

#1311



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 CITY OF CEDAR RAPIDS
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 MARCH month, 15~~th~~ day, 2017 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9786, Page 346

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 CEDAR RAPIDS
2. The corresponding Condemnation Application to this Sheriff's Statement was filed of record at Document # ---, Book 9786, Page 346 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # _____
Book 9860, Page 71; on JUNE month, 22 day, 2017 year

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

IN THE MATTER OF THE CONDEMNATION
OF CERTAIN REAL ESTATE FOR
16th Avenue SE from
4th Street to 5th Street

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

WITH Primus Construction, Inc. & Linn County Treasurer



Doc ID: 022883670044 Type: GEN
Recorded: 06/20/2017 at 10:11:06 AM
Fee Amt: \$248.60 Page 1 of 44
Revenue Tax: \$21.60
Linn County Iowa
JOAN MCCALMANT RECORDER

By: City of Cedar Rapids

TO: Linn County Recorder

BK 9860 PG 71-114

Please find attached the following papers regarding the above-described
Condemnation proceedings which was held in my office on the 17th day of May,
2017:

- 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 # 10253777 in the amount of \$ 14,000.⁰⁰

Date Claimed
6-19-17

GPN: 14272-61009-00000

The Application for Condemnation was filed with your office on the 15th day of
March, 2017, in Book 9786 on pages 346-354.

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

Brian D. Gardner, Sheriff
Linn County, Iowa

By: H. P. Roubal, Deputy

Date: June 19th, 2017

21.60 revenue City Engineer
22700 chg. Attn: Karen Downs

TO: Primus Construction, Inc
401 8th Ave SE
Cedar Rapids, Iowa 52403

Linn County Treasurer
935 2nd St SW
Cedar Rapids, Iowa

DATE: May 19th, 2017

This is to advise you that there has been deposited with me, Check No. 10253777
in the amount of \$14,000.00.

This check represents the amount of the Compensation Commission's award made on
May 17th, 2017.

This check may be picked up at your convenience between the hours of 8:00 A.M. and
5:00 P.M., Monday through Friday. I would, however, suggest you contact your attorney
before picking up this check. If this award is appealed, this office will require a court
order before releasing any funds. To allow for the appeal time, these funds will not be
available for release until June 19th, 2017, except by court order.

I, BART L. WOODS hereby certify
that I received from the Linn County Sheriff's
Office the above stated amount or the amount
as amended pursuant to a court order on
5/19/17
Date

X [Signature]

Sincerely,

Brian D Gardner, Sheriff

[Signature]
By Lt. R. Kowland, Deputy

In the matter of the Condemnation of certain Real Estate for

Sheriff's Certification of Costs and Awards

16th Avenue SE from 4th Street to 5th Street

By: City of Cedar Rapids, Iowa

To: City of Cedar Rapids, Iowa

I hereby certify that the appointed Commissioners in the above entitled Condemnation Commission Proceedings convened at Cedar Rapids, Iowa, on the 17th day of May, 2017, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 17th day of May, 2017, file their written report with me awarding damages as follows:

	LAND & IMPROVE.	CONSEQ. DAMAGES	TOTAL AWARD	ATTY FEES
Primus Construction, Inc Linn County Treasurer	\$14,000.00		\$14,000.00	

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

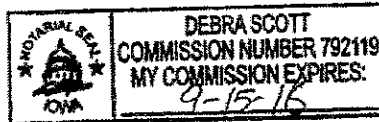
Expense of Summoning Commissioners	\$ _____
Serving Condemnees	\$ _____
Expense of Commissioners	\$ _____ 1,251.13
Sheriff's Mileage Serving Condemnees	\$ _____
Sheriff's Mileage Transporting Commissioners	\$ _____ 4.28
Copies	\$ _____ 28.00
Sheriff's Fee Attending Condemnation	\$ _____ 100.00
Notary	\$ _____
Publication	\$ _____ 25.43
Postage	\$ _____ 14.58
Recording Fee	\$To be paid by City of C.R.-Karen Downs
Total	\$ _____ 1,423.42

Given under my hand this 17th day of May, 2017.

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

Subscribed and sworn to before me this 11th day of January, 2017, by Lt. R. Rowland, Deputy Sheriff, Linn County, Iowa.

