

IN THE SHERIFF'S OFFICE OF POLK COUNTY, IOWA

FILED FOR RECORD
POLK COUNTY, IOWA

F-H
A

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS
IN LAND BY THE IOWA DEPARTMENT OF TRANSPORTATION FOR
THE IMPROVEMENT OF

SHERIFF'S CERTIFICATE OF
COSTS AND AWARDS

Relocated Primary Road No. U.S. 65 east of the City
of Pleasant Hill, Iowa
Project NO. F-500-1(20)--20-77 Group "A"

91 DEC 30 A 9:34.3
TIMOTHY J. BRIEN
RECORDER

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 Polk County Court House on the 16th day of October 19 91, and thereupon proceeded to view the premises and the commission did thereafter on the 16th day of October, 19 91, file their written report with me awarding damages as follows:

TITLEHOLDERS, ENCUMBRANCES AND LIENHOLDERS

PROPERTY ADDRESS

PARCEL #268

Gwyneth Musick
Clifford Musick
Doris Machers
John Machers
Cecil Miller
Juanita Miller
Elvin Miller
Martha Miller
Carole Hanson
Polk County Treasurer

\$66,000.00 AWARD---PAID

Ed Skinner, Atty

\$3,100.00 AWARD--PAID

PARCEL #288

Sunrise Development Company
Dorren Laffey
Polk County Treasurer

\$126,750.00 AWARD--PAID

John R. Ward, Atty

\$2,200.00 AWARD--PAID

041982

INST # _____
RECORDING FEE 375.00
AUDITOR FEE 15.00

The application for condemnation was filed with the recorder on the 29th day of August 19 91, in Book number 6425, page number 337-352.

DATE OF MAILING THE NOTICE OF APPRAISEMENT OF DAMAGES TO CONDEMNEDS 10/16/91

AWARDS DEPOSITED BY APPLICANT 11-4-91

NOTICE OF APPEAL FILED BY Sunrise Development Co / Gwyneth Musick, et al

DATE OF APPEAL 11-6-91 / 11-2-91 Parcel # 288 20492-54748 Parcel 268 20492-54732

COMMISSIONERS-FEES-EXPENSES

SHERIFF'S CIVIL FEES

- 1. Clarke Stewart 65.10
- 2. George Monnerberg 79.20
- 3. Joe Husak 75.85
- 4. Anthony Pigneri 63.68
- 5. Dale Lund 93.00
- 6. Donald Albaugh 70.90

County Fees 56.72
Attend Jury 60.00

TOTAL

TOTAL

\$ 429.75 *10/15/91*
446.93

\$116.72 *10/15/91*

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 16th day October, 19 91.

BOOK OFFICE, SHERIFF OF POLK COUNTY, IOWA
BY M. E. Burton Deputy

BOOK 6482 PAGE 267

M. E. Burton

DOCKET NO. 91-272

Return to: I-44 2a D.O.T. Office of R.O.W. Condemnation Section, Ames, Ia 50010

CERTIFIED TRUE COPY

AUG 23 9 22 AM '91

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

SHERIFF
FOLK COUNTY, IOWA

Relocated Primary Road No. U.S. 65 east of the
City of Pleasant Hill
located in Polk County, Iowa

Project No. F-500-1(20)—20-77 Group "A"

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

TO: Richard D. Morr, Chief Judge, 5th Judicial District including Polk County, Iowa.

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 472.3 of the Code of Iowa, the following is set forth:

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

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

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

Purpose: The Department of Transportation desires the rights specified in the lands sought to be condemned for road right of way and/or access control and/or for highway drainage and/or obtaining and removing gravel or other suitable material for the improvement and/or maintenance of roads and streets within the State of Iowa.

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

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

Dated at Ames, Iowa, this 22 day of August, 1991.

IOWA DEPARTMENT OF TRANSPORTATION
Special Assistant Attorney General
and General Counsel to the Iowa DOT

Robert L. North
Right of Way Director

By Sharon L. Zagar
Sharon L. Zagar
Condemnation Supervisor

Filed in my office at Des Moines, Iowa this 23 day of Aug., 1991.

Richard D. Morr
Richard D. Morr
Chief Judge of the 5th Judicial District
including Polk County, Iowa.

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

Sharon L. Zagar 8/26/91
Sharon L. Zagar, Condemnation Supervisor

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

Relocated Primary Road No. U.S. 65 east of

NOTICE

the City of Pleasant Hill

located in Polk County, Iowa

Project No. F-500-1(20)--20-77

Group "A"

TO:

Gwyneth Musick, Conifer, Colorado
Clifford Musick, Conifer, Colorado
Doris Macheers, Mustang Road, Elizabeth, Colorado
John Macheers, Mustang Road, Elizabeth, Colorado
Cecil Miller, R. R. #1, Deer River, Minnesota
Juanita Miller, R. R. #1, Deer River, Minnesota
Elvin Miller, R. R. #3, Booneville, Arkansas
Martha Miller, R. R. #3, Booneville, Arkansas
Carole Hanson, 418 D 10th Avenue, Honolulu, Hawaii
Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

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

Lot 5 and part of Lot 1 of the Official Replat of the N 1/2 of Sec. 9 and the S 1/2 of Sec.
4 and part of Lot 19 of the Official Plat of the W 1/2 of Sec. 3, all in T78N, R23W of the
5th P.M., Polk County, Iowa.

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

Polk County Project No. F-500-1(20)--20-77
Gwyneth Musick, et al (Parcel No. 268)
Continued on next sheet

Page 1

BOOK 6482 PAGE 269

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

A parcel of land located in Lot 19 of the Official Plat of the W 1/2 of Sec. 3 and located in Lot 1 of the Official Replat of the N 1/2 of Sec. 9 and the S 1/2 of Sec. 4, all in T78N, R22W of the 5th P.M., Polk County, Iowa, as shown on the plat, Exhibit "A", attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Commencing at the W 1/4 Corner of said Sec. 3; thence S85°56' 1/2"E, 54.5 ft. on the north line of the SW 1/4 of said Sec. 3 to the Point of Beginning; thence continuing S86°56' 1/2"E, 384.1 ft. on said north line; thence S00°39' 1/2"E, 1166.6 ft.; thence N85°51' 1/2"W, 1071.9 ft.; thence N26°43'E, 639.3 ft.; thence N35°32'E, 661.9 ft. to the Point of Beginning, containing 20.09 acres. ←

No rights of direct access shall be permitted between Relocated Primary Road No. U.S. 65 and condemnees remaining property abutting thereon.

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

1. Any and all improvements, including fences, and advertising devices, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. Any 1991 crops growing on the land sought to be appropriated are reserved to the condemnees until December 31, 1991. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.
3. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.

