

#1204



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 Iowa DOT
2. The real property subject to the Application is located in Story County.
3. The date the condemnation application was filed by the undersigned County Recorder is December month, 24 day, 2014 year.
4. The attached Condemnation Application is filed of record at Document # 2014-11411  
Book \_\_\_\_\_ Page \_\_\_\_\_

Dawn Alexander  
County Recorder for

Story 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 \_\_\_\_\_
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # \_\_\_\_\_, Book \_\_\_\_\_, Page \_\_\_\_\_ and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # \_\_\_\_\_, Book \_\_\_\_\_, Page \_\_\_\_\_; on \_\_\_\_\_ month, \_\_\_\_\_ day, \_\_\_\_\_ year.

\_\_\_\_\_  
County Recorder for

\_\_\_\_\_  
County

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

**SEE INSTRUCTIONS ON BACK**



**PAUL D. PATE**  
 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 \_\_\_\_\_
2. The real property subject to the Application is located in \_\_\_\_\_ County.
3. The date the condemnation application was filed by the undersigned County Recorder is \_\_\_\_\_ month, \_\_\_\_\_ day, \_\_\_\_\_ year.
4. The attached Condemnation Application is filed of record at Document # \_\_\_\_\_  
 Book \_\_\_\_\_, Page \_\_\_\_\_.

\_\_\_\_\_  
 County Recorder for

\_\_\_\_\_  
 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 Iowa DOT
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 2014-0001411, Book \_\_\_\_\_, Page \_\_\_\_\_ and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # 2015-00002694.  
 Book \_\_\_\_\_, Page \_\_\_\_\_; on April month, 2 day, 2015 year.

Stacie Herridge  
 County Recorder for

Story County

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

**SEE INSTRUCTIONS ON BACK**

4-14-2015  
 Total pages  
 faxed = 43

Instr. Number: 2014-00011411  
Recorded: 12/24/2014 at 9:05:10.0 AM  
Recording Fee: \$27.00  
Transfer Tax:  
Susan L Vande Kamp - Recorder  
Story County, Iowa

Prepared by: Cheryl Watson 515-239-1273, IA Dept. of Transportation, Right of Way-Condemnation,  
800 Lincoln Way, Ames, IA 50010  
Return to: Cheryl Watson 515-239-1273, 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

Primary Road No. U.S. 69  
south of the City of Ames  
located in Story County, Iowa

APPLICATION TO THE CHIEF  
JUDGE OF THE  
2nd JUDICIAL DISTRICT  
FOR THE APPOINTMENT OF A  
COMMISSION TO APPRAISE  
DAMAGES

Project No. STPN-069-5(106)--2J-85 Group "A"

TO: Kurt L. Wilke, Chief Judge, 2nd Judicial District including Story 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. 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 18th day of December, 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 Eff. Dodge, Iowa, this 19<sup>th</sup> day of December, 2014.

Kurt L. Wilke  
Kurt L. Wilke  
Chief Judge of the 2nd Judicial District  
including Story County, Iowa.

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

Cheryl Watson  
Condemnation Unit  
Cheryl Watson



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. 69

NOTICE

South of the City of Ames

located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85

Group "A"

TO:

Brent A. Buldhaupt, 3964 S U.S. Highway 69, Ames, Iowa 50010  
Diane L. Buldhaupt, 3964 S U.S. Highway 69, Ames, Iowa 50010  
Story County, Iowa, c/o County Auditor, 900 6<sup>th</sup> Street, Nevada, Iowa 50201

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the NW¼ of the NE¼ of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story 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 Acquisition Plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Story County, Iowa, and in the Office of the Sheriff of Story County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as follows:

A tract of land in the NW¼ of the NE¼ of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story County, Iowa, as shown on Acquisition Plat Exhibit "A", attached hereto, which by this reference, is made a part hereof.

Said parcel is described as follows:

Commencing at the N¼ Corner of said Section 26; thence S00°33'40"E, 60.34 feet on the west line of the NE¼ of said Section 26; thence N89°26'20"E, 60.00 feet to a point on the existing easterly right of way line of Primary Road No. U.S. 69, the Point of Beginning; thence S00°33'40"E, 65.00 feet on said existing easterly right of way line; thence N89°26'20"E, 40.00 feet; thence N00°33'40"W, 40.00 feet; thence N58°33'21"W, 47.17 to the Point of Beginning, containing 0.05 acre.

Story County Project No. STPN-069-5(106)--2J-85  
Brent A. Buldhaupt, et ux (Parcel 5)  
Continued on next page

Page 1

Story County Project No. STPN-069-5(106)-2J-85  
Brent A. Buldhaupt, et ux (Parcel 5)

Page 2

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

1. Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought by easement for highway purposes, are condemned in their entirety.
2. Any farm field drainage tile, 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 and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration.
3. The area sought to be appropriated by temporary easement, for the specific purpose of relocating, replacing, or restoring tile, if any, is reserved to the condemnees until the actual date said area is required for construction of this highway improvement. Also, said temporary easement right shall terminate immediately upon completion of the operations for which said right is sought and in no event later than the completion of this highway improvement.
4. Condemner hereby gives notice of condemnees' five-year right to renegotiate construction or maintenance damages not apparent at the time of the condemnation as required by the Code of Iowa, Section 6B.52.

Story County Project No. STPN-069-5(106)-2J-85  
Brent A. Buldhaupt, et ux (Parcel 5)

Page 2

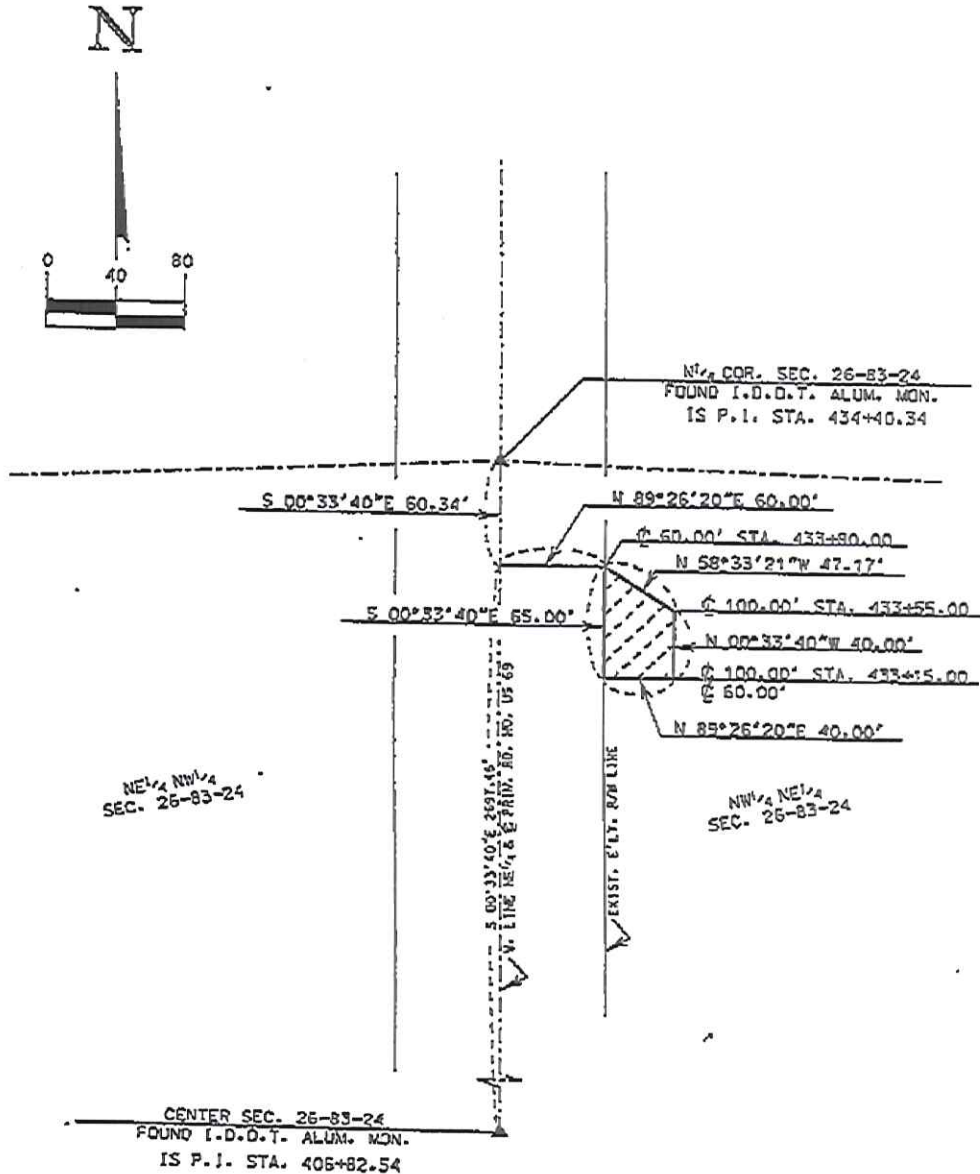
4

IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT  
EXHIBIT "A"

