



Iowa Department of Transportation

800 Lincoln Way, Ames, Iowa 50010 (515) 239-1213

March 12, 1998

REFERENCE MADE

Book 9 Page 264

Arthur Johnson
Dallas County Sheriff
P.O. Box 229
Adel, Iowa 50003-0229

RECORDING 285.00 / 1.00
TRANSFER 10.00
296.00

6114
RECORDED
BOOK 9 PAGE 339-395
1998 JUN 12 P 2:30
Carol Hol Recorder
Dallas County, Iowa
Of Pages 57

RE: Dallas County Condemnation STPN-6-3(49)--2J-25 "C"

Dear Sheriff Johnson:

Enclosed are the following papers in connection with the above-captioned condemnation proceeding set for hearing on May 5, 1998.

1. "CERTIFIED TRUE COPY" of the APPLICATION TO CHIEF JUDGE
2. SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS
3. SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS
4. SUMMONS TO COMMISSIONERS (two copies for each commissioner).
Please notify each commissioner of their selection and of the day and hour when they will be required to proceed with the appraisal. Have each commissioner sign and return one copy of the SUMMONS prior to the hearing for your records. (Sec. 6B.11). Notices are attached to commissioner's copy.
5. OATH OF COMMISSIONERS. Each commissioner must execute this oath prior to the hearing. Their signature must be acknowledged by a Notary Public or Clerk of the District Court (Sec. 6B.7).
6. SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS (three copies, two of which are to be returned to this office when completed). Each copy must be signed by the Sheriff.
7. CONDEMNATION COMMISSIONERS STATEMENT (six copies, one for each commissioner for stating their fees and expenses). Each commissioner must sign this statement.
8. NOTICE OF CONDEMNATION. Please serve each listed condemnee with a complete notice. Notices must be served at least ten (10) days prior to the date of the hearing. (Sec. 6B.8). Your return of service should be made on the copy to be retained for your files (Sec. 6B.11).

Entered upon transfer books & for taxation this 12th day of March, 2000
My fee \$ 5.00 collected by Recorder.

Carol Hol Auditor
Richard Allen Deputy
Book 13 Page 35-38

BOOK 0009 PAGE 339

See Condemnation Book 10 Page 220 Filed 3-6-00 Document # 200-2668

PARCEL 103 and 127 - See Page 4

All Notices to out-of-county condemnees are being mailed to the proper Sheriff for service and the Returns of Service will be forwarded to you upon our receipt of same.

If you are unable to serve any of the above condemnees, please notify this office immediately by phoning (515) 239-1029.

Should any commissioner be unable to serve, please contact one of the alternate commissioners and notify this office of who can serve. If neither of the alternates can serve, please notify this office for a substitute commissioner.

THE FOLLOWING PAPERS MUST BE RETAINED BY YOU IN A SEPARATE FILE FOR RECORDING:

1. "CERTIFIED TRUE COPY" of the APPLICATION TO CHIEF JUDGE
2. SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS
3. SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS or substitute compensation commissioners appointing them and summons served on them.
4. The signed copy of the SUMMONS TO COMMISSIONERS for each original, alternate or substitute commissioner.
5. OATH OF COMMISSIONERS, signed by all six commissioners. Their signatures must be acknowledged by a Notary Public or Clerk of District Court (Sec. 6B.7).
6. The signed copy of the SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS (Sec. 6B.33).
7. CONDEMNATION COMMISSIONER'S STATEMENT, one signed statement from each commissioner.
8. ALL NOTICES OF CONDEMNATION with returns of service in the condemnation, including any Notices of Appeal.
9. PROOF OF PUBLICATION (if there have been any publications) as well as all AFFIDAVITS in connection therewith.
10. AFFIDAVIT OF FINAL OFFER (Sec. 6B.33).

11. The original of the REPORT OF COMPENSATION COMMISSIONER signed by each commissioner and certified by the Sheriff (Sec. 6B.14). Two copies shall be returned to the Department of Transportation representative.
12. The original of the ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL must be endorsed and certified by the Sheriff at the time of mailing (Sec. 6B.18).
13. The original of the NOTICE OF APPRAISEMENT OF DAMAGES and TIME FOR APPEAL endorsed by the Sheriff. A written notice in the form of a copy of the original NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL must be mailed to each condemnee (Sec. 6B.18).

The preceding four forms will be brought to the hearing by the Iowa Department of Transportation Representative.

14. You will also be required to record all other papers filed in connection with said condemnation proceedings and provide a written statement by the Sheriff of all monies received in payment of damages, from whom received, and to whom paid, and the amount paid to each claimant.

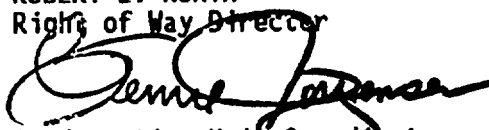
PLEASE NOTE THAT:

1. Thirty days after the date of mailing the Notice of Appraisalment of Damages the Sheriff shall file the condemnation proceedings with the County Recorder of the county in which the condemned land is situated (Sec. 6B.35). Prior to your recording, this office will provide you with the recording data of the original Certified Application For Condemnation by book and page or instrument number and the date. Please make this reference on the Sheriff's Certification as to Awards and Costs.
2. If an appeal is taken (within these 30 days) the Sheriff shall at once file with the Clerk of the District Court a certified copy of as much of the assessment as applies to the part from which the appeal is taken (Sec. 6B.20). Again, the original condemnation papers will be filed with the County Recorder.

If you have any questions, please contact the Office of Right of Way, Condemnation Section, Iowa Department of Transportation, Ames, Iowa, at (515) 239-1029.

Sincerely,

ROBERT L. NORTH
Right of Way Director



Condemnation Unit Coordinator
Office of Right of Way

BJ:kd
Enclosures

-3-

BOOK 0009 PAGE 341

Parcel 103:

**Joseph S. Brick, 550 39th Street, Suite 200, Des Moines, Iowa
Janet L. Brick, 8809 Sunflower Circle, Urbandale, Iowa
City of Waukee, Iowa, c/o City Clerk, Waukee, Iowa
Dallas County, Iowa, c/o County Auditor, Adel, Iowa**

Parcel 127:

**Audrey Jean Eklund, 2506 NW 142nd Street, Urbandale, Iowa
Harold E. Eklund, 2506 NW 142nd Street, Urbandale, Iowa
Urbandale Sanitary Sewer District, c/o Gerald Pierce, City Hall, Urbandale, Iowa
City of Urbandale, c/o City Clerk, Urbandale, Iowa
Dallas County, Iowa, c/o County Auditor, Adel, Iowa**

RECORDED
BOOK 1998 PAGE _____

1998 JUN 12 P 2:30

CANCELLED
DALLAS COUNTY, IOWA
OF PAGES _____

CERTIFIED TRUE COPY

In the Matter of the Condemnation of Certain Rights
in Land by the Iowa Department of Transportation
for the Improvement of

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

**APPLICATION TO THE CHIEF JUDGE
OF THE 5th JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A
COMMISSION TO APPRAISE DAMAGES**

TO: Arthur E. Gamble, Chief Judge, 5th Judicial District including Dallas County, Iowa.

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Other Than Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 6B.3 the Code of Iowa, the following is set forth:

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

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

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

Purpose: The Department of Transportation desires the rights specified in the lands sought to be condemned for the improvement and/or maintenance of roads and streets within the State of Iowa.

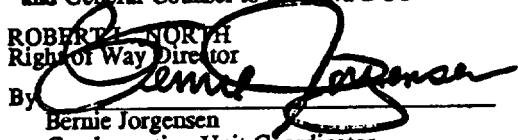
Agricultural Land: A part of the lands sought to be appropriated may be classified as Class I or Class II within an agricultural area and, if so classified, is reasonably necessary for this internal improvement.

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


Dated at Ames, Iowa, this 2nd day of February, 1998.

IOWA DEPARTMENT OF TRANSPORTATION
DAVID A. FERREE
Special Assistant Attorney General
and General Counsel to the Iowa DOT

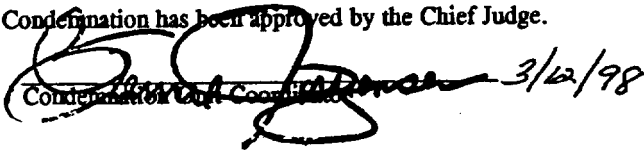
ROBERT NORTH
Right of Way Director

By 
Bernie Jorgensen
Condemnation Unit Coordinator

Filed in my office at Des Moines, Iowa, this 5 day of Feb, 1998.


Arthur E. Gamble
Chief Judge of the 5th Judicial District
including Dallas County, Iowa.

I certify that this Application for Condemnation has been approved by the Chief Judge.


Condemnation Unit Coordinator 3/12/98

BOOK 0009 PAGE 343

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
Department of Transportation for the
Improvement of

NOTICE

Primary Road No. U.S. 6

in the Cities of Waukee and Urbandale

located in Dallas County, Iowa

Project No. STPN-6-3(49)--2J-25

Group "C"

TO:

Joseph S. Brick, 550 39th Street, Suite 200, Des Moines, Iowa

Janet L. Brick, 8809 Sunflower Circle, Urbandale, Iowa

City of Waukee, Iowa, c/o City Clerk, Waukee, Iowa

Dallas County, Iowa, c/o County Auditor, Adel, Iowa

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

The NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, T79N, R26W of the 5th P.M., in the City of Waukee, Dallas 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 plats Exhibits "A" and "B" (1 of 3), (2 of 3) and (3 of 3) attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Dallas County, Iowa, and in the Office of the Sheriff of Dallas County, Iowa, to which you are referred:

The access rights in fee simple title sought to be appropriated are described as follows:

Dallas County Project No. STPN-6-3(49)-2J-25

Joseph S. Brick (Parcel 103)

Continued on next page

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Dallas County Project No. STPN-6-3(49)--2J-25
Joseph S. Brick (Parcel 103)

Page 2

All rights of direct access between Primary Road No. U.S. 6 and condemnees remaining property abutting thereon from Sta. 144+82.668± (Property Line) to Sta. 150+87.835± (Property Line), on the south side, reserving to the condemnees the right of access at Sta. 144+82.7, Sta. 146+84.5, Sta. 149+05 and at Sta. 150+87.5, all on the south side.

The easement for highway purposes sought to be appropriated is in land described as follows:

Two parcels of land located in the NW¼ NW¼ and the NE¼ NW¼ of Sec. 35, T79N, R26W of the 5th P.M., in the City of Waukee, Dallas County, Iowa, identified as Parcel "A" and Parcel "B" on the plat Exhibit "A" attached hereto and by reference made a part hereof.

Said parcels are described as follows:

Parcel "A":

Commencing at the NW Corner of said Sec. 35; thence S89° 36'50"E, 1028.74 ft. along the north line of the NW¼ of said Sec. 35; thence S0°23'10"W, 50.00 ft. to a point on the existing south right of way line of Primary Road No. U.S. 6, the Point of Beginning; thence S89°36'50"E, 131.23 ft. along said south right of way line; thence S0°23'07"W, 14.97 ft.; thence N89°36'53"W, 131.23 ft.; thence N0°23'07"E, 14.97 ft. to the Point of Beginning; containing 1965 sq. ft.

Parcel "B":

Commencing at the N¼ Corner of said Sec. 35; thence S0°16'55"W, 50.00 ft. to a point on the existing south right of way line of Primary Road No. U.S. 6, the Point of Beginning; thence continuing S0°16'55"W, 10.00 ft.; thence S79°44'50"W, 293.38 ft.; thence N89°36'53"W, 475.72 ft.; thence N0°23'07"E, 64.17 ft. to a point on said south right of way line; thence S89°36'50"E, 764.04 ft. along said south right of way line to the Point of Beginning; containing 41,218 sq. ft.