BOOK 6482 PAGE 270

6482

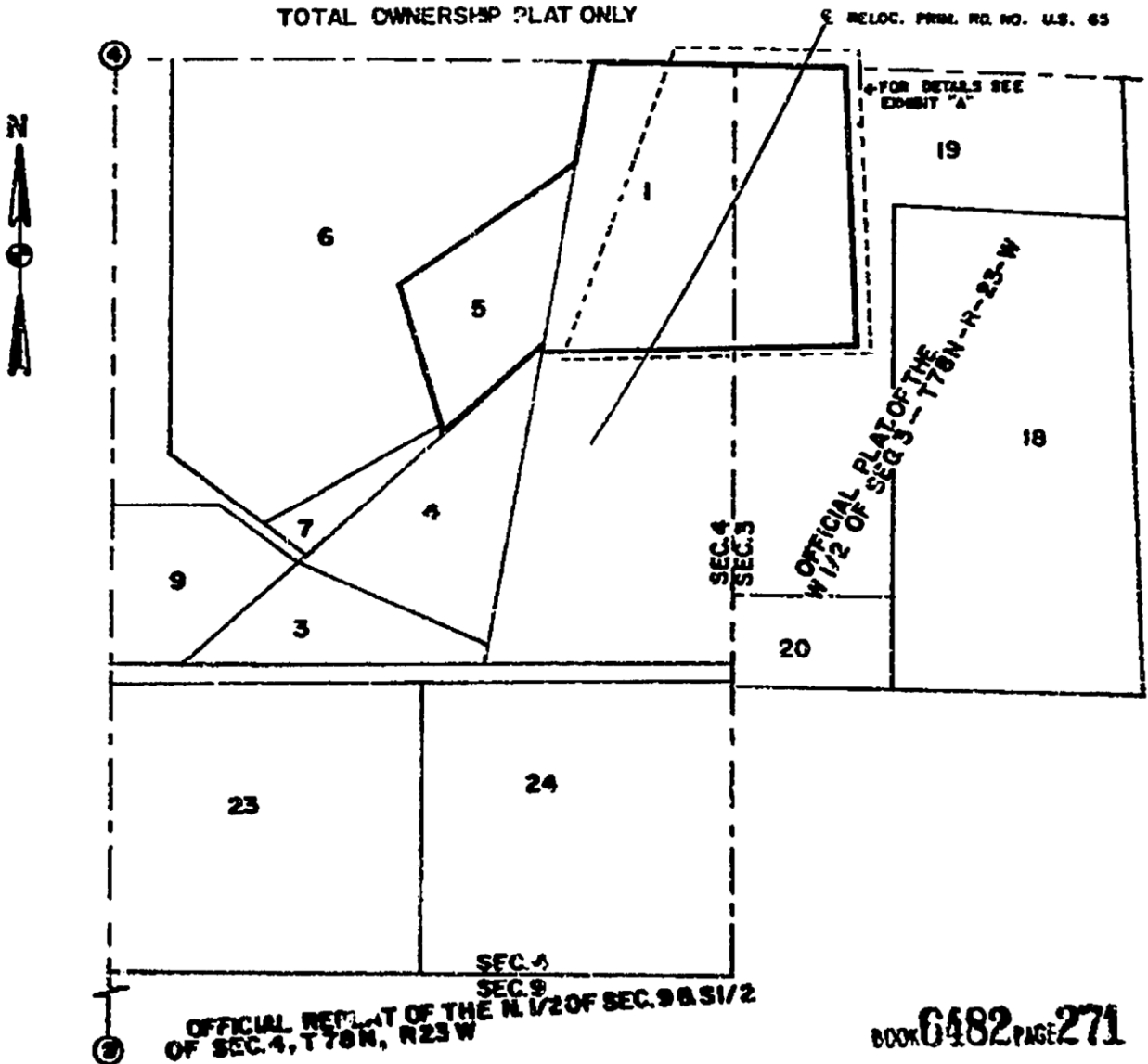


Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "B"

COUNTY POLK STATE CONTROL NO. 38-00
 PROJECT NO. F-500-1(20)--20-77 PARCEL NO. 26B
 SECTION 3,489 TOWNSHIP 78N RANGE 23W
 ROW - FEE _____ AC. EASE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED FROM GWYNETH MUSICK, ET AL

TOTAL OWNERSHIP PLAT ONLY

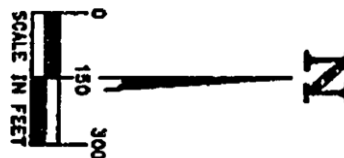


IOWA DEPARTMENT OF TRANSPORTATION

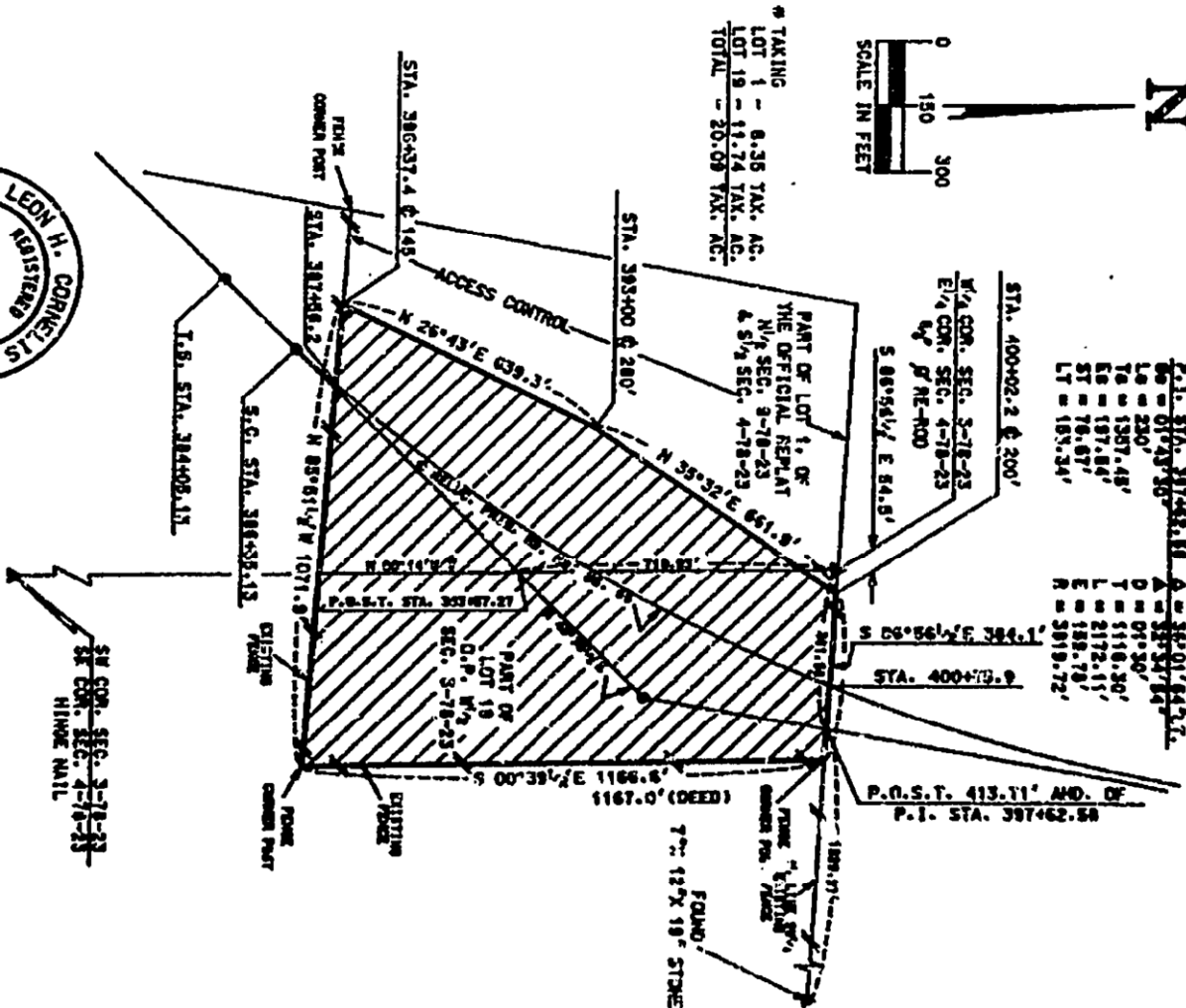
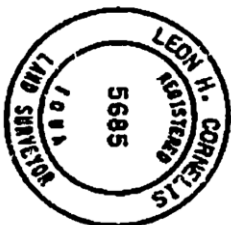
ACQUISITION PLAT
EXHIBIT "A"



COUNTY POLK STATE CONTROL NO. 38-00
 PROJECT NO. F-500-1(20)-20-77 PARCEL NO. 26B
 SECTION 3 AND 4 TOWNSHIP 78N RANGE 23W
 R/W FEE \$ 20.09 AC. EASE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED FROM GWYNETH MUSICK, ET AL



* TAKING
 LOT 1 - 8.36 TAX. AC.
 LOT 19 - 11.74 TAX. AC.
 TOTAL - 20.09 TAX. AC.



P.I. STA. 397462.88 A = 38°01'54.7"
 66 = 01°21'30"
 L = 230'
 T = 1387.48'
 E = 197.84'
 S T = 76.67'
 L T = 183.34'
 D = 01°30"
 L = 5116.30'
 T = 2172.11'
 E = 182.78'
 H = 3819.72'

I hereby certify that this plat is a true and correct representation of the land herein described and that I am a duly registered Land Surveyor under the laws of the State of Iowa.
 Leon H. Corns, L.S.
 State of Iowa, Surveyor

DATE DRAWN 7/24/90 J.R.P.

