

This original is to be filed with the Clerk of the District Court.

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

K.V. DEV. CO., A Nebraska
 General Partnership, Owner-
 Assignee and K.V. CORP., A
 Nebraska Corporation, Owner-
 Assignor; NATIONAL BANK OF
 COMMERCE TRUST & SAVINGS,
 Mortgagee; SARPY COUNTY
 TREASURER,

 Plaintiffs,

 v.

 STATE OF NEBRASKA
 DEPARTMENT OF ROADS,

 Defendant.

Docket # 9066 SARPY CO. NE. Page 351

INSTRUMENT NUMBER
90-09851

90 JUL 18 AM 9:36

REGISTERED DEEDS

INDEXED ✓
 PAGED ✓
 GRANTEE ✓
 GRANTOR ✓
 FILMED ✓
 CHECKED ✓
 FEES ✓

35.50

90 JUL 17 PM 2:48
 CLERK DISTRICT COURT

Pursuant to a Stipulation entered into by and between the parties, the court does hereby order, adjudge and decree:

1. That the plat and description for Tract 4 owned by the plaintiffs filed in the condemnation action brought by the defendant before the County Judge of Sarpy County, Nebraska, Docket M4, Page 48, and on appeal in the District Court of Sarpy County, Nebraska, Docket 9066, Page 351, are hereby superseded and replaced by the plat and description attached hereto, marked Exhibit A and Exhibit B respectively, and made a part hereof by this reference.
2. That a copy of the attached plat and description be filed with the County Judge of Sarpy County, Nebraska, and replace the plat and description presently filed with the Petition and Return of Appraisers filed before the County Judge of Sarpy County, Nebraska.
3. That the plat and description for Tract 4 owned by the plaintiff which plat and description are attached to the Return of Appraisers filed with the Register of Deeds for Sarpy County, Nebraska, under Instrument Number 90-02264, are hereby superseded and replaced by the plat and description attached hereto, marked Exhibit A and Exhibit B respectively, and made a part hereof by this reference.

130

09851

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4. That a copy of the attached plat and description be filed with the Register of Deeds for Sarpy County, Nebraska, supersede and replace the plat and description filed under Instrument Number 90-02264.

5. That the costs of filing in the County Judge's office, the Register of Deeds office, the Clerk of the District Court's office and necessary certified copies of the Order of the District Court of Sarpy County, Nebraska, be charged to the defendant.

6. That a copy of this Order be certified by the Clerk of the District Court of Sarpy County, Nebraska, to the County Judge of Sarpy County, Nebraska, and to the Register of Deeds of Sarpy County, Nebraska, and said County Judge and Register of Deeds are hereby directed to file the Order and attached plat and description in their respective records. The Register of Deeds is further directed, after recording the Order and attached plat and description to return them to the State of Nebraska, Department of Roads, Legal Office, P.O. Box 94759, Lincoln, NE 68509.

Dated this 17th day of JULY, 1990.

BY THE COURT

J. A. Thompson
District Judge

90-09851B

PROJECT: IR-80-9(415) C.N.: 20658 DOUGLAS COUNTY
(PAGE 1)
OF 2

TRACT: 4

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

K.V. DEV. CO., A NEBRASKA GENERAL PARTNERSHIP, OWNER-ASSIGNEE AND
K.V. CORP., A NEBRASKA CORPORATION, OWNER-ASSIGNOR, NATIONAL BANK
OF COMMERCE TRUST & SAVINGS, MORTGAGEE;

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 58.87 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 1987.88 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHEASTERLY DEFLECTING 132 DEGREES, 12 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 475.58 FEET ALONG THE NORTHWESTERLY EXISTING INTERSTATE 80 RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 007 DEGREES, 35 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 302.65 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 007 DEGREES, 35 MINUTES, 41 SECONDS LEFT, A DISTANCE OF 937.56 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE SOUTHWESTERLY RELOCATED HARRISON STREET RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 116 DEGREES, 32 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 53.80 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 023 DEGREES, 01 MINUTES, 19 SECONDS RIGHT, A DISTANCE OF 31.31 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHWESTERLY DEFLECTING 071 DEGREES, 01 MINUTES, 32 SECONDS LEFT, A DISTANCE OF 961.91 FEET; THENCE NORTHWESTERLY DEFLECTING 090 DEGREES, 52 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 410.28 FEET; THENCE NORTHERLY DEFLECTING 024 DEGREES, 54 MINUTES, 06 SECONDS RIGHT, A DISTANCE OF 884.50 FEET TO A POINT ON THE SOUTHERLY EXISTING HARRISON STREET RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 085 DEGREES, 57 MINUTES, 04 SECONDS LEFT, A DISTANCE OF 96.72 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 003 DEGREES, 26 MINUTES, 23 SECONDS LEFT, A DISTANCE OF 73.35 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 16.13 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION.

