

Affects lots 8-19 Brookhaven Replat II

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IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

COUNTY OF DOUGLAS, a Political Subdivision and County of the State of Nebraska,

DOC. C5

NO. 194

Condemner,

vs.

REPORT OF APPRAISERS

MICHAEL J. and MARY E. HAGGE, husband and wife; HAROLD L. ROCK, Trustee; MID CITY BANK, INC., Beneficiary; AT & T COMMUNICATIONS OF THE MIDWEST, INC., an Iowa Corporation; C & N ENTERPRISES, INC., A Nebraska Corporation; SANITARY AND IMPROVEMENT DISTRICT NO. 294; REALBANC, INC.; OMAHA PUBLIC POWER DISTRICT; NORTHWESTERN BELL TELEPHONE CO.; AMERICAN TELEPHONE & TELEGRAPH; TITLE INSURANCE COMPANY OF MINNESOTA; FIRST AMERICAN TITLE INSURANCE COMPANY; SAFECO TITLE INSURANCE COMPANY; CONSTRUCTION SCIENCES, INC., A Nebraska Corporation; OMAHA NATIONAL BANK, Trustee; FIRSTIER MORTGAGE CO., Beneficiary; BROOKHAVEN REPLAT II HOMEOWNERS ASSOCIATION; SAM J. HOWELL, Douglas County Treasurer,

Condemnees.

RECEIVED
1987 JUN 22 AM 11:16
GEORGE J. BUGLEWICZ
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

11243 Mice H

BK 818 N 8-14-12 C/O FEE 52.00
POL 250-358 DEL. MC Be
OF M... COMP SA F/B 01-6000

On the 18 day of June, 1987, the undersigned, being the duly appointed, qualified and acting appraisers in the above-entitled proceeding, do hereby make and file their report as follows:

- 1. THAT pursuant to an Order entered in the County Court of Douglas County, Nebraska on the 5th day of May, 1987, the undersigned were duly appointed appraisers in the above-entitled matter; and that before entering upon the duties as such appraisers, the undersigned duly took and subscribed their oath as required by law.

2. THAT the undersigned appraisers carefully inspected and viewed the premises, hereinafter described, on the 9th day of June, 1987, and thereafter, did hold a hearing on the 9th day of June, 1987, in the County Court of Douglas County, Nebraska, 3rd Floor, Hall of Justice, 17th & Farnam Streets, Omaha, Nebraska, at which time evidence was received relative to the amount of damages that have been sustained or will be sustained by such appropriation of the property herein described for county road 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:

TRACT NO. 28:

Legal Description of Tract:

TRACT A: A tract of land located in the West 1/2 and the SW 1/4 of the SE 1/4 of Section 8, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, more particularly described as follows:

Beginning at the point of intersection of the North right-of-way line of Harrison Street and the East right-of-way line of Interstate Highway No. 80; thence N 48°06'06"E (assumed bearing) along said East right-of-way line of Interstate Highway No. 80, a distance of 473.33 Feet; thence Northeasterly on a curve to the left, along said East right-of-way line of Interstate Highway No. 80 with a radius of 3014.79 Feet, a distance of 2037.55 Feet; said curve having a long chord which bears N 28°44'12"E, a distance of 1998.99 Feet; thence N 09°20'52"E, along said East right-of-way line of Interstate Highway No. 80, a distance of 1880.53 Feet to a point on the North line of the SE 1/4 of the NW 1/4 of said Section 8; thence S 89°31'25"E, along said North line of the SE 1/4 of the NW 1/4 of Section 8, a distance of 186.70 Feet; thence S 10°44'48"E, a distance of 776.87 Feet; thence S 07°10'40"E, a distance of 480.47 Feet; thence S 66°09'42"W, a distance of 100.00 Feet; thence South 23°50'18"E, a distance of 1248.21 Feet; thence S 03°26'20"E, a distance of 1522.17 Feet to a point on said North right-of-way line of Harrison Street; thence N 89°30'04"W, along said North right-of-way line of Harrison Street a distance of 39.69 Feet; thence N 89°34'35"W, along said North right-of-way line of Harrison Street, a distance of 2475.12 Feet to the point of beginning.

