

Deed Record, No. 96, Madison County, Iowa

George L. Bauer et al
To

#5175
No Fee

Filed for record the 23 day of Sept.
A.D. 1941 at 9:45 o'clock A. M.

Madison County, Iowa

Pearl E. Shetterly, Recorder

NOTICE OF CONDEMNATION OF PROPERTY BY MADISON COUNTY, IOWA
Received Dec. 2 1939
Sheriff's Office Madison Co., Iowa

TO: George L. Bauer: Roy Conard: Mrs. Roy Conard:

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

Commencing at the W $\frac{1}{2}$ corner of Section 17, T 75 N, R. 26 W; thence North 472.3 feet; thence N 47° 42' E, 40.6 feet, to the point of beginning; thence S 42° 18' E, 139.5 feet; thence in a south-easterly direction 817.9 feet, along a 915 ft. radius curve with a central angle of 51° 13'; thence N 86° 29' E, 35.4 feet; thence in a south-easterly direction 136.8 feet along a 422 ft. radius curve with a central angle of 18° 34'; thence S 86° 29' W, 830.6 feet; thence N 82° 13' W, 81.4 feet; thence N. 37° 57' W, 55.4 feet; thence N 26° 52' W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.39 acres more or less, exclusive of the present established highway.
Note: The West line of the NW $\frac{1}{4}$ of Section 17, T75 N, R 26 W, is assumed to lie due north and south.

That condemnation of said real estate is sought for the purpose of improving and relocating the public highway which now adjoins said real estate on the south and east sides thereof.

You are further notified that a commission of six appraisers has been appointed as provided by law for the purpose of appraising the damages which will be caused by condemnation of said real estate. You are further notified that said commissioners will, on the 16th day of December, A.D. 1939 at 10 1'clock A. M., view said premises and proceed to appraise said damages, at which time you may appear before the commissioners if you care to do so.

MADISON COUNTY, IOWA, Applicant,
By Shirley A. Webster
County Attorney in and for
Madison County, Iowa.

RETURN OF NOTICE

STATE OF IOWA, MADISON COUNTY, SS.

The within notice came into my hands on the 2nd day of December 1939, 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 as the time and place set opposite their names:

Names of persons	Month	Day	Yr.	Township	County	State
George L. Bauer	Dec	2	1939	South	Madison	Iowa
Roy Conard	Dec	2	1939	Center	Madison	Iowa
Mrs. Roy Conard	Dec	2	1939	Center	Madison	Iowa

FEES
Service \$ -----
Copies \$ -----
Mileage \$ 1.50 (filed)
Total \$ 1.50

A. E. Null Sheriff
of Madison County, Iowa.
By Chas. H. Neidt, Deputy

APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY

TO: A. E. NULL, Sheriff of Madison County, Iowa:

Received
Dec. 2, 1939
Sheriff's Office
Madison Co. Iowa

WHEREAS, the undersigned, Madison County, Iowa, a municipal corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate herein-after described for the purpose of widening, improving and re-locating a public highway,

Recorded May 7, 1968 at request of J. H. Ogden, County Engineer

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MATT PARROTT & SONS CO., WATERLOO, IOWA 66-4316

known as County Trunk Road E, as the same now proceeds through Sections Seventeen (17), and Eighteen (18) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa, and

WHEREAS, the said Madison County can not agree with the owner of the real estate herein-after described as to the compensation to be paid therefor, nor as to the taking of said real estate, and

WHEREAS, said Madison County, Iowa, is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by the laws of the State of Iowa for such purposes, and

WHEREAS, it is necessary and proper and within the powers of Madison County, Iowa, that said real estate should be condemned and appropriated for such purposes, the same being public purposes, and

WHEREAS, the property sought to be condemned under this application is described as follows:

Commencing at the W $\frac{1}{2}$ corner of Section 17, T 75 N, R. 26 W; thence North 472.3 feet; thence N 47° 42' E, 40.6 feet, to the point of beginning; thence S 42° 18' E, 139.5 feet; thence in a southeasterly direction 817.9 feet, along a 915 ft. radius curve with a central angle of 51° 13'; thence N 86° 29' E, 35.4 feet; thence in a southeasterly direction 136.8 feet along a 422 ft. radius curve with a central angle of 18° 34'; thence S 86° 29' W, 830.6 feet; thence N 82° 13' W, 81.4 feet; thence N. 37° 57' W, 55.4 feet; thence N 26° 52' W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.93 acres more or less, exclusive of the present established highway.

Note: the west line of the NW $\frac{1}{4}$ of Section 17, T 75 N, R 26 W, is assumed to lie due north and south, and

WHEREAS, there is attached to this application a plat showing the location of property sought to be effected by condemnation under these proceedings and the location of improvements and relocations, which plat is marked Exhibit "A" and made a part of this application, and

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of said loans and encumbrances on said real estate, including lessees, together with their respective places of residence, so far as known to this applicant, are as follows,

to-wit:	Owner	George L. Bauer
	Place of Residence	Madison County, Iowa
	Post Office Address	- - -
	Name of Lessees	Mr. and Mrs. Roy Conard
	Place of Residence	Madison County, Iowa
	Post Office Address	- - -

NOW, THEREFORE, this applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, not interested in the same or a like question, to inspect the said real estate hereinbefore described and to assess the damages which will be sustained by the owner and any other persons interested in said real estate by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said purposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this application as provided by law.