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

Any and all improvements, including fences, if any, located wholly within the land sought by easement for highway purposes are condemned in their entirety.

Dallas County Project No. STPN-6-3(49)--2J-25
Joseph S. Brick (Parcel 103)
Continued on next page

Page 2

ARTHUR L. JOHNSON
DALLAS CO. SHERIFF

98 MAR 13 AM 9:06

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BOOK 0009 PAGE 345

2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance and for shaping, in land described as follows and as shown on the plat Exhibit "B" (1 of 3) attached hereto and by reference made a part hereof:

Commencing at the NW Corner of said Sec. 35; thence S89°36'50"E, 660.00 ft. along the north line of the NW¼ of said Sec. 35; thence S0°13'44"W, 50.00 ft. to a point on the existing southerly right of way line of Primary Road No. U.S. 6, the Point of Beginning; thence S89°36'50"E, 30.56 ft. along said southerly right of way line; thence S0°13'44"W, 41.22 ft.; thence N89°36'53"W, 30.56 ft.; thence N0°13'44"E, 41.22 ft. to the Point of Beginning.

3. The State of Iowa shall have a right of temporary easement, for the specific purpose of shaping, in land described as follows and as shown on the plat Exhibit "B" (2 of 3) attached hereto and by reference made a part hereof:

Commencing at the NW Corner of said Sec. 35; thence S89°36'50"E, 1028.74 ft. along the north line of the NW¼ of said Sec. 35; thence S0°23'07"W, 64.97 ft. to a point on the south line of said land sought by easement for highway purposes and identified as Parcel "A" on said plat Exhibit "A", the Point of Beginning; thence S89°36'53"E, 131.23 ft. along said south line; thence S0°23'07"W, 59.06 ft.; thence N89°36'53"W, 131.23 ft.; thence N0°23'07"E, 59.06 ft. to the Point of Beginning.

Also, commencing at the NW Corner of said Sec. 35; thence S89°36'50"E, 1881.75 ft. along the north line of the NW¼ of said Sec. 35; thence S0°23'07"W, 114.17 ft. to a point on the south line of said land sought by easement for highway purposes and identified as Parcel "B" on said plat Exhibit "A", the Point of Beginning; thence S89°36'53"E, 180.45 ft. along said south line; thence S0°23'07"W, 49.21 ft.; thence N89°36'53"W, 180.45 ft.; thence N0°23'07"E, 49.21 ft. to the Point of Beginning.

4. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing an entrance, in land described as follows and as shown on the plat Exhibit "B" (3 of 3) attached hereto and by reference made a part hereof:

Commencing at the NW Corner of said Sec. 35; thence S89°36'50"E, 1294.49 ft. along the north line of the NW¼ of said Sec. 35; thence S0°23'07"W, 50.00 ft. to a point on the existing southerly right of way line of Primary Road No. U.S. 6, the Point of Beginning; thence S89°36'50"E, 52.49 ft. along said southerly right of way line; thence S0°23'07"W, 14.97 ft.; thence N89°36'53"W, 52.49 ft.; thence N0°23'07"E, 14.97 ft. to the Point of Beginning.

5. Any drain 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 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.

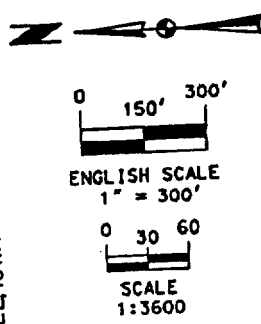
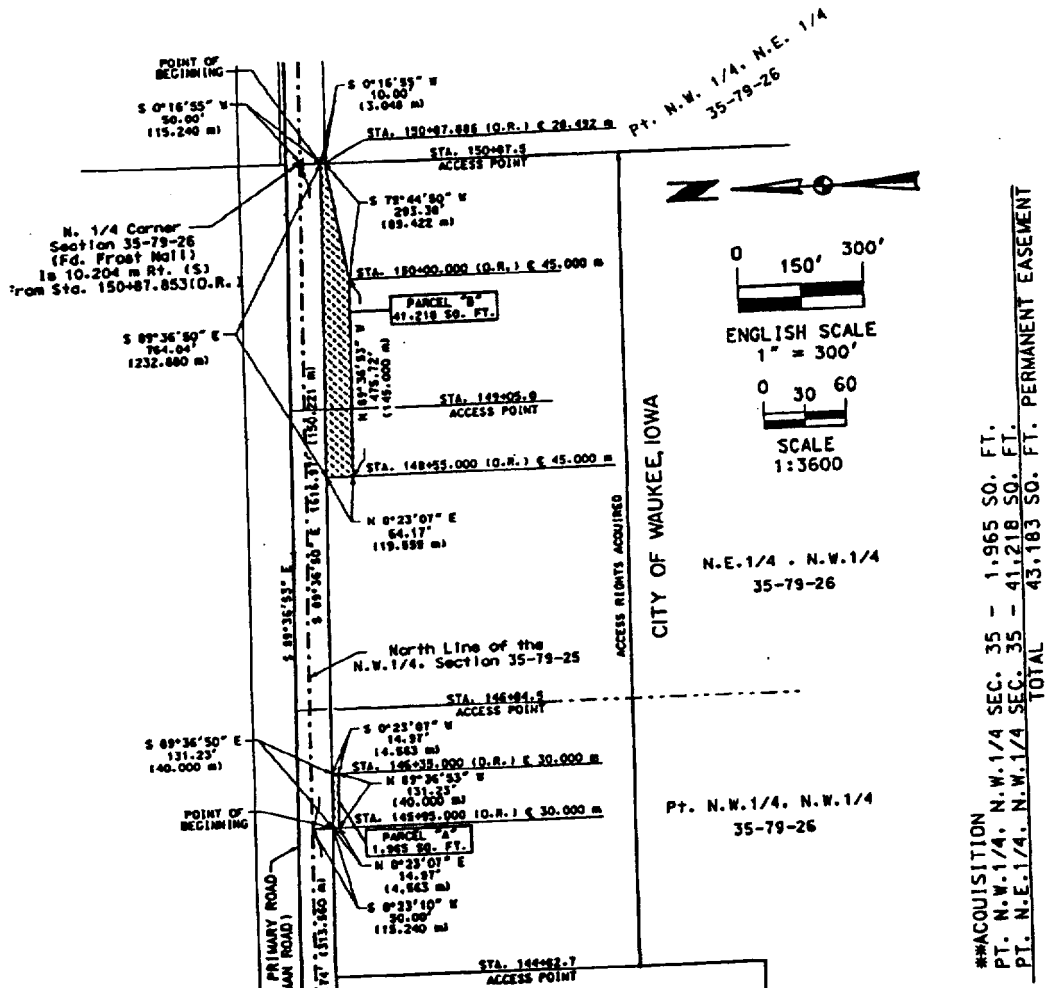
6. The areas sought to be appropriated by temporary easement, for the specific purpose of constructing an entrance and shaping, shaping, constructing an entrance and relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.

IOWA DEPARTMENT OF TRANSPORTATION

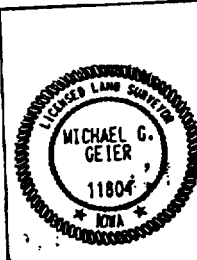


ACQUISITION PLAT EXHIBIT "A"

COUNTY DALLAS STATE CONTROL NO. 05-00
 PROJECT NO. STPN-6-3(49)--2J-25 PARCEL NO. 103
 SECTION 35 TOWNSHIP 79N RANGE 26W
 ROW - FEE _____ AC. EASE #43,183 sq. ft. AC. EXCESS - FEE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. 144+82.668 TO STA. 150+87.835 MAIN LINE SOUTH SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE LINE _____ SIDE
 ACQUIRED FROM JOSEPH S. BRICK



#ACQUISITION
 PT. N.W. 1/4, N.W. 1/4 SEC. 35 - 1,965 SQ. FT.
 PT. N.E. 1/4, N.W. 1/4 SEC. 35 - 41,218 SQ. FT.
 TOTAL 43,183 SQ. FT. PERMANENT EASEMENT



I hereby certify that this land surveying document was prepared and the related surveying work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Michael Geier 6-30-97
 Michael G. Geier, L.S. Date
 License Number 11804
 My License Renewal Date is December 31, 1997
 Pages or sheets covered by this seal:

N.W. Corner Section 35-79-26 (Fd. Front Moll.) Is 10.192 m Rt. (S) From Sta. 142+81.441 (O.R.)

DATE DRAWN 2-14-96 MKH
 REV. 4-25-96 SGT
 REV. 5-7-96 SGT
 REV. 6-13-97 KMM

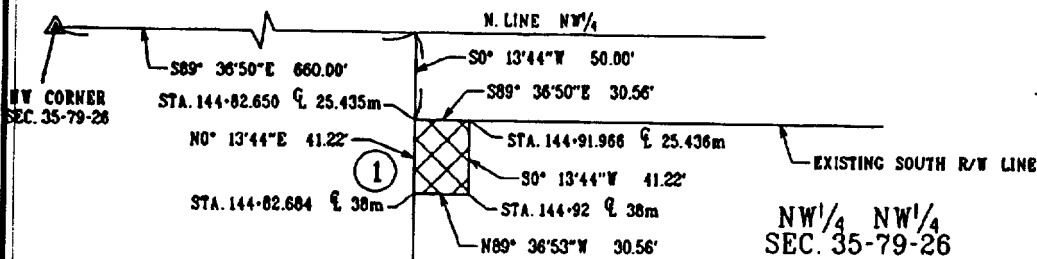
IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (1 OF 3)



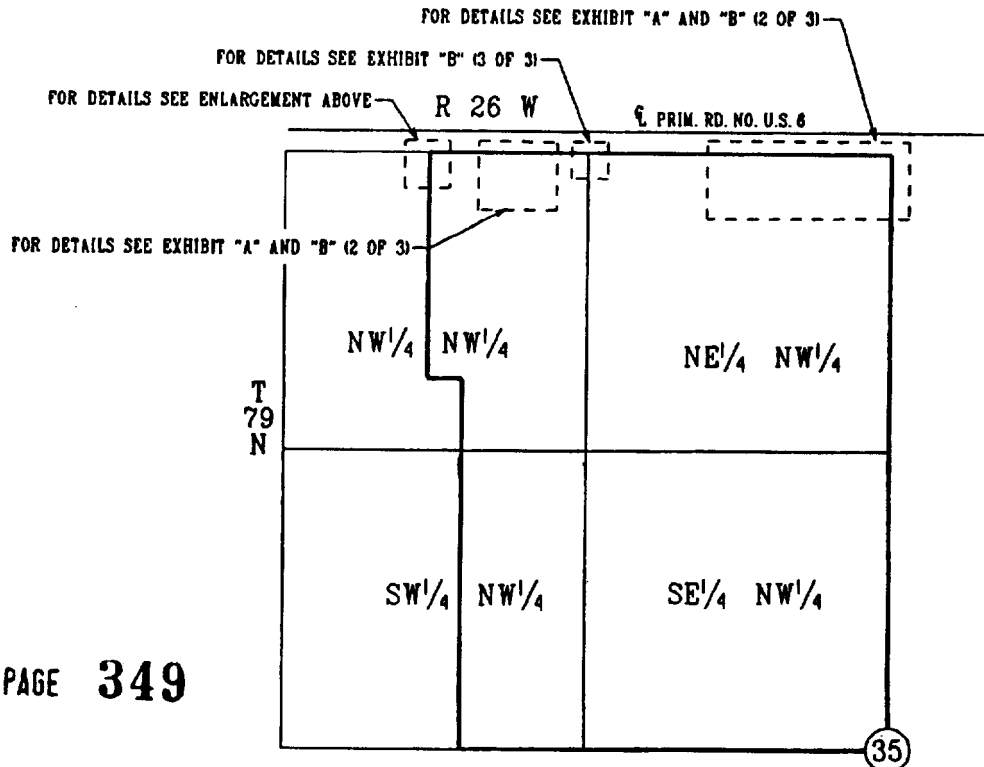
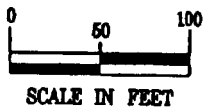
COUNTY DALLAS
PROJECT NO. STPN-6-3(49)--2J-25 PARCEL NO. 103
SECTION 35 TOWNSHIP 79N RANGE 26W
BORROW AC
ACQUIRED FROM JOSEPH S. BRICK

① TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE AND SHAPE

PRIMARY ROAD NO. U.S. 6 S89° 36'53"E



N

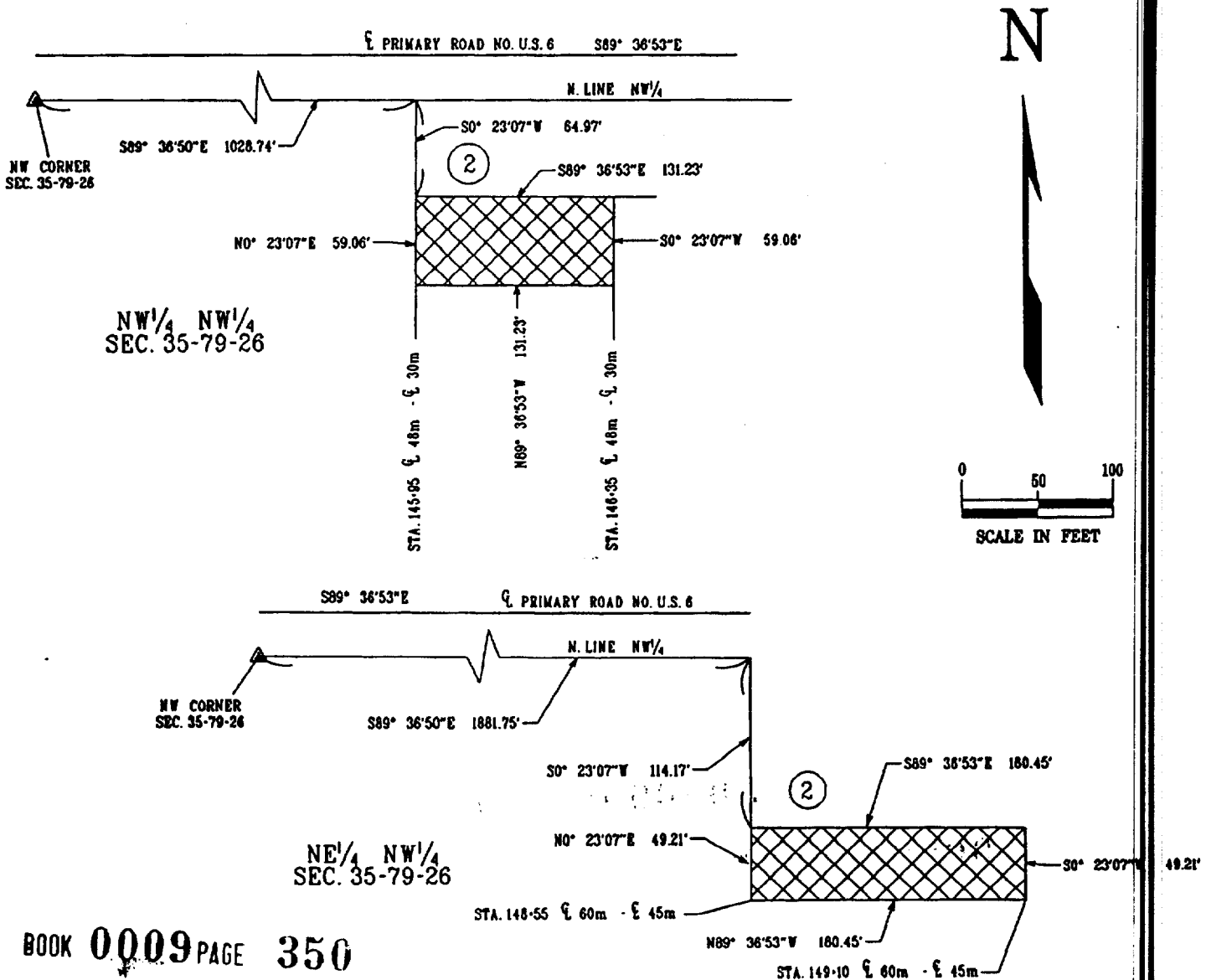


IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (2 OF 3)



COUNTY DALLAS
PROJECT NO. STPN-6-3(49)--2J-25 PARCEL NO. 103
SECTION 35 TOWNSHIP 79N RANGE 26W
BORROW AC
ACQUIRED FROM JOSEPH S. BRICK

② TEMPORARY EASEMENT TO SHAPE

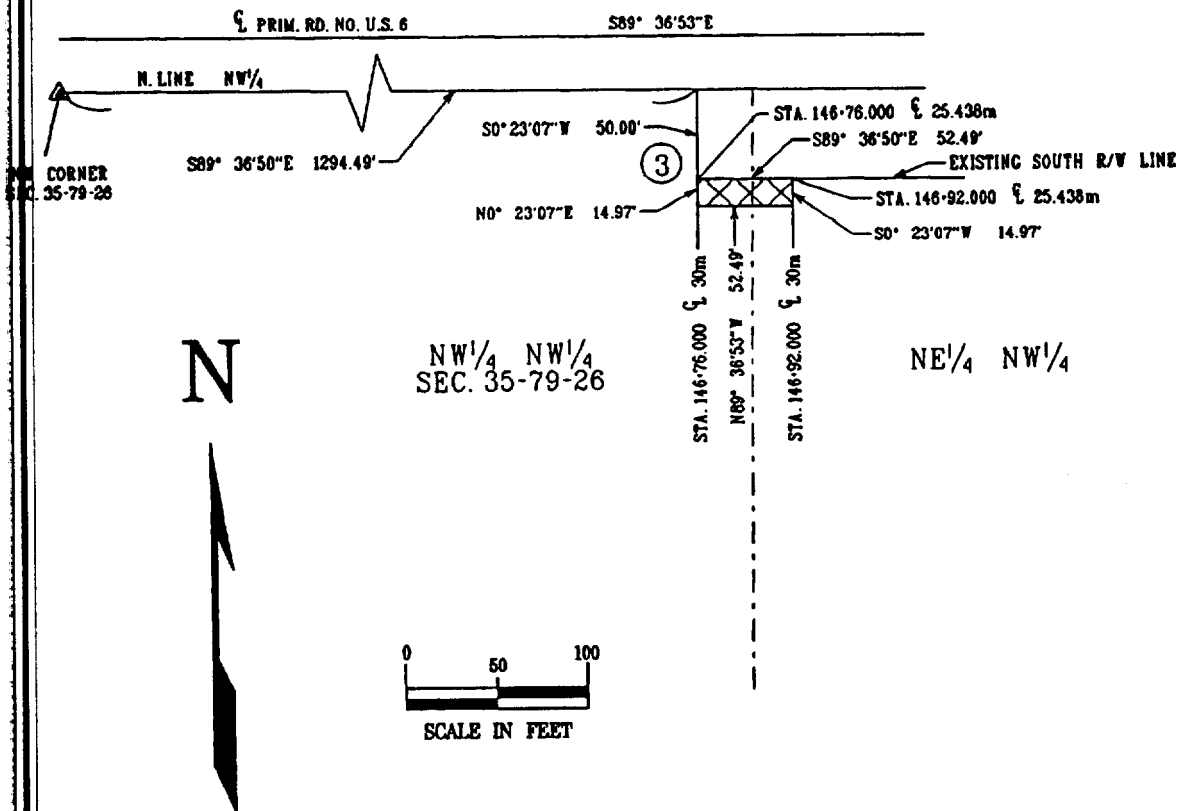


IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B" (3 OF 3)



COUNTY	DALLAS		
PROJECT NO.	STPN-6-3(49)--2J-25	PARCEL NO.	103
SECTION	35	TOWNSHIP	79N
RANGE	26W		
BORROW	AC		
ACQUIRED FROM	JOSEPH S. BRICK		

③ TEMPORARY EASEMENT TO CONSTRUCT ENTRANCE



In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
Department of Transportation for the
Improvement of

Primary Road No. U.S. 6

NOTICE

in the Cities of Waukee and Urbandale

located in Dallas County, Iowa

Project No. STPN-6-3(49)--2J-25

Group "C"

TO:

Audrey Jean Eklund, 2506 NW 142nd Street, Urbandale, Iowa
Harold E. Eklund, 2506 NW 142nd Street, Urbandale, Iowa
Urbandale Sanitary Sewer District, c/o Gerald Pierce, City Hall, Urbandale, Iowa
City of Urbandale, c/o City Clerk, Urbandale, Iowa
Dallas County, Iowa, c/o County Auditor, Adel, Iowa

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

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 25, T79N, R26W of the 5th P.M., in the City of Urbandale, Dallas County, Iowa.

You, and each of you, are hereby notified that the State of Iowa and the City of Urbandale, Iowa, desire certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plats Exhibits "A" (1 of 2), (2 of 2) and "B" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Dallas County, Iowa, and in the Office of the Sheriff of Dallas County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated for the use and benefit of the State of Iowa is in land described as follows:

Dallas County Project No. STPN-6-3(49)--2J-25
Audrey Jean Eklund (Parcel 127)
Continued on next page

Page 1

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Dallas County Project No. STPN-6-3(49)--2J-25
Audrey Jean Eklund (Parcel 127)

A parcel of land located in the SE¼ SE¼ of Sec. 25, T79N, R26W of the 5th P.M., the City of Urbandale, Dallas County, Iowa, and as shown on the plat Exhibit "A" (1 of 2) attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Beginning at the SE Corner of said Sec. 25; thence S89°56'08"W, 68.92 ft. along the south line of said Sec. 25; thence N72°41'54"W, 321.02 ft. to a point on the existing northerly right of way line of Primary Road No. U.S. 6; thence easterly 246.44 ft. on an 11,564.94 foot radius curve, concave southerly, the chord for which bears N89°19'07"E and has a length of 246.43 ft.; thence N89°55'45"E, 129.14 ft. to a point on the east line of said Sec. 25; thence S0°05'03"W, 98.48 ft. along said east line, to the Point of Beginning, containing 22,073 sq. ft. of which 6,173 sq. ft. are within existing road right of way.

The access rights in fee simple title sought to be appropriated for the use and benefit of the State of Iowa, are described as follows:

All rights of direct access between Primary Road No. U.S. 6 and condemnees remaining property abutting thereon from Sta. 173+74.910 to Sta. 175+03.0± (Property Line) on the north side.

Also, all rights of direct access between NW 142 Street and condemnees remaining property abutting thereon from Sta. 24175+02.971 to Sta. 24175+62.25, on the west side.

It is not the intent of the condemnor to acquire any of the rights of Easement to Urbandale Sanitary Sewer District hereto fore granted and recorded in the Office of the Dallas County Recorder in Book 771, Page 1002, Dallas County, Iowa.