AND

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Tract B: A tract of land located in the SE 1/4 of the NW 1/4 of Section 8, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska more particularly described as follows:

Beginning at the Northeast corner of said SE 1/4 of the NW 1/4 of Section 8; thence S00°30'06"W, along the East line of said NW 1/4 of Section 8, a distance of 1,322.77 Feet to the Southeast corner of said NW 1/4 of Section 8; thence N 89°32'29"W, along the South line of said NW 1/4, a distance of 209.52 Feet; thence N 07°10'40"W, a distance of 188.92 Feet; thence S 82°49'20"W, a distance of 95.12 Feet; Thence N 22°56'23"W, a distance of 73.19 Feet; thence N 07°10'40"W, a distance of 346.79 Feet; thence N 10°44'48"W, a distance of 751.78 Feet to a point on the North line of said SE 1/4 of the NW 1/4 of Section 8; thence S 89°31'25"E, along said North line of the SE 1/4 of the NW 1/4 of Section 8, a distance of 551.13 Feet to the point of beginning

Parcel A - Fee Simple Acquisition with Controlled Access

A parcel of land lying in the Southwest 1/4 of Section 8, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 8; thence N. 02° 21' 44" W. (assumed bearing) along the East line of said Southwest 1/4, 33.00 Feet to a point on the North right-of-way line of Harrison Street, being the point of beginning; thence S 87° 33' 22" W. along said North right-of-way line, 851.99 Feet; thence Northeasterly on a 1,482.39 Foot radius curve to the Right (chord bearing = N. 81° 11' 44" E., chord length = 101.30 Feet) an arc length of 101.32 Feet; thence N. 86° 04' 37" E., 223.79 Feet; thence N. 87° 33' 22" E., 527.62 Feet to a point on the East line of said Southwest 1/4; thence S. 02° 21' 44" E. along said East line, 17.00 Feet to the point of beginning.

Said parcel contains 12,750 square feet (0.29 acres) more or less.

Parcel B - Fee Simple Acquisition Without Controlled Access

A parcel of land lying in the Southwest 1/4 of Section 8, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 8; thence S. 87° 33' 22" W. (assumed bearing) along the South line of said Southwest 1/4, 200.00 Feet; thence N. 02° 26' 38" W., 50.00 Feet to the point of beginning; thence S. 87° 33' 22" W., 327.55 Feet; thence S. 86° 04' 37" W., 223.79 Feet; thence Southwesterly on a 1,482.39 Foot radius curve to the

left (chord bearing = S. 81° 11' 44" W., chord length = 101.30 Feet) an arc length of 101.32 Feet to a point on the North right-of-way line of Harrison Street; thence S. 87° 33' 22" W. along said North right-of-way line, 236.06 Feet; thence N. 44° 32' 37" E., 40.82 Feet; thence S. 68° 03' 46" E., 112.94 Feet; thence N. 33° 44' 21" E., 174.23 Feet; thence N. 87° 55' 22" E., 115.14 Feet; thence S. 02° 26' 38" E., 45.11 Feet; thence N. 87° 33' 22" E., 27.55 Feet; thence N. 69° 48' 42" E., 52.50 Feet; thence S. 82° 47' 45" E., 101.44 Feet; thence S. 79° 15' 29" E., 359.48 Feet; thence S. 02° 26' 38" E., 14.00 Feet to the point of beginning.

Said parcel contains 72,938 square feet (1.67 acres) more or less.

Parcel C - Temporary Easement

A parcel of land lying in the Southwest 1/4 of Section 8, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska, being more particularly described as follows:

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Commencing at the Southeast corner of the Southwest 1/4 of said Section 8; thence S. 87° 33' 22" W. (assumed bearing) along the South line of said Southwest 1/4, 49.93 Feet; thence N. 02° 26' 38" W., 50.00 Feet to the point of beginning; thence S. 87° 33' 22" W., 150.07 Feet; thence N. 02° 26' 38" W., 14.00 Feet; thence N. 79° 15' 29" W., 359.48 Feet; thence N. 82° 47' 45" W., 101.44 Feet; thence S. 69° 48' 42" W., 52.50 Feet; thence S. 87° 33' 22" W., 27.55 Feet; thence N. 02° 26' 38" W., 45.11 Feet; thence N. 87° 55' 22" E., 16.55 Feet; thence N. 87° 33' 22" E., 11.00 Feet; thence N. 80° 42' 48" E., 100.72 Feet; thence S. 80° 35' 02" E., 102.18 Feet; thence S. 79° 29' 28" E., 102.61 Feet; thence S. 76° 24' 27" E., 103.08 Feet; thence S. 87° 18' 04" E., 100.40 Feet; thence S. 65° 35' 06" E., 168.22 Feet to the point of beginning.

Said parcel contains 25,593 square feet (0.59 acres) more or less.

TRACT NO. 31:

Legal Description of Tract:

✓ Lot 481, Brookhaven, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska

Parcel A - Permanent Easement:

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✓ A parcel of land being part of Lot 481, Brookhaven, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

Beginning at the Southwest corner of said Lot 481; thence N. 02° 21' 45" W. (assumed bearing) along the East right-of-way line of 110th Street, 93.67 Feet; thence S. 44° 54' 41" E., 2.48 Feet; thence S. 07° 54' 13" E., 41.99 Feet; thence S. 14° 58' 58" E., 42.06 Feet; thence N. 87° 03' 53" E., 100.01 Feet; thence S. 83° 56' 07" E., 27.30 Feet; thence S. 87° 39' 49" E., 73.25 Feet to a point on the North right-of-way line of Harrison Street; thence S. 87° 38' 15" W. along said North right-of-way line, 214.92 Feet to the point of beginning.