Dated this 22nd day of November, A.D. 1939.

Madison County, Iowa,
a municipal corporation
By Shirley A. Webster County Attorney
of said Madison County, Iowa

STATE OF IOWA MADISON COUNTY) SS:

I, Shirley A. Webster, being first duly sworn on oath depose and say that I am County Attorney of Madison County, Iowa; that I prepared the above and foregoing application for condemnation; that said application was drawn in accordance with the instructions of the

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Board of Supervisors of Madison County, Iowa; that I have made investigation of the facts, and that the statements and allegations contained in the within and foregoing application are true and correct as I verily believe.

Shirley A. Webster

Subscribed and sworn to before me and in my presence by Shirely A. Webster this 22nd day of November, A.D. 1939.

(AUDITOR'S SEAL)

R. O. Brock Co. Auditor
in and for Madison County, Iowa.

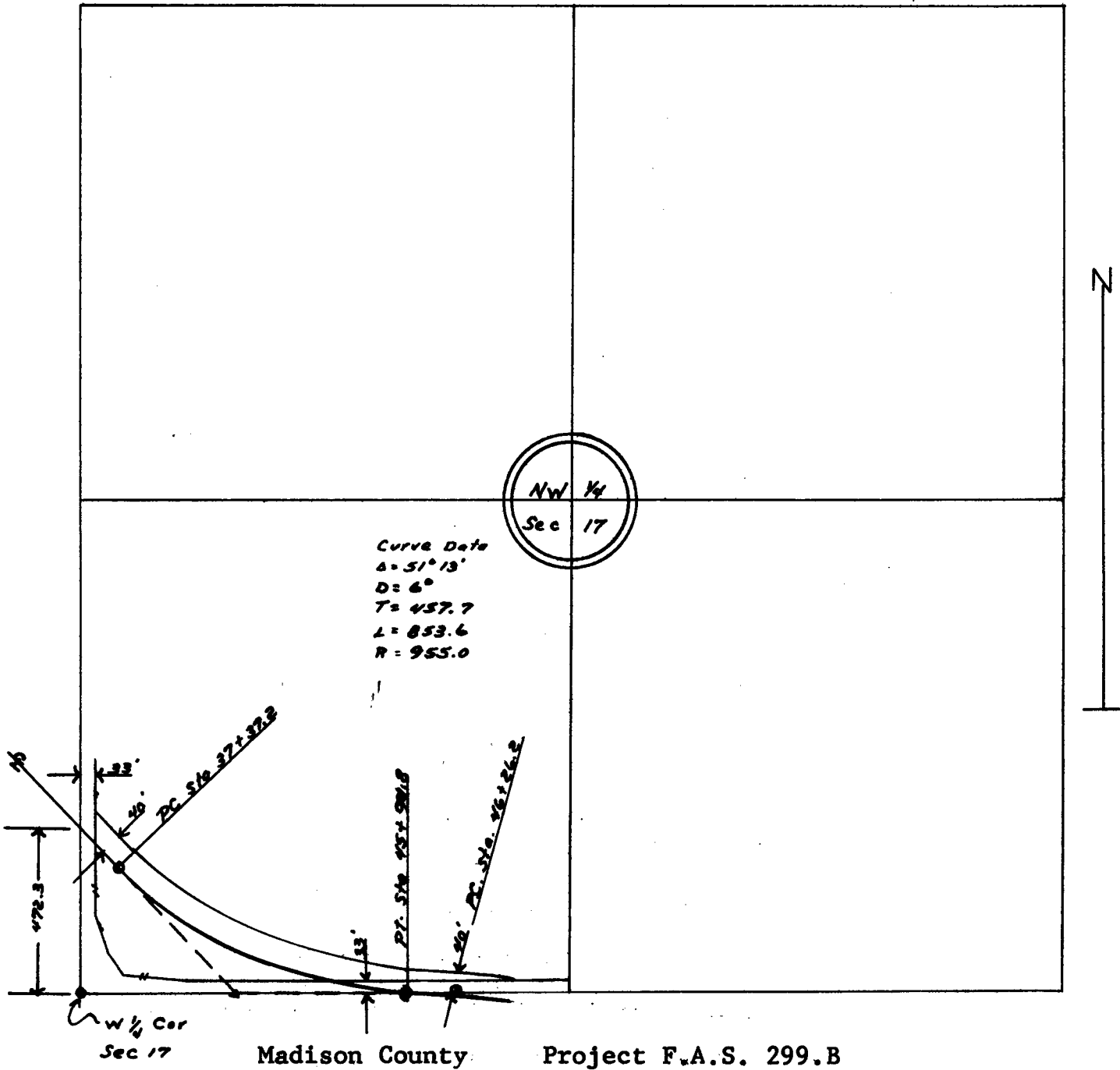
EXHIBIT A

PLAT OF PROPERTY
Right-of-Way for Public Highway

Acquired from George L. Bauer Married or Single Single Area 2.93 Acres. Consideration \$-
Acquired by - - - Date - - -

LOCATION

From CL Station 36+00 to CL Sta. 47+50 Proj. No. F.A.S. 299.B Section 17 Township (Civil)
South Township (Congressional T74N Range 26 W County Madison Iowa.



APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY

TO: A. E. NULL, Sheriff of Madison County, Iowa:

WHEREAS, the undersigned, Madison County, Iowa, a municipal corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate herein-after described for the purpose of widening, improving and re-locating a public highway, known as County Trunk Road E, as the sema now proceeds through Sections Seventeen (17), and Eighteen (18) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M. Madison County, Iowa, and

WHEREAS, the said Madison County can not agree with the owner of the real estate herein-after described as to the compensation to be paid therefor, nor as to the taking of said real

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MATT PARROTT & SONS CO., WATERLOO, IOWA 66-4316

estate, and

WHEREAS, said Madison County, Iowa, is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by the laws of the State of Iowa for such purposes, and

WHEREAS, it is necessary and proper and within the powers of Madison County, Iowa, that said real estate should be condemned and appropriated for such purposes, the same being public purposes, and

WHEREAS, the property sought to be condemned under this application is described as follows

Commencing at the W $\frac{1}{2}$ corner of Section 17, T 75 N, R. 26 W; thence North 472.3 feet; thence N 47° 42' E, 40.6 feet, to the point of beginning; thence S 42° 18' E, 139.5 feet; thence in a southeasterly direction 817.9 feet, along a 915 ft. radius curve with a central angle of 51° 13'; thence N 86° 29' E, 35.4 feet; thence in a southeasterly direction 136.8 feet along a 422 feet radius curve with a central angle of 18° 34'; thence S 86° 29' W, 830.6 feet; thence N 82° 13' W, 81.4 feet; thence N. 37° 57' W, 55.4 feet; thence N 26° 52' W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.93 acres more or less, exclusive of the present established highway.
Note: the west line of the NW $\frac{1}{4}$ of Section 17, T 75 N, R 26 W, is assumed to lie due north and south, and

WHEREAS, there is attached to this application a plat showing the location of property sought to be effected by condemnation under these proceedings and the location of improvements and re-locations, which plat is marked Exhibit "A" and made a part of this application and

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of said loans and encumbrances on said real estate, including lessees, together with their respective places of residence, so far as known to this applicant, are as follows,

to-wit:	Owner	George L. Bauer
	Place of Residence	Madison County, Iowa
	Post Office Address	- - - - -
	Name of Lessee	Mr. and Mrs. Roy Conard
	Place of Residence	Madison County, Iowa
	Post Office Address	- - - - -

NOW THEREOFRE, this applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, not interest in the same or a like question, to inspect the said real estate hereinbefore described, and to assess the damages which will be sustained by the owner and any other persons interested in said real estate by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said purposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this application as provided by law.

Dated this 22nd day of November, A.D. 1939.

Madison County, Iowa,
a municipal corporation
By ----- County Attorney
of said Madison County, Iowa

STATE OF IOWA MADISON COUNTY) SS:

I, Shirley A. Webster, being first duly sworn on oath depose and say that I am County Attorney of Madison County, Iowa; that I prepared the above and foregoing application for condemnation; that said application was drawn in accordance with the instruments of the Board of Supervisors of Madison County, Iowa; that I have made investigation of the facts, and that the statements and allegations contained in the within and foregoing application are true and correct as I verily believe.

Subscribed and sworn to before me and in my presence by Shirley A. Webster this 22nd day of November, A.D. 1939.

- - - - - Notary Public
in and for Madison County, Iowa

Deed Record, No. 96, Madison County, Iowa

JATT PARROT & BONS CO., WATERLOO, IOWA 66-4316

APPOINTMENT OF COMMISSIONERS

In the Matter of the Application by Madison County, Iowa, a municipal corporation, located in the State of Iowa, for the appointment of commissioners to assess damages for the taking of certain real estate for the improvement and relocation of its present system of public highways.

Whereas, written application has been made to me by said Madison County, Iowa, a municipal corporation, for the appointment of commissioners to assess the damages sustained by those having interests in certain real estate in Madison County, Iowa, by reason of the appropriation of such real estate for the purpose of improving and relocating part of the public highway system of Madison County, Iowa, which is more particularly described in said application, a copy of which application is attached to this order, marked Exhibit "1" and by this reference made a part hereof.

