



#1250
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 Des Moines County County.
3. The date the condemnation application was filed by the undersigned County Recorder is January month, 29 day, 2016 year.
4. The attached Condemnation Application is filed of record at Document # 2016-000476
 Book _____, Page _____.

Lisa L. Schmeier
 County Recorder for
 by Natalee Steffener, deputy
Des Moines 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 State of Iowa
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 2016-000476 Book _____, Page _____ and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # 2016-002229
 Book _____, Page _____; on May month, 6 day, 2016 year.

Lisa L. Schmeier
 County Recorder for
 by Natalee Steffener, deputy
Des Moines County

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

SEE INSTRUCTIONS ON BACK

Instrument N: 2016-002229
05/05/2016 03:25:10 PM Total Pages: 45
NCC CONDEMNATION
Recording Fee: \$232.00 Transfer Tax: 30
Lisa L. Schreiner, Recorder, Des Moines County Iowa



**CONDEMNATION
PROCEEDINGS**
Recorder's Cover Sheet

PREPARER INFORMATION: Des Moines County Sheriff, 512 N. Main Street, PO Box
116, Burlington, IA 52601

TAXPAYER INFORMATION: Tax Exempt-IA Code Sec. 427.1 (for fee) (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:

Unknown Heirs and Assigns of
Vivian M. Johnson, deceased
Kenneth A. Johnson
Joyce Johnson
David S. Johnson
Lois Johnson
Kellee A. Johnson

GRANTEES:

State of Iowa (Condemnor)

**DOCUMENT OR INSTRUMENT NUMBER OF PREVIOUSLY RECORDED
DOCUMENTS:** Application for Condemnation filed 1/29/2016, in Document No. 2016-
000476

LEGAL DESCRIPTION: Part of the W1/2 of the SW1/4 of Section 13, and part of the
E1/2 of the SE1/4 of Section 14, all in Township 70 North, Range 3 West of the 5th P.M.,
Des Moines County, Iowa.

Des Moines County Project No. NHSN-61-2(55)-2R-29
Unknown Heirs and Assigns of Vivian M. Johnson, deceased (Parcel No. 12)

RECORDING DATA SHEET
(For Billing Purposes Only)

FOR PAYMENT, PLEASE RETURN TO:

IOWA DEPARTMENT OF TRANSPORTATION
OFFICE OF RIGHT OF WAY
CONDEMNATION SECTION
AMES, IA 50010

RE: Des Moines County Condemnation
Project No. NHSN-61-2(55)--2R-29 Group "A"
Parcel 12 Unknown Heirs and Assigns of Vivian M. Johnson

I, Natalie Steffener, deputy Recorder of Des Moines County, do hereby certify that the proceedings in the above-entitled matter were filed in my office on the 6 day of May, 2016, and are recorded in BOOK _____, PAGE _____ and/or INST. NO. 2016-06222.9 of the records of said county, all as provided by law.

I certify that the fee for recording of these papers is in the amount of \$ 232.00 and that said amount is legally payable and that the claim is correct and just and that payment has not been received.

Lucia L. Schmeier
COUNTY RECORDER
by Natalie Steffener, deputy

CERTIFIED TRUE COPY

2016-000476
Number: 2016-000476
Recorded: 1/29/2016 at 1:14:49.0 PM
Fee Amount: \$32.00
Revenue Tax:
Lisa L. Schreiner RECORDER
Des Moines County, Iowa

Prepared by: Colleen Chapa, IA Dept. of Transportation, Right of Way-Condemnation,
 800 Lincoln Way, Ames, IA 50010 515-239-1067
 Return to: Colleen Chapa, 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. 61
 north of the City of Burlington
 located in Des Moines County, Iowa

**APPLICATION TO THE CHIEF
 JUDGE OF THE
 8th JUDICIAL DISTRICT
 FOR THE APPOINTMENT OF A
 COMMISSION TO APPRAISE
 DAMAGES**

Project No. NHSN-61-2(55)--2R-29 Group "A"

TO: Mary Ann Brown, Chief Judge, 8th Judicial District including Des Moines 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

16 FEB -4 AM 10:18

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 25th day of January, 2016.

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 Burlington, Iowa, this 27 day of January, 2016.

Mary Ann Brown
Mary Ann Brown
Chief Judge of the 8th Judicial District
including Des Moines County, Iowa.

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

Colleen Chapa
Colleen Chapa, Condemnation Unit

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

NOTICE

Primary Road No. U.S. 61

North of the City of Burlington

located in Des Moines County, Iowa

Project No. NHSN-61-2(55)--2R-29

Group "A"

TO:

Unknown Heirs and Assigns of Vivian M. Johnson, deceased
Kenneth A. Johnson, 12069 Highway 61, Burlington, IA 52601
Joyce Johnson, 12069 Highway 61, Burlington, IA 52601
David S. Johnson, 9455 NW 121st Street, Granger, IA 50109
Lois Johnson, 9455 NW 121st Street, Granger, IA 50109
Kellee A. Johnson, 25023 N. Turkey Creek, Evergreen, CO 80439
Des Moines County, Iowa, c/o County Auditor, 513 N. Main Street, Burlington, IA 52601

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13, and part of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 14, all in Township 70 North, Range 3 West of the 5th P.M., Des Moines 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 Graphic Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Des Moines County, Iowa, and in the Office of the Sheriff of Des Moines County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows and as shown on Graphic Exhibit "A" attached hereto and by reference made a part hereof:

The west 3 $\frac{1}{4}$ acres of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13. Also beginning at the southwest corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 13; thence S 89 $\frac{3}{4}$ ° E 16.60 chains; thence N 8° 50' W 7.34 chains; thence N 27° 35' W 5.19 chains; thence W 13.16 chains; thence S 20' E 11.80 chains to beginning, containing 18.22 acres. Also beginning at a stone 18.48 chains, north of the southeast corner of Section 14; thence N 75° W 13.57 chains; thence N 1° W 6.29 chains; thence S 88° 40' W 6.89 chains; thence N 3.73 chains; thence E 20.03 chains to the section line; thence S 13.32 chains more or less to the place of beginning. All in Township 70 North, Range 3 West of the 5th P.M., containing 67 $\frac{3}{4}$ acres more or less, except the following five tracts:

Des Moines County Project No. NHSN-61-2(55)--2R-29
Unknown Heirs and Assigns of Vivian M. Johnson (Parcel 12)
Continued on next page

Des Moines County Project No. NHSN-61-2(55)--2R-29
Unknown Heirs and Assigns of Vivian M. Johnson (Parcel 12)

Page 2

Tract 1: Part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 70 North, Range 3 West of the 5th P.M., bounded and described as follows: Commencing at the southwest corner of said Section 13, and running thence east, along the south line of the SW $\frac{1}{4}$ of said Section, 1072.5 feet to the center-line of Highway No. U.S. 61; thence northwardly, along said center-line, 625 feet; thence N 81° 17' W 60 feet to the place of beginning; thence on same course (N 81° 17' W) 158.2 feet; thence N 3° 36' E 276 feet; thence S 81° 17' E 159.6 feet; thence S 3° 36' W 276 feet to the place of beginning, containing one acre, more or less.

