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IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

COUNTY OF DOUGLAS, a Political
Subdivision and County of the
State of Nebraska,

DOC. C6

NO. 21

Condemner,

vs.

AMENDED REPORT OF APPRAISERS

JAMES L. BROCK and VIRGINIA M.
BROCK, Husband and Wife, Owner;
SOPHIR COMPANY, Mortgagee;
OMAHA PUBLIC POWER DISTRICT,
Easement Holder;
NORTHWESTERN BELL TELEPHONE
COMPANY, Easement Holder;
MAURICE F. CULLEN and BARBARA J.
CULLEN, Husband and Wife;
TERRY ROCZ, Owner;
RALSTON BANK, Trustee and
Beneficiary;
OMAHA BRICK WORKS, INC.,
Easement Holder;
AAA BUILDING COMPONENTS, d/b/a
QUALITY DOOR & TRIM, Lessee;
CRAIG TINDALL, Lessee;
MIDWEST FENCE COMPANY, Lessee;
J & R DOOR, INC., d/b/a
OVERHEAD DOOR COMPANY, Lessee;
FREDRICK J. GEILER,
Easement Holder;
PEERLESS PRODUCTS OF OMAHA, n/k/a
PEERLESS PRODUCTS, INC., A
Missouri Corporation, Owner;
TICOR TITLE INSURANCE COMPANY,
Trustee; BANKER'S LIFE COMPANY
a/k/a PRINCIPAL MUTUAL LIFE
INSURANCE COMPANY, Beneficiary
and Secured Party; SAM J. HOWELL,
Douglas County Treasurer,

Condemnees.

On the 30th day of December, 1988, the undersigned,
being the duly appointed, qualified and acting appraisers in the
above-entitled proceeding, do hereby make and file their amended
report as follows:

1. THAT pursuant to an Order entered in the County Court of Douglas County, Nebraska on the 12th day of August, 1988, the undersigned were duly appointed appraisers in the above-entitled matter; and that before entering upon the duties as such appraisers, the undersigned duly took and subscribed their oath as required by law.

2. THAT the undersigned appraisers carefully inspected and viewed the premises, hereinafter described, on the 8th day of September, 1988, and thereafter, did hold a hearing on the 8th day of September, 1988, in the County Court of Douglas County, Nebraska, 3rd Floor, Hall of Justice, 17th & Farnam Streets, Omaha, Nebraska, at which time evidence was received relative to the amount of damages that have been sustained or will be sustained by such appropriation of the property herein described for county road 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:

TRACT NO. 23:

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN ~~LOT 118~~, PONDEROSA ADDITION, A PLATTED AND RECORDED SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE OF 72ND STREET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST (ASSUMED BEARING) ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 91.32 FEET TO THE POINT OF TERMINATION.

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AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR EMBANKMENT/RETAINING WALL PURPOSES LOCATED IN LOT 118 IN PODEROSA, A PLATTED AND RECORDED SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT; THENCE SOUTH 66 DEGREES, 19 MINUTES, 47 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTHERLY PROPERTY LINE OF SAID LOT, A DISTANCE OF 19.30 FEET; THENCE NORTH 25 DEGREES, 11 MINUTES, 59 SECONDS WEST, A DISTANCE OF 20.72 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 79.44 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 118; THENCE NORTH 88 DEGREES, 04 MINUTES, 35 SECONDS EAST ALONG SAID NORTH LINE, A DISTANCE OF 26.00 FEET TO THE NORTHEAST CORNER OF SAID LOT;

TENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF 72ND STREET, ALSO KNOWN AS THE EAST LINE OF SAID LOT, A DISTANCE OF 91.32 FEET TO THE POINT OF BEGINNING, CONTAINING 2,420.0 SQUARE FEET, MORE OR LESS.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CONSTRUCTION PURPOSES LOCATED IN LOT 118 IN PONDEROSA, A PLATTED AND RECORDED SUBDIVISION IN DOUGLAS COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 118; THENCE SOUTH 66 DEGREES, 19 MINUTES, 47 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTHERLY PROPERTY LINE OF LOT 118 A DISTANCE OF 19.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 66 DEGREES, 19 MINUTES, 47 SECONDS WEST ALONG SAID LINE A DISTANCE OF 21.15 FEET; THENCE NORTH 11 DEGREES, 34 MINUTES, 30 SECONDS WEST A DISTANCE OF 77.73 FEET; THENCE NORTH 40 DEGREES, 7 MINUTES, 12 SECONDS WEST A DISTANCE OF 37.76 FEET TO A POINT OF THE NORTH LINE OF LOT 118; THENCE NORTH 88 DEGREES, 4 MINUTES, 35 SECONDS EAST ALONG SAID NORTH LINE OF LOT 118 A DISTANCE OF 47.06 FEET; THENCE SOUTH 2 DEGREES, 29 MINUTES, 5 SECONDS EAST A DISTANCE OF 79.44 FEET; THENCE SOUTH 25 DEGREES, 11 MINUTES, 59 SECONDS EAST A DISTANCE OF 20.72 FEET TO THE POINT OF BEGINNING, CONTAINING 2,484.0 SQUARE FEET, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF STATE PROJECT M-5037(8) (COUNTY PROJECT C-28(58C)), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA SHALL BE RETURNED TO THE CONDEMNEE AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

TRACT NO. 24:

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 SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF QUARTER QUARTER SECTION, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 17.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 338.20 FEET TO A POINT ON THE SOUTH LINE OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES, 24 MINUTES, 56 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 17.02 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG THE WESTERLY EXISTING 72ND STREET RIGHT OF WAY LINE, A DISTANCE OF 337.45 FEET TO THE POINT OF BEGINNING, CONTAINING 5,743.0 SQUARE FEET, MORE OR LESS.

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THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 50.00 FEET BEING THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE 50.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 338.20 FEET TO THE POINT ON THE SOUTHERLY BURLINGTON NORTHERN RAILROAD RIGHT OF WAY LINE BEING THE POINT OF TERMINATION, EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE, NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE OF WHICH IS LOCATED NORTHERLY 235.8 FEET, PLUS OR MINUS, FROM THE SOUTHERLY PROPERTY LINE OWNED BY THE CONDEMNEE(S), AS MEASURED ALONG THE EASTERLY RIGHT OF WAY LINE.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR STREET LIGHTS AND RELATED APPURTENANCES, SLOPE PROTECTION, RETAINING WALL AND STORM DRAINAGE PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 26.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 65.56 FEET; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 235.00 FEET; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST, A DISTANCE OF 2.72 FEET; THENCE NORTH 22 DEGREES, 31 MINUTES, 56 SECONDS EAST, A DISTANCE OF 41.41 FEET TO A POINT ON THE SOUTHERLY BURLINGTON NORTHERN RAILROAD RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES, 24 MINUTES, 56 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2.77 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 338.20 FEET TO THE POINT OF BEGINNING, CONTAINING 7,545.0 SQUARE FEET, MORE OR LESS.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CONSTRUCTION PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 76.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88 DEGREES, 04 MINUTES, 35 SECONDS WEST A DISTANCE OF 47.06 FEET; THENCE NORTH 40 DEGREES, 07 MINUTES, 12 SECONDS WEST A DISTANCE OF 67.05 FEET; THENCE NORTH 07 DEGREES, 22 MINUTES, 12 SECONDS WEST A DISTANCE OF 117.43 FEET; THENCE NORTH 00 DEGREES, 45 MINUTES 59 SECONDS WEST A DISTANCE OF 100.04 FEET; THENCE NORTH 01 DEGREES, 42 MINUTES, 31 SECONDS WEST A DISTANCE OF 31.77 FEET; THENCE NORTH 77 DEGREES, 00 MINUTES, 29 SECONDS WEST A DISTANCE OF 195.55 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD; THENCE SOUTH 89 DEGREES, 24 MINUTES, 54 SECONDS EAST ALONG SAID LINE A DISTANCE OF 306.70 FEET; THENCE SOUTH 22 DEGREES, 31 MINUTES, 56 SECONDS WEST A DISTANCE OF 41.41 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST A DISTANCE OF 2.72 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST A DISTANCE OF 235.00 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST A DISTANCE OF 3.00 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST A DISTANCE OF 65.56 FEET TO THE POINT OF BEGINNING, CONTAINING 36,104 SQUARE FEET, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF STATE PROJECT M-5037(8) (COUNTY PROJECT C-28(58C)), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA SHALL BE RETURNED TO THE CONDEMNEE AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

