

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

FILED
JUN 16 AM 8:37

* * * * * No. *
* * * * *

ROBERT L. HUDDLESTON, LILLIAN
HUDDLESTON, CORA WEIR, NOBLE
WEIR, ELEANOR MAY BRADSHAW,
DONALD BRADSHAW, RICHARD A.
HUDDLESTON, AND MARY HUDDLESTON,

Plaintiffs-Appellants

vs. * * * * *

IOWA STATE HIGHWAY COMMISSION,
COUNTY OF HAMILTON, and CITY
OF WEBSTER CITY, IOWA,

Defendants.

NOTICE OF APPEAL
INST. NO. 721273
HAMILTON COUNTY, IOWA
FILED FOR RECORD
AT 3:00 JUN 22 1972 P.M.
John Katz, Recorder
DEPUTY
RECORDING FEE \$ 28.50

TO SAID DEFENDANTS AND TO E. R. LEAR, SHERIFF OF HAMILTON COUNTY:

Each of you are hereby notified that the above-named Plaintiffs hereby appeal to the District Court aforesaid from the award made to the Plaintiffs by the Sheriff's Jury on May 18, 1972, as damages from the Defendant's taking of:

A parcel of land located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Seven (7), Township Eighty-eight (88) North, Range Twenty-five (25) West of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 feet North of the Center of said Section 7, on the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ thereof, thence N 89°58' W 1459.5 feet to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 feet normally distant northerly from centerline on the/east line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7, thence to a point 155 feet normally distant northerly from Sta. 333+00, thence to a point 200 feet normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 7; on the south by a line beginning at a point 144 feet normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence to a point 144 feet normally distant southerly from Sta. 337+00, thence to a point 170 feet normally distant southerly from Sta. 333+00, thence to a point 170 feet normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$.

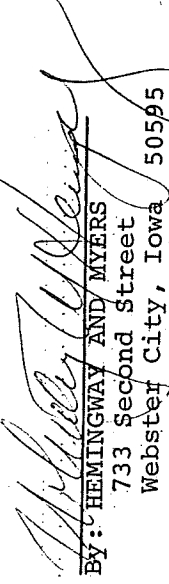
BOOK 88 PAGE 367

See Book 89 Page 142 for stipulation of settlement & order confirming stipulation filed March 22, 1973

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7 is assumed to bear North and South.

Said Appeal will come on for hearing before said Court which convenes and is held at Webster City, in Hamilton County, Iowa, as by law provided.


BY: ~~HEMINGWAY AND MYERS~~
733 Second Street
Webster City, Iowa 50595

ATTORNEYS FOR APPELLANTS

ACCEPTANCE OF SERVICE

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

Dated at _____, this _____ day of _____, 1972.

Chiswick

FN-520-4(10)-21-40
Group B

FILED
JUN 19 PM 2:14
DISTRICT COURT
HAMILTON COUNTY, IOWA

FILED
JUN 19 PM 2:14
DISTRICT COURT
HAMILTON COUNTY, IOWA

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

JOHN D. SMALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

* * * * *

ROBERT L. HUDDLESTON, LILLIAN
HUDDLESTON, CORA WEIR, NOBLE
WEIR, ELEANOR MAY BRADSHAW,
DONALD BRADSHAW, RICHARD A.
HUDDLESTON, AND MARY HUDDLESTON, *

No. 21243

Plaintiffs-Appellants *

vs. *

NOTICE OF APPEAL

IOWA STATE HIGHWAY COMMISSION,
COUNTY OF HAMILTON, and CITY
OF WEBSTER CITY, IOWA, *

Defendants. *

* * * * *

TO SAID DEFENDANTS AND TO E. R. LEAR, SHERIFF OF HAMILTON COUNTY;

Each of you are hereby notified that the above-named Plaintiffs hereby appeal to the District Court aforesaid from the award made to the Plaintiffs by the Sheriff's Jury on May 18, 1972, as damages from the Defendant's taking of:

A parcel of land located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Seven (7), Township Eighty-eight (88) North, Range Twenty-five (25) West of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520.

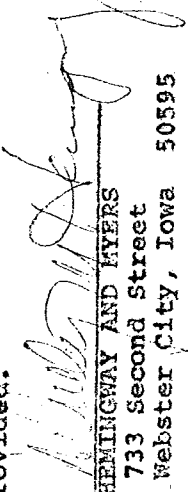
The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 feet North of the Center of said Section 7, on the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ thereof, thence N 89° 58' W 1459.5 feet to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 feet normally distant northerly from centerline on the east line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7, thence to a point 155 feet normally distant northerly from Sta. 333+00, thence to a point 200 feet normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 7; on the south by a line beginning at a point 144 feet normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence to a point 144 feet normally distant southerly from Sta. 337+00, thence to a point 170 feet normally distant southerly from Sta. 333+00, thence to a point 170 feet normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$.

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7 is assumed to bear North and South.

Said Appeal will come on for hearing before said Court which convenes and is held at Webster City, in Hamilton County, Iowa, as by law provided.


BY: HEMINGWAY AND AYERS
733 Second Street
Webster City, Iowa 50595

ATTORNEYS FOR APPELLANTS

ACCEPTANCE OF SERVICE

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

Dated at Grand Forks, this 16 day of June, 1972.


Spec. Amb. Atty. General

Iowa State Highway Commission

Clerk, District Court in
and for Hamilton County, Ia.

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

* * * * *
ROBERT L. HUDDLESTON, LILLIAN *
HUDDLESTON, CORA WEIR, NOBLE *
WEIR, ELEANOR MAY BRADSHAW, *
DONALD BRADSHAW, RICHARD A. *
HUDDLESTON, AND MARY HUDDLESTON, *

No. 21243

Plaintiffs-Appellants * *

VS. *

NOTICE OF APPEAL

IOWA STATE HIGHWAY COMMISSION, *
COUNTY OF HAMILTON, and CITY *
OF WEBSTER CITY, IOWA, *

Defendants. * *

TO SAID DEFENDANTS AND TO E. R. LEAR, SHERIFF OF HAMILTON COUNTY:

Each of you are hereby notified that the above-named Plaintiffs hereby appeal to the District Court aforesaid from the award made to the Plaintiffs by the Sheriff's Jury on May 18, 1972, as damages from the Defendant's taking of:

A parcel of land located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Seven (7), Township Eighty-eight (88) North, Range Twenty-five (25) West of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 feet north of the Center of said Section 7, on the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ thereof, thence N 89°58' W 1459.5 feet to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 feet normally distant northerly from centerline on the east line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7, thence to a point 155 feet normally distant northerly from Sta. 333+00, thence to a point 200 feet normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 7; on the south by a line beginning at a point 144 feet normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence to a point 144 feet normally distant southerly from Sta. 337+00, thence to a point 170 feet normally distant southerly from Sta. 333+00, thence to a point 170 feet normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$.

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE¼ of the NW¼ of said Section 7 is assumed to bear North and South.

Said Appeal will come on for hearing before said Court which convenes and is held at Webster City, in Hamilton County, Iowa, as by law provided.

[Signature]
By: HEMINGWAY AND AYERS
733 Second Street
Webster City, Iowa 50595

ATTORNEYS FOR APPELLANTS

ACCEPTANCE OF SERVICE

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

Dated at Webster City, Iowa, this 11th day of NOV 28 1972
[Signature] ER Law

2 S'SP
1.00
1.52
FEE2

Sherrill of Hamilton County, Iowa
[Signature]

Township, Hamilton County, State of Iowa. thereof to Wala Kessler, the County Auditor of said Hamilton County, personally in Boone of June 1972 I served the same on Hamilton County, a municipality, by delivering a true copy received the within notice this 12th day of June 1972 and I certify that on the 12th day

Hamilton County)
) 22
State of Iowa)

Sherrill of Hamilton County, Iowa
[Signature]

City, personally in Boone Township, Hamilton County, State of Iowa. delivering a true copy thereof to Wala Kessler, the City Clerk of said City of Webster day of June 1972 I served the same on the City of Webster City, a municipality, by received the within notice this 12th day of June 1972 and I certify that on the 12th

Hamilton County)
) 22
State of Iowa)

KEESLER CLERK OF DISTRICT COURT
307 SECOND STREET
MEMPHIS, TENNESSEE 38102

BOOK 88 PAGE 374

State of Iowa)
Hamilton County) ss

Received the within notice this 16th day of June 1972 and I certify that on the 16th day of June 1972 I served the same on the City of Webster City, a municipality, by delivering a true copy thereof to Gerald Kent, the City Clerk of said City of Webster City, personally in Boone Township, Hamilton County, State of Iowa.

E. R. Kesler
Sheriff of Hamilton County, Iowa

State of Iowa)
Hamilton County) ss

Received the within notice this 16th day of June 1972 and I certify that on the 16th day of June 1972 I served the same on Hamilton County, a municipality, by delivering a true copy thereof to Mary Kesler, the County Auditor of Said Hamilton County, personally in Boone Township, Hamilton County, State of Iowa.

E. R. Kesler
Sheriff of Hamilton County, Iowa

FEES

Service 1.25
Mileage 1.00
Total \$ 2.25

PAID BY
PLAINTIFF'S ATTORNEY

BOOK 88 PAGE 375

Sherriff 1-1

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

*	*	*	*	*	*	*
ROBERT L. HUDDLESTON, LILLIAN	*	No. <u>24243</u>	*	*	*	*
HUDDLESTON, CORA WEIR, NOBLE	*		*	*	*	*
WEIR, ELEANOR MAY BRADSHAW,	*		*	*	*	*
DONALD BRADSHAW, RICHARD A.	*		*	*	*	*
HUDDLESTON, AND MARY HUDDLESTON,	*		*	*	*	*

Plaintiffs-Appellants

vs.

NOTICE OF APPEAL

IOWA STATE HIGHWAY COMMISSION,
COUNTY OF HAMILTON, and CITY
OF WEBSTER CITY, IOWA,

Defendants.

* * * * *

TO SAID DEFENDANTS AND TO E. R. LEAR, SHERIFF OF HAMILTON COUNTY:

Each of you are hereby notified that the above-named Plaintiffs hereby appeal to the District Court aforesaid from the award made to the Plaintiffs by the Sheriff's Jury on May 18, 1972, as damages from the Defendant's taking of:

A parcel of land located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Seven (7), Township Eighty-eight (88) North, Range Twenty-five (25) West of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520.

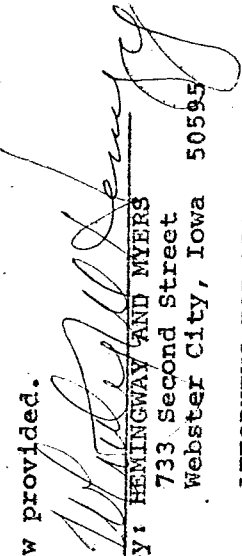
The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 feet North of the Center of said Section 7, on the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ thereof, thence N 89°58' W 1459.5 feet to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 feet normally distant northerly from centerline on the east line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7, thence to a point 155 feet normally distant northerly from Sta. 333+00, thence to a point 200 feet normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 7; on the south by a line beginning at a point 144 feet normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence to a point 144 feet normally distant southerly from Sta. 337+00, thence to a point 170 feet normally distant southerly from Sta. 333+00, thence to a point 170 feet normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ on the west by the west lines of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$.

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7 is assumed to bear North and South.

Said Appeal will come on for hearing before said Court which convenes and is held at Webster City, in Hamilton County, Iowa, as by law provided.


BY: HEMINGWAY AND MYERS
733 Second Street
Webster City, Iowa 50595

ATTORNEYS FOR APPELLANTS

ACCEPTANCE OF SERVICE

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

Dated at _____, this _____ day of _____, 1972.

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

REC'D

Primary Road No. U.S. 520 in and east of Webster City

1972 APR 11 AM 9 07
NOTICE

located in Hamilton County, Iowa

WEBSTER CITY
SHERIFF
HAMILTON COUNTY

Project No. FN-520-4(10)--21-40

Group "B"

TO:

Robert L. Huddleston, individually and as Attorney in Fact for Cora Weir, (aka Cora Adelaide Weir), Noble Weir, Eleanor May Bradshaw, (aka Eleanor M. Bradshaw), Donald Bradshaw, Richard A. Huddleston, Mary Huddleston, 2031 Edgewood Drive, Webster City, Iowa
Lillian Huddleston, 2031 Edgewood Drive, Webster City, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and parts of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, on the east line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ thereof, thence N89°58'W 1459.5 ft. to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the east line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 323+00, thence to a point 200 ft. normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 7; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence to a point 144 ft. normally distant southerly from Sta. 337+00, thence to a point 170 ft. normally distant southerly from Sta. 333+00, thence to a point 170 ft. normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; on the west by the west lines of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and said NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 7 is assumed to bear North and South.

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

Hamilton County Project FN-520-4(10)--21-40
Robert L. Huddleston, et al (Parcel 31)
Continued on next sheet

Sheet 1
of 3

BOOK 88 PAGE 378

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1976.
3. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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.

May You are further notified that said commission will on the *18* day of *May*, 19*72*, at *10:20* o'clock, *a.m.* (*cdz*) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY *Asher E. Schroeder*

ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

19____ Dated at _____ this _____ day of _____

State of Iowa, _____ County, ss: _____

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

Name	Month	Day	Year	Township, City or Town	County	State

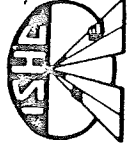
Fees:

Service \$ _____
Mileage \$ _____
Total \$ _____

Sheriff, _____ County, Iowa

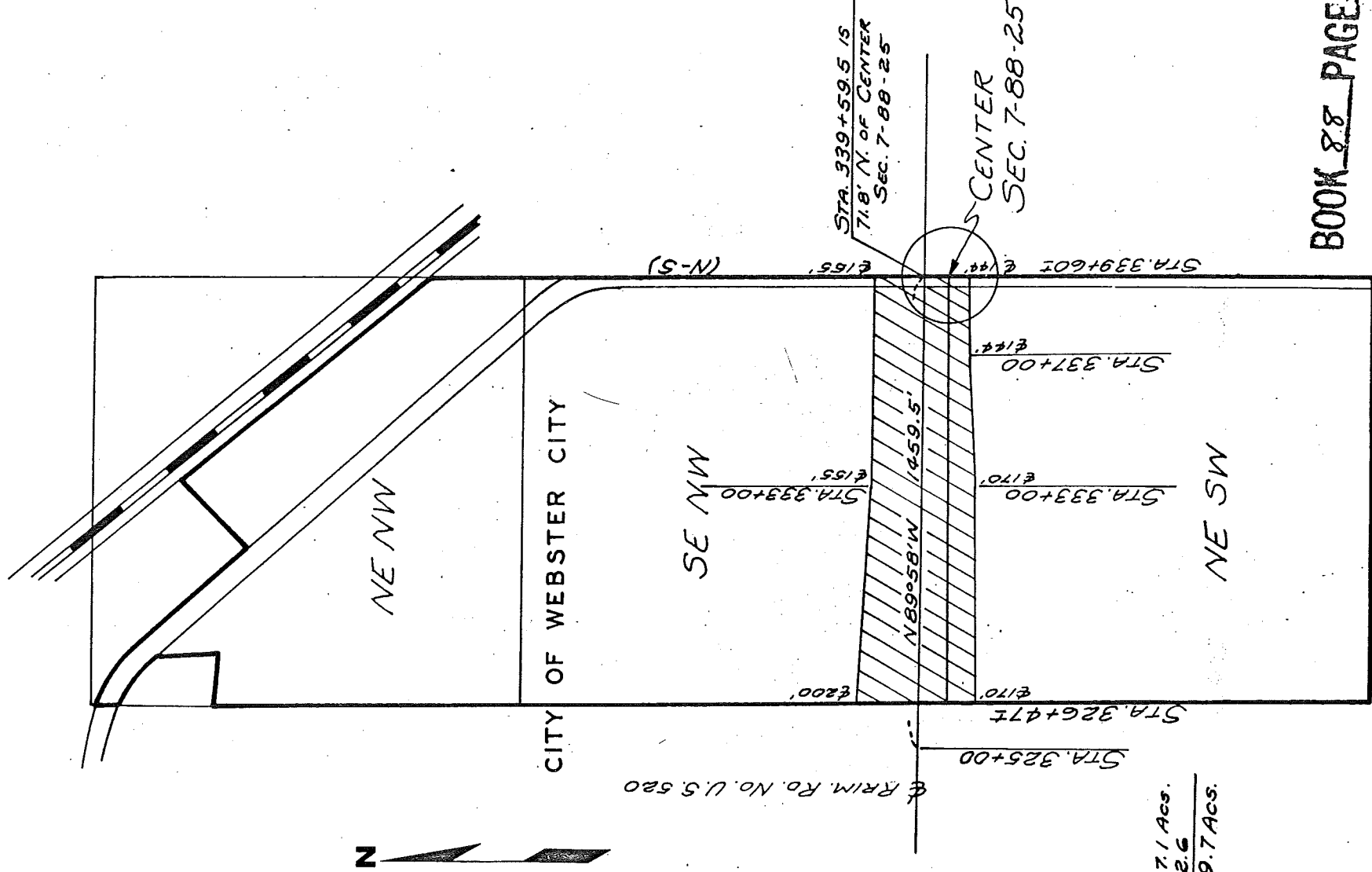
By, _____ Deputy

ROW 137
5-1-70



THE IOWA STATE HIGHWAY COMMISSION
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY_HAMILTON STATE CONTROL NO. 15
PROJECT NO. FN-520-4(10)-21-40 PARCEL NO. 31
SECTION 7 TOWNSHIP 88N RANGE 25W
PERMANENT 9.7 ACRES TEMPORARY ACRES
R/W LIMITS: STA. 326+47.7 TO STA. 339+60.7
A/C LIMITS: STA. 326+47.7 TO STA. 339+60.7
OWNER: ROBERT L. HUDDLESTON ET AL.



