



#1219

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 Lee County
2. The real property subject to the Application is located in Lee County.
3. The date the condemnation application was filed by the undersigned County Recorder is February month, 27 day, 2015 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 2015, Page 735.

Nancy L. Bortner
County Recorder for

Lee 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

Book 2015 Page 735

Document 2015 735 Type 06 040 Pages 17
Date 2/27/2015 Time 11:48 AM
Rec Amt 8.00

NANCY L. BOOTEN, RECORDER
LEE COUNTY, IOWA

Indexed _____ Scanned _____

Index Check _____ Scan Check _____

Prod Ind. C. _____ Bk _____ Notes _____

Recorder's Cover Sheet
In the Matter of the Condemnation of Certain Lands in Lee County, Iowa.
RE: Project No. RC-CO56(87)9A-56

Application to the Chief Judge of the Eighth Judicial District for the Appointment of a
Commission to Assess Damages and Order Appointing Compensation Commission,
Statement of Property Rights

Preparer Information:

Michael P. Short, Lee County Attorney, P. O. Box 824, Keokuk, Iowa 52632
319/524-9590

Return Document to:

Michael P. Short, Lee County Attorney, P. O. Box 824, Keokuk, Iowa 52632

BEFORE THE LEE COUNTY CONDEMNATION COMMISSION

IN THE MATTER OF THE
CONDEMNATION OF CERTAIN
LANDS IN LEE COUNTY, IOWA

RE: PROJECT NO. RC-CO56(87)--9A-56

Iowa Fertilizer Company, LLC

APPLICATION TO THE CHIEF JUDGE OF THE EIGHTH JUDICIAL DISTRICT
FOR THE APPOINTMENT OF A COMMISSION TO ASSESS DAMAGES.

To: The Honorable Mary Ann Brown, Chief Judge, Eighth Judicial District

COMES NOW Michael P. Short as County Attorney for Lee County, State of Iowa, and the County from which funds disbursed for payment are to be paid, and states to the Chief Judge of this Judicial District as follows:

1. Lee County seeks to condemn the below described property for the purpose of a roadway construction, reconstruction, grading, widening and utility relocation within the existing pursuant to Chapter 6B, Code of Iowa, 2015. Section 6B.2A does not apply this property. Lee County is making application for condemnation of road right-of-way that is contiguous to an existing road right-of-way. All property is necessary for the maintenance, safety improvement, repair or upgrading of an existing roadway.
2. Pursuant to section 6B.2C the Lee County Board of Supervisors did by Resolution number 2015-63 dated February 17, 2015, approved the commencement of condemnation proceedings. There is a reasonable expectation that the applicant will be able to achieve its public purpose and comply with all applicable standards.
3. The property sought to be condemned consists of non-agricultural land industrial land.
4. The acquiring agency has made good faith effort to negotiate with the owner to purchase the property before filing this Application for Condemnation. A copy of Lee County's appraisal report was timely provided to the landowner. Lee County has made an offer to the landowner at an amount above full fair market value as determined by that appraisal.

5. The name and address of the individual designated by the condemning agency to respond to questions is Ernie Steffensmeier, Lee County Engineer, 933 Avenue H, P. O. Box 158, Ft. Madison, Iowa 52627; telephone (319) 372-2541.
6. The Lee County Engineer's office has determined that the requests set out below represents the minimum amount of land necessary to safely construct the roadway.
7. The following is a description of the property in Lee County, Iowa, sought to be condemned:

TRACT I

- A. A description of the property sought to be condemned:

PARCEL 5687(A) - Iowa Fertilizer Company

PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 68 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LEE COUNTY, IOWA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 17; THENCE S 00°45'29" E ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17, A DISTANCE OF 55.00 FEET; THENCE S 89°51'40" W, 890.84 FEET; THENCE N 00°08'20" W, 55.00 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE N 89°51'40" E, ALONG SAID NORTH LINE, 890.24 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 0.450 ACRES MORE OR LESS, EXCLUSIVE OF PRESENT ESTABLISHED ROADWAY. BEING PART OF THE PARCEL AS DESCRIBED IN DOCUMENT NUMBER 2012N, PAGE 2924.

- B. A plat showing the right-of-way sought to be condemned with reference to the description is attached as Exhibit TRACT I A.

PARCEL 5687(B) - Iowa Fertilizer Company

PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 68 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LEE COUNTY, IOWA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 17; THENCE N 89°41'12" E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 1322.95 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE S 00°55'39" E ALONG SAID EAST LINE, 55.00 FEET; THENCE S 89°41'12" W, 1323.12 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE N 00°45'29" W, ALONG SAID WEST LINE, 55.00 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 0.668 ACRES MORE OR LESS, EXCLUSIVE OF PRESENT ESTABLISHED ROADWAY.

