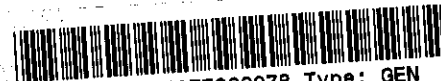


128  
391  
10  
84350



Doc ID: 011377600078 Type: GEN  
Recorded: 06/18/2002 at 08:31:17 AM  
Fee Amt: \$401.00 Page 1 of 78  
Polk County Iowa  
TIMOTHY J. BRIEN RECORDER  
File# 2002-00122659

BK 9187 PG 891-968

**Polk County Sheriff's Office**  
Dennis W. Anderson, Sheriff

TO: Polk County Recorder's Office

DATE: *May 20, 2002*

FROM: Kelly Samuelson

SUBJECT: Condemnation File

PLEASE RECORD ATTACHED PAPERS AND PROVIDE ME WITH

A COPY OF THE FIRST AND LAST PAGE.

THANK YOU.

Entered upon transfer books and for  
taxation this *19* day of *June*  
2002. My fee \$ *55.00* collected  
by recorder.

MICHAEL A. MAURO  
Auditor

*Kelly Samuelson*

PREPARED BY:  
RETURN TO:  
CITY OF DES MOINES  
CITY CLERKS OFFICE  
400 EAST FIRST ST  
DES MOINES IA 50309

**COPY SENT TO  
SECRETARY  
OF STATE**

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land for the Martin Luther King, Jr. Parkway Project (Thompson Trust) by the City of Des Moines, Iowa

SHERIFF'S CERTIFICATE OF COSTS AND AWARDS

TO: Clerk of Polk County District Court/Polk County Recorder

I hereby certify that the appointed commissioners in the above entitled condemnation commission proceedings convened at the Midland Bldg., 206 - 6th Avenue on the 15th day of March, 2002, and thereupon proceeded to view the premises and the commission did thereafter on the 15th day of March, 2002, file their written report with me awarding damages as follows:

TITLEHOLDERS, ENCUMBRANCERS AND LIENHOLDERS

PROPERTY ADDRESS

COUNT I:

TITLEHOLDER:

The Thompson Trust aka The Trustees of the Thompson Trust  
c/o Hubbell Realty, 904 Walnut Street, Ste 900, DM 50309  
Atty: Connolly Law Firm, 317 Sixth Ave, Ste 300, DM 50309

2000 Block South of High Street  
North of Ingersoll Ave

EASEMENT FOR STORM SEWER RIGHT OF WAY:

City of Des Moines, Iowa  
c/o City Clerk, 400 E 1st St, DM 50309

Special Assessment for sidewalk:

City of Des Moines, Iowa  
c/o City Clerk, 400 E 1st Street, DM 50309

Taxing Authority:

Polk County, Iowa  
Polk Co Admin Bldg, 111 Court Avenue, DM 50309

COUNT II:

TITLEHOLDER:

The Thompson Trust aka The Trustees of the Thompson Trust  
c/o Hubbell Realty, 904 Walnut Street, Ste 900, DM 50309  
Atty: Connolly Law Firm, 317 Sixth Ave, Ste 300, DM 50309

1900-2000 Block North side of Ingersoll Ave

EASEMENT FOR STORM SEWER RIGHT OF WAY:

City of Des Moines, Iowa  
c/o City Clerk, 400 E 1st Street, DM 50309

TAXING AUTHORITY:

Polk County, Iowa  
Polk County Administration Bldg, 111 Court Ave, DM 50309

\$275,000.00 AWARD - PAID

*Dennis J. Anderson*

The application for condemnation was filed with the recorder on the 12th day of February, 2002, in Book number 9094, page number 459

DATE OF MAILING THE NOTICE OF APPRAISEMENT OF DAMAGES TO CONDEMNNEES MARCH 15, 2002

AWARDS DEPOSITED BY APPLICANT 4/5/02

NOTICE OF APPEAL FILED BY \_\_\_\_\_

DATE OF APPEAL \_\_\_\_\_

COMMISSIONERS FEES-EXPENSES

1. Dennis Connolly	\$218.30
2. Rollie Bredeson	219.30
3. William O'Brien	219.26
4. Keith Johnson	207.65
5. Ralph Vance	215.60
6. Ellen Cioccio	210.36
TOTAL	1,290.47

*rec'd 4-5-02  
mailed 4-5-02*

SHERIFF'S CIVIL FEES

Attend Jury	\$100.00
Publication Fee	153.04
Sheriff's Fees	11.60

*sent 4/17/02  
rec'd 4-5-02*

TOTAL 264.64

I further certify that the attached papers are the full and complete original files in the proceedings and the statement accompanying the same are correct and true. Given under my hand this 15th day of March, 2002.

DENNIS W. ANDERSON, SHERIFF OF POLK COUNTY

by *M.L. Aschbrenner*

TO RECORDER 5/20/02

M.L. Aschbrenner DOCKET NO. 02- 520  
SHERIFF'S FILE NO. 9240

02 FEB 19 AM 7 00

DENNIS W. ANDERSON  
SHERIFF  
POLK COUNTY, IOWA

Prepared by and return to: Emily Gould Chafa, Assistant City Attorney, City Legal Department, 400 East First Street, Des Moines, Iowa 50309  
(515) 283-4130 Address tax statements to: City of Des Moines, 400 East First Street, Des Moines, Iowa 50309

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION	)	
OF CERTAIN RIGHTS IN LAND FOR THE	)	
MARTIN LUTHER KING, JR. PARKWAY	)	
PROJECT (Thompson Trust)	)	
	)	
by the	)	APPLICATION FOR CONDEMNATION
	)	
CITY OF DES MOINES, IOWA,	)	
IA077011A,	)	
	)	
Applicant.	)	

TO: ARTHUR E. GAMBLE, CHIEF JUDGE, FIFTH JUDICIAL DISTRICT

YOU ARE HEREBY NOTIFIED that the Applicant City of Des Moines, Iowa, a municipal corporation, desires to take, acquire and condemn a fee simple interest in the property hereafter described in Count I hereof, together with any and all leasehold interests, easement interests and other legal or equitable interests therein, including access rights as defined herein, and together with any and all structures and appurtenances located upon the property sought to be condemned. The City of Des Moines also desires to take, acquire and condemn temporary easements in the property hereafter described in Count II hereof. The City of Des Moines desires the rights specified in the properties sought to be condemned for use for the Martin Luther King, Jr. Parkway Project.

**PROPERTY TO BE ACQUIRED; PUBLIC USE OR PURPOSE FOR THE TAKING.**

The properties in which a fee simple interest, access rights and temporary easements are sought to be acquired for the Martin Luther King, Jr. Parkway Project are listed as Parcels 1-A, 1-B, 1-C and 2-A, 2-B, 2-C and 2-D and are shown on the attached Acquisition Plats. These Acquisition Plats are marked Exhibits 1-A & B, 1-C and 2-A & B, 2-C and 2-D and are by this reference made a part hereof. The fee simple interest in Parcels 1-A and 1-B, the access rights in Parcel 1-C and the temporary easement interests in Parcels 2-A, 2-B, 2-C and 2-D will be used by the City of Des Moines for the public purpose of street and related improvements for the Martin Luther King, Jr. Parkway Project.

**COUNT I**

The fee simple interest in the property to be acquired as Parcels 1-A and 1-B are legally described as follows:

**PARCEL 1-A--Fee Simple Interest-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

PROPERTY ADDRESS: vacant property in the 2000 block south of High Street and north of Ingersoll Avenue

**PARCEL 1-B--Fee Simple Interest-City of Des Moines, Iowa:**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

PROPERTY ADDRESS: vacant property along the 1900-2000 block on the north side of Ingersoll Avenue

The property interests to be acquired as Parcel 1-C is legally described as follows:

**Parcel 1-C – Access Rights-City of Des Moines, Iowa**

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR’S (Condemnee’s) PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON’S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR’S (Condemnee’s) PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR’S (Condemnee’s) PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

PROPERTY ADDRESS: vacant property in 1900-2000 block south of High Street & north of Ingersoll Avenue

**NAMES OF RECORD OWNERS AND HOLDERS OF LIENS AND ENCUMBRANCERS OF PARCELS 1-A, 1-B and 1-C.**

The names and addresses of all record owners and holders of liens and encumbrancers with respect to Parcels 1-A, 1-B and 1-C, as far as shown, are as follows:

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of The Thompson Trust  
c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Special Assessment for sidewalk:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**COUNT II**

The temporary easement property interests to be acquired as Parcels 2-A, 2-B, 2-C and 2-D is legally described as follows:

**PARCEL 2-A—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 2,830 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the south side of High Street

**PARCEL 2-B—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the north side of Ingersoll Avenue

**PARCEL 2-C—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES

MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00°  
(DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE  
PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF  
19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL  
HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET;  
THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25"  
EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF  
19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT  
OF BEGINNING. BY SURVEY CONTAINING 5,003 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the north side of the 1900-2000 block of Ingersoll Avenue

**PARCEL 2-D—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 683 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the south side of the 2000 block of High Street

**NAMES OF RECORD OWNERS AND HOLDERS OF LIENS AND ENCUMBRANCERS OF PARCELS 2-A, 2-B, 2-C and 2-D.**

The names and addresses of all record owners and holders of liens and encumbrancers with respect to Parcels 2-A, 2-B, 2-C and 2-D, as far as shown, are as follows:

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of the Thompson Trust  
c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**1. LANDS NECESSARY TO ACHIEVE THE PUBLIC PURPOSE AND LANDS PROPOSED TO BE ACQUIRED FOR THE PROJECT.**

The Acquisition Plats, marked as Exhibits 1-A & B and 1-C and 2-A & B, 2-C, and 2-D, and attached hereto and made a part hereof, identifies the property interests described in Counts I and II above which are required by the City of Des Moines for the purposes of street and related improvements in conjunction with the Martin Luther King, Jr. Parkway Project. The City further asserts that the property interests as described in Counts I and II above constitute the necessary minimum amount of land and property interests needed to achieve the purpose herein identified, and that no portion of this property is being acquired as an uneconomic remnant.

**2. GOOD FAITH EFFORTS MADE BY THE CITY TO NEGOTIATE THE PURCHASE OF THE PROPERTY.**

The City represents and warrants that it has undertaken the following activities in attempting to negotiate the purchase of the property interests described in Counts I and II from the property owner in good faith:

(a) On August 23, 1999, the Des Moines City Council adopted a resolution, under Roll Call No. 99-2618, authorizing of a notice of intent to continue the previously approved Martin Luther King, Jr. Parkway Project, and to acquire property for said Project, to be mailed to all affected property owners, including the owner of the property described in Counts I and II listed above, and to be published as required by law.

(b) On October 4, 1999, acting pursuant to both mailed and published notice of public hearing, the Des Moines City Council held a public hearing on the proposed commencement of said Project and on the proposed acquisition of properties for said Project, and thereafter passed a resolution, under Roll Call No. 99-3144, approving the Project and authorizing the acquisition of properties for the Project, including the property described in Counts I and II identified above.

(c) On August 15, 2001, the Real Estate Division of the City of Des Moines Engineering Department received an appraisal of the property to be acquired, indicating that the fair market value of the property interests to be acquired was as of the date of the appraisal in the amount of \$220,000.00 for the fee simple interest and access rights in the property described in Count I and \$10,000.00 for the temporary easement interests described in Count II.

(d) On September 24, 2001, the Des Moines City Council adopted a resolution, under Roll Call No. 01-2874, establishing the fair market value of the property interests described in Counts I and II in the amounts determined by an appraisal of the property performed by a professional appraiser.

(e) On October 5, 2001, the Real Estate Division of the City of Des Moines Engineering Department mailed to the property owner an offer to purchase the property interests described in Counts I and II above at the fair market value thereof, as set forth in the appraisal and as established by the City Council, together with a copy of the appraisal. The offer provided that it would remain open for acceptance by the owner through November 30, 2001. A letter accompanied the offer, informing the property owner of its right to waive the 10 day waiting period for commencement of negotiations, and informing the property owner of the requirement that the City negotiate for purchase of the property interests in good faith.



(f) Following the conclusion of the 10 day waiting period for the commencement of negotiations, the City's acquisition agent contacted the owner of the property interests described in Counts I and II above to commence negotiations for the purchase thereof this property. The acquisition agent contacted and met with the property owner and/or its agent or attorneys on several occasions to negotiate the terms of purchase. The acquisition agent's efforts to purchase the property interests as described in Counts I and II above at the fair market value as established by the City Council pursuant to appraisal were unsuccessful.

**NOW, THEREFORE**, pursuant to a regularly adopted resolution by the City Council of the City of Des Moines, **YOU ARE HEREBY REQUESTED** to appoint a Compensation Commission to appraise the damages caused by this appropriation; said Commission to consist of six commissioners who shall be residents of Polk County, Iowa.

**YOU ARE FURTHER REQUESTED** to give written notice to the City of Des Moines, Iowa as soon as the commissioners have been appointed.

Dated this 9<sup>th</sup> day of February, 2002.

CITY OF DES MOINES, IOWA

Emily Gould Chafa

Emily Gould Chafa PK0011406  
Assistant City Attorney  
City Hall, 400 East First Street  
Des Moines, IA 50309-1891  
Telephone: (515) 283-4530

APPROVED this 11 day of February, 2002.

Arthur E. Spaulde  
Chief Judge, Fifth Judicial District

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

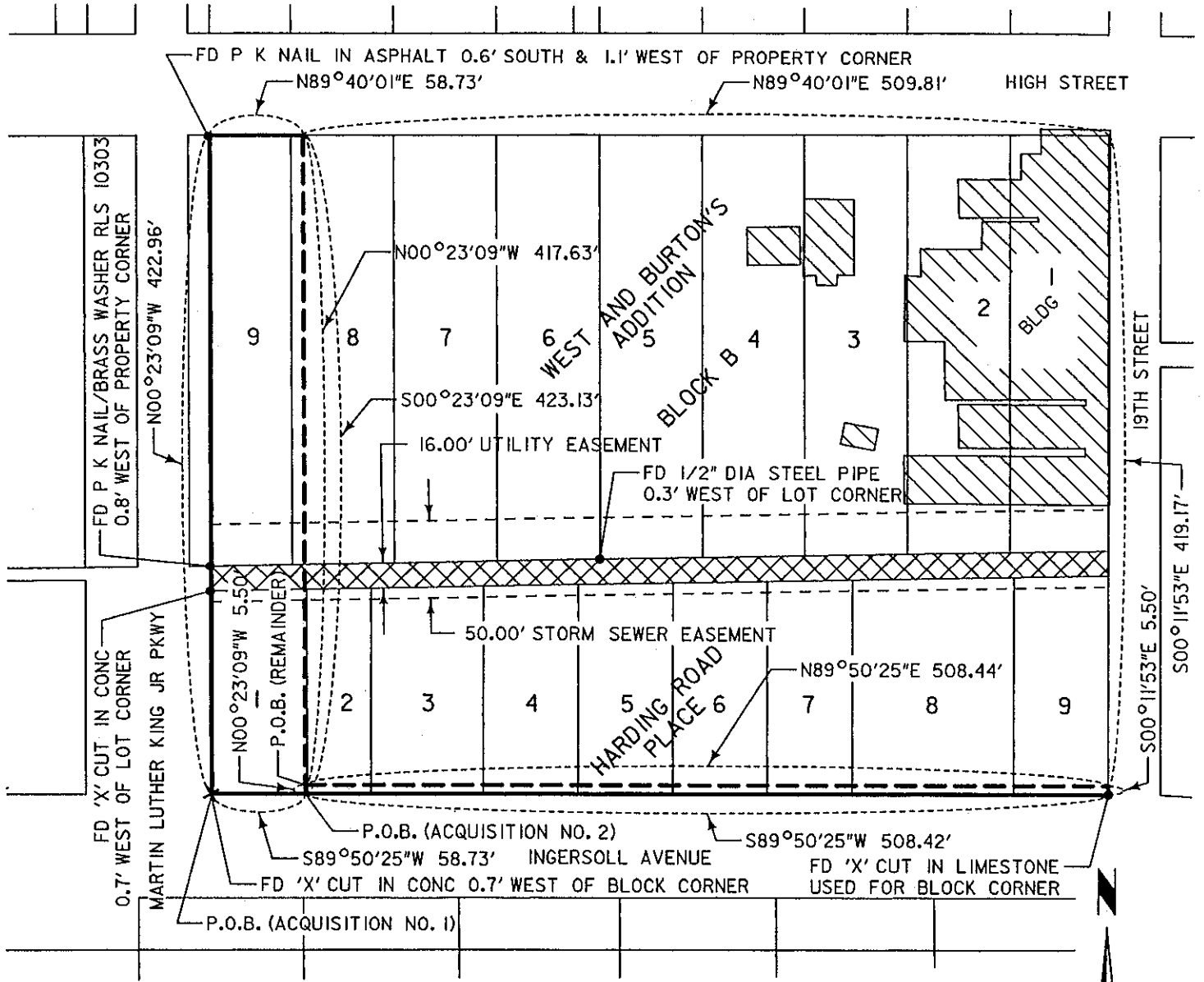
Emily Gould Chafa  
Emily Gould Chafa, Assistant City Attorney  
City of Des Moines, Iowa

Filed in my office at Des Moines, Iowa, this 18 day of February, 2002.

