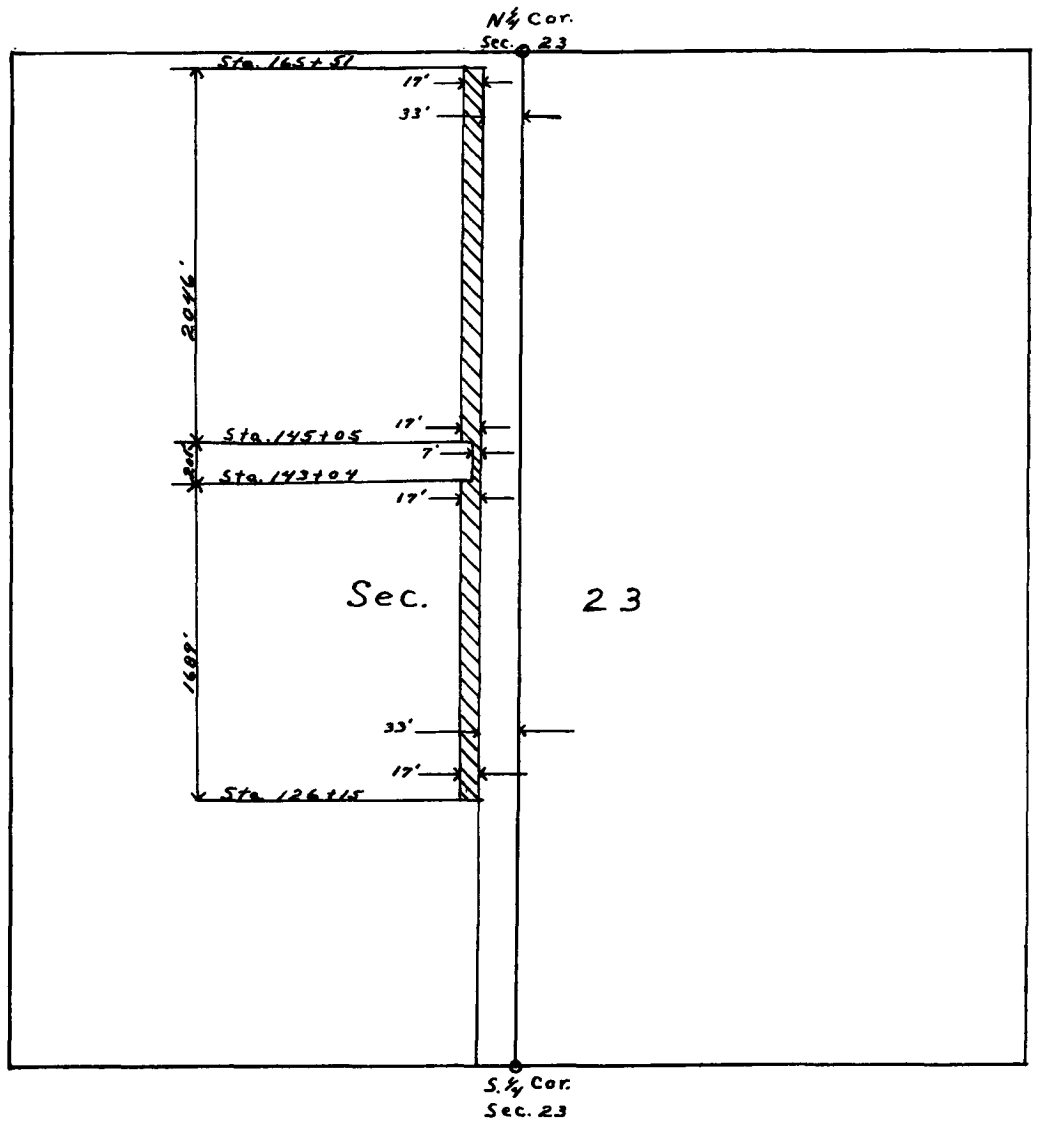
Deed Record, No. 91, Madison County, Iowa

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

LOCATION

From CL Station 126+15 to CL Station 165+51 Section 23

Township 77 N Range 27 - W Township (Civil) Jefferson Iowa.