TAKING	
SE NW	7.1 Acs.
NE SW	2.6
TOTAL	9.7 Acs.

STATE OF IOWA }
Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 24 day of April 1922, and that on the 24 day of April 1922 I served the same on the within named defendant Northwestern Bell Telephone Co

in Des Moines (Name City, Town or Twp.) Polk County, Iowa, by delivering a true copy thereof, with—

copy of petition attached, to William Mc Foster (Name of defendant)
(strike out if not so attached) Northwestern Bell Telephone Co
Registered Agent of said William Mc Foster
(Give title of person served)

Mileage \$ 25
County \$ 25
Total \$ 50 pd. 5-24-72 By Franz J. DeBor Deputy.
Paid by Plt's. Attorney.

"Polk County Corporation Notice Service Return"

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 490

Primary Road No. U. S. 520 in and east of

Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

21243

APPLICATION TO THE CHIEF JUDGE
OF THE 2nd JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A
COMMISSION TO APPRAISE DAMAGES

TO: C. H. Wild
Hamilton

County, Iowa

Chief Judge of the 2nd Judicial District, including

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

The lands and/or property rights affected and the record owners, lienholders, encumbrancers, and other persons interested therein, are as listed on the sheets hereto attached and made a part hereof, and are shown with reference to their location as to lands affected on the plat hereto attached, marked Exhibit "A" and made a part hereof.

The State of Iowa desires certain specific rights in the land herein sought to be condemned for Primary Road right of way and/or access control and/or for highway drainage and/or for the purpose of obtaining and removing therefrom material suitable for the improvement and/or 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 described rights in lands by purchase and conveyance.

NOW, THEREFORE, the Iowa State Highway Commission hereby requests the appointment of a compensation commission of six persons qualified as prescribed in Sec. 306.19, Code of Iowa, 1971, not interested in the same or a like question, to view the real estate involved and appraise the damages which the owners thereof, lienholders, encumbrancers, or other persons interested therein will sustain by reason of the appropriation herein sought to be condemned, for the purpose herein stated, and make their report in writing to the Sheriff as provided by law.

Dated at Ames, Iowa, this 11th day of April, 1972.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY

Asher E. Schroeder

ASHER E. SCHROEDER
Special Assistant Attorney General and
Counsel to the Iowa State Highway Commission

Filed in duplicate in my office at Ames, Iowa, this 12th day of April, 1972.

Received

C. H. Wild

Chief Judge of the 2nd Judicial District
including Hamilton County, Iowa

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

TO:

Robert L. Huddleston, individually and as Attorney in Fact for Cora Weir, (aka Cora Adelaide Weir), Noble Weir, Eleanor May Bradshaw, (aka Eleanor M. Bradshaw), Donald Bradshaw, Richard A. Huddleston, Mary Huddleston, 2031 Edgewood Drive, Webster City, Iowa
Lillian Huddleston, 2031 Edgewood Drive, Webster City, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and parts of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, on the east line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ thereof, thence N89°58'W 1459.5 ft. to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the east line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 333+00, thence to a point 200 ft. normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 7; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence to a point 144 ft. normally distant southerly from Sta. 337+00, thence to a point 170 ft. normally distant southerly from Sta. 333+00, thence to a point 170 ft. normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; on the west by the west lines of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and said NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 7 is assumed to bear North and South.

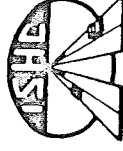
In connection with this condemnation proceeding it is specifically provided as follows:

Hamilton County Project FN-520-4(10)--21-40
Robert L. Huddleston, et al (Parcel 31)
Continued on next sheet

Sheet 1
of 3

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1976.
3. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

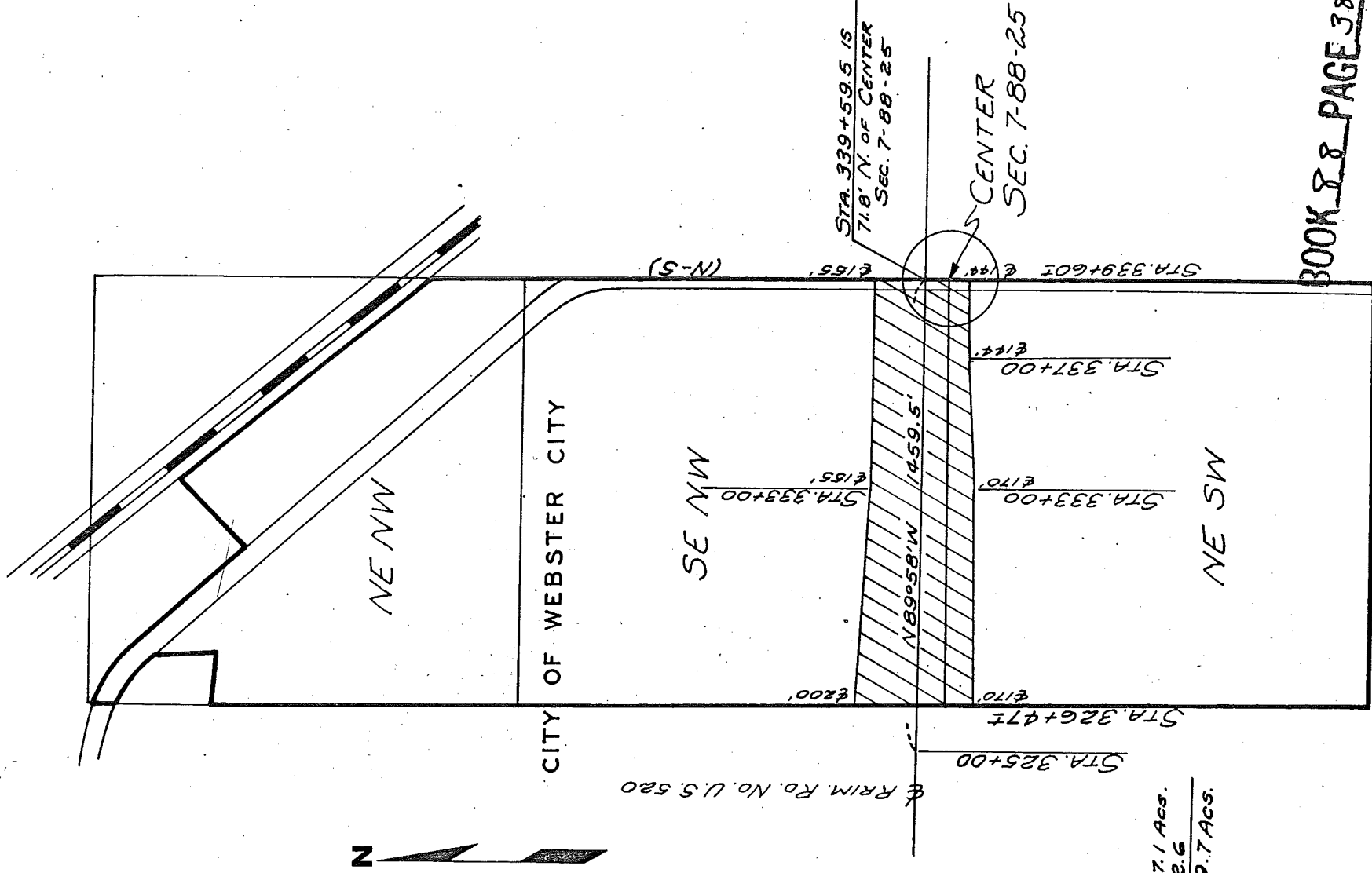
5:11-76



THE IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
 PROJECT NO. FN-520-4(10) -- 21-40 PARCEL NO. 31
 SECTION 7 TOWNSHIP 88N RANGE 25W
 PERMANENT 9.7 ACRES TEMPORARY ACRES
 R/W LIMITS: STA. 326+47± TO STA. 339+60±
 A/C LIMITS: STA. 326+47± TO STA. 339+60±
 OWNER: ROBERT L. HUDDLESTON ET AL.



TAKING	
SE NW	7.1 Acs.
NE SW	2.6
TOTAL	9.7 Acs.

BOOK 88 PAGE 38

DATE DRAWN _____ SCALE _____ FILMED _____

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

Primary Road No. U.S. 520 in and east of

Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

NOTICE

21243

TO:

Robert L. Huddleston, individually and as Attorney in Fact for Cora Weir, (aka Cora Adelaide Weir), Noble Weir, Eleanor May Bradshaw, (aka Eleanor M. Bradshaw), Donald Bradshaw, Richard A. Huddleston, Mary Huddleston, 2031 Edgewood Drive, Webster City, Iowa
Lillian Huddleston, 2031 Edgewood Drive, Webster City, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and parts of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, on the east line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ thereof, thence N89°58'W 1459.5 ft. to Sta. 325+00.

Said parcel is described as follows: Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the east line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 333+00, thence to a point 200 ft. normally distant northerly from centerline on the west line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$; on the east by the east lines of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 7; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the east line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, thence to a point 144 ft. normally distant southerly from Sta. 337+00, thence to a point 170 ft. normally distant southerly from Sta. 333+00, thence to a point 170 ft. normally distant southerly from centerline on the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; on the west by the west lines of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ and said NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Said parcel contains 9.7 acres, more or less, exclusive of the present established road.

Note: The east line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 7 is assumed to bear North and South.

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

Hamilton County Project FN-520-4(10)--21-40
Robert L. Huddleston, et al (Parcel 31)
Continued on next sheet

Sheet 1
of 3

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1976.
3. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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.

May You are further notified that said commission will on the 18 day of May, 1972, at 10:20 o'clock, a.m. (not) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY *Asher E. Schroeder*
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

19 _____ Dated at _____ this _____ day of _____

State of Iowa, Hamilton County, ss:

Received the within notice the 24 day of April, 1972, and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State
<i>Robert H. Hamilton</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wakarusa City</i>	<i>Hamilton</i>	<i>Iowa</i>
<i>William H. Hamilton</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wakarusa City</i>	<i>Hamilton</i>	<i>Iowa</i>
<i>Wakarusa City (S. R. A.)</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wakarusa City</i>	<i>Hamilton</i>	<i>Iowa</i>
<i>Co. (Wakarusa Hwy. Work.)</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wakarusa City</i>	<i>Hamilton</i>	<i>Iowa</i>

Fees:

Service \$ 2.25
Mileage \$ 2.00
Total \$ 4.25

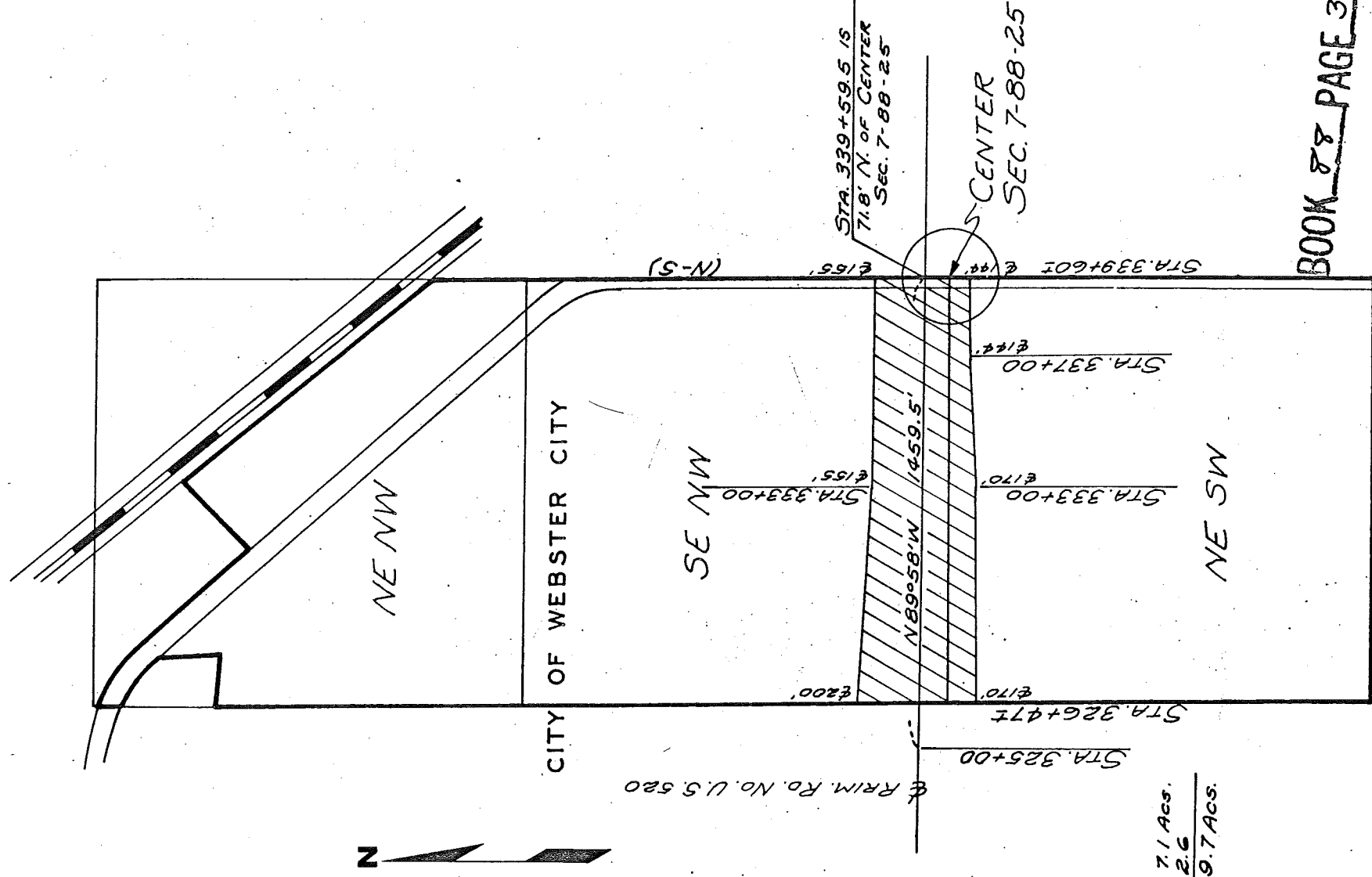
Sheriff, Hamilton County, Iowa
By, K. H. Farnham Deputy

ROW 137
5-1-70



THE IOWA STATE HIGHWAY COMMISSION
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
PROJECT NO. FN-520-4(10)-21-40 PARCEL NO. 31
SECTION 7 TOWNSHIP 88N RANGE 25W
PERMANENT 97 ACRES TEMPORARY ACRES
R/W LIMITS: STA. 326+47.7 TO STA. 339+60.7
A/C LIMITS: STA. 326+47.7 TO STA. 339+60.7
OWNER: ROBERT L. HUDDLESTON ET AL.



TAKING	
SE NW	7.1 Acs.
NE SW	2.6
TOTAL	9.7 Acs.

BOOK 88 PAGE 35

DATE DRAWN _____ SCALE _____ FILMED _____

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U. S. 520 in and east of

Webster City

located in Hamilton County, Iowa

Project No. FH-520-4(10)--21-40

Group "B"

TO: George Merrill -- Webster City, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the
2nd Judicial District including Hamilton County, Iowa, an Application
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 for the
improvement and/or the maintenance of primary roads and/or for highway drainage
in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by
the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a
member of such compensation commission, and such selection and appointment has
been duly filed in my office, and further, that Darwin Ferguson
has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the under-
signed in the office of the sheriff at Webster City, Hamilton County, State of Iowa, on
18th day of May, 1972, at 9:30 o'clock a.m. (cdt) for the purpose
of qualifying as such commission, and proceed to view said premises and make an
award of damages as by law provided.

