

COUNTY COURT  
DOUGLAS COUNTY, NEBRASKA

ROBERT R. TROYER, JUDGE

JOSEPH J. BELITZ, CLERK

OMAHA, NEBR. Sept. 26 19 61

State of Nebraska, Dept. of Roads

Right of Way Division

Lincoln, Nebr.

IN RE. State Dept. of Roads vs Jacobson et al

FILE Condemnation DOC. C2 PAGE 173

STATEMENT OF COSTS

7-25-61	Filing Petition	\$ 4.00
	Order Appointing Appraisers	5.00
8-1-61	Sheriff's Fee-Serving Order	*1.75
	Sheriff's Fee-Serving Notice	*6.75
8-29-61	Certified Copy Return of Appraisers	1.25
	Register of Deeds Recording Fee	<u>9.10</u>

Due County Court

\$ 19.35

\* Paid direct to Sheriff

*Madelene Jacobson*  
*F-78(10)*

*1336 ✓*

*1319 1*  
*9.10*

Rule 5 of the Court adopted January 10, 1942, in part provides:

If costs are not paid in advance, both the estate and the attorney filing same will be held responsible for ultimate payment of the costs.

THE ABOVE AMOUNT IS NOW DUE. PLEASE BRING THIS STATEMENT WITH YOU.

1.75

③

BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA

THE STATE OF NEBRASKA  
DEPARTMENT OF ROADS

Condemner

vs

RETURN OF APPRAISERS

~~JULIUS A. BERGER and GLADYS M.  
BERGER, husband and wife, Joint  
Tenants;~~

MADELINE JACOBSON and EUGENE V.  
JACOBSON, wife and husband;

MADELINE JACOBSON PROPERTIES  
INCORPORATED, a Corporation;

LESTER M. MCNROE and GLADYS B.  
MCNROE, husband and wife;

GLADYS B. MCNROE and LESTER M.  
MCNROE, wife and husband;

Condemnees

TO HONORABLE ROBERT R. TROYER , 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 by Charles E. Lerz ~~Sheriff or~~ Deputy Sheriff of Douglas County, Nebraska, on the 10 day of Aug, 1961, 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 damages 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

Land Owners: Madeline Jacobson and Eugene B. Jacobson, wife and husband

Project: F-78 (10) AFE: R-818a Douglas County, Nebraska

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in part of the West Half of the Southeast Quarter of Section 30, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the southeast corner of said Section 30; thence westerly on the South Line of the Southeast Quarter of said Section 30, a distance of 1321.0 feet to the point of beginning; said point being the Southeast property corner; thence continuing westerly on the South Line of the West Half of the Southeast Quarter of said Section 30, a distance of 567.7 feet to the southwest property corner; thence northerly on the West Property Line, a distance of 68.5 feet; thence easterly a distance of 223.4 feet to a point 50.0 feet northerly from said South Line; thence continuing easterly a distance of 346.3 feet to a point on the East property line; thence southerly along said East property line, a distance of 79.3 feet to the point of beginning; containing a total of 0.82 acre, more or less, which includes 0.65 acre, more or less, previously occupied as a public highway, the remaining 0.17 acre, more or less, being the additional acreage to be secured in this action.

There will be no ingress or egress over the above described tract of land onto the remainder of said West Half of the Southeast Quarter except over one commercial entrance, not to exceed 40 feet in width, to provide ingress and egress to the property of the owner so long as it is used consistent with operating normal business activities as they exist, the Centerline of which is to be located 22.7 feet easterly from the West Property Line as measured along the Centerline of the highway.

