

Miscellaneous Record, No. 22, Madison County, Iowa

Iowa State Highway Commission

To

Madison County Sheriff

#706
Fee \$ 5.60Filed for record the 6th day of March
A.D. 1935 at 4:40 o'clock P.M.

Valda C. Bishop, Recorder

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.2 West of Winterset
located in Madison County.
Project No. Mtrl. 22

APPLICATION TO THE SHERIFF FOR THE APPOINTMENT
OF A COMMISSION TO APPRAISE DAMAGES.

TO John K. Sawyer Sheriff of Madison County, Iowa.

Interest

Comes now the Iowa State Highway Commission and states that the/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:

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T75N, R29W, Madison County

Fred Binns, R F D #4, Winterset, Iowa Record Owner

Margaret C. Binns, R F D #4, Winterset, Iowa Spouse

David D. Weems, Guardian of the property of William Roy Weems, Winterset, Iowa Mortgagee

The land sought to be appropriated is described as follows:

Commencing at the S W Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 5 T75N, R29W, thence North 553.1
ft, thence south 85° 15' E along the centerline of established Highway No.2 for a distance of
451 ft. to the point of beginning. Thence North 17° 11' W 717.37 ft. thence North 72° 49' E
162.0 ft. Thence South 17° 11' E 778.6 ft. Thence North 85° 15' W 174.64 ft. to the point of
beginning. Containing 2.47 acres, more or less, exclusive of the present established highway.
NOTE: The west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 5 is taken as due north and south.

Recorders Note :The land sought to be appropriated EXHIBIT "A"
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 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 14 day of November, 1934.

IOWA STATE HIGHWAY COMMISSION

By Edward L. O'Connor, Attorney
General.

By C.E. Walters

Special Assistant Attorney General and Counsel to the Iowa Highway
Commission

Filed in my office at Winterset, Iowa, this 16th day of Nov, A.D. 1934

John K. Sawyer

Sheriff of Madison County, Iowa.

Miscellaneous Record, No. 22, 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. 2 West of Winterset, located in Madison
County. Project No. Mtrl. 32

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

TO THE HONORABLE Richard F. Mitchell Chief Justice of the Supreme Court of Iowa:

You are hereby notified that an Application by the Iowa State Highway Commission for condemning 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 Chapters 241 51, 365, ^{and 366} of the 1931 Code of Iowa, 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 16th day of November, A.D. 1934.

John K. Sawyer
Sheriff of Madison County, Iowa

Filed in my office this 16th day of November, 1934, at Winterset, Iowa

John K. Sawyer.
Sheriff of Madison County, Iowa.

In the Matter of the Condemnation of Certain
Land by the State Highway Commission for the
Use and Benefit of the State of Iowa in the
Improvement of a Primary Road.
No. 2 west of Winterset located in Madison
County. Project No. Mtrl. 32

SELECTION AND APPOINTMENT OF CONDEMNATION
COMMISSIONERS BY THE CHIEF JUSTICE.

A request from John K. Sawyer 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 commission to assess and appraise the damages sustained by reason of the appropriation/condemnation of 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
Bert Jecks	Atlantic	Cass
J.D. Reynolds	Creston	Union
Will F. Maher	Fort Dodge	Webster
Victor W. Dunham Wm. Etter	De Moines Sigourney	Polk
J.C. O'Reilly	Houton	Dallas
J. M. Grimes E.J. Sidey	Osceola Greenfield	Clarke

Attached hereto I return the Notice and request for such appointment in the above entitled matter.
Dated at Fort Dodge, Iowa, this 26 day of Nov., 1934.

Richard F. Mitchell
Chief Justice of the Supreme Court of
Iowa.

Filed in my office this 30th day of November, 1934, at Winterset, Iowa,

John K. Sawyer
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 a Primary Road.
No. 2 west of Winterset, located in Madison
County, Project No. Material.

ORDER

Now on this 7th day of December A.D. 1934, the above entitled matter was presented to the undersigned Chief Justice of the Supreme Court of Iowa, who finds that J.M. Grimes of Osceola, Clarke County, Iowa, cannot serve on the above condemnation proceeding to be held in Winterset December 14th, owing to the fact that he is not an owner of real estate, and E.J. Sidey of Greenfield, Adair County, is hereby appointed to fill said vacancy.