The title in fee simple sought to be appropriated for the use and benefit of the City of Urbandale, Iowa, are described as follows:

A parcel of land located in the SE¼ SE¼ of Sec. 25, T79N, R26W of the 5th P.M., in the City of Urbandale, Dallas County, Iowa, and as shown on the plat Exhibit "A" (2 of 2) attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Dallas County Project No. STPN-6-3(49)--2J-25
Audrey Jean Eklund (Parcel 127)
Continued on next page

Commencing at the SE Corner of said Sec. 25; thence N0°05'03"E along the east line of said Sec. 25, 98.48 ft. to the north line of the land sought in fee simple title for the use and benefit of the State of Iowa; thence S89°55'45"W, 33.00 ft. along said north line to a point on the existing westerly right of way line of NW 142nd Street, the Point of Beginning; thence continuing S89°55'45"W, 23.00 ft. along said north line; thence N0°01'49"W, 531.63 ft.; thence N16°25'15"E, 85.52 ft. to a point on said westerly line; thence S0°05'03"W, along said westerly line 613.63 ft. to the Point of Beginning, containing 13,493 sq. ft.
In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing a pipe in land described as follows and as shown on the plat Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the SE Corner of said Sec. 25; thence S89°56'08"W, 68.92 ft. along the south line of said Sec. 25; thence N72°41'54"W, 321.02 ft. to a point on the existing northerly right of way line of Primary Road No. U.S. 6, the Point of Beginning; thence continuing N72°41'54"W, 46.63 ft. along said northerly right of way line; thence N39°49'24"E, 15.03 ft.; thence N88°37'25"E, 34.31 ft.; thence S1°17'46"E, 26.25 ft. to the Point of Beginning.

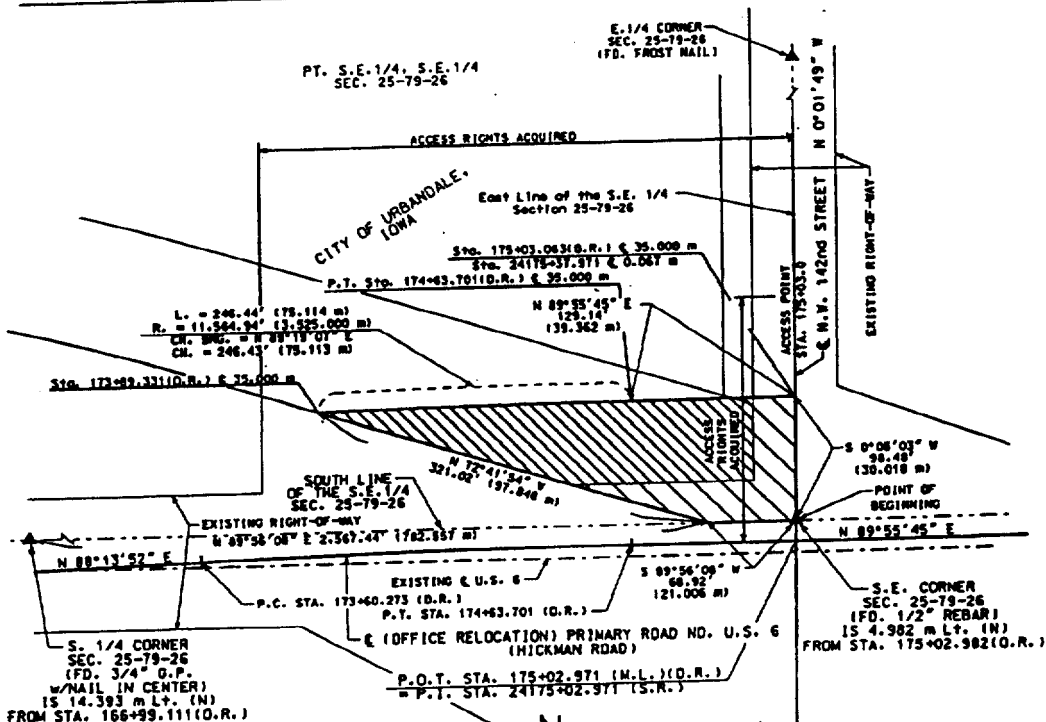
3. The area sought to be appropriated by temporary easement, for the specific purpose of constructing a pipe is reserved to the condemnees until the actual date said area is required for construction of this highway improvement. Also, said temporary easement right shall terminate immediately upon completion of the operations for which said right is sought and in no event later than the completion of this highway improvement.

IOWA DEPARTMENT OF TRANSPORTATION

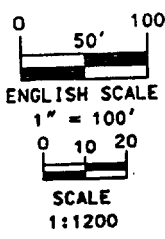


ACQUISITION PLAT
EXHIBIT "A" (1 OF 2)

COUNTY DALLAS STATE CONTROL NO. 0010-00
 PROJECT NO. STPN-6-3(49)--2J-25 PARCEL NO. 127
 SECTION 25 TOWNSHIP 79N RANGE 26W
 ROW - FEE *22,073 sq. ft. AC. EXCESS - FEE AC
 ACQUIRED ACCESS RIGHTS FROM STA. 173+74.910 TO STA. 175+03.0 MAIN LINE NORTH SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. 24175+02.971 TO STA. 24175+62.25 SIDE LINE WEST SIDE
 ACQUIRED FROM AUDREY JEAN EKLUND



CURVE DATA
 P.I. STA. 174+13.91 (D.R.)
 R. = 111.12 m
 L. = 101.427 m
 Δ = 143.000 m



*ACQUISITION
 PT. S.E. 1/4, S.E. 1/4 SEC. 25
 15,900 SQ.FT. (TAX) + 6,173 SQ.FT. EXIST. R/W = 22,073 SQ.FT. TOTAL FEE TITLE R/W

BOOK 0009 PAGE 355

DATE DRAWN 12-4-97 SGT
 REV. 12-12-97 SGT
 REV. 12-19-97 SGT



I hereby certify that this land surveying document was prepared and the related surveying work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Michael G. Geier 12-19-97
 Michael G. Geier, L.S. Date
 License Number 11804
 My License Renewal Date is December 31, 1997
 Pages or sheets covered by this seal:

IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "B"



COUNTY DALLAS
PROJECT NO. STPN-6-3(49)--2J-25 PARCEL NO. 127
SECTION 25 TOWNSHIP 79N RANGE 26W
BORROW AC
ACQUIRED FROM AUDREY JEAN EKLUND

① TEMPORARY EASEMENT TO CONSTRUCT PIPE R 26 W

N

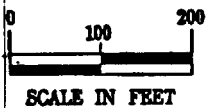
T
79
N

CITY OF URBANDALE, IOWA

SE¹/₄ SE¹/₄
SEC. 25-79-26

FOR DETAILS SEE EXHIBIT "A"
(1 OF 2) AND (2 OF 2) &
ENLARGEMENT BELOW

PRIM. RD. NO. U.S. 6



SE¹/₄ SE¹/₄
SEC. 25-79-26

STA. 173+76.010 C 129.76'

N39° 49'24" E 15.00'

STA. 173+79 C 141.1'

N88° 37'25" E 34.31'

①

STA. 173+89.331

51° 17'46" E 26.25'

RECEIVED
98 MAR 13 AM 9:05
ARTHUR JOHNSON
DALLAS CO SHERIFF

772° 41'57" W 321.02'

BOOK 0009 PAGE 357

EXISTING R/W LINE
N72° 41'54" W 46.63'

SE CORNER
SEC. 25-T79N-R26W

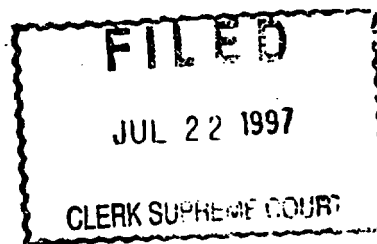
PRIM. RD. NO. U.S. 6

S89° 56'06" W 66.92'



Supreme Court

STATE CAPITOL
DES MOINES, IOWA 50319



**INSTRUCTIONS TO CONDEMNATION COMMISSIONERS
FROM THE CHIEF JUSTICE
OF THE IOWA SUPREME COURT**

You have been selected as a compensation commission to determine and assess damages to property condemned for a public use under the power of eminent domain.

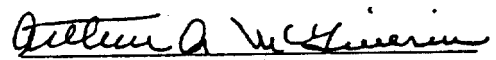
Pursuant to the provisions of Iowa Code section 6B.43 (1993), you are instructed as follows:

- 1. The Constitution prohibits the taking of private property for a public use without just compensation. Governmental units and certain utilities are authorized by statute to condemn private property for a certain use thereof for public purposes. It is your duty to fix a just compensation for that taking or use. You shall arrive at such compensation in a fair and impartial manner and on an independent basis. No commissioner shall possess any interest in the proceeding which would cause such person to render a biased decision.*
- 2. The property owner is entitled to be made whole but double recovery is not allowed. Where the entire property unit is taken, the measure of damages is the fair market value of the property immediately before the condemnation and before such value has been affected by the proposed public use. Where only a portion of the property unit is taken, including certain rights such as an easement, the measure of damages is the difference between the fair market value of the property as a whole immediately before condemnation and before it has been affected by the proposed public use and the fair market value of the remaining property after the taking. Any advantage or benefit which may accrue to the remaining property by reason of the public use is not to be considered. Substantially the same measure applies to damages to a leasehold.*
- 3. Allowance shall be made to the owner for any personal property damaged, destroyed or reduced in value, for the cost of removing and replacing fences and removing buildings onto abutting property of the owner.*

4. Allowance shall be made for cost, if any, of removing personal property a distance not to exceed 25 miles but not over \$500.
5. At the request of the condemner or the condemnee, the damages shall be divided into parts to indicate the value of any dwelling, the value of the land and improvements other than a dwelling, and the value of any additional damages.
6. You shall file with the sheriff a written report containing your appraisal.
7. In arriving at the fair market value of the property you shall not consider evidence or information regarding prior negotiations between the parties. However, when you report the commission's award to the sheriff, if it exceeds 110% of the condemner's final offer, the sheriff will so advise you and you will then determine and fix reasonable attorney fees and costs, if any, incurred by the condemnee in presenting the condemnee's case before your commission.
8. You will be in the charge of the sheriff who will administer the oath to you and furnish transportation to and from the site of the property or properties you are required to view.

These brief and general instructions do not contain all the issues which might confront you. The position of the parties or their attorneys on any additional problems may be explained to you at the time of the hearing.

Dated this 18th day of July, 1997.


Arthur A. McGiverin
Chief Justice
Supreme Court of Iowa

Copies to:

All County Sheriffs

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SELECTION AND APPOINTMENT
OF COMPENSATION COMMISSIONERS
BY THE CHIEF JUDGE OF THE
5th JUDICIAL DISTRICT

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

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

NAME	ADDRESS	QUALIFICATIONS
Fletcher Jennings	Van Meter <i>eyes</i>	Licensed Real Estate Salesperson or Broker
Barry Bengston	Perry <i>eyes</i>	Licensed Real Estate Salesperson or Broker
Leslie Reynolds	Redfield <i>eyes</i>	Knowledgeable of Property Values by Virtue of Occupation
Gene Halling	Perry <i>eyes</i>	Knowledgeable of Property Values by Virtue of Occupation
Elston Kilmer	Dawson <i>eyes</i>	Other Than Agricultural
Don Luellen	Minburn <i>eyes</i>	Other Than Agricultural

I further designate, select, and appoint, the above named FLETCHER JENNINGS to act as Chairperson of said commission. I further designated BARRY BENGSTON as Alternate Chairperson.

