

#1303



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 _____
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 Iowa Department of Transportation
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # 2017-0349, Book 968, Page 252 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # 2017-1110, Book 971, Page 445; on April month, 7th day, 2017 year.

Deborah Kupka
County Recorder for

Tama County

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

SEE INSTRUCTIONS ON BACK

Tama County, Iowa
Deborah Kupka RECORDER
Recorded: 4/7/2017 at 8:58:00.0 AM
BK: 971 PG: 445
Fee Amount: \$12.00
Revenue Tax:
Unique Doc ID: 4/7/2017_2017-1110

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa

Department of Transportation for the
Improvement of
Primary Road No. U. S. 30
East of the City of Tama
located in Tama County, Iowa
Project No. NHSN-030-6(188)--2R-86
Group "A" Parcels 14 & 14A

Prepared by and Return To:

Allyssa Myers, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010
(515)239-1757

DISMISSAL

TO: Dennis P. Kucera, Sheriff of Tama County, Iowa
and

TO:

John E. Kopsa, 3263 N Avenue, Tama, IA 52339

Dolores Darlene Kopsa also known as Dolores D. Kopsa, 3263 N Avenue, Tama, IA 52339

Paul B. Nardini, 2390 Highway 30, Tama, IA 52339

Tama County, Iowa, c/o County Auditor, 104 W. State Street, Toledo, IA 52342

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the SW ¼ of the SW ¼ and the SE ¼ of the SW ¼ of Section 27, and part of the NE ¼ of the NE ¼ of Section 32, and part of the NW ¼ of the NW ¼ of Section 33 all in Township 83 North, Range 14 West of the 5th P.M., Tama County, Iowa.

The Iowa Department of Transportation dismisses, without prejudice, the above-referenced proceeding against all properties and property owners. The original Certified Application for Condemnation approved by the Chief Judge was filed in the Office of the Tama County Recorder on January 30, 2017, and occurs at Book 968 Page 252.

Dated at Ames, Iowa, this 6th day of April, 2017.

IOWA DEPARTMENT OF TRANSPORTATION
DAVID S. GORHAM
Special Assistant Attorney General and Counsel

By Katie A. Johnson
Katie A. Johnson
Condemnation Unit Coordinator

Time-Stamped in my office at Toledo, Iowa, this 6 day of April, 2017

Dennis P. Kucera
Dennis P. Kucera
Sheriff of Tama County, Iowa



#1303

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 Tama County.
3. The date the condemnation application was filed by the undersigned County Recorder is January month, 30 day, 2017 year.
4. The attached Condemnation Application is filed of record at Document # 2017-0349
Book 968, Page 252.

Deborah Kupka
County Recorder for

Tama 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

Tama County, Iowa
Deborah Kupka RECORDER
Recorded: 1/30/2017 at 1:27:00.0 PM
BK: 968 PG: 252
Fee Amount: \$72.00
Revenue Tax:
Unique Doc ID: 1/30/2017_2017-0349

Prepared by: Alyssa Myers, IA Dept. of Transportation, Right of Way-Condemnation,
800 Lincoln Way, Ames, IA 50010 515-239-1757
Return to: Alyssa Myers, 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 Number U.S. 30
East of the City of Tama
located in Tama County, Iowa

Project No. NHSN-030-6(188)-2R-86 Group "A"

TO: Patrick R. Grady, Chief Judge, 6th Judicial District including Tama County, Iowa

**APPLICATION TO THE CHIEF
JUDGE OF THE
6th JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A
COMMISSION TO APPRAISE
DAMAGES**

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in Agricultural land by Condemnation proceedings. The Iowa Department of Transportation, acting on behalf of the State of Iowa and/or its political subdivisions, has not been able to secure rights in lands by purchase and conveyance for the improvement of roads and streets. In accordance with Sec. 6B.2A, 6B.2B and 6B.3, the Code of Iowa, as amended by H.F. 476, the following is set forth:

Description: The lands and/or property rights sought to be condemned or affected are described on the attached Notice of Condemnation which is made a part of this Application.

Plat: The location of the right of way or other property rights sought to be condemned or affected are shown on the plat(s) attached to and a part of the attached Notice of Condemnation.

Minimum Land Needs: The minimum amount of land necessary to achieve the public purpose is as described in and shown on the Notice of Condemnation and attached plat(s).

Names and Addresses: The names and addresses of the record owners, lienholders, encumbrancers and other persons affected by this proceeding are listed on the attached Notice of Condemnation.

Purpose: The Department of Transportation desires the rights specified in the lands sought to be condemned for the improvement and/or maintenance of roads and streets within the State of Iowa.

