In the matter of the Condemnation of Real Estate for Project designated as: HIGHWAY PURPOSES

DOCUMENT NO. 12006
RECORDING FEE 88

MAE STONER ORRICK

95634

V5

IOWA STATE HIGHWAY COMMISSION

Sheriff's filing of Record after receiving Notice of Appeal

(Parcel 2010

) NAM CE

To: Kenneth L. Perry County District Court Clerk of the Linn

This is to advise you that I have this 15 day of JUNE 1972, been served with a Notice of Appeal by the above named plaintiffs. These proceedings were held on the 23 day of MAY 19 72

I hereby certify that the attached documents are the ORIGINALXIKMX COPIES of the Proceedings which were held on the 23 day of MAY 1972 and I am/in^oreceipt of \$117,775.00 which represents the Jury Award in this matter.

SOUND KANE

Walter H. Grant Sheriff

By: Lt. David R. Webster. Deputy

SA-103

1 VOI 1537 PAGE 507

IN THE DISTRICT COURT OF IOWA IN AND FOR LINN COUNTY

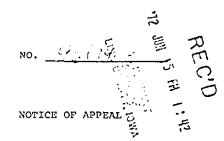
MAE STONER ORRICK,

Plaintiff

VS

IOWA STATE HIGHWAY COMMISSION,

Defendant.



TO: Iowa State Highway Commission, Linn County, Iowa, and Walter H. Grant, Sheriff of Linn County, Iowa and the City of Cedar Rapids, Iowa

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that Mae Stoner Orrick, as the party having an interest in the following described real estate located in Cedar Rapids, Linn County, Iowa, to-wit:

Northeast Quarter (NE'4) of the Southeast Quarter (SE'4) of Section 9, Township 82 North, Range 7 West of the 5th P.M. in Linn County, Iowa and the Northwest Quarter (NW4) of the Southwest Quarter (SW4) of Section 10 Township 82 North, Range 7 West of the 5th P.M. Linn County, Iowa except the North 679.23 feet thereof and the West 300 feet of the South 179.23 feet of the North 679.23 feet of the North 679.23 feet of the Southwest Quarter (NW4) of the Southwest Quarter (SW4) of Section 10, Township 82 North Range 7 West of the 5th P.M. in College Township of Linn County, Iowa except the public highways.

(for a complete description of the property being taken, see the Notice which is hereto attached and marked Exhibit " λ " and which is by reference made a part hereof).

has appealed and does hereby appeal to the District Court of Iowa in and for Linn County from each and every action of the said Iowa State Highway Commission and the Condemnation Commissioners pertaining to the above described real estate and arising by virtue of

I VOI 1537 TAGE 508

condemnatory proceedings held on May 23, 1972, including but not limited to the matter of jurisdication and the award of damages in the amount of \$117,775 for the taking of the interest of the Plaintiff in the above described real estate by the Iowa State Highway Commission for the use and benefit of the State of Iowa in the improvement of Primary Road No. U.S. 30.

Said appeal will come on for hearing and trial 20 days after perfection of this appeal in the District Court of Linn County, Iowa located at Cedar Rapids, Linn County, Iowa.

Date this 14th day of June, A.D., 1972.

NAZETTE, HENDRICKSON, MARNER & HUMPHREYS Attorneys for Plaintiff

200 1st Street S.W. Cedar Rapids, Iowa 52404

Richard F. Nazette

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

Morm 495, Shoot 1
VCL 1537 PAGE 509

Interstate Route No. 580 in the

NOTICE

City of Cedar Rapids

located in Lina County, Town

Project No. I-360-6(22)258--01-57

Group Half

70:

Vade Stones Orrick, 5353 Bowling Street SW, Gedar Rupids, Iowa United State Bank, Gedar Rapids, Iowa Larry D. Henken, Swisher, Iowa Linn County, Towa, c/o County Auditor, Cedar Rapids, Iowa Giey of Gedar Rapids, Iowa, c/o City Clerk, Gedar Rapids, Iowa and to all other persons, companies or corporations having any interest in or owning any of the following described real entate:

NAISSE of Sec. 9, part of NAISWH of Sec. 10, all in To2N, R7W of the 5th P.M., in the City of Cedar Rapids, Lina County, Iowa.

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

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

A parcel of land located in the NEISAR of Sec. 9 and the NEISAR, of Sec. 10, both in 782N. RIW of the 5th P.M., emplaced in the City of Gedar Rapids, him County, Towa, lying on both sides of part of the following described centerline of Bowling Street, on both sides of part of the following described enterline of Rimary Road No. U.S. 50, on both sides of part of the following described centerline of Miller Avenue Extension, and on both sides of part of the following described centerline of Proposed Frontage Road, all as shown on the place Exhibits "A" attached hereto and by reference made a part hereof.

The centerline of Bowling Street, designated by station points 100 feet apart, numbered consecutively from mouth to north, is described as follows: Commondaing at the W. Corner of said Sec. 9, thence East along the north line of the SW, of said Sec. 9 1747.2 ft., thence NS*54/8 10.3 ft., thence NS*59/8 10.3 ft., thence NS*59/8 10.3 ft., thence NS*59/8 2446.0 ft., thence NS*59/8 505/48 505/6 ft. to Sta. 657+26.0, the Point of neglating, thence continuing S2*07/8

The Shabiline of hamp "7" of Primary Road No. U.S. 50, designated by station points 100 feet apart, numbered consecutively from east to west, is described as follows: Beginning at Sta. 9208400.5, a point on the centerline of Bowling Street located at Sta. 657420.0, thence N77°491'W 1455.5 ft. to Sta. 6223400.

The centerline of Miller Avenue Extension, designated by station points 100 Jeet epart, numbered consecutively from west to east, is described as follows: Deginning of Stationard, a point on the centerline of Bowling Street located at Sta. 654-55.6, thence Nos*24'W 957.0 ft, to Sta. 105-71.0, thence westerly 322.0 ft, along a 7639.4 ft, radius curve, concave southerly and tangent to the preceding and following courses, to Sta. 102-49.0, thence S89*11'W 249.0 ft, to Sta. 100-00.

The centerline of Proposed Frontage Road, designated by station points 100 feet upurt, numbered consecutively from west to northeast, is described as follows: Deginning at

Linn County Project 1-380-6(22)258-401-57 Nuc Stoner Orrick (Parcel 2010) Continued on next sheet

Sheet 1

EXHIBIT "A"

vo 1537 acc 510

ca. 115-20.6, a point on the centerline of howling street located at Sta. 654-55.0, monce No8-05.12 73.1 ft. to Sta. 116-01.7, thence northeasterly 384.7 ft. along a stall ft. radius curve, concave northwesterly and tangent to the preceding and collowing courses, to Sta. 119-06.4, thence No1-05-12 433.6 ft. to Sta. 124-06.

and parcel is described as follows: Benjaming at the W. Corner of said Sec. 9, thence weakerly along the north line of the NauSily of said Sec. 9 to the west line of said NauSily, concide solutionly along said West line to a point 125 it, normally distant solutionly from manufactor of samp "7", thence to a point 125 it, normally distant solutionly from bandline of samp "?" on the westerly right of way line of sowling Street, thence southerly along and westerly right of way line to a point 40 ft. normally distant northerly from conterwhile of Miller Avenue Extension, thence parallel to or concentric with concerting of Miller avenue Extension to a point 40 it, normally distant northerly from said conterline on the tent line of said NEESE, thence southerly along hald west line to a point 40 it, normally and the southerly from conterline of Willer Avenue Extension, thence parallel to or concentric when contestine of Miller Avenue Extension to a point 45 ft, normally distant montherly from suid centerline on the westerly right of way line of dowling Street, thence moutherly along much weaterly right of way line to the south line of said Majani, thence canterly along and wouth line who the wouth line of the WalsWij of said see. In to the enuterly right of and line of nowling Street, thence northerly along unid posterly right of way line to a going normally distant easterly from Sea, 050 and (nowling St.), thence to a point 70 ft. mornally distant southerly from Sea, clared (Prop. Frontage Assa), thence to a point 166 it. similarly alsonal bouchemotesty from atm. Moroo, thomee to a point 76 it, normally almosaic annumentarily from centerline of Proposed Frontage Road on the south line of the Rosch 27.25 feet of hald this ship, emence we corly along build nouth time to the case time or the dence 500 Feet of said Magazin, thence northerty along said east line to the north line of one south 179,25 feet of the north 679,25 feet of said NAISAG, thence wenterly along said morem while to the east time of said NALAD, thence moreherry along said case time to the in Corner of such see. Y, one Point of septiming.

thre parcel contains local acres, more or lear, exermite of the present earth clance roads.