COUNTY	STORY	STATE CONTROL NO.	85-1000
PROJECT NO.	STPN-069-5(106)--2J-85	PARCEL NO.	5
SECTION	26	TOWNSHIP	83N
ROW - FEE		RANGE	24W
	AC. EASE	0.05	AC. EXCESS - FEE
ACQUIRED ACCESS RIGHTS FROM STA.		TO STA.	MAIN LINE
ACQUIRED ACCESS RIGHTS FROM STA.		TO STA.	SIDE ROAD
ACQUIRED FROM	Brent A. Buldhaupt, et ux		



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

*John R. Popelka* 9/3/2014  
 John R. Popelka License No. 11556 Date  
 License renewal date is December 31, 2014



DATE DRAWN SEPT. 2, 2014 J.R.P.



I  
M  
D  
G  
R  
Instrument: 2015- 00002694  
Date: Apr 02, 2015 01:02:53P  
Rec Fee: 210.00 E-Com Fee: 1.00  
Aud Fee: .00 Trans Tax: .00  
Rec Management Fee: 1.00  
Non-Standard Page Fee: .00  
Filed for record in Story County, Iowa  
Stacie L. Herridse, County Recorder

RECEIVED  
2015 MAR 10 PM 12: 25  
STORY COUNTY, IOWA

*09-23-400-455*



**CONDEMNATION  
PROCEEDINGS**  
Recorder's Cover Sheet

**PREPARER INFORMATION:** Story County Sheriff, 1315 S. "B" Avenue, Nevada, IA 50201 515-382-6566

**TAXPAYER INFORMATION:** Tax Exempt-IA Code Sec. 427.2 (Prop Mgmt-ROW Office, IDOT, 800 Lincoln Way, Ames, IA 50010 515-239-1300)

**RETURN DOCUMENT TO:** Cheryl Watson, Iowa Department of Transportation, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010 515-239-1273

**GRANTORS:**  
Brent A. Buldhaupt

**GRANTEES:**  
State of Iowa (Condemnor)

**DOCUMENT OR INSTRUMENT NUMBER OF PREVIOUSLY RECORDED DOCUMENTS:** Application for Condemnation filed December 24, 2014, as Instrument No. 2014-00011411

**LEGAL DESCRIPTION:** Part of the NW¼ of the NE¼ of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story County, Iowa.

Story County Project No. STPN-069-5(105)--2J-85  
Brent A. Buldhaupt, et ux (Parcel No. 5)

1 of

*TB ✓  
Cald ✓  
12576  
notation*

**Sheriff's Report of Condemnation Proceedings**

State of Iowa            )  
County of Story         )

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

Primary Road No. U.S. 69  
South of the City of Ames  
Located in Story County, Iowa

Project No. STPN-069-5(106)—2J-85 Group "A"  
Sheriff's Number 15-000064

I Paul H. Fitzgerald, Sheriff of Story County, Iowa, certify that I received the attached, certified copy of the Application for Condemnation on the 2<sup>nd</sup> Day of January, 2015. This application was filed with the Story County Recorder on the 24<sup>th</sup> Day of December, 2014, Instrument #2014-00011411.

I further certify that the condemnation hearing was held on the 24<sup>th</sup> day of February, 2015, and the awards made, a copy of which is included.

I further certify that the total cost of the hearing was \$1,587.85, which has been paid to the Sheriff by the Iowa Department of Transportation/State of Iowa. The money has been disbursed in the following manner:

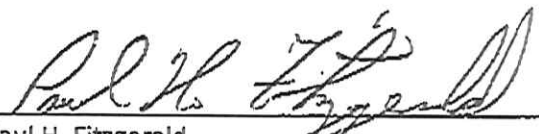
Commissioner Borton.....	\$202.24	Commissioner Weir.....	\$207.84
Commissioner Mallon.....	\$224.64	Commissioner Hermanson.....	\$220.16
Commissioner Christian.....	\$222.40	Commissioner Mens.....	\$205.60
Sheriff's Fees for holding condemnation hearing	<u>\$100.00</u>	Publication of notice in the Ames Tribune	<u>\$30.77</u>
Mileage	<u>\$11.20</u>	Service of Condemnees	<u>\$163.00</u>
		Total Disbursed.....	\$1,587.85

I further certify that I received from the Iowa Department of Transportation/State of Iowa award check in the amount of \$1,234.00, check #67478173, payable to Buldhaupt, Brent & Diane L. Buldhaupt & Story County Treasurer.

I further certify that as of the date entered below, said checks have been disbursed or are scheduled for disbursement:

1. Condemnation Commissioner's checks will be disbursed by ordinary mail on the 13<sup>th</sup> day of April, 2015.
2. Publication check to Ames Tribune will be disbursed on the 13<sup>th</sup> day of April, 2015.
3. The check for Brent & Diane Buldhaupt for \$1,234.00 is ready for disbursement and waiting to be picked up by the Buldhaupt's.

Dated this 31st day of March, 2015.

  
\_\_\_\_\_  
Paul H. Fitzgerald  
Story County Sheriff

Prepared by Paul H. Fitzgerald, Story County Sheriff, 1315 S B Ave., Nevada, IA 50201 Phone 515-382-7460

In the Matter of the Condemnation of Certain Right in Land by the Iowa Department of Transportation for the Improvement of Primary Road No. U.S. 69, South of the City of Ames, Located in Story County, Iowa

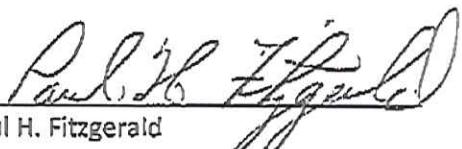
Project No. STPN-69-5(106)—2J-85 Group "A"  
Sheriff's Number 15000064

STATE OF IOWA, STORY COUNTY, ss:

I, Paul H. Fitzgerald, Sheriff of Story County, Iowa, do hereby certify that the foregoing are the papers as originally filed in the above titled matter in my office, consisting of the following in the Iowa Department of Transportation Condemnation hearing held on the 24<sup>th</sup> day of February, 2015.

1. Sheriff's Report of Condemnation Proceedings
2. "Certified True Copy" of the APPLICATION TO THE CHIEF JUDGE
3. SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONS
4. SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS
5. Signed copies of the SUMMONS TO COMMISSIONERS (6)
6. OATH OF CONDEMNATION COMMISSIONERS
7. SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS
8. CONDEMNATION COMMISSIONER'S STATEMENT (6)
9. NOTICE OF CONDEMNATION
10. RETURNS OF SERVICE
11. PROOF OF PUBLICATION
12. AFFIDAVIT OF FINAL OFFER
13. REPORT OF COMPENSATION COMMISSION
14. ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL
15. NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

Dated at Nevada, Story County, Iowa, this 31st day of March 2015,

  
Paul H. Fitzgerald  
Story County Sheriff



RECEIVED  
2015 JAN -2 PM 2:55  
TAMM HALL, JUDICIAL  
BUILDING  
STORY COUNTY IOWA

Instr. Number: 2014-00011411  
Recorded: 12/24/2014 at 9:05:10.0 AM  
Recording Fee: \$27.00  
Transfer Tax:  
Susan L Vande Kamp - Recorder  
Story County, Iowa

CERTIFIED TRUE COPY

Prepared by: Cheryl Watson 515-239-1273, IA Dept. of Transportation, Right of Way-Condemnation,  
800 Lincoln Way, Ames, IA 50010  
Return to: Cheryl Watson 515-239-1273, 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

Primary Road No. U.S. 69  
south of the City of Ames  
located in Story County, Iowa

APPLICATION TO THE CHIEF  
JUDGE OF THE  
2nd JUDICIAL DISTRICT  
FOR THE APPOINTMENT OF A  
COMMISSION TO APPRAISE  
DAMAGES

Project No. STPN-069-5(106)--2J-S5 Group "A"

TO: Kurt L. Wilke, Chief Judge, 2nd Judicial District including Story 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. 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

Pg 4

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 18th day of December, 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 Ft. Dodge, Iowa, this 19<sup>th</sup> day of December, 2014.

