

F 3.201(2) (E)

**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS**

|                  |   |          |
|------------------|---|----------|
| JOHN D. DOE,     | ) |          |
|                  | ) |          |
| Plaintiff,       | ) | Case No. |
|                  | ) |          |
| vs.              | ) |          |
|                  | ) |          |
| THOMAS M. SMITH, | ) |          |
|                  | ) |          |
| Defendant.       | ) |          |
| _____            | ) |          |

**Condemnation**

INTERROGATORY NO 1: State the date that you contend is the date of taking, and if different than the date the appraisers' report was filed, state the basis of your contention or allegation that it should be the date you identify.

**ANSWER:**

INTERROGATORY NO. 2: What do you contend is the fair market value of the entire tract immediately before the time of the taking; the fair market value of the remainder after the taking; and the compensation due the landowners for the taking?

**ANSWER:**

INTERROGATORY NO. 3: Immediately prior to the condemnation, what do you contend was the highest and best use of the subject tract, and state the basis of this contention.

**ANSWER:**

INTERROGATORY NO. 4: Subsequent to the condemnation, what do you contend is the highest and best use of the remainder, and state the basis of your contention.

**ANSWER:**

INTERROGATORY NO. 5: Have you had the subject tract appraised by a staff member, employee, agent or anyone else associated with or hired by or on behalf of the Defendant? If so, identify each such individual or individuals and, in accordance with the Request for Production served herewith, produce a copy of each appraiser's report, and any documents, notes, memoranda or other written materials relating to each such appraisal or report.

**ANSWER:**

INTERROGATORY NO. 6: For each appraisal expert you expect to call as a witness at the trial of this case, state the following:

- a) Name, address and occupation;
- b). Date of the appraisal and the before and after values in the appraisal;
- c). Whether or not the appraisal or report was given in writing.
- d) The substance of the facts and opinions to which the expert is expected to testify; and;
- e) A summary of the grounds for each such opinion.

**ANSWER:**

INTERROGATORY NO. 7: In determining the fair market value of the subject tract and the remainder, have you or any of the expert appraisal witnesses whom you expect to call at trial relied upon any sales or offers for sales of comparable property, and if so, please identify each

such comparable sale by stating the following:

- a) The location and description of the comparable property;
- b) The date of the sale or offer;
- c) The name, address and occupation of the seller;
- d) The name, address and occupation of the purchaser;
- e) The terms of the sale or offer; and;

f) Each aspect or condition of the comparable property which you contend makes

it similar to the subject tract, and each aspect or condition which you contend significantly distinguishes the comparable sale from the subject tract.

**ANSWER:**

INTERROGATORY NO. 8: Please identify any writing, document or any other form or record evidencing any of the sales or offers of sales which you have identified in the proceeding interrogatory and produce each such document in response to the Request for Production of Documents served herewith.

**ANSWER:**

INTERROGATORY NO. 9: Identify each document or exhibit which you anticipate offering into evidence at the trial of this case, specifically including, but not limited to, any photographs, charts, drawings or other documentary or evidentiary items, and produce a copy of each such item or document in response to the Request for Production of Documents served herewith. **ANSWER:**

INTERROGATORY NO. 10: Identify each person who you anticipate calling as a

witness in this case, and for each, state with particularity the substance of the testimony to be given.

**ANSWER:**

INTERROGATORY NO. 11: Identify any other documents in your possession, not previously identified, which relate to the subject tract, the taking herein or the Plaintiffs (other than documents which have been produced by the Plaintiffs in response to your Request for Production), and produce a copy of each such document in response to the Request for Production of Documents served herewith.

**ANSWER:**