

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

CITY OF OMAHA, A
Municipal Corporation,

Condemner,

-vs-

TRACT 4
FIRST NATIONAL BANK & TRUST
COMPANY OF FREMONT, NEBRASKA,
TRUSTEE FOR PAUL CHRISTIANSEN,
OWNER;
SKAGGS COMPANY, LESSEE

TRACT 9
VITAMIN PREMIXERS OF OMAHA, INC.

TRACT 13
HUBERT W. MONSKY & SPOUSE, if any,
and WALTER R. LOUIS & SPOUSE, if any,
LINCOLN LIBERTY LIFE INS. CO.,
MORTGAGEE, GREATER IOWA LIFE
INS. CO., A/K/A LIFE INVESTORS
INSURANCE COMPANY OF AMERICA,
MORTGAGEE

TRACT 13A
MIDWEST DEALERS OMAHA AUTO
AUCTION, INC., LINCOLN LIBERTY
LIFE INS. CO., MORTGAGEE,
GREATER IOWA LIFE INSURANCE
COMPANY, A/K/A LIFE INVESTORS
INSURANCE COMPANY OF AMERICA,
MORTGAGEE

SAM J. HOWELL, Douglas
County Treasurer,

Condemnees.

DOC. C5

NO. 70

BOOK 647 PAGE 617

REPORT OF APPRAISERS

On the 4th day of March, 1981, the undersigned, being
the duly appointed, qualified and acting appraisers in the above-
entitled cause of action, do hereby make and file this report as
follows:

I. THAT pursuant to an order entered in the County Court
of Douglas County, Nebraska on the 9th day of February, 1981, the
undersigned were duly appointed appraisers in the above-entitled
matter; and that before entering upon the duties as such appraisers,
the undersigned duly took and subscribed their oath as required by
law.

II. THAT the undersigned appraisers carefully inspected
and viewed the premises, hereinafter described, on the 23rd day of
February, 1981 and thereafter, did hold a hearing on the 23rd day of
February, 1981 in the County Court, Courthouse, Douglas County,

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Nebraska at which time, evidence was received relative to the amount of damages that could be sustained by the owners of the real estate in question; at said hearing on February 23, 1981 the Condemnor, City of Omaha, agreed and stipulated with Condemnees that the Temporary Easements sought to be appropriated in this proceeding shall terminate thirty (30) days after the improvement to be constructed on the Permanent Easement is completed, but in no event later than June 1, 1982, and that prior to termination, the Condemnor shall restore the surface of the Temporary Easement to substantially the same condition as it was prior to the entry by the Condemnor.

III. THAT your appraisers do hereby find and appraise the damages that will be suffered by reason of the appropriation of temporary easements terminating thirty (30) days after completion of construction, but in no event later than June 1, 1982, over the parcels described as Temporary Easements for construction purposes and by reason of the appropriation of permanent easements over the parcels described as Permanent Easements for sewer purposes by the City of Omaha as follows:

TRACT 13A		Legal description per Exhibit 4 attached hereto and incorporated herein.	
Permanent Easement	4852 square feet		\$3,150.00
Temporary Easement	20,730 square feet		<u>3,110.00</u>
			\$6,260.00
TO:	Midwest Dealers Omaha Auto Auction Inc. - Owner		\$6,260.00
	Lincoln Liberty Life Ins. Co. - Mortgagee		N O N E
	Life Investors Insurance Company of America, Mortgagee		N O N E
	Douglas County Treasurer		N O N E

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TRACT 4		Legal description per Exhibit 1 attached hereto and incorporated herein.	
Permanent Easement	25,263 square feet		\$12,126.00
Temporary Easement	227,245 square feet		<u>21,816.00</u>
			\$33,942.00
TO:	First National Bank & Trust Company of Fremont, Nebraska, Trustee for Paul Christiansen, Owner		\$33,942.00

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Skaggs Company, Lessee N O N E
Douglas County Treasurer N O N E

TRACT 9 - Legal description per Exhibit 2 attached hereto and incorporated herein.

