

14770

BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA
DEPARTMENT OF ROADS,

Condemner,

v.

SUZAINNE B. GUENZEL, a widow,
Owner; BRUCE D. DAMROW, Lessee;
LANCASTER COUNTY TREASURER;
RF-77-2(109)

ESTATE OF FRED E. GRIFFIN;
MARIAN KLING, Holder of Interest
from the Estate of Fred E.
Griffin; KARL KLING, husband of
Marian Kling; HENRY FILBERT and
NETTIE FILBERT, husband and
wife, Buyers and Holders of
Interest; LANCASTER COUNTY
TREASURER;
RF-77-2(108)

Condemnees.

Docket 96 Page III Case 239

RETURN

OF

APPRAISERS

TO THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA.

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us by _____, Sheriff or Deputy Sheriff of _____ Lancaster County, Nebraska, on the 25th day of May, 1978, 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 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:

C O N D E M N A T I O N

Owner: Suzaine B. Guenzel, single
Lessee: Bruce D. Damrow

PROJECT RF-77-2(109) TRACT 14

THERE WILL BE NO INGRESS OR EGRESS OVER THE WESTERLY EXISTING HIGHWAY 77 RIGHT OF WAY LINE LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, FROM OR TO THE REMAINDER OF SAID QUARTER QUARTER, EXCEPT, OVER ONE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE SOUTH LINE(S) OF SAID QUARTER QUARTER.

IT IS THE INTENTION OF THIS DEED THAT THE CONTROL OF ACCESS REMAIN UNCHANGED, EXCEPT THAT THE RIGHTS OF INGRESS AND EGRESS AS GRANTED IN THE DOCUMENT FILED IN MISCELLANEOUS BOOK 102, PAGE 279, IN THE RECORDS OF THE REGISTER OF DEEDS OF LANCASTER COUNTY, NEBRASKA SHALL BE TERMINATED, AND THAT THE RIGHTS OF INGRESS AND EGRESS AS DESCRIBED ABOVE SHALL PREVAIL.

TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN LOT 2 OF IRREGULAR TRACTS IN THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY, A DISTANCE OF 121.90 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 60.07 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 089 DEGREES, 57 MINUTES RIGHT, A DISTANCE OF 241.83 FEET; THENCE NORTHWESTERLY DEFLECTING 035 DEGREES, 39 MINUTES LEFT, A DISTANCE OF 262.71 FEET; THENCE EASTERLY DEFLECTING 106 DEGREES, 11 MINUTES RIGHT, A DISTANCE OF 63.10 FEET; THENCE SOUTHEASTERLY DEFLECTING 061 DEGREES, 05 MINUTES RIGHT, A DISTANCE OF 188.53 FEET TO A POINT ON THE WESTERLY HIGHWAY 77 RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 044 DEGREES, 05 MINUTES RIGHT, A DISTANCE OF 172.65 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 004 DEGREES, 20 MINUTES RIGHT, A DISTANCE OF 178.97 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 0.83 ACRES, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF PROJECT RF-77-2(109), 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.

CONDEMNATION

Owner: Suzaine B. Guenzel, single
Lessee: Bruce D. Damrow

PROJECT RF-77-2(109) TRACT 14

THERE WILL BE NO INGRESS OR EGRESS OVER THE WESTERLY EXISTING HIGHWAY 77 RIGHT OF WAY LINE LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, FROM OR TO THE REMAINDER OF SAID QUARTER, EXCEPT, OVER ONE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE NORTH LINE(S) OF SAID QUARTER.

IT IS THE INTENTION OF THIS DEED THAT THE CONTROL OF ACCESS REMAIN UNCHANGED, EXCEPT THAT THE RIGHTS OF INGRESS AND EGRESS AS GRANTED IN THE DOCUMENT FILED IN MISCELLANEOUS BOOK 102, PAGE 279, IN THE RECORDS OF THE REGISTER OF DEEDS OF LANCASTER COUNTY, NEBRASKA SHALL BE TERMINATED, AND THAT THE RIGHTS OF INGRESS AND EGRESS AS DESCRIBED ABOVE SHALL PREVAIL.