Kurt L. Wilke  
Kurt L. Wilke  
Chief Judge of the 2nd Judicial District  
including Story County, Iowa.

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

Cheryl Watson  
Condemnation Unit  
Cheryl Watson

pg. 5



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. 69

NOTICE

South of the City of Ames

located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85

Group "A"

TO:

Brent A. Buldhaupt, 3964 S U.S. Highway 69, Ames, Iowa 50010  
Diane L. Buldhaupt, 3964 S U.S. Highway 69, Ames, Iowa 50010  
Story County, Iowa, c/o County Auditor, 900 6<sup>th</sup> Street, Nevada, Iowa 50201

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story 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 Acquisition Plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Story County, Iowa, and in the Office of the Sheriff of Story County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as follows:

A tract of land in the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story County, Iowa, as shown on Acquisition Plat Exhibit "A", attached hereto, which by this reference, is made a part hereof.

Said parcel is described as follows:

Commencing at the N $\frac{1}{4}$  Corner of said Section 26; thence S00°33'40"E, 60.34 feet on the west line of the NE $\frac{1}{4}$  of said Section 26; thence N89°26'20"E, 60.00 feet to a point on the existing easterly right of way line of Primary Road No. U.S. 69, the Point of Beginning; thence S00°33'40"E, 65.00 feet on said existing easterly right of way line; thence N89°26'20"E, 40.00 feet; thence N00°33'40"W, 40.00 feet; thence N58°33'21"W, 47.17 to the Point of Beginning, containing 0.05 acre.

Story County Project No. STPN-069-5(106)--2J-85  
Brent A. Buldhaupt, et ux (Parcel 5)  
Continued on next page

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

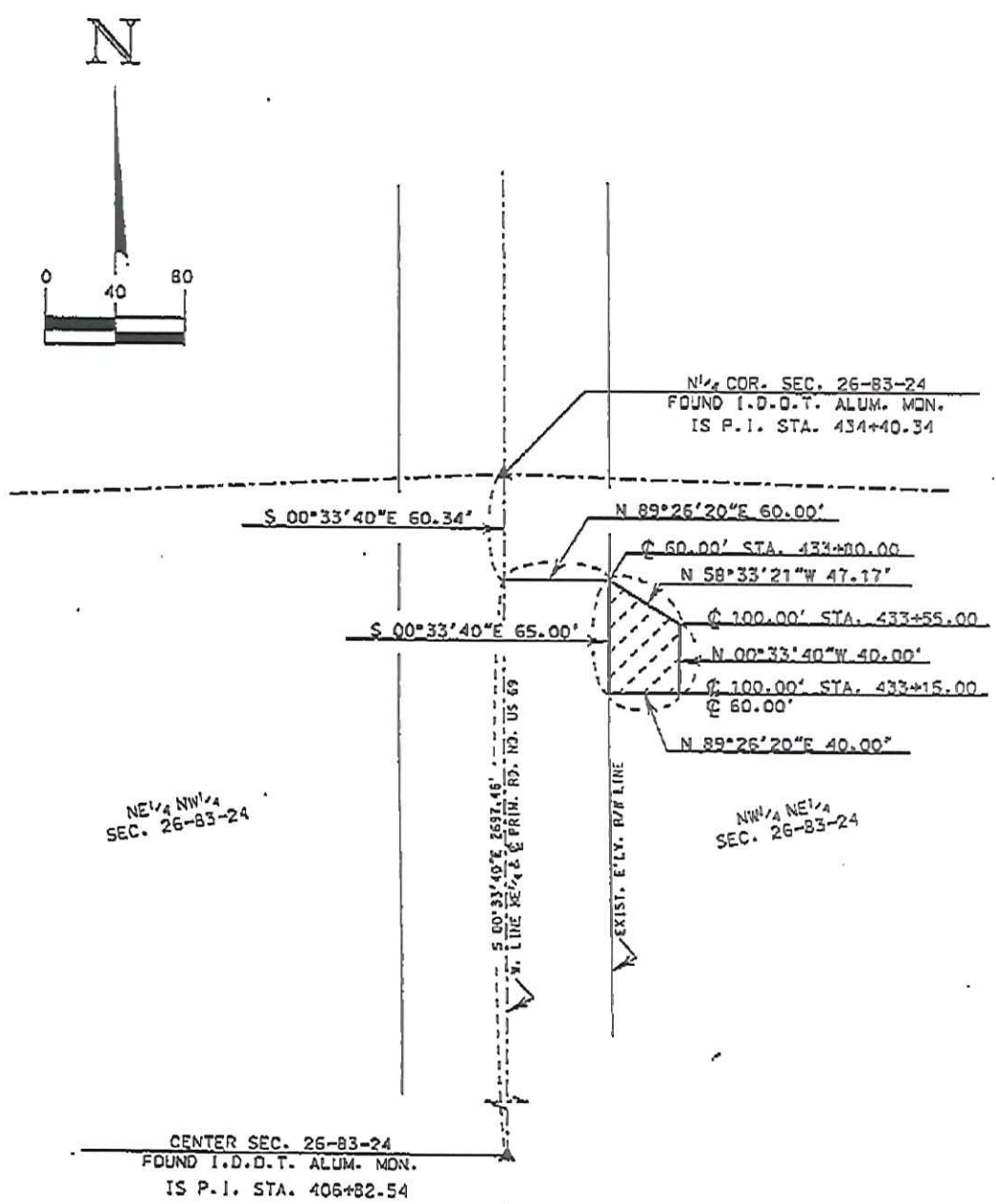
1. Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought by easement for highway purposes, are condemned in their entirety.
2. Any farm field drainage tile, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemner and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration.
3. The area sought to be appropriated by temporary easement, for the specific purpose of relocating, replacing, or restoring tile, if any, is reserved to the condemnees until the actual date said area is required for construction of this highway improvement. Also, said temporary easement right shall terminate immediately upon completion of the operations for which said right is sought and in no event later than the completion of this highway improvement.
4. Condemner hereby gives notice of condemnees' five-year right to renegotiate construction or maintenance damages not apparent at the time of the condemnation as required by the Code of Iowa, Section 6B.52.

IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT  
EXHIBIT "A"

COUNTY	STORY	STATE CONTROL NO.	85-1000
PROJECT NO.	STPN-069-5(106)--2J-85	PARCEL NO.	5
SECTION	26	TOWNSHIP	83N
		RANGE	24W
ROW - FEE		AC. EASE	0.05
		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	Brent A. Buidhaupt, et ux		



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

*John R. Popelka* 9/3/2014  
 John R. Popelka License No. 11556 Date  
 My license renewal date is December 31, 2014



DATE DRAWN SEPT. 2, 2014 J.R.P.

8

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. 69 south of the City of Ames located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

RECEIVED  
2015 JAN -2 PM 2:55  
JUDICIAL DISTRICT  
STORY COUNTY IOWA

SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS BY THE CHIEF JUDGE OF THE 2nd JUDICIAL DISTRICT

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
✓ Donna Borton	1124 6 <sup>th</sup> St Nevada	Licensed Real Estate Salesperson or Broker
✓ Ann Patterson	520 5 <sup>th</sup> St Nevada	Licensed Real Estate Salesperson or Broker
✓ Jim Mallon	102 10 <sup>th</sup> Ave Slater 50244	Knowledgeable of Property Values by Virtue of Occupation
✓ Edgar Christian	57782 100 <sup>th</sup> St Story City 50262	Knowledgeable of Property Values by Virtue of Occupation
✓ Paul Mens	56673 680 <sup>th</sup> Ave Maxwell 50161	<del>---</del> agricultural
✓ Al Hermanson	12621 Hillcrest Dr Story City	<del>---</del> agricultural

I further designate, select and appoint the above-named Al Hermanson to act as Chairperson of said commission.