Permanent Easement 4,421 square feet \$2,553.00
Temporary Easement 38,307 square feet 4,597.00
\$7,250.00

TO: V. P. O. Inc. formerly Vitamin Premixers of Omaha, Inc. - Owner \$7,250.00
Douglas County Treasurer N O N E

TRACT 13 - Legal description per Exhibit 3 attached hereto and incorporated herein

Permanent Easement 19,334 square feet \$11,600.00
Temporary Easement 128,350 square feet 15,402.00
\$27,002.00

TO: Hubert W. Monsky & ~~spouse, if any,~~ ^{RAMELLE MONSKY}
and
Walter R. Louis, & ~~spouse, if any,~~ ^{FAITH LOUIS}
Owners \$27,002.00

Lincoln Liberty Life Insurance Co., Mortgagee N O N E

Life Investors Insurance Company of American, Mortgagee N O N E

Douglas County Treasurer N O N E

THEREFORE, the undersigned appraisers do hereby find and assess the damages as indicated in Paragraph III that will be suffered by reason of the taking of the real estate by the Condemner and said appraisers hereby submit this report as required by the laws of the State of Nebraska.

Charles C. Clarey
CHARLES C. CLAREY

Larry D. Saxton
LARRY D. SAXTON

James R. McGreevy
JAMES R. MCGREEVY

Filed: March 4th, 1981.

TRACT NO. 4

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LEGAL DESCRIPTION OF TRACT:

That part of the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 1, Township 14 North, Range 12 East, of the 6th P.M., Douglas County, Nebraska, more particularly described as follows: Commencing at a point 720.8 feet East and 115 feet South of the West quarter corner of said section, running thence in a Westerly direction 256 feet to a point 125 feet South at right angles from the North line of the Northwest quarter of the Southwest quarter; running thence West parallel to the North line of said Northwest quarter of the Southwest quarter, 338.2 feet; running thence Southwesterly a distance of 184 feet to a point 57 feet East at right angles from the West line of said section; and 295.1 feet South of the North line of said Northwest quarter of Southwest quarter; running thence Southwesterly 81.6 feet to a point 40 feet East of the West line of said section and 375 feet South of the North line of said Northwest quarter of the Southwest quarter; running thence South, parallel to the West line of said section, to a point 87.5 feet at right angles Northerly from the centerline of the Papillion drainage ditch; running thence Southeasterly and 87.5 feet at right angles Northerly from the centerline of said Papillion drainage ditch approximately 1309.9 feet to the East margin of the Southwest quarter of the Southwest quarter of said section; running thence North 824.8 feet to a point 726 feet South of the East and West centerline of the section; running thence West 600 feet; running thence North 611 feet to the place of beginning.

PERMANENT EASEMENT:

A 20-foot wide permanent easement to construct and maintain sanitary sewer located 10 feet either side of the following described line: Commencing at the Southwest corner of the Northwest quarter of the Southwest quarter of Section One, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska; thence North $2^{\circ}37'38''$ West along West line of Section One a distance of 150 feet; thence South $82^{\circ}45'09''$ East a distance of 75.28 feet to the point of beginning, said point being on the East right-of-way line of 72nd Street; thence continuing South $82^{\circ}45'09''$ East a distance of 1263.17 feet to the point of termination of described line. Said point being on the East line of the Northwest quarter of the Southwest quarter of Section 1.

TEMPORARY EASEMENT:

A 200-foot wide temporary easement to construct sanitary sewer located 100 feet either side of the following described line: Commencing at the Southwest corner of the Northwest quarter of the Southwest quarter of Section One, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska; thence North $2^{\circ}37'38''$ West along West line of Section One a distance of 150 feet; thence South $82^{\circ}45'09''$ East a distance of 75.28 feet to the point of beginning, said point being on the East right-of-way line of 72nd Street; thence continuing South $82^{\circ}45'09''$ East a distance of 1263.17 feet to the point of termination of described line. Said temporary easement excludes that part taken for permanent easement described above.