All mineral rights in the above described tract shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tract for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

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

Land Owners: Madeline Jacobson Properties Incorporated

Project: F-78 (10) AFE: R-818a Douglas County, Nebraska

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in part of the East Half of the Southeast Quarter of Section 30, Township 15 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the southeast corner of said Section 30; thence westerly on the South line of the East Half of the Southeast Quarter of said Section 30, a distance of 1321.0 feet to the Southwest Property Corner; thence northerly on the West Property Line, a distance of 79.3 feet; thence easterly a distance of 406.0 feet to a point 50.0 feet northerly from said South line; said point also being on the Northerly Old Highway Right of Way Line; thence continuing easterly along said Northerly Old Highway Right of Way Line, a distance of 916.0 feet to a point on the East line of said East Half of the Southeast Quarter; thence southerly on said East line, a distance of 50.0 feet to the point of beginning; containing a total of 1.65 acres, more or less, which includes 1.52 acres, more or less, previously occupied as a public highway, the remaining 0.13 acre, more or less, being the additional acreage to be secured in this action.

There will be no ingress or egress from the above described tract of land onto the remainder of said East Half of the Southeast Quarter except over one non-restricted drive, the Centerline of which is to be located 1130.1 feet westerly from the East line of said East Half of the Southeast Quarter as measured along the Centerline of the highway and over the existing county road along the East line of said East Half of the Southeast Quarter.

All mineral rights in the above described tract shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tract for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

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

Land Owners: Lester M. Monroe and Gladys B. Monroe, husband and wife.

Project: F-78 (10) AFE: R-818a Douglas County, Nebraska

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the Southwest Quarter of Section 25, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the southwest corner of said Section 25; thence easterly on the South Line of the Southwest Quarter of said Section 25, a distance of 2632.7 feet to the southeast corner of said Southwest Quarter; thence northerly on the East Line of said Southwest Quarter, a distance of 69.8 feet; thence southwesterly a distance of 170.3 feet to a point 33.0 feet northerly from said South Line, said point being on the Northerly Old Highway Right of Way Line; thence westerly on said Old Highway Right of Way Line, said Old Highway Right of Way Line being 33.0 feet northerly from and parallel to said South Line, a distance of 2465.9 feet to a point on the West Line of said Southwest Quarter; thence southerly on said West Line, a distance of 33.0 feet to the point of beginning; containing a total of 2.06 acres, more or less, which includes 1.99 acres, more or less, previously occupied as a public highway, the remaining 0.07 acre, more or less, being the additional acreage to be secured in this action.

There will be no ingress or egress from the above described tract onto the remainder of said Southwest Quarter, except over the County Road along the West line of said Southwest Quarter.

All mineral rights in the above described tract shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tract for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

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

Land Owners: Gladys B. Monroe and Lester M. Monroe, wife and husband.

Project: F-78 (10) AFE: R-818a Douglas County, Nebraska

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the Northwest Quarter of Section 36, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the northwest corner of said Section 36; thence easterly on the North Line of the Northwest Quarter of said Section 36, a distance of 2632.7 feet to the Northeast corner of said Northwest Quarter; thence southerly on the East Line of said Northwest Quarter, a distance of 105.2 feet to a point on the Southerly Old Highway Right of Way Line; thence westerly along said Southerly Old Highway Right of Way Line, a distance of 916.8 feet to a point 118.4 feet southerly from said North Line; thence southerly a distance of 15.0 feet to a point 133.4 feet southerly from said North Line; thence westerly a distance of 250.0 feet to a point 137.0 feet southerly from said North Line; thence northerly a distance of 15.0 feet to a point 122.0 feet southerly from said North Line; said Point being on said Southerly Old Highway Right of Way Line; thence westerly along said Southerly Old Highway Right of Way, a distance of 600.0 feet to a point 130.7 feet southerly from said North Line; thence continuing westerly along said Southerly Old Highway Right of Way Line, a distance of 254.0 feet to a point 179.3 feet southerly from said North Line; thence continuing westerly along said Southerly Old Highway Right of Way Line, a distance of 156.6 feet to a point 136.5 feet southerly from said North Line; thence continuing westerly along said Southerly Old Highway Right of Way Line, a distance of 465.6 feet to a point on the West Line of said Northwest Quarter; thence northerly along said West Line, a distance of 143.2 feet to the point of beginning; containing a total of 7.80 acres, more or less, which includes 7.71 acres, more or less, previously occupied as a public highway, the remaining 0.09 acre, more or less, being the additional acreage to be secured in this action.

