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IN THE COUNTY COURT OF DOUGLAS COUNTY,
NEBRASKA

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In The Matter Of The Application)	BOOK C2	PAGE 183
Of SANITARY AND IMPROVEMENT)		
DISTRICT NO. 73 OF DOUGLAS)		
COUNTY, NEBRASKA TO ACQUIRE)		
CERTAIN LANDS IN DOUGLAS)		
COUNTY, NEBRASKA, BY EMINENT)		
DOMAIN TO BE OWNED AND USED)		
BY THE CONDEMNOR FOR ITS)		
CORPORATE PURPOSES,)		
)		
Condemner,)		REPORT OF
)		APPRAISERS
-vs-)		-----
)		
MARGARET CATHERINE SIME,)		
Trustee, JAMES J. KLEAGER and)		
MARY E. KLEAGER, husband and)		
wife, and FRANK STEPANEK JR.,)		
STEFANEK, his)		
wife, if married,)		
)		
CONDEMNNEES)		

TO: THE HONORABLE ROBERT R. TROYER, COUNTY JUDGE;

Come now the undersigned Harold Graham, H. James Grove,
and Paul F. Keller, the sole and duly appointed, qualified, and acting
Appraisers in the above-entitled Condemnation matter, and, jointly
and severally, report their acts and doings in said matter as follows:
to-wit:

APPOINTMENT, QUALIFICATION
AND NOTICE

That, after taking and subscribing the oath in the presence of
Robert R. Troyer, County Judge, on the 16th day of November, 1961,
at 3:00 o'clock, P.M., and otherwise duly qualifying as such appraisers,
as required by law, said appraisers duly fixed 11:00 o'clock, a.m. on
December 5, 1961, as the time, and the site of the land hereinafter
described, as the place for inspecting and viewing said land and hearing
any party interested therein in reference to the amount of damages to
be sustained through the condemnation of said land hereinafter described.

and further fixed 1:30 o'clock, P.M. on October 5, 1961, as the time, and the Douglas County Court Room Omaha, Nebraska, as the place for further hearing of interested parties in reference to the amount of damages and for ascertaining, determining, and assessing such damages; that thereupon notice of the aforesaid times and places of such viewing, inspecting, and hearing was duly given, more than ten days prior to December 5, 1961, to the Condemnees as follows:

1. James J. Kleager and Mary E. Kleager, husband and wife, as the landowners of the hereinafter described real estate.

In accordance with the aforementioned notice, the undersigned appraisers duly and carefully inspected and viewed the real estate hereinafter described and heard the respective owner and interested parties thereof in reference to the respective amounts of damage being sustained by them through such condemnation for the construction of the Outfall Sewer, all at the site at the scheduled time for said inspection and hearing recited in the Notice above alluded to, and thereafter, at the Douglas County Court Room, Omaha, Nebraska, your said appraisers convened at 1:30 o'clock, P.M. on December 5, 1961, and heard testimony; and accepted exhibits on behalf of the Condemner as to the damages to be sustained as a result of the said condemnation, and at the same time, your said appraisers gave to Condemnees an opportunity to be heard on the subject property as to their damages; after the hearing was concluded, after hearing all the interested parties, wishing to be heard, and all evidence presented was duly received by your said appraisers, the hearing was concluded.

FINDINGS

That, at the conclusion of the hearing as above described, the undersigned appraisers being fully advised in the premises do find that the full and complete damages, both present and future, which the Condemnees have sustained, is sustaining, or will hereafter sustain, as a

result of the said condemnation, is the respective sum hereinafter assessed and awarded to: James J. Kleager and Mary E. Kleager, husband and wife, the sum of Five Hundred Dollars (\$500.00).

ASSESSMENT OF DAMAGES

NOW, THEREFORE, the appraisers jointly and severally hereby do assess against the Condemner, the respective sum, hereinafter set forth, as the full and complete damages which said Condemnees are sustaining, have sustained, or will sustain through the condemnation herein of the fee, simple title to the real property described in said Petition herein filed by the Condemner to which reference is made for specific legal description, said fee, simple title being necessary for construction of an Outfall Sewer, to-wit: Parcel B, owned by James J. Kleager and Mary E. Kleager, husband and wife, the sum of Five Hundred Dollars (\$500.00).

Dated at Omaha, Nebraska, this 11th day of December, 1961.