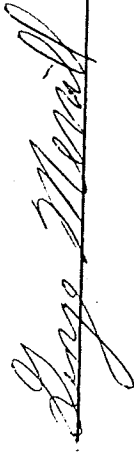

E. R. Lear

Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy
acknowledged at _____, Iowa, this _____ day of _____, 19____.
I further certify that I do not possess any interest in the above proceedings which
would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.



Filed in my office at Webster City, Iowa, this 4 day of April, 1972.


E. R. Lear

Sheriff of Hamilton 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

In the Matter of the Cond:mnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U. S. 520 in and east of

Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. HW-520-4(10)--21-40

Group "B"

TO: Casper Hendrickson -- Stanhope, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the
2nd Judicial District including Hamilton County, Iowa, an Application
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 for the
improvement and/or the maintenance of primary roads and/or for highway drainage
in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by
the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a
member of such compensation commission, and such selection and appointment has
been duly filed in my office, and further, that Darwin Ferguson
has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to ~~be and~~ appear before the under-
signed in the office of the sheriff at Webster City, Hamilton County, State of Iowa, on
18th day of May, 1972, at 9:30 o'clock a.m. (cdt) for the purpose
of qualifying as such commission, and proceed to view said premises and make an
award of damages as by law provided.


E. R. Year

Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy
acknowledged at Webster City, Iowa, this 18 day of May, 1972.
I further certify that I do not possess any interest in the above proceedings which
would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

Filed in my office at Webster City, Iowa, this 18 day of April, 1972.

~~E. R. Year~~ 

Sheriff of Hamilton 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

In the Matter of the Continuation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. **U. S. 520 in and east of**

Webster City, Iowa

SUMMONS TO COMMISSIONERS

located in **Hamilton** County, Iowa

Project No. **FN-520-4 (10) --21-40**


Group "B"

TO: **Mr. Everett Tieg, Jewell, Iowa**

The Iowa State Highway Commission has filed with the Chief Judge of the
2nd Judicial District including Hamilton County, Iowa, an Application
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 for the
improvement and/or the maintenance of primary roads and/or for highway drainage
in **Hamilton** County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by
the Chief Judge of the **2nd Judicial District for Hamilton** County, Iowa, as a
member of such compensation commission, and such selection and appointment has
been duly filed in my office, and further, that **Alf Lee**
has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the under-
signed in the office of the sheriff at **Hamilton** County, State of Iowa, on
18th day of **May**, 19**72**, at 9:30 o'clock a.m. **C.D.T.** for the purpose
of qualifying as such commission, and proceed to view said premises and make an
award of damages as by law provided.

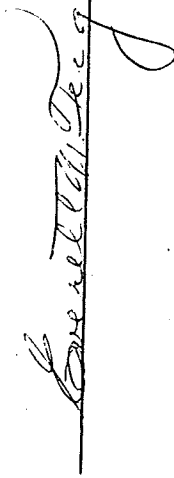


Sheriff of **Hamilton** County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy
acknowledged at _____, Iowa, this day of _____, 19____.
I further certify that I do not possess any interest in the above proceedings which
would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.



Filed in my office at **Webster City, Iowa**, this **18** day of **May**, 19**72**.



Sheriff of _____ 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

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U. S. 520 in and east of

Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. FW-520-4(10)--21-40

Group "B"

TO: J. Cameron Stafford -- Blairsburg, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the
2nd Judicial District including Hamilton County, Iowa, an Application
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 for the
improvement and/or the maintenance of primary roads and/or for highway drainage
in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by
the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a
member of such compensation commission, and such selection and appointment has
been duly filed in my office, and further, that Darwin Ferguson
has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the under-
signed in the office of the sheriff at Webster City, Hamilton County, State of Iowa, on
18th day of May, 19 72, at 9:30 o'clock a.m. (cdt) for the purpose
of qualifying as such commission, and proceed to view said premises and make an
award of damages as by law provided.

E. R. Lear
E. R. Lear
Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy
acknowledged at Blairsburg, Iowa, this 30 day of April, 19 72.
I further certify that I do not possess any interest in the above proceedings which
would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

James Stewart

Filed in my office at Webster City, Iowa, this 1st day of May, 19 72.

E. R. Lear
E. R. Lear
Sheriff of Hamilton 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

FILED
1972 JUN 22 PM 7:15
CLERK OF DISTRICT COURT
HAMILTON COUNTY, IOWA

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U.S. 520 in and east of
Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

"B"
Group

TO: Edward Scribbins -- Webster City, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the
2nd Judicial District including Hamilton County, Iowa, an Application
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 for the
improvement and/or the maintenance of primary roads and/or for highway drainage
in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by
the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a
member of such compensation commission, and such selection and appointment has
been duly filed in my office, and further, that Edward Scribbins
has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the under-
signed in the office of the sheriff at Webster City County, State of Iowa, on
18th day of May, 1972, at 9:30 o'clock a.m. (cdt) for the purpose
of qualifying as such commission, and proceed to view said premises and make an
award of damages as by law provided.


E. R. Lear
Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy
acknowledged at _____, Iowa, this _____ day of _____, 19____.
I further certify that I do not possess any interest in the above proceedings which
would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

Filed in my office at Webster City, Iowa, this 18th day of May, 1972.


E. R. Lear
Sheriff of Hamilton 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

BOOK 88 PAGE 375

In the Matter of the Continuation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. **U. S. 520 in and east of**

Webster City

SUMMONS TO COMMISSIONERS

located in **Hamilton** County, Iowa

Project No. **FN-520-4 (10)--21-40**

Group "B"

TO: **Mr. Albert Koolhof, Sr.**

FILED
1972 JUN 23
JOHN O. ...
CLERK DISTRICT
HAMILTON COUNTY

The Iowa State Highway Commission has filed with the Chief Judge of the
2nd Judicial District including **Hamilton** County, Iowa, an Application
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 for the
improvement and/or the maintenance of primary roads and/or for highway drainage
in **Hamilton** County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by
the Chief Judge of the **2nd** Judicial District for **Hamilton** County, Iowa, as a
member of such compensation commission, and such selection and appointment has
been duly filed in my office, and further, that **Alf Lee**
has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the under-
signed in the office of the sheriff at **Hamilton** County, State of Iowa, on
18th day of **May**, 19**72**, at 9:30 o'clock a.m. **(C.D.T.)** for the purpose
of qualifying as such Commission, and proceed to view said premises and make an
award of damages as by law provided.



Sheriff of

County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy
acknowledged at _____, Iowa, this _____ day of _____, 19____.
I further certify that I do not possess any interest in the above proceedings which
would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.



Filed in my office at

_____, Iowa, this 8th day of May, 1972.



Sheriff of

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

BOOK 88 PAGE 376

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U.S. 520 in and east of
Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

TO: Mr. Alf Lee, Stratford, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 2nd Judicial District including Hamilton County, Iowa, an Application 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 for improvement and/or the maintenance of primary roads and/or for highway drainage in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Alf Lee has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Hamilton County, State of Iowa, on 18th day of May, 1972, at 9:30 o'clock a.m. (D.D.) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Sheriff of _____ County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Stratford, Iowa, this 12 day of May, 1972.
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

Filed in my office at Webster City, Iowa, this 15 day of May, 1972.

Sheriff of _____ 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

FILED
1972 JUN 22 PM 1:50
JOHN O. HALL
CLERK DISTRICT
HAMILTON COUNTY

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U. S. 520 in and east of

Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. FW-520-4(10)--21-40

Group "B"


TO: Darwin Ferguson -- Webster City, Iowa

FILED
1972 JUN 22
JAMES D. LEAR
CLERK DISTRICT COURT

The Iowa State Highway Commission has filed with the Chief Judge of the 2nd Judicial District including Hamilton County, Iowa, an Application 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 for the improvement and/or the maintenance of primary roads and/or for highway drainage in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Darwin Ferguson has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to ~~be and~~ appear before the undersigned in the office of the sheriff at Webster City, County, State of Iowa, on 18th day of May, 1972, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.


E. R. Lear
Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this _____ day of _____, 19____. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

Filed in my office at Webster City, Iowa, this _____ day of _____, 19____.

E. R. Lear
Sheriff of Hamilton 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

BOOK 88 PAGE 378


In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U. S. 520 in and east of

Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. FM-520-4(10)--21-40

Group "B"

TO: Robert A. Johnson -- Webster City, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 2nd Judicial District including Hamilton County, Iowa, an Application 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 for the improvement and/or the maintenance of primary roads and/or for highway drainage in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Darwin Ferguson has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Webster City, Hamilton County, State of Iowa, on 18th day of May, 1972, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

E. R. Lear
E. R. Lear

Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this day of _____, 19____. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Robert A. Johnson
PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

Filed in my office at Webster City, Iowa, this day of _____, 19____.

E. R. Lear
E. R. Lear

Sheriff of Hamilton 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

BOOK 88 PAGE 379

Robert A. Johnson

FILED
1972 JUN 22 P
JOHN D. HALL
CLERK DISTRICT
HAMILTON COUNTY

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 493

Primary Road No. U. S. 520 in and east of

Webster City

SUMMONS TO COMMISSIONERS

located in Hamilton County, Iowa

Project No. FW-520-4(10)--21-40

Group "B"

TO: Ellis Swon -- Webster City, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 2nd Judicial District including Hamilton County, Iowa, an Application 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 for the improvement and/or the maintenance of primary roads and/or for highway drainage in Hamilton County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Hamilton County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Darwin Ferguson has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Webster City, Hamilton County, State of Iowa, on 18th day of May, 1972, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

E. R. Lear
E. R. Lear

Sheriff of Hamilton County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at _____, Iowa, this day of _____, 19____.
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND
RETURN PROMPTLY TO THE SHERIFF OF
THE ABOVE NAMED COUNTY.

Filed in my office at Webster City, Iowa, this day of _____, 19____

E. R. Lear

Sheriff of Hamilton 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

BOOK 88 PAGE 400

E. R. Lear

FILED
1972 JUN 22 PM
JAMES D. HALL
CLERK OF DISTRICT COURT
HAMILTON COUNTY IOWA

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

Form 492

21243

Primary Road No. U. S. 520 in and east of

SELECTION AND APPOINTMENT
OF COMPENSATION COMMISSIONERS
BY THE CHIEF JUDGE OF THE 2nd
JUDICIAL DISTRICT

Webster City

located in Hamilton County, Iowa

Project No. FW-520-4(10)--21-40

Group "B"

FILED
1972 JUN 22 PM 3:15
JOHN D. HARRIS
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

An Application for Condemnation having been filed with me by the Iowa State Highway Commission 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 its Application filed in the above entitled matter, I hereby designate, select, and appoint as the members of said compensation commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Darwin Ferguson	Webster City, Iowa	Licensed Real Estate Salesman or Broker.
Robert A. Johnson	Webster City, Iowa	Licensed Real Estate Salesman or Broker
Ellis Swon	Webster City, Iowa	Knowledgeable of Property Values by Virtue of Occupation
X George Merrill	Webster City, Iowa	Knowledgeable of Property Values by Virtue of Occupation
J. Cameron Stafford	Blairsburg, Iowa	Agricultural
X Casper Hendrickson	Stanhope, Iowa	Agricultural

I further designate, select, and appoint, the above named Darwin Ferguson to act as Chairman of said commission.

TO THE SHERIFF OF HAMILTON COUNTY, IOWA: Attached hereto please find a duplicate of the Application for Condemnation in the above-entitled matter.

Dated at Waverly, Iowa, this 12th day of April, 1972.

Robert J. Wild

C. H. Wild
Chief Judge of the 2nd Judicial District
Including Hamilton County, Iowa

Filed in my office at Hamilton, Iowa, this 14th day of April, 1972.

E. R. Lear
E. R. Lear
Sheriff of Hamilton County, Iowa

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the improvement of

Primary Road No. U. S. 520 in and east of Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

SUPPLEMENTARY ORDER
APPOINTING ALTERNATE
COMPENSATION COMMISSIONERS

An Application for Condemnation having been filed with me by the Iowa State Highway Commission, entitled as above, for the selection and appointment, by lot, of a duly constituted compensation commission, and said selection and appointment 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	QUALIFICATION
Alf Lee	Stratford, Iowa	Licensed Real Estate Salesman or Broker
Albert Koolhof Sr.	Webster City, Iowa	Knowledgeable or Property Values by Virtue of Occupation
Floyd Erickson	Stanhope, Iowa	Agricultural or Other than Agricultural

The Sheriff of Hamilton County, Iowa, shall upon being informed of a vacancy in the compensation commission, notify the 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 Waverly, Iowa, this 12th day of April, 1972.

Robert Lee
JUDGE OF THE 2nd JUDICIAL DISTRICT,
including Hamilton County, Iowa.

Filed in my office at Webster City, Iowa, this 16th day of May, 1972.
E. P. Blair
SHERIFF OF Hamilton County, Iowa

FILED
1972 JUN 22 PM 1:51
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of
Iowa in the Improvement of

Form 494

Primary Road No. U. S. 520 in and east of
Webster City

OATH OF COMMISSIONERS

located in Hamilton County, Iowa

Project No. FW-520-4(10)--21-40

Group "B" -----

STATE OF IOWA)
) ss
HAMILTON County)

FILED
1972 JUN 22 PM 1:51
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

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 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 the appropriation of the rights as set forth and described in the Application
in the Office of the sheriff for the improvement and/or the maintenance of primary roads
and/or for highway drainage and make a written report to the sheriff as authorized and
prescribed in Chapters 306, 306A, 306B, 313, 471 and 472, Code of Iowa, 1971 and
any amendments thereto, and in accordance with the instructions of the Chief Justice
of the Supreme Court, and will well and 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.

Name: Beverly M. Steg
Licensed Real Estate Salesman or Broker

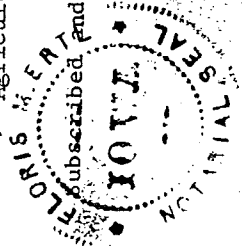
Name: Old Zell
Licensed Real Estate Salesman or Broker

Name: James M. Dwyer
Knowledgeable of Property Values by
Virtue of Occupation

Name: Edward C. Seidbina
Knowledgeable of Property Values by Virtue
of Occupation

Name: James M. Dwyer
(As appropriate to type of property
involved) Agricultural

Name: Joseph M. Dwyer
(As appropriate to type of property
involved) Agricultural



Subscribed and sworn to before me this 18 day of May, 1972.

James M. Dwyer
(Notary Public) in and for said
(Clerk of Court) County and State

Filed in my office at Webster City, Iowa, this _____ day of _____, 19____.

E. R. Lear
Sheriff of Hamilton County, Iowa

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. US 520

located in Hamilton County, Iowa

Project No. FN-520-4(10)-21-40

Group B

On this the 18th day of May, 1972, comes the Iowa
State Highway Commission and states, as by law provided, that the most recent offers made to the
owners, lienholders, encumbrancers and other persons interested in the appropriation of certain
specified rights in certain land as described by the Applicant in the Application filed in the above
matter are as follows:

(Names as on Notice)

Parcel No. 31

Robert L. Huddleston, et al

\$ 23000 ⁰⁰

FILED
1972 JUN 22 PM 1:51
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

IOWA STATE HIGHWAY COMMISSION

BY: Gordon A. Sweitzer
Gordon A. Sweitzer
Right of Way Director by Robert X. North
Condemnation Agent

Subscribed and sworn to before me this 18th day of May



G. R. Fear
Notary Public in and for Steezy County, Iowa
Hamilton

Filed in my office at Wester City, Iowa, this 18th day of May, 1972.

G. R. Fear
Sheriff of Hamilton County, Iowa

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

21243

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

Primary Road No. U. S. 520 in and east of Webster City

located in Hamilton County, Iowa

Project No. FW-520-4(10)--21-40

Group "B"

Parcel No. 31

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
PARCEL 31 - Robert L. Huddleston, individually and as atty. in fact for Cora Weir, Noble Weir, Eleanor May Bradshaw, Donald Bradshaw, Richard A. Huddleston; Mary Huddleston; Lillian Huddleston; Northwestern Bell Telephone Company; Webster City, Iowa; Hamilton County, Iowa.	\$	\$	\$ 26,000	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

FILED
1972 JUN 22 PM 1:51
JOHN D. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

You and each of you are hereby notified that 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 Section 472.18 of the Code of Iowa, as amended by House File 215, Acts of the 64th General Assembly, you may within thirty (30) days from the date of mailing of this Notice, appeal to the district court as by law provided.