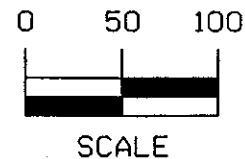
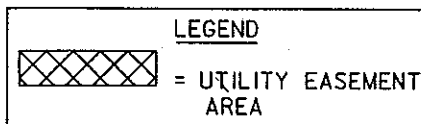
Dennis W. Anderson  
Sheriff of Polk County, Iowa

# ACQUISITION PLAT

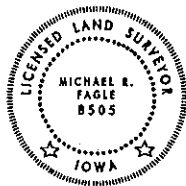
## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 4  
 PROJECT PARCEL NO. 13  
 ACQUISITION NO. 1 & 2



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*Michael R. Fagle* 2-04-02  
 Date

MICHAEL R. FAGLE  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal  
 SHEETS 1-4 OF 4

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1-A and B</u> SHEET 1 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2A and B</u> SHEET 2 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

**LEGAL DESCRIPTION: FEE SIMPLE ACQUISITION NO. 1**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

**LEGAL DESCRIPTION: FEE SIMPLE ACQUISITION NO. 2**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1-A and B</u> SHEET 3 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

**LEGAL DESCRIPTION: REMAINDER**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, HARDING ROAD PLACE; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 417.63 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 509.81 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 419.17 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 213,018 SQUARE FEET, OR 4.89 ACRES (148 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 5,117 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 9,009 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 7,660 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 20,011 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 2,629 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 13,481 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, 8,035 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000, 5,098 SQUARE FEET IN CO. PARCEL NO. 030-05287-001-000, 29,231 SQUARE FEET IN CO. PARCEL NO. 030-05287-002-000, 17,604 SQUARE FEET IN CO. PARCEL NO. 030-05288-000-000, 35,402 SQUARE FEET IN CO. PARCEL NO. 030-05289-000-000, 51,450 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 8,143 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

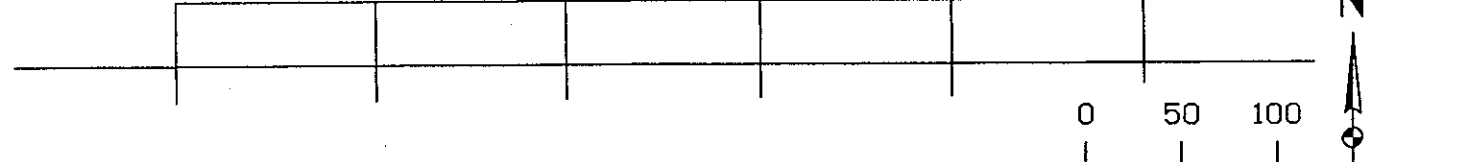
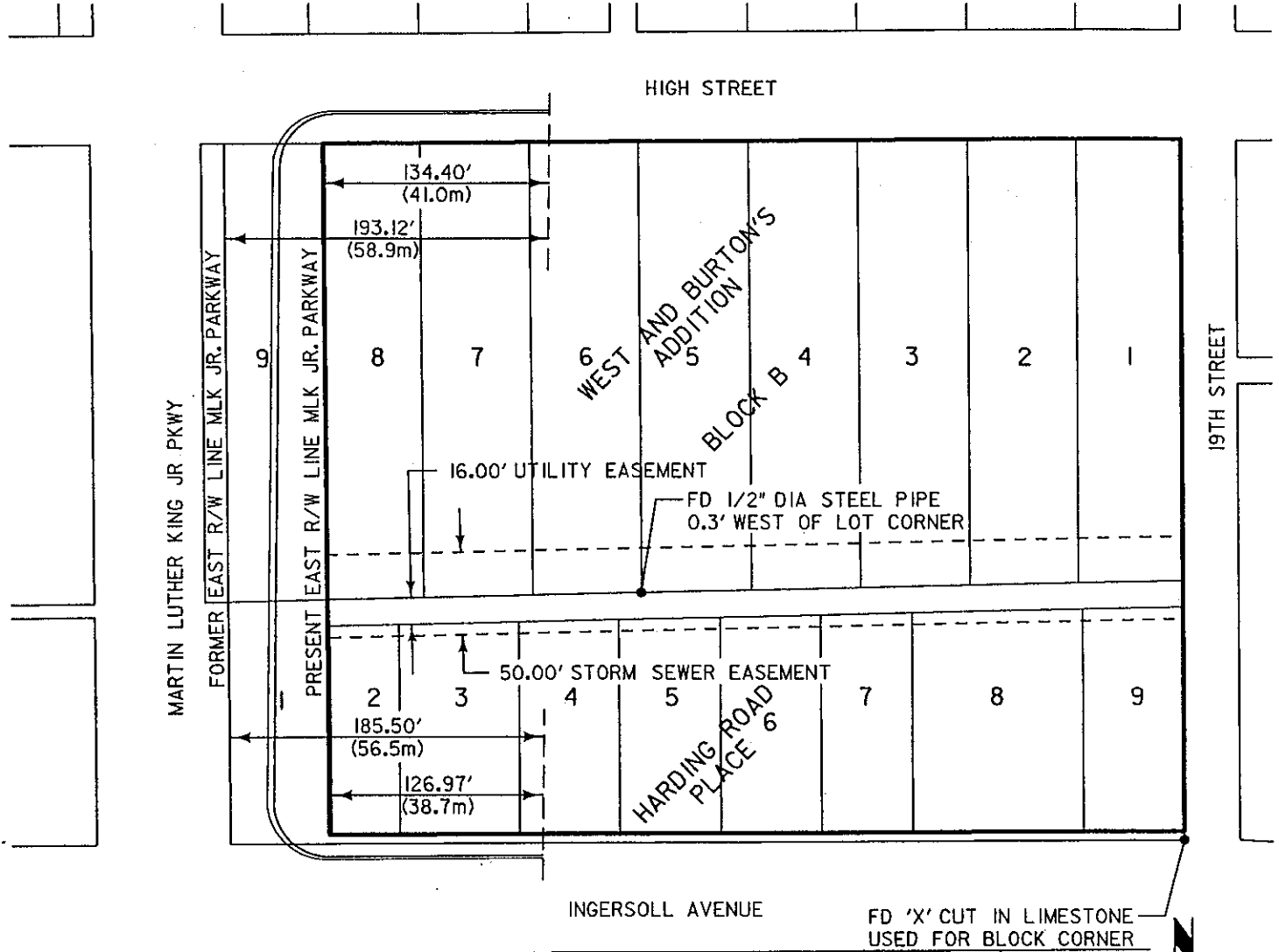
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>1A and B</i> SHEET 4 OF 4
BJS:7-10-01	
REV/BY:DATE	

ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

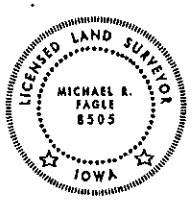
# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13  
 ACCESS CONTROL

DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R Fagle* 2-04-02  
 MICHAEL R. FAGLE Date  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2C</u> SHEET 1 OF 3
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - ACCESS CONTROL

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1C</u> SHEET 2 OF 3
REV/BY:DATE	

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR'S PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON'S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR'S PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR'S PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

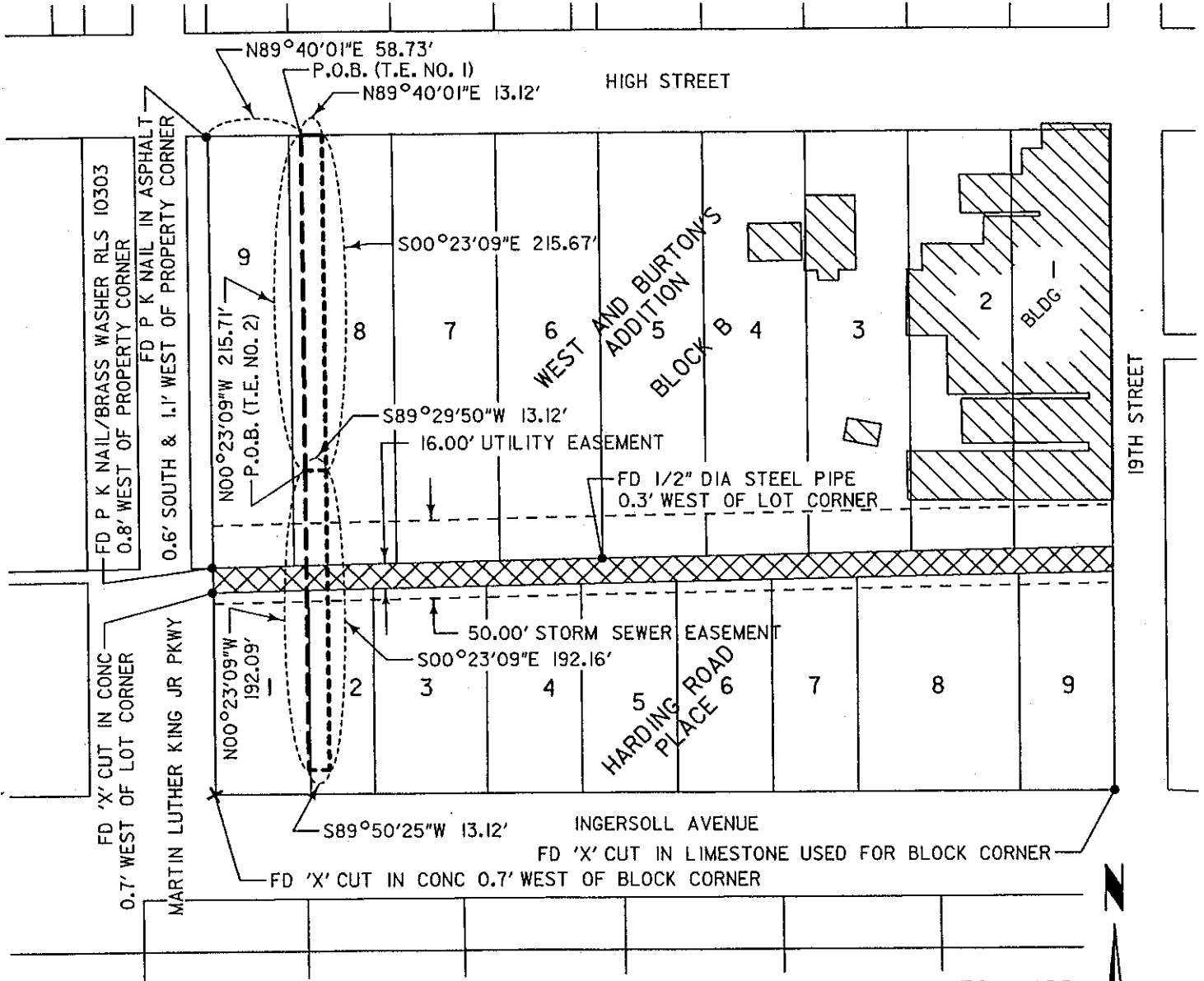
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>IC</i> SHEET 3 OF 3
REV/BY:DATE	

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13 - ACCESS CONTROL



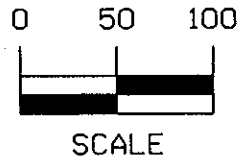
# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



**LEGEND**

= UTILITY EASEMENT AREA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 1 AND 2

DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*Michael R. Fagle*      2-01-02  
 Date

MICHAEL R. FAGLE  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 1 AND 2

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

**LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 1**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,830 SQUARE FEET.

**LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 2**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

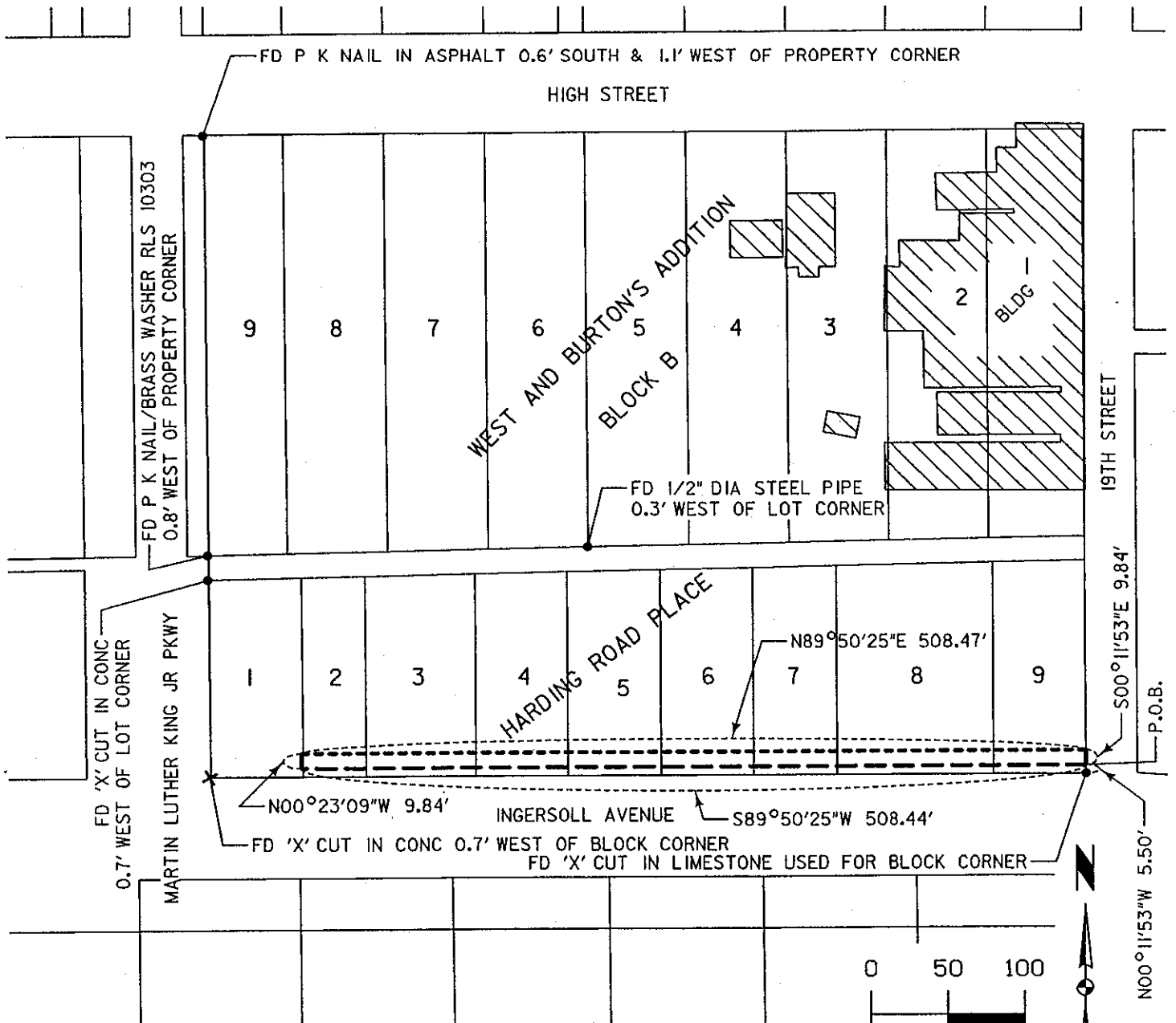
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-Q02

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 1 AND 2

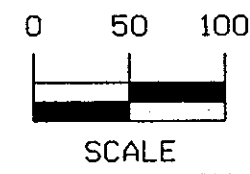
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

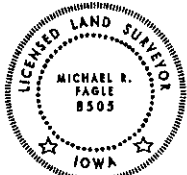
## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 3



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R. Fagle* 2-04-02  
 MICHAEL R. FAGLE Date  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2-C</i> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 3

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2-C</i> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 3

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

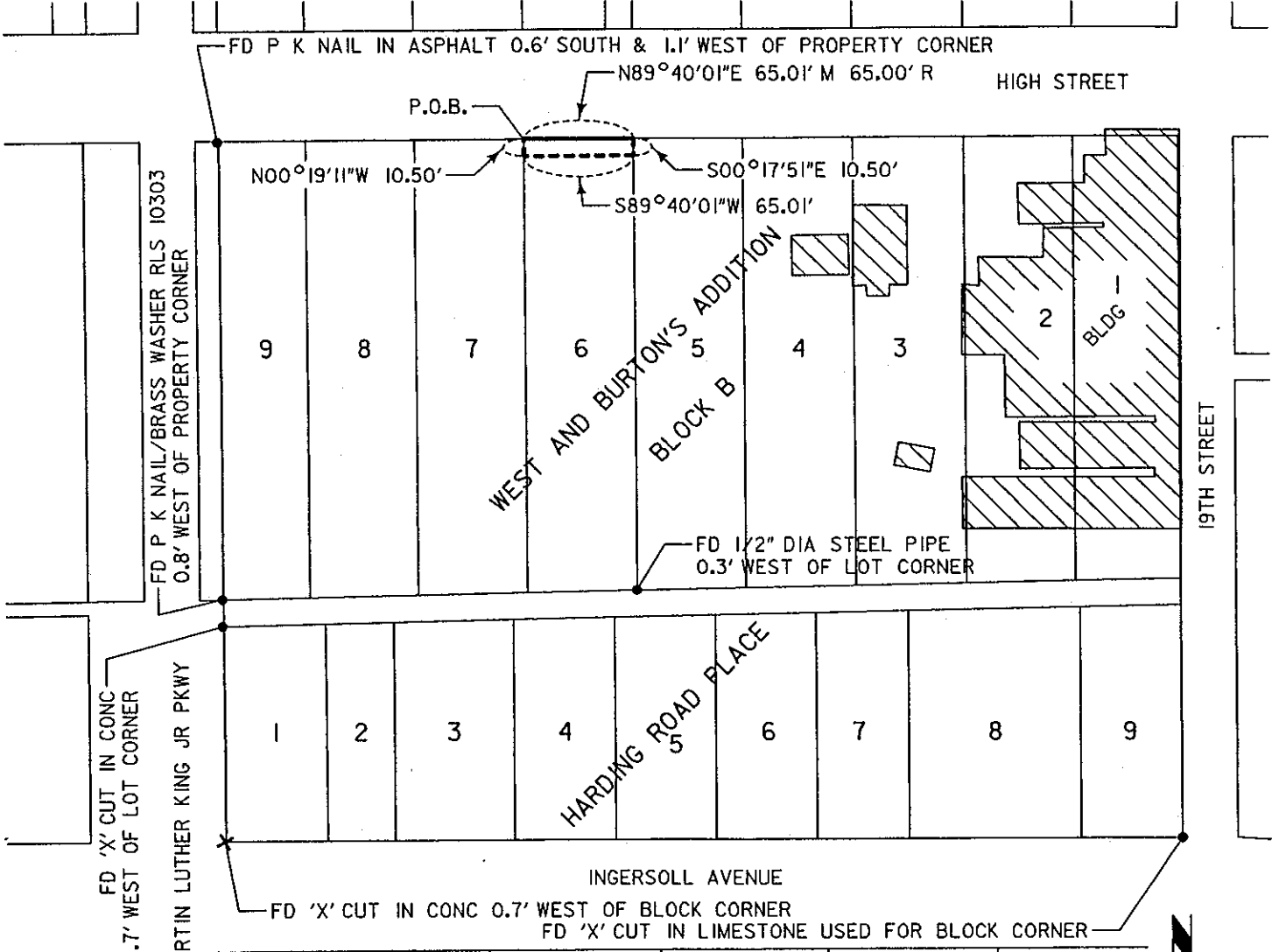
BY SURVEY CONTAINING 5,003 SQUARE FEET.

ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13  
 TEMPORARY EASEMENT NO. 3

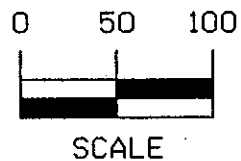
MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-C</u> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

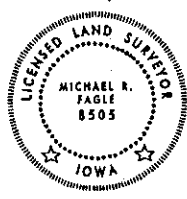
# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 4



DSM GRID NORTH  
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R. Fagle* 2-04-02  
MICHAEL R. FAGLE Date  
License number 8505  
My license renewal date is December 31, 2002.  
Pages or sheets covered by this seal:  
SHEETS 1-3 OF 3

EARTH TECH DES MOINES, IOWA (515) 244-1470	
EXHIBIT 2-D	SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 4

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-D</u> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	



# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 4

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 683 SQUARE FEET.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 4

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <b>2-D</b> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

**IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA**

IN THE MATTER OF THE  
 CONDEMNATION OF CERTAIN RIGHTS  
 IN LAND FOR THE MARTIN LUTHER  
 KING, JR. PARKWAY PROJECT  
 (Thompson Trust)  
 by the  
 CITY OF DES MOINES, IOWA,  
 IA077011A,

**ORDER SELECTING AND APPOINTING  
 COMPENSATION COMMISSIONERS  
 AND ALTERNATE COMMISSIONERS  
 BY THE CHIEF JUDGE OF THE  
 FIFTH JUDICIAL DISTRICT OF IOWA**

Applicant.

An Application for Condemnation having been filed with me by the City of Des Moines, Iowa, for the selection and appointment, by lot, of six suitable persons as provided by law 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 the Applicant, in its Application filed in the above-entitled matter, I hereby DESIGNATE, SELECT, by lot, and APPOINT as the members of said Compensation Commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Dennis Connolly	3112 Melanie Drive Urbandale, IA 50312	LICENSED REAL ESTATE BROKER/SALESPERSON
Jack McWilliams	5821 NE 3 <sup>rd</sup> Street Des Moines, IA 50313	
William O'Brien	7505 Vandalia Runnells, IA 50237	KNOWLEDGEABLE OF PROPERTY VALUES BY VIRTUE OF OCCUPATION
Anthony J. Pigneri	2017 S. Union Des Moines, IA 50315	
Ralph L. Vance	1223 NE 60 <sup>th</sup> Avenue Des Moines, IA 50313	NON-AGRICULTURE
Ellen Cioccio	300 Walnut, Ste. 1003 Des Moines, IA 50309	

I further DESIGNATE, SELECT, by lot, and APPOINT Anthony J. Pigneri to act as Chairperson of said Commission and Dennis Connolly is appointed to act as Alternate Chairperson.

Pursuant to Section 6B.5 of the Iowa Code, one of the above-named Compensation Commissioners shall be subject to challenge without cause by the Applicant, the City of Des Moines, Iowa, and one of the above-named Compensation Commissioners shall be subject to challenge without cause by the party or parties representing the fee ownership interest or interests of the property being condemned. Such challenge must be filed in writing with the Sheriff not less than seven (7) days prior to the meeting of the Compensation Commission to assess and appraise damages for the taking.