AND ALSO:

EXHIBIT B

90-098510

PROJECT: IR-80-9(415) C.N.: 20658 DOUGLAS COUNTY

TRACT: 4

(PAGE 2)

OF 2

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 2046.75 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHEASTERLY DEFLECTING 132 DEGREES, 12 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 475.58 FEET ALONG THE NORTHWESTERLY EXISTING INTERSTATE 80 RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 007 DEGREES, 35 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 302.65 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 007 DEGREES, 35 MINUTES, 41 SECONDS LEFT, A DISTANCE OF 1391.08 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 537.06 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE SOUTHWESTERLY EXISTING 120TH STREET RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 090 DEGREES, 46 MINUTES, 35 SECONDS LEFT, A DISTANCE OF 60.01 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHWESTERLY DEFLECTING 089 DEGREES, 13 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 551.68 FEET TO A POINT ON THE NORTHEASTERLY RELOCATED HARRISON STREET RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 104 DEGREES, 25 MINUTES, 19 SECONDS LEFT, A DISTANCE OF 61.95 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 0.75 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION.

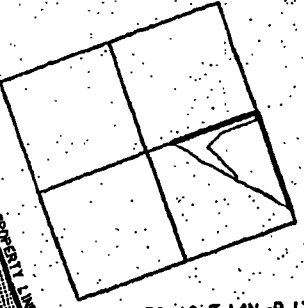
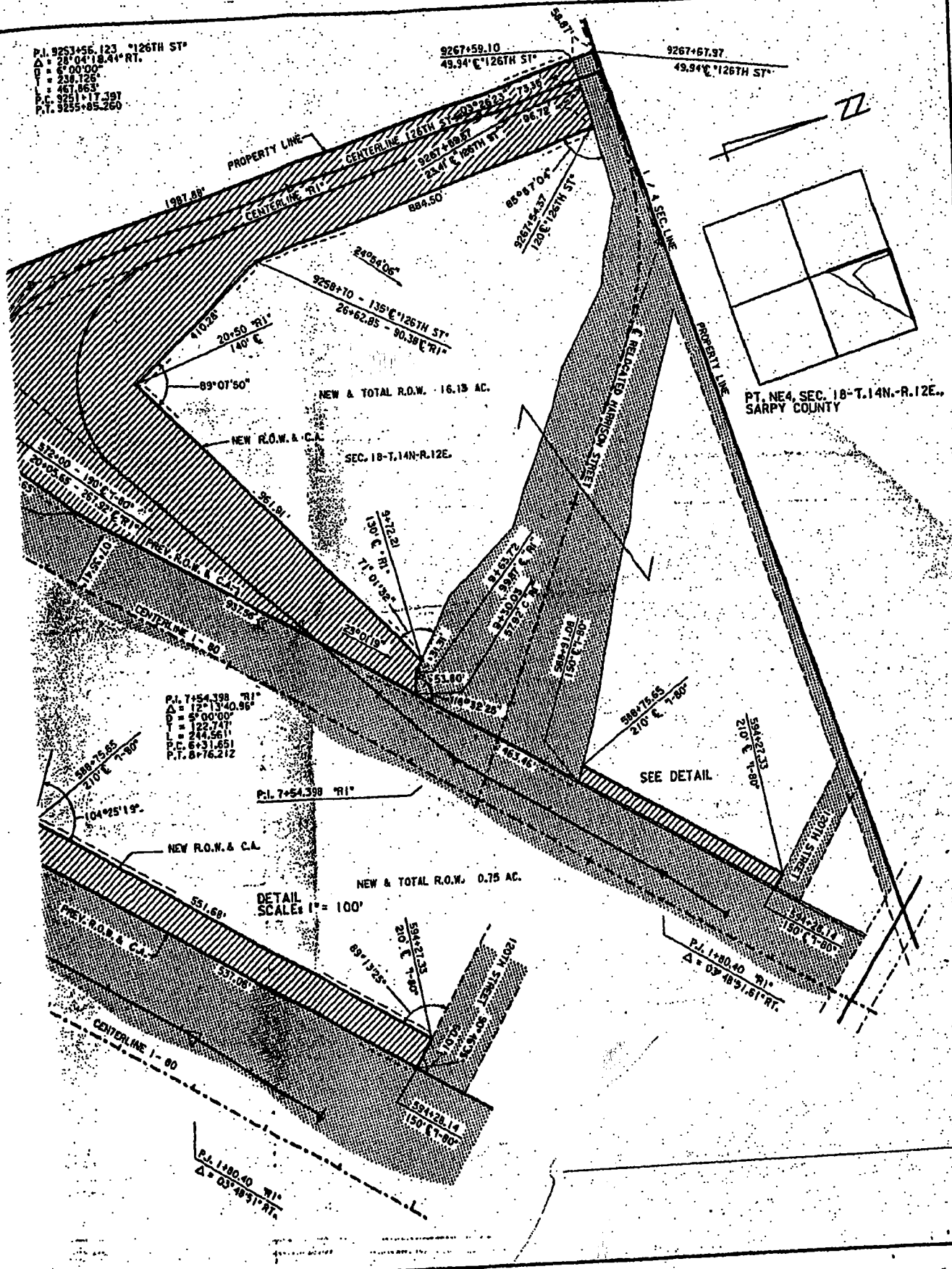
ALL RIGHTS TO OIL AND GAS MINERALS IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS 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.

