

48-17

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

CITY OF OMAHA, A Municipal Corporation,)	Doc. M-3 P. 131	NO. 451
)		
Condemner,)		
)		
vs.)	<u>REPORT OF APPRAISERS</u>	
)		
GERTRUDE H. GATES, et al,)		
)		
Condemnees.)		

Now on this 2nd day of April, 1974, the undersigned, being the duly appointed, qualified and acting appraisers in the above entitled matter, do hereby make and file this report, showing unto the Court that:

- 1) The undersigned were duly appointed appraisers in the above entitled matter.
- 2) Before entering upon their duties as appraisers in the above entitled matter, the undersigned duly took and subscribed an oath to support the Constitutions of the United States and of the State of Nebraska and to faithfully and impartially discharge their duties as required by law.
- 3) At the time and place designated in the "Notice of Intention to Acquire Property and of Time and Place of Meeting of Board of Appraisers to have Damages Assessed" the undersigned appraisers carefully inspected and viewed the real estate hereinafter specified sought to be taken and, also, any other property of the condemnees damaged thereby, and heard all parties interested therein in reference to the amount of damages, while so inspecting and viewing the property.
- 4) At the time and place designated in the "Notice of Intention to Acquire Property and of Time and Place of Meeting of Board of Appraisers to have Damages Assessed" said appraisers did meet to assess the damages that the condemnees sustain by the taking of the hereinafter specified property by the City of Omaha, at which time said appraisers did receive evidence relative to the amount of damages that will be sustained by the owners of said real estate.

In part, said appraisers took into consideration: The value of property being taken, severance damages, any work to be done for ingress and egress over any remaining property of condemnees, any other property of any condemnee herein damaged by any taking herein, reasonable cost of any necessary removal of personal property from the real estate being taken, and condemnee's abstracting expenses.

- 5) The amount of damages that will be sustained by the owners of said real estate by reason of the taking thereof by the City of Omaha for sanitary sewer outfall purposes is as herein-after found and assessed.

Now, therefore, the undersigned appraisers do hereby find and assess the damages that will be suffered by reason of the taking of the real estate for aforesaid purposes by the City of Omaha as follows:

TRACT NO. 1

The Southwest Quarter of the Southwest Quarter, in Section 28, and all that part of the North Half of the Northwest Quarter in Section 33, lying north of the Papillion Creek drainage ditch, coming from the west and running east through said section all in Township 14 North, Range 13 East of the 6th P. M., except that part in Section 33 heretofore deeded to the Union Pacific Railroad.

A 25 foot and 75 foot wide permanent easement located in the North One-half of the Northwest one-quarter of Section 33, Township 14 North, Range 13 East of the 6th P. M., in Sarpy County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the east right-of-way line of 36th Street with the north line of the Union Pacific Railroad right-of-way; thence northerly along said east right-of-way line of 36th Street to its point of intersection with a line running parallel with and 125.0 feet north of the centerline of the Union Pacific Railroad right-of-way; thence easterly 125.0 feet North of and parallel with the centerline of the Union Pacific Railroad right-of-way to the westerly line of an existing permanent sewer easement; thence southeasterly along the west line of said existing easement to the north line of the Union Pacific Railroad right-of-way; thence westerly, northerly and westerly along the north line of the Union Pacific Railroad right-of-way to the point of beginning.

A 100 foot wide temporary construction easement located in the North one-half of the Northwest one-quarter of Section 33, Township 14 North, Range 13 East of the 6th P. M., in Sarpy County, Nebraska, more particularly described as follows:

Commencing at the point of intersection of the East right-of-way line of 36th Street with the North line of the Union Pacific Railroad right-of-way; thence northerly along said East right-of-way line of 36th Street to its point of intersection with a line running parallel with and 125.0 feet North of the centerline of the Union Pacific Railroad right-of-way, which is also the point of beginning; thence continuing northerly along said East right-of-way line of 36th Street to its point of intersection with a line running parallel with and 225.0 feet North of the centerline of the Union Pacific Railroad right-of-way; thence easterly 225.0 feet North of and parallel with said centerline of the Union Pacific Railroad right-of-way to the westerly line of an existing permanent sewer easement; thence southeasterly along the West line of said permanent easement to its intersection with a line running 125.0 feet North of and parallel with the centerline of the Union Pacific Railroad right-of-way; thence westerly along a line 125.0 feet north of and parallel with the centerline of the Union Pacific

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Railroad right-of-way to the East line of the 36th Street right-of-way, which is the point of beginning.