There will be no ingress or egress from the above described tract of land onto the remainder of said Northwest Quarter, except over a County Road along the West Line of said Northwest Quarter.

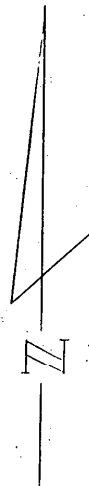
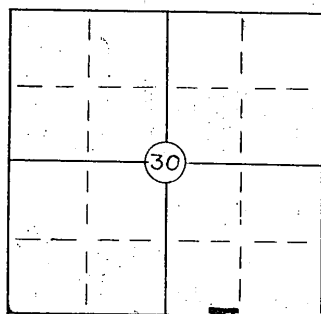
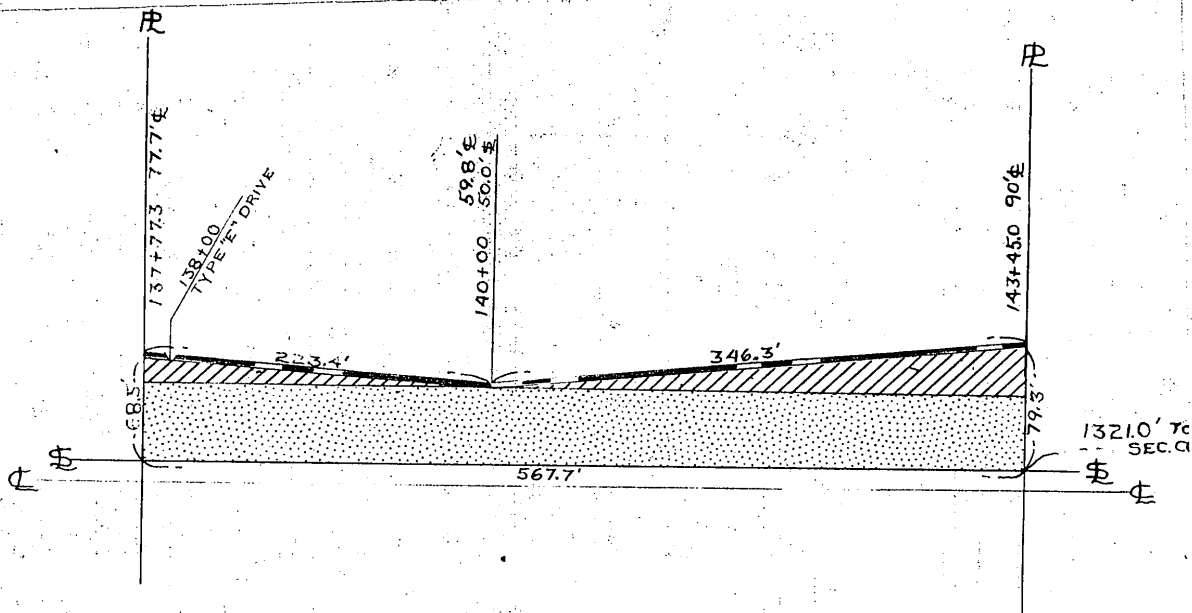
All mineral rights in the above described tract shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tract for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

DOUGLAS COUNTY

TOTAL R.O.W. = 0.82 AC.

OLD R.O.W. = 0.65 AC.

NEW R.O.W. = 0.17 AC.



# SKETCH SHOWING RIGHT OF WAY

TO BE ACQUIRED  
FROM LAND OWNED  
BY

MADELINE & EUGENE V. JACOBSON W.&H.

SCALE 1" = 100'

STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
RIGHT OF WAY DIVISION  
LINCOLN, NEBRASKA

PROJ. F-78(10)  
A.F.E. R818a

## ~ LEGEND ~

OLD R.O.W. 