Statement of Individual Rights: The Iowa Department of Transportation has provided the owner(s) with a statement of their individual rights and written notification as required under Sec. 6B.2A.

Good Faith Negotiations: The Applicant has made an effort to negotiate in good faith with the

owner(s) to acquire the property sought to be condemned. These efforts include:

1. Provided the owner(s) with written notification at least 30 days prior to the intent to proceed with this public improvement.
2. Provided the owner(s) with a copy of the appraisal of the property sought.
3. Discussed the basis of determining value.
4. Reviewed the project design plans.
5. Discussed the contents of the acquisition contract.
6. Addressed owner's questions and concerns.
7. Provided the owner(s) with a written offer of the fair market value.

Based on these efforts, we were unable to reach an agreement.

Agricultural Land: A part of the lands sought to be appropriated may be classified as Class I or Class II within an agricultural area and, if so classified, is reasonably necessary for this internal improvement.

Request: NOW, THEREFORE, the Iowa Department of Transportation hereby requests the appointment of a compensation commission of six qualified persons to view the premises and appraise the damages which the owners, lienholders, encumbrancers and other persons affected will sustain by reason of this Condemnation.

Dated at Ames, Iowa, this 11 day of January, 2017.

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 Adair, Iowa, this 17th day of January, 2017.

Patrick R. Grady
Patrick R. Grady
Chief Judge of the 6th Judicial District
including Tama County, Iowa.

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

Allyssa Myers
Allyssa Myers, 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. 30

East of the City of Tama

located in Tama County, Iowa

Project No. NHSN-030-6(188)--2R-86

Group "A"

TO:

John E. Kopsa, 3263 N Avenue, Tama, Iowa 52339

Delores Darlene Kopsa, also known as Delores D. Kopsa, 3263 N Avenue, Tama, Iowa 52339

Paul B. Nardini, 2390 Highway 30, Tama, Iowa 52339

Tama County, Iowa, c/o County Auditor, 104 W. State Street, Toledo, Iowa 52342

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32 and part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, all in Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa.

You, and each of you, are hereby notified that the State of Iowa and Tama County, Iowa, desire certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the Acquisition Plats Exhibit "A" (1 of 2) and (2 of 2) and Graphic Exhibit "B" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Tama County, Iowa, and in the Office of the Sheriff of Tama County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated, for the use and benefit of the State of Iowa, is in land described as follows:

A parcel of land partly in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32 and partly in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, and a parcel of land in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, all in Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, identified as Parcel "A" and as Parcel "B", on Acquisition Plat Exhibit "A" (1 of 2) attached hereto, which by this reference is made a part hereof.

Said parcel is described as follows:

Tama County Project No. NHSN-030-6(188)--2R-86
John E. Kopsa, et al (Parcel 14)
Continued on next page

Page 1

Tama County Project No. NHSN-030-6(188)--2R-86
John E. Kopsa, et al (Parcel 14)

Page 2

Parcel "A"

Beginning at the NW Corner of said Section 33; thence N 89°11'15"E, 893.49 feet on the north line of the NW¼ of the NW¼ of Section 33; thence S 39°09'53"W, 78.10 feet to the existing southerly right of way line of Primary Road No. U.S. 30; thence S 89°11'32"W, 845.38 feet on said existing southerly right of way line; thence S 89°56'44"W, 634.09 feet on said existing southerly right of way line; thence N 00°48'21"W, 51.46 feet to a point on the north line of the NE¼ of the NE¼ of Section 32; thence N 89°11'39"E, 636.10 feet on said north line to the Point of Beginning, containing 2.00 acres, all of which is within the existing road right of way.

and,

Parcel "B"

Beginning at the NE corner of the NW¼ of the NW¼ of said Section 33; thence S 00°58'03"W, 59.92 feet along the east line of said NW¼ of the NW¼; thence S 89°11'32"W, 65.59 feet to a point on the existing southerly right of way line of Primary Road No. U.S. 30; thence N 03°20'00"W, 59.94 feet to the north line of said NW¼ of the NW¼; thence N 89° 11'15"E, 70.08 feet on said north line of said NW ¼ of the NW ¼ to the Point of Beginning, containing 0.09 acre, all of which is within the existing road right of way.

The access rights in fee simple title sought to be appropriated, for the use and benefit of the State of Iowa, are described as follows:

All rights of direct access between Primary Road No. U.S. 30 and condemnees' remaining property abutting thereon in the NE¼ of the NE¼ of Section 32, and the NW¼ of the NW¼ of Section 33, all in Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, from Sta. 199+51.02± (Property Line) to Sta. 222+18.40± (Property Line), on the south side, reserving to the condemnees the right of access at Sta. 205+80 on the south side of Primary Road No. U.S. 30.