I further DESIGNATE, SELECT, by lot, and APPOINT the following persons to serve as alternate members of said Compensation Commission, to serve in the event that any of the members having the same qualifications are unable to serve for any reason or in the event any such members are stricken from the panel as provided by law:

NAME	ADDRESS	QUALIFICATIONS
Rollie Bredeson	3521 Beaver Avenue Des Moines, IA 50310	LICENSED REAL ESTATE BROKER/SALESPERSON
Gene Knepper	4509 75 <sup>th</sup> Street Des Moines, IA 50322	
Jerry Evans	6220 SE 6 <sup>th</sup> Avenue Pleasant, IA 50317	KNOWLEDGEABLE OF PROPERTY VALUES BY VIRTUE OF OCCUPATION
Keith E. Johnson	3620 Oakcrest Des Moines, IA 50310	
Reed Backstrom	226 SE Bundy Des Moines, IA 50315	NON-AGRICULTURE
Rich Raabe	3781 River Oaks Drive Des Moines, IA 50312	

I HEREBY ORDER that if a person is excused from the Compensation Commission, the Applicant, City of Des Moines, Iowa, and person or persons representing the fee ownership interest in the property may stipulate in writing to the selection and notification of a particular Alternate Commissioner having the same qualifications as the person being replaced, provided such stipulation is filed with the Sheriff not less than seventy-two (72) hours prior to the meeting of the Commission. Absent such stipulation, the Sheriff of Polk County, Iowa, shall notify person or persons unable to serve or stricken from the panel, such notification to be given to Alternate Commissioners in the same manner as the original Compensation Commissioners were notified. The Alternate Commissioner first notified who is available to serve as a Compensation Commissioner shall then serve in the place of the Commissioner who was unable to serve or who was stricken from the panel. I further direct that the above-named Alternate Commissioners shall not be subject to challenge without cause.

I FURTHER HEREBY ORDER that the Commissioners, and such Alternate Commissioners as may be hereafter selected by the Sheriff due to the absence or removal of a Commissioner, shall appear at the time and place designated for the meeting of the Compensation Commission in the Notice of Meeting of Compensation Commission to Assess Damages for the Taking of Property, and that prior to said meeting, the above named Commissioners and Alternate Commissioners shall not communicate with the Applicant, City of Des Moines, Iowa, or the owner or tenant of the property being condemned regarding the condemnation proceedings.

I FURTHER HEREBY ORDER that the Applicant, City of Des Moines, Iowa, mail and publish or serve a list of the above-named Compensation Commissioners and alternate Commissioners to the owner or owners of the property sought to be condemned, in accordance with Section 6B.4 of the Iowa Code.

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

Dated at Des Moines, Iowa this 11 day of February, 2002.

  
 CHIEF JUDGE OF THE FIFTH JUDICIAL DISTRICT, IOWA

Filed in my office at Des Moines, Iowa this 12 day of Feb, 2002.

  
 SHERIFF OF POLK COUNTY, IOWA

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 )  
 )  
 ) CITY OF DES MOINES, IOWA  
 by the ) MOTION TO CHALLENGE A  
 ) COMPENSATION COMMISSIONER  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

COMES NOW the Applicant, City of Des Moines, Iowa, acting by and through one of its attorneys, Emily Gould Chafa, and, pursuant to Iowa Code Section 6B.5(2), hereby requests that Anthony J. Pigneri be excused from serving as a compensation commissioner in this matter, and in support thereof states as follows:

1. Anthony J. Pigneri was selected as a compensation commissioner in the matter entitled IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND FOR THE, MARTIN LUTHER KING, JR. PARKWAY PROJECT (Thompson Trust) by the CITY OF DES MOINES, IOWA, Applicant. This matter is scheduled for hearing on March 15, 2002.

2. The City of Des Moines, the Applicant in this matter, may challenge one compensation commissioner without stating cause under the authority granted in Iowa Code Section 6B.5(2).

WHEREFORE, under the authority of Iowa Code Section 6B.5(2), the City of Des Moines, Iowa respectfully requests that Anthony J. Pigneri be excused from serving as a compensation commissioner in this matter.

CITY OF DES MOINES, IOWA

*Emily Gould Chafa*

Emily Gould Chafa PK0011406  
Assistant City Attorney  
City Hall, 400 East First Street  
Des Moines, IA 50309-1891  
Telephone: (515) 283-4530  
FAX: (515) 237-1643

02 FEB 14 PM 12 55  
DENNIS W. ANDERSON  
SHERIFF  
POLK COUNTY, IOWA

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 )  
 by the )  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

SUMMONS OF COMMISSIONERS

02 FEB 25 AM 10 41  
 DENNIS W. ANDERSON  
 SHERIFF  
 POLK COUNTY, IOWA

TO: Dennis Connolly  
 3112 Melanie Drive  
 Urbandale, IA 50312

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and you have 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the **15<sup>th</sup> day of March, 2002, at 9:00 A.M.** for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

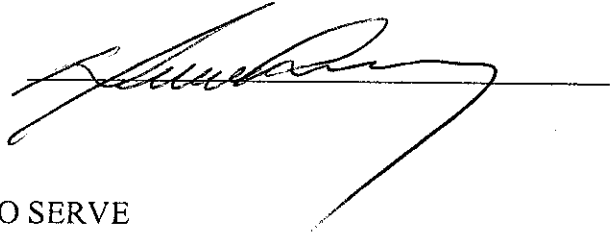
The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

*Dennis W. Anderson*  
 DENNIS W. ANDERSON, SHERIFF  
 POLK COUNTY, IOWA

By *M. G. Aschbrenner*  
 Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this 22 day of February, 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

A handwritten signature in black ink, appearing to be "A. Anderson", is written over a horizontal line.

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

---

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 ) SUMMONS OF COMMISSIONERS  
 by the )  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

TO: Jack McWilliams  
 5821 NE 3<sup>rd</sup> Street  
 Des Moines, IA 50313

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the **15<sup>th</sup> day of March, 2002, at 9:00 A.M.** for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

*Dennis W. Anderson*  
 DENNIS W. ANDERSON, SHERIFF  
 POLK COUNTY, IOWA  
 By *M. R. Cochran*  
 Deputy

POLK COUNTY, IOWA  
 DENNIS W. ANDERSON  
 SHERIFF  
 MAR 15 5 AM 19 45

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this \_\_\_\_ day of \_\_\_\_\_, 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

---

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

*Sorry out of town  
until April 1 2002*

*Jack McWilliams*

---



*Return*

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION	)	
OF CERTAIN RIGHTS IN LAND FOR THE	)	
MARTIN LUTHER KING, JR. PARKWAY	)	
PROJECT (Thompson Trust)	)	
	)	SUMMONS OF COMMISSIONERS
by the	)	
	)	
CITY OF DES MOINES, IOWA,	)	
IA077011A,	)	
	)	
Applicant.	)	

TO: Rollie Bredeson  
3521 Beaver Avenue  
Des Moines, IA 50310

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the 15<sup>th</sup> day of March, 2002, at 9:00 A.M. for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

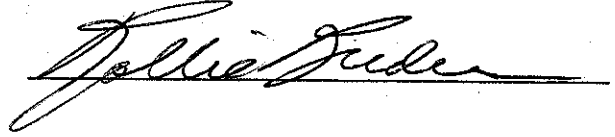
The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

*Dennis W. Anderson*  
DENNIS W. ANDERSON, SHERIFF  
POLK COUNTY, IOWA

By *M R Aschreuser*  
Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this 27<sup>th</sup> day of February, 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.



REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

---

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
OF CERTAIN RIGHTS IN LAND FOR THE )  
MARTIN LUTHER KING, JR. PARKWAY )  
PROJECT (Thompson Trust) )

) SUMMONS OF COMMISSIONERS

by the )

CITY OF DES MOINES, IOWA, )  
IA077011A, )

Applicant. )

02 FEB 22 PM 1 24  
DENNIS W. ANDERSON  
SHERIFF  
POLK COUNTY, IOWA

TO: William O'Brien  
7505 Vandalia  
Runnells, IA 50237

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the 15<sup>th</sup> day of March, 2002, at 9:00 A.M. for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

*Dennis W. Anderson*  
DENNIS W. ANDERSON, SHERIFF  
POLK COUNTY, IOWA

By *M R Aschbrenner*  
Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this 20<sup>th</sup> day of Feb., 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

William A. Brown

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

\_\_\_\_\_

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
OF CERTAIN RIGHTS IN LAND FOR THE )  
MARTIN LUTHER KING, JR. PARKWAY )  
PROJECT (Thompson Trust) )

by the )

CITY OF DES MOINES, IOWA, )  
IA077011A, )

Applicant. )

SUMMONS OF COMMISSIONERS

02 FEB 22 PM 1 24  
DENNIS W. ANDERSON  
SHERIFF  
POLK COUNTY, IOWA

TO: Jerry Evans  
6220 SE 6<sup>th</sup> Avenue  
Pleasant Hill, IA 50317

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the 15<sup>th</sup> day of March, 2002, at 9:00 A.M. for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

*Dennis W. Anderson*  
DENNIS W. ANDERSON, SHERIFF  
POLK COUNTY, IOWA

By *M R Oschler*  
Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

---

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that  
*I am Having Surgery on the 11<sup>th</sup> day of March.*

*John D. [Signature]*  
\_\_\_\_\_

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

*Return*

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 ) SUMMONS OF COMMISSIONERS  
 by the )  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

TO: Keith Johnson  
 3620 Oakcrest Drive  
 Des Moines, IA 50310

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the 15<sup>th</sup> day of March, 2002, at 9:00 A.M. for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

AMOI, YLNN00 KTOJ  
 SHERIFF  
 DENNIS W. ANDERSON  
 02 FEB 27 AM 10 59

*Dennis W. Anderson*  
 DENNIS W. ANDERSON, SHERIFF  
 POLK COUNTY, IOWA

By *M R Aschbrener*  
 Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this 24 day of Feb., 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

A handwritten signature in black ink, appearing to read "Kurt G. Johnson", is written over a horizontal line.

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

---



IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
OF CERTAIN RIGHTS IN LAND FOR THE )  
MARTIN LUTHER KING, JR. PARKWAY )  
PROJECT (Thompson Trust) )

) SUMMONS OF COMMISSIONERS

by the )

CITY OF DES MOINES, IOWA, )  
IA077011A, )

Applicant. )

02 FEB 22 PM 1 24  
DENNIS W. ANDERSON  
SHERIFF  
POLK COUNTY, IOWA

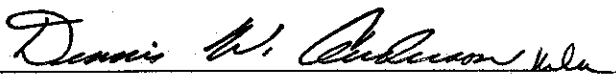
TO: Ralph L. Vance  
1223 NE 60<sup>th</sup> Avenue  
Des Moines, IA 50313


The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the 15<sup>th</sup> day of March, 2002, at 9:00 A.M. for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

  
DENNIS W. ANDERSON, SHERIFF  
POLK COUNTY, IOWA

By   
Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this 21 day of April, 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

Ralph L. Vance

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

---

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 )  
 ) SUMMONS OF COMMISSIONERS  
 )  
 by the )  
 )  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 )  
 Applicant. )

TO: Ellen Cioccio  
 300 Walnut, Suite 1003  
 Des Moines, IA 50309

The City of Des Moines, Iowa, has filed with the Chief Judge of the Fifth Judicial District, including Polk County, Iowa, an Application for Condemnation and Appointment of Commissioners to Appraise Damages, asking for the selection and appointment of a Compensation Commission to assess the damages which the owners, encumbrancers, lienholders and other persons interested in the land sought to be appropriated or condemned in these proceedings, will sustain by reason of such condemnation of the property.

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the Fifth Judicial District for Polk County, Iowa, as a member of such Condemnation Commission, and Dennis Connolly 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 of Polk County, Midland Building, Suite 114, 206 Sixth Avenue, Des Moines, Iowa, on the **15<sup>th</sup> day of March, 2002, at 9:00 A.M.** for the purpose of qualifying as a Commissioner and to proceed to view said premises and make an award of damages.

The attached Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property identifies the persons and real estate affected by the condemnation. You should examine it in order to determine if you possess an interest in the proceeding which would cause you to render a biased decision.

POLK COUNTY, IOWA  
 SHERIFF  
 DENNIS W. ANDERSON  
 02 MAR 15 AM 8 54

*Dennis W. Anderson*  
 DENNIS W. ANDERSON, SHERIFF  
 POLK COUNTY, IOWA

By *M R Aachbrenner*  
 Deputy

ACCEPTANCE OF SERVICE

Legal Service of the Above Summons with Notice attached is hereby accepted and acknowledged at Des Moines, Iowa, this 13 day of March, 2002. The undersigned further certifies that he/she does not possess any interest in this proceeding which would cause a biased judgment.

Ellen Lovin

REFUSAL TO SERVE

The undersigned is unable to serve for the reason that he/she possesses an interest in the proceeding which may cause a biased decision or for the reason that

\_\_\_\_\_

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 )  
 by the )  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

OATH OF  
COMPENSATION COMMISSIONERS

STATE OF IOWA )  
 )  
 COUNTY OF POLK )      SS:

Each of the undersigned, being duly sworn, states:

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 right as set forth and described in the Application now on file in the Office of the Sheriff of Polk County.

That I will make a written report to the Sheriff, including the information used by the commission in assessing the damages, all as authorized and prescribed in Chapters 6A and 6B, Code of Iowa, and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court.

'02 MAR 15 AM 9 12  
 DENNIS W. ANDERSON  
 SHERIFF  
 POLK COUNTY, IOWA

That I 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 damage.

[Signature]  
Dennis Connolly

[Signature]  
Jack McWilliams

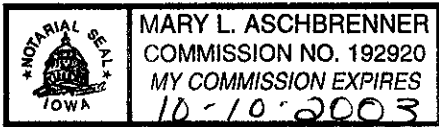
[Signature]  
William O'Brien

[Signature]  
Keith Johnson

[Signature]  
Ralph L. Vance

[Signature]  
Ellen Cioccio

Subscribed and sworn to before me this 15th day of March, 2002.



\_\_\_\_\_  
Notary Public in the State of Iowa

Filed in my office this 15th day of March, 2002.

[Signature]  
Deputy

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

02 FEB 14 PM 12:58  
DENNIS W. ANDERS  
SHERIFF  
POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

NOTICE OF PUBLIC MEETING OF  
COMPENSATION COMMISSION  
TO ASSESS DAMAGES FOR  
TAKING OF PROPERTY

**COUNT I**

TO: **Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of The Thompson Trust,  
c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa, c/o City Clerk  
400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Special Assessment for sidewalk:** City of Des Moines, Iowa, c/o City Clerk  
400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

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

**PARCEL 1-A--FEE SIMPLE INTEREST--City of Des Moines, Iowa**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01"

EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

PROPERTY ADDRESS: vacant property in the 2000 block south of High Street and north of Ingersoll Avenue

**PARCEL 1-B--FEE SIMPLE INTEREST--City of Des Moines, Iowa**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

PROPERTY ADDRESS: vacant property along the 1900-2000 block of the north side of Ingersoll Avenue

**Parcel 1-C - ACCESS RIGHTS-City of Des Moines, Iowa**

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR'S (Condemnee's) PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON'S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR'S (Condemnee's) PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF



MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR'S (Condemnee's) PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.  
PROPERTY ADDRESS: vacant property in 1900-2000 block south of High Street & north of Ingersoll Avenue

**COUNT II**

TO: **Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of the Thompson Trust, c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa, c/o City Clerk 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:**

Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

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

**PARCEL 2-A--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,830 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block of the south side of High Street

**PARCEL 2-B--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block of the north side of Ingersoll Avenue

**PARCEL 2-C--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 5,003 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the north side of the 1900-2000 block of Ingersoll Avenue

**PARCEL 2-D--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE

NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 683 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the south side of the 2000 block of High Street

PUBLIC NOTICE IS HEREBY GIVEN:

1. That the City of Des Moines desires the condemnation of a fee simple interest in the property described as Parcels 1-A and 1-B in Count I and access rights in the property described as Parcel 1-C, and temporary easement interests in the property described in Count II, as shown on the plats attached hereto as Exhibits 1-A, 1-B, 1-C, 2-A, 2-B, 2-C and 2-D and by this reference made a part hereof, and as shown on the plats attached to the Application for Condemnation filed with the Chief Judge of the Fifth Judicial District and in the office of the Sheriff of Polk County, Iowa.

2. That such condemnation is sought for use in accordance with the Martin Luther King, Jr. Parkway Project.

3. That a Compensation Commission has been appointed, as provided by law, for the purpose of appraising the damages which will be caused by the taking of the above described properties interests.

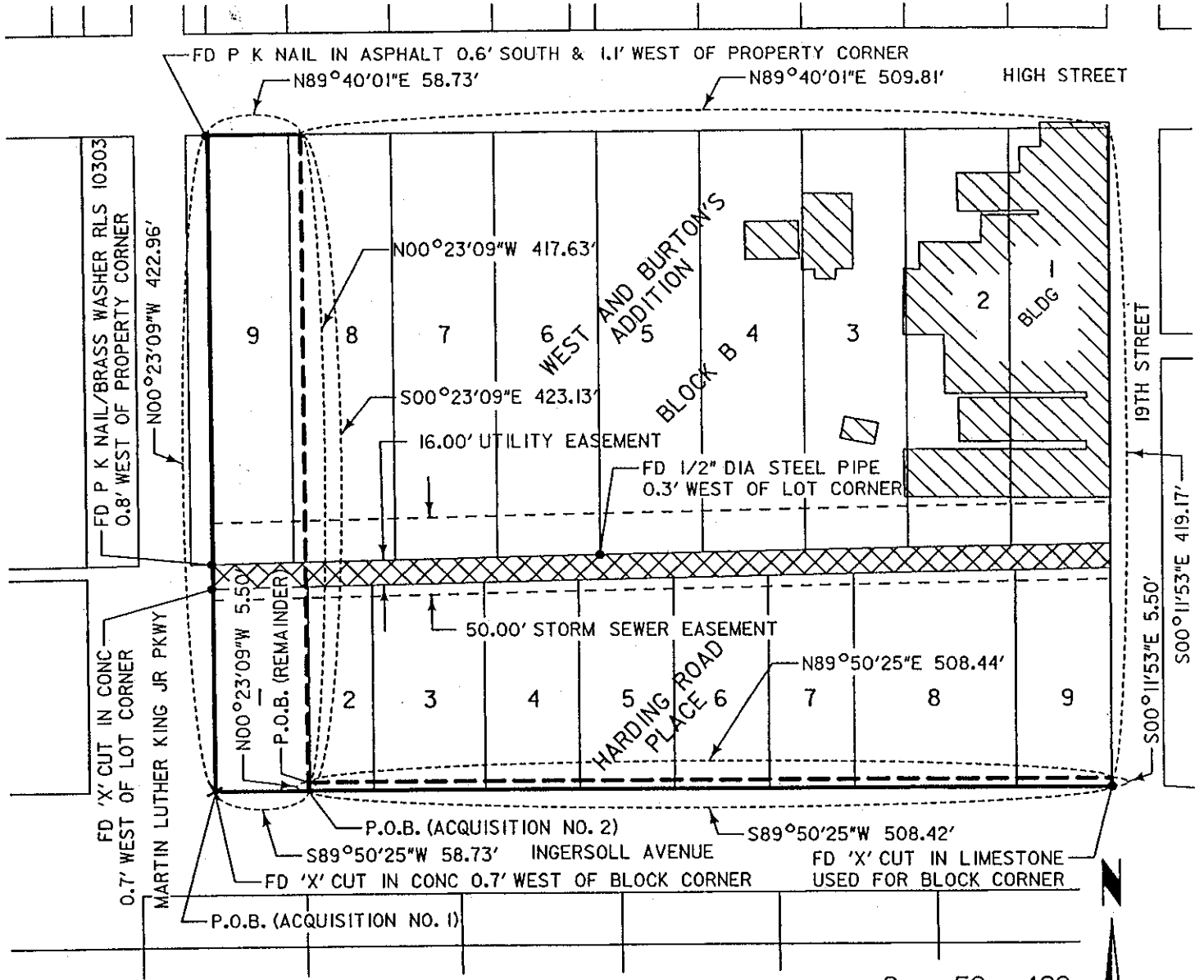
4. That the Compensation Commission will, on the 15<sup>th</sup> day of March, 2002 at 9:00 A.M., meet in the Office of the Sheriff of Polk County in the Midland Building at 206 Sixth Avenue in Des Moines, Iowa, and will then proceed to view the properties and to assess and appraise the damages, at which time you may appear before the Commissioners if you care to do so.