NOTARY PUBLIC In and for the State of Iowa



IN THE MATTER OF THE CONDEMNATION of)
 Real Estate for project designed as:)
)
 16TH AVENUE SE FROM)
 4TH STREET TO 5TH STREET)
)
)
)
)

**REPORT OF COMMISSIONERS
 TO THE SHERIFF**

By: City of Cedar Rapids, Iowa

To: Brian D. Gardner, Sheriff of Linn County, Iowa

We, the undersigned, being duly appointed and qualified Commissioners appointed to assess the damages and value sustained by the respective owners, leinholders, encumbrancers and other persons interested in the premises affected by the appropriation of the following described lands: their designation being determined by the Application for Condemnation filed by the Condemner, with the Chief Judge of the Sixth Judicial District on 17th day of May, 2017, in the above entitled condemnation proceedings. (A complete legal description of the affected real estate is included in the Condemner's Application for Condemnation included herein and made a part of these proceedings)

	Land and Improvements	Consequential Damages	Total Award	Attorney Fees
Primus Construction, Inc. and Linn County Treasurer	\$ 14,000.00	\$	\$ 14,000.00	\$

and all other persons, companies or corporations having any interest in or owning any part of the property condemned. Respectfully reported at Cedar Rapids, Iowa this 17th day of May, 2017.

1. Kathy K. Hall KATHY HALL
 2. Dan Cosman DAN COSMAN
 3. Josh Moore JOSH MOORE
 4. Chris Burke CHRIS BURKE
 5. Mike Machula Mike Machula
 6. Everett E. Moore Everett Moore

Filed in my office at Cedar Rapids, Iowa this 17th day of May, 2017.

Date of mailing: May 17, 2017

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

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PARTIES THAT THEY MAY, WITHIN THIRTY (30) DAYS FROM THE DATE OF MAILING OF THIS NOTICE, APPEAL TO THE IOWA DISTRICT COURT IN WHICH THE REAL ESTATE IS LOCATED AND BY GIVING WRITTEN NOTICE TO THE SHERIFF THAT THE APPEAL HAS BEEN TAKEN

SHERIFF'S REPORT TO COUNTY AUDITOR
CONDEMNATION FUNDS NOT ADJUDICATED

I, Brian D Gardner, Sheriff of Linn County, Iowa, certify that on this 1^{9th} day of May, 2017, I have in my possession the following condemnation funds which have not been finally adjudicated:

NAMES CONDEMNATION CHECK ISSUED TO:

Primus Construction, Inc. and Linn County Treasurer

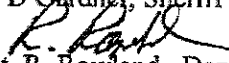
DATE RECEIVED: May 18th, 2017

PROPERTY LOCATION: GPN #14272-61009-00000

AMOUNT: \$14,000.00

This report is being made in compliance with Chapter 331.656(3), Code of Iowa.

Brian D Gardner, Sheriff of Linn County


By Lt. R. Rowland, Deputy

Subscribed and sworn to before me this 19th day of May, 2017, by Lt. Randy Rowland, Deputy Sheriff, Linn County, Iowa.



Notary Public



IN THE MATTER OF THE CONDEMNATION)
 OF 1211 5TH STREET SE, CEDAR RAPIDS, IOWA)
 BY THE INCORPORATED CITY OF CEDAR RAPIDS))
 FOR PURPOSES OF IMPROVING 16TH AVENUE SE) NOTICE OF PUBLIC MEETING
 FROM 4TH STREET TO 5TH STREET) OF COMPENSATION
 UNDER PAVING FOR PROGRESS) COMMISSIONERS TO
 FUND 301, DEPARTMENT ID 301000,) ASSESS
 PROJECT 3012154 AND FOR ANY AND ALL) DAMAGES FOR TAKING OF
 OTHER PUBLIC PURPOSES AS MAY BE) PROPERTY
 DETERMINED IN THE DISCRETION OF THE)
 CITY COUNCIL OF THE CITY OF CEDAR)
 RAPIDS, IOWA)

- TO: 1. Primus Construction, Inc.
 401 8th Avenue SE
 Cedar Rapids, IA 52401
2. Linn County
 c/o Linn County Auditor
 935 2nd Street SW
 Cedar Rapids, Iowa 52404

REC'D
 17 MAR 17 PM 1:19
 BRIAN D. GARDNER
 SHERIFF
 LINN COUNTY, IOWA

And all other persons, companies, or corporations having any interest in or owning any of the following described real estate:

NE-ly 100 feet of the SE-ly 19 feet of Lot 2 and
 NE-ly 100 feet of the NW-ly 11 feet of Lot 3, Fractional Block 1, O. N. Hulls Addition to
 the City of Cedar Rapids, Linn County, Iowa

You are hereby notified that the Incorporated City of Cedar Rapids Iowa desires condemnation of the following described land described land.