The easement for highway purposes sought to be appropriated, for the use and benefit of Tama County, Iowa, is in land described as follows:

A parcel of land in the NW¼ of the NW¼ of Section 33, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, as shown on Acquisition Plat Exhibit "A" (2 of 2) attached hereto, which by this reference is made a part hereof.

Said parcel is described as follows:

Commencing at the NE Corner of the NW¼ of the NW¼ of Section 33; thence S 00°58'03"W, 59.92 feet on the east line of said NW¼ of the NW¼; thence S 89°11'32"W, 40.02 feet to the intersection of the existing westerly right of way line of "P" Avenue with the existing southerly right of way line of Primary Road No. U.S. 30; thence continuing S 89°11'32"W, 25.57 feet on the existing southerly right of way line of Primary Road No. U.S. 30; thence S 03°34'51"E, 190.13 feet; thence S 10°52'04"E, 51.08 feet to the existing westerly right of

Tama County Project No. NHSN-030-6(188)--2R-86
John E. Kopsa, et al (Parcel 14)

Page 2

Tama County Project No. NHSN-030-6(188)-2R-86
John E. Kopsa, et al (Parcel 14)

Page 3

way line of "P" Avenue; thence N 00°58'03"E, 240.32 feet on said existing westerly right of way line to the Point of Beginning, containing 0.08 acre.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought in fee simple title and by easement for highway purposes, are condemned in their entirety.
2. The State of Iowa shall have a right of temporary easement in the NW¼ of the NW¼ of Section 33, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, for the specific purpose of pipe jacking, in land described as follows and as shown on Graphic Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the NW Corner of said Section 33; thence S 01°10'09"W, 59.82 feet on the west line of the NW¼ of the NW¼ of said Section 33; thence N 89°11'32"E, 265.38 feet on the existing southerly right of way line of Primary Road No. U.S. 30, the Point of Beginning; thence S 00°38'29"E, 64.28 feet; thence N 89°21'32"E, 105.00 feet; thence N 00°38'29"W, 64.58 feet; thence S 89°11'32"W, 105.00 feet on said southerly right of way line to the Point of Beginning.

3. The State of Iowa will construct an entrance at Sta. 205+80 on the south side of Primary Road No. U.S. 30. The existing entrance at Sta. 209+02± on the south side of Primary Road No. U.S. 30 will be closed and the entrance eliminated.
4. Any farm field drainage tile, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemner and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of pipe jacking and for relocating, replacing, or restoring tile, if any, are reserved to the condemnees until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.
6. Condemner hereby gives notice of condemnees' five-year right to renegotiate construction or maintenance damages not apparent at the time of the condemnation as required by the Code of Iowa, Section 6B.52.

Tama County Project No. NHSN-030-6(188)-2R-86
John E. Kopsa, et al (Parcel 14)

