

#1259



MATT SCHULTZ
Secretary of State
State of Iowa

TRANSMITTAL FORM FOR CONDEMNATION APPLICATION –
Pursuant to Iowa Code sections 6B.3(3), 9.2A, and 331.602(24)

Box 1

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

Box 2

Part I: CONDEMNATION APPLICATION

Pursuant to Iowa Code section 6B.3(3), the undersigned County Recorder files a copy of the attached Condemnation Application with the Office of the Secretary of State, noting as follows.

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

County Recorder for

County

Part II: SHERIFF'S STATEMENT

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

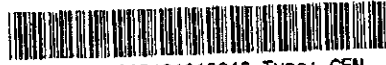
1. The name of the acquiring agency is City of Dubuque
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 2016-4517, Book _____, Page _____ and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # 2016-4672,
Book _____, Page _____; on April month, 27 day, 2016 year.

John L. Murphy DG
County Recorder for

Dubuque 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: 008424010043 Type: GEN
Kind: CONDEMNATION
Recorded: 04/27/2016 at 09:04:50 AM
Fee Amt: \$217.00 Page 1 of 43
Revenue Tax: \$0.00
Dubuque County Iowa
John Murphy Recorder
File 2016-00004672



Doc ID: 008422850007 Type: GEN
Kind: CONDEMNATION
Recorded: 04/26/2016 at 10:55:39 AM
Fee Amt: \$37.00 Page 1 of 7
Revenue Tax: \$0.00
Dubuque County Iowa
John Murphy Recorder
File 2016-00004577

RECORDER'S COVER SHEET

APPLICATION FOR CONDEMNATION

Preparer Information:

Barry A. Lindahl, City Attorney, 300 Main Street, Suite 330, Dubuque, IA 52001,
Telephone: (563) 583-4113

Taxpayer Information:

City of Dubuque, Iowa, 50 West 13th Street, Dubuque, IA 52001

Return Document To:

Barry A. Lindahl, City Attorney, 300 Main Street, Suite 330, Dubuque, IA 52001

Legal Description:

See page 1 on attached Application for Condemnation

Grantors:

Deborah A. Roth
Karla Kay Schoen
William Cletus Meyer

Grantees:

The City of Dubuque, Iowa

No. 216
1410 N. Grandview

217⁰⁰

City Clerk

~~217.00~~

City Clerk

File Number: 2016-00004672 Seq: 1

DON A. VROTSOS, Sheriff

GREGORY P. EGAN, Chief Deputy

OFFICE OF SHERIFF

DUBUQUE LAW ENFORCEMENT CENTER

770 IOWA STREET - PO BOX 1004 - DUBUQUE, IOWA 52004-1004

PHONES: EMERGENCY 911 - ADMINISTRATION 563-589-4406 - FAX 563-589-7882

IN THE MATTER OF THE CONDEMNATION OF CERTAIN RIGHTS
IN LAND BY THE CITY OF DUBUQUE, IOWA, FOR THE
GRANDVIEW/LORAS & GRANDVIEW/UNIVERSITY INTERSECTION
IMPROVEMENTS PROJECT

STATEMENT OF SHERIFF
#216

BY
THE CITY OF DUBUQUE IOWA

I, SHERIFF DON A. VROTSOS, RETURN TO THE RECORDER OF DUBUQUE COUNTY, IOWA, A COMPLETE AND FULL TRANSCRIPT OF THE ABOVE CONDEMNATION. I RECEIVED THE CONDEMNATION PAPER ON JAN 26, 2016 AND I SERVED THE CONDEMNEDS, DEBORAH ROTH ON 2-2-16 AND ALSO KARLA SCHOEN ON 1-26-16. THE SUMMONS TO COMMISSIONERS WAS PUBLISHED IN THE TELEGRAPH HERALD ON 2-18-16.

