



Book 2022 Page 106

Document 2022 106 Type 03 008 Pages 52
Date 1/10/2022 Time 3:41:26PM
Rec Amt \$.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

RECORDER'S COVER SHEET CONDEMNATION PROCEEDINGS

Prepared by: Delaware County Sheriff, 1225 West Howard Street, Manchester, IA 52057.
Return To: Courtney Vorwald, Delaware County Attorney's Office
Address Tax Statements: Delaware County Auditor, 301 East Main Street, Manchester, IA 52057

GRANTOR(S):

Anton and Rose M. Mormann

GRANTEE(S):

Delaware County, Iowa (Condemner)

DOCUMENT OR INSTRUMENT NUMBER OF PREVIOUSLY RECORDED DOCUMENTS:

Application for Condemnation filed September 20, 2021 in Book 2021, Page 3345.

LEGAL DESCRIPTION:

A permanent sanitary sewer easement lying within Westside Street of Mormann Subdivision, as recorded in Plat Book 2, Page 60, Delaware County, Iowa, more particularly described as follows;

Beginning at the Southwest Corner of Said Westside Street; thence North 03 Degrees, 31 minutes, 06 seconds East along the West line of said Westside Street, 549.38 feet to the North line of said Westside Street; thence North 86 degrees, 17 minutes, 15 seconds East along said North line, 34.97 feet; thence South 46 degrees, 53 minutes, 05 seconds West, 21.39 feet; thence South 03 degrees, 31 minutes, 06 seconds West, 537.00 feet to the South line of said Westside Street; thence North 89 degrees, 59 minutes, 37 seconds West along said South line, 20.04 feet to the point of beginning.

ACQUISITION:

Land by Permanent Easement (Sanitary Sewer) to Delaware County, Iowa: 11,100 square feet
Temporary Easement for construction of sanitary sewer.

AWARD: \$0

This easement and transfer is exempt from transfer tax: Iowa Code Sec. 428A.2(17).

This land is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Courtney Norwald

CERTIFIED TRUE COPY

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

IN THE MATTER OF THE)
CONDEMNATION OF LAND LOCATED)
IN THE UNINCORPORATED AREA OF)
PETERSBURG FOR THE PETERSBURG)
WASTEWATER TREATMENT FACILITY)
PROJECT AND LOCALLY KNOWN AS)
299th Avenue, located in Delaware County,)
Iowa,)

by)

DELAWARE COUNTY, IOWA)

Applicant.)

RECEIVED
SHERIFF'S OFFICE
DELAWARE COUNTY, IA
DATE 9-28-21 TIME 2:01 pm

APPLICATION FOR CONDEMNATION



Book 2021 Page 3345

Document 2021 3345 Type 03 008 Pages 6

Date 9/20/2021 Time 1:56:37PM

Rec Amt \$.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

TO: KELLYANN LEKAR, CHIEF JUDGE, FIRST JUDICIAL DISTRICT

YOU ARE HEREBY NOTIFIED that the Applicant, Delaware County, Iowa desires to take, acquire and condemn an easement in non-agricultural land for a public utility and temporary construction easement in connection with the Petersburg Wastewater Treatment Facility Project, located in the Unincorporated Area of Petersburg, along 299th Avenue, Delaware County, Iowa, approved by the Board of Supervisors of Delaware County, Iowa. The County has not been able to secure rights in lands by purchase and conveyance. In accordance with Sec. 6B.2A, 6B.2B, and 6B.3, the Code of Iowa, as amended by H.F. 476, the following is set forth:

Description: The lands and/or property rights sought to be condemned or affected are described on the attached Notice of Condemnation, which is made a part of this Application.

Plat: The location of the right of way or other property rights sought to be condemned or affected are shown on the plat(s) attached to and a part of the attached Notice of Condemnation.

Minimum Land Needs: The minimum amount of land necessary to achieve the public purpose is as described in and shown on the Notice of Condemnation and attached plat(s).

Names and Addresses: The names and addresses of the record owners, lienholders, encumbrancers, and other persons affected by this proceeding are listed on the attached Notice of Condemnation.

Purpose: The County desires the rights specified in the land sought to be condemned for the construction, operation, maintenance, repair, use, and reconstruction of a permanent sanitary sewer main.

Statement of Individual Rights: The County has provided the owner(s) with a statement of their individual rights and published notification as required under Sec. 6B.2A.

Good Faith Negotiations: The Applicant has been unable to negotiate in good faith with the owner(s) to acquire the property sought to be condemned, as the titleholders are deceased.

Request: NOW, THEREFORE, Delaware County hereby requests the appointment of a compensation commission of six qualified persons to view the premises and appraise the damages which the owners, lienholders, encumbrancers, and other persons affected will sustain by reason of this Condemnation.

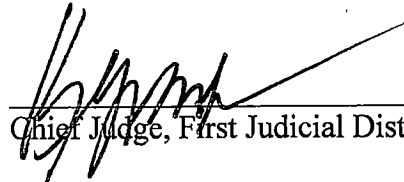
Dated this 8th day of September, 2021.

DELAWARE COUNTY, IOWA



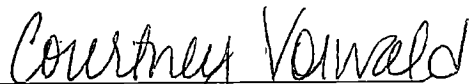
Courtney Vorwald ATC280002
Assistant County Attorney
Delaware County Attorney's Office
301 East Main Street
Manchester, Iowa 52057
Ph. 563-927-3819
Fax 563-927-9074
coatty@co.delaware.ia.us

Received in my office this 14th day of September, 2021.



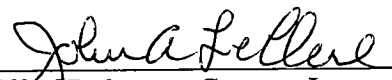
Chief Judge, First Judicial District

In accord with Iowa Code Section 6B.3(7), I, the undersigned, certify under penalty of perjury and pursuant to the laws of the State of Iowa that this Original Application for Condemnation has been approved by the Chief Judge of the First Judicial District.



Courtney Vorwald
County Attorney's Office 9-20-21

Filed in my office at Manchester, Iowa, this 28th day of September, 2021.



Sheriff of Delaware County, Iowa

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as

299th Avenue,

NOTICE

located in Delaware County, Iowa

TO: Unknown Heirs, Designees, and Assigns of Anton and Rose M. Mormann, deceased

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: 299th Avenue lying within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 89 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa.

You, and each of you, are hereby notified that Delaware County, Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the Easement Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Delaware County, Iowa, and in the Office of the Sheriff of Delaware County, Iowa, to which you are referred:

A public utility easement and temporary construction easement are sought to be appropriated in land described as follows:

lying within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 5, Township 89 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa, as shown on Easement Exhibit "A" attached hereto and by reference made a part hereof.

Said parcel is described as follows:

LEGAL DESCRIPTION

A permanent sanitary sewer easement lying within Westside Street of Mormann Subdivision, as recorded in Plat Book 2, Page 60, Delaware county, Iowa, more particularly described as follows;

Beginning at the Southwest Corner of Said Westside Street; thence North 03 Degrees, 31 minutes, 06 seconds East along the West line of said Westside Street, 549.38 feet to the North line of said Westside Street; thence North 86 degrees, 17 minutes, 15 seconds East along said North line, 34.97 feet; thence South 46 degrees, 53 minutes, 05 seconds West, 21.39 feet; thence South 03 degrees, 31 minutes, 06 seconds West, 537.00 feet to the South line of said Westside Street; thence North 89 degrees, 59 minutes, 37 seconds West along said South line, 20.04 feet to the point of beginning.

Unknown Heirs, Designees, and Assigns of Anton and Rose M. Mormann, deceased

In connection with this condemnation proceeding, it is specifically provided as follows:

1. An exclusive permanent public utility easement for the purposes of constructing, operating, maintaining, repairing, using, and reconstructing a sanitary sewer main.
2. An exclusive temporary construction easement for the purpose of constructing the Project, which shall terminate and become nonexistent after the construction is fully completed.
3. This easement includes the right to make excavations and to grade as it may reasonable be necessary for the construction, installation, operation, repair, maintenance, and reconstruction of the sanitary sewer main in the permanent easement area.
4. The Applicant shall have the right to trim and remove all trees and bushes which may interfere with Applicant's use of the easement.
5. Condemner hereby gives notice of condemnees' five-year right to negotiate construction or maintenance damages not apparent at the time of the condemnation as required by Iowa Code Section 6B.52.