The West Line of Section 1 has an assumed bearing of North $02^{\circ}37'38''$ West for Legal Description of Easements only.

Exhibit 1.

LEGAL DESCRIPTION OF TRACT:

A tract of land located in the Northeast quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, described as follows: Commencing at the Northwest corner of the Northeast quarter of said Section 2, which point is on the centerline of "F" Street; thence South 0°17' East along the West line of said Northeast quarter for a distance of 1355 feet to the point of beginning; thence continuing South 0°17' East along said quarter line for approximately 132.9 feet to the centerline of the Big Papillion Creek; thence South 21°24' East for 72.4 feet more or less along centerline of said Creek; thence North 89°59' East for approximately 276.4 feet; thence North 23°13' West for 103.61 feet; thence South 47°05' East for 139.82 feet; thence North 89°59' East for 643.02 feet to a point on the West line of 76th Street as platted and dedicated; thence North 0°10' West for 200.00 feet along said West line; thence due West to the point of beginning. In this description, the North line of the Northeast quarter of Section 2 (centerline of "F" Street) is assumed to run due East and West;

SUBJECT to consolidated real estate taxes due January 1, 1971 prorated to possession date, and all subsequent taxes and assessments hereafter levied and assessed; also

SUBJECT to easements, covenants, restrictions and agreements of record, and subject to Omaha Industrial Foundation Protective Covenants for Industrial District #1, which covenants may be modified or released by the Omaha Industrial Foundation without consent of the grantors herein.

PERMANENT EASEMENT:

A 20-foot wide permanent easement to construct and maintain sanitary sewer located 10 feet either side of the following described line located in the Northeast quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, being more particularly described as follows: Commencing at the Southwest quarter corner of the Northeast quarter; thence North 02°27'53" West along quarter section line a distance of 1069.63 feet; thence North 87°48'07" East a distance of 166.35 feet to the point of beginning of described line; thence North 27°24'21" West a distance of 221.05 feet to the point of termination of described line. (Said point being on the North property line of said described line)

TEMPORARY EASEMENT:

A temporary easement to construct sanitary sewer located in the Northeast quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southwest quarter corner of the Northeast quarter; thence North 02°27'53" West along quarter section line a distance of 1069.63 feet; thence North 87°48'07" East a distance of 166.35 feet to the point of beginning; thence continuing North 87°48'07" East a distance of 110.53 feet; thence North 27°24'21" West a distance of 221.05 feet; thence South 87°48'07" West a distance of 183.66 feet; thence South 02°27'53" East a distance of 79.0 feet more or less to a point on the West line of the Northeast quarter, said point lying 100 feet Westerly of measured perpendicular to the centerline of the permanent easement described above; thence South 27°24'21" East a distance of 136.0 feet more or less to a point of intersection with the South property line; thence North 87°48'07" East a distance of 110.53 feet to the point of beginning. Said temporary easement excludes that portion taken for permanent easement described above.

West Line of Northeast Quarter of Section 2 has assumed bearing of North 02°27'53" West for Legal Description of Easements only.