NEW R.O.W. 

CONTROLLED ACCESS 

0.17 ACRES

COMP BY IBM  
DRAWN BY DNM 5/61  
CHECKED BY OLF 5/61  
WRITTEN BY CES 5-26-61  
CHECKED BY WDE 5-29-61

PT. E<sup>2</sup> SE<sup>4</sup> SEC 30

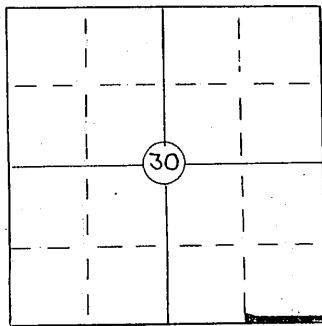
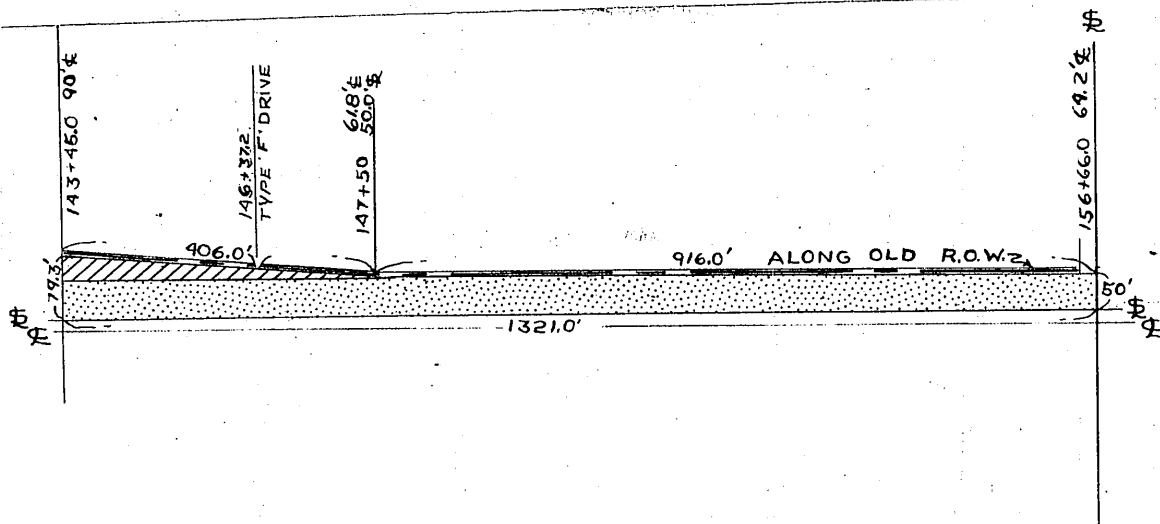
T15N R-12E

DOUGLAS COUNTY

TOTAL R.O.W. = 1.65AC

OLD R.O.W. = 1.52AC

NEW R.O.W. = 0.13AC



# SKETCH SHOWING RIGHT OF WAY

TO BE ACQUIRED  
FROM LAND OWNED  
BY

MADELINE JACOBSON PROPERTIES INC.

SCALE 1" = 200'

STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
RIGHT OF WAY DIVISION  
LINCOLN, NEBRASKA

## LEGEND

OLD R.O.W. 

NEW R.O.W. 

