

1233



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 City of Cedar Rapids
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 August month, 11 day, 2015 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9326, Page 391.

County Recorder for

LINN County

Part II: SHERIFF'S STATEMENT

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

1. The name of the acquiring agency is City of Cedar Rapids
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # _____, Book 9326, Page 391 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # _____
Book 9397, Page 186; on November month, 3 day, 2015 year.

County Recorder for

Linn County

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

SEE INSTRUCTIONS ON BACK



In the matter of the Condemnation of certain Real Estate for)

COLLINS ROAD (IA 100) PHASE 1)
COMPLETE STREETS PROJECT FROM)
EAST OF NORTHLAND AVENUE NE)
TO TWIXT TOWN ROAD NE)

By: City of Cedar Rapids)

To: City of Cedar Rapids, Attn: Becky Kluesner)

Sheriff's Certification of
Costs and Awards

Doc ID: 022029730207 Type: GEN
Recorded: 11/03/2015 at 12:35:12 PM
Fee Amt: \$1,867.00 Page 1 of 207
Revenue Tax: \$820.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK **9397** PG **186-392**

I hereby certify that the appointed Commissioners in the above entitled Condemnation Commission Proceedings convened at Cedar Rapids, Iowa, on the 30th day of September, 2015, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 30th day of SEPT., 2015, file their written report with me awarding damages as follows:

| | LAND & IMPROVE. | CONSEQ. DAMAGES | TOTAL AWARD | ATTY FEES |
|--|-----------------|---|--------------|-----------|
| CR-Collins, L.L.C. | | | | |
| PARCO, LTD, Hobby Lobby Stores, The Privatebank and Trust Company Wells Fargo, NA, Shoe Carnival, Inc. HomeGoods, Inc., The Video Adventure, Inc., Fresh Market, Linn County Treasurer | | | \$304,000.00 | |
| | | (FOR PARCEL 3* \$188,000.00 / FOR PARCEL 4 \$ \$116,000.00 FOR GRAND TOTAL \$304,000.00) | | |

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

| | | |
|--|----|--|
| Expense of Summoning Commissioners | \$ | |
| Serving Condemnees | \$ | 15.00 |
| Expense of Commissioners | \$ | 1,211.50 |
| Sheriff's Mileage Serving Condemnees | \$ | 1.00 |
| Sheriff's Mileage Transporting Commissioners | \$ | 13.80 |
| Copies | \$ | 40.00 |
| Sheriff's Fee Attending Condemnation | \$ | 100.00 |
| Notary | \$ | |
| Publication | \$ | 20.79 |
| Postage | \$ | |
| Recording Fee | \$ | |
| | | TO BE PAID BY CITY OF C.R. ATTN: BECKY KLUESNER |
| Total | \$ | 1,402.09 |

Given under my hand this 1st day of OCTOBER, 2015.

Brian D. Gardner, Sheriff
Linn County, Iowa

By: [Signature] Deputy
LT. R. ROWLAND

Subscribed and sworn to before me this 1st day of OCTOBER, 2015, by
LT. R. ROWLAND, Deputy Sheriff, Linn County, Iowa.

Wendy Ranae Drahos
NOTARY PUBLIC In and for the State of Iowa
City Engineer



301446/CONDEMNATION 2, 3, 4/SHERIFF PAPERS/CERTIFICATION OF COSTS - CR COLLINS
1047.00 Rec Attn: Becky Kluesner
*820.00 Rev,

In the matter of the Condemnation of certain Real Estate for)
)
COLLINS ROAD (IA 100) PHASE 1)
COMPLETE STREETS PROJECT FROM)
EAST OF NORTHLAND AVENUE NE)
TO TWIXT TOWN ROAD NE)

Sheriff's Certification of
Costs and Awards

By: City of Cedar Rapids)
)
To: City of Cedar Rapids, Attn: Becky Kluesner)

