JENKINS-FERGEMANN CO., WATERLOO, IOWA—99067

Berdella Shearer et al
By Rex Rouse, Sheriff
To
Madison County, Iowa

#4120

No Fee

Filed for record the 21 day of October A. D. 1958 at 4:30 o'clock P. M.

Mary E. Welty, Recorder

RECEIVED 1958 Oct - 2 AM 11:00
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 Section 11, in Township 74 North, of

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

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 therefor, 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 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: | Berdella Shearer | Peru, Iowa | Peru, Iowa |
| Owner's Spouse: | Claude N. Shearer | Peru, Iowa | Peru, Iowa |

NOW, THEREFORE, this Applicant, Madison County, Iowa requests that you appoint six disinterested freeholders of Madison County, Iowa, who are not interested in the same or a like question, to inspect the said real estate hereinbefore described, and to assess the damages which will be 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 2nd day of October, 1958.

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

EXHIBIT "A"

Description of real estate belonging to Berdella Shearer, and being the subject matter of this condemnation of proceeding:

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P.M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20'E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & South.

PROPERTY PLAT EXHIBIT "B"

Acquired from Berdella Shearer

Married or Single Married Claude N. Shearer

R.O.W. Area 0.59 Acres Borrow Area - - Acres.

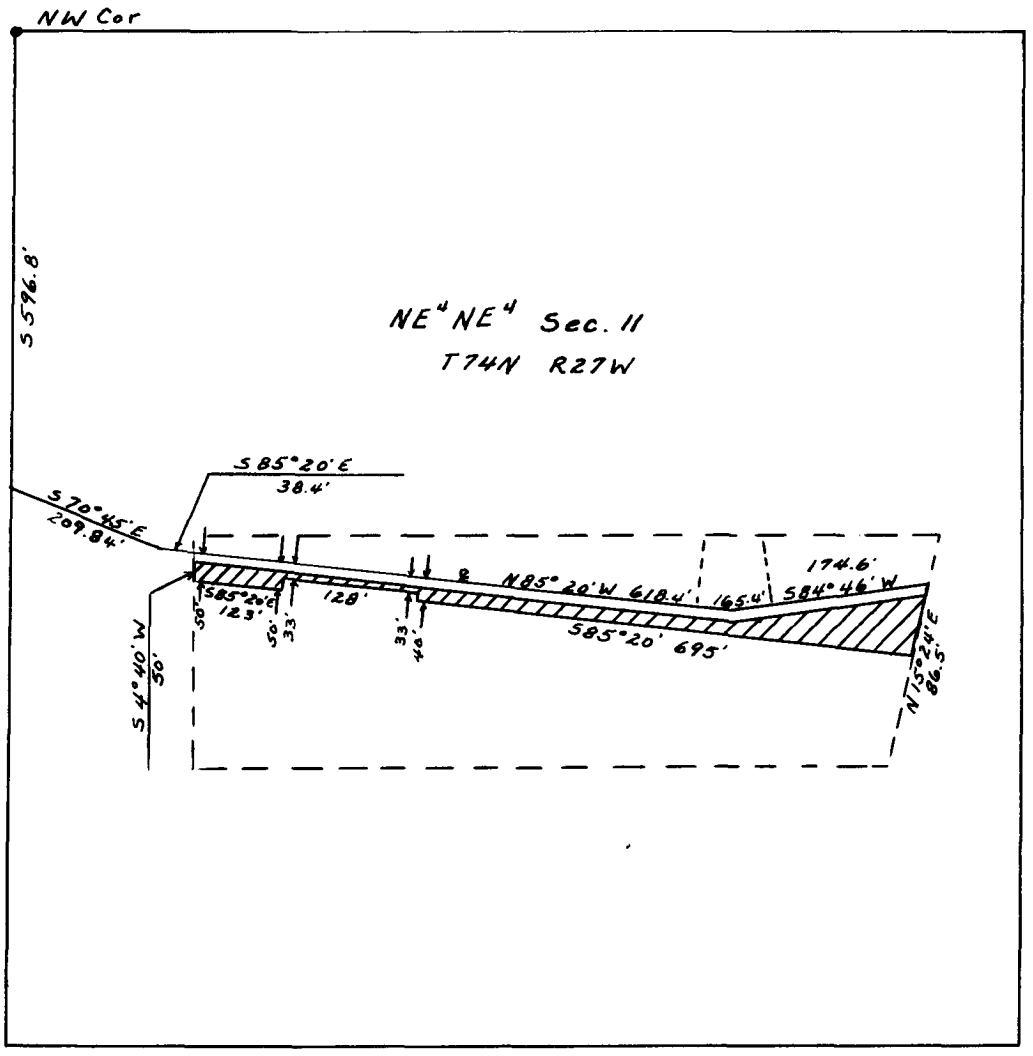
Total Consideration $ - - Acquired by Condemnation Date of Contract - -, 19-

