JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

Robert W. & Mildred L. Cain
By Madison County Sheriff
To
State of Iowa

#454

Fee $15.80

Filed for record the 18 day of January A. D. 1960 at 4:18 o'clock P. M.

Mary E. Welty, Recorder

TRANSCRIPT OF CONDEMNATION

CERTIFICATE OF TRANSCRIPT

THE STATE OF IOWA, Madison County, ss.

I, Marguerite Morrissey Clerk of the District Court in and for said County, do hereby Certify that the attached is a full, true and correct copy of "NOTICE OF APPEAL TO THE MADISON COUNTY, IOWA DISTRICT COURT FROM AWARD OF DAMAGES IN CONDEMNATION PROCEEDINGS AGAINST CERTAIN REAL ESTATE OF PLAINTIFFS, TRANSCRIPT OF SHERIFF OF MADISON COUNTY, IOWA OF CONDEMNATION PROCEEDINGS, VERDICT, JUDGMENT ENTRY AND STATEMENT OF CLERK OF COURT" In Cause Entitled Robert W. Cain and Mildred L. Cain, Plaintiffs-vs-Iowa State Highway Commission, Defendant, Law No. 18888, Madison County, Iowa District Court. as the same appears of record in my office.

WITNESS my hand and the Seal of said Court hereto affixed, at my office in Winterset, in said County, on this 23rd day of December, 1959.

(DISTRICT COURT SEAL) Marguerite Morrissey Clerk

IN THE DISTRICT COURT OF THE STATE OF IOWA IN AND FOR MADISON COUNTY

ROBERT W. CAIN and MILDRED L. CAIN, Plaintiffs, -vs- IOWA STATE HIGHWAY COMMISSION, Defendant.	:	NO. 18888 Law NOTICE OF APPEAL TO THE MADISON COUNTY, IOWA DISTRICT COURT FROM AWARD OF DAMAGES IN CONDEMNATION PROCEEDINGS AGAINST CERTAIN REAL ESTATE OF PLAINTIFFS

FILED 1959 APR 28 PM 4:12
MARGUERITE MORRISSEY CLERK OF DISTRICT COURT
MADISON COUNTY, IOWA

TO: IOWA STATE HIGHWAY COMMISSION, acting for and in behalf of the State of Iowa; NORMAN A ERBE, Attorney General for the State of Iowa; C. J. LYMAN, Special Assistant Attorney General and Counsel to the Iowa State Highway Commission; KATHRYN KALE; and REX ROUSE, Sheriff of Madison County, Iowa:

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the undersigned Plaintiffs, Robert W. Cain and Mildred L. Cain, have and do hereby appeal from the award of damages made by the Commissioners appointed by the Chief Justice of the Iowa Supreme Court, said award having been made on the 2 day of April, 1959, Rex Rouse, Sheriff of Madison County, Iowa, acting as Sheriff in said proceedings, all as by law provided, for the purpose of appraising and awarding to the undersigned Plaintiffs damages sustained as a result of condemnation and taking by right of eminent domain for highway purposes as specified in said proceedings, the following described real estate located in Madison County, Iowa, to-wit:

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

A parcel of land located in the NW¼ NE¼ of Sec. 1, T75N, R28W of the 5th P. M., Madison County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 636+82.0, a point 5.4 ft. southerly of the NE corner of said NW¼ NE¼, thence S89°46'W 46.6 ft. to Sta. 636+35.4, thence westerly 600.0 ft. along a 72,378.9 ft. radius curve, concave northerly and tangent to the preceding course to Sta. 630+35.4.

Said parcel is described as follows: All that part of the "E½ of Lot 7 of Sub-division of NE. part of NW¼ NE¼ Sec. 1-75-28, otherwise described as commencing 439 ft. and 3 inches W of NE. corner of said 40-acre tract, and running thence S. 272 feet and 3 inches, thence W. 54½ ft., thence N. 272 feet and 3 inches, thence E. 54½ feet to point of beginning." lying north of a line concentric with and 33 ft. radially distant southerly from said centerline.

Said parcel contains 0.01 acre, more or less, exclusive of the present established road.

Note: The north line of the NW¼ NE¼ of said Sec. 1 is assumed to bear due east.

In connection with this condemnation proceedings it is specifically provided that all rights of direct accesss between Primary Road No. 92 and condemnees' remaining property adjacent thereto are condemned, excepting and reserving to the condemnees a residential entrance at Sta. 631+95, on the south side.

all as described and referred to in the Notices of Condemnation and return of the commissioners in said proceedings.

YOU AND EACH OF YOU ARE FURTHER NOTIFIED that a Petition will be filed in said cause in the office of the Clerk of the District Court of the State of Iowa, in and for Madison County, on or before the first day of the next Term of the said District Court of Iowa, to-wit: the October Term, which will convene at Winterset, Madison County, Iowa, on October 6, 1959, and said cause will be heard and disposed of as provided by law.

Dated at Winterset, Iowa, this 28 day of April A.D. 1959.

ROBERT W. CAIN and MILDRED L. CAIN,
Plaintiffs,
By Gordon K. Darling
GORDON K. DARLING
City Hall Building
Winterset, Iowa
Attorney for said plaintiffs.

STATE OF IOWA MADISON COUNTY) SS

I, Rex Rouse, Sheriff of Madison County, Iowa, hereby accept due, legal and timely service of the Notice of Appeal to the District Court of Iowa in and for Madison County, attached hereto, and acknowledge receipt of a copy thereof, on April 28, 1959, at Center Township, Madison County, Iowa.

Rex Rouse

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4) : APPLICATION TO THE SHERIFF FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES.