BEING PART OF THE PARCEL AS DESCRIBED IN DOCUMENT NUMBER 2012N, PAGE 2924.

C. A plat showing the right-of-way sought to be condemned with reference to the description is attached as Exhibit TRACT I B.

PARCEL 5687(C)- Iowa Fertilizer Company

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 68 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LEE COUNTY, IOWA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE S 00°27'52" E, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 1322.39 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE S 89°37'55" W ALONG SAID SOUTH LINE, 115.00 FEET; THENCE N 00°27'52" W, 90.45 FEET; THENCE N 89°32'08" E, 5.00 FEET; THENCE N 00°27'52" W, 1100.00 FEET; THENCE N 17°18'40" W, 49.52 FEET; THENCE N 46°37'01" W, 42.94 FEET; THENCE S 89°40'45" W, 1166.31 FEET; THENCE N 00°55'39" W, 55.00 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE N 89°40'45" E, ALONG SAID NORTH LINE, 1322.08 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 3.906 ACRES, MORE OR LESS, EXCLUSIVE OF PRESENT ESTABLISHED ROADWAY.

D. A plat showing the right-of-way sought to be condemned with reference to the description is attached as Exhibit TRACT I C.

PARCEL 5687(G)- Iowa Fertilizer Company

PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 68 NORTH, RANGE 3 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LEE COUNTY, IOWA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 17; THENCE S 89°34'51" W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 115.00 FEET; THENCE N 00°27'52" W, 1322.49 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE N 89°37'55" E ALONG SAID NORTH LINE, 115.00 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE S 00°27'52" E ALONG SAID EAST LINE, 1322.39 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 3.491 ACRES. BEING PART OF THE PARCEL AS DESCRIBED IN DOCUMENT NUMBER 2012N-2924.

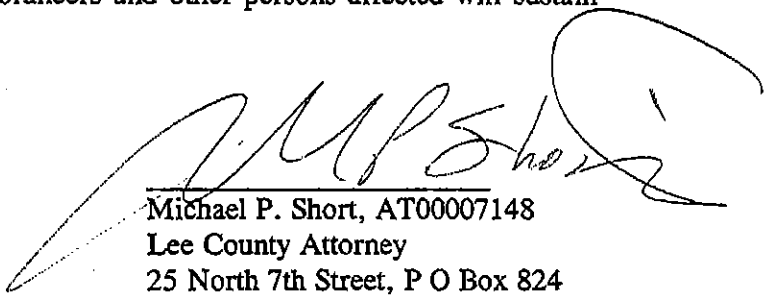
E. A plat showing the right-of-way sought to be condemned with reference to the description is attached as Exhibit TRACT I G.

F. All property described in Tract I, A, B, C and G is non-agricultural, industrial property.

D. The name and addresses of all record owner and lien and encumbrance owners and other parties who by law are entitled to notice regarding this tract are:

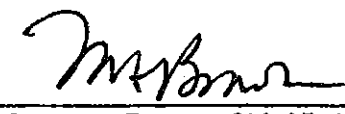
1. Owners: Iowa Fertilizer Company LLC, 3550 180th Street, Wever, Iowa 52658
2. Mortgagee and mortgagors: UMB Bank, N.A., 2 South Broadway, Saint Louis, Missouri 63102
3. Tenants: None
4. Contract vendors or vendees: None
5. Lien Holders of Record: None

WHEREFORE, the undersigned applicant on behalf of Lee County, Iowa, hereby requests that the Honorable Mary Ann Brown, Chief Judge of the Eighth Judicial District acting in accordance with Chapter 6B, Code of Iowa, 2015, appoint a commission of six qualified persons to view the premises and appraise the damages which the owners, lien holders, incumbrancers and other persons affected will sustain by reason of this of this Condemnation.



Michael P. Short, AT00007148
Lee County Attorney
25 North 7th Street, P O Box 824
Keokuk, IA 52632
(319)524-9590
Fax: (319)524-9592

Filed in the office of the Chief Judge of the Eighth Judicial District on this the 25th day of February, 2015.



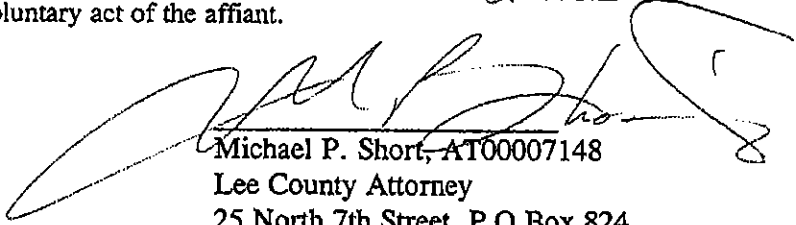
Mary Ann Brown, Chief Judge, 8th
Judicial District of Iowa

A copy filed of record in the Office of the Sheriff of Lee County on this the _____ day of February, 2015.

