



MISC 2006128419



NOV 08 2006 14:41 P 7

Received - DIANE L. BATTIATO  
Register of Deeds, Douglas County, NE  
11/8/2006 14:41:31.77



2006128419

**THIS PAGE INCLUDED FOR INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT**

*MISC*

FEE 25.00 FB 01-60000

*7/* BKP 7-14-11 *of* C/O COMP

DEL \_\_\_\_\_ SCAN \_\_\_\_\_ FV \_\_\_\_\_

*B*

CERTIFICATE

C/SC 2 (8/88)

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, Mychelle L. Williamson, 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: certified copy of return of appraisers on file and of record in the Douglas County Court, entitled: Sanitary And Improvement District No. 519 of Douglas County, Nebraska, VS. Y.W. Schnack,L.L.C., A Nebraska Limited Liability Company.

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

DATE: November 6, 2006 BY THE COURT: Mychelle L. Williamson  
(Deputy Clerk)



**IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA**

SANITARY AND IMPROVEMENT DISTRICT )  
 NO. 519 OF DOUGLAS COUNTY, NEBRASKA, )

Case No. CI 06 0010828

Condemner, )

**RETURN OF APPRAISERS**

v. )

Y. W. SCHNACK, L.L.C., a Nebraska limited )  
 liability company, )

Condemnees, )

FILED  
 2006 AUG - 3 P 12: 131  
 By: Leslie Douglas  
 Clerk of Court  
 DOUGLAS COUNTY COURT  
 NEBRASKA

TO THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA.

We, the undersigned appraisers, do hereby certify that under and by virtue of an Order Appointing 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 Sanitary and Improvement District No. 519 of DOUGLAS County, Nebraska and also other property of the condemnees that may have been damaged thereby and did hear all parties interested therein who appeared 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 condemnee has sustained or will sustain by such appropriation of the property herein described for public purposes and also damage to such other property of the condemnee as in our opinion, was damaged by the appropriation of the property herein described:

See attached Exhibits A - C, inclusive, incorporated herein by this reference.

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 public purposes by Sanitary and Improvement District No. 519 of DOUGLAS County, Nebraska, in the amount of:

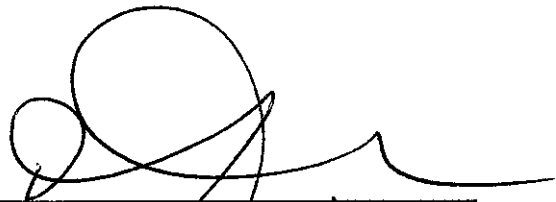
1. TOTAL AMOUNT AWARDED FOR PERMANENT SANITARY SEWER EASEMENT AS REFLECTED IN EXHIBIT "A": \$ 20,200.00 .

2. TOTAL AMOUNT AWARDED FOR PERMANENT STORM SEWER EASEMENT ACQUIRED AS REFLECTED IN EXHIBIT "B": \$ 3,200.00 .

3. TOTAL AMOUNT AWARDED FOR TEMPORARY GRADING EASEMENT AS REFLECTED IN EXHIBIT "C": \$ 445.00

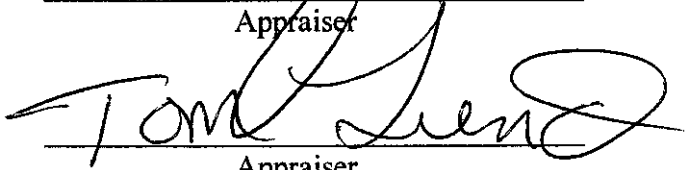
All of which is hereby respectfully submitted.