GERTRUDE H. GATES	}	\$	2,874.65
HARRY E. GATES, JR., her son		\$	
CHARLES TRUMBLE, tenant		\$	662.00
SARPY COUNTY TREASURER		\$	0.00
ALL OTHERS		\$	0.00
		\$	0.00

TRACT NO. 2

Tax Lot 9, in Section 29; Tax Lot 2B and Tax Lot 3 in Section 32, all in Township 14 North, Range 13 East of the 6th P. M., in Sarpy County, Nebraska.

A 100 foot wide permanent easement located on Tax Lot 2B, Section 32, Township 14 North, Range 13 East of the 6th P. M., in Sarpy County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the West right-of-way line of 36th Street with the North line of the Union Pacific Railroad right-of-way; thence westerly along the North line of the Union Pacific Railroad right-of-way to its point of intersection with a line running North and South, 1650.0 feet West of and parallel with the East line of Section 32; thence North, 1650.0 feet West of and parallel with the East line of Section 32 to its point of intersection with a line running easterly and westerly, 100.0 feet northerly of and parallel with the North line of the Union Pacific Railroad right-of-way; thence easterly 100.0 feet northerly of and parallel with the north line of the Union Pacific Railroad right-of-way to its point of intersection with the West right-of-way line of 36th Street; thence South along the West right-of-way line of 36th Street to the point of beginning.

A 50 foot permanent easement located on Tax Lot 2B, Section 32, Township 14 North, Range 13 East of the 6th P. M., in Sarpy County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the North line of the Union Pacific Railroad right-of-way with the South line of the Chicago, Rock Island and Pacific Railroad right-of-way; thence easterly along the North line of the Union Pacific Railroad right-of-way to its point of intersection with a line running north and south, 1650.0 feet West of and parallel with the East line of Section 32; thence North along said line 1650.0 feet West of and parallel with the East line of Section 32 to its point of intersection with a line running easterly and westerly, 50.0 feet northerly of and parallel with the North line of the Union Pacific Railroad right-of-way; thence westerly along said line to its intersection with the South line of the Chicago, Rock Island and Pacific Railroad right-of-way; thence westerly along said South right-of-way line to the point of beginning.

RALPH W. GATES & MARY GATES	}	\$	
HARRY E. GATES, JR. & CAROL GATES		\$	
GERTRUDE GATES		\$	22,072.77
ROYAL C. GATES & EVELYN GATES	}	\$	
LOIS J. GATES		\$	
SARPY COUNTY TREASURER		\$	0.00
ALL OTHERS (Charles Trumble, Tenant)		\$	4,172.00

TRACT NO. 6

An undivided one-half interest each in and to the East 100 acres of that part of the East one-half of Section 25, Township 14 North, Range 12 East of the 6th P. M., lying North of the right-of-way of the Union Pacific Railroad, Sarpy County, Nebraska.

A 50 foot permanent easement located on the East one hundred acres of that part of the East one-half of Section 25, Township 14 North, Range 12 East, of the 6th P. M., lying North of the right-of-way of the Union Pacific Railroad, more particularly described as follows:

The South 50 feet, North of and directly adjacent to the North line of the Union Pacific Railroad right-of-way, of the East one hundred acres of that part of the East one-half of said Section 25, lying North of the Union Pacific Railroad right-of-way.

A 65 foot wide temporary construction easement located on the East one hundred acres of that part of the East one-half of Section 25, Township 14 North, Range 12 East of the 6th P. M., lying North of the right-of-way of the Union Pacific Railroad, more particularly described as follows:

The North 65 feet of the South 115 feet, North of and directly adjacent to the North line of the Union Pacific Railroad right-of-way, of the East one-hundred acres of that part of the East one-half of said Section 25, lying North of the Union Pacific Railroad right-of-way.