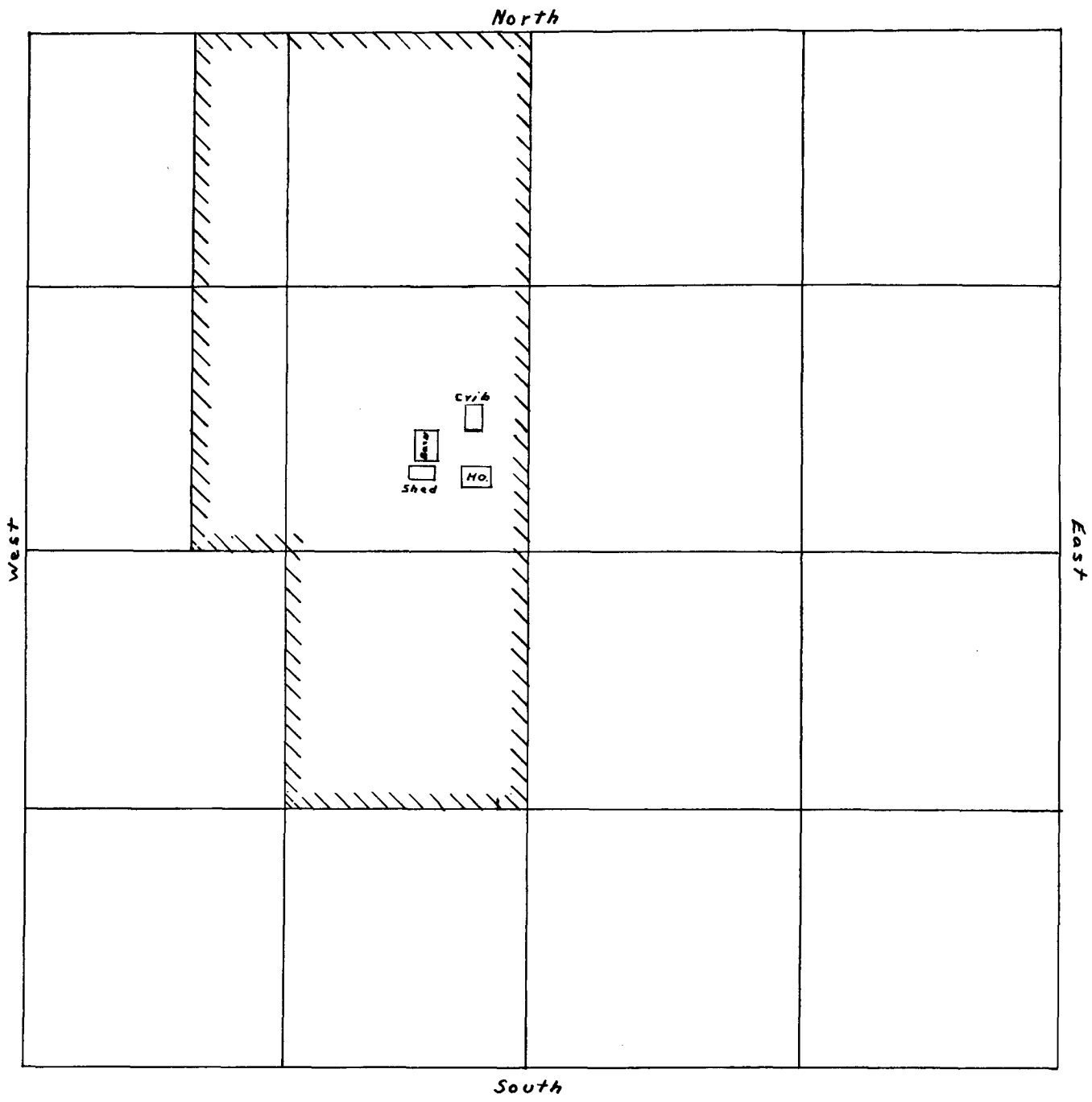


Madison County Project No. SN-2832 Exhibit "B"

Plat of Property

Of Ryman J. Smith Area 150 Acres. Sta. 126+15 to Sta. 165+51

Section 23 T 77 N-R 27 W.



Madison County Project No. SN-2832

Deed Record, No. 91, Madison County, Iowa

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

COUNTY Madison INFORMATION FOR CONDEMNATION PROCEEDINGS Project SN-2832

OWNER OF RECORD

Ryman J. Smith Spouse Meriam Aileen Winterset, Iowa

Occupant of the Land - - Signed? - -

Occupant of the House - - Signed? - -

NAMES AND ADDRESSES OF ALL LIENHOLDERS: None

Legal Description of parcel to be condemned.

