



#1158
MICHAEL A. MAURO
Secretary of State
State of Iowa

TRANSMITTAL FORM FOR CONDEMNATION APPLICATION -
Pursuant to Iowa Code sections 6B.3(3), 9.2A, and 331.602(24)

Box 1

TRANSMITTAL FORM FOR SHERIFF'S STATEMENT -
Pursuant to Iowa Code sections 6B.38, 9.2A, and 331.602(24)

Box 2

Part I: CONDEMNATION APPLICATION

Pursuant to Iowa Code section 6B.3(3), the undersigned County Recorder files a copy of the attached Condemnation Application with the Office of the Secretary of State, noting as follows.

1. The name of the acquiring agency is City of Mount Vernon, Iowa
2. The real property subject to the Application is located in Linn County.
3. The date the condemnation application was filed by the undersigned County Recorder is December month, 17 day, 2012 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 8525, Page 3.

John McCalman
County Recorder for

Linn County

Part II: SHERIFF'S STATEMENT

Pursuant to Iowa Code section 6B.38, the undersigned County Recorder files a copy of the attached Sheriff's Statement with the Office of the Secretary of State, noting as follows.

1. The name of the acquiring agency is City of Mount Vernon
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # _____, Book 8525, Page 3, and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # _____, Book 8593, Page 488, on 25th month, Feb. day, 2013 year.

John McCalman
County Recorder for

LINN County

PLEASE SUBMIT TO:
Secretary of State
Attention: Condemnation Filings
State Capitol, Des Moines, IA 50319
FAX: 515-242-5952

SEE INSTRUCTIONS ON BACK

BK: 8525 PG: 3
Recorded: 12/17/2012 at 12:27:15.60 PM
Fee Amount: \$52.00
Revenue Tax:
Joan McCalmant RECORDER
Linn County, Iowa
Unique Doc ID: 2177099

Prepared by: Robert W. Goodwin, 311 W. Lincoln Way, Suite 1, Ames, Iowa, 50010; 515-232-7390.
Return to: Robert W. Goodwin, 311 W. Lincoln Way, Suite 1, Ames, Iowa, 50010; 515-232-7390.

IN THE SHERIFF'S OFFICE IN LINN COUNTY, IOWA

IN THE MATTER OF THE)
CONDEMNATION OF CERTAIN)
RIGHTS IN LAND FOR THE)
CITY OF MOUNT VERNON, IOWA,)
FOR ITS PCC PAVEMENT)
ROUNDBABOUTS ON U.S. HIGHWAY 30)
FROM 16TH AVENUE TO VIRGIL)
AVENUE PROJECT)
Project #STP-A-030-7(159)--86-57)
Parcel #11)
APPLICANT: City of Mount Vernon, Iowa)

APPLICATION FOR CONDEMNATION
TO THE CHIEF JUDGE OF THE 6TH
JUDICIAL DISTRICT FOR THE
APPOINTMENT OF A COMMISSION
TO APPRAISE DAMAGES

TO: Patrick R. Grady, Chief Judge of the 6th Judicial District of Iowa, Courthouse
3rd Avenue Bridge, Cedar Rapids, Iowa 52406

IDENTIFICATION OF PROPERTY AFFECTED OR SOUGHT TO BE CONDEMNED:

The Applicant, the City of Mount Vernon, Iowa, has been unable to acquire a portion of or an interest in the following described property owned by ABCM Corporation by purchase and conveyance, and desires to take and acquire said property by condemnation, together with any and all lease hold interests, easement interests and other legal and equitable interests therein, and together

with all structures and appurtenances located upon said property, to be used in connection with the City of Mount Vernon, Iowa Roundabouts On Highway 30 From 10th Avenue To Virgil Avenue Project.

The property from which a portion is to be condemned is described as follows:

Lot 5 and all of that part of Lot 3, "Auditor's Plat No. 424, Linn County, Iowa" described as follows: Commencing at a point on West line NW1/4 NW1/4 Section 15-82-5, Linn County, Iowa, said point being 135 feet south of NW corner of said NW1/4 NW1/4, said point also being the NW corner of Lot 3, "Auditor's Plat No. 424, Linn County, Iowa"; thence East along the Northerly line of said Lot 3 and said line produced Easterly to point of intersection with Easterly line of said Lot 3, thence South 0°18'15" East, 312 feet to the most Southerly line of said Lot 3; thence Southwesterly along the most Southerly line of said Lot 3 to the Southeast corner of Lot 4, said Auditor's Plat No. 424; thence northerly and Westerly along the Easterly and Northerly lines of said Lot 4 to the Northwest corner of said Lot 4; thence Northerly along the most Westerly line of said Lot 3 to the point of beginning, together with all easements and servient estates, appurtenant thereto, and subject to covenants, easements and restrictions of record, if any.

The portion of the above property which is necessary to acquire by condemnation as a permanent access easement is described as follows:

Part of Lot 3, Auditor's Plat No. 424 Linn County, Iowa recorded in Book 10, Page 369, at the Linn County, Iowa Recorders office described as follows:

Commencing at the northeast corner of Lot 4, Auditor's Plat No. 424.

Thence S 01°42'31" W along a westerly line of Lot 3, (bearing assumed for this description) to the Point of Beginning a distance of 61.21 feet;

Thence N 66°18'17" E and parallel with south line of said Lot 3 a distance of 49.36 feet;

Thence S 21°04'54" E to the south line of said Lot 3 a distance of 57.69 feet;

Thence S 66°18'17" W along said south line of Lot 3 to the southwest corner of said Lot 3 a distance of 74.09 feet;

Thence N 01°42'31" E along said westerly line of Lot 3 to the Point of Beginning, a distance of 63.79 feet;

Said parcel contains 3,557sqft, 0.082 acres, more or less.

The portion of the above property which is necessary to acquire by condemnation for a temporary construction easement is described as follows:

Part of Lot 3, Auditor's Plat No. 424 Linn County, Iowa recorded in Book 10, Page 369, at the Linn County, Iowa Recorders office described as follows:

Commencing at the northeast corner of Lot 4, Auditor's Plat No. 424,

Thence S 01°42'31" W along a westerly line of Lot 3, (bearing assumed for this description) to the Point of Beginning a distance of 44.60 feet;

Thence N 66°18'17" E and parallel with south line of said Lot 3 a distance of 57.93 feet;

Thence S 21°04'54" E to the south line of said Lot 3 a distance of 72.70 feet;

Thence S 66°18'17" W along said south line of Lot 3 to the southwest corner of said Lot 3 a distance of 89.11 feet;

Thence N 01°42'31" E along said westerly line of Lot 3 to the Point of Beginning, a distance of 80.40 feet;

Said parcel contains 5,339 sqft, 0.123 acres, more or less.

Attached hereto and incorporated herein by this reference are Land Acquisition Plats of said property being acquired and condemned.

PURPOSE FOR WHICH CONDEMNATION IS SOUGHT: Mount Vernon, Iowa, in conjunction with the Iowa Department of Transportation, intends to construct two roundabouts, one at the intersection of 10th Avenue South and U.S. Highway 30, and the other at the intersection of State Highway 1 and U.S. Highway 30, to alleviate traffic congestion and problems at those intersections, and to resurface and widen U.S. Highway 30 between those two intersections and the streets and highway surfaces approaching those intersections.

NAMES AND ADDRESSES OF CONDEMNEDS: The names and addresses of all record owners and holders of liens and encumbrances, as far as known, are as follows:

Owner: ABCM Corporation
215 Highway 30 SW
Mount Vernon, IA 52314
Registered Agent: Richard A. Allbee
1320 4th Street NE
Hampton, IA 50441