

1206



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.

1. The name of the acquiring agency is City of Hiawatha
2. The real property subject to the Application is located in Linn County.
3. The date the condemnation application was filed by the undersigned County Recorder is January month, 27 day, 2015 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9159, Page 576.

[Signature]
County Recorder for

Linn County

Part II: SHERIFF'S STATEMENT

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

1. The name of the acquiring agency is _____
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

IN THE IOWA DISTRICT COURT IN AND FOR LINN COUNTY

IN THE MATTER OF CONDEMNATION OF 89 AND)
 93 - 95 N. CENTER POINT ROAD HIAWATHA,)
 IOWA BY THE INCORPORATED CITY OF)
 HIAWATHA, IOWA FOR THE PURPOSES OF)
 RELOCATING AND IMPROVING THE)
 INTERSECTION OF N. CENTER POINT ROAD,)
 EMMONS STREET AND ROBINS ROAD, AND FOR)
 OTHER PUBLIC PURPOSES AS MAY BE)
 DETERMINED IN THE DISCRETION OF THE CITY)
 COUNCIL OF THE CITY OF HIAWATHA, IOWA.)

APPLICATION FOR CONDEMNATION



Doc ID: 021556240008 Type: GEN
 Recorded: 01/27/2015 at 01:09:43 PM
 Fee Amt: \$42.00 Page 1 of 8
 Revenue Tax: \$0.00
 Linn County Iowa
 JOAN MCCALMANT RECORDER

BK 9159 PG 576-583

TO: THE HONORABLE PATRICK R. GRADY, CHIEF JUDGE, SIXTH JUDICIAL DISTRICT

The Applicant, the Incorporated City of Hiawatha, Iowa (hereinafter, the "City" or "Applicant"), applies for condemnation of lands for the relocation and improvement to the intersection of N. Center Point Road, Emmons Street and Robins Road in fee simple absolute, all as more fully described herein, on certain real property legally described herein. In support of this Application, the City of Hiawatha, Iowa states as follows:

1. The property to be condemned in fee simple absolute is for the relocation and improvement of the intersection of N. Center Point Road, Emmons Street and Robins Road and is legally described as follows: See Exhibit "A" attached hereto.
2. A Plat and Location Exhibit showing the location of the relocated intersection over the property to be condemned and the interest to be acquired are attached hereto and marked as Exhibits "B" and "C", respectively.
3. The names of the record owner, holders of liens and encumbrances and persons otherwise affected by these proceedings, so far as are known to this Applicant, are as follows:

Record title is vested in: Joseph J. Zoll and Suzette L. Zoll, husband and wife, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common.

42.00 pd CK#020640

EXHIBIT "A"

Lot 3, "Auditor's Plat No. 345, Linn County, Iowa"

and

Lot 4, except the Northerly 10 feet thereof, "Auditor's Plat No. 345, Linn County, Iowa"

and

That party of Lot 5, "Auditor's Plat No. 345, Linn County, Iowa" described as follows: Commencing at the most N-ly corner of said Lot 5; thence S-ly along the E-ly line of said Lot 5, 10 feet; thence W-ly to a point of the N-ly line of said Lot 5, 32.6 feet SW-ly from the point of beginning; thence NE-ly along the N-ly line of said Lot 5 to the point of beginning.

and

Lot 6, "Auditor's Plat No. 345, Linn County, Iowa" excepting therefrom the following described tract: Beginning at a point on the Southeastery line of said Lot 6, which point is 32.6 feet Southwesterly of the Southeastery corner of said Lot 6; thence Southwesterly 136.7 feet along the Southeastery line of said Lot 6 to the Southerly or Southwesterly corner of said Lot 6; thence Northwesterly 55.1 feet along the Southwesterly line of said Lot 6; thence Easterly 164.6 feet to the point of beginning;



IN THE IOWA DISTRICT COURT IN AND FOR LINN COUNTY

IN THE MATTER OF CONDEMNATION OF 89 AND 93 - 95 N. CENTER POINT ROAD HIAWATHA, IOWA BY THE INCORPORATED CITY OF HIAWATHA, IOWA FOR THE PURPOSES OF RELOCATING AND IMPROVING THE INTERSECTION OF N. CENTER POINT ROAD, EMMONS STREET AND ROBINS ROAD, AND FOR OTHER PUBLIC PURPOSES AS MAY BE DETERMINED IN THE DISCRETION OF THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA.

NOTICE OF PUBLIC MEETING OF COMPENSATION COMMISSIONERS TO ASSESS DAMAGES FOR TAKING OF PROPERTY

- TO: 1. Joseph Zoll and Suzette Zoll 93-95 N. Center Point Road Hiawatha, IA 52233
2. Michael Hayes 93-95 N. Center Point Road Hiawatha, IA 52233
3. Laurie Sexton 89 N. Center Point Road Hiawatha, IA 52233
4. Linn County c/o Linn County Auditor Public Service Center 935 Second Street SW, 2nd Floor Cedar Rapids, IA 52404
5. Collins Community Credit Union 1140 - 42nd Street NE Cedar Rapids, IA 52402



Doc ID: 021558280012 Type: GEN
Recorded: 01/27/2015 at 01:12:52 PM
Fee Amt: \$62.00 Page 1 of 12
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 9159 PG 587-598

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

SEE ATTACHED EXHIBIT "A"

You are hereby notified that the Incorporated City of Hiawatha, Iowa desires condemnation of the following described land:

10c
\$62.00 pd CK#020640

EXHIBIT "A"