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

LOCATION

From CL Station 9+22 to CL Station 18+63 Section 11, Township 74N

Range 27W Township (Civil) Walnut Iowa



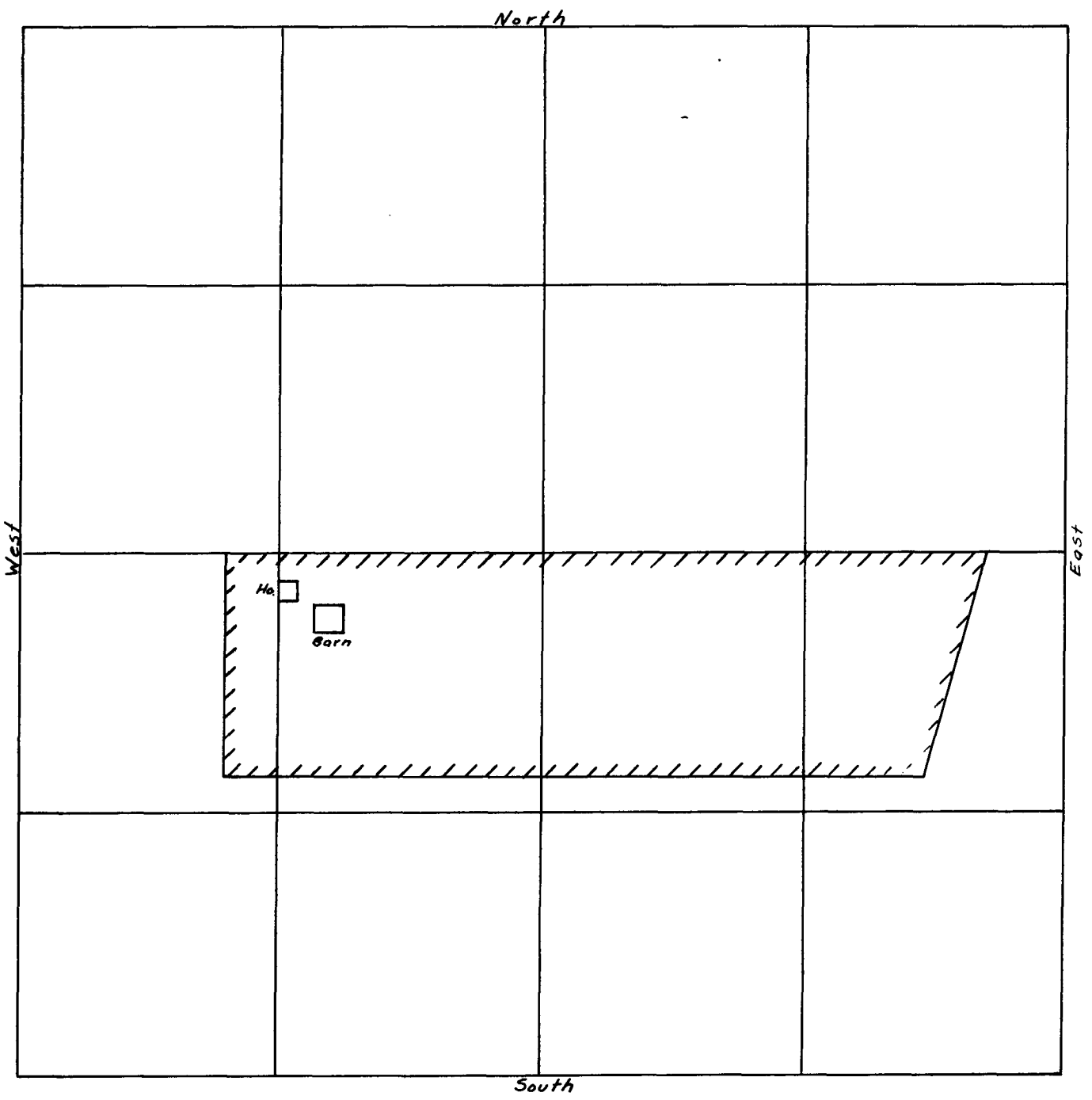

Madison County Project No. DS-2723(2)

"Exhibit B"

Plat of Property

Of Berdella Shearer Area 4.75 Acres Sta. - to Sta. -

Section NE¼ NE¼ 11 T 74 N-R 27 W.




