

#1352



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 September month, 22 day, 2017 year.
4. The attached Condemnation Application is filed of record at Document # _____
Book 9935, Page 506

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 9935, Page 506 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # _____
Book 10001, Page 454; on December month, 18 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) SHERIFF'S FILING OF RECORD 30
 OF CERTAIN REAL ESTATE FOR) DAYS AFTER THE DATE OF THE
) REPORT OF THE COMMISSIONERS
 A TEMPORARY CONSTRUCTION EASEMENT BY THE)
 INCORPORATED CITY OF CEDAR RAPIDS FOR THE)
 PURPOSES OF IMPROVING 1ST AVENUE E FROM)
 325' SOUTH OF 34TH STREET, PCC SIDEWALK,)
 PCC PAVEMENT AND TRAFFICE CONTROL SIGNAL)
 CONSTRUCTION)
 FUND 301, DEPARTMENT ID 301000, PROJECT 301240)
)
 WITH)
)
 JOHN P. HUTCHESON, LINN COUNTY, IOWA)

By: City of Cedar Rapids

TO: Linn County Recorder

Please find attached the following papers regarding the above-described Condemnation proceedings which was held in my office on the 15th day of November, 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: *John P. Hutcheson & Linn County*

Warrant # *10258663* in the amount of \$ *2,265.⁰⁰/₁₀₀* Date Claimed
 GPN: 14112-30027-00000

The Application for Condemnation was filed with your office on the 22nd day of September, 2017, in Book 9935 on pages 506-517.

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

Brian D. Gardner, Sheriff
 Linn County, Iowa

By: *Capt. R. Lorch*, Deputy

Date: *12-18-2017*

*Cedar Rapids Eng.
 #300 Hldo. Tax
 \$207000 OHS PS*

In the matter of the Condemnation of certain Real Estate for
THE PURPOSES OF IMPROVING 1st AVENUE E FROM
325' SOUTH OF 34TH STREET TO 40TH STREET PROJECT
FUND 301, DEPARTMENT ID 301000, PROJECT 301240
Costs and Awards

Sheriff's Certification of
COST AND AWARDS

By: CITY OF CEDAR RAPIDS, IOWA

To: CITY OF CEDAR RAPIDS, ATTN: KAREN DOWNS

I hereby certify that the appointed Commissioners in the above entitled Condemnation Commission Proceedings convened at Cedar Rapids, Iowa, on the 15th day of November, 2017, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 15th day of November, 2017, file their written report with me awarding damages as follows:

	LAND & IMPROVE.	CONSEQ. DAMAGES	TOTAL AWARD	ATTY FEES
John P. Hutcheson	\$2,265.00		\$2,265.00	
Linn County Treasurer				

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

Expense of Summoning Commissioners	\$	
Serving Condemnees	\$	
Expense of Commissioners	\$	1,231.03
Sheriff's Mileage Serving Condemnees	\$	
Sheriff's Mileage Transporting Commissioners	\$	9.63
Copies	\$	12.00
Sheriff's Fee Attending Condemnation	\$	200.00
Notary	\$	
Publication	\$	25.47
Postage	\$	12.96
Recording Fee	\$	To be paid by City of Cedar Rapids, Karen Downs
Total	\$	1,491.09

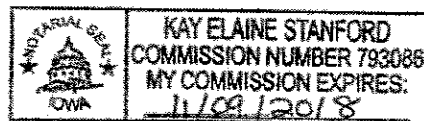
Given under my hand this 15th day of November, 2017.

Brian D Gardner, Sheriff
Linn County, Iowa

R. Rowland
By Capt. R. Rowland, Deputy

Subscribed and sworn to before me this 15th day of November, 2017, by Lt. R. Rowland, Deputy Sheriff, Linn County, Iowa.

Kay E. Stanford
NOTARY PUBLIC In and for the State of Iowa



IN THE MATTER OF THE CONDEMNATION)
 OF STREET RIGHT-OF-WAY AND A TEMPORARY)
 CONSTRUCTION EASEMENT BY THE)
 INCORPORATED CITY OF CEDAR RAPIDS FOR)
 PURPOSES OF IMPROVING 1ST AVENUE E FROM)
 325TH SOUTH OF 34TH STREET TO 40TH STREET, PCC)
 SIDEWALK, PCC PAVEMENT AND TRAFFIC SIGNAL)
 CONSTRUCTION PROJECT FUND 301, DEPARTMENT)
 ID 301000, PROJECT 301240, 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)

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 15th day of November, 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
John P. Hutcheson, Linn Co. Treasurer	\$ 2265. ⁰⁰	\$	\$ 2265. 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 15th day of November, 2017.