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

Dated at Des Moines, Iowa, this 5th day of February, 1998

Arthur E. Gamble
Arthur E. Gamble
Chief Judge of the 5th Judicial District
including Dallas County, Iowa

Filed in my office at
Adel, Iowa, this 3rd day of March 1998
Arthur Johnson
Arthur Johnson
Sheriff of Dallas County, Iowa

BOOK 0009 PAGE 360

Please note change in form, which now provides for the appointment of 5 alternate Commissioners.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

**SUPPLEMENTARY ORDER
APPOINTING ALTERNATE
COMPENSATION COMMISSIONERS**

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

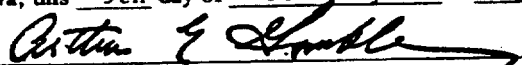
Project No. STPN-6-3(49)-2J-25 Group "C"

An Application and Notice of Condemnation having been filed with me by the Iowa Department of Transportation, 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.

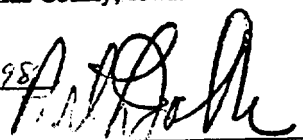
NAME	ADDRESS	QUALIFICATION
1. Linda Chapman 2. Margaret Stone 3. Kevin Sandquist 4. Richard Connolly 5. Kenneth Herron	Adel Waukee Adel Madrid DeSoto	Licensed Real Estate Salesperson or Broker
1. Kenneth Hykes 2. Ced Glenn 3. Gene Daugherty 4. Marilyn Drake 5. Dan Hawkins	Adel Adel Adel Adel Adel	Knowledgeable of Property Values by Virtue of Occupation
1. Dickey Martin 2. Ray Clark 3. Jim Cushing 4. James Haas 5. Merele Shawd	Redfield Waukee Van Meter Perry Woodward	Other Than Agricultural

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

Dated at Des Moines, Iowa, this 5th day of February, 1998.


Arthur E. Gamble
Chief Judge of the 5th Judicial District
including Dallas County, Iowa.

Filed in my office at
Adel, Iowa, this 3rd day of March, 19 98


Arthur Johnson
Sheriff of Dallas County, Iowa

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

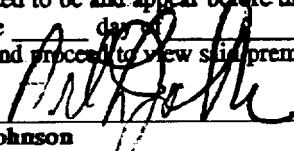
Project No. STPN-6-3(49)-2J-25 Group "C"

TO: _____

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and _____ 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 Adel, Dallas County, State of Iowa, on the _____ day of _____, 19____, at 9:30 o'clock a.m. () for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.



Arthur Johnson
Sheriff of Dallas 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.

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

Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)--2J-25 Group "C"

TO: ELSTON KILMER

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and Fletcher Jennings 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 Adel, Dallas County, State of Iowa, on the 5th day of May, 1998, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to give said promises and make an award of damages as by law provided.

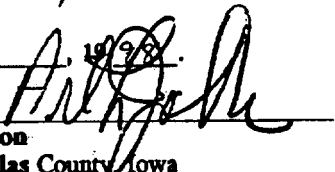

Arthur Johnson
Sheriff of Dallas County, Iowa

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.

Elston Kilmer

Filed in my office at
Adel, Iowa, this 4th day of March, 1998.


Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

TO: DON LUELLEN

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fletcher, Jennings has been designated as Chairman of the Commission.

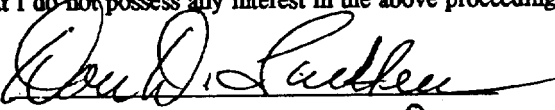
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 5th day of May, 1998, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

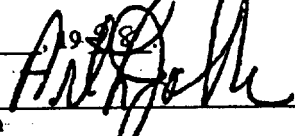


Arthur Johnson
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 7th day of April, 1998. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



Filed in my office at
Adel, Iowa, this 7th day of April, 1998.


Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

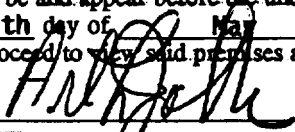
Project No. STPN-6-3(49)--2J-25 Group "C"

TO: GENE HALLING

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fletcher Jennings 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 Adel, Dallas County, State of Iowa, on the 5th day of May, 19 98, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

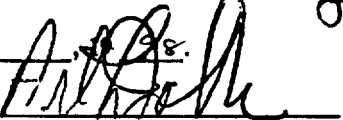


Arthur Johnson
Sheriff of Dallas County, Iowa

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.

Gene Halling

Filed in my office at
Adel, Iowa, this 24th day of March


Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukec and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

TO: BARRY BENGSTON

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

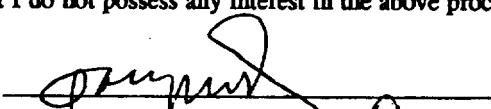
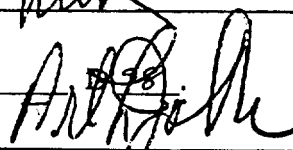
Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fletcher Jennings has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 5th day of May, 1998, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to the said premises and make an award of damages as by law provided.


Arthur Johnson
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Leam, Iowa, this 13 day of May, 1998. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.


Filed in my office at
Adel, Iowa, this 14 day of May, 1998.

Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

TO: LESLIE REYNOLDS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and the Fletcher Jennings 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 Adel, Dallas County, State of Iowa, on the 5th day of Feb, 1998, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to show said premises and make an award of damages as by law provided.

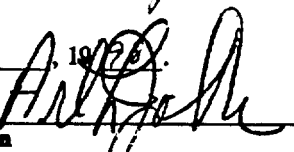

Arthur Johnson
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Adel, Iowa, this 23 day of March, 1998. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Leslie Reynolds

Filed in my office at
Adel, Iowa, this 26 day of March, 1998.


Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

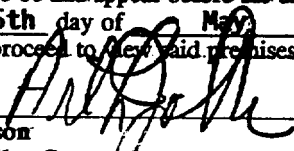
Project No. STPN-6-3(49)-2J-25 Group "C"

TO: FLETCHER JENNINGS

The Iowa Department of Transportation has filed with the Chief Judge of the 5th Judicial District including Dallas County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or the maintenance of roads and streets in Dallas County, and

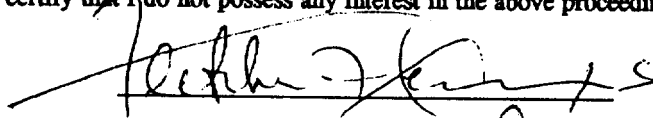
Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Judicial District for Dallas County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fletcher Jennings has been designated as Chairman of the Commission.

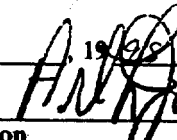
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Adel, Dallas County, State of Iowa, on the 5th day of May, 1998, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Arthur Johnson
Sheriff of Dallas County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Van Meter, Iowa, this 23 day of March, 1998. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.



Filed in my office at
Adel, Iowa, this 24th day of March, 1998.

Arthur Johnson
Sheriff of Dallas County, Iowa

REFUSAL TO SERVE

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

Please sign original summons and return promptly to the Sheriff of Dallas County.

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation

OATH OF COMMISSIONERS

for the Improvement of

Primary Road No. U.S. 6
in the Cities of Clive and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

STATE OF IOWA)
)ss
Dallas County)

Each of the undersigned being duly sworn says:

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

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

and, that I will, to the best of my ability, faithfully and impartially assess the damages which 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 set forth and described in the Application and Notice of Condemnation in the Office of the Sheriff for the improvement of roads and streets and make a written report to the Sheriff as Authorized and prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B, Code of Iowa, and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Fletcher Jennings
Name: Fletcher Jennings
Licensed Real Estate Salesperson
or Broker

Barry Bengston
Name: Barry Bengston
Licensed Real Estate Salesperson
or Broker

Leslie Reynolds
Name: Leslie Reynolds
Knowledgeable of Property Values
by Virtue of Occupation

Gene Halling
Name: Gene Halling
Knowledgeable of Property Values
by Virtue of Occupation

Esther Wilner
Name: Esther Wilner
Other Than Agricultural

Don Luellen
Name: Don Luellen
Other Than Agricultural



sworn to before me this 5th day of May, 19 98.

Carolyn D. Cooley
(Notary Public) in and for said
(Clerk of Court) County and State

Filed in my office at
Adel, Iowa this 5th day of MAY, 19 98.

Arthur Johnson
Arthur Johnson
Sheriff of Dallas County, Iowa

Paul Hind
Paul Hind, Deputy

In the Matter of the Condemnation of Certain Rights in Land by the Iowa Department of Transportation for the Improvement of

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

Primary Road No. U.S. 6 in the Cities of Waukec and Urbandale located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK 9, PAGE 264-278, OR INSTRUMENT NUMBER _____, AND DATED March 13, 1998.

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Adel, Iowa, on the 5th day of May, 1998, and thereupon proceeded to view the premises and said commissioners did on the 5th day of May, 1998, file their report in my office awarding damages as follows:

NAMES OF CONDEMNEDS	AWARD	ATTORNEY FEES AND COSTS
<u>Audrey Jean Eklund; Harold E. Eklund; Urbandale Sanitary Sewer District; Dallas County Treasurer</u>	<u>\$ 50,000.00</u>	<u>\$ 2,500.00</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
TOTAL DAMAGES AWARDED	\$ 50,000.00	\$ 2,500.00

I certify that the costs incident to this proceeding are taxed and Notices were served as listed below: (Attach separate list if necessary)

Date	Name of Condemnees	Service Fee	[Mileage X Rate Per Mile] = Amount	Sum
3-20-98	Dallas County Auditor	10.00	1.00 min.	11.00

Sub Total \$ 11.00

Sheriff's Fees

Summoning and attending Commissioners (Includes service fees)
Maximum allowed by Code Section 331.655

\$ 60.00

Mileage while summoning and attending Commissioners
24 miles x rate .30

\$ 7.20

TOTAL \$ 78.20

Arthur Johnson, Sheriff by Chris Hinds, Deputy
Arthur Johnson
Sheriff of Dallas County, Iowa

BOOK 0009 PAGE 370

Grand Total

417.30 from other bills
49.550

COMMISSIONERS' COSTS

-2-

Barry Bengston _____ of
 Perry _____, Iowa

1 day service \$ 50.00
 37 miles at 30 cents 11.10
 1 meals 10.00

TOTAL \$ 71.10

Don Luellen _____ of
 Minburn _____, Iowa

1 day service \$ 50.00
 18 miles at 30 cents 5.40
 1 meals 10.00

TOTAL \$ 65.40

Gene Halling _____ of
 Perry _____, Iowa

1 day service \$ 50.00
 38 miles at 30 cents 11.40
 1 meals 10.00

TOTAL \$ 71.40

Elston Kilmer _____ of
 Dawson _____, Iowa

1 day service \$ 50.00
 51 miles at 30 cents 15.30
 1 meals 10.00

TOTAL \$ 75.30

Leslie Reynolds _____ of
 Redfield _____, Iowa

1 day service \$ 50.00
 19 miles at 30 cents 5.70
 1 meals 10.00

TOTAL \$ 65.70

Fletcher Jennings _____ of
 Van Meter _____, Iowa

1 day service \$ 50.00
 28 miles at 30 cents 8.40
 1 meals 10.00

TOTAL \$ 68.40

GRAND TOTAL \$ 417.30

I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that the payment has been received.

Dated this 5th day of May, 1998.