James A. Sholl
Lee County Sheriff

State of Iowa)
 :SS
County of Lee)


I, Michael P. Short, being first duly sworn upon oath and affidavit do hereby depose and state that I hereby certify in accordance with Section 6B3(7) that the documents presented to the Lee County Recorder for recording are the original documents and that the statements accompanying the same are true and correct. Certified and present on this the 23rd day of February, 2015, as the free and voluntary act of the affiant.



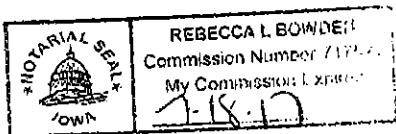
Michael P. Short, AT00007148
Lee County Attorney
25 North 7th Street, P O Box 824
Keokuk, IA 52632
(319)524-9590 Fax (319) 524-9592

Before me, the undersigned notary public in and for Lee County and the State of Iowa, personally appeared Michael P. Short, known by me to be the County Attorney for Lee County, Iowa, and who, was by me first duly sworn upon oath and affidavit and deposed and did state that the contents of the above and foregoing affidavit are true and correct and, the same was signed by him as a voluntary act and deed.

Dated this the 23rd day of February, 2015.



Notary Public in and for the State of Iowa



Comm. Number 717521

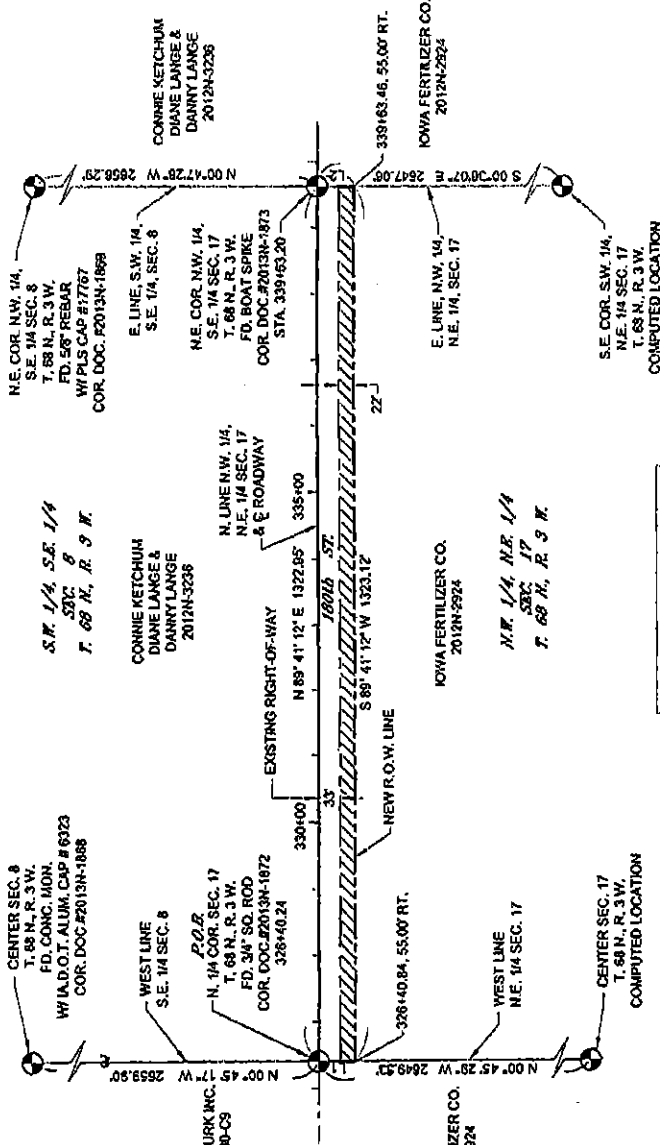
Tract I-B

PREPARED BY: CHESTER V. BROWN, POEPPING, STONE, BACH AND ASSOCIATES, INC.
100 SOUTH 54TH ST., P.O. BOX #709, QUINCY, IL, 62306, PH. 217-223-4605

ROADWAY EASEMENT PLAT

PARCEL NO. 5607-0

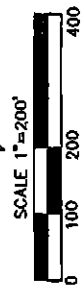
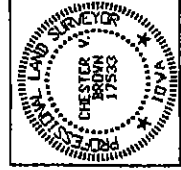
ACQUIRED FROM **IOWA FERTILIZER CO.**



LINE	LENGTH	BEARING
L1	55.00'	N 00° 45' 29\"/>
L2	55.00'	S 00° 55' 39\"/>

I hereby certify that this land surveying document was prepared and the related work was done in accordance with the laws of direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Chester V. Brown License Number 17533 Date
My license renewed date is December 31, 2014
Pages or sheets covered by this sheet 1