Date: 18th Day of May, 1972
E. R. LEAR
Sheriff of Hamilton County, Iowa

BOOK 88 PAGE 405

IN THE MATTER OF THE CONDEMNATION OF CERTAIN
REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE
STATE HIGHWAY COMMISSION OF THE STATE OF IOWA.

IN HAMILTON COUNTY

PROJECT NO. FN-520=4(10)--21-40

SHERIFF'S CERTIFICATION
AS TO AWARDS AND COSTS

21243

To: Iowa State Highway Commission, Ames, Iowa

I hereby certify that the commissioners in the above-entitled cause convened at Webster City, Iowa, on the 18th day of May, 1972, and thereupon proceeded to view the premises and said commissioners did thereafter on the 18th day of May, 1972, file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 31 - Robert L. Huddleston, individually and as atty. in fact for Cora Weir, Noble Weir, Eleanor May Bradshaw, Donald Bradshaw, Richard A. Huddleston; Mary Huddleston; Lillian Huddleston, Northwestern Bell Telephone Company; Webster City, Iowa; Hamilton County, Iowa	\$ 26,000.00
Parcel 32 - Rolland E. Grefe, Trusty of the Mary A. Cloz Trust; Samuel K. McAllister; Gerald D. Jeffers; Charles McMurray Cloz; Harold F. Cloz, Jr.; William H. Cloz; Elizabeth Irene West; Northwestern Bell Tele. Company; Webster City, Iowa; Hamilton County, Iowa.	43,000.00

1972 JUN 22 11 51
FILED
CLERK OF DISTRICT COURT
HAMILTON COUNTY IOWA

TOTAL DAMAGES AWARDED \$ 69,000.00

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

Date:	Name of Persons Served	Fee	Mileage	Rate	Amount	Total
4/24/72	Robert L. Huddleston	.75	1.00	.10	1.00	1.75
4/24/72	Lillian Huddleston	.50				.50
4/24/72	City of Webster City	.50			1.00	1.50
4/24/72	Hamilton County	.50				.50
4/24/72	Gerald D. Jeffers	.75			1.00	1.75
4/24/72	Hamilton County	.50				.50
4/24/72	City of Webster City	.50			1.00	1.50
4/24/72	Nancy Gillette	.75			1.00	1.75
4/24/72	Hamilton County	.50			1.00	1.50
4/24/72	City of Webster City	.50				.50

Sheriff, Summoning and attending commissioners \$7.50 + 66¢

Sheriff, Mileage while attending commissioners, 4.00 Miles @ .10

Platary
\$ 23.25 2.00

Cameron Stafford of Blairsburg, Iowa

1 day service-----\$ 50.00
 30 miles at .10-----3.00
 1 meals-----1.65
 Lodging Hotel-----\$ 54.65
 Total-----\$ 54.65

Alf Lee of Stratford, Iowa

1 day service-----\$ 50.00
 40 miles at .10-----4.00
 1 meals-----2.00
 Lodging Hotel-----\$ 56.00
 Total-----\$ 56.00

George Merrill of Webster City, Iowa

1 day service-----\$ 50.00
 miles at .10-----2.50
 1 meals-----2.50
 Lodging Hotel-----\$ 52.50
 Total-----\$ 52.50

Edward Scribbins of Webster City, Iowa

1 day service-----\$ 50.00
 miles at .10-----1.95
 1 meals-----1.95
 Lodging Hotel-----\$ 51.95
 Total-----\$ 51.95

Casper Hendrickson of Stanhope, Iowa

1 day service-----\$ 50.00
 26 miles at .10-----2.60
 1 meals-----2.00
 Lodging Hotel-----\$ 54.60
 Total-----\$ 54.60

1972 JUN 22 PM 51
 JOHN H. WALL
 CLERK DISTRICT COURT
 HAMILTON COUNTY, IOWA

Everett Teig of Jewell, Iowa

1 day service-----\$ 50.00
 40 miles at .10-----4.00
 1 meals-----2.00
 Lodging Hotel-----\$ 56.00
 Total-----\$ 56.00

Given under my hand this 30th day of May, 1967

E. J. Lewis
 Sheriff of Hamilton County, Iowa

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

Dated this 30th day of May 1972
 Sheriff of Hamilton County

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Hamilton County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project EV-520-4(0)-21-40, hearing having been held on the 18th day of May, 1977, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1 day service at \$50.00 \$ 50.00

40 miles at \$.10 \$ 4.00

1 meals \$ 3.00

Lodging at _____ Hotel at _____

_____, Iowa \$ ~~100.00~~ 56.00

Given under my hand this 18th day of May, 1977.

Olly Lee
COMMISSIONER

FILED
1972 JUN 22 PM 1:52
JOHN B. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Hamilton County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN-520-4(10)-21⁴⁰, hearing having been held on the 18 day of May, 1972, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1 day service at \$50.00 \$ 50.00
 miles at \$.10 \$
 meals \$ 2.50
Lodging at Hotel at
 , Iowa \$ 52.50

Given under my hand this day of , 19 .

John O. Hall
COMMISSIONER

FILED
1972 JUN 22 PM 1:52
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Hamilton County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project EN-520-4(10)-21-48 bearing having been held on the 18th day of May, 1972, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

One day service at \$50.00 \$ 50.⁰⁰

 miles at \$.10 \$

One meals \$ 1.95

Lodging at None Hotel at

 , Iowa \$

Given under my hand this 18th day of May, 1972

Edward C. Scribline
COMMISSIONER

FILED
1972 JUN 22 PM 1:52
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Polk County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN 520-6110 24-40, hearing having been held on the 18 day of May, 1972, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

50 day service at \$50.00 \$ 50.00

26 miles at \$.10 \$ 2.60

meals \$ 2.00

Lodging at _____ Hotel at _____

_____, Iowa \$ _____

Given under my hand this 18 day of May, 1972

James G. Henderson
COMMISSIONER

FILED
1972 JUN 22 PM 1:52
JOHN D. HALL
Clerk DISTRICT COURT
MILTON COUNTY, IOWA

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Harrison County

This is to certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate for primary road right-of-way on Project FN 520-4(10) 21-40, hearing having been held on the 18th day of May, 1972, are as follows and are legally payable and that the claims are correct and just and that payment has not been received.

1 day service at \$50.00 \$ 50.00
40 miles at \$.10 \$ 4.00
1 meals \$ 2.00

Lodging at _____ Hotel at _____
_____, Iowa \$ _____

Given under my hand this 18th day of May, 1972.

[Signature]
COMMISSIONER

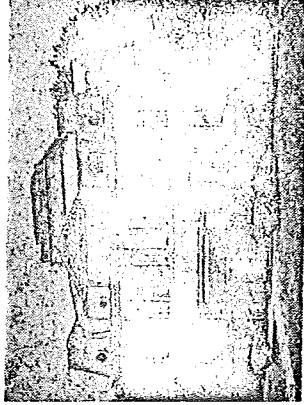
FILED
1972 JUN 22 PM 1:52
JOHN O. HALL
CLERK DISTRICT COURT
JEFFERSON COUNTY, IOWA

Radio Call Letters — KAA747

Office of the

Sheriff of Hamilton County

WEBSTER CITY, IOWA



E. R. LEAR, Sheriff
K. G. FARNHAM, Deputy
R. L. SMITH, Deputy

21243

State of Iowa }
Hamilton County } ss

I, E.R.Lear, Sheriff of Hamilton County, State of Iowa, certify that I have received Checks in payment of awards on Proj. No. FN-520-4(10)-21,40 as follows:-

- 1. Warrant # 02854154 in the amount of \$ 26,000.00
- 2. Warrant # 02854155 in the amount of \$ 43,000.00

The awards being appealed and I am turning these in to the Hamilton County Clerk of the Courts as part of the Condemnation Proceedings.

Dated this 21st day of June 1972.

E. R. Lear
Sheriff of Hamilton County, Iowa

1972 JUN 22 PM 1:52
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

FILED
1972 JUN 22 PM 1:52
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

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

1972 JUN 23 AM 8:27

CLERK OF DISTRICT COURT
WARREN COUNTY, IOWA

ROBERT L. HUDDLESTON, LILLIAN
HUDDLESTON, CORA WEIR, NOBLE
WEIR, ELEANOR MAY BRADSHAW,
DONALD BRADSHAW, RICHARD A.
HUDDLESTON, & MARY HUDDLESTON,

LAW NO. 21243

Plaintiffs,

v.

IOWA STATE HIGHWAY COMMISSION,
Defendant.

MOTION TO DETERMINE
TIME TO MOVE OR ANSWER

The Defendant, Iowa State Highway Commission, states that service of notice in the above-entitled case was accepted on June 16, 1972, and that pursuant to the provisions of Section 472.22, Code of Iowa, 1971; Plaintiffs are required to file a Petition within twenty (20) days after the perfection of this appeal. Said statute is silent as to the time in which the Defendant must plead to said Petition. Defendant respectfully directs the Court's attention to Sections 613.9 and 613.13, Code of Iowa, 1971, both of which give the State of Iowa or the Iowa State Highway Commission, when it is the Defendant, thirty (30) days in which to plead.

WHEREFORE, the Defendant, Iowa State Highway Commission, respectfully requests the Court to grant this Defendant thirty (30) days in which to appear from the date said Petition is filed.

A COPY SENT TO

Copy for:

Hemingway and Myers
Attorneys at Law
733 Second Street
Webster City, Iowa 50595.

BY

Ronald L. Hoeger

RONALD L. HOEGER
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa 50010

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER

ASHER E. SCHROEDER
Special Assistant Attorney
General and Counsel to the
Iowa State Highway Commission

ATTORNEYS FOR PLAINTIFFS.

ATTORNEYS FOR DEFENDANT.

DWM 88 PAGE 415

IN THE DISTRICT COURT OF THE STATE OF IOWA 1972 JUN 23 AM 8:27
IN AND FOR HAMILTON COUNTY

ROBERT L. HUDDLESTON, LILLIAN
HUDDLESTON, CORA WEIR, NOBLE
WEIR, ELEANOR MAY BRADSHAW,
DONALD BRADSHAW, RICHARD A.
HUDDLESTON, & MARY HUDDLESTON,

Plaintiffs,

v.

IOWA STATE HIGHWAY COMMISSION,
Defendant.

APPLICATION TO
WITHDRAW FUNDS

Defendant, Iowa State Highway Commission, in the above-entitled action, states and shows to the Court:

1. That on the 18th day of May, 1972, the Defendant, Iowa State Highway Commission, acquired certain rights in land through condemnation proceedings of which Plaintiffs were the owners.

2. The award of the compensation commission was in the sum of Twenty-six Thousand Dollars (\$26,000.00) for which sum a warrant has been deposited with the Sheriff of Hamilton County, Iowa, and pursuant to Section 472.25, 1971 Code of Iowa, as amended, this Defendant is now entitled to take possession of the rights in the land condemned and to proceed with the public improvement.

3. That the above-named Plaintiffs are the persons entitled to the award of the compensation commission and that the best interests of all parties will be served by this court directing that the full amount of said damages be paid to the Plaintiffs herein as provided for in Section 472.25.

WHEREFORE, Defendant, Iowa State Highway Commission respectfully requests this court to enter an Order entitling the Plaintiffs to withdraw the sum stated in this Application and now deposited with said Sheriff and allowing this Defendant to continued

-2-


possession of the property rights condemned which are subject to this appeal and for such further Order as the Court deems just and proper.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

ASHER E. SCHROEDER
Special Assistant Attorney
General and Counsel to the
Iowa State Highway Commission

BY


DONALD L. HOEGER
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa 50010

COPY SENT TO

ATTORNEYS FOR DEFENDANT.

Copy for:

Hemingway and Myers
Attorneys at Law
733 Second Street
Webster City, Iowa 50595

ATTORNEYS FOR PLAINTIFFS.

472.18 and 472.19, 1971 Code of Iowa, from the award of the Condemnation Commission in the amount of Forty Three Thousand Dollars (\$43,000.00) found and made on the 18th day of May, 1972, which amount was for the appraisal of and award of damages sustained as a result of the condemnation and taking by the right of eminent domain of the property of said plaintiffs, which property and condemnation are more fully described in Exhibit "A" attached hereto.

Said appeal is taken to the District Court of Iowa in and for Hamilton County, Iowa, and shall come on for trial in the Court House at Webster City, Iowa in its regular order of assignment.

The petition of plaintiffs will be filed in the office of the County Clerk of the District Court in and for Hamilton County, Iowa, within twenty (20) days after perfection of this appeal, as provided for and in accordance with the provisions of Section 472.22, 1971 Code of Iowa.

ROLLAND E. GREFE, TRUSTEE OF THE
MARY A. CLOSZ TRUST, and SAMUEL K.
MACALLISTER, INDIVIDUALLY A BENEFICIARY and EXECUTOR UNDER THE WILL OF MARIANNE J. MACALLISTER, BENEFICIARY
GERALD D. JEFFERS, BENEFICIARY, and
CHARLES MURRAY CLOSZ, BENEFICIARY, and
HAROLD F. CLOSZ, JR., BENEFICIARY and
WILLIAM H. CLOSZ, BENEFICIARY, and
ELIZABETH IRENE WEST, BENEFICIARY,
ALL OF THE MARY A. CLOSZ TRUST,

Plaintiffs,

GREFE & SIDNEY

By Claude H. Freeman
Claude H. Freeman

900 Hubbell Building
Des Moines, Iowa 50309
Telephone: 282-9161

ATTORNEYS FOR PLAINTIFF

ACCEPTANCE OF SERVICE BY SHERIFF

Service of the within and foregoing notice of appeal is hereby accepted and receipt of copy acknowledged at Webster City, Iowa, this 15th day of June, 1972.

E R Lear

E. R. Lear
Sheriff of Hamilton County, Iowa

BOOK 23 PAGE 781

1972 JUN 15 11:00 AM

- 3 -

RECEIVED BY SHERIFF OF HAMILTON COUNTY IOWA

RECEIVED BY SHERIFF OF HAMILTON COUNTY IOWA

RECEIVED BY SHERIFF OF HAMILTON COUNTY IOWA

State of Iowa) -
Hamilton County) ss
) =

The within notice received this 15th day OF June 1972 and I certify that on the 15th day of June 1972 I served the same on the City of Webster City, a Municipality, by delivering a true copy thereof to Gerald Kent, the City Clerk of Webster City, Iowa in Boone Township, Hamilton County, State of Iowa.

State of Iowa)
Hamilton County) ss

The within notice received this 15th day of June 1972 and I certify that on the 15th day of June 1972 I served the same on Hamilton County, a Municipality, by delivering a true copy thereof to Mary Kesler, the County Auditor for said Hamilton County, in Boone Township, Hamilton County, State of Iowa.

FEEES	
Service	1.25
Mileage	1.00
Total	\$ 2.25

PAID BY
PLAINTIFFS ATTORNEY

E. P. Lear

Sheriff of Hamilton County, Iowa

E. P. Lear

Sheriff of Hamilton County, Iowa

BOOK 88 PAGE 421

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

Primary Road No. U.S. 520 in and east of Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

NOTICE

TO:

Rolland E. Grefe, Trustee of the Mary A. Closz Trust, 900 Hubbell Bldg., Des Moines, Iowa
Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister
c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Gerald D. Jeffers, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Charles Murray Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Harold F. Closz, Jr., c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
William H. Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Elizabeth Irene West, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, parts of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 8, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and parts of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 18, all in T88N, R25W of the 5th P.M., Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the E $\frac{1}{2}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, thence S89°58'E 2840.5 ft. to Sta. 368+00.

Said parcel is described as follows:

Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 344+00, thence to a point 230 ft. normally distant northerly from Sta. 358+00, thence to a point 230 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the east by the westerly right of way line of said railroad; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7, thence to a point 144 ft. normally distant southerly from Sta. 345+00, thence to a point 230 ft. normally distant southerly from Sta. 360+00, thence to a point 230 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the west by the west lines of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Hamilton County Project FN-520-4(10)--21-40
Rolland E. Grefe, Trustee of the Mary A. Closz Trust (Parcel 32)
Continued on next sheet

Sheet 1
of 3

BOOK 88 PAGE 422

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing a shoo-fly, in land described as follows:

Bounded on the southwest by a line beginning at a point 230 ft. normally distant northerly from Sta. 359+90, thence to a point 780 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the northeast by the westerly right of way line of said railroad; on the south by the northerly line of the land sought in fee simple title.

Also, bounded on the southwest by a line beginning at a point 230 ft. normally distant southerly from Sta. 361+75, thence to a point 970 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the northeast by the westerly right of way line of said railroad; on the north by the southerly line of the land sought in fee simple title.