HARRY S. McCANDLESS	}	\$	_____
RON HUNTER		\$	5.597.34
GEORGE E. ANDREWS & BETTY L. ANDREWS		\$	_____
SARPY COUNTY TREASURER		\$	0.00
ALL OTHERS		\$	0.00
Tenant or owners, if no tenant			898.00

TRACT NO. 7

That part of the East one-half of Section 25, Township 14 North, Range 12 East of the 6th P. M., Sarpy County, Nebraska, lying north of the Chicago, Rock Island, and Pacific Railroad right-of-way excepting therefrom the Union Pacific Railroad right-of-way, and less the East 100 acres North of the Union Pacific Railroad right-of-way.

A 50 foot wide permanent easement located in the East one-half of Section 25, Township 14 North, Range 12 East of the 6th P. M., Sarpy County, Nebraska, lying North of the Chicago, Rock Island, and Pacific Railroad right-of-way, more particularly described as follows:

A 50 foot wide strip of land, lying North of and directly adjacent to the North line of the Union Pacific Railroad right-of-way; all in the East one-half of Section 25 lying North of the Chicago, Rock Island and Pacific Railroad right-of-way, less the East 100 acres North of the Union Pacific Railroad right-of-way and less 66th Street right-of-way.

A 65 foot temporary construction easement located in the East one-half of Section 25. Township 14 North, Range 12 East of the 6th P. M., Sarpy County, Nebraska, lying North of the Chicago, Rock Island and Pacific Railroad right-of-way, more particularly described as follows:

The North 65 feet of a 115 foot strip of land lying North of and directly adjacent to the North line of the Union Pacific Railroad right-of-way all in the East one-half of Section 25 lying North of the Chicago, Rock Island and Pacific Railroad right-of-way, less the East 100 acres North of the Union Pacific Railroad right-of-way and less 66th Street right-of-way.

MERRITT B. LORIMOR & ROBERTA	}	\$	
LORIMOR		\$	8.748.00
MRS. PETER (MARIE) HANSEN	}	\$	
SARPY COUNTY TREASURER		\$	0.00
ALL OTHERS		\$	0.00
		\$	0.00

TRACT NO. 11

Tax Lot "M" except the East 602.5 feet thereof deeded to the Omaha Public Power District, all in Section 26, Township 14 North, Range 12 East of the 6th P. M., in Sarpy County, Nebraska.

An irregular shaped permanent easement located on that part of Tax Lot "M" which is 602.5 feet West of the East line of Tax Lot "M" in Section 26, Township 14 North, Range 12 East of the 6th P. M., in Sarpy County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the East right-of-way line of Grandview Avenue and the North line of the Union Pacific Railroad right-of-way; thence easterly along the North line of the Union Pacific Railroad right-of-way to its intersection with the West line of an existing permanent easement; thence along the West and North line of the existing permanent easement to its intersection with a line running North and South, 602.5 feet West of and parallel with the East line of Tax Lot "M"; thence North along said line, 602.5 feet West of and parallel to the East line of Tax Lot "M" to its intersection with a line running easterly and westerly, 60 feet northerly of and parallel with the North line of the Union Pacific Railroad right-of-way; thence westerly, 60 feet northerly of and parallel with the North line of the Union Pacific Railroad right-of-way to its point of intersection with the North line of Tax Lot "M"; thence West along the North line of Tax Lot "M" to its intersection with the northerly right-of-way line of the Union Pacific Railroad; thence southeasterly along the northerly right-of-way line of the Union Pacific Railroad to the point of beginning, except that part used for street right-of-way.

An irregular shaped temporary construction easement located on that part of Tax Lot "M" which is 602.5 feet West of the East line of Tax Lot "M" in Section 26, Township 14 North, Range 12 East of the 6th P. M., in Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Northeast corner of Tax Lot "M"; thence West along the North line of said Tax Lot "M" 602.5 feet to the point of beginning; thence West along the North line of Tax Lot "M" a distance of 180.00 feet; thence South on a line 782.5 feet West of and parallel with the East line of Tax Lot "M" to its point of intersection with a line running easterly and westerly, 60 feet northerly of and parallel with the North line of the Union Pacific Railroad right-of-way; thence easterly 60 feet northerly of and parallel with the North line of the Union Pacific Railroad right-of-way to its point of intersection with a line running North and South, 602.5 feet West of the East line of Tax Lot "M"; thence North 602.5 feet West of and parallel with the East line of Tax Lot "M" to the point of beginning.