Motes - the notes like of the bay of min Sec. 9 to manused to bear dust and West.

in connection with this connemnation proceeding is is upactifically provided as inflows:

- 4. No rights of direct access to and from crimary soud No. U.S. 50, Including its interchange ramps and approaches therein, and I thure to this parties of the contempes' remeating property directing thereon;
- e. Her rights of alreet access between nowling server and that parelon of the connection remaining property abuting energy, notes of deer obligate, are connected.
- 2. Willer Avenue intension and Proposed Frontage Moud are not being constructed an emptrolect account facilities and the Fight of remodulity, free and convenient account thereto shall indee to that portion of the condemnees remaining property unitting thereon.
- we have and all improvements, including fences, located wholly within the land nonget in fee sample cities are condemned in their environs.
- 5. hay aratings tile lines, or outlets, which are located within the land bein, despited ender alls proceeding, and are damaged or descroyed by diglowly construction, and the relocated, replaced or restored by one condemner outside of said land being acquired under this proceeding, and as no expense to the condemners, and the State of four mannature of right of temporary easement an increasing over condemners' demaining property for the specific purpose of effecting such reforation, represented or respection. The temporary descent rights, if any so acquired, what terminate immediately upon completion of said rescording and in no event facer than December 31, 1976.
- v. The char event the owner is the occupant of the property on the date of condemnation, he shall not be disposessed of the right of possession of the owerling nonce, outcomes, ordered, or garden until the condemning anchority shall have the right to take possession at either the time the damages have seen finally determined and paid, or one hundred eighty (186) days after the date of condemnation and filing of the award in which event payment of all the appealment of damages shall be paid to the owner before the disposession can take piece.

Liam County Project 1-580-6 (22) 258--01-57 Muc Stoner Ordick (Parcel 2010)

Succe 2

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of lowe in the menner presented in Chapters 306, 306A, 306B, 318, 471 and 472 of the Code of lowe and thy amondments thereto.

That a commission for the purpose of apprecising and awarding damages which will be caused by said appropriation and condemnation has been selected und appointed as by law provided.

You are further notified that said commission will on the A3 day of 1 . 1872, at 10:00 o'clock, alm. (Cde.) view the real estate described above and proceed to appreise said demages at which time you may appear before said commission if you care so to do.

iowa state highway commission

RICHARD C. TURNER Attorney General of Iowa

ASHER E. SCHROEDER

Special Assistant Attorney General and Counsel to the lowe State Highway Commission, Ames, Iowa 50016

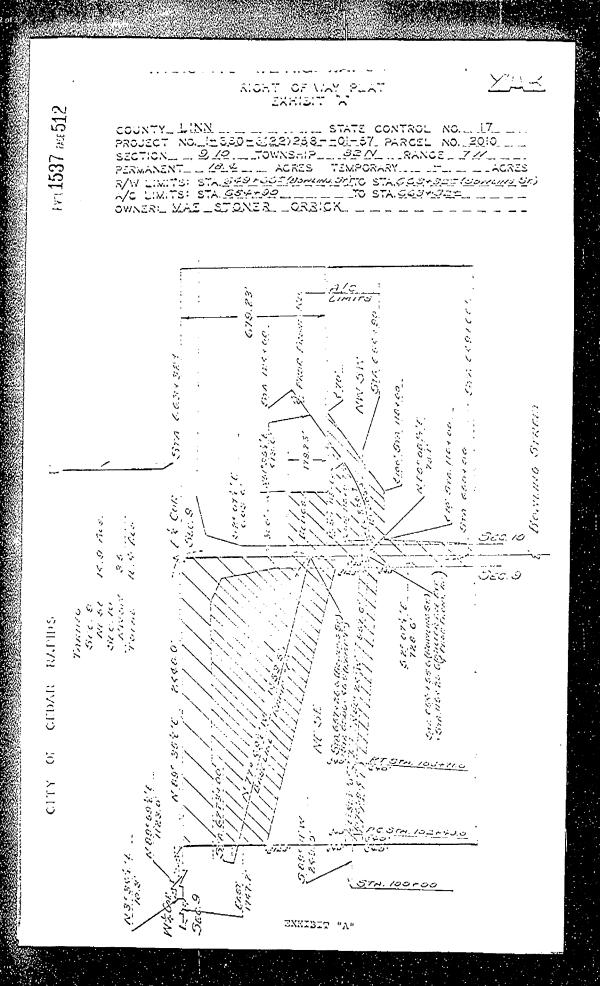
ACCEPTANCE OF SERVICE

Service of the above and foregoing notice :	is haddhe yaanne id i ka muulisii
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publications of such notice in a newspaper.	the or pervise dilay or city

Dates at ___

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EXHIBIT "A"



FOR COURT --- --IN THE DISTRICT COURT OF IOWA IN AND FOR LINE COUNTY

MAE STORER OFFICK,

Plaintiff of the control of the cont

PETITION AT LAS

TOWN STATE HISPAY COMMISSION,

วิจรักท_{ี่}จัดกระ

Pisintiff for cause of action against the Defendant

1. That the Plaintiff is a resident of Coder Rapids, Line County) Town and is the owner of the followin: described real estate located in Codar Papido, Linn County, Iowa, to wit

> Continue Content (37%) of the courtiest Contract Contract (0.3) and the Contract (0.5) of Section 3, Counsile 00 Monthly, Sanda 7, West of the Strike in Lina County, Each and the Morthwest Quarter Interforming Torm and the Worthwest quarter (WM) of the Forthwest Quarter (SM) of Section II Tempolin 32 Worth, Mange 7 West of the Sty F. 7 Time Scarty, Towa except the worth F70.23 Foot thereof and the Wost 300 Section 670.23 Foot thereof and the Wost 300 Section 670.23 Foot of the Forthwest Warter (WW) of the Southwest Grant (WW) of the Southwest Grant (WW) of the Southwest Grant (WW) 10, Township \$2 Worth Dange 7 West of the Sta P.T. in College Township of Wirm Hounth, Towa except the public highways.

- 2. That all of the above described property prior to -condemnation had been used as one track or undit-
- 3. That the above described real estate was used for agricultural pur oses, for regidential pur eases and that home of . said property had been sold for compactal purposes price to condemnation by the Defordanc.
- A. Ther or or arour the 23rd day of the 1870 they Sefendant, Ioua State Highway Combission, for the use and conclitate of the State of love by eminent domain proceedings conderned and actuired for highway purposed a nortion of the above chaoribed real estate as is nown specifically described in the series.

-vet 1537 PAGE 514

served upon the Plaintiff by the Referdant, a copy of which is hereto attached and marked Exhibit "A", and is by inference made a part hereof.

- 3. That the Plaintiff has duly appealed from the acts of the Defendant and Condennation Commissioners as by law provides.
- S. That prior to the condemnation the fair and measonable value of Plaintiff's property as a Whole was in the emount of \$350.000.
- 7. That immediately after said condemnation the fair and massnable market value of Plaintiff's property as a whole was in the amount of \$146,700.
- 2. That he virtue of the Defendant's confernatory proceedings the Flaintiff has sustained the Sollowing demogra
 - e. The taming of 19.4 acres of highly productive land suitable for agriculture, residential converse and for conversed cureases and other related case.
 - by dividing or severing the romaining laws of the Plaintiff after conformation to the garabt that the flaintiff a forming operation is secondarily unfoasible.
 - c. Individity or soverity for an entropy of section 1-82-7 such that that portion lying section 1; of the process willer evenus expect to used for communical our posts.
- Camero to Plaintiff's propert at shows stated occarional by the taking and propertiation thereof by the Josephiae the Plaintiff's propert at shows stated occarional by the taking and proportiation thereof by the Josephiae the Plaintiff will sustain deceive in the argume of \$203.479.

Defendant in the special of 1713,473, teacher with interest thereon

VOL 1537 PAGE 515

from the date of possession of said land by the Defendant and for the costs of this action, including a reasonable attorneys fees for Plaintiff's attorneys as by law provided.

MADDITE, BENDRICKSON, MARKET S HASSIFEYS

Attorneys for Plaintiff

200 let Stroet d.W. Codar Rapids, Towa 52404

fis and F. Manette.

A the Matter of the Condemnation of Certain Rights in Land by the Towa State Highway Commission for the Use and Benefit of the State of Of Towa in the Emprovement of

Incerstate Route No. 380 in the

City of Cedar Rapids

located in Lina County, Towa :

Project No. 1-360-6(22)258--01-57

Group "C"

....

