· BOOK 682 PAGE 257

BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA) DEPARTMENT OF ROADS,)	Docket C.5 Page 17 Case	
Condemner,		
DARYLL D. EKLUND, JR. and PHYLLIS) J. EKLUND, Husband and Wife, Joint Tenants; COMMERCIAL FEDERAL SAVINGS AND LOAN ASSOCIATION, Mortgagee; DOUGLAS COUNTY TREASURER;	RETURN OF APPRAISERS	
BERNARD GGOTTSCH-and-GLORIA GOTTSCH, Husband and Wife, Joint Tenants; PRODUCTION CREDIT ASSOCIATION, METROPOLITAN-LIFE INSURANCE COMPANY and UNITED STATES OF AMERICA, FARMERS HOME ADMINISTRATION, Mortgagees; DOUGLAS COUNTY TREASURER;		
BERNARD G. GOTTSCH and—GLORIA GOTTSCH, Husband-and-Wife, Joint Tenants;—PRODUCTION—CREDIT ASSOCIATION, METROPOLITAN—LIFE INSURANCE-COMPANY-and-UNITED STATES OF AMERICA, FARMERS—HOME— ADMINISTRATION, Mortgagees; DOUGLAS COUNTY TREASURER;		
EUGENE H. FICKEN and SHIRLEY I.) FICKEN, Husband and Wife, Joint) Tenants; WILFORD BIEL, Lessee;) DOUGLAS COUNTY TREASURER;)		
Condemnees.	4	

TO THE 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 Milwilloth, Sheriff or Deputy Sheriff of Douglas County, Nebraska, on the 24 day of November, 1982, and after having taken and filed the "Oath of Appraisers" that we did carefully

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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 damaged 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:

Project: F-BRF-64-7(102)

AFE: R-432

Douglas County

Tract: 3

CONDEMNATION

OWNER: Daryll D., Jr. and Phyllis J. Eklund,

H & W, J.T.

MORTGAGEE: Commercial Federal Savings and Loan

PROJECT RF-64 7(102) TRACT 3

A TRACT OF LAND LOCATED IN PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 810.22 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 295.16 FEET ALONG THE SOUTHERLY HIGHWAY RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 27.07 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 100 DEGREES, 14 MINUTES, 19 SECONDS LEFT, A DISTANCE OF 152.30 FEET; THENCE EASTERLY DEFLECTING 010 DEGREES, 14 MINUTES, 19 SECONDS RIGHT, A DISTANCE OF 145.29 FEET TO THE POINT OF BEGINNING CONTAINING 0.05 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID PART OF THE NORTH HALF OF THE NORTHEAST QUARTER. EXCEPT, OVER ONE UNRESTRICTED DRIVE(S) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED 833.46 FEET FROM THE NORTHEAST CORNER OF THE NORHEAST QUARTER AS MEASURED ALONG THE HIGHWAY CENERLINE.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEFARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

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Froject: F-BRF-64-7(102)