Arthur Johnson Sheriff By Chris Hink, Deputy
 Arthur Johnson
 Sheriff of Dallas County, Iowa

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

**NOTICE OF APPRAISEMENT
OF DAMAGES AND TIME
FOR APPEAL**

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

Parcel No. 127

	Land & Improvements	Consequential Damages	Condemnees Total Award	Atty. Fees' and Costs
Audrey Jean Eklund;	\$ _____	\$ _____	\$ _____	\$ _____
Harold E. Eklund;	\$ _____	\$ _____	\$ <u>50,000.00</u>	\$ <u>2500.00</u>
Urbandale Sanitary	\$ _____	\$ _____	\$ _____	\$ _____
Sewer District;	\$ _____	\$ _____	\$ _____	\$ _____
Dallas County	\$ _____	\$ _____	\$ _____	\$ _____
Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

NOTE:

If Owner-Occupied Dwelling is acquired: Value of Condemnees' Dwelling \$ _____
Value of Land and Improvements other than Condemnees' Dwelling \$ _____

You and each of you are hereby notified that on the 5th day of May, 1998, the duly appointed and qualified commissioners assessed and appraised the damages sustained by reason of the condemnation as set out above, and that pursuant to the Code of Iowa, you may within (30) days from the date of mailing this Notice, appeal to the District Court as by law provided.

Signed this 5th day of May

Arthur Johnson
Sheriff of Dallas County, Iowa

BOOK 0009 PAGE 372

CONNOLLY, O'MALLEY, LILLIS, HANSEN & OLSON, L.L.P.
Attorneys at Law
418 - 6th Ave., 820 Liberty Building
Des Moines, IA 50309-2494

DR. & MRS. HAROLD EKLUND
2506 N.W. 142ND STREET
P.O. BOX 83
URBANDALE IA 50322

Page 1
05/05/98
ACCOUNT NO: 3719-7M
STATEMENT NO: 5

CONDEMNATION

IN RE: SERVICES RENDERED

*** DRAFT STATEMENT **

	HOURS
04/02/98 DLM MET WITH MIKE OLSON ABOUT ISSUES OF EKLUND PROPERTY.	1.50
04/14/98 DLM MET WITH MIKE OLSON TO DISCUSS APPRAISAL.	.50
04/16/98 WJL REVIEWED MATTERS RE: CONDEMNATION MATTERS - REVIEWED PROCEDURES.	.50
04/20/98 DLM PREPARE FOR CONDEMNATION.	1.50
04/21/98 WJL CONFERENCE - CALLS AND REVIEWED MATTERS RE: CONDEMNATION (HICKMAN ROAD).	.50
04/23/98 WJL CALL TO MIKE OLSON - ART FRAHM - CALL TO CLIENT - APPRAISAL REPORT - HICKMAN ROAD PROPERTY.	.50
04/24/98 DLM MEETING WITH APPRAISERS AND CLIENTS; DISCUSS HOW TO PROCEED.	3.00
04/27/98 WJL MEETING WITH BARRY BISHOP, ET AL - CLIENTS AND ART FRAHM, ET AL RE: APPRAISAL MATTERS.	1.25

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DR. & MRS. HAROLD EKLUND

Page 2
05/05/98
ACCOUNT NO: 3719-07M
STATEMENT NO: 5

CONDEMNATION

IN RE: SERVICES RENDERED

	HOURS	
04/28/98		
WJL MEETING IN URBANDALE RE: CITY COUNCIL EXTENSION OF P.U.D.	1.50	
04/29/98		
DLM REVIEW ISSUES WITH APPRAISER; PREPARE PACKETS FOR CONDEMNATION HEARING.	2.00	
04/30/98		
DLM TELEPHONE CALL TO MIKE OLSON; PREPARE FOR CONDEMNATION HEARING.	1.50	
05/04/98		
WJL PREPARATION FOR CONDEMNATION HEARING. MEET WITH APPRAISERS	2.00	
DLM PREPARATION FOR CONDEMNATION HEARING. MEET WITH APPRAISERS.	2.00	
05/05/98		
DLM CONDEMNATION HEARING - DALLAS COUNTY.	4.00	
WJL CONDEMNATION HEARING - DALLAS COUNTY.	4.00	
FOR CURRENT SERVICES RENDERED	26.25	4,238.75
TOTAL CURRENT CHARGES		4,238.75
BALANCE DUE		\$4,238.75

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PAYMENT DUE UPON RECEIPT

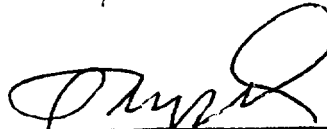
CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. Stpn 6-3(49)-2J-25 "C", held on the 5th day of May, 1998, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50⁰⁰</u>
<u>37</u> miles at <u>30</u> cents	\$ <u>11¹⁰</u>
<u>1</u> meals	\$ <u>10⁰⁰</u>

Signed this 5th day of May, 1998.



COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN 6-3(49)-2J-25"e", held on the 5th day of May, 1998, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50⁰⁰</u>
<u>38</u> miles at <u>38</u> cents	\$ <u>1140</u>
<u> </u> meals	\$ <u>10⁰⁰</u>

Signed this 5th day of May, 1998.

Gene Halling
COMMISSIONER


CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. Stps 6-3(49)-2J-25 "c", held on the 5th day of May, 1998, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>19</u> miles at <u>30</u> cents	\$ <u>5.70</u>
<u>1</u> meals	\$ <u>10.00</u>

Signed this 5th day of May, 1998.


COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. Stpn 6-3(49)-2J-25 "C", held on the 5th day of May, 1998, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>18</u> miles at <u>30</u> cents	\$ <u>5.40</u>
<u>1</u> meals	\$ <u>10.00</u>

Signed this 5th day of May, 1998.

Don Pullen
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. Stpr 6-3(49)-2J-25 "c", held on the 5th day of May, 1998, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u> </u> miles at <u> </u> cents	\$ <u>10.00</u>
<u> </u> meals	\$ <u>10.00</u>

Signed this 5th day of May, 1998.

Elton Kishner
COMMISSIONER

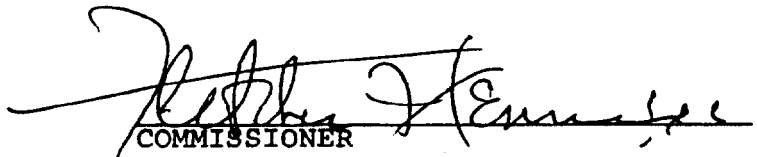
CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Dallas County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN 6-3(49)-25-25 "C", held on the 5th day of May, 1998, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$50.00	\$ <u>50.00</u>
<u>28</u> miles at <u>30</u> cents	\$ <u>8.40</u>
_____ meals	\$ <u>10.00</u>

Signed this 5th day of May, 1998.


COMMISSIONER

$$\begin{array}{r} 28 \\ 30 \\ \hline 40 \end{array}$$



In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
Department of Transportation for the
Improvement of

NOTICE

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa
Project No. STPN-6-3(49)--2J-25
Group "C"

TO:
Audrey Jean Eklund, 2506 NW 142nd Street, Urbandale, Iowa
Harold E. Eklund, 2506 NW 142nd Street, Urbandale, Iowa
Urbandale Sanitary Sewer District, c/o Gerald Pierce, City Hall, Urbandale, Iowa
City of Urbandale, c/o City Clerk, Urbandale, Iowa
Dallas County, Iowa, c/o County Auditor, Adel, Iowa

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

Part of the SE¼SE¼ of Sec. 25, T79N, R26W of the 5th P.M., in the City of Urbandale, Dallas County, Iowa.

You, and each of you, are hereby notified that the State of Iowa and the City of Urbandale, Iowa, desire certain
rights in land more specifically described as follows and shown with reference to their location as to lands affected
on the plats Exhibits "A" (1 of 2), (2 of 2) and "B" attached hereto and to the Application filed with the Chief Judge
of the Judicial District containing Dallas County, Iowa, and in the Office of the Sheriff of Dallas County, Iowa, to
which you are referred:

The title in fee simple sought to be appropriated for the use and benefit of the State of Iowa is in land described as
follows:

Dallas County Project No. STPN-6-3(49)--2J-25
Audrey Jean Eklund (Parcel 127)
Continued on next page

Page 1

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Dallas County Project No. STPN-6-3(49)--2J-25
Audrey Jean Eklund (Parcel 127)

Page 2

A parcel of land located in the SE¼ SE¼ of Sec. 25, T79N, R26W of the 5th P.M., the City of Urbandale, Dallas County, Iowa, and as shown on the plat Exhibit "A" (1 of 2) attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Beginning at the SE Corner of said Sec. 25; thence S89°56'08"W, 68.92 ft. along the south line of said Sec. 25; thence N72°41'54"W, 321.02 ft. to a point on the existing northerly right of way line of Primary Road No. U.S. 6; thence easterly 246.44 ft. on an 11,564.94 foot radius curve, concave southerly, the chord for which bears N89°19'07"E and has a length of 246.43 ft.; thence N89°55'45"E, 129.14 ft. to a point on the east line of said Sec. 25; thence S0°05'03"W, 98.48 ft. along said east line, to the Point of Beginning, containing 22,073 sq. ft. of which 6,173 sq. ft. are within existing road right of way.

The access rights in fee simple title sought to be appropriated for the use and benefit of the State of Iowa, are described as follows:

All rights of direct access between Primary Road No. U.S. 6 and condemnees remaining property abutting thereon from Sta. 173+74.910 to Sta. 175+03.0± (Property Line) on the north side.

Also, all rights of direct access between NW 142 Street and condemnees remaining property abutting thereon from Sta. 24175+02.971 to Sta. 24175+62.25, on the west side.

It is not the intent of the condemnor to acquire any of the rights of Easement to Urbandale Sanitary Sewer District hereto fore granted and recorded in the Office of the Dallas County Recorder in Book 771, Page 1002, Dallas County, Iowa.

The title in fee simple sought to be appropriated for the use and benefit of the City of Urbandale, Iowa, are described as follows:

A parcel of land located in the SE¼ SE¼ of Sec. 25, T79N, R26W of the 5th P.M., in the City of Urbandale, Dallas County, Iowa, and as shown on the plat Exhibit "A" (2 of 2) attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Dallas County Project No. STPN-6-3(49)--2J-25
Audrey Jean Eklund (Parcel 127)
Continued on next page

Page 2

BOOK 0009 PAGE 382

Commencing at the SE Corner of said Sec. 25; thence $N0^{\circ}05'03''E$ along the east line of said Sec. 25, 98.48 ft. to the north line of the land sought in fee simple title for the use and benefit of the State of Iowa; thence $S89^{\circ}55'45''W$, 33.00 ft. along said north line to a point on the existing westerly right of way line of NW 142nd Street, the Point of Beginning; thence continuing $S89^{\circ}55'45''W$, 23.00 ft. along said north line; thence $N0^{\circ}01'49''W$, 531.63 ft.; thence $N16^{\circ}25'15''E$, 85.52 ft. to a point on said westerly line; thence $S0^{\circ}05'03''W$ along said westerly line 613.63 ft. to the Point of Beginning, containing 13,493 sq. ft.
In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement, for the specific purpose of constructing a pipe in land described as follows and as shown on the plat Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the SE Corner of said Sec. 25; thence $S89^{\circ}56'08''W$, 68.92 ft. along the south line of said Sec. 25; thence $N72^{\circ}41'54''W$, 321.02 ft. to a point on the existing northerly right of way line of Primary Road No. U.S. 6, the Point of Beginning; thence continuing $N72^{\circ}41'54''W$, 46.63 ft. along said northerly right of way line; thence $N39^{\circ}49'24''E$, 15.03 ft.; thence $N88^{\circ}37'25''E$, 34.31 ft.; thence $S1^{\circ}17'46''E$, 26.25 ft. to the Point of Beginning.

3. The area sought to be appropriated by temporary easement, for the specific purpose of constructing a pipe is reserved to the condemnees until the actual date said area is required for construction of this highway improvement. Also, said temporary easement right shall terminate immediately upon completion of the operations for which said right is sought and in no event later than the completion of this highway improvement.