FILED 1959 APR 28 PM 4:13
MARGUERITE MORRISSEY CLERK OF
DISTRICT COURT MADISON COUNTY, IOWA

RECEIVED 1959 FEB 19 AM 9:45
MADISON COUNTY SHERIFF WINTERSET, IOWA

TO: Rex Rouse Sheriff of Madison County, Iowa.

Comes now the Iowa State Highway Commission and states that the public interest requires that the State of Iowa acquire certain land, hereinafter described, by condemnation proceedings, as authorized and provided by law.

The lands affected and the record owners, lienholders, encumbrancers and other persons interested therein, are as follows:

Part of Lot 7 a Sub-division of the NW¼ NE¼, Sec. 1, T75N, R28W of the 5th P. M., Madison County, Iowa.

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

Ivan W. Austin, Peru, Iowa	Owner
Pauline P. Austin, Peru, Iowa	Owner
Robert W. Cain, Winterset, Iowa	Contract Purchaser
Mildred L. Cain, Winterset, Iowa	Contract Purchaser
Kathryn Kale, Winterset, Iowa	Mortgagee

The land sought to be appropriated is described as follows:

A parcel of land located in the NW¼ NE¼ of Sec. 1, T75N, R28 W of the 5th P. M., Madison County, Iowa lying on both sides of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 636+82.0, a point 5.4 ft. southerly of the NE corner of said NW¼ NE¼, thence S89° 46'W 46.6 ft. to Sta. 636+35.4, thence westerly 600.0 ft. along a 72,378.9 ft. radius curve, concave northerly and tangent to the preceding course to Sta. 630+35.4.

Said parcel is described as follows: All that part of the "E½ of Lot 7 of Sub-division of NE. part of NW¼ NE¼ Sec. 1-75-28, otherwise described as commencing 439 ft. and 3 inches W. of NE. corner of said 40-acre tract, and running thence S. 272 feet and 3 inches, thence W. 54½ ft., thence N. 272 ft. and 3 inches, thence E. 54½ feet to point of beginning.", lying north of a line concentric with and 33 ft. radially distant southerly from said centerline.

Said parcel contains 0.01 acre, more or less, exclusive of the present established road.

Note: The north line of the NW¼ NE¼ of said Sec. 1 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnees' remaining property adjacent thereto are condemned, excepting and reserving to the condemnees a residential entrance at Sta. 631+95, on the south side.

and is shown with reference to its location as to lands affected by the cross-hatched part of the plat hereto attached, marked Exhibit "A" and made a part hereof.

The State of Iowa desires the fee title to the land herein sought to be condemned for Primary Road right-of-way, and/or for the purpose of obtaining and removing therefrom, material suitable for the improvement and/or the maintenance of the Primary Roads of the State of Iowa.

The State of Iowa and the Iowa State Highway Commission as the agency used by the State of Iowa for the improvement of its Primary roads has been unable to secure the above described lands by purchase and conveyance.

Now Therefore, the Iowa State Highway Commission hereby requests the appointment of a commission of six freeholders of the state of Iowa, not interested in the same or a like question, to view said premises and appraise the damages which the owners thereof, lienholders, encumbrancers, or other persons interested therein, will sustain by reason of the appropriation of the land herein sought to be condemned, for the purposes herein stated, and make their report in writing to you as provided by law.

Dated at Ames, Iowa, this 13 day of February, 1959.

IOWA STATE HIGHWAY COMMISSION,
By Norman A. Erbe, Attorney General.
By C. J. Lyman Special Assistant Attorney-General and Counsel to the Iowa State Highway Commission.

Filed in my office at Winterset, Iowa, this - - day of - -, A.D. 19- -.

Sheriff of Madison County, Iowa.