1. Troy Manger 2. Lana Baldus 3. Rod Short
 Troy Manger Lana Baldus Rod Short
 4. James Bell 5. Mike Zlatobivsek 6. Doug Kelly
 James Bell Mike Zlatobivsek Doug Kelly

Filed in my office at Cedar Rapids, Iowa this 15th day of November, 2017.

Date of mailing: November 15th 2017

Brian D. Gardner, Sheriff Linn County, Iowa

By R. Rowland, Deputy
 Capt. 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



Doc ID: 023025100012 Type: GEN
 Recorded: 09/22/2017 at 12:03:52 PM
 Fee Amt: \$62.00 Page 1 of 12
 Revenue Tax: \$0.00
 Linn County Iowa
 JOAN MCCALMANT RECORDER

BK 9935 PG 506-517

IN THE MATTER OF THE CONDEMNATION)
 OF A TEMPORARY CONSTRUCTION EASEMENT)
 BY THE INCORPORATED CITY OF CEDAR RAPIDS)
 FOR PURPOSES OF IMPROVING 1ST AVENUE E)
 FROM 325' SOUTH OF 34TH STREET TO 40TH STREET,)
 PCC SIDEWALK, PCC PAVEMENT AND TRAFFIC)
 SIGNAL CONSTRUCTION PROJECT)
 FUND 301, DEPARTMENT ID 301000,)
 PROJECT 301240,)
 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

REC'D
 17 SEP 28 PM 5:17
 Linn County Recorder

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 for a temporary construction easement, all as more fully described herein, 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 for a temporary construction easement is legally described as follows:

The Southeasterly 38.00 feet of Lot 65, Auditor's Plat Number One (1),
 Kenwood Park, in Linn County, and State of 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. Said land to be acquired is the minimum amount of land necessary to achieve the public purpose.

3. 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:

Record title is vested in: John P. Hutcheson, a single person, 4409 Council Street NE, Cedar Rapids, Iowa 52402.

IN THE MATTER OF THE CONDEMNATION)
OF CERTAIN REAL ESTATE FOR)

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

A TEMPORARY CONSTRUCTION EASEMENT BY THE)
INCORPORATED CITY OF CEDAR RAPIDS FOR THE)
PURPOSES OF IMPROVING 1ST AVENUE E FROM)
325' SOUTH OF 34TH STREET, PCC SIDEWALK,)
PCC PAVEMENT AND TRAFFICE CONTROL SIGNAL)
CONSTRUCTION)
FUND 301, DEPARTMENT ID 301000, PROJECT 301240)

WITH)

JOHN P. HUTCHESON, LINN COUNTY, IOWA)



Doc ID: 023143240040 Type: GEN
Recorded: 12/18/2017 at 03:02:58 PM
Fee Amt: \$210.20 Page 1 of 40
Revenue Tax: \$3.20
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 10001 PG 454-493

By: City of Cedar Rapids

TO: Linn County Recorder

Please find attached the following papers regarding the above-described Condemnation proceedings which was held in my office on the 15th day of November, 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: *John P. Hutchison & Linn County*

Warrant # *10258663* in the amount of \$*2,265.⁰⁰/₁₀₀*

Date Claimed

GPN: 14112-30027-00000

The Application for Condemnation was filed with your office on the 22nd day of September, 2017, in Book 9935 on pages 506-517.

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

Brian D. Gardner, Sheriff
Linn County, Iowa

By: *Capt. R. Powell*, Deputy

Date: *12-18-2017*

*Cedar Rapids Eng.
\$300 Ado. Tax
\$20700 OHS PS*

In the matter of Condemnation for
Temporary Construction Easement
By Incorporated City of Cedar Rapids
For the Purposes of Improving 1st Avenue
E from 325' South of 34th Street to 40th
Street, PCC Sidewalk. PCC Pavement and
Traffic Signal Construction Project Fund 301,
Department ID 301000. Project 301240,
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



Doc ID: 023146990061 Type: GEN
Recorded: 12/20/2017 at 01:42:16 PM
Fee Amt: \$307.00 Page 1 of 61
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

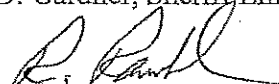
BK 10003 PG 537-597

Case # CVCV089294

By: City of Cedar Rapids

Pursuant to 6B.23 of the Code of Iowa, the attached warrant is delivered to the Linn County
Clerk of Court this 19th day of December, 2017.

Brian D. Gardner, Sheriff Linn County


By Capt. R. Rowland, Deputy

307.00 chg

City Engineer
Karen Downs