It is now hereby ordered that the following persons, to-wit:

<u>Name</u>	<u>Address</u>
David Griswold	Winterset, Iowa
H. G. Tilton	Winterset, Iowa
Eugene Wilson	Winterset, Iowa
H. H. Finney	Winterset, Iowa
Sam Hodson	Winterset, Iowa
Gaylord Edwards	Winterset, Iowa

being six freeholders of Madison County, Iowa, not interest in the same or a like question be and they are hereby appointed commissioners, whose duty it shall be to inspect the real estate described in said application and assess the damages which the owner thereof and the parties interested therein and sustain by the appropriation of such land, for road purposes, for the use of Madison County, Iowa, and make report thereof in writing to the undersigned sheriff, as provided by law, said real estate being in Madison County, Iowa, and described as follows, to-wit:

Commencing at the W $\frac{1}{2}$ corner of Section 17, T74 N, R. 26 W; thence North 472.3 feet; thence N 47° 42' E, 40.6 feet, to the point of beginning; thence S 42° 18' E, 139.5 feet; thence in a southeasterly direction 817.9 feet, along a 915 ft. radius curve with a central angle of 51° 13'; thence N 86° 29' E, 35.4 feet; thence in a southeasterly direction 136.8 feet along a 422 ft. radius curve with a central angle of 18° 34'; thence S 86° 29' W, 830.6 feet; thence N 82° 13' W, 81.4 feet; thence N. 37° 57' W, 55.4 feet; thence N 26° 52' W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.93 acres more or less, exclusive of the present established highway.
Note: the west line of the NW $\frac{1}{4}$ of Section 17, T75 N, R 26 W, is assumed to lie due north and south.

Dated at Winterset, Madison County, Iowa, this 2nd day of December, A.D., 1939.

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

APPLICATION TO SHERIFF FOR CONDMENATION OF PROPERTY

TO: A. E. NULL, Sheriff of Madison County, Iowa:

WHEREAS, the undersigned, Madison County, Iowa, a municipal corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate herein-after described for the purpose of widening, improving and re-locating a public highway, known as County Trunk Road E, as the same now proceeds through Sections Seventeen (17) and Eighteen (18) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M. Madison County, Iowa, and

WHEREAS, the said Madison County can not agree with the owner of the real estate herein-after described as to the compensation to be paid therefor, nor as to the taking of said real estate, and

WHEREAS, said Madison County, Iowa is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by the laws of the State of Iowa for such purposes, and

WHEREAS, it is necessary and proper and within the powers of Madison County, Iowa, that

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said real estate should be condemned and appropriated for such purposes, the same being public purposes, and

WHEREAS, the property sought to be condemned under this application is described as follows:

Commencing at the W $\frac{1}{2}$ corner of Section 17, T 75 N, R. 26 W; thence North 472.3 feet; thence N 47° 42' E, 40.6 feet, to the point of beginning; thence S 42° 18' E, 139.5 feet; thence in a south-easterly direction 817.9 feet, along a 915ft. radius curve with a central angle of 51° 13'; thence N 86° 29' E, 35.4 feet; thence in a south-easterly direction 136.8 feet along a 422 ft. radius curve with a central angle of 18° 34'; thence S 86° 29' W, 830.6 feet; thence N 82° 13' W, 81.4 feet; thence N. 37° 57' W, 55.4 feet; thence N 26° 52' W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.93 acres more or less, exclusive of the present established highway.

Note: the west line of the NW $\frac{1}{4}$ of Section 17, T 75 N, R 26 W, is assumed to lie due north and south, and

WHEREAS, there is attached to this application a plat showing the location of property sought to be effected by condemnation under these proceedings and the location of improvements and relocations, which plat is marked Exhibit "A" and made a part of this application, and

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of said loans and encumbrances on said real estate, including lessees, together with their respective places of residence, so far as known to this applicant, are as follows, to-wit:

Owner	George L. Bauer
Place of Residence	Madison County, Iowa
Post Office Address	
Name of Lessees	Mr. and Mrs. Roy Conard
Place of Residence	Madison County, Iowa
Post Office Address	

Now, Therefore, this applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, not interested in the same or a like question to inspect the said real estate hereinbefore described, and to assess the damages which will be sustained by the owner and any other persons interested in said real estate by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said pruposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this application as provided by law.

Dated this 22nd day of November, A. D. 1939.

Madison County, Iowa,
a municipal corporation
By Shirley A. Webster County Attorney
of said Madison County, Iowa

State of Iowa Madison County) ss:

I, Shirley A. Webster, being first duly sworn on oath depose and say that I am County Attorney of Madison County, Iowa; that I prepared the above and foregoing application for condemnation; that said application was drawn in accordance with the instructions of the Board of Supervisors of Madison County, Iowa; that I have made investigation of the facts, and that the statements and allegations contained in the within and foregoing application are true and correct as I verily believe.

Shirley A. Webster

Subscribed and sworn to before me and in my presence by Shirley A. Webster this 22nd day of November, A. D. 1939.

(Madison County Seal) R. O. Brock, Co. Auditor
in and for Madison County, Iowa.

PLAT OF PROPERTY		
Right-of-Way For Public Highway		
Acquired from George L. Bauer	Married or Single	Single
Area 2.93 Acres	Consideration \$ -	
Acquired by -	Date -	

LOCATION		
From CL Station 36 + 00	to CL Sta. 47 + 50	Proj. No. F.A.S. - 299-B
Section 17 Township (Civil) South	Township (Congressional)	T 75N Range 26W
County Madison Iowa.		