THE CONDEMNATION WAS HELD ON MARCH 8TH, 2016 AT 9:30AM AT THE DUBUQUE LAW CENTER, 770 IOWA ST, DUBUQUE IA. THE INSTRUCTIONS WERE READ TO THE COMMISSIONERS AND THE OATH TO THE COMMISSIONERS WAS ALSO READ TO THEM AND EACH ONE SIGNED OFF ON THE OATH. THE COMMISSIONERS WERE THEN DRIVEN TO THE PROPERTY AND VIEWED THE PARCEL OF LAND. THEY WERE RETURNED TO THE LAW CENTER AND THE CITY OF DUBUQUE PRESENTED THEIR CASE. THE CONDEMNEDS WERE THEN GIVEN THEIR TURN TO PRESENT THEIR CASE. THE COMMISSIONERS THEN MET IN CLOSED SESSION TO MAKE AN AWARD. THE COMMISSIONERS NOTIFIED THE SHERIFF'S OFFICE THAT THEY MADE A DECISION. WE OPENED THE CONDEMNATION BACK OPEN TO THE PUBLIC AND THE COMMISSIONERS MADE AN AWARD OF \$3,920.00. THE NOTICE OF APPEAL WAS THEN MAILED OUT TO THE CONDEMNEDS ON MAR 8, 2016. THE AWARD CHECK OF \$3,920.00 WAS PICKED UP AND SIGNED BY WILLIAM MEYER ON 4-18-16 AFTER NO APPEAL WAS FILED WITH THE CLERK.

DATED; APRIL 26, 2016

BY DON A. VROTSOS, SHERIFF DUBUQUE COUNTY



MATT SCHULTZ
Secretary of State
State of Iowa

TRANSMITTAL FORM FOR CONDEMNATION APPLICATION -
Pursuant to Iowa Code sections 6B.3(3), 9.2A, and 331.602(24)



Box 1

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



Box 2

Part I: CONDEMNATION APPLICATION

Pursuant to Iowa Code section 6B.3(3), the undersigned County Recorder files a copy of the attached Condemnation Application with the Office of the Secretary of State, noting as follows.

1. The name of the acquiring agency is City of Dubuque
2. The real property subject to the Application is located in Dubuque County.
3. The date the condemnation application was filed by the undersigned County Recorder is April month, 26 day, 2016 year.
4. The attached Condemnation Application is filed of record at Document # 2016-4577
Book _____, Page _____.

John L. Murphy
County Recorder for

Dubuque 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: 008422850007 Type: GEN
 Kind: CONDEMNATION
 Recorded: 04/26/2016 at 10:55:39 AM
 Fee Amt: \$37.00 Page 1 of 7
 Revenue Tax: \$0.00
 Dubuque County Iowa
 John Murphy Recorder

File 2016-00004577

RECORDER'S COVER SHEET

APPLICATION FOR CONDEMNATION

Preparer Information:

Barry A. Lindahl, City Attorney, 300 Main Street, Suite 330, Dubuque, IA 52001,
 Telephone: (563) 583-4113

Taxpayer Information:

City of Dubuque, Iowa, 50 West 13th Street, Dubuque, IA 52001

Return Document To:

Barry A. Lindahl, City Attorney, 300 Main Street, Suite 330, Dubuque, IA 52001

Legal Description:

See page 1 on attached Application for Condemnation

Grantors:

Deborah A. Roth
 Karla Kay Schoen
 William Cletus Meyer

Grantees:

The City of Dubuque, Iowa

No. 216
 1410 N. Grandview

(X) \$37.00
City Clerk

IN THE SHERIFF'S OFFICE IN DUBUQUE COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION

OF

CERTAIN RIGHTS IN LAND
BY THE CITY OF DUBUQUE, IOWA
FOR THE GRANDVIEW/LORAS &
GRANDVIEW/UNIVERSITY
INTERSECTION IMPROVEMENTS
PROJECT

No. 216

by

THE CITY OF DUBUQUE, IOWA,
Applicant

APPLICATION FOR CONDEMNATION

TO: The Chief Judge of the First Judicial District

YOU ARE HEREBY NOTIFIED that the Applicant City of Dubuque, Iowa, desires to take, acquire and condemn temporary and permanent easements to the property hereafter described. The Applicant desires to acquire the property sought to be condemned for the Grandview/Loras & Grandview/University Intersection Improvements Project.