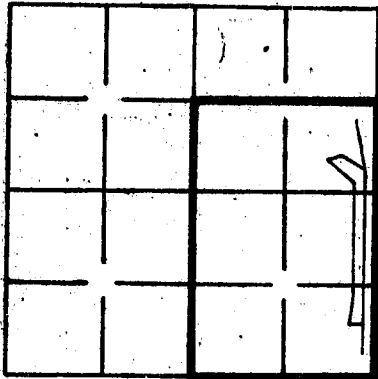
TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN LOT 3 OF IRREGULAR TRACTS IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 8 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 121.90 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 60.07 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 31 MINUTES LEFT, A DISTANCE OF 1197.35 FEET; THENCE SOUTHERLY DEFLECTING 001 DEGREES, 39 MINUTES RIGHT, A DISTANCE OF 269.99 FEET; THENCE EASTERLY DEFLECTING 092 DEGREES, 04 MINUTES LEFT, A DISTANCE OF 64.34 FEET TO A POINT ON THE WESTERLY HIGHWAY 77 RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 090 DEGREES, 47 MINUTES LEFT, A DISTANCE OF 341.91 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 001 DEGREES, 45 MINUTES RIGHT, A DISTANCE OF 1125.48 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 1.85 ACRES, MORE OR LESS.

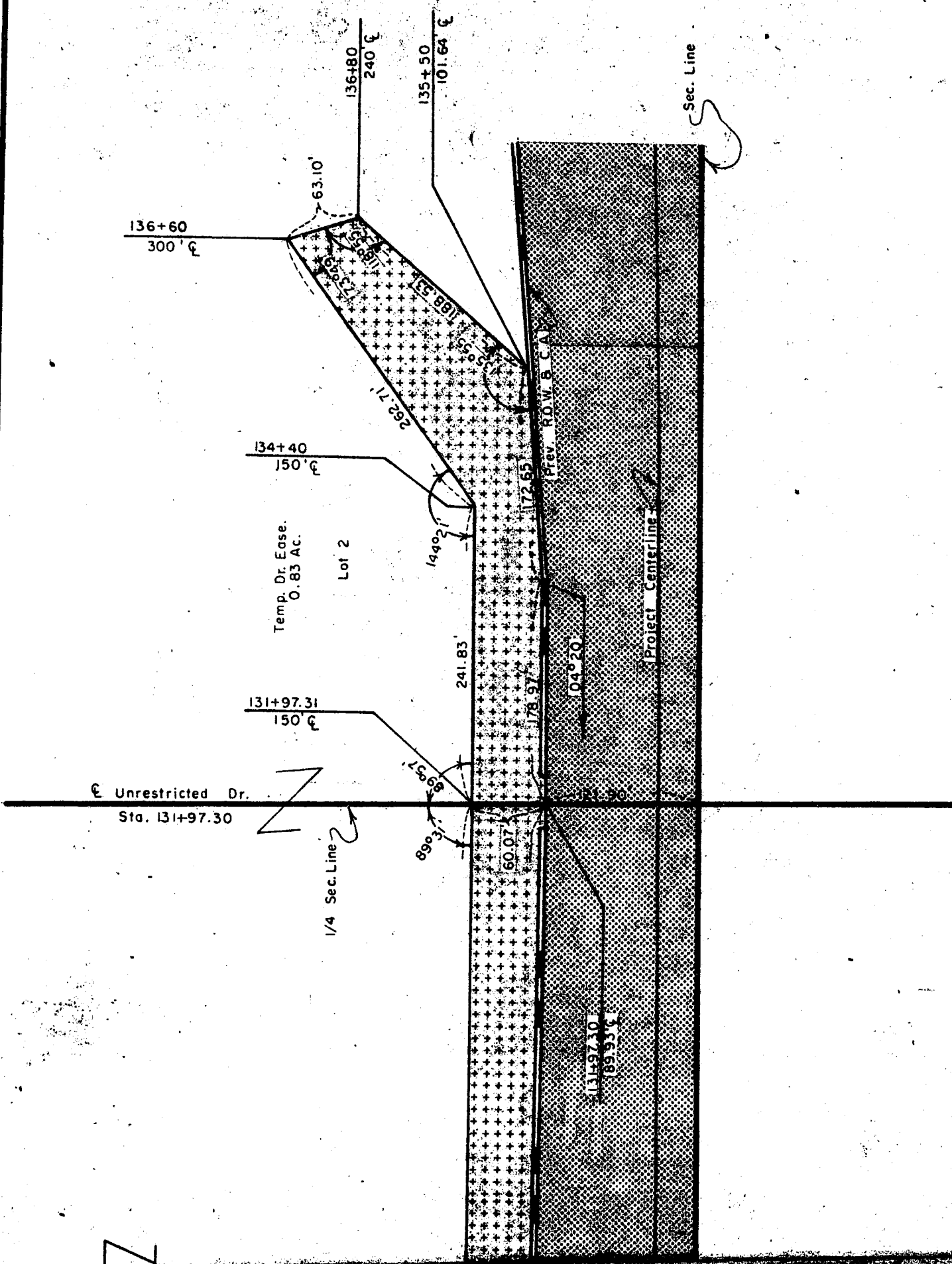
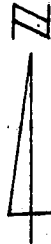
UPON COMPLETION AND ACCEPTANCE OF PROJECT RF-77-2(109), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