5. That the Compensation Commission is required to meet in open session (open to the public) to view the property being condemned and to receive evidence, but may deliberate in closed session, as provided by Section 6B.14 of the Iowa Code.

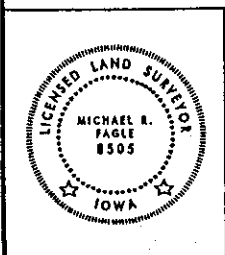
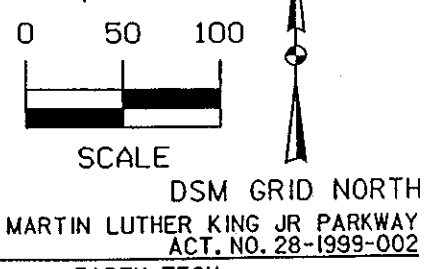
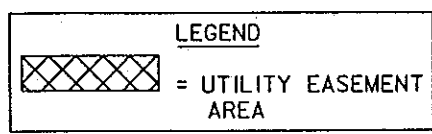
CITY OF DES MOINES, IOWA

By Emily Gould Chafa  
Emily Gould Chafa PK0011406  
Assistant City Attorney  
City Hall, 400 East First Street  
Des Moines, IA 50309-1891  
Telephone: (515) 283-4530  
Fax: (515) 237-1643

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13  
ACQUISITION NO. 1 & 2



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*Michael R. Fagle*    2-04-02    Date

MICHAEL R. FAGLE  
License number 8505  
My license renewal date is December 31, 2002.  
Pages or sheets covered by this seal:  
SHEETS 1-4 OF 4

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1A and B</u> SHEET 1 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-00

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1A and B</u> SHEET 2 OF
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: FEE SIMPLE ACQUISITION NO. 1

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

LEGAL DESCRIPTION: FEE SIMPLE ACQUISITION NO. 2

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1A and B</u> SHEET 3 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

**LEGAL DESCRIPTION: REMAINDER**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, HARDING ROAD PLACE; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 417.63 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 509.81 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 419.17 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 213,018 SQUARE FEET, OR 4.89 ACRES (148 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 5,117 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 9,009 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 7,660 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 20,011 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 2,629 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 13,481 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, 8,035 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000, 5,098 SQUARE FEET IN CO. PARCEL NO. 030-05287-001-000, 29,231 SQUARE FEET IN CO. PARCEL NO. 030-05287-002-000, 17,604 SQUARE FEET IN CO. PARCEL NO. 030-05288-000-000, 35,402 SQUARE FEET IN CO. PARCEL NO. 030-05289-000-000, 51,450 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 8,143 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

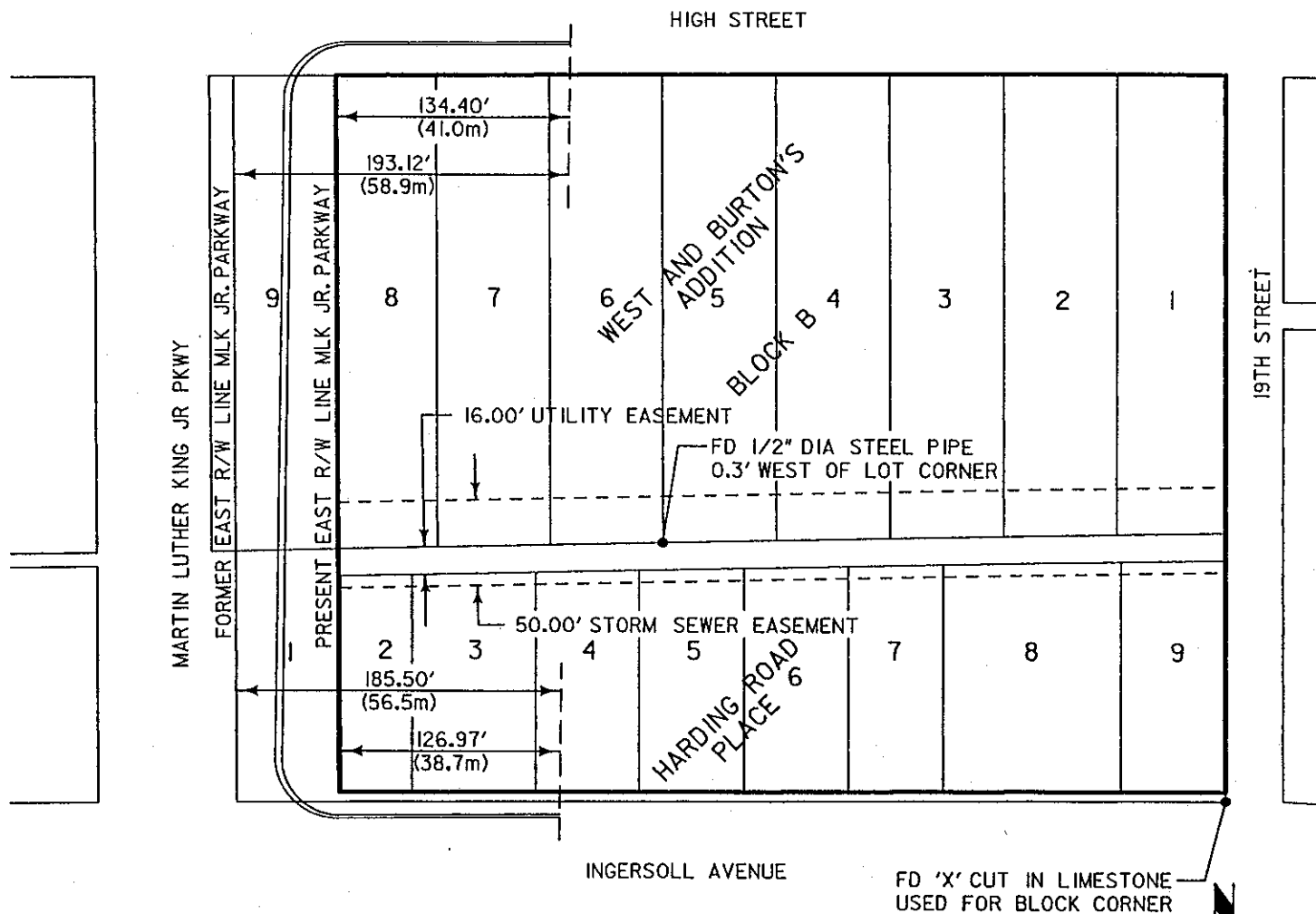
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

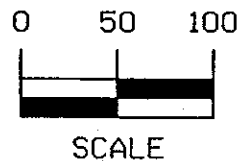
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>1A and B</i> SHEET 4 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13  
 ACCESS CONTROL



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-00



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R Fagle* 2-04-02  
 Date  
 MICHAEL R. FAGLE  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
EXHIBIT	<i>IC</i> SHEET 1 OF 3
REV/BY:DATE	



# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - ACCESS CONTROL

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1C</u> SHEET 2 OF 3
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR'S PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON'S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR'S PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR'S PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

EARTH TECH  
DES MOINES, IOWA  
(515) 244-1470

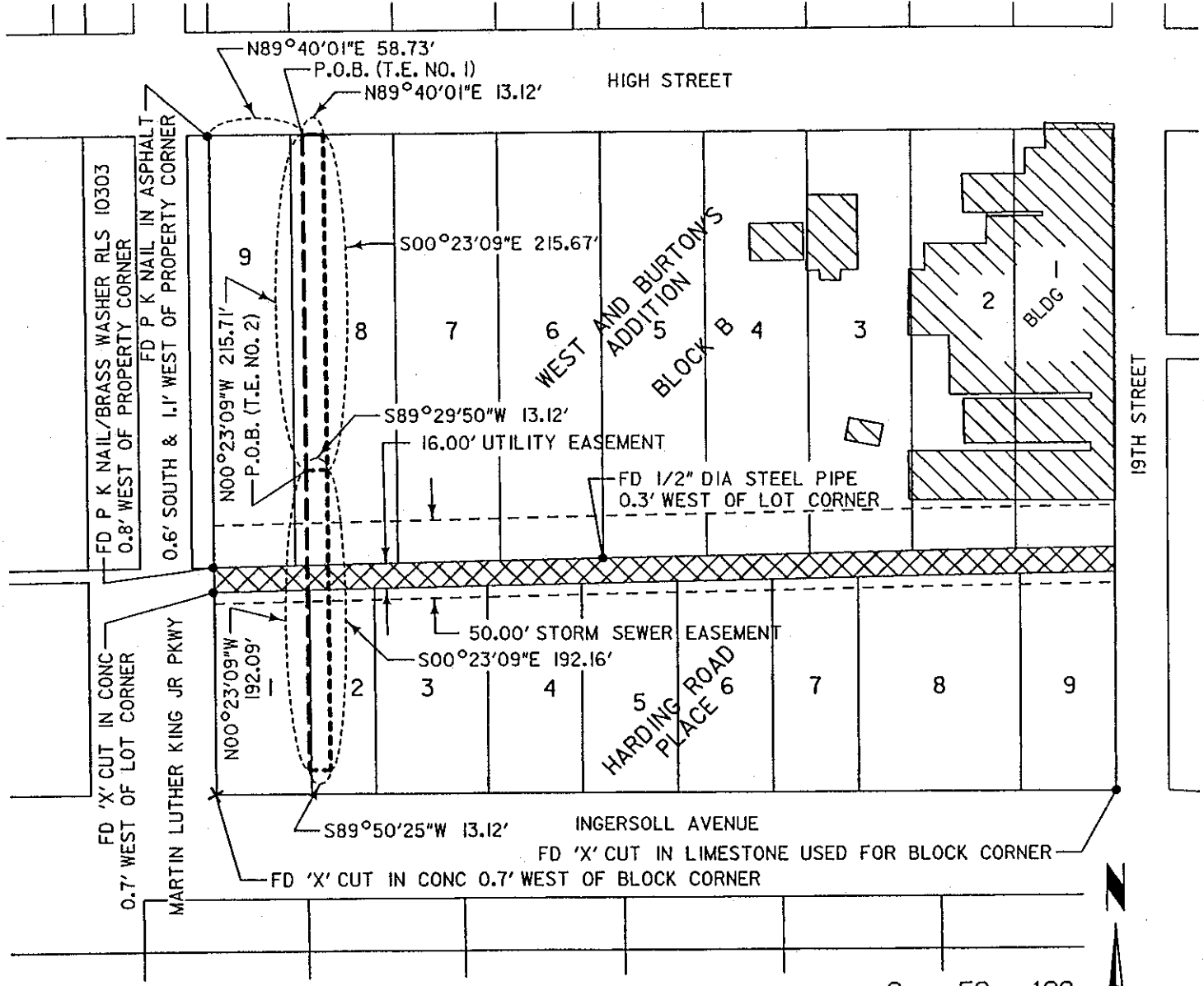
EXHIBIT *IC* SHEET 3 OF 3

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13 - ACCESS CONTROL

REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



**LEGEND**

= UTILITY EASEMENT AREA

0      50      100

**SCALE**



ADDRESS OF SURVEY:  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 1 AND 2

DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*Michael R. Fagle*      2-04-02  
 \_\_\_\_\_ Date

MICHAEL R. FAGLE  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal

SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 1 AND 2

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

**LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 1**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,830 SQUARE FEET.

**LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 2**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

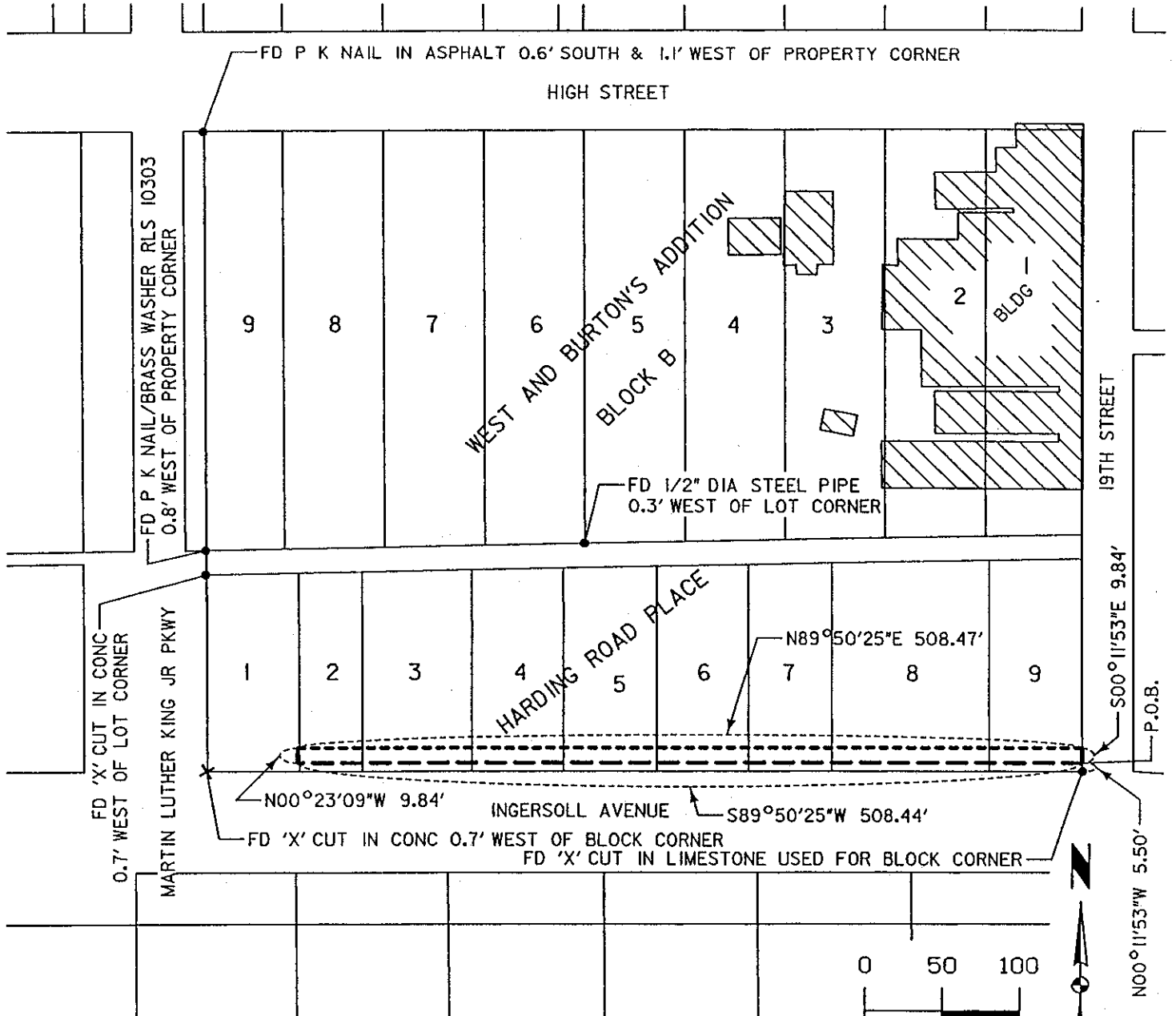
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 1 AND 2

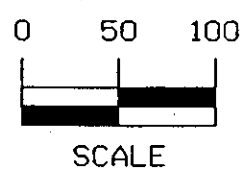
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 3



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R. Fagle* 2-04-02  
 MICHAEL R. FAGLE Date  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2-C</i> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 3

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-C</u> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 3

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 5,003 SQUARE FEET.

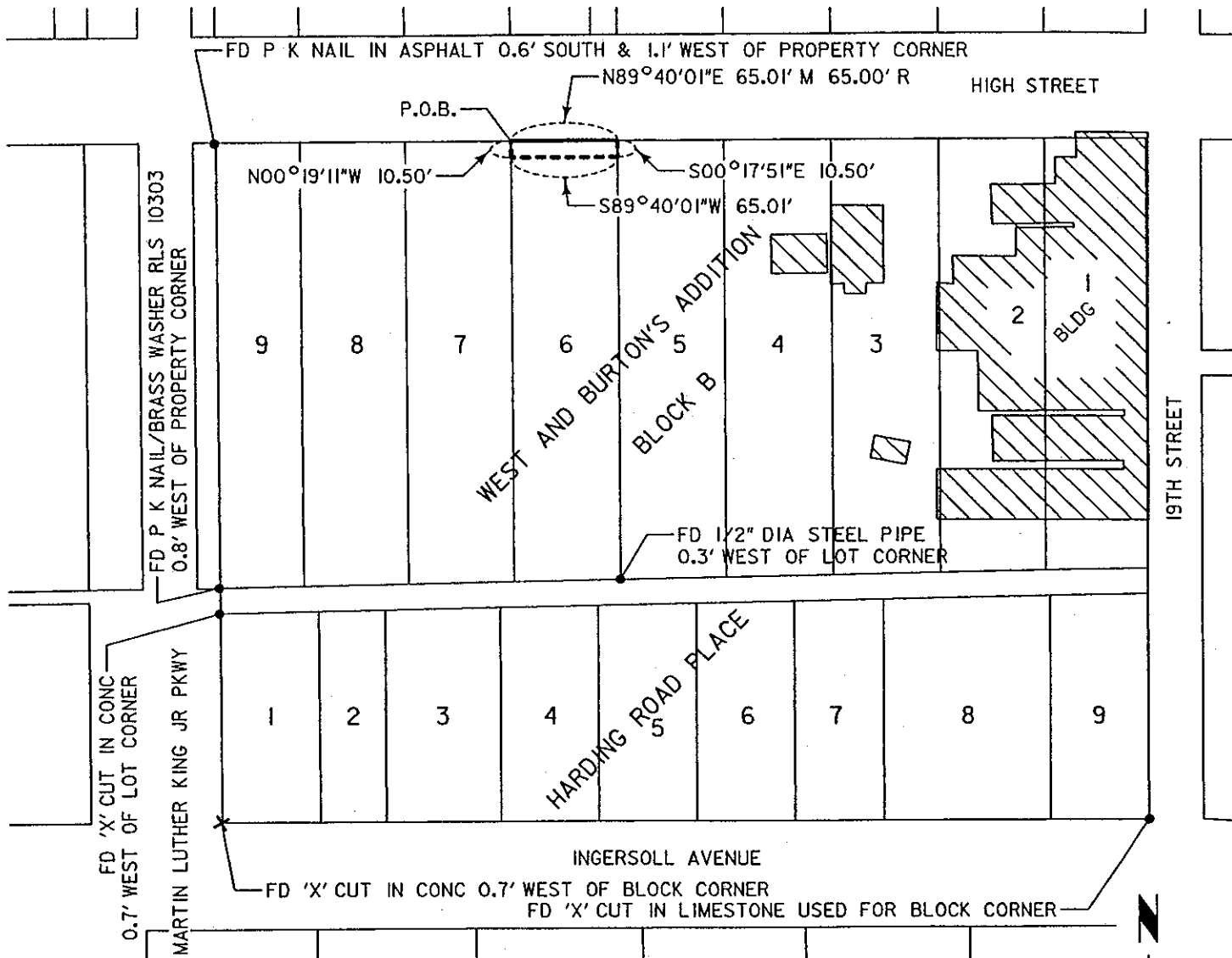
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 3

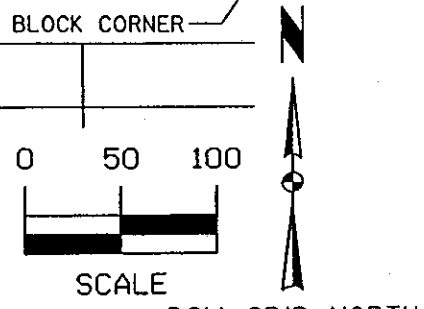
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-C</u> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	



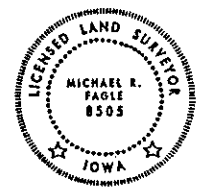
# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 4



DSM GRID NORTH  
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R. Fagle* 2-04-02  
MICHAEL R. FAGLE Date  
License number 8505  
My license renewal date is December 31, 2002.  
Pages or sheets covered by this seal:  
SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-0</u> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 4

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-00

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-D</u> SHEET 2 OF
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 4

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 683 SQUARE FEET.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 4

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-0</u> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

AFFIDAVIT OF SERVICE

Case: Condemnation - (Thompson Trust)

STATE OF IOWA )  
                              ) ss:  
COUNTY OF POLK )

I, David V. Beane, being first duly sworn upon oath depose and affirm as follows:

That I did personally serve the described Notice(s) upon the 13<sup>th</sup> day of February 2002 by delivering a true copy thereof to:

**Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA**

RECEIVED  
02 FEB 13 PM 3:43  
POLK COUNTY AUDITOR  
MICHAEL A. MAURO

That services consisted of:

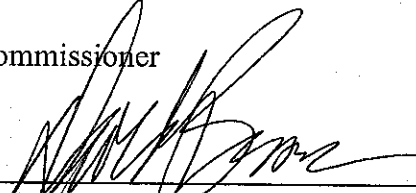
Notice of Public Meeting of Compensation Commission to Assess Damages for Taking of Property

Application for Condemnation

Order Selecting and Appointing Compensation Commissioners and Alternate Commissioners by the Chief Judge of the Fifth Judicial District of Iowa

List of Compensation Commissioners and Alternates Appointed by the Chief Judge of the Fifth Judicial District of Iowa

Motion to Challenge a Compensation Commissioner

  
\_\_\_\_\_  
David V. Beane

Subscribed and sworn to before me this 15<sup>th</sup> day of February, 2002.