1. PROPERTY TO BE ACQUIRED; PUBLIC USE OR PURPOSE FOR THE TAKING.

The property sought to be acquired is for temporary and permanent easements for public improvements, namely, sidewalk and utilities for traffic signal improvements at the Grandview/Loras & Grandview/University intersection.

LEGAL DESCRIPTION

The property sought to be acquired lies within the following described property:

The Southerly 50 feet of Lot 52 in Woodlawn Park Subdivision, in the City of Dubuque, Iowa, according to the recorded plat thereof.

And as more particularly shown on the attached Easement Acquisition Plat.

1410 N Grandview

2. NAMES OF RECORD OWNERS AND HOLDERS OF LIENS AND ENCUMBRANCERS OF THE PROPERTY.

The names and addresses of all record owners and holders of liens and encumbrancers are as follows:

Titleholders:

Deborah A. Roth
2432 Stone Briar Court
Dubuque, IA 52002

Karla Kay Schoen
1952 Wedgewood Drive
Dubuque, IA 52002

William Cletus Meyer
7410 Badger Road
East Dubuque, IL 61025

3. LANDS NECESSARY TO ACHIEVE THE PUBLIC PURPOSE AND LANDS PROPOSED TO BE ACQUIRED FOR THE PROJECT.

The Applicant asserts that the property constitutes the necessary minimum amount of land to achieve the purpose herein identified, and that no portion of the property is being acquired as or will result in an uneconomic remnant.

4. GOOD FAITH EFFORTS MADE BY THE CITY TO NEGOTIATE THE PURCHASE OF THE PROPERTY.

The Applicant represents and warrants that it has undertaken numerous activities in attempting to negotiate the purchase of the property from the property owners. Most recently, offers were made to the property owners on November 18, 2015 to purchase the property for the fair market value established by resolution of the City Council of the City of Dubuque, Iowa pursuant to appraisal. The property owners did not respond to the offer.

NOW, THEREFORE, pursuant to a regularly adopted resolution by the City Council of the City of Dubuque, Iowa, YOU ARE HEREBY REQUESTED to appoint a Compensation Commission to appraise the damages caused by this appropriation, such Commission to consist of six commissioners who shall be residents of Dubuque County, Iowa.

YOU ARE FURTHER REQUESTED to give written notice to the undersigned as soon as the Commissioners have been appointed.

Dated this 22 day of Dec., 2015.

CITY OF DUBUQUE, IOWA

By


Barry A. Lindahl, Esq.
City Attorney
300 Main Street, Suite 330
Dubuque IA 52001
Tele 563 583-4113
Fax 563 583-1040
balesq@cityofdubuque.org

APPROVED this 5th day of January, 2016.


Kellyann M. Lekar, Chief Judge
First Judicial District

IN THE SHERIFF'S OFFICE IN DUBUQUE COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION

OF

CERTAIN RIGHTS IN LAND
BY THE CITY OF DUBUQUE, IOWA
FOR THE AIRPORT UTILITY
EXTENSION PROJECT

No. 216

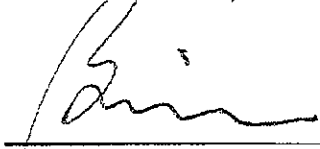
by

THE CITY OF DUBUQUE, IOWA,
Applicant

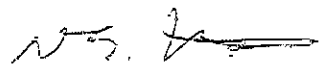
CERTIFICATE

In accord with Iowa Code Section 6B.37, I certify under penalty of perjury and pursuant to the laws of the State of Iowa that the attached Application for Condemnation has been approved by the Chief Judge of the First Judicial District, that the attached documents are true and correct copies of the original files in these proceedings, and that the statements accompanying these documents are true.