Madison County Project No. DS 2723(2)

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

INFORMATION FOR CONDEMNATION PROCEEDINGS

County Madison
Project DS-2723(2)

OWNER OF RECORD Daisy Berdella Shearer (Name) Peru, Iowa (Address)

Spouses Claude Napoleon Shearer (Name) Peru, Iowa (Address)

Occupant of the Land Claude N. & Berdella Shearer (Name) Peru, Iowa (Address)

Is tenant a member of the family of the property owner Yes Had old road been regularly established Yes. Had tenant signed crop contract form No. 676. - Recorded in Book 4, Page 201 LIENS: None Width 50' New Fencing - - rods Old Fencing 45 rods. Total amount asked $ - - Total amount offered $167.50

Legal Description of parcel to be condemned. (R.O.W.-Channel change-Borrow.)

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P.M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24'E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & 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: BERDELLA SHEARER:

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

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74 N R27W of the 5th P.M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: the West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & South.

YOU ARE FURTHER NOTIFIED that such condemnation is sought for the purpose of improving 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 the 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 17th day of October, 1958, 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 Emery L. Goodenberger County Attorney
in and for Madison County, Iowa

STATE OF IOWA, Madison County )SS. RETURN OF ORIGINAL NOTICE

The within notice received this 2nd day of October, 1958, and I 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 thier respective names:

| Name of Defendent | Month | day | Year | City, Town or Township | County | State |
|---|---|---|---|---|---|---|
| Berdella Shearer | Oct | 6 | 1958 | Walnut | Madison | Iowa |

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

FEES
Service $ .75
Copies $ .-
Mileage $2.25
Total $3.00

Rex Rouse, Sheriff
Official Title

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 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:

| | | | |
|---|---|---|---|
| Charles Crow | Grand River Twp. | Edgar Drake | Webster Twp. |
| Ray Witt | Grand River Twp. | Earl Crawford | Jackson Twp. |
| Ward Wight | Douglas Twp. | Dale Mapes | Scott 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 6th day of October, 1958.

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 6th day of October, 1958, 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 11, in Township 74 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 to the best of his ability faithfully and impartially assess said damages and make written report to the Sheriff, as provided by law.

| | | |
|---|---|---|
| Dale Mapes | Edgar Drake | Ray Witt |
| Ward Wight | Earl E. Crawford | C. G. Crow |

Subscribed and sworn to before me by all and each of the foregoing named individuals, in my presence this 17 day of October, 1958.

(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

APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY

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

WHEREAS, the undersigned, Madison County, Iowa, a corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate and relocating a public highway as the same now proceeds through Section 11, in Township 74 North, of

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

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 therefor, 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 purpose under its powers 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: | Berdella Shearer | Peru, Iowa | Peru, Iowa |
| Owner's Spouse: | Claude N. Shearer | Peru, Iowa | Peru, Iowa |

"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 which will be 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 2nd day of October, 1958.

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

EXHIBIT "A"

Description of real estate belonging to Berdella Shearer, and being the subject matter of this condemnation proceeding:

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P. M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & South

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

PROPERTY PLAT

Acquired from Berdella Shearer

Married or Single Married Claude N. Shearer

R. O. W. Area 0.59 Acres Borrow Area - Acres

Total Consideration $ - Acquired by Condemnation Date of Contract - 19 -

LOCATION

From CL Station 9+22 to CL Station 18+63 Section 11, Township 74 N, Range 27 W Township (Civil) Walnut Iowa

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT

SEE EXHIBIT B RECORDED IN DEED RECORD 89 PAGE 210

Madison County Project No. DS - 2723 (2)

PLAT OF PROPERTY

Of Berdella Shearer Area 4.75 Acres Sta. - to Sta. -

SECTION NE¼ NE¼ 11 T 74 N - R 27 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT

SEE EXHIBIT B RECORDED IN DEED RECORD 89 PAGE 210

Madison County Project No. DS 2723 (2)

INFORMATION FOR CONDEMNATION PROCEEDINGS

COUNTY Madison Project DS-2723(2)

OWNER OF RECORD

Daisy Berdella Shearer (Name) Peru, Iowa (Address)

Spouses Claude Napoleon Shearer (Name) Peru, Iowa (Address)

Occupant of the Land Claude N. & Berdella Shearer (Name) Peru, Iowa (Address)

Is tenant a member of the family of the property owner Yes

Has old road been regularly established Yes

Has tenant signed crop contract form No. 676 - Recorded in Book 4, Page 201 With 50'

LIENS: None New Fencing - rods Old Fencing 45 rods.

