



#1185

MATT SCHULTZ
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.

- The name of the acquiring agency is IA Dept of Transportation
- The real property subject to the Application is located in Woodbury County.
- The date the condemnation application was filed by the undersigned County Recorder is March month, 12 day, 2014 year.
- The attached Condemnation Application is filed of record at Document # 10575
Book 734, Page 4145.
Roll Image

Patrick F. Gill
~~County Recorder~~
 County PATRICK F. GILL
WOODBURY COUNTY AUDITOR & RECORDER
Woodbury 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.

- The name of the acquiring agency is Iowa DOT
- The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 10575, Book 734, Page 4145 and a copy was sent to the Secretary of State.
Roll Image
- The attached Sheriff's Statement was filed of record at Document # 625
Book 736, Page 2491; on July month, 17 day, 2014 year.
Roll Image

Patrick F. Gill
 County Recorder
PATRICK F. GILL
WOODBURY COUNTY AUDITOR & RECORDER
Woodbury County
 by C. Murphy Design

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

SEE INSTRUCTIONS ON BACK

X

Patrick F. Gill

PATRICK F. GILL
DEPUTY COUNTY CLERK & RECORDER

Patrick F. Gill

PATRICK F. GILL
WOODBURY COUNTY AUDITOR & RECORDER

Roll 736 Image 2491-2535
Document 625 Type CONDM Pages 45
Date 7/17/2014 Time 11:26 AM
Rec Amt \$227.00 Aud Amt \$5.00
Rev Transfer Tax \$3.20

PATRICK F. GILL, AUDITOR AND RECORDER
WOODBURY COUNTY IOWA

Roll 734 Image 4145
Document Number: 10575
Recorded: 3/12/2014 at 10:58:06.0 AM
Fee Amount: \$27.00
Revenue Tax:
PATRICK F. GILL, AUDITOR AND RECORDER
Woodbury County, Iowa

2011 MAR 31 AM 9:12
WOODSBURY COUNTY
SHERIFF

Prepared by: Allyssa Sweeney 515-239-1757, IA Dept. of Transportation, Right of Way-Condemnation,
800 Lincoln Way, Ames, IA 50010
Return to: Allyssa Sweeney 515-239-1757, IA Dept. of Transportation, Right of Way-Condemnation,
800 Lincoln Way, Ames, IA 50010

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

CERTIFIED TRUE COPY

Primary Road No. U.S. 20
East of the City of Merville
located in Woodbury County, Iowa

APPLICATION TO THE CHIEF
JUDGE OF THE
3rd JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A
COMMISSION TO APPRAISE
DAMAGES

Project No. NHSN-20-1(80)-2R-97 Group "F"

TO: Duane E. Hoffmeyer, Chief Judge, 3rd Judicial District including Woodbury County, Iowa

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Non-Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 6B.2A, 6B.2B and 6B.3, the Code of Iowa, as amended by H.F. 476, 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.

Minimum Land Needs: The minimum amount of land necessary to achieve the public purpose is as described in and shown on the Notice of Condemnation and attached plat(s).

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

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

Statement of Individual Rights: The Iowa Department of Transportation has provided the owner(s) with a statement of their individual rights and written notification as required under Sec. 6B.2A.

Good Faith Negotiations: The Applicant has made an effort to negotiate in good faith with the

owner(s) to acquire the property sought to be condemned. These efforts include:

1. Provided the owner(s) with written notification at least 30 days prior to the intent to proceed with this public improvement.
2. Provided the owner(s) with a copy of the appraisal of the property sought.
3. Discussed the basis of determining value.
4. Reviewed the project design plans.
5. Discussed the contents of the acquisition contract.
6. Addressed owner's questions and concerns.
7. Provided the owner(s) with a written offer of the fair market value.

Based on these efforts, we were unable to reach an agreement.

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 3 day of March, 2014.

IOWA DEPARTMENT OF TRANSPORTATION
David S. Gorham
Special Assistant Attorney General
and General Counsel to the Iowa DOT

By Katie A. Johnson
Katie A. Johnson
Condemnation Unit Coordinator
Office of Right of Way

Filed in my office at Sioux City, Iowa, this 6th day of March, 2014.

Duane E. Hoffmeyer
Duane E. Hoffmeyer
Chief Judge of the 3rd Judicial District
including Woodbury County, Iowa.

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

Alyssa Sweeney
Condemnation Unit

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

Primary Road No. U.S. 20

NOTICE

East of the City of Moville

located in Woodbury County, Iowa

Project No. NHSN-20-1(80)--2R-97

Group "F"

TO:

Qwest Corporation, formerly known as Northwestern Bell Telephone Company of Des Moines, Iowa, c/o C T Corporation System, Registered Agent, 400 E Court Avenue, Des Moines, Iowa 50309
Woodbury County, Iowa, c/o County Auditor, 620 Douglas Street, Sioux City, Iowa 51101

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 89 North, Range 44 West of the 5th P.M., Woodbury 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 land affected on the Graphic Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Woodbury County, Iowa, and in the Office of the Sheriff of Woodbury 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 part of the Southeast $\frac{1}{4}$ Northeast $\frac{1}{4}$, Section 36, Township 89 North, Range 44 West of the 5th P.M., Woodbury County, Iowa, as shown on the Graphic Exhibit "A" attached hereto and by reference made a part hereof.

Said parcel is described as follows:

The East One Hundred and Thirty-three (133) feet of the South Three Hundred Six and Nine Tenths (306.9) feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-six (36), Township Eighty-nine (89) North, Range Forty-four (44) West of the 5th P.M., Woodbury County, Iowa.

Woodbury County Project No. NHSN-20-1(80)--2R-97
Qwest Corporation (Parcel 33U)
Continued on next page

Page 1

In connection with this condemnation proceeding it is specifically provided that any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought in fee simple title are condemned in their entirety.

IOWA DEPARTMENT OF TRANSPORTATION
 GRAPHIC EXHIBIT "A"



COUNTY WOODBURY STATE CONTROL NO. _____
 PROJECT NO. NHSN-20-1(80)-2R-97 PARCEL NO. 33U
 SECTION 36 TOWNSHIP 89 RANGE 44
 ROW-FEE TOTAL ACQUISITION _____ AC, BORROW _____ AC, EXCESS-FEE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE _____
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE _____
 ACQUIRED FROM QWEST CORPORATION

