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RICHARD N. TAKECHI
REGISTER OF DEEDS
DOUGLAS COUNTY, NE

98 SEP 15 AM 10:48

RECEIVED

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PAGE DOWN FOR BALANCE OF INSTRUMENT

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RE 552 FB 01-60000
BY 6-15-11 CO CO COUN CP
BY SEC dc BY

CP

129108

CERTIFICATE

**Douglas County Court, Civil/Small Claims Division
1819 Farnam Street, Farnam Level, Omaha, NE 68183 (402) 444-5424**

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

I, Joyce A. Riedler, Deputy Clerk of the Douglas

County Court, certify that the attached documents are full, true and complete copies of the original records of entries identified as follows: Return of Appraisers

on file and of record in the Douglas County Court, entitled: _____

State of Nebraska vs. Regency of Nebraska, Inc., et al

IN TESTIMONY WHEREOF, I have placed my signature and the seal of said Court.

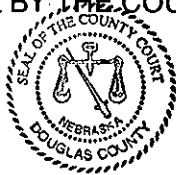
DATE: Sept. 11, 1998

BY THE COURT:

Joyce A. Riedler

(Deputy Clerk)

(Seal)



Return to:

Peggy Stephenson
Room F03
Civic Center

Bill:

Gary Welch
State of Nebr, Dept of Roads
P O Box 94759
Lincoln NE 68509
1-402-479-4611

Returned to Court on:

This copy is to be:

1. Certified by the County Judge
2. Recorded by the Register of Deeds
3. Returned to:

Department of Roads
 Right of Way Division
 P.O. Box 94759
 Lincoln, Nebraska 68509

BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA)
 DEPARTMENT OF ROADS,)
)
 Condemner,)
)
 v.)
 REGENCY OF NEBRASKA, INC.,)
 A Delaware Corporation, a/k/a)
 OMAHA REGENCY, INC., Owner-)
 Trustor; FIDELITY NATIONAL)
 TITLE INSURANCE COMPANY,)
 Trustee; FIRSTAR BANK DES)
 MOINES, NA, n/k/a FIRSTAR BANK)
 IOWA, NA, Beneficiary; DOUGLAS)
 COUNTY;)
)
 Condemnees.)

) Docket _____ Page _____ Case C 98-600/2

RETURN OF APPRAISERS

98 SEP 11 AM 10:15

TO THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA.

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us and after having taken and filed the "Oath of Appraisers" that we did carefully inspect and view the property described herein, sought to be appropriated by the State of Nebraska, Department of Roads, and also other property of the condemnees alleged damaged thereby and did hear all parties interested therein in reference to the amount of damages sustained while we were so inspecting and viewing the property herein described and thereafter did assess the

damages that the condemnees have sustained or will sustain by such appropriation of the property herein described for State highway purposes and also damage to such other property of the condemnees as in our opinion, was damaged by the appropriation of the property herein described:

C O N D E M N A T I O N

REGENCY OF NEBRASKA, INC., a Delaware corporation a/k/a OMAHA REGENCY, INC., Owner-Trustor; FIDELITY NATIONAL TITLE INSURANCE COMPANY, Trustee; FIRSTAR BANK DES MOINES, NA, n/k/a FIRSTAR BANK IOWA, NA, Beneficiary;

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 441.87 METERS (1449.71 FEET) ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 093 DEGREES, 14 MINUTES, 16 SECONDS RIGHT, A DISTANCE OF 83.95 METERS (275.42 FEET) ALONG THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 068 DEGREES, 39 MINUTES, 11 SECONDS RIGHT, A DISTANCE OF 35.99 METERS (118.07 FEET); THENCE NORTHEASTERLY DEFLECTING 026 DEGREES, 53 MINUTES, 28 SECONDS LEFT, A DISTANCE OF 141.42 METERS (463.98 FEET); THENCE NORTHEASTERLY DEFLECTING 005 DEGREES, 11 MINUTES, 40 SECONDS RIGHT, A DISTANCE OF 39.05 METERS (128.12 FEET); THENCE EASTERLY DEFLECTING 034 DEGREES, 15 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 51.77 METERS (169.85 FEET) TO A POINT ON THE SOUTHWESTERLY EXISTING UNION PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 041 DEGREES, 05 MINUTES, 43 SECONDS RIGHT, A DISTANCE OF 155.68 METERS (510.75 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHEASTERLY ON A 812.23 METER (2664.79 FOOT) RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 122.92 METERS (403.29 FEET), SUBTENDING A CENTRAL ANGLE OF 008 DEGREES, 40 MINUTES 16 SECONDS ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 045 DEGREES, 14 MINUTES, 44 SECONDS RIGHT, A DISTANCE OF 55.73 METERS (182.84 FEET) ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 6.74 HECTARES (16.65 ACRES), MORE OR LESS, WHICH INCLUDES 0.90 HECTARES (2.22 ACRES), MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