FOR PLAT SEE DEED RECORD NO. 96	PAGE 128
Madison County	Project No. F.A.S. - 299-B

Deed Record, No. 96, Madison County, Iowa

MATT PARROT & SONS CO., WATERLOO, IOWA 66-4316

APPOINTMENT OF COMMISSIONERS

In the Matter of the Application by Madison County, Iowa, a municipal corporation, located in the State of Iowa, for the appointment of commissioners to assess damages for the taking of certain real estate for the improvement and relocation of its present system of public highways.

Whereas, written application has been made to me by said Madison County, Iowa, a municipal corporation, for the appointment of commissioners to assess the damages sustained by those having interests in certain real estate in Madison County, Iowa, by reason of the appropriation of such real estate for the purpose of improving and relocating part of the public highway system of Madison County, Iowa, which is more particularly described in said application, a copy of which application is attached to this order, marked Exhibit "1" and by this reference made a part hereof.

It is now hereby ordered that the following persons, to-wit:

Name	Address
- - - - -	- - - - -

being six freeholders of Madison County, Iowa, not interested in the same or a like question be and they are hereby appointed commissioners, whose duty it shall be to inspect the real estate described in said application and assess the damages which the owner thereof and the parties interested therein and sustain by - - - -

IN THE MATTER OF THE CONDEMNATION
OF REAL ESTATE BY MADISON COUNTY,
IOWA

)
)

NOTICE TO APPRAISERS OF TIME
FOR APPRAISEMENT

TO: D. M. Griswold, H. G. Tilton, Eugene Wilson, H. H. Finney, Sam Hodson, Gaylord Edwards

YOU AND EACH OF YOU, having heretofore been appointed by me as appraisers to appraise the damages to certain real estate owned by George L. Bower and located in Section Seventeen (17), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., in Madison County, Iowa, on account of Madison County, Iowa, taking and appropriating a part thereof for road purposes, which part said Madison County, Iowa, asked to have condemned in an application filed by said Madison County with the undersigned sheriff on the 2nd day of December, A.D. 1939, are hereby notified that notices of such condemnation have been served on all the parties named in said application as shown by the returns of service thereon, on file in my office and that the time stated in said notices as the time when the commissioners will view the premises and appraise the damages is the 16th day of December, A.D. 1939, at 10 o'clock A. M., and that you are now and hereby notified that you are required to proceed with the appraisement of damages in connection with the condemnation of said real estate on the 16th day of December, A.D. 1939, at 10 o'clock A. M.

YOU ARE FURTHER NOTIFIED that the real estate affected by said condemnation is described in said application and in the copy of said application which is attached to this notice, marked Exhibit "A" and by this reference made a part hereof.

Dated this 2nd day of December, A.D. 1939.

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

ACCEPTANCE AND ACKNOWLEDGEMENTS OF SERVICE

We, the undersigned, having been appointed as Commissioners to appraise the damages to real estate in connection with condemnation by Madison County, Iowa, do hereby acknowledge and accept due and legal service of the above and foregoing notice this 2nd day of December 1939.

D. M. Griswold
H. G. Tilton
H. H. Finney

Eugene Wilson
J. S. Hodson
Gaylord Edwards

Deed Record, No. 96, Madison County, Iowa

MATT PARROTT & SONS CO., WATERLOO, IOWA 65-4316

APPLICATION TO SHERIFF FOR CONDEMNATION OF PROPERTY

TO: A. E. NULL, Sheriff of Madison County, Iowa:

WHEREAS, the undersigned, Madison County, Iowa, a municipal corporation, is desirous of taking and acquiring full and complete ownership of and holding certain real estate herein-after described for the purpose of widening, improving and re-locating a public highway, known as County Trunk Road E., as the same now proceeds through Sections Seventeen (17) and Eighteen (18), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th Madison County, Iowa, and

WHEREAS, the said Madison County can not agree with the owner of the real estate herein-after described as to the compensation to be paid therefor, nor as to the taking of said real estate, and

WHEREAS, said Madison County, Iowa, is desirous of having said real estate condemned and appropriated to it for such purposes under its powers as provided by the laws of the State of Iowa for such purposes, and

WHEREAS it is necessary and proper and within the powers of Madison County, Iowa, that said real estate should be condemned and appropriated for such purposes, the same being public purposes and

WHEREAS, the property sought to be condemned under this application is described as follows:

Commencing at the W $\frac{1}{2}$ corner of Section 17, T 75 N, R 26 W; thence North 472.3 feet; thence N 47° 42' E, 40.6 feet, to the point of beginning; thence S 42° 18' E, 139.5 feet; thence in a southeasterly direction 817.9 feet, along a 915 ft. radius curve with a central angle of 51° 13'; thence N 86° 29' E, 35.4 feet; thence in a southeasterly direction 136.8 feet along a 422 ft. radius curve with a central angle of 18° 34'; thence S 86° 29' W, 830.6 feet; thence N 82° 13' W, 81.4 feet; thence N. 37° 57' W, 55.4 feet; thence N 26° 52' W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.93 acres more or less, exclusive of the present established highway.
Note: the West line of the NW $\frac{1}{4}$ of Section 17, T 75 N, R 26W, is assumed to lie due north and south, and