Richard F. Mitchell
Chief Justice of the Supreme Court of Iowa.

Miscellaneous Record, No. 22, 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 a
Primary Road.

No.2 west of Winterset. located in
Madison County
Project No. Mtrl.

ORDER

Now on this 12th day of December A.D.1934, the above entitled matter was presented to the undersigned Chief Justice of the Supreme Court of Iowa, who finds that Lester W. Drennen one of the Commissioners appointed to assess damages by reason of the condemnation proceedings instituted by the Iowa State Highway Commission herein, is not an owner of real estate, and is therefore, not qualified to act, and Wm. Etter of Sigourney, Keokuk County, Iowa, is hereby appointed to fill said vacancy.

Richard F. Mitchell

Chief Justice of the Supreme Court of 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.2 west of Winterset, located in
Madison County.
Project No. Mtrl.

SUMMONS TO COMMISSIONERS.

TO: Bert Jecks, Atlantic, 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 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 14th day of December, 1934, at 1 o'clock P.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.

John K. Sawyer

Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons and receipt of copy acknowledged at
Atlantic Iowa, this 1st day of Dec., A.D.1934

Bert Jecks

Filed in my office this 3rd day of Dec., 1934, at Winterset, Iowa.

(Please sign and return this copy)

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.2 west of Winterset located in
Madison County.
Project No. Mtrl.

John K. Sawyer

Sheriff of Madison County, Iowa.

SUMMONS TO COMMISSIONERS.

To J.D.Reynolds, 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 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

Miscellaneous Record, No. 22, Madison County, Iowa

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 14th day of December, 1934, at 1 o'clock P.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.

John K. Sawyer
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons and receipt of copy acknowledged at Creston Iowa, Iowa, this 1 day of December, A.D. 1934

J.D. Reynolds

Filed in my office this 3rd day of Dec., 1934, at Winterset, Iowa

(Please sign and return this copy)

John K. Sawyer
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 Improve-
ment of Primary Road.

No. 2 west of Winterset
located in Madison County

Project No. Mtrl.

SUMMONS

TO

COMMISSIONERS

TO: Will F. Maher, Fort Dodge, 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 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 14th day of December, 1934 at 1 o'clock P.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.

John K. Sawyer
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons and receipt of copy acknowledged at Ft. Dodge, Iowa, this 5 day of December, A.D. 1934

W.F. Maher

Filed in my office this 5th day of Dec. 1934, at Winterset, Iowa.

(Please sign and return this copy)

John K. Sawyer
Sheriff of Madison County, Iowa

In the Matter of the Condemnation of Certain Land
by the Iowa Highway Commission for the Use
and Benefit of the State of Iowa in the Im-
provement of Primary Road

No. 2 west of Winterset

located in Madison County. Project No. Mtrl.

SUMMONS

TO

COMMISSIONERS.

To: Wm. Etter, Sigourney, 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 for the Improvement and/or the maintenance of primary roads in Madison County, and

Miscellaneous Record, No. 22, Madison County, Iowa

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 14th day of December, 1934, at 1 o'clock P.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.

John K. Sawyer

Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons and receipt of copy acknowledged at Iowa, this 14 day ^{of} Dec., A.D. 1934- W.L. Etter

Filed in my office this 14 day of Dec. 1934 at Winterset, Iowa.

John K. Sawyer

Sheriff of Madison County, Iowa.

In the Matter of the Condemnation of
Certain Land by the Iowa State High-
way Commission for the Use and Benefit
of the State of Iowa in the Improve-
ment of Primary Road
No. 2 west of Winterset located in)
Madison County, Project No. Mtr1.)

SUMMONS TO
COMMISSIONERS.

TO: J. C. O'Malley, Bouton, 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 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 14th day of December, 1934, at 1 o'clock P.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.

John K. Sawyer

Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons and receipt of copy acknowledged at Bouton, Dallas County, Iowa, this 7th day of Dec. A.D. 1934. J.C.O'Malley

Filed in my office this 8th day of Dec. 1934, at Winterset, Iowa.

John K. Sawyer

Sheriff of Madison County, Iowa

(Please sign & return this copy)

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. 2 west of Winterset located in)
Madison County Project No. Material.)

SUMMONS
TO
COMMISSIONERS

TO: E.L. Sidey, Greenfield, Iowa.)