CITY OF DUBUQUE, IOWA

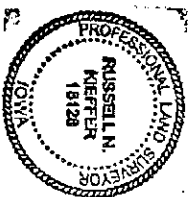
By: 
Barry A. Lindahl, Esq.
City Attorney

Filed in my office at Dubuque, Iowa 15th day of January, 2016.


Sheriff of Dubuque County, Iowa

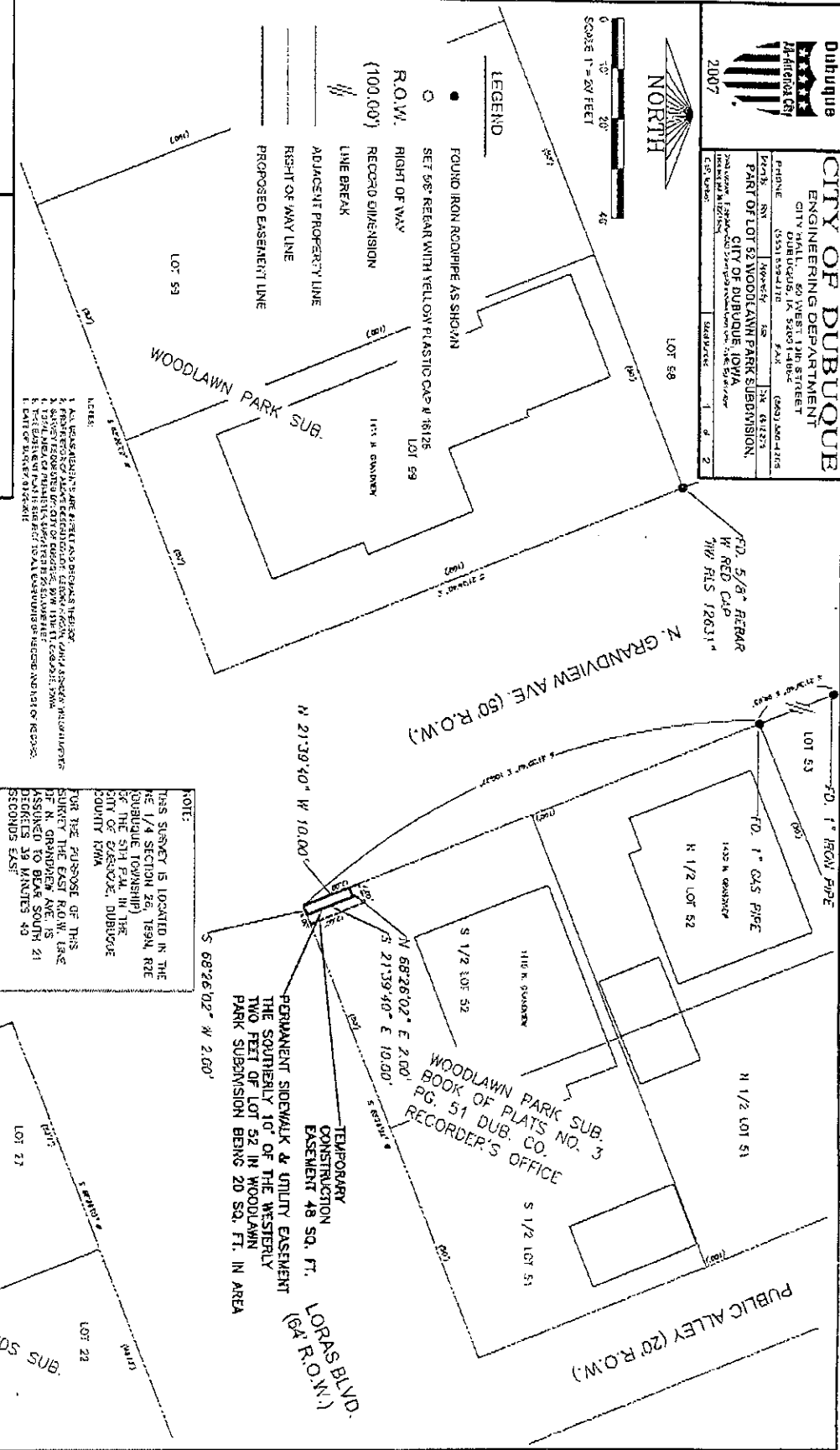
Prepared By: Nate Kieffer 50 West 13th St, Dubuque, IA 52001 Ph: 563-589-4270