Dated this 2 day of AUGUST 2006



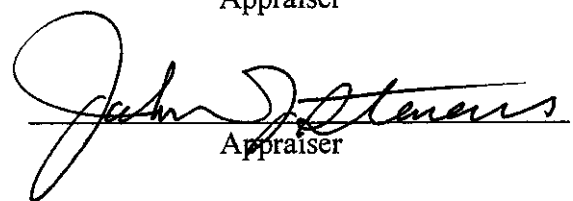
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Appraiser



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Appraiser



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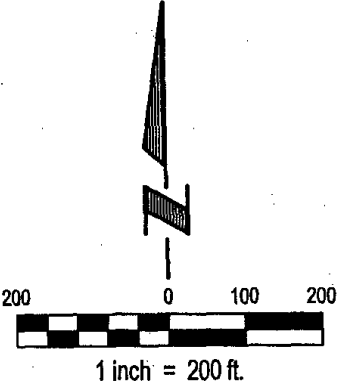
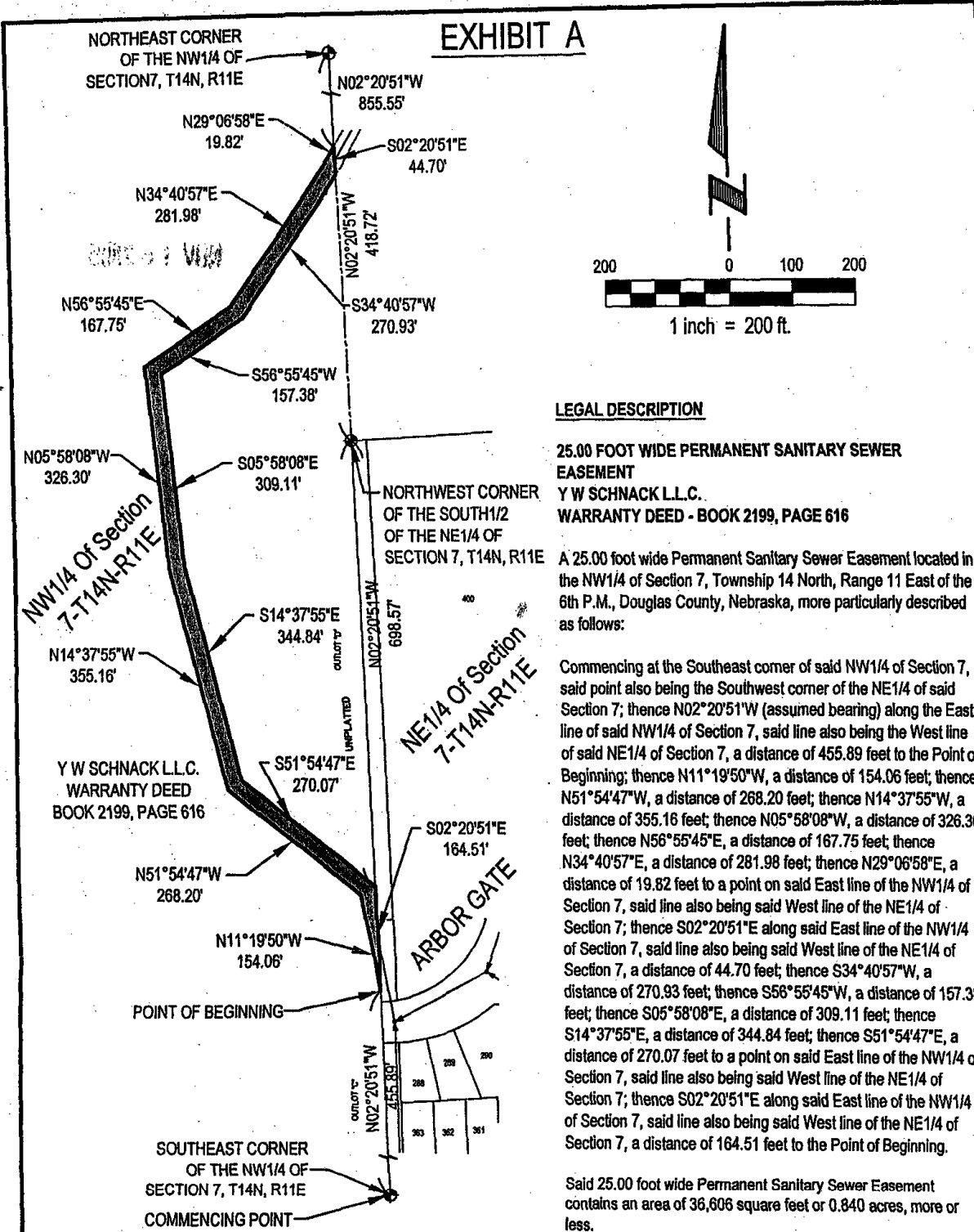
Appraiser

Subscribed and sworn to before me and filed this 3 day of August 2006.