Index Legend	
Location:	WESTSIDE STREET SE1/4 - NE1/4 SEC. 5, T88N, R3W DELAWARE COUNTY IOWA
Proprietor:	MORMANN, ANTON
Requestor:	EIRUSS
Surveyor:	JOHN M. TRANMER
Surveyor Company:	IIW, P.C., 4155 PENNSYLVANIA AVE DUBUQUE, IOWA 52002-2628 PHONE: (563)556-2464

FOR RECORDER USE

EASEMENT EXHIBIT

A PERMANENT SANITARY SEWER EASEMENT LYING WITHIN WESTSIDE STREET OF MORMANN SUBDIVISION, SE1/4 - NE1/4, SEC. 5, T89N, R3W, DELAWARE COUNTY, IOWA

EASEMENT AREA

PERMANENT SANITARY SEWER: 11,100 SQ. FT.

NOTE

THIS SURVEY IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD AND NOT OF RECORD.

LEGAL DESCRIPTION

A PERMANENT SANITARY SEWER EASEMENT LYING WITHIN WESTSIDE STREET OF MORMANN SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 60, DELAWARE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID WESTSIDE STREET;
THENCE NORTH 03 DEGREES 31 MINUTES 06 SECONDS EAST ALONG THE WEST LINE OF SAID WESTSIDE STREET, 549.38 FEET TO THE NORTH LINE OF SAID WESTSIDE STREET;
THENCE NORTH 86 DEGREES 17 MINUTES 15 SECONDS EAST ALONG SAID NORTH LINE, 34.97 FEET;
THENCE SOUTH 46 DEGREES 53 MINUTES 05 SECONDS WEST, 21.39 FEET;
THENCE SOUTH 03 DEGREES 31 MINUTES 06 SECONDS WEST, 537.00 FEET TO THE SOUTH LINE OF SAID WESTSIDE STREET;
THENCE NORTH 89 DEGREES 59 MINUTES 37 SECONDS WEST ALONG SAID SOUTH LINE, 20.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,100 SQUARE FEET, MORE OR LESS, AND SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHT-OF-WAY OF RECORD AND NOT OF RECORD.

GRAPHIC SCALE

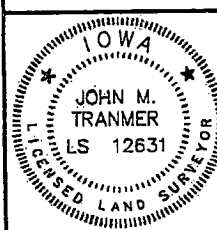
0 100 200

1" = 100'

DRAWING MAY HAVE BEEN REDUCED

LEGEND

	PROPERTY BOUNDARY
	LOT LINE
	EASEMENT LINE
	SECTION LINE
	EASEMENT AREA
	SECTION
	RIGHT-OF-WAY
	RECORDED AS
	POINT OF BEGINNING



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

FOR IIW, P.C.

John M. Tranmer 12/4/20
JOHN M. TRANMER / DATE

LICENSE NO. 12631

MY LICENSE RENEWAL DATE IS 12/31/2020

PAGES OR SHEETS COVERED BY THIS SEAL

THIS SHEET ONLY



DRAWN	DMK	PLAT NO.	Mormann
CHECKED	JMT	PROJ. NO.	1502601
DATE	12-4-20	SHEET	1 of 1
P:\15\026\DRAWINGS\SURVEY\15026 EASEMENT2			

ARCHITECTURE
CIVIL ENGINEERING
CONSTRUCTION SERVICES
ENVIRONMENTAL ENGINEERING
LAND SURVEYING
MUNICIPAL ENGINEERING
STRUCTURAL ENGINEERING
TRANSPORTATION ENGINEERING

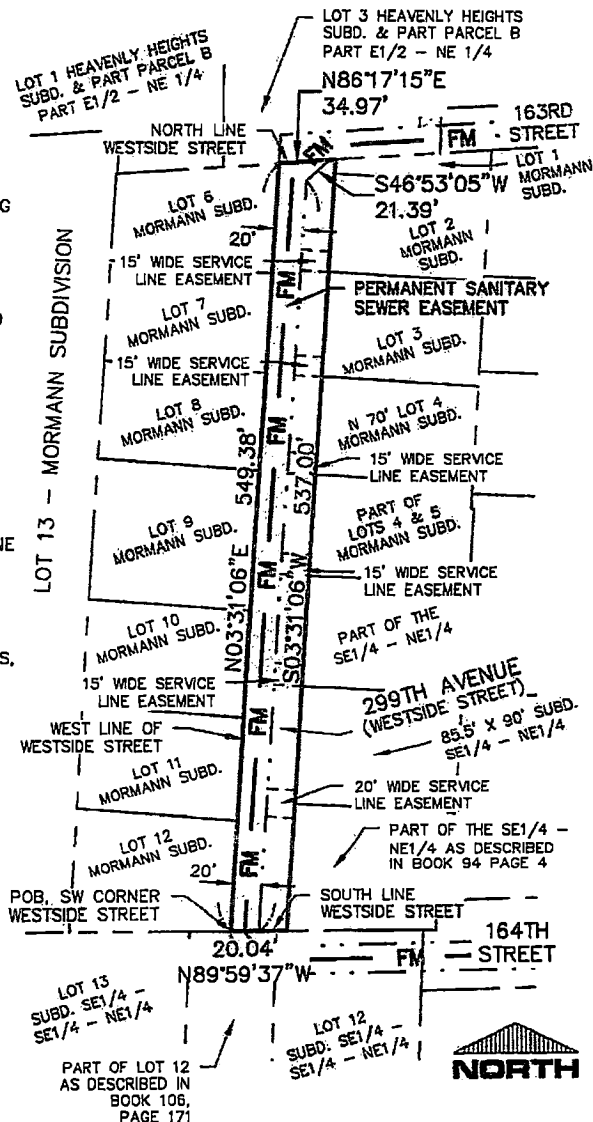


Exhibit A

In the Matter of the Condemnation
Of Land Located In The
Unincorporated Area of Petersburg
For the Petersburg Wastewater
Treatment Facility Project and Locally
Known as 299th Avenue,
Located in Delaware County, Iowa

SELECTION AND APPOINTMENT
OF COMPENSATION COMMISSIONERS
BY THE CHIEF JUDGE OF THE 1ST
JUDICIAL DISTRICT

#44

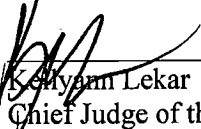
An Application and Notice of Condemnation having been filed with me by Delaware County, Iowa for the selection and appointment, by lot, of six suitable persons as the law provides to act as a compensation commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by Applicant in the Notice of Condemnation filed in the above-entitled matter, I hereby DESIGNATE, SELECT, AND APPOINT as members of said compensation commission required in this matter the following persons:

Name	Address	Qualifications
1. Mary Kay Starks	25944 225 th Ave. Delhi, IA 52223	Licensed Real Estate Salesperson or Broker
2. Teresa Turnis	2418 180 th Ave. Manchester, IA 52057	
1. Linda Bessey	1959 162 nd Ave. Manchester, IA 52057	Knowledgeable of Property Values by Virtue of Occupation
2. Kevin Funke	3171 285 th Ave. Hopkinton, IA 52237	
1. Lorraine Gaffney	PO Box 64 Ryan, IA 52330	Non-agricultural
2. Mary Ann Poyner	724 E. Howard St. Manchester, IA 52057	

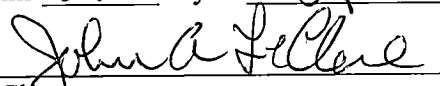
I further designate, select and appoint the above-named Mary Kay Starks to act as Chairperson of said commission.

To the Sheriff of Delaware County, Iowa: Attached hereto please find a duplicate of this Application for Condemnation in the above-entitled matter.

Dated at Watons, Iowa, this 14th day of September, 2021.


Kathryn Lekar
Chief Judge of the 1st Judicial District

Filed in my office at Manchester, Iowa, this 28th day of Sept., 2021.


