

LANCASTER COUNTY, NEB
Dan Holt
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INST. NO 97

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BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN, NEBRASKA,
A Municipal Corporation,

Condemner,

vs.

DONALD L. and KAREN E. TANNER;
PRECAST PRODUCTS, INC., Tenant;
JAMES CRAWFORD and DONN MANN,
Lessees; and LANCASTER COUNTY,
NEBRASKA,
Tract T-2700

BICENTENNIAL ESTATES NEIGHBORHOOD
ASSOCIATION Corporation, a Nebraska
non-profit corporation; and
LANCASTER COUNTY, NEBRASKA,
Tract 2419 (IDD)

GLEN E. and MARGARET A. MANSKE;
UNION BANK & TRUST COMPANY, a
Nebraska corporation; and LANCASTER
COUNTY, NEBRASKA.
Tract 4011(27)

Condemnees.

DOCKET 119

PAGE 207

REPORT OF APPRAISERS

TO: THE HONORABLE JUDGE OF THE COUNTY COURT OF LANCASTER COUNTY,
NEBRASKA

We, the undersigned Appraisers, duly appointed by the County Judge of Lancaster County, Nebraska to view the grounds, hear testimony, and appraise the damages by reason of the taking as hereinafter described respectfully submit the following report.

After taking and subscribing to the oath as prescribed by law, we, separately, and as a body, did carefully inspect and view the grounds and premises in question, and the grounds, premises, and property for which damages are claimed by the claimant or claimants named in the Petition for the Appointment of Appraisers and Condemnation of Lands, and hear all parties present who were interested therein with reference to the amount of damages, and we have and do hereby assess the damages which all persons interested therein have sustained

by reason of the taking and appropriating of lands and rights therein for the purposes as stated in the said Petition and as shown on the description hereinafter set forth:

A. Owner: DONALD L. TANNER
Tenant: PRECAST PRODUCTS, INC.
Tract: T-2700

(i) Fee Simple Title to:

A portion of the remaining portion of Lots 8 and 9, Lincoln Industrial Addition located in the Northwest Quarter of Section 7, Township 10 North, Range 7 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska; more particularly described as follows:

Commencing at the intersection with the west line of the said Northwest Quarter of Section 7, and the centerline of Dan Avenue; thence east along the centerline of Dan Avenue, a distance of 40.0 feet (12.192 meters); thence north along a line located 40.0 feet east of and parallel with the west line of the said Northwest Quarter, a distance of 71.46 feet (21.781 meters) to the Point of Beginning; thence continuing north along the previously described line, a distance of 80.94 feet (24.671 meters); thence continuing north along a line which deflects 1° 07' 40" right, a distance of 369.14 feet (112.514 meters); thence northeasterly along a line which deflects 45° 00' right, a distance of 21.11 feet (6.434 meters); thence south along a line which deflects 135° 59' 19" right, a distance of 470.18 feet (143.311 meters); thence northwesterly along a line which deflects 132° 53' 42" right, a distance of 7.39 feet (2.253 meters) to the Point of Beginning; containing an area of 4,930.14 square feet (458.010 square meters) more or less.

(ii) A permanent easement to construct, reconstruct, maintain, operate and replace the retaining wall, and appurtenances thereto, over and through the following described real property, to wit:

A portion of the remaining portion of Lots 8 and 9, Lincoln Industrial Addition, located in the Northwest Quarter of Section 7, Township 10 North, Range 7 East of the 6th P.M., in the City of Lincoln, Lancaster County, Nebraska; more particularly described as follows:

Commencing at the intersection with the west line of the said Northwest Quarter of Section 7, and the centerline of Dan Avenue; thence east along the centerline line of Dan Avenue, a distance of 40.0 feet (12.192 meters); thence north along a line located 40.0 feet east of and parallel with the west line of the said Northwest Quarter, a distance of 71.46 feet (21.781 meters); thence southeasterly along a line which deflects 135° 00' right, a distance of 7.39 feet (2.253 meters) to the Point of Beginning; thence north along a line which deflects 132° 53' 42" left, a distance of 470.18 feet (143.311 meters); thence northeasterly along a line which deflects 44° 00' 41" right, a distance of 4.32 feet (1.316 meters); thence south along a line which deflects 135° 59' 19" right, a distance of 476.07 feet (145.107 meters); thence northwesterly along a line which deflects 132° 53' 42"

right, a distance of 4.09 feet (1.248 meters) to the Point of Beginning; containing an area of 1,419.73 square feet (131.893 square meters) more or less.