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

Dated at Et Dodge, Iowa, this 19<sup>th</sup> day of December, 2014.

[Signature]  
Kurt L. Wilke  
Chief Judge of the 2nd Judicial District including Story County, Iowa

Filed in my office at Nevada, Iowa, this 2<sup>nd</sup> day of January, 2015.

[Signature]  
Paul Fitzgerald  
Sheriff of Story County, Iowa



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. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)-2J-85 Group "A"

RECEIVED  
2015 JAN -2 PM 2:56  
IOWA DEPARTMENT OF TRANSPORTATION  
STORY COUNTY, IOWA


**SUPPLEMENTARY ORDER  
APPOINTING ALTERNATE  
COMPENSATION COMMISSIONERS**

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 of up to five alternate commissioners, 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.


NAME	ADDRESS	QUALIFICATIONS
1. Ben Weir ✓ 2. 3. Tracy Ellingson 4. 5. Sean Stout	616 1 <sup>st</sup> St Colo 1111 6 <sup>th</sup> St Nevada 2109 McCarthy Rd Ames	Licensed Real Estate Salesperson or Broker
1. Lonnie Flack 2. 3. Robert Wilson 4. 5. Rick Schreier	19733 677 <sup>th</sup> Ave Nevada 25344 US Hwy 65 Colo 56919 Prairie View Dr Story City	Knowledgeable of Property Values by Virtue of Occupation
1. Martha Bakke 2. 3. Vincent Hassebrock 4. 5. Rod Maxwell	15836 620 <sup>th</sup> Ave Roland 54745 180 <sup>th</sup> St Ames 30521 645 <sup>th</sup> Ave Maxwell	<del>agricultural</del>

The Sheriff of Story County, Iowa, shall, 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 Ft Dodge, Iowa, this 19<sup>th</sup> day of December, 2014.

  
Kurt L. Wilke  
Chief Judge of the 2nd Judicial District  
including Story County, Iowa

Filed in my office at Nevada, Iowa, this 2<sup>nd</sup> day of January, 2015.

  
Paul Fitzgerald  
Sheriff of Story County, Iowa

RECEIVED

2015 JAN -2 PM 2:57

PAUL H. FITZGERALD  
SHERIFF  
STORY COUNTY, IOWA

**SUMMONS TO COMMISSIONERS**

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. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

TO: Ben Weir

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceeding to the premises and make an award of damages as by law provided.

*Paul H. Fitzgerald*

Paul Fitzgerald  
Sheriff of Story County, Iowa

**ACCEPTANCE OF SERVICE**

**(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)**

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Colo, Iowa, this 13th day of February, 2015. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

X Ben Weir

Filed in my office at Nevada, Iowa, this 17th day of February, 2015.

*Paul H. Fitzgerald*

Paul Fitzgerald  
Sheriff of Story 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...

RECEIVED  
2015 FEB 17 AM 9:11  
PAUL H. FITZGERALD  
SHERIFF  
STORY COUNTY, IOWA

Please sign original summons and return promptly to the Sheriff of Story County, Iowa.

g. 11



RECEIVED

2015 JAN -2 PM 2:57

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

STORY COUNTY IOWA

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 69 south of the City of Ames located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

TO: Donna Borton

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul Fitzgerald

Paul Fitzgerald Sheriff of Story County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Nevada Iowa, this 13th day of February, 2015. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

X Donna K Bortol

Filed in my office at Nevada, Iowa, this 25th day of January, 2015.

Paul Fitzgerald

Paul Fitzgerald Sheriff of Story County, Iowa

RECEIVED 2015 JAN 28 PM 12:53

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 Story County, Iowa.

P. 12



RECEIVED

2015 JAN -2 PM 2: 57

DEPT. OF TRANSPORTATION  
STORY COUNTY, IOWA

SUMMONS TO COMMISSIONERS

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. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

TO: <sup>McLLOON</sup>  
Jim Mallou

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul H. Fitzgerald  
Paul Fitzgerald  
- Sheriff of Story County, Iowa

ACCEPTANCE OF SERVICE

**(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)**

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Slater, Iowa, this 24 day of JANUARY, 2015. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

X James R. Mallou

Filed in my office at Nevada, Iowa, this 28 day of JANUARY, 2015.

Paul H. Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

RECEIVED  
2015 JAN 28 PM 12: 53

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 Story County, Iowa.

Pg. 13

RECEIVED  
2015 JAN -2 PM 2:58  
STORY COUNTY IOWA

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. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

SUMMONS TO COMMISSIONERS

TO: Al Hermanson

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul H. Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at story city, Iowa, this 21st day of January, 2015. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Al Hermanson  
Filed in my office at Nevada, Iowa, this 22nd day of January, 2015.  
Paul H. Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

RECEIVED  
2015 JAN 28 PM 12:53  
STORY 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 Story County, Iowa.

814



RECEIVED  
2015 JAN -2 PM 2:58

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. 69  
south of the City of Ames  
located in Story County, Iowa

**SUMMONS TO COMMISSIONERS**

Project No. STPN-069-5(106)--2J-85 Group "A"

**TO: Edgar Christian**

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

*Paul H. Fitzgerald*  
\_\_\_\_\_  
Paul Fitzgerald  
Sheriff of Story County, Iowa

**ACCEPTANCE OF SERVICE**

**(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)**

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Story City, Iowa, this 22 day of January, 2015. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

*Edgar Christian*  
\_\_\_\_\_

Filed in my office at Nevada, Iowa, this 22 day of January, 2015.

*Paul H. Fitzgerald*  
\_\_\_\_\_

Paul Fitzgerald  
Sheriff of Story County, Iowa

RECEIVED  
16 JAN 26 PM 10:53

**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 Story County, Iowa.

Pg. 15



RECEIVED  
2015 JAN -2 PM 2:57

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

CLARENCE H. HENNING  
GOVERNOR  
STATE OF IOWA

**SUMMONS TO COMMISSIONERS**

Primary Road No. U.S. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

**TO: Ann Patterson**

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view and premises and make an award of damages as by law provided.

*Paul W. Fitzgerald*  
\_\_\_\_\_  
Paul Fitzgerald  
Sheriff of Story County, Iowa

**ACCEPTANCE OF SERVICE**

**(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)**

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at \_\_\_\_\_, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. 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 Nevada, Iowa, this 5th day of February, 2015.  
*Paul W. Fitzgerald*  
\_\_\_\_\_  
Paul Fitzgerald  
Sheriff of Story 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...

X Having shoulder replacement surgery Feb. 13, 2015

Please sign original summons and return promptly to the Sheriff of Story County, Iowa.

Pg. 10

RECEIVED

2015 JAN -2 PM 2:57

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

STATE OF IOWA  
SHERIFF  
STORY COUNTY, IOWA

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 69 south of the City of Ames located in Story County, Iowa

Project No. STPN-069-5(106)-2J-85 Group "A"

TO: Ann Patterson

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

*Paul Fitzgerald*

Paul Fitzgerald  
Sheriff of Story County, Iowa

ACCEPTANCE OF SERVICE

(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Nevada, Iowa, this 23 day of January, 2015. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

X *Ann Patterson*

Filed in my office at Nevada, Iowa, this 28 day of January, 2015.

\* Refused to serve.

*Paul Fitzgerald*  
Paul Fitzgerald  
Sheriff of Story County, Iowa

RECEIVED  
2015 JAN 23 PM 12:55

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 Story County, Iowa.