Harold Graham
Harold Graham, Appraiser

H. James Grove
H. James Grove, Appraiser

Paul F. Keller
Paul F. Keller, Appraiser

[Faint, mostly illegible text and a large circular stamp or seal are present in the lower half of the page. Some legible fragments include "The foregoing...", "and record", "and have", "and", "who had the..."]

Joseph J. Belitz
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IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

IN THE MATTER OF THE APPLICATION)
OF SANITARY AND IMPROVEMENT)
DISTRICT NO. 73 OF DOUGLAS)
COUNTY, NEBRASKA TO ACQUIRE)
CERTAIN LANDS IN DOUGLAS COUNTY,)
NEBRASKA BY EMINENT DOMAIN TO BE)
OWNED AND USED BY THE CONDEMNER)
FOR ITS CORPORATE PURPOSES,)

BOOK C 2 PAGE 183

CONDEMNER,)

-VS-

P E T I T I O N

MARGARET CATHERINE SIME, Trustee,)
JAMES J. KLAEGER, and MARY E.)
KLAEGER, husband and wife, and)
FRANK STEPANEK, Jr.,)
STEPANEK, his wife, if married,)

CONDEMNEDS)

TO THE HONORABLE ROBERT R. TROYER, COUNTY JUDGE.

Comes now SANITARY AND IMPROVEMENT DISTRICT NO. 73 OF DOUGLAS COUNTY, NEBRASKA and respectfully shows to the Court as follows:

1. That it is a public corporation duly organized and existing under and by virtue of the provisions of Chapter 31, Sections 727 to 762, both inclusive, Revised Statutes of Nebraska, and under the provisions of Sections 31-736 and 31-737 it has the right, power and authority to acquire by eminent domain property necessary for its corporate purposes, either within or without its corporate limits.

2. That the Board of Trustees of said District has by order determined to construct an outfall sewer line from the area known as Bay Meadows to connect to the city of Ralston Sewer System, and that it is necessary for the completion of such improvements to acquire temporary and permanent easements to the following described real property located in Douglas County, Nebraska, to-wit:

my

PARCEL A: A one hundred (100) foot permanent right of way easement located in the Southeast 1/4 of the Northeast 1/4 of Section 10, T 14 N, R 12 E of the 6th P.M. Douglas County, Nebraska the centerline of which is described as follows: Commencing at a point on the West line of the East 1/2 of the Northeast 1/4 of said Section 10 said point being 50 feet North of and parallel to the Northerly right of way line of the C B & Q Railroad to a point on the East line of said Section 10.

Parcel A is owned by Margaret Catherine Sime, Trustee.

PARCEL B: A twenty (20) foot permanent right-of-way easement and a sixty (60) foot temporary construction right of way easement located in the North 1/2 of the Southeast 1/4 of Section 10, Township 14 North Range 12 East of the 6th P.M. Douglas County, Nebraska, the centerline of which is described as follows: Commencing at a point on the West line of the Southeast 1/4 of said Section 10, said point being 378.55 feet South of the Northwest corner of the Southeast 1/4 of said Section 10; thence South $71^{\circ} 01'$ E, for a distance of 544.56 feet. (The West line of the Southeast 1/4 assumed North-South in direction).

A one hundred (100) foot permanent right of way easement located in the North 1/2 of the Southeast 1/4 of Section 10, Township 14 N, Range 12 East of the 6th P.M. Douglas County, Nebraska, the centerline of which is described as follows: Commencing at a point 514.94 feet East of the West line of the Southeast 1/4 of said Section 10, and 50 feet North of the Northerly right of way line of the C B & Q Railroad; thence Northeasterly along a line 50 feet North of and parallel to the Northerly right of way line of the C B & Q Railroad to a point, 161.3 feet East of the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 10.

The temporary easement to expire ninety (90) days after the completion of the construction of the herein before described sewer.

Parcel B is owned by James J. Klaeger and Mary E. Klaeger, husband and wife.

PARCEL C: A twenty (20) foot permanent right of way easement and a sixty (60) foot temporary construction right of way easement located in the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 10, T 14, N, R 12 E, of the 6th P.M. Douglas County, Nebraska, the centerline of which is described as follows: Commencing at a point on the Northline of the Southwest 1/4 of said Section 10, said point being 445.02 feet West of the Northeast corner of the Southwest 1/4 of said Section 10. (The North line of said Southwest 1/4 of said Section 10, assumed East-West in direction); thence South $49^{\circ} 36'$ E, 584.3 feet to a point on the East line of the Southwest 1/4 of said Section 10, point being 378.5 feet South of the Northeast corner of the Southwest 1/4 of said Section 10.