SE SE
SW SE

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 217.59 METERS (713.88 FEET) ALONG THE EAST LINE OF SAID QUARTER SECTION TO A POINT ON THE NORTHERLY EXISTING UNION PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTHWESTERLY ON A 934.15 METER (3064.79 FOOT) RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 052 DEGREES, 15 MINUTES, 10 SECONDS LEFT, A DISTANCE OF 12.65 METERS (41.52 FEET), SUBTENDING A CENTRAL ANGLE OF 000 DEGREES, 46 MINUTES 34 SECONDS ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY ON A 934.15 METER (3064.79 FOOT) RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 14.47 METERS (47.48 FEET), SUBTENDING A CENTRAL ANGLE OF 000 DEGREES, 53 MINUTES 16 SECONDS ALONG SAID RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 102.85 METERS (337.42 FEET) ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE NORTHERLY DEFLECTING 053 DEGREES, 55 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 8.06 METERS (26.43 FEET) ALONG THE PROPERTY LINE OF THE CONDEMNEE(S) TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 090 DEGREES, 11 MINUTES, 16 SECONDS RIGHT, A DISTANCE OF 94.75 METERS (310.85 FEET) ALONG THE PROPERTY LINE OF THE CONDEMNEE(S) TO A POINT ON THE WESTERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 48 MINUTES, 44 SECONDS RIGHT, A DISTANCE OF 76.93 METERS (252.40 FEET) ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 0.40 HECTARES (0.99 ACRES), MORE OR LESS.

SE SE

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 441.87 METERS (1449.71 FEET) ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 093 DEGREES, 14 MINUTES, 16 SECONDS RIGHT, A DISTANCE OF 32.06 METERS (105.17 FEET) ALONG THE PROPERTY LINE OF THE CONDEMNEE(S) TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 078 DEGREES, 07 MINUTES, 18 SECONDS RIGHT, A DISTANCE OF 219.63 METERS (720.57 FEET); THENCE NORTHEASTERLY DEFLECTING 044 DEGREES, 29 MINUTES, 22 SECONDS LEFT, A DISTANCE OF 25.00 METERS (82.02 FEET); THENCE NORTHERLY DEFLECTING 024 DEGREES, 48 MINUTES, 19 SECONDS LEFT, A DISTANCE OF 64.96 METERS (213.12 FEET); THENCE NORTHEASTERLY DEFLECTING 011 DEGREES, 24 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 47.54 METERS (155.99 FEET) TO A POINT ON THE SOUTHWESTERLY EXISTING UNION PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE TO THE POINT OF TERMINATION; THENCE SOUTHEASTERLY DEFLECTING 102 DEGREES, 04 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 65.47 METERS (214.80 FEET) ALONG SAID RIGHT OF WAY LINE TO THE POINT OF RESUMPTION; THENCE SOUTHWESTERLY DEFLECTING 085 DEGREES, 00 MINUTES, 25 SECONDS RIGHT, A DISTANCE OF 80.21 METERS (263.14 FEET); THENCE SOUTHEASTERLY DEFLECTING 093 DEGREES, 59 MINUTES, 41 SECONDS LEFT, A DISTANCE OF 44.72 METERS (146.72 FEET); THENCE EASTERLY DEFLECTING 017 DEGREES, 17 MINUTES, 35 SECONDS LEFT, A DISTANCE OF 124.13 METERS (407.25 FEET) TO A POINT ON THE EAST LINE OF SAID QUARTER