I hereby certify that the appointed Commissioners in the above entitled Condemnation Commission Proceedings convened at Cedar Rapids, Iowa, on the 30th day of September, 2015, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 30th day of SEPT., 2015, file their written report with me awarding damages as follows:

| | LAND & IMPROVE. | CONSEQ. DAMAGES | TOTAL AWARD | ATTY FEES |
|--|-----------------|-----------------|--------------|-----------|
| CMM, LLC Guaranty Bank & Trust Company Linn County Treasurer | | | \$208,750.00 | |

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

| | | |
|--|----|--------|
| Expense of Summoning Commissioners | \$ | |
| Serving Condemnees | \$ | 45.00 |
| Expense of Commissioners (MEALS) | \$ | 54.04 |
| Sheriff's Mileage Serving Condemnees | \$ | 18.10 |
| Sheriff's Mileage Transporting Commissioners | \$ | |
| Copies | \$ | |
| Sheriff's Fee Attending Condemnation | \$ | |
| Notary | \$ | |
| Publication | \$ | |
| Postage | \$ | 35.40 |
| Recording Fee | \$ | |
| Total | \$ | 152.54 |

TO BE PAID BY CITY OF C.R. ATTN:
BECKY KLUESNER

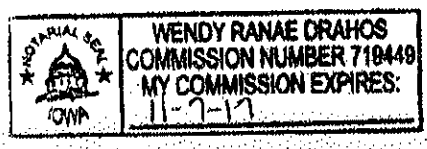
Given under my hand this 1st day of OCTOBER, 2015.

Brian D. Gardner, Sheriff
Linn County, Iowa

By: *P. Rowland* Deputy
LT. R. ROWLAND

Subscribed and sworn to before me this 1st day of OCTOBER, 2015, by
LT. R. ROWLAND, Deputy Sheriff, Linn County, Iowa.

Wendy Ranae Drahos
NOTARY PUBLIC In and for the State of Iowa



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7. Shoe Carnival, Inc.
c/o CT Corporation System
400 E Court Avenue
Des Moines, IA 50309
8. HomeGoods, Inc.
c/o CT Corporation System
400 E Court Avenue
Des Moines, IA 50309
9. The Video Adventure, Inc.
Attn: Michael Schad
3500 Dodge Street
Dubuque, IA 52003
10. The Fresh Market, Inc.
c/o CT Corporation System
400 E Court Avenue
Des Moines, IA 50309
11. Linn County
c/o Linn County Auditor
935 2nd Street SW
Cedar Rapids, Iowa 52404

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

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn
County, Iowa further described as follows:

Beginning at the southeast corner of said lot 2;

Thence N88°46'50"W along the south line of said lot 2, 30.80 feet;

Thence N00°18'55"W, 98.45 feet;

Thence N88°54'54"W, 316.34 feet;

Thence S01°30'04"E, 164.37 feet to the south line of said lot 2;

Thence N89°14'15"W along said south line, 30.02 feet to the southwest corner of
said lot 2;

Thence N01°30'38"W along the west line of said lot 2, 177.05 feet to the
northwest corner of said lot 2;

Thence S88°54'54"E along the north line of said lot 2, 377.37 feet to the
northeast corner of said lot 2;

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Thence S00°21'25"E along the east line of said lot 2, 111.03 feet to the point of beginning containing 0.29 acres (12,681 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southwest corner of said lot 2;

Thence N01°30'04"W along the west line of said lot 2, 15.01 feet;

Thence S89°14'15"E, 251.06 feet;

Thence N51°22'58"E, 101.08 feet;

Thence S88°46'50"E, 43.63 feet to the east line of said lot 2;

Thence S00°21'25"E along said east line of lot 2, 15.01 feet to the southeast corner of said lot 2;

Thence N88°46'50"W along the southerly line of said lot 2, 30.80 feet;

Thence S51°22'58"W along said southerly line, 100.91 feet;

Thence N89°14'15"W along said southerly line, 263.71 feet to the point of beginning containing 0.15 acres (6,439 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Tract 1:

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Commencing at the southwest corner of said lot 2;

Thence N01°30'04"W along the west line of said lot 2, 15.01 feet to the point of beginning;

Thence continuing N01°30'04"W along said west line, 55.53 feet;

Thence S89°54'44"E, 35.01 feet;

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Thence S01°30'04"E, 55.95 feet;

Thence N89°14'15"W, 35.03 feet to the point of beginning containing 0.05 acres (1,951 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

Tract 2:

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the northeast corner of said lot 2;

Thence S00°21'25"E along the east line of said lot 2, 12.50 feet;

Thence N88°54'54"W, 30.73 feet;

Thence S00°18'55"E, 83.45 feet;

Thence N88°46'50"W, 12.84 feet;

Thence S51°22'58"W, 101.08 feet;

Thence N89°14'15"W, 36.79 feet;

Thence N51°55'54"E, 123.60 feet;

Thence N23°40'36"E, 29.41 feet;

Thence N00°18'55"W, 55.49 feet to the north line of said lot 2;

Thence S88°54'54"E along said north line, 49.99 feet to the point of beginning containing 0.11 acres (4,976 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southeast corner of said lot 1 being on the northerly right-of-way line of Collins Road NE;

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Thence $N89^{\circ}04'09''W$ along the southerly line of said lot 1 and said northerly right-of-way line of Collins Road NE, 93.01 feet;

Thence $N48^{\circ}56'30''W$ along said southerly line and said northerly right-of-way line, 10.86 feet;

Thence $S89^{\circ}04'09''E$ 103.53 feet to the easterly line of said lot 1;

Thence $S18^{\circ}28'49''W$ along said easterly line, 7.34 feet to the point of beginning containing 0.02 acres (688 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southeast corner of lot 2 of said Natalia Maria First Addition;

Thence $N00^{\circ}21'25''W$ along the east line of said lot 2, 111.03 to the northeast corner of said lot 2;

Thence $N88^{\circ}54'54''W$ along the north line of said lot 2, 377.37 feet to the northwest corner of said lot 2;

Thence $N01^{\circ}29'54''W$ along the west line of said lot 1, 579.02 feet to the northwest corner of said lot 1;

Thence $S88^{\circ}57'11''E$ along the north line of said lot 1, 30.03 feet;

Thence $S01^{\circ}30'04''E$, 566.53 feet;

Thence $S88^{\circ}54'54''E$, 687.79 feet;

Thence $N87^{\circ}44'33''E$, 164.48 feet to the westerly right-of-way line of Lindale Drive NE;

Thence $S18^{\circ}25'30''W$ along said westerly right-of-way line, 57.01 feet to the southeast corner of said lot 1;

Thence $N89^{\circ}01'07''W$ along the south line of said lot 1, 32.01 feet;

Thence $N00^{\circ}58'53''E$, 23.05 feet;

Thence $S89^{\circ}31'16''W$, 115.90 feet;

Thence $N88^{\circ}54'54''W$, 264.47 feet;

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Thence $S55^{\circ}14'24''W$, 25.12 feet;

Thence $S00^{\circ}10'56''E$, 83.93 feet to the north right-of-way line of Collins Road NE;

Thence $N88^{\circ}46'50''W$ along said north right-of-way line, 53.44 feet to the point of beginning containing 0.94 acres (40,874 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at a southeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence $N89^{\circ}01'07''W$ along the south line of said lot 1, 4.19 feet;

Thence $N18^{\circ}25'30''E$, 82.80 feet to a north line of said lot 1;

Thence $N89^{\circ}50'15''E$ along said north line, 4.22 feet to a northeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence $S18^{\circ}25'30''W$ along said northwesterly right-of-way line, 82.89 feet to the point of beginning containing 0.01 acres (331 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Commencing at the southeast corner of said lot 1 being on the north right-of-way line of Collins Road NE;