Tract 2: A parcel of land located in the SW $\frac{1}{4}$ of Section 13, Township 70 North, Range 3 West of the 5th P.M., Des Moines County, Iowa, lying on the west side of part of the following described centerline of Primary Road No. U.S. 61 as shown on Official plans for Project F-301. The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 96+70.4, a point 1071.7 feet east of the southwest corner of said Section 13, on the south line thereof; thence N 10° 12 $\frac{1}{2}$ ' W 187.5 feet to Sta. 98+57.9; thence northerly 209.3 feet along a 955.0 feet radius curve, concave easterly and tangent to the preceding and following courses to Sta. 100+67.2; thence N 2° 21' E 770.7 feet to Sta. 108+37.9; thence northerly 956.6 feet along a 1763.1 feet radius curve, concave westerly and tangent to the preceding and following courses to Sta. 117+94.5; thence north, thence N 28° 44 $\frac{1}{2}$ ' W 55.5 feet to Sta. 118+50. Said parcel is described as follows: All that part of a tract of land described as the west 31 $\frac{3}{4}$ acres of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13. Also beginning at the southwest corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 13; thence S 89 $\frac{3}{4}$ ° E 16.60 chains; thence N 8° 50' W 7.34 chains; thence N 27° 35' W 5.19 chains; thence W 13.16 chains; thence S 20° E 11.80 chains to beginning, except "Commencing at the southwest corner of said Section 13, and running thence east, along the south line of the SW $\frac{1}{4}$ of said Section, 1072.5 feet to the center-line of Highway No. U.S. 61; thence northwardly along said center-line, 625 feet; thence N 81° 17' W 60 feet to the place of beginning; thence on same course (N 81° 17' W) 158.2 feet; thence N 3° 36' E 276 feet; thence S 81° 17' E 159.6 feet; thence S 3° 36' W 276 feet to the place of beginning", that lies easterly of a line beginning at a point 150 feet normally distant westerly from centerline on the south line of the SW $\frac{1}{4}$ of said Section 13; thence to a point 60 feet normally distant westerly from Sta. 97+70; thence to a point 60 feet normally distant westerly from Sta. 98+57.9; thence to a point 80 feet radially distant westerly from centerline on an east-west fence line through Sta. 100+02; thence to a point 125 feet normally distant westerly from centerline on an east-west fence line through Sta. 100+88; thence to a point 125 feet normally distant westerly from Sta. 102+25; thence to a point 80 feet, normally distant westerly from centerline on the south line of said excepted tract and lying easterly of a line beginning at a point 80 feet normally distant westerly from centerline on the north line of said excepted tract; thence to a point 110 feet normally distant westerly from Sta. 108+37.9; thence to a point 170 feet normally distant westerly from Sta. 117+94.5; thence to a point 170 feet normally distant westerly from centerline on the north line of said tract. Said parcel contains 3.8 acres, more or less, exclusive of the present established roads.

Also excepting the following tract of land: Bounded on the north by a line normal to centerline through Sta. 105+45, on the south by a line normal to centerline through Sta. 102+97, on the east by the above described centerline of Primary Road No. U.S. 61, and on the west by a line 60 feet normally distant westerly of and parallel to the above described centerline of Primary Road No. U.S. 61.

Des Moines County Project No. NHSN-61-2(55)--2R-29
Unknown Heirs and Assigns of Vivian M. Johnson (Parcel 12)
Continued on next page

Page 2

Des Moines County Project No. NHSN-61-2(55)--2R-29
Unknown Heirs and Assigns of Vivian M. Johnson (Parcel 12)

Page 3

Tract 3: Part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 70 North, Range 3 West of the 5th P.M., bounded and described as follows: Commencing at the southwest corner of said Section 13, and running thence east, along the south line of the SW $\frac{1}{4}$ of said Section 1072.5 feet to the centerline of Highway No. U.S. 61; thence northwardly along said centerline 625 feet; thence N 81° 17' W 60 feet; thence on same course (N 81° 17' W) 158.2 feet, to the place of beginning (as per plat and description furnished by J. F. Winters, C.E.). Thence on same course (N 81° 17' W) 157.8 feet; thence N 3° 36' E 276.0 feet; thence S 81° 17' E, 157.8 feet; thence S 3° 36' W, 276.0 feet to the place of beginning, containing one acre, more or less.

Tract 4: Commencing at the southwest corner of Section 13, Township 70 North, Range 3 West of the 5th P.M. in Des Moines County, Iowa; thence east along the south section line of said Section 13, 200 feet; thence north and parallel with the west section line of said Section 13, 762 feet; thence west 200 feet to the west section line of said Section 13; thence south along the west section line to the place of beginning, containing 3.5 acres more or less.

Tract 5: A tract of land located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, Township 70 North, Range 3 West of the 5th P.M., Des Moines County, Iowa, described as follows: Commencing at the southwest corner of said Section 13; thence east 1010.90 feet to a point; thence N 10° 32' W 91.00 feet to a point; thence continuing N 10° 32' W 87.40 feet to a point; thence N 11° 58' W 65.70 feet to the point of beginning; thence N 87° 10' W 277.80 feet to a point; thence N 06° 15' E 393.90 feet to a point; thence S 86° 03' E 222.48 feet to a point; thence S 32° 47' W 86.90 feet to a point; thence S 02° 38' W 115.10 feet to a point; thence S 23° 53' E 104.90 feet to a point; thence S 11° 58' E 108.60 feet to the point of beginning, containing 1.954 acres, more or less.

Also, excepting Lot 2 in Johnson Corner Subdivision, a Subdivision in Des Moines County, Iowa as per Plat filed February 26, 1998, and recorded as Document No. 98-001189 in the Office of the Recorder of Des Moines County, Iowa.

In connection with this condemnation proceeding it is specifically provided that any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought in fee simple title are condemned in their entirety.