TRACT NO. 26:

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 THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 438.88 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 287.98 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 82.16 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 154.35 FEET TO A POINT ON THE NORTHERLY PROPERTY LINE OWNED BY THE GRANTOR(S); THENCE NORTH 87 DEGREES, 30 MINUTES, 53 SECONDS EAST ALONG SAID LINE, A DISTANCE OF 99.16 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 72ND STREET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG A LINE 33 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 443.24 FEET TO A

POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BURLINGTON NORTHERN RAILROAD; THENCE NORTH 89 DEGREES, 24 MINUTES, 56 SECONDS WEST ALONG SAID LINE, A DISTANCE 17.02 FEET TO THE POINT OF BEGINNING, CONTAINING 20,175.0 SQUARE FEET, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 438.88 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE 50.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 442.33 FEET TO THE POINT OF TERMINATION, EXCEPT, OVER ONE UNRESTRICTED ACCESS, NOT TO EXCEED 50 FEET IN WIDTH, THE CENTERLINES OF WHICH ARE LOCATED NORTHERLY 317.48 FEET FROM THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD AS MEASURED ALONG THE WEST RIGHT OF WAY LINE.

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

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR STREET LIGHTS AND RELATED APPURTENANCES PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 438.88 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES, 24 MINUTES, 56 SECONDS WEST, A DISTANCE OF 5.01 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE 55 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 182.21 FEET; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST, A DISTANCE OF 5.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 77.51 FEET; THENCE NORTH 16 DEGREES, 31 MINUTES, 16 SECONDS WEST, A DISTANCE OF 28.86 FEET; THENCE NORTH 87 DEGREES, 30

MINUTES, 55 SECONDS EAST, A DISTANCE OF 7.00 FEET TO A POINT LYING 50 FEET WEST OF THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST, A DISTANCE OF 287.98 FEET TO THE POINT OF BEGINNING, CONTAINING 1,009.0 SQUARE FEET, MORE OR LESS.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CONSTRUCTION PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 439.15 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES, 24 MINUTES, 56 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD, A DISTANCE OF 42.06 FEET; THENCE NORTH 01 DEGREES, 40 MINUTES, 33 SECONDS EAST, A DISTANCE OF 207.29 FEET; THENCE SOUTH 76 DEGREES, 55 MINUTES, 15 SECONDS WEST, A DISTANCE OF 187.23 FEET; THENCE NORTH 72 DEGREES, 40 MINUTES, 25 SECONDS WEST, A DISTANCE OF 125.00 FEET; THENCE SOUTH 82 DEGREES, 18 MINUTES, 40 SECONDS WEST, A DISTANCE OF 55.00 FEET; THENCE NORTH 55 DEGREES, 34 MINUTES, 57 SECONDS WEST, A DISTANCE OF 21.66 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE MISSOURI PACIFIC RAILROAD; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE OF THE MISSOURI PACIFIC RAILROAD ON A 1,261.78 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 106.65 FEET (CHORD BEARING NORTH 31 DEGREES, 59 MINUTES, 46 SECONDS EAST, CHORD DISTANCE OF 106.62 FEET); THENCE SOUTH 60 DEGREES, 25 MINUTES, 31 SECONDS EAST, A DISTANCE OF 33.48 FEET; THENCE SOUTH 11 DEGREES, 10 MINUTES, 51 SECONDS EAST, A DISTANCE OF 40.00 FEET; THENCE SOUTH 72 DEGREES, 40 MINUTES, 25 SECONDS EAST, A DISTANCE OF 70.00 FEET; THENCE SOUTH 87 DEGREES, 52 MINUTES, 35 SECONDS EAST, A DISTANCE OF 67.13 FEET; THENCE NORTH 76 DEGREES, 55 MINUTES, 15 SECONDS EAST, A DISTANCE OF 65.26 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 76.75 FEET; THENCE NORTH 87 DEGREES, 38 MINUTES, 42 SECONDS EAST, A DISTANCE OF 8.16 FEET; THENCE NORTH 02 DEGREES, 21 MINUTES, 18 SECONDS WEST, A DISTANCE OF 79.42 FEET; THENCE SOUTH 87 DEGREES, 38 MINUTES, 42 SECONDS WEST, A DISTANCE OF 8.34 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 11.62 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 35.85 FEET; TO A POINT ON THE NORTH PROPERTY LINE; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST ALONG SAID PROPERTY LINE, A DISTANCE OF 51.84 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST, A DISTANCE OF 154.35 FEET; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST, A DISTANCE OF 75.16 FEET; THENCE SOUTH 16 DEGREES, 31 MINUTES, 16 SECONDS EAST, A DISTANCE OF 28.86 FEET TO A POINT LYING 50 FEET WEST OF THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 02 DEGREES,