AFE: R-432

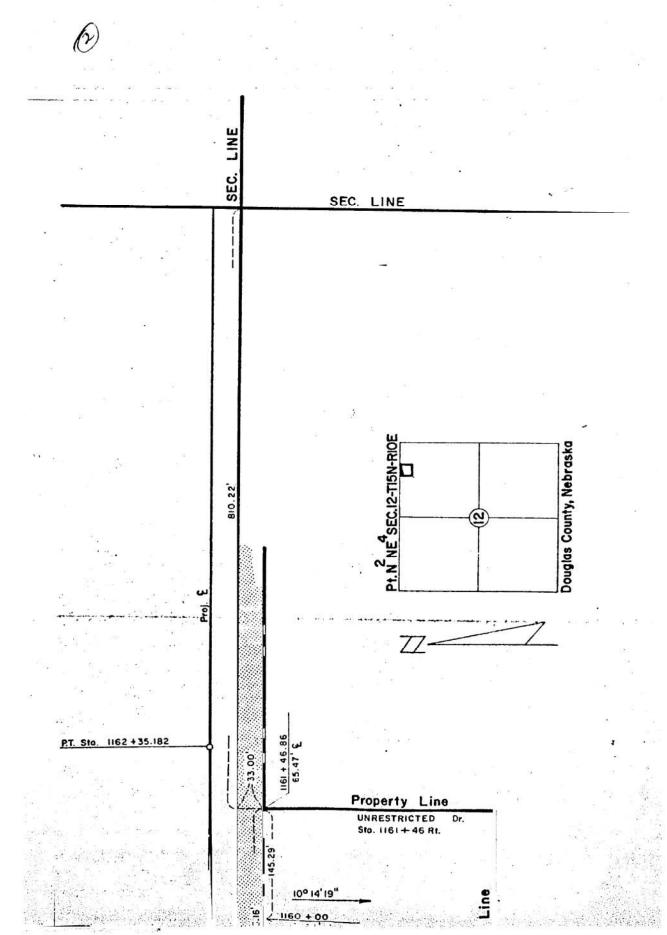
Douglas County

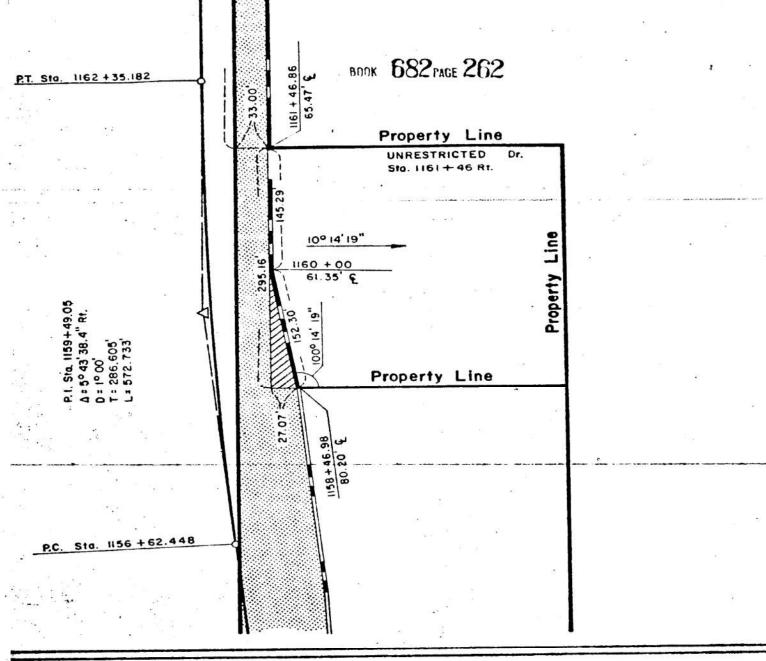
Tract: 3

AND ALSO:

PROVIDED THAT THE GRANTOR DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEES AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEES 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 MINERAL RIGHTS, NOR SHALL SAID CONDEMNEES AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.





PLAT SHOWING

RIGHT OF WAY TO BE ACQUIRED FROM LAND OWNED BY DARYLL D. Jr. & PHYLLIS J. EKLUND, H&W., J.T.

SCALE 1"= 100' TRACT NO. 3 STATE OF NEBRASKA DEPARTMENT OF ROADS PROJECT NO. F-BRF-64-7 (102) RIGHT OF WAY DIVISION AFE R-432 LINCOLN, NEBRASKA DRAWN BY M.J.S. 8-23-82 PREV. ROW. CHECKED BY 2 0.05 Acres NEW ROW. COMPUTED BY TEMP EASE. WRITTEN BY PERM EASE. CHECKED BY CONTROLLED ACCESS.

Project: F-BRF-64-7(102)

AFE: R-432

Douglas County

Tract: 17

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CONDEMNATION

OWNER: Eugene H. Ficken and Shirley I. Ficken, LESSEE: Wilford Biel H & W. J.T.

