

1159



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 Mount Vernon
2. The real property subject to the Application is located in Linn County.
3. The date the condemnation application was filed by the undersigned County Recorder is December month, 17 day, 2012 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 8525, Page 13.

[Signature]
County Recorder for

Linn County

Part II: SHERIFF'S STATEMENT

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

1. The name of the acquiring agency is CITY OF MOUNT VERNON
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # _____, Book 8525, Page 13 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 March month, 4th day, 2013 year.

[Signature]
County Recorder for

Linn County

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

SEE INSTRUCTIONS ON BACK

BK: 8525 PG: 13
Recorded: 12/17/2012 at 12:31:52.930 PM
Fee Amount: \$52.00
Revenue Tax:
Joan McCalmant RECORDER
Linn County, Iowa
Unique Doc ID: 2177100

Prepared by: Robert W. Goodwin, 311 W. Lincoln Way, Suite 1, Ames, Iowa, 50010; 515-232-7390.
Return to: Robert W. Goodwin, 311 W. Lincoln Way, Suite 1, Ames, Iowa, 50010; 515-232-7390.

IN THE SHERIFF'S OFFICE IN LINN COUNTY, IOWA

IN THE MATTER OF THE)	APPLICATION FOR CONDEMNATION
CONDEMNATION OF CERTAIN)	TO THE CHIEF JUDGE OF THE 6 TH
RIGHTS IN LAND FOR THE)	JUDICIAL DISTRICT FOR THE
CITY OF MOUNT VERNON, IOWA,)	APPOINTMENT OF A COMMISSION
HIGHWAY 30/HIGHWAY 1 PROJECT)	TO APPRAISE DAMAGES
Project #STP-A-030-7(159)--86-57)	
Parcel #4)	
)	
APPLICANT: City of Mount Vernon, Iowa)	

TO: Patrick R. Grady, Chief Judge of the 6th Judicial District of Iowa, Courthouse
3rd Avenue Bridge, Cedar Rapids, Iowa 52406

IDENTIFICATION OF PROPERTY AFFECTED OR SOUGHT TO BE CONDEMNED:

The Applicant, the City of Mount Vernon, Iowa, has been unable to acquire a portion of or an interest in the following described property owned by Billy G. Lange and Connie S. Lange by purchase and conveyance, and desires to take and acquire said property by condemnation, together with any and all lease hold interests, easement interests and other legal and equitable interests therein, and together with all structures and appurtenances located upon said property, to be used in

connection with the City of Mount Vernon, Iowa Roundabouts On Highway 30 From 10th Avenue To Virgil Avenue Project..

The property from which a portion is to be condemned is described as follows:

LOT 4, "AUDITOR'S PLAT NO. 424, LINN COUNTY, IOWA" being also described as follows:

Commencing at the point of intersection of the N boundary line of new U.S. Highway No. 30 with the W boundary line of Section 15-82-5 and running E parallel and adjacent to the N line of U.S. Highway No. 30 a distance of 205.7 feet; thence in a N-ly direction at right angles to U.S. Highway No. 30 a distance of 125 feet; thence in a W-ly direction on a line parallel to the North line of U.S. Highway No. 30, a distance of 205.7 feet more or less to the W-ly boundary line of said section 15, thence in a S-ly direction 125 feet more or less to point of beginning.

As a part of this conveyance, the Grantor hereby grants to the Grantees an easement for driveway purposes upon, over and across a tract of land described as follows: Beginning at a point on the E line of the hereinabove real estate which is 25 feet N of the SE corner thereof and running NE-ly on a line parallel to and 25 feet from the NW-ly line of a sightway of the Iowa State Highway Commission to the W boundary line of Iowa State Highway No. 1; thence S along the W boundary of Highway No. 1 to the sightway above mentioned; thence SW-ly along the NW-ly boundary of said sightway to the E line of the hereinabove described land; thence N to point of beginning.

Together with all easements and servient estates appurtenant thereto; and subject to covenants, easements and restrictions of record..