Total amount asked $ - Total amount offered $167.50

Legal Description of parcel to be condemned. (R.O.W. - channel change - Borrow.)

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P.M., thence South596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & 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 TO APPRAISERS OF TIME FOR APPRAISEMENT

TO: Charles Crow; Ray Witt; Ward Wight; Edgar Drake; Earl Crawford; Dale Mapes

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 Berdella Shearer and located in Section 11, in Township 74 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 2nd day of October, 1958, 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

JENKINS-FERGEMANN CO., WATERLOO, IOWA—99067

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 17th day of October, 1958, 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 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 hereof.

Dated this 6th day of October, 1958.

Rex Rouse
Sheriff of Madison County, Iowa.

ACCEPTANCES AND ACKNOWLEDGMENTS OF SERVICE

We, the undersigned, having been appointed as Commissioners to appraise the damages to real estate in connection with the Condemnation by Madison County, Iowa, do hereby acknowledge and accept due and legal service of the above and foregoing Notice this 13th day of October, 1958.

| | | |
|---|---|---|
| Dale Mapes | Edgar Drake | Ray Witt |
| Ward Wight | Earl E. Crawford | C . G. Crow |

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

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

WHEREAS, the undersigned, Madison County, Iowa, a corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate and relocating a public highway as the same now proceeds through Section 11, in Township 74 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 therefor, 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 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: | Berdella Shearer | Peru, Iowa | Peru, Iowa |
| Owner's Spouse: | Claude N. Shearer | Peru, Iowa | Peru, Iowa |

"Exhibit A"

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

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 which will be 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 2nd day of October, 1958.

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

EXHIBIT "A"

Description of real estate belonging to Berdella Shearer, and being the subject matter of this condemnation proceeding:

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P. M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N.4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & 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: BERDELLA SHEARER:

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

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P.M., thence South 596.8 feet; thence S. 70° 45" E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

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YOU ARE FURTHER NOTIFIED that such condemnation is sought for the purpose of improving 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 the 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 - day of -, 1958, at - - 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 - - County Attorney in and for Madison County, Iowa

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

PROPERTY PLAT

Acquired from Berdella Shearer

Married or Single Married Claude N. Shearer

R.O.W. Area 0159 acres Borrow Area - - Acres.

Total Consideration $ - Acquired by Condemnation Date of Contract - 19 -

LOCATION

From CL Station 9+22 to CL Station 18+63 Section 11, Township 74 N

Range 27 W Township (Civil) Walnut Iowa.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE EXHIBIT B RECORDED IN DEED RECORD 89 PAGE 210

Madison County Project No. DS-2723(2)

PLAT OF PROPERTY

Of Berdella Shearer Area 4.75 Acres. Sta. - - to Sta. - -

SECTION NE¼ NE¼ 11 T 74 N - R 27 W.

FOR COPY OF PLAT AS SHOWN ON FILED INSTRUMENT
SEE EXHIBIT B RECORDED IN DEED RECORD 89 PAGE 210

Madison County Project No. DS-2723(2)

INFORMATION FOR CONDEMNATION PROCEEDINGS

COUNTY Madison Project DS-2723(2)

OWNER OF RECORD
Daisy Berdella Shearer (Name) Peru, Iowa Address

Spouses Claude Napoleon Shearer (Name) Peru, Iowa Address

Occupant of the Land Claude N. & Berdella Shearer (Name) Peru, Iowa Address

Is tenant a member of the family of the property owner Yes

Has old road been regularly established Yes

Has tenant signed crop contract form No. 676 - Recorded in Book 4, Page 201
Width 50'

LIENS: None New Fencing - rods. Old Fencing 45 rods

Total amount asked $ - - Total amount offered $167.50

Legal Description of parcel to be condemned. (R.O.W.-Channel change-Borrow.)