TRACT NO. 13

LEGAL DESCRIPTION OF TRACT

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That part of Lots 1, 3 and 4, all of Lots 5, 6, 7, 8 and 9, Interstate West Industrial Park, an Addition in Douglas County, Nebraska, together with that part of the Northeast Quarter of the Northwest Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, all described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 2; thence, South $00^{\circ}21'40''$ West (assumed bearing), a distance of 50.00 feet to the point of beginning; thence, continuing South $00^{\circ}21'40''$ West along the East line of the Northwest Quarter of said Section 2, a distance of 1019.74 feet; thence, North $89^{\circ}16'58''$ West, a distance of 277.00 feet to the center line of the Big Papillion Creek; thence, North $43^{\circ}06'14''$ West along said center line, a distance of 725.23 feet; thence, North $44^{\circ}35'06''$ West continuing along said center line, a distance of 84.27 feet to a point 0.27 feet Northwesterly of the Southwesterly corner of said Lot 1; thence, North $45^{\circ}24'54''$ East, a distance of 359.86 feet; thence North $00^{\circ}37'19''$ East, a distance of 180.43 feet to a point 49.91 feet West of the Northeast corner of said Lot 4; thence South $89^{\circ}22'41''$ East along the North line of said Interstate West Industrial Park, a distance of 579.91 feet to the point of beginning, containing 609,336 square feet, 13.99 acres;

EXCEPT those parts of Lots 1, 3, 4, 5 and 6 described as follows:

Beginning at point on the North line of said Lot 4, said point being 49.91 feet West of the Northeast corner of said Lot 4, thence East along the North line of said Interstate West Industrial Park, a distance of 250.0 feet to a point 29.91 feet West of the Northeast corner of said Lot 6; thence South parallel to the East line of said Lot 6, a distance of 500.0 feet; thence West parallel to the South line of said Interstate West Industrial Park to the center line of the Big Papillion Creek; thence, Northwesterly along said center line of the Big Papillion Creek to a point 0.27 feet Northwesterly of the Southwesterly corner of said Lot 1; thence, North $45^{\circ}24'54''$ East, a distance of 359.86 feet; thence, North $00^{\circ}37'19''$ East, a distance of 180.43 feet to the point of beginning.

PERMANENT EASEMENT:

A 20-foot wide permanent easement to construct and maintain sanitary sewer located 10 feet either side of the following described line (said easement being located in part of the Northwest quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska): Commencing at the Northeast corner of the Northwest quarter of said Section 2; thence South $02^{\circ}27'53''$ East a distance of 1069.74 feet; thence South $87^{\circ}53'30''$ West a distance of 60.0 feet to the point of beginning of said described line; thence North $27^{\circ}24'21''$ West a distance of 47.12 feet; thence North $47^{\circ}24'39''$ West a distance of 677.04 feet to the point of termination of said line.

TEMPORARY EASEMENT:

A temporary easement to construct sanitary sewer located in part of Lots 3, 4 and 5 Interstate West Industrial Park and also in part of the Northwest quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, being more particularly described as follows: Commencing at the Northeast corner of the Northwest quarter of said Section 2; thence South $02^{\circ}27'53''$ East, a distance of 1069.74 feet to the point of beginning; thence, South $87^{\circ}53'30''$ West, a distance of 179.26 feet; thence, North $47^{\circ}24'39''$ West, a distance of 737.23 feet; thence, North $87^{\circ}47'46''$ East, a distance of 177.42 feet; thence South $47^{\circ}24'39''$ East, a distance of 261.80 feet; thence, North $87^{\circ}35'21''$ East, a distance of 106.07 feet; thence, South $47^{\circ}24'39''$ East, a distance of 327.89 feet; thence, South $02^{\circ}27'53''$ East, a distance of 104.63 feet to the point of beginning. Said temporary easement excludes that portion taken for permanent easement described above.

East line of Northwest Quarter of Section 2 has assumed bearing of South $02^{\circ}27'53''$ East for Legal Description of Easements only.