Renae Lampkin  
Notary Public in and for the  
State of Iowa, Polk County

Service Fee \$ 30.00  
Mileage: \$ 5.00  
Total: \$ 35.00



AFFIDAVIT OF SERVICE

Case: **Condemnation – (Thompson Trust)**

STATE OF IOWA )  
 ) ss:  
COUNTY OF POLK )

I, David V. Beane, being first duly sworn upon oath depose and affirm as follows:

That I did personally serve the described Notice(s) upon the 13<sup>th</sup> day of February, 2002 by delivering a true copy thereof to:

**City of Des Moines, Iowa**  
**C/o City Clerk**  
**400 E. First Street, Des Moines, IA**

That services consisted of:

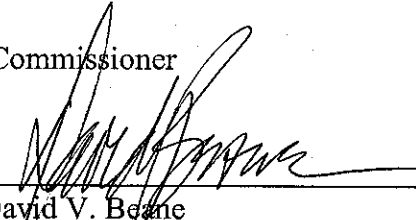
Notice of Public Meeting of Compensation Commission to Assess Damages for Taking of Property

Application for Condemnation


Order Selecting and Appointing Compensation Commissioners and Alternate Commissioners by the Chief Judge of the Fifth Judicial District of Iowa

List of Compensation Commissioners and Alternates Appointed by the Chief Judge of the Fifth Judicial District of Iowa

Motion to Challenge a Compensation Commissioner

  
\_\_\_\_\_  
David V. Beane

Subscribed and sworn to before me this 15<sup>th</sup> day of February, 2002.

  
\_\_\_\_\_  
Notary Public in and for the  
State of Iowa, Polk County

Service Fee \$ 30.00  
Mileage: \$ 3.00  
Total: \$ 33.00



AFFIDAVIT OF SERVICE

Case: **Condemnation – (Thompson Trust)**

STATE OF IOWA )  
                          ) ss:  
COUNTY OF POLK )

I, David V. Beane, being first duly sworn upon oath depose and affirm as follows:

That I did personally serve the described Notice(s) upon the 14<sup>th</sup> day of February 2002 by delivering a true copy thereof to:

**Thompson Trust**  
**C/o Daniel Manning, Attorney for Thompson Trust, Connolly Law Firm**  
**317 6<sup>th</sup> Avenue, Suite 300, Des Moines, IA**

That services consisted of:

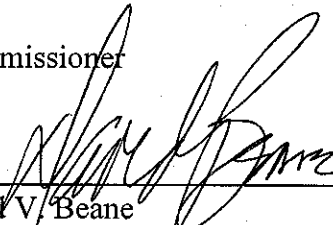
Notice of Public Meeting of Compensation Commission to Assess Damages for Taking of Property

Application for Condemnation


Order Selecting and Appointing Compensation Commissioners and Alternate Commissioners by the Chief Judge of the Fifth Judicial District of Iowa

List of Compensation Commissioners and Alternates Appointed by the Chief Judge of the Fifth Judicial District of Iowa

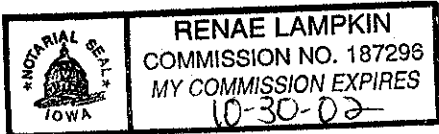
Motion to Challenge a Compensation Commissioner

  
\_\_\_\_\_  
David V. Beane

Subscribed and sworn to before me this 15<sup>th</sup> day of February, 2002.

  
\_\_\_\_\_  
Notary Public in and for the  
State of Iowa, Polk County

Service Fee \$ 300  
Mileage: \$ 50  
Total: \$ 350



IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 by the ) ACCEPTANCE OF SERVICE  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

STATE OF IOWA )  
 ) ss:  
 COUNTY OF POLK )

I, Daniel Manning, the undersigned, do depose and state:

1. That I am an attorney licensed to practice law in the State of Iowa.
2. That I am an attorney for The Thompson Trust, the titleholder in the above-referenced condemnation.
3. That I do hereby accept due, legal and timely service of the Notice of Public Meeting of Compensation Commissioners to Assess Damages for Taking of Property, the Application for Condemnation, the Order Appointing the Commission, the List of Commissioners, the Motion to Challenge a Commissioner, and hereby acknowledge receipt of a copy of each of these documents.

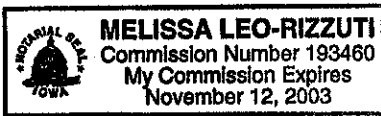
Dated this 14 day of February, 2002.

*Daniel J Manning*  
 Daniel Manning

STATE OF IOWA )  
 ) ss:  
 COUNTY OF POLK )

On this 14 day of February, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Daniel Manning, to me personally known, who, being by me duly sworn, did state that he is the person named in and who executed the foregoing instrument, and acknowledged and execute of the instrument to be his voluntary act and deed.

*Melissa Leo-Rizzuti*  
 Notary Public for the State of Iowa



**Return of Service**

**IN THE IOWA DISTRICT COURT FOR POLK COUNTY**

**Case Name:** DES MOINES, CITY OF **VS** THOMPSON TRUST

**Case No.:** 9240 CONDEMN **S.O. No.:** 9,240

**Notice Rec'd This Date:** 2/19/2002

**STATE OF IOWA**

POLK County } SS.

**I certify that I served a copy of:** NOTICE OF CONDEMNATION

**Served:**

POLK COUNTY COURTHOUSE at 5TH & MULBERRY DES MOINES IA

on 2/20/2002 8:07 AM **Type Of Service:** POSTED AT COURTHOUSE

<b>By Serving:</b>		at	
on	//	at	Relationship:
(Company)	by serving	(Name)	it's (Title)
	at		on //

**Notes: Diligent Search/Remarks**

<b>FEES:</b>	
Processing:	\$5.00
Milage :	
Copy :	
Notary :	
Misc. :	
<b>Total :</b>	<b>\$5.00</b>

DENNIS ANDERSON , Sheriff  
POLK County, IA

  
Cathi Brown Deputy

FEES PAID BY:



AFFADAVIT OF PUBLICATION

STATE OF IOWA

POLK COUNTY

Amy Duncan, being sworn, says she is the publisher of The Altoona Herald-Mitchellville Index, a weekly newspaper of general circulation, published in Altoona, Polk County, Iowa.

That the notice, a printed copy of which is attached hereto and made part of hereof, was published in the said Altoona Herald-Mitchellville Index once each week for 1 weeks, the first publication being on the 28<sup>th</sup> day of February, 20 02; the second being on the \_\_\_ day of \_\_\_, 20 \_\_\_; the third being on the \_\_\_ of \_\_\_, 20 \_\_\_; the fourth being on the \_\_\_ day of \_\_\_, 20 \_\_\_; and the last being on the \_\_\_ day of \_\_\_, 20 \_\_\_.

*[Handwritten signature]*

Subscribed and sworn to by Amy Duncan before me on this 28<sup>th</sup> day of February, 20 02.

*[Handwritten signature: Dawn Riley]*

Notary Public  
Publication fee  
\$153.04



**IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND FOR  
THE MARTIN LUTHER KING, JR. PARKWAY PROJECT (Thompson Trust)**

by the  
CITY OF DES MOINES, IOWA, IA077011A, Applicant.

**COUNT I**

**TO: TITLEHOLDERS:**

**THE THOMPSON TRUST**  
a/k/a The Trustees of  
The Thompson Trust,  
c/o Hubbell Realty  
904 Walnut Street, Suite 900  
Des Moines, IA 50309

**LIENHOLDERS, ENCUMBRANCERS AND LEASEHOLDERS: EASEMENT FOR  
STORM SEWER RIGHT OF WAY:**

City of Des Moines, Iowa  
c/o City Clerk  
400 E. 1st St.

Des Moines, IA 50309

**SPECIAL ASSESSMENT FOR SIDEWALK:**

City of Des Moines, Iowa  
c/o City Clerk  
400 E. 1st St.

Des Moines, IA 50309

**TAXING AUTHORITY:**

Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue  
Des Moines, IA 50309

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

**PARCEL 1-A- FEE SIMPLE INTEREST- CITY OF DES MOINES, IOWA**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL  
PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN  
OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY  
OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED  
AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE  
NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED  
BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST  
RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE  
OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH  
STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-  
WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH  
00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-  
OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON  
THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A  
DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING. BY SURVEY  
CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO.  
030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000,  
AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

**PROPERTY ADDRESS:**

vacant property in the 2000 block south of High Street and north of Ingersoll Avenue  
**PARCEL 1-B- FEE SIMPLE INTEREST- CITY OF DES MOINES, IOWA.**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

PROPERTY ADDRESS:

vacant property along the 1900-2000 block of the north side of Ingersoll Avenue  
PARCEL I-C- ACCESS RIGHTS- CITY OF DES MOINES, IOWA

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR'S (Condemnee's) PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON'S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR'S (Condemnee's) PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR'S (Condemnee's) PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

PROPERTY ADDRESS:

vacant property in 1900-2000 block south of High Street and north of Ingersoll Avenue  
COUNTY II

TO: TITLEHOLDERS:

THE THOMPSON TRUST a/k/a  
The Trustees of the Thompson Trust  
c/o Hubbell Realty  
904 Walnut Street, Suite 900

Des Moines, IA 50309

**LIENHOLDERS, ENCUMBRANCERS AND LEASEHOLDERS: EASEMENT FOR  
STORM SEWER RIGHT OF WAY:**

City of Des Moines, Iowa

c/o City Clerk

400 E. 1st St.

Des Moines, IA 50309

**TAXING AUTHORITY:**

Polk County, Iowa

Polk County Administration Building

111 Court Avenue

Des Moines, IA 50309

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

**PARCEL 2-A- TEMPORARY EASEMENT- CITY OF DES MOINES, IOWA**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,830 SQUARE FEET.

**PROPERTY ADDRESS:**

vacant property in the 2000 block of the south side of High Street.

**PARCEL 2-B- TEMPORARY EASEMENT- CITY OF DES MOINES, IOWA**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AN ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

**PROPERTY ADDRESS:**

vacant property in the 2000 block of the north side of Ingersoll Avenue

**PARCEL 2-C- TEMPORARY EASEMENT- CITY OF DES MOINES, IOWA**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 5,003 SQUARE FEET.

**PROPERTY ADDRESS:**

vacant property along the north side of the 1900-2000 block of Ingersoll Avenue

**PARCEL 2-D- TEMPORARY EASEMENT- CITY OF DES MOINES, IOWA**

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 683 SQUARE FEET.

**PROPERTY ADDRESS:**

vacant property along the south side of the 2000 block of High Street

**PUBLIC NOTICE IS HEREBY GIVEN:**

1. That the City of Des Moines desires the condemnation of a fee simple interest in the property described as Parcels 1-A and 1-B in Count I and access rights in the property described as Parcel 1-C, and temporary easement interests in the property described in Count II, as shown on the plats attached to the Application for Condemnation filed with the Chief Judge of the Fifth Judicial District and in the office of the Sheriff of Polk County, Iowa.
2. That such condemnation is sought for use in accordance with the Martin Luther King, Jr. Parkway Project.
3. That a Compensation Commission has been appointed, as provided by law, for the purpose of appraising the damages which will be caused by the taking of the above described properties interests.
4. That the Compensation Commission will, on the 15th day of March, 2002, at 9:00 a.m., meet in the Office of the Sheriff of Polk County in the Midland Building at 206 Sixth Avenue in Des Moines, Iowa, and will then proceed to view the properties and to assess and appraise the damages, at which time you may appear before the Commissioners if you care to do so.

54. That the Compensation Commission is required to meet in open session (open to the public) to view the property being condemned and to receive evidence, but may deliberate in closed session, as provided by Section 6B.14 of the Iowa Code.

Dennis W. Anderson  
Sheriff of Polk County, Iowa  
by M.L. Aschbrenner

Published in the Altoona Herald-Mitchellville Index, February 28, 2002.  
Publisher's Fee: \$153.04

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

---

IN THE MATTER OF THE CONDEMNATION	)	
OF CERTAIN RIGHTS IN LAND FOR THE	)	
MARTIN LUTHER KING, JR. PARKWAY	)	
PROJECT (Thompson Trust)	)	
	)	
by the	)	SHERIFF'S RETURN AND
	)	REPORT OF COMMISSIONERS
	)	
CITY OF DES MOINES, IOWA,	)	
IA077011A,	)	
	)	
Applicant.	)	

---

BE IT REMEMBERED that on the 6th day of February, 2002, the City of Des Moines, Iowa, a municipal corporation organized and existing under and by virtue of the laws of the State of Iowa, and located in the County of Polk, did, in pursuance of law, make written Application to the Chief Judge of the Fifth Judicial District for Polk County, Iowa, for the appointment of Compensation Commissioners under Chapter 6B of the Iowa Code to assess the damages sustained by the various persons, companies or corporations owning or having any interest in the property in the City of Des Moines, Polk County, Iowa, which said municipal corporation desires to take, acquire, appropriate and condemn a fee simple interest in the property described in Count I, including access rights, and temporary easements in the property described in Count II, and it being made to appear that the persons, companies or corporations owning or claiming any interest in said property have refused to grant the same to said municipal corporation for said purposes and that said municipal corporation cannot agree with said owners and claimants of an interest in said property upon the compensation to be paid for the same, the Chief Judge of the Fifth Judicial District for Polk County, Iowa, in pursuance of the powers vested in him by law and said written application having been filed with him, did appoint six (6) resident freeholders

8

of the County of Polk, State of Iowa, who were not interested in the same or a like question to inspect the said property and assess the damages which said owners and claimants of an interest in the same might sustain by reason of the appropriation thereof by said corporation for the uses and purposes aforesaid, the said freeholders appointed being: Dennis Connolly, Jack McWilliams, William O'Brien, Keith Johnson, Ralph L. Vance and Ellen Cioccio said Commissioners were duly and legally summoned to view the said property as herein described on the 15<sup>th</sup> day of March, 2002, at 9:00 o'clock, a. m., and to assess the damages of each of the owners thereof, and persons, companies or corporations having or claiming an interest therein by reason of the appropriation of the same by said municipal corporation for said purpose, which said owners and persons, companies or corporations having or claiming an interest therein are as hereinafter set out.

WHEREUPON, all of said Commissioners met in my office in the Midland Building in Des Moines, Polk County, Iowa, on the 15<sup>th</sup> day of March, 2002, and said Commissioners, and each of them, then and there signed and made oath and qualified by filing with me their written oath, the original of said oath being attached hereto, marked "Exhibit A," and by this reference made a part hereof.

Thereafter, the Commissioners did, on the 15<sup>th</sup> of March, 2002, view the said property and did thereafter meet in public session to assess the damages that said property owners and claimants of an interest in said property will sustain by reason of the appropriation of the same by said City for the purposes aforesaid.

Due and legal notice of the proposal of said municipal corporation to take said properties for the Martin Luther King, Jr. Parkway Project, and of the time and place of meeting of said Commissioners for the purpose of making such assessment having been heretofore given and



published, after the appointment of the Commissioners, to the owners of the said described property and all persons, companies or corporations having or claiming an interest therein, the said Commissioners thereupon made out and returned their report of assessment of damages, as follows to-wit:

**REPORT OF COMMISSIONERS**

TO THE SHERIFF OF POLK COUNTY, IOWA:

The undersigned, duly appointed and qualified Commissioners to inspect the property hereinafter described and assess the damages which the owners thereof and persons, companies or corporations having or claiming an interest therein will sustain by reason of the appropriation of the same for Martin Luther King, Jr. Parkway Project, having been duly sworn, faithfully and impartially assess all such damages, and it appearing that all persons, companies or corporations owning or claiming an interest in any of the property hereinafter described have been duly and legally notified of the proceedings herein and the time and place of our meeting to view said property and assess their damages, as aforesaid, we did, on the 15<sup>th</sup> day of March, 2002, view the real estate hereinafter described and assess the damages which the owners thereof and persons having or claiming an interest therein will sustain by reason of the appropriation of the same by said municipal corporation for the purposes aforesaid.

And we now, after 1 day(s) deliberation, on the 15th day of March, 2002, return this, our true findings in the premises, as shown below, as actual damages for the taking of the property hereinafter described:

**COUNT I**

**PARCEL 1-A--FEE SIMPLE INTEREST--City of Des Moines, Iowa  
ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND  
LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT,**

ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.  
 BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).  
 PROPERTY ADDRESS: vacant property in the 2000 block south of High Street and north of Ingersoll Avenue

**PARCEL 1-B--FEE SIMPLE INTEREST--City of Des Moines, Iowa**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

PROPERTY ADDRESS: vacant property in the 1900-2000 block on the north side of Ingersoll Avenue

**Parcel 1-C – Access Rights-City of Des Moines, Iowa**

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR’S (Condemnee’s) PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON’S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR’S (Condemnee’s) PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR’S (Condemnee’s) PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

PROPERTY ADDRESS: vacant property in 1900-2000 block south of High Street & north of Ingersoll Avenue

The names and addresses of all record owners and holders of liens and encumbrancers, as far as shown, are as follows:

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of The Thompson Trust, c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Special Assessment for sidewalk:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**COUNT II**

**PARCEL 2-A--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF

DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 2,830 SQUARE FEET. PROPERTY ADDRESS: vacant property in the 2000 block on the south side of High Street

**PARCEL 2-B--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 2,521 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the north side of Ingersoll Ave

**PARCEL 2-C--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE

NORTH 89°50'25" EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 5,003 SQUARE FEET.

