

## BEFORE THE COUNTY JUDGE OF MADISON COUNTY, NEBRASKA

STATE OF NEBRASKA  
DEPARTMENT OF ROADS,

Docket O

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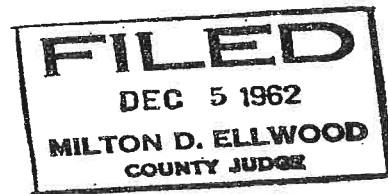
Condemner,

v.

## S T I P U L A T I O N

ALVIN T. KRENZIEN, Owner;  
MILDRED KRENZIEN, wife of ALVIN  
T. KRENZIEN; CHARLOTTE RAASCH,  
Holder of Interest; MARDELLE  
POHLMAN, Holder of Interest and  
Guardian for CHERYL POHLMAN, a  
minor, and KATHLEEN POHLMAN, a  
minor, Holders of Interest;  
VICTOR RAASCH, husband of  
CHARLOTTE RAASCH; PHILLIP  
POHLMAN, husband of MARDELLE  
POHLMAN; also FEDERAL LAND BANK,  
Mortgagee;

Condemnees.



Comes now the parties hereto, the Condemner, State of  
Nebraska, Department of Roads, by and through one of its attorneys,  
and the Condemnees by and through their attorney, Bernard Ptak,  
and do hereby stipulate and agree as follows:

## I.

The State of Nebraska, Department of Roads, Condemner, hereby  
relinquishes and disclaims any interest in the tract of land re-  
ferred to as borrow and described by meets and bounds and shown on  
the plat in the above condemnation proceeding, to-wit:

Temporary easement to a tract of land located in the  
Southwest Quarter of Section 28, Township 24 North, Range  
1 West of the 6th P.M., Madison County, Nebraska, and tem-  
porary use of said land in securing road material described  
as borrow dirt, said tract of land as illustrated on the  
attached plat and being more particularly described as  
follows:

Referring to the west quarter corner of said Section  
28; thence southerly on the West line of the Southwest  
Quarter of said Section 28 a distance of 1,310.4 feet;  
thence easterly 90 degrees 00 minutes left a distance of  
33.0 feet to the point of beginning, said point being on  
the easterly old county road right of way line; thence  
continuing easterly on the last described course pro-  
duced a distance of 1,317.0 feet; thence southerly 90 de-  
grees 00 minutes right a distance of 725.0 feet; thence  
westerly 90 degrees 00 minutes right a distance of 1,317.0  
feet to a point on said old county road right of way line;  
thence northerly on a line 33.0 feet easterly from and par-  
allel to said West line and on said old county road right  
of way line a distance of 725.0 feet to the point of be-  
ginning, containing 21.92 acres, more or less, to be secured  
in this action.

The right to remove the above described borrow dirt  
from the premises above described shall terminate upon  
acceptance by the Department of Roads of Project F-505(5).

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## II.

That the County Judge of Madison County, Nebraska, shall return to the State of Nebraska, Department of Roads, the amount of \$6,576.00, which amount represents the award of appraisers for the taking of said borrow and which has been deposited with said County Judge by the Condemner. That the amount of \$9,127.00 deposited by the Condemner with the said County Judge, which represents the award for the right of way taken, shall remain on deposit with said County Judge subject to appeal by either party.

## III.

It is further stipulated that a copy of this stipulation be certified by the County Judge of Madison County, Nebraska, to the Register of Deeds of Madison County, Nebraska, for proper recording in that office.

IN WITNESS WHEREOF the respective parties have hereunto set their hands this 4<sup>th</sup> day of December, 1962.

ALVIN T. KRENZIEN, et al,  
Condemnees,

STATE OF NEBRASKA  
DEPARTMENT OF ROADS, Condemner,  
CLARENCE A. H. MEYER  
Attorney General

By Bernard Ptak  
Bernard Ptak  
Their Attorney

By N. L. Strong  
N. L. Strong  
Special Assistant Attorney General

# COUNTY COURT

MADISON COUNTY  
MILTON D. ELLWOOD  
COUNTY JUDGE  
MADISON, NEBRASKA

## CERTIFICATE

State of Nebraska }  
County of Madison } ss.

I, Milton D. Ellwood, County Judge of Madison County, Nebraska, do hereby certify that I have compared the foregoing copy of STIPULATION, in the matter of STATE OF NEBRASKA DEPARTMENT OF ROADS, Condemner, v. ALVIN T. KRENZIEN, Owners; MILDRED KRENZIEN, wife of ALVIN T. KRENZIEN; CHARLOTTE RAASCH, Holder of Interest; MARDELLE POHLMAN, Holder of Interest and Guardian for CHERYL POHLMAN, a minor, and KATHLEEN POHLMAN a minor, by the matter of the Estate of Holders of Interest; VICTOR RAASCH, husband of CHARLOTTE RAASCH; PHILLIP POHLMAN, husband of MARDELLE POHLMAN; also FEDERAL LAND BANK, Mortgages; Condemnees. ~~Decree~~ 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 Madison, Nebraska, this 6th day of December, 1962

*Milton D. Ellwood*  
County Judge

Milton D. Ellwood

Chg. \$4.50  
No. 38790  
Paged  
General  
Indexed

THE STATE OF NEBRASKA }  
MADISON COUNTY } ss.  
This instrument filed for record the 6 day of December 19 62 at 3:00 o'clock P. M. and recorded in Vol. 43 of Miscellaneous Page 384  
*Helma J. French*  
Register of Deeds