FROM & STATION 328+40.24 TO & STATION 339+63.20 R.O.W. 0.668 ACRES
SECTION 17 TOWNSHIP 68 NORTH RANGE 3 WEST 1.870 ACRES TOTAL
CIVIL TOWNSHIP GREEN BAY ACQUIRED BY LEE COUNTY

PSBA POEPPING, STONE, BACH & ASSOCIATES, INC.
ARCHITECTS ENGINEERS PLANNERS SURVEYORS

100 SO. 54TH ST., QUINCY, ILLINOIS 217-223-4605
3523 MAIN ST., KEOKUK, IOWA 319-524-8730
801 BROADWAY, HANNIBAL, MISSOURI 573-406-0641

LEE COUNTY
PROJECT NO. RC-C056(07)--2A-056

Date Drawn: 09/05/2014 Drawn By: CVB

PSBA Project No.: SYK 13-504

Tract 1-C

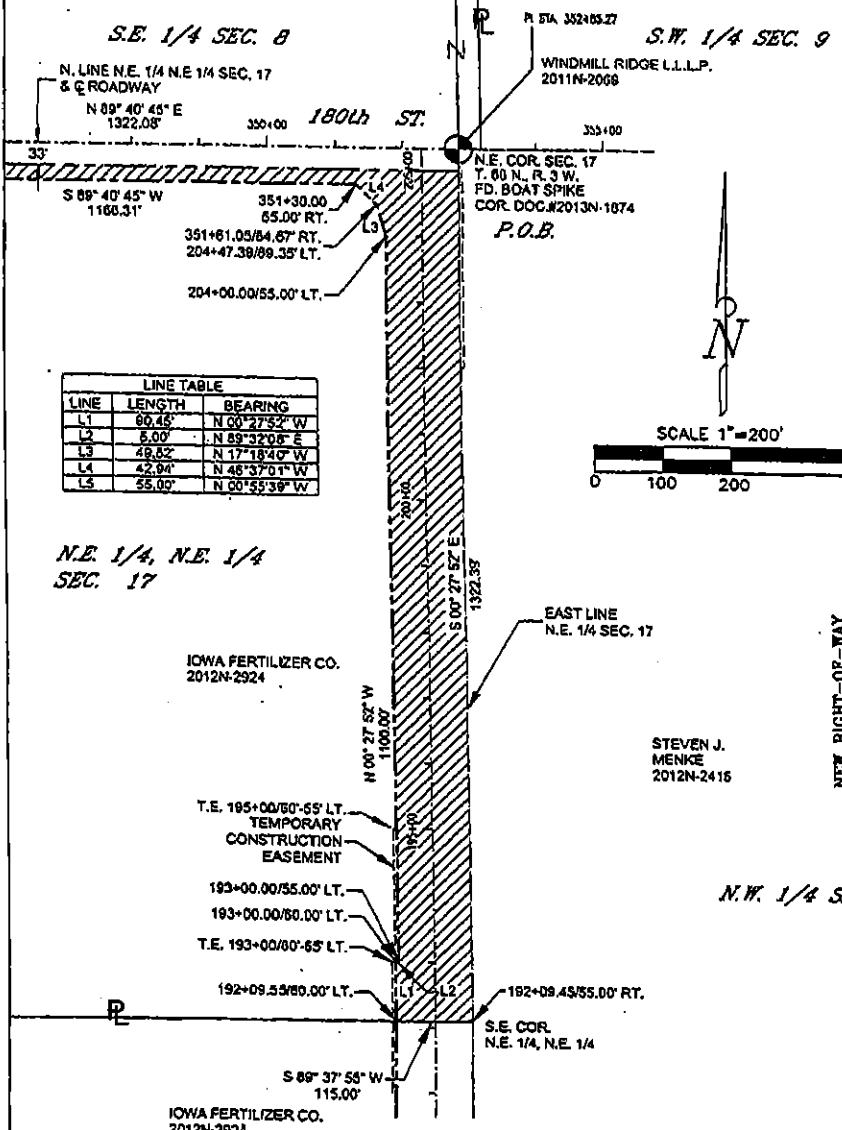
PREPARED BY: CHESTER V. BROWN, POEPPING, STONE, BACH AND ASSOCIATES, INC.
100 SOUTH 54TH ST., P.O. BOX #709, QUINCY, IL, 62306, PH. 217-223-4605

CONNIE KETCHUM
DIANE LANGE &
DANNY LANGE
2012N-3238

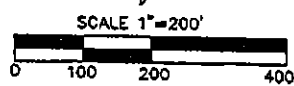
ROADWAY EASEMENT PLAT

PARCEL NO. 5007C

ACQUIRED FROM IOWA FERTILIZER CO.