NE-ly 100 feet of the SE-ly 19 feet of Lot 2 and
 NE-ly 100 feet of the NW-ly 11 feet of Lot 3, Fractional Block 1, O. N. Hulls Addition to
 the City of Cedar Rapids, Linn County, Iowa

A Commission has been appointed as provided for by law for the purpose of appraising the damages which will be caused by this condemnation.

Said Commissioners will meet at the office of the Linn County Sheriff at 310 2nd Avenue SW, Cedar Rapids, Iowa, the 17th day of May, 2017 at 9:30 o'clock a.m., view the

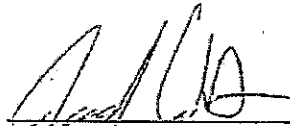
premises as set for above, and proceed to appraise said damages, at which time you may appear before the Commissioners if you care to do so.

The meeting of the Compensation Commission is open to the public, as provided by law.

Attached hereto is a copy of the Application For Condemnation which has been filed with the Chief Judge of the Sixth Judicial District of the State of Iowa, The Honorable Patrick R. Grady, including a plat of the real estate and the parts to be condemned, and for further information, you should refer to the Application.

Attached hereto and served contemporaneously with this Notice is a copy of the Application for Condemnation filed with the Chief Judge of this district and the list of Commissioners and Alternates appointed by the Chief Judge of this district.

CITY OF CEDAR RAPIDS



Jennifer Winter, P.E.
Public Works Director
City Public Works Department
500 15th Avenue SW
Cedar Rapids, IA 52404
(319) 266-5802

REC'D
17 MAR 17 PM 1:19
BRIAN D. GARDNER
SHERIFF
LINN COUNTY, IOWA



#1311

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)

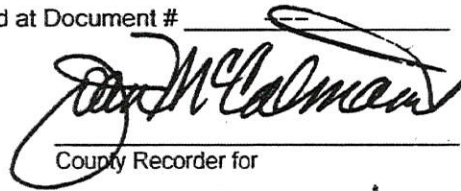


Box 2

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 CITY OF CEDAR RAPIDS
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 MARCH month, 15 day, 2017 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9786, Page 346.



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 _____
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: 022748920009 Type: GEN
Recorded: 03/15/2017 at 12:45:41 PM
Fee Amt: \$47.00 Page 1 of 9
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 9786 PG 346-354

IN THE MATTER OF THE CONDEMNATION)
OF 1211 5TH STREET SE, CEDAR RAPIDS, IOWA)
BY THE INCORPORATED CITY OF CEDAR RAPIDS)
FOR PURPOSES OF IMPROVING 16TH AVENUE SE)
FROM 4TH STREET TO 5TH STREET)
FUND 301. DEPARTMENT ID 301000,)
PROJECT 3012154)
AND FOR ANY AND ALL OTHER PUBLIC)
PURPOSES AS MAY BE DETERMINED IN THE)
DISCRETION OF THE CITY COUNCIL OF THE)
CITY OF CEDAR RAPIDS, IOWA)

APPLICATION
FOR
CONDEMNATION

TO: THE HONORABLE PATRICK R. GRADY, CHIEF JUDGE,
SIXTH JUDICIAL DISTRICT

The Applicant, the Incorporated City of Cedar Rapids, Iowa (hereinafter "City" or "Applicant") applies for condemnation of lands in fee simple absolute for street pavement improvements to 16th Avenue SE from 4th Street to 5th Street SE, as more fully described herein, some of which will be constructed on certain real property legally described herein. In support of this Application, the City of Cedar Rapids, Iowa states as follows:

1. The property to be condemned in fee simple absolute for construction of the street pavement improvements is legally described as follows:

NE-ly 100 feet of the SE-ly 19 feet of Lot 2 and
NE-ly 100 feet of the NW-ly 11 feet of Lot 3, Fractional Block 1, O. N. Hulls Addition to
the City of Cedar Rapids, Linn County, Iowa

2. A plat showing the location of the property to be condemned and the interest to be acquired is attached hereto as Exhibit A and by this reference is incorporated herein.