17



RECEIVED

2015 JAN -2 PM 2:58

PAUL H. FITZGERALD  
SHERIFF  
STORY COUNTY IOWA

RECEIVED

2015 FEB -4 AM 9:31

PAUL H. FITZGERALD  
SHERIFF  
STORY COUNTY IOWA

**SUMMONS TO COMMISSIONERS**

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. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

**TO: Paul Mens**

The Iowa Department of Transportation has filed with the Chief Judge of the 2nd Judicial District including Story County, Iowa, an Application and Notice of Condemnation for the selection of a Compensation Commission to assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application and Notice of Condemnation for the improvement and/or maintenance of roads and streets in Story County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 2nd Judicial District for Story County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Al Hermanson has been designated as Chairperson of the Commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Nevada, Story County, State of Iowa, on the 24th day of February, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Paul Fitzgerald  
Sheriff of Story County, Iowa

**ACCEPTANCE OF SERVICE**

**(Before accepting appointment to this commission, please note the persons and real estate affected by the condemnation on the attached Notice(s) to determine whether or not you possess any interest which would cause you to render a biased decision.)**

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Maxwell, Iowa, this 2 day of FEB, 2015. 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 Nevada, Iowa, this 4th day of February, 2015.

Paul Fitzgerald  
Sheriff of Story 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 Story County, Iowa.

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

OATH OF COMMISSIONERS

Primary Road No. U.S. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

STATE OF IOWA                    )  
Story 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 owner(s), lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the 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, 6A, and 6B, 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.

Donna Borton  
Name: Donna Borton  
Licensed Real Estate Salesperson  
or Broker

Ben Weir  
Name: Ben Weir  
Licensed Real Estate Salesperson  
or Broker

Jim Mallon  
Name: Jim Mallon  
Knowledgeable of Property Values  
by Virtue of Occupation

Edgar Christian  
Name: Edgar Christian  
Knowledgeable of Property Values  
by Virtue of Occupation

Paul Mens  
Name: Paul Mens  
agricultural

Al Hermanson  
Name: Al Hermanson  
agricultural

Acknowledged, subscribed and sworn to before me this 24<sup>th</sup> day of February, 20 15.



Jaime L. Johnson, Story County Iowa  
(Notary Public / Clerk of Court) in and for said County and State

Filed in my office at Nevada, Iowa, this 24<sup>th</sup> day of February, 20 15.

Paul Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

B.19

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. 69  
south of the City of Ames  
located in Story County, Iowa

SHERIFF'S CERTIFICATION  
AS TO AWARDS AND COSTS

Project No. STPN-069-5(106)--2J-85 Group "A"

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN  
BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, OR INSTRUMENT/DOCUMENT NUMBER \_\_\_\_\_,  
AND DATED \_\_\_\_\_.

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Nevada, Iowa,  
on the 24<sup>th</sup> day of February, 2015, and thereupon proceeded to view the premises, and said  
commissioners did on the 24<sup>th</sup> day of February, 2015, file their report in my office, awarding  
damages as follows:

NAMES OF CONDEMNNEES	AWARD	ATTORNEY FEES AND COSTS
<u>Brent A. Buldhaupt</u>	\$ <u>1,234.00</u>	\$ _____
<u>Diane L. Buldhaupt</u>	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
<b>TOTAL DAMAGES AWARDED:</b>	\$ <u>1,234.00</u>	\$ _____

I certify that the costs incident to this proceeding are taxed and Notices were served as listed below:  
(attach separate list if necessary)

Date	Names of Condemnees	Service Fee	Mileage x Rate Per Mile = Amount	Sum
<u>1/12/15</u>	<u>Brent A. Buldhaupt</u>	<u>45.00</u>	<u>40 .56 = 22.40</u>	<u>67.40</u>
<u>1/12/15</u>	<u>Diane L. Buldhaupt</u>	<u>45.00</u>		<u>45.00</u>
<u>1/12/15</u>	<u>Story County Auditor</u>	<u>45.00</u>	<u>10 .56 = 5.60</u>	<u>50.60</u>

Sub Total \$ 163.00

Sheriff's Fees  
Summoning and attending Commissioners (includes service fees)  
(Maximum allowed by Code Section 331.655 is \$100.00)

\$ 100.00

Mileage while summoning and attending Commissioners  
(20 miles x \$ .56 per mile)

\$ 11.20

Publication Fee:

\$ 30.77

TOTAL: \$ 304.97

*Paul H. Fitzgerald*

Paul Fitzgerald  
Sheriff of Story County, Iowa

Pg. 20

COMMISSIONERS' COSTS

-2-

Donna Barton of  
Nevada, Iowa

1 day service \$ 200.00  
4 miles at .56 cents 2.24  
0 meals —

TOTAL \$ 202.24

Jim Mallon of  
Slater, Iowa

1 day service \$ 200.00  
44 miles at .56 cents 24.64  
— meals —

TOTAL \$ 224.64

Edgar Christian of  
Story City, Iowa

1 day service \$ 200.00  
40 miles at .56 cents 22.40  
— meals —

TOTAL \$ 222.40

Ben Weir of  
Colo, Iowa

1 day service \$ 200.00  
14 miles at .56 cents 7.84  
— meals —

TOTAL \$ 207.84

Al Hermanson of  
Story City, Iowa

1 day service \$ 200.00  
36 miles at .56 cents 20.16  
— meals —

TOTAL \$ 220.16

Paul Mens of  
Maxwell, Iowa

1 day service \$ 200.00  
10 miles at .56 cents 5.60  
— meals —

TOTAL \$ 205.60

GRAND TOTAL \$ 1,282.88

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 not been received.

Dated this 24<sup>th</sup> day of February, 2015.

Paul Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

Pg. 21





**Stephens Media Iowa LLC**  
Serving Boone, Dallas, Polk and Story counties.

PO BOX 1270  
LAS VEGAS NV 89125-1270

**ADVERTISING STATEMENT / INVOICE**

PAGE #	BILLING DATE	BILLING PERIOD	ADVERTISER / CLIENT NAME		
1 of 1	02/28/2015	02/01/2015 - 02/28/2015	STORY COUNTY SHERIFF-LEGALS		
BILLED ACCOUNT NUMBER		TOTAL AMOUNT DUE	* UNAPPLIED AMOUNT	TERMS OF PAYMENT	
34670		\$ 1,007.54	\$ 0.00	Due on the 15th of the month.	
ADVERTISER/CLIENT NUMBER		CURRENT NET AMOUNT	30 DAYS	60 DAYS	OVER 90 DAYS
34670		\$ 381.59	\$ 398.69	\$ 57.59	\$ 169.67
BILLING ACCOUNT NAME AND ADDRESS			REMITTANCE ADDRESS		

STORY COUNTY SHERIFF-LEGALS  
PO BOX 285  
NEVADA IA 50201

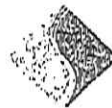
STEPHENS MEDIA IOWA LLC  
PO BOX 1270  
LAS VEGAS NV 89125-1270

00003467000001007540008211

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

START	STOP	REFERENCE PO NUMBER	DESCRIPTION	PRODUCT	SIZE / QTY	BILLED UNITS	TIMES RUN	AMOUNT
01/31			BALANCE FORWARD					1,246.81
02/05		P214157	PAYMENT THANK YOU					(620.86)
01/27	02/03	10000409132	#109132 NOTICE OF SHERIFFS	Ames Tribune	1.00 x 76 LI	76	2	56.85
02/03	02/10	10000419524	JAMES HUHNS LEVY	Ames Tribune	1.00 x 86 LI	86	2	71.81
02/03	02/10	10000422725	#422725 NOTICE OF SHERIFF'S LEVY AND SALE IN THE IOWA DISTRICT COURT FOR	Ames Tribune	1.00 x 91 LI	91	2	80.07
02/19	02/19	10000445808	#445808 NOTICE OF APPRAISEMENT HEARING AND PUBLIC MEETING OF COMPENSATIO	Ames Tribune	1.00 x 89 LI	89	1	30.77
02/17	02/24	10000428076	#428676 NOTICE OF SHERIFFS	Ames Tribune	1.00 x 85 LI	85	2	63.58
02/17	02/24	10000431731	#431731 NOTICE OF SHERIFF'S LEVY AND SALE IN THE IOWA DISTRICT COURT FOR	Ames Tribune	1.00 x 121 LI	121	2	80.51

PREVIOUS AMOUNT OWED: \$ 1,246.81  
NEW CHARGES THIS PERIOD: \$ 381.59  
PAYMENTS THIS PERIOD: (\$ 620.86)  
DEBIT ADJUSTMENTS THIS PERIOD: \$ 0.00  
CREDIT ADJUSTMENTS THIS PERIOD: \$ 0.00



**Stephens Media Iowa LLC**  
Serving Boone, Dallas, Polk and Story counties.

**STATEMENT / INVOICE**

Due on the 15th of the month.