Commencing at a point 33 feet West and 3.4 feet South of the S.E. corner NE¼SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line of said Section 23, is assumed to bear due North and South.

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: RYMAN J. SMITH:

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 a point 33 feet West and 3.4 feet South of the S.E. corner NE¼SW¼ Section 23, T77N R27W of the 5th P. M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line of said Section 23, is assumed to bear due North and South.

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 Commissioner will, on the 23rd day of May, 1960, at ten 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 Emery L. Goodenberger
County Attorney in and for Madison County, Iowa

RETURN OF ORIGINAL NOTICE

STATE OF IOWA, Madison County, Iowa, ss.

The within notice received this 9th day of May 1960, and I hereby certify that I served the same on the defendants named below by delivering a copy thereof to each of the said defendants personally at the time and place set opposite their respective names:

Name of Defendant	Month	Day	Year	City, Town or Township	County	State
Ryman J. Smith	5	10	60	Center twp.	Madison	Iowa

Rex Rouse, Sheriff
L. E. Hooper
Official Title
by L. E. Hooper, Deputy

FEES	
Service,	$ .75
Copies,	$ - -
Mileage,	$ - -
Total,	$ .75

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

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 improving 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 — Wes Eivins — Wm. R. Kent
Orval Satterlee — Gale Emerson — Claude N. Shearer

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 23rd day of May, 1960.

Rex Rouse Sheriff of Madison County, Iowa

OATH AND QUALIFICATION OF COMMISSIONERS

STATE OF IOWA MADISON COUNTY SS.

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 23rd day of May, 1960, 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 purpose, said real estate being located in Section 23, in Township 77 North, of Range 27 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 do 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 — Wm. R. Kent
M. S. Creger — W. J. Eivins
Orval E. Satterlee — Gale Emerson

Subscribed and sworn to before me by all and each of the foregoing named individuals, in my presence this 23rd day of May, 1960.

(DISTRICT COURT SEAL)

Marguerite Morrissey Clerk of District Court in and for Madison County, Iowa

IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA FOR THE)
APPOINTMENT OF COMMISSIONERS TO) APPLICATION TO SHERIFF FOR
ASSESS DAMAGES FOR THE TAKING OF) CONDEMNATION OF PROPERTY
REAL ESTATE FOR ROAD IMPROVEMENT)
PURPOSES)

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 widening, improving, altering and relocating a public highway as the same now proceeds through Section 23, in Township 77 North of Range 27 West of the 5th P. M., Madison County, Iowa, and

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

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

inafter described as to the compensation to be paid therefore, nor as to the taking of said real e state, and

WHEREAS, said Madison County, Iowa is desirous of having said real estate condemned and appropriated to it for such purposes under its power as provided by the laws of the State of Iowa for such purpose, to-wit: Chapter 471 and 472 of the 1958 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 effected 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:

		Place of Residence	Post Office Address
The Owner:	Ryman J. Smith	Winterset, Iowa	Winterset, Iowa
Mortgagee:	None		
Lessee:	None		

Exhibit "A"

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 any consequential damages, if any, sustained by the owners and any other persons interested in said real estate, by reason of the taking, acquring, 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 9th day of May, 1960.

MADISON COUNTY, IOWA
By s/ Emery L. Goodenberger
County Attorney in and for Madison
County, Iowa

EXHIBIT "A"

Description of real estate belonging to Ryman J. Smith, the subject matter of this condemnation proceeding:

Commencing at a point 33 feet West and 3.4 feet South of the S.E. corner NE¼ SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line of said Section 23, is assumed to bear due North and South.

PROPERTY PLAT

Acquired from Ryman J. Smith Married or Single? Married Meriam Aileen Smith (Give full name of spouse)

R.O.W. Area 1.49 Acres. Borrow Area - - Acres. Total Consideration $ - -

Acquired by Condemnation Date of Contract - - 19--

LOCATION

From CL Station 126+15 to CL Station 165+51 Section 23

Township 77 N Range 27-W Township (Civil) Jefferson Iowa.