PROJECT RF-64 7(102) TRACT 17

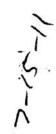
FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE EAST FIFTY ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 1659.79 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 25 MINUTES, 49 SECONDS LEFT, A DISTANCE OF 63.28 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 087 DEGREES, 56 MINUTES, 43 SECONDS LEFT, A DISTANCE OF 979.24 FEET; THENCE EASTERLY DEFLECTING 006 DEGREES, 30 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 499.57 FEET; THENCE EASTERLY DEFLECTING 017 DEGREES, 28 MINUTES, 24 SECONDS RIGHT, A DISTANCE OF 188.01 FEET; THENCE NORTHERLY DEFLECTING 103 DEGREES, 05 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 118.47 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 3.37 ACRES, MORE OR LESS, WHICH INCLUDES 1.26 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS FUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID EAST 50 ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER. EXCEPT, OVER TWO UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE EAST AND WEST LINE(S) OF SAID EAST 50 ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY. FOR DRIVE PURPOSES, LOCATED IN THE EAST 50 ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER, SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 1659.79 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 25 MINUTES, 49 SECONDS LEFT, A DISTANCE OF 63.28 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S) TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 55.00 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 34 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 29.98 FEET; THENCE NORTHERLY DEFLECTING 089 DEGREES, 25 MINUTES, 18 SECONDS LEFT, A DISTANCE OF 53.62 FEET; THENCE WESTERLY DEFLECTING 087 DEGREES, 56 MINUTES, 43 SECONDS LEFT, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.04 ACRES, MORE OR LESS.



Project: F-BRF-64-7(102)

AFE: R-432 Douglas County

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PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE FURFOSES, LOCATED IN THE EAST FIFTY ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH FRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 118.47 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE FOINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 95.02 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 091 DEGREES, 13 MINUTES, 47 SECONDS RIGHT, A DISTANCE OF 20.45 FEET; THENCE NORTHERLY DEFLECTING 089 DEGREES, 56 MINUTES, 52 SECONDS RIGHT, A DISTANCE OF 98.89 FEET; THENCE EASTERLY DEFLECTING 101 DEGREES, 54 MINUTES, 45 SECONDS RIGHT, A DISTANCE OF 18.90 FEET TO THE POINT OF BEGINNING CONTAINING 0.04 ACRES. MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED, FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE FURFOSES, LOCATED IN THE EAST FIFTY ACRES OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

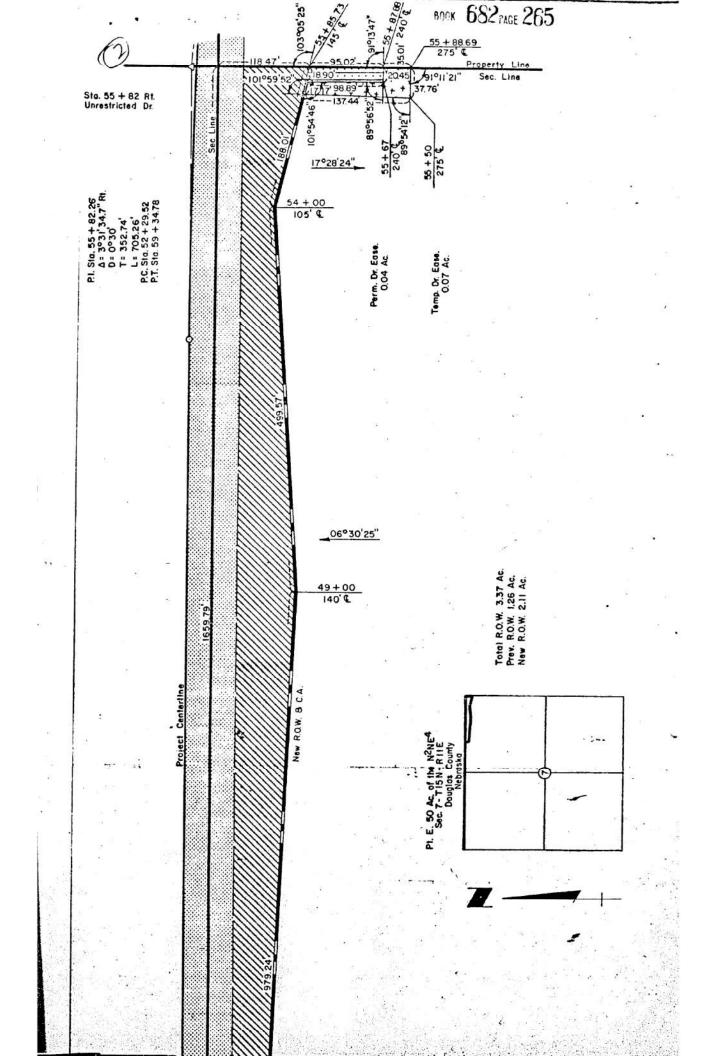
REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 213.49 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE FOINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 35.01 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 091 DEGREES, 11 MINUTES, 21 SECONDS RIGHT, A DISTANCE OF 37.76 FEET; THENCE NORTHERLY DEFLECTING 089 DEGREES, 54 MINUTES, 12 SECONDS RIGHT, DISTANCE OF 137.44 FEET; THENCE EASTERLY DEFLECTING 101 DEGREES, 59 MINUTES, 52 SECONDS RIGHT, A DISTANCE OF 17.17 FEET; THENCE SOUTHERLY DEFLECTING 078 DEGREES, 05 MINUTES, 14 SECONDS RIGHT, A DISTANCE OF 98.89 FEET; THENCE EASTERLY DEFLECTING 089 DEGREES, 56 MINUTES, 52 SECONDS LEFT, A DISTANCE OF 20.45 FEET TO THE POINT OF BEGINNING CONTAINING 0.07 ACRES, MORE OR LESS.