Vine Sconer Orrick, 5355 Bowling Street SW, Cedar Advids, Jown Calted State Bank, Cedar Advids, Town Calted State Bank, Cedar Advids, Town Carry D. Henkes, Swisher, Town Lin County, Iowa, c/o County Auditor, Cedar Advics, Town Calf Cedar Replas, Town Calf of Cedar

NULSER Of Sec. 9, part of NalSWE of Sec. 10. all in TSEN, 87% of the Sell Plant in the Cotty of Cedus Rupids, Linn County, lower.

Tou, and each of you, are hereby notified that the State of lown desires rescalm regards in land more specifically described as follows and shown with reference to their location as to lands affected on the plat Exhibit "A" accorded hereto and to the Application filed with the Chief Judge of the Judicial District containing Linn County, lowe, and in the office of the Sheriff of Lina County, lowe, to which you are referred:

the title in fee simple sought to be appropriated is in land described as followed

A purcel of land located in the NEIST, of Sec. 9 and the MR sel, of Sec. 12, localize received and of the 5th 9th), employed in the Crty of Coder amplies, line Codery, lower cytheten both sides of port of the following described contectine of Bowling Street, on both sides of part of the following described contectine of Bowling Street, on both sides of part of the following described contectine of Miller Avenue antension, and on both sides of part of the following described contectine of Miller Avenue antension, and on both sides of part of the following described contectine of Proposed Frontage and, all as grown on the plant Exhibit "A" accorded hereto and by reference made a part horse.

The centerline of Bowling Struct, designated by station points to a lock apart's numbered consecutively from south to morth, is described as follows: Commenting at the anglement of said Sec. 9.1747.2 ft... thence No9°59½% 1.23.0 lill thence No9°59½% 2.46.0 ft., thence No9°59½% 1.23.0 lill thence No9°59½% 2.46.0 ft., thence No9°59½% 2.26.0 ft. to State 657±26.0 the roint of Beginning, thence contineing Structive 720.6 ft. to State 650±60.

the Daseline of Namp "F" of Primary Rome No. U.S. 30, designated by station points 100 feer apart, numbered consecutively from east to west. Is described as follows: deginmin, at sta. o200400.5, a point on the centerline of bowling Street located at Sta. o57420.0, thance N77149, W 1453.5 it. to Sta. o225400.

the centerline of Miller Avenue Extension, designated by startal points (00 teet white, numbered consecutively from west to east, is described an follows: deginning at Startification the centerline of Bowling street located at Star 054m5010, immee Nos124'W 957.6 ft. to Star 105m7110, thence westerly 322.0 ft. along a 7639.4 ft. radius curve, concave southerly and tangent to the preceding and following courses, to Startification, thence So9°11'W 249.0 ft. to Star 105m001.

The centerline of Proposed Frontage Road, designated by station points 100 feet names, numbered consecutively from west to northeast, is described as follows: Beginning as

County Project T-380-6(22)258--01-57 a stoner Orrick (Parcel 2010) Continued on next sheet

Sheet 1

Adam Broke mores

EXHIBIT "A" -

Book: 1537 Page Sequence: 516

Form 495, Sheet 2

Stu. 115+28.5. a point on the centerline of Bowling Screet located at Sta. 654+55.6. thence No8*50.27 73.1 ft. to Sta. 115-01.7, thence northeasterly 384.7 ft. along a course. concave northwesterly and tangent to the preceding and following courses, to Sta. 119+66.4, thence N51*35½ 2.43.6 ft. to Sta. 124+00...

said parcel is described as follows: Beginning at the El Corner of said Sec. 9, thence westerly along the north line of the NatsEl of said Sec. 9 to the west line of said NatsEl. chemical southerly along said west line to a point 125 it, normally distant southerly from suscline of Ramp "2", thence to a point 125 ft. normally distant southerly from Baseline of hamp "?" on the westerly right of way line of Bowling Street, thence southerly along suid westerly right of way line to a point 40 ft. normally distant northerly from center-line of Miller Lyenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 ft. normally distant northerly from said centerline on the west line of said No.88., thence southerly along said west line to a point 40 ft. horsally discust southerly from centerline of Miller Avenue Extension, Chence parallel to or concentrate with centerline of Miller Avenue extension to a point 40 ft. normally distant southerly Iraq suid conterline on the westerly right of way line of sowling Street, thence southerly along suid westerly right of way line to the south line of said NESSE, thence educarly along sold would like and the south like of the NWISW; of said Sec. to to the easterly right of way time of sowing Street, thence northerly along said easterly right of way line to a point normally distant easterly from Sta. 050m10 (nowling St.), thence to a point 76 ft. income by distinct southerly from Stu. 1.6 mm (Grop. Frontinge Road), thence to a point .62 Ye. conductly distant southeasterly from Sto. (1990), Chence to a point 70 (to normally distant southeasterly from conterline of proposed fronting koud on the south line of the North 679.25 Fact of said Maiswil, chance westerly along said south line to the east line of the West 300 Feet of suid XW pwg, thence northerty along said enstatine to the north line of the South 179.23 Feet of the Morth 679.25 Feet of said NW(SW), thence Westerly clong said morth line to the east line of held Algiel, thence northerly along said east line to the in Corner of suid Sec. 9. The Point of Beginning.

muid pareet contains look across, more or less, exclusive of the present established rouds.

hote: The north line of the SW, of said Sec. 9 to annumed to bear Mast and Mest.

- in connection with this communation proceeding it is specifically provided an follows:
- 1. No rights of direct second to and from crimary houd No. U.S. No. including the interchange ramps and approaches thereto, small laure to that position of the commendes! commenting property abutched thereon.
- 2. All rights of direct access between nowling Street and that portion of the concessment resulting property asserting energia, morth of day offers, are concessmen.
- 3. In the decade dispursed and Proposed Prontage Road are not being constructed as controlled access the littles and the right of remoduble. Free and convenient decess and read shart there to the position of the condemness, resulting property matering
- 4. Law and all improvements, including fences, located wholly within the land sought in the sample crote are condemned in their entirecy.
- 5. Any drainings tild lines, or dutiess, which are located within the lind being mention under this proceeding, and are changed or destroyed by highway construction, shall be recovered. Teplaced or restored by the condemner outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of loss since and a right of temporary casement as necessary over condemnees, remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary casement rights, if any so neguired, shall terminate tamediately most compaction of said restoration and in no event later than necessary 31, 1976.
- 6. In the event the owner is the occupant of the property on the date of condemnation, no small not be dispossessed of the right of possession of the dwelling house, outhoused oranged, or garden until the condemning authority shall have the right to take possession at elementic time the damages have been finally determined and paid, or one hadden eighty (100) days after the date of condemnation and filling of the award in which event payment of all the appraisament of damages shall be paid to the owner before the Clapossession can take place.

Linn County Project I-380-6(22)258--01-57 Mae Stoner Orrick (Parcel 2010)

Sheet 2 of 3 That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining saltable material with which to improve or maintain and/or to maintain primary roads of the state of lows in the manner prescribed in Chapters 306, 308A, 308B, 313, 471 and 472 of the Code of lows and any amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed as by law provided.

You are further notified that said commission will on the AB day of fact, 1970, it 70000 o'clock, 20m. (Coe.) View the fail estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER Attorney General of lowe

ex Ather Edehnoeder

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

ACCEPTANCE OF BERVICE

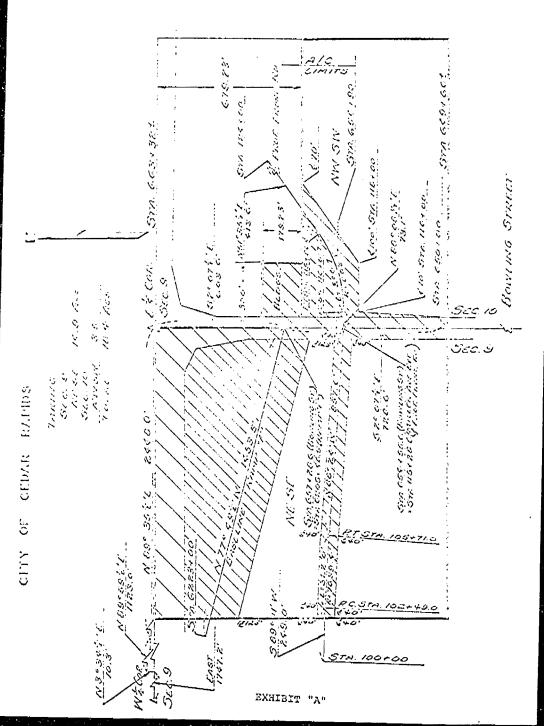
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EXHIBIT "A"