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

Relocated Primary Road No. U.S. 65

NOTICE

east of the City of Pleasant Hill

located in Polk County, Iowa

Project No. F-500-1(20)--20-77

Group "A"

TO:

Sunrise Developing Company, c/o Donna Thomas, Registered Agent, 5591 Southeast 6th Avenue,
R5, Des Moines, Iowa

Darren Laffey, 10225 Southeast 20th Avenue, Runnells, Iowa
Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

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

Part of Lots 18 and 19 of the Official Plat of the W 1/2 of Sec. 3, T78N, R23W of the 5th
P.M. and Lots 1 and 2 and Outlot X of Country Side Estates Plat No. 1 all in Polk County,
Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in
land more specifically described as follows and shown with reference to their location as
to lands affected on the plats Exhibits "A" and "B" (Total Ownership Plat only) attached
hereto and to the Application filed with the Chief Judge of the Judicial District
containing Polk County, Iowa, and in the Office of the Sheriff of Polk 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 Lots 18 and 19 of the Official Plat of the W 1/2 of Sec. 3,
T78N, R23W of the 5th P.M., Polk County, Iowa, as shown on the plat Exhibit "A", attached
hereto and by reference made a part hereof.

Polk County Project No. F-500-1(20)--20-77
Sunrise Developing Company (Parcel 288)
Continued on next sheet.

Sheet 1

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Said parcel is described as follows:

Commencing at the W 1/4 Corner of said Sec. 3; thence S86°56' 1/2"E, 438.6 ft. on the north line of the SW 1/4 of said Sec. 3 to the Point of Beginning; thence continuing S86°56' 1/2"E, 1153.0 ft. on said north line; thence S03°03'E, 1128.6 ft. on the east line of said Lots 19 and 18; thence S65°18' 1/2"W, 1130.1 ft.; thence N85°51' 1/2"W, 163.3 ft.; thence N00°45' 1/2"W, 1649.1 ft. to the Point of Beginning; containing 38.50 acres. ←

No rights of direct access shall be permitted between Relocated Primary Road No. U.S. 65 and condemnees remaining property abutting thereon.

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

1. Any and all improvements, including fences, and advertising devices, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. Any 1991 crops growing on the land sought to be appropriated are reserved to the condemnees until December 31, 1991. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.
3. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.



Iowa Department of Transportation

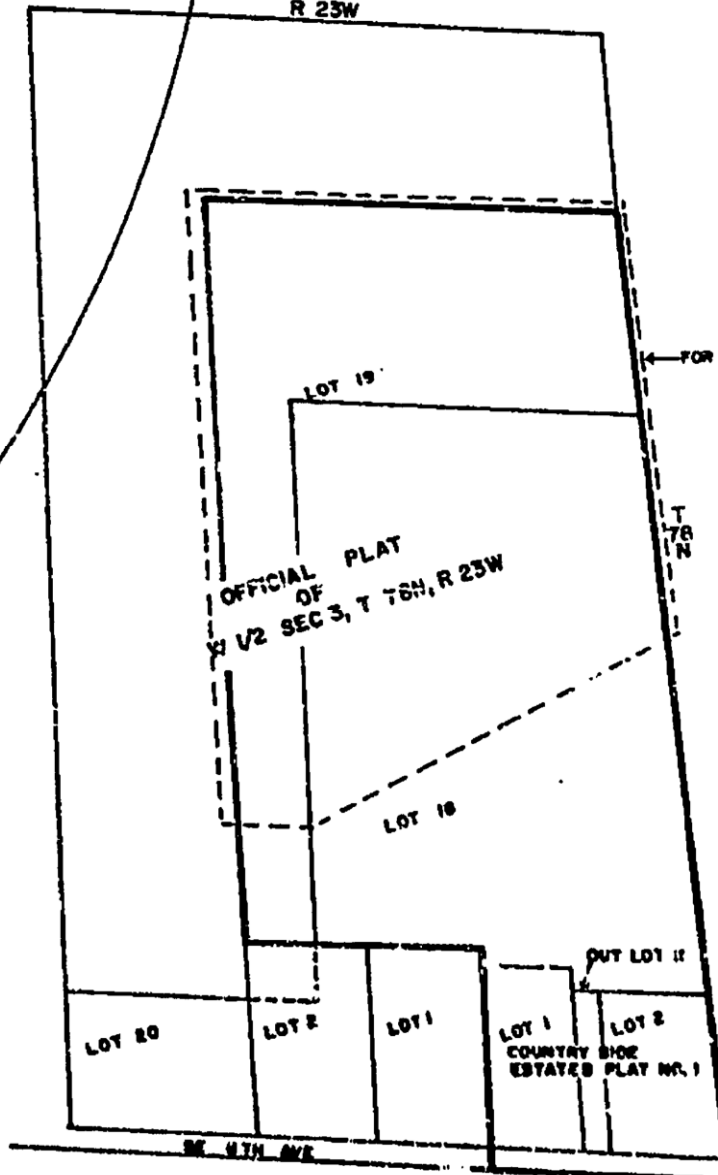
ACQUISITION PLAT EXHIBIT "B"

COUNTY POLK STATE CONTROL NO. 38-00
 PROJECT NO. F-500-(120)--20-77 PARCEL NO. 288
 SECTION 3 TOWNSHIP 78N RANGE 23W
 ROW - FEE _____ AC. EASE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED FROM SUNRISE DEVELOPING COMPANY

TOTAL OWNERSHIP PLAT ONLY

C RELOCATED PRIMARY RD. NO. US. 65

R 23W



← FOR DETAILS SEE EXHIBIT "A"

OFFICIAL PLAT
OF
1/2 SEC 3, T 78N, R 23W

OUT LOT 12
COUNTRY SIDE
ESTATES PLAY NO. 1

BOOK 6482 PAGE 276

Aug 23 9 22 AM '91

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

HUB L. RICE
SHERIFF
POLK COUNTY, IOWA

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

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"


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

NAME	ADDRESS	QUALIFICATIONS
Clark Stewart	1143 Ascension D.M.	Licensed Real Estate Salesperson or Broker
George Wennerberg	6540 N.W. 6th Dr. D.M.	Licensed Real Estate Salesperson or Broker
Joe Husak	310 Van Dorn Polk City	Knowledgeable of Property Values by Virtue of Occupation
Anthony Pigneri	2017 So. Union D.M.	Knowledgeable of Property Values by Virtue of Occupation
Dale Lund	Polk City	Agricultural
Donald Albaugh	Elkhart	Agricultural


I further designate, select, and appoint, the above named CLARK STEWART to act as Chairman of said commission. I further designated GEORGE WENNERBERG Alternate Chairman of said commission.

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

Dated at DES MOINES, Iowa, this 23 day of August, 1991.


Richard D. Watt
Chief Judge of the 5th Judicial District including Polk County, Iowa

Filed in my office at Des Moines, Iowa, this 24 day of August, 1991.


Hub L. Rice
Sheriff of Polk County, Iowa

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AUG 23 9 22 AM '91

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

BOB E. NICE SHERIFF POLK COUNTY, IOWA SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"

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

Table with 3 columns: NAME, ADDRESS, QUALIFICATION. Lists 10 individuals with their respective addresses and qualifications such as 'Licensed Real Estate', 'Salesperson or Broker', 'Knowledgeable of Property Values by Virtue of Occupation', and 'Agricultural'.

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

Dated at Des Moines, Iowa, this 23 day of August, 1991.

Richard D. Hoff, Chief Judge of the 5th Judicial District including Polk County, Iowa.

Filed in my office at Des Moines, Iowa, this 29th day of August, 1991.

Bob E. Nice, Sheriff of Polk County, Iowa.