WHEREAS, the Iowa State Highway Commission has filed in my office an application for the selection of 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 for the Improvement and/or the maintenance of primary roads in Madison County, and

Miscellaneous Record, No. 22, Madison County, Iowa

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 14th day of December, 1934 at 1 O'clock P.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.

John K. Sawyer
Sheriff of Madison County, Iowa.

ACCEPTANCE OF SERVICE

Due and legal service of the foregoing Summons and receipt of copy acknowledged at Iowa, this day ¹⁴ of December A.D. 1934

E.J. Sidey

Filed in my office this ---- day of -----193- at ----- Iowa

Sheriff of 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 Im-)
provement of Primary Road)
No. 2 west of Winterset)
located in Madison County.)
Project No. Mtrl.32)

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 following described real estate for the improvement and/or maintenance of Primary Roads as authorized in Chapter 241B1 and as prescribed in Chapters 365 and 366 of the 1931 Code of Iowa and any amendments thereto.

The SW¹/₄SE¹/₄, Sec 5, T75N, R29W, Madison County, Material project.

Fred Binns, R F D #4, Winterset, Iowa. Record Owner

Margaret C. Binns, R F D #4, Winterset, Iowa. Spouse

David D. Weems, Guardian of the property of William Roy Weems, Mortgagee Winterset, Iowa

WHEREAS, the land sought to be appropriated is described as follows.

Commencing at the S.W. Corner of the SW¹/₄ of the SE¹/₄ Sec. 5 Twp 75N, R29W. Thence North 553.1 ft. Thence South 85°15' E along the centerline of established Highway No. 2 for a distance to the point of beginning. Thence North 17°11' W 217.37 ft. of 451 ft. Thence North 72°49' E 162.0 ft. Thence South 17°11' E 778.6 ft. Thence North 85°15' W 174.64 ft. to the point of beginning. Containing 2.47 acres, more or less, exclusive of the present established highway.

NOTE: The west line of the SW¹/₄ of the SE¹/₄ of Sec. 5 is taken as due north and south.

B.B. Jeck, W.L. Etter, E.J. Sidey, J.C.O. Kelley, J.D. Reynolds, W.F. Maher

Subscribed in my presence and sworn to before me this 14th day of December, 1934.

C.E. Spurgin, Clerk District Court, in and for Madison County, Iowa.

(District Court Seal)

Filed in my office this ____ day of _____, 193_ at _____ Iowa

Sheriff of Madison County, Iowa

Miscellaneous Record, No. 22, 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. 2 west of Winterset, located in
 Madison County.
 Project No. Mtr1.32

NOTICE

TO: Fred Binns, RFD #4, Winterset, Iowa record owner of , and to Margaret C. Binns, R F D #4
 Winterset, Iowa, spouse and to David D. Weems, Guardian of the property of William Roy Weems,
 Winterset, Iowa, lienholders or encumbrancers;
 and to all other persons, companies or corporations having any interest in or owning any of
 the following described real estate:

THE SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T75 N, R29W, Madison County, Material project.

You, and each of you, are hereby notified that the State of Iowa desires the condemnation of
 the following described land:

Commencing at the S.W. Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 5 Twp 75N R29W. Thence North 553.1
 ft. Thence South 85° 15' E along the centerline of established Highway No. 2 for a distance of
 151 ft. to the point of beginning. Thence North 17° 11' W 1717.37 ft. Thence North 72° 49' E. 162.0
 ft. Thence South 17° 11' E 778.6 ft. Thence North 85° 15' W 174.64 ft. to the point of beginning
 Containing 2.47 acres, more or less, exclusive of the present established highway.

Note: The west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 5 is taken as due north and south.
 Which is shown in cross-hatched part of plat Exhibit "A" attached to the application filed
 herein, to which you are referred. which is shown in cross-hatched part of the plat Exhibit
"A" attached to the application filed herein, to which you are referred.

That the appropriation of said land is sought by condemnation proceedings for Primary
 Road right-of-way, and/or for the purpose of obtaining gravel or other suitable material with
 which to improve or maintain Primary Roads of the State of Iowa, as is authorized and permitted
 by Chapter 241B1, and in the manner prescribed in Chapter 365 and 366 of the 1931 Code of Iowa
 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 14th day of December 1934
 at 1:30 o'clock, P.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 Edward L. O'Connor, Attorney General
 By C.E. Walters, Special Assistant

Attorney General
 and Counsel to the Iowa State Highway Commission.

