



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 Dept of Transportation
2. The real property subject to the Application is located in Benton County.
3. The date the condemnation application was filed by the undersigned County Recorder is April month, 25 day, 2016 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book E116, Page 567.

Laura S. Spindel
County Recorder for

Benton 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

Number: E16-0567
BK: E16- PG: 0567
Recorded: 4/25/2016 at 2:13:00.0 PM
Fee Amount: \$27.00
Revenue Tax:
LEXA S. SPEIDEL RECORDER
Benton 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. 30
Southeast of the City of Van Horne
located in Benton County, Iowa

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

Project No. NHSN-30-6(101)--2R-06 Group "A"

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

Comes now the Iowa Department of Transportation and states that the public interest requires that certain rights be acquired in **non-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 11th day of April, 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 Wade Park Iowa, this 18th day of April, 2016.

Patrick R. Grady
Patrick R. Grady
Chief Judge of the 6th Judicial District
including Benton 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. 30

Southeast of the City of Van Horne

located in Benton County, Iowa

Project No. NHSN-30-6(101)--2R-06

Group "A"

TO:

Carroll Eugene Lewis, 2365 73rd Street, Van Horne, IA 52346
Safety National Casualty Corporation, 2043 Woodland Parkway, Suite 200, St. Louis, MO 63146
Portfolio Recovery Associates, LLC, c/o Corporation Service Company, Registered Agent, 505
5th Avenue, Suite 729, Des Moines, IA 50309
Benton County Clerk of Court, 111 E. 4th Street, Vinton, IA 52349 (SCSC 17814)
Benton County, Iowa, c/o County Auditor, 111 E. 4th Street, Vinton, IA 52349

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate: Part of the SW1/4 SE1/4 of Section 29, Township 83 North, Range 10 West of the 5th P.M., Benton 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 Benton County, Iowa, and in the Office of the Sheriff of Benton 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:

That part of the Southeast Quarter (SE1/4) of Section No. Twenty-nine (29), Township No. Eighty-three (83) North, Range No. Ten (10) West of the Fifth Principal Meridian, Benton County, Iowa, described as follows: Commencing at the Southeast corner of said Southeast Quarter (SE1/4), point being a found nail; thence South 89°37'15" West (recorded as South 89°37'15" West) along the South line of said Southeast Quarter (SE1/4) a distance of 1560.9 feet; thence North 00°22'45" West 60.25 feet to the Northerly right-of-way line of U.S. Highway No. 30, being the point of beginning and a found 5/8" rebar with aluminum I.D.O.T. cap; thence South 79°10'30" West along said Northerly right-of-way line a distance of 54.93 feet (recorded as South 79°07'45" West 54.92 feet) to a found 5/8" rebar with aluminum I.D.O.T. cap; thence South 89°37' West along

Benton County Project No. NHSN-30-6(101)--2R-06
Carroll Eugene Lewis (Parcel 74A)
Continued on next page

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Benton County Project No. NHSN-30-6(101)-2R-06
Carroll Eugene Lewis (Parcel 74A)

Page 2

said Northerly right-of-way line a distance of 126.96 feet (recorded as South 89°37'15" West 127.00 feet) to a found 5/8" rebar with aluminum I.D.O.T. cap; thence North 79°39'15" West along said Northerly right-of-way line a distance of 53.95 feet (recorded as North 79°41'30" West 53.94 feet) to a found 5/8" rebar with aluminum I.D.O.T. cap; thence South 89°37'30" West (recorded as South 89°37'15" West) along said Northerly right-of-way line a distance of 247.00 feet to a set 1/2" rebar with license #6505; thence North 02°39'30" East a distance of 338.32 feet to a set 1/2" rebar with license #6505; thence North 88°08'35" East a distance of 337.92 feet to a set 1/2" rebar with license #6505; thence South 36°54'30" East a distance of 205.60 feet to a set 1/2" rebar with license #6505; thence South 01°17'10" East a distance of 181.46 feet to the point of beginning. Containing 3.51 acres. Also described as Parcel A in the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Twenty-nine (29), Township Eighty-three (83) North, Range Ten (10) West of the 5th P.M. per Survey recorded in Book 10 at Page 412 in the records of the Benton County Recorder.

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

Benton County Project No. NHSN-30-6(101)-2R-06
Carroll Eugene Lewis (Parcel 74A)

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IOWA DEPARTMENT OF TRANSPORTATION
GRAPHIC EXHIBIT "A"