29 MINUTES, 05 SECONDS EAST ALONG A LINE 50 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION, A DISTANCE OF 77.51 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 5.00 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST, A DISTANCE OF 182.21 FEET TO THE POINT OF BEGINNING, CONTAINING 40,275.0 SQUARE FEET, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF STATE PROJECT M-5037(8) (COUNTY PROJECT C-28(58C)), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA SHALL BE RETURNED TO THE CONDEMNEE AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

TRACT NO. 29A:

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 SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 881.20 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 7.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE LYING 40 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 429.91 FEET; THENCE SOUTH 73 DEGREES, 28 MINUTES, 17 SECONDS EAST, A DISTANCE OF 7.40 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST, ALONG A LINE LYING 33 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 427.50 FEET TO THE POINT OF BEGINNING, CONTAINING 3,000.0 SQUARE FEET, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA.

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 881.20 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE LYING 40.00 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 429.91 FEET TO THE POINT OF TERMINATION. EXCEPT, OVER ONE UNRESTRICTED DRIVE NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE OF WHICH IS LOCATED NORTHERLY 299.65

FEET FROM THE SOUTH PROPERTY LINE OF SAID TRACT 29A AS MEASURED ALONG THE WESTERLY EXISTING RIGHT OF WAY LINE OF 72ND STREET.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CONSTRUCTION, PLACEMENT AND MAINTENANCE OF LIGHTING, GUARD RAIL, RETAINING WALL AND UTILITIES AND TEMPORARY PUBLIC ACCESS DURING CONSTRUCTION (CONDEMNEDS SHALL HAVE ALL USES OF PERMANENT EASEMENT FOR ANY PURPOSES NOT IN CONFLICT WITH THE AFORESAID) PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 881.20 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 12.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE LYING 52 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 272.74 FEET TO A POINT LYING ON THE SOUTH LINE OF EXISTING CHANNEL MAINTENANCE EASEMENT; THENCE SOUTH 40 DEGREES, 10 MINUTES, 07 SECONDS EAST ALONG SAID EASEMENT, A DISTANCE OF 3.27 FEET; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST ALONG SAID EXISTING EASEMENT LINE, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG A LINE LYING 40 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 270.15 FEET TO THE POINT OF BEGINNING, CONTAINING 3,243.0 SQUARE FEET, MORE OR LESS.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR STREET LIGHTS AND RELATED APPURTENANCES PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 1,151.35 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST ALONG SAID LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE LYING 50 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 158.23 FEET; THENCE NORTH 29 DEGREES, 18 MINUTES, 51 SECONDS EAST, A DISTANCE OF 4.36 FEET; THENCE SOUTH 76 DEGREES, 42 MINUTES, 15 SECONDS EAST, A DISTANCE OF 8.00 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG A LINE LYING 40 FEET WEST OF AND PARALLEL TO THE SAID EAST LINE OF SAID QUARTER QUARTER