RICHT OF WAY PLAT

COUNTY LINE STATE CONTROL NO. 17_ PROJECT NO. 1280 16(22)265 10(1-57) PARCEL NO. 20(0 SECTION 9/0 TOWNSHIP 52/V RANGE 7/1 ACRES TEMPORARY 1 ACRES R/W LIMITS: STATE OF CONTROL NO. 170 STATE GENERAL STATE (SOME STATE OF CONTROL NO. 170 STATE GENERAL STATE OWNER: MAE STONER ORBICK 170 STATE GENERAL STONER OWNER: MAE STONER ORBICK



: val 1537 race 520

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IN THE MATTER OF THE CONDE REAL ESTATE FOR FRIMARY RO STATE HIGHWAY COMMISSION O	AD PORF PTHE S'	OSES BY TATE OF	INE IOWA.		HERIFF'S CEF S TO AWARDS	
TN LINN		COUNTY) }		
PROJECT NO. 1-380-6(22)258-	-01-57			\ \		
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			_			
To: Iowa State Highway Co:						
I hereby certify that	the com	minsios ,	ers in Iowa. o	the abo nothe	ve-entilled 23 day s	r MAY
convened at Cedar Rapids	יסכמק מכ ממו המ	<u>ख्लेल्य</u> : 23	a view	the pre	minen and se Y	1/1 com~ . N9/20.1972
missioners did thereafter (file their report in my of)	Cice awa	១៩១៩១៩	gamakes	AS 10:	.∵w:::	_, ,
NAME					AMOU:	
PARCEL 2010						
MAE STONER ORRICK; UN	TED STA	ATE BANI			दो	
CITY OF CEDAR RAPIDS;					117,775.00)
LINN COUNTY, 10WA					117,773.00	·
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VOL 1537 PAGE 522



Bepartment of Austice

ASHER E SCHROEDEH SPECIAL ASSISTANT ATTOMET LEHEHAL HIGHWAY COMMISSION

May 30, 1972

Linn County Sheriff Linn County Courthouse Cedar Rapids, Iowa

Dear Sheriff:

RE: Linn County Condemnation, I-380-6(22)258--01-57, Group "C"

Enclosed herein are an original and one copy of a Partial Dismissal in connection with the above-captioned condemnation proceeding. Please file the original and return the copy time-stamped to this

We have mailed copies of this Partial Dismissal to all interested parties.

If you should have any questions in regard to this matter, please feel free to contact this office.

Very truly yours,

ASHER E. SCHROEDER CAL

Special Assistant Attorney General

AES:cf Enclosure

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

ALL CONTRACTORS AND A SECOND S

: voi 1537 PAGE 523

Interstate Route No. 380 in the

PARTIAL DISMISSAL

City of Cedar Rapids

located in Linn County, Iowa

Project No. I-380-6(22)258--01-57

Group "C"

TO: Parcel No. 2010

Mae Stoner Orrick, 5353 Bowling Street, SW, Cedar Rapids, Iowa United State Bank, Cedar Rapids, Iowa Larry D. Henkes, Swisher, Iowa Linn County, Iowa, c/o County Auditor, Codar Rapids, Iowa City of Cedar Rapids, Town, c/o City Clork, Cedar Rapids, Towa

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

NESSES of Sec. 9, part of NWSSWS of Sec. 10, all in T82N, R7W of the 5th P.M., in the City of Cedar Rapids, Linn County, Iowa.

The Towa State Highway Commission dismisses, without prejudice,

the above-entitled proceeding against the following party only:

Larry D. Honkes, Swisher, Iowa

Dated at Ames, Iowa, this 30th day of May, 1972.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER

Attorny General of low

ASHER E. SCHROEDER

Special Assistant Attorney General and Counsel to the

Iowa State Highway Commission

SHERIFF OF

Form 487 7 -71

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of lows in the Improvement of Interstate Route No. 300 in the Primary: Read: No.

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

City of Cedar Rapids

Located in

Linn

County, Iowa

Project No.

1-380-6(22:253--01-57

Group

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Parcel No.

2010

TO:

DARGEL 2010

Mae Stoner Orrick; United State Bank;

City of Cedar Rapids; Linn County

Land & Improvements \$100,275.00

Consequential Damages \$17,500.00

Moving Pers. Prop. (\$500 Max.)

Total Award \$117,775.00 Condemnees' Atty. Fees and Costs NONE

The Total Award, shown above, pursuant to request, is divided into parts, as follows:

- 1. Value of Condemnees Dwelling s ______10,000,00
- 2. Value of Land and Improvements, other than the Condemnees Dwelling, acquired by the Condemnor's 90,275.00

You and each of you are hereby notified that the duly appointed and qualified commissioners assessed and appraised the damages sustained by reason of the condemnation as set out above, and that pursuant to Section 472.18 of the Code of Iowa, as amended by House File 215, Acts of the 64th General Assembly, you may within thirty (30) days from the date of mailing of this Notice, appeal to the district court as by law provided.

Walter H. Grant

BY: DAVID R. WEBSTER. DEPUTY

Respectfully reported at Co., in the process towas, this 22 or day of 21 cy 1973

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

Filed in my office at Cortee Raphite , Iowa, this 23 day of 2004

Sheriff Lind Stanford Market

$\text{vol}\, \textbf{1537} \, \text{ page}\, 526$

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of Internation Route No. 380 in the City of Codar Righds Phinary Road: No.

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

Primary: Road: No.:		
located in	Linn	County, towa

1-390-6(22)258--01-57

Group

Project No.

11 - 11

I, the undersigned, Sheriff of _______ County,

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

Book: 1537 Page Sequence: 52

Form 130

In the Matter of the Condemnation of Certain Rights in Land by the lowa State Highway Commission for the Use and Benefit of the State of lowa In the Improvement of Interstate Route No. I-380 in the Rimary:Road:No.

i vot 1537 PAGE 527

AFFIDAVIT OF FINAL OFFER

located in

Linn

City of Gedar Rapids

County, Iowa

Project No.

I-380-6(22)258--01-57

Group

"C"

On this the $23\mathrm{rd}$ day of $8\mathrm{fay}$, 19.72 , comes the lowa State Highway Commission and states, as by law provided, that the most recent offers made to the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in the Application filed in the above matter are as follows:

(Names as on Notice)
Parcel 2010
Mae Stoner Orrick;
United State Bank;
City of Cedar Rapids;
Linn County

5/17 775 E

10WA STATE HIGHWAY COMMISSION

Gordon A. Sweitzer

Right of Way Director

Willis Youells

Subscribed and sworn to before me this 23rd day of May

19 72.

Notary Public in and for Steric County Now

Filed in my office at Godar Rapids , 19 72 .

, lowa, this 23rd day of May

Sheriff of

County, Iowa

Walter B. Grant County, Iowa

By: David R. Webster, Denuty

In the Matter of the Condemnation of

Form 494

INSTRUCTIONS TO CONDUMNATION CONVINCIONERS FROM TOWN CHIEF BUSTYCE

You have been selected as a compensation commission to determine end seem damages to property condemned for a public use under the power of aircut domain.

Pursuant to the provisions of section 5, Senate File 1171, Acts of the State General Assembly, you are instructed as follows:

The Constitution prohibits the taking of private property for a public use without just compensation. Governmental units and certain utalities are authorized by statute to condemn private property or a certain use thereof for public purposes and it is your duty to fix a just compensation for that taking or use. You shall arrive at such compensation in a fair and impartial manner and on an independent besis without taking into consideration any advantages or benefits which may accrue to the property from such public use. The property owner is entitled to be made whole but double recovery is not allowed.

Where the entire property unit is taken, the measure of damages is the fair market value of the property immediately before condennation and before such value has been affected by the proposed public use. Where only a portion of the property unit is taken, including certain rights such as an easement, the measure of damages is the difference between the fair market value of the property as a whole immediately before condemnation and before it has been affected by the proposed public use and the fair market value of what is left after the taking. Any advantage which may accrue to the remaining property by reason of the public use is not to be considered. Substantially the same measure applies to damages to a leasehold.

Allowance shall be made to the owner for any personal property damaged or destroyed, for the cost of removing and replacing fences and removing buildings onto abutting property of the owner.

Allowance shall be made for cost, if any, of removing personal property a distance not to exceed 25 miles but not over \$500.

