



#1224

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 Iowa Department of Transportation
2. The real property subject to the Application is located in Harrison County.
3. The date the condemnation application was filed by the undersigned County Recorder is December month, 23rd day, 2014 year.
4. The attached Condemnation Application is filed of record at Document # 2788
Book 2014, Page 2788.

Marie A. Thompson
County Recorder for

Harrison 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 Department of Transportation
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 2788, Book 2014, Page 2788 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # 0701
Book 2015, Page 0701; on April month, 07 day, 2015 year.

Marie A. Thompson
County Recorder for

Harrison County

PLEASE SUBMIT TO:

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

SEE INSTRUCTIONS ON BACK



#1224

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

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1. The name of the acquiring agency is Iowa Department of Transportation
2. The real property subject to the Application is located in Harrison County.
3. The date the condemnation application was filed by the undersigned County Recorder is December month, 23rd day, 2014 year.
4. The attached Condemnation Application is filed of record at Document # 2788
Book 2014, Page 2788.

Marie A. Glendon
County Recorder for

Harrison 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 Department of Transportation
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 2788, Book 2014, Page 2788 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # 0701
Book 2015, Page 0701; on April month, 07 day, 2015 year.

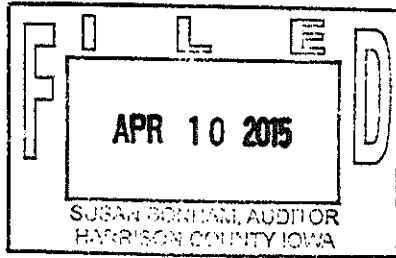
Marie A. Glendon
County Recorder for

Harrison County

PLEASE SUBMIT TO:

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

SEE INSTRUCTIONS ON BACK



Book 2015 Page 0701
Document 0701 Type 06 037 Pages 36
Date 4/07/2015 Time 3:24:16PM
Rec Amt \$182.00 Aud Amt \$5.00

LORIE A. THOMPSON, COUNTY RECORDER
HARRISON COUNTY IOWA



**CONDEMNATION
PROCEEDINGS**
Recorder's Cover Sheet

PREPARER INFORMATION: Patrick Sears, Harrison County Sheriff, 111 S. 1st
Avenue, Logan, IA 51546

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

RETURN DOCUMENT TO: Colleen Chapa, Iowa Department of Transportation, Office
of Right of Way, 800 Lincoln Way, Ames, IA 50010

GRANTORS: Riverside Farms Limited
H & H Farms, L.L.P. (Leasehold Interest Only)

GRANTEES: State of Iowa (Condemnor)

**DOCUMENT OR INSTRUMENT NUMBER OF PREVIOUSLY RECORDED
DOCUMENTS:** Application for Condemnation filed 12/23/2014, in Book 2014, Page
2788

LEGAL DESCRIPTION: Part of Lot 15 of the Auditor's Plat, which is a part of
Government Lot 1 of Section 24, Township 78 North, Range 46 West of the 5th P.M.,
Harrison County, Iowa.

Harrison County Project No. NHSN-030-1(150)--2R-43
Riverside Farms Limited (Parcel No. 1)

Unique Doc ID: 2014 1223_2788
Instr. Number: 2788
BK: 2014 PG: 2788
Recorded: 12/23/2014 at 10:59:57.0 AM
Fee Amount: \$27.00
Revenue Tax:
Lorie A. Thompson RECORDER
Harrison County, Iowa

CERTIFIED TRUE COPY

Prepared by: Colleen Chapa 515-239-1067, IA Dept. of Transportation, Right of Way-Condemnation,
800 Lincoln Way, Ames, IA 50010
Return to: Colleen Chapa 515-239-1067, 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

APPLICATION TO THE CHIEF
JUDGE OF THE
4TH JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A
COMMISSION TO APPRAISE
DAMAGES

Project No. NHSN-030-1(150)-2R-43 Group "A"

TO: Jeffrey L. Larson, Chief Judge, 4th Judicial District including Harrison 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 17th 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 Council Bluffs, Iowa, this 18th day of December, 2014.

Jeffrey L. Larson
Jeffrey L. Larson
Chief Judge of the 4th Judicial District
including Harrison County, Iowa.