90-09851D

P.I. 9253+56.123 *126TH ST
Δ = 28°04'18.44" RT.
D = 6°00'50"
L = 234.126'
P.C. 467.863'
P.T. 9251+17.397
P.T. 9255+85.260

9267+59.10
49.94° E 126TH ST

9267+67.37
49.94° E 126TH ST



PT. NE4, SEC. 18-T.14N-R.12E,
SARPY COUNTY

P.I. 7+54.398 RT
Δ = 12°13'40.86"
D = 4°00'00"
L = 122.747'
P.C. = 244.561'
P.T. 8+31.651
P.T. 8+76.212

P.I. 7+54.398 RT

NEW R.O.W. & C.A.

NEW & TOTAL R.O.W. 0.75 AC.

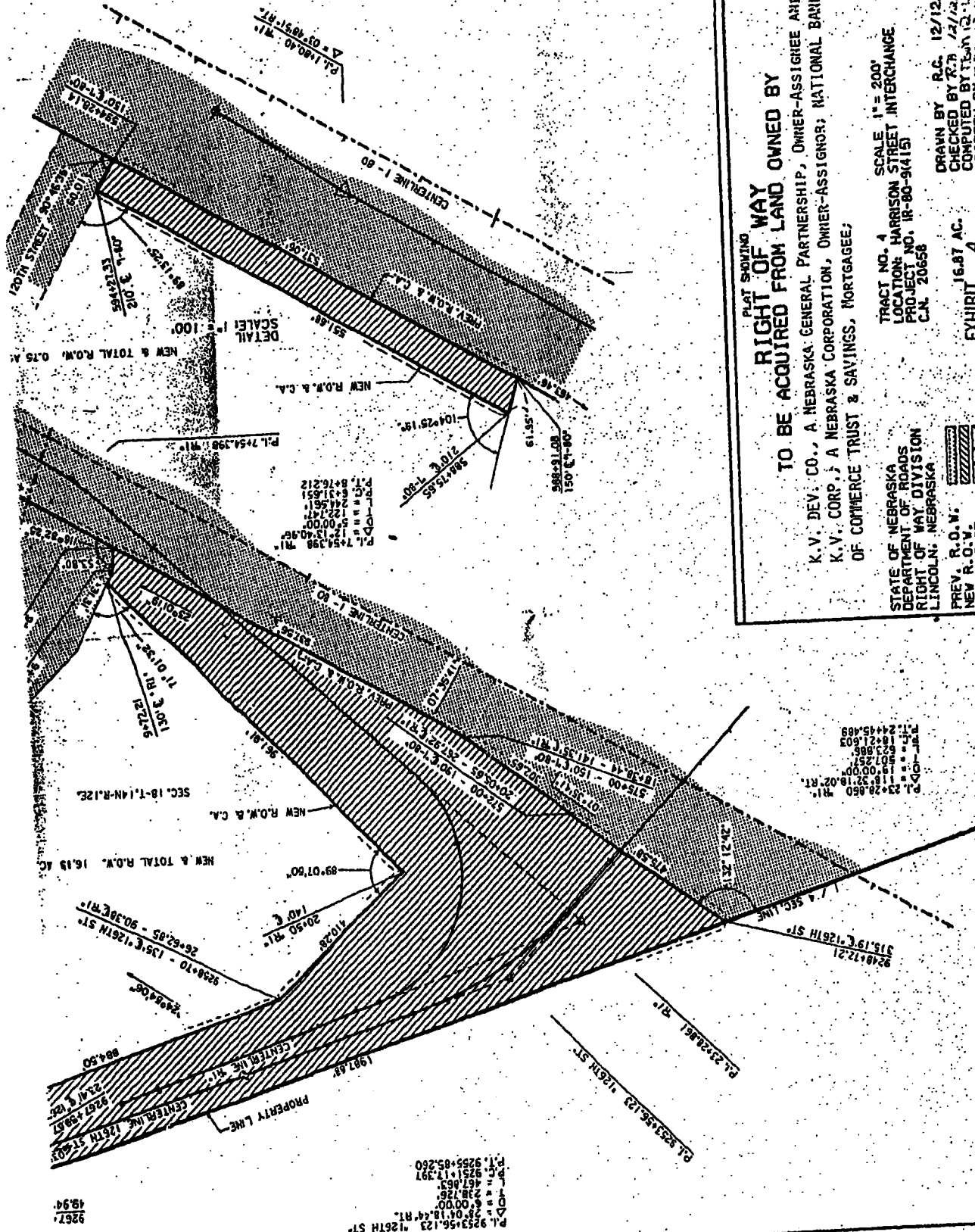
DETAIL SCALE: 1" = 100'