ACCEPTANCE OF SERVICE

Legal service of the above and foregoing notice is hereby accepted and I hereby waive time
 and publication of such notice in a newspaper as required by law and acknowledg receipt of copy.

Signed at _____ this _____ day of _____, 193_____

STATE OF IOWA, MADISON COUNTY, SS.

Received the within notice the 28th day of November, 1934 and I hereby certify that
 I have served the same on the person named below, by offering to read the original which he
 waived and delivering to him a true copy of the same at the time and place set opposite his name:

NAME	MONTH	DAY	YEAR	TOWNSHIP	COUNTY	STATE
David D. Weems, Guardian of the property of William Roy Weems	Dec.	1	1934	Webster	Madison	Iowa
		<i>For</i>				
		<i>Service</i>	.25	MILEAGE---	\$ 4.20	TOTAL---\$ 4.45

John K. Sawyer, Sheriff of Madison County, Iowa

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Miscellaneous Record, No. 22, 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.2 west of Winterset, located in Madison
County. Project No.Mtrl.32

REPORT OF CONDEMNATION
COMMISSION.

TO: John K. Sawyer 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 following described lands:

TWP 5N; SE1, SE1, SE1, Sec.5, T75N, R29W, Madison County, Material project.

Fred Binns, R F D # 4, Winterset, Iowa. Record Owner. Margaret C.Binns, R.F.D.#4,Winter-
set, Iowa. Spouse David D.Weems, Guardian of the property of William Roy Weems, Mortgage
Winterset, Iowa. WHEREAS, the land sought to be appropriated is described as follows:

Commencing at the S.W.Corner of the SW1 of the SE1 Sec. 5 Twp 75N, R29W./Thence South 85°
15' E along the centerline of established Highway No.2 for a distance of 451 ft. to the point
Thence North 72° 49' E 162.0 ft, Thence South 17° 11' E 778.6 ft.
of beginning, Thence North 17°11'W 717.37 ft/ Thence North 85° 15' W 174.64 ft. to the point of
beginning. Containing 2.47 acres, more or less, exclusive of the present established highway.

NOTE: The west line of the SW1 of the SE1 of Sec.5 is taken as due north and south.
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 of the respective
persons interested in said premises, as follows:

OWNER- Fred Binns, Margaret C. Binns, spouse. David D.Weems, guardian of the property of
William Roy Weems,-lienholder. E.D.Hartley, lessee) \$1225.00

Respectfully reported this 14th day of Dec. 1934 at Winterset, Iowa
W.F.Maher---E.J.Sidey--- W.L.Etter---B.B.Jack---J.D.Reynolds---J.C.O'Malley
Filed in my office at Winterset,Iowa, this 14 day of Dec, A.D.1934.

John K. Sawyer, Sheriff of Madison County, Iowa
IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE
FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION SHERIFF'S CERTIFICATION
OF THE STATE OF IOWA.

IN MADISON COUNTY) AS TO
PROJECT NO. MATERIAL -32) DAMAGES AWAERDE & COSTS

To Iowa State Highway Commission, Ames , Iowa.

I hereby certify that the Condemnation Commission in the above entitled cause convened at
Winterset Iowa, on the 14 day of December 1934, and thereupon proceeded to view the premises
and said commission did thereafter on the 14 day of December 1934 file it's report in my office
warding damages as follows:

NAME	AMOUNT
Fred Binns, Margaret C. Binns, his spouse- Owners.	
David D. Weems, guardian of the property of	
William Roy Weems.- Lienholder,-----	\$1225.00
E.D.Hartley. Lessee-----	

TOTAL DAMAGES AWARDED \$ 1,225.00

I further certify that costs incident to this proceeding have been taxed as follows:
Serving notices as listed below:

DATE	NAME OF PERSON SERVED	SERVICE FEE	MILEAGE RATE MILES: .071	AMOUNT	TOTAL
Dec.1	David D.Weems, Guardian of the property of William Roy Weems.	.25	16	1.20	
	Livery paid for 10 miles through snow drifted unopened roads			3.00	4.45
Dec. 2	Fred Binns and Margaret C. Binns	.75	24	1.80	2.55