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

Colleen Chapa
Condemnation Unit COLLEEN CHAPA

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. 30

NOTICE

West of the City of Missouri Valley

located in Harrison County, Iowa

Project No. NHSN-030-1(150)--2R-43

Group "A"

TO:

Riverside Farms Limited, c/o John Robert Rand, Registered Agent, 1214 317th Street, Missouri
Valley, IA 51555

H & H Farms, L.L.P., c/o Mason J. Hansen, Registered Agent, 14577 Rosewood Road, Crescent,
IA 51526-4255

Harrison County, Iowa, c/o County Auditor, 111 N. 2nd Avenue, Logan, IA 51546

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of Lot 15 of the Auditor's Plat, which is a part of Government Lot 1 of Section 24, Township 78 North, Range 46 West of the 5th P.M., Harrison 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 Harrison County, Iowa, and in the Office of the Sheriff of Harrison County, Iowa, to which you are referred:

The easement to construct and maintain revetment sill sought to be appropriated, is in land described as follows:

A parcel of land located in part of accretions formed after the U.S. Government survey of 1858. Said accretions are appertaining to Government Lot 1 of Section 24, T78N, R46W of the 5th P.M., Harrison County, Iowa. Said accretions were platted for the purpose of taxation in July of 1941, by H.T. Faith, the Harrison County Auditor. Said parcel is Part of Lot 15 of the aforesaid Auditor's Plat of said Section 24, as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof.

Said parcel is described as follows:

Harrison County Project No. NHSN-030-1(150)--2R-43
Riverside Farms Limited (Parcel 1)
Continued on next page

Page 1

Commencing at the NE Corner of Section 19, T78N, R45W of the 5th P.M. Harrison County, Iowa; thence N87°50'43"W 5305.01 feet along the north line of said Section 19 to the NE Corner of said Section 24; thence continuing N87°50'43"W 4699.31 feet along the projection of the aforesaid line; thence S2°09'17"W 513.59 feet to a point on the present southerly right of way line of Primary Road No. U.S. 30, the Point of Beginning; thence S6°27'53"W 26.03 feet along said present southerly right of way line; thence N83°51'23"W 154.98 feet; thence N78°25'43"W 389.65 feet; thence S87°19'27"W 266.18 feet; thence S31°21'04"W 307.63 feet; thence N6°59'35"W 312.52 feet; thence N87°33'34"E 483.69 feet; thence S76°31'10"E 534.21 feet to the Point of Beginning. Said parcel contains 76,191 sq. ft. or 1.75 acres.

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 to construct and maintain revetment sill, are condemned in their entirety.
2. The existing entrance at Sta. 129+98± on the south side of Primary Road No. U.S. 30 will be used as constructed.
3. 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 condemnee, 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.
4. The area sought to be appropriated by temporary easement, for relocating, replacing, or restoring tile, if any, is reserved to the condemnee 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.
5. Condemner hereby gives notice of condemnee's 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 HARRISON STATE CONTROL NO. _____
 PROJECT NO. NHSN-030-1(150)--2R-43 PARCEL NO. 1
 SECTION 24 TOWNSHIP 78N RANGE 48W
 ROW - FEE _____ AC. EASE 1.75 ACRES, OUIT CLAIM _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM RIVERSIDE FARMS LIMITED
 CONVEY TO _____