SECTION TO THE POINT OF TERMINATION; EXCEPT, OVER ONE ACCESS(ES) NOT TO EXCEED 12 METERS (40 FEET) IN WIDTH, THE CENTERLINE(S) OF WHICH (IS,ARE) LOCATED 173.50 METERS (569.22 FEET) FROM THE SOUTH LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF 168TH STREET.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR SITE CLEARING PURPOSES, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

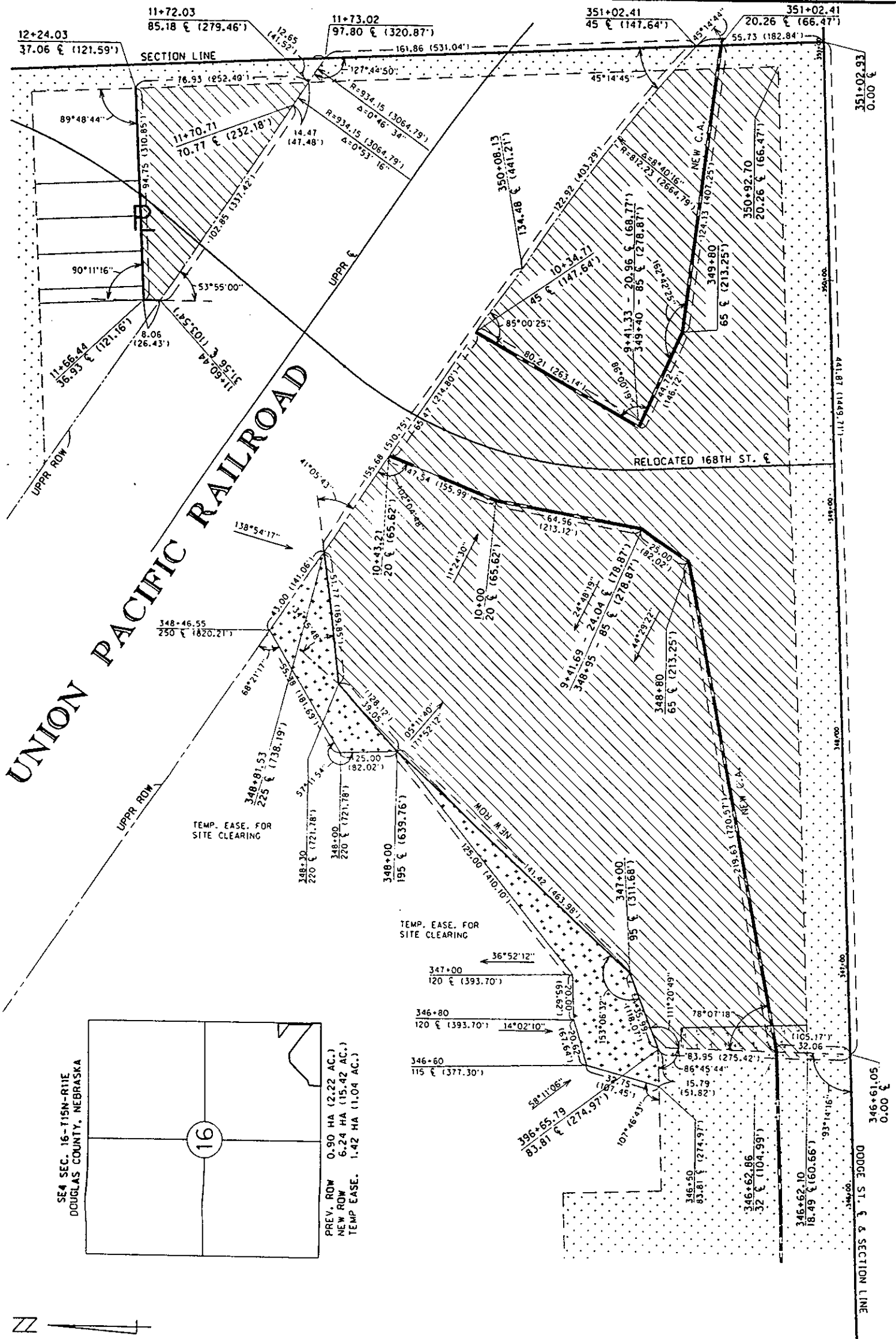
REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 441.87 METERS (1449.71 FEET) ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 093 DEGREES, 14 MINUTES, 16 SECONDS RIGHT, A DISTANCE OF 83.95 METERS (275.42 FEET) ALONG THE PROPERTY LINE OF THE CONDEMNEE(S) TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 093 DEGREES, 14 MINUTES, 16 SECONDS LEFT, A DISTANCE OF 15.79 METERS (51.82 FEET); THENCE NORTHERLY DEFLECTING 107 DEGREES, 46 MINUTES, 43 SECONDS RIGHT, A DISTANCE OF 32.75 METERS (107.45 FEET); THENCE EASTERLY DEFLECTING 058 DEGREES, 11 MINUTES, 06 SECONDS RIGHT, A DISTANCE OF 20.62 METERS (67.64 FEET); THENCE EASTERLY DEFLECTING 014 DEGREES, 02 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 20.00 METERS (65.62 FEET); THENCE NORTHEASTERLY DEFLECTING 036 DEGREES, 52 MINUTES, 12 SECONDS LEFT, A DISTANCE OF 125.00 METERS (410.10 FEET); THENCE SOUTHWESTERLY DEFLECTING 171 DEGREES, 52 MINUTES, 12 SECONDS RIGHT, A DISTANCE OF 141.42 METERS (463.98 FEET); THENCE WESTERLY DEFLECTING 026 DEGREES, 53 MINUTES, 28 SECONDS RIGHT, A DISTANCE OF 35.99 METERS (118.07 FEET) TO THE POINT OF BEGINNING CONTAINING 0.26 HECTARES (0.64 ACRES), MORE OR LESS.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR SITE CLEARING PURPOSES, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY DEFLECTING 005 DEGREES, 11 MINUTES, 40 SECONDS RIGHT, A DISTANCE OF 39.05 METERS (128.12 FEET); THENCE EASTERLY DEFLECTING 034 DEGREES, 15 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 51.77 METERS (169.85 FEET) TO A POINT ON THE SOUTHWESTERLY EXISTING UNION PACIFIC RAILROAD COMPANY RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 138 DEGREES, 54 MINUTES, 17 SECONDS LEFT, A DISTANCE OF 43.00 METERS (141.06 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHWESTERLY DEFLECTING 068 DEGREES, 21 MINUTES, 17 SECONDS LEFT, A DISTANCE OF 55.38 METERS (181.69 FEET); THENCE SOUTHERLY DEFLECTING 057 DEGREES, 11 MINUTES, 54 SECONDS LEFT, A DISTANCE OF 25.00 METERS (82.02 FEET) TO THE POINT OF BEGINNING CONTAINING 0.16 HECTARES (0.40 ACRES), MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT. UPON COMPLETION AND ACCEPTANCE OF PROJECT NH-6-7(133), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.