Page 3

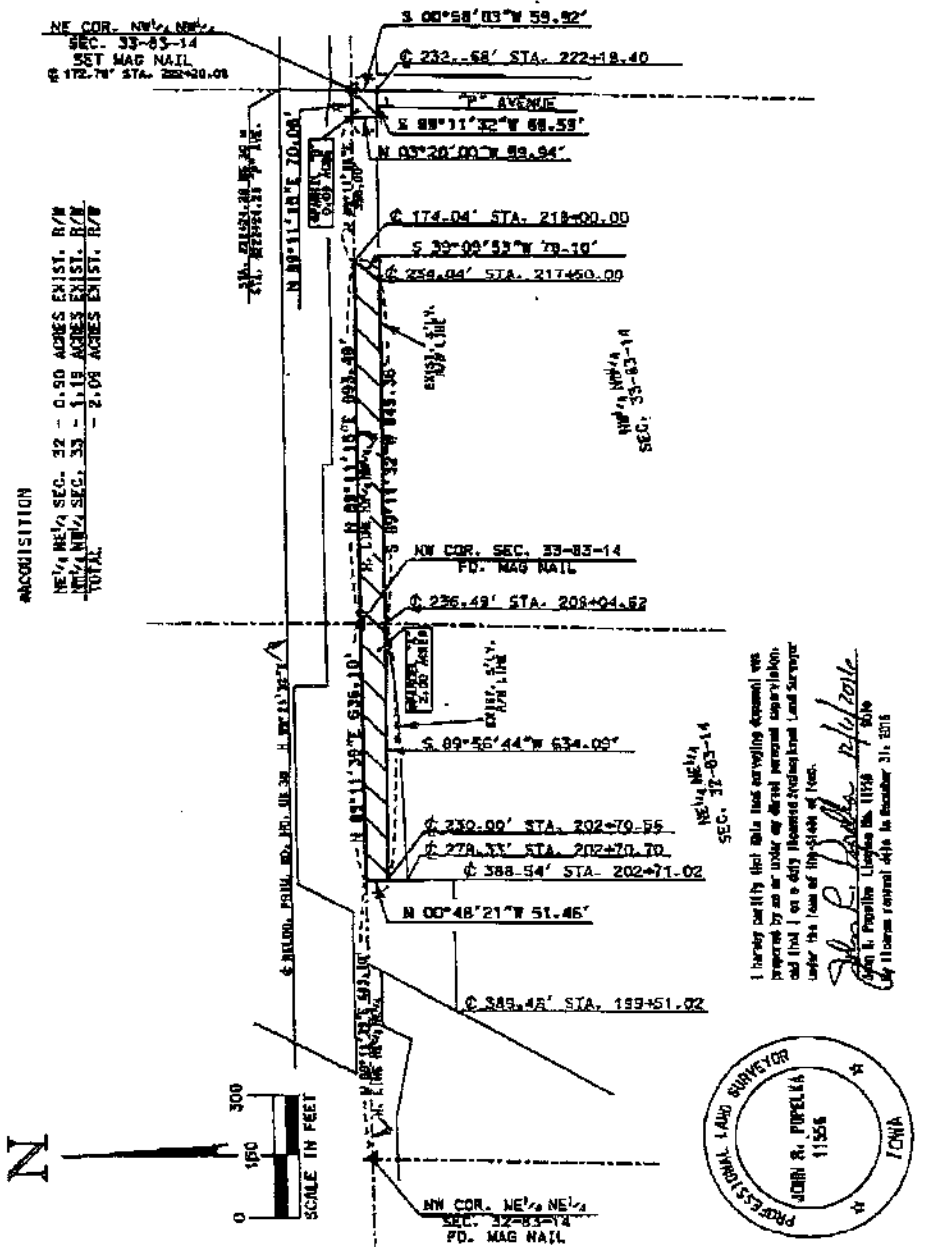
IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT EXHIBIT "A" (1 of 2)

COUNTY	TAMA		STATE CONTROL NO.	85-0200
PROJECT NO.	NHSN-030-6(188)-2R-86		PARCEL NO.	14
SECTION	32 & 33	TOWNSHIP	B3N	RANGE
ROW - FEE	2.09	AC. EASE		AC. EXCESS - FEE
ACQUIRED ACCESS RIGHTS FROM STA.	199+51.02	TO STA.	222+18.40	MAIN LINE
ACQUIRED ACCESS RIGHTS FROM STA.		TO STA.		SIDE ROAD
ACQUIRED FROM	John B. Kopp et al			

2.09 ACRES PER TITLE IS ALL WITHIN EXISTING ROAD RIGHT OF WAY.

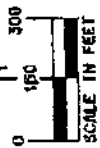


ACQUISITION

NE 1/4 SEC. 32 - 0.50 ACRES EXIST. R/W
 SEC. 33-83-14
 SET MAG NAIL
 @ 172.78' STA. 202+00.00

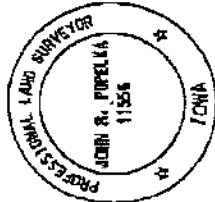
NW COR. SEC. 33-83-14
 FD. MAG NAIL
 @ 226.49' STA. 202+04.62

NW COR. NE 1/4 NE 1/4
 SEC. 32-83-14
 FD. MAG NAIL



I hereby certify that this (and any other) map prepared 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.

John R. Pirella
 John R. Pirella, License No. 11556
 of Illinois renewal date is December 31, 2016



DATE DRAWN APRIL 14, 2016 J.R.P.
 REVISED AUG. 1, 2016 J.R.P. RE-REVISED NOV. 30, 2016 J.G.D.