CONTROLLED ACCESS 

0.13 ACRES

PROJ. F-78(10)  
A.F.E. R-818a

COMP BY IBM  
DRAWN BY DNM 5/61  
CHECKED BY OLF 5/61  
WRITTEN BY CES 5-26-61  
CHECKED BY WDE 5-31-61



SW 1/4 SEC 25

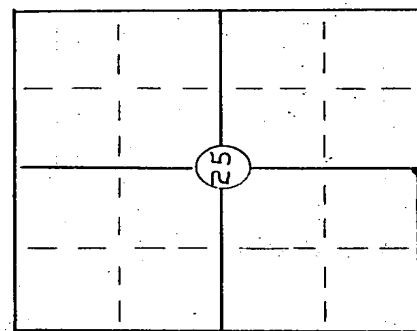
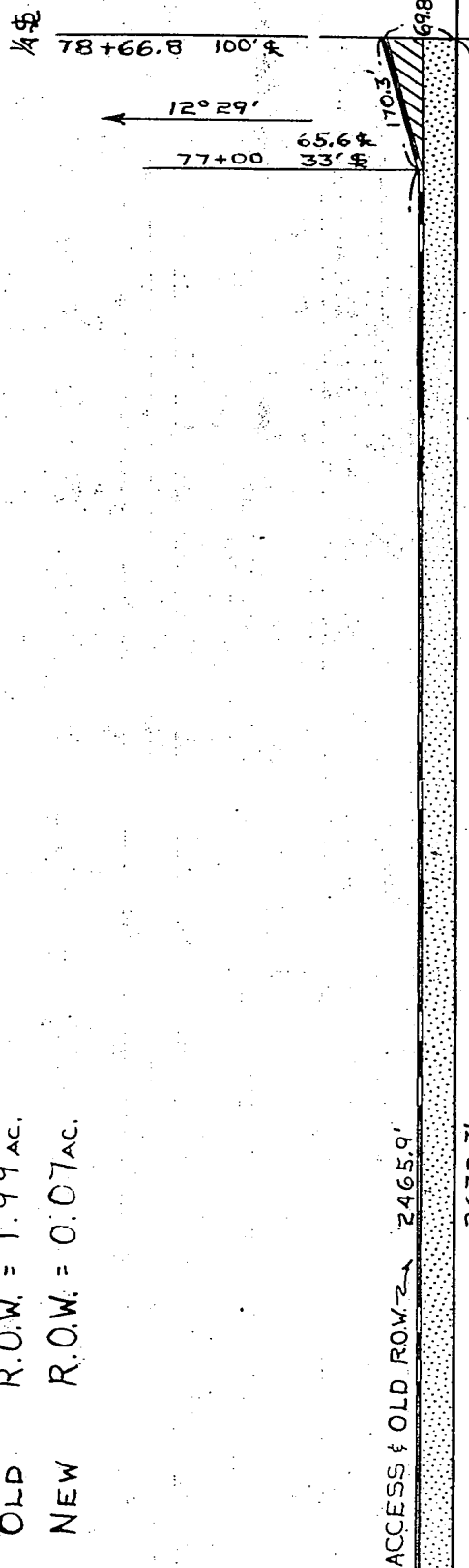
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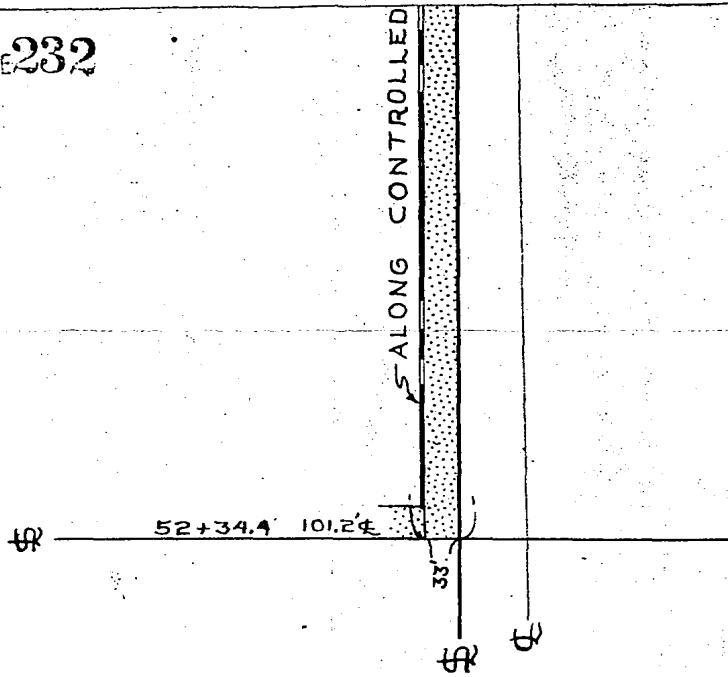
DOUGLAS COUNTY

TOTAL R.O.W. = 2.06 AC.