WHEREAS, there is attached to this application a plat showing the location of property sought to be effected by condemnation under these proceedings and the location of improvements and re-locations, which plat is marked Exhibit "A" and made a part of this application, and

WHEREAS, the record owners of said real estate and their spouses, if any, and the record holders of said loans and encumbrances on said real estate, including lessess, together with their respective places of residence, so far as known to this applicant, are as follows,

to-wit:	Owner	George L. Bauer
	Place of Residence	Madison County, Iowa
	Post Office Address	- - - -
	Name of Lessees	Mr. and Mrs. Roy Conard
	Place of Residence	Madison County, Iowa
	Post Office Address	- - - -

NOW, THEREFOR, this applicant, Madison County, Iowa, requests that you appoint six disinterested freeholders of Madison County, Iowa, not interested in the same or a like question, to inspect the said real estate hereinbefore described, and to assess the damages which will be sustained by the owner and any other persons interested in said real estate by reason of the taking, acquiring, appropriating and condemnation of said real estate for all of said purposes hereinbefore stated by Madison County, Iowa, and you are requested to proceed in connection with this application as provided by law.

Dated this 22nd day of November, A.D. 1939.

Madison County, Iowa,
a municipal corporation
By Shirley A. Webster County Attorney
of said Madison County, Iowa

Deed Record, No. 96, Madison County, Iowa

MATT PARROTT & SONS CO., WATERLOO, IOWA 68-4316

STATE OF IOWA MADISON COUNTY) SS:

I, Shirley A. Webster, being first duly sworn on oath depose and say that I am County Attorney of Madison County, Iowa; that I prepared the above and foregoing application for condemnation; that said application was drawn in accordance with the instructions of the Board of Supervisors of Madison County, Iowa; that I have made investigation of the facts, and that the statements and allegations contained in the within and foregoing application are true and correct as I verily believe.

Shirley A. Webster

Subscribed and sworn to before me and in my presence by Shirley A. Webster this 22nd day of November, A.D. 1939.

(AUDITOR'S SEAL)

R. O. Brock Co. Auditor
in and for Madison County, Iowa.

PLAT OF PROPERTY
Right-of-Way for Public Highway

Acquired from George L. Bauer
Area 2.93 Acres
Acquired by - - -

Married or Single Single
Consideration \$ - -
Date - -

LOCATION

From CL Station 36+00 to CL Sta. 47+50 Proj. No. F.A.S.-299-B Section 17
Township (Civil) South Township (Congressional T 75 N Range 26 W
County Madison Iowa.

FOR PLAT SEE DEED RECORD NO. 96 PAGE 128

Madison County

Project No. F.A.S.-299-B

OATH AND QUALIFICATION OF COMMISSIONER

STATE OF IOWA MADISON COUNTY) SS:

I, H. H. Finney, being first duly sworn on oath depose and say: that I am one of the persons appointed by A. E. Null, Sheriff of Madison County, Iowa, Iowa, on the 16th day of December, 1939, as a Commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned, and set over to it for road purposes, said real estate being located in Section Seventeen (17) Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa, and being more particularly described in the order for appointment of commissioners to which this oath and qualification is attached; that I am a resident freeholder of Madison County, Iowa; that I am not interested in a like and similar question; that I will to the best of my ability faithfully and impartially assess said damages and make written report to the sheriff, as provided by law.

H. H. Finney

Subscribed and sworn to before me and in my presence by said affiant this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for Madison County, Iowa.

OATH AND QUALIFICATION OF COMMISSIONER

STATE OF IOWA MADISON COUNTY) SS:

I, H. G. Tilton, being first duly sworn on oath depose and say: that I am one of the persons appointed by A. E. Null, Sheriff of Madison County, Iowa, on the 16th day of December 1939, as a Commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned, and set over to it for road purposes, said real estate being located in Section Seventeen (17) Township Seventy-five (75) North, Range Twenty-six (26) West, of the 5th P. M., Madison County, Iowa, and being more particularly described in the order for appointment of commissioners to which this oath and qualification is attached; that I am a resident freeholder of Madison County, Iowa; that I am not interested in a like and similar question; that I will to the best of my ability faithfully and impartially assess said damages and make written report to the sheriff, as provided by law.

H. G. Tilton

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HATT PARROTT & SONS CO., WATERLOO, IOWA 66-4318

Subscribed and sworn to before me and in my presence by said affiant this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for Madison County, Iowa.

OATH AND QUALIFICATION OF COMMISSIONER

STATE OF IOWA MADISON COUNTY) SS:

I, Gaylord Edwards, being first duly sworn on oath depose and say: that I am one of the persons appointed, by A. E. Null, Sheriff of Madison County, Iowa, on 16th day of December, 1939, as a Commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned, and set over to it for road purposes, said real estate being located in Section Seventeen (17) Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa and being more particularly described in the order for appointment of commissioners to which this oath and qualification is attached; that I am a resident freeholder of Madison County, Iowa; that I am not interested in a like or similar question; that I will to the best of my ability faithfully and impartially assess said damages and make written report to the sheriff, as provided by law.

Gaylord Edwards

Subscribed and sworn to before me and in my presence by said affiant this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for Madison County, Iowa.