SECTION, A DISTANCE OF 159.76 FEET TO THE POINT OF BEGINNING, CONTAINING 1,606.0 SQUARE FEET, MORE OF LESS.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CONSTRUCTION, SHAPING, TEMPORARY PUBLIC ACCESS, DRIVEWAY CONSTRUCTION AND CONSTRUCTION EQUIPMENT PURPOSES LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION, A DISTANCE OF 881.20 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 52.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST, A DISTANCE OF 132.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 18.89 FEET; THENCE NORTH 87 DEGREES, 27 MINUTES, 03 SECONDS EAST, A DISTANCE OF 89.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 9.16 FEET; THENCE NORTH 87 DEGREES, 30 MINUTES, 55 SECONDS EAST, A DISTANCE OF 15.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST, A DISTANCE OF 177.00 FEET; THENCE NORTH 51 DEGREES, 34 MINUTES, 13 SECONDS WEST A DISTANCE OF 19.85 FEET; THENCE SOUTH 87 DEGREES, 30 MINUTES, 55 SECONDS WEST A DISTANCE OF 25.00 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST ALONG A LINE 120 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION A DISTANCE OF 31.00 FEET; THENCE NORTH 48 DEGREES, 27 MINUTES, 44 SECONDS EAST A DISTANCE OF 30.90 FEET; THENCE NORTH 02 DEGREES, 29 MINUTES, 05 SECONDS WEST A DISTANCE OF 41.53 FEET; THENCE NORTH 64 DEGREES, 01 MINUTES, 00 SECONDS EAST A DISTANCE OF 50.16 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST A DISTANCE OF 60.00 FEET; THENCE NORTH 40 DEGREES, 10 MINUTES, 07 SECONDS WEST A DISTANCE OF 3.27 FEET; THENCE SOUTH 02 DEGREES, 29 MINUTES, 05 SECONDS EAST ALONG A LINE LYING 52 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION A DISTANCE OF 272.74 FEET TO THE POINT OF BEGINNING, CONTAINING 13,876 SQUARE FEET, MORE OR LESS.

THE CONDEMNEDS SHALL HAVE USE OF THE TEMPORARY EASEMENT UP TO 40 FEET FROM THE FRONT OF THEIR BUILDING DURING CONSTRUCTION WITH THE UNDERSTANDING THAT THE CONDEMNEDS WILL NOT PREVENT THE CONTRACTOR AND PUBLIC FROM USE OF THE TEMPORARY EASEMENT FOR CONSTRUCTION, SHAPING, TEMPORARY PUBLIC ACCESS, DRIVEWAY CONSTRUCTION AND CONSTRUCTION EQUIPMENT.

UPON COMPLETION AND ACCEPTANCE OF STATE PROJECT M-5037(8) (COUNTY PROJECT C-28(58C)), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA SHALL BE RETURNED TO THE CONDEMNED AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

3. THAT 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 county road purposes by the County of Douglas, in the amount of:

TRACT NO. 23:

TO: Sam J. Howell, Douglas County Treasurer	\$ 1,430.00
James L. and Virginia M. Brock, Owners	\$ 0.00
Sophir Company, Mortgagee	\$ 0.00
Omaha Public Power District	\$ 0.00
Northwestern Bell Telephone Company	\$ 0.00
TOTAL AWARD	\$ 1,430.00

TRACT NO. 24:

TO: Sam J. Howell, Douglas County Treasurer	\$ 0.00
Maurice F. and Barbara J. Cullen, Owners	\$ 15,240.00
Fredrick J. Geiler, Easement Holder	\$ 0.00
TOTAL AWARD	\$ 15,240.00

TRACT NO. 26:

TO: Sam J. Howell, Douglas County Treasurer	\$ 0.00
Terry Rocz, Owner and Ralston Bank, Trustee and Beneficiary, Jointly	\$ 51,310.00
Omaha Brick Works, Inc., Easement Holder	\$ 0.00
Peerless Products, Inc., Easement Holder	\$ 0.00
AAA Building Components, d/b/a Quality Door and Trim, Lessee	\$ 0.00
Craig Tindall, Lessee	\$ 0.00
Midwest Fence Company, Lessee	\$ 0.00
J & R Door, Inc., d/b/a Overhead Door Company, Lessee	\$ 0.00
Fredrick J. Geiler, Easement Holder	\$ 0.00
TOTAL AWARD	\$ 51,310.00

TRACT NO. 29A:

TO: Sam J. Howell, Douglas County Treasurer	\$ 0.00
Peerless Products of Omaha, Inc., n/k/a Peerless Products, Inc., Owner	\$ 96,513.00
Ticor Title Insurance Company, Trustee	\$ 0.00

Bankers Life Company, Beneficiary	\$ 0.00
Fredrick J. Geiler, Easement Holder	<u>\$ 0.00</u>
TOTAL AWARD	<u>\$ 96,513.00</u>

THEREFORE, the undersigned appraisers do hereby find and assess the damages as indicated in Paragraph 3 that will be suffered by reason of the taking of the real estate by the Condemner and said appraisers hereby submit this report as required by the laws of the State of Nebraska.

John D. Barkman
Paul L. Merker
Michael A. Passo

0452/34-45

EXHIBIT "A"

TRACT NO. 23

Severance Damages	\$ 500.00
Temporary Easement	290.00
Replacement Trees and Shrubs	<u>640.00</u>
	<u>\$1,430.00</u>

TRACT NO. 24

Permanent Taking	\$5,200.00
Temporary Easement	3,250.00
Permanent Easement	<u>6,790.00</u>
	<u>\$15,240.00</u>

TRACT NO. 26

Temporary Easement	\$6,040.00
Permanent Easement	1,510.00
Severance Damage	0.00
Permanent Taking (Land \$30,260; Building \$13,500)	<u>43,760.00</u>
	<u>\$51,310.00</u>

TRACT NO. 29A

Severance Damages	\$85,000.00
Permanent Easement	4,713.00
Temporary Easement	2,150.00
Permanent Taking	<u>4,650.00</u>
	<u>\$96,513.00</u>

Douglas County Court, Probate Division
17th & Farnam Streets, 3-West, Omaha, NE 68183 (402) 444-7152

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

I, Janet Langle Registrar, ~~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: "AMENDED REPORT OF APPRAISERS" in re:

COUNTY OF DOUGLAS, Condemner.

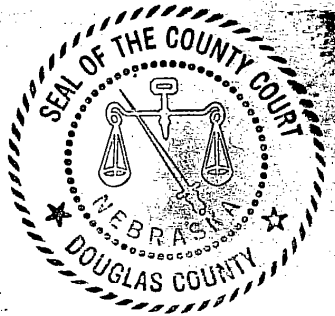
vs JAMES L. BROCK, et al, Condemnees.

_____ on file and of record in the Douglas County Court, entitled: In the ~~Matter of~~ Condemnation Docket Page C6 Page 21

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

DATE: 1/25/89 BY THE COURT: Janet Langle
Registrar (Deputy Clerk)

(Seal)



Misc 1376

M:

BK 875 N 11-14-12 SR C/O 71.00 FEE
RG 692-705 N SR DEL VK MC W
OF Misc COMP SR F/B _____

GEORGE J. DUBLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

1989 JAN 26 AM 11:08

RECEIVED

SR