In arriving at the fair market value of the property you shall not consider evidence or information regarding prior negotiations between the parties. However, when you report the commission's award to the sheriff, if it exceeds 110% of the condemnor's final offer, he will so advise you and you will then determine and fix reasonable attorney fees and costs, if any, incurred by the condemnee in presenting his case before your commission.

You will be in charge of the sheriff who will administer the eath to you and furnish transportation to and from the site of the property or properties you are required to view.

These brief and general instructions do not purport to enumerate all coblems which might confront you but the position of the parties or their thorneys on any additional problems may be explained to you at the time of hearing.:

Prepared at Des Moines, Iowa this 29th day of June, 1970.

C. EDWIN MOOKE, CHIEF JUSTICE

SUPREME COURT OF IONA

-va. 1537 ma 530



Department of Instice

HIGHARD C TURNER ATTOMIC GENERAL ASHER C SCHROEDS H SPECIAL ASSISTANT ALLONES SENSPAL HIGHWAY COMMISSION ADDRESS REPUT TO DEPARTMENT OF JUSTICE 1 JIOWA STATE HAY COMM AND 1 GAA NUSTO

May 26, 1972

Linn County Sheriff Linn County Courthouse Cedar Rapids, Towa

Dear Shoriff:

RE: Linn County Condemnation, I-380-6(22)258--01-57, Group "C"

Enclosed berein for consolidation in your file is service copy from the Johnson County Sheriff for Larry D. Renkes.

- Zetrordules

Thank you for your cooperation in this regard.

Very truly yours,

ASHER E. SCHROEDER

Special Assistant Attorney General

AES:cf Enclosure

Form 495, Sheet 1

In the Matter of the Condemnation of Certain Rights in Land by the lowa State Highway Conmission for the Use and Benefit of the State of Lowa in the Improvement of

Interstate Route No. 380 in the

NOTICE

City of Cedar Rapids

located in Linn County, lowa

Project No. 1-380-6(22)258--01-57

Group "C"

RECEIVED

ATH 20 1872

JOHNSON COUNTY SHEREFF

70:

Mae Stoner Orrick, 5353 Bowling Street SW, Cedar Rapids, Town United State Bank, Cedar Rapids, Towa Larry D. Henkes, Swisher, Towa Linn County, Towa, c/o County Auditor, Cedar Rapids, Towa City of Cedar Rapids, Towa, c/o City Clerk, Cedar Rapids, Towa and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NEESEE of Sec. 9, part of NW/SW; of Sec. 10, all in IS2M, R7M of the 5th M.M., in the City of Cedar Rapids, Linn County, towa.

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

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

A parcel of land located in the NELSE, of Sec. 9 and the RELSE, of Sec. 10, both in 1828. R7% of the 5th P.M., unplatted in the City of Cedar Rapids, Linn County, Lowa, lying on both sides of part of the following described centerline of Bowline Street, on both sides of part of the following described Baseline of Ramp "F" of Primary Road No. U.S. 30, on both sides of part of the following described centerline of Milter Avenue Extension, and on both sides of part of the following described centerline of Proposed Frontage Road, all as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline of Bowling Street, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Commencing at the W. Corner of said Sec. 9, thence East along the north line of the SW, of said Sec. 9 1747.2 ft., thence N39°34/1E 10.3 ft., thence N89°59/1E 1123.0 ft., thence N89°35/1E 2448.0 ft., thence S2°07/1E 603.6 ft. to Sta. 557+28.6, the Point of Beginning, thence continuing S2°07/1E 728.6 ft. to Sta. 550+00.

The Baseline of Ramp $^{11}F^{0}$ of Primary Road No. U.S. 30, designated by station points 100 feet apart, numbered consecutively from east to west, is described as follows: Beginning at Sta. 6208+36.5, a point on the centerline of Bowling Street located at Sta. 657+28.6, thence N77'49! X 1453.5 ft. to Sta. 6223+00.

The centerline of Miller Avenue Extension, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 115+28.6, a point on the centerline of Bowling Street located at Sta. 654+55.6, thence N88"24'W 957.6 ft, to Sta. 105+71.0, thence westerly 322.0 ft, along a 7639.4 ft, radius curve, concave southerly and tangent to the preceding and following courses, to Sta. 102+49.0, thence 889"11'W 249.0 ft, to Sta. 100+00.

The centerline of Proposed Frontage Road, designated by station points 100 feet apart, numbered consecutively from west to northeast, is described as follows: Beginning at

Linn County Project 1-380-6(22)258--01-57 Mae Stoner Orrick (Parcel 2010) Continued on next sheet

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Book: 1537 Page Sequence: 531

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Linn County Project 1-380-6(22)258--01-57 Mac Stoner Orrick (Parcel 2010)

Form 1975, Joseph 2

1537 ag

Sta. 115428,6, a point on the centerline of Bowling Street located at Sta. 65755.6, thence N88°08's 73.1 ft. to Sta. 116401.7, thence northeasterly 385.7 ft. along a 5603.1 ft. radius curve, concave northwesterly and tangent to the preceding and following courses, to Sta. 119486.4, thence N51°35's 413.6 ft. to Sta. 124400.

Said parcel is described as follows: Beginning at the E! Gorner of said Sec. ", thence westerly along the north line of the NE'SE', of said Sec. 9 to the west line of said NE'SE', thence southerly along said west line to a point 125 ft, normally distant southerly from maseline of Ramp "F", thence to a point 125 it, normally distant southerly from Baseline of Rump "F" on the westerly right of way line of Bowling Street, thence southerly along said westerly right of way line to a point 40 ft. normally distant northerly from centerline of Miller Avenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 ft. normally distant northerly from said centerline on the west line of said NEESEE, thence southerly along said west line to a point 30 ft, normally distant southerly from centerline of Miller Avenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 ft. normally distant southerly from said centerline on the westerly right of way line of Bowling Street, thence contherly along said westerly right of way line to the south line of said MEESE!, thence easterly alone said south line and the south line of the NW SW'; of said Sec. 10 to the easterly right of way line of Bowling Street, thence northerly along said casterly right of way fine to a point normally distant easterly from Sta. 650+00 (Bowling St.), thence to a point 70 ft. normally distant southerly from Sta. 116:00 (Prop. Frontage Road), thence to a point 100 tt. radially distant southeasterly from Sta. 118400, thence to a point 70 ft, normally distant southeasterly from centerline of Proposed Frontage Road on the south line of the North 679.23 Feet of said NW SW , thence westerly along said south line to the east line of the West 300 Feet of said NW SW., thence northerly along said east line to the north line of the South 179,23 Feet of the North 679,23 Feet of said MW/SW', thence westerly along said north line to the east line of said NE'SE', thence northerly along said east line to the W. Corner of said Sec. 9, the Point of Reginning.

hold purcel contains 18.4 acres, more or loss, exclusive of the present established roads,

Note: the north line of the SWA of said Sec. 9 is approach to bear Gast and Mest.

- n connection with this condemnation proceeding it is specifically provided as follows:
- No rights of direct access to and from Primary dona No. 2.2. 30, including its interchange ramps and approaches thereto, small interest to that position of the condemnees' remaining property abutting thereon.
- All rights of direct access between Sowiene Street and that portion of the condenses? remaining property abutting thereon, porth of Sta. 655-20, are condessed.
- 3. Miller Avenue Extension and Proposed Frontage good are not being constructed accountrolled access facilities and the right of reasonable, free and convenient access thereto shall inure to that portion of the condemnces' remaining property abulting thereon.
- Any and all improvements, including tences, located wholly within the land lought in fee simple title are condemned in their entirety.
- 5. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemner outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of lowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1976.
- 6. In the event the owner is the occupant of the property on the date of condemnation, ne shall not be dispossessed of the right of possession of the dwelling house, outliness, orchard, or garden until the condemning authority shall have the right to take possession at either the time the damages have been finally determined and paid, or one hundred eighty (180) days after the date of condemnation and filling of the award in value event payment of all the appraisement of damages shall be paid to the owner before the dispossession can take place.

Linn County Project 1-380-6(22)258--01-57
Mae Stoner Orrick (Parcel 2010)

about 2

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

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed as by law provided.