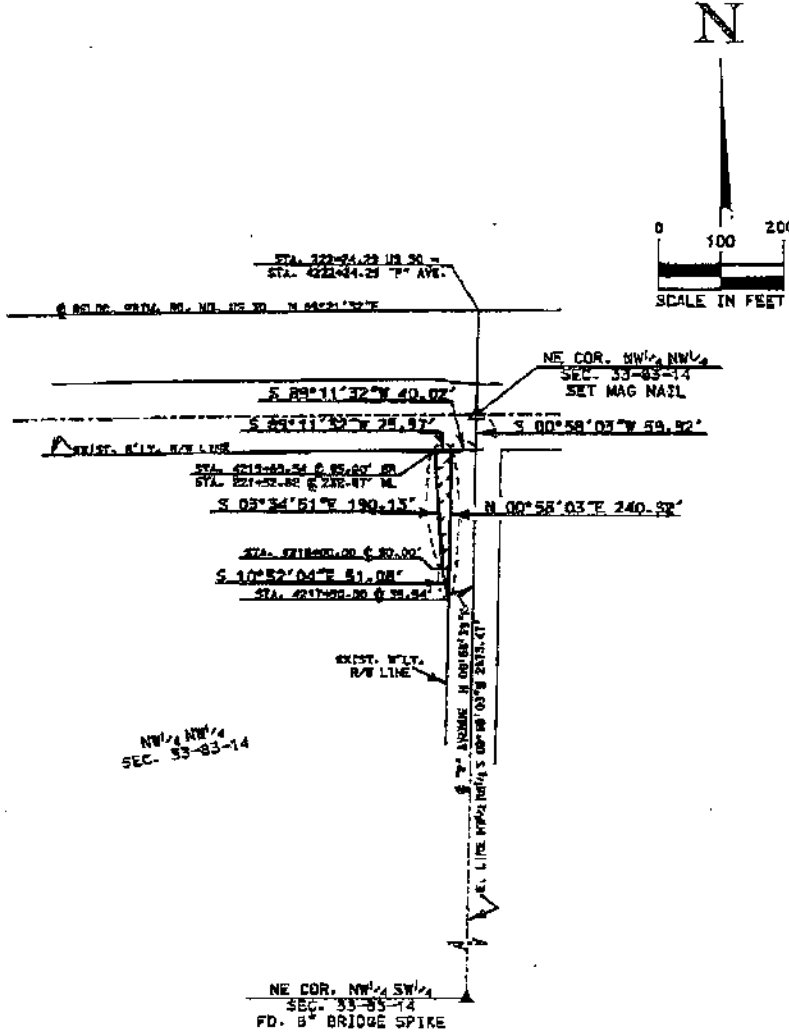
IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT
EXHIBIT "A" (2 of 2)

COUNTY TAMA STATE CONTROL NO. 86-0200
 PROJECT NO. NHSN-030-6(188)-2R-85 PARCEL NO. 14
 SECTION 33 TOWNSHIP R3N RANGE 14W
 ROW - FEE _____ AC. EASE 0.08 AC. EXCESS - FEE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM John R. Popelka et al

ACQUIRED IN THE NAME OF TAMA COUNTY, IOWA.



I hereby certify that this land surveying document was prepared 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.
John R. Popelka 4/19/2016
 John R. Popelka License No. 11555 Date
 My license renewal date is December 31, 2016

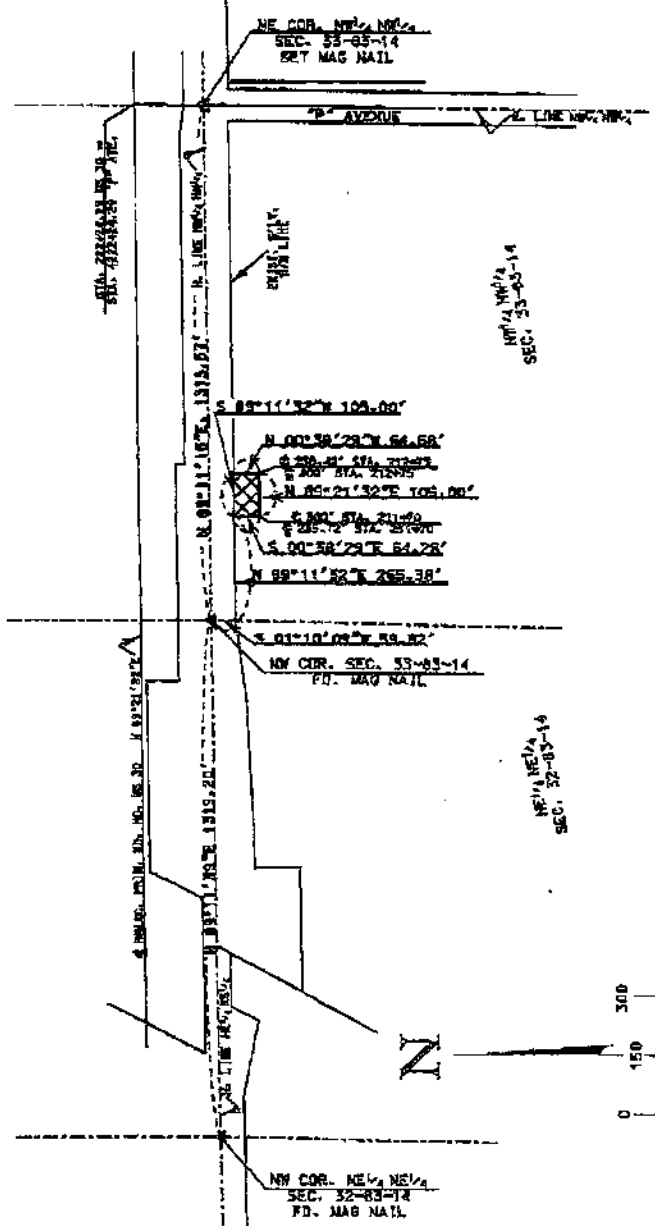
DATE DRAWN APRIL 18, 2016 J.R.P.