SEE DETAIL

P.I. 1+80.40 RT
Δ = 0°49'16.1" RT

P.I. 1+80.40 RT
Δ = 0°49'16.1" RT

90-09851E



PLAT SHOWING
RIGHT OF WAY OWNED BY
TO BE ACQUIRED FROM LAND OWNED BY
 K.V. DEV. CO., A NEBRASKA GENERAL PARTNERSHIP, OWNER-ASSIGNEE AND
 K.V. CORP., A NEBRASKA CORPORATION, OWNER-ASSIGNOR; NATIONAL BANK
 OF COMMERCE TRUST & SAVINGS, MORTGAGEE;

TRACT NO. 4
 SCALE 1" = 200'
 LOCATION: HARRISON STREET INTERCHANGE
 PROJECT NO. IR-80-9(415)

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

DRAWN BY R.C. 12/12/89
 CHECKED BY T.M. 12/12/89
 COMPUTED BY T.S. 12/12/89
 WRITTEN BY T.S. 12/12/89
 CHECKED BY T.S. 12/12/89

EXHIBIT A
 16.87 AC.

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

9267.
 49.94

P.L. 9253+56.123 +126TH ST.
 Δ = 2° 04' 18.44" RT.
 D = 67.0000
 T = 238.786
 L = 457.863
 P.C. 9251+17.397
 P.T. 9255+85.260

P.L. 23+20.860 #1.
 Δ = 118° 32' 10.02" RT.
 D = 19.0000
 T = 50.7271
 L = 50.7271
 P.C. 18+21.603
 P.T. 24+55.489

STATE OF NEBRASKA, }
COUNTY OF SARPY, } ss.

I, CHARLENE MARCHAND, Clerk of the District Court, in and for Sarpy County in the Second Judicial District of Nebraska, do hereby certify that the above and foregoing is a true copy of ORDER.....

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entered in a cause in said court wherein K.V. DEV. CO., A Nebraska General Partnership, Owner-Assignee and K. V. Corp., A Nebraska Corporation, Owner-Assignor, NATIONAL BANK OF COMMERCE TRUST & SAVINGS, Mortgagee; SARPY COUNTY TREASURER plaintiff.....and.....

STATE OF NEBRASKA DEPARTMENT OF ROADS
defendant....., Docket.....9066.....Page.....351....., as the same appear fully upon the records of said Court now in my charge remaining as Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Papillion, this.....17th.....day of.....July..... A.D. 1990



Charlene Marchand
CLERK

DEPUTY CLERK