COUNTY BENTON STATE CONTROL NO. _____

PROJECT NO. NHSN-30-6(101)-2R-06 PARCEL NO. 74A

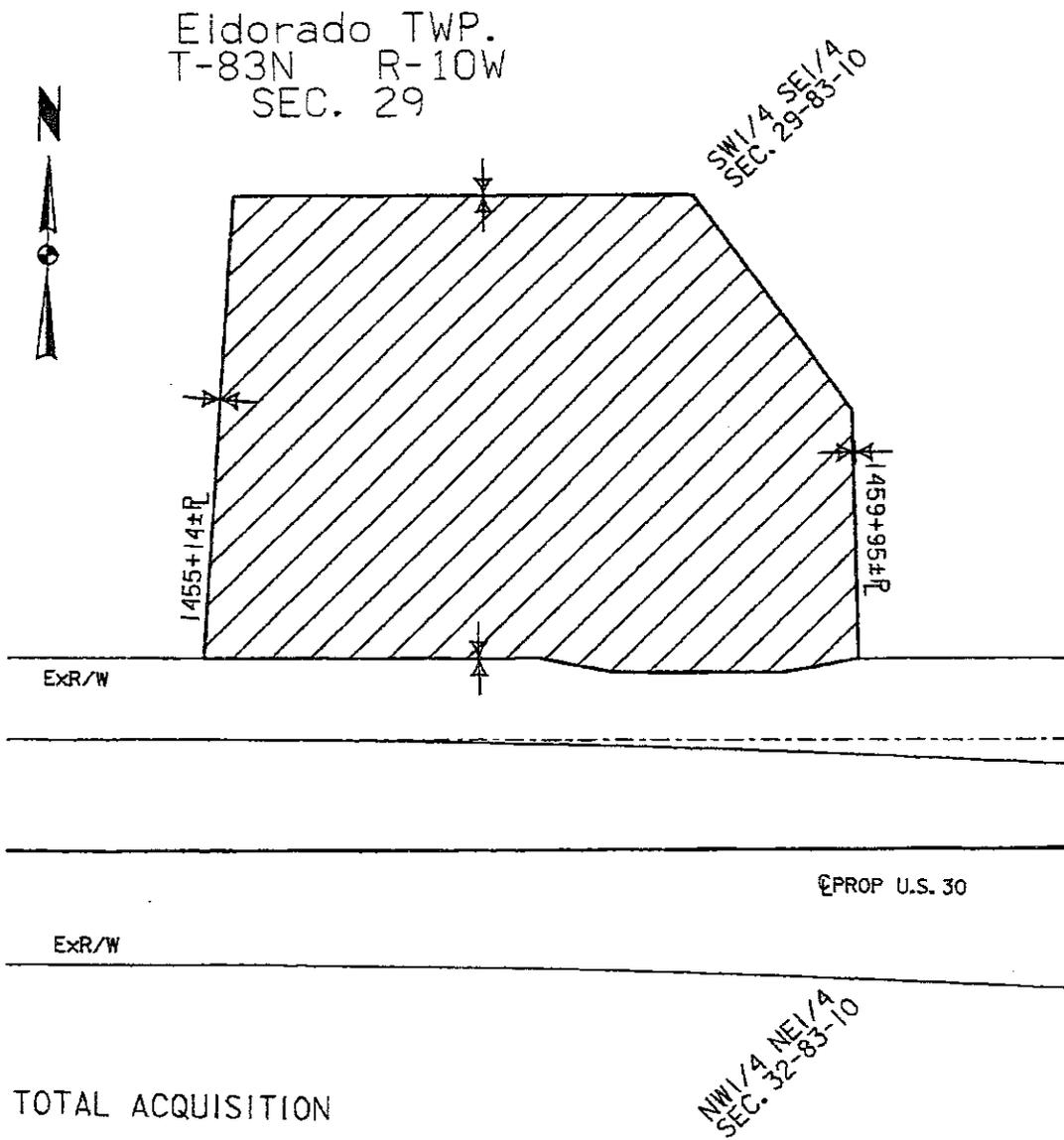
SECTION 29 TOWNSHIP 83 RANGE 10

ROW-FEE TOTAL _____ AC, EASE _____ AC, BORROW _____ 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 CARROLL EUGENE LEWIS



#1258



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

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Pursuant to Iowa Code sections 6b.38, 9.2A, and 331.602(24)



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Book E16, Page 567.

Lera S. Spiedel
County Recorder for

Benton County

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1. The name of the acquiring agency is Iowa Dept of Transportation
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3. The attached Sheriff's Statement was filed of record at Document # _____
Book 16, Page 2030 on 8 month, 24 day, 2016 year.

Lera S. Spiedel
County Recorder for

Benton County

PLEASE SUBMIT TO:

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

SEE INSTRUCTIONS ON BACK

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 Southeast of the City of Van Horne located in Benton County, Iowa

Project No. NHSN-30-6(101)--2R-06 Group "A"

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

RECEIVED 2016 MAY 19 P 1:19 SHERIFF'S OFFICE BENTON CO., IOWA

THE ORIGINAL CERTIFIED APPLICATION FOR CONDEMNATION IS RECORDED IN BOOK _____, PAGE _____, OR INSTRUMENT/DOCUMENT NUMBER _____ AND DATED _____

TO: Iowa Department of Transportation, Ames, Iowa

I certify that the commissioners in the above-entitled cause convened at 113 E 3 St., Vinton, Iowa, on the 7th day of July, 2016, and thereupon proceeded to view the premises, and said commissioners did on the 7th day of July, 2016, file their report in my office, awarding damages as follows:

NAMES OF CONDEMNNEES	AWARD	ATTORNEY FEES AND COSTS
Carroll Eugene Lewis	\$ 311,830.00	\$ 7,000.00
Safety national Casualty Corporation	\$	\$
Portfolio Recovery Associates, LLC	\$	\$
Benton County Clerk of Court	\$	\$
Benton County Treasurer	\$	\$
TOTAL DAMAGES AWARDED:	\$ 311,830.00	\$ 7,000.00

I certify that the costs incident to this proceeding are taxed and Notices were served as listed below: (attach separate list if necessary)

Date	Names of Condemnees	Service Fee	Mileage x Rate Per Mile = Amount	Sum
5-23-16	Carroll Eugene Lewis	\$15.00	32 .54 17.28	\$32.28
5-23-16	Benton County Clerk of Court	\$15.50		\$15.50
5-23-16	Benton County & Auditor	\$15.00		\$15.00

Sub Total \$ 62.78

Sheriff's Fees

Summoning and attending Commissioners (includes service fees) (Maximum allowed by Code Section 331.655 is \$100.00)

Publication notice of hearing \$ 22.98

Mileage while summoning and attending Commissioners (185.32 miles x \$.54 per mile) \$ 100.07

Recording fee, to be paid to county recorder \$ 17.00

Copy fees \$ 17.00

TOTAL: \$ 302.83

Randall Forsyth Sheriff of Benton County, Iowa