IOWA DEPARTMENT OF TRANSPORTATION
Graphic Exhibit "B"



COUNTY TAMA STATE CONTROL NO. 86-0200
 PROJECT NO. NH5N-030-611881-2R-86 PARCEL NO. 14
 SECTION 33 TOWNSHIP 33N RANGE 14W
 ROW - PEE _____ AC. EASE _____ AC. TEMP. EASE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM John E. Kossa et al

Temporary Easement to pipe jack



DATE DRAWN DEC. 6, 2016 J.G.D.

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. 30

East of the City of Tama

located in Tama County, Iowa

Project No. NHSN-030-6(188)--2R-86

Group "A"

TO:

Paul B. Nardini, 2390 Highway 30, Tama, Iowa 52339
Tama County, Iowa, c/o County Auditor, 104 W. State Street, Toledo, Iowa 52342

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa.

You, and each of you, are hereby notified that the State of Iowa and Tama County, Iowa, desire certain rights in land more specifically described as follows and shown with reference to their location as to land affected on the Acquisition Plats Exhibit "A" (1 of 2) and (2 of 2) and Graphic Exhibit "B" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Tama County, Iowa, and in the Office of the Sheriff of Tama County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated, for the use and benefit of the State of Iowa, is in land described as follows:

A parcel of land partly in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and partly in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ all in Section 27, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, as shown on Acquisition Plat, Exhibit "A" (1 of 2) attached hereto, which by this reference is made a part hereof.

Said parcel is described as follows:

Beginning at the SW Corner of said Section 27; thence N 00°03'48"W, 326.33 feet on the west line of the SW $\frac{1}{4}$ of said Section 27; thence N 87°06'59"E, 255.58 feet; thence N 44°21'32"E, 77.78 feet; thence N 83°13'17"E, 467.68 feet; thence S 71°40'15"E, 338.38 feet; thence S 89°01'20"E, 884.83 feet to a point on the east line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence S 00°04'54"E, 300.54 feet along said east line to the SE Corner of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence N 89°11'29"W, 660.08 feet on the south line of the

Tama County Project No. NHSN-030-6(188)--2R-86
Paul B. Nardini (Parcel 14A)
Continued on next page

Page 1

Tama County Project No. NHSN-030-6(188)--2R-86
Paul B. Nardini (Parcel 14A)

Page 2

SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ to the SE Corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence S 89°11'29"W, 1320.15 feet on the south line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ to the Point of Beginning, containing 16.03 acres, of which 4.61 acres are within the existing road right of way.

The access rights in fee simple title sought to be appropriated, for the use and benefit of the State of Iowa, are described as follows:

All rights of direct access between Primary Road No. U.S. 30 and condemnee's remaining property abutting thereon in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, from Sta. 261+74.61± (Property Line) to Sta. 281+54.47± (Property Line), on the north side, reserving to the condemnee the right of access at Sta. 261+75 on the north side of Primary Road No. U.S. 30.

and,

All rights of direct access between local road "P" Avenue and condemnee's remaining property abutting thereon in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, from Sta. 5281+52± (Property Line) to Sta. 5283+60, on the west side.

The easement for highway purposes sought to be appropriated, for the use and benefit of Tama County, Iowa, is in land described as follows:

A parcel of land in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, as shown on Acquisition Plat Exhibit "A" (2 of 2) attached hereto, which by this reference is made a part hereof.

Said parcel is described as follows:

Commencing at the SE Corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence N 00°04'54"W, 300.54 feet on the east line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence N 89°01'20"W, 33.01 feet to a point on the existing westerly right of way line of "P" Avenue, the Point of Beginning; thence continuing N 89°01'20"W, 62.70 feet; thence N 18°06'29"E, 200.82 feet to a point on the existing westerly right of way line of "P" Avenue; thence S 00°04'54"E, 191.94 feet along said existing westerly right of way line to the Point of Beginning, containing 0.14 acre.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences or agricultural crops, if any, located wholly within the land sought in fee simple title and by easement for highway purposes, are condemned in their entirety.