The temporary easement to expire ninety (90) days after the completion of the construction of the herein before described sewer.

Parcel C is owned by Frank Stepanek, Jr. and Stepanek, his wife, if married.

A plat of Parcel A above described is attached hereto marked "Exhibit A"; a plat of Parcel B above described is attached hereto and marked "Exhibit B"; a plat of Parcel C above described is attached hereto and marked "Exhibit C", and by this reference all are made a part of this petition.

3. That Parcel A as above described is owned in fee simple by said Margatet Catherine Sime, Trustee; that Parcel B is above described by said James J. Klaeger, and Mary E. Klaeger, husband and wife; that Parcel C above described is owned by Frank Stepanek, Jr. and Stepanek, his wife, if married.

4. That your petitioner, prior to the filing of this petition, has contacted said owners of said real property and has negotiated, in good faith, with a reasonable effort to induce said owners to accept a reasonable sum for the acquisition of said easements and the damage incident to the taking thereof, but has been unable to reach an agreement with said owners for said easements, and this proceeding is necessary to acquire immediately said easements for the Corporate Purposes of the Condemner, as hereinabove stated.

5. That all of the real property hereinabove described is unplatted and unimproved.

WHEREFORE, your petitioner prays that the Court, within three (3) days of the filing of this petition, by order entered of record, appoint three disinterested freeholders of said County, not interested in a like question, to serve as appraisers herein; that the processes of this Court issue requiring the attendance of said freeholders at a time and place therein provided, for the purpose of qualifying as appraisers and to be duly sworn according to law, and thereafter to proceed to appraise the property sought to be condemned and to determine the damages sustained by the Condemnees; that notice of intention to acquire the property and of the time and place of the meeting of the Board of Appraisers to assess the damages be served upon the Condemnees at least 10 days prior to the meeting of said Board; that said appraisers do and perform in the premises all other requirements of the Statutes in such cases made and provided to the end that your petitioner may acquire the said real property, and the rights, interests, and estates of all parties interested in said property may be found and forever determined and concluded thereby; that upon the filing of the report of the

appraisers assessing the damages a writ of assistance be issued to place the
 Condemner in possession of the property condemned for the purposes herein
 mentioned, all as by law provided.

SANITARY AND IMPROVEMENT
 DISTRICT NO. 73 OF DOUGLAS
 COUNTY, NEBRASKA,

JAMES E. FELLOWS

Its Attorney

STATE OF NEBRASKA)
)SS
 COUNTY OF DOUGLAS)