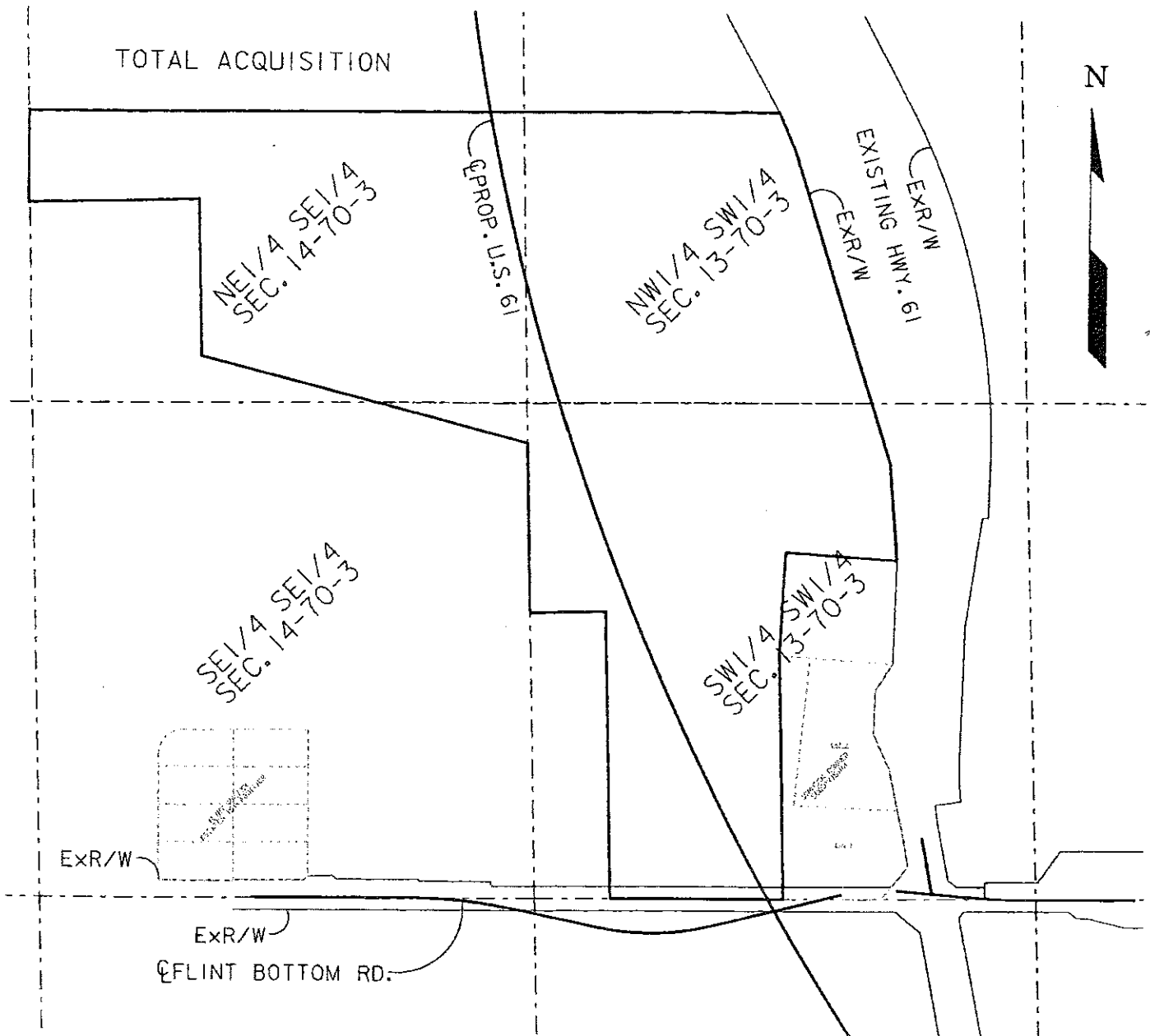
Des Moines County Project No. NHSN-61-2(55)--2R-29
Unknown Heirs and Assigns of Vivian M. Johnson (Parcel 12)

Page 3

IOWA DEPARTMENT OF TRANSPORTATION GRAPHIC EXHIBIT "A"



COUNTY DES MOINES STATE CONTROL NO. _____
 PROJECT NO. NHSN-61-2(55)--2R-29 PARCEL NO. 12
 SECTION 13,14 TOWNSHIP 70N RANGE 3W
 ROW-FEE TOTAL _____ AC, EASE _____ AC, BORROW _____ AC, EXCESS-FEE _____ AC
 ACQUIRED FROM UNKNOWN HEIRS AND ASSIGNS OF VIVIAN M. JOHNSON



That such condemnation is sought for the improvement and/or maintenance of roads and streets in the State of Iowa in the matter prescribed in Chapters 28E, 306, 306A, 306B, 306C, 313, 6A, and 6B of the Code of Iowa and all amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed.

You are further notified that the Commissioners will report to the Sheriff's Office in Burlington, Iowa, at 9:30 a.m. on the 6th day of April, 2016, and will view your property at approximately 10:00 a.m. on the same day. They will then return to the Sheriff's Office and proceed to appraise said damages. You may participate in these proceedings if you care to do so.

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
Iowa Department of Transportation
Ames, Iowa 50010

ACCEPTANCE OF SERVICE

I accept service of the above notice, I acknowledge receipt of a copy and I waive time of service and any requirements that such notice be published in a newspaper.

Dated at _____, this _____ day of _____, 20____.

STATE OF IOWA)
COUNTY OF _____) ss:

Received the within notice the _____ day of _____, 20____, and I hereby certify that I have served to each person named below by delivering a true copy of the same to each person at the time and place set opposite their respective names:

NAME	DATE	CITY OR TOWN	COUNTY	STATE

FEES:
Service \$ _____
Mileage \$ _____
TOTAL \$ _____

Sheriff of _____ 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. 61 north of the City of Burlington located in Des Moines County, Iowa

SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS BY THE CHIEF JUDGE OF THE 8th JUDICIAL DISTRICT

Project No. NHSN-61-2(55)-2R-29 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
Gwen Wixom	1313 N. Roosevelt Ave. Burlington, IA	Licensed Real Estate Salesperson or Broker
Barbara J. Kelley	2306 Miller Burlington, IA	Licensed Real Estate Salesperson or Broker
Jeff Burgus	PO Box 397 Mediapolis, IA	Knowledgeable of Property Values by Virtue of Occupation
Ron Kelley	2306 Miller Burlington, IA	Knowledgeable of Property Values by Virtue of Occupation
Lee Robertson	4478 - 260 th St. Oakville, IA	agricultural
Ray Robertson	22382 Pegtown Road Mediapolis, IA	agricultural

I further designate, select and appoint the above-named Gwen Wixom to act as Chairperson and Jeff Burgus as alternate Chairperson of said commission

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

Dated at Burlington, Iowa, this 27th day of January, 2016

Mary Ann Brown
Mary Ann Brown
Chief Judge of the 8th Judicial District
including Des Moines County, Iowa

Filed in my office at Burlington, Iowa, this 4th day of February, 2016.