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P.M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20'E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & 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 ) REPORT OF COMMISSIONERS

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

The undersigned, Commissioners, appointed by you by Order of Appointment dated the 6th day of October, 1958, 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, as stated in the Application for Condemnation of Property, filed with you the 2nd day of October, 1958, do hereby make report that upon due notice we met upon said premises, viewed and inspected the same on the 17th day of October, 1958, 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, Iowa, to-wit:

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

Commencing at the NW Cor. NE¼ NE¼ Sec. 11, T74N R27W of the 5th P. M., thence South 596.8 feet; thence S. 70° 45' E. 209.84 feet; thence S. 85° 20' E. 38.4 feet to the point of beginning; thence S. 4° 40' W. 50.0 feet; thence S. 85° 20' E. 123 feet; thence N. 4° 40' E. 17 feet; thence S. 85° 20' E. 128 feet; thence S. 4° 40' W. 7 feet; thence S. 85° 20' E. 695 feet; thence N. 15° 24' E. 86.5 feet; thence S. 84° 46' W. 174.6 feet; thence westerly 165 feet along a 955.0 foot radius curve, with a central angle of 9° 54'; thence N. 85° 20' W. 618.4 feet to the point of beginning, containing 0.59 acres, more or less, exclusive of the present road.

Note: The West line of said NE¼ NE¼ Sec. 11, is assumed to run due North & South.

TO: Berdella Shearer $310.00

We further report that the costs of said assessments are as follows:

NOTICES: Sheriff of Madison County, Iowa
Costs of mileage and attendance of Sheriff's office
Mileage $ 9.72
Attendance $11.50

APPRAISER'S FEES:

| | |
|---|---|
| Ray Witt | $17.52 |
| Charles Crow | $18.71 |
| Ward Wight | $15.77 |
| Edgar Drake | $16.54 |
| Earl Crawford | $16.96 |
| Dale Mapes | $15.35 |
| TOTAL | $432.07 |

STATE OF IOWA MADISON COUNTY ) ss.

We, the undersigned, being each duly sworn, on oath depose and state: That we are the six Commissioners appointed by the Sheriff of Madison County, Iowa, to appraise and assess the damages in connection with the Condemnation of certain real estate by Madison County, Iowa, said real estate being described in the within and foregoing Report, said real estate being condemned for road purposes, and that we have viewed the premises involved herein and have appraised and assessed said damages and that the above and foregoing Report contains the assessment of damages as made by us as such Commissioners, and that in making such assessment, we have to the best of our ability, faithfully and impartially assessed such damages, all of which is true and correct as we verily believe.

Dale Mapes C. G. Crow Ray Witt
Earl E. Crawford Ward Wight Edgar Drake

Subscribed and sworn to before me by the above named individuals this 17th day of October, 1958.

(DISTRICT COURT SEAL)

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

OFFICE OF SHERIFF OF MADISON COUNTY
REX ROUSE, SHERIFF
L. E. HOOPER,DEPUTY
WINTERSET, IOWA

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 Notice | .75 | 2.25 | $ 2.00 |
| 2. Sheriff Serving Notice of Appointment of Commissioners | 3.25 | 5.22 | 8.47 |
| 3. Sheriff Attending Commissioners | 7.50 | 2.25 | 9.75 |
| TOTAL SHERIFF'S COSTS | | | $21.22 |

4. Commissioner's Expenses:

Ray Witt, Grand River Twp.
1 day service and mileage 17.52

Charles Crow, Grand River Twp.
1 day service and mileage ( used his car on viewing) 18.71

Ward Wight, Douglas Twp.
1 day service and mileage 15.77

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99057

| | | |
|---|---|---|
| Edgar Drake, Webster Twp.<br>1 day service and mileage | | 16.54 |
| Earl Crawford, Jackson Twp.<br>1 days service and mileage | | 16.96 |
| Dale Mapes, Scott Twp.<br>1 days service and mileage | | 15.35 |
| | TOTAL JURY COSTS | $100.85 |

5. Damages awarded Berdella Shearer $310.00

RECAPITULATION

| | |
|---|---|
| TOTAL DAMAGES AWARDED | $310.00 |
| TOTAL SHERIFF'S COSTS | 21.22 |
| TOTAL COMMISSIONER'S EXPENSES | 100.85 |
| GRAND TOTAL | $432.07 |

Certified a true statement of Berdella Shearer condemnation expenses and original copies of proceedings therewith.

COMPARED

Rex Rouse
Rex Rouse, Sheriff Madison County, Iowa