14770.

Lots 28.3 of Irregular Tracts
of Sec. 2, SW 4 NE 4 & W 2 SE 4
Sec. 2-T8N-R6E



Lancaster County





Lot 3

Temp. Dr. Easg.
1.85 Ac.

1/4 Se

120+00
160.00' G

01° 39'

269.99'

1197.35'

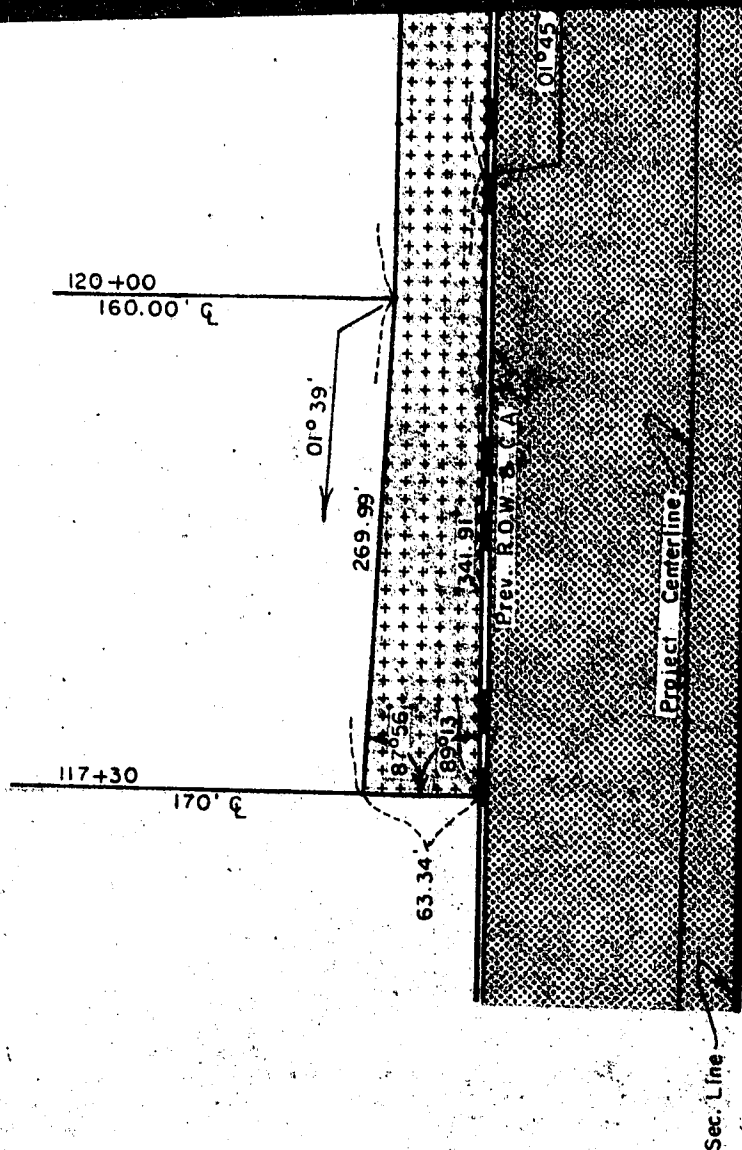
134.91'

Prev. ROW: 6.6 A

01° 45'

1197.30'
89.93' G

Project: Centerline



SKETCH SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND
 OWNED BY

UZAINA B. GUENZEL, A SINGLE WIDOW, SOLE OWNER
LESSEE, BRUCE D. DAMROW

SCALE 1" = 100'
 TRACT 14

PROJ. RF-77-2(109)
 A.F.E. R-

STATE OF NEBRASKA
 DEPARTMENT OF ROADS
 RIGHT OF WAY DIVISION
 LINCOLN, NEBRASKA

LEGEND

PREV. R.O.W.
 NEW R.O.W.
 Temp. Ease.
 CONTROLLED ACCESS

2.68 ACRES
 ACRES
 ACRES

COMPUTED BY I.B.M.
 DRAWN BY E.C.S. 4-13-78
 CHECKED BY
 WRITTEN BY
 CHECKED BY

1.8m
RF-77-2(109)