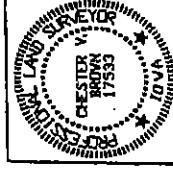


LINE	LENGTH	BEARING
L1	80.45'	N 00° 27' 52" W
L2	5.00'	N 89° 32' 08" E
L3	49.82'	N 17° 18' 40" W
L4	42.94'	N 46° 37' 01" W
L5	55.00'	N 00° 55' 39" W



I hereby certify that this final 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 Land Surveyor under the laws of the State of Iowa.

Chester V. Brown
License Number 17533
My license renewed 6/14/14 in December 31, 2014
Page or sheet covered by this plat: 1 OF 2 & 2 OF 2



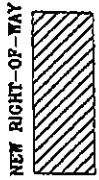
Sheet 1 OF 2

N.E. 1/4, N.E. 1/4
SEC. 17

IOWA FERTILIZER CO.
2012N-2924

EAST LINE
N.E. 1/4 SEC. 17

STEVEN J.
MENKE
2012N-2416



N.W. 1/4 SEC. 16

IOWA FERTILIZER CO.
2012N-2924

FROM & STATION 192+09.45 TO & STATION 205+31.88 R.O.W. 3.906 ACRES
SECTION 17, TOWNSHIP 68 NORTH, RANGE 3 WEST
CIVIL TOWNSHIP GREEN BAY ACQUIRED BY LEE COUNTY

PSBA POEPPING, STONE, BACH & ASSOCIATES, INC.
ARCHITECTS ENGINEERS PLANNERS SURVEYORS
100 SO. 54TH ST., QUINCY, ILLINOIS 217-223-4605
3523 MAIN ST., KEOKUK, IOWA 319-524-8730
801 BROADWAY, HANNIBAL, MISSOURI 573-406-0541

LEE COUNTY
PROJECT NO. RC-C086(87)--9A-85

Date Drawn: 11/11/2014 Drawn By: CVB

PSBA Project No.: SVK 13-504

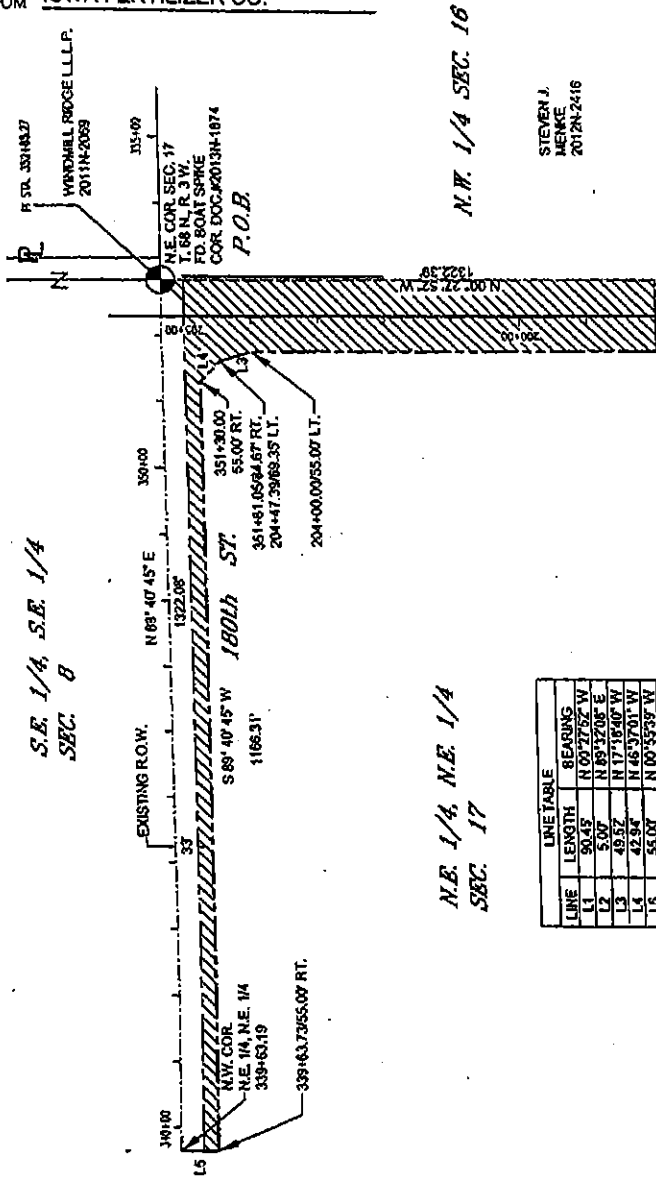
Tract I-C

PREPARED BY: CHESTER V. BROWN, POEPPING, STONE, BACH AND ASSOCIATES, INC.
100 SOUTH 54TH ST., P.O. BOX 7709, QUINCY, IL, 62306, PH. 217-223-4605

ROADWAY EASEMENT PLAT

PARCEL NO. 5087C

ACQUIRED FROM IOWA FERTILIZER CO.