- - - -

PLAT OF LAND SOUGHT TO BE APPROPRIATED

OWNERS:- Ivan W. Austin, Pauline P. Austin, Robert W. Cain and Mildred L. Cain

R. O. W. AREA 0.01 Acres Borrow Area - - Acres

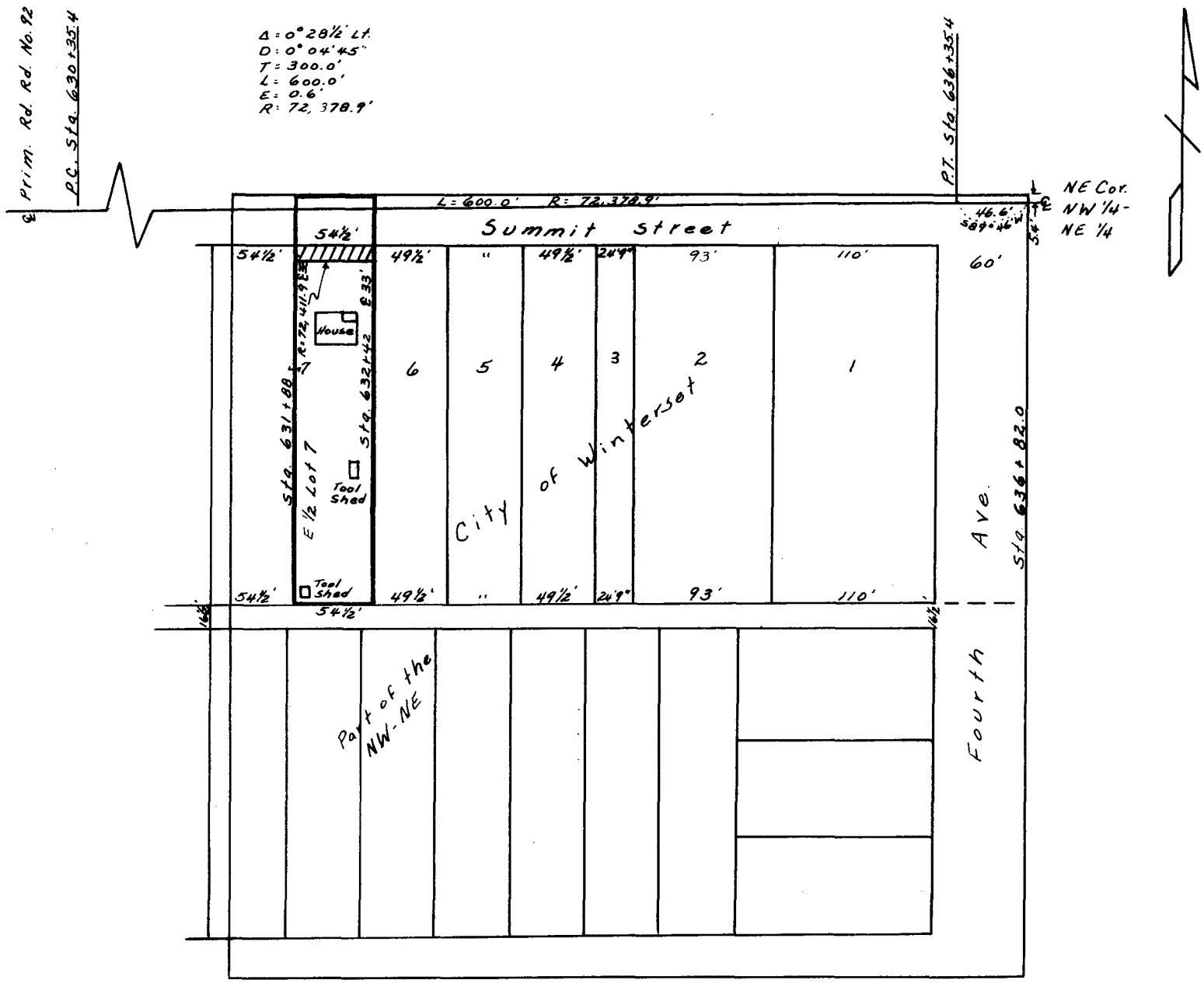
LOCATION

From CL Sta 631+88 To CL Sta 632+42 Section 1 TWP 75N Range 28W

Civil Township Douglas Iowa

EXHIBIT "A"

JENKINS-FERGEMANN CO., WATERLOO, IOWA—99087



MADISON COUNTY PROJECT NO. F-327(4)

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. PROJECT NO. F-327(4)

NOTICE TO THE CHIEF JUSTICE OF THE SUPREME COURT OF IOWA, AND REQUEST FOR THE APPOINTMENT OF COMMISSIONERS.

RECEIVED 1959 FEB 19 AM 9:45
MADISON COUNTY SHERIFF WINTERSET, IOWA

TO THE HONORABLE G. K. Thompson Chief Justice of the Supreme Court of Iowa:

You are hereby notified that an Application by the Iowa State Highway Commission for condemning the fee title in certain lands for Primary Road purposes in the above entitled matter has this day been filed in the office of the undersigned, and I hereby request you to select six persons to act as a condemnation commission to assess the damages which the owners of the land, lienholders, encumbrancers, and other persons interested therein, will sustain by reason of the appropriation of such land for the improvement of Primary Roads, as authorized, permitted, and prescribed in Chapter 306, 471 and 472 of the 1954 Code of Iowa and any amendments thereto and by Ch 148, Acts 56 G.A. (1955) and any amendments thereto, and to make return to me of the name and place of residence of each person so selected and appointed by you.

Dated at Winterset, Iowa, this 19th day of February, A.D. 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

Filed in my office this 19th day of March, 1959, at Winterset, Iowa.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4)

SELECTION AND APPOINTMENT OF CONDEMNATION COMMISSIONERS BY THE CHIEF JUSTICE.

A request from Rex Rouse Sheriff of Madison County, Iowa, having this day been presented to me for the selection and appointment of six suitable persons as the law provides, to act as a condemnation commission to assess and appraise the damages sustained by reason

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

of the condemnation of the fee title in certain land described by applicant in its application filed in the above entitled matter, I hereby designate, select and appoint as the members of said condemnation commission required in this matter, the following persons:

Name	Address	County
Frank Lettington	Indianola	Warren
E. L. Garris	Osceola	Clarke
Dean Don Carlos	Greenfield	Adair
Ernest Porter	Creston	Union
Bryce Chapman	Adel	Dallas
Murle D. Mills	Panora	Guthrie

Attached hereto I return the Notice and request for such appointment in the above entitled matter.

Dated at Cedar Rapids, Iowa, this 26th day of February, 1959.

G. K. Thompson Chief Justice
of the Supreme Court of Iowa.

Filed in my office this 19th day of March, 1959 at Winterset, Iowa.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4). : NOTICE.

TO: Ivan W. Austin, Peru, Iowa — Owner
Pauline P. Austin, Peru, Iowa — Owner
Robert W. Cain, Winterset, Iowa — Contract Purchaser
Mildred L. Cain, Winterset, Iowa — Contract Purchaser
Kathryn Kale, Winterset, Iowa — Mortgagee

and to - - lienholders or encumbrancers;

and to all other persons, companies or corporations having any interest in or owing any of the following described real estate:

Part of Lot 7 a Sub-division of the NW¼ NE¼, Sec. 1, T75N, R28 W of the 5th P. M., Madison County, Iowa.

You and each of you, are hereby notified that the State of Iowa desires fee title in the condemnation of the following described land, which is shown in cross-hatched part of the plat Exhibit "A" attached to the application filed herein, to which you are referred:

The land sought to be appropriated is described as follows:

A parcel of land located in the NW¼ NE¼ of Sec. 1, T75N, R28W of the 5th P. M., Madison County, Iowa lying on both sides of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 636+82.0, a point 5.4 ft. southerly of the NE corner of said NW¼ NE¼, thence S89° 46'W 46.6 ft. to Sta. 636+35.4, thence westerly 600.0 ft. along a 72,378.9 ft. radius curve, concave northerly and tangent to the preceding course to Sta. 630+35.4.