SE 4 SEC. 16-115N-RIIE
DOUGLAS COUNTY, NEBRASKA

16

PREV. ROW 0.90 HA (2.22 AC.)
NEW ROW 6.24 HA (15.42 AC.)
TEMP. EASE. 1.42 HA (3.52 AC.)

PLAT SHOWING

RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY

Now, therefore, we as appraisers aforesaid, do hereby find and appraise the damages that will be suffered by reason of the appropriation of title to the said property or any interest therein described for State highway purposes by the State of Nebraska, Department of Roads, in the amount of:

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 9 \$1,001,000.⁰⁰

Award to be distributed as follows:

To: Regency of Nebraska, Inc., a Delaware corporation a/k/a Omaha Regency, Inc., Owner-Trustor;

~~\$ _____~~

Fidelity National Title Insurance Company, Trustee;

~~\$ _____~~

Firststar Bank Des Moines, NA, n/k/a Firststar Bank, Iowa, NA, Beneficiary;

~~\$ _____~~

Douglas County;

~~\$ _____~~

All of which is hereby respectfully submitted.

Dated this 4th day of September, A.D. 1998.

[Signature]

[Signature]

Ronald R. Volkman

Appraisers

Subscribed and sworn to before me this _____ day of _____, 1998.

(SEAL)

County Judge