(iii) A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading, and appurtenances thereto outside the street right-of-way over and through the following described real property, to wit:

A portion of the remaining portion of Lots 8 and 9, Lincoln Industrial Addition located in the Northwest Quarter of Section 7, Township 10 North, Range 7 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska; more particularly described as follows:

Commencing at the intersection with the west line of the said Northwest Quarter of Section 7, and the centerline of Dan Avenue; thence east along the centerline of Dan Avenue, a distance of 40.0 feet (12.192 meters); thence north along a line located 40.0 feet east of and parallel with the west line of the said Northwest Quarter, a distance of 71.46 feet (21.781 meters); thence southeasterly along a line which deflects 135° 00' right, a distance of 7.39 feet (2.253 meters) to the Point of Beginning; thence north along a line which deflects 132° 53' 42" left, a distance of 470.18 feet (143.311 meters); thence northeasterly along a line which deflects 44° 00' 41" right, a distance of 10.08 feet (3.072 meters); thence south along a line which deflects 135° 59' 19" right, a distance of 483.94 feet (147.505 meters); thence northwesterly along a line which deflects 132° 53' 42" right, a distance of 9.56 feet (2.913 meters) to the Point of Beginning; containing an area of 3,340.32 square feet (310.316 square meters) more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the grading, or one year after commencement of construction on said property, whichever occurs first.

B. Owner: BICENTENNIAL ESTATES NEIGHBORHOOD ASSOCIATION
Tract: 2419(IDD)

(i) Fee Simple Title to:

A portion of Outlot C, Bicentennial Estates, located in the Southeast Quarter of Section 1, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Outlot "C", said point is located 50.0 feet (15.240 meters) north of the south line of the said Southeast Quarter of Section 1; thence north along the east line of said Outlot "C", a distance of 3.0 feet (0.914 meters); thence southwesterly along a line which deflects 89° 55' 32" left, a distance of 132.96 feet (40.527 meters) to the intersection with the south line of said Outlot "C"; thence east along the south line of said Outlot "C",

a distance of 133.0 feet (40.538 meters) to the Point of Beginning; containing an area of 199.36 square feet (18.521 square meters) more or less.

(ii) A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading and appurtenances thereto outside the street right-of-way over and through the following described real property, to wit:

A portion of Outlot "C", Bicentennial Estates located in the Southeast Quarter of Section 1, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska; more particularly described as follows:

Commencing at the southeast corner of said Outlot "C", said point is located 50.0 feet (15.240 meters) north of the south line of the said Southeast Quarter of Section 1; thence north along the east line of said Outlot "C", a distance of 3.0 feet (0.914 meters) to the Point of Beginning; thence westerly along a line which deflects 89° 55' 32" left, a distance of 132.96 feet (40.527 meters) to the south line of said Outlot "C"; thence west along the south line of said Outlot "C", a distance of 7.0 feet (2.134 meters); thence north along a line which deflects 90° 00' right, a distance of 20.0 feet (6.096 meters); thence east along a line located 20.0 feet (6.096 meters) north of and parallel with the south line of said Outlot "C", a distance of 140.0 feet (42.672 meters) to the east line of said Outlot "C"; thence south along the said east line, a distance of 17.0 feet (5.182 meters) to the Point of Beginning; containing an area of 2,600.64 square feet (241.54 square meters) more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the grading, or one year after commencement of construction on said property, whichever occurs first.

C. Owner: GLEN E. AND MARGARET A. MANSKE
Tract: 4011(27)

(i) Fee Simple Title to:

All that portion of the east 7.0 feet (2.133 meters) of Lot 133, Irregular Tract, lying within 70.0 feet (21.336 meters) west of the east line of the Northeast Quarter of Section 12, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska; containing an area of 3,775.41 square feet, (350.736 square meters), more or less.