Thence $N18^{\circ}28'49''E$ along the easterly line of said lot 1, 7.34 feet to the point of beginning;

Thence $N89^{\circ}04'09''W$ along the north proposed right-of-way line of Collins Road NE, 103.53 feet to the southerly line of said lot 1;

Thence $N48^{\circ}56'30''W$ along said southerly line 89.91 feet;

Thence $N88^{\circ}46'50''W$ along said southerly line, 119.05 feet to the West line of said lot 1;

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Thence $N00^{\circ}21'25''W$ along said west line, 15.01 feet;

Thence $S88^{\circ}46'50''E$, 124.90 feet;

Thence $S48^{\circ}56'30''E$, 97.62 feet;

Thence $S89^{\circ}04'09''E$, 95.28 feet to the easterly line of said lot 1;

Thence $S18^{\circ}28'49''W$ along said easterly line, 10.49 feet to the point of beginning containing 0.10 acres (4,230 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at a southeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence $N89^{\circ}01'07''W$ along the south line of said lot 1, 15.72 feet;

Thence $N18^{\circ}25'30''E$, 82.56 feet to a north line of said lot 1;

Thence $S89^{\circ}50'15''E$ along said north line, 15.83 feet to a northeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence $S18^{\circ}25'30''W$ along said northwesterly right-of-way line, 82.89 feet to the point of beginning containing 0.03 acres (1,241 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Commencing at the southeast corner of said lot 1 being on the north right-of-way line of Collins Road NE;

Thence $N18^{\circ}28'49''E$ along the east line of said lot 1, 17.83 feet to the point of beginning;

Thence $N89^{\circ}04'09''W$, 95.28 feet;

Thence $N48^{\circ}56'30''W$, 97.62 feet;

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Thence N88°46'50"W, 124.90 feet to the west line of said lot 1;

Thence N00°21'25"W along said west line, 96.02 feet to the northeast corner of lot 2, Natalia Maria First Addition;

Thence N88°54'54"W along the north line of said lot 2, 49.99 feet;

Thence N00°18'55"E, 14.24 feet;

Thence S89°20'22"E, 134.98 feet;

Thence S00°21'25"W, 106.46 feet;

Thence S88°46'50"E, 41.81 feet;

Thence S48°56'30"E, 97.61 feet;

Thence S89°04'09"E, 95.04 feet to the east line of said lot 1;

Thence S18°28'49"W along said east line, 5.24 feet to the point of beginning containing 0.26 acres (11,328 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

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

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southeast corner of said lot 2;

Thence N88°46'50"W along the south line of said lot 2, 30.80 feet;

Thence N00°18'55"W, 98.45 feet;

Thence N88°54'54"W, 316.34 feet;

Thence S01°30'04"E, 164.37 feet to the south line of said lot 2;

Thence N89°14'15"W along said south line, 30.02 feet to the southwest corner of said lot 2;

Thence N01°30'38"W along the west line of said lot 2, 177.05 feet to the northwest corner of said lot 2;

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Thence S88°54'54"E along the north line of said lot 2, 377.37 feet to the northeast corner of said lot 2;

Thence S00°21'25"E along the east line of said lot 2, 111.03 feet to the point of beginning containing 0.29 acres (12,681 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southwest corner of said lot 2;

Thence N01°30'04"W along the west line of said lot 2, 15.01 feet;

Thence S89°14'15"E, 251.06 feet;

Thence N51°22'58"E, 101.08 feet;

Thence S88°46'50"E, 43.63 feet to the east line of said lot 2;

Thence S00°21'25"E along said east line of lot 2, 15.01 feet to the southeast corner of said lot 2;

Thence N88°46'50"W along the southerly line of said lot 2, 30.80 feet;

Thence S51°22'58"W along said southerly line, 100.91 feet;

Thence N89°14'15"W along said southerly line, 263.71 feet to the point of beginning containing 0.15 acres (6,439 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Tract 1:

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Commencing at the southwest corner of said lot 2;