John LeClere
Sheriff of Delaware County, Iowa

In the Matter of the Condemnation
Of Land Located In The
Unincorporated Area of Petersburg
For the Petersburg Wastewater
Treatment Facility Project and Locally
Known as 299th Avenue,
Located in Delaware County, Iowa

SUPPLEMENTARY ORDER
APPOINTING ALTERNATE
COMPENSATION COMMISSIONERS

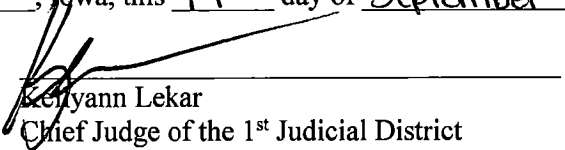
#44

An Application and Notice of Condemnation having been filed with me by Delaware County, Iowa entitled as above, for the selection and appointment, by lot, of a duly-constituted compensation commission, and said selection and appointment of up to five alternate commissioners, having been made by me, I further DESIGNATE, SELECT, AND APPOINT the following persons to serve as alternate members of said compensation commission, in the event that any of the said members having the same qualifications are unable to serve for any reason.

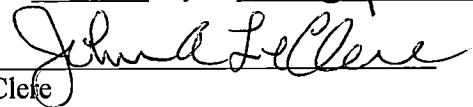
Name	Address	Qualifications
1. Kevin Graybill	21913 182 nd Ave. Manchester, IA 52057	Licensed Real Estate Salesperson or Broker
2. Kristine Baldwin	1883 Honey Creek Rd. Manchester, IA 52057	
3. Teresa Greve	2151 110 th Ave. Masonville, IA 50654	
4. Barb Sailer	1100 Rosewood Dr. Manchester, IA 52057	
5. Bob Wendt	1101 Stiles Street Manchester, IA 52057	
1. Donna Reeder	108 Tower Dr. Manchester, IA 52067	Knowledgeable of Property Values by Virtue of Occupation
2. Dave Smith	1101 Clearview Dr. Manchester, IA 52057	
3. Bruce Nieman	800 Tanglewood Dr. Manchester, IA 52057	
4. Scott Wegmann	1017 Sunrise Dr. Manchester, IA 52057	
5. Elaine Funnke	1071 Laser Rd. Edgewood, IA 52042	
1. Larry Stone	307 S. Washington St. Edgewood, IA 52042	Non-agricultural
2. Wes Schulte	19166 Goodland Dr. Manchester, IA 52057	
3. Karen Schmitz	111 Beckner St. Graceland, IA 52050	
4. Jeff Larson	505 Line St. Manchester, IA 52057	
5. Barb Robinson	306 South St. Dunder, IA 52038	

The Sheriff of Delaware County, Iowa, shall, upon being informed of a vacancy in the compensation commission, notify an alternate member appointed having the same qualifications as the person unable to serve in the same manner as the original commissioners were notified.

Dated at Wetake, Iowa, this 14th day of September, 2021.


Kenyann Lekar
Chief Judge of the 1st Judicial District

Filed in my office at Manchester, Iowa, this 28th day of Sept., 2021.


John LeClere
Sheriff of Delaware County, Iowa

AFFIDAVIT OF MAILING
BY DELAWARE COUNTY, CONDEMNOR

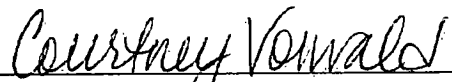
In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue, located
In Delaware County, Iowa.

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

I, Courtney Vorwald, being duly sworn, state that I am the Assistant Delaware County Attorney for Delaware County, Iowa in the above-entitled matter.

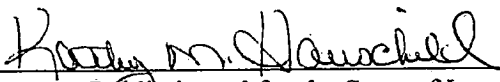
I further state that personal service cannot be made to the unknown heirs, designees, and/or assigns of Anton and Rose M. Mormann due to the death of Anton and Rose M. Mormann.

I further state that Notice will be published on October 13, 2021, October 20, 2021, and October 27, 2021; in the Manchester Press, in accordance with the Rules of Civil Procedure 60.1 and 60.2.

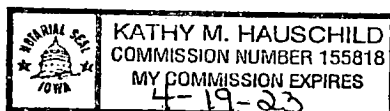


Courtney Vorwald
Assistant Delaware County Attorney

Subscribed and sworn to before me this 7th day of October, 2021.



Notary Public in and for the State of Iowa



STATE OF IOWA
DUBUQUE COUNTY

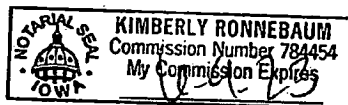
SS:

CERTIFICATE OF PUBLICATION

I, Tiffany Lott, of Woodward Communications, Inc., an Iowa corporation, publisher of the Manchester Press, a newspaper of general circulation published in the City of Manchester, County of Delaware and State of Iowa; hereby certify that the attached notice was published in said newspaper on the following dates 10-13, 10-20 & 10-27, 2021 and for which the charge is \$ 141.73.

Tiffany Lott

Subscribed to before me, a Notary Public in and for Delaware County, Iowa, this 2nd day of Oct. 2021.



Kimberly Ronnebaum

Notary Public in and for
Delaware County, Iowa

NOTICE

In the Matter of the Condemnation Of Land Located in the Unincorporated Area of Petersburg for the Petersburg Wastewater Treatment Facility Project and Locally Known as 299th Avenue, located in Delaware County, Iowa TO: Unknown Heirs, Designees, and Assigns of Anton and Rose M. Mormann, deceased and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: 299th Avenue lying within the SE 1/4 of the NE 1/4 of Section 5, Township 89 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa.

You, and each of you, are hereby notified that Delaware County, Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the Easement Exhibit "A" and to the Application filed with the Chief Judge of the Judicial District containing Delaware County, Iowa, and in the Office of the Sheriff of Delaware County, Iowa, to which you are referred:

A public utility easement and temporary construction easement are sought to be appropriated in land described as follows:

lying within the SE 1/4 of the NE 1/4 of Section 5, Township 89 North, Range 3 West of the 5th Principal Meridian, Delaware County, Iowa, as shown on Easement Exhibit "A" and by reference made a part hereof.

Said parcel is described as follows:
LEGAL DESCRIPTION

A permanent sanitary sewer easement lying within Westside Street of Mormann Subdivision, as recorded in Plat Book 2, Page 60, Delaware County, Iowa, more particularly described as follows;

Beginning at the Southwest Corner of Said Westside Street; thence North 03 Degrees, 31 minutes, 06 seconds East along the West line of said Westside Street, 549.38 feet to the North line of said Westside Street; thence North 86 degrees, 17 minutes, 15 seconds East along said North line, 34.97 feet; thence South 46 degrees, 53 minutes, 05 seconds

West, 21.39 feet; thence South 03 degrees, 31 minutes, 06 seconds West, 537.00 feet to the South line of said Westside Street; thence North 89 degrees, 59 minutes, 37 seconds West along said South line, 20.04 feet to the point of beginning.

Unknown Heirs, Designees, and Assigns of Anton and Rose M. Mormann

Unknown Heirs, Designees, and Assigns of Anton and Rose M. Mormann, deceased

In connection with this condemnation proceeding, it is specifically provided as follows:

1. An exclusive permanent public utility easement for the purposes of constructing, operating, maintaining, repairing, using, and reconstructing a sanitary sewer main.

2. An exclusive temporary construction easement for the purpose of constructing the Project, which shall terminate and become nonexistent after the construction is fully completed.

3. This easement includes the right to make excavations and to grade as it may reasonable be necessary for the construction, installation, operation, repair, maintenance, and reconstruction of the sanitary sewer main in the permanent easement area.

4. The Applicant shall have the right to trim and remove all trees and bushes which may interfere with Applicant's use of the easement.

5. Condemner hereby gives notice of condemnments five-year right to negotiate construction or maintenance damages not apparent at the time of the condemnation as required by Iowa Code Section 6B.52.

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.