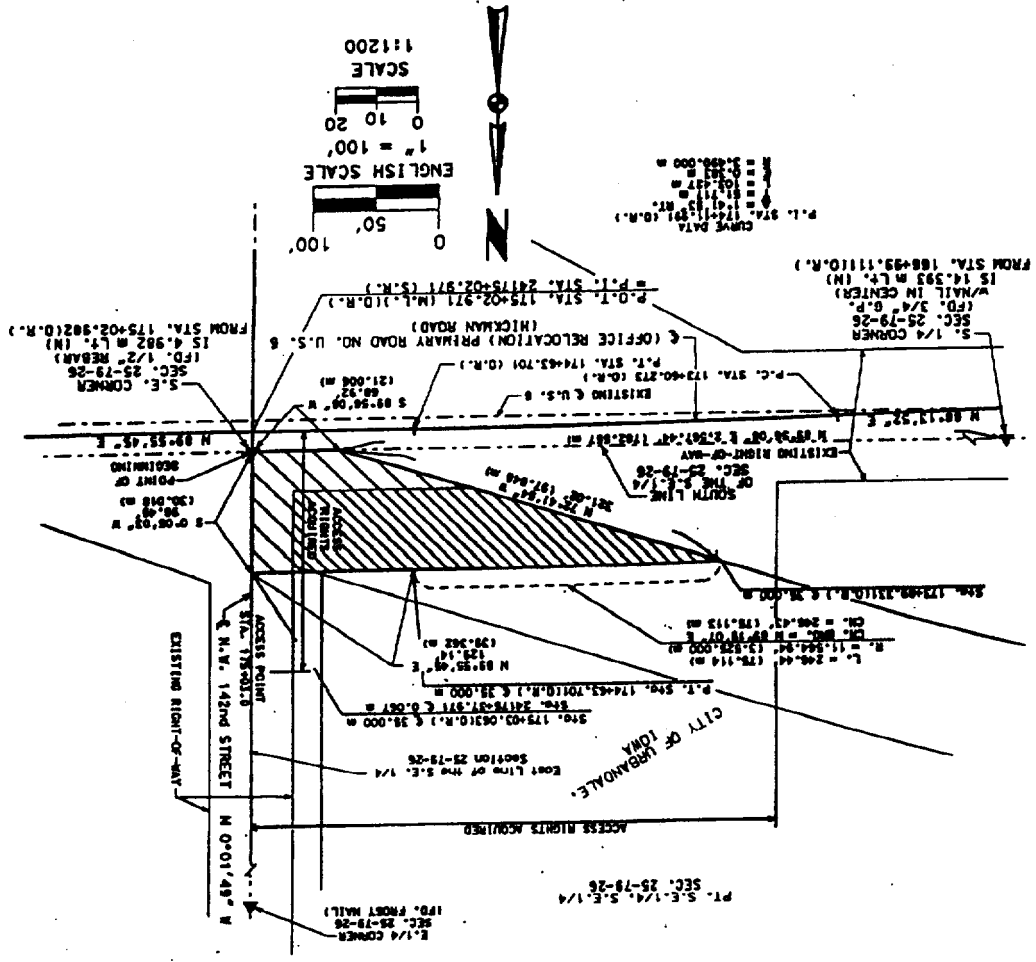
DATE DRAWN 12-4-97 SGT
 REV. 12-12-97 SGT
 REV. 12-19-97 SGT

BOOK 0009 PAGE 384



I hereby certify that this land surveying document was prepared and the related surveying work was performed by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.
 Michael G. Geller, L.S.
 License Number 11804
 By Iowa Board Date 16 December 31, 1997
 Pages or sheets covered by this seal: 1
 Date: 12-19-97

*ACQUISITION
 PT. S.E. 1/4, S.E. 1/4 SEC. 25
 15,900 SQ. FT. (TAX) + 6,173 SQ. FT. EXIST. R/W = 22,073 SQ. FT. TOTAL FEE TITLE R/W



COUNTY	DALLAS
PROJECT NO.	SFPN-6-3(49)-2J-25
SECTION	25
RANGE	79N
PARCEL NO.	127
STATE CONTROL NO.	0010-00
AC. EXCESS - FEE	AC
MAIN LINE	NORTH
SIDE LINE	WEST
ACQUIRED ACCESS RIGHTS FROM STA. 173+74.910 TO STA. 175+03.0	
ACQUIRED ACCESS RIGHTS FROM STA. 24175+02.971 TO STA. 24175+62.25	
ACQUIRED FROM	AUDREY JEAN ERLUND

IOWA DEPARTMENT OF TRANSPORTATION
 ACQUISITION PLAT
 EXHIBIT "A" (1 OF 2)



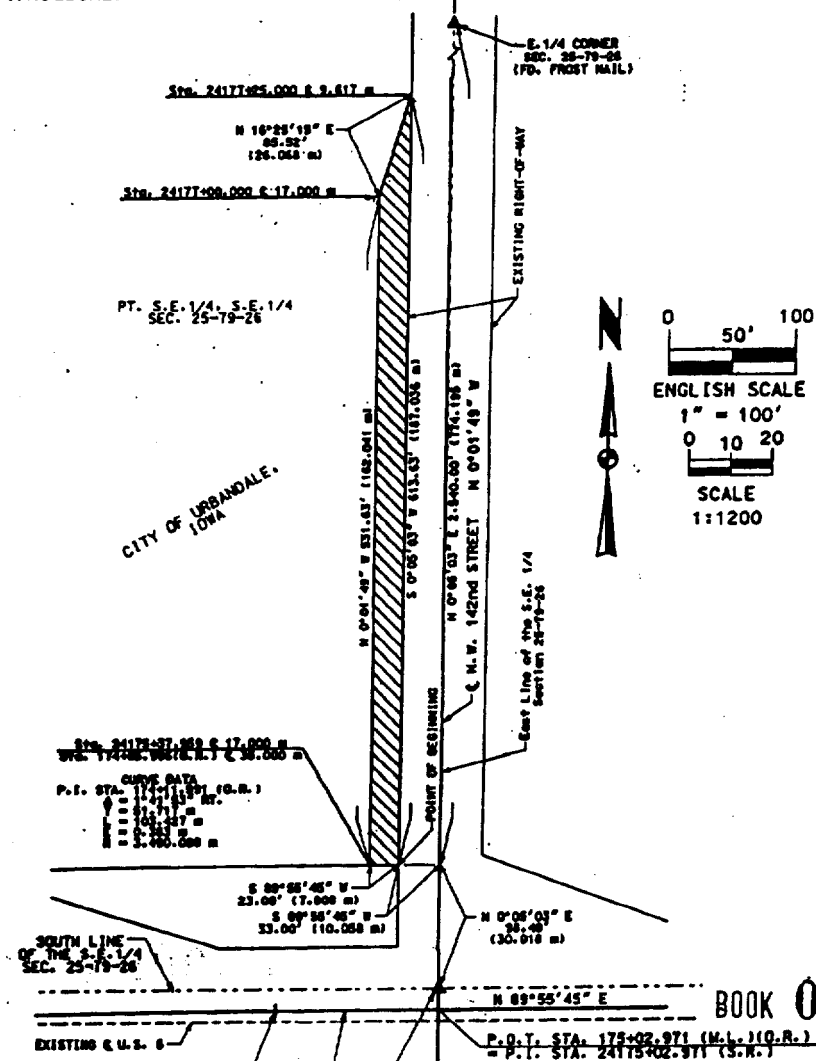
IOWA DEPARTMENT OF TRANSPORTATION



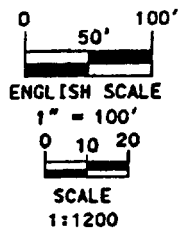
ACQUISITION PLAT
EXHIBIT "A" (2 OF 2)

COUNTY DALLAS STATE CONTROL NO. _____
 PROJECT NO. STPN-6-3(49)-2J-25 PARCEL NO. 127
 SECTION 25 TOWNSHIP 79N RANGE 26W
 ROW - FEE *13.493 sq. ft. X, EASE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE LINE _____ SIDE
 ACQUIRED FROM AUDREY JEAN EKLUND

*ACQUIRED IN THE NAME OF THE CITY OF URBANDALE, IOWA

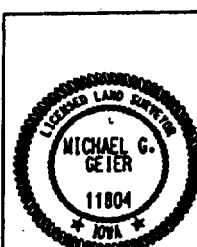


*ACQUISITION
PT. S.E. 1/4, S.E. 1/4 SEC. 25 - 13.493 SQ. FT. (TAX) FEE TITLE R/W

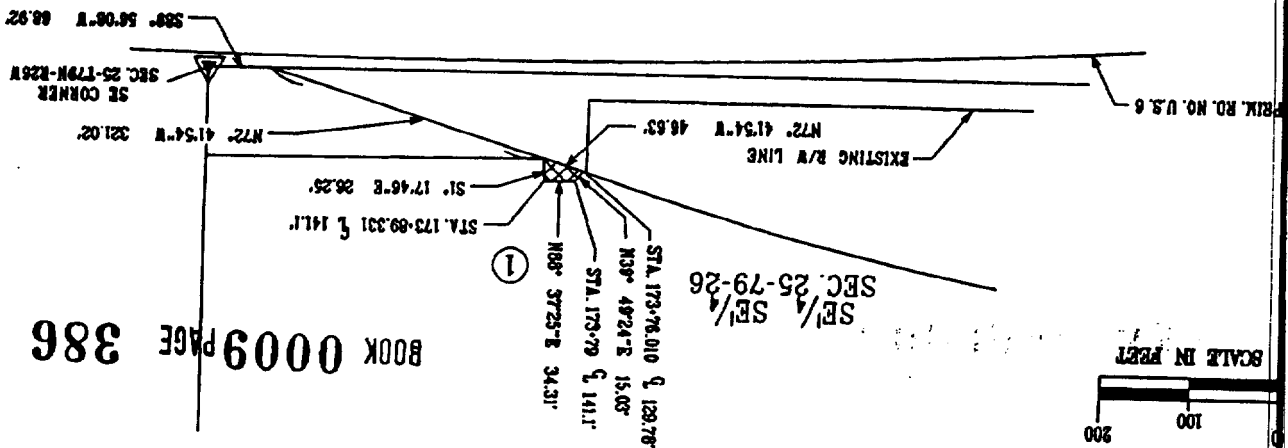


BOOK 0009 PAGE 385

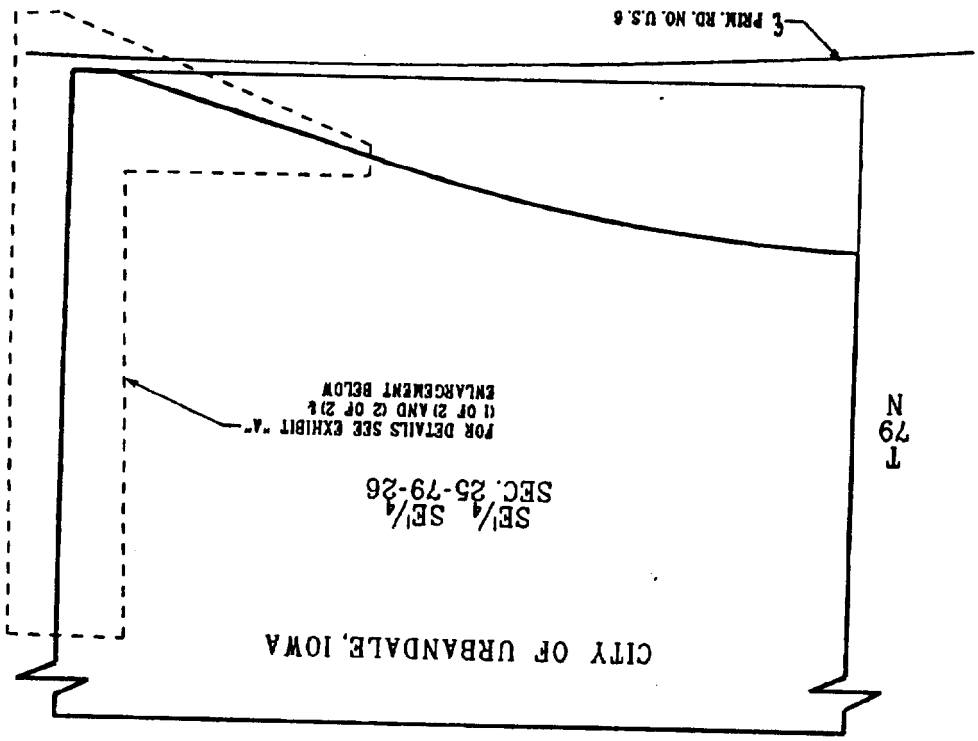
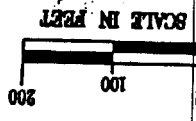
P.T. STA. 174+63.701 (O.R.)
 & (OFFICE RELOCATION)
 PRIMARY ROAD NO. U.S. 6
 (NICKMAN ROAD)
 S.E. CORNER
 SEC. 25-79-26
 (PD. 1/2" REBAR)
 IS 4.982 M LT. (N)
 FROM STA. 175+02.982 (O.R.)