Miscellaneous Record, No. 22, Madison County, Iowa

Pd. by check 3-6-36

Sheriff, Summoning and attending Commissioners-----\$5.00

Sheriff, Mileage while attending Commissioners 24 miles @ .07 $\frac{1}{2}$ -----1.80

Fees and Expenses of Commissioners:

Pd. by Check 3-6-35

Bert Jeck of Atlantic

1 Day service-----	\$10.00
138 Miles auto @ .05-----	6.90
Car Fare-----	
1 Meals-----	.50
Lodging Hotel-----	
Paid by check 2-4-35	Total \$ 17.40

SHERIFF'S CERTIFICATION
PAGE #2.

J.D.Reynolds of Creston

1 day service-----	\$ 10.00	
80 Miles auto @ .05-----	4.00	
Car Fare-----		Pd by Check
Meals-----		3-4-35
Lodging HOTEL-----		
TOTAL-----	\$14.00	

Will F. Maher of Fort Dodge

2 day service-----	\$20.00	
200 Miles auto @ .05-----	10.00	
Car Fare-----		Pd by Check
5 Meals-----	3.15	3-4-35
Lodging Ames and Hotel Shelton		
Des Moines Ft.Des Moines	7.25	
TOTAL-----	\$40.40	

Wm.L. Etter of Sifourney

1 day service-----	\$10.00	
200 Miles auto @ .05-----	10.00	
Car Fare-----		Pd by Check
2 Meals-----	.80	3-4-35
Lodging HOTEL-----		
TOTAL-----	\$20.80	

J.C.O'Malley of Bouton

1 day service-----	\$10.00	
148 Miles auto @ .05-----	7.40	
Car Fare-----		Pd by Check
1 Meals-----	.45	3-4-35
Lodging Hotel-----		
TOTAL-----	\$17.85	

E.J.Sidey of Greenfield

1 day service-----	\$10.00	
50 Miles auto @ .05-----	2.50	
Car Fare-----		Pd by Check
Meals-----		3-4-35
Lodging HOTEL-----		
TOTAL-----	\$ 12.50	

TOTAL COSTS \$136.75

Given under my hand this 19th day of December 1934 at Winterset, Iowa.

John K. Sawyer, Sheriff Madison County.

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County:

This is to certify that my fee and expenses as a member of the Commission in the matter of condemnation of certain real estate for Primary Road Right of Way, Project No. Material, hearing having been held on the 14 day of Dec. 1934, are as follows:

1 days service at \$10.00-----	\$10.00
138 miles auto at \$.05-----	\$ 6.90
Railroad fare-----	\$
1 meals-----	.50
Lodging at Hotel at-----	\$

Name	Town	
	TOTAL	\$ 17.40

Given under my hand this 14 day of Dec. 1934

Signed B.B. Jeck

Home Address: Atlantic Iowa, Cass Co.

Miscellaneous Record, No. 22, Madison County, Iowa

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County:

This is to certify that my fee and expenses as a member of the Commission in the matter of condemnation of certain real estate for Primary Road Right of Way, Project No. Material, hearing having been held on the _____ day of _____ 19____, are as follows:

One days service at \$10.00-----	\$10.00
80 miles auto at \$.05-----	\$ 4.00
Railroad fare-----	\$
meals-----	\$
Lodging at _____ Hotel at _____	\$
Name _____ Town _____	

Given under my hand this 14 day of December 1934. TOTAL \$14.00
Signed J.D.Reynolds.
Home Address: Creston , Iowa

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of _____ County:

This is to certify that my fee and expenses as a member of the Commission in the matter of condemnation of certain real estate for Primary Road Right of Way, Project No. Material, hearing having been held on the 14 day of December 1934, are as follows:

2 days service at \$10.00-----	\$20.00
200 miles auto at \$.05-----	\$10.00
Railroad fare-----	\$
5 meals-----	\$ 3.15
Ames _____ Shelton _____	
Lodging at Des Moines _____ Hotel at Ft.Des Moines _____	\$ 7.25

Given under my hand this 14 day of December 1934 Total 40.40
Signed W.F.Meher
Home Address: Fort Dodge, Iowa, 1430 second Ave. North

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County:

This is to certify that my fee and expenses as a member of the Commission in the matter of condemnation of certain real estate for Primary Road Right of Way, Project No. Material, hearing having been held on the 14 day of Dec. 1934, are as follows:

One days service at \$10.00-----	\$10.00
200 miles auto at \$.05-----	\$10.00
Railroad fare-----	\$
2 meals-----	\$.80
Lodging at _____ Hotel at _____	\$
Name _____ Town _____	

Given under my hand this 14 day of Dec. 1934. Total \$20.80
Signed W.L.Etter
Home Address: W.L.Etter Sigourney, Iowa.