You are further notified that the Commissioners will report to the Sheriff's Office in Manchester, Iowa at 9:00 a.m. on the 10th day of December, 2021, and will view the property at approximately 9:30 a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

10-13-20-27

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project
And Locally Known as 299th Avenue,
Located in Delaware County, Iowa

SUMMONS TO COMMISSIONERS

By

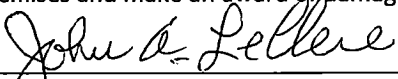
DELAWARE COUNTY, IOWA

TO: LINDA BESSEY

Delaware County, Iowa has filed with the Chief Judge of the 1st Judicial District including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as **Chairperson** of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the 10th day of December, 2021 at 9:00 o'clock a.m. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.



John A. LeClere
Sheriff of Delaware County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

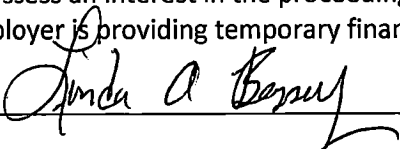
Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this ____ day of _____, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Filed in my office at Manchester, Iowa, this ____ day of _____, 2021.

John A. LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that my employer is providing temporary financing for the wastewater project.



PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF DELAWARE COUNTY, IOWA.

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue, located in
Delaware County, Iowa.

SUMMONS TO COMMISSIONERS

To: TERESA TURNIS

Delaware County has filed with the Chief Judge of the 1st Judicial District, including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for a public utility easement and temporary construction easement necessary for a wastewater treatment facility project in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the **10th day of December, 2021 at 9:00 a.m.** for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


John LeClere, Sheriff of Delaware County, Iowa

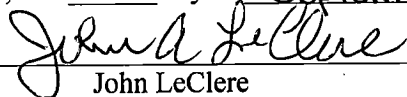
ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Manchester, Iowa, this 30 day of September, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



Filed in my office at Manchester, Iowa, this 30 day of September, 2021.


John LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____.

Please sign original summons and return promptly to the Sheriff of Delaware County, Iowa.

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue, located in
Delaware County, Iowa.

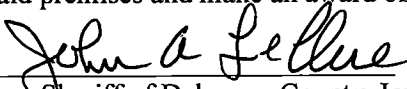
SUMMONS TO COMMISSIONERS

To: MARY ANN POYNOR

Delaware County has filed with the Chief Judge of the 1st Judicial District, including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for a public utility easement and temporary construction easement necessary for a wastewater treatment facility project in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as Chairperson of the Commission.

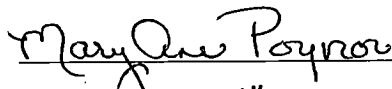
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the **10th day of December, 2021 at 9:00 a.m.** for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

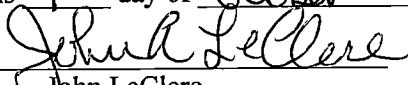

John LeClere, Sheriff of Delaware County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Manchester Iowa, this 30 day of September, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.


Filed in my office at Manchester, Iowa, this 4th day of October, 2021.


John LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____.

Please sign original summons and return promptly to the Sheriff of Delaware County, Iowa.

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue, located in
Delaware County, Iowa.

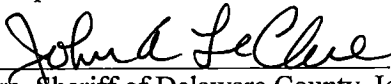
SUMMONS TO COMMISSIONERS

To: KEVIN FUNKE

Delaware County has filed with the Chief Judge of the 1st Judicial District, including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for a public utility easement and temporary construction easement necessary for a wastewater treatment facility project in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the **10th day of December, 2021 at 9:00 a.m.** for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


John LeClere, Sheriff of Delaware County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Hopkinton, Iowa, this 27th day of September, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



Filed in my office at Manchester, Iowa, this 4th day of October, 2021.


John LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____.

Please sign original summons and return promptly to the Sheriff of Delaware County, Iowa.

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue, located in
Delaware County, Iowa.

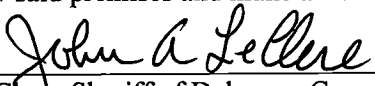
SUMMONS TO COMMISSIONERS

To: MARY KAY STARKS

Delaware County has filed with the Chief Judge of the 1st Judicial District, including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for a public utility easement and temporary construction easement necessary for a wastewater treatment facility project in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as Chairperson of the Commission.

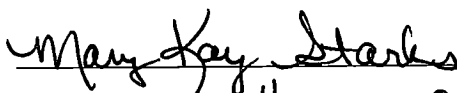
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the **10th day of December, 2021 at 9:00 a.m.** for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


John LeClere, Sheriff of Delaware County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Manchester, Iowa, this 6th day of October, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.


Filed in my office at Manchester, Iowa, this 6th day of Oct, 2021.


John LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____.

Please sign original summons and return promptly to the Sheriff of Delaware County, Iowa.

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue, located in
Delaware County, Iowa.

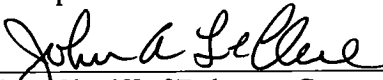
SUMMONS TO COMMISSIONERS

To: LORRAINE GAFFNEY

Delaware County has filed with the Chief Judge of the 1st Judicial District, including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for a public utility easement and temporary construction easement necessary for a wastewater treatment facility project in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as Chairperson of the Commission.

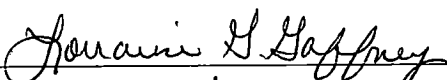
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the **10th day of December, 2021 at 9:00 a.m.** for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

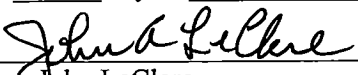

John LeClere, Sheriff of Delaware County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Ryan, Iowa, this 30th day of September, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.


Filed in my office at Manchester, Iowa, this 6th day of Oct, 2021.


John LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____.

Please sign original summons and return promptly to the Sheriff of Delaware County, Iowa.

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project
And Locally Known as 299th Avenue,
Located in Delaware County, Iowa

SUMMONS TO COMMISSIONERS

By

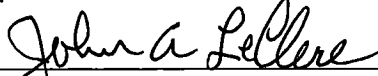
DELAWARE COUNTY, IOWA

TO: DONNA REEDER

Delaware County, Iowa has filed with the Chief Judge of the 1st Judicial District including Delaware County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Delaware County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 1st Judicial District for Delaware County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Mary Kay Starks has been designated as **Chairperson** of the Commission.

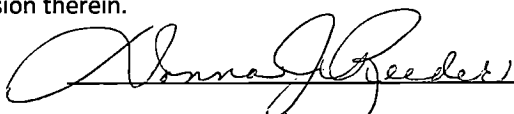
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Manchester, Delaware County, State of Iowa, on the 10th day of December, 2021 at 9:00 o'clock a.m. for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


John A. LeClere
Sheriff of Delaware County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Manchester, Iowa, this 20 day of Oct, 2021. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.


Filed in my office at Manchester, Iowa, this 20 day of Oct, 2021.


John A. LeClere
Sheriff of Delaware County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that _____.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF DELAWARE COUNTY, IOWA.

STATE OF IOWA
COUNTY OF DELAWARE
In the Matter of the Condemnation of Land Located
In the Unincorporated Area of Petersburg for the
Petersburg Wastewater Treatment Facility Project
and Locally Known as

OATH OF COMMISSIONERS

299th Avenue, located in Delaware County, Iowa

STATE OF IOWA)
) ss
DELAWARE COUNTY)

Each of the undersigned, being duly sworn, says:

That I do possess the qualifications listed under my name below, and

That I do not possess any interest in the proceeding which would cause me to render a biased decision,

And, that I will, to the best of my ability, faithfully and impartially assess the damages which owner(s), lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the rights set forth and described in the Application and Notice of Condemnation in the Office of the Sheriff for a public utility easement and temporary construction easement necessary for a wastewater treatment facility project and make a written report to the Sheriff as Authorized and prescribed in Chapters 28E, 6A, and 6B, Code of Iowa, and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Mary Kay Starks
Name: Mary Kay Starks
Licensed Real Estate Salesperson
Or Broker

Teresa Turnis
Name: Teresa Turnis
Licensed Real Estate Salesperson
Or Broker

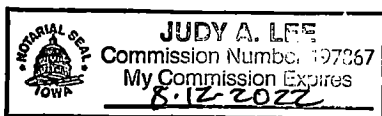
Donna Reeder
Name: Donna Reeder
Knowledgeable of Property Values
By Virtue of Occupation

Kevin Funke
Name: Kevin Funke
Knowledgeable of Property Values
By Virtue of Occupation

Lorraine Gaffney
Name: Lorraine Gaffney
Non-Agricultural

Mary Ann Poyner
Name: Mary Ann Poyner
Non-Agricultural

Acknowledged, subscribed, and sworn to before me this 10th day of December, 2021.