I hereby certify that this land surveying document was prepared and the related surveying work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Michael G. Geier 12-19-97
 Michael G. Geier, L.S. Date
 License Number 11804
 My License Renewal Date is December 31, 1997
 Pages or sheets covered by this seal:



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FOR DETAILS SEE EXHIBIT "A"
 11 OF 21 AND 12 OF 21 &
 ENLARGEMENT BELOW

① TEMPORARY EASEMENT TO CONSTRUCT PIPE

PROJECT NO.	STPN-6-3(49)--21-25
SECTION	25
TOWNSHIP	79N
RANGE	26W
ACQUIRED FROM	AUDREY JEAN EKLUND
AC	
PARCEL NO.	127

IOWA DEPARTMENT OF TRANSPORTATION
 ACQUISITION PLAT
 EXHIBIT "B"



In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

Parcel No. 127

On this the 5 day of May, 1998, comes the Iowa Department of Transportation 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 Notice of Condemnation filed in the above matter are as follows:

(Names as on Notice)

\$ 31,200

Audrey Jean Eklund
Harold E. Eklund
Urbandale Sanitary Sewer District
Dallas County Treasurer

IOWA DEPARTMENT OF TRANSPORTATION

Robert L. North
Right of Way Director

By: [Signature]
Condemnation Agent



Acted and sworn to before me this 7th day of May, 1998.

Carolyn S. Coakley

(Notary Public)
in and for said County and State
(Clerk of Court)

Filed in my office at
Adel, Iowa, this 5th day of May, 1998.

[Signature]

Arthur Johnson
Sheriff of Dallas County, Iowa

BOOK 0009 PAGE 388

In the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of

**REPORT OF
COMPENSATION
COMMISSION**

Primary Road No. U.S. 6
in the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)-2J-25 Group "C"

TO: Arthur Johnson, Sheriff of Dallas County, Iowa

We, the undersigned, being duly appointed and qualified Commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights as set forth and described in the Notice of Condemnation filed in the above entitled matter respectfully report as follows:

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein and 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 127 -	\$ _____	\$ _____	\$ _____	\$ _____
Audrey Jean Eklund;	\$ _____	\$ _____	\$ 50,000 ⁰⁰	\$ 7500
Harold E. Eklund;	\$ _____	\$ _____	\$ _____	\$ _____
Urbandale Sanitary Sewer District;	\$ _____	\$ _____	\$ _____	\$ _____
Dallas County Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

Respectfully reported at Adel, Iowa, this 5th day of May, 1998.

Arthur Johnson
Don Twelker
Gene Halling

James
Wesley Reynolds
John A. Shea

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 Adel, Iowa, this 5th day of May, 1998.

Arthur Johnson, Sheriff By Chris Hinds, Deputy
Arthur Johnson
Sheriff of Dallas County, Iowa.

Arthur Johnson, Sheriff by [Signature], Deputy
Arthur Johnson
Sheriff of Dallas County, Iowa

The undersigned hereby endorse and certify that a true copy of the Notice of Appraisal of Damages and Time for Appeal was served upon each of the parties of this proceeding, as listed herein, by enclosing said Notice in an envelope addressed to each such party at their respective last known mailing address as disclosed by the record in the application to the Chief Judge (excepting those parties, if any, listed below), with postage prepaid, and by depositing said envelope in a United States Post Office depository in Adel, Iowa, on the 5th day of May, 1998.

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

in the Matter of the Condemnation
of Certain Rights in Land by the
Iowa Department of Transportation
for the Improvement of
Primary Road No. U.S. 6
in the Cities of Wauke and Urbandale
located in Dallas County, Iowa
Project No. STPN-6-3(49)--21-25 Group "C"

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT OF DALLAS COUNTY

RECEIVED

98 APR -6 AM 8:48

Case Name: DALLAS COUNTY

VS BRICK, JOSEPH ET AL

Case No. 13634

ARTHUR L. JOHNSON
0136 DALLAS COUNTY SHERIFF (STATE, COUNTY, CITY)

Notice Rec'd this date: 3/16/98

STATE OF IOWA

POLK County) ss.

I certify that I served a copy of: NOTICE

Served:

at on / / :
/ / :
/ / :

by serving on / / , : ' , at

URBANDALE SANIT by serving SANDY TOMPKINS it's DEPT CLERK on 3/17/98
(Name) (Title)

10:20 AM at 3315 70TH ST URBANDALE

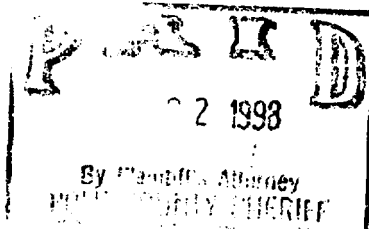
NOTE: (Diligent Search/Remarks)

BOB E. PRICE Sheriff
POLK County, Iowa

Jerry Brandow
JERRY BRANDOW

FEEES:

Processing: \$10.00
Mileage : \$3.72
Copy : \$0.00
Notary : \$0.00
Misc. : \$0.00
TOTAL : \$13.72



BOOK 0009 PAGE 391

Fees charged to/paid by OTHER

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT FOR _____ COUNTY

RECEIVED

Case Name: DALLAS COUNTY

Case No. 13634 013634

98 APR -6 AM 8:48
V. BRICK, JOSEPH ET AL
ARTHUR L. JOHNSON
DALLAS COUNTY SHERIFF
OFFICE, COUNTY, CITY)

Notice Rec'd this date: 3/16/98

STATE OF IOWA

POLK County } ss.

I certify that I served a copy of: NOTICE

Served:

at _____ on / / :
/ / :
/ / :

by serving _____ at
on / / , : ,

CITY OF URBANDA by serving SANDY TOMPKINS it's DEPT CLERK on 3/17/98
(Name) (Title)
10:20 AM at 3315 70TH ST URBANDALE

NOTE: (Diligent Search/Remarks)

BOB E. RICE , Sheriff
POLK County , Iowa
Jerry Brandow
JERRY BRANDOW

FEEES:

Processing: \$10.00
Mileage : \$0.00
Copy : \$0.00
Notary : \$0.00
Misc. : \$0.00
TOTAL : \$10.00

PAID
APR 2 1998
By Plaintiff's Attorney
POLK COUNTY SHERIFF

BOOK 0009 PAGE 392

Fees charged to/paid by OTHER

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT FOR DALLAS COUNTY

RECEIVED

Case Name: DALLAS COUNTY

98 APR -6 AM 8:48

VS BRICK, JOSEPH ET AL

Case No. 13634

ARTHUR L. JOHNSON
013 DALLAS CO. SHERIFF

Notice Rec'd this date: 3/16/98

STATE OF IOWA

POLK County } ss.

I certify that I served a copy of: NOTICE

Served:

at on / / :
/ / :
/ / :

EDLUND, AUDREY by serving EDLUND, HAROLD, HUSBAND at
2506 NW 142ND URBANDALE on 3/16/98, 5:30 PM,

by serving (Name) it's (Title) on / /

: at

NOTE: (Diligent Search/Remarks)

BOB E. RICE Sheriff
POLK County, Iowa

JERRY BRANDOW

FEES:

Processing: \$10.00
Mileage : \$5.58
Copy : \$0.00
Notary : \$0.00
Misc. : \$0.00
TOTAL : \$15.58

PAID
APR 30 1998
By Plaintiff's Attorney
POLK COUNTY SHERIFF

BOOK 0009 PAGE 393

Fees charged to/paid by OTHER

RETURN OF SERVICE

IN THE IOWA DISTRICT COURT FOR DALLAS COUNTY

RECEIVED

98 APR -6 AM 8:47

Case Name: DALLAS COUNTY

VS BRICK, JOSEPH ET AL

Case No. 13634

013634

ARTHUR L. JOHNSON
DALLAS COUNTY SHERIFF

Notice Rec'd this date: 3/16/98

STATE OF IOWA

POLK County } ss.

I certify that I served a copy of: NOTICE

Served:

EDLUND, HAROLD at 2506 NW 142ND URBANDALE IA on 3/16/98 5:30 PM
/ / :
/ / :

by serving on / / , : , at

by serving (Name) it's (Title) on / /

: at

NOTE: (Diligent Search/Remarks)

BOB E. RICE, Sheriff
POLK County, Iowa
[Signature]
JERRY BRANDOW

FEEES:

Processing: \$10.00
Mileage : \$0.00
Copy : \$0.00
Notary : \$0.00
Misc. : \$0.00
TOTAL : \$10.00

PAID
MAR 30 1998
By Plaintiff's Attorney
POLK COUNTY SHERIFF

BOOK 0009 PAGE 394

Fees charged to/paid by OTHER

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
Department of Transportation for the
Improvement of

DISMISSAL

Primary Road No. U.S. 6 in
the Cities of Waukee and Urbandale
located in Dallas County, Iowa

Project No. STPN-6-3(49)--2J-25

Group "C" Parcel 103

TO: Arthur Johnson, Sheriff of Dallas County, Iowa
and
TO:

Joseph S. Brick, 550 39th Street, Suite 200, Des Moines, Iowa
Janet L. Brick, 8809 Sunflower Circle, Urbandale, Iowa
City of Waukee, Iowa, c/o City Clerk, Waukee, Iowa
Dallas County, Iowa, c/o County Auditor, Adel, Iowa

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

The NE 1/4 NW 1/4, SE 1/4 NW 1/4 and part of the NW 1/4 NW 1/4 and SW 1/4 NW 1/4 of Sec. 35, T79N, R26W of the 5th P.M.,
in the City of Waukee, Dallas County, Iowa.

The Iowa Department of Transportation dismisses, without prejudice, the above-referenced proceeding against all properties and
property owners.

The original Certified Application for Condemnation approved by the Chief Judge was filed in the Office of the Dallas County
Recorder on March 9, 1998, and occurs in Book 9, on Pages 264-278.

Dated at Ames, Iowa, this 20th day of April, 19 98.

IOWA DEPARTMENT OF TRANSPORTATION

DAVID A. FERREE
Special Assistant Attorney General and Counsel

ROBERT L. NORTH, Right of Way Director

By 
Bernice Jorgensen
Condemnation Unit Coordinator

Time-Stamped in my office at Adel, Iowa, this
21st day of April, 19 98.


Sheriff of Dallas County, Iowa

BOOK 0009 PAGE 395