Mychelle Williamson  
County Judge  
Deputy Clerk of Douglas  
County Court.

Prepared and submitted by:  
Brian C. Doyle (#23001)  
FULLENKAMP, DOYLE & JOBEUN  
11440 West Center Road  
Omaha, Nebraska 68144  
(402) 334-0700  
Attorney for Condemner

**EXHIBIT**  
**A**



**LEGAL DESCRIPTION**

**25.00 FOOT WIDE PERMANENT SANITARY SEWER EASEMENT**  
**Y W SCHNACK L.L.C.**  
**WARRANTY DEED - BOOK 2199, PAGE 616**

A 25.00 foot wide Permanent Sanitary Sewer Easement located in the NW1/4 of Section 7, Township 14 North, Range 11 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Commencing at the Southeast corner of said NW1/4 of Section 7, said point also being the Southwest corner of the NE1/4 of said Section 7; thence N02°20'51"W (assumed bearing) along the East line of said NW1/4 of Section 7, said line also being the West line of said NE1/4 of Section 7, a distance of 455.89 feet to the Point of Beginning; thence N11°19'50"W, a distance of 154.06 feet; thence N51°54'47"W, a distance of 268.20 feet; thence N14°37'55"W, a distance of 355.16 feet; thence N05°58'08"W, a distance of 326.30 feet; thence N56°55'45"E, a distance of 167.75 feet; thence N34°40'57"E, a distance of 281.98 feet; thence N29°06'58"E, a distance of 19.82 feet to a point on said East line of the NW1/4 of Section 7, said line also being said West line of the NE1/4 of Section 7; thence S02°20'51"E along said East line of the NW1/4 of Section 7, said line also being said West line of the NE1/4 of Section 7, a distance of 44.70 feet; thence S34°40'57"W, a distance of 270.93 feet; thence S56°55'45"W, a distance of 157.38 feet; thence S05°58'08"E, a distance of 309.11 feet; thence S14°37'55"E, a distance of 344.84 feet; thence S51°54'47"E, a distance of 270.07 feet to a point on said East line of the NW1/4 of Section 7, said line also being said West line of the NE1/4 of Section 7; thence S02°20'51"E along said East line of the NW1/4 of Section 7, said line also being said West line of the NE1/4 of Section 7, a distance of 164.51 feet to the Point of Beginning.