Judy A. Lee
Notary Public, State of Iowa

Filed in my office at Manchester, Iowa, this 10 day of December, 2021.

John A. LeClere
John LeClere, Sheriff of Delaware County, Iowa

STATE OF IOWA)
COUNTY OF DELAWARE) SHERIFF'S CERTIFICATION
In the Matter of the Condemnation of Land Located) AS TO AWARDS AND COSTS
In the Unincorporated Area of Petersburg for the)
Petersburg Wastewater Treatment Facility Project and)
Locally Known as)
299th Avenue, located in Delaware County, Iowa)

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK 2021, PAGE 3345, OR INSTRUMENT/DOCUMENT NUMBER 2021 3345, AND DATED SEPTEMBER 20, 2021.

TO: Delaware County, Iowa

I further certify that the commissioners in the above-entitled cause convened at Manchester, Iowa on the 10th day of December, 2021, and thereupon proceeded to view the premises, and said commissioners did on the 10th day of December, 2021, file their report in my office awarding as follows:

NAMES OF CONDEMNEDS	AWARD	ATTORNEY FEES AND COSTS INCL., ONE APPRAISAL
Anton + Rose Mormann (Deceased)	<u>0</u>	<u>0</u>
Unknown heirs, Designees, or Assigns of Anton + Rose Mormann	<u>0</u>	<u>0</u>
TOTAL DAMAGES AWARDED	\$ <u>0</u>	<u>0</u>

COSTS

I further certify that costs incidental to this proceeding have been taxes as follows:

Summoning Commissioners (Service Fees Included)	\$ 200.00 (Code 331.655)
Sheriff's Mileage While Summoning and Attending Commissioners	\$ 0.00
Sheriff's Mileage Transporting Commissioners	\$ 21.28
Serving Condemnees (Service and Mileage)	\$ 0.00
Copies	\$ 0.00
Publication of Notice of Appraisement Hearing	\$ 49.18
Other:	\$
6 COMMISSIONER COSTS (attach each Commissioner's Statement Form)	\$ 1,246.80
TOTAL COSTS	\$ 1,517.26

I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that the payment has not been received.

Dated this 10th day of December, 2021.

John A. Leller
Sheriff of Delaware County, Iowa

CONDEMNATION COMMISSIONER'S STATEMENT

To the Sheriff of Delaware County:

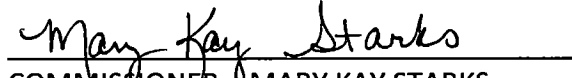
I certify that my fees and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for land located in the unincorporated area of Petersburg for the wastewater treatment facility project, held on the 10th day of December, 2021, are as follows and that these claims are due, just and unpaid:

1 day of service at \$200 \$ 200.00

20 miles at .56 cents \$ 11.20

 meals \$

Signed this 10 day of December, 2021.



COMMISSIONER - MARY KAY STARKS

CONDEMNATION COMMISSIONER'S STATEMENT

To the Sheriff of Delaware County:

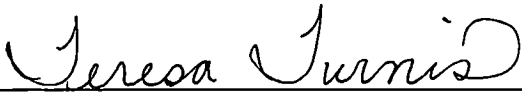
I certify that my fees and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for land located in the unincorporated area of Petersburg for the wastewater treatment facility project, held on the 10th day of December, 2021, are as follows and that these claims are due, just and unpaid:

 1 day of service at \$200 \$ 200.00

 2 miles at .56 cents \$ 1.12

 meals \$

Signed this 10th day of December, 2021.



COMMISSIONER – TERESA TURNIS

CONDEMNATION COMMISSIONER'S STATEMENT

To the Sheriff of Delaware County:

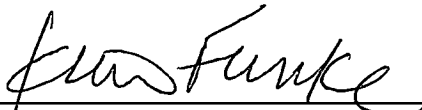
I certify that my fees and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for land located in the unincorporated area of Petersburg for the wastewater treatment facility project, held on the 10th day of December, 2021, are as follows and that these claims are due, just and unpaid:

1 day of service at \$200 \$ 200.00

30 miles at .56 cents \$ 20.16

 meals \$

Signed this 10th day of December, 2021.



COMMISSIONER – KEVIN FUNKE

CONDEMNATION COMMISSIONER'S STATEMENT

To the Sheriff of Delaware County:

I certify that my fees and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for land located in the unincorporated area of Petersburg for the wastewater treatment facility project, held on the 10th day of December, 2021, are as follows and that these claims are due, just and unpaid:

 1 day of service at \$200 \$ 200.00

 2 miles at .56 cents \$ 1.12

 meals \$

Signed this 10 day of December, 2021.


COMMISSIONER -- DONNA REEDER

CONDEMNATION COMMISSIONER'S STATEMENT

To the Sheriff of Delaware County:

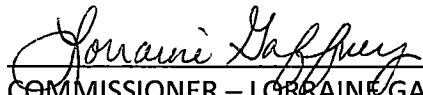
I certify that my fees and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for land located in the unincorporated area of Petersburg for the wastewater treatment facility project, held on the 10th day of December, 2021, are as follows and that these claims are due, just and unpaid:

 1 day of service at \$200 \$ 200.00

 20 miles at .56 cents \$ 11.20

 meals \$

Signed this 10th day of December, 2021.



COMMISSIONER – LORRAINE GAFFNEY

CONDEMNATION COMMISSIONER'S STATEMENT

To the Sheriff of Delaware County:

I certify that my fees and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for land located in the unincorporated area of Petersburg for the wastewater treatment facility project, held on the 10th day of December, 2021, are as follows and that these claims are due, just and unpaid:

1 day of service at \$200 \$ 200.00

2 miles at .56 cents \$ 2.00

 meals \$

Signed this 10 day of December, 2021.



COMMISSIONER – MARY ANN POYNOR

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

Case Number: **PETERSBURG**
Civil Number: **21-000566**
Date Received: **09/28/2021 @ 14:06**
Date Printed: 11/17/2021 @ 9:39

BY

DELAWARE COUNTY, IOWA

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

To: **LINDA BESSEY at @COMMUNITY SAVINGS BANK - 201 E MAIN ST MANCHESTER, IA 52057**

on **09/29/2021 @ 09:29**

Type of Service: **PERSONAL**

Remarks: **CERTIFIED MAIL: 10/12/21**

CONFLICT CAME UP - NOT SERVING.

Fees:

Service Fees:	0.00
Mileage:	0.00
Copies:	0.00
Mail:	6.38
Total:	6.38

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ SHERIFF JOHN LECLERE

Paid By:
Date:
Check #:



October 27, 2021

Dear Judy Lee:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 3160 0001 0330 5922.

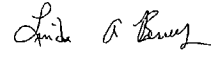
Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: October 16, 2021, 9:57 am
Location: MANCHESTER, IA 52057
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	 Linda A. Bessy
Address of Recipient:	1959 162ND AVE MANCHESTER, IA 52057-0816

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®	
Manchester, IA 52057	
OFFICIAL USE	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
☐ Return Receipt (hardcopy)	\$1.85
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$6.38
Sent To: Linda Bessy	
Street and Apt. No., or PO Box No. 1959 162nd Ave	
City, State, ZIP+4® Manchester, IA 52057	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7020 3160 0001 0330 5922

Postmark Here 10/12/2021

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

BY
DELAWARE COUNTY, IOWA

Case Number: **PETERSBURG**

Civil Number: **21-000566**

Date Received: **09/28/2021 @ 14:06**

Date Printed: 11/17/2021 @ 9:39

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE NOTICE OF APPRAISEMENT HEARING
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

To: **MARY KAY STARKS** at **@DELAWARE CO SHERIFF - 1225 W HOWARD ST MANCHESTER, IA 52057**
on **09/30/2021 @ 15:40** Type of Service: **PERSONAL/AWAY FROM RESIDENCE**
Remarks: **CERTIFIED MAIL: 10/12/21**

PERSONAL DELIVERY OF REVISED NOTICE OF APPRAISEMENT HEARING: 10/26/21

Fees:

Service Fees:	21.16
Mileage:	0.00
Copies:	0.00
Mail:	6.38
Total:	27.54

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: **/S/ CIVIL DEPUTY JUDY LEE**

Paid By:
Date:
Check #:



October 27, 2021

Dear Judy Lee:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 3160 0001 0330 5946.