NE CORNER
SEC. 19-78-45W
FOUND IRON PIN

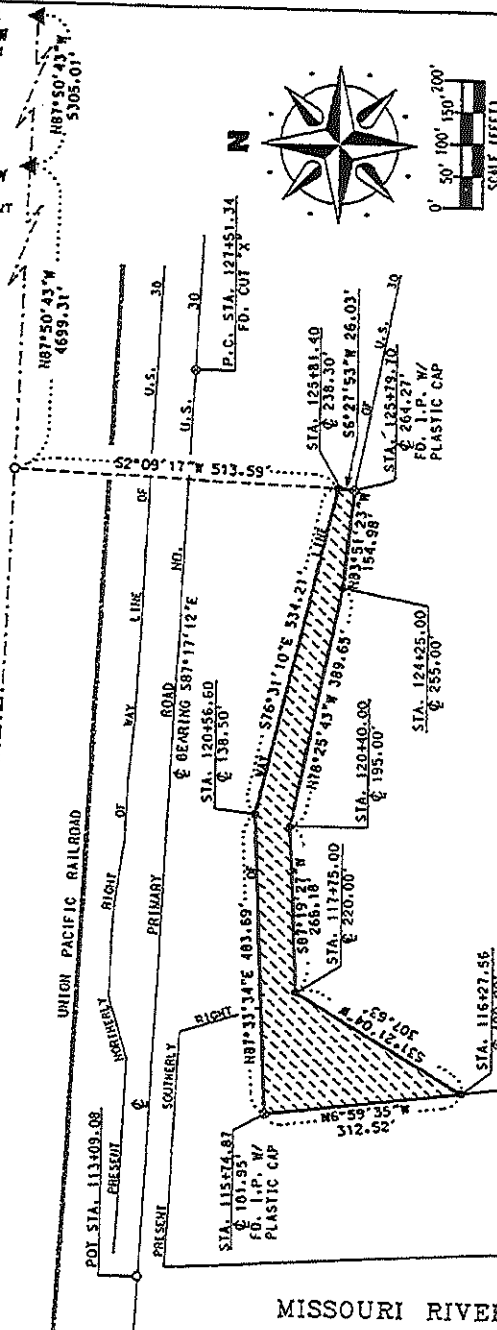
NE CORNER
SEC. 24-78-46W
FOUND CONCRETE MONUMENT



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

William J. Fox
WILLIAM J. FOX
Iowa number 15482
Registration expires by this date _____
My license renewal date is December 31, 2015

3-4-14
606



PART OF LOT 15
(AUDITOR'S PLAT)
SEC. 24-78-46W

LEGEND
 ● SET $\frac{1}{4}$ " IRON PIN
 ○ FOUND $\frac{1}{4}$ " IRON PIN
 ○ CALCULATED POINT
 ▲ FOUND SECTION CORNER
 △ SET SECTION CORNER

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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

SELECTION AND APPOINTMENT OF
COMPENSATION COMMISSIONERS
BY THE CHIEF JUDGE OF THE
4TH JUDICIAL DISTRICT

Project No. NHSN-030-1(150)-2R-43 Group "A"


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

NAME	ADDRESS	QUALIFICATIONS
Fonda Story	2152 N 293 rd Lane Missouri Valley, IA 51555	Licensed Real Estate Salesperson or Broker
Joanna Barnard	715 Grove Street Missouri, Valley, IA 51555	Licensed Real Estate Salesperson or Broker
Julie Shelton	1383-248 th Trail Modale, Iowa 51556	Knowledgeable of Property Values by Virtue of Occupation
Judy Lager	613 E Erie Missouri Valley, IA 51555	Knowledgeable of Property Values by Virtue of Occupation
C.L Busch	210 1 st Ave Persia, Iowa 51563	agricultural
Karol King	1568-170 th Trail Mondamin, Iowa 51557	agricultural

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

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

Dated at Council Bluffs, Iowa, this 18th day of December, 2014.



Jeffrey L. Larson
Chief Judge of the 4th Judicial District
including Harrison County, Iowa

Filed in my office at Logan, Iowa, this _____ day of _____, 20____.

Patrick Sears
Sheriff of Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

**SUPPLEMENTARY ORDER
APPOINTING ALTERNATE
COMPENSATION COMMISSIONERS**

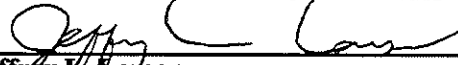
Project No. NHSN-030-1(150)-2R-43 Group "A"