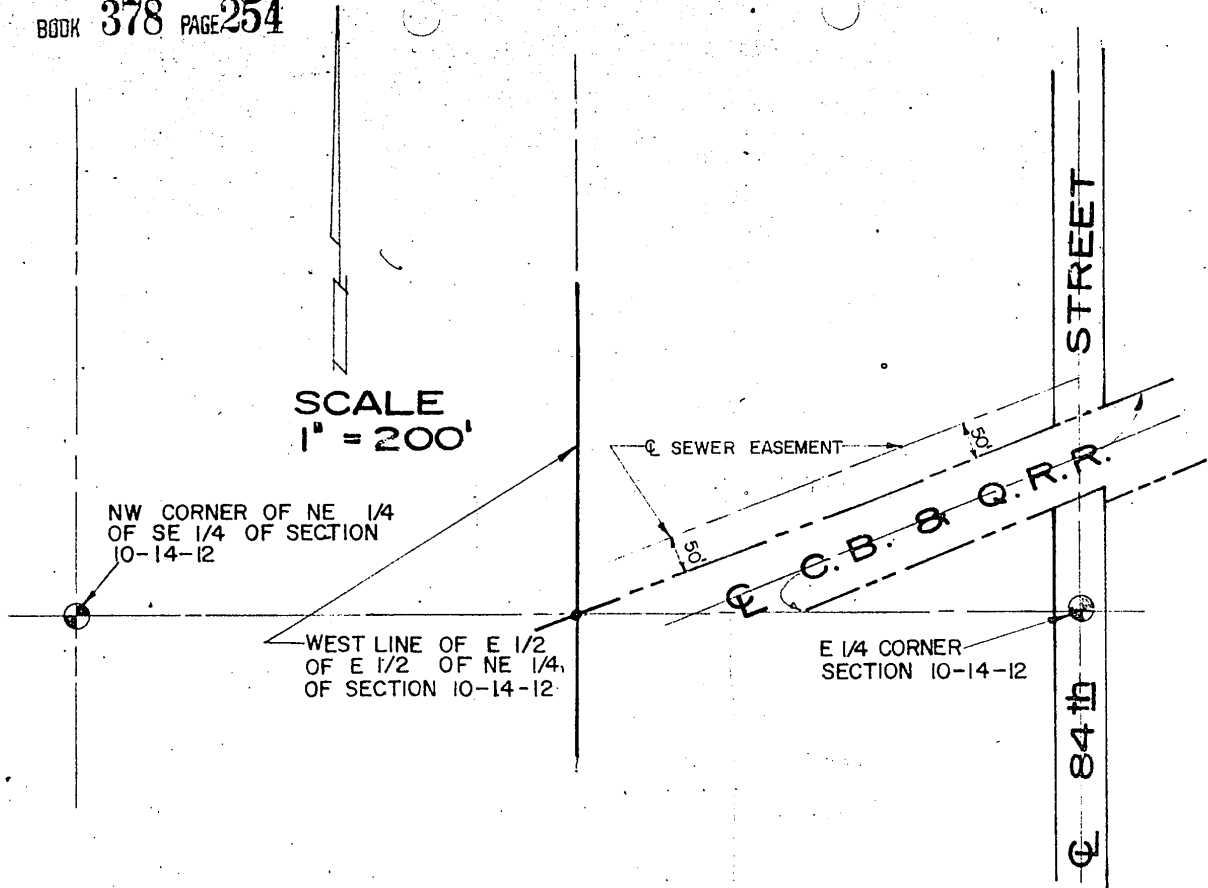
LOUIS A. McFARLING, being first duly sworn on oath, deposes and
 states that he is chairman of the Board of Trustees for the above named
 Condemner; that said Condemner is a public corporation, that he has been
 duly authorized to present this action on behalf of the Condemner; that he has
 read the foregoing petition, knows the contents thereof and the statements and
 allegations therein contained are true as he verily believes.

/s/ Louis A. McFarling

Subscribed in my presence and sworn to before me this 13th day of
 November, 1961.