It is further provided that said land shall be restored to its original condition insofar as is possible by machine methods.

3. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
4. The temporary easement rights of the State of Iowa, referred to in Nos. 2 and 3, above, shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1976.
5. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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 commission will on the 18th day of May, 1977, at 10:40 o'clock, a.m. (C.D.T.) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

Dated at _____ this _____ day of _____ 19 _____.

State of Iowa, _____ County, ss: _____

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

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service \$ _____

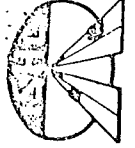
Mileage \$ _____

Total \$ _____

By, _____ Sheriff, _____ County, Iowa

By, _____ Deputy

ROW 15'
5-1-76



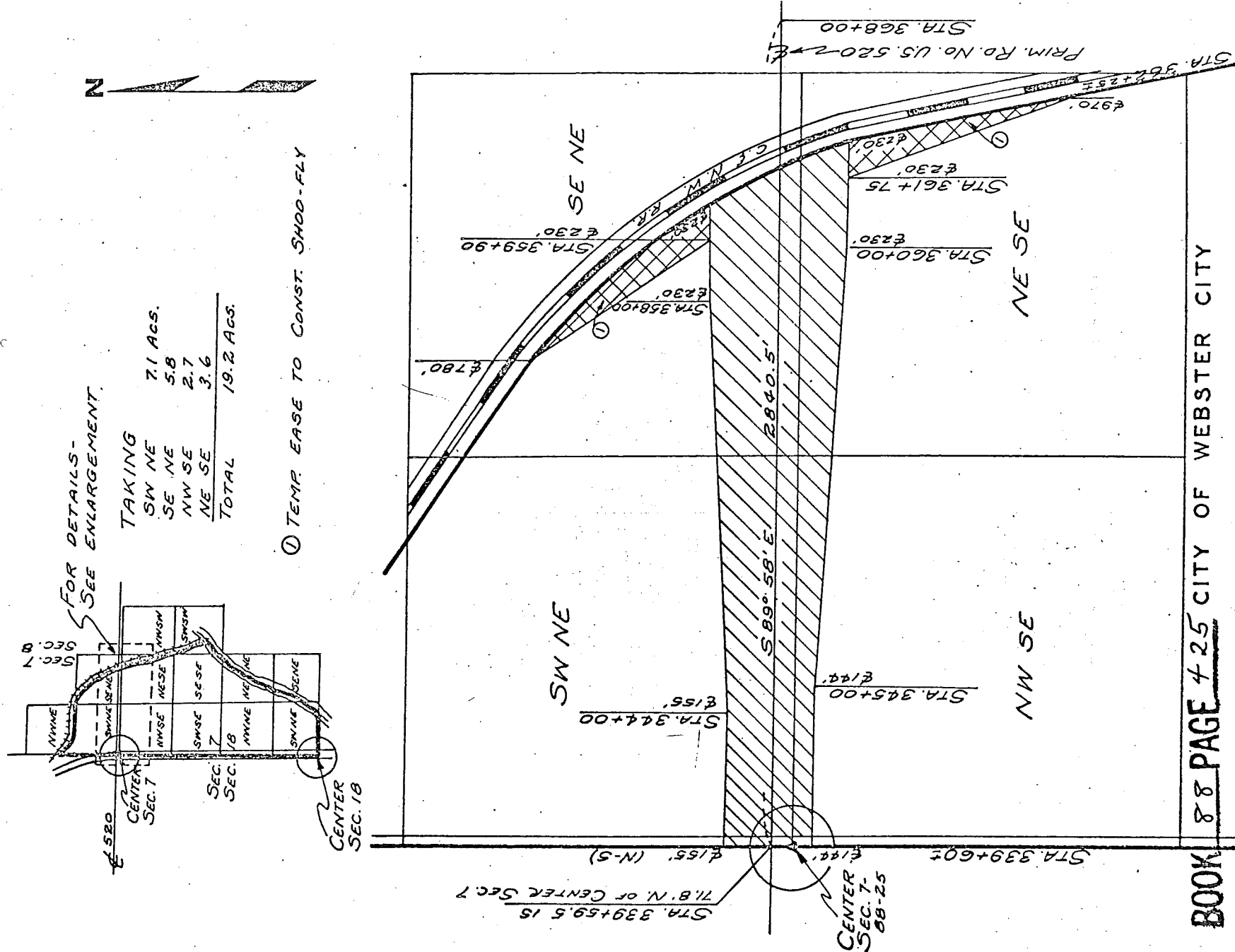
THE IOWA STATE HIGHWAY COMMISSION
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
PROJECT NO. FN-520-4(10) - 21-40 PARCEL NO. 32
SECTION 7B TOWNSHIP 88N RANGE 25W
PERMANENT 19.2 ACRES TEMPORARY _____ ACRES
R/W LIMITS: STA. 339+60± TO STA. 362+25±
A/C LIMITS: STA. 339+60± TO STA. 362+25±
OWNER: ROLLAND E. GREFF, TRUSTEE OF THE MARY A. CLOSZ TRUST

FOR DETAILS - SEE ENLARGEMENT.

TAKING		7.1 ACS.
SW NE	5.8	
SE NE	2.7	
NW SE	3.6	
NE SE		
TOTAL		19.2 ACS.

① TEMP EASE TO CONST. SHOO-FLY



In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

REC'D

Primary Road No. U.S. 520 in and east of Webster City

1972 OFFICE AM 9 06

Located in Hamilton County, Iowa

WILLIAM H. GREGG
SHERIFF HAMILTON COUNTY

Project No. FN-520-4(10)--21-40

Group "B"

FILED
1972 JUN 22 PM
JOHN O. HAMILTON
CLERK DISTRICT
HAMILTON COUNTY

TO:

Rolland E. Grefe, Trustee of the Mary A. Closz Trust, 900 Hubbell Bldg., Des Moines, Iowa
Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister,
c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Gerald D. Jeffers, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Charles Murray Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Harold F. Closz, Jr., c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
William H. Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Elizabeth Irene West, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, parts of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 8, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and parts of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 18, all in T88N, R25W of the 5th P.M., Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the E $\frac{1}{2}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, thence S89°58'E 2840.5 ft. to Sta. 368+00.

Said parcel is described as follows:

Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 344+00, thence to a point 230 ft. normally distant northerly from Sta. 358+00, thence to a point 230 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the east by the westerly right of way line of said railroad; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7, thence to a point 144 ft. normally distant southerly from Sta. 345+00, thence to a point 230 ft. normally distant southerly from Sta. 360+00, thence to a point 230 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the west by the west lines of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Hamilton County Project FN-520-4(10)--21-40
Rolland E. Grefe, Trustee of the Mary A. Closz Trust (Parcel 32)
Continued on next sheet

Sheet 1
of 3

BOOK 88 PAGE 426

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing a shoo-fly, in land described as follows:

Bounded on the southwest by a line beginning at a point 230 ft. normally distant northerly from Sta. 359+90, thence to a point 780 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the northeast by the westerly right of way line of said railroad; on the south by the northerly line of the land sought in fee simple title.

Also, bounded on the southwest by a line beginning at a point 230 ft. normally distant southerly from Sta. 361+75, thence to a point 970 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the northeast by the westerly right of way line of said railroad; on the north by the southerly line of the land sought in fee simple title.

It is further provided that said land shall be restored to its original condition insofar as is possible by machine methods.
3. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
4. The temporary easement rights of the State of Iowa, referred to in Nos. 2 and 3, above, shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1976.
5. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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.

May You are further notified that said commission will on the *18* day of *May*, 19 *22*, at *10:40* o'clock, *a.m.* (*o.d.t.*) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY *Asher E. Schroeder*

ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

19 _____ Dated at _____ this _____ day of _____

State of Iowa, _____ County, ss: _____

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

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service \$ _____

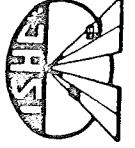
Mileage \$ _____

Total \$ _____

Sheriff, _____ County, Iowa

By, _____ Deputy

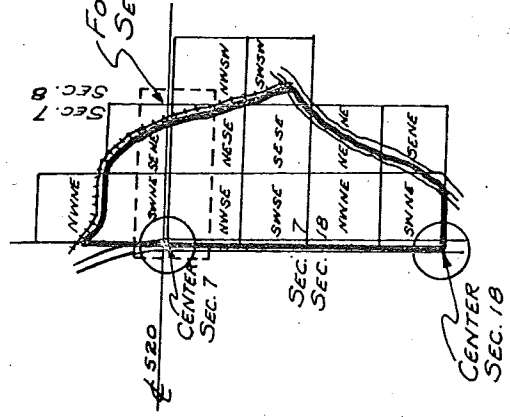
5-11-70



THE IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT EXHIBIT "A"

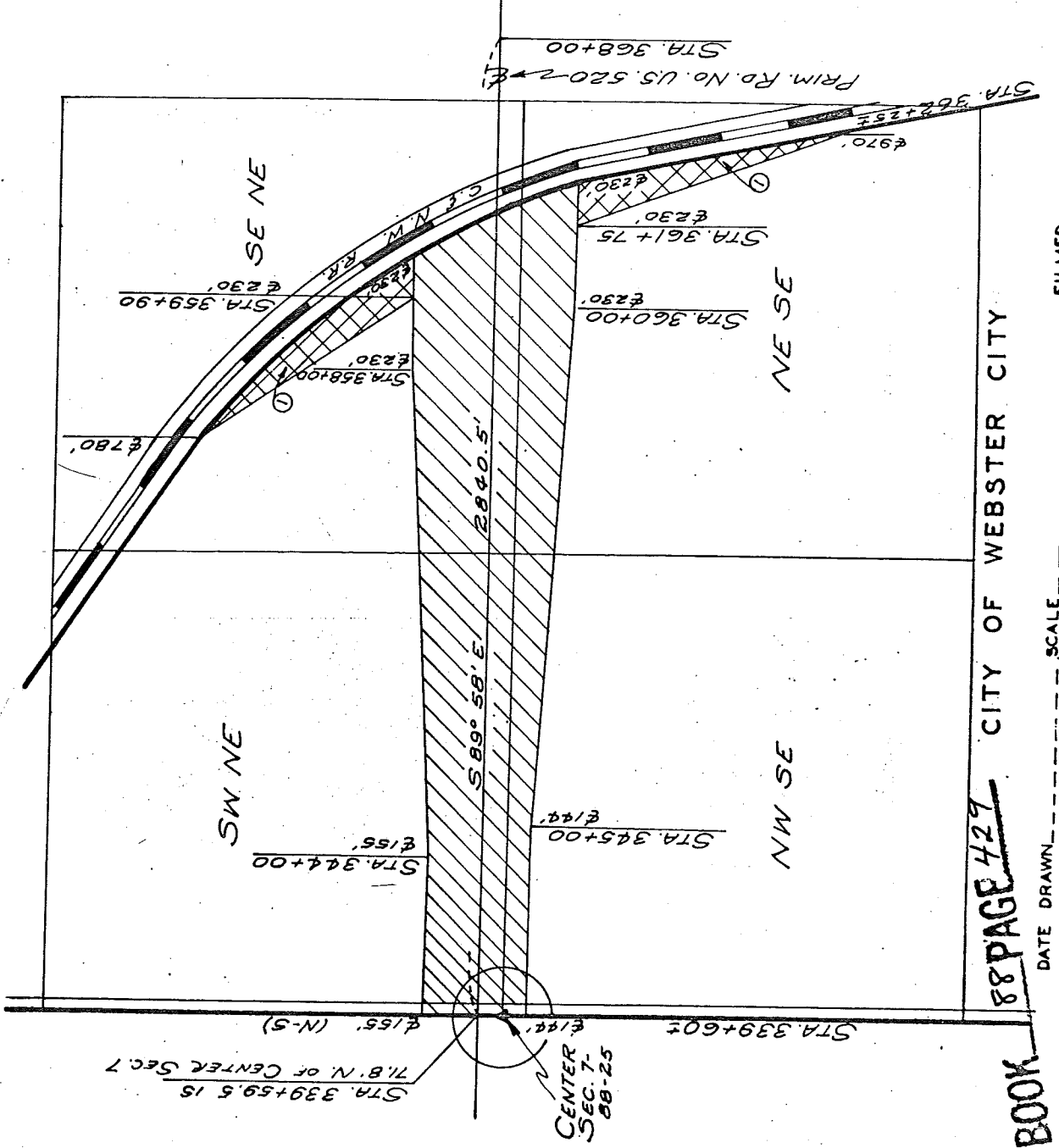
COUNTY HAMILTON STATE CONTROL NO. 15
 PROJECT NO. FN-520-4(10) - 21-40 PARCEL NO. 32
 SECTION 7, 8 TOWNSHIP 88 N RANGE 25 W
 PERMANENT 19.2 ACRES TEMPORARY ACRES
 R/W LIMITS: STA. 339+60± TO STA. 362+25±
 A/C LIMITS: STA. 339+60± TO STA. 362+25±
 OWNER: ROLLAND E. GREFF, TRUSTEE OF THE MARY A. CLOSZ TRUST



TAKING

SW NE	7.1 ACS.
SE NE	5.8
NW SE	2.7
NE SE	3.6
TOTAL	19.2 ACS.

① TEMP EASE TO CONST. SHOO-FLY



BOOK 88 PAGE 429

DATE DRAWN _____ SCALE _____

CITY OF WEBSTER CITY

FILMED

STATE OF IOWA

Polk County } SS

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 29 day of April 1972, and that on the 24 day of April 1972

I served the same on the within named defendant Northwestern Bell Telephone Co in Des Moines (Name City, Town or Twp.), Polk County, Iowa, by delivering a true copy thereof, with

copy of petition-attached, to William F. Metzger (Name of defendant)

Registered Agent of said Northwestern Bell Telephone Company (Give title of person served)

Mileage \$ 20
County \$ 75
Total \$ 95 pd. 5-24-72 By Fraydon DeBoe Deputy.

WILBUR T. HILDRETH
Sheriff of Polk County, Iowa.

Located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

TO:

21247

Rolland E. Grefe, Trustee of the Mary A. Closz Trust, 900 Hubbell Bldg., Des Moines, Iowa
Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister
c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Gerald D. Jeffers, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Charles Murray Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Harold F. Closz, Jr., c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
William H. Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Elizabeth Irene West, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, parts of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 8, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and parts of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 18, all in T88N, R25W of the 5th P.M., Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the E $\frac{1}{2}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, thence S89°58'E 2840.5 ft. to Sta. 368+00.

Said parcel is described as follows:

Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 344+00, thence to a point 230 ft. normally distant northerly from Sta. 358+00, thence to a point 230 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the east by the westerly right of way line of said railroad; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7, thence to a point 144 ft. normally distant southerly from Sta. 345+00, thence to a point 230 ft. normally distant southerly from Sta. 360+00, thence to a point 230 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the west by the west lines of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Hamilton County Project FN-520-4(10)--21-40
Rolland E. Grefe, Trustee of the Mary A. Closz Trust (Parcel 32)
Continued on next sheet

Sheet 1
of 3

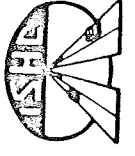
1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing a shoo-fly, in land described as follows:

Bounded on the southwest by a line beginning at a point 230 ft. normally distant northerly from Sta. 359+90, thence to a point 780 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the northeast by the westerly right of way line of said railroad; on the south by the northerly line of the land sought in fee simple title.

Also, bounded on the southwest by a line beginning at a point 230 ft. normally distant southerly from Sta. 361+75, thence to a point 970 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the northeast by the westerly right of way line of said railroad; on the north by the southerly line of the land sought in fee simple title.