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RETURN

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

SUMMONS TO COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"

TO: Clark Stewart

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

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Polk County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Clark Stewart has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Des Moines, Polk County, State of Iowa, on the 16th day of October, 19 91, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Bob Rice

Bob Rice Sheriff of Polk County, Iowa

ACCEPTANCE OF SERVICE

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

Clark Stewart

Filed in my office at Des Moines, Iowa, this day of

Bob Rice Sheriff of Polk County, Iowa

REFUSAL TO SERVE

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

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

SEP 19 11 01 AM '91 BOB RICE SHERIFF POLK COUNTY, IOWA

RETURN

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

SUMMONS TO COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"

TO: George Wennerberg

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

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Polk County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Clark Stewart has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Des Moines, Polk County, State of Iowa, on the 16th day of October, 1991, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Bob E. Rice

Bob Rice
Sheriff of Polk County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Des Moines, Iowa, this 5 day of September, 1991. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

George Wennerberg

Filed in my office at Des Moines, Iowa, this 5 day of _____

BOB RICE
Sheriff of Polk County, Iowa

SEP 21 9 38 AM '91
BOB E. RICE
SHERIFF
POLK COUNTY, IOWA

REFUSAL TO SERVE

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

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

RETURN

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

SUMMONS TO COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"

TO: Joe Husak

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

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Polk County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Clark Stewart has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Des Moines, Polk County, State of Iowa, on the 16th day of October, 19 91, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Bob E. Rice
Bob E. Rice
Sheriff of Polk County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Polk County, Iowa, this 3rd day of September, 1991. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Joe Husak
Bob E. Rice
Filed in my office at Des Moines, Iowa, this 5th day of September, 1991.
Bob E. Rice
Sheriff of Polk County, Iowa

SEP 5 9 33 AM '91
BOB E. RICE
SHERIFF
POLK COUNTY, IOWA

REFUSAL TO SERVE

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

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

RETURN

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

SUMMONS TO COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"

TO: Anthony Pigneri

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

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Polk County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Clark Stewart has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Des Moines, Polk County, State of Iowa, on the 16th day of October, 1991, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Bob Rice Sheriff of Polk County, Iowa

ACCEPTANCE OF SERVICE

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

Filed in my office at Des Moines, Iowa, this day of 1991

Bob Rice Sheriff of Polk County, Iowa

3 10 16 AM '91

REFUSAL TO SERVE

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

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

RETURN

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

SUMMONS TO COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"

to: Dale Lund

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

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Polk County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Clark Stewart has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Des Moines, Polk County, State of Iowa, on the 16th day of October, 19 91, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Bob Rice Sheriff of Polk County, Iowa

ACCEPTANCE OF SERVICE

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

Dale Lund Filed in my office at Des Moines, Iowa, this day of Bob Rice Sheriff of Polk County, Iowa

SEP 5 9 33 AM '91 SHERIFF POLK COUNTY, IOWA

REFUSAL TO SERVE

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

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

RETURN

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

SUMMONS TO COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"

TO: Donald Albaugh

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

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Polk County, Iowa as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Clark Stewart has been designated as Chairman of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Des Moines, Polk County, State of Iowa, on the 15th day of October, 1991, at 9:30 o'clock a.m. (dst) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Bob Rice Sheriff of Polk County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Pleasant Hill, Iowa, this 5 day of Sept, 1991. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Donald Albaugh

Filed in my office at Des Moines, Iowa, this 15 day of Sept, 1991.

Bob Rice Sheriff of Polk County, Iowa

REFUSAL TO SERVE

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

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

RECEIVED SHERIFF POLK COUNTY IOWA SEP 15 1991

AUG 29 9 22 AM '91

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

BOB E. RICE
SHERIFF
POLK COUNTY, IOWA

OATH OF COMMISSIONERS

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"

STATE OF IOWA

Polk County

} SS

Each of the undersigned being duly sworn says:

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

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

and, that I will, to the best of my ability, faithfully and impartially assess the damages which owners, lienholders, encumbrances and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the rights set forth and described in the Application and Notice of Condemnation in the Office of the Sheriff for the improvement of roads and streets and make a written report to the Sheriff as Authorized and prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 471, and 472, Code of Iowa, and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Clarke Stewart
Name: Clarke Stewart
Licensed Real Estate Salesperson
or Broker

George Wennberg
Name: George Wennberg
Licensed Real Estate Salesperson
or Broker

Joe Hunsch
Name: Joe Hunsch
Knowledgeable of Property Values
by Virtue of Occupation

Anthony Packeri
Name: Anthony Packeri
Knowledgeable of Property Values
by Virtue of Occupation

Dale Lund
Name: Dale Lund
Agricultural

Donald Albough
Name: Donald Albough
Agricultural

Acknowledged, Subscribed and sworn to before me this 16th day of Oct., 1991.



M. E. Burton
(Notary Public)
(Clerk of Court)
In and for said
County and State

Filed in my office at, Des Moines, Iowa, this 16th day of Oct, 1991.

Bob E. Rice
BOB RICE
Sheriff of Polk County, Iowa

BOOK 6482 PAGE 285

Sheriff Rice

Page 5

PARCEL 26B

*Official
of Rice*
Gwyneth Musick, Box 67, Conifer, Colorado
Clifford Musick, Box 67, Conifer, Colorado
Doris Macheers, Box 483, Mustang Road, Elizabeth, Colorado
John Macheers, Box 483, Mustang Road, Elizabeth, Colorado
Cecil Miller, Box 324, RR #1, Deer River, Minnesota
Juanita Miller, Box 324, RR #1, Deer River, Minnesota
Elvin Miller, Box 219 AB, RR #3 Booneville, Arkansas
Martha Miller, Box 219 AB, RR #3, Booneville, Arkansas
Harold Carole Hanson, 418 D. 10th Avenue, Honolulu, Hawaii
Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

PARCEL 28B

Jones
Harold
Sunrise Developing Company, c/o Donna Thomas, Registered Agent, 5591 SE 6th Ave.,
R 5, Des Moines, Iowa
Darren Laffey, 10225 SE 20th Ave., Runnells, Iowa
Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

AUG 23 9 05 AM '91

BOB E. RICE
SHERIFF
POLK COUNTY, IOWA

Return

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

Relocated Primary Road No. U.S. 65 east of
the City of Pleasant Hill
located in Polk County, Iowa
Project No. F-500-1(20)--20-77
Group "A"

NOTICE

TO:

Gwyneth Musick, Conifer, Colorado
Clifford Musick, Conifer, Colorado
Doris Macheers, Mustang Road, Elizabeth, Colorado
John Macheers, Mustang Road, Elizabeth, Colorado
Cecil Miller, R. R. #1, Deer River, Minnesota
Juanita Miller, R. R. #1, Deer River, Minnesota
Elvin Miller, R. R. #3, Booneville, Arkansas
Martha Miller, R. R. #3, Booneville, Arkansas
Carole Hanson, 418 D 10th Avenue, Honolulu, Hawaii
Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

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

Lot 5 and part of Lot 1 of the Official Replat of the N 1/2 of Sec. 9 and the S 1/2 of Sec.
4 and part of Lot 19 of the Official Plat of the W 1/2 of Sec. 3, all in T78N, R23W of the
5th P.M., Polk County, Iowa.

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

Polk County Project No. F-500-1(20)--20-77
Gwyneth Musick, et al (Parcel No. 26B)
Continued on next sheet

Page 1

BOOK 6482 PAGE 287

1

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

A parcel of land located in Lot 19 of the Official Plat of the W 1/2 of Sec. 5 and located in Lot 1 of the Official Replat of the N 1/2 of Sec. 9 and the S 1/2 of Sec. 4, all in T78N, R23W of the 5th P.M., Polk County, Iowa, as shown on the plat, Exhibit "A", attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Commencing at the W 1/4 Corner of said Sec. 3; thence S86°56' 1/2"E, 54.5 ft. on the north line of the SW 1/4 of said Sec. 3 to the Point of Beginning; thence continuing S86°56' 1/2"E, 384.1 ft. on said north line; thence S00°39' 1/2"E, 1166.6 ft.; thence N85°51' 1/2"W, 1071.9 ft.; thence N26°43'E, 639.3 ft.; thence N35°32'E, 661.9 ft. to the Point of Beginning, containing 20.09 acres.

No rights of direct access shall be permitted between Relocated Primary Road No. U.S. 65 and condemnees remaining property abutting thereon.