Deed Record, No. 91, Madison County, Iowa

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 91, PAGE 152

Madison County Project No. SN-2832 Exhibit "B"

Plat of Property

Of Ryman J. Smith Area 150 Acres. Sta. 126+15 to Sta. 165+51

Section 23 T 77 N-R 27 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 91, PAGE 152

Madison County Project No. SN-2832

COUNTY Madison INFORMATION FOR CONDEMNATION PROCEEDINGS Project SN-2832

OWNER OF RECORD

Ryman J. Smith Spouse Meriam Aileen Winterset, Iowa

Occupant of the Land - - Signed? - -

Occupant of the House - - Signed? - -

NAMES AND ADDRESSES OF ALL LIENHOLDERS: None

Legal Description of parcel to be condemned.

Commencing at a point 33 feet West and 3.4 feet South of the S.E. corner NE¼SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line of said Section 23, is assumed to bear due North and South.

IN THE MATTER OF THE APPLICATION)
BY MADISON COUNTY, IOWA, FOR THE)
APPOINTMENT OF COMMISSIONERS TO) NOTICE TO APPRAISERS OF
ASSESS DAMAGES FOR THE TAKING OF) TIME FOR APPRAISEMENT
REAL ESTATE FOR ROAD IMPROVEMENT)
PURPOSES)

TO: Merrill Creger, Orval Satterlee, Wes Eivins, Gale Emerson, Wm. R. Kent, Claude N. Shearer

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that having heretofore been appointed by me as appraisers to appraise the damages to certain real estate owned by Ryman J. Smith and located in Section 23, in Township 77 North, of Range 27, 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 9th day of May, 1960, 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 23rd day of May, 1960, at ten 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 effected 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 thereof.

Dated this 23rd day of May, 1960.

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 - - day of May, 1960.

Claude N. Shearer
M. S. Creger
Orval E. Satterlee

Wm. R. Kent
W. J. Eivins
Gale Emerson

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

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 widening, improving, altering and relocating a public highway as the same now proceeds through Section 23, in Township 77 North of Range 27 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 power as provided by the laws of the State of Iowa for such purpose, to-wit: Chapter 471 and 472 of the 1958 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 effected 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:

		Place of Residence	Post Office Address
The Owner:	Ryman J. Smith	Winterset, Iowa	Winterset, Iowa
Mortgagee:	None		
Lessee:	None		

Exhibit "A"

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 any 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 9th day of May, 1960.

MADISON COUNTY, IOWA
By s/ Emery L. Goodenberger
County Attorney in and for Madison
County, Iowa

EXHIBIT "A"

Description of real estate belonging to Ryman J. Smith, the subject matter of this condemnation proceeding:

Commencing at a point 33 feet West and 3.4 feet South of the S.E. corner NE¼ SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet;

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line ofsaid Section 23, is assumed to bear due North and South.

PROPERTY PLAT

Acquired from Ryman J. Smith Married or Single? Married Meriam Aileen Smith (Give full name of Spouse)

R.O.W. Area 1.49 Acres. Borrow Area - - Acres. Total Consideration $ - -

Acquired by Condemnation Date of Contract - - 19--

LOCATION

From CL Station 126+15 to CL Station 165+51 Section 23

Township 77 - N Range 27 - W Township (Civil) Jefferson Iowa.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 91, PAGE 152

Madison County Project No. SN-2832 Exhibit "B"

Plat of Property

Of Ryman J. Smith Area 150 Acres. Sta. 126+15 to Sta. 165+51

Section 23 T 77 N-R 27 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE PLAT RECORDED IN DEED RECORD 91, PAGE 152

Madison County Project No. SN-2832

COUNTY Madison INFORMATION FOR CONDEMNATION PROCEEDINGS Project SN-2832

OWNER OF RECORD

Ryman J. Smith Spouse Meriam Aileen Winterset, Iowa

Occupant of the Land - - Signed? - -

Occupant of the House - - Signed? - -

NAMES AND ADDRESSES OF ALL LIENHOLDERS: None

Legal Description of parcel to be condemned.

Commencing at a point 33 feet West and 3.4 feet South of the S.E. corner NE¼SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence South 2046 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the P.O.B., containing 1.49A. of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing.

Note: The ½ Section line of said Section 23, is assumed to bear due North and South.

