

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

In the Matter of the Petition of OMAHA
PUBLIC POWER DISTRICT, a public
corporation of Omaha, Nebraska, to
acquire a right-of-way easement across
lands in Douglas County, Nebraska, by
eminent domain for the purpose of
constructing, operating and maintaining
electric power lines for the trans-
mission and/or distribution of
electricity.

DOC. C5

NO. 163

OMAHA PUBLIC POWER DISTRICT, a
public corporation,

Condemner,

vs.

LAWRENCE W. YOUNGMAN TOURS,
INC.; et al.,

Condemnees.

REPORT OF APPRAISERS

TO THE HONORABLE JUDGE OF DOUGLAS COUNTY, NEBRASKA:

We, the undersigned Appraisers, duly appointed in the above captioned proceedings, by virtue of an "ORDER APPOINTING APPRAISERS", dated September 24, 1985, to appraise the property sought to be condemned and to ascertain and determine the damages sustained by the respective Condemnees, do hereby respectfully report that upon being qualified and taking and subscribing the oath, as prescribed by law, we proceeded in a body to carefully inspect and view the property of each Condemnee damaged thereby, and there fully informed ourselves in said matter, and heard all parties interested therein in reference to the amount of damages when so inspecting and viewing the property, and being fully advised in the premises, we did and do hereby assess the damages that each respective Condemnee has sustained or will sustain by reason of the appropriate of the following described easements to the use of the Petitioner as fully delineated in the Petition of Condemnation filed herein:

SW 1/4 - 17' Dedicated
now part of A Street.
168th

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PARCEL NO. 1

BOOK 759 PAGE 388

OWNER: Lawrence W. Youngman
Tours, Inc.

\$ 4,418.75

TENANT: Raymond C. Thomsen

\$ -0-

MORTGAGEE: Metropolitan Life Insurance
Company

\$ -0-

Legal Description:

The Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-two (22), Township
Fifteen (15) North, Range Eleven (11), East of the 6th P.M., Douglas
County, Nebraska, except the right-of-way of the Union Pacific Railroad. 22 ✓

Easement Description:

The East Seventeen feet (17') of the West Fifty feet (50') of the
Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-two (22), Township
Fifteen (15) North, Range Eleven (11), East of the 6th P.M.,
Douglas County, Nebraska, containing 1.01 acres, more or less.

PARCEL NO. 2

All issues as to Parcel No. 2 have been resolved by agreement
between the parties.

PARCEL NO. 3

OWNER: Harold Pollack and Sylvia Pollack,
husband and wife; Lawrence Pollack,
single; Judith Pazol and Larry Pazol,
wife and husband; and Henry Pollack
and Lana Pollack, husband and wife.

\$ 2,231.25

TENANT: Raymond C. Thomsen

\$ -0-

Legal Description:

The North One-half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section
Fifteen (15), Township Fifteen (15) North, Range Eleven (11), East
of the 6th P.M., Douglas County, Nebraska. 15-15-11 ✓

Easement Description:

The East Seventeen feet (17') of the West Fifty feet (50') of the North One-half of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4}$) of Section Fifteen (15), Township Fifteen (15) North, Range Eleven (11), East of the 6th P.M., Douglas County, Nebraska, containing 0.51 acre, more or less.

PARCEL NO. 4

OWNER: Allen Trust

\$ 4,418.75

TENANT: Robert Dea

\$ -0-

Legal Description:

The Southwest Quarter ($SW\frac{1}{4}$) of Section Eleven (11), Township Fifteen (15) North, Range Eleven (11), East of the 6th P.M., Douglas County, Nebraska.

Easement Description:

The North Seventeen feet (17') of the South Fifty feet (50') of The Southwest Quarter ($SW\frac{1}{4}$) of Section Eleven (11), Township Fifteen (15) North, Range Eleven (11), East of the 6th P.M., Douglas County, Nebraska, containing 1.01 acres, more or less.

PARCEL NO. 5

OWNERS: Robert A. Nelson and Margaret A. Nelson, husband and wife; Elmer A. Nelson and Doreen R. Nelson, husband and wife; Leonard E. Nelson and Mattie J. Nelson, husband and wife; Howard C. Nelson and Florence M. Nelson, husband and wife; and Walter T. Harder, Sr. and Mildred L. Harder, husband and wife.

\$ 4,637.50

TENANT: John A. Thomsen

\$ -0-

Legal Description:

The South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Eleven (11), Township Fifteen (15) North, Range Eleven (11) East of the Sixth P.M., Douglas County, Nebraska.