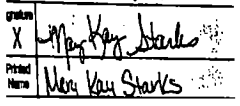
Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: October 15, 2021, 9:42 am
Location: DELHI, IA 52223
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

9465 DEED 1000 DATE 0202

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Delhi, IA 52223	
OFFICIAL USE	
Certified Mail Fee	\$3.75
Postage	\$0.78
Total Postage and Fees	\$4.53
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postmark Here	
10/12/2021	
Sent To Mary Kay Starks	
Street and Apt. No., or PO Box No. 25944 25th Ave	
City, State, ZIP+4® Delhi IA 52223	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

Case Number: **PETERSBURG**

Civil Number: **21-000566**

Date Received: **09/28/2021 @ 14:06**

Date Printed: 11/17/2021 @ 9:39

BY

DELAWARE COUNTY, IOWA

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

NOTICE OF APPRAISEMENT HEARING

To: **TERESA TURNIS** at

on **09/30/2021 @ 10:40**

Type of Service: **PERSONAL**

Remarks: **CERTIFIED MAIL: 10/12/21**

PERSONAL DELIVERY OF REVISED NOTICE OF APPRAISEMENT HEARING: 10/26/21

Fees:

Service Fees:	21.16
Mileage:	1.12
Copies:	0.00
Mail:	6.38
Total:	28.66

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ SHERIFF JOHN LECLERE

Paid By:

Date:

Check #:



October 27, 2021

Dear Judy Lee:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 3160 0001 0330 5953.

Item Details

Status: Delivered, Left with Individual
Status Date / Time: October 14, 2021, 11:34 am
Location: MANCHESTER, IA 52057
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	4418 18th Ave Manchester IA 52057

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

7020 3160 0001 0330 5953

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Manchester, IA 52057	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$6.38
Postmark Here	
10/12/2021	
Sent To	
Teresa Turner	
Street and Apt. No., or PO Box No.	
2418 180th Ave	
City, State, ZIP+4®	
Manchester IA 52057	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

Case Number: **PETERSBURG**
Civil Number: **21-000566**
Date Received: **09/28/2021 @ 14:06**
Date Printed: 11/17/2021 @ 9:39

BY
DELAWARE COUNTY, IOWA

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE NOTICE OF APPRAISEMENT HEARING
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

To: **KEVIN FUNKE at @CITIZENS STATE BANK -103 1ST ST SW HOPKINTON, IA 52237**
on **09/29/2021 @ 10:30** Type of Service: **PERSONAL**
Remarks: **CERTIFIED MAIL: 10/12/21**

PERSONAL DELIVERY OF REVISED NOTICE OF APPRAISEMENT HEARING: 10/26/21

Fees:

Service Fees:	21.17
Mileage:	20.16
Copies:	0.00
Mail:	6.38
Total:	47.71

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ SHERIFF JOHN LECLERE

Paid By:
Date:
Check #:



October 27, 2021

Dear Judy Lee:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 3160 0001 0330 5939.

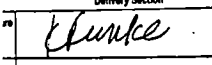
Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: October 14, 2021, 9:11 am
Location: HOPKINTON, IA 52237
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	
	KEVIN R FUNKE
Address of Recipient:	3171 285th Ave
	Hopkinton IA 52237

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

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Sincerely,
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475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

7020 3160 0001 0330 5939

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Hopkinton IA 52237	
OFFICIAL USE	
Certified Mail Fee \$3.75	0857
Extra Services & Fees (check box, add fee as appropriate)	8
☐ Return Receipt (hardcopy) \$1.85	Postmark Here
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.78	10/12/2021
Total Postage and Fees \$6.33	
Sent To Kevin Funke	
Street and Apt. No., or PO Box No. 3171 285th Ave	
City, State, ZIP+4® Hopkinton IA 52237	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

BY

DELAWARE COUNTY, IOWA

Case Number: **PETERSBURG**

Civil Number: **21-000566**

Date Received: **09/28/2021 @ 14:06**

Date Printed: 11/17/2021 @ 9:33

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE NOTICE OF APPRAISEMENT HEARING
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

To: **DONNA REEDER at @DELAWARE CO ABSTRACT - 304 E MAIN ST MANCHESTER, IA 52057**
on **10/19/2021** Type of Service: **PERSONAL**

Remarks: **PERSONAL DELIVERY OF REVISED NOTICE OF APPRAISEMENT HEARING: 10/26/21**

Fees:

Service Fees:	21.17
Mileage:	1.12
Copies:	0.00
Total:	22.29

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ SHERIFF JOHN LECLERE

Paid By:
Date:
Check #:

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

Case Number: **PETERSBURG**

Civil Number: **21-000566**

Date Received: **09/28/2021 @ 14:06**

Date Printed: 11/17/2021 @ 9:39

BY

DELAWARE COUNTY, IOWA

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE NOTICE OF APPRAISEMENT HEARING
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

To: **LORRAINE GAFFNEY at 110 FRANKLIN ST RYAN, IA 52330**

on **09/30/2021 @ 15:45**

Type of Service: **PERSONAL**

Remarks: **CERTIFIED MAIL: 10/12/21**

PERSONAL DELIVERY OF REVISED NOTICE OF APPRAISEMENT HEARING: 10/26/21

Fees:

Service Fees:	21.17
Mileage:	11.20
Copies:	0.00
Mail:	6.38
Total:	38.75

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ SHERIFF JOHN LECLERE

Paid By:

Date:

Check #:



October 27, 2021

Dear Judy Lee:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 3160 0001 0330 5908.

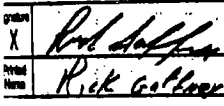
Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: October 14, 2021, 9:03 am
Location: RYAN, IA 52330
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
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475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Ryan, IA 52330	
OFFICIAL USE	
Certified Mail Fee	\$3.75
Postage	\$0.78
Total Postage and Fees	\$6.38
Extra Services & Fees (check box, add fee as appropriate)	\$1.85
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Sent To	Lorraine Gaffney
Street and Apt. No., or PO Box No.	PO Box 64
City, State, ZIP+4®	Ryan IA 52330
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Return of Service

IN THE IOWA DISTRICT COURT IN AND FOR DELAWARE COUNTY

In the Matter of the Condemnation of Land located in the
unincorporated area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and locally known as
299th Avenue, located in Delaware County, Iowa

Case Number: **PETERSBURG**
Civil Number: **21-000566**
Date Received: **09/28/2021 @ 14:06**
Date Printed: **11/17/2021 @ 9:39**

BY

DELAWARE COUNTY, IOWA

STATE OF IOWA
DELAWARE COUNTY

}

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION AND NOTICE NOTICE OF APPRAISEMENT HEARING
SELECTION AND APPOINTMENT OF COMPENSATION
SUPPLEMENTARY ORDER APPOINTING ALTERNATE C

To: **MARY ANN POYNOR at 724 E HOWARD ST MANCHESTER, IA 52057**

on **09/30/2021 @ 10:30** Type of Service: **PERSONAL**

Remarks: **CERTIFIED MAIL: 10/12/21**

PERSONAL DELIVERY OF REVISED NOTICE OF APPRAISEMENT HEARING: 10/26/21

Fees:

Service Fees:	21.17
Mileage:	1.12
Copies:	0.00
Mail:	6.38
Total:	28.67

JOHN A. LECLERE, SHERIFF
DELAWARE COUNTY

By: /S/ SHERIFF JOHN LECLERE

Paid By:

Date:

Check #:



October 27, 2021

Dear Judy Lee:

The following is in response to your request for proof of delivery on your item with the tracking number:
7020 3160 0001 0330 5915.

Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: October 15, 2021, 3:01 pm
Location: MANCHESTER, IA 52057
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:

Mary Ann Paynor
MARY ANN POYNOR
724 E HOWARD ST
MANCHESTER, IA 52057-1636

Address of Recipient:

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Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

5165 DEED 1000 09TE 0202

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Manchester, IA 52057	
Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
☐ Return Receipt (hardcopy)	\$1.35
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$6.38
Postmark Here	
10/12/2021	
Sent To	
Mary Ann Paynor	
Street and Apt. No., or PO Box No.	
724 E Howard St	
City, State, ZIP+4®	
Manchester IA 52057	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Notice of Appraisement Hearing and Public Meeting of Compensation Commission to Assess Damages

In the Matter of the Condemnation of Land located in the unincorporated area of Petersburg for the Petersburg Wastewater Treatment Facility Project and locally known as 299th Avenue, located in Delaware County, Iowa

TO: Mary Kay Starks, Teresa Turnis, Donna Reeder, Kevin Funke, Lorraine Gaffney, Mary Ann Poynor

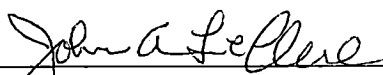
An Application of Condemnation, having been presented to the Chief Judge of the Judicial District, requesting the appointment of six (6) qualified persons as a Condemnation Commission:

WHEREAS, such an appointment has been filed in my office and whereas you have been appointed and selected as such Condemnation Commissioners:

NOW THEREFORE, you are commanded to be and appear before the undersigned at the Office of the Sheriff of **DELAWARE** County, Iowa, at **1225 W. Howard Street, Manchester, Iowa** on the **10th** day of **December, 2021**, at the hour of **9:00 A.M.** for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as provided by law. Prior to the meeting of the commission, the commission or a commissioner shall not communicate with the applicant, property owner, or tenant, or their agents, regarding the condemnation proceedings.

FAIL NOT TO MAKE YOUR APPEARANCE UNDER PENALTY OF THE LAW.

This notice published pursuant to Section 6B.11, Code of Iowa.



John A. LeClere
Sheriff of Delaware County, Iowa

STATE OF IOWA
DUBUQUE COUNTY

SS:

CERTIFICATE OF PUBLICATION

I, Tiffany Lott, of Woodward Communications, Inc., an Iowa corporation, publisher of the Manchester Press, a newspaper of general circulation published in the City of Manchester, County of Delaware and State of Iowa; hereby certify that the attached notice was published in said newspaper on the following dates 11-24 and for which the charge is \$ 23.80.

Tiffany Lott

Subscribed to before me, a Notary Public in and for Delaware County, Iowa, this 24th day of Nov. 2021.



Kimberly Ronnebaum

Notary Public in and for
Delaware County, Iowa

Notice of Appraisal Hearing and Public Meeting of Compensation Commission to Assess Damages

In the Matter of the Condemnation of Land located in the unincorporated area of Petersburg for the Petersburg Wastewater Treatment Facility Project and locally known as 299th Avenue, located in Delaware County, Iowa.

To: Mary Kay Starks, Teresa Turnis, Donna Reeder, Kevin Funke, Lorraine Gaffney, Mary Ann Poyner,

An application of Condemnation having been presented to the Chief Judge of the Judicial District, requesting the appointment of six (6) qualified persons as a Condemnation Commission:

WHEREAS, such an appointment has been filed in my office and whereas you have been appointed and selected as such Condemnation Commissioners:

NOW THEREFORE, you are commanded to be and appear before the undersigned at the Office of the

Sheriff of DELAWARE County, Iowa, at 1225 W. Howard Street, Manchester, Iowa on the 10th day of December, 2021, at the hour of 9:00 A.M. for the purpose of qualifying as such commissioner, and proceed to view said premises and make an award of damages as provided by law. Prior to the meeting of the commission, the commission or a commissioner shall not communicate with the applicant, property owner, or tenant, or their agents, regarding the condemnation proceedings.

FAIL NOT TO MAKE YOUR APPEARANCE UNDER PENALTY OF THE LAW.

This notice published pursuant to Section 6B.11, Code of Iowa.

John A. LeClere
John A. LeClere
Sheriff of Delaware County, Iowa

11-24

STATE OF IOWA
DUBUQUE COUNTY

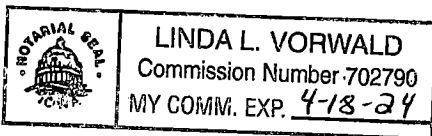
SS:

CERTIFICATE OF PUBLICATION

I, June Naber, of Woodward
Communications, Inc., an Iowa corporation,
publisher of the Dyersville Commerical, a
newspaper of general circulation published
in the City of Dyersville, County of
Dubuque and State of Iowa; hereby certify
that the attached notice was published in
said newspaper on the following
dates November 24, 2021,
and for which the charge is \$ 25.32.

June Naber

Subscribed to before me, a Notary Public in
and for Dubuque County, Iowa,
this 24th day of Nov 2021.



Linda L. Vorwald

Notary Public in and for
Dubuque County, Iowa

**Notice of Appraisement Hearing and
Public Meeting of Compensation
Commission to Assess Damages**

In the Matter of the Condemnation
of Land located in the unincorporated
area of Petersburg for the Petersburg
Wastewater Treatment Facility Project
and locally known as 299th Avenue,
located in Delaware County, Iowa.

To: Mary Kay Starks, Teresa Turnis,
Donna Reeder, Kevin Funke, Lorraine
Gaffney, Mary Ann Poyner

An application of Condemnation
having been presented to the
Chief Judge of the Judicial District,
requesting the appointment of six (6)
qualified persons as a Condemnation
Commission:

WHEREAS, such an appointment
has been filed in my office and
whereas you have been appointed
and selected as such Condemnation
Commissioners:

NOW THEREFORE, you are
commanded to be and appear before
the undersigned at the Office of the
Sheriff of DELAWARE County, Iowa, at
1225 W. Howard Street, Manchester,
Iowa on the 10th day of December,
2021, at the hour of 9:00 A.M. for
the purpose of qualifying as such
commissioner, and proceed to view
said premises and make an award of
damages as provided by law. Prior to
the meeting of the commission, the
commission or a commissioner shall
not communicate with the applicant,
property owner, or tenant, or their
agents, regarding the condemnation
proceedings.

FAIL NOT TO MAKE YOUR
APPEARANCE UNDER PENALTY OF
THE LAW.

This notice published pursuant to
Section 6B.11, Code of Iowa.

John A. LeClere
John A. LeClere
Sheriff of Delaware County, Iowa

11-24

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as

299th Avenue,

AFFIDAVIT OF FINAL OFFER

located in Delaware County, Iowa.

On this the 10th day of December, 2021, comes Delaware County, Iowa and states, as
by law provided, that the most recent offers made to the owner(s), lienholders, encumbrancers, and other
persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in
the Notice of Condemnation filed in the above matter are as follows:

Owner(s) & Lienholders

Anton & Rose Mormann (deceased)

Unknown Heirs, Designees, or Assigns of Anton & Rose Mormann

\$ 0

Tenant(s)

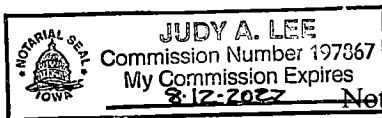
None

\$ 0

DELAWARE COUNTY, IOWA

By Courtney Voivald

Acknowledged, subscribed, and sworn to before me this 10 day of December, 2021.



Judy A. Lee
Notary Public/Clerk of Court in and for said County and State

Filed in my office at Manchester, Iowa, this 10 day of December, 2021.

John A. LeClere
John LeClere, Sheriff of Delaware County, Iowa

CONDEMNATION

December 10, 2021

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as 299th Avenue.