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

CURRENT NET AMOUNT	30 DAYS	60 DAYS	Over 90 DAYS	*UNAPPLIED AMOUNT	TOTAL AMOUNT DUE
\$ 381.59	\$ 398.69	\$ 57.59	\$ 169.67	\$ 0.00	\$ 1,007.54
CREDIT REP / PHONE #	ADVERTISER INFORMATION				
(515) 232-2180	BILLING PERIOD	BILLED ACCOUNT #	ADVERTISER / CLIENT #	ADVERTISER / CLIENT NAME	
	02/01/2015 - 02/28/2015	34670	34670	STORY COUNTY SHERIFF-LEGALS	

19.22

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Story County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-069-5(106)--2J-85, held on the 24th day of February, 2015, are as follows and that these claims are due, just, and unpaid.

<del>24</del> 1 day service at \$200.00 .....	\$ <u>200.00</u>
<u>4</u> miles at _____ cents .....	\$ <u>2.24</u>
<u>—</u> meals .....	\$ _____
	<u>202.24</u>

Signed this 24<sup>th</sup> day of February, 2015.

Deanna Borl

COMMISSIONER



CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Story County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-069-5(106)-2J-85, held on the 24th day of February, 2015, are as follows and that these claims are due, just, and unpaid.

<u>1</u> day service at \$200.00 .....	\$ <u>200.00</u>
<u>40</u> <del>50</del> miles at _____ cents .....	\$ <u>22.40</u>
<u>—</u> meals .....	\$ <u>—</u>
	<u>222.40</u>

Signed this 24 day of February, 20 15.

Edgar Chats  
COMMISSIONER

Pg. 24


CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Story County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-069-5(106)--2J-85, held on the 24th day of February, 2015, are as follows and that these claims are due, just, and unpaid.

<u>1</u> day service at \$200.00 .....	\$ <u>200</u>
<u>36</u> miles at _____ cents .....	\$ <u>20.16</u>
<u>—</u> meals .....	\$ <u>—</u>
	<u>220.16</u>

Signed this 24 day of Feb, 2015.



COMMISSIONER

pg. 25



CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Story County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-069-5(106)--2J-85, held on the 24th day of February, 2015, are as follows and that these claims are due, just, and unpaid.

<u>1</u> day service at \$200.00 .....	\$ <u>200.00</u>
<u>44</u> miles at _____ cents .....	\$ <u>24.64</u>
_____ meals .....	\$ <u>—</u>
	<u>224.64</u>

Signed this 24<sup>th</sup> day of February, 2015.



COMMISSIONER

pg. 26

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Story County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-069-5(106)--2J-85, held on the 24th day of February, 2015, are as follows and that these claims are due, just, and unpaid.

<del>900</del> <u>1</u> day service at \$200.00 .....	\$ <u>200.00</u>
<u>0</u> <u>14</u> miles at _____ cents .....	\$ <u>7.84</u>
<u>0</u> meals .....	\$ <u>0.00</u>
	<u>207.84</u>

Signed this 24<sup>th</sup> day of February, 2015.

Ben Wri

COMMISSIONER

8.27



CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Story County

I certify that my fee and expenses as a member of the commission in the matter of the condemnation of certain real estate or rights to real estate for Project No. STPN-069-5(106)--2J-85, held on the 24th day of February, 2015, are as follows and that these claims are due, just, and unpaid.

<u>1</u> day service at \$200.00 .....	\$ <u>200.00</u>
<u>10</u> miles at _____ cents .....	\$ <u>5.60</u>
<u>0</u> meals .....	\$ <u>0.00</u>
	<u>205.60</u>

Signed this 24 day of Feb., 2015.

  
\_\_\_\_\_

COMMISSIONER

**Notice of Appraisal Hearing and Public Meeting  
of Compensation Commission to Assess Damages**

In the Matter of Condemnation of Certain Rights in Land by the Iowa Department of Transportation for the Improvement of Primary Road No. U.S. 69 south of the City of Ames located in Story County, Iowa.

Project No. STPN-069-5(106)--2J-85 Group "A"  
Parcel 5: 3964 S U.S. Highway 69, Ames, Iowa 50010

Property Owner: Brent A. Buldhaupt and Diane L. Buldhaupt

To Commissioners: Paul Mens, Edgar Christian, Al Hermanson, Jim Mallon, Donna Borton,  
Ben Weir


An Application of Condemnation, having been presented to the Chief Judge of the Judicial District, requesting the appointment of six (6) qualified persons as a Condemnation Commission:

WHEREAS, such an appointment has been filed in my office and whereas you have been appointed and selected as such Condemnation Commissioners:

NOW THEREFORE, you are commanded to be and appear before the undersigned at the Office of the Sheriff of Story County, Iowa at 1315 S. B Ave., Nevada, Iowa on the 24<sup>th</sup> day of February, 2015 at 9:30 AM for the purpose of qualifying as such commissioner and proceed to view said premises and make an award of damages as provided by law. Prior to the meeting of the commission, the commission or a commissioner shall not communicate with the applicant, property owner, or tenant, or their agents, regarding the condemnation proceedings.

FAIL NOT TO MAKE YOUR APPEARANCE UNDER PENALTY OF THE LAW.

This notice published pursuant to Section 6B.11, Code of Iowa.

  
\_\_\_\_\_  
Paul H. Fitzgerald  
Story County Sheriff

629

**RETURN OF SERVICE**

**In the Iowa District Court For STORY**

---

Case Name: IN THE MATTER OF CONDEMNATION

vs

BRENT A BULDHAUPT

Case No.: STPN-069-5(106)--2J-85

Date Received: 1/2/2015  
Sheriff's File No.: 15000064

**STATE OF IOWA STORY COUNTY } SS.**

I hereby certify that the described NOTICE, APPLICATION , OTHER was served to BRENT A BULDHAUPT.

Type of service: PERSONAL by delivering a copy to: BRENT A BULDHAUPT

Address of service: 3964 S US HIGHWAY 69 AMES, IA 50010

Date and time of service: 1/12/2015 5:30 PM

Attempts:  
This is the first attempt at service

Comments:

**FEES:**

MILEAGE FEE (\$50.40)  
SERVICE FEE (\$135.00)

**Paul H. Fitzgerald, Sheriff**

Story County, P O Box 265, Nevada, Iowa 50201

by   
MICHAEL WALDBILLIG Deputy/Server

Fees charged to: IOWA DEPARTMENT OF TRANSPORTATION

19, 30



**RETURN OF SERVICE**

**In the Iowa District Court For STORY**

---

Case Name: IN THE MATTER OF CONDEMNATION

vs

BRENT A BULDHAUPT

Case No.: STPN-069-5(106)--2J-85

Date Received: 1/2/2015  
Sheriff's File No.: 15000064

**STATE OF IOWA STORY COUNTY } SS.**

I hereby certify that the described NOTICE, APPLICATION , OTHER was served to DIANE L BULDHAUPT.

Type of service: PERSONAL by delivering a copy to: DIANE L BULDHAUPT

Address of service: 3964 US HIGHWAY 69 AMES, IA 50010

Date and time of service: 1/12/2015 5:30 PM

Attempts:

Date: 01/12/2015 Time:17:30

Comments:

FEES:

**Paul H. Fitzgerald, Sheriff**

Story County, P O Box 265, Nevada, Iowa 50201

by   
MICHAEL WALDBILLIG Deputy/Server

Fees charged to: IOWA DEPARTMENT OF TRANSPORTATION

Pg. 31

**RETURN OF SERVICE**

**In the Iowa District Court For STORY County**

Case Name: IN THE MATTER OF CONDEMNATION

vs

BRENT A BULDHAUPT

Case No.:STPN-069-5(106)--2J-85

Date Received: 1/2/2015  
Sheriff's File No.: 15000064

**STATE OF IOWA STORY COUNTY } SS.**

I hereby certify that the described NOTICE, APPLICATION , OTHER was served to **STORY COUNTY AUDITOR .**

Type of service: **SUBSTITUTE** by delivering a copy to: **LUCY MARTIN** a person at least 18 years of age described as **STORY COUNTY AUDITOR** and pursuant to Iowa Rules of Civil Procedure.