Thence N01°30'04"W along the west line of said lot 2, 15.01 feet to the point of beginning;

Thence continuing N01°30'04"W along said west line, 55.53 feet;

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Thence S89°54'44"E, 35.01 feet;

Thence S01°30'04"E, 55.95 feet;

Thence N89°14'15"W, 35.03 feet to the point of beginning containing 0.05 acres (1,951 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

Tract 2:

Part of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the northeast corner of said lot 2;

Thence S00°21'25"E along the east line of said lot 2, 12.50 feet;

Thence N88°54'54"W, 30.73 feet;

Thence S00°18'55"E, 83.45 feet;

Thence N88°46'50"W, 12.84 feet;

Thence S51°22'58"W, 101.08 feet;

Thence N89°14'15"W, 36.79 feet;

Thence N51°55'54"E, 123.60 feet;

Thence N23°40'36"E, 29.41 feet;

Thence N00°18'55"W, 55.49 feet to the north line of said lot 2;

Thence S88°54'54"E along said north line, 49.99 feet to the point of beginning containing 0.11 acres (4,976 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southeast corner of said lot 1 being on the northerly right-of-way line of Collins Road NB;

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Thence N89°04'09"W along the southerly line of said lot 1 and said northerly right-of-way line of Collins Road NE, 93.01 feet;

Thence N48°56'30"W along said southerly line and said northerly right-of-way line, 10.86 feet;

Thence S89°04'09"E 103.53 feet to the easterly line of said lot 1;

Thence S18°28'49"W along said easterly line, 7.34 feet to the point of beginning containing 0.02 acres (688 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at the southeast corner of lot 2 of said Natalia Maria First Addition;

Thence N00°21'25"W along the east line of said lot 2, 111.03 to the northeast corner of said lot 2;

Thence N88°54'54"W along the north line of said lot 2, 377.37 feet to the northwest corner of said lot 2;

Thence N01°29'54"W along the west line of said lot 1, 579.02 feet to the northwest corner of said lot 1;

Thence S88°57'11"E along the north line of said lot 1, 30.03 feet;

Thence S01°30'04"E, 566.53 feet;

Thence S88°54'54"E, 687.79 feet;

Thence N87°44'33"E, 164.48 feet to the westerly right-of-way line of Lindale Drive NE;

Thence S18°25'30"W along said westerly right-of-way line, 57.01 feet to the southeast corner of said lot 1;

Thence N89°01'07"W along the south line of said lot 1, 32.01 feet;

Thence N00°58'53"E, 23.05 feet;

Thence S89°31'16"W, 115.90 feet;

Thence N88°54'54"W, 264.47 feet;

Thence S55°14'24"W, 25.12 feet;

Thence S00°10'56"E, 83.93 feet to the north right-of-way line of Collins Road NE;

Thence N88°46'50"W along said north right-of-way line, 53.44 feet to the point of beginning containing 0.94 acres (40,874 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at a southeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence N89°01'07"W along the south line of said lot 1, 4.19 feet;

Thence N18°25'30"E, 82.80 feet to a north line of said lot 1;

Thence N89°50'15"E along said north line, 4.22 feet to a northeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence S18°25'30"W along said northwesterly right-of-way line, 82.89 feet to the point of beginning containing 0.01 acres (331 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Commencing at the southeast corner of said lot 1 being on the north right-of-way line of Collins Road NE;

Thence N18°28'49"E along the easterly line of said lot 1, 7.34 feet to the point of beginning;

Thence N89°04'09"W along the north proposed right-of-way line of Collins Road NE, 103.53 feet to the southerly line of said lot 1;

Thence N48°56'30"W along said southerly line 89.91 feet;

Thence N88°46'50"W along said southerly line, 119.05 feet to the West line of said lot 1;

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Thence $N00^{\circ}21'25''W$ along said west line, 15.01 feet;

Thence $S88^{\circ}46'50''E$, 124.90 feet;