An Application and Notice of Condemnation having been filed with me by the Iowa Department of Transportation, entitled as above, for the selection and appointment, by lot, of a duly-constituted compensation commission, and said selection and appointment 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. Jay Schaben	805 Remsen Street Dunlap, Iowa 51529	Licensed Real Estate Salesperson or Broker
2. Marilyn Boustead	1579 Panora Ave Woodbine, Iowa 51579	
3. Randy Pryor	1611 Pike Trail Woodbine, Iowa 51579	
4. Ed Spencer	3322 Overton Ave Logan, Iowa 51546	
5. Lary J. Gaver	P.O. Box 219 Missouri Valley, IA 51555	
1. Deb Earlywine	223 N 8 th Street Missouri Valley, IA 51555	Knowledgeable of Property Values by Virtue of Occupation
2. Jessica Bosworth	405 N Park Ave Logan, Iowa 51546	
3. Jim Randall	2027 Harvard Trail Mondamin, Iowa 51557	
4. James Schwertley	2386 Oak Court Missouri Valley, IA 51555	
5. Chris Hartwig	203 North 5 th Ave Logan, Iowa 51546	
1. Gail Witt	3346 Orrick Ave Missouri Valley, IA 51555	agricultural
2. Cindy Pryor	1611 Pike Trail Woodbine, Iowa 51579	
3. Jennifer Buss	800 South Main Modale, Iowa 51556	
4. Jenny Hall	1720 White Street Woodbine, Iowa 51579	
5. Jenette Dickinson	1487 Sanford Pl Dunlap, Iowa 51529	

The Sheriff of Harrison 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 Council Bluffs, Iowa, this 18th day of December, 2014.



Jeffrey V. Larson
Chief Judge of the 4th Judicial District
including Harrison County, Iowa.

Filed in my office at Logan, Iowa, this _____ day of _____, 20____.

Patrick Sears
Sheriff of Harrison County, Iowa

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

SUMMONS TO COMMISSIONERS

Primary Road No. U.S. 30
West of the City of Missouri Valley
located in **Harrison County, Iowa**

Project No. **NHSN-030-1(150)--2R-43** Group "A"

TO: Judy Lager

The Iowa Department of Transportation has filed with the Chief Judge of the 4th Judicial District including **Harrison 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 **Harrison County, Iowa**, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 4th Judicial District for **Harrison County, Iowa**, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that **Fonda Story** has been designated as **Chairperson** of the Commission.

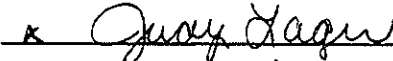
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at **Logan, Harrison County, State of Iowa**, on the **3rd** day of **March, 2015**, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Patrick Sears
Sheriff of **Harrison 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 Missouri Valley Iowa, this 16 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.



Filed in my office at **Logan, Iowa**, this 16 day of JANUARY 2015.


Patrick Sears
Sheriff of **Harrison 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 Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-030-1(150)--2R-43 Group "A"

TO: C.L. Busch

The Iowa Department of Transportation has filed with the Chief Judge of the 4th Judicial District including Harrison 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 Harrison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 4th Judicial District for Harrison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fonda Story has been designated as Chairperson of the Commission.

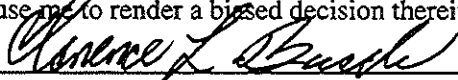
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Logan, Harrison County, State of Iowa, on the 3rd day of March, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Patrick Sears
Sheriff of Harrison 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 Peruvia, Iowa, this 13 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.



Filed in my office at Logan, Iowa, this 13 day of January 2015.


Patrick Sears
Sheriff of Harrison 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 Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-030-1(150)--2R-43 Group "A"

TO:

The Iowa Department of Transportation has filed with the Chief Judge of the 4th Judicial District including Harrison 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 Harrison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 4th Judicial District for Harrison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fonda Story has been designated as Chairperson of the Commission.

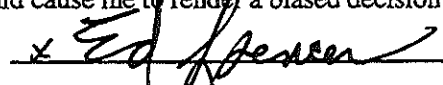
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Logan, Harrison County, State of Iowa, on the 3rd day of March, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Patrick Sears
Sheriff of Harrison County, Iowa

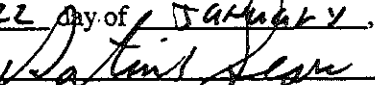
ACCEPTANCE OF SERVICE

(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 Logan, 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.



Filed in my office at Logan, Iowa, this 22 day of JANUARY, 2015.


Patrick Sears
Sheriff of Harrison 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 Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-030-1(150)--2R-43 Group "A"

TO: Fonda Story

The Iowa Department of Transportation has filed with the Chief Judge of the 4th Judicial District including Harrison 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 Harrison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 4th Judicial District for Harrison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fonda Story 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 Logan, Harrison County, State of Iowa, on the 3rd day of March, 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.