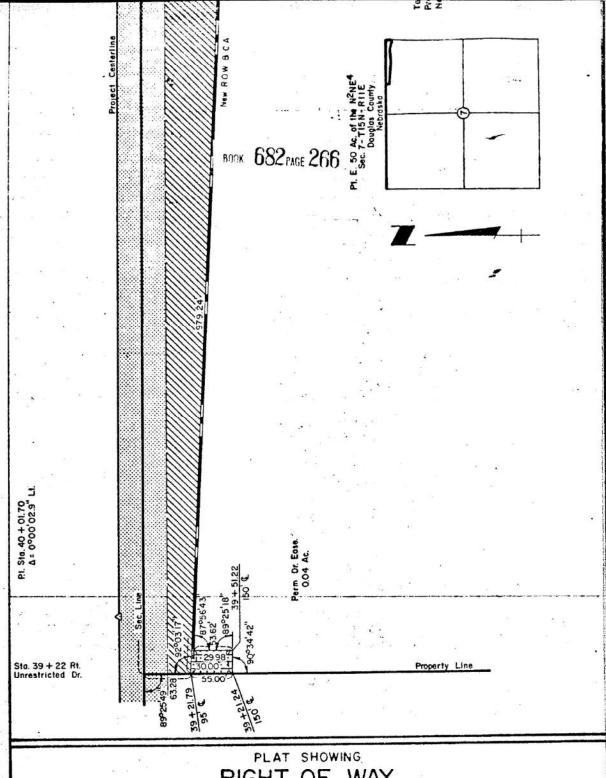
UPON COMPLETION AND ACCEPTANCE OF PROJECT RF-64-7(102), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEES AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEES 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 MINERAL RIGHTS, NOR SHALL SAID CONDEMNEES AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

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RIGHT OF WAY TO BE ACQUIRED FROM LAND OWNED BY

EUGENE H. FICKEN & SHIRLEY I. FICKEN, H. & W., J.T. Lessee - Wilford Biel

STATE OF NEBRASKA DEPARTMENT OF ROADS RIGHT OF WAY DIVISION LINCOLN, NEBRASKA TRACT NO. 17 SCALE I"= 100"

PROJECT NO.F-BRF-64-7(102)

PREV. R.O.W.
NEW ROW.
TEMP' EASE.
PERM EASE.
CONTROLLED ACCESS.