Thence $S48^{\circ}56'30''E$, 97.62 feet;

Thence $S89^{\circ}04'09''E$, 95.28 feet to the easterly line of said lot 1;

Thence $S18^{\circ}28'49''W$ along said easterly line, 10.49 feet to the point of beginning containing 0.10 acres (4,230 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Beginning at a southeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence $N89^{\circ}01'07''W$ along the south line of said lot 1, 15.72 feet;

Thence $N18^{\circ}25'30''E$, 82.56 feet to a north line of said lot 1;

Thence $S89^{\circ}50'15''E$ along said north line, 15.83 feet to a northeast corner of said lot 1 and the northwesterly right-of-way line of Lindale Drive NE;

Thence $S18^{\circ}25'30''W$ along said northwesterly right-of-way line, 82.89 feet to the point of beginning containing 0.03 acres (1,241 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

AND

Part of lot 1, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa further described as follows:

Commencing at the southeast corner of said lot 1 being on the north right-of-way line of Collins Road NE;

Thence $N18^{\circ}28'49''E$ along the east line of said lot 1, 17.83 feet to the point of beginning;

Thence $N89^{\circ}04'09''W$, 95.28 feet;

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Thence N48°56'30"W, 97.62 feet;

Thence N88°46'50"W, 124.90 feet to the west line of said lot 1;

Thence N00°21'25"W along said west line, 96.02 feet to the northeast corner of lot 2, Natalia Maria First Addition;

Thence N88°54'54"W along the north line of said lot 2, 49.99 feet;

Thence N00°18'55"E, 14.24 feet;

Thence S89°20'22"E, 134.98 feet;

Thence S00°21'25"W, 106.46 feet;

Thence S88°46'50"E, 41.81 feet;

Thence S48°56'30"E, 97.61 feet;

Thence S89°04'09"E, 95.04 feet to the east line of said lot 1;

Thence S18°28'49"W along said east line, 5.24 feet to the point of beginning containing 0.26 acres (11,328 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

The condemnation is sought to acquire a street right-of-way, access easements, utility easements and temporary construction easements.

A Commission has been appointed as provided for by law for the purpose of appraising the damages which will be caused by this condemnation.

Said Commissioners will meet at the office of the Linn County Sheriff at 310 2nd Avenue SW, Cedar Rapids, Iowa, the 30th day of September, 2015 at 9:30 o'clock a.m., view the premises as set for above, and proceed to appraise said damages, at which time you may appear before the Commissioners if you care to do so.

The meeting of the Compensation Commission is open to the public, as provided by law.

Attached hereto is a copy of the Application For Condemnation which has been filed with the Chief Judge of the Sixth Judicial District of the State of Iowa, The Honorable Patrick R.

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IN THE IOWA DISTRICT COURT FOR LINN COUNTY

CMM, LLC,

Plaintiff,

vs.

CITY OF CEDAR RAPIDS;
GUARANTY BANK & TRUST
COMPANY; AND
LINN COUNTY, IOWA.

Defendants.

No. EDCV08409

NOTICE OF APPEAL

BRIAN D. GARDNER
SHERIFF
LINN COUNTY, IOWA

15 OCT 26 PM 12:00

REC'D

TO: Defendants and Brian Gardner, Sheriff of Linn County

1. Each of you are hereby notified that the above-named plaintiffs hereby appeal to the District Court from the appraisal of damages made in favor of plaintiffs as set forth in the Report Of Commissioners To The Sheriff as filed by the Compensation Commission on September 30, 2015, as damages from the taking by the City of Cedar Rapids, Iowa of the following described real property:

(a) The fee title to the following described property for street right of way:

Part of lots 2, 3, and 4 of Auditor's Plat #335, Linn County, Iowa further described as follows:

Commencing at the southwest corner of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa;

Thence S01°30'04"E along the east line of said lot 2, Auditor's Plat #335, 27.23 feet to the point of beginning;