Lot 3, "Auditor's Plat No. 345, Linn County, Iowa"

and

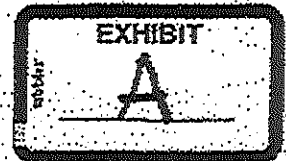
Lot 4, except the Northernly 10 feet thereof, "Auditor's Plat No. 345, Linn County, Iowa"

and

That party of Lot 5, "Auditor's Plat No. 345, Linn County, Iowa" described as follows: Commencing at the most N-ly corner of said Lot 5; thence S-ly along the E-ly line of said Lot 3, 10 feet; thence W-ly to a point of the N-ly line of said Lot 5, 32.6 feet SW-ly from the point of beginning; thence NE-ly along the N-ly line of said Lot 5 to the point of beginning.

and

Lot 6, "Auditor's Plat No. 345, Linn County, Iowa" excepting therefrom the following described tract: Beginning at a point on the Southeastery line of said Lot 6, which point is 32.6 feet Southwesterly of the Southeastery corner of said Lot 6; thence Southwesterly 136.7 feet along the Southeastery line of said Lot 6 to the Southerly or Southwesterly corner of said Lot 6; thence Northwestery 55.1 feet along the Southwesterly line of said Lot 6; thence Easterly 164.6 feet to the point of beginning.





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)

B

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

B

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 _____

The real property subject to the Application is located in _____ County.

The date the condemnation application was filed by the undersigned County Recorder is _____ month, _____ day, _____ year.

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.

The name of the acquiring agency is City of Hiawatha

The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # _____, Book 9159, Page 576 and a copy was sent to the Secretary of State.

The attached Sheriff's Statement was filed of record at Document # _____
Book 9225, Page 15; on April month, 21 day, 2015 year.



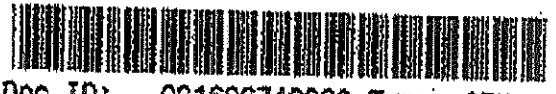
Linn County

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

SEE INSTRUCTIONS ON BACK

re matter of the Condemnation of certain Real Estate for 89 and 93-95
 Center Point Road Hiawatha, Iowa by the Incorporated city of
 Hiawatha, Iowa for the purposes of Relocating and improving the
 section of N. Center Point Road, Emmons Street and Robins Road, and
 other public purposes as may be determined in the discretion of the City
 Council of the City of Hiawatha, Iowa

Sheriff's Certification of
 Costs and Awards



Doc ID: 021696740060 Type: GEN
 Recorded: 04/21/2015 at 11:20:30 AM
 Fee Amt: \$1,082.20 Page 1 of 60
 Revenue Tax: \$775.20
 Linn County Iowa
 JOAN MCCALMANT RECORDER
 BK 9225 PG 15-74

Incorporated City of Hiawatha, Iowa
 Incorporated City of Hiawatha, Iowa
 101 Emmons Street
 Hiawatha, IA 52233

we hereby certify that the appointed Commissioners in the above entitled Condemnation Commis
 sionings convened at Cedar Rapids, Iowa, on the 4th day of March, 2015 , and thereupon proceed
 ed to view the premises and the said Commissioners did thereafter on the 4th day of March , 2015 ,
 make a written report with me awarding damages as follows:

	LAND & IMPROVE.	CONSEQ. DAMAGES	TOTAL AWARD	ATTY F
Joseph J. & Suzette L. Zoll First Citizens Com. Credit Union Linn County Treasurer	\$475,000.00		\$475,000.00	
Mr Sports Bar (leasee)			\$5,000.00	
Mr Sports Bar (lease)			\$5,000.00	

we further certify that costs incidental to these proceeding have been taxed as follows:

Expense of Summoning Commissioners	\$ _____
Expense of Condemnees	\$ _____
Expense of Commissioners	\$ 1,272.45
Sheriff's Mileage Serving Condemnees	\$ _____
Sheriff's Mileage Transporting Commissioners	\$ 17.25
Witnesses	\$ 11.00
Sheriff's Fee Attending Condemnation	\$ 100.00
Copy	\$ _____
Publication	\$ 21.01
Page	\$ 26.24
Awarding Fee	\$ To be paid by City of Hiawatha, IA
	Attention: Mark Parmenter
Total	\$ 1,447.95

1169
 * City of Hiawatha
 307 + 775.20 RW

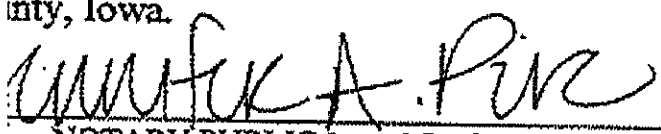
en under my hand this 4th day of March, 2015.

Brian D Gardner, Sheriff
Linn County, Iowa



By Lt. R. Rowland, Deputy

scribed and sworn to before me this 4th day of March, 2015, by Lt. R. Rowland, Deputy Sheriff, I
nty, Iowa.



NOTARY PUBLIC In and for the State of Iowa

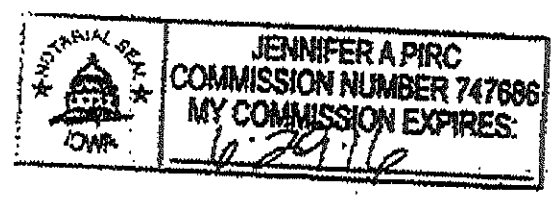


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RECORDED
15 FEB -5 PM 3:18
BRIAN D. GARDNER
SHERIFF
LINN COUNTY, IOWA