N.W. 1/4 SEC. 16

STEVEN J. MENKE
2012N-2416

CONNIE KETCHUM
DAVE LANGE &
DANNY LANGE
2012N-3226

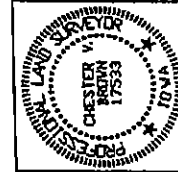
S.E. 1/4, S.E. 1/4
SEC. 8

N.E. 1/4, N.E. 1/4
SEC. 17

IOWA FERTILIZER CO.
2012N-2924

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 Land Surveyor under the laws of the State of Iowa.

Chester V. Brown License Number 17533 Date
My license renewal date is December 31, 2014
Pages or sheets covered by this work: 1 OF 2 & 2 OF 2



LINE	LENGTH	BEARING
1	50.45	N 09° 27' 52\"/>

NEW RIGHT-OF-WAY



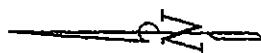
FROM & STATION 338+68.1970 & STATION 352+85.27 R.O.W. 3.908 ACRES
SECTION 17 TOWNSHIP 88 NORTH, RANGE 3 WEST
CIVIL TOWNSHIP GREEN BAY ACQUIRED BY LEE COUNTY

PSBA

POEPPING, STONE, BACH & ASSOCIATES, INC.
ARCHITECTS ENGINEERS PLANNERS SURVEYORS

100 SO. 54th ST., QUINCY, ILLINOIS 217-223-4605
3523 MAIN ST., KEOKUK, IOWA 319-524-8730
801 BROADWAY, HANNIBAL, MISSOURI 573-406-0541

LEE COUNTY
PROJECT No. RC-C0058(87)--9A-56



Date Drawn: 11/11/2014 Drawn By: CVB

PSBA Project No.: SWK 13-504

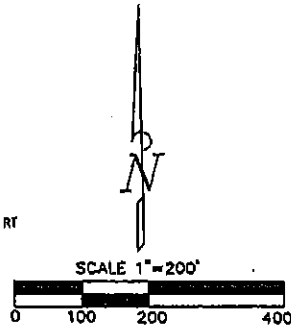
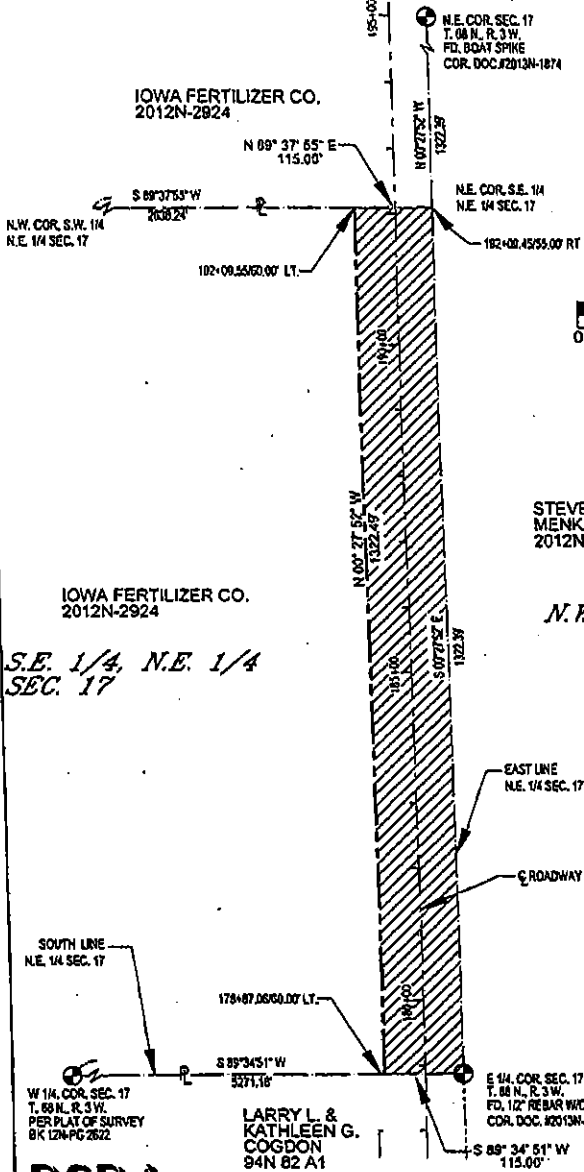
Tract I-G

PREPARED BY: CHESTER V. BROWN, POEPPING, STONE, BACH AND ASSOCIATES, INC.
100 SOUTH 54TH ST., P.O. BOX #709, QUINCY, IL, 62306, PH. 217-223-4605

ROADWAY EASEMENT PLAT

PARCEL NO. 5687-G

AQUIRED FROM IOWA FERTILIZER CO.