You are further notified that said commission will on the 23 day of . 1972, at 10:00 o'clock, 20 m. (CdE) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER Attorney General of Iowa

ASHER E. SCHROEDER

Special Assistant Attorney General and Counsel to the Iowa State Highway Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

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

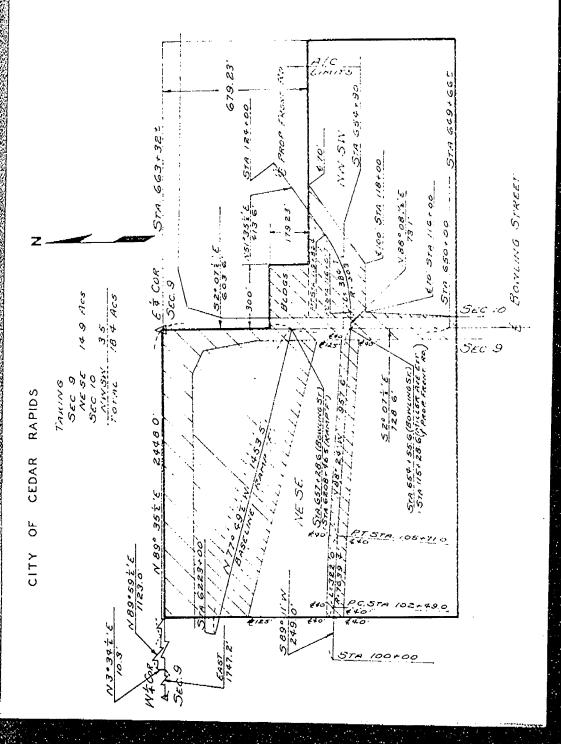
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RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY_LINN STATE CONTROL NO. 17
PROJECT NO. 1= 380 = 6(22)258 - -01-57, PARCEL NO. 2010
SECTION 9.10. TOWNSHIP 821/ RANGE 71/
PERMANENT 184 ACRES TEMPORARY ACRES
R/W LIMITS: STA. 649.766.7 (BOWLING ST) TO STA. 669.432.7 (BOWLING ST)
A/C LIMITS: STA. 654.490 TO STA. 669.432.7
OWNER: MAE STONER ORBICK.



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(1) Designate whether defendant a partnership, corporation, association or individual anable under a common name, etc., as may be appropriate under Kule 64.

(2) Designate whether an officer, agent, general partner, etc., as may be appropriate under Kule 66.

VOI 1537 PAGE 536



Department of Justice

HICHARD C TURNEN ATTOMET GENEPAL ASHER E SCHHOEDER SPECIAL ASSISTANI ATTOMITY GENERAL MIGHWAY COMMISSION

ADDRESS REDUCTED
DEPARTMENT OF
TOSTICE
C UTOWASTATE HAY COMM
ANTS TOAL SOUTO

April 24, 1972

Linn County Sheriff Linn County Courthouse Cedar Rapids, Iowa

Dear Sheriff:

RE: Linn County Condemnation, I-380-6(22)258--01-57, Group "C"

Enclosed herein is the Supplementary Order Appointing Alternate Compensation Commissioner signed by the Chief Judge appointing Ralph Whitlock as an alternate commissioner to replace Frank Byers as he is unable to serve as a commissioner on the date scheduled for this hearing. Please file this Order with the papers pertaining to this condemnation.

Also enclosed are Summonses to be mailed to Ralph Whitlock with the request that he return one signed copy to you. The copy to be retained by the alternate commissioner has attached to it the Notices of Condemnation which indicate all persons and real estate affected by the Condemnation on which he will serve.

Frakmeneck +

Very truly yours,

ASHER E. SCHROEDER

Special Assistant Attorney General

AES:cf Enclosures tuem 4h

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

Interstate Route Reimary Road No.

No. 380 in the

1-390-6(20)258--01-57

City of Ceder Rapids

•

located in

Ulnn

County, Iowa

Project No. Group

11.4

An Application for Condemnation having been filed with me by the lowa State Highway Commission, entitled as above, for the selection and appointment, by lot, of a duly constituted compensation commission, and said selection and appointment having been made by me, I further, DESIGNATE, SELECT, and APPOINT the following persons to serve as alternate members of said compensation commission, in the event that any of the said members having the same qualifications are unable to serve for any reason.

r voi 1537 race 537

SUPPLEMENTARY ORDER APPOINTING ALTERNATE: COMPENSATION COMMISSIONERS

The second second

NAME	ADDRESS	QUALIFICATION
Ralph Whitlock	Mt. Vernon	Licensed Real Estate Salesman o Broker
John Erbes	Central City	Knowledgeable or Property Value by Virtue of Occupation
Fidon McMillen	Marion	Agricultural
same manner as the original con	mmissioners were notified.	named to serve in the
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OFFICERS RETURN OF SERVICE	· vol 153 7 page 53 9
STATE OF IOWA	
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***************************************	, Defendant,
DONALD CANNEY, MAYOR by delivering a copy thereof to-	CITY
in the Township of RAPIDS	said cappany
DW VD R. WEBSTER Deputy Sheriff.	County, State of Iowa,
DAVID RAWEBSTER	
By Deputy Sheriff,	W. H. GRANT. Sheriff of Linn County, Iowa
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OFFICERS RETURN OF SERVICE	
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1 VOL 1537 PAGE 540

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

Interstate Route No. 380 in the

NOTICE

City of Cedar Rapids

located in Linn County, Iowa

Project No. 1-380-6(22)258--01-57

Group "C"

REO'D

Form 495, Sheet 4

ro:

Mae Stoner Orrick, 5353 Bowling Street SW, Cedar Rapids, Town United State Bank, Cedar Rapids, Town Larry D. Henkes, Swisher, Iowa Linn County, Iowa, c/o County Auditor, Cedar Rapids, Town City of Cedar Rapids, Town and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NESSEA of Sec. 9, part of NWSSWA of Sec. 10, all in T82N, R7W of the 5th P.M., in the City of Cedar Rapids, Linn County, Iowa.

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

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

A parcel of land located in the NELSE1; of Sec. 9 and the NM1,800, of Sec. 10, both in FS2X. E7W of the 5th P.M., unplatted in the City of Cedar Rapids, Linn County, Town, lying on both 21 sides of part of the following described centerline of Bowline Street, on both sides of part of the following described Baseline of Ramp "F" of Primary Road No. U.S. 30, on both sides of part of the following described centerline of Miller Avenue Extension, and on both sides of part of the following described centerline of Proposed Frontage Road, all as shown on the plat Exhibit "A" attached hereto and by reference made a part horeof.

The centerline of Bowling Street, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Commencing at the W. Gorner of said Sec. 9, thence East along the north line of the SW. of said Sec. 9 17/7.2 ft., thence N3°34/E 10.3 ft., thence N89°55/E 123.0 ft., thence N89°35/E 2448.0 ft., thence N89°35/E 2448.0 ft., thence N89°35/E 2468.0 ft. to Sta. 657+28.6, the Point of Beginning, thence continuing S2 07/E 728.6 ft. to Sta. 650+00.

The Baseline of Ramp "F" of Primary Road No. U.S. 30, designated by station voints 100 (co) apart, numbered consecutively from east to west, is described as follows: Beginning at Sta. 620846.5, a point on the centerline of Bowling Street located at Sta. 637438.6, thence N77'495'W 1453.5 ft, to Sta. 6223400.

The centerline of Miller Avenue Extension, designated by station points 100 feet apart, numbered consecutively from west to east, is described as follows: Beginning at Sta. 115+28.5, a point on the centerline of Bowling Street located at Sta. 654+55.0, thence 888*24'W 957.6 ft, to Sta. 105+71.0, thence westerly 322.0 ft, along a 7639.4 ft, radius curve, concave southerly and tangent to the preceding and following courses, to Sta. 102+49.0, thence 889*11'W 249.0 ft, to Sta. 100+00.

The centerline of Proposed Frontage Road, designated by station points 100 feet apart, numbered consecutively from west to northeast, is described as follows: Beginning at

Linn County Project I-380-6(22)258--01-57 Mac Stoner Orrick (Parcel 2010) Continued on next sheet

Sheet 1

Sta. 115+28.6, a point on the centerline of Bowling Street located at Sta. 654+55.6, thence N88°08½ F 73.1 ft. to Sta. 116+01.7, thence northeasterly 384.7 ft. along a 603.1 ft. radius curve, concave northwesterly and tangent to the preceding and following courses, to Sta. 119+86.4, thence N51°35½ £413.6 ft. to Sta. 124+00.