It is further provided that said land shall be restored to its original condition insofar as is possible by machine methods.
3. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
4. The temporary easement rights of the State of Iowa, referred to in Nos. 2 and 3, above, shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1976.
5. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

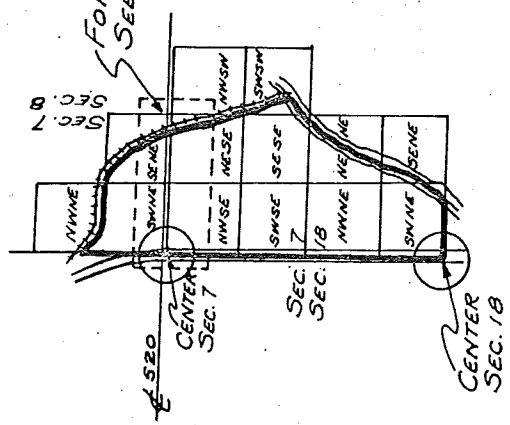
5-1-70



THE IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
 PROJECT NO. FN-520-4(10) -- 21-40 PARCEL NO. 32
 SECTION 7, 8 TOWNSHIP 88 N RANGE 25 W
 PERMANENT 19.2 ACRES TEMPORARY ACRES
 R/W LIMITS: STA. 339+60± TO STA. 362+25±
 A/C LIMITS: STA. 339+60± TO STA. 362+25±
 OWNER: ROLLAND E. GREFF, TRUSTEE OF THE MARY A. CLOSZ TRUST

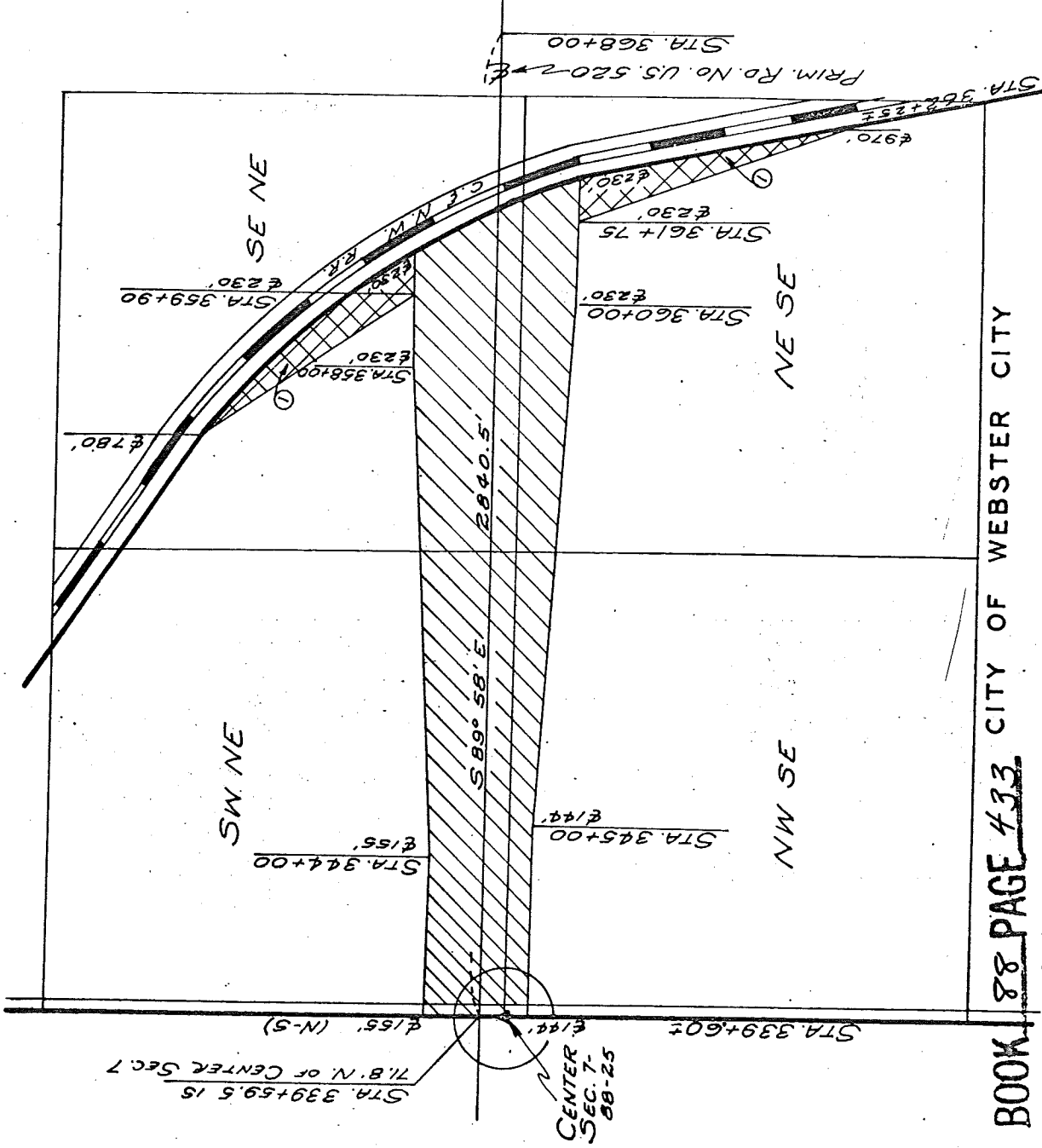


FOR DETAILS -
SEE ENLARGEMENT

TAKING

SW NE	7.1 Acs.
SE NE	5.8
NW SE	2.7
NE SE	3.6
TOTAL	19.2 Acs.

① TEMP. EASE TO CONST. SHOO-FLY



FILED
MAY 22 PM 2:06
CLERK OF DISTRICT COURT
JUDICIAL DISTRICT NO. 1
DES MOINES, IOWA

21247

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U.S. 520 in and east of Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

TO:

Rolland E. Grefe, Trustee of the Mary A. Closz Trust, 900 Hubbell Bldg., Des Moines, Iowa
Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Gerald D. Jeffers, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Charles Murray Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Harold F. Closz, Jr., c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
William H. Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Elizabeth Irene West, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, parts of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 8, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and parts of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 18, all in T88N, R25W of the 5th P.M., Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the E $\frac{1}{2}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, thence S89°58'E 2840.5 ft. to Sta. 368+00.

Said parcel is described as follows:

Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 344+00, thence to a point 230 ft. normally distant northerly from Sta. 358+00, thence to a point 230 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the east by the westerly right of way line of said railroad; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7, thence to a point 144 ft. normally distant southerly from Sta. 345+00, thence to a point 230 ft. normally distant southerly from Sta. 360+00, thence to a point 230 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the west by the west lines of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Hamilton County Project FN-520-4(10)--21-40

Rolland E. Grefe, Trustee of the Mary A. Closz Trust (Parcel 32)

Continued on next sheet

Sheet 1
of 3

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing a shoo-fly, in land described as follows:

Bounded on the southwest by a line beginning at a point 230 ft. normally distant northerly from Sta. 359+90, thence to a point 780 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the northeast by the westerly right of way line of said railroad; on the south by the northerly line of the land sought in fee simple title.

Also, bounded on the southwest by a line beginning at a point 230 ft. normally distant southerly from Sta. 361+75, thence to a point 970 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the northeast by the westerly right of way line of said railroad; on the north by the southerly line of the land sought in fee simple title.

It is further provided that said land shall be restored to its original condition insofar as is possible by machine methods.
3. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
4. The temporary easement rights of the State of Iowa, referred to in Nos. 2 and 3, above, shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1976.
5. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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.

May You are further notified that said commission will on the 18 day of May, 1972, at 10:40 o'clock, a.m. (CdE) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY *Asher E. Schroeder*
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

19____. Dated at _____ this _____ day of _____

State of Iowa, _____ County, ss: _____

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

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service \$ _____

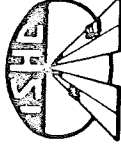
Mileage \$ _____

Total \$ _____

Sheriff, _____ County, Iowa

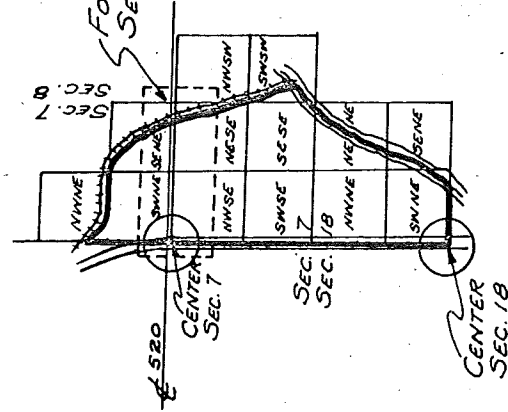
By, _____ Deputy

5-1-76



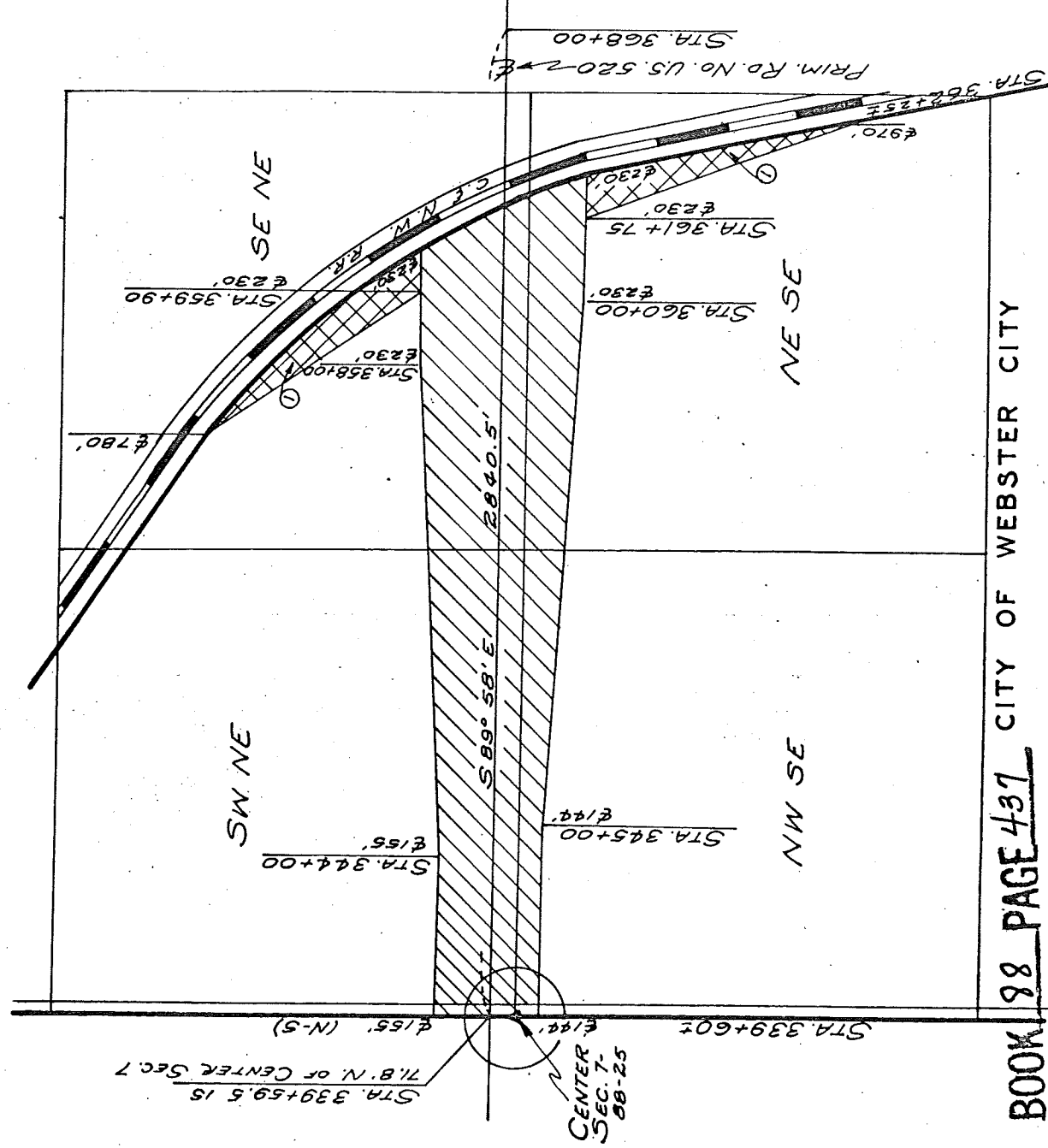
THE IOWA STATE HIGHWAY COMMISSION
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
PROJECT NO. FN-520-4(10)-21-40 PARCEL NO. 32
SECTION 7B TOWNSHIP 88N RANGE 25W
PERMANENT 19.2 ACRES TEMPORARY ACRES
R/W LIMITS: STA. 339+60± TO STA. 362+25±
A/C LIMITS: STA. 339+60± TO STA. 362+25±
OWNER: ROLLAND E. GREFF, TRUSTEE OF THE MARY A. CLOSZ TRUST



TAKING		7.1 ACS.
SW NE	5.8	
SE NE	2.7	
NW SE	3.6	
NE SE	19.2	ACS.
TOTAL		19.2 ACS.

① TEMP EASE TO CONST. SHOO-FLY



In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

Primary Road No. U.S. 520 in and east of Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

FILED
1972 JUN 22 PM NOTICE

JUDICIAL DISTRICT CLERK
HAMILTON COUNTY, IOWA

21247

TO:

Rolland E. Grefe, Trustee of the Mary A. Closz Trust, 900 Hubbell Bldg., Des Moines, Iowa
Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister
c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Gerald D. Jeffers, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Charles Murray Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Harold F. Closz, Jr., c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
William H. Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Elizabeth Irene West, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, parts of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 8, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and parts of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 18, all in T88N, R25W of the 5th P.M., Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the E $\frac{1}{2}$ of Sec. 7, T88N, R25W of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, thence S89°58'E 2840.5 ft. to Sta. 368+00.

Said parcel is described as follows:

Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 344+00, thence to a point 230 ft. normally distant northerly from Sta. 358+00, thence to a point 230 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the east by the westerly right of way line of said railroad; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7, thence to a point 144 ft. normally distant southerly from Sta. 345+00, thence to a point 230 ft. normally distant southerly from Sta. 360+00, thence to a point 230 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the west by the west lines of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Hamilton County Project FN-520-4(10)--21-40
Rolland E. Grefe, Trustee of the Mary A. Closz Trust (Parcel 32)
Continued on next sheet

Sheet 1
of 3

BOOK 88 PAGE 438

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing a shoo-fly, in land described as follows:

Bounded on the southwest by a line beginning at a point 230 ft. normally distant northerly from Sta. 359+90, thence to a point 780 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the northeast by the westerly right of way line of said railroad; on the south by the northerly line of the land sought in fee simple title.

Also, bounded on the southwest by a line beginning at a point 230 ft. normally distant southerly from Sta. 361+75, thence to a point 970 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the northeast by the westerly right of way line of said railroad; on the north by the southerly line of the land sought in fee simple title.

It is further provided that said land shall be restored to its original condition insofar as is possible by machine methods.

3. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
4. The temporary easement rights of the State of Iowa, referred to in Nos. 2 and 3, above, shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1976.
5. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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.

May You are further notified that said commission will on the *18* day of *May*, 19*72*, at *10:40* o'clock, a.m. (*edt*) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY *Asher E. Schroeder*
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

19____ Dated at _____ this _____ day of _____

State of Iowa, *Hamilton* County, ss:

Received the within notice the *24* day of *April*, 19*72*, and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State
<i>Donald B. Williams</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wells City</i>	<i>Hamilton</i>	<i>Iowa</i>
<i>Le Grand (Mary Kelle)</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wells City</i>	<i>Hamilton</i>	<i>Iowa</i>
<i>Wells City 5 West</i>	<i>April</i>	<i>24</i>	<i>1972</i>	<i>Wells City</i>	<i>Hamilton</i>	<i>Iowa</i>

Fees:

Service \$ *1.75*
Mileage \$ *2.00*
Total \$ *3.75*

Sheriff, *Richard* County, Iowa
By, *R. G. Famborn* Deputy

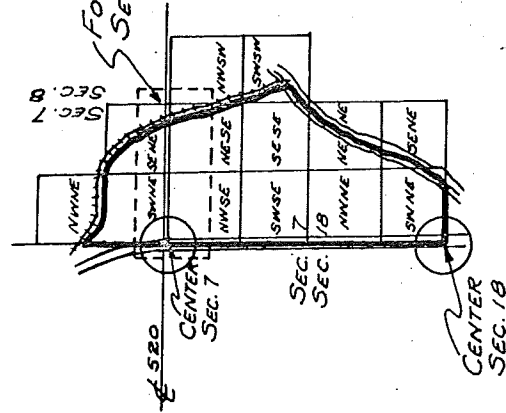
5-1-70



THE IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
 PROJECT NO. FN-520-4(10) - 21-40 PARCEL NO. 32
 SECTION 7, 8 TOWNSHIP 88 N RANGE 25 W
 PERMANENT 19.2 ACRES TEMPORARY _____ ACRES
 R/W LIMITS: STA. 339+60± TO STA. 362+25±
 A/C LIMITS: STA. 339+60± TO STA. 362+25±
 OWNER: ROLLAND E. GREFF, TRUSTEE OF THE MARY A. CLOSZ TRUST