OATH AND QUALIFICATION OF COMMISSIONER

STATE OF IOWA MADISON COUNTY) SS:

I, J. S. Hodson, being first duly sworn on oath depose and say; that I am one of the persons appointed by A. E. Null, Sheriff of Madison County, Iowa, on 16th day of December, 1939, as a Commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned, and set over to it for road purposes said real estate being located in Section Seventeen (17) Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa and being more particularly described in the order for appointment of commissioners to which this oath and qualification is attached; that I am a resident freeholder of Madison County, Iowa; that I am not interested in a like and similar question; that I will to the best of my ability faithfully and impartially assess said damages and make written report to the sheriff, as provided by law.

J. S. Hodson

Subscribed and sworn to before me and in my presence by said affiant this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for Madison County, Iowa.

OATH AND QUALIFICATION OF COMMISSIONER

STATE OF IOWA MADISON COUNTY) SS:

I, D. M. Griswold, being first duly sworn on oath depose and say: that I am one of the persons appointed by A. E. Null, Sheriff of Madison County, Iowa, on 16th day of December, 1939, as a Commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned, and set over to it for road purposes said real estate being located in Section Seventeen (17) Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa and being more particularly described in the order for appointment of commissioners to which this oath and qualification is attached; that I am a resident freeholder of Madison County, Iowa; that I am not interested in a like and similar question; that I will to the best of my ability faithfully and

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MATT PARROTT & SONS CO., WATERLOO, IOWA 66-4316

impartially assess said damages and make written report to the sheriff, as provided by law.

D. M. Griswold

Subscribed and sworn to before me and in my presence by said affiant this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for Madison County, Iowa

OATH AND QUALIFICATION OF COMMISSIONER

STATE OF IOWA MADISON COUNTY) SS:

I, Eugene Wilson, being first duly sworn on oath depose and say: that I am one of the persons appointed by A. E. Null, Sheriff of Madison County, Iowa, on 16th day of December, 1939, as a Commissioner to assess damages to real estate, on account of Madison County, Iowa, asking to have certain real estate appraised, condemned, and set over to it for road purposes, said real estate being located in Section Seventeen (17) Township Seventy-five (75) North Range Twenty-six (26) West, of the 5th P. M., Madison County, Iowa, and being more particularly described in the order for appointment of commissioners to which this oath and qualification is attached; that I am a resident freeholder of Madison County, Iowa; that I am not interested in a like and similar question; that I will to the best of my ability faithfully and impartially assess said damages and make written report to the sheriff, as provided by law.

Eugene Wilson

Subscribed and sworn to before me and in my presence by said affiant this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

Shirley A. Webster Notary Public
in and for Madison County, Iowa.

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

TO A. E. NULL, Sheriff of Madison County, Iowa:

The undersigned, J. S. Hodson, H. G. Tilton, H. H. Finney, D. M. Griswold, Gaylord Edwards and Eugene Wilson, commissioners appointed by you by order of appointment, dated the 2nd day of December, A.D. 1939, to inspect the real estate hereinafter described and assess the damages which the owner and parties interested therein are sustained by reason of the condemnation and appropriation thereof, for the use of Madison County, Iowa, in connection with improvement of certain roads in Madison County, Iowa, as stated in its application for condemnation of property, filed with said sheriff of Madison County, Iowa, the 2nd day of December, A.D. 1939, do hereby make report that upon due notice we met upon said premises, viewed and inspected the same on the 16th day of December A.D. 1939, at ten o'clock A. M., and appraised and assessed the damages sustained by reason of said condemnation as follows by reason of taking the following described tract of real estate:

Commencing at the $W\frac{1}{2}$ corner of Section 17, T 75 N, R. 26 W; thence North 472.3 feet; thence N $47^{\circ} 42'$ E, 40.6 feet, to the point of beginning; thence S $42^{\circ} 18'$ E, 139.5 feet; thence in a southeasterly direction 817.9 feet, along a 915 ft. radius curve with a central angle of $51^{\circ} 13'$; thence N $86^{\circ} 29'$ E, 35.4 feet; thence in a southeasterly direction 136.8 feet along a 422 foot radius curve with a central angle of $18^{\circ} 34'$; thence S $86^{\circ} 29'$ W, 830.6 feet; thence N $82^{\circ} 13'$ W 81.4 feet; thence N. $37^{\circ} 57'$ W, 55.4 feet; thence N $26^{\circ} 52'$ W, 123.5 feet; thence North 297.7 feet, to point of beginning; and containing 2.93 acres more or less, exclusive of the present established highway.
Note: the West line of the NW $\frac{1}{4}$ of Section 17, T75 N, R 26 W, is assumed to lie due north and south.