14770
PROJECT: RF-77-2(108)

AFE: R-227

LANCASTER COUNTY

TRACT: 8

CONDEMNATION

OWNER: Estate of Fred E. Griffin (Deceased)
Marian Kling, Holder of Interest from the Estate of
Fred E. Griffin, Deceased.
Henry Filbert and Nettie Filbert, Buyers and Holders of Interest.

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN LOT 18 OF IRREGULAR TRACTS IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 575.48 FEET ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 48.74 FEET ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE WESTERLY HIGHWAY 77 RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 070 DEGREES, 19 MINUTES RIGHT, A DISTANCE OF 96.38 FEET ALONG SAID RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT; THENCE WESTERLY DEFLECTING 109 DEGREES, 41 MINUTES RIGHT, A DISTANCE OF 57.55 FEET ALONG THE SOUTH LINE OF SAID LOT; THENCE NORTHERLY DEFLECTING 075 DEGREES, 23 MINUTES RIGHT, A DISTANCE OF 93.78 FEET TO THE POINT OF BEGINNING CONTAINING 0.11 ACRES, MORE OR LESS.

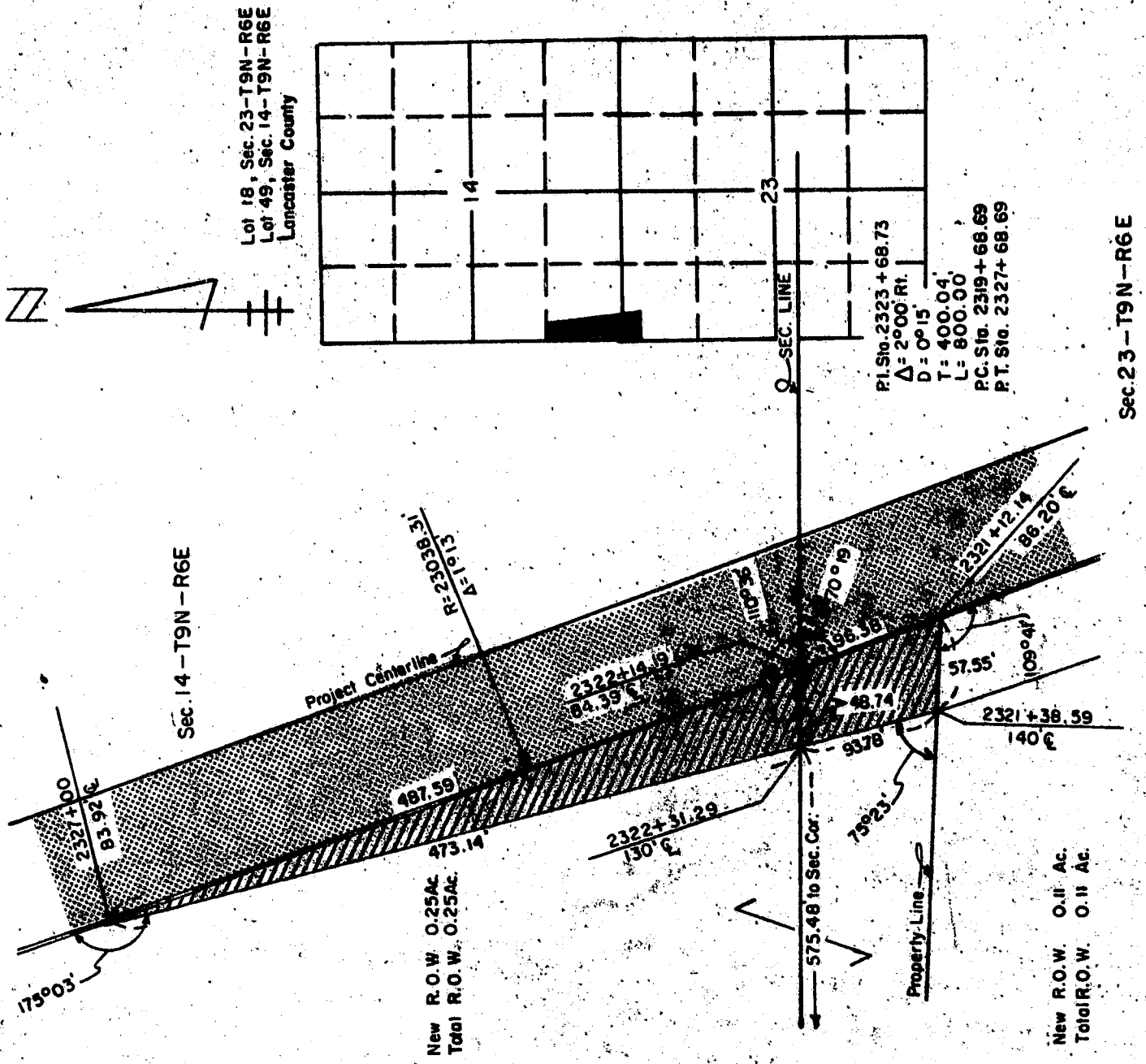
AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN LOT 49 OF IRREGULAR TRACTS IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 575.48 FEET ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 48.74 FEET ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE WESTERLY HIGHWAY 77 RIGHT OF WAY LINE; THENCE NORTHERLY ON A 23038.31 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 110 DEGREES, 36 MINUTES LEFT, A DISTANCE OF 487.59 FEET, SUBTENDING A CENTRAL ANGLE OF 001 DEGREES, 13 MINUTES ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 175 DEGREES, 03 MINUTES LEFT, A DISTANCE OF 473.14 FEET TO THE POINT OF BEGINNING CONTAINING 0.25 ACRES, MORE OR LESS.