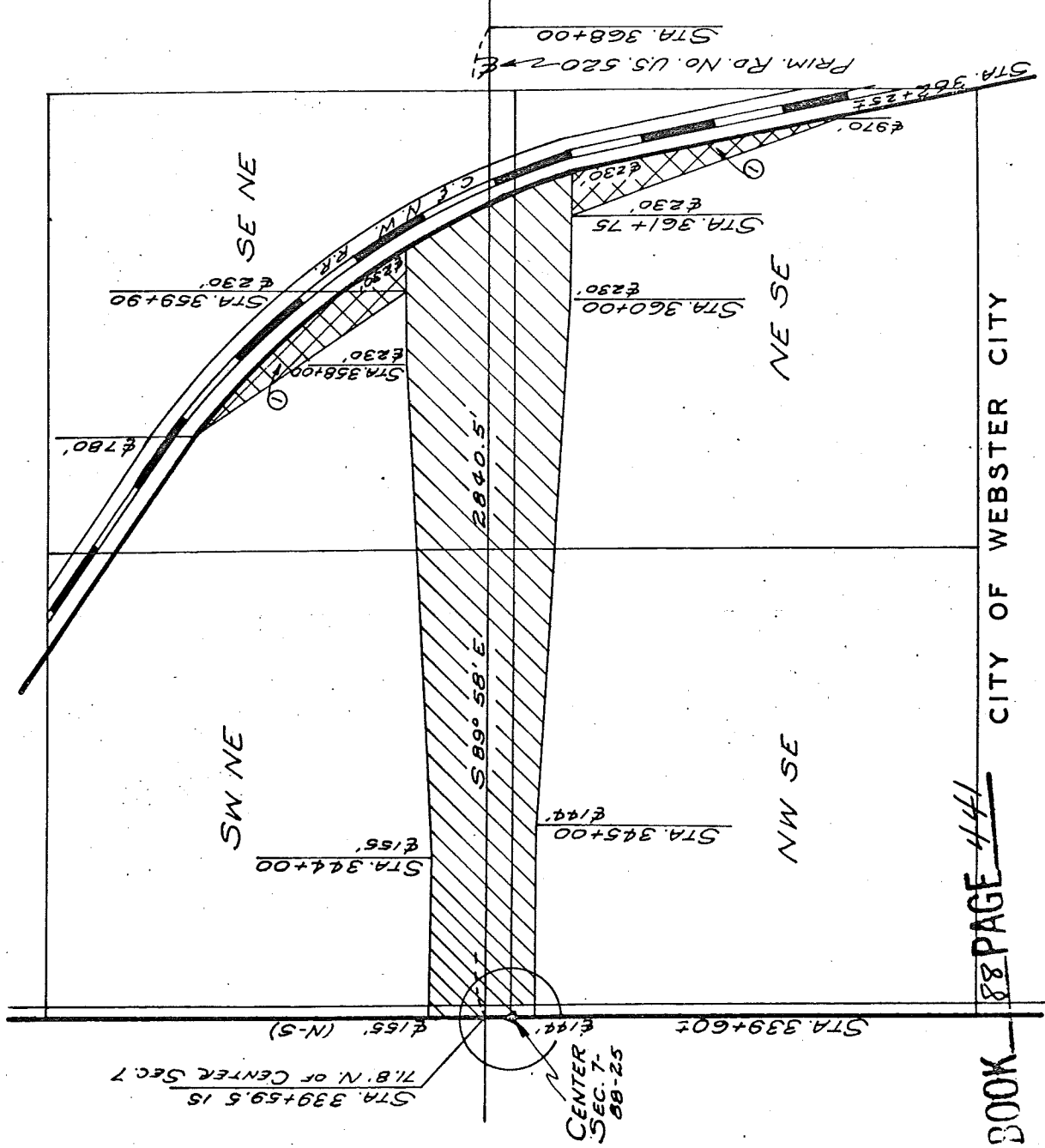


FOR DETAILS -
SEE ENLARGEMENT

TAKING

SW NE	7.1 Acs.
SE NE	5.8
NW SE	2.7
NE SE	3.6
TOTAL	19.2 Acs.

① TEMP. EASE TO CONST. SHOO-FLY



BOOK 88 PAGE 44

CITY OF WEBSTER CITY

DATE DRAWN _____ SCALE _____ FILMED _____

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U. S. 520 in and east of Webster City

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group _____
"B"


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

I, the undersigned, Sheriff of Hamilton County,

Iowa, hereby endorse and certify to the Report of Compensation Commission; appearing upon the

opposite side hereof that I have mailed by ordinary mail on this 18th day of May,

19 72, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.


SHERIFF OF Hamilton COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U. S. 520 in and east of **FILED**
 Webster City
 located in Hamilton County, Iowa
 Project No. HW-520-4(10)--21-40
 Group "B"

REPORT OF
 COMPENSATION
 COMMISSION

1972 JUN 22 PM 2:32
 County, Iowa
 CLERK DISTRICT COURT
 HAMILTON COUNTY, IOWA

21247

TO: E. R. Lear, Sheriff of Hamilton County, Iowa

We, the undersigned, being the 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 Application 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:

	Land & Improvements	Consequential Damages	Total Award	Condemnees Atty. Fees and Costs
Parcel 31 - Robert L. Huddle-	\$	\$	\$	\$
ston, individually and as atty.				
in fact for Cora Weir, Noble	\$	\$	\$	\$
Weir, Eleanor May Bradshaw,				
Donald Bradshaw, Richard A.	\$	\$	\$	\$
Huddleston; Mary Huddleston;				
Lillian Huddleston; Northwestern	\$	\$	\$	\$
Bell Telephone Company; Webster				
City, Iowa; Hamilton County,	\$	\$	\$	\$
Iowa				
Parcel 32 - Rolland E. Grefe,	\$	\$	\$	\$
Trustee of the Mary A. Closz				
Trust; Samuel K. McAllister;	\$	\$	\$	\$
Gerald D. Jeffers; Charles Murray				
Closz; Harold F. Closz, Jr.;	\$	\$	\$	\$
William H. Closz; Elizabeth				
Irene West; Northwestern Bell	\$	\$	\$	\$
Tele. Co.; Webster City, Iowa;				
Hamilton County, Iowa.	\$	\$	\$	\$
Parcel-34 - Joe-W. Hammer;				
Shirley Hammer; Mary Hammer;	\$	\$	\$	\$
Nancy Griffette; Webster City,				
Iowa; Hamilton County, Iowa.	\$	\$	\$	\$
			\$ 26,000.00	
			\$ 43,000.00	

Respectfully reported at Webster City, Iowa, this 18th day of May, 1972
Samuel K. McAllister
Harold F. Closz, Jr.
Edward C. Scribner
Shirley Hammer
Mary Hammer
Nancy Griffette
Joe W. Hammer

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 Webster City, Iowa, this 18th day of May, 1972
E. R. Lear
 Sheriff, Hamilton County, Iowa

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U. S. 520 in and east of

Webster City

located in Hamilton County, Iowa

21247

Project No. HW-520-4(10)--21-40

Group "B"

Parcel No. 32

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
PARCEL 32 - Rolland E. Grefe, Trustee of the Mary A. Closz Trust; Samuel K. McAllister; Gerald D. Jeffers; Charles Murray Closz; Harold F. Closz, Jr.; William H. Closz; Elizabeth Irene West; Northwestern Bell Tele. Co.; Webster City, Iowa; Hamilton County, Iowa.	\$	\$	\$ 43,000.00	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

You and each of you are hereby notified that 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 Section 472.18 of the Code of Iowa, as amended by House File 215, Acts of the 64th General Assembly, you may within thirty (30) days from the date of mailing of this Notice, appeal to the district court as by law provided.

Date: 18th Day of May, 1972

E. R. LEAR
Sheriff of Hamilton County, Iowa

BOOK 88 PAGE 444

E. Raymond Lear SHERIFF OF Hamilton COUNTY, IOWA

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. US 520

21247

located in Hamilton County, Iowa

Project No. FA-520-4(10)-21-40

Group B

On this the 18th day of May, 1972, comes the Iowa
State Highway Commission and states, as by law provided, that the most recent offers made to the
owners, lienholders, encumbrancers and other persons interested in the appropriation of certain
specified rights in certain land as described by the Applicant in the Application filed in the above
matter are as follows:

(Names as on Notice)

\$ 39,250⁰⁰

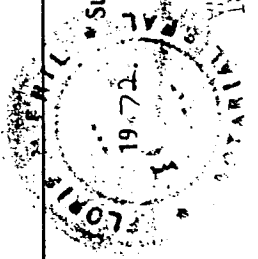
Parcel No. 32

Rolland E. Grefe, Trustee of Mary A. Closz Trust et al

IOWA STATE HIGHWAY COMMISSION

BY: Gordon A. Sweitzer
Gordon A. Sweitzer
Right of Way Director by Robert H. North
condemnation agent

Subscribed and sworn to before me this 18th day of May



Edward M. Esth
Notary Public in and for Hamilton County, Iowa

1972 JUN 22 PM 2:35

Filed in my office at Westerly, Iowa, this 18th day of May, 1972.

E. P. Bear

Sheriff of Hamilton County, Iowa

7

Regal

IOWA STATE-HIGHWAY COMMISSION

AMES, IOWA 50010

VOUCHER NO. _____

GENERAL EXTERNAL VOUCHER

DATE MAY 22, 1972

COST CENTER CODE 6110

COST CENTER NAME Primary Road Fund - Regular

DRAW WARRANTS AS SHOWN BELOW

1972 JUN 22 PM 2:37

Hamilton County Sheriff
Court House
Webster City, Iowa

JOHN D. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

Rec'd _____

Coding OK _____

Reimb. OK _____

Typed _____

Doc. Exam OK _____

Director's OK _____

To Acctg. _____

Payment Date _____

ITEM NUMBER	SYSTEM NUMBER	COUNTY NUMBER	CONTROL SECTION (OR BLDG. NO.)	PAREN (OR UNIT)	DESIGN, BRIDGE PLATE & PARCEL	OBJECT CODE	FUNCTION CODE	RURAL - 1	PART 1 NON-PART 2 SUSPENSE	AMOUNT
1.	21	40	5204	010	00-031	873	461	1	2	26,000.00
2.	21	40	5204	010	00-032	873	461	1	2	43,000.00
TOTAL										69,000.00

348

DESCRIPTION OF ABOVE ITEMS:

Payment being made in accord with Condemnation Award in payment for damages as awarded in condemnation hearing held on May 18, 1972, in connection with our Project No. FN 520-4(10)--21-40, Group B

Item No.

1. Robert L. Huddleston, individually and as atty. in fact for Cora Weir, Noble Weir, Eleanor May Bradshaw, Donald Bradshaw, Richard A. Huddleston; Mary Huddleston; Lillian Huddleston; Northwestern Bell Telephone Company; Webster City, City Treasurer; Hamilton County, Treasurer.....\$26,000.00
2. Rolland E. Grefe, Trustee of the Mary A. Closz Trust; Samuel K. McAllister; Gerald D. Jeffers; Charles Murray Closz; Harold F. Closz, Jr; William H. Closz; Elizabeth Irene West; Northwestern Bell Telephone Company; Webster City, City Treasurer; Hamilton County, Treasurer.....\$43,000.00

*ONLY USE ITEM NO. WHEN SEPARATE WARRANTS ARE REQUIRED.

MAY 25 1972

APPROVALS

DATE _____

DATE _____

ACCOUNTING DEPT. _____

RESIDENT ENGR.

DIST. ENGR. OR DEPT. HEAD

AUDITED

STATE COMP.

CLAIMANT'S CERTIFICATION

I certify that the above bill is correct and just and that payment has not been received.

Signed _____

(Sign in Ink)

DATE _____

BOOK 88 PAGE 446

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the Use
and Benefit of the State of Iowa In
the Improvement of

AMENDMENT TO
APPLICATION TO
THE CHIEF JUDGE
FOR THE APPOINTMENT
OF A COMMISSION TO
APPRAISE DAMAGES

P.D.

Primary Road No. U.S. 520 in and east of

Webster City

1972 JUN 22 PM 2:30

located in Hamilton County, Iowa
JOHN B. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

Project No. FN-520-4(10)--21-40

Group "B"

71 247

Comes now the Iowa State Highway Commission and amends

the Application filed in the above-entitled proceedings as follows:

By striking the name and address of Marianne J. MacAllister
from the list of condemnees on the Notice attached thereto pertaining
to Parcel 23, by reason of her death and substituting in lieu thereof
her husband:

Samuel K. MacAllister, individually and as
Executor under the Will of Marianne J. Mac-
Allister, c/o Rolland E. Grefe, 900 Hubbell
Building, Des Moines, Iowa.

The applicant, Iowa State Highway Commission, further
states that said Notice, as amended, not having been served on any
condemnees, the attached "Notice" as amended, will be substituted
for said Notice for service as amended.

Dated at Ames, Iowa this 20th day of April, 1972.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

ASHER E. SCHROEDER

Asher E. Schroeder
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission
Ames, Iowa 50010

Filed in my office at Webster City, this 25th
day of April, 1972.

E. A. Pear
SHERIFF OF HAMILTON COUNTY, IOWA.

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa, the Improvement of

1977 JUN 22 PM 2:31

COURT HOUSE
JUDICIAL DISTRICT OF IOWA
HAMILTON COUNTY

AMENDMENT TO APPLICATION TO THE CHIEF JUDGE FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES

71247

Primary Road No. U.S. 520 in and Webster City located in Hamilton County, Iowa Project No. FN-520-4(10)--21-40 Group "B"

Comes now the Iowa State Highway Commission and amends the Application filed in the above-entitled proceedings as follows:

By striking the name and address of Marianné J. MacAllister from the list of condemnees on the Notice attached thereto pertaining to Parcel 32 by reason of her death and substituting in lieu thereof her husband:

Samuel K. MacAllister, individually and as Executor under the Will of Marianne J. MacAllister, c/o Rolland E. Grefe, 900 Hubbell Building, Des Moines, Iowa.

The applicant, Iowa State Highway Commission, further states that said Notice, as amended, not having been served on any condemnees, the attached "Notice" as amended, will be substituted for said Notice for service as amended.

Dated at Ames, Iowa this 20th day of April, 1972.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

ASHER E. SCHROEDER

Asher E. Schroeder
Special Assistant Attorney General and Counsel to the Iowa State Highway Commission
Ames, Iowa 50010

day of April, 1972. Filed in my office at Webster City, this 23rd

E. P. Lear
SHERIFF OF HAMILTON COUNTY, IOWA.

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

Primary Road No. U.S. 520 in and east of Webster City

NOTICE

located in Hamilton County, Iowa

Project No. FN-520-4(10)--21-40

Group "B"

TO:

Rolland E. Grefe, Trustee of the Mary A. Closz Trust, 900 Hubbell Bldg., Des Moines, Iowa
Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister,
c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Gerald D. Jeffers, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Charles Murray Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Harold F. Closz, Jr., c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
William H. Closz, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Elizabeth Irone West, c/o Rolland E. Grefe, 900 Hubbell Bldg., Des Moines, Iowa
Northwestern Bell Telephone Co., c/o Wm. F. McFarlin, 909 High St., Des Moines, Iowa
Webster City, Iowa, c/o City Clerk, Webster City, Iowa
Hamilton County, Iowa, c/o County Auditor, Webster City, Iowa

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

The SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and parts of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec. 7, parts of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ in Sec. 8, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and parts of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ in Sec. 18, all in T88N, R25W of the 5th P.M., Hamilton County, Iowa.

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

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the E $\frac{1}{2}$ of Sec. 7, T88N, R25W, of the 5th P.M., unplatted in the City of Webster City, Hamilton County, Iowa, lying on both sides of part of the following described centerline of Primary Road No. U.S. 520, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from west to east is described as follows: Beginning at Sta. 339+59.5, a point 71.8 ft. North of the Center of said Sec. 7, thence S89°58'E 2840.5 ft. to Sta. 368+00.

Said parcel is described as follows:

Bounded on the north by a line beginning at a point 155 ft. normally distant northerly from centerline on the west line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 7, thence to a point 155 ft. normally distant northerly from Sta. 344+00, thence to a point 230 ft. normally distant northerly from Sta. 358+00, thence to a point 230 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North western Railroad; on the east by the westerly right of way line of said railroad; on the south by a line beginning at a point 144 ft. normally distant southerly from centerline on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec. 7, thence to a point 144 ft. normally distant southerly from Sta. 345+00, thence to a point 230 ft. normally distant southerly from Sta. 360+00, thence to a point 230 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the west by the west lines of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and said NW $\frac{1}{4}$ SE $\frac{1}{4}$.

