

#1243



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 September month, 3 day, 2015 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9347, Page 629.

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 9347, Page 629 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # _____
Book 9412, Page 449; on November month, 23 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)

) SHERIFF'S FILING OF RECORD 30
) DAYS AFTER THE DATE OF THE
) REPORT OF THE COMMISSIONERS

)
) 26TH STREET SW IMPROVEMENTS)
) FROM 76TH AVENUE SW TO)
) 60TH AVENUE SW)

WITH)

) KENNETH R. SNYDER,)
) JEANNE C. SNYDER,)
) CHRIS SNYDER, JOLENE SNYDER,)
) CEDAR RAPIDS BANK & TRUST,)
) LINN COUNTY, IOWA)



Doc ID: 022057830047 Type: GEN
Recorded: 11/23/2015 at 04:02:16 PM
Fee Amt: \$242.00 Page 1 of 47
Linn County Iowa
JOAN MCCALMANT RECORDER
BK 9412 PG 449-495

By: City of Cedar Rapids

TO: Linn County Recorder

Please find attached the following papers regarding the above-described Condemnation proceedings which was held in my office on the 21st day of October, 2015:

A certified copy of the Application for Condemnation.
All notices, together with all returns of services endorsed.
The Report of the Commissioners.
All other papers filed with the Sheriff in these proceedings.

I further certify that I have or had in my possession payable to the above named Condemnees:

Warrant # 10238/37	in the amount of \$ 180.00	parcel	Date Claimed
Warrant #	in the amount of \$	parcel	
Warrant #	in the amount of \$	parcel	
Warrant #	in the amount of \$	parcel	

The Application for Condemnation was filed with your office on the 3rd day of September, 2015 in volume 9347 on page 629-644.

This filing is being done pursuant to Section 6B.35, Code of Iowa.

Brian D. Gardner, Sheriff
Linn County, Iowa

By: H. R. [Signature], Deputy

Date: 12-23-15

Cedar Rapids Engineering
3012004/ACQUISITION/SNYDER/CONDEMNATION/COND-RECORDER
Attn: Karen Downs
\$242.00 chg DD.

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

26TH STREET SW IMPROVEMENTS FROM)
76TH AVENUE SW TO 60TH AVENUE SW)

Sheriff's Certification of)
Costs and Awards)

By: City of Cedar Rapids)

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

I hereby certify that the appointed Commissioners in the above entitled Condemnation Commission Proceedings convened at the Office of the Linn County Sheriff, 310 2nd Avenue SW, Cedar Rapids, Iowa, on the 21st day of October, 2015, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 21st day of OCT., 2015, file their written report with me awarding damages as follows:

	LAND & IMPROVE.	CONSEQ. DAMAGES	TOTAL AWARD	ATTY FEES
Jeanne Snyder				
Kenneth Snyder				\$180.00
Cedar Rapids Bank & Trust Company				
Chris Snyder				
Jolene Snyder				
Linn County Treasurer				

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

Expense of Summoning Commissioners	\$	
Serving Condemnees	\$	80.00
Expense of Commissioners	\$	1,235.65
Sheriff's Mileage Serving Condemnees	\$	21.51
Sheriff's Mileage Transporting Commissioners	\$	13.80
Copies	\$	26.50
Sheriff's Fee Attending Condemnation	\$	100.00
Notary	\$	
Publication	\$	19.82
Postage	\$	15.12
Recording Fee	\$	TO BE PAID BY CITY OF CEDAR RAPIDS ATTN: KAREN DOWNS
Total	\$	1,512.40

Given under my hand this 21st day of OCTOBER, 2015.



Brian D. Gardner, Sheriff
Linn County, Iowa

By: R. Rowland Deputy
LT. R. ROWLAND

Subscribed and sworn to before me this 21st 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

IN THE MATTER OF THE CONDEMNATION)
 OF A TEMPORARY GRADING EASEMENT)
 FOR CONSTRUCTION BY THE INCORPORATED)
 CITY OF CEDAR RAPIDS FOR PURPOSES)
 OF IMPROVING 26TH STREET SW UNDER THE)
 26TH STREET SW IMPROVEMENTS FROM)
 76TH AVENUE SW TO 60TH AVENUE SW)
 FRONT 301, DEPARTMENT ID 301000,)
 PROJECT 3012004 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)

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

REC'D
 15 SEP - 3 PM 2:20
 BRIAN D. GARDNER
 SHERIFF
 LINN COUNTY, IOWA

- TO:
1. Mr. Ken Snyder
3458 Lewis Bottoms Rd.
Palo, IA 52324
 2. Mrs. Jeanne Snyder
3458 Lewis Bottoms Rd.
Palo, IA 52324
 3. Mr. Chris Snyder
6200 26th Street SW
Cedar Rapids, IA 52404
 4. Mrs. Jolene Snyder
6200 26th Street SW
Cedar Rapids, IA 52404
 5. Cedar Rapids Bank & Trust Company
500 1st Avenue NE, Suite 100
Cedar Rapids, IA 52401
 6. 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:

A part of Lot 1 as designated upon the Plat of Planeview Addition to the City of Cedar Rapids, a subdivision of the fractional Northwest Quarter of Section 18, Township 82 North, Range 7 West of the 5th P.M., the Plat of said Subdivision is recorded as Document No. 012169680010 on April 29, 1987 in Book 1908 at Page 1-10 in the Recorder's Office of Linn County, Iowa, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 18;

Thence South $2^{\circ}12'23''$ East, 704.96 feet on the east line of said Northwest Quarter;

Thence South $87^{\circ}47'37''$ West, 40.00 feet, to the westerly right-of-way line of a public street designated 26th Street S.W. and the Point of Beginning;

From the Point of Beginning thence South $2^{\circ}12'23''$ East, 37.00 feet on said westerly right-of-way line;

Thence South $87^{\circ}47'37''$ West, 50.00 feet;

Thence North $2^{\circ}12'23''$ West, 37.00 feet;

Thence North $87^{\circ}47'37''$ East, 50.00 feet, to said westerly right-of-way line and the Point of Beginning.