Said parcel is described as follows: Beginning at the E. Corner of said Sec. 9, thence westerly along the north line of the NE SEL of said Sec. 9 to the west line of said NE SEL. thence southerly along said west line to a point 125 ft, normally distant southerly from Baseline of Ramp "F", thence to a point 125 ft. normally distant southerly from Baseline of Ramp "p" on the westerly right of way line of Rowling Street, thence southerly along said westerly right of way line to a point 40 ft. normally distant northerly from centerline of Miller Avenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 ft. normally distant northerly from said centerline on the west line of said NE'SE', thence southerly along said west line to a point 40 ft. normally distant southerly from centerline of Miller Avenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 it, normally distant southerly from said conterline on the westerly right of way line of Bowling Street, thence southerly along said westerly right of way line to the south line of said NELSE!, thence easterly along said south line and the south line of the NW SW of said Sec. 10 to the easterly right of way line of Bowling Street, thence northerly along said easterly right of way line to a point normally distant easterly from Sta. 650+00 (Bowling St.), thence to a point 70 ft. normally distant southerly from Sta. 116-00 (Prop. Frontage Road), thence to a point 100 it radially distant southeasterly from Sta. 118400, thence to a point 70 ft. normally distant southeasterly from centerline of Proposed Frontage Road on the south line of the North 679.23 Feet of said WWLSWL, thence westerly along said south line to the east line of the West 300 Feet of said NW.SW4, thence northerly along said east line to the north line of the South 179.23 Feet of the North 679.23 Feet of said NW SW . thence westerly along said north line to the east line of said NELSEL, thence northerly along said east line to the E' Corner of said Sec. 9, the Point of Beginning.

Said parcel contains 18.4 acres, more or less, exclusive of the present established roads,

Note: The north line of the SMI of said Sec. 9 is assumed to bear Cast and West.

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

- No rights of direct access to and from Primary Road No. U.S. 30, including its interchange ramps and approaches thereto, shall inure to that portion of the condomnees' remaining property abutting thereon.
- 2. All rights of direct access between Bowling Street and that portion of the condemnees' remaining property abutting thereon, north of Sta. 654+00, are condemned.
- Miller Avenue Extension and Proposed Frontage Road are not being constructed as controlled access facilities and the right of reasonable, free and convenient access thereto shall inure to that portion of the condemnees' remaining property abutting thereon.
- 4. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.
- 5. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemner outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of lowa shall have a right of temporary easement as nocessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1976.
- 6. In the event the owner is the occupant of the property on the date of condemnation, he shall not be dispossessed of the right of possession of the dwelling house, outhouse, orchard, or garden until the condomning authority shall have the right to take possession at either the time the damages have been finally determined and paid, or one hundred eighty (180) days after the date of condemnation and filing of the award in which event payment of all the appraisement of damages shall be paid to the owner before the dispossession can take place.

Linn County Project I-380-6(22)258--01-57 Mae Stoner Orrick (Parcel 2010)

Sheet 2 of 3

Form 495, Sheet

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

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed as by law provided.

You are further notified that said commission will on the 23 day of 700, 1972, at 1000 o'clock, 00m. (CdE) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

RICHARD C. TURNER
Attorney General of Iowa

W asher E Schroeder

ASHER U. SCHROEDER
Special Assistant Attorney General
and Counsel to the Jown State Highway
Commission, Ames, Jowa 50010

ACCEPTANCE OF SERVICE

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

Dated at				this	day of	
19						
State of Iowa,	Co	unty,	881			
Received hereby certify that I true copy of the sam respective names:				day of id persons name at the time and		
Name	Month	Day	Year	Township, City or Town	County	State
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Fees:	<u> </u>	<u> </u>	<u> </u>			
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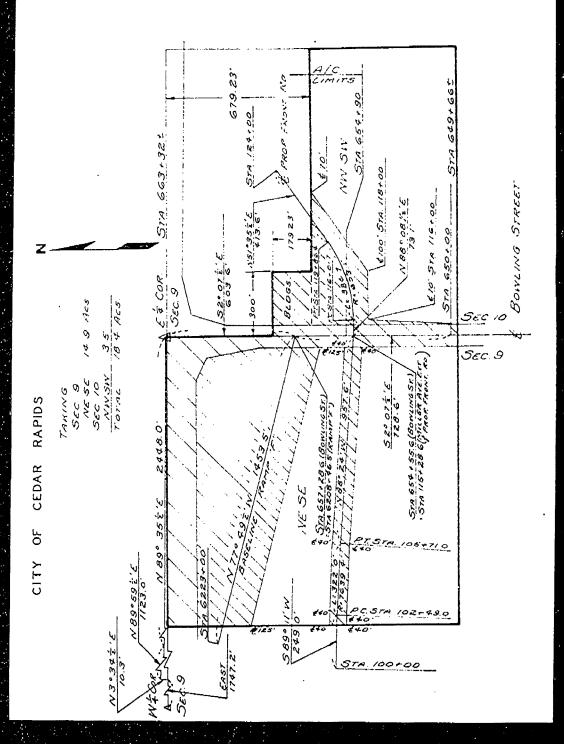
THE IOWA STATE HIGHWAY COMMISSION



RIGHT OF WAY PLAT EXHIBIT A

COUNTY_LINN STATE CONTROL NO. 17_
PROJECT NO. 1-380-6(22)258--01-57, PARCEL NO. 2010.
SECTION 9/9 TOWNSHIP 82/V RANGE 7/V
PERMANENT 69 ACRES TEMPORARY - ACRES
R/W LIMITS: STA. 649+665 (BOWLING ST) TO STA. 669+925 (BOWLING ST)
A/C LIMITS: STA. 654+90 TO STA. 669+925 (BOWLING ST)
OWNER: MAE STONER ORBICK

Vit 1537 nut 543



Form 492

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

Interstate Route

Rumory: Rood No: No. 390 in the

City of Cedar Empide

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

located in

County, Iowa

Project No.

g=380=6(pp;958=-01-57

Linn

Group

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

NAME	ADDRESS	QUALIFICATIONS
VERN OLIPHANT	Center Point	Licensed Real Estate Sales- man or Broker
FRANK BYERS	Codar Rapids	Licensed Real Ustate Sales- man or Broker
George Hill	Cedar Rapids	Knowledgeaple of Property Values by Virtue of Occupation
Carl B. Newell	Codar Papids	Knowledgeable of Property Values by Virtue of Occupation
George Bowler	Hinwatha	Brighter Colored Joseph Spirit Joseph
R. B. Wolfe	Mt. Vernen	point the content of content

I further designate, select, and appoint, the above named Vern Oliphant ___ to act as Chairman of said commission.

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

Dated at Cedar Rapids , Iowa, this 14 day of . .972

> Chief Judge of the Judicial District

Including 1 m County, Jowa

Filed in my office at dome goods: . . Iowa, this day of .

Walter Be trant

VOL 1537 MGE 545 FORM 490

APPLICATION TO THE CHIEF JUDGE

COMMISSION TO APPRAISE DAMACES

OF THE 6th JUDICIAL DISTRICT FOR THE APPOINTMENT OF A

In the Matter of the Gondemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of Interstate Route APPRIMERYORGANOME, No. 380 in the

City of Cedar Rapids

located in

Linn

County, Lowa

Project No. 1-380-6(22)258--01-57

Group

*, ***

domald h. Viet of County, lower TO: Linn

, Chief Judge of the Ash Judicial District, including

Comes now the lowa State Highway Commission and states that the public interest agricultural land hereinatter described, by condemnation proceedings, as authorized and provided by law.

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

The State of fown desires certain specific rights in the land herein sought to be condemned for Primary Road right of way and/or access control and/or for highway drainage and/or for the purpose of optaining and removing therefrom material suitable for the improvement and/or maintenance of the Primary Roads of the State of Iowa.

The State or Lova and the four State Highway Commission as the agency used by the State of lowe for the improvement of its Primary Roads has been unable to secure the described rights in lambs by purchase and conveyance.

NOW, THEREFORE, the lowe State Highway Commission largeby requests the appointment of a compensation commission of Sex persons qualified as preseribed in Sec. 306.19. Code of Jown, 1971, not interested in the same or a like amestica, to view the real estate involved and appraise the damages waite the owners thereof, lienholders, encumbrancers, or other persons interested therein will systain by reason of the appropriation herein sought to be condemned, for the purpose herein stated, and make their report in writing to the Sheelff as provided by law.

Dated at Ames, Iowa, this 13 day of coul

برو رور رور

IOWA STATE REGREAT COMMISSION

MY RICHARD C. TURNER Attorney General of lower

Special Assistant Attorney General and

Counsel tookhe fowa State Highway Commission

Filed in duplicate in my office at Class

(1472)

Chief Judge of the ______ including then

_ Judicial District County, Iowa

Book: 1537 Page Sequence: 545

located in Winn County, lower

Project No. 1-380-9(22)258- 11-57

Group "C"

Mae Stoner Orrick, 5353 Bowling Street SW, Cedar Rapids, lower United State Bank, Cedar Rapids, Iown Larry D. Henkes, Swisher, lowa tinn County, Iewa, c/o County Auditor, Cedar Rapids, Lowa City of Cedar Rapids, Iowa, c/o City Clerk, Cedar Rapids, Iowa and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NESSES of Sec. 9, part of NWSWS of Sec. 10, all in TS2X, R7% of the 5th P.M., in the City of Codar Rapids, Linn County, Iowa.