PROPERTY ADDRESS: vacant property along with the south side of the 2000 block of High St

**PARCEL 2-D--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 683 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the south side of the 2000 block of High Street

TOTAL AWARD \$ 275,000

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

Both Parties Settled Before Hearing

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

WITNESS OUR HANDS at Des Moines, Iowa, the day and year last above written.

[Signature]  
Dennis Connolly

[Signature]  
Jack McWilliams

[Signature]  
William O'Brien

[Signature]  
Keith Johnson

[Signature]  
Ralph L. Vance

[Signature]  
Ellen Cioccio

**MINUTES OF MEETING OF COMMISSIONERS:**

DATE: March 15, 2002                      TIME: 9:00 AM  
PLACE: 206 6<sup>th</sup> Avenue, Room 520  
CONDEMNOR: City of Des Moines  
CONDEMNEE: Thompson Trust  
PROJECT: Martin Luther King, Jr. Parkway Project (Thompson Trust)

On the date listed above, a hearing regarding the above listed condemnation was held.  
The Commissioners heard presentations from:

**Condemnor (and/or Attorney):**

*Emily Chidkin - Attorney City of Des Moines*

**Witness for Condemnor:**

**Condemnee (and/or Attorney):**

*Bill Lottis*  
*Don Manning*

**Witness for Condemnee:**

The Commissioners made their decision based on the following documents and information received for consideration in arriving at the award(s):

*Both Parties Settled Before Hearing for \$275,000 for Acquisition Temporary Eminent.*

Commissioners vote on the award was unanimous by the following commissioners:

<u>Dennis Connolly,</u>	<u>Rollie Bredeson,</u>	<u>William O'Brien</u>
<u>Keith Johnson,</u>	<u>Ralph Vance,</u>	<u>Ellen Cioccio</u>

BY: 

The commission shall keep minutes of all its meetings showing the date, time and place, the members present, and the action taken at each meeting. The minutes shall show the results of each vote taken and information sufficient to indicate the vote of each member present. The minutes shall be public records open to public inspection. Iowa Code Section 6B.14

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

---

IN THE MATTER OF THE CONDEMNATION	)	
OF CERTAIN RIGHTS IN LAND FOR THE	)	
MARTIN LUTHER KING, JR. PARKWAY	)	
PROJECT (Thompson Trust)	)	
	)	
by the	)	STIPULATION AGREEMENT
	)	
CITY OF DES MOINES, IOWA,	)	
IA077011A,	)	
	)	
Applicant.	)	

---

THIS STIPULATION AGREEMENT is made and entered into on this 15<sup>th</sup> day of March, 2002, by and between the CITY OF DES MOINES, IOWA, the "Condemnor"; and The Thompson Trust, the "Condemnee."

NOW WITNESSETH:

WHEREAS, the CITY OF DES MOINES, IOWA has filed an Application for Condemnation in Polk County, Iowa, for condemnation of certain property rights as described in the Application and the Notices of Condemnation served in connection therewith, all pertaining to the condemnation of the subject property, as set forth therein:

WHEREAS, a meeting of the Polk County Compensation Commission is scheduled to commence at 9:00 a.m. on March 15, 2002, in the Office of the Polk County Sheriff, at which meeting the compensation commissioners will be asked to determine the amount of damages to be awarded for the property rights sought; and

WHEREAS, the parties hereto have reached a stipulation and agreement upon the proper amount of damages which should be awarded by the commission for the property rights sought, the terms of which stipulation and agreement are hereinafter particularly set forth.

NOW, THEREFORE, IT IS STIPULATED AND AGREED by the undersigned parties as follows:

1. The fair and just compensation which should be awarded for the property rights described in the application for condemnation with respect to this condemnation proceeding totals Two Hundred Seventy-Five Thousand and 00/100 Dollars (\$275,000.00).

2. That in addition and as a part of this condemnation award, and in an effort to minimize severance damages suffered by Condemnee, the parties agree to the following:

A. Access:

(1) 19<sup>th</sup> Street and High Street: There will be no elimination of direct access on High Street and 19<sup>th</sup> Street as it relates to the Condemnee's property.



(2) **Ingersoll Avenue**: The Condemnee may have two full commercial accesses along Ingersoll Avenue, each at least thirty-seven feet (37') in width.

**Condemnee Constructed West Access:**

The distance between the newly established right-of-way line and the centerline of the west access shall be no less than one hundred fifty feet (150').

**Condemnee Constructed East Access:**

The distance between the centerline of the west access and the centerline of the east access shall be no less than one hundred fifty feet (150').

The locations of the west and east accesses on Ingersoll Avenue described above are depicted on Exhibit "A" attached hereto and made a part of this Stipulation Agreement. The City site plan requirements will apply to any development planned by Condemnee.

(3) **Full Access**: The project design, as approved by IDOT and by Condemnor, does not include a median which would preclude full access to and from Ingersoll Avenue to and from the Condemnee's property in both an easterly and westerly direction.

B. **Storm Sewer Easement**: In the event Condemnor determines that the storm sewer easement currently located upon Condemnee's property is no longer needed, or in the event that the Condemnor ceases to utilize or plan to utilize the storm sewer easement for the discharge of storm waters through said easement, then Condemnor shall be deemed to have abandoned said storm sewer easement. Then and in that event, Condemnor shall provide and record a release of the storm sewer easement and accept payment in consideration from the Condemnee in the amount of One Dollar (\$1.00) for said release. Then and in that event, Condemnee shall accept the sewer and associated structures in the then-existing condition without any compensation therefor.

3. The parties hereto consider the meeting of the compensation commissioners to be "friendly" and the parties respectfully request that the commission make the compensation award of \$275,000.00 as set forth in paragraph 1 hereof.

4. The parties hereto waive any rights which they may have to appeal the award of the compensation commission, provided such award is identical to the amount specified in the foregoing paragraph 1 hereof.

5. Any party hereto reserves the right to appeal any amount and all other provisions specified in this Stipulation Agreement.

6. The parties hereto each agree to waive any and all irregularities as to form and content of any condemnation instruments or documents, manner of service of Notices of Condemnation, procedures involved in scheduling and holding the meeting of the compensation commission, including waiving viewing of the property.

THE THOMPSON TRUST

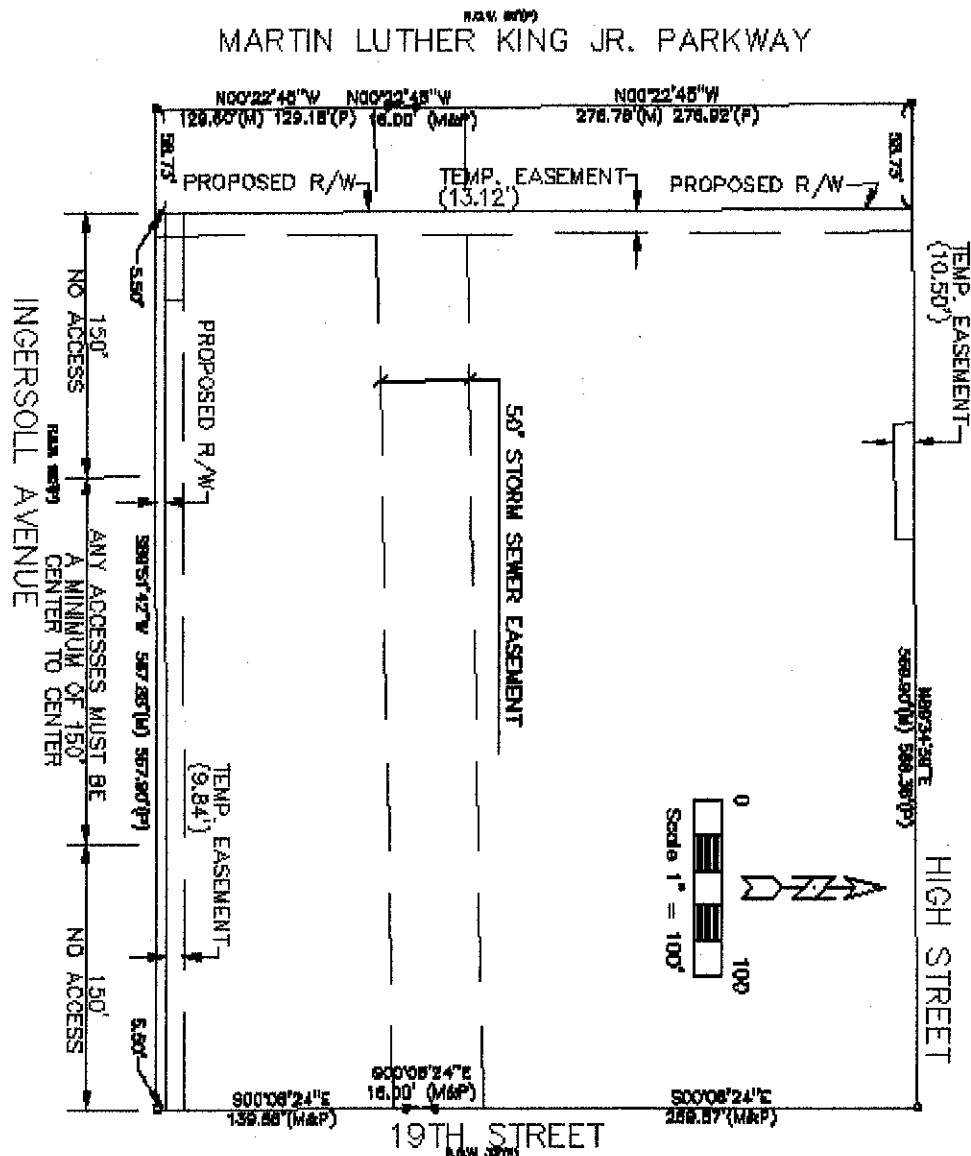
CITY OF DES MOINES, IOWA

By Luther L. Hill, Jr.  
Luther-L. Hill, Jr., Trustee

By Emily Gould Chafa  
Emily Gould Chafa  
Assistant City Attorney

By Riley W. Richards  
Riley Richards, Trustee

By Daniel L. Manning  
Daniel Manning  
Attorney for The Thompson Trust



IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 )  
 by the ) NOTICE OF APPRAISEMENT OF  
 ) DAMAGES AND TIME FOR APPEAL  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

**COUNT I**

TO: **Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of The Thompson Trust, c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa c/o City Clerk 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Special Assessment for sidewalk:** City of Des Moines, Iowa c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
 Polk County Administration Building  
 111 Court Avenue, Des Moines, IA 50309

**PARCEL 1-A--FEE SIMPLE INTEREST--City of Des Moines, Iowa**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

PROPERTY ADDRESS: vacant property in the 2000 block south of High St and north of Ingersoll Ave

**PARCEL 1-B--FEE SIMPLE INTEREST--City of Des Moines, Iowa**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

PROPERTY ADDRESS: vacant property in the 1900-2000 block on the north side of Ingersoll Ave

**Parcel 1-C – Access Rights-City of Des Moines, Iowa**

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR'S (Condemnee's) PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON'S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR'S (Condemnee's) PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR'S (Condemnee's) PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

PROPERTY ADDRESS: vacant property in 1900-2000 block south of High St & north of Ingersoll Ave

**COUNT II**

TO: **Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of the Thompson Trust, c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa, c/o City Clerk  
400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**PARCEL 2-A--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,830 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the south side of High Street

**PARCEL 2-B--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 2,521 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the north side of Ingersoll Ave

**PARCEL 2-C--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF

508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 5,003 SQUARE FEET.

PROPERTY ADDRESS: vacant property along with the south side of the 2000 block of High St

**PARCEL 2-D--TEMPORARY EASEMENT--City of Des Moines, Iowa**

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 683 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the south side of the 2000 block of High Street

**TOTAL AWARD**    \$ 275,000.00

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 6B.18 of the Code of Iowa, you may within thirty (30) days from the date of mailing this Notice, appeal to the District Court as by law provided.

Dated this 15th day of March, 2002.


SHERIFF OF POLK COUNTY, IOWA

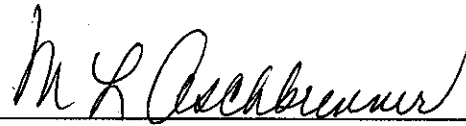
By: *MR Aschbrenner*  
Deputy

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION	)	
OF CERTAIN RIGHTS IN LAND FOR THE	)	
MARTIN LUTHER KING, JR. PARKWAY	)	
PROJECT (Thompson Trust)	)	
	)	ENDORSEMENT OF SHERIFF OF
by the	)	MAILING OF NOTICE OF
	)	APPRAISEMENT OF DAMAGES
CITY OF DES MOINES, IOWA,	)	AND TIME FOR APPEAL
IA077011A,	)	
	)	
Applicant.	)	

I, the undersigned, Sheriff of Polk County, hereby endorse on the foregoing Report of Commissioners that I have mailed by ordinary mail on the 15th day of March, 2002, the attached Notices of Appraisalment of damages and time for appeal to each of the persons to which they are addressed.

  
 DENNIS W. ANDERSON, SHERIFF  
 POLK COUNTY, IOWA

By   
 Deputy

10



IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

SHERIFF'S CERTIFICATION  
OF COSTS AND AWARDS

TO: Clerk of Polk County District Court/Polk County Recorder

I hereby certify that the appointed commissioners in the above-entitled condemnation commission proceedings convened at the Midland Building on the 15<sup>th</sup> day of March, 2002, and thereupon proceeded to view the premises and the commission did thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 2002, file their written report with me awarding damages as follows:

TITLEHOLDERS, ENCUMBRANCERS, AND LIENHOLDERS:

COUNT I

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of The Thompson Trust, c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Special Assessment for sidewalk:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**COUNT II**

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of the Thompson Trust, c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

\$ \_\_\_\_\_ TOTAL PAID-----PAID \_\_\_\_\_

DATE OF MAILING THE NOTICE OF APPRAISEMENT OF DAMAGES TO CONDEMNERS \_\_\_\_\_

AWARDS DEPOSITED BY APPLICANT \_\_\_\_\_

NOTICE OF APPEAL FILED BY \_\_\_\_\_

COMMISSIONERS-FEE-EXPENSES

SHERIFF'S CIVIL FEES

Mileage	\$ _____
County Fees	_____
Attend Jury	_____
Total	\$ _____

I further certify that the attached papers are full and complete original files in the proceedings and the statement accompanying the same are correct and true. Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

DENNIS W. ANDERSON,  
SHERIFF OF POLK COUNTY

*Dennis W. Anderson*  
\_\_\_\_\_

*11/6/12  
The City of Des Moines*

**COPY SENT TO  
SECRETARY  
OF STATE**

FILED FOR RECORD  
POLK COUNTY, IOWA

02 FEB 12 A 10: 10.0

TIMOTHY J. BRIEN  
RECORDER

INST # 079640  
RECORDING FEE 116.00  
AUDITOR FEE \_\_\_\_\_

Prepared by and return to: Emily Gould Chafa, Assistant City Attorney, City Legal Department, 400 East First Street, Des Moines, Iowa 50309  
(515) 283-4130 Address tax statements to: City of Des Moines, 400 East First Street, Des Moines, Iowa 50309

**RETURN TO:**

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION	)	
OF CERTAIN RIGHTS IN LAND FOR THE	)	
MARTIN LUTHER KING, JR. PARKWAY	)	
PROJECT (Thompson Trust)	)	
	)	
by the	)	APPLICATION FOR CONDEMNATION
	)	
CITY OF DES MOINES, IOWA,	)	
IA077011A,	)	
	)	
Applicant.	)	

TO: ARTHUR E. GAMBLE, CHIEF JUDGE, FIFTH JUDICIAL DISTRICT

YOU ARE HEREBY NOTIFIED that the Applicant City of Des Moines, Iowa, a municipal corporation, desires to take, acquire and condemn a fee simple interest in the property hereafter described in Count I hereof, together with any and all leasehold interests, easement interests and other legal or equitable interests therein, including access rights as defined herein, and together with any and all structures and appurtenances located upon the property sought to be condemned. The City of Des Moines also desires to take, acquire and condemn temporary easements in the property hereafter described in Count II hereof. The City of Des Moines desires the rights specified in the properties sought to be condemned for use for the Martin Luther King, Jr. Parkway Project.

**PROPERTY TO BE ACQUIRED; PUBLIC USE OR PURPOSE FOR THE TAKING.**

The properties in which a fee simple interest, access rights and temporary easements are sought to be acquired for the Martin Luther King, Jr. Parkway Project are listed as Parcels 1-A, 1-B, 1-C and 2-A, 2-B, 2-C and 2-D and are shown on the attached Acquisition Plats. These Acquisition Plats are marked Exhibits 1-A & B, 1-C and 2-A & B, 2-C and 2-D and are by this reference made a part hereof. The fee simple interest in Parcels 1-A and 1-B, the access rights in Parcel 1-C and the temporary easement interests in Parcels 2-A, 2-B, 2-C and 2-D will be used by the City of Des Moines for the public purpose of street and related improvements for the Martin Luther King, Jr. Parkway Project.

BK 9094 PG 459

**COUNT I**

The fee simple interest in the property to be acquired as Parcels 1-A and 1-B are legally described as follows:

**PARCEL 1-A--Fee Simple Interest-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

PROPERTY ADDRESS: vacant property in the 2000 block south of High Street and north of Ingersoll Avenue

**PARCEL 1-B--Fee Simple Interest-City of Des Moines, Iowa:**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

PROPERTY ADDRESS: vacant property along the 1900-2000 block on the north side of Ingersoll Avenue

The property interests to be acquired as Parcel 1-C is legally described as follows:

**Parcel 1-C – Access Rights-City of Des Moines, Iowa**

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR’S (Condemnee’s) PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON’S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR’S (Condemnee’s) PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR’S (Condemnee’s) PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

PROPERTY ADDRESS: vacant property in 1900-2000 block south of High Street & north of Ingersoll Avenue

**NAMES OF RECORD OWNERS AND HOLDERS OF LIENS AND ENCUMBRANCERS OF PARCELS 1-A, 1-B and 1-C.**

The names and addresses of all record owners and holders of liens and encumbrancers with respect to Parcels 1-A, 1-B and 1-C, as far as shown, are as follows:

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of The Thompson Trust  
c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Special Assessment for sidewalk:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**COUNT II**

The temporary easement property interests to be acquired as Parcels 2-A, 2-B, 2-C and 2-D is legally described as follows:

**PARCEL 2-A—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING. BY SURVEY CONTAINING 2,830 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the south side of High Street

**PARCEL 2-B—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

PROPERTY ADDRESS: vacant property in the 2000 block on the north side of Ingersoll Avenue

**PARCEL 2-C—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES

MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00°  
(DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE  
PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF  
19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL  
HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET;  
THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25"  
EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF  
19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT  
OF BEGINNING. BY SURVEY CONTAINING 5,003 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the north side of the 1900-2000 block of Ingersoll Avenue

**PARCEL 2-D—Temporary Easement-City of Des Moines, Iowa:**

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89°  
(DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE  
PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF  
HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST  
CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID  
LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF  
65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE  
WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.  
BY SURVEY CONTAINING 683 SQUARE FEET.

PROPERTY ADDRESS: vacant property along the south side of the 2000 block of High Street

**NAMES OF RECORD OWNERS AND HOLDERS OF LIENS AND ENCUMBRANCERS OF PARCELS 2-A, 2-B, 2-C and 2-D.**

The names and addresses of all record owners and holders of liens and encumbrancers with respect to Parcels 2-A, 2-B, 2-C and 2-D, as far as shown, are as follows:

**Titleholders:** THE THOMPSON TRUST a/k/a The Trustees of the Thompson Trust  
c/o Hubbell Realty, 904 Walnut Street, Suite 900, Des Moines, IA 50309

**Lienholders, Encumbrancers and Leaseholders:**

**Easement for storm sewer right of way:** City of Des Moines, Iowa  
c/o City Clerk, 400 E. 1<sup>st</sup> St, Des Moines, IA 50309

**Taxing Authority:** Polk County, Iowa  
Polk County Administration Building  
111 Court Avenue, Des Moines, IA 50309

**1. LANDS NECESSARY TO ACHIEVE THE PUBLIC PURPOSE AND LANDS PROPOSED TO BE ACQUIRED FOR THE PROJECT.**

The Acquisition Plats, marked as Exhibits 1-A & B and 1-C and 2-A & B, 2-C, and 2-D, and attached hereto and made a part hereof, identifies the property interests described in Counts I and II above which are required by the City of Des Moines for the purposes of street and related improvements in conjunction with the Martin Luther King, Jr. Parkway Project. The City further asserts that the property interests as described in Counts I and II above constitute the necessary minimum amount of land and property interests needed to achieve the purpose herein identified, and that no portion of this property is being acquired as an uneconomic remnant.