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

1. Any and all improvements, including fences, and advertising devices, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. Any 1991 crops growing on the land sought to be appropriated are reserved to the condemnees until December 31, 1991. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.
3. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.

That such condemnation is sought for the improvement and/or the maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 30A, 306A, 306B, 306C, 313, 471, and 472 of the Code of Iowa and all 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.

You are further notified that the Commissioners will report to the Sheriff's Office in Des Moines, Iowa, at 9:30 o'clock a.m., on the 16th day of October, 1991 and will view your property at approximately 10:10 o'clock a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION

Special Assistant Attorney General and Counsel

Robert L. North
Right of Way Director

By Sharon L. Zagar
Sharon L. Zagar
Condemnation Supervisor
Iowa Department of Transportation
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy, and I waive time of service and any requirements that such notice be published in a newspaper.

Dated at _____, this _____ day of _____, 19____.

STATE OF IOWA)
COUNTY OF _____) ss:

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

NAME	DATE	CITY OR TOWN	COUNTY	STATE
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Fees:
Service \$ _____
Mileage \$ _____
Total \$ _____

Sheriff of _____ County, Iowa

PLN 63427
C-20

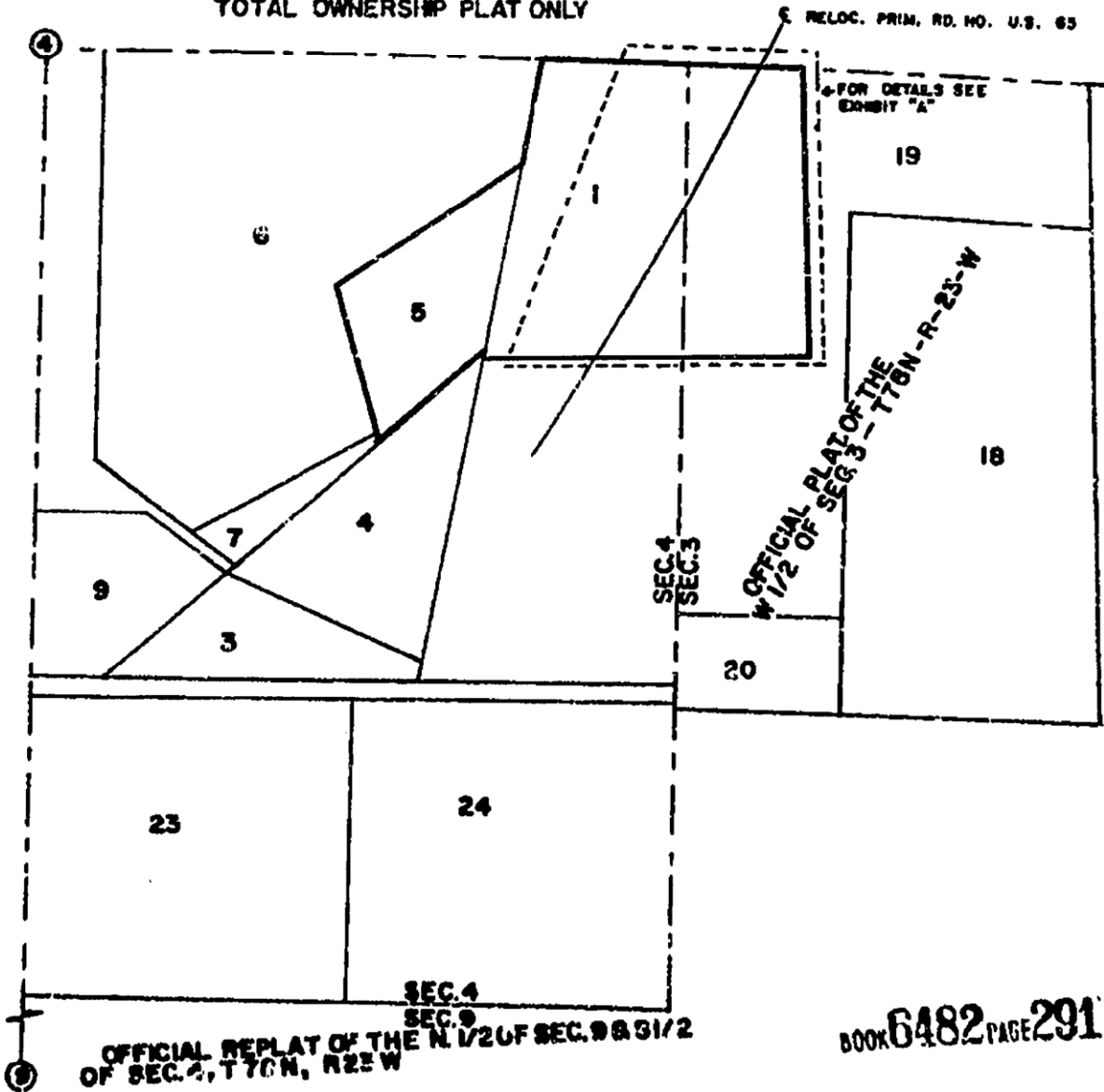


Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "B"

COUNTY POLK STATE CONTROL NO. 38-00
 PROJECT NO. F-500-11(20)--20-77 PARCEL NO. 26B
 SECTION 3, 4 & 9 TOWNSHIP 78N RANGE 23W
 ROW - FEE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED FROM GWYNETH MUSICK, ET AL

TOTAL OWNERSHIP PLAT ONLY



RETURN OF SERVICE

SHERIFF'S FILE # 1-44

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

Case Name Town Department of Transportation RETURN OF SERVICE

Type of Service Code

Case No. Parcel # 26B

- Personal
- Dwelling Substitute
- Hotel, Boarding/Rooming House
- Corporation/Association
- Official (State, County, City)
- Spouse away from residence
- Other _____
- Posted Per Court Order

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

Notice Rec'd this date 8-29-91

STATE OF IOWA }
POLK County } ss.

- I certify that I served a copy of:
- Petition and Original Notice
 - Modification/Application and Notice
 - Order to Show Cause

- Order Filed _____
- Writ/FED _____
- Other Notice of Condemnation

Served:	Type Code
_____ at _____ on _____	_____
(Name) (Address) (Date) (Time)	
_____ at _____ on _____	_____
_____ at _____ on _____	_____
_____ at _____ on _____	_____
_____ at _____ on _____	_____

BY DELIVERING A COPY TO:

- _____ A person at least 18 years old residing there. NAME
- _____ The usual dwelling of the defendant, TITLE which place was a rooming house, hotel, apartment bldg.
- _____ Spouse of defendant, which was not the defendant's dwelling house NAME or usual place of abode.

____ The Spouse stated that he/she lived together.
____ I have reason to believe that this Spouse lives at defendant's dwelling:

Because: _____

4. I served the same on the within named defendant Polk County Iowa 5
 by delivering a true copy to Tom Parkins Polk Co Auditor
 at Room 230 Polk Admin Bldg 2nd & Court Date & Time 8-30-91 JSSA

NOTE: (Diligent search, etc.)

FEES:

- Processing _____
- mileage _____
- Copy _____
- Notary _____
- TOTAL _____

BOB E. RICE
 Sheriff of Polk County
H.A. Hunter
 Deputy

Fee charged to / paid by Atty/Party: _____

BOOK 6482 PAGE 292

AFFIDAVIT OF PUBLICATION
by, STATE OF IOWA, CONDEMNOR

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

Relocated Primary Road No. U.S. 65

East of the City of Pleasant Hill

located in Polk County, Iowa

Project No. F-500-1(20)--20-77

Group "A" Parcel 26B

AUG 29 9 22 AM '91
JRB E. RICE
SHERIFF
POLK COUNTY, IOWA

STATE OF IOWA)
) CC.
COUNTY OF POLK)

I, Sharon Zagar, being duly sworn state that I am the Condemnation Supervisor
for the Iowa Department of Transportation in the above-entitled matter.