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County:

This is to certify that my fee and expenses as a member of the Commission in the matter of condemnation of certain real estate for Primary Road Right of Way, Project No. _____, hearing been held on the _____ day of Materials19____, are as follows:

One days service at \$10.00-----	\$10.00
148 miles auto at \$.05-----	\$ 7.40
Railroad fare-----	\$
1 meals-----	\$.45
Lodging at _____ Hotel at _____	\$
Name _____ Town _____	

Given under my hand this 14 day of Dec. 1934 TOTAL \$18.85
Signed J.C, O'Malley Home Address:Bouton ,Iowa

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Madison County:

Miscellaneous Record, No. 22, Madison County, Iowa

This is to certify that my fee and expenses as a member of the Commission in the matter of condemnation of certain real estate for Primary Road Right of Way, Project No. Material / hearing having been held on the 14 day of Dec. 1934, are as follows:

1 days service at \$10.00-----	\$10.00
50 miles auto at \$.05-----	\$ 2.50
Railroad fare-----	\$
meals-----	\$
Lodging at _____ Hotel at _____	\$

TOTAL \$12.50

Given under my hand this 14 day of December 1934. Signed E.J. Sidey Home Address Greenfield Iowa
(Continued from page 177)

(RETURN OF ORIGINAL NOTICE)

STATE OF IOWA, Madison County, SS.

The within notice came into my hands on the 28 day of November 1934, and I certify that I served the same on the defendants named below by offering to read the original to each of them which they waived, and delivering to each of them a true copy of the same at the time and place set opposite their names:

Names of persons	Month	Day	Yr.	Township	County	State
Margaret C. Binns	Dec.	3	34	Webster	Madison	Iowa
Fred Binns	Dec.	3	34	Webster	Madison	Iowa

Service, Fees \$.75
Copies, \$-----
Mileage, \$ 1.80
Total \$ 2.55

John K. Sawyer, Sheriff of Madison County, Iowa.
By H.H. Goode Deputy)

Office of SHERIFF MADISON COUNTY. A.E. Null, Sheriff. Chas. H. Neidt, Deputy
Winterset, Iowa Mar. 6 1935.

I, A.E. Null sheriff of Madison County Iowa certify that I received the Adair County Warrants in payments of the assessments and costs in condemnation proceedings in Project Merl 32 hereto attached; in the amounts/to the persons to whom said amounts are shown due.

Also that the attached proceedings are the original files and that all the statements here in are true as I verily believe.

A.E. Null, Sheriff of Madison County, Iowa.

STATE OF IOWA, DEPARTMENT OF JUSTICE, DES MOINES

Ames, Iowa March 1, 1935.

SHERIFF OF MADISON COUNTY, Winterset, Iowa.

Dear Sir:

Condemnation Madison County Fred Binns, et al.
Dec. 14th, 1934

I herewith enclose you warrants as follows: Adair County Auditor's warrant No. 5832 in the sum of \$ 1225.00, payable to Fred Binns, Margaret C. Binns, David D. Weems, William Roy Weems and E.D. Hertley, in payment of the award made in the above entitled proceedings.

Also Adair County Auditor's Warrant No. 5832, in the sum of \$136.75, payable to yourself, in the sum of \$136.75, in payment of the costs in the above condemnation proceeding.

I regret that I have been compelled to hold this matter up until this date. You will cash the warrant payable to yourself and distribute the same to those entitled thereto, as per your certification heretofore sent me. When this is all done have the condemnation proceedings recorded, advising me of the amount and we will remit. Also have your recorder fill out the enclosed certificate.

Yours truly,
C.E. Walters, n

C.E. Walters, Special Asst. Att'y. Gen. & Counsel to the Highway Commission.