Mike Johnstone
Mike Johnstone
Sheriff of Des Moines County, Iowa

16 FEB -6 AM 10:18

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. 61 north of the City of Burlington located in Des Moines County, Iowa

SUPPLEMENTARY ORDER APPOINTING ALTERNATE COMPENSATION COMMISSIONERS

Project No. NHSN-61-2(55)-2R-29 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.

Table with 3 columns: NAME, ADDRESS, QUALIFICATIONS. It lists three groups of potential alternate commissioners with their names, addresses, and qualifications such as 'Licensed Real Estate Salesperson or Broker', 'Knowledgeable of Property Values by Virtue of Occupation', and 'agricultural'.

The Sheriff of Des Moines 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 Burlington, Iowa, this 27th day of January, 2016.

Mary Ann Brown, Chief Judge of the 8th Judicial District including Des Moines County, Iowa.

Filed in my office at Burlington, Iowa, this 4th day of February, 2016.

Mike Johnstone, Sheriff of Des Moines County, Iowa.

Vertical stamp: 15 FEB -4 AM 10:18

**AFFIDAVIT OF MAILING OF NOTICE
BY STATE OF IOWA, CONDEMNOR**

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. Highway 61
North of the City of Burlington
Located in Des Moines County, Iowa

Project No. NHSN-61-2(55)--2R-29

Group "A", Parcel 12

STATE OF IOWA)
) ss.
COUNTY OF DES MOINES)

15 FEB -1 AM 10:19
RECORDED
INDEXED

I, Katie A. Johnson, being duly sworn, state that I am the Condemnation Coordinator for the Iowa Department of Transportation in the above-entitled matter.

I further state that personal service cannot be made to an out of state party:
Kellee A. Johnson, 25023 N. Turkey Creek, Evergreen, CO 80439

I also further state that personal service cannot be made to an unknown party and unknown address:
Unknown Heirs and Assigns of Vivian M. Johnson, deceased

I further state the Notice will be published on February 12, February 19 and February 26, 2016; in the The Hawk Eye newspaper, in accordance with the Rules of Civil Procedure 60.1 and 62.

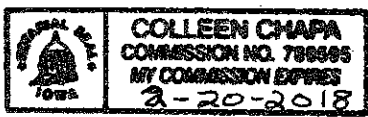
Therefore, a copy of the Notice in this matter was mailed to the above condemnee at the place set opposite its name.

I further state that other persons, companies or corporations not listed may own or have an interest in the land sought to be appropriated. Therefore, to protect whatever interest, if any, they may possess, the Notice of Condemnation, when published, shall provide notification of the forthcoming condemnation proceeding.

Katie A. Johnson

Katie A. Johnson
Condemnation Unit Coordinator

Subscribed and sworn to before me this 1st day of February, 2016.



Colleen Chapa

Colleen Chapa
Notary Public in and for the State of Iowa

Return of Service

IN THE IOWA OTHER COURT IN AND FOR DES MOINES COUNTY

IN THE MATTER OF THE CONDEMNATION OF CERTAIN
 RIGHTS IN LAND BY THE IOWA DEPARTMENT OF
 TRANSPORTATION FOR THE IMPROVEMENT OF PRIMARY
 ROAD NO US 61 NORTH OF THE CITY OF BURLINGTON
 LOCATED IN DES MOINES COUNTY, IOWA

Case Number: **NHSN-61-2(55)--2R-29**
 Civil Number: **16-000474**
 Date Received: @ **10:18**
 Date Printed: 03/04/2016 @ **10:47**

STATE OF IOWA }
 DES MOINES COUNTY }

I hereby certify that I served a copy of:

**APPLICATION FOR CONDEMNATION
 NOTICE
 SUMMONS AND NOTICE**

APPLIC FOR APPOINT OF COMMISSION TO ASSESS E

To: **JOHNSON,KENNETH A at 512 N MAIN ST - SHERIFF'S OFFICE, BURLINGTON, IA 52601**
 on **03/01/2016 @ 15:56** Type of Service: **PERSONAL**

Remarks:

Case Notes: **CONDEMNATION DATE: 04-06-16 AT 9:30AM.**

Fees:

Service Fees:	15.00
Mileage:	2.16
Copies:	0.00
Total:	17.16

MIKE JOHNSTONE, SHERIFF
 DES MOINES COUNTY

By: *Judy Stuecker*
 JUDY STUECKER

Paid By:
 Date:
 Check #:

Return of Service

IN THE IOWA OTHER COURT IN AND FOR DES MOINES COUNTY

IN THE MATTER OF THE CONDEMNATION OF CERTAIN
 RIGHTS IN LAND BY THE IOWA DEPARTMENT OF
 TRANSPORTATION FOR THE IMPROVEMENT OF PRIMARY
 ROAD NO US 61 NORTH OF THE CITY OF BURLINGTON
 LOCATED IN DES MOINES COUNTY, IOWA

Case Number: **NHSN-61-2(55)--2R-29**
 Civil Number: **16-000474**
 Date Received: @ **10:18**
 Date Printed: 03/18/2016 @ 16:14

STATE OF IOWA }
 DES MOINES COUNTY }

I hereby certify that I served a copy of:
**APPLICATION FOR CONDEMNATION
 NOTICE
 SUMMONS AND NOTICE**

APPLIC FOR APPOINT OF COMMISSION TO ASSESS E

To: **JOHNSON,JOYCE L** at **512 N MAIN ST - SHERIFF'S OFFICE, BURLINGTON, IA 52601**
 on **03/01/2016 @ 15:54** Type of Service: **PERSONAL**

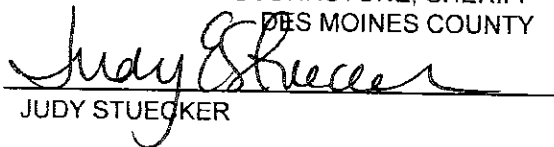
Remarks:

Case Notes: **CONDEMNATION DATE: 04-06-16 AT 9:30AM.**

Fees:

Service Fees:	10.00
Mileage:	0.00
Copies:	0.00
Total:	10.00

MIKE JOHNSTONE, SHERIFF
 DES MOINES COUNTY

By: 
 JUDY STUECKER

Paid By:
 Date:
 Check #:

Return of Substitute Service

IN THE IOWA OTHER COURT IN AND FOR DES MOINES COUNTY

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF PRIMARY ROAD NO US 61 NORTH OF THE CITY OF BURLINGTON LOCATED IN DES MOINES COUNTY, IOWA

Case Number: NHSN-61-2(55)--2R-29
Civil Number: 16-000474
Date Received: @ 10:18
Date Printed: 03/18/2016 @ 16:14

STATE OF IOWA
DES MOINES COUNTY }

I hereby certify that I served a copy of:

APPLICATION FOR CONDEMNATION NOTICE
SUMMONS AND NOTICE

APPLIC FOR APPOINT OF COMMISSION TO ASSESS C

To: DES MOINES COUNTY IOWA at 513 N MAIN ST, BURLINGTON, IA 52601
on 03/03/2016 @ 13:50 Type of Service: OFFICIAL

By substitute service on:

COPELAND,CAROL - AUDITOR at 513 N MAIN ST, BURLINGTON, IA
Relationship/Title: AUDITOR Legal Age:

Remarks:

Case Notes: CONDEMNATION DATE: 04-06-16 AT 9:30AM.