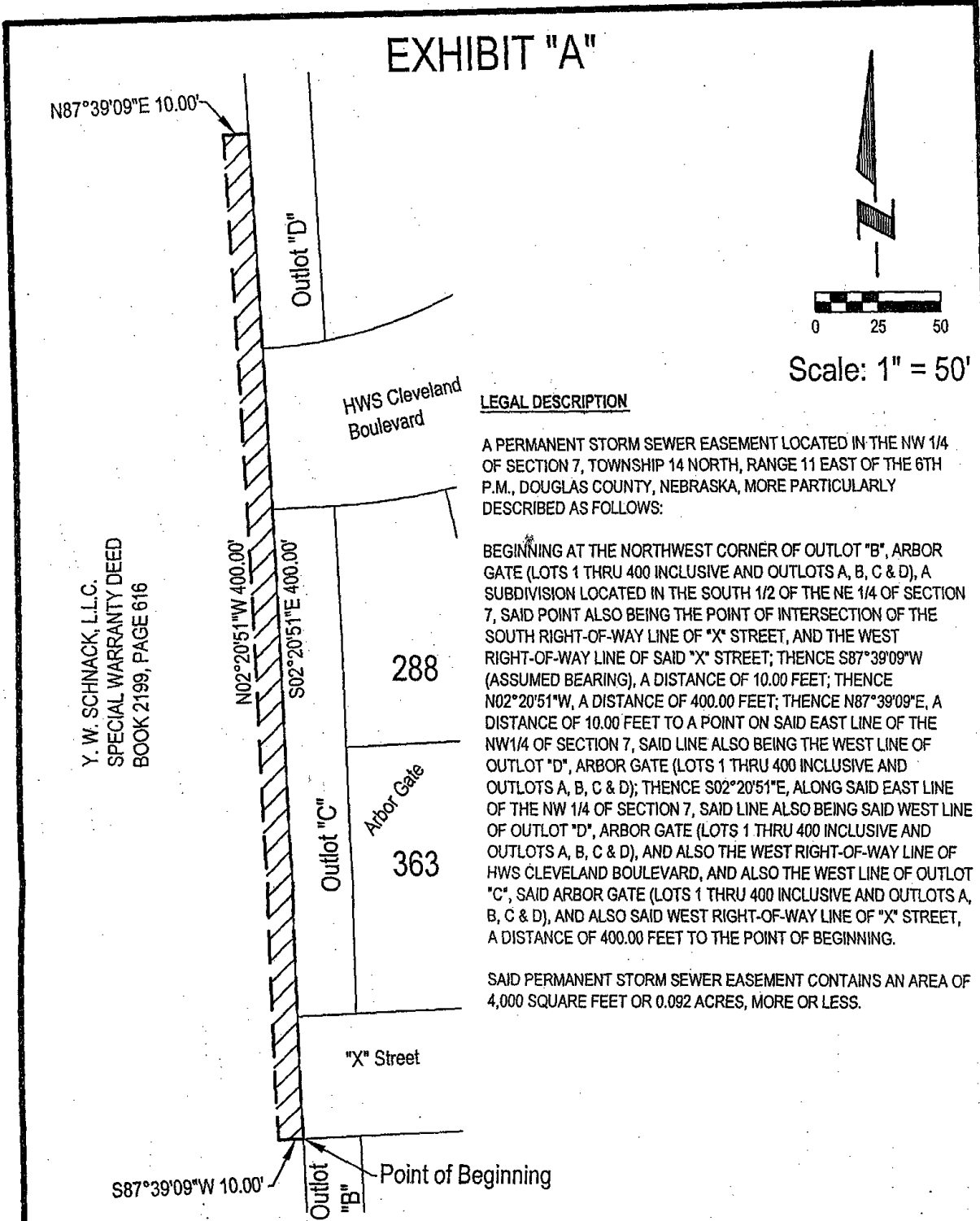
Said 25.00 foot wide Permanent Sanitary Sewer Easement contains an area of 36,606 square feet or 0.840 acres, more or less.



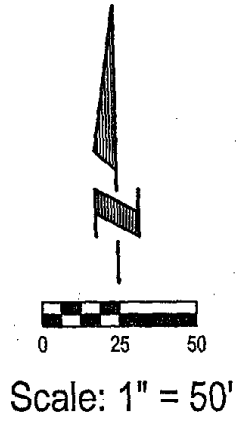
**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET OMAHA, NE 68137 PHONE: (402) 865-4700