I further state that personal service cannot be made within the State of Iowa upon the
condemnee named below:

- Gwyneth Musick, Conifer, Colorado
- Clifford Musick, Conifer, Colorado
- Doris Wacheers, Mustang Road, Elizabeth, Colorado
- John Wacheers, Mustang Road, Elizabeth, Colorado
- Cecil Miller, R.R. #1, Deer River, Minnesota
- Juanita Miller, R.R. #1, Deer River, Minnesota
- Elvin Miller, R.R. #3, Booneville, Arkansas
- Martha Miller, R.R. #3, Booneville, Arkansas
- Carole Hanson, 418 D 10th Avenue, Honolulu, Hawaii

I further state that on August 26, 1991, a copy of the Notice in this matter was
mailed to the above condemnees at the place set opposite their name.

I further state that an attempt of personal service will be made on the condemnees
named below:

Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

I further state that other persons, companies or corporations not listed may own or have an interest in the land sought to be appropriated. Therefore, to protect whatever interest, if any, they may possess, the Notice of Condemnation, when published, shall provide notification of the forthcoming condemnation proceeding.

Sharon Zagar
Sharon Zagar
Condemnation Supervisor
Iowa Department of Transportation

Subscribed and sworn to before me this 26th day of August, 1991.

Max Cannon
Max Cannon
Notary Public in and for the State of Iowa

AUG 29 9 05 AM '91

WILL E. RICE
SHERIFF
POLK COUNTY, IOWA

R. Rice

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

Relocated Primary Road No. U.S. 65

NOTICE

east of the City of Pleasant Hill

located in Polk County, Iowa

Project No. F-500-1(20)--20-77

Group "A"

TO:

Sunrise Developing Company, c/o Donna Thomas, Registered Agent, 5591 Southeast 6th Avenue,
R5, Des Moines, Iowa

Darren Laffey, 10225 Southeast 20th Avenue, Runnells, Iowa
Polk County, Iowa, c/o County Auditor, Des Moines, Iowa

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

Part of Lots 18 and 19 of the Official Plat of the W 1/2 of Sec. 3, T78N, R23W of the 5th
P.M. and Lots 1 and 2 and Outlot X of Country Side Estates Plat No. 1 all in Polk County,
Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in
land more specifically described as follows and shown with reference to their location as
to lands affected on the plats Exhibits "A" and "B" (Total Ownership Plat only) attached
hereto and to the Application filed with the Chief Judge of the Judicial District
containing Polk County, Iowa, and in the Office of the Sheriff of Polk 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 Lots 18 and 19 of the Official Plat of the W 1/2 of Sec. 3,
T78N, R23W of the 5th P.M., Polk County, Iowa, as shown on the plat Exhibit "A", attached
hereto and by reference made a part hereof.

Polk County Project No. F-500-1(20)--20-77
Sunrise Developing Company (Parcel 28B)
Continued on next sheet.

Sheet 1

BOOK 6482 PAGE 295

1

Said parcel is described as follows:

Commencing at the W 1/4 Corner of said Sec. 3; thence S86°56' 1/2"E, 438.6 ft. on the north line of the SW 1/4 of said Sec. 3 to the Point of Beginning; thence continuing S86°56' 1/2"E, 1153.0 ft. on said north line; thence S03°03'E, 1128.6 ft. on the east line of said Lots 19 and 18; thence S65°18' 1/2"W, 1130.1 ft.; thence N85°51' 1/2"W, 163.3 ft.; thence N00°45' 1/2"W, 1649.1 ft. to the Point of Beginning; containing 38.50 acres.

No rights of direct access shall be permitted between Relocated Primary Road No. U.S. 65 and condemnees remaining property abutting thereon.

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

1. Any and all improvements, including fences, and advertising devices, if any, located wholly within the land sought in fee simple title are condemned in their entirety.
2. Any 1991 crops growing on the land sought to be appropriated are reserved to the condemnees until December 31, 1991. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.
3. Any drain tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.

That such condemnation is sought for the improvement and/or the maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 471, and 472 of the Code of Iowa and all 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.

You are further notified that the Commissioners will report to the Sheriff's Office in Des Moines, Iowa, at 9:30 o'clock a.m., on the 16th day of October, 1991 and will view your property at approximately 10:20 o'clock a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

IOWA DEPARTMENT OF TRANSPORTATION

Special Assistant Attorney General and Counsel

Robert L. North
Right of Way Director

By Sharon L. Zagar
Sharon L. Zagar
Condemnation Supervisor
Iowa Department of Transportation
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy, and I waive time of service and any requirements that such notice be published in a newspaper.

Dated at _____, this ____ day of _____, 19__.

STATE OF IOWA)
COUNTY OF _____) ss:

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

NAME	DATE	CITY OR TOWN	COUNTY	STATE
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Fees:
Service \$ _____
Mileage \$ _____
Total \$ _____

Sheriff of _____ County, Iowa

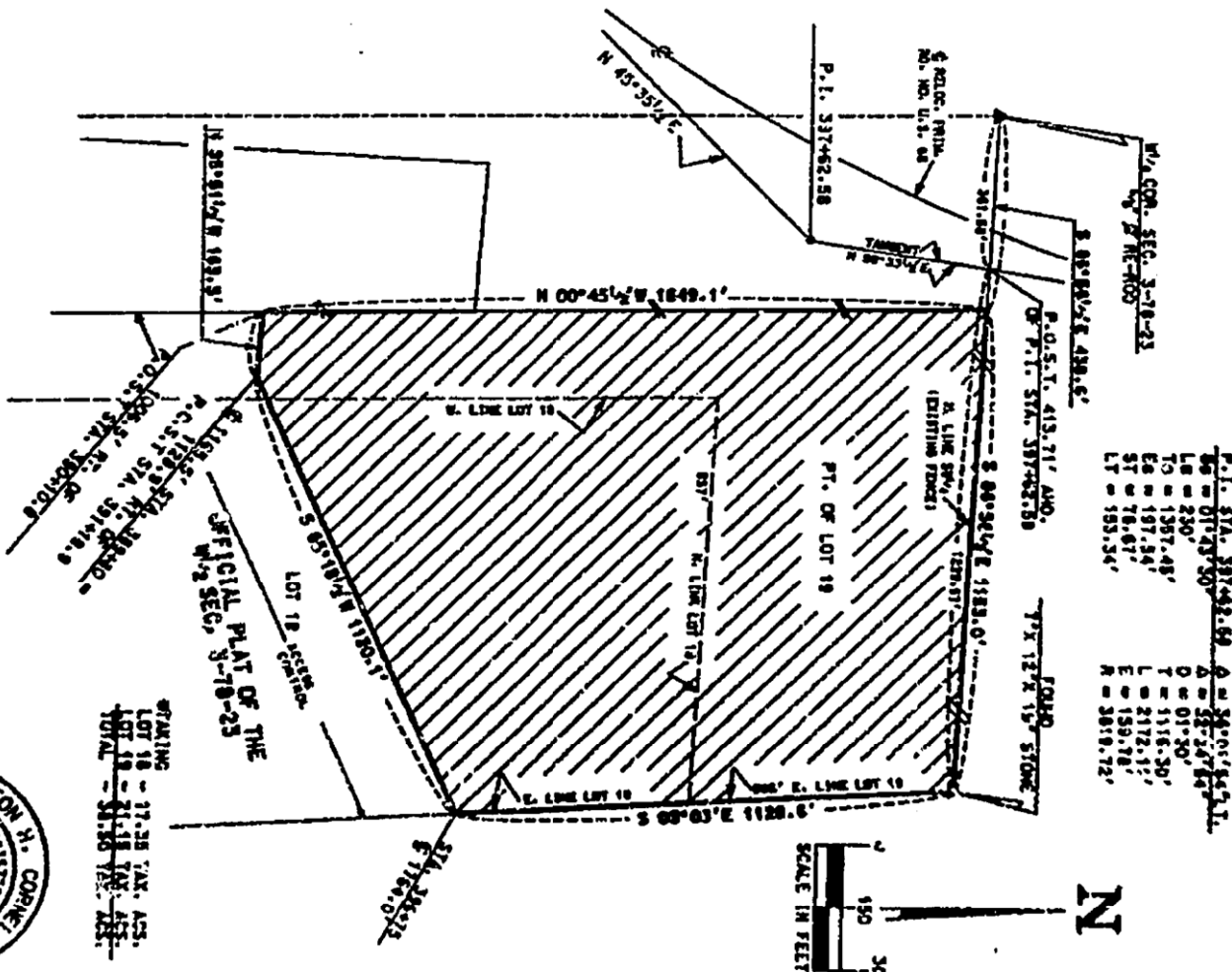
IOWA DEPARTMENT OF TRANSPORTATION

ACQUISITION PLAT
EXHIBIT "A"