Patrick Sears
Sheriff of Harrison 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 Logan, Iowa, this 15 day of JANUARY, 20 15. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Fonda Story

Filed in my office at Logan, Iowa, this 15 day of JANUARY 20 15.


Patrick Sears
Sheriff of Harrison 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 Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-030-1(150)--2R-43 Group "A"

TO: Julie Shelton

The Iowa Department of Transportation has filed with the Chief Judge of the 4th Judicial District including Harrison 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 Harrison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 4th Judicial District for Harrison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fonda Story has been designated as Chairperson of the Commission.

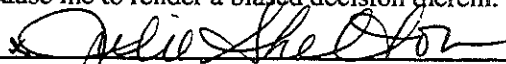
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at Logan, Harrison County, State of Iowa, on the 3rd day of March, 2015, at 9:30 o'clock a.m. (CST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Patrick Sears
Sheriff of Harrison County, Iowa

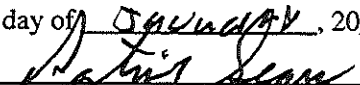
ACCEPTANCE OF SERVICE

(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 Moultonville, Iowa, this 16 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.


Julie Shelton

Filed in my office at Logan, Iowa, this 16 day of JANUARY, 2015.


Patrick Sears
Sheriff of Harrison 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 Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-030-1(150)--2R-43 Group "A"

TO: Karol King

The Iowa Department of Transportation has filed with the Chief Judge of the 4th Judicial District including Harrison 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 Harrison County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 4th Judicial District for Harrison County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Fonda Story 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 Logan, Harrison County, State of Iowa, on the 3rd day of March, 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.


Patrick Sears
Sheriff of Harrison 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 Logan, 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.



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


Patrick Sears
Sheriff of Harrison 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 Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

OATH OF COMMISSIONERS

Project No. NHSN-030-1(150)--2R-43 Group "A"

STATE OF IOWA)
Harrison 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.

Ed Spencer
Name: _____
Licensed Real Estate Salesperson
or Broker

Fonda Story
Name: _____
Licensed Real Estate Salesperson
or Broker

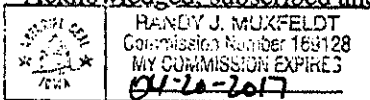
Jay Nagu
Name: _____
Knowledgeable of Property Values
by Virtue of Occupation

Julie Seldon
Name: _____
Knowledgeable of Property Values
by Virtue of Occupation

Name: _____
agricultural

Name: _____
agricultural

Acknowledged, subscribed and sworn to before me this 3 day of March, 2015.



Randy J. Muxfeldt
(Notary Public / Clerk of Court) in and for said County and State

Filed in my office at Logan, Iowa, this 3 day of March, 2015.

Patrick Sears
Patrick Sears
Sheriff of Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

**SHERIFF'S CERTIFICATION
AS TO AWARDS AND COSTS**

Project No. NHSN-030-1(150)--2R-43 Group "A"

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN
BOOK 2014, PAGE 2388, OR INSTRUMENT/DOCUMENT NUMBER _____,
AND DATED 12-23-2014.

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at Loban, Iowa,
on the 3 day of March, 2015, and thereupon proceeded to view the premises, and said
commissioners did on the 3 day of March, 2015, file their report in my office, awarding
damages as follows:

NAMES OF CONDEMNNEES	AWARD	ATTORNEY FEES AND COSTS
<u>Riverside Farms</u>	\$ <u>15512.50</u>	\$ <u>300.00</u>
<u>H-H Farms, LLP</u>	\$ <u>100.00</u>	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
TOTAL DAMAGES AWARDED:	\$ _____	\$ _____

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>see attached</u>			

COMMISSIONERS
Sub Total \$ 851.04

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
(170 miles x \$ 1.58 per mile) \$ 98.66

TOTAL: \$ 16962.14

Patrick Sears
Patrick Sears
Sheriff of Harrison County, Iowa

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Harrison 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. NHSN-030-1(150)--2R-43, held on the 3rd day of March, 2015, are as follows and that these claims are due, just, and unpaid.