Said parcel is described as follows: All that part of the "E½ of Lot 7 of Sub-division of NE. part of NW¼ NE¼ Sec. 1-75-28, otherwise described as commencing 439 ft. and 3 inches W. of NE. corner of said 40-acre tract, and running thence S. 272 feet and 3 inches, thence W. 54½ ft., thence N.272 ft. and 3 inches, thence E. 54½ feet to point of beginning.", lying north of a line concentric with and 33 ft. radially distant southerly from said centerline.

Said parcel contains 0.01 acre, more or less, exclusive of the present established road.

Note: The north line of the NW¼ NE¼ of said Sec. 1 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnees' remaining property adjacent thereto are condemned, excepting and reserving to the condemnees a residential entrance at Sta. 631+95, on the south side. Madison County Project F-327(4)

That the appropriation of the fee title to said land is sought by condemnation proceedings for Primary Road right-of-way, and/or for the purpose of obtaining suitable material with which to improve or maintain Primary Roads of the State of Iowa in the manner prescribed in Chapters 306, 471 and 472 of the 1954 Code of Iowa and any amendments thereto

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

and Chapter 148, Acts 56th G.A. (1955) and any amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation, has been selected and appointed as by law provided.

You are further notified that said commissioners will on the 2nd day of April, 1959, at 10:30 o'clock A.M., view said premises and proceed to appraise said damages, at which time you may appear before said commissioners if you care so to do.

IOWA STATE HIGHWAY COMMISSION.
By Norman A. Erbe Attorney General
By C. J. Lyman Special Assistant Attorney General and Counsel to the Iowa State Highway Commission

ACCEPTANCE OF SERVICE

Service of the above and foregoing notice is hereby accepted and receipt of a copy thereof acknowledged, and I hereby waive time of service and/or any publication of such notice in a newspaper.

Signed at - - this - - day of - - 19- -.

\- - -

State of Iowa, Madison County, ss:

Received the withinnotice the 19 day of March, 1959, and I hereby certify that I have served the same on the persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township City or Town	County	State
Ivan W. Austin	Mar.	19	1959	Walnut	Madison	Iowa
Pauline P. Austin	Mar.	19	1959	Walnut	Madison	Iowa
Robert W. Cain	Mar.	19	1959	Winterset	Madison	Iowa
Mildred L. Cain	Mar.	19	1959	Winterset	Madison	Iowa
Kathryn Kale	Mar.	20	1959	Winterset	Madison	Iowa

FEES:
Service $2.75
Mileage $- --
Total $- --

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4).

SUMMONS TO COMMISSIONERS

RECEIVED 1959 MAR 23 PM 9:45
MADISON COUNTY SHERIFF WINTERSET,IOWA

TO: Frank Lettington, Indianola, Iowa

Whereas, the Iowa State Highway Commission has filed in my office an application for the selection of a condemnation commission to assess the damages which owners, lienholders encumbrancers and other persons interested in the premises sought to be appropriated in these proceedings will sustain by reason of such appropriation of the fee title for the improvement and/or the maintenance of primary roads in Madison County, and

Whereas, you have been selected and appointed by the Chief Justice of the Supreme Court of Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office.

Now, Therefore, you are commanded to be and appear before the undersigned in the office of the sheriff in the courthouse in Winterset, Madison County, State of Iowa, on the 2nd day of April, 1959, at 9:30 o'clock A. M., for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as by law provided, and fail not to make appearance under penalty of the law.

Rex Rouse Sheriff
of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons accepted and receipt of copy acknowledged at - - Iowa, this - - day of - -, A.D. 19 - -.

Frank Lettington

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

Filed in my office at Winterset, Iowa, this 23 day of March, 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4)

SUMMONS TO COMMISSIONERS

RECEIVED 1959 MAR 23 PM 9:45
MADISON COUNTY SHERIFF, WINTERSET,IOWA

TO: Bryce Chapman, Adel, Iowa:

Whereas, the Iowa State Highway Commission has filed in my office an application for the selection of a condemnation commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the premises sought to be appropriated in these proceedings will sustain by reason of such appropriation of the fee title for the improvement and/or the maintenance of primary roads in Madison County, and

Whereas, you have been selected and appointed by the Chief Justice of the Supreme Court of Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office.

Now, Therefore, you are commanded to be and appear before the undersigned in the office of the sheriff in the courthouse in Winterset, Madison County, State of Iowa, on the 2nd day of April, 1959, at 9:30 o'clock A. M., for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as by law provided, and fail not to make appearance under penalty of the law.

Rex Rouse Sheriff
of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 20 day of March, A.D. 1959.

Bryce Chapman

Filed in my office at Winterset, Iowa, this 23 day of March, 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4)

SUMMONS TO COMMISSIONERS

RECEIVED 1959 MAR 23 PM 9:45
MADISON COUNTY SHERIFF, WINTERSET,IOWA

TO: Murle D. Mills, Panora, Iowa:

Whereas, the Iowa State Highway Commission has filed in my office an application for the selection of a condemnation commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the premises sought to be appropriated in these proceedings will sustain by reason of such appropriation of the fee title for the improvement and/or the maintenance of primary roads in Madison County, and

Whereas, you have been selected and appointed by the Chief Justice of the Supreme Court of Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office,

Now, Therefore, you are commanded to be and appear before the undersigned in the office of the sheriff in the courthouse in Winterset, Madison County, State of Iowa, on the 2nd day of April, 1959, at 9:30 o'clock A. M., for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as by law provided, and fail not to make appearance under penalty of the law.