Easement Description:

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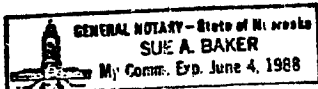
A strip of land lying adjacent to the North public road right of way running East and West along the South line of said Southeast Quarter (SE $\frac{1}{4}$) more particularly described as follows: Beginning at the intersection of the West right of way line of 144th Street and the North right of way line of Blondo Street, thence West along said North right of way line to the West line of said Southeast Quarter (SE $\frac{1}{4}$), thence North a distance of Seventeen feet (17'), thence East along a line Seventeen feet (17') North of and parallel to the aforesaid North right of way line of Blondo Street a distance of Two Thousand and Five feet (2,005'), thence Northeasterly to a point on the West right of way line of 144th Street Twenty-four feet (24') North of the North right of way line of Blondo Street, thence South to the point of beginning.

Dated at Omaha, Nebraska, this 19th day of November, 1985.

[Signature]
Appraiser

[Signature]
Appraiser

[Signature]
Appraiser



SUBSCRIBED and sworn to before me this 19th day of November, 1985.

[Signature]
Notary Public

County Judge of Douglas County, Nebraska

h.J.4/7

COUNTY COURT
DOUGLAS COUNTY

OMAHA, NEBR.

STATE OF NEBRASKA, } ss.
COUNTY OF DOUGLAS

I, 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: _____

OMAHA PUBLIC POWER DISTRICT, A Public Corporation, Condemner

-VS-

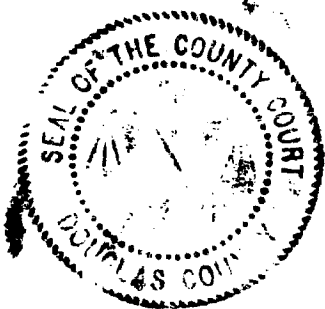
LAWRENCE W. YOUNGMAN TOURS, INC.; et al, Condemnees,

in the matter of _____
Condemnation Docket C5 - Page 163

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 22nd day
of November A. D. 1985

Clerk of the County Court

By John A. Dargatzis

Form No. 14-315-6-82

BM 759Del. 12N 15-15-11Fee 2100PG 387Indx. 12/12

11-15-11

MC 12OF MiscComp. 12Comp. 12

GEORGE J. DUCLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

1985 DEC -6 AM 11:26

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East of Papio Creek

East of Cambridge
oaks

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1986 DEC 22 PM 3 25

BOOK 799 PAGE 60

GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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WHEREAS, Sanitary and Improvement District No. 291 of Douglas County, Nebraska and the City of Omaha, a municipal corporation (herein collectively referred to as "Grantee" except as otherwise noted) has requested Lawrence W. Youngman Tours, Inc., a corporation (herein referred to as "Grantor"), to grant a temporary construction easement for the construction of a storm sewer structure and pipeline over certain property owned by the Grantor and legally described and shown on Exhibit "A" attached hereto and incorporated herein by reference (having dimensions of 215.32 feet x 180.00 feet) and a permanent easement for a storm sewer structure and pipeline on certain property owned by the Grantor as legally described and shown on Exhibit "B" attached hereto and incorporated herein by reference (having dimensions of 215.32 feet x 40.0 feet); and

WHEREAS, the land on which the easements are desired is already subject to an easement in favor of the Union Pacific Railroad Company which easement is dated April 14, 1944 and recorded April 27, 1944 at Book 186, Page 157 of the records of the Register of Deeds of Douglas County, Nebraska.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, the Grantor, being the owner of the property described in Exhibits "A" and "B" does hereby give and grant unto the Grantee, its successors and assigns a temporary easement for the construction of a storm sewer structure and pipeline over, on, across and under the Property as shown on Exhibit "A" and a permanent easement for a storm sewer structure and pipeline on, across and under the Property shown on Exhibit "B".

1. The scope and purpose of the easements are for the construction, repair, maintenance, replacement and renewal of a storm sewer structure and pipeline and related appurtenances and the transmission through said storm sewer structure and pipeline of certain storm water. Grantee shall have the right of ingress to and egress from the easement exercisable only over the south 643.89 feet of the easement granted to the Union Pacific Railroad Company on April 14, 1944 and recorded April 27, 1944 at Book 186, Page 157 of the records of the Register of Deeds of Douglas County, Nebraska. Provided, however, the rights to the City of Omaha as outlined in this Easement shall have no force and effect unless and until the property covered by Sanitary and Improvement District No. 291 of Douglas County, Nebraska is annexed as a part of said City and the City shall have a legal obligation to maintain said storm sewer structure and pipeline as public facilities.