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

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

A purcel of land located in the NELSE', of Sec. 9 and the NELSE', of Sec. 10, both in ENELS. all of the 5th P.M., unplatted in the City of Codar Rapids, Linn County, Lowe, lying on bota sides of part of the following described centerline of Bowling Street, on both sides of parof the following described Baseline of Ramp "P" of Primary Road No. 8.3. 30, on both sides of part of the following described centerline of Miller Avenue Extension, and on both side of part of the following described centerline of Proposed Frontage Road, all as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

the centerline of Bowling Street, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Cormencing at the W. Corner of said Sec. 9, thence East along the north line of the SW, of said Sec. 9 1747.2 ft., thence N3°345'E 10.3 ft., thence N89°56'/E 1123.0 ft., thence N89°35''E 2448.0 ft., thence \$20071 E 603.6 ft. to Sta. 657+28.6, the Point of Reginning, thence continuing \$2.071 to 728.6 ft. to Sta. 650+00.

The Baseline of Ramp "F" of Primary Road No. U.S. 30, designated by station points (00 feet apart, numbered consecutively from east to west, is described as follows: Beginning at Sta. 6208-66.5, a point on the centerline of Bowling Street located at Sta. 657408.6, thence 877-49/W 1453.5 ft. to Sta. 6223-60.

be centerline of Miller Avenue Extension, designated by station points 100 feet apart, numbered consecutively from west to east. Is described as follows: Seginning at Sta. 115-28.6, a point on the centerline of Mowling Street located at Sta. 654-55.9, thence 188 24 W 957,6 ft. to Sta. 105471.0, thence westerly 322.0 ft. along a 7039.7 ft. radius curve, concave southerly and tangent to the preceding and following courses, to pla-102+49.0, thence 889"11'% 249.0 ft. to Sta. 100+00.

the centerline of Proposed Frontage Road, designated by station points 100 feet apart. numbered consecutively from west to northeast, is described as follows: Beginning at

Linn County Project 1-380-6(22)258--01-57 Mae Stoner Orrick (Parcel 2010) Continued on next sheet

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Said parcel is described as follows: Beginning at the E! Corner of said Sec. 9, thence westerly along the north line of the NE'SE' of said Sec. 9 to the west line of said NE'SE'. thence southerly along said west line to a point 125 ft. normally distant southerly from Baseline of Ramp "F", thence to a point 125 ft, normally distant southerly from Baseline of Rump "p" on the westerly right of way line of Bowling Street, thence southerly along said westerly right of way line to a point 40 ft, normally distant northerly from centerline of Miller Avenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 ft. normally distant northerly from said centerline on the west line of said NESE, thence southerly along said west line to a point 40 ft. normally distant southerly from centerline of Miller Avenue Extension, thence parallel to or concentric with centerline of Miller Avenue Extension to a point 40 it, normally distant southerly from said centerline on the westerly right of way line of Bowling Street, thence southerly along said westerly right of way line to the south line of said NESSE, thence easterly along said south line and the south line of the NW SW!, of said Sec. 10 to the easterly right of way line of Bowling Street, thence northerly along said easterly right of way line to a point normally distant easterly from Sta. 650+00 (Bowling St.), thence to a point 70 ft. normally distant southerly from Sta. 116+00 (Prop. Frontage Road), thence to a point 100 11. radially distant southeasterly from Sta. 118400, thence to a point 70 ft, normally distant southeasterly from centerline of Proposed Frontage Road on the south line of the North 679.23 Feet of said MalsWi, thence westerly along said south line to the east line of the West 300 Feet of said NW SW , thence northerly along said east line to the north line of the South 179,23 Feet of the North 679,23 Feet of said NWANN!, thence westerly along said north line to the east line of said NE'SE', thence northerly along said east line to the El. Corner of said Sec. 9, the Point of Beginning.

Said sarred contains 18.3 acres, more or less, exclusive of the present established roads.

Note: The north line of the SWY of said Nec. 9 is assumed to bear East and Mest.

in connection with this condespation proceeding it is specifically provided as follows:

- 1. No rights of direct access to and from Primary Road No. U.S. 30, including its interchange ramps and approaches thereto, shall thure to that portion of the condermees remaining property abutting thereon,
- 2. All rights of direct access between Bowling Street and that portion of the condemness. remaining property abutting thereon, north of Sta, 656490, are condemned,
- 3. Miller Avenue Extension and Proposed Frontage Road are not being constructed as controlled access facilities and the right of reasonable, free and convenient access thereto shall inure to that portion of the condemnees' remaining property abulting
- 4. Any and all improvements, including fences, located wholly within the land sought in tee shaple title are condemned in their entirety.
- 5. Any drainage tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condernees, and the State of lows shall have a right of temporary casement as necessary over condemnces' remaining property for the specific purpose of effecting such relocation, reclacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon conpletion of said restoration and in no event later than December 31, 1976,
- In the event the owner is the occupant of the property on the date of condemnation, he shall not be dispossessed of the right of possession of the dwelling house, outhorse. orchard, or garden until the condemning authority shall have the right to take possession at either the time the damages have been finally determined and paid, or one hundred eighty (180) days after the date of condemnation and filing of the award in which event payment of all the appraisement of damages shall be paid to the owner before the dispossession can take place.

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Sheet 2

ot 3

ROW137

THE IOWA STATE HIGHWAY CUMMISSION



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RIGHT OF WAY PLAT EXHIBIT "A"

COUNTY_LINN STATE CONTROL NO. 17

PROJECT NO. 1=380=6(22)258--01-57 PARCEL NO. 2010

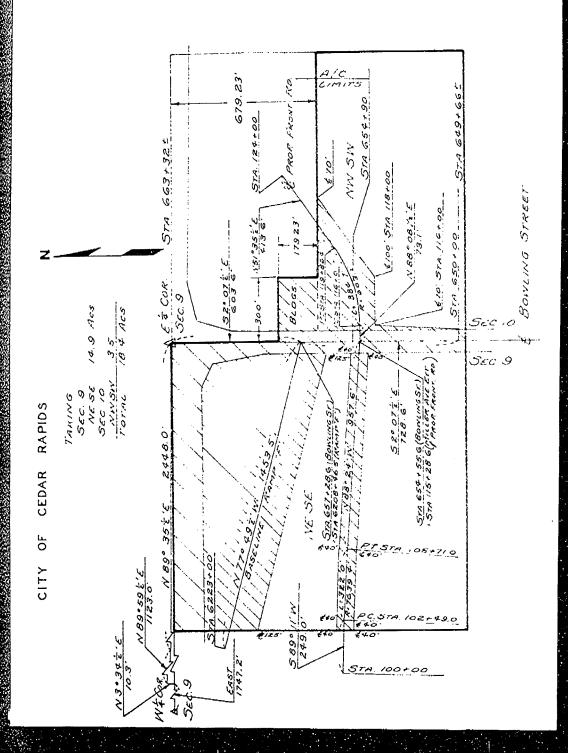
SECTION 9/0 TOWNSHIP 82/V RANGE 7/V

PERMANENT /8-4 ACRES TEMPORARY - ACRES

R/W LIMITS: STA. 649+667(Homeline 50)TO STA. 649+32± (Boncine 51)

A/C LIMITS: STA. 654+90 TO STA. 663+32±

OWNER: MAE STONER ORRICK



STATE OF IOWA, ; Linn County) 55,

1, KENNETH L. PERRY, Clerk of the District Court of lowa, in and for Linn County, which is a Court of Record and having a seal and exercising Common Law, Equity, Criminal and Probate Jurisdiction, hereby certify that I am the custodian of the Seal of said Court, custodian of the files and records kept therein, and I further certify that the foregoing is a true copy of

Sheriff's filing of Record ofter receiving Notice of Appeal wherein Mac Stoner Orrick is Plaintiff and love State History Commission is Detendant, large Mo. Segui.

as fully as the same remains of record or on file in my office.

KENNETH : PUNCY, SA.

Clerk of said Court

Deputy Clerk of said Court

ALSO FOR MICHIEN JUL 1 1 1972 A 8:04 ASA

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