Fees:

Service Fees:	15.00
Mileage:	2.16
Copies:	0.00
Total:	17.16

MIKE JOHNSTONE, SHERIFF
DES MOINES COUNTY

By: _____

BRADLEY SIEGFRIED

Paid By:
Date:
Check #:

Return of Service

IN THE IOWA OTHER COURT IN AND FOR DES MOINES COUNTY

IN THE MATTER OF THE CONDEMNATION OF CERTAIN
 RIGHTS IN LAND BY THE IOWA DEPARTMENT OF
 TRANSPORTATION FOR THE IMPROVEMENT OF PRIMARY
 ROAD NO US 61 NORTH OF THE CITY OF BURLINGTON
 LOCATED IN DES MOINES COUNTY, IOWA

Case Number: **NHSN-61-2(55)-2R-29**
 Civil Number: **16-000474**
 Date Received: @ **10:18**
 Date Printed: 04/14/2016 @ **8:37**

STATE OF IOWA
 DES MOINES COUNTY }

I hereby certify that I served a copy of:

**APPLICATION FOR CONDEMNATION
 NOTICE
 SUMMONS AND NOTICE**

APPLIC FOR APPOINT OF COMMISSION TO ASSESS E

To: **COMMISSIONERS**

on **03/02/2016**

Type of Service: **OTHER**

Remarks: **COMMISSIONER'S WERE SUMMONED VIA PHONE ON 03-02-16 AND 03-03-16 AND ALL HAVE
 ACCEPTED SERVICE. 03-03-06 - MAILED NOTICE PACKET TO EACH COMMISSIONER.**

Case Notes: **CONDEMNATION DATE: 04-06-16 AT 9:30AM.**

Fees:

Service Fees:	100.00
Mileage:	0.00
Copies:	0.00
Total:	100.00

MIKE JOHNSTONE, SHERIFF
 DES MOINES COUNTY

By: *Judy Stuecker*
 JUDY STUECKER

Paid By:
 Date:
 Check #:

RETURN OF SERVICE

In the Iowa District Court For DES MOINES COUNTY

Case Name: IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND
vs
DAVID S JOHNSON / LOIS JOHNSON

Case No.: NHSN 61 2(55) 2R 29 Sheriff's File No.: 16004778
Notice rec'd : 2/9/2016

STATE OF IOWA POLK COUNTY } SS.

I certify that I served a copy of : NOTICE OF CONDEMNATION /APPL/COMMISS LIST
to DAVID S JOHNSON Type of service: PERSONAL

Address of service: 9455 NW 121ST STREET GRANGER, IA 50109

Date and time of service: 2/11/2016 12:50 PM

Trips:

2/11/2016 @ 11:25 AM - 9455 NW 121ST STREET GRANGER, IA 50109

Reason: ,

FEES:

PROCESSING FEE (\$50.00)
MILEAGE FEE (\$14.04)
MILEAGE FEE (\$14.04)
Total:\$78.08

BILL McCARTHY Sheriff

Polk County, Iowa



ELIZABETH O'BRIEN Deputy/Server

RETURN OF SERVICE**In the Iowa District Court For DES MOINES COUNTY**

Case Name: IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND
vs
DAVID S JOHNSON / LOIS JOHNSON

Case No.: NHSN 61 2(55) 2R 29 Sheriff's File No.: 16004778
Notice rec'd : 2/9/2016

STATE OF IOWA POLK COUNTY } SS.

I certify that I served a copy of : NOTICE OF CONDEMNATION /APPL/COMMISS LIST
to LOIS JOHNSON Type of service: PERSONAL
by delivering a copy to:

a person at least 18 years of age described as

Address of service: 9455 NW 121ST STREET GRANGER, IA 50109

Date and time of service: 2/11/2016 12:50 PM

Trips:

2/11/2016 @ 10:25 AM - 9455 NW 121ST STREET GRANGER, IA 50109

Reason: ,

BILL McCARTHY Sheriff

Polk County, Iowa



ELIZABETH O'BRIEN Deputy/Server

Notice of Appraisement Hearing
and Public Meeting of Compensation
Commission to Assess Damages

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN LAND BY THE
IOWA DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENT OF
PRIMARY ROAD NO US 61 NORTH OF THE CITY OF BURLINGTON LOCATED IN
DES MOINES COUNTY, IOWA

To: Gwen Wixom, Chairperson; Barbara Kelley; Jeff Burgus;
Ron Kelley; Lee Robertson; Ray Robertson

An Application of Condemnation, having been presented to the
Chief Judge of the 8th Judicial District, requesting the
appointment of six (6) qualified persons as a Condemnation
Commission:

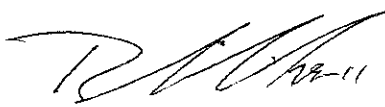
WHEREAS, such an appointment has been filed in my office and
whereas you have been appointed and selected as such
Condemnation Commissioners:

NOW THEREFORE, you are commanded to be and appear before the
undersigned at the Office of the Sheriff of Des Moines
County, 512 N. Main Street, Burlington, Iowa on the 6thth day
Of April, 2016, at the hour of 9:30 A.M. for
purposes of qualifying as such commissioner, and proceed to view
said premises and make an award of damages as provided by law.
Prior to meeting of commission, the commission or commissioner
shall not communicate with the applicant, property owner, or
tenant, or the agent regarding the condemnation proceeding.