 1 day service at \$200.00 \$ 200.00
 18 miles at _____ cents \$ _____
_____ meals \$ _____

Signed this 3rd day of March, 2015.

Judy Hagler
COMMISSIONER

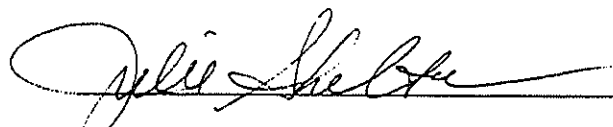
CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Harrison 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. NHSN-030-1(150)--2R-43, held on the 3rd day of March, 2015, are as follows and that these claims are due, just, and unpaid.

 1 day service at \$200.00 \$ 200.00
 30 miles at cents \$
 meals \$

Signed this 3 day of March , 20 15 .



COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Harrison 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. NHSN-030-1(150)--2R-43, held on the 3rd day of March, 2015, are as follows and that these claims are due, just, and unpaid.

1 day service at \$200.00 \$ 200.⁰⁰
20 miles at _____ cents \$ _____
_____ meals \$ _____

Signed this 3rd day of March, 2015.

Ed Spencer
COMMISSIONER

CONDEMNATION COMMISSIONERS STATEMENT

To the Sheriff of Harrison 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. NHSN-030-1(150)--2R-43, held on the 3rd day of March, 2015, are as follows and that these claims are due, just, and unpaid.

1 day service at \$200.00 \$ 200
20 miles at _____ cents \$ _____
_____ meals \$ _____

Signed this 3 day of March, 20 15.

Fonda Story
COMMISSIONER

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff

Printed: 01/05/2015



US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: ~~SUMMONS TO COMMISSIONERS~~
NOTICE

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: RIVERSIDE FARMS LIMITED C/O JOHN ROBERT RAND Type of Service: Personal
1214 317TH ST., MISSOURI VALLEY, IA 51555
DOB: Sex: Race: Hgt: Wgt:

Service Notes:

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
1/5	1925	S	7				A

Date/Time Served: 1/5 1925

Person/Company Served: John Rand

Title: _____

Substitute: _____

Relationship: _____

Address Served: 1214 - 317TH

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____

Total Fees: _____

Returned Unserved Reason: _____

Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

[Signature]
Serving Deputy

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff

Printed: 01/05/2015



US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: ~~SUMMONS TO COMMISSIONERS~~
NOTICE

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: HARRISON COUNTY IOWA C/O COUNTY AUDITOR
112 N. 2ND AVE, LOGAN, IA 51546
DOB:

Type of Service: Personal

Service Notes:

Sex: Race: Hgt: Wgt:

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
01-15	1120	S	I				SUZY BOLHAM

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____

Total Fees: _____

Returned Unserved Reason: _____

Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

Serving Deputy

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff



Printed: 01/05/2015

US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: **SUMMONS TO COMMISSIONERS
NOTICE**

mid streets 642-2761

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: LAGER, JUDY	Type of Service: Personal
613 E. ERIE ST., MISSOURI VALLEY, IA 51555	
DOB: _____	Sex: _____ Race: _____ Hgt: _____ Wgt: _____
Service Notes: KNOWLEDGEABLE OF PROPERTY VALUES BY VIRTUE OF OCCUPATION	

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
1/16	1419	S	3				

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____ Total Fees: _____

Returned Unserved Reason: _____ Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

Serving Deputy

67

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff



Printed: 01/05/2015

US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: **SUMMONS TO COMMISSIONERS
NOTICE**

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

712-488-2921

Serve On: **BUSCH,C.L.**
210 1ST AVE, PERSIA, IA 51563
DOB:

Type of Service: Personal

Sex: Race: Hgt: Wgt:

Service Notes: **AGRICULTURAL**

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
01-13-15	1430	S	1				

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____ Total Fees: _____

Returned Unserved Reason: _____ Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

Serving Deputy

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff



Printed: 01/15/2015

US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-
Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: **SUMMONS TO COMMISSIONERS
NOTICE**

644-2151

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: **SPENCER, ED**
3322 OVERTON AVE, LOGAN, IA 51546
DOB:

Type of Service: Personal

Sex: Race: Hgt: Wgt:

Service Notes:

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
1-22	1130	5	3				Ed Spencer Real Estate in Logan