Address of service: 900 6TH St NEVADA, IA 50201

Date and time of service: 1/12/2015 1:25 PM

Attempts:

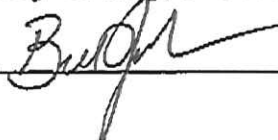
Date: 01/12/2015 Time:17:30

Comments:

**FEES:**

**Paul H. Fitzgerald, Sheriff**

Story County, P O Box 265, Nevada, Iowa 50201

by  \_\_\_\_\_

**BRET JOHNSON Deputy/Server**

Fees charged to: IOWA DEPARTMENT OF TRANSPORTATION

lg 32

Proof Of Publication In  
AMES TRIBUNE

STATE OF IOWA, STORY COUNTY, ss.

I, Paul Heidbreder, on oath depose and say  
that I am Publisher of the  
AMES TRIBUNE  
a daily newspaper, published at Ames,  
Story County, Iowa; that the annexed printed:

NOTICE OF APPRAISEMENT HEARING  
AND PUBLIC MEETING

was published in said newspaper  
1 time(s) on  
February 19, 2015  
the last day of said publication being  
February 19, 2015



Lorri L. Brandt

Paul J. Heidbreder

sworn to before me and subscribed in my  
presence by Paul Heidbreder this date of  
February 19, 2015

FEE: \$30.77  
AD: 445806  
ACCT: 34670

NOTICE OF APPRAISEMENT  
HEARING AND PUBLIC MEETING  
OF COMPENSATION COMMISSION  
TO ASSESS DAMAGES

In the Matter of Condemnation of  
Certain Rights in Land by the Iowa  
Department of Transportation for  
the Improvement of Primary Road  
No. U.S. 69 south of the City of  
Ames located in Story County, Iow  
wa.

Project No.  
STPN-069-5(106)--21-85 Group "A"  
Parcel No 6: 3964' S U.S. Highway  
69, Ames, Iowa 50010

Property Owner:  
Brent A. Buidhaupt and Diana L.  
Buidhaupt

To Commissioners:  
Paul Mens, Edgar Christian, Al  
Kermanson, Jim Mallon, Donna  
Borton, Ben Weir

An Application of Condemnation,  
having been presented to the  
Chief Judge of the Judicial District,  
requesting the appointment of six  
(6) qualified persons as a Con-  
demnation Commission:

WHEREAS, such an appointment  
has been filed in my office and  
whereas you have been appointed  
and selected as such Condemna-  
tion Commissioners:

NOW THEREFORE, you are com-  
manded to be and appear before  
the undersigned at the Office of  
the Sheriff of Story County, Iowa  
at 1315 S. B. Ave., Nevada, Iowa on  
the 24th day of February, 2015 at  
9:30 AM for the purpose of qualify-  
ing as such commissioner and

proceed to view said premises  
and make an award of damages  
as provided by law. Prior to the  
meeting of the commission, the  
commission or a commissioner  
shall not communicate with the  
applicant, property owner, or ten-  
ant, or their agents, regarding the  
condemnation proceedings.

FAIL NOT TO MAKE YOUR APPEAR-  
ANCE UNDER PENALTY OF THE  
LAW.

This notice published pursuant to  
Section 68.11, Code of Iowa.

Paul H. Fitzgerald  
Story County Sheriff

Published in the Ames Tribune on  
February 19, 2015 (1T).



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. 69

South of the City of Ames

located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85

Group "A"

TO:

Brent A. Buldhaupt, 3964 S U.S. Highway 69, Ames, Iowa 50010  
Diane L. Buldhaupt, 3964 S U.S. Highway 69, Ames, Iowa 50010  
Story County, Iowa, c/o County Auditor, 900 6<sup>th</sup> Street, Nevada, Iowa 50201

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the NW<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story 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 Acquisition Plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Story County, Iowa, and in the Office of the Sheriff of Story County, Iowa, to which you are referred:

The easement for highway purposes sought to be appropriated is in land described as follows:

A tract of land in the NW<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> of Section 26, Township 83 North, Range 24 West of the 5<sup>th</sup> Principal Meridian, Story County, Iowa, as shown on Acquisition Plat Exhibit "A", attached hereto, which by this reference, is made a part hereof.

Said parcel is described as follows:

Commencing at the N<sup>1</sup>/<sub>4</sub> Corner of said Section 26; thence S00°33'40"E, 60.34 feet on the west line of the NE<sup>1</sup>/<sub>4</sub> of said Section 26; thence N89°26'20"E, 60.00 feet to a point on the existing easterly right of way line of Primary Road No. U.S. 69, the Point of Beginning; thence S00°33'40"E, 65.00 feet on said existing easterly right of way line; thence N89°26'20"E, 40.00 feet; thence N00°33'40"W, 40.00 feet; thence N58°33'21"W, 47.17 to the Point of Beginning, containing 0.05 acre.

Story County Project No. STPN-069-5(106)--2J-85  
Brent A. Buldhaupt, et ux (Parcel 5)  
Continued on next page

Page 1

Pg. 37

RECEIVED:  
2015 JAN -2 PM 2:57  
PAUL H. HILGERS:  
SHERIFF  
STORY COUNTY, IOWA

NOTICE

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

1. Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought by easement for highway purposes, are condemned in their entirety.
2. Any farm field drainage tile, 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 and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration.
3. The area sought to be appropriated by temporary easement, for the specific purpose of relocating, replacing, or restoring tile, if any, is reserved to the condemnees until the actual date said area is required for construction of this highway improvement. Also, said temporary easement right shall terminate immediately upon completion of the operations for which said right is sought and in no event later than the completion of this highway improvement.
4. Condemner hereby gives notice of condemnees' five-year right to renegotiate construction or maintenance damages not apparent at the time of the condemnation as required by the Code of Iowa, Section 6B.52.