3. The property to be condemned is the minimum amount of land necessary to achieve the public purpose.

4. The names of the record owners, holders of liens and encumbrances and persons otherwise affected by these proceedings so far as are known to this Applicant are as follows:

*Return To: Cedar Rapids Engineering Dept 500-156h Ave SW
3012154/CONDEMNATION/ APPLICATION FOR CONDEMNATION Chg \$47.00 w/c. CR 5244*

Record title is vested in: Primus Construction, Inc., 401 8th Avenue SE, Cedar Rapids, Iowa.

Record holders of liens, mortgages and other encumbrances on such lands as far as are shown of record: None shown of record.

Easements: None shown of record.

Taxes: Linn County, Iowa, c/o Linn County Auditor, 935 2nd Street SW, Cedar Rapids, Iowa 52404.

5. The condemnation is sought to acquire 1211 5th Street SE, Cedar Rapids, Iowa in fee simple absolute.

6. Applicant requests the appointment of a commission to appraise the damages.

7. Damages will not be paid by the State of Iowa and the land being condemned is not within an agricultural area as provided in Chapter 352, Code of Iowa.

8. The City of Cedar Rapids made the following efforts in good faith to negotiate the purchase of the property:

(a) On 12/12/16, City's Acquisition Agent (AV) mailed to Primus Construction, Inc. a Notice of Intent to Acquire Letter which included the appraisal, review appraisal, and Statement of Property Owner's Rights.

(b) On 12/27/16, City's Acquisition Agent (AV) was unsuccessful in their attempt to reach Mr. Woods by phone. City's Acquisition Agent (AV) left Mr. Woods a message requesting a time to review the appraisal and documents previously.

City's Acquisition Agent (AV) mailed to Primus Construction, Inc. an Offer to Purchase Letter including the Offer to Purchase and a copy of the Purchase Agreement.

(c) On 12/28/16, City's Acquisition Agent (AV) received a call from Mr. Woods, President of Primus Construction, Inc. Mr. Woods had concerns about the appraised value, and stressed that the parcel was not for sale at that price point. Mr. Woods expressed that he had thousands of dollars invested in this parcel due to legal fees he had incurred when he acquired the property last year. City's Acquisition Agent (AV) asked if Mr. Woods had an independent appraisal done, to which he replied no. City's Acquisition Agent (AV) told Mr. Woods that his concerns would be relayed to the Real

Estate Manager, and City's Acquisition Agent (AV) would get back to him after the holiday.

(d) On 01/04/2017 and as a follow up, City's Acquisition Agent (AV) sent an email to Mr. Woods. In the email City's Acquisition Agent (AV) summarized their phone conversation of 12/28/16.

The City of Cedar Rapids has presented an offer based on an appraisal of the subject property provided by a qualified appraiser. The appraiser used the sales comparison approach to value the property. The property is vacant land without improvements, and the comparable properties that were used in the valuation process were of similar size, shape and use to the subject property.

Mr. Woods had expressed concerns that the appraised value was not fair and just compensation for the property. After re-reviewing the appraisal, there is not sufficient evidence to warrant an adjustment in compensation. If Mr. Woods were to have his own independent appraisal completed and provide the appraisal to the City, the City would review that information and determine if an adjustment is warranted.

City's Acquisition Agent (AV) closed with letting Mr. Woods know that if he had any questions or comments regarding this transaction, please let City's Acquisition Agent (AV) know.

(e) On 01/06/2017, City's Acquisition Agent (AV) emailed Mr. Woods to confirm that he had, in fact, received City's Acquisition Agent (AV) email of 01/04/2017.

Mr. Woods acknowledged that he had received City Acquisition's Agent (AV) email on 01/04/2017. Mr. Woods did not see anywhere in the email or in the City's previous offer to decline acceptance. Mr. Woods stated his lot was not for sale anywhere close to \$3,100.00, and if he were to hire someone to do an appraisal, the sale price of his lot would only go up proportionate to the cost of the appraisal.