Rex Rouse Sheriff
of Madison County, Iowa.

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99087

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons accepted and receipt of copy acknowledged at Panora, Iowa, this 20 day of March, A.D. 1959.

Murle D. Mills

Filed in my office at Winterset, Iowa, this 23 day of March, 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4) : SUMMONS TO COMMISSIONERS

RECEIVED 1959 MAR 21 PM 9:45
MADISON COUNTY SHERIFF, WINTERSET,IOWA

TO: Dean Don Carlos, Greenfield, Iowa:

Whereas, the Iowa State Highway Commission has filed in my office an application for the selection of a condemnation commission to assess the damages which owners, lienholders encumbrancers and other persons interested in the premises sought to be appropriated in these proceedings will sustain by reason of such appropriation of the fee title for the improvement and/or the maintenance of primary roads in Madison County, and

Whereas, you have been selected and appointed by the Chief Justice of the Supreme Court of Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office,

Now, Therefore, you are commanded to be and appear before the undersigned in the office of the sheriff in the courthouse in Winterset, Madison County, State of Iowa, on the 2nd day of April, 1959, at 9:30 o'clock A. M., for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as by law provided, and fail not to make appearance under penalty of the law.

Rex Rouse Sheriff
of Madison County, Iowa.

ACCEPTANCE OF SERIVCE

Due and legal service of the foregoing Summons accepted and receipt of copy acknowledged at Greenfield, Iowa, this 20th day of March, A.D. 1959.

Dean Don Carlos

Filed in my office at Winterset, Iowa, this 21 day of March, 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4) : SUMMONS TO COMMISSIONERS

RECEIVED 1959 MAR 21 PM 9:45
MADISON COUNTY SHERIFF, WINTERSET,IOWA

TO: Ernest Porter, Creston, Iowa:

Whereas, the Iowa State Highway Commission has filed in my office an application for the selection of a condemnation commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the premises sought to be appropriated in these proceedings will sustain by reason of such appropriation of the fee title for the improvement and/or the maintenance of primary roads in Madison County, and

Whereas, you have been selected and appointed by the Chief Justice of the Supreme Court of Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office,

Now, Therefore, you are commanded to be and appear before the undersigned in the office

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

of the sheriff in the courthouse in Winterset, Madison County, State of Iowa, on the 2nd day of April, 1959, at 9:30 o'clock A. M., for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as by law provided, and fail not to make appearance under penalty of the law.

Rex Rouse Sheriff
of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons accepted and receipt of copy acknowledged at Creston, Iowa, this 20th day of March, A.D. 1959.

Ernest Porter

Filed in my office at Winterset, Iowa, this 21 day of March, 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4).

SUMMONS TO COMMISSIONERS

RECEIVED 1959 MAR 21 PM 9:45
MADISON COUNTY SHERIFF, WINTERSET,IOWA

TO: E. L. Garris, Osceola, Iowa:

Whereas, the Iowa State Highway Commission has filed in my office an application for the selection of a condemnation commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the premises sought to be appropriated in these proceedings will sustain by reason of such appropriation of the fee title for the improvement and/or the maintenance of primary roads in Madison County, and

Whereas, you have been selected and appointed by the Chief Justice of the Supreme Court of Iowa, as a member of such condemnation commission, and such selection and appointment has been duly filed in my office,

Now, Therefore, you are commanded to be and appear before the undersigned in the office of the sheriff in the courthouse in Winterset, Madison County, State of Iowa, on the 2nd day of April, 1959, at 9:30 o'clock A. M., for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as by law provided, and fail not to make appearance under penalty of the law.

Rex Rouse Sheriff
of Madison County, Iowa.

ACCEPTANCE OF SERIVCE

Due and legal service of the foregoing Summons accepted and receipt of copy acknowledged at Osceola, Iowa, this 20 day of March, A.D. 1959.

E. L. Garris

Filed in my office at Winterset, Iowa, this 21 day of March, 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. Iowa 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. Project No. F-327(4)

OATH OF COMMISSIONERS

State of Iowa, Madison County) ss.

Each of the undersigned being duly sworn says: That I will well and truly perform all the duties imposed upon me by law as a member of the Condemnation Commission selected and appointed to assess the amount of damages to be paid to the respective record owners, lienholders or encumbrancers upon and other persons having any interest in or upon, the premises involved in the above entitled proceedings by reason of the appropriation of the

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

fee title in the following described real estate for the improvement and/or the maintenance of Primary Roads as authorized and prescribed in Chapters 306, 471 and 472 of the 1954 Code of Iowa and any amendments thereto and Chapter 148, Acts 56 G.A. (1955) and any amendments thereto.

Part of Lot 7 a Sub-division of the NW¼ NE¼, Sec. 1, T75N, R28W of the 5th P. M., Madison County, Iowa.

Ivan W. Austin, Peru, Iowa	Owner
Pauline P. Austin, Peru, Iowa	Owner
Robert W. Cain, Wintetset, Iowa	Contract Purchaser
Mildred L. Cain, Winterset, Iowa	Contract Purchaser
Kathryn Kale, Winterset, Iowa	Mortgagee

The land sought to be appropriated is described as follows:

A parcel of land located in the NW¼ NE¼ of Sec. 1, T75N, R28W of the 5th P. M., Madison County, Iowa lying on both sides of part of the following described centerline of primary road no. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 636+82.0, a point 5.4 ft. southerly of the NE corner of said NW¼ NE¼, thence S89° 46' W 46.6 ft. to Sta. 636+35.4, thence westerly 600.0 ft. along a 72,378.9 ft. radius curve, concave northerly and tangent to the preceding course to Sta. 630+35.4

Said parcel is described as follows: All that part of the "E½ of Lot 7 of Sub-division of NE. part of NW¼ NE¼ Sec. 1-75-28, otherwise described as commencing 439 ft. and 3 inches W. of NE. corner of said 40-acre tract, and running thence S. 272 feet and 3 inches, thence W. 54½ ft., thence N. 272 ft. and 3 inches, thence E. 54½ feet to point of beginning.", lying north of a line concentric with and 33 ft. radially distant southerly from said centerline.