IOWA DEPARTMENT OF TRANSPORTATION

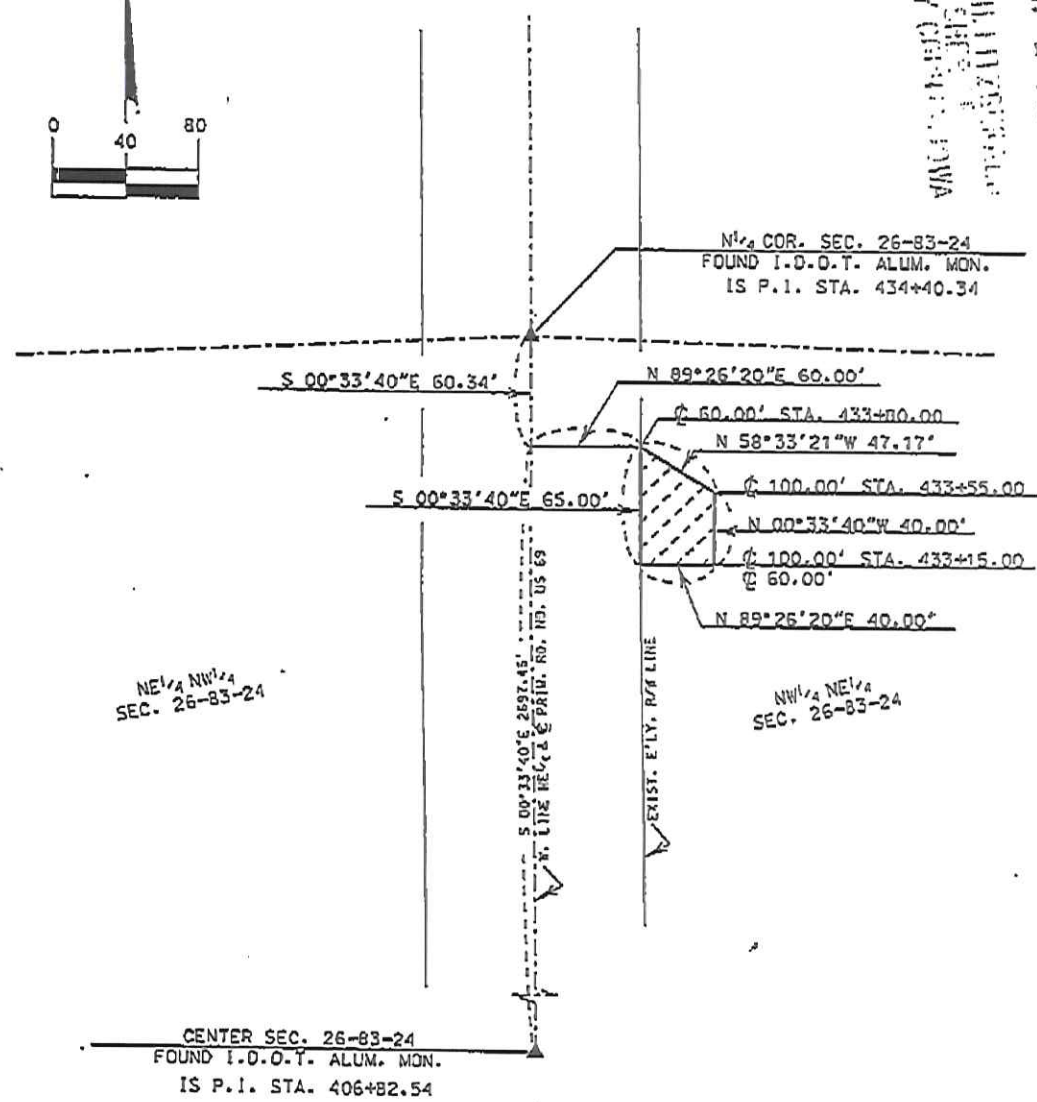


ACQUISITION PLAT  
EXHIBIT "A"

COUNTY STORY STATE CONTROL NO. 85-1000  
 PROJECT NO. STPN-069-5(106)--2J-85 PARCEL NO. 5  
 SECTION 26 TOWNSHIP 83N RANGE 24W  
 ROW - FEE \_\_\_\_\_ AC. EASE 0-05 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 Brent A. Buldhaupt, et ux



RECEIVED  
 2015 JAN -2 PM 2:57  
 PROJ. 1111700000  
 STORY COR. IOWA



NE 1/4 NW 1/4  
SEC. 26-83-24

NW 1/4 NE 1/4  
SEC. 26-83-24

CENTER SEC. 26-83-24  
FOUND I.O.O.T. ALUM. MON.  
IS P.I. STA. 406+82.54

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision, and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
*John R. Popelka* 9/3/2014  
 John R. Popelka License No. 11556 Date  
 My license renewal date is December 31, 2014



DATE DRAWN SEPT. 2, 2014 J.R.P.

Pg. 36



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

**AFFIDAVIT OF FINAL OFFER**

Primary Road No. U.S. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

Parcel No. 5

On this the 24 day of February, 2015, comes the Iowa Department of Transportation and states, as by law provided, that the most recent offers made to the owner(s), lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in the Notice of Condemnation filed in the above matter are as follows:

Owner(s) & Lienholders  
Brent A. Buldhaupt  
Diane L. Buldhaupt  
Story County Treasurer

\$ 1000<sup>00</sup>

Tenant(s)

\$ N/A

IOWA DEPARTMENT OF TRANSPORTATION

By [Signature]  
Condemnation Hearing Compliance Officer  
Office of Right of Way

Acknowledged, subscribed and sworn to before me this 24 day of February, 2015.



Jamel L. Johnson  
(Notary Public / Clerk of Court) in and for said County and State  
Story County, Iowa

Filed in my office at Nevada, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Paul H. Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

19. 37

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. 69  
south of the City of Ames  
located in Story County, Iowa

REPORT OF  
COMPENSATION  
COMMISSION

Project No. STPN-069-5(106)--2J-85 Group "A"

TO: Paul Fitzgerald, Sheriff of Story County, Iowa

We, the undersigned, being duly-appointed and qualified Commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrancers 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 and Improvements	Consequential Damages	Condemnee's Total Award	Condemnee's Attorney Fees and Costs
Parcel 5	\$ _____	\$ _____	\$ _____	\$ _____
Brent A. Buldhaupt	\$ _____	\$ _____	\$ 1,234.00	\$ _____
Diane L. Buldhaupt	\$ _____	\$ _____	\$ _____	\$ _____
Story County Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
Value of Condemnee's dwelling:	\$ _____	\$ _____	\$ _____	\$ _____

Respectfully reported at Nevada, Iowa, this 24<sup>th</sup> day of February, 2015.  
*[Signatures]*

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 Nevada, Iowa, this 24<sup>th</sup> day of February, 2015.  
Paul Fitzgerald  
 Paul Fitzgerald  
 Sheriff of Story County, Iowa

### Report of Compensation Commissioners

Results of votes taken by the Commissioners during the meeting are as follows:

Date: 2-24-15 Time: 11:30

Item Voted on: Sale of L&P for Brok<sup>r</sup> Diane BULDRAPT

Commissioner Name	Category	Vote
Donna Borton	Licensed Real Estate Salesperson or Broker	YES
Ben Weir	Licensed Real Estate Salesperson or Broker	YES
Jim Mallon	Knowledgeable of Property Values by Virtue of Occupation	YES
Edgar Christian	Knowledgeable of Property Values by Virtue of Occupation	YES
Paul Mens	Agricultural	YES
Al Hermanson	Agricultural	YES



Report of Compensation Commissions

Minutes of Deliberations

Date 2-24-15 Time 9:29 Place STORY County Sheriff's office

Members present:

Downa Barton, Ben Weir, Tim Mallon  
EDGAR CHRISTIAN, PAUL SAND, AL HERMANSON

Minutes:

Scott Hemingway gave brief explanation of  
project - Brent BULOHaupt gave a brief explanation  
visit Property 9:50 to 10:50 Resumed 10:50 AM

Scott Hemingway gave presentation - STATE valued  
Land at \$20,000/Acre - offer \$7,000 per  
.06 Acres -

Brent BULOHaupt, the property owner gave  
his presentation - 10 Acres - \$400,000 -  
adjusted LAND \$35,000 / Acres -

Commission discussed flooding affect -  
thought improvements are going to eventually will be  
made - EDGAR & Paul Sand to give Brent  
\$11,000 - motion CARRIED - Two Commission  
voted NO - Award \$234 -

AL Hermanson 515-291-0047

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

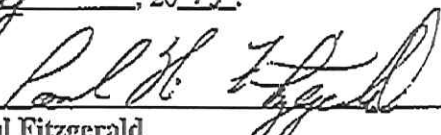
Primary Road No. U.S. 69  
south of the City of Ames  
located in Story County, Iowa

Project No. STPN-069-5(106)--2J-85 Group "A"

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

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I, 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 Nevada, Iowa, on the 24th day of February, 2015.

  
\_\_\_\_\_  
Paul Fitzgerald  
Sheriff of Story County, Iowa

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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. 69  
south of the City of Ames  
located in Story County, Iowa

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

Project No. STPN-069-5(106)--2J-85 Group "A"

Parcel No. 5

	Land and Improvements	Consequential Damages	Condemnee's Total Award	Condemnee's Attorney Fees and Costs
Brent A. Buldhaupt } Diane L. Buldhaupt } Story County Treasurer }	\$ 1234.00	\$	\$ 1234.00	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$
_____	\$	\$	\$	\$

**NOTE:** If Owner-Occupied Dwelling is acquired:

Value of Condemnees' Dwelling: \$ \_\_\_\_\_  
Value of Land and Improvements  
other than Condemnees' Dwelling: \$ \_\_\_\_\_

You and each of you are hereby notified that on the 24<sup>th</sup> day of February, 2015, 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. If no appeal is filed, you may pick up the award warrant on deposit with the Sheriff. In the event an appeal is filed, it will be necessary for the court to order any disbursement of funds.

Signed this 24<sup>th</sup> day of February, 2015.  
Paul Fitzgerald  
Paul Fitzgerald  
Sheriff of Story County, Iowa

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