JAMES E. FELLOWS

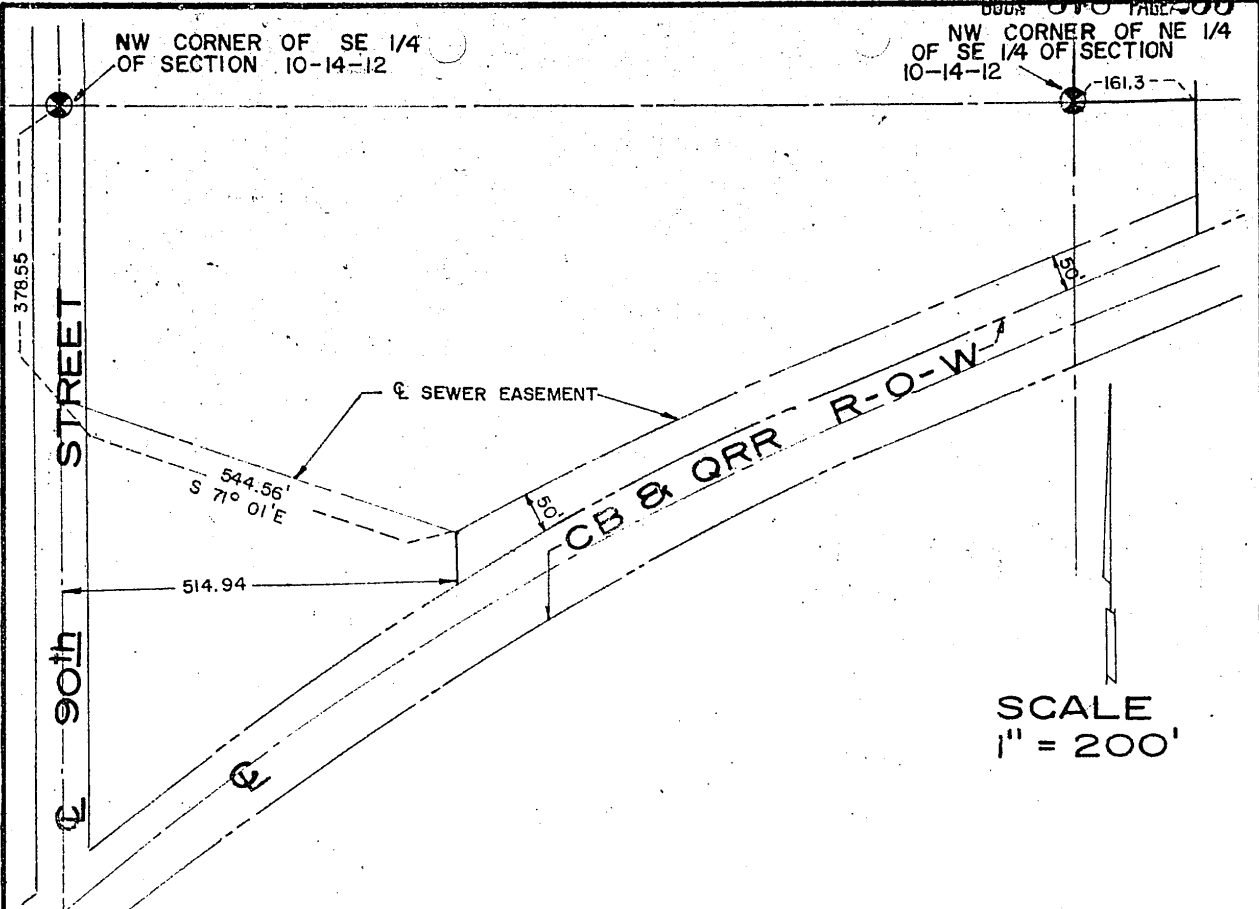
Notary Public



SEWER RIGHT OF WAY EASEMENT DESCRIPTION
TRUSTEE: Margaret Catherine Sime

A one hundred (100) foot permanent right of way easement located in the Southeast 1/4 of the Northeast 1/4 of Section 10, T 14 N, R 12 E of the 6th P.M. Douglas County, Nebraska the centerline of which is described as follows: Commencing at a point on the West line of the East 1/2 of the East 1/2 of the Northeast 1/4 of said Section 10 said point being 50 feet North of the Northerly right of way line of the C B & Q Railroad; thence Northeasterly along a line 50 feet North of and parallel to the Northerly right of way line of the C B & Q Railroad to a point on the East line of said Section 10.

The exact location of the sewer line in the permanent right of way to be fixed by the Engineer for Sanitary and Improvement District No. 73 of Douglas County, Nebraska



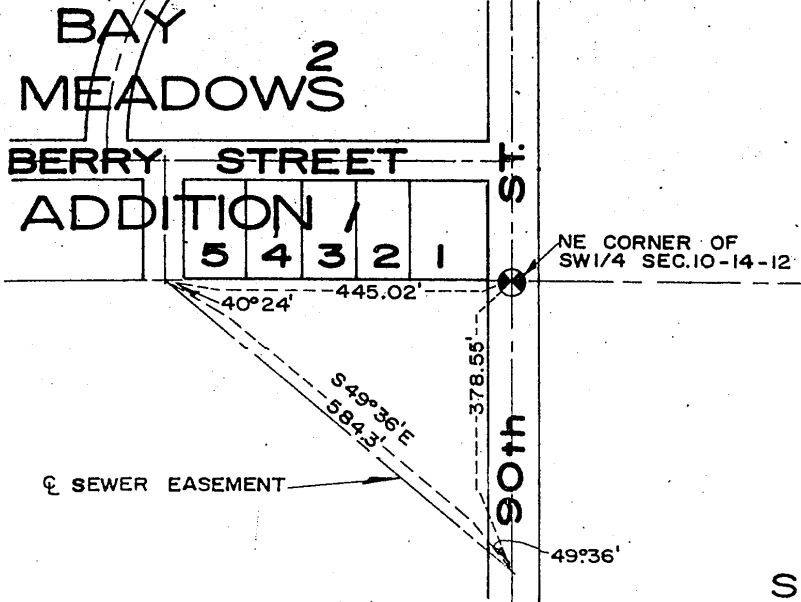
SCALE
1" = 200'