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____


City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____ Total Fees: _____

Returned Unserved Reason: _____ Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature



Serving Deputy

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff

Printed: 01/05/2015



US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: **SUMMONS TO COMMISSIONERS
NOTICE**

402-290-0588

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: STORY, FONDA 2152 N 292ND LANE, MISSOURI VALLEY, IA 51555 DOB: _____ Sex: _____ Race: _____ Hgt: _____ Wgt: _____	Type of Service: Personal
Service Notes: LIC REAL ESTATE SALESPERSON OR BROKER	

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
01-15	1120	S	1				Fonda

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____ Total Fees: _____

Returned Unserved Reason: _____ Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

Serving Deputy

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff

Printed: 01/05/2015



US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

M. J. Stiles 642-2761

Process: **SUMMONS TO COMMISSIONERS
NOTICE**

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: **SHELTON, JULIE**
1383 248TH TRAIL, MODALE, IA 51556

Type of Service: Personal

DOB:

Sex:

Race:

Hgt:

Wgt:

Service Notes: **KNOWLEDGEABLE OF PROPERTY VALUES BY VIRTUE OF OCCUPATION**

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
1-16	1346	S	3				<i>↑ Mondamin Park</i>

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____

Total Fees: _____

Returned Unserved Reason: _____

Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

[Signature]

Serving Deputy

HARRISON COUNTY SHERIFF'S OFFICE

Trip Sheet - Directions to the Sheriff

Printed: 01/22/2015



US HWY 30 CONDEMNATION WEST OF THE CITY OF MISSOURI VALLEY
HARRISON COUNTY IOWA

Case Number: HNSN-030-1(150)-2R-

Civil Number: 15-000013

Date/Time: 01/05/2015 @ 14:18

Court: DISTRICT

County: HARRISON

Serve By:

Process: **SUMMONS TO COMMISSIONERS
NOTICE**

Attorney

IOWA DEPT OF TRANSPORTATION
800 LINCOLN WAY AMES, IA 50010

Serve On: DICKINSON, JENETTE 1487 SANFORD PL, DUNLAP, IA 51529 DOB: _____	Type of Service: Personal
Service Notes: _____	Sex: _____ Race: _____ Hgt: _____ Wgt: _____

Special Instructions:

Date	Time	S/A/D	Deputy	Beginning Mileage	Ending Mileage	Total Mileage	Comments
01-22	1300	S	/				Jenette

Date/Time Served: _____

Person/Company Served: _____

Title: _____

Substitute: _____

Relationship: _____

Address Served: _____

City: _____

Total Attempts: _____ Total Mileage: _____ Service Fee: _____

Total Fees: _____

Returned Unserved Reason: _____

Served/Returned by: _____

I hereby certify that I served a copy of the above Process(s).

Party Served Signature

Serving Deputy

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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa**

Project No. NHSN-030-1(150)--2R-43 Group "A"

Parcel No. 1

On this the 3 day of March, 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
Riverside Farms Limited
Harrison County Treasurer

\$ 13,000⁰⁰

Tenant(s)
H & H Farms, L.L.P.

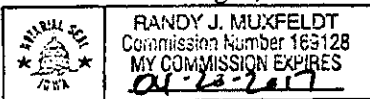
\$ 100⁰⁰

IOWA DEPARTMENT OF TRANSPORTATION

By [Signature]

Condemnation Hearing Compliance Officer
Office of Right of Way

Acknowledged, subscribed and sworn to before me this 3 day of March, 2015.



[Signature]
(Notary Public / Clerk of Court) in and for said County and State

Filed in my office at Logan, Iowa, this 3 day of March, 2015.

[Signature]
Patrick Sears
Sheriff of Harrison 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. 30
West of the City of Missouri Valley
located in **Harrison County, Iowa**

**REPORT OF
COMPENSATION
COMMISSION**

Project No. NHSN-030-1(150)--2R-43 Group "A"

TO: Patrick Sears, Sheriff of Harrison 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 1	\$ _____	\$ _____	\$ _____	\$ <u>300.00</u>
Riverside Farms Limited	\$ _____	\$ _____	\$ <u>15,512.50</u>	\$ _____
Harrison County Treasurer	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
H & H Farms, L.L.P.	\$ _____	\$ _____	\$ <u>100.00</u>	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
Value of Condemnee's dwelling:	\$ _____	\$ _____	\$ _____	\$ _____

Respectfully reported at Logan, Iowa, this 3 day of March, 2015.
Fonda Story
Ed Jensen

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 Logan, Iowa, this 3 day of March, 2015.