I hereby certify that this land surveying document was prepared by the undersigned and that the same was prepared by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Chester V. Brown
Iowa Number 17533
Date: December 31, 2014
Pages or sheets covered by this work: 1



STEVEN J. MENKE
2012N-2416

N.W. 1/4 SEC. 16

IOWA FERTILIZER CO.
2012N-2924

S.E. 1/4, N.E. 1/4
SEC. 17



3.491 ACRES

R.O.W. 192+09.38
FROM & STATION 178+97.01 TO C STATION 192+09.38
SECTION 12 TOWNSHIP 68 NORTH, RANGE 3 WEST
CIVIL TOWNSHIP GREEN BAY ACQUIRED BY LEE COUNTY

PSBA POEPPING, STONE, BACH & ASSOCIATES, INC.
ARCHITECTS ENGINEERS PLANNERS SURVEYORS

100 SO. 54TH ST., QUINCY, ILLINOIS 217-223-4605
3523 MAIN ST., KEOKUK, IOWA 319-524-8730
801 BROADWAY, HANNIBAL, MISSOURI 573-406-0541

LEE COUNTY
PROJECT NO. RC-C056(07)-9A-56

Date Drawn: 09/05/2014 Drawn By: CVB

PSBA Project No.: SWK 13-504

BEFORE THE LEE COUNTY CONDEMNATION COMMISSION

IN THE MATTER OF THE
CONDEMNATION OF CERTAIN
LANDS IN LEE COUNTY, IOWA

RE: PROJECT NO. RC-CO56(87)--9A-56

Iowa Fertilizer Company, LLC

ORDER APPOINTING COMPENSATION COMMISSION

NOW on this the 25th day of February, 2015, the undersigned, Chief Judge of the Eighth Judicial District of the State of Iowa is in receipt of an "Application for Appointment of Commission to Assess Damages" presented on behalf of Lee County, Iowa, by the County Attorney of Lee County, Iowa. The land sought to be condemned is agricultural property and is sought to be condemned for the purposes of a roadway construction, reconstruction and improvement project in Lee County, Iowa. Accordingly, in conformity with Section 6B.4, Code of Iowa, the undersigned has selected by lot, the following named individuals to serve as the compensation commission to assess damages to all property to be taken.

It is hereby ORDERED that the following individuals are named to the compensation commission:

OWNERS OF CITY PROPERTY

Name: Don Lucas

Address: 3005 Ave H., Fort Madison, IA 52627

Name: Melanie Wells

Address: 202 Concert St., Keokuk, IA 52632

FIRST ALTERNATE:

Name: Jerry Beck

Address: 511 33rd Street, Fort Madison, IA 52627

SECOND ALTERNATE

Name: David Ireland

Address: 115 S. 10th Street, Montrose, IA 52639

REAL ESTATE SALES PERSONS OR BROKER

Name: Tony Sargent-Cramer Real Estate

Address: 3806 Main St., Lot 59, Keokuk, IA 52632

Name: Cynthia Otte – KLM Realty

Address: 3331 Country Club Lane, Fort Madison, IA 52627

FIRST ALTERNATE:

Name: Sandy Steffen-Hope Real Estate

Address: 1123 48th St., Apt. 30, Ft. Madison, IA 52627

SECOND ALTERNATE

Name: Penny Logsdon – Sutlive Realty

Address: 3580 Argyle Road, Keokuk, IA 52632

**PERSONS HAVING KNOWLEDGE OF PROPERTY VALUES BY REASON OF
THEIR OCCUPATIONS**

Name: Matt Morrison – Pilot Grove Bank

Address: 814 Fruit Street, Donnellson, IA 52625

Name: Barb Smidt – First Community

Address: 2001 Meadow Lane, Keokuk, IA 52632

FIRST ALTERNATE:

Name: Cindy Roberts – Midwest One

Address: 1726 Ave. B., Fort Madison, IA 52627

SECOND ALTERNATE

Name: Tony Gaylord – Farmers Savings Bank

Address: 1871 303rd Ave., Fort Madison, IA 52627

Appointed as chairperson of the above-constituted compensation commission is Cynthia Otte . In the event that this person is unable to serve, Matt Morrison is appointed as alternate chairperson.

The above-constituted compensation commission shall consist of six (6) persons.

In the event that a person named to the compensation commission is unwilling or unable to serve, an alternate is appointed in the order in which named.

All members of the compensation commission shall qualify by filing an oath that they will do the best of their ability faithfully and impartially assess said damages and make written report to the Sheriff.

No member of the compensation commission selected shall possess any interest in the proceeding which would cause such person to render a biased decision.

Filed in the Office of the Chief Judge of the Eighth Judicial District on the date
above given.