Described parcel contains 0.04 acre, more or less.

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

A part of Lot 1 as designated upon the Plat of Planeview Addition to the City of Cedar Rapids, a subdivision of the fractional Northwest Quarter of Section 18, Township 82 North, Range 7 West of the 5th P.M., the Plat of said Subdivision is recorded as Document No. 012169680010 on April 29, 1987 in Book 1908 at Page 1-10 in the Recorder's Office of Linn County, Iowa, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 18;

Thence South $2^{\circ}12'23''$ East, 704.96 feet on the east line of said Northwest Quarter;

Thence South $87^{\circ}47'37''$ West, 40.00 feet, to the westerly right-of-way line of a public street designated 26th Street S.W. and the Point of Beginning;

From the Point of Beginning thence South $2^{\circ}12'23''$ East, 37.00 feet on said westerly right-of-way line;

Thence South $87^{\circ}47'37''$ West, 50.00 feet;

Thence North $2^{\circ}12'23''$ West, 37.00 feet;

Thence North $87^{\circ}47'37''$ East, 50.00 feet, to said westerly right-of-way line and the Point of Beginning.

Described parcel contains 0.04 acre, more or less.

Doc ID: 021935260016 Type: GEN
 Recorded: 09/03/2015 at 11:24:01 AM
 Fee Amt: \$82.00 Page 1 of 16
 Revenue Tax: \$0.00
 Linn County Iowa
 JOAN MCCALMANT RECORDER
 BK 9347 PG 629-644

IN THE MATTER OF THE CONDEMNATION)
 OF A TEMPORARY GRADING EASEMENT)
 FOR CONSTRUCTION BY THE INCORPORATED)
 CITY OF CEDAR RAPIDS FOR PURPOSES OF)
 IMPROVING 26TH STREET SW, FRONT 301,)
 DEPARTMENT ID 301000, PROJECT 3012004)
 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

REC'D
 15 SEP - 3 PM 2:21
 BRIAN D. CAVONER
 SHERIFF
 LINN COUNTY, IOWA

The Applicant, the Incorporated City of Cedar Rapids, Iowa (hereinafter "City"
 "Applicant") applies for condemnation of lands for a temporary grading easement for
 construction, 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:

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

A part of Lot 1 as designated upon the Plat of Planeview Addition to the City of
 Cedar Rapids, a subdivision of the fractional Northwest Quarter of Section 18,
 Township 82 North, Range 7 West of the 5th P.M., the Plat of said Subdivision is
 recorded as Document No. 012169680010 on April 29, 1987 in Book 1908 at
 Page 1-10 in the Recorder's Office of Linn County, Iowa, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 18;

Thence South 2°12'23" East, 704.96 feet on the east line of said Northwest
 Quarter;

Thence South 87°47'37" West, 40.00 feet, to the westerly right-of-way line of a
 public street designated 26th Street S.W. and the Point of Beginning;

From the Point of Beginning thence South 2°12'23" East, 37.00 feet on said
 westerly right-of-way line;

Thence South 87°47'37" West, 50.00 feet;

Thence North 2°12'23" West, 37.00 feet;

Thence North 87°47'37" East, 50.00 feet, to said westerly right-of-way line and the Point of Beginning.

Described parcel contains 0.04 acre, more or less.

2. The plat showing the location of the property to be condemned and the interest to be acquired is attached hereto. The property referred to in Paragraph 1.a. immediately above is attached as Exhibit A and the exhibit is 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: Kenneth R. Snyder and Jeanne C. Snyder, husband and wife, 3458 Lewis Bottoms Road, Palo, Iowa, 52324 and Chris Snyder and Jolene Snyder, contract purchaser, 6200 26th Street SW, Cedar Rapids, Iowa, 52404.

Record holders of liens, mortgages and other encumbrances on such lands as far as are shown of record: Cedar Rapids Bank & Trust Company, 500 1st Avenue NE, Suite 100, Cedar Rapids, Iowa 52401; LVNV Funding, LLC, c/o Corporation Service Company, 505 5th Avenue, Suite 729, Des Moines, Iowa, 50309; Convergence Receivables, L.C., c/o Charles Litow, 222 3rd Street, Suite 319, Cedar Rapids, Iowa, 52401.

Easements: None shown of record.

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

4. The condemnation is sought to acquire a temporary grading easement for construction.
5. Applicant requests the appointment of a commission to appraise the damages.
6. Damages will not be paid by the State of Iowa and the land being condemned is not within an agricultural area as provided in Chapter 352, Code of Iowa.

7. The condemnation exhibit attached hereto as Exhibit A shows that portion of land which is required by the City of Cedar Rapids for the purpose of improving 26th Street SW.