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

Hamilton County Project FN-520-4(10)--21-40
Rolland E. Grefe, Trustee of the Mary A. Closz Trust (Parcel 32)
Continued on next sheet

Sheet 1
of 3

BOOK 88 PAGE 449

1. No rights of direct access to and from Primary Road No. U.S. 520 are to inure to that portion of the condemnees' remaining property abutting thereon.
2. The State of Iowa shall have a temporary easement right, for the specific purpose of constructing a shoo-fly, in land described as follows:

Bounded on the southwest by a line beginning at a point 230 ft. normally distant northerly from Sta. 359+90, thence to a point 780 ft. normally distant northerly from centerline on the westerly right of way line of the Chicago & North Western Railroad; on the northeast by the westerly right of way line of said railroad; on the south by the northerly line of the land sought in fee simple title.

Also, bounded on the southwest by a line beginning at a point 230 ft. normally distant southerly from Sta. 361+75, thence to a point 970 ft. normally distant southerly from centerline on the westerly right of way line of said railroad; on the northeast by the westerly right of way line of said railroad; on the north by the southerly line of the land sought in fee simple title.

It is further provided that said land shall be restored to its original condition insofar as is possible by machine methods.

3. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, in any estate, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
4. The temporary easement rights of the State of Iowa, referred to in Nos. 2 and 3, above, shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than December 31, 1976.
5. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the 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 commission will on the 18th day of May, 1972, at 10:40 o'clock, a.m. (C.D.T.) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

Dated at _____ this _____ day of _____

State of Iowa, _____ County, ss: _____

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

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

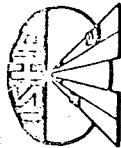
Service \$ _____

Mileage \$ _____

Total \$ _____

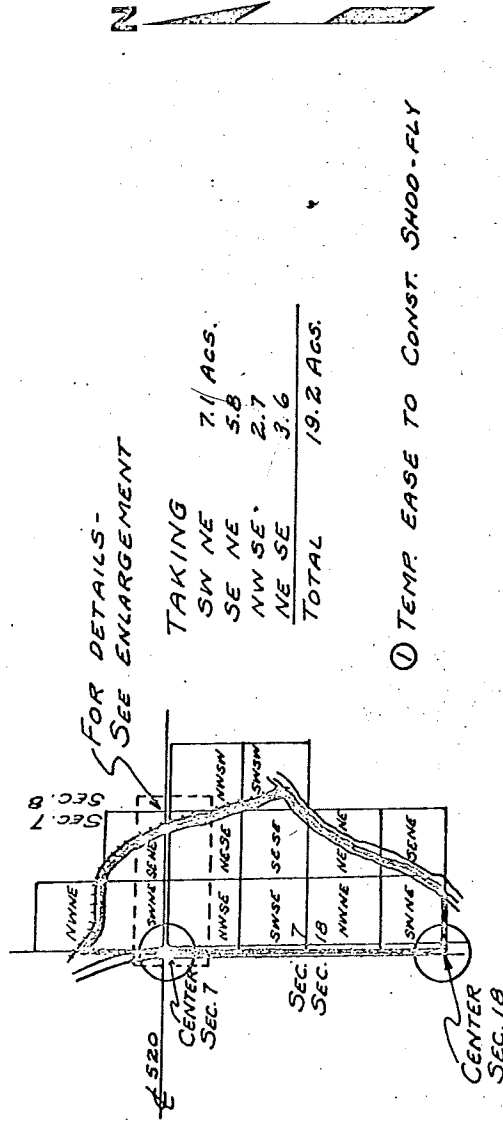
By, _____ Sheriff, _____ County, Iowa

ROW 137
5-1-76

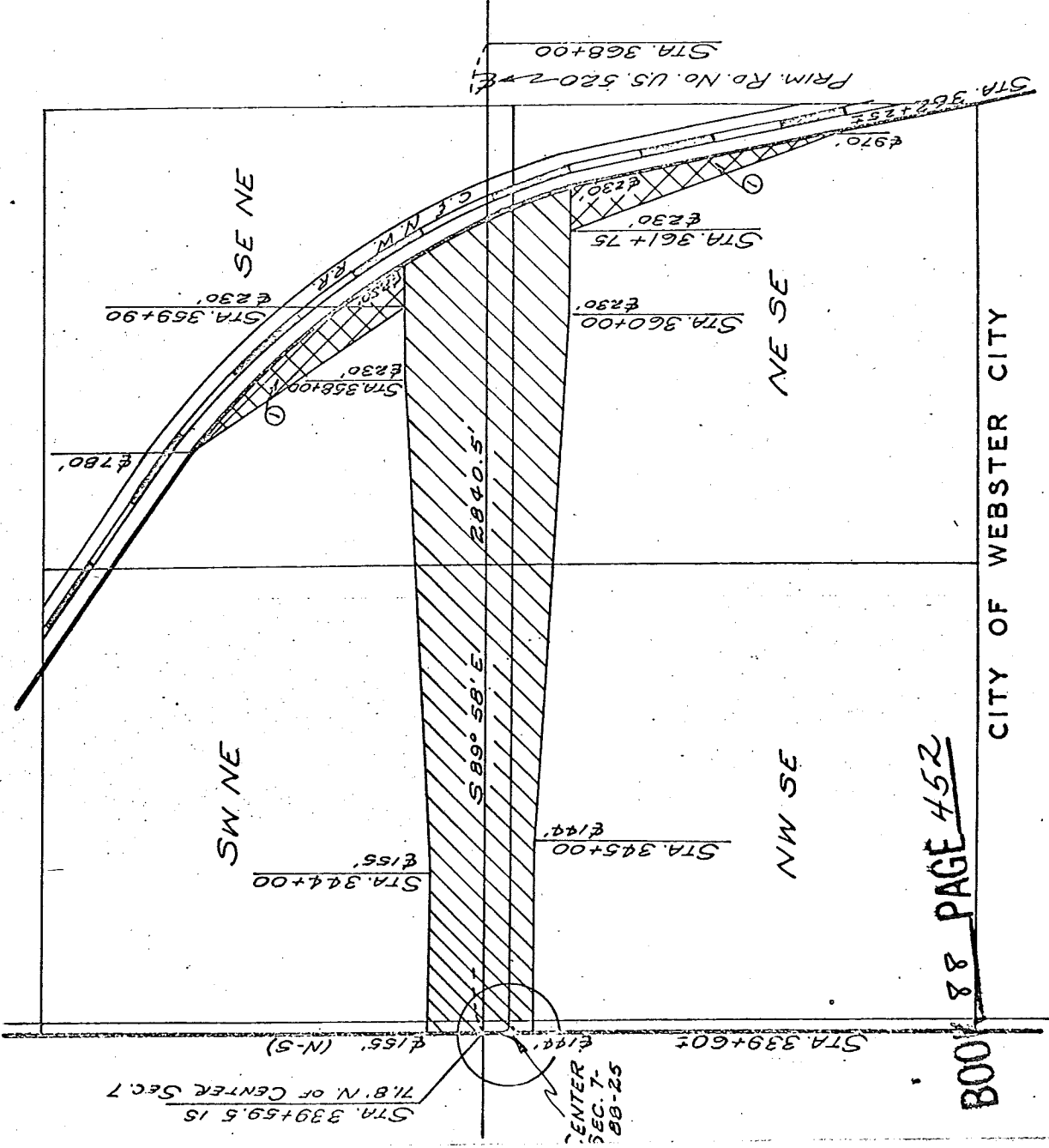


THE IOWA STATE HIGHWAY COMMISSION
RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY HAMILTON STATE CONTROL NO. 15
PROJECT NO. FN-520-4(10)-21-40 PARCEL NO. 32
SECTION 7 TOWNSHIP 88 N RANGE 25 W
PERMANENT 19.2 ACRES TEMPORARY ACRES
R/W LIMITS: STA. 339+60± TO STA. 362+25±
A/C LIMITS: STA. 339+60± TO STA. 362+25±
OWNER: ROLLAND E. GREFF, TRUSTEE OF THE MARY A. CLOSZ TRUST



TEMP EASE TO CONST. SHOO-FLY



BOOK 88 PAGE 452

CITY OF WEBSTER CITY

DATE DRAWN _____ SCALE _____ FILMED _____

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the Use
and Benefit of the State of Iowa In
the Improvement of

FILED

Primary Road No. U.S. 520 in and
Webster City
located in Hamilton County, Iowa
Project No. FN-520-4(10)--21-40
Group "B"

ACCEPTANCE OF

SERVICE OF NOTICE;

WAIVER OF TIME OF

SERVICE, and SPECIAL

APPEARANCE

1972 JUN 20 PM 2:31
JOHN O. HALL
CLERK DISTRICT COURT
HAMILTON COUNTY, IOWA

21247

Service of the above and foregoing Notice is hereby
accepted and a copy thereof acknowledged by the following parties
by their attorney, Rolland E. Grefe:

Samuel K. MacAllister, Individually and as
Executor under the Will of Marianne J.
MacAllister

Gerald D. Jeffers

Charles Murray Closz

Harold F. Closz, Jr.

William H. Closz

Elizabeth Irene West

and by Rolland E. Grefe, Trustee of the Mary A. Closz Trust

The above named parties by their said attorney hereby waive
time of service of said Notice, and consent to the time and date of
viewing the premises and appraisalment of damages set forth in said
Notice above, be the above-named residents or non-residents of the
State of Iowa, and in lieu of any and all Notice of Assessment provided
for in Chapter 472, and/or publications of such Notice in a newspaper.

The said above-named parties by their said attorney further
appear generally and consent to the jurisdiction of the compensation
commission selected by the Chief Judge of the 2nd Judicial District
to have the damages to said real estate determined, in all other
respects, in the manner prescribed by law, and agree that this
Acceptance of Service of Notice; Waiver of Time of Service, and

General Appearance shall be filed with the Sheriff of Hamilton County, Iowa, as a Return of Service provided for by Section 472.11 of the Code.

Samuel K. MacAllister, Individually and as Executor under the Will of Marianne J. MacAllister, 1020 Shellie Lane, Hemet California

Gerald D. Jeffers, 918 1st St., Webster City, Iowa

Charles Murray Closz, 109 Marshall, Yellow Springs, Ohio

Harold F. Closz, Jr., 825 Miller Dr., N. Muskegon, Michigan

William H. Closz, 1565 Bayview, Muskegon, Michigan

Elizabeth Irene West, 1193 Ransom Street, Muskegon, Michigan

BY: *Rolland E. Grefe*
ROLLAND E. GREFFE
Trustee of the Mary A. Closz Trust
and as Attorney For:

Samuel K. MacAllister, Individually
and as Executor under the Will of
Marianne J. MacAllister

Gerald D. Jeffers

Charles Murray Closz

Harold F. Closz, Jr.

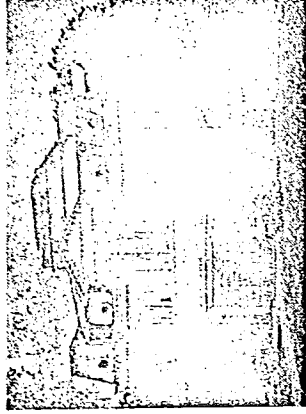
William H. Closz

Elizabeth Irene West

Filed in my office at *Hamilton City*, Iowa,
this *28th* day of *April*, 1972.

E. R. Lear
SHERIFF OF HAMILTON COUNTY, IOWA.

Radio Call Letters -- KAA747



Office of the
Sheriff of Hamilton County
WEBSTER CITY, IOWA

E. R. LEAR, Sheriff
K. G. FARNHAM, Deputy
R. L. SMITH, Deputy

21247

State of Iowa)
Hamilton County) ss

I, E.R.Lear, Sheriff of Hamilton County, State of Iowa, certify that I have received Checks in payment of awards on Proj. No. FN-520-4(10) --21-40 as follows:-

- 1. Warrant # 02854154 in the amount of \$ 26,000.00
- 2. Warrant # 02854155 in the amount of \$ 43,000.00

The awards being appealed and I am turning these in to the Hamilton County Clerk of the Courts as part of the Condemnation Proceedings.

Dated this 21st day of June 1972.

E. R. Lear

Sheriff of Hamilton County, Iowa

FILED

21 37

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

IN HAMILTON COUNTY IOWA PROJECT NO. FN-520=4(10)--21-40

21 247

To: Iowa State Highway Commission, Ames, Iowa

I hereby certify that the commissioners in the above-entitled cause convened at Webster City, Iowa, on the 18th day of May, 1970, and thereupon proceeded to view the premises and said commissioners did thereafter on the 18th day of May, 1970, file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 31 - Robert L. Huddleston, individually and as atty. in fact for Cora Weir, Noble Weir, Eleanor May Bradshaw, Donald Bradshaw, Richard A. Huddleston; Mazy Huddleston; Lillian Huddleston, Northwestern Bell Telephone Company; Webster City, Iowa; Hamilton County, Iowa	\$ 26,000.00
Parcel 32 - Rolland E. Grefe, Trusty of the Mary A. Cloz Trust; Samuel K. McAllister; Gerald D. Jeffers; Charles McMurray Cloz; Harold F. Cloz, Jr.; William H. Cloz; Elizabeth Irene West; Northwestern Bell Tele. Company; Webster City, Iowa; Hamilton County, Iowa.	43,000.00
TOTAL DAMAGES AWARDED	\$ 69,000.00

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

Date:	Name of Persons Served	Fee :	Mileage :	Rate : .10	Amount :	Total
4/24/72	Robert L. Huddleston	.75	1.00		1.00	1.75
4/24/72	Lillian Huddleston	.50				.50
4/24/72	City of Webster City	.50			1.00	1.50
4/24/72	Hamilton County	.50				.50
4/24/72	Gerald D. Jeffers	.75			1.00	1.75
4/24/72	Hamilton County	.50				.50
4/24/72	City of Webster City	.50			1.00	1.50
4/24/72	Nancy Gillette	.75			1.00	1.75
4/24/72	Hamilton County	.50			1.00	1.50
4/24/72	City of Webster City	.50				.50

Sheriff, Summoning and attending commissioners \$7.50 Sheriff, Mileage while attending commissioners, 4.00 Miles @ .10 \$ 23.25

Notary BOOK 88 PAGE 456 \$ 2.00


to withdraw the sum stated in this Application and now deposited with said Sheriff and allowing this Defendant to continued possession of the property rights condemned which are subject to this appeal and for such further Order as the Court deems just and proper.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

ASHER E. SCHROEDER
Special Assistant Attorney
General and Counsel to the
Iowa State Highway Commission

BY:



DONALD L. HOEGER
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa 50010

ATTORNEYS FOR DEFENDANT

COPY SENT TO

Copy for:

CIAUDE E. FREEMAN
900 Hubbell Building
Des Moines, Iowa 50309

ATTORNEY FOR PLAINTIFFS

M

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

1972 JUN 22 PM 2:18

DISTRICT COURT
HAMILTON COUNTY, IOWA

ROLLAND E. GREFE, TRUSTEE OF THE)
MARY A. CLOSZ TRUST, and SAMUEL)
K. MACALLISTER, INDIVIDUALLY A)
BENEFICIARY and EXECUTOR UNDER THE)
WILL OF MARIANNE J. MACALLISTER,)
BENEFICIARY GERALD D. JEFFERS, BENE-)
FIICIARY, and CHARLES MURRAY CLOSZ,)
BENEFICIARY, and HAROLD F. CLOSZ,)
JR, BENEFICIARY and WILLIAM H. CLOSZ,)
BENEFICIARY, and ELIZABETH IRENE WEST,)
BENEFICIARY, ALL OF THE MARY A. CLOSZ)
TRUST,)

LAW NO. 21247

MOTION TO DETERMINE
TIME TO MOVE OR
ANSWER

Plaintiffs

v.

IOWA STATE HIGHWAY COMMISSION and
THE STATE OF IOWA,

Defendant

The Defendant, Iowa State Highway Commission, states that

service of notice in the above-entitled case was accepted on
June 15, 1972, and that pursuant to the provisions of Section
472.22, Code of Iowa, 1971, Plaintiffs are required to file a Pe-
tition within twenty (20) days after the perfection of this appeal.
Said statute is silent as to the time in which the Defendant must
plead to said Petition. Defendant respectfully directs the Court's
attention to Sections 613.9 and 613.13, Code of Iowa, 1971, both of
which give the State of Iowa or the Iowa State Highway Commission,
when it is the Defendant, thirty (30) days in which to plead.

WHEREFORE, the Defendant, Iowa State Highway Commission,
respectfully requests the Court to grant this Defendant thirty (30)
days in which to appear from the date said Petition is filed.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

ASHER E. SCHROEDER
Special Assistant Attorney
General and Counsel to the
Iowa State Highway Commission

BY: 

DONALD L. HOEGER
Assistant Attorney General
Iowa State Highway Commission
Ames, Iowa 50010

ATTORNEYS FOR DEFENDANT

Copy for:

Claude E. Freeman
900 Hubbell Building
Des Moines, Iowa 50309

ATTORNEY FOR PLAINTIFFS