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

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

Mike Johnstone, Sheriff
Des Moines County, Iowa


By: Brad G Siegfried, Deputy

Legal Invoice

Burlington Hawk Eye

P.O. Box 10
800 South Main Street
Burlington, IA 52601

Phone: 319-754-8463

Fax: 319-754-6824

DMC SHERIFF-LEGALS
Mike Johnstone
512 N. Main St., Suite 2
BURLINGTON, IA 52601

Acct #: 02100090
Ad #: 00226317
Phone: (319)753-8289
Date: 03/21/2016
Ad taker: 22 Salesperson: 20

Classification: 030

Ad Notes: 46 lines Account #46075
Invoice #1428

Description	Start	Stop	Ins.	Cost/Day	Extras	Total
#1428 Notice of Appraisalment	03/23/2016	03/23/2016	1	22.85	0.00	22.85

15 MAR 25 AM 9:56
 DES MOINES COUNTY IOWA

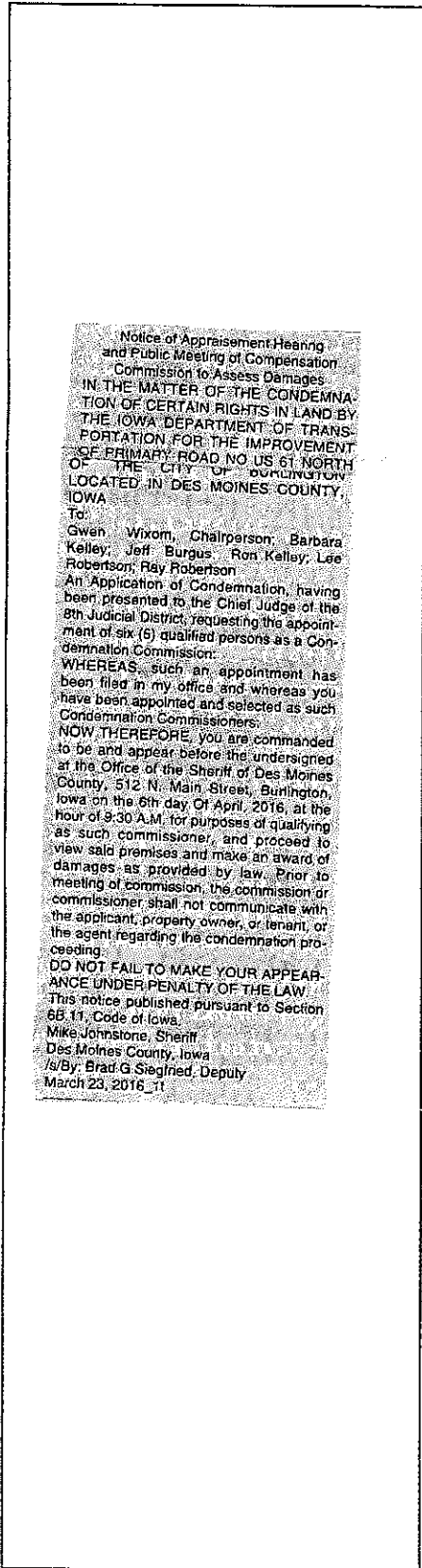
Ad Text:

Notice of Appraisalment Hearing
and Public Meeting of Compensation
Commission to Assess Damages
IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS IN
LAND BY THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE
IMPROVEMENT OF PRIMARY ROAD NO US 61 NORTH OF THE CITY
OF BURLINGTON LOCATED IN DES MOINES COUNTY, IOWA

To:
Gwen Wixom, Chairperson; Barbara Kelley; Jeff Burgus; Ron Kelley;
Lee Robertson; Ray Robertson
An Application of Condemnation, having been presented to the Chief Judge
of the 8th Judicial District, requesting the appointment of six (6) qualified
persons as a Condemnation Commission:
WHEREAS such an appointment has been filed in my office and whereas

Payment Reference:

Total: 22.85
Tax: 0.00
Net: 22.85
Prepaid: 0.00
Total Due 22.85



STATE OF IOWA

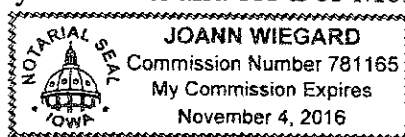
COUNTY OF DES MOINES } SS.

I, Steve Delaney, being first duly sworn, depose and say that I am the Editor/Publisher of The Hawk Eye Company, a corporation, printers and publishers of The Hawk Eye, a newspaper of general circulation published in said County, and that the attached notice was published once in said newspaper on 03/23/2016.

The first publication being on the 23rd day of March, 2016.

Sworn and subscribed before me, a Notary Public in and for said County, on the 23rd day of March, 2016.

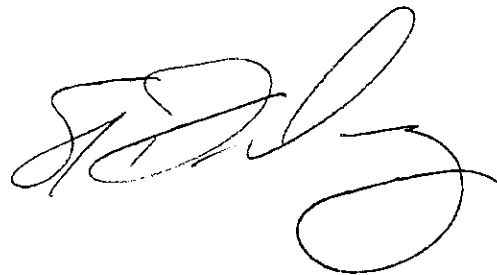
Notary Public in and for Des Moines County



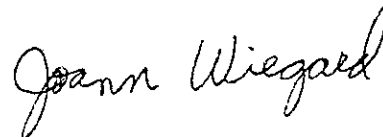
STATE OF IOWA

COUNTY OF DES MOINES } SS.

I, Steve Delaney, being first duly sworn, depose and say that I am the Editor/Publisher of The Hawk Eye Company, a corporation, printers and publishers of The Hawk Eye, a newspaper of general circulation published in said County, and that the attached notice was published three times in said newspaper on 02/12/2016, 02/19/2016, 02/26/2016. The first publication being on the 12th day of February, 2016.



Sworn and subscribed before me, a Notary Public in and for said County, on the 26th day of February, 2016.



Notary Public in and for Des Moines County

Group IA 50109
 Cole Johnson, 9455 NW 121st Street
 Granger, IA 50109
 Kellee A. Johnson, 25023 N. Turka
 Creek, Evergreen, CO 80430
 Des Moines County, Iowa, Civil County
 Auditor, 513 N. Main Street, Burlington, IA
 52601
 and to all other persons, companies or cor-
 porations having any interest in or owning
 any of the following described real estate:
 Part of the W1/2 of the SW1/4 of Section
 13, and part of the E1/2 of the SE1/4 of
 Section 14, 41 in Township 70 North,
 Range 3 West of the 5th P.M., Des Moines
 County, Iowa.
 You are 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 a land affected on the Graphic
 Exhibit 24, and to the Application Filed with
 the Chief Judge of the 126th District Court
 covering Des Moines County, Iowa, and in the
 Office of the Sheriff of Des Moines
 County, Iowa, to which you are referred.
 The land in fee simple sought to be appro-
 priated is in land described as follows and
 as shown on Graphic Exhibit 24, and by
 reference made a part hereof:
 The west 31.3/4 acres of the S1/2 of the
 SW1/4 of Section 13. Also beginning at the
 southwest corner of the N1/2 of the SW1/4
 of said Section 13; thence S 83.3/4° E
 16.80 chains; thence N 81° 55' W 7.94
 chains; thence N 81° 35' W 5.79 chains;
 thence W 13° 6' chains; thence S 20° E
 11.60 chains to beginning, containing
 16.22 acres. Also beginning at a stone
 18.46 chains north of the southeast corner
 of Section 14; thence N 75° W 13.57
 chains; thence N 1° W 8.28 chains; thence
 S 88° 40' W 6.89 chains; thence N 37° 3'
 chains; thence E 20.03 chains to the sec-
 tion line; thence S 13° 32' chains north of
 less to the place of beginning. All in Town-
 ship 70 North, Range 3 West of the 5th
 P.M., containing 67.3/4 acres more or less
 except the following five tracts:

Tract 1: Part of the SW1/4 of the SW1/4 of
 Section 13, Township 70 North, Range 3
 West of the 5th P.M., bounded and de-
 scribed as follows: Commencing at the
 southwest corner of said Section 13 and
 running thence east along the section line
 of the SW1/4 of said Section 13 1072.5 feet to
 the centerline of Highway No. U.S. 61;
 thence northwardly along said centerline
 625 feet; thence N 81° 17' W 60 feet to the
 place of beginning; thence on same course
 (N 81° 17' W) 158.2 feet; thence N 3° 36' E
 278.0 feet; thence S 81° 17' E 159.6 feet;
 thence S 3° 36' W 278.0 feet to the place of
 beginning, containing one acre more or
 less.