(ii) A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading, and appurtenances thereto outside the street right-of-way over and through the following described real property, to wit:

A portion of Lot 133, Irregular Tract, located in the Northeast Quarter of Section 12, Township 10 North, Range 6 East of the 6th P.M. in the City of Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the northeast corner of said Lot 133, said point is located 63.0 feet (19.202 meters) west of the east line of the said Northeast Quarter; thence west along the north line of said Lot 133, a distance of 7.0 feet (2.134 meters); thence south along a line located 7.0 feet (2.134 meters) west of and parallel with the east line of said Lot 133, a distance of 35.0 feet (10.668 meters) to the Point of Beginning; thence west along a line located 35.0 feet (10.668 meters) south of and parallel with the north line of said Lot 133, a distance of 5.0 feet (1.524 meters); thence south along a line located 12.0 feet (3.658 meters) west of and parallel with the east line of said Lot 133, a distance of 150.0 feet (45.720 meters); thence west along a line which deflects 90° 00' right, a distance of 5.0 feet (1.524 meters); thence south along a line located 17.0 feet (5.182 meters) west of and parallel with the east line of said Lot 133, a distance of 165.0 feet (50.292 meters); thence west along a line which deflects 90° 00' right, a distance of 45.0 feet (13.716 meters); thence south along a line located 62.0 feet (18.898 meters) west of and parallel with the east line of said Lot 133, a distance of 126.98 feet (38.705 meters); thence southwesterly along a line which deflects 25° 07' 33" right, a distance of 14.68 feet (4.473 meters); thence southeasterly along a line which deflects 72° 28' 19" left, a distance of 37.02 feet (11.283 meters); thence east along a line which deflects 42° 39' 13" left, a distance of 29.0 feet (8.839 meters); thence south along a line located 12.0 feet (3.658 meters) west of and parallel with the east line of said Lot 133, a distance of 32.70 feet (9.968 meters) to the southeasterly line of said Lot 133; thence northeasterly along the said southeasterly line, a distance of 7.07 feet (2.155 meters); thence north along a line located 7.0 feet (2.134 meters) west of and parallel with the east line of said Lot 133, a distance of 508.21 feet (154.902 meters), to the Point of Beginning; containing an area of 11,500.78 square feet (1,068.423 square meters) more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the grading, or one year after commencement of construction on said property, whichever occurs first.

A. **Owner:** DONALD L. TANNER
Tenant: PRECAST PRODUCTS, INC.
Tract: T-2700

We assess all damages in the sum of \$ 83,053, which sum we award as follows:

To: Donald L. & Karen E. Tanner	\$ <u>66,528</u>
To: Precast Products, Inc., Tenant	\$ <u>16,525</u>
To: James Crawford and Donn Mann, Lessees	\$ <u>0</u>
To: Lancaster County, Nebraska	\$ <u>0</u>

B. Owner: BICENTENNIAL ESTATES NEIGHBORHOOD ASSOCIATION
Tract: 2419(IDD)

We assess all damages in the sum of \$ 1,150, which sum we award as follows:

To: Bicentennial Estates Neighborhood Association \$ 1,150

To: Lancaster County, Nebraska \$ 0

~~C. Owner: GLEN E. AND MARGARET A. MANSKE
Tract: 4011(27)~~

~~We assess all damages in the sum of \$ _____, which sum we award as follows:~~

~~To: Glen E. and Margaret A. Manske \$ _____~~

~~To: Union Bank & Trust Company \$ _____~~

~~To: Lancaster County, Nebraska \$ _____~~

GIVEN under our hands this 16 day of April, 1997.

Leah J. Burman
Thomas J. Wain
Marble J. Portache
Appraisers

Subscribed and sworn to before me this 16th day of April, 1997.

FILED

APR 16 1997

LANCASTER
COUNTY COURT
DISTRICT THREE



Rawie J. Yardley
County Judge

BY: Angie Meyer
Deputy Clerk

IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA
STATE OF NEBRASKA } SS. CERTIFICATE
LANCASTER COUNTY }

The Deputy Clerk of the County Court of Lancaster
County does hereby certify that the foregoing is a full and
correct copy of the original instrument duly filed and of
record in this court.

\$ 37.00

IN WITNESS WHEREOF, I have hereunto set my hand
and the seal of the County Court of said County at Lincoln,
Nebraska this 16th.....
day of May, 1917.

W. Britschow
Deputy Clerk of the County Court