Mary Ann Brown
Chief Judge, 8th Judicial District

A copy filed of record in the Office of the Sheriff of Lee County on this the _____ day of
February, 2015.

James A. Sholl
Sheriff of Lee County, Iowa

BEFORE THE LEE COUNTY CONDEMNATION COMMISSION

IN THE MATTER OF THE
CONDEMNATION OF CERTAIN
LANDS IN LEE COUNTY, IOWA

RE: Project L04-L-5-73-56

Iowa Fertilizer Company, LLC

STATEMENT OF PROPERTY OWNER'S RIGHTS

Just as the law grants certain entities the right to acquire private property, you as the owner of the property have certain rights. You have the right to:

1. Receive just compensation for the taking of property. (Iowa Constitution, Article I, § 18)
2. An offer to purchase which may not be less than the lowest appraisal of the fair market value of the property. (Iowa Code § 6B.45 as amended by 1999 Iowa Acts, House File 476, § 18; Iowa Code § 6B.54 as amended by 1999 Iowa Acts, House File 476, § 20)
3. Receive a copy of the appraisal, if an appraisal is required, upon which the acquiring agency's determination of just compensation is based not less than ten days before being contacted by the acquiring agency's acquisition agent. (Iowa Code § 6B.45 as amended by 1999 Iowa Acts, House File 476, § 18)
4. An opportunity to accompany at least one appraiser of the acquiring agency who appraises your property when an appraisal is required. (Iowa Code § 6B.54)
5. Participate in good-faith negotiations with the acquiring agency before the acquiring agency begins condemnation proceedings. (1999 Iowa Acts, House File 476, § 3)
6. A determination of just compensation by an impartial compensation commission and the right to appeal its award to the district court if you cannot agree on a purchase price with the acquiring agency. (Iowa Code § 6B.4; Iowa Code § 6B.7 as amended by 1999 Iowa Acts, House File 476, § 8; Iowa Code § 6B.18)
7. The person or persons owning fee ownership interest in the property may challenge

one commissioner without stating cause. A challenge to the appointment of a commissioner shall be filed, in writing, with the sheriff not less than seven days prior to the meeting of the compensation commission, and shall be mailed to the other party by ordinary mail on the day of filing. An alternate commissioner may not be challenged without cause. A challenge filed less than seven days prior to the meeting of the commission shall have no effect. (§ 6B.5(2))

7. A review by the compensation commission of the necessity for the condemnation if your property is agricultural land being condemned for industry. (1999 Iowa Acts, House File 476, § 7)

8. Payment of the agreed upon purchase price or, if condemned, a deposit of the compensation commission award before you are required to surrender possession of the property. (Iowa Code § 6B.25; Iowa Code § 6B.26; Iowa Code § 6B.54(11))

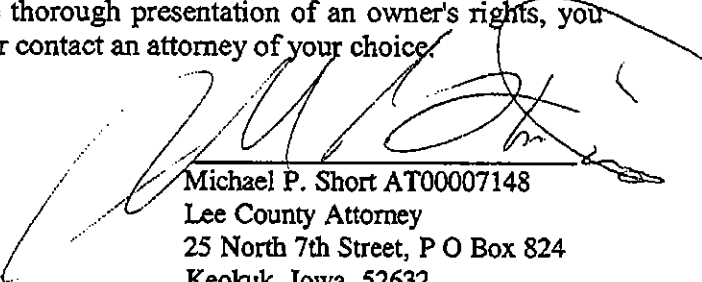
9. Reimbursement for expenses incidental to transferring title to the acquiring agency. (Iowa Code § 6B.33 as amended by 1999 Iowa Acts, House File 476, § 15; Iowa Code § 6B.54(10))

10. Reimbursement of certain litigation expenses: (a) if the award of the compensation commissioners exceeds 110 percent of the acquiring agency's final offer before condemnation; and (b) if the award on appeal in court is more than the compensation commissioners' award. (Iowa Code § 6B.33)

11. At least 90 days' written notice to vacate occupied property. (Iowa Code § 6B.54(4))

12. Relocation services and payments, if you are eligible to receive them, and the right to appeal your eligibility for and amount of the payments. (Iowa Code § 316.9; Iowa Code § 6B.42 as amended by 1999 Iowa Acts, House File 476, § 17)

The rights set out in this statement are not claimed to be a full and complete list or explanation of an owner's rights under the law. They are derived from Iowa Code chapters 6A, 6B and 316. For a more thorough presentation of an owner's rights, you should refer directly to the Iowa Code or contact an attorney of your choice.



Michael P. Short AT00007148
Lee County Attorney
25 North 7th Street, P O Box 824
Keokuk, Iowa 52632
(319)524-9590 Fax: (319)524-9592
mshort@leecounty.org