HARRY C. SORENSEN & BETTY R. SORENSEN	\$	
RAY SPEERS	\$	4,200.00
SARPY COUNTY TREASURER	\$	0.00
ALL OTHERS	\$	0.00
	\$	0.00

TRACT NO. 15

Lot 1, Block 20 in the City of Papillion, Sarpy County, Nebraska.

A 50-foot wide permanent easement located on Lot 1, Block 20, in the City of Papillion, Sarpy County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the East line of said Lot 1 and a line 70 feet North of and parallel with the centerline of the Union Pacific Railroad; thence North along the East line of Lot 1 to its point of intersection with a line running easterly and westerly 120 feet northerly of and parallel with the centerline of the Union Pacific Railroad; thence westerly 120 feet northerly of and parallel with the centerline of the Union Pacific Railroad to its intersection with the West line of Lot 1; thence southerly along the West line of Lot 1 to its intersection with a line running easterly and westerly, 70 feet northerly of and parallel with the centerline of the Union Pacific Railroad; thence easterly 70 feet northerly of and parallel with the centerline of the Union Pacific Railroad to the point of beginning.

A 20-foot wide temporary construction easement located on Lot 1, Block 20 in the City of Papillion, Sarpy County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the East line of Lot 1 with the North line of the Union Pacific Railroad right-of-way; thence northwesterly along the northerly line of the Union Pacific Railroad right-of-way to its intersection with the West line of Lot 1; thence North along the West line of Lot 1 a distance of 20 feet; thence southeasterly along a line 70 feet northerly of and parallel with the centerline of the Union Pacific Railroad to its intersection with the East line of Lot 1; thence South along the East line of Lot 1 to the point of beginning.

MABEL RABURN PICKERING	\$	1,300.00
SARPY COUNTY TREASURER	\$	0.00
ALL OTHERS	\$	0.00
	\$	0.00
	\$	0.00

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TRACT NO. 13

Lot 2 & 8 in Block 6, Village of Papillion as the same is surveyed, platted and recorded, Sarpy County, Nebraska.

An irregular shaped permanent easement located on Lot 2 and 8 in Block 6, Village of Papillion as surveyed, platted and recorded, more particularly described as follows:

Beginning at the point of intersection of the South line of Lot 2 with the West right-of-way line of Adams Street; thence North along the West right-of-way line of Adams Street to its intersection with an easterly and westerly line 10 feet North of and parallel with the South line of Lot 2; thence westerly along a line 10 feet North of and parallel with the South line of Lot 2 to its point of intersection with a line running easterly and westerly 15 feet northerly of and parallel with the northerly line of the U. P. Railroad right-of-way; thence northwesterly 15 feet northerly of and parallel with the North line of the U. P. Railroad right-of-way to its point of intersection with the West line of Lot 2; thence South along the West line of Lot 2 to its intersection with a line running easterly and westerly 5 feet northerly of and parallel with the southwesterly line of Lot 8; thence northwesterly, 5 feet northerly of and parallel with the southwesterly line of Lot 8 to its point of intersection with a north-south line 40 feet East of and parallel with the West line of Lot 8; thence southwesterly and perpendicular to the last described course to its point of intersection with the northerly line of the U. P. Railroad right-of-way; thence easterly along the North line of the U. P. Railroad right-of-way to its point of intersection with the South line of Lot 2; thence East along the South line of Lot 2 to the point of beginning.

An irregular shaped temporary construction easement located on Lot 8 in Block 6, Village of Papillion as surveyed, platted and recorded, more particularly described as follows:

The West 77.0 feet of Lot 8, except that part taken for permanent easement and the South 30.0 feet of the East 63.0 feet of Lot 8 except that part taken for permanent easement.

PAUL A. McCOY	\$	<u>3,265.00</u>
SARPY COUNTY TREASURER	\$	<u>0.00</u>
ALL OTHERS	\$	<u>0.00</u>
	\$	<u>0.00</u>
	\$	<u>0.00</u>
	\$	<u>0.00</u>

TRACT NO. 23

An undivided one-third interest in and to the West 1/2 of the West 1/2 of the Northeast Quarter; East half of the Northwest Quarter, except railroad right-of-way, Tax Lots A, B and C, 2 and 7, Section 21, Township 14 North, Range 12 East of the 6th P. M., subject to the right of the Shobert-Zimmerman Drainage District under Agreement dated March 9, 1929, and subject to easement

dated February 27, 1931, to the Nebraska Power Company.