**25.00 FOOT WIDE PERMANENT SANITARY SEWER EASEMENT**  
**DOUGLAS COUNTY, NEBRASKA**

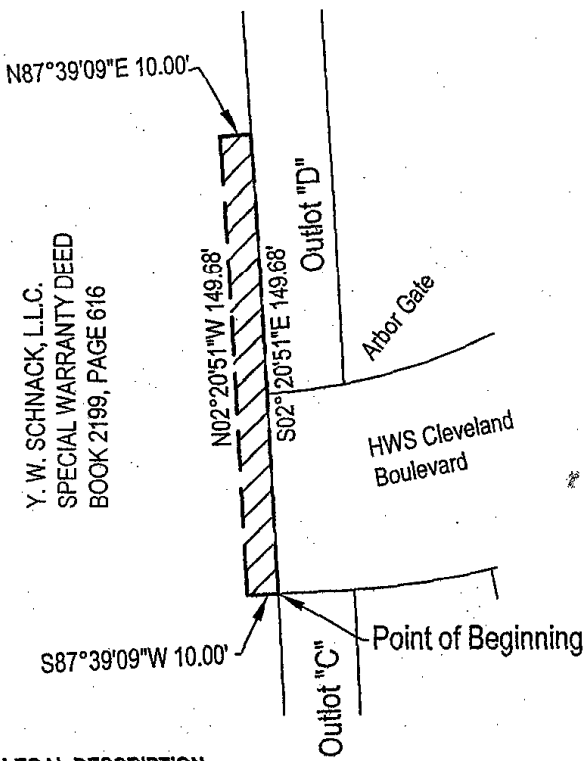
Drawn by: BRW Chkd by: *WAC* Date: *11-9-05* Chkd by: \_\_\_\_\_ Date: \_\_\_\_\_  
Job No.: 2004264.01 Date: 06/29/05 Book No.: XXXXX



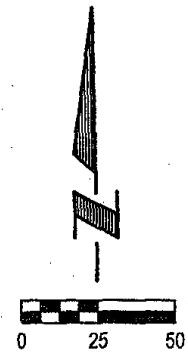
Y. W. SCHNACK, L.L.C.  
SPECIAL WARRANTY DEED  
BOOK 2199, PAGE 616



## EXHIBIT "A"



Y. W. SCHNACK, L.L.C.  
SPECIAL WARRANTY DEED  
BOOK 2199, PAGE 616



Scale: 1" = 50'

**LEGAL DESCRIPTION**

A TEMPORARY GRADING EASEMENT LOCATED IN THE NW 1/4 OF SECTION 7, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF OUTLOT "C", ARBOR GATE (LOTS 1 THRU 400 INCLUSIVE AND OUTLOTS A, B, C, & D), A SUBDIVISION LOCATED IN THE SOUTH 1/2 OF THE NE1/4 OF SECTION 7, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF HWS CLEVELAND BOULEVARD, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HWS CLEVELAND BOULEVARD, SAID POINT ALSO BEING ON THE EAST LINE OF SAID NW1/4 OF SECTION 7; THENCE S87°39'09"W (ASSUMED BEARING), A DISTANCE OF 10.00 FEET; THENCE N02°20'51"W, A DISTANCE OF 149.68 FEET; THENCE N87°39'09"E, A DISTANCE OF 10.00 FEET TO A POINT ON SAID EAST LINE OF THE NW1/4 OF SECTION 7, SAID LINE ALSO BEING THE WEST LINE OF OUTLOT "D", SAID ARBOR GATE (LOTS 1 THRU 400 INCLUSIVE AND OUTLOTS A, B, C, & D); THENCE S02°20'51"E ALONG SAID EAST LINE OF SAID NW 1/4 OF SECTION 7, SAID LINE ALSO BEING SAID WEST LINE OF OUTLOT "D", ARBOR GATE (LOTS 1 THRU 400 INCLUSIVE AND OUTLOTS A, B, C, & D), AND ALSO SAID WEST RIGHT-OF-WAY LINE OF SAID HWS CLEVELAND BOULEVARD, A DISTANCE OF 149.68 FEET TO THE POINT OF BEGINNING.

SAID TEMPORARY GRADING EASEMENT CONTAINS AN AREA OF 1,497 SQUARE FEET OR 0.034 ACRES, MORE OR LESS.



**E&A CONSULTING GROUP, INC.**  
ENGINEERS • PLANNERS • SURVEYORS  
12001 Q STREET OMAHA, NE 68137 PHONE: (402) 895-4700

## TEMPORARY GRADING EASEMENT

Drawn by: RLB    Chkd by: WAC 2-15-06    Chkd by: \_\_\_\_\_