Said parcel contains 0.01 acre, more or less, exclusive of the present established road.

Note: The north line of the NW¼ NE¼ of said Sec. 1 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnees' remaining property adjacent thereto are condemned, excepting and reserving to the condemnees a residential entrance at Sta. 631+95, on the south side.

Madison County Project F-327(4)

Bryce Chapman	Murle Mills	Ernest Porter
Dean Don Carlos	Frank Lettington	E. L. Garris

Subscribed in my presence and sworn to before me this 2 day of April, 1959.

(DISTRICT COURT SEAL) Marguerite Morrissey Clerk of Court in and for Madison County, Iowa.

Filed in my office at Winterset, Iowa, this 2nd day of April, 1959.

Rex Rouse
Sheriff of Madison County, Iowa

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD No. Iowa 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY. PROJECT NO. F-327(4) : REPORT OF CONDEMNATION COMMISSION

TO: Rex Rouse Sheriff of Madison County, Iowa.

We, the undersigned, being the duly appointed and qualified commissioners appointed to assess the damages sustained by the respective owners, lienholders, encumbrancers and other persons interested in the premises affected by the appropriation of the fee title in the following described lands:

Part of Lot 7 a Sub-division of the NW¼ NE¼, Sec. 1, T75N, R28W of the 5th P.M., Madison County, Iowa.

Ivan W. Austin, Peru, Iowa	Owner
Pauline P. Austin, Peru, Iowa	Owner
Robert W. Cain, Winterset, Iowa	Contract Purchaser
Mildred L. Cain, Winterset, Iowa	Contract Purchaser
Kathryn Kale, Winterset, Iowa	Mortgagee

The Land sought to be appropriated is described as follows:

A parcel of land located in the NW¼ NE¼ of Sec. 1, T75N, R28 W of the 5th P. M., Madison County, Iowa lying on both sides of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 636+82.0, a point 5.4 ft. southerly of the NE corner of said NW¼ NE¼, thence S89° 46'W 46.6 ft. to Sta. 636+35.4, thence westerly 600.0 ft. along a 72,378.9 ft. radius curve, concave northerly and tangent to the preceding course to Sta. 630+35.4.

Said parcel is described as follows: All that part of the "E½ of Lot 7 of Sub-division of NE. part of NW¼ NE¼ Sec. 1-75-28, otherwise described as commencing 439 ft. and 3 inches W. of NE. corner of said 40-acre tract, and running thence S. 272 feet and 3 inches, thence W. 54½ ft., thence N. 272 ft. and 3 inches, thence E. 54½ feet to point of beginning.", lying north of a line concentric with and 33 ft. radially distant southerly from said centerline.

Said parcel contains 0.01 acre, more or less, exclusive of the present established road.

Note: The North line of the NW¼ NE¼ of said Sec. 1 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnees' remaining property adjacent thereto are condemned, excepting and reserving to the condemnees a residential entrance at Sta. 631+95, on the south side.

Madison County Project F-327(4)

Madison County Project F-327(4)

respectfully report as follows:

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein, and, at the request of the condemnees, do hereby assess and appraise the damages of the respective persons interested in said premises, as follows:

	Land and Improvements Condemned	Consequential Damages	Total Award
Jno. N. Hartley, Lois M. Hartley, The Equitable Life Assurance Society of the United States	Dismissed		
Bernard E. Morrissey, Madolyn A. Morrissey	Dismissed		
Ivan W. Austin, Pauline P. Austin, Robert W. Cain, Mildred L. Cain, Kathryn Kale			$450.00
Helen McCall Huntoon, H. V. Huntoon	Dismissed		

Respectfully reported this 2nd day of April, 1959 at Winterset, Iowa.

Dean Don Carlos
Frank Lettington
Bryce Chapman
Ernest Porter
E. L. Garris
Murle D. Mills

Filed in my office at Winterset, Iowa, this 2nd day of April, A.D. 1959.

Rex Rouse Sheriff
of Madison County, Iowa.

IN THE MATTER OF THE CONDEMNATION OF CERTAIN LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR THE USE AND BENEFIT OF THE STATE OF IOWA IN THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, IN AND WEST OF WINTERSET, IOWA LOCATED IN MADISON COUNTY, Project No. F-327(4) : DISMISSAL OF CONDEMNATION PROCEEDINGS

RECEIVED 1959 APR 3 AM 10:15
MADISON COUNTY SHERIFF, WINTERSET, IOWA

TO: Rex Rouse, Sheriff of Madison County, Iowa; and Helen McCall Huntoon and H. V. Huntoon

Comes now the Iowa State Highway Commission and dismisses the above noted condemnation proceedings as to the following described real estate:

A parcel of land located in the NW.Frl.¼ NE¼ of Sec. 1, T75N, R28W of the 5th P. M., Madison County, Iowa, lying on the south side of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, isdescribed as follows: Beginning at Sta. 636+82.0, a point 5.4 ft. south of the NE corner of said NW.Frl.¼ NE¼, thence S89°46'W 46.6 ft. to Sta. 636+35.4, thence westerly 600.0 ft. along a 72,378.9 ft. radius curve, concave northerly and tangent to the preceding course to Sta. 630+35.4.