OLD R.O.W. = 1.99 AC.

NEW R.O.W. = 0.07 AC.





SKETCH SHOWING  
RIGHT OF WAY  
TO BE ACQUIRED  
FROM LAND OWNED  
BY

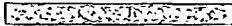
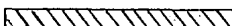

LESTER M. MONROE

SCALE: 1 INCH = 200 FT

STATE OF NEBRASKA  
DEPARTMENT OF ROADS  
RIGHT OF WAY DIVISION  
LINCOLN, NEBRASKA

PROJ F-78(10)  
A.F.E. R-818a

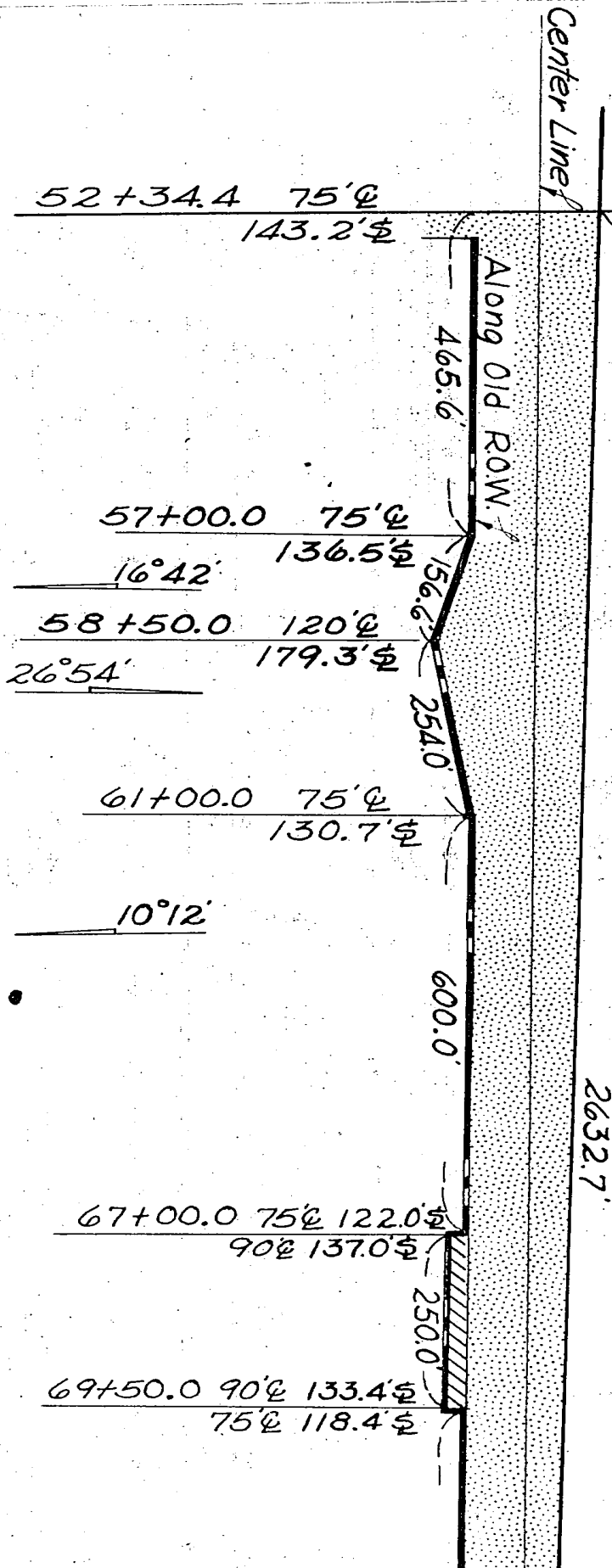
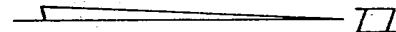
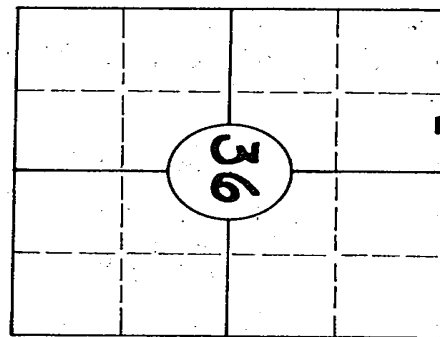
LEGEND