To George L. Bauer - - - - - \$400.00 Warrant #1307
To Roy Conard and Mrs. Roy Conard \$ - - Construction

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

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NOTICES:

Sheriff of Madison County, Iowa - - - - - \$1.50

Cost of Mileage and attendance of Sheriff's Office - - - 3.00

Mileage

Attendance

**Due CHN construction
warrant #1208**

APPRAISER'S FEES

J. S. Hodson	- - - - -	\$5.00	#1309
H. G. Tilton	- - - - -	5.00	1310
H. H. Finney	- - - - -	5.00	1311
D. M. Griswold	- - - - -	5.00	1312
Gaylord Edwards	- - - - -	5.00	1313
Eugene Wilson	- - - - -	5.00	1314

STATE OF IOWA MADISON COUNTY) SS:

We, the undersigned, J. S. Hodson, H. G. Tilton, H. H. Finney, D. M. Griswold, Gaylord Edwards, and Eugene Wilson, being each duly sworn, hereby depose and say: that we are the commissioners appointed by the Sheriff of Madison County, Iowa, to appraise and assess the damages in connection with the condemnation of certain real estate by Madison County, Iowa for road purposes, and that we have viewed the premises involved and have appraised and assessed said damages and that the above and foregoing Report contains the assessment of damages as made by us as such commissioners, and that in making such assessment, we have, to the best of our ability, faithfully and impartially assessed such damages; all of which is true as we verily believe.

J. S. Hodson
H. G. Tilton
H. H. Finney

D. M. Griswold
Gaylord Edwards
Eugene Wilson

Subscribed in my presence and sworn to before me by J. S. Hodson, H. G. Tilton, H. H. Finney, D. M. Griswold, Gaylord Edwards, and Eugene Wilson this 16th day of December, A.D. 1939.

(NOTARIAL SEAL)

**Shirley A. Webster Notary Public
in and for Madison County, Iowa.**

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

CERTIFICATION BY SHERIFF

STATE OF IOWA MADISON COUNTY) SS:

I, A. E. Null, Sheriff of Madison County, Iowa, hereby certify that the attached papers are a full, true, correct and complete copy of all the papers and files of my office which apply to the assessment of damages to certain real estate located in Section Seventeen (17), Township Seventy-five (75) North, Range Twenty-six (26) by reason of the condemnation of the following described tract, to-wit:

Commencing at the W $\frac{1}{2}$ corner of Section 17,
T 75 N, R 26 W; thence North 472.3 feet; thence
N 47° 42' E, 40.6 feet, to the point of beginning;
thence S 42° 18' E, 139.5 feet; thence in a south-
easterly direction 817.9 feet, along a 915 ft.
radius curve with a central angle of 51° 13';
thence N 86° 29' E, 35.4 feet; thence in a south-
easterly direction 136.8 feet along a 422 foot
radius curve with a central angle of 18° 34';
thence S 86° 29' W, 830.6 feet; thence N 82° 13' W,
81.4 feet; thence N. 37° 57' W, 55.4 feet; thence
N 26° 52' W, 123.5 feet; thence North 297.7 feet,
to point of beginning; and containing 2.93 acres
more or less, exclusive of the present established
highway.

Note: the west line of the NW $\frac{1}{4}$ of Section 17, T. 75 N, R 26 W, is assumed to lie due north and south.

which damages have been appraised under condemnation by Madison County, Iowa, for road improvement purposes and concerning which George L. Bauer has served notice of appeal; and I hereby certify that the papers included in this certification are as follows, to-wit:

Application to Sheriff for Condemnation of Property
Filed by Madison County, Iowa.
Appointment of Commissioners.
Oaths and Qualifications of Commissioners.
Notice to Commissioners of Time for Appraisement.

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Notice of Condemnation of Property by Madison County,
Iowa, and return of Service Thereon.
Report of Commissioners.
Notice of Appeal to the District Court by G. L. Bauer.

Certified and dated this 12th day of January, A.D. 1949.

A. E. Null Sheriff
of Madison County, Iowa

REPORT OF CONDEMNATION FUNDS ON HAND

STATE OF IOWA MADISON COUNTY) SS:

I, A. E. Null, Sheriff of Madison County, Iowa, hereby state that the following is a report of all funds in my possession received from condemnation proceedings of any kind that had been finally adjudicated, to-wit: Warrant No. 1307 drawn on the secondary road construction fund of Madison County, Iowa in the sum of \$400 payable to the order of George L. Bauder. That said warrant was received on the 19th day of December, 1939, and the condemnation proceedings were finally adjudicated in May 1940. The condemnation proceedings involved a tract of land in the North West Quarter ($\frac{1}{4}$) of Section 17 of South Township, Madison County, Iowa.

- - - - - Sheriff
Madison County, Iowa

Subscribed and sworn to before me by E. A. Null, Sheriff of Madison County, Iowa, this 31st day of September, 1940.

- - - - - Notary Public
in and for Madison County, Iowa.

OFFICE OF MADISON COUNTY ENGINEER

S. B. Agnew, Engineer

Winterset, Iowa
May 7, 1968

Mrs. Mary Welty
Madison County Recorder
Winterset, Iowa

Dear Mrs. Welty:

With reference to the George L. Bauer - Madison County, Iowa Condemnation Proceedings filed for record the 23rd day of September, 1941, under file No. 5175, I, S. B. Agnew, Madison County Engineer hereby request the Madison County Recorder to record in length the above described condemnation proceedings as of this date - May 7, 1968.

Verly truly yours,
S. B. Agnew
S. B. Agnew County Engineer