EXHIBIT 3

TRACT NO. 13A

LEGAL DESCRIPTION OF TRACT:

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Part of Lots 1, 3, 4 and 6 Interstate West Industrial Park, an addition in Douglas County, Nebraska, and part of the Northeast Quarter of the Northwest Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, all of which is described as follows:

Beginning at the point on the North line of said Lot 4, said point being 49.91 feet West of the Northeast corner of said Lot 4; thence East along the North line of said Interstate West Industrial Park, a distance of 250.0 feet to a point 29.91 feet West of the Northeast corner of said Lot 6; thence South parallel to the East line of said Lot 6, a distance of 500.0 feet; thence, West parallel to the South line of said Interstate West Industrial Park, a distance of 441.41 feet, more or less, to the center line of the Big Papillion Creek; thence, North $43^{\circ}06'14''$ West, a distance of 6.66 feet; thence, Northwesterly continuing along said center line of Big Papillion Creek, a distance of 84.27 feet more or less, to a point 0.27 feet Northwesterly of the Southwesterly corner of said Lot 1; thence, North $45^{\circ}24'54''$ East, a distance of 359.86 feet; thence, North $00^{\circ}37'19''$ East, a distance of 180.43 feet to the point of beginning.

PERMANENT EASEMENT:

A 20-foot wide permanent easement to construct and maintain sanitary sewer located 10 feet either side of the following described line (said easement being located in part of the Northwest quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska): Commencing at the Northeast corner of the Northeast quarter of Section 2, Township 14 North, Range 12 East; thence, South $87^{\circ}47'46''$ West, a distance of 579.91 feet; thence South $00^{\circ}14'36''$ West, a distance of 230.43 feet; thence South $42^{\circ}35'21''$ West, a distance of 210.00 feet to the point of beginning; thence South $47^{\circ}24'39''$ East, a distance of 242.56 feet to the point of termination of said described line.

TEMPORARY EASEMENT:

A temporary easement to construct sanitary sewer located in part of Lot 1 Interstate West Industrial Park and also in part of the Northwest quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska, being more particularly described as follows: Commencing at the Northeast corner of the Northeast quarter of Section 2, Township 14 North, Range 12 East; thence, South $87^{\circ}47'46''$ West, a distance of 579.91 feet; thence, South $00^{\circ}14'36''$ West, a distance of 230.43 feet; thence South $42^{\circ}35'21''$ West, a distance of 185.00 feet to the point of beginning; thence South $47^{\circ}24'39''$ East, a distance of 267.36 feet; thence, South $87^{\circ}47'46''$ West, a distance of 177.42 feet; thence, North $47^{\circ}24'39''$ West, a distance of 141.35 feet; thence North $42^{\circ}35'21''$ East a distance of 125.00 feet to the point of beginning. Said temporary easement excludes that portion taken for permanent easement described above.

North line of Section 2 has an assumed bearing of South $87^{\circ}47'46''$ West for legal description of easements only

EXHIBIT 4

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COUNTY COURT
DOUGLAS COUNTY
DEAN HADORN, CLERK
OMAHA, NEBR.

STATE OF NEBRASKA, }
COUNTY OF DOUGLAS } ss.

I, Dean Hadorn, Clerk of the County Court of Douglas County, Nebraska, do hereby certify that I have compared the foregoing copy of.....

"REPORT OF APPRAISERS" in re:

CITY OF OMAHA, A Municipal Corporation, Condemner,

-VS-

FIRST NATIONAL BANK & TRUST COMPANY OF FREMONT, NEBRASKA,
Trustee for PAUL CHRISTIANSEN, et al,

Condemnees

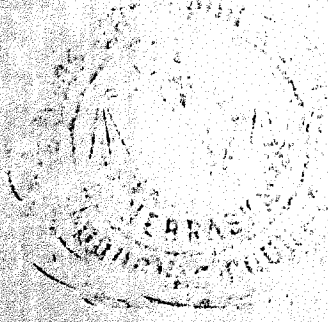
in the matter of:- Condemnation Docket C5 - Page 70

with the original record thereof, now remaining in said court; that the same is a correct transcript thereof, and of the whole of said original record, that I have the legal custody and control of said original record; that said court is a court of record, has a seal, and that said seal is hereto affixed; and that the foregoing attestation is in due form, according to the laws of the State of Nebraska.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Omaha, this 5th day of March, A. D. 19 81

DEAN HADORN, Clerk of the County Court

By Dean Hadorn Deputy



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C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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