

#1354



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 518.

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 518 and a copy was sent to the Secretary of State.
3. The attached Sheriff's Statement was filed of record at Document # _____
Book 10012, Page 64; on January month, 3 day, 2018 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



Doc ID: 023025110013 Type: GEN
Recorded: 09/22/2017 at 12:04:14 PM
Fee Amt: \$67.00 Page 1 of 13
Revenue Tax: \$0.00
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 9935 PG 518-530

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

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:

Part of Lot 64, Auditor's Plat Number One (1), Kenwood Park, in Linn County and State of Iowa further described as follows:

- Beginning at the Southeast corner of said Lot 64;
- Thence N70°57'01"W along the Northerly right-of-way line of Dawley Street NE, 23.47 feet;
- Thence N28°35'45"W, 26.61 feet;
- Thence N04°42'24"W, 11.21 feet;
- Thence N02°35'53"W, 4.70 feet;
- Thence N28°38'17"E, 13.16 feet;

CLC Book 9935 Page 518 Seq: 1

Thence N59°57'56"W, 5.58 feet;

Thence 20.07 feet along a 2007.86 foot radius curve concave southeasterly whose 20.07 foot chord bears N30°23'39"E to the Northerly line of said Lot 64;

Thence S69°08'40"E along said Northerly line, 38.58 feet to the Westerly right-of-way line of 1st Avenue East;

Thence along said Westerly right-of-way line 74.67 feet along a 1969.86 foot radius curve concave southeasterly whose 37.34 foot chord bears S29°47'10"W to the point of beginning

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: Robert I. Carver III, a single person, 3820 1st Avenue NE, Cedar Rapids, Iowa 52402.

Record holders of liens, mortgages and other encumbrances on such lands as far as are shown of record: Hills Bank and Trust Company, 131 Main Street, Hills, Iowa 52235.

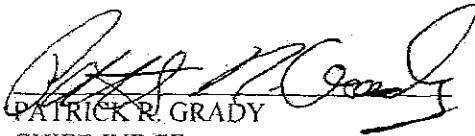
Easements: Electric Line Easement (Interstate Power and Light Company)

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

4. The condemnation is sought to acquire a temporary construction easement, which is necessary for the 1st Avenue E from 325' South of 34th Street to 40th Street; PCC Sidewalk, PCC Pavement and Traffic Signal construction project.

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

Filed in my office on September 20th, 2017.


PATRICK R. GRADY
CHIEF JUDGE
SIXTH JUDICIAL DISTRICT

Filed in my office on September _____, 2017.

SHERIFF, LINN COUNTY, IOWA

IN THE MATTER OF THE CONDEMNATION
OF CERTAIN REAL ESTATE FOR A
TEMPORARY CONSTRUCTION EASEMENT

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

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
PURPOSES AS MAY BE DETERMINED IN
THE DISCRETION OF THE CITY COUNCIL
OF THE CITY OF CEDAR RAPIDS, IOWA



Doc ID: 023161680041 Type: GEN
Recorded: 01/03/2018 at 04:02:38 PM
Fee Amt: \$212.80 Page 1 of 41
Revenue Tax: \$0.80
Linn County Iowa
JOAN MCCALMANT RECORDER

BK 10012 PG 64-104

With Robert I Carver III and Linn County

By City of Cedar Rapids, Iowa

TO: Linn County Recorder

Please find attached the following papers regarding the above-described Condemnation proceedings which was held in my office on the 29th 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:

Warrant #10259000 in the amount of \$840.00 GPN #14112-30026-00000 Date Claimed

The Application for Condemnation was filed with your office on the 22nd, day of September, 2017, in volume 9935 on page 518-530

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

Brian D. Gardner, Sheriff
Linn County, Iowa


By: Capt. R. Rowland, Deputy

Date: January 3rd, 2018

City of Cedar Rapids
Attn: Karen Downs
TS \$212.80 Chrg

In the matter of the Condemnation of certain Real Estate for STREET RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT BY THE INCORPORATED CITY OF CEDAR RAPIDS FOR PURPOSES OF IMPROVING 1ST AVENUE E FROM 325' SOUTH OD 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

Sheriff's Certification of Cost and Awards

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 29th day of November, 2017, and thereupon proceeded to view the premises and the said Commissioners did thereafter on the 29th day of November, 2017, file their written report with me awarding damages as follows:

	LAND & IMPROVE.	CONSEQ. DAMAGES	TOTAL AWARD	ATTY FEES
Robert I Carver, III Hills Bank & Trust Company Linn County Treasurer	\$840.00		\$840.00	

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

Expense of Summoning Commissioners	\$ _____
Serving Condemnees	\$ _____
Expense of Commissioners	\$ _____ 1,244.94
Sheriff's Mileage Serving Condemnees	\$ _____
Sheriff's Mileage Transporting Commissioners	\$ _____ 9.63
Copies	\$ _____
Sheriff's Fee Attending Condemnation	\$ _____ 200.00
Notary	\$ _____
Publication	\$ _____ 25.47
Postage	\$ _____ 9.72
Recording Fee	\$To be paid by City of Cedar Rapids, Attn Karen Downs
Total	\$ _____ 1,489.76

Given under my hand this 29th 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 29th day of November, 2017, by Capt. R. Rowland, Deputy Sheriff, Linn County, Iowa.

Kay E. Stanford

NOTARY PUBLIC In and for the State of Iowa

