



BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN, NEBRASKA,)
A Municipal Corporation,)
)
Condemner,)

CASE NO. CI06-13146

vs.)

REPORT OF APPRAISERS

JANET M. SCHMUTTE and LARRY L.)
SCHMUTTE, wife and husband; and)
LANCASTER COUNTY, NEBRASKA,)
[Cheney Water Tower Site, Tract 1, 701-825])

EDENTON NORTH HOMEOWNERS)
ASSOCIATION; and)
LANCASTER COUNTY, NEBRASKA,)
[Pioneers Blvd Widening to Pagoda, 700-019])

Condemnees.)

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TO: THE HONORABLE JUDGE OF THE COUNTY COURT OF LANCASTER COUNTY,
NEBRASKA

We, the undersigned Appraisers, duly appointed by the County Judge of Lancaster County, Nebraska to view the grounds, hear testimony, and appraise the damages by reason of the taking as hereinafter described respectfully submit the following report.

After taking and subscribing to the oath as prescribed by law, we, separately, and as a body, did carefully inspect and view the grounds and premises in question, and the grounds, premises, and property for which damages are claimed by the claimant or claimants named in the Petition for the Appointment of Appraisers and Condemnation of Lands, and hear all parties present who were interested therein with reference to the amount of damages, and we have and do hereby assess the damages which all persons interested therein have sustained by reason of the taking and appropriating of lands and rights therein for the purposes as stated in the said Petition and as shown on the description hereinafter set forth:

NKA P4 L13

A. Janet and Larry Schmutte - Owner

1. Fee Simple Title to:

A portion of Lot 2, Irregular Tract, located in the North Half of the Southwest Quarter of Section 25, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the northwest corner of said North Half of the Southwest Quarter, thence east along the north line of said Southwest Quarter, on an assumed bearing of South 89° 53' 42" East, a distance of 41.71 feet to a point on the northeast right of way line of Breagan Road, said point being the True Point of Beginning; thence continuing South 89° 53' 42" East along said north line a distance of 553.03 feet to a point; thence South 00° 06' 18" West, a distance of 383.73 feet, to the north corner of Lot 1, I.T.; thence South 43° 29' 50" West, along the northwest line of said Lot 1, I.T., a distance of 100.03 feet, to the west corner of said Lot 1, I.T.; thence North 46° 35' 38" West, along a southwest line of said Lot 2, I.T., said line also being the northeast right of way line of Breagan Road, a distance of 665.49 feet to the Point of Beginning, containing a calculated area of 139,393.81 square feet, or 3.20 acres, more or less.

B. Edenton North Homeowners Association - Owner

1. Fee Simple Title To:

A portion of Outlot F, Block 2, Edenton North 3rd Addition, located in the Northeast Quarter of Section 10, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the northwest corner of said Outlot F; thence east along the north line of said Outlot F, said line lying 50.00 feet south of and parallel to the north line of Section 10, Township 9 North, Range 7 East of the 6th P.M., a distance of 25.58 feet; thence southwesterly, deflecting 135°17'23" right, to a point on the west line of said Outlot F, a distance of 36.36 feet; thence northerly, deflecting 135°17'26" right, along the west line of said Outlot F, a distance of 25.58 feet to the Point of Beginning, containing a calculated area of 327.09 square feet, more or less.

2. Temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading and sidewalk construction and appurtenances thereto belonging, over and through the following described real property, to wit:

A portion of Outlot F, Block 2, Edenton North 3rd Addition, located in the Northeast Quarter of Section 10, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the northwest corner of said Outlot F; thence east along the north line of said Outlot F, said line lying 50.00 feet south of and parallel to the north line of Section 10, Township 9 North, Range 7 East of the 6th P.M., a distance of 25.58 feet to the Point of Beginning; thence continuing east, deflecting 00°00'00", along said north line of Outlot F, to the northeast corner of said Outlot F, a distance of 5.78 feet; thence south, deflecting 90°25'54" right, along the east line of said Outlot F, a distance of 10.00 feet; thence southwesterly, deflecting 52°12'03" right, to a point on the west line of said Outlot F, a distance of 39.80 feet; thence north, deflecting 127°56'52" right, along the west line of said Outlot F, a distance of 8.58 feet; thence northeasterly, deflecting 44°42'34" right, a distance of 36.36 feet, to a point on the north line of said Outlot F and the Point of Beginning, containing a calculated area of 365.69 square feet, more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the grading and sidewalk construction or one year after commencement of construction on said property, whichever occurs first.

A. **JANET M. SCHMUTTE AND LARRY L. SCHMUTTE** - *undecided.*
This matter was continued until a later date
 We assess all damages in the sum of \$ _____, which sum we award as follows:

To: Janet M. Schmutte and Larry L. Schmutte \$ _____
 To: Lancaster County, Nebraska \$ _____

B. **EDENTON NORTH HOMEOWNERS ASSOCIATION**

We assess all damages in the sum of \$ 750, which sum we award as follows:

To: Edenton North Homeowners Association \$ 750
 To: Lancaster County, Nebraska \$ -0-

GIVEN under our hands this 10th day of January, 2007.

[Signature]

Vickie Lowery

[Signature]
Appraisers

Subscribed and sworn to before me this 10 day of Jan., 2007.



[Signature]
County Judge

by [Signature]
Deputy Clerk

FILED
JAN 10 2007
CLERK OF LANCASTER
COUNTY COURT
DISTRICT THREE

State of Nebraska)
) ss.
County of Lancaster)

I, Deputy Clerk of Lancaster County Court,
certify this document consisting of 4
page(s), to be a full, true and correct copy
of the original record on file in the Lancaster
County Court.

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



Dated: 2-1-07

BY THE COURT: Sherry DeLancey

Court Costs: _____ Dep Clerk