**2. GOOD FAITH EFFORTS MADE BY THE CITY TO NEGOTIATE THE PURCHASE OF THE PROPERTY.**

The City represents and warrants that it has undertaken the following activities in attempting to negotiate the purchase of the property interests described in Counts I and II from the property owner in good faith:

(a) On August 23, 1999, the Des Moines City Council adopted a resolution, under Roll Call No. 99-2618, authorizing of a notice of intent to continue the previously approved Martin Luther King, Jr. Parkway Project, and to acquire property for said Project, to be mailed to all affected property owners, including the owner of the property described in Counts I and II listed above, and to be published as required by law.

(b) On October 4, 1999, acting pursuant to both mailed and published notice of public hearing, the Des Moines City Council held a public hearing on the proposed commencement of said Project and on the proposed acquisition of properties for said Project, and thereafter passed a resolution, under Roll Call No. 99-3144, approving the Project and authorizing the acquisition of properties for the Project, including the property described in Counts I and II identified above.

(c) On August 15, 2001, the Real Estate Division of the City of Des Moines Engineering Department received an appraisal of the property to be acquired, indicating that the fair market value of the property interests to be acquired was as of the date of the appraisal in the amount of \$220,000.00 for the fee simple interest and access rights in the property described in Count I and \$10,000.00 for the temporary easement interests described in Count II.

(d) On September 24, 2001, the Des Moines City Council adopted a resolution, under Roll Call No. 01-2874, establishing the fair market value of the property interests described in Counts I and II in the amounts determined by an appraisal of the property performed by a professional appraiser.

(e) On October 5, 2001, the Real Estate Division of the City of Des Moines Engineering Department mailed to the property owner an offer to purchase the property interests described in Counts I and II above at the fair market value thereof, as set forth in the appraisal and as established by the City Council, together with a copy of the appraisal. The offer provided that it would remain open for acceptance by the owner through November 30, 2001. A letter accompanied the offer, informing the property owner of its right to waive the 10 day waiting period for commencement of negotiations, and informing the property owner of the requirement that the City negotiate for purchase of the property interests in good faith.



(f) Following the conclusion of the 10 day waiting period for the commencement of negotiations, the City's acquisition agent contacted the owner of the property interests described in Counts I and II above to commence negotiations for the purchase thereof this property. The acquisition agent contacted and met with the property owner and/or its agent or attorneys on several occasions to negotiate the terms of purchase. The acquisition agent's efforts to purchase the property interests as described in Counts I and II above at the fair market value as established by the City Council pursuant to appraisal were unsuccessful.

**NOW, THEREFORE**, pursuant to a regularly adopted resolution by the City Council of the City of Des Moines, **YOU ARE HEREBY REQUESTED** to appoint a Compensation Commission to appraise the damages caused by this appropriation; said Commission to consist of six commissioners who shall be residents of Polk County, Iowa.

**YOU ARE FURTHER REQUESTED** to give written notice to the City of Des Moines, Iowa as soon as the commissioners have been appointed.

Dated this 6<sup>th</sup> day of February, 2002.

CITY OF DES MOINES, IOWA

*Emily Gould Chafa*

Emily Gould Chafa PK0011406  
Assistant City Attorney  
City Hall, 400 East First Street  
Des Moines, IA 50309-1891  
Telephone: (515) 283-4530

APPROVED this 11 day of February, 2002.

*Arthur G. Shumard*

Chief Judge, Fifth Judicial District

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

*Emily Gould Chafa*

Emily Gould Chafa, Assistant City Attorney  
City of Des Moines, Iowa

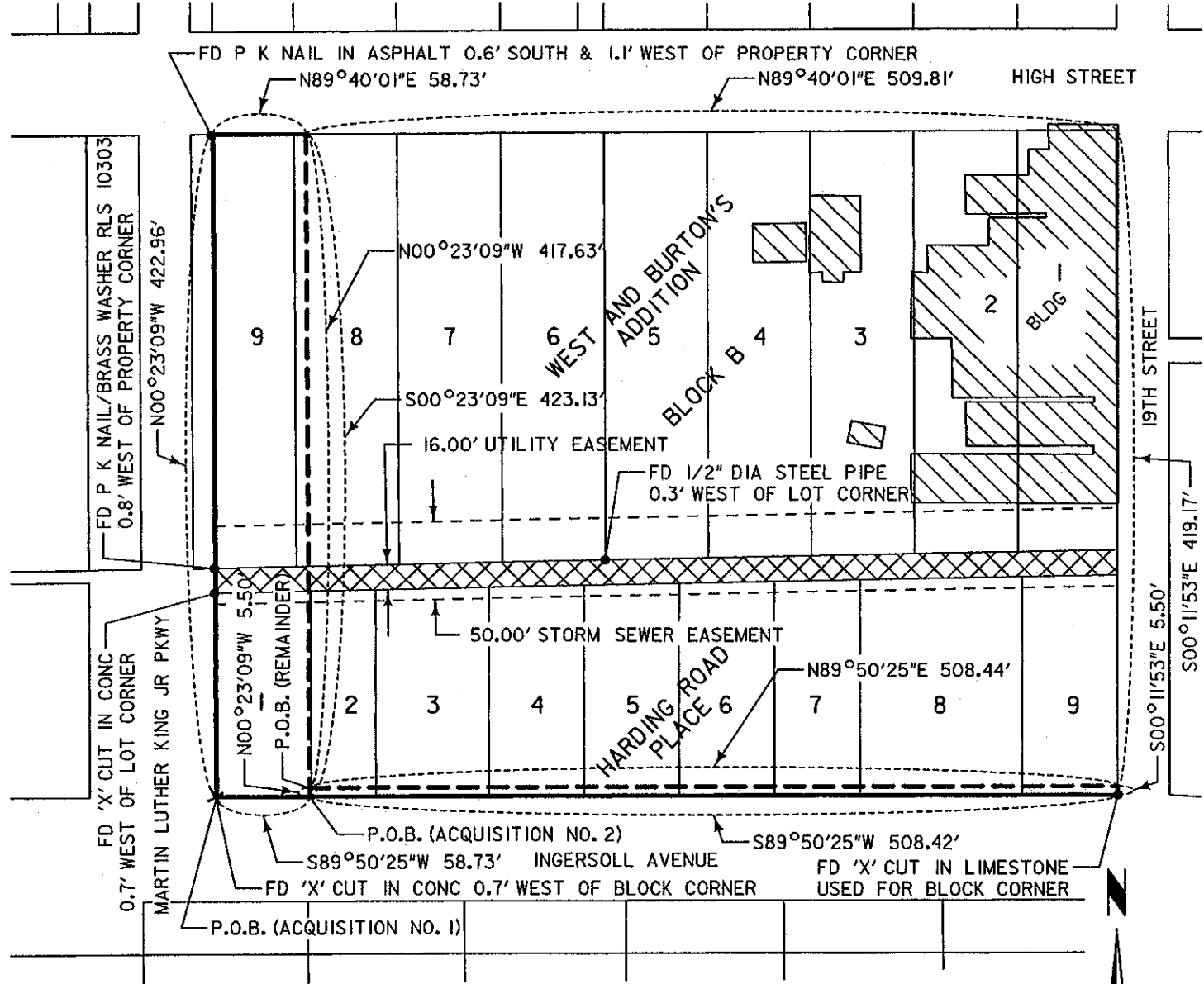
Filed in my office at Des Moines, Iowa, this 12 day of February, 2002.

*Dennis W. Anderson*

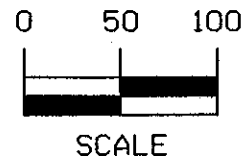
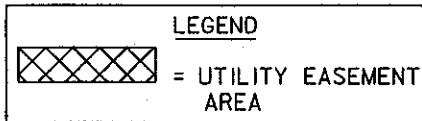
Sheriff of Polk County, Iowa

# ACQUISITION PLAT

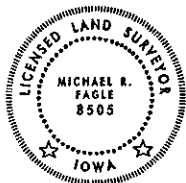
## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 4  
 PROJECT PARCEL NO. 13  
 ACQUISITION NO. 1 & 2



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

*Michael R. Fagle* 2-04-02  
 Date

MICHAEL R. FAGLE  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-4 OF 4

	EARTH TECH. DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1-A and B</u> SHEET 1 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2A and B</u> SHEET 2 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

**LEGAL DESCRIPTION: FEE SIMPLE ACQUISITION NO. 1**

ALL THAT PART OF LOT 1 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 8 AND 9 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00° (DEGREES) 23' (MINUTES) 09" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY A DISTANCE OF 422.96 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 423.13 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 24,845 SQUARE FEET (7,643 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 16,262 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 940 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

**LEGAL DESCRIPTION: FEE SIMPLE ACQUISITION NO. 2**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.44 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE; THENCE SOUTH 89°50'25" WEST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 508.42 FEET TO THE POINT OF BEGINNING.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1A and B</u> SHEET 3 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

BY SURVEY CONTAINING 2,796 SQUARE FEET (7 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 223 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000, 391 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 329 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 847 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 110 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 559 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, AND 330 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000).

**LEGAL DESCRIPTION: REMAINDER**

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, AND LOTS 1, 2, 3, 4, 5, 6, 7 AND 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1, HARDING ROAD PLACE; THENCE NORTH 89° (DEGREES) 50' (MINUTES) 25" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF INGERSOLL AVENUE A DISTANCE OF 58.73 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 00°23'09" WEST A DISTANCE OF 417.63 FEET TO THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89°40'01" EAST ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 509.81 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 419.17 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 213,018 SQUARE FEET, OR 4.89 ACRES (148 SQUARE FEET IN CO. PARCEL NO. 030-02472-000-000, 5,117 SQUARE FEET IN CO. PARCEL NO. 030-02473-000-000 9,009 SQUARE FEET IN CO. PARCEL NO. 030-02474-000-000, 7,660 SQUARE FEET IN CO. PARCEL NO. 030-02475-000-000, 20,011 SQUARE FEET IN CO. PARCEL NO. 030-02476-000-000, 2,629 SQUARE FEET IN CO. PARCEL NO. 030-02476-001-000, 13,481 SQUARE FEET IN CO. PARCEL NO. 030-02477-000-000, 8,035 SQUARE FEET IN CO. PARCEL NO. 030-02478-000-000, 5,098 SQUARE FEET IN CO. PARCEL NO. 030-05287-001-000, 29,231 SQUARE FEET IN CO. PARCEL NO. 030-05287-002-000, 17,604 SQUARE FEET IN CO. PARCEL NO. 030-05288-000-000, 35,402 SQUARE FEET IN CO. PARCEL NO. 030-05289-000-000, 51,450 SQUARE FEET IN CO. PARCEL NO. 030-05290-000-000, AND 8,143 SQUARE FEET IN CO. PARCEL NO. 030-05290-001-000).

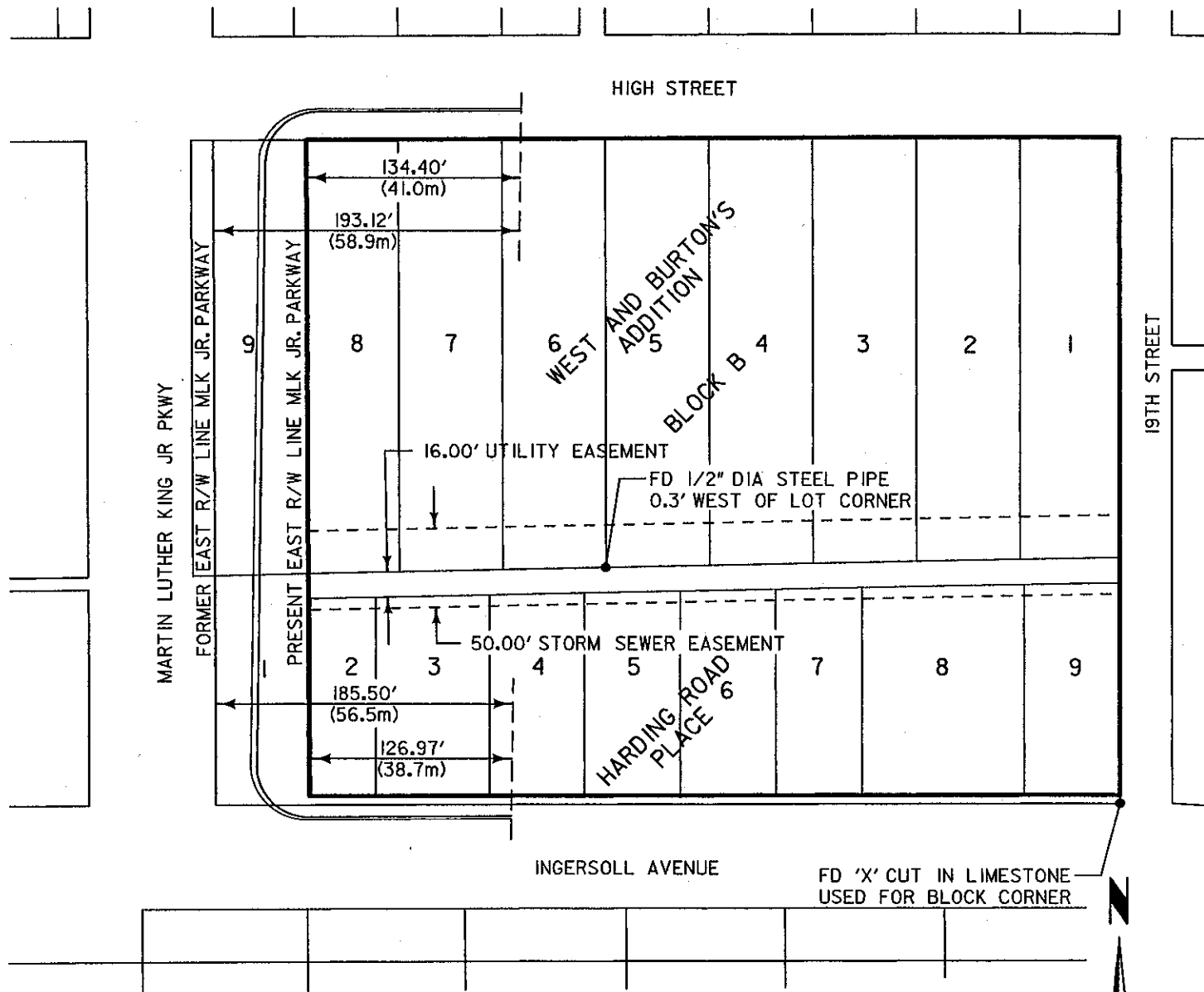
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 4  
PROJECT PARCEL NO. 13 - ACQUISITION NO. 1 & 2

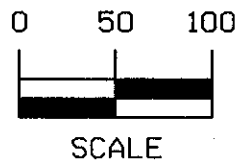
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>1A and B</u> SHEET 4 OF 4
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13  
 ACCESS CONTROL



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor, under the laws of the State of Iowa.  
*Michael R Fagle* 2-04-02  
 MICHAEL R. FAGLE Date  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>LC</i> SHEET 1 OF 3
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - ACCESS CONTROL

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>1C</i> SHEET 2 OF 3
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

ALL RIGHT, TITLE, INTEREST, ESTATE, CLAIM OR DEMAND GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

ALL RIGHTS OF DIRECT ACCESS BETWEEN MARTIN LUTHER KING JR. PARKWAY AND GRANTOR'S PROPERTY ABUTTING THEREON IN BLOCK B IN WEST AND BURTON'S ADDITION, AND LOT 2 IN HARDING ROAD PLACE, AND THE ALLEY LYING NORTH OF AND ADJOINING SAID LOT 2, ALL IN THE CITY OF DES MOINES, POLK COUNTY, IOWA, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN HIGH STREET AND GRANTOR'S PROPERTY FOR A DISTANCE OF 134.40 FEET (41.0 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 193.12 FEET (58.9 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, IN SAID BLOCK B, AND ALL RIGHTS OF DIRECT ACCESS BETWEEN INGERSOLL AVENUE AND GRANTOR'S PROPERTY FOR A DISTANCE OF 126.97 FEET (38.7 METERS) FROM THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY, ALSO BEING 185.50 FEET (56.5 METERS) FROM THE FORMER EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY IN SAID LOT 2 AND LOTS 3 AND 4 IN HARDING ROAD PLACE.

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

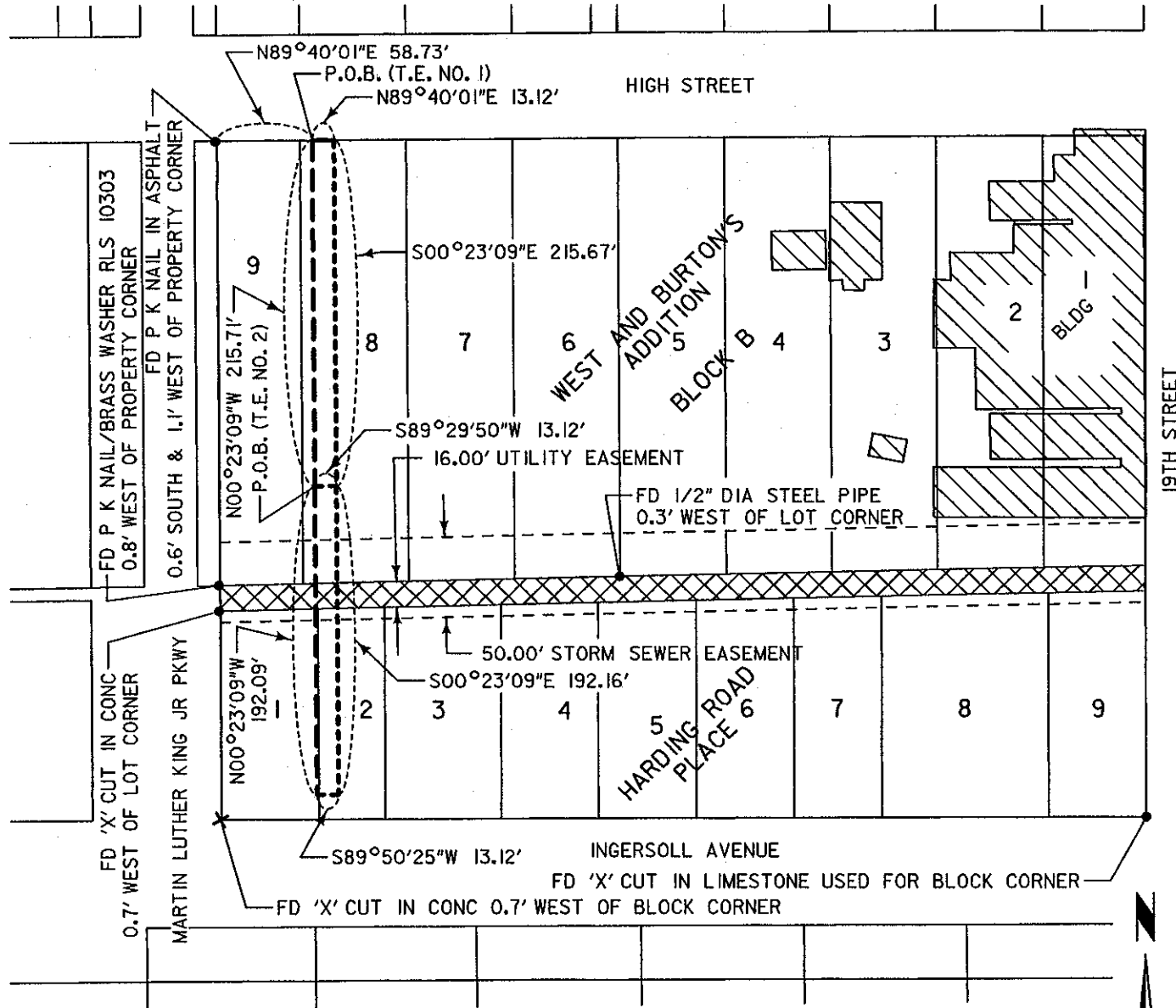
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>1C</i> SHEET 3 OF 3
REV/BY:DATE	

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13 - ACCESS CONTROL



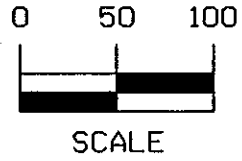
# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



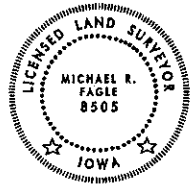
**LEGEND**

= UTILITY EASEMENT AREA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 1 AND 2

DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor, under the laws of the State of Iowa.