The portion of the above property that is necessary to acquire by condemnation as a permanent access easement is described as follows:

Part of Lot 4, Auditor's Plat No. 424 Linn County, Iowa recorded in Book 10, Page 369, at the Linn County, Iowa Recorders office described as follows:
Commencing at the northwest corner of Lot 4, Auditor's Plat No. 424,
Thence S 01°13'21" E along the west line of said Lot 4, (bearing assumed for this description) to the Point of Beginning a distance of 60.08 feet;
Thence S 88°17'29" E a distance of 15.02 feet;
Thence S 01°13'21" E and parallel with said west line of Lot 4 to the south line of said Lot 4, a distance of 65.09 feet;
Thence N 88°17'29" W along said south line to the southwest corner of said Lot 4, a distance of 15.02 feet;

Thence N 01°13'21" W along said west line of Lot 4 to the Point of Beginning, a distance of 65.09 feet;

Said parcel contains 976 sqft., 0.022 acres, more or less; and

The portion of the above property that is necessary to acquire by condemnation for a temporary construction easement is described as follows:

Part of Lot 4, Auditor's Plat No. 424 Linn County, Iowa recorded in Book 10, Page 369, at the Linn County, Iowa Recorders office described as follows:

Commencing at the northeast corner of Lot 4, Auditor's Plat No. 424,
Thence S 01°42'31" W along the east line of said Lot 4, (bearing assumed for this description) to the Point of Beginning a distance of 53.44 feet;
Thence S 01°42'31" W along said east line to the southeast corner of said Lot 4 a distance of 71.56 feet;
Thence N 88°17'29" W along the south line of said Lot 4 to the southwest corner of said Lot 4 a distance of 205.85 feet;
Thence N 01°13'21" W along the west line of said Lot 4 a distance of 75.10 feet;
Thence S 88°17'29" E a distance of 20.03 feet;
Thence S 01°13'21" E a distance of 60.08 feet;
Thence S 88°17'29" E and parallel with said south line a distance of 166.58 feet;
Thence N 01°42'31" E a distance of 56.56 feet;
Thence S 88°17'29" E and parallel with said south line to said east line and Point of Beginning, a distance of 20.00 feet.

Said parcel contains 5,426 sqft., 0.125 acres, more or less.

Attached hereto and incorporated herein by this reference are Land Acquisition Plats of said property being acquired and condemned.

PURPOSE FOR WHICH CONDEMNATION IS SOUGHT: Mount Vernon, Iowa, in conjunction with the Iowa Department of Transportation, intends to construct a roundabout to replace the intersection of 10th Avenue South and U.S. Highway 30, also to construct a roundabout at the intersection of State Highway 1 and U.S. Highway 30 to alleviate traffic congestion and problems at those intersections, to resurface U.S. Highway 30 between those two intersections, and to reconstruct the streets approaching the intersections.

IN THE MATTER OF THE CONDEMNATION)
 OF CERTAIN REAL ESTATE FOR RIGHTS
 IN LAND FOR THE CITY OF MOUNT VERNON, IOWA, FOR
 ITS POC PAVEMENT RECONSTRUCTION ON U.S. HIGHWAY
 30 FROM 10TH AVENUE to VORSEIL AVENUE PROJECT
 Project #STP-A-130-7(159)--86-57

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

Parcel # *4*

WITH BILLY G LANGE, CONNIE S. LANGE, MOUNT VERNON BANK & TRUST
 LINN COUNTY TREASURER



Doc ID: 020398950078 Type: GEN
 Recorded: 03/04/2013 at 02:16:41 PM
 Fee Amt: \$451.80 Page 1 of 78
 Revenue Tax: \$84.80
 Linn County Iowa
 JOAN MCCALMANT RECORDER

By CITY OF MOUNT VERNON, IOWA

BK **8601** PG **436-511**

TO: Linn County Recorder

Please find attached the following papers regarding the above-described Condemnation proceedings which was held in my office on the *30* day of, *JANUARY* 20*13* :

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

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

Warrant #	Amount	Parcel	Date Claimed
<i>068455</i>	in the amount of \$ <i>40,680⁰⁰</i>	parcel <i>4</i>	<i>2-1-13</i>
<i>068457</i>	in the amount of \$ <i>4,250⁰⁰</i>	parcel <i>4</i>	<i>2-1-13</i>
Warrant #	in the amount of \$	parcel	
Warrant #	in the amount of \$	parcel	

The Application for Condemnation was filed with your office on the *17th* day of *December*, 20*12* in volume *8525* on page *13*.