Thence S01°30'04"E along said east line, 29.56 feet to the north right-of-way line of Collins Road NE as described in Book 1021, Page 153 in the Recorder's Office of Linn County, Iowa;

Thence N89°03'02"W along said north right-of-way line, 222.20 feet to the northwest corner of parcel described in Book 1019, Page 370 of said Recorder's Office;

Thence N01°34'27"W along the west line of said lot 4, 31.64 feet;

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Thence S89°00'20"E, 39.87 feet;

Thence 93.22 feet along a 7915.00 foot radius curve concave northerly whose 93.22 foot chord bears S89°20'35"E;

Thence S87°26'07"E, 89.28 feet to the point of beginning containing 0.36 acres (6,961 Sq. Ft.) more or less.

Subject to existing easements and restrictions of record.

(b) A utility easement over property legally described as follows:

Part of lots 2, 3, and 4 of Auditor's Plat #335, Linn County, Iowa further described as follows:

Commencing at the southwest corner of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa;

Thence S01°30'40"E along the east line of said lot 2, Auditor's Plat #335, 6.22 feet to the point of beginning;

Thence continuing S01°30'04"E along said east line, 21.00 feet to the northerly proposed right-of-way line of Collins Road NE;

Thence N87°26'07"W along said northerly proposed right-of-way line, 89.28 feet;

Thence along said northerly proposed right-of-way line 93.22 feet along a 7915.00 foot radius curve concave northerly whose 93.22 foot chord bears N89°20'35"W;

Thence N89°00'20"W along said northerly proposed right-of-way line 39.87 feet to the west line of said lot 4;

Thence N01°34'27"W along said west line, 17.02 feet;

Thence 181.56 feet along a 7898.00 foot radius curve concave northerly whose 181.56 foot chord bears S89°39'51"E to the point of beginning containing 0.09 acres (3,948 Sq. Ft.) more or less.

Subject to existing easements and restrictions of record.

(c) A temporary construction easement over property legally described as:

Part of lot 2, Auditor's Plat #335, Linn County, Iowa further described as follows:

Beginning at the northeast corner of said lot 2;

Thence S01°30'04"E along the east line of said lot 2, 97.78 feet to the north proposed right-of-way line of Collins Road NE;

REC'D
OCT 26 PM 12:00
JIM D. GARDNER
SHERIFF
LINN COUNTY, IOWA

1233



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 City of Cedar Rapids
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 August month, 11 day, 2015 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9326, Page 391.

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



Doc ID: 021893630080 Type: GEN
Recorded: 08/11/2015 at 09:10:02 AM
Fee Amt: \$402.00 Page 1 of 80
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 9326 PG 391-470

IN THE MATTER OF THE CONDEMNATION)
OF STREET RIGHT-OF-WAY,)
ACCESS EASEMENTS, UTILITY EASEMENTS)
AND TEMPORARY CONSTRUCTION)
EASEMENTS BY THE INCORPORATED)
CITY OF CEDAR RAPIDS FOR PURPOSES OF)
IMPROVING COLLINS ROAD NE, FRONT 301,)
DEPARTMENT ID 301000, PROJECT 301446,)
AND FOR ANY AND ALL OTHER PUBLIC)
PURPOSES AS MAY BE DETERMINED IN THE)
DISCRETION OF THE CITY COUNCIL OF THE)
CITY OF CEDAR RAPIDS, IOWA)

APPLICATION FOR
CONDEMNATION

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

The Applicant, the Incorporated City of Cedar Rapids, Iowa (hereinafter "City" or "Applicant") applies for condemnation of lands for street right-of-way in fee simple absolute and temporary construction easements, all as more fully described herein, on certain real property legally described herein. In support of this Application, the City of Cedar Rapids, Iowa states as follows:

PARCEL A:

1.a. The property to be condemned in fee simple absolute for street right-of-way is legally described as follows:

Part of lots 2, 3, and 4 of Auditor's Plat #335, Linn County, Iowa further described as follows:

Commencing at the southwest corner of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa;

Thence S01°30'04"E along the east line of said lot 2, Auditor's Plat #335, 27.23 feet to the point of beginning;

Thence S01°30'04"E along said east line, 29.56 feet to the north right-of-way line of Collins Road NE as described in Book 1021, Page 153 in the Recorder's Office of Linn County, Iowa;

Thence N89°03'02"W along said north right-of-way line, 222.20 feet to the northwest corner of parcel described in Book 1019, Page 370 of said Recorder's Office;

Thence $N01^{\circ}34'27''W$ along the west line of said lot 4, 31.64 feet;

Thence $S89^{\circ}00'20''E$, 39.87 feet;

Thence 93.22 feet along a 7915.00 foot radius curve concave northerly whose 93.22 foot chord bears $S89^{\circ}20'35''E$;

Thence $S87^{\circ}26'07''E$, 89.28 feet to the point of beginning containing 0.16 acres (6,961 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

1.b. The property to be condemned for a utility easement is legally described as follows:

Part of lots 2, 3, and 4 of Auditor's Plat #335, Linn County, Iowa further described as follows:

Commencing at the southwest corner of lot 2, Natalia Maria First Addition in the City of Cedar Rapids, Linn County, Iowa;

Thence $S01^{\circ}30'40''E$ along the east line of said lot 2, Auditor's Plat #335, 6.22 feet to the point of beginning;

Thence continuing $S01^{\circ}30'04''E$ along said east line, 21.00 feet to the northerly proposed right-of-way line of Collins Road NE;

Thence $N87^{\circ}26'07''W$ along said northerly proposed right-of-way line, 89.28 feet;

Thence along said northerly proposed right-of-way line 93.22 feet along a 7915.00 foot radius curve concave northerly whose 93.22 foot chord bears $N89^{\circ}20'35''W$;

Thence $N89^{\circ}00'20''W$ along said northerly proposed right-of-way line 39.87 feet to the west line of said lot 4;

Thence $N01^{\circ}34'27''W$ along said west line, 17.02 feet;

Thence 181.56 feet along a 7898.00 foot radius curve concave northerly whose 181.56 foot chord bears $S89^{\circ}39'51''E$ to the point of beginning containing 0.09 acres (3,948 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

1.c. The property to be condemned for temporary construction easement is legally described as follows:

Part of lot 2, Auditor's Plat #335, Linn County, Iowa further described as follows:

Beginning at the northeast corner of said lot 2;

Thence S01°30'04"E along the east line of said lot 2, 97.78 feet to the north proposed right-of-way line of Collins Road NE;

Thence N87°26'07"W along said north proposed right-of-way line, 63.65 feet;

Thence N00°28'43"E, 94.99 feet to the north line of said lot 2;

Thence S89°54'44"E along said north line, 60.23 feet to the point of beginning containing 0.14 acres (5,964 Sq.Ft.) more or less.

Subject to existing easements and restrictions of record.

2. Plats showing the location of the property to be condemned and the interest to be acquired are attached hereto. The property referred to in Paragraph 1.a. immediately above is attached as Exhibit A; the property referred to in Paragraph 1.b. immediately above is attached hereto as Exhibit B and, and the property referred to in Paragraph 1.c. immediately above is attached hereto as Exhibit C and all plats are incorporated herein by this reference.

3. The names of the record owners, 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: CMM, LLC, an Iowa limited liability company, c/o Charles Murphy, 2665 Clubhouse Drive, Marion, Iowa, 52302.

Record holders of liens, mortgages and other encumbrances on such lands as far as are shown of record: Guaranty Bank & Trust Company, 302 Third Avenue SE, Cedar Rapids, Iowa, 52406.

Easements: City of Cedar Rapids

Taxes: Linn County, Iowa, c/o Linn County Auditor, 935 2nd Street SW, Cedar Rapids, Iowa 52404.