DRAWN BY k.s.b. 9-24-82 CHECKED BY COMPUTED BY WRITTEN BY CHECKED BY

BOOK 682 PAGE 267

	Now, therefore, we, as appraisers	5.500 EV A 21 (EV)	
and	appraise the damages that will be s	suffered by reason of the	
appro	opriation of title to the said prop	erty or any interest therein	
desc	ribed for State highway purposes by	the State of Nebraska,	
Depar	rtment of Roads, in the amount of:	oc .	
TOTA	L AMOUNT AWARDED FOR ACQUISITION OF	TRACT 3 \$ 30'/.5	<u></u>
Awar	d to be distributed as follows:	\oe	
To:	Daryll D. Eklund, Jr. and Phyllis J. Eklund, Husband and Wife, Joint Tenants;	\$3075	
ž.	Commercial Federal Savings and Loan Association, Mortgagee;	\$ <u>C</u>	
ş	Douglas County Treasurer;	\$ <u>@</u>	
TOTA	L_AMOUNT_AWARDED_FOR_ACQUISITION-OF	-TRACT-11 \$	
Awar	d to be distributed as follows:		
To:	Bernard-G. Gottsch and Gloria Gottsch, Husband and Wife, Joint Tenants;	\$	
8	Production-Credit-Association, Mortgagee;	\$	
	Metropolitan Life-Insurance Company, Mortgagee;	\$	
	United States of America, Farmers Home Administration, Mortgagee;	\$	
	Douglas County Treasurer;	\$	
TOTA	L_AMOUNT_AWARDED_FOR_ACQUISITION_OF	TRACT 12 \$	
Awar	d to be distributed as follows:	¥ ·	
To:	Bernardt-GGottsch-and-Gloria-Gottsch,-Husband-and-Wife, Joint Tenants;	\$	15
0	Production Credit Association, Mortgagee;	\$	

*BOOK 682 PAGE 268

	Company, Mortgagee;	\$	-			
	United States of America, Farmers Home Administration, Mortgagee;	\$	_			
	Douglas-County-Treasurer;	\$	_			
TOTA	L AMOUNT AWARDED FOR ACQUISITION OF	TRACT 17	\$ 15,659			
Awar	d to be distributed as follows:					
To:	Eugene H. Ficken and Shirley I. Ficken, Husband and Wife, Joint Tenants;	\$15,64900	-			
	Wilford Biel, Lessee;	\$10	_			
	Douglas County Treasurer;	\$ <u>`</u>	_			
	All of which is hereby respectfully	submitted.				
	Dated this 16 day of Accumbe	, A.D. 19	82-			
	On H'moylan					
	Truck 1 HB and					
	- Landing of the state of the s	Loulan				
	Subscribed and sworn to before me t	Appraise his day of	ers			
A.D.	19	day or	189			
		e 2 a				
(SEAI	Filed: Dec 16th 1982	County Judge	9			

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COUNTY COURT DOUGLAS COUNTY DEAN HADDRN, CLERK

OMAHA, NEBR.

I, Dean Hadorn, Clerk of the County Court of Douglas County, Nebraska, do hereby

STATE OF NEBRASKA, SS.

certify that I have compared the foregoing copy of
"RETURN OF APPRAISERS"
in re: STATE OF NEBRASKA, DEPARTMENT OF ROADS, Condemner
-vs-
DARYLL D. EKLUND, JR., et al, Condemnees,
in the matter of Condemnation Docket C5 - Page 107
with the original record thereof, now remaining in said court; that the same is a correct
transcript thereof, and of the whole of said original record, that I have the legal custody and
control of said original record; that said court is a court of record, has a seal, and that said
seal is hereto affixed; and that the foregoing attestation is in due form, according to the
laws of the State of Nebraska.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Omaha, this 17th day of December, A. D. 19
DEAN HADORN, Clerk of the County Cour By John Deputy Deputy

RECEIVED

1383 JAN 11 AH 10: 08

C. HAROLD OSTLER
REGISTER OF DEED'S
ROUGH AS COUNTY NEED