APPLICATION RECORDED: September 20, 2021; Book 2021, Page 3345

SHERIFF – John LeClere

COMMISSIONER

ADDRESS

Mary Kay Starks

Delhi, Iowa

Teresa Turnis

Manchester, Iowa

~~Linda Bessey~~ Donna Reeder

Manchester, Iowa

Kevin Funke

Hopkinton, Iowa

Lorraine Gaffney

Ryan, Iowa

Mary Ann Poynor

Manchester, Iowa

Delaware County Representative – Vorwald/Bernau

SCHEDULE

Sheriff's Office

Manchester

9:00 a.m.

299th Avenue

9:30 a.m.

Hearing and Awards

Sheriff's Office

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as

299th Avenue,

located in Delaware County, Iowa.

REPORT OF COMPENSATION
COMMISSION

To: John LeClere, Sheriff of Delaware County, Iowa

We, the undersigned, being duly-appointed and qualified Commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrancers, and other persons interested in the appropriation of certain specified rights as set forth and described in the Notice of Condemnation filed in the above-entitled matter, 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 do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

Parcel No.	Land and Improvements	Additional Damages	Condemnee's Total Award	Condemnee's Attorney Fees and Costs Incl. One Appraisal
299 th Avenue	\$	\$ NA	\$ 0	\$ 0
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Value of Condemnee's Dwelling: NA

Respectfully reported at Manchester, Iowa, this 10 day of December, 2021.

Mary Kay Starks
Donna Hoffman
Mary Ann Payton

Ken Fenske
Donna Gledhill
Terese Fenske

I certify that the above amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received.

Filed in my office at Manchester, Iowa, this 10 day of December, 2021.

John A. LeClere
John LeClere, Sheriff of Delaware County, Iowa

Report of Compensation Commission

Minutes of Deliberation

Date: December 10, 2021

Time: 9:00 AM

Place: Delaware County Sheriff's Office, 1225 W. Howard Street, Manchester, Iowa 52057

Members present:

Delaware County, IA – Courtney Vorwald

Sheriff, John A. LeClere

Office Manager, Judy Lee

Commissioners:

Mary Kay Starks, Chairperson

Teresa Turnis

Donna Reeder

Kevin Funke

Lorraine Gaffney

Mary Ann Poynor

Minutes: (Attached)

9 AM: Questions on notification asked and answered

9:30 AM - to property site.

10:30 AM: Mark Jensen - Project manager ECIA - government organization grants
help small communities - his testimony.

Everyone voted for 0 compensation in this matter

Documents viewed:

County's Exhibit "1" - Appraisal

County's Exhibit "2" - Easement Exhibit

Report of Compensation Commission

The information relied on by the Commissioners is assessing the damages for the taking as above provided is as follows:

Note to Commissioners: Attach additional sheets, if needed, to describe the information relied on, and make reference to documents relied on (e.g. appraisals) in assessing damages for the taking.

Report of Compensation Commission

Results of votes taken by the Commissioners during the meeting are as follows:

Date: December 10, 2021

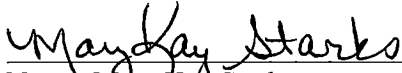
Time: 10:55

<u>Commissioner</u>	<u>Category</u>	<u>Vote</u>
Mary Kay Starks	Licensed Real Estate Salesperson or Broker	D
Teresa Turnis	Licensed Real Estate Salesperson or Broker	O
Donna Reeder	Knowledgeable of Property Values by Virtue of Occupation	O
Kevin Funke	Knowledgeable of Property Values by Virtue of Occupation	O
Lorraine Gaffney	Non-Agricultural	O
Mary Ann Poynor	Non-Agricultural	O

Note to Commissioners: Complete a separate sheet for each vote taken. The results of each vote taken during closed session must be made public after reconvening in open session.

Report of Compensation Commission

WITNESS OUR HANDS in Manchester, Iowa, the day and year last above written December 10, 2021.



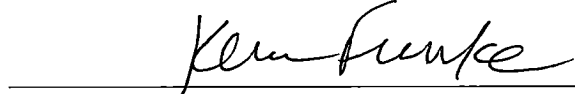
Name: Mary Kay Starks



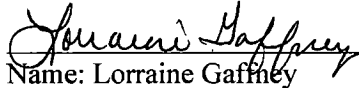
Name: Teresa Turnis



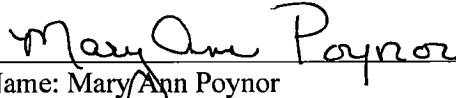
Name: Donna Reeder



Name: Kevin Funke



Name: Lorraine Gaffney



Name: Mary Ann Poyner

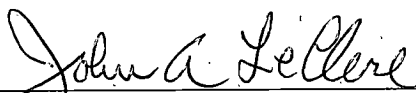
In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as

299th Avenue,

located in Delaware County, Iowa.

ENDORSEMENT OF SHERIFF
OF MAILING OF NOTICE OF
APPRAISEMENT OF DAMAGES
AND TIME FOR APPEAL

I, the undersigned, hereby endorse and certify that the *Notice of Appraisement of Damages and Time for Appeal* was not mailed following the hearing, as no one appeared at the hearing on behalf of the Unknown Heirs, Designees or Assigns of Anton and Rose Mormann, and the mailing addresses of any heirs, designees or assigns were unknown.



John LeClere, Sheriff of Delaware County, Iowa

In the Matter of the Condemnation
Of Land Located in the Unincorporated
Area of Petersburg for the Petersburg
Wastewater Treatment Facility Project and
Locally Known as

299th Avenue,

located in Delaware County, Iowa.

NOTICE OF APPRAISEMENT OF
DAMAGES AND TIME FOR APPEAL

Parcel No.	Land and Improvements	Additional Damages	Condemnee's Total Award	Condemnee's Attorney Fees and Costs Incl. One Appraisal
	\$	\$	\$ <u>0</u>	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Note: If Owner-Occupied Dwelling is acquired:

Value of Condemnee's Dwelling: \$ N/A

Value of Land and Improvements
Other than Condemnees' Dwelling: \$ _____

You and each of you are hereby notified that on the 10th day of December, 2021, the duly-appointed and qualified commissioners assessed and appraised the damages sustained by reason of the condemnation as set out above, and that pursuant to the Code of Iowa, you may, within thirty (30) days from the date of mailing this Notice, appeal to the District Court as by law provided. If no appeal is filed, you may pick up the award warrant on deposit with the Sheriff. In the event an appeal is filed, it will be necessary for the court to order any disbursement of funds.

Signed this 10th day of December, 2021.

John A. LeClere
John LeClere, Sheriff of Delaware County, Iowa

SHERIFF'S REPORT FOR CONDEMNATION PROCEEDINGS

STATE OF IOWA)
COUNTY OF DELAWARE)
In the Matter of the Condemnation of Land Located)
In the Unincorporated Area of Petersburg for the)
Petersburg Wastewater Treatment Facility Project and)
Locally Known as)
299th Avenue, located in Delaware County, Iowa)

I, John A. LeClere, Sheriff of Delaware County, certify that I received the attached Application for Condemnation on the 28th day of September, 2021, filed with the county recorder September 20, 2021 in Book 2021, Page 3345.

I further certify that the condemnation hearing was held on the 10th day of December, 2021, and the awards made, a copy of which is included.

I further certify that the total cost of the hearing was \$1,517.26 which has been paid to the Sheriff by Delaware County, Iowa. The money has been distributed in the following manner:

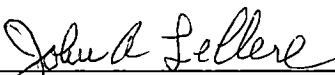
Commissioners fees	\$ 211.20
Commissioners fees	\$ 201.12
Commissioners fees	\$ 201.12
Commissioners fees	\$ 220.16
Commissioners fees	\$ 211.20
Commissioners fees	\$ 202.00
County fees of \$200.00; mileage \$21.28; publication \$ 49.18. .	\$ 270.46
TOTAL DISBURSED	\$1,517.26

I further certify that I received from the Delaware County, Iowa an award check as follows:
\$0.00 payable to N/A.

And attorney fee checks as follows:
\$0.00 payable to n/a.

I further certify that as of the date entered below, said check n/a has been disbursed.

Dated this 10th day of January, 2022.



Sheriff of Delaware County, Iowa