The appraisal presented by the City listed three approaches to establishing a value for Mr. Woods lot of which two were dismissed. The appraisal only used the Sales Comparison Approach. Mr. Woods would like to review the "four comparable land sales". Mr. Woods continued, just last fall he tried to purchase another comparable single lot in the immediate area for \$15,000.00, and the owner had informed Mr. Woods that Mr. Woods wasn't even close to a price that they would consider.

One of the dismissed approaches of the presented appraisal was the Cost Approach. Mr. Woods is willing to sell the lot for his actual cost which he can document even though the potential income approach price would be higher. If the City were to purchase this lot from the previous buyer, the City's cost would be very similar to Mr. Woods. The Income Approach is also dismissed in the appraisal, but Mr. Woods shared

that he was still happy to hold onto this lot for its potential income either developing it himself or working with anyone that is putting a project together for this land area.

The City has chosen to move an existing street thereby eliminating a piece of land that has wonderful development potential including long-term property tax base.

In closing, Mr. Woods thanked City's Acquisition Agent (AV) for their consideration of the above matters.

(f) On 01/11/17, City's Acquisition Agent (AV) replied to Mr. Woods response email of 01/06/17 providing additional information as to why the other two methods of determining fair market value were not utilized. City's Acquisition Agent (AV) continued with the following explanations:

The 3 methods to determine the fair market value are the Sales Comparison Approach, Cost Approach and the Income Capitalization Approach. The Cost Approach and Income Capitalization Approach would not be applicable methods to determine the value for the vacant property Mr. Woods owns.

With the Cost Approach, the appraiser estimates the cost of the improvements in today's market. The Cost Approach is not the actual cost Mr. Woods spent to acquire the property, rather it is the cost, as determined by the appraiser, to reproduce any improvements already on the property (e.g., the cost to rebuild a house in today's market). Since the property is vacant and there are no improvements on the site, today's cost to replicate would be \$0, therefore, this method would not be applicable.

The Sales Comparison approach is the best method that will accurately determine the fair market value for the property Mr. Woods owns.

The main objective in having any property appraised is to determine the highest and best use of the property. The appraiser determines the reasonably probable and legal use of the vacant land or an improved property which is physically possible, appropriately supported and financially feasible which results in the highest value (Uniform Standards of Professional Appraisal Practice). The property is currently zoned residential, and the minimum lot size requirements for a single family dwelling is 4,200 square feet, and the subject property is only 3,090 square feet. Without the ability to assemble the property with adjacent lots, the lot is not of legal use and considered non-conforming (not physically possible). Also, without the ability for assemblage, there is little to no functional utility. Additionally, the subject property is in the 100-year and 500-year floodplain, further reducing possibilities for development. The comparable properties that are reflected in the appraisal are of similar size, shape and use to that of the subject property.

Without Mr. Woods providing the City with an appraisal or other supporting information, the Offer remains the same as the appraised value of \$3,100. In situations where negotiations seem to reach an impasse, the City will initiate eminent domain proceedings. The City will continue productive discussions to reach a mutually acceptable settlement, and the City is also willing to arrange mediation services if you are interested. You may continue to contact the City up to the date of the Compensation Commission Hearing where the commission will consider the acquisition of your parcel.

(g) On 01/12/17, Mr. Woods replied to City Acquisition Agent's (AV) email of 01/11/17.

Mr. Woods thanked City's Acquisition Agent (AV) for getting back to him on this lot. Mr. Woods expressed his appreciation and understanding of the City's approach. However, Mr. Woods' lot is not for sale to anyone for under \$15,000. Mr. Woods added that the price (of \$15,000) would go up if he has to spend more time on this and/or hire consultants or legal counsel.

(h) On 01/25/17, City's Acquisition Agent (AV) mailed, regular USPS and Certified, to Mr. Woods a letter presenting the Final Offer.