Dubuque
CITY OF DUBUQUE
 ENGINEERING DEPARTMENT
 CITY HALL, 50 WEST 13TH STREET
 DUBUQUE, IOWA 52001
 PHONE: 563.589.4272 FAX: 563.589.4275
 WWW.CITYOFDUBUQUE.IA
 PART OF LOT 52 WOODLAWN PARK SUBDIVISION
 CITY OF DUBUQUE, IOWA
 PROJECT NO. 102346605
 SHEET NO. 1 OF 2



RUSSELL N. KIEFFER
 No. 18128
 IOWA
 PROFESSIONAL LAND SURVEYOR

Signature
 Date: 11-08-2015



CITY OF DUBUQUE
 EASEMENT ACQUISITION PLAN

COUNTY: DUBUQUE PARCEL NO. 102346605 JOB NO. N/A
 PROJECT: G. VIZEN, ORASKANY, SECTION 26, TWP. 55N, RANGE 2E
 ROW-FEE: N/A EXIST. ROAD: N/A PERM. EASEMENT 20 SQ. FT.
 LEGAL DESCRIPTION: S 1/2 LOT 52 WOODLAWN PARK SUB, CITY OF DUBUQUE
 OWNER: DEBORAH RUTH KARLA SCHMIDT, WILLOU KIEFFER

FOR THE PURPOSE OF THIS SURVEY, THE EAST R.O.W. LINE IS SHOWN TO BE 100.00 FEET WIDE. THE WESTERLY CORNER OF THE EAST R.O.W. IS LOCATED AT THE INTERSECTION OF THE EAST R.O.W. AND THE EAST LINE OF LOT 52. THE EAST LINE OF LOT 52 IS 100.00 FEET LONG. THE EAST LINE OF LOT 51 IS 100.00 FEET LONG. THE EAST LINE OF LOT 53 IS 100.00 FEET LONG. THE EAST LINE OF LOT 54 IS 100.00 FEET LONG. THE EAST LINE OF LOT 55 IS 100.00 FEET LONG.

WOODLAWN PARK SUB.
 BOOK OF PLATS NO. 3
 PG. 51 DUB. CO.
 RECORDER'S OFFICE

LORAS BLVD.
 (64' R.O.W.)

PUBLIC ALLEY (20' R.O.W.)

N. GRANDVIEW AVE. (50' R.O.W.)

TSCHIRGI & SCHWINDS SUB.
 LOT 22
 LOT 23

SURVEYOR'S CERTIFICATE

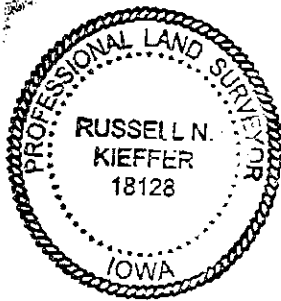
LEGAL DESCRIPTION

A part of Lot 52 in Woodland Park Subdivision, City of Dubuque, Iowa, more particularly described as follows:

The Southerly ten feet of the Westerly two feet of Lot 52 in Woodlawn Park Subdivision, City of Dubuque, Iowa, containing 20 square feet more or less, and subject to easements, reservations, restrictions and rights of way of record and not of record.

The above described area was surveyed and platted for sidewalk and utility easement purposes for improvements to Grandview Ave. and Loras Boulevard in the City of Dubuque, Iowa; the plat of which is attached hereto and made a part of this certificate.

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



RN.K Date 10-09-2015
Russell N. Kieffer, P.L.S. No. 18128
My license renewal date is Dec. 31, 2016
Pages on sheets covered by this seal: this sheet only