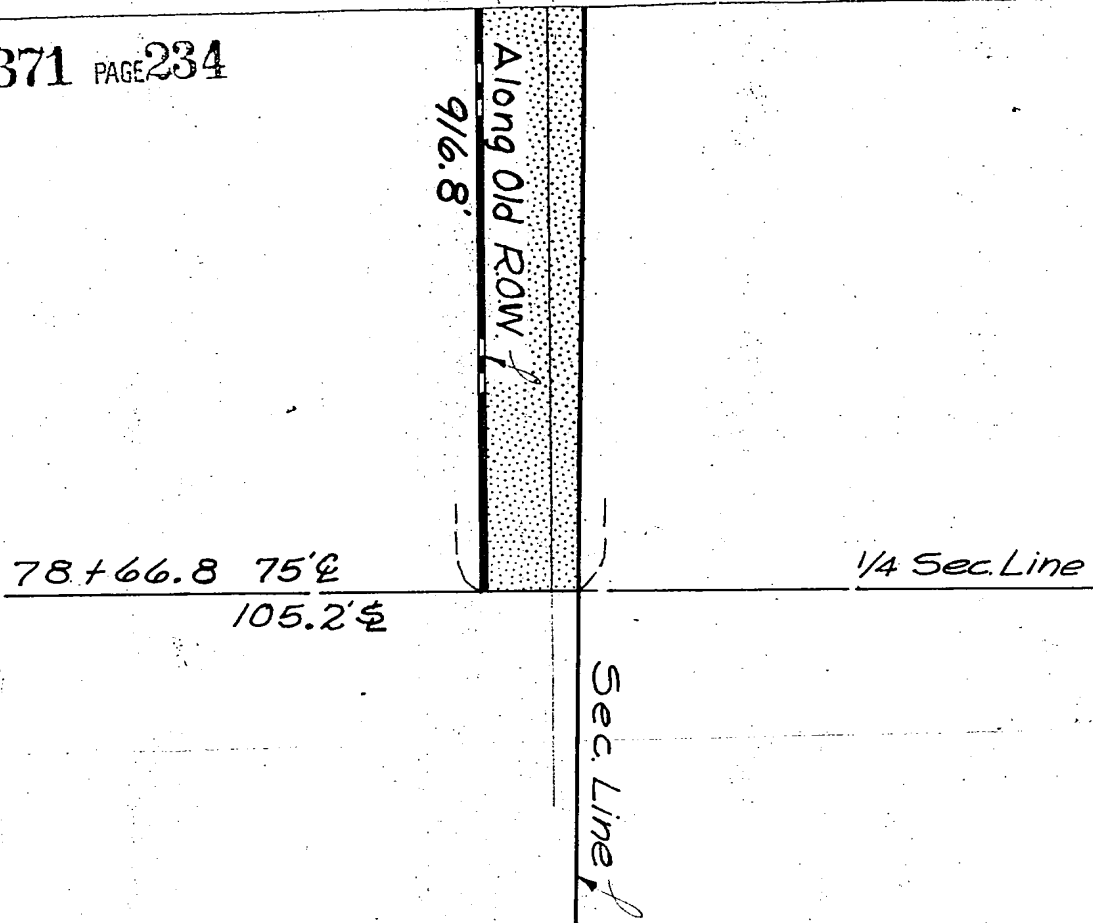
OLD R.O.W.   
NEW R.O.W.   
CONT. ACCESS 