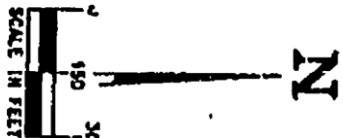
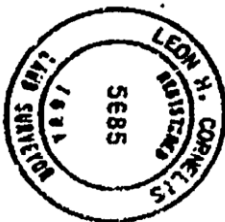
COUNTY POLK STATE CONTROL NO. 38-00
 PROJECT NO. F-500-1(20)-20-77 PARCEL NO. 28B
 SECTION 3 TOWNSHIP 78N RANGE 23W
 ROW - FEE 38.50 AC, EASE _____ AC, EXCESS - FEE _____ AC
 ACQUIRED FROM SUNRISE DEVELOPING COMPANY

DATE PLAIN 6/20/1967



I hereby certify that this plat is a true and accurate representation of the land herein described, and that the same has been surveyed and platted in accordance with the laws of the State of Iowa, and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Leon H. Cornelius
 Leon H. Cornelius Reg. No. 5685





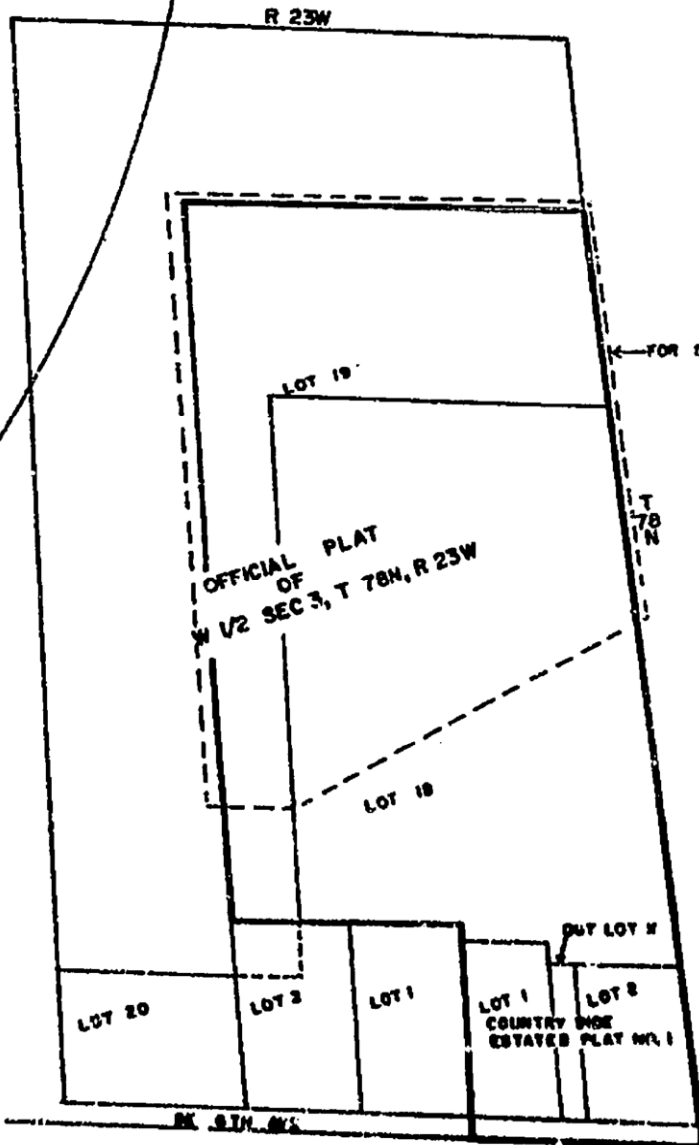
Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "B"

COUNTY POLK STATE CONTROL NO. 38-00
 PROJECT NO. F-500-(K20)--20-77 PARCEL NO. 28B
 SECTION 3 TOWNSHIP 78N RANGE 23W
 ROW - FEE _____ AC. EASE _____ AC. EXCESS - FEE _____ AC
 ACQUIRED FROM SUNRISE DEVELOPING COMPANY

TOTAL OWNERSHIP PLAT ONLY

RELOCATED PRIMARY RD. NO. 63. 65



BOOK **6482** PAGE **299**

RETURN OF SERVICE

SHERIFF'S FILE # I-44

IN THE IOWA DISTRICT COURT FOR Polk COUNTY

Case Name D. O. T

Case No. _____

Notice Rec'd this date 29 Aug 91

STATE OF IOWA } ss.
PCLK County }

RETURN OF SERVICE

- Personal 1
- Dwelling Substitute 2
- Hotel, Boarding/Rooming House 3
- Corporation/Association 4
- Official (State, County, City) 5
- Spouse away from residence 6
- Other 7
- Posted Per Court Order 8

- I certify that I served a copy of:
- Petition and Original Notice
 - Modification/Application and Notice
 - Order to Show Cause

- Order Filed _____
- Writ/FED _____
- Other notice of condemnation

Served:

<u>Barren Laffey</u>	at	<u>10225 SE 20th Ave</u>	on	<u>9-5-91</u>	<u>11:20</u>	Type Code <u>1</u>
	at		on			
	at		on			
	at		on			
	at		on			

BY DELIVERING A COPY TO:

- _____ A person at least 18 years old residing there.
NAME _____
 - _____ The usual dwelling of the defendant.
NAME _____ TITLE _____
which place was a rooming house, hotel, apartment bldg.
 - _____ Spouse of defendant, which was not the defendants dwelling house
NAME _____
or usual place of abode.
- _____ The Spouse stated that he/she lived together.
_____ I have reason to believe that this Spouse lives at defendant's dwelling:
Because: _____

4. I served the same on the within named defendant Sunrise Devel. Co. 4
company
by delivering a true copy to Donna Thomas ; R.A.
name wife
at 5591 SE 6th Ave , Date & Time 9-5-91 10:15 am

NOTE: (Diligent search, etc.)

FEES:

Processing _____
Mileage _____
Copy _____
Notary _____
TOTAL _____

BOB E. RICE
Sheriff of Polk County

By R. Jen Deputy

Fees charged to/paid by Atty/Party:

BOOK 6482 PAGE 300

RETURN OF SERVICE

SHERIFF'S FILE # I-44

IN THE IOWA DISTRICT COURT FOR Polk COUNTY

Case Name Iowa Department of Transportation

Case No. Parcel # 2813

Notice Rec'd this date 8-29-91

STATE OF IOWA }
POLK County } ss.

RETURN OF SERVICE

- Personal
- Dwelling Substitute
- Hotel, Boarding/Rooming House
- Corporation/Association
- Official (State, County, City)
- Spouse away from residence
- Other _____
- Posted Per Court Order

Type of Service Code
1
2
3
4
5
6
7
8

- I certify that I served a copy of:
- Petition and Original Notice
 - Modification/Application and Notice
 - Order to Show Cause

- Order Filed _____
- Writ/FED _____
- Other Notice of Condemnation

Served:

(Name)	at (Address)	on (Date)	(Time)	Type Code
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

BY DELIVERING A COPY TO:

- _____ A person at least 18 years old residing there.
NAME _____
- _____ The usual dwelling of the defendant,
NAME _____ TITLE _____
which place was a rooming house, hotel, apartment bldg.
- _____ Spouse of defendant, which was not the defendants dwelling house
NAME _____
or usual place of abode.

_____ The Spouse stated that he/she lived together.
 _____ I have reason to believe that this Spouse lives at defendant's dwelling:

Because: _____

4. I served the same on the within named defendant Polk County, Iowa 5
 by delivering a true copy to Tom Parkins Polk Co. Auditor
 name title
 at Room 230 Polk Admin Bldg and Court Date & Time 8-30-91 8:55A

NOTE: (Diligent search, etc.)