Tama County Project No. NHSN-030-6(188)--2R-86
Paul B. Nardini (Parcel 14A)
Continued on next page

Page 2

Tama County Project No. NHSN-030-6(188)--2R-86
Paul B. Nardini (Parcel 14A)

Page 3

2. The State of Iowa shall have a right of temporary easement in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 83 North, Range 14 West of the 5th Principal Meridian, Tama County, Iowa, for the specific purpose of constructing an entrance, in land described as follows and as shown on Graphic Exhibit "B" attached hereto and by reference made a part hereof:

Commencing at the SW Corner said Section 27; thence N 00°03'48"W, 326.33 feet on the west line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27 to the Point of Beginning; thence continuing N 00°03'48"W, 115.01 feet on said west line; thence N 89°21'32"E, 44.23 feet; thence S 00°38'29"E, 113.22 feet; thence S 87°06'59"W, 45.42 feet to the Point of Beginning.

3. The State of Iowa will construct an entrance at Sta. 261+75 on the north side of Primary Road No. U.S. 30. The existing entrance at Sta. 261+81± on the north side of Primary Road No. U.S. 30 will be closed and the entrance eliminated.
4. Any farm field drainage tile, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemner and at no expense to the condemnee, and the State of Iowa shall have a right of temporary easement as necessary over condemnee's remaining property for the specific purpose of effecting such relocation, replacement or restoration.
5. The areas sought to be appropriated by temporary easement, for the specific purpose of constructing an entrance and for relocating, replacing, or restoring tile, if any, are reserved to the condemnee until the actual date said areas are required for construction of this highway improvement. Also, said temporary easement rights shall terminate immediately upon completion of the operations for which said rights are sought and in no event later than the completion of this highway improvement.
6. Condemner hereby gives notice of condemnee's five-year right to renegotiate construction or maintenance damages not apparent at the time of the condemnation as required by the Code of Iowa, Section 6B.52.

Tama County Project No. NHSN-030-6(188)--2R-86
Paul B. Nardini (Parcel 14A)

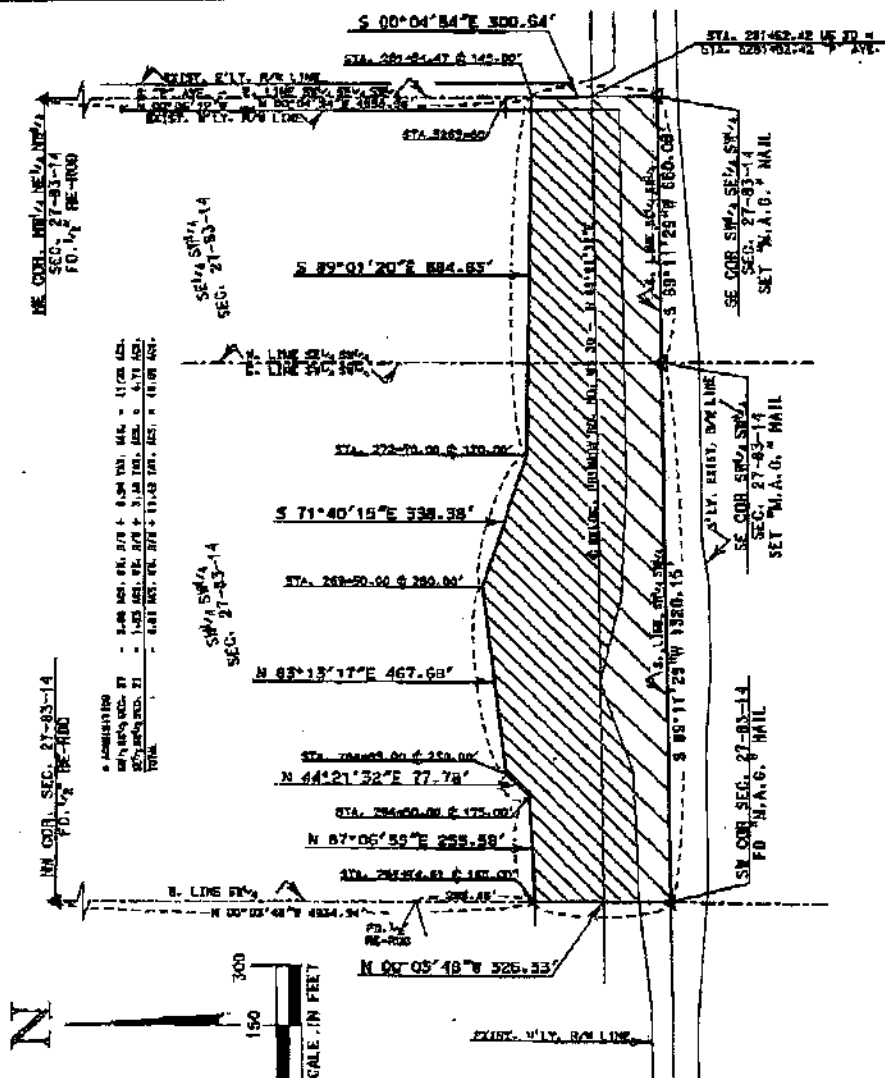
Page 3

IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAT
EXHIBIT "A" (1 of 2)