(i) On 01/27/17, City's Acquisition Agent (AV) spoke to Mr. Woods and presented an increase of \$5,000 based upon the City's estimated potential costs of condemnation. Mr. Woods expressed he was still not satisfied with the increased sales price of \$8,100, and the City would have to move forward with the condemnation process. City's Acquisition Agent (AV) informed Mr. Woods that he would be receiving a letter in the mail in the next couple of days informing him of the next step toward condemnation.

(j) On 02/10/17, City's Acquisition Agent (KD) met with Mr. Woods at City Services Center. This meeting was a result of a call by City's Acquisition Agent (KD) to Mr. Woods to inquire about his receptiveness of a face-to-face meeting. City's Acquisition Agent (KD) and Mr. Woods reviewed the prior titleholders financial situation and mounting legal and title issues culminating with the 2008 Flood.

City's Acquisition Agent (KD) and Mr. Woods further reviewed Mr. Woods vision for townhouses on the subject property and its strategic location in the NewBo area based upon City plans available at the time of his decision to pursue purchasing the subject property. This was prior to Mr. Woods becoming aware of the change of the City's updated plans being unveiled at the Kickoff Meeting of December 21, 2015, within a short time after he had purchased the subject property.


The meeting concluded with Mr. Woods agreeing to summarize the meeting and his concerns in an email and forwarding to City's Acquisition Agent (KD) after the weekend.

(k) On 02/06/17, City's Acquisition Agent (KD) received an email from Mr. Woods summarizing their meeting of 02/10/17, as well as his position on the status of the subject property. Mr. Woods presented he would be agreeable to selling his lot to the City for the money that he has in the subject property, \$15,501.75.


As agreed upon at the meeting of 02/10/17, City Acquisition Agent (KD) presented Mr. Woods' email together with City Acquisition Agent's (KD) summary to the Real Estate Manager.

Respectfully submitted by:

CITY OF CEDAR RAPIDS, IOWA

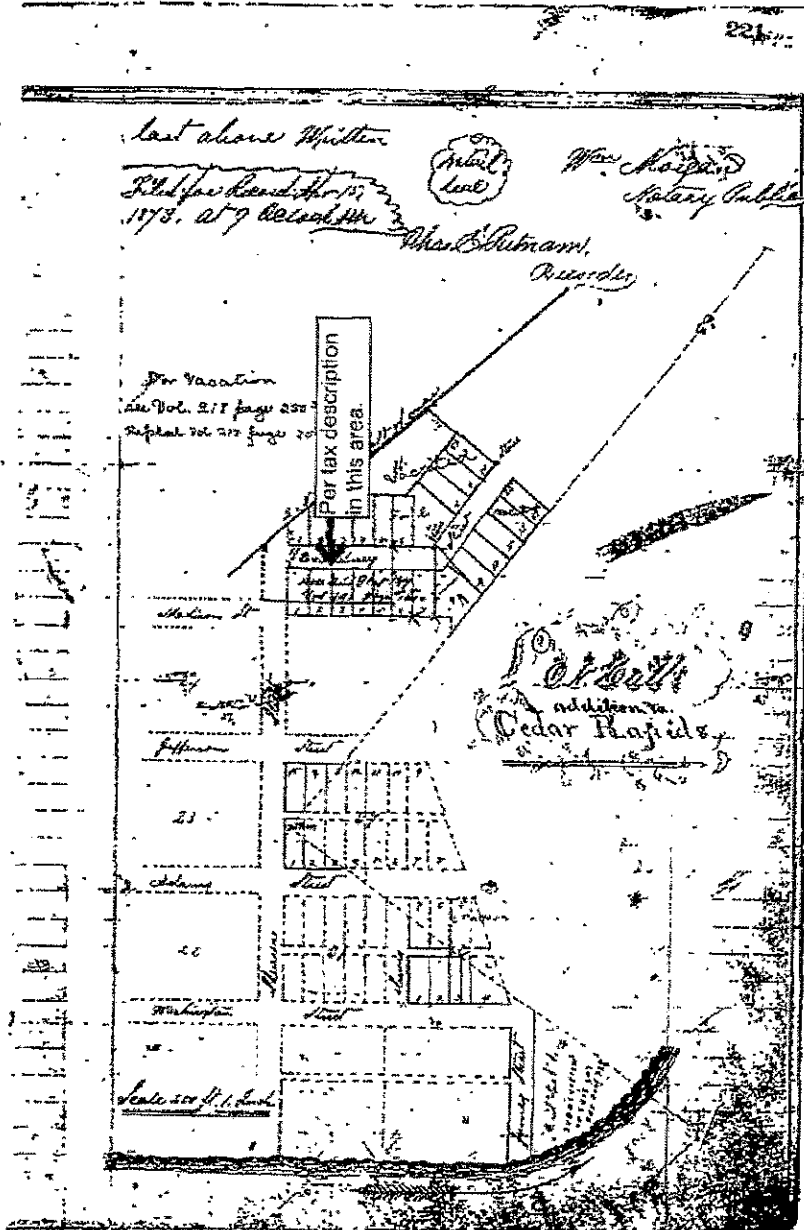

JENNIFER L. WINTER, P.E.
PUBLIC WORKS DIRECTOR
500 15th Avenue SW
Cedar Rapids, IA 52404
PHONE (319) 286-5802
FAX (319) 774-5653

Filed in my office on March 8, 2017.


PATRICK R. GRADY
CHIEF JUDGE
SIXTH JUDICIAL DISTRICT

Filed in my office on _____, 2017.

SHERIFF, LINN COUNTY, IOWA



IN THE MATTER OF THE CONDEMNATION)
 OF 1211 5TH STREET SE, CEDAR RAPIDS, IOWA)
 BY THE INCORPORATED CITY OF CEDAR RAPIDS))
 FOR PURPOSES OF IMPROVING 16TH AVENUE SE) NOTICE OF PUBLIC MEETING
 FROM 4TH STREET TO 5TH STREET) OF COMPENSATION
 UNDER PAVING FOR PROGRESS) COMMISSIONERS TO
 FUND 301, DEPARTMENT ID 301000,) ASSESS
 PROJECT 3012154 AND FOR ANY AND ALL) DAMAGES FOR TAKING OF
 OTHER PUBLIC PURPOSES AS MAY BE) PROPERTY
 DETERMINED IN THE DISCRETION OF THE)
 CITY COUNCIL OF THE CITY OF CEDAR)
 RAPIDS, IOWA)

- TO: 1. Primus Construction, Inc.
 401 8th Avenue SE
 Cedar Rapids, IA 52401
2. Linn County
 c/o Linn County Auditor
 935 2nd Street SW
 Cedar Rapids, Iowa 52404

And all other persons, companies, or corporations having any interest in or owning any of the following described real estate:

NE-ly 100 feet of the SE-ly 19 feet of Lot 2 and
 NE-ly 100 feet of the NW-ly 11 feet of Lot 3, Fractional Block 1, O. N. Hulls Addition to
 the City of Cedar Rapids, Linn County, Iowa

You are hereby notified that the Incorporated City of Cedar Rapids Iowa desires
 condemnation of the following described land described land.

NE-ly 100 feet of the SE-ly 19 feet of Lot 2 and
 NE-ly 100 feet of the NW-ly 11 feet of Lot 3, Fractional Block 1, O. N. Hulls Addition to
 the City of Cedar Rapids, Linn County, Iowa

A Commission has been appointed as provided for by law for the purpose of appraising
 the damages which will be caused by this condemnation.

Said Commissioners will meet at the office of the Linn County Sheriff at 310 2nd
 Avenue SW, Cedar Rapids, Iowa, the 17th day of May, 2017 at 9:30 o'clock a.m., view the

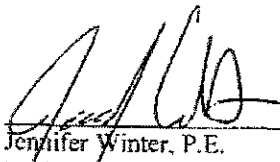
premises as set for above, and proceed to appraise said damages. at which time you may appear before the Commissioners if you care to do so.

The meeting of the Compensation Commission is open to the public, as provided by law.

Attached hereto is a copy of the Application For Condemnation which has been filed with the Chief Judge of the Sixth Judicial District of the State of Iowa. The Honorable Patrick R. Grady, including a plat of the real estate and the parts to be condemned. and for further information, you should refer to the Application.

Attached hereto and served contemporaneously with this Notice is a copy of the Application for Condemnation filed with the Chief Judge of this district and the list of Commissioners and Alternates appointed by the Chief Judge of this district.

CITY OF CEDAR RAPIDS



Jennifer Winter, P.E.
Public Works Director
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