An undivided one-sixth interest in our undivided two-thirds interest in and to the West half of the West half of the North-east Quarter, East one-half of the Northwest Quarter except railroad right-of-way; Tax Lots A, B, and C, 2 and 7, Section 21, Township 14 North, Range 12 East of the 6th P. M., subject to the right of the Shobert-Zimmerman Drainage District under Agreement dated March 9, 1929, and subject to easement dated February 27, 1931, to the Nebraska Power Company.

A 50 foot wide permanent easement located on Tax Lot 7 in the Southwest Quarter of Section 21, and on Tax Lot 2 in the Northwest Quarter of said Section 21, and on the East half of the said Northwest Quarter of said Section 21, all in Township 14 North, Range 12 East of the 6th P. M., in Sarpy County, Nebraska, and centered about a line more particularly described as follows:

Commencing at the East Quarter corner of said Section 21; thence South 87° 41' 4.5" West a distance of 2630.09 feet; thence South 02° 18' 56.0" East a distance of 451.32 feet to a point on the East line of said Southwest Quarter of said Section 21, which is the point of beginning of said line; thence North 49° 33' 24.9" West a distance of 860.64 feet; thence North 49° 59' 9.2" West a distance of 2603.52 feet; thence North 59° 00' 5.4" West a distance of 117.98 feet to a point on the West line of said Section 21, which is the point of termination of said line.

A 200 foot temporary construction easement located on Tax Lot 7 in the Southwest Quarter of Section 21, and on Tax Lot 2 in the Northwest Quarter of said Section 21, and on the East half of said Northwest Quarter of said Section 21, all in Township 14 North, Range 12 East of the 6th P. M., in Sarpy County, Nebraska, and centered about a line more particularly described as follows:

Commencing at the East Quarter corner of said Section 21; thence South 87° 41' 4.5" West a distance of 2630.09 feet; thence South 02° 18' 56.0" East a distance of 451.32 feet to a point on the East line of said Southwest Quarter of said Section 21, which is the point of beginning of said line; thence North 49° 33' 24.9" West a distance of 860.64 feet; thence North 49° 59' 9.2" West a distance of 2603.52 feet; thence North 59° 00' 5.4" West a distance of 117.98 feet to a point on the West line of said Section 21, which is the point of termination of said line; excluding therefrom the area included in the permanent easement described above.

HARLAND W. TRUMBLE & VELMA)	\$	
J. TRUMBLE (a/k/a Velma L. Trumble)	\$	20,783.71
JUDITH L. TRUMBLE	\$	
SARPY COUNTY TREASURER	\$	0.00
ALL OTHERS Tenant or owners if no tenant	\$	5,072.40

[Handwritten signature and illegible text]

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IN THE COUNTY COURT, OF THE COUNTY OF SARPY, STATE OF NEBRASKA
(Certified Copy of Record)

STATE OF NEBRASKA }
County of Sarpy } ss.

I, Jeffrey L. Campbell Judge of the County Court of the County of Sarpy,
State of Nebraska, do hereby certify that I have compared the foregoing copies of

Report of Appraisers

City of Omaha, a Municipal
Corporation,
Condemner,

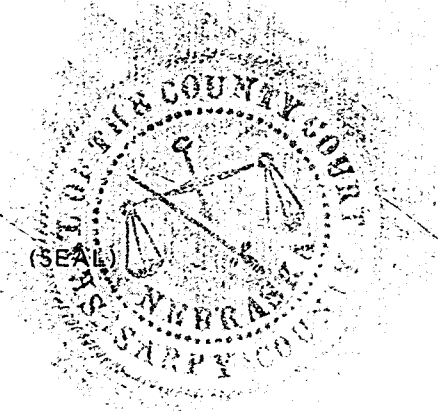
VS

Gertrude H. Gates, et al.
Condemnees

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with the original records thereof, now remaining in said Court; that the same are correct transcripts thereof, and
of the whole of said original records.

In Witness Whereof I have hereunto set my hand and
affixed the seal of said County Court in Papillion, County
of Sarpy, State of Nebraska, on this 20th day of
..... December A.D., 19..74



Jeffrey L. Campbell
Judge of the County Court

By _____
Arthur J. Myers
Clerk of the County Court