Said parcel is described as follows: All that part of a tract of land described as follows: "Commencing at NE. corner of NW.Frl.¼ NE¼ Sec. 1-75-28, thence W. 17.64 rods, S. 16.5 rods, E. 17.64 rods, N. 16.5 rods to place of beginning, excepting a strip 60 feet wide off E. side

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

and excepting strip 30 feet wide off N. side thereof; also excepting the E. 110 feet of Lots 1 and 2, more particularly described as commencing 30 ft. S. and 60 ft. W. of NE. corner of NW.Frl.¼ NE¼, thence W. 110 ft. S. 239.25 ft., E. 110 ft., N. 239.25 ft. to place of beginning.", lying north of a line concentric with and 38 ft. radially distant southerly from the above described centerline.

Said parcel contains 0.03 acre, more or less.

Note: The north line of the NW.Frl.¼ NE¼ of said Sec. 1 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnee's remaining property adjacent thereto are condemned, excepting and reserving to the condemnee a residential entrance at Sta. 634+56, on the south side.

Dated at Ames, Iowa, this 2nd day of April, 1959.

IOWA STATE HIGHWAY COMMISSION
By Norman A. Erbe, Attorney General
By C. J. Lyman
C. J. Lyman Special Assistant Attorney General
and Counsel to Iowa State Highway Commission

IN THE MATTER OF THE CONDEMNATION OF CERTAIN : LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR : THE USE AND BENEFIT OF THE STATE OF IOWA IN : THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, : IN AND WEST OF WINTERSET, IOWA LOCATED IN : MADISON COUNTY Project No. F-327(4) : DISMISSAL OF CONDEMNATION PROCEEDINGS

RECEIVED 1959 APR 3 AM 10:15
MADISON COUNTY SHERIFF, WINTERSET, IOWA

TO: Rex Rouse, Sheriff of Madison County, Iowa; and Jno. N. Hartley and Lois M. Hartley

Comes now the Iowa State Highway Commission and dismisses the above noted condemnation proceedings as to the following described real estate:

A parcel of land located in the S½ SW¼ of Sec. 36, T76N, R28W of the 5th P.M., Madison County, Iowa lying on the north side of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 597+30.6, a point on the SW corner of said Sec. 36, thence East 1317.5 ft. to Sta. 610+48.1, thence S89°53'E 1318.6 ft. to Sta. 623+66.2, a point 2.7 ft. south of the S¼ corner of said Sec. 36.

Said parcel is described as follows: All that part of a tract of land described as follows: "The E. 4 acres of SE¼ SW¼ SW¼ and SW¼ SE¼ SW¼ except the S. 10 rods of E. 8 rods thereof, Sec. 36-76-28", lying south of a line beginning at a point 45 ft. normally distant northerly from centerline on the west line of the above described tract, thence along a line that is at all points 45 ft. normally distant northerly from centerline to a point on the present north and south fence line through Sta. 610+99, thence to a point 60 ft. normally distant northerly from centerline on said north and south fence line, thence to a point 60 ft. normally distant northerly from centerline on the east line of the above described tract.

Said parcel contains 0.37 acre, more or less, exclusive of the present established road.

Note: The south line of the SW¼ of saidSec. 36 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnees' remaining property adjacent thereto are condemned, excepting and reserving to the condemnees a farm entrance at Sta. 610+64, on the north side.

Dated at Ames, Iowa, this 2nd day of April, 1959.

IOWA STATE HIGHWAY COMMISSION
By Norman A. Erbe, Attorney General
By C. J. Lyman
C. J. Lyman Special Assistant Attorney General
and Counsel to Iowa State Highway Commission

IN THE MATTER OF THE CONDEMNATION OF CERTAIN : LAND BY THE IOWA STATE HIGHWAY COMMISSION FOR : THE USE AND BENEFIT OF THE STATE OF IOWA IN : THE IMPROVEMENT OF PRIMARY ROAD NO. IOWA 92, : IN AND WEST OF WINTERSET, IOWA LOCATED IN : MADISON COUNTY Project F-327(4) :

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RECEIVED 1959 APR 10 AM 10:45
MADISON COUNTY SHERIFF, WINTERSET, IOWA

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

TO: Rex Rouse, Sheriff of Madison County, Iowa; and Bernard E. Morrissey and Madolyn A. Morrissey:

Comes now the Iowa State Highway Commission and dismisses the above noted condemnation proceedings as to the following described real estate:

A parcel of land located in the SE¼ SW¼ of Sec. 36, T76N, R28W of the 5th P. M., Madison County, Iowa lying on the north side of part of the following described centerline of Primary Road No. 92 as shown on Official plans for Project F-327(4).

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 623+66.2, a point 2.7 ft. south of the S¼ corner of said Sec. 36, thence N89° 53'W 659.2 ft. to Sta. 617+07.

Said parcel is described as follows: All that part of a tract of land described as: "Commencing 152 feet W. of SE. corner of SE¼ SW¼ Sec. 36-76-28, thence N. 14 rods, W. 112 feet, N. 6 rods, W. 24 rods, S. 20 rods, E. to place of beginning", lying south of a line beginning at a point 40 ft. normally distant northerly from centerline on the west line of the above described tract, thence to a point 75 ft. normally distant northerly from Sta. 619+00, thence to a point 75 ft. normally distant northerly from Sta. 620+00, thence to a point 40 ft. normally distant northerly from Sta. 621+00, thence to a point 40 ft. normally distant northerly from centerline on the east line of the above described tract.

Said parcel contains 0.26 acre, more or less, exclusive of the present established road.

Note: The south line of the SW¼ of said Sec. 36 is assumed to bear due east.

In connection with this condemnation proceeding it is specifically provided that all rights of direct access between Primary Road No. 92 and condemnee's remaining property adjacent thereto are condemned, excepting and reserving to said condemnee a farm entrance at Sta. 621+19, on the north side.