Tract 2: A parcel of land located in the
 SW1/4 of Section 13, Township 70 North,
 Range 3 West of the 5th P.M., Des Moines
 County, Iowa, lying on the west side of part
 of the following described centerline of Pri-
 mary Road No. U.S. 61 as shown on Offi-
 cial plans for Project F-301. The centerline
 designated by station points 100 feet apart,
 numbered consecutively from south to
 north, is described as follows: Beginning at
 Sta. 88+70.4; a point 1071.7 feet east of
 the southwest corner of said Section 13
 on the section line thereof; thence N 10° 12'
 17" W 187.5 feet to Sta. 88+67.9; thence
 northerly 209.3 feet along a 955.0 feet
 radius curve, concave easterly and tangent to
 the preceding and following courses to
 Sta. 100+67.2; thence N 2° 21' E 770.7
 feet to Sta. 108+37.9; thence northerly
 856.6 feet along a 1763.1 feet radius
 curve, concave westerly and tangent to the
 preceding and following courses to Sta.
 117+94.5; thence north; thence N 28° 34'

1/2° W 555 feet to Sta. 118+50. Said par-
 cels are described as follows: All that part of a
 tract of land described as the west 31 3/4
 acres of the S1/2 of the SW1/4 of Section
 13. Also beginning at the southwest corner
 of the N1/2 of the SW1/4 of said Section
 13; thence S 83.3/4° E 16.80 chains;
 thence N 81° 55' W 7.94 chains; thence N
 81° 35' W 5.79 chains; thence W 13.6
 chains; thence S 20° E 11.60 chains to be-
 ginning, except: Commencing at the south-
 west corner of said Section 13, and run-
 ning thence east along the south line of
 the SW1/4 of said Section 13 1072.5 feet to
 the centerline of Highway No. U.S. 61;
 thence northwardly along said centerline
 625 feet; thence N 81° 17' W 60 feet to the
 place of beginning; thence on same course
 (N 81° 17' W) 158.2 feet; thence N 3° 36' E
 278.0 feet; thence S 81° 17' E 159.6 feet;
 thence S 3° 36' W 278.0 feet to the place of
 beginning, except less easterly by 1/4 the
 beginning at a point 150 feet normally distant
 westerly from centerline on the south line
 of the SW1/4 of said Section 13; thence to
 a point 40 feet normally distant westerly
 from Sta. 87+70; thence to a point 60 feet
 normally distant westerly from Sta.
 88+57.9; thence to a point 50 feet radially
 distant westerly from centerline on an
 east-west fence line through Sta. 100+02;
 thence to a point 125 feet normally distant
 westerly from centerline on an east-west
 fence line through Sta. 100+86; thence to a
 point 125 feet normally distant westerly
 from Sta. 102+25; thence to a point 40
 feet normally distant westerly from center-
 line on the south line of said excepted tract
 and third easterly of a line beginning at a
 point 80 feet normally distant westerly from
 centerline on the northline of said ex-
 cepted tract; thence to a point 110 feet nor-
 mally distant westerly from Sta. 108+37.9;
 thence to a point 170 feet normally distant
 westerly from Sta. 112+84.5; thence to a
 point 170 feet normally distant westerly
 from centerline on the north line of said
 tract. Said parcel contains 3.5 acres more
 or less, exclusive of the present estab-
 lished roads.

Also excepting the following tract of land
 bounded on the north by a line normal to
 centerline through Sta. 105+45; on the
 south by a line normal to centerline
 through Sta. 102+47; on the east by the
 above described centerline of Primary
 Road No. U.S. 61; and on the west by a
 line 60 feet normally distant westerly of
 and parallel to the above described center-
 line of Primary Road No. U.S. 61.

Tract 3: Part of the SW1/4 of the SW1/4 of
 Section 13, Township 70 North, Range 3
 West of the 5th P.M., bounded and de-
 scribed as follows: Commencing at the
 southwest corner of said Section 13, and
 running thence east along the south line of
 the SW1/4 of said Section 13 1072.5 feet to
 the centerline of Highway No. U.S. 61;
 thence northwardly along said centerline
 625 feet; thence N 81° 17' W 60 feet;
 thence on same course (N 81° 17' W)
 158.2 feet to the place of beginning (as
 per plat and description furnished by J. E.
 Whittle, C.E.). Thence on same course (N
 81° 17' W) 167.8 feet; thence N 3° 36' E
 278.0 feet; thence S 81° 17' E 159.6 feet;
 thence S 3° 36' W 278.0 feet to the place
 of beginning, containing one acre more or
 less.

Tract 4: Commencing at the southwest cor-
 ner of Section 13, Township 70 North,
 Range 3 West of the 5th P.M. in Des
 Moines County, Iowa; thence east along
 the south section line of said Section 13,
 200 feet; thence north and parallel with the
 west section line of said Section 13, 762
 feet; thence west 200 feet to the west sec-
 tion line of said Section 13; thence south