ALL RIGHTS TO 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 MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS 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.

14770




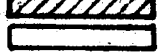


SKETCH SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND
OWNED BY
ESTATE OF FRED E. GRIFFIN
(DECEASED)

SCALE 1" = 100'
TRACT 8

STATE OF NEBRASKA
DEPARTMENT OF ROADS
RIGHT OF WAY DIVISION
LINCOLN, NEBRASKA

PROJ. RF-77-2(108)
A.F.E. R-227

LEGEND

PREV. R.O.W. 
NEW R.O.W. 

CONTROLLED ACCESS 

0.36 ACRES
ACRES
ACRES

COMPUTED BY I.B.M.
DRAWN BY BLH 4/25/78
CHECKED BY I.B.M.
WRITTEN BY J.E.E. 4/26/78
CHECKED BY

14770

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 State highway purposes by the State of Nebraska, Department of Roads, in the amount of:

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 14 RF-77-2(109) \$ 16,289.⁵⁰

Amount to be distributed as follows:

To: Suzaine B. Guenzel, a widow, Owner; \$ 16,279.⁵⁰
Bruce D. Damrow, Lessee; \$ 10.⁰⁰
Lancaster County Treasurer; \$ none

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 8 RF-77-2(108) \$ 673.⁰⁰

Amount to be distributed as follows:

To: Estate of Fred E. Griffin;
Marian Kling, Holder of Interest from the Estate of Fred E. Griffin; \$ none
Karl Kling, husband of Marian Kling; \$ none
Henry Filbert and } \$ 673.⁰⁰
Nettie Filbert, husband and wife, } \$ 673.⁰⁰
Buyers and Holders of Interest;
Lancaster County Treasurer; \$ none

All of which is hereby respectfully submitted.

Dated this 25th day of May, A. D. 1978.

[Signature]
[Signature]
[Signature]
Appraisers

Subscribed and sworn to before me this 25th day of

May, A. D. 1978.



[Signature]
County Judge

96-239

IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA
STATE OF NEBRASKA }
LANCASTER COUNTY } ss. CERTIFICATE

Judge of the County Court of Lancaster
County, do hereby certify that the foregoing is a full and correct copy of
the original instrument duly filed and of record in this Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal
of the County Court of said County at Lincoln, Nebraska this 9
day of June 1978



Robert R. Comp
County Judge
By Don Nech
Clerk County Court

INDEXED
MICRO-FILED
GENERAL

LANCASTER COUNTY NEBR.
Kenneth L. Ferguson
REGISTER OF DEEDS

1978 JUN -9 PM 2:20

ENTERED ON
NUMERICAL INDEX
FILED FOR RECORD AS:

INST. NO. 78- 11770

#30. ⁵⁰

County Court