Madison County Project F-327(4)

Dated at Ames, Iowa, This 10th day of April, 1959.

IOWA STATE HIGHWAY COMMISSION
By Norman A. Erbe, Attorney General
By C. J. Lyman C. J. Lyman
Special Assistant Attorney General and
Counsel to Iowa State Highway Commission

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA. IN MADISON COUNTY
Project No. F-327(4)

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS.

To Iowa State Highway Commission, Ames, Iowa.

I hereby certify that the commissioners in the above entitled cause convened at Winterset, Iowa, on the 2rd day of April, 1959, and thereupon proceeded to view the premises and said commissioners did thereafter on the 2rd day of April 1959, file their report in my office awarding damages as follows:

NAME	AMOUNT
Ivan W. Austin, Pauline P. Austin, Robert W. Cain, Mildred L. Cain, and Kathryn Kale	$ 450.00
TOTAL DAMAGES AWARDED	$ 450.00

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

Serving notices as listed below:

Date	Name of Persons Served	Fee	Mileage	Rate .09	Amount	Total
3-19-59	Ivan W. Austin					
3-19-59	Pauline P. Austin					
3-19-59	Robert W. Cain					
3-19-59	Mildred L. Cain					
3-20-59	Kathryn Kale	2.75				2.75
3-19-59	Bernard E. Morrissey					
3-23-59	Madolyn A. Morrissey	1.25				1.25
3-19-59	John N. Hartley					
3-20-59	Lois M. Hartley	1.25				1.25
3-19-59	H. V. Huntoon					
3-20-59	Helen McCall Huntoon	1.25				1.25
	Mileage for serving Original Notices					2.50
Sheriff, Summoning and attending Commissioners						7.50
Sheriff, Mileage while attending commissioners,			2 miles at .09		$	.18

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

Frank Lettington of Indianola, Iowa.

1 day service	$25.00	
52 miles at .07	3.64	
1 meals	1.50	
Total		$30.14

E. L. Garris of Osceola, Iowa.

1 day service	$25.00	
82 miles at .07	5.74	
1 meals	1.50	
Total		$32.24

Ernest Porter of Creston, Iowa.

1 day service	$25.00	
73 miles at .07	5.11	
1 meals	1.50	
Total		$31.61

Bryce Chapman of Adel, Iowa.

1 day service	$25.00	
40 miles at .07	2.80	
1 meals	1.50	
Total		$29.30

Dean Don Carlos of Greenfield, Iowa.

1 day service	$25.00	
48 miles at .07	3.36	
1 meals	1.50	
Total		$29.86

Murle D. Mills of Panora, Iowa.

1 day service	$25.00	
88 miles at .07	6.36	
1 meals	1.50	
Total		$32.86

GRAND TOTAL $652.69

Given under my hand this 2rd day of April 1959.

Rex Rouse Sheriff of Madison County, Iowa.

I further certify that this file contains all the papers connected with this proceedings. Rex Rouse, Sheriff

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR MADISON COUNTY
OCTOBER 1959 TERM

FILED 1959 OCT. 21 AM 8 07
Marguerite Morrissey Clerk of District Court Madison County, Iowa.

ROBERT W. CAIN, and MILDRED L. CAIN, PLAINTIFFS, -vs- IOWA STATE HIGHWAY COMMISSION DEFENDANT.

No. 18888 Law.

V E R D I C T

We, the Jury, find for the plaintiffs and against the defendant, and fix the amount of their damages because of the condemnation of the real estate in question in this case at the sum of $550.00.

/s/ Glenn Hartz,
FOREMAN

IN THE DISTRICT COURT OF THE STATE OF IOWA
IN AND FOR MADISON COUNTY

FILED 1959 DEC 1 PM 2:31
MARGUERITE MORRISSEY CLERK OF DISTRICT COURT MADISON COUNTY, IOWA.

ROBERT W. CAIN and MILDRED L. CAIN, Plaintiffs, -vs- IOWA STATE HIGHWAY COMMISSION Defendant.

No. 18888 Law

JUDGMENT ENTRY

BE IT REMEMBERED that this cause was tried to a jury which rendered its verdict fixing Plaintiff's damages at Five Hundred, Fifty ($550) Dollars; and now on this 1st day of December, 1959, pursuant to Section 472.23 of the 1958 Code of Iowa,

IT IS ORDERED, ADJUDGED AND DECREED that the amount of Plaintiff's damages is hereby ascertained and entered of record to be in the said sum of Five Hundred, Fifty ($550) Dollars wither interest from April 2, 1959, until paid; and the Court now allows Plaintiff's attorney a fee of $350.00 as part of the costs. Judgment is entered against the

JENKINS-FERGEMANN CO., WATERLOO, IOWA-99067

Defendant for all costs including said attorney's fees taxed by the Court in the sum of $420.11.

/s/ Phil R. Wilkinson Judge
of the Fifth Judicial District
of Iowa.

IN THE DISTRICT COURT OF IOWA IN
AND FOR MADISON COUNTY

ROBERT W. CAIN and MILDRED L. CAIN, Plaintiffs -vs- IOWA STATE HIGHWAY COMMISSION, Defendant.	:	No. 18888 Law
	:	STATEMENT

THE STATE OF IOWA, Madison County, ss:

I, Marguerite Morrissey, Clerk of the District Court in and for said County, do hereby certify that no money for damages in the above referred to cause was paid into my office, but on December 9, 1959, plaintiffs by their attorney, Gordon K. Darling acknowledged receipt in full satisfaction of the judgment in the sum of $550.00. Said cause being docketed in docket 36 at Page 206.

WITNESS my hand and the Seal of said Court hereto affixed, at my office in Winterset, in said County, on this 23rd day of December, 1959.

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