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

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

The undersigned, Commissioners, appointed by you by Order of Appointment dated the 23rd day of May, 1960, 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 6th day of May, 1960, do hereby make report that upon due notice we met upon said premises, viewed and inspected the same on the 23rd day of May, 1960, at ten 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 a point 33.0 feet West and 3.4 feet South of the S. E. corner NE¼ SW¼ Section 23, T77N R27W of the 5th P.M.; thence North 3936.0 feet; thence West 17.0 feet; thence South 2046.0 feet; thence East 10.0 feet; thence South 201.0 feet; thence West 10.0 feet; thence South 1689.0 feet; thence East 17.0 feet to the point of beginning, containing 1.49 acres, more

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

or less, exclusive of the present established roadway, and 239 rods of fencing.

The ½ Section line of said Section 23 is assumed to bear due North and South.

TO: Ryman J. Smith & R. Edward & Merritt Baur $601.38

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 $ - -

APPRAISER'S FEES:

W. J. Eivins	$ - -	Wm. R. Kent	$ - -
Claude N. Shearer	$ - -	Gale Emerson	$ - -
Orval E. Satterlee	$ - -	M. S. Creger	$ - -

All costs charged on Charles L. Clark, et al, condemnation of same date.

SHERIFF'S CERTIFICATION OF COSTS

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

		FEE	MILEAGE	TOTAL
1.	Serving Original Notices	6.25	7.74	$13.99
2.	Sheriff Serving Notice of Appointment of Commissioners	3.25	5.22	8.47
3.	Sheriff Attending Commissioners	7.50	3.15	10.65
				$33.11
4.	Commissioner's Expenses:			
	W. J. Eivins, Center Twp. 1 day service and mileage			15.14
	Claude N. Shearer, Walnut Twp. 1 day service and mileage			16.68
	Orval E. Satterlee, Center Twp. 1 day service and mileage (used his car on viewing)			17.59
	Wm. R. Kent, Center Twp. 1 day service and mileage			15.14
	Gale Emerson, Center Twp. 1 day service and mileage			15.14
	Merrill Creger, Ohio Twp. 1 day service and mileage			17.31
	Commissioners Meals			5.81
	TOTAL JURY COSTS			102.81
5.	Damages awared Charles L. Clark, Betty J. Clark and B. H. Clayton			355.43
	Merrett Baur and R. E. Baur			1366.52
	Ida Cutshall, Virginia Cutshall Crow, Robert Cutshall and The Prudential Ins. Co. of America			1468.74
	R. Edward Baur			305.82
	Ryman J. Smith, R. Edward Baur and Merrett Baur			601.38
	TOTAL DAMAGES AWARED			$4097.89

RECAPITULATION

TOTAL DAMAGES AWARDED	$4097.89
TOTAL SHERIFF'S COSTS	33.11
TOTAL COMMISSIONER'S EXPENSES	102.81
	$4233.81

Certified a true statement of Charles L. Clark, Betty J. Clark, B. H. Clayton; Merrett Baur and R. E. Baur; Ida Cutshall, Virginia Cutshall Crow, Robert Cutshall and The Prudential Insurance Company of America; R. Edward Baur; Ryman J. Smith, R. Edward Baur and Merrett Baur condemnation expenses and original copies of proceedings therewith.

Rex Rouse
Rex Rouse, Sheriff Madison County, Iowa

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

FILED 1960 JUN 21 PM 3 42
MARGUERITE MORRISSEY CLERK OF
DISTRICT COURT MADISON COUNTY, IOWA

RECEIVED JUN 15 PM 4:50
MADISON COUNTY SHERIFF
WINTERSET, IOWA

RYMAN J. SMITH, R. E. BAUR, and MERRITT BAUR, Plaintiffs, : LAW NO. 19064
-vs-
MADISON COUNTY, IOWA, Defendant. : APPEAL FROM CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA.