COUNTY TAMA STATE CONTROL NO. 86-0200
 PROJECT NO. NH5N-030-611881-2R-86 PARCEL NO. 14A
 SECTION 27 TOWNSHIP 83N RANGE 14W
 ROW - FEE * 16.03 AC. EXCESS - FEE _____ AC _____
 ACQUIRED ACCESS RIGHTS FROM STA. 261+74.61 TO STA. 281+54.47 MAIN LINE NORTH SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. 5281+52 TO STA. 5283+60 SIDE ROAD WEST SIDE
 ACQUIRED FROM Paul B. Nardoni



I hereby certify that this land surveying document was prepared 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.
John R. Popelka 4/16/2016
 John R. Popelka, License No. 11556 Date
 My license renewal date is December 31, 2016

DATE DRAWN MARCH 22, 2016 J.R.P.

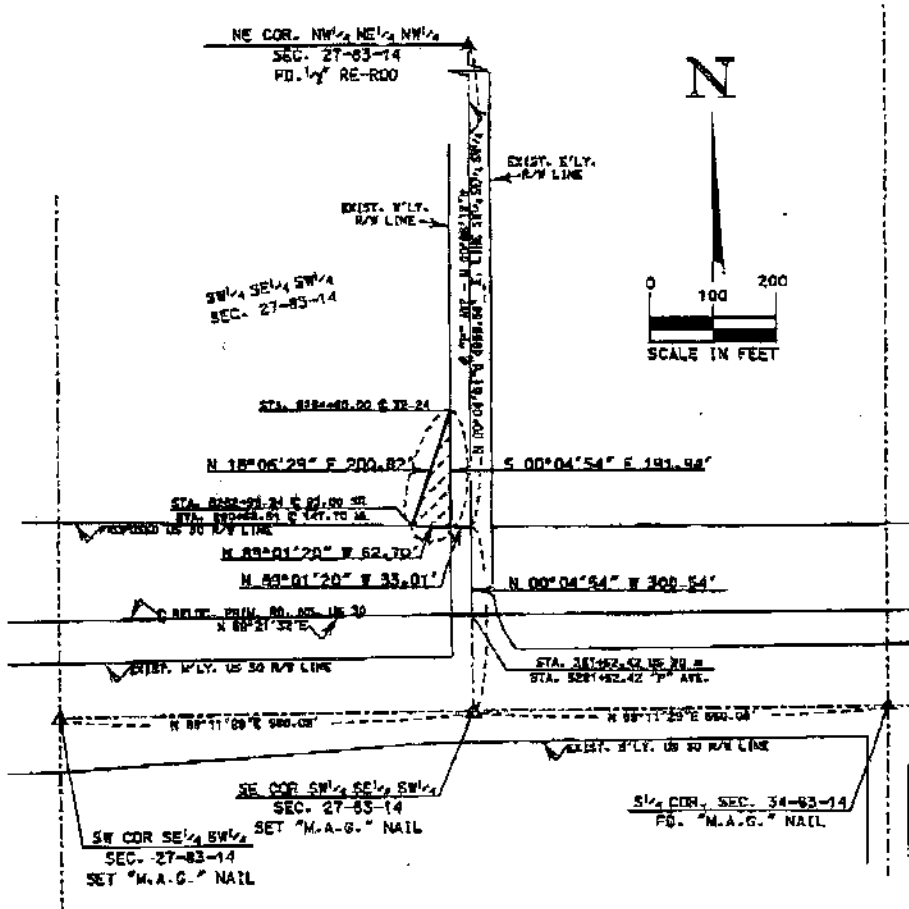
IOWA DEPARTMENT OF TRANSPORTATION



ACQUISITION PLAN
EXHIBIT "A" (2 of 2)

COUNTY TAMA STATE CONTROL NO. 85-0200
 PROJECT NO. NHNSN-030-6(1881--28-86 PARCEL NO. 14A
 SECTION 27 TOWNSHIP 83N RANGE 14W
 ROW - FEE _____ AC. EASE 0.14 AC. EXCESS - FEE _____ AC
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM Paul B. Nardini

ACQUIRED IN THE NAME OF TAMA COUNTY, IOWA



I hereby certify that this land survey was prepared 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.

John R. Popelka
 John R. Popelka, License No. 11556, Date
 My license renewed Iowa on December 31, 2016

DATE DRAWN MARCH 28, 2015 J.R.P.