0.07 ACRES

COMP	BY IBM
DRWN	BY DNM 5/61
CHKD	BY G.B 5/61
WRN	BY CS 5/61-61
CHKD	BY JM 5/26-61

DOUGLAS COUNTY  
 NW 1/4 Sec. 36 - T15N-R11E  
 Total ROW. 7.80 Ac.  
 Prev. ROW. 7.71 "  
 New ROW. 0.09 "





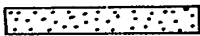


SKETCH SHOWING  
**RIGHT OF WAY**  
 TO BE ACQUIRED  
 FROM LAND OWNED  
 BY

**GLADYS B. MONROE**

SCALE: 1 inch = 200 feet

STATE OF NEBRASKA  
 DEPARTMENT OF ROADS  
 RIGHT OF WAY DIVISION  
 LINCOLN, NEBRASKA

~ **LEGEND** ~

OLD ROW.   
 NEW ROW.   
 CONTROLLED ACCESS 

0.09 ACRES

**PROJ. F-78(10)**  
 A.F.E. R-818a

Comp by I.B.M.  
 Drwn by G.B. 5-23-61  
 Chkd " OLF 5-23-61  
 Wrtn " CES 5-26-61  
 Chkd " JGM 5-26-61

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:

To: Julius A. Berger and Gladys M. Berger,  
husband and wife, Joint Tenants;

\$                     

To: Madeline Jacobson and Eugene V. Jacobson,  
wife and husband,

*Eugene V. Jacobson*

\$ 1800.00  
\$ 1800.00  
\$ 3600

To: Madeline Jacobson Properties Incorporated,  
a Corporation;

\$ 000.00

To: Lester M. Monroe and Gladys B. Monroe,  
husband and wife;

\$ 123.00

To: Gladys M. Monroe and Lester M. Monroe,  
wife and husband;

\$ 203.00

All of which is hereby respectfully submitted.

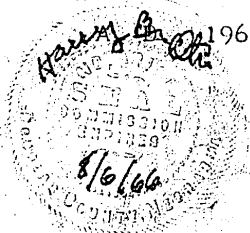
Dated this 22 day of Aug, A. D., 1961.

*Sidney J. Callaghan*

*William L. Carey*

*James Fitzgerald*  
Appraisers

Subscribed and sworn to before me this 22 day of Aug, 1961.



*Harry B. Ohs*  
County Judge  
Notary Public

91-36-15-11  
30-15-12  
26-15-11

36-15-11

30-15-11

30-15-11

*Judge Troyer*

*Robert R. Troyer*  
Register of Deeds

Page 223

Book 371 of *Miss*

for Record in the office of the Register of Deeds of said County and recorded in

THE STATE OF NEBRASKA }  
Douglas County } ss.

THOMAS J. O'CONNOR  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NEBR.

1961 OCT 20 AM 11 20

RECEIVED

*Proce*

4

STATE OF NEBRASKA } ss. I, Robert R. Troyer, County Judge  
COUNTY OF DOUGLAS } of Douglas County, Nebraska, do  
hereby certify the foregoing copy, consisting of 10 pages,  
to be a full, true and correct copy of the original record  
thereof, now remaining on file in said court; that I have  
the legal custody and control of said original record; and  
that the seal of said court is hereto affixed.

WITNESS my hand and the seal of said Court at Omaha  
this 29 day of August 1961

ROBERT R. TROYER, County Judge  
BY *Joseph J. Belitz*  
Clerk of the County Court

O.K. *aaa*