FEE:

Processing _____
 Mileage _____
 Copy _____
 Notary _____
 TOTAL _____

BOB E. RICE
 Sheriff of Polk County

By [Signature]
 Deputy

Fees charged to/paid by Atty/Party:

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

REPORT OF
COMPENSATION
COMMISSION

Relocated Primary Road No. U.S. 65 east of the
City of Pleasant Hill
located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"

TO: Bob Rice, Sheriff of Polk County, Iowa

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

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein and do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
PARCEL 26B - Gwyneth	\$ _____	\$ _____	\$ _____	\$ _____
Musick; Clifford Musick;	\$ _____	\$ _____	\$ _____	\$ _____
Doris Macheers; John	\$ _____	\$ _____	\$ _____	\$ _____
Macheers; Cecil Miller;	\$ 66,000	\$ _____	\$ _____	\$ 2,800 3100
Juanita Miller; Elvin	\$ _____	\$ _____	\$ _____	\$ _____
Miller; Martha Miller;	\$ _____	\$ _____	\$ _____	\$ _____
Carole Hanson, Polk	\$ _____	\$ _____	\$ _____	\$ _____
County Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
PARCEL 28B - Sunrise	\$ _____	\$ _____	\$ _____	\$ _____
Developing Company;	\$ 124,750	\$ _____	\$ _____	\$ 2,200
Darren Laffey; Polk County				
Treasurer				

Respectfully reported at Des Moines _____, Iowa, this 16th day of October, 1991.

Clark W. Stevens

John F. ...

Anthony ...

Ronald ...

Walter ...

George ...

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 Des Moines, Iowa, this 16th day of October, 1991.

Bob E. Rice

BOB RICE
Sheriff of Polk County, Iowa

BOOK 6482 PAGE 303

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

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

Relocated Primary Road No. U.S. 65 east of the
City of Pleasant Hill
located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"

The undersigned hereby endorse and certify that a true copy of the Notice of Appraisement of Damages and Time for Appeal was served upon each of the parties of this proceeding, as listed herein, by enclosing said Notice in an envelope addressed to each such party at their respective last known mailing address as disclosed by the record in the Application to the Chief Judge (excepting those parties, if any, listed below), with postage prepaid, and by depositing said envelope in a United States Post Office depository in Des Moines, Iowa, on the 16th day of October, 19 91.

Bob E. Rice

Bob Rice
Sheriff of Polk County, Iowa

BOOK 6482 PAGE 304

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

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

Relocated Primary Road No. U.S. 65 east of the
City of Pleasant Hill
located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"

Parcel No. 26B

TO:	Land & Improvements	Consequential Damages	Total Award	Condemnees' City. Fees and Costs
Gwyneth Musick;	\$ _____	\$ _____	\$ _____	\$ _____
Clifford Musick;	\$ _____	\$ _____	\$ _____	\$ _____
Doris Macheers;	\$ _____	\$ _____	\$ _____	\$ _____
John Macheers;	\$ _____	\$ _____	\$ _____	\$ _____
Cecil Miller;	\$ _____	\$ _____	\$ _____	\$ _____
Juanita Miller;	\$ _____	\$ _____	\$ _____	\$ _____
Elvin Miller;	\$ _____	\$ _____	\$ _____	\$ _____
Martha Miller;	\$ _____	\$ _____	\$ _____	\$ _____
Carole Hanson;	\$ _____	\$ _____	\$ _____	\$ _____
Polk County Treasurer	\$ _____	\$ _____	\$ 66,000.00	\$ 3,100.00
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

NOTE:

If Owner-Occupied Dwelling is acquired: Value of Condemnees' Dwelling \$ -0-
Value of Land and Improvements other than Condemnees' Dwelling \$ -0-

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

Signed this 16th day of October, 1968

Bob Rice

Bob Rice
Sheriff of Polk County, Iowa

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

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

Relocated Primary Road No. U.S. 65 east of the
City of Pleasant Hill
located in Polk County, Iowa

Project No. F-500-1(20)-20-77 Group "A"


Parcel No. 288

TO:	Land & Improvements	Consequential Damages	Total Award	Condonees' Atty. Fees and Costs
Sunrise Developing Company;	\$ _____	\$ _____	\$ _____	\$ _____
Darren Laffey:	\$ _____	\$ _____	\$ _____	\$ _____
Polk County Treasurer	\$ _____	\$ _____	\$ 124,750.00	\$ 2,200.00
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

NOTE:

If Owner-Occupied Dwelling is acquired: Value of Condonees' Dwelling \$ -0-
Value of Land and Improvements other than Condonees' Dwelling \$ -0-

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

Signed this 16th day of October 1991

BOB RICE
Sheriff of Polk County, Iowa

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

Relocated Primary Road No. U.S. 65 east of the City of Pleasant Hill located in Polk County, Iowa

Project No. F-500-1(20)--20-77 Group "A"

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK 6425, PAGE 337-352, OR INSTRUMENT NUMBER 014740, AND DATED 8/29/91

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Des Moines, Iowa, on the 16th day of October, 1991, and thereupon proceeded to view the premises and said commissioners did on the 16th day of October, 1991, file their report in my office awarding damages as follows:

NAMES OF CONDEMNES		AWARD	ATTORNEY FEES AND COSTS
PARCEL 25 B			
Gwyneth Musick	Elvin Miller		
Clifford Musick	Martha Miller	\$ _____	\$ _____
Doris Mccheers	Carole Hanson	\$ _____	\$ _____
John Mccheers	Polk County Treasurer	\$ _____	\$ _____
Cecil Miller		\$ 66,000.00	\$ 3,100.00
Juanita Miller			
PARCEL 23 B			
Sunrise Development Company		\$ _____	\$ _____
Darren Laffey		\$ 124,750.00	\$ 2,200.00
Polk County Treasurer			
TOTAL DAMAGES AWARDED		\$ 190,750.00	\$ 5,300.00

I certify that the costs incident to this proceeding are taxed and Notices were Served as listed below:

Date:	Name of Condemnees Served	Fee	Mileage	Rate at .21 cents	Amount	Total
8/30/91	Polk Co.c/o Auditor	10.00		1.00	1.00	11.00
9/5/91	Sunrise Development Co. c/o Donna Thomas, R.A.	10.00			9.72	19.72
9/5/91	Darren Laffey	10.00				10.00
8/30/91	Polk Co.c/o Auditor	10.00				10.00

Sub Total \$ 50.72

Sheriff, Summoning and attending Commissioners.....\$ 60.00
 Sheriff, Mileage while attending Commissioners, _____ miles, at _____ cents = 6.00
TOTAL \$ 116.72

Bob E. Price

Bob E. Price
 Sheriff of Polk County, Iowa

BOOK 6482 PAGE 307

[Handwritten signature]

COMMISSIONERS' COSTS

-2-

Clarke Stewart of
 Des Moines, Iowa

1 day service	\$	50.00
10 miles at .21 cents		2.10
1 meals		7.50
parking		5.50
TOTAL	\$	65.10

George Wennerberg of
 Des Moines, Iowa

1 day service	\$	50.00
20 miles at .21 cents		4.20
1 meals		15.00
parking		10.00
TOTAL	\$	79.20

Joe Husak of
 Polk City, Iowa

1 day service	\$	50.00
35 miles at .21 cents		7.35
1 meals		10.00
parking		6.50
TOTAL	\$	73.85

Anthony Pigneri of
 Des Moines, Iowa

1 day service	\$	50.00
8 miles at .21 cents		1.68
1 meals		6.50
parking		5.50
TOTAL	\$	63.68

Dale Lund of
 Polk City, Iowa

1 day service	\$	50.00
50 miles at .21 cents		10.50
1 meals		7.50
Parking		5.00
Transportation to 2 sites		20.00
TOTAL	\$	93.00

Donald Albaugh of
 Elkhart, Iowa

1 day service	\$	50.00
40 miles at .21 cents		8.40
1 meals		7.50
Parking		5.00
TOTAL	\$	70.90

GRAND TOTAL \$ 445.73

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

Dated this 16th day of October 1931

[Signature]
 Sheriff of Polk, County, Iowa