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

Brian D Gardner, Sheriff
 Linn County, Iowa

By: Lt. R. Rowland, Deputy

Date: *R. Rowland*

3-4-13

*City of Mount Vernon
 Attn: Michael R. Blimer
 213 First St NW
 Mt Vernon, IA 52314
 \$387.00 City of
 + 64.80 Rev*

In the matter of the Condemnation of certain Real Estate for CERTAIN RIGHTS IN LAND FOR THE CITY OF MOUNT VERNON, IOWA, FOR ITS PCC PAVEMENT ROUNDABOUTS ON U.S. HIGHWAY 30 FROM 10TH AVENUE TO VIRGIL AVENUE PROJECT

Project #STP-A-030-7(159)--86-57
Parcel #4

Sheriff's Certification of Costs and Awards

By: CITY OF MOUNT VERNON, IOWA

To: CITY OF MOUNT VERNON, IA ATTN: MICHAEL R BEIMER

I hereby certify that the appointed Commissioners in the above entitled Condemnation Commission Proceedings convened at Mount Vernon, Iowa, on the 30TH day of January, 2013, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 30TH day of January, 2013, file their written report with me awarding damages as follows:

	LAND & IMPROVE.	CONSEQ DAMAGES	TOTAL AWARD	ATTY FEES
Billy G & Connie S Lange	\$10,680.00	\$30,000.00	\$40,680.00	\$4,250.00
Mount Vernon Bank & Trust				
Linn County Treasurer				

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

Expense of Summoning Commissioners	\$ _____
Serving Condemnees	\$ _____ 55.00
Expense of Commissioners	\$ _____ 1,306.22
Sheriff's Mileage Serving Condemnees	\$ _____ 20.30
Sheriff's Mileage Transporting Commissioners	\$ _____ 2.00
Copies	\$ _____ 48.00
Sheriff's Fee Attending Condemnation	\$ _____ 100.00
Notary	\$ _____
Publication	\$ _____ 18.56
Postage	\$ _____ 16.20
Recording Fee	\$ TO BE PAID BY CITY OF MOUNT VERNON, IA
	ATTN: MICHAEL BEIMER
Total	\$ _____ 1,565.28

Given under my hand this 31st day of JANUARY, 2013.



Brian D Gardner, Sheriff
Linn County, Iowa
By Lt. R. Rowland, Deputy

Subscribed and sworn to before me this 31st day of JANUARY, 2013, by Lt. R. Rowland, Deputy Sheriff, Linn County, Iowa.

NOTARY PUBLIC In and for the State of Iowa

c/o Linn County Auditor
Joel Miller
930 1st Street Sw
Cedar Rapids, IA 52404

You are hereby notified that the City of Mount Vernon, Iowa desires to take and acquire by condemnation a portion of property, or an interest in the following described property:

LOT 4, "AUDITOR'S PLAT NO. 424, LINN COUNTY, IOWA" being also described as follows:

Commencing at the point of intersection of the N boundary line of new U.S. Highway No. 30 with the W boundary line of Section 15-82-5 and running E parallel and adjacent to the N line of U.S. Highway No. 30 a distance of 205.7 feet; thence in a N-ly direction at right angles to U.S. Highway No. 30 a distance of 125 feet; thence in a W-ly direction on a line parallel to the North line of U.S. Highway No. 30, a distance of 205.7 feet more or less to the W-ly boundary line of said section 15, thence in a S-ly direction 125 feet more or less to point of beginning.

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Thence S 88°17'29" E a distance of 15.02 feet;
Thence S 01°13'21" E and parallel with said west line of Lot 4 to the south line of

said Lot 4, a distance of 65.09 feet;
Thence N 88°17'29" W along said south line to the southwest corner of said Lot 4,
a distance of 15.02 feet;
Thence N 01°13'21" W along said west line of Lot 4 to the Point of Beginning, a
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Thence S 01°42'31" W along said east line to the southeast corner of said Lot 4 a distance of 71.56 feet;
Thence N 88°17'29" W along the south line of said Lot 4 to the southwest corner of said Lot 4 a distance of 205.85 feet;
Thence N 01°13'21" W along the west line of said Lot 4 a distance of 75.10 feet;
Thence S 88°17'29" E a distance of 20.03 feet;
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Said parcel contains 5,426 sqft., 0.125 acres, more or less.

Attached hereto and incorporated herein by this reference are Land Acquisition Plats of said property being acquired and condemned.

The purpose of these condemnation proceedings is to acquire land and rights in land needed for the roundabouts on the Highway 30 from 10th Avenue to Virgil Avenue project.

Attached hereto is a copy of the Application For Condemnation to the Chief Judge of the Sixth Judicial District for the Appointment of a Commission to Appraise Damages.