*Michael R. Fagle*      2-04-02  
 Date

MICHAEL R. FAGLE  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 1 AND 2

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

**LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 1**

ALL THAT PART OF LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°40'01" EAST ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.67 FEET; THENCE SOUTH 89°29'50" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,830 SQUARE FEET.

**LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 2**

ALL THAT PART OF LOT 8 AND THE VACATED ALLEY LYING SOUTH OF AND ADJOINING LOT 8 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, AND LOT 2 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE PRESENT EAST RIGHT-OF-WAY LINE OF MARTIN LUTHER KING JR. PARKWAY AND THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 58.73 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 215.71 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 89°29'50" EAST A DISTANCE OF 13.12 FEET; THENCE SOUTH 00°23'09" EAST A DISTANCE OF 192.16 FEET; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 13.12 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 192.09 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 2,521 SQUARE FEET.

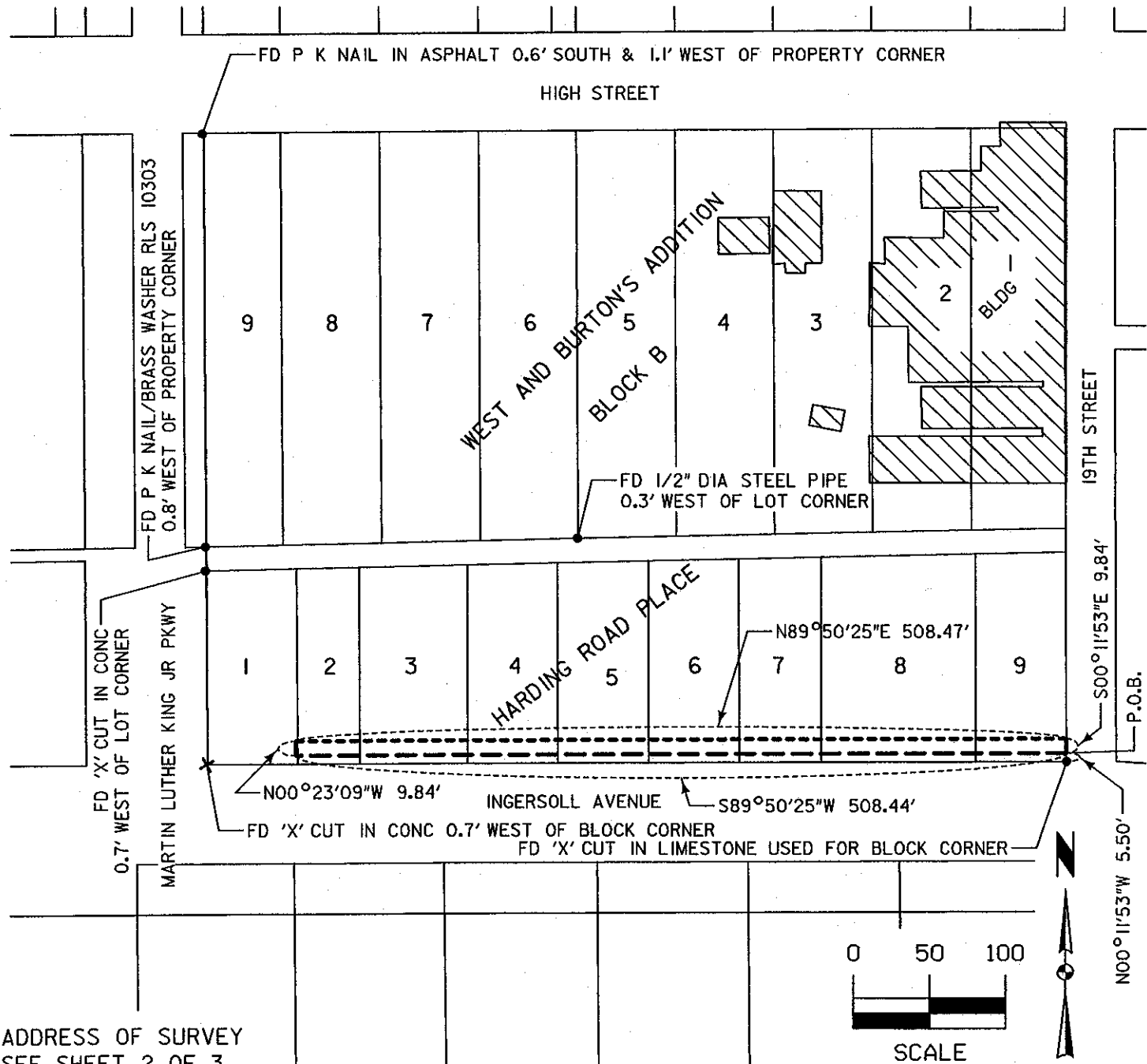
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 1 AND 2

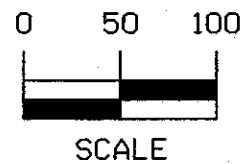
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2A and B</i> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 3



DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R. Fagle* 2-04-02  
 MICHAEL R. FAGLE Date  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2-C</i> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000  
PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 3

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <i>2-C</i> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 3

ALL THAT PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8 AND 9 OF HARDING ROAD PLACE, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE NORTH 00° (DEGREES) 11' (MINUTES) 53" (SECONDS) WEST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET A DISTANCE OF 5.50 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 89°50'25" WEST A DISTANCE OF 508.44 FEET; THENCE NORTH 00°23'09" WEST A DISTANCE OF 9.84 FEET; THENCE NORTH 89°50'25" EAST A DISTANCE OF 508.47 FEET TO THE PRESENT WEST RIGHT-OF-WAY LINE OF 19TH STREET; THENCE SOUTH 00°11'53" EAST A DISTANCE OF 9.84 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 5,003 SQUARE FEET.

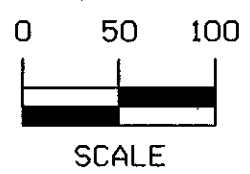
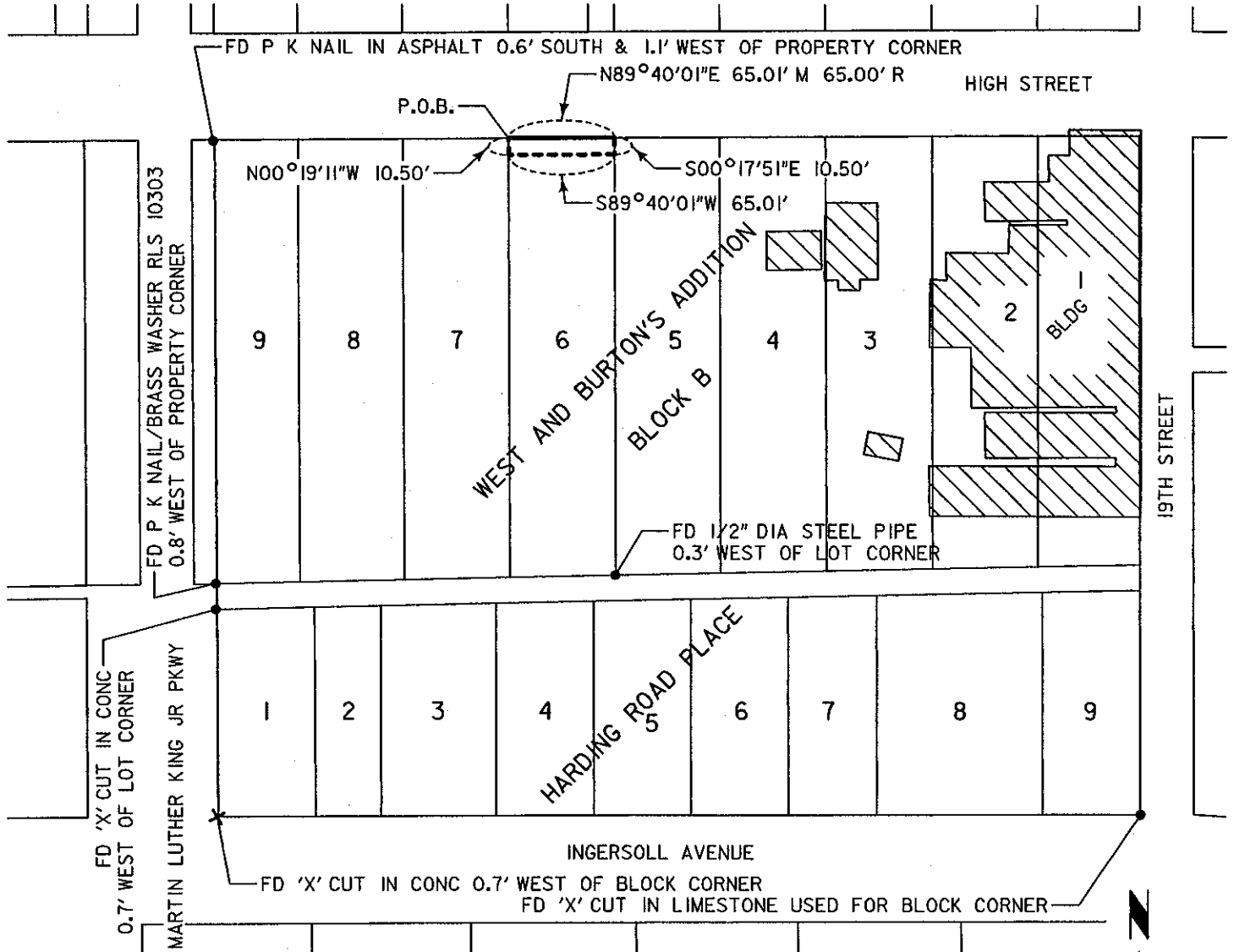
MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

ADDRESS OF SURVEY  
SEE SHEET 2 OF 3  
PROJECT PARCEL NO. 13  
TEMPORARY EASEMENT NO. 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-C</u> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA



ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 4

DSM GRID NORTH  
 MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002



I hereby certify that this Land Surveying document was prepared by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.  
*Michael R. Fagle* 2-04-02  
 MICHAEL R. FAGLE Date  
 License number 8505  
 My license renewal date is December 31, 2002.  
 Pages or sheets covered by this seal:  
 SHEETS 1-3 OF 3

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <b>2-0</b> SHEET 1 OF 3
BJS:7-10-01	
REV/BY:DATE	

# ACQUISITION PLAT

FOR THE CITY OF DES MOINES, IOWA

ADDRESS OF SURVEY

2015 INGERSOLL AVENUE AND  
2009 INGERSOLL AVENUE AND  
1905 INGERSOLL AVENUE AND  
1900 HIGH STREET AND  
1912 HIGH STREET AND  
2018 HIGH STREET  
DES MOINES, IOWA

OWNER: THE THOMPSON TRUST

PARCEL NO. 030-02472-000-000 AND 030-02473-000-000 AND 030-02474-000-000  
AND 030-02475-000-000 AND 030-02476-000-000 AND 030-02476-001-000 AND  
030-02477-000-000 AND 030-02478-000-000 AND 030-05287-001-000 AND  
030-05287-002-000 AND 030-05288-000-000 AND 030-05289-000-000 AND  
030-05290-000-000 AND 030-05290-001-000

PROJECT PARCEL NO. 13 - TEMPORARY EASEMENT NO. 4

MARTIN LUTHER KING JR PARKWAY  
ACT. NO. 28-1999-002

	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-D</u> SHEET 2 OF 3
BJS:7-10-01	
REV/BY:DATE	



# ACQUISITION PLAT

## FOR THE CITY OF DES MOINES, IOWA

LEGAL DESCRIPTION: TEMPORARY EASEMENT NO. 4

ALL THAT PART OF LOT 6 OF BLOCK B, WEST AND BURTON'S ADDITION, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89° (DEGREES) 40' (MINUTES) 01" (SECONDS) EAST (ASSUMED BEARING FOR THE PURPOSE OF THIS DESCRIPTION) ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF HIGH STREET A DISTANCE OF 65.01 FEET (65.00 FEET RECORD) TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 00°17'51" EAST ON THE EAST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET; THENCE SOUTH 89°40'01" WEST A DISTANCE OF 65.01 FEET TO THE WEST LINE OF SAID LOT 6; THENCE NORTH 00°19'11" WEST ON THE WEST LINE OF SAID LOT 6 A DISTANCE OF 10.50 FEET TO THE POINT OF BEGINNING.

BY SURVEY CONTAINING 683 SQUARE FEET.

ADDRESS OF SURVEY  
 SEE SHEET 2 OF 3  
 PROJECT PARCEL NO. 13  
 TEMPORARY EASEMENT NO. 4

MARTIN LUTHER KING JR PARKWAY  
 ACT. NO. 28-1999-002

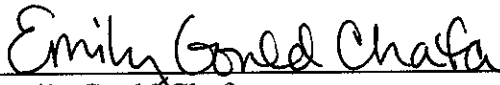
	EARTH TECH DES MOINES, IOWA (515) 244-1470
	EXHIBIT <u>2-0</u> SHEET 3 OF 3
BJS:7-10-01	
REV/BY:DATE	

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION )  
 OF CERTAIN RIGHTS IN LAND FOR THE )  
 MARTIN LUTHER KING, JR. PARKWAY )  
 PROJECT (Thompson Trust) )  
 ) AFFIDAVIT OF FINAL OFFER  
 by the )  
 )  
 CITY OF DES MOINES, IOWA, )  
 IA077011A, )  
 )  
 Applicant. )

STATE OF IOWA )  
 ) ss:  
 COUNTY OF POLK )

I, Emily Gould Chafa, Assistant City Attorney, acting as agent of the City of Des Moines, Iowa, Applicant in the captioned matter, hereby state that the most recent offer made to The Thompson Trust a/k/a The Trustees of the Thompson Trust, owner of the property sought to be condemned for the Martin Luther King, Jr. Parkway Project was \$275,000.00 for the property interests described in the Application for Condemnation.

  
 Emily Gould Chafa

Subscribed and sworn to before me by Emily Gould Chafa this 14th day of March, 2002.

  
 Notary Public in the State of Iowa

POLK COUNTY, IOWA  
 SHERIFF  
 DENNIS W. ANDERSON  
 02 MAR 14 PM 3 58



13

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.


CONDEMNATION  
COMMISSIONER'S STATEMENT

TO THE SHERIFF OF POLK 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 the Martin Luther King, Jr.  
Parkway Project , held on the 15<sup>th</sup> day of March, 2002, are as follows and that these claims are  
due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200.00</u>
<u>20</u> miles at \$.36.5/mile	\$ <u>7.30</u>
_____ meals	\$ <u>8.00</u>
_____ parking	\$ <u>3.00</u>
TOTAL	\$ <u>218.30</u>

Signed this 15 day of March, 2002.

  
 \_\_\_\_\_  
 COMMISSIONER  
Dennis Connelly  
2130 Grand Ave  
Des Moines, Iowa  
50312

14

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

CONDEMNATION  
COMMISSIONER'S STATEMENT

TO THE SHERIFF OF POLK 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 the Martin Luther King, Jr. Parkway Project, held on the 15<sup>th</sup> day of March, 2002, are as follows and that these claims are due, just and unpaid.

<u>  1  </u> day service at \$200.00	\$ <u>  200.00  </u>
<u>  20  </u> miles at \$.36.5/mile	\$ <u>    7.30  </u>
<u>  1  </u> meals	\$ <u>    7.50  </u>
<u>  1  </u> parking	\$ <u>    4.50  </u>
TOTAL	\$ <u>  219.30  </u>

Signed this 15<sup>th</sup> day of March, 2002.

*[Signature]*  
COMMISSIONER

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

CONDEMNATION  
COMMISSIONER'S STATEMENT

TO THE SHERIFF OF POLK 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 the Martin Luther King, Jr. Parkway Project , held on the 15<sup>th</sup> day of March, 2002, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200.00</u>
<u>24</u> miles at \$.36.5/mile	\$ <u>8.76</u>
<u>1</u> meals	\$ <u>7.50</u>
<u>1</u> parking	\$ <u>3.00</u>
TOTAL	\$ <u>219.26</u>

Signed this 15 day of March, 2002.

William A. Brown  
COMMISSIONER

7555 Vandalia Rd  
Bunnell, Ia  
50237

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

CONDEMNATION  
COMMISSIONER'S STATEMENT

TO THE SHERIFF OF POLK 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 the Martin Luther King, Jr.  
Parkway Project , held on the 15<sup>th</sup> day of March, 2002, are as follows and that these claims are  
due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200<sup>00</sup></u>
<u>10</u> miles at \$.36.5/mile	\$ <u>3<sup>65</sup></u>
<u>1</u> meals	\$ <u>3<sup>00</sup></u>
<u>1<sup>00</sup></u> parking	\$ <u>1<sup>00</sup></u>
TOTAL	\$ <u>207<sup>65</sup></u>

Signed this 15 day of MARCH, 2002.

[Signature]  
COMMISSIONER 485-54 5036  
3620 OAKCREST DR DES MOINES IA  
50310

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

CONDEMNATION  
COMMISSIONER'S STATEMENT

TO THE SHERIFF OF POLK 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 the Martin Luther King, Jr. Parkway Project , held on the 15<sup>th</sup> day of March, 2002, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200.00</u>
<u>10</u> miles at \$.36.5/mile	\$ <u>3.60</u>
<u>1</u> meals	\$ <u>7.50</u>
<u>1</u> parking	\$ <u>4.50</u>
TOTAL	\$ <u>215.60</u>

Signed this 15 day of MARCH, 2002.

Ralph L Vance  
COMMISSIONER

1223 NE 60<sup>th</sup> Ave

Des Moines, Iowa 50313

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION  
OF CERTAIN RIGHTS IN LAND FOR THE  
MARTIN LUTHER KING, JR. PARKWAY  
PROJECT (Thompson Trust)

by the

CITY OF DES MOINES, IOWA,  
IA077011A,

Applicant.

CONDEMNATION  
COMMISSIONER'S STATEMENT

TO THE SHERIFF OF POLK 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 the Martin Luther King, Jr. Parkway Project, held on the 15<sup>th</sup> day of March, 2002, are as follows and that these claims are due, just and unpaid.

<u>1</u> day service at \$200.00	\$ <u>200.00</u>
<u>1</u> miles at \$.36.5/mile	\$ <u><del>36</del> 36</u>
<u>1</u> meals	\$ <u>8.00</u>
<u>1</u> parking	\$ <u>2.00</u>
TOTAL	\$ <u><u>210.36</u></u>

Signed this 15 day of March, 2002.

*[Signature]*  
COMMISSIONER

476-38-5092