SEWER RIGHT OF WAY EASEMENT DESCRIPTION
 OWNER: James J. and Mary E. Klaeger

A twenty (20) foot permanent right-of-way easement and a sixty (60) foot temporary construction right of way easement located in the North 1/2 of the Southeast 1/4 of Section 10, T 14 N, R 12 E of the 6th P.M. Douglas County, Nebraska, the centerline of which is described as follows: Commencing at a point on the West line of the Southeast 1/4 of said Section 10, point being 378.55 feet South of the Northwest corner of the Southeast 1/4 of said Section 10; thence S 71° 01' E, for a distance of 544.56 feet. (The West line of the Southeast 1/4 assumed North-South in direction).

A one hundred (100) foot permanent right of way easement located in the North 1/2 of the Southeast 1/4 of Section 10, T 14 N, R 12 E of the 6th P.M. Douglas County, Nebraska, the centerline of which is described as follows: Commencing at a point 514.94 feet East of the West line of the Southeast 1/4 of said Section 10, and 50 feet North of the Northerly right of way line of the C B & Q Railroad; thence Northeasterly along a line 50 feet North of and parallel to the Northerly right of way line of the C B & Q Railroad to a point, 161.3 feet East of the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 10.

The exact location of the sewerline in the two above described permanent right-of-ways to be fixed by the Engineer for Sanitary and Improvement District No. 73 of Douglas County, Nebraska.



SEWER RIGHT OF WAY EASEMENT DESCRIPTION
 OWNER: Frank Stepanek, Jr.

A twenty (20) foot permanent right of way easement and a sixty (60) foot temporary construction right of way easement located in the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 10, T 14 N, R 12 E, of the 6th P.M., Douglas County, Nebraska, the centerline of which is described as follows:

Commencing at a point on the Northline of the Southwest 1/4 of said Section 10, said point being 445.02 feet West of the Northeast corner of the Southwest 1/4 of said Section 10 (the North line of said Southwest 1/4 of Section 10, assumed East-West in direction); thence S 49° 36' E, 584.3 feet to a point on the East line of the Southwest 1/4 of said Section 10, point being 378.55 feet South of the Northeast corner of the Southwest 1/4 of said Section 10.

The exact location of the sewer line in the permanent right of way to be fixed by the Engineer for Sanitary and Improvement District No. 73, of Douglas County, Nebraska.

IN THE COUNTY COURT OF DOUGLAS COUNTY,
NEBRASKA

In The Matter Of the Application)	BOOK C 2	PAGE 183
Of SANITARY AND IMPROVEMENT)		
DISTRICT NO. 73 OF DOUGLAS)		
COUNTY, NEBRASKA TO ACQUIRE)		
CERTAIN LANDS IN DOUGLAS)		
COUNTY, NEBRASKA, BY EMINENT)		
DOMAIN TO BE OWNED AND USED)		
BY THE CONDEMNER FOR ITS)		
CORPORATE PURPOSES,)		
)		
Condemner)	S U P P L E M E N T	
)		
-vs-)	R E P O R T	
)		
MARGARET CATHERINE SIME,)	O F	
Trustee, JAMES J. KLEAGER and)		
MARY E. KLEAGER, husband and)	A P P R A I S E R S	
wife, and FRANK STEPANEK, JR.,)		
STEPANEK, his)		
wife, if married,)		
)		
Condemnees)		

TO: The Honorable Robert R. Troyer, County Judge

Comes now the undersigned, Harold W. Graham, H. James Grove, and Paul F. Keller, the sole and duly appointed, qualified, and acting appraisers in the above entitled condemnation matter, and, jointly and severally, report their acts and doings in said matter as follows: to-wit:

APPOINTMENT, QUALIFICATION
AND NOTICE

That, after taking and subscribing the oath in the presence of Robert R. Troyer, County Judge, on the 16th day of November, 1961, at 4:00 o'clock, P.M., and otherwise duly qualifying as such appraisers as required by law, said appraisers duly fixed 11:00 o'clock A.M. on December 5, 1961, as the time, and the site of the land hereinafter described, as the place for inspecting and viewing said land, and hearing any party interested therein in reference to the amount of damages to be sustained through the condemnation of said land hereinafter des-

cribed. That at said time and place, the undersigned appraisers did inspect said land; however, that at said time, proper notice had not been had upon Margaret Catherine Sime, Trustee, and that, therefore, a continuation of said hearing was made and the appraisers selected Wednesday, January 31, 1962, at the hour of 11:00 o'clock, A.M. as the time and the site of the land hereinafter described, as the place for inspecting and viewing said land and hearing any party interested therein in reference to the amount of damages to be sustained through the condemnation of said land hereinafter described, and further fixed 1:30 o'clock, P.M., on January 31, 1962, as the time, and the Douglas County Court Room, Omaha, Nebraska, as the place for further hearing of interested parties in reference to the amount of damages and for ascertaining, determining, and assessing such damages, that thereupon notice of the aforesaid times and places of such viewing, inspecting and hearing was duly given to Margaret Catherine Sime, Trustee, by publication, more than ten days prior to January 31, 1962.

In accordance with the aforementioned notice, the undersigned appraisers duly and carefully inspected and viewed the real estate hereinafter described and heard all interested parties in reference to the respective amount of damage being sustained by them through such condemnation for construction of the Outfall Sewer, all at the scheduled time for said inspection and hearing recited in the notice above referred to, and thereafter, at the Douglas County Court Room, Omaha, Nebraska, your said appraisers convened at 1:30 o'clock, P.M. on January 31, 1962, and heard all testimony and accepted all exhibits on behalf of the Condemner as to the damages to be sustained as a result of the said condemnation, and at the same time, your said appraisers gave to the Condemnees an opportunity to be heard on the subject property as to their damages; after the hearing was concluded, after hearing

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all the interested parties, wishing to be heard, and all evidence presented was duly received by your said appraisers, the hearing was concluded.

FINDINGS

That, at the conclusion of the hearing as above described, the undersigned appraisers being fully advised in the premises, do find that the fully and complete damages, both present and future, which the Condemnees have sustained, are sustaining, or will hereafter sustain, as a result of the said condemnation, is the respective sum hereinafter assessed and awarded to Margaret Catherine Sime, Trustee,; the sum of Ten Dollars (\$10.00).

ASSESSMENT OF DAMAGES

NOW, THEREFORE, the appraisers jointly and severally hereby do assess against the Condemner, the respective sum hereinafter set forth, as the full and complete damages which said Condemnees are sustaining, have sustained, or will sustain through the condemnation herein of the fee simple, title to the real property described in said Petition herein filed by the Condemner to which reference is made for specific legal description said fee, simple title being necessary for construction of an Outfall Sewer, to-wit: Parcel "A" owned by Margaret Catherine Sime, Trustee, the sum of Ten Dollars (\$10.00).

Dated at Omaha, Nebraska, this 31st day of January, 1962.

Harold Graham
Harold Graham, Appraiser

H. James Grove
H. James Grove, Appraiser

Paul F. Keller
Paul F. Keller

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STATE OF NEBRASKA
County of Douglas
I, ROBERT R. TROWER, County Judge
do hereby certify that the foregoing is a true and correct copy of the original record
now on file in said court, and that I have
the custody and control of said original record, and
that the copy of said court is hereby attested.
Witness my hand and the seal of said Court at Omaha,
Nebraska, this 31st day of January, 1962.
BY Joseph J. Pelitz
Clerk of the County Court

STATE OF THE COUNTY OF...
ROBERT E. WOODS, COUNTY CLERK

THIS is the order of the Court of said County of...
that the said Court is hereby directed...
to do and cause to be done...
of said County, hereinafter...
of said County, hereinafter...

W. J. KERR
H. JAMES GLOVE, ATTORNEY
W. JAMES GLOVE, ATTORNEY

Dated at Oxnard, California, this 21st day of January, 1903.
Wherefore, I, the said Court, do hereby order and direct...
that the said Court is hereby directed...
to do and cause to be done...
of said County, hereinafter...
of said County, hereinafter...

ASSIGNMENT OF DAMAGES

I, the said Court, do hereby order and direct...
that the said Court is hereby directed...
to do and cause to be done...
of said County, hereinafter...
of said County, hereinafter...

RECEIVED
1903 MAR 27 4 27 PM
CLERK OF DISTRICT COURT
DOUGLAS COUNTY, NEBR.

W. J. Kerr

That, at the conclusion of the trial...
the undersigned attorneys being present and...
all the interested parties, wishing to be present...

10-14-12