TO.....MADISON COUNTY, IOWA; THE BOARD OF SUPERVISORS OF MADISON COUNTY, IOWA; and REX ROUSE, SHERIFF OF MADISON COUNTY, IOWA:

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the undersigned, Ryman J. Smith, R. E. Baur,

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

and Merritt Baur, have appealed from the award of damages made by the Commissioners appointed in connection with the condemnation proceedings against the following described real estate, to-wit:

> Commencing at a point 33 feet West and 3.4 feet South of the S. E. Corner of the NE¼ of the SW¼ of Section 23, Township 77 North, Range 27 West of the 5th P.M.; thence North 3936 feet; thence West 17.0 feet; thence West 10.0 feet; thence South 1689 feet; thence East 17.0 feet to the point of beginning, containing 1.49 A of right of way, more or less, exclusive of the present established roadway, and 239 rods of fencing;
>
> Note: The ½-section line of said Section 23, is assumed to bear due North and South;

by Madison County, Iowa, Defendant, said award being dated May we, 1960, and filed with the Sheriff of Madison County, Iowa, on said date.

YOU AND EACH OF YOU ARE FURTHER NOTIFIED that said appeal will come on for hearing at the September 1960 term of the District Court of the State of Iowa in and for Madison County, which term of Court will commence and be held at the Courthouse in Winterset, Madison County, Iowa, on the 6th day of September 1960, and that on or before the first day of said term of Court a written Petition will be filed by the Plaintiffs stating specifically the items of Plaintiffs' damages on account of taking of said real estate by the Defendant, Madison County, Iowa.

RYMAN J. SMITH, R. E. BAUR and MERRITT BAUR
By Webster & Frederick & Lewis H. Jordan
Webster & Frederick and Lewis H. Jordan
Farmers & Merchants State Bank Building
Winterset, Iowa
Their Attorneys.

ACKNOWLEDGMENT OF SERVICE

I, Rex Rouse, Sheriff of Madison County, Iowa, hereby acknowledge service of the within and foregoing Appeal from Condemnation of Property by Madison County, Iowa.

Dated at Winterset, Iowa, this 15th day of June, 1960.

Rex Rouse
Rex Rouse, Sheriff of Madison County, Iowa.

RETURN OF SERVICE

STATE OF IOWA MADISON COUNTY ss

I, Rex Rouse, Sheriff of Madison County, Iowa, hereby certify that the within and foregoing Notice came into my hands for service on the 15th day of June, 1960, and that on the 16th day of June, 1960, I served said Notice on the Defendant, Madison County, Iowa, by delivering a true copy of said Notice to R. O. Brock, County Auditor of Madison County, Iowa; and that on the 17th day of June, 1960, I served said Notice on the Defendant, the Board of Supervisors of Madison County, Iowa, by delivering a true copy of the same to W. C. Morse, Chairman of said Board of Supervisors of Madison County, Iowa, all done in Winterset, Madison County, Iowa.

Fee $1.93
Paid by Webster & Frederick
Winterset, Iowa
June 21, 1960 L. E. Hooper

Rex Rouse By L. E. Hooper
Sheriff of Madison County, Iowa

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

FILED 1960 SEP 3 AM 11 52
MARGUERITE MORRISSEY CLERK OF
DISTRICT COURT MADISON COUNTY, IOWA

RYMAN J. SMITH, R. E. BAUR, and MERRITT BAUR, Plaintiffs,	:	LAW NO. 19064
-vs-	:	
MADISON COUNTY, IOWA, Defendant.	:	DISMISSAL

Comes now the Plaintiffs herein and hereby dismiss the within and foregoing Appeal.

RYMAN J. SMITH, R. E. BAUR and MERRITT BAUR
By Webster & Frederick & Lewis H. Jordan
Webster & Frederick and Lewis H. Jordan
Farmers & Merchants State Bank Building
Winterset, Iowa
Their Attorneys.

Deed Record, No. 91, Madison County, Iowa

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

IN THE DISTRICT COURT OF IOWA IN AND FOR MADISON COUNTY

RYMAN J. SMITH, R. E. BAUR, and MERRITT BAUR, Plaintiffs -vs- MADISON COUNTY, IOWA, Defendant) No. 19064 Law

A F F I D A V I T

I, Marguerite Morrissey, Clerk of the District Court in and for said County, do hereby certify that in the appeal of Ryman J. Smith, et al., Plaintiff-vs-Madison County, Iowa that there was no money paid into my office for damages in the above appeal as it was dismissed on September 3, 1960.

WITNESS my hand and the seal of said Court hereto affixed, at my office in Winterset, in said County on this 16th day of September, 1960.

(DISTRICT COURT SEAL) COMPARED Marguerite Morrissey Clerk of District Court.