Patrick Sears
Patrick Sears
Sheriff of Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

Project No. NHSN-030-1(150)--2R-43 Group "A"

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

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 Logan, Iowa, on the 3 day of March, 2015.



Patrick Sears
Sheriff of Harrison 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. 30
West of the City of Missouri Valley
located in Harrison County, Iowa

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

Project No. NHSN-030-1(150)--2R-43 Group "A"

Parcel No. 1

	Land and Improvements	Consequential Damages	Condemnee's Total Award	Condemnee's Attorney Fees and Costs
Riverside Farms Limited Harrison County Treasurer }	\$ _____	\$ _____	\$ <u>15,512.50</u>	\$ <u>300.00</u>
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
H & H Farms, L.L.P.	\$ _____	\$ _____	\$ <u>160.00</u>	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____

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 3 day of MARCH, 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 3 day of MARCH, 2015.

Patrick Sears
Patrick Sears
Sheriff of Harrison County, Iowa

**RETURN OF SERVICE
POTTAWATTAMIE COUNTY SHERIFFS DEPARTMENT**

STATE OF IOWA
POTTAWATTAMIE COUNTY

I certify that on this **12/31/2014** in the case of
Plaintiff
IOWA DEPARTMENT OF TRANSPORTATION

Docket No. **14009185**
Court Case No:
Originating Court:

VS.

Defendant
H & H FARMS

NOTICE came into my hands and that on **1/5/2015 12:18 PM**, I served a true copy on, **H & H FARMS**, at **C/O MASON J. HANSEN, REGISTERED AGENT 14577 ROSEWOOD ROAD CRESCENT, IA 51526**, which was his/her dwelling house or usual place of abode.

Note:

Mileage Fee (\$14.00)
Processing Fee (\$15.00)
Total: \$29.00

Paid by: IOWA DEPARTMENT OF
TRANSPORTATION

Jefferey D. Danker

SHERIFF OF POTTAWATTAMIE COUNTY

BY *T. Kealy*

TIM KEALY, Deputy

Subscribed in my presence and sworn to before me this
Wednesday, January 07, 2015

Notary Public

COMMISSIONERS' COSTS

-2-

Fonda Story of
Missouri Valley, Iowa

1 day service \$ 200.00
20 miles at .58 cents 11.60
_____ meals _____
TOTAL \$ 211.60

Ed Spencer of
Logan, Iowa

1 day service \$ 200.00
20 miles at .58 cents 11.60
_____ meals _____
TOTAL \$ 211.60

Judy Lager of
Missouri Valley, Iowa

1 day service \$ 200.00
18 miles at .58 cents 10.44
_____ meals _____
TOTAL \$ 210.44

Julie Shelton of
Madale, Iowa

1 day service \$ 200.00
30 miles at _____ cents 17.40
_____ meals _____
TOTAL \$ 217.40

_____ of
_____, Iowa

_____ day service \$ _____
_____ miles at _____ cents _____
_____ meals _____
TOTAL \$ _____

_____ of
_____, Iowa

_____ day service \$ _____
_____ miles at _____ cents _____
_____ meals _____
TOTAL \$ _____

GRAND TOTAL \$ 851.04

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 3 day of March, 2015.

Patrick Sears
Patrick Sears
Sheriff of Harrison County, Iowa

Mumma Law Firm

Atty Ashley N. West

3-3-15 Representation at Condemnation 2.0 hrs
Hearing

\$150/hr x 2.0 hrs = \$300 total

March 3, 2015

Condemnation of land. Both parties agreed that we would go with 4 commissioners. Present, Fonda Story, Judy Lager, Ed Spencer, Julie Shelton. We all agreed to an award of \$15,512.50 using formula from appraisal & the average price of farmground/land from 2014. Plus we awarded 300 for attorney fees.

Fonda Story
Chairperson