2. By accepting and recording these easements, said Grantee agrees and said City of Omaha agrees (effective with the annexation of the Property on which such sewer improvements are constructed), to make good or cause to be made good to the Grantor all damage that

BK 799 N 22-15-11 KFP C/O - FEE 20.50
PG 60-63 N 22-15-11 DEL 14 MC B
OF NEW COMP 1 FB 01-60227

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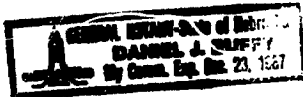
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W. Daniel J. Duffy
Notary Public



LEGAL DESCRIPTION

A strip of land 160.0 feet in width for a temporary easement over that part of the Southwest 1/4, Section 22, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows. Commencing at the Southeast corner of the said Southwest 1/4, Section 22; thence North $02^{\circ} 37' 28''$ West (Assumed Bearing) for 643.09 feet along the East line of the said Southwest 1/4, Section 22; thence South $47^{\circ} 37' 48''$ West for 161.72 feet to the TRUE POINT OF BEGINNING; thence South $47^{\circ} 37' 48''$ West for 215.32 feet to the Point of Terminus.



SOUTHEAST CORNER
OF SW 1/4 SECTION 22,
T15N, R11E.

Exhibit A

Block _____ Page _____

Date Aug. 11, 1956

Job Number 850927-856



lamp, ryneason & associates, inc.
architects engineers

14747 california street

STANLEY, ROBERTA 001754

408-488-8488

TRACT NO. 6

LEGAL DESCRIPTION

BOOK 799 PAGE 63

A strip of land forty feet in width for a permanent easement over that part of the Southwest 1/4, Section 22, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows: Commencing at the Southeast corner of the said Southwest 1/4, Section 22; thence North 02° 37' 28" West (Assumed Bearing) for 643.89 feet along the East line of the said Southwest 1/4, Section 22; thence South 47° 37' 48" West for 161.72 feet to the TRUE POINT OF BEGINNING; thence South 47° 37' 48" West for 215.32 feet to the Point of Terminus.

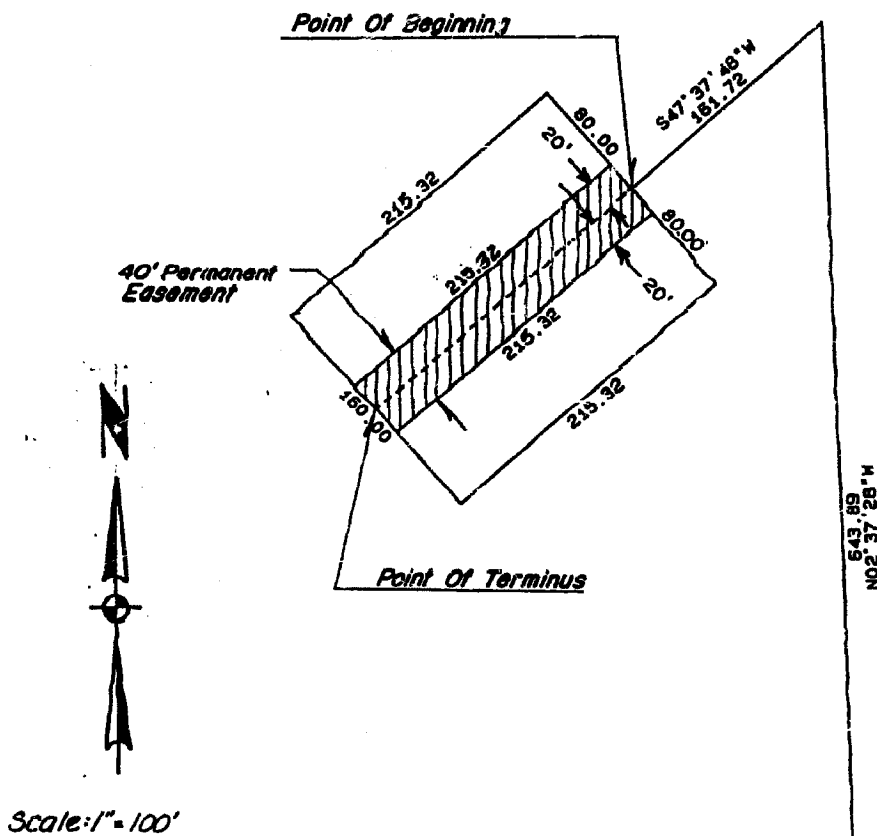


EXHIBIT B

Book _____ Page _____

Date Aug. 11, 1986

Job Number 000927-856

lamp, ryneearson & associates, inc.
 architects engineers surveyors planners
 14747 california street omaha, nebraska 68154 402-496-2495

TRACT NO. 5