along the west section line to the place of
 beginning, containing 3.5 acres more or
 less.
 Tract 5: A tract of land located in the
 SW1/4 of the SW1/4 of Section 13, Town-
 ship 70 North, Range 3 West of the 5th
 P.M., Des Moines County, Iowa, described
 as follows: Commencing at the southwest
 corner of said Section 13; thence east
 3010.90 feet to a point; thence N 10° 32' W
 91.00 feet to a point; thence continuing N
 10° 32' W 67.40 feet to a point; thence N
 11° 58' W 60.70 feet to the point of begin-
 ning; thence N 87° 10' W 277.80 feet to a
 point; thence N 65° 15' E 305.90 feet to a
 point; thence S 66° 03' E 222.40 feet to a
 point; thence S 62° 47' W 88.80 feet to a
 point; thence S 62° 30' W 115.10 feet to a
 point; thence S 25° 53' E 104.90 feet to a
 point; thence S 11° 58' E 108.60 feet to the
 point of beginning, containing 1.93 acres
 more or less.
 Also, excepting Lot 2 in Johnson Corner
 Subdivision a Subdivision in Des Moines
 County, Iowa, as per Plat filed February 26,
 1986, and recorded as Document No.
 98-001150 in the Office of the Recorder of
 Des Moines County, Iowa.
 In connection with this condemnation pro-
 ceeding it is specifically provided that any
 and all improvements, including fences or
 agricultural crops, if any, located wholly
 within the land sought in fee simple are
 condemned with the tract.
 That such condemnation is sought for the
 improvement and maintenance of roads
 and streets in the State of Iowa in the
 matter prescribed in Chapters 28C, 20B,
 306A, 306B, 306C, 313, 6A, and 6B of the
 Code of Iowa and all amendments thereto.
 That a commission for the purpose of
 appraising and awarding damages which
 will be caused by said appropriation and
 condemnation has been selected and
 appointed.
 You are further notified that the Commis-
 sioners will report to the Sheriff's Office in
 Burlington, Iowa, at 9:30 a.m. on the 5th
 day of April, 2016, and will view your prop-
 erty at approximately 10:00 a.m. on the
 same day. They will then return to the
 Sheriff's Office and proceed to appraise
 said damages. You may participate in
 these proceedings from 9:00 a.m. to 5:00
 p.m., February 12, 19, 26, 2016.

NOTICE
 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. 61
 North of the City of Burlington
 located in Des Moines County, Iowa
 Project No. NPSN-11-21551-2R-29
 Group IA
 TO
 Unknown Heirs and Assigns of Vivian M.
 Johnson, deceased
 Kenneth A. Johnson, 12069 Highway 61
 Burlington, IA 52601
 Joyce Johnson, 12069 Highway 61, Bur-
 lington, IA 52601
 David S. Johnson, 9455 NW 121st Street,

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. 61
north of the City of Burlington
located in Des Moines County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-61-2(55)--2R-29 Group "A"

TO: Gwen Wixom

The Iowa Department of Transportation has filed with the Chief Judge of the 8th Judicial District including Des Moines 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 Des Moines County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 8th Judicial District for Des Moines County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Gwen Wixom 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 Burlington, Des Moines County, State of Iowa, on the 6th day of April, 2016, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Mike Johnstone
Mike Johnstone
Sheriff of Des Moines 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 Burlington, Iowa, this 10th day of March, 2016. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Gwen Wixom

Filed in my office at Burlington, Iowa, this 10th day of March, 2016.

Mike Johnstone
Mike Johnstone
Sheriff of Des Moines 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 Des Moines 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. 61 north of the City of Burlington located in Des Moines County, Iowa

Project No. NHSN-61-2(55)--2R-29 Group "A"

TO: Barbara J. Kelley

The Iowa Department of Transportation has filed with the Chief Judge of the 8th Judicial District including Des Moines 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 Des Moines County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 8th Judicial District for Des Moines County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Gwen Wixom 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 Burlington, Des Moines County, State of Iowa, on the 6th day of April, 2016, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Mike Johnstone
Sheriff of Des Moines 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 Burlington Iowa, this 9 day of March, 2016. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Barbara J. Kelley
Mike Johnstone
Sheriff of Des Moines 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 Des Moines County, Iowa.

RECORDED
15 MAR 21 11:10:45

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. 61
north of the City of Burlington
located in Des Moines County, Iowa

SUMMONS TO COMMISSIONERS

Project No. NHSN-61-2(55)--2R-29 Group "A"

TO: Jeff Burgus

The Iowa Department of Transportation has filed with the Chief Judge of the 8th Judicial District including Des Moines 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 Des Moines County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 8th Judicial District for Des Moines County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Gwen Wixom 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 Burlington, Des Moines County, State of Iowa, on the 6th day of April, 2016, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Mike Johnstone

Mike Johnstone
Sheriff of Des Moines 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 Mediapolis, Iowa, this 17th day of March, 2016. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Jeff Burgus

Filed in my office at Burlington, Iowa, this 21st day of March, 2016.

Mike Johnstone
Mike Johnstone
Sheriff of Des Moines County, Iowa

15 MAR 21 11:10:45

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 Des Moines 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. 61 north of the City of Burlington located in Des Moines County, Iowa

SUMMONS TO COMMISSIONERS

Project No. N15N-61-2(S5)--2R-29 Group "A"

TO: Ron Kelley

The Iowa Department of Transportation has filed with the Chief Judge of the 8th Judicial District including Des Moines 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 Des Moines County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 8th Judicial District for Des Moines County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that Gwen Wixom 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 Burlington, Des Moines County, State of Iowa, on the 6th day of April, 2016, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.

Signature of Mike Johnstone, Sheriff of Des Moines 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 Burlington Iowa, this 9 day of March, 2016. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

Signature of Ron Kelley

Filed in my office at Burlington, Iowa, this 17th day of March, 2016.

Signature of Mike Johnstone, Sheriff of Des Moines 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 Des Moines County, Iowa.

FILED - 1 APR 16
DEPT. OF TRANSPORTATION

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. 61
north of the City of Burlington
located in Des Moines County, Iowa**

SUMMONS TO COMMISSIONERS

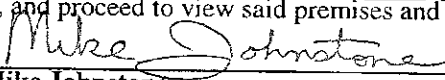
Project No. **NHSN-61-2(55)--2R-29** Group "A"

TO: Lee Robertson

The Iowa Department of Transportation has filed with the Chief Judge of the **8th** Judicial District including **Des Moines** 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 **Des Moines** County, Iowa, and

Pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the **8th** Judicial District for **Des Moines** County, Iowa, as a member of such Compensation Commission, and such selection and appointment has been duly filed in my office and that **Gwen Wixom** has been designated as **Chairperson** of the Commission.

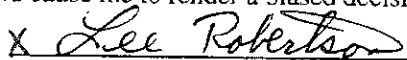
NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the Sheriff at **Burlington, Des Moines** County, State of Iowa, on the **6th** day of **April, 2016**, at 9:30 o'clock a.m. (DST) for the purpose of qualifying as such Commission, and proceed to view said premises and make an award of damages as by law provided.


Mike Johnstone
Sheriff of Des Moines County, Iowa

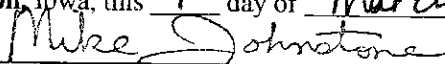
ACCEPTANCE OF SERVICE

(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 Burlington, Iowa, this 5th day of March, 2016. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

x 

Filed in my office at **Burlington**, Iowa, this 9th day of March, 2016.


Mike Johnstone
Sheriff of Des Moines 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 Des Moines County, Iowa.