Said parcel contains 2,100 square feet (0.05 acres) more or less.

✓ Parcel B - Permanent Easement

A parcel of land being part of Lot 481, Brookhaven, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 481; thence S. 87° 38' 15" W. (assumed bearing) along the North right-of-way line of Harrison Street, 739.37 Feet; thence N. 66° 49' 51" E., 106.98 Feet; thence N. 82° 29' 42" E., 100.40 Feet; thence N. 84° 12' 14" E., 100.18 Feet; thence S. 89° 30' 00" E., 100.13 Feet; thence S. 87° 47' 18" E., 100.32 Feet; thence S. 86° 39' 06" E., 100.50 Feet; thence S. 82° 42' 52" E., 101.44 Feet; thence S. 84° 57' 20" E., 39.70 Feet to a point on the East line of said Lot 481; thence S. 02° 21' 45" E along said East line, 7.88 Feet to the point of beginning.

Said parcel contains 26,661 square feet (0.61 acres) more or less.

✓ Parcel C - Temporary Easement

A parcel of land being part of Lot 481, Brookhaven, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 481; thence S. 16° 42' 38" E. (assumed bearing) 100.57 Feet; thence N. 87° 38' 15" E., 90.00 Feet; thence S. 81° 03' 09" E., 101.98 Feet; thence N. 87° 39' 49" E., 73.25 Feet; thence N. 83° 56' 07" W., 27.30 Feet; thence S. 87° 03' 53" W., 100.01 Feet; thence N. 14° 58' 58" W., 42.06 Feet; thence N. 07° 54' 13" W., 41.99 Feet; thence N. 44° 54' 41" W, 2.48 Feet to a point on the East right-of-way line of 110th Street; thence N. 02° 21' 45" W. along said East right-of-way line, 23.76 Feet to the point of beginning.

Said parcel contains 2,413 square feet (0.06 acres) more or less.

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✓ Parcel D - Temporary Easement

A parcel of land being part of Lot 481, Brookhaven, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of said Lot 481; thence N. 02° 21' 45" W. (assumed bearing) along the East line of said Lot 481, 7.88 Feet to the point of beginning; thence N. 84° 57' 20" W., 39.70 Feet; thence N. 82° 42' 52" W., 101.44 Feet; thence N. 86° 39' 06" W., 100.50 Feet; thence N. 87° 47' 18" W., 100.32 Feet; thence N. 89° 30' 00" W., 100.13 Feet; thence S. 24° 12' 14" W., 100.18 Feet; thence S. 82° 29' 42" W., 100.40 Feet; thence S. 66° 49' 51" W., 106.98 Feet; thence N. 61° 59' 48" E., 110.92 Feet; thence N. 83° 20' 55" E., 200.56 Feet; thence S. 89° 30' 00" E., 100.13 Feet; thence S. 85° 37' 14" E., 341.73 Feet to the East line of said Lot 481; thence S. 02° 21' 45" E. along said East line, 10.00 Feet to the point of beginning.

Said parcel contains 5,765 Square Feet (0.13 Acres) more or less.

TRACT NO. 34:

Legal Description of Tract:

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✓ Lot 14, Brookhaven Replat II, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska

Parcel A - Fee Simple Acquisition with Controlled Access

✓ A parcel of land being part of Lot 14, Brookhaven Replat II, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

Beginning at the Southeast corner of said Lot 14; thence S. 87° 38' 15" W. (assumed bearing) along the North right-of-way line of Harrison Street, 10.00 Feet; thence N. 42° 37' 01" E., 14.14 Feet to a point on the West right-of-way line of 108th Street; thence S. 02° 24' 14" E., along said West right-of-way line, 10.00 Feet to the point of beginning.

Said parcel contains 50 square feet (0.001 acres) more or less.

✓ Parcel B - Permanent Easement

A parcel of land being part of Lot 14, Brookhaven Replat II, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

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Beginning at the Southwest corner of said Lot 14; thence N. $02^{\circ} 21' 45''$ W. (assumed bearing) along the West line of said Lot 14, 7.88 Feet; thence S. $84^{\circ} 57' 20''$ E., 61.14 Feet to a point on the North right-of-way line of Harrison Street; thence S. $87^{\circ} 38' 15''$ W. along said North right-of-way line, 60.63 Feet to the point of beginning.

Said parcel contains 239 square feet (0.005 acres) more or less.

Parcel C - Temporary Easement

✓ A parcel of land being part of Lot 14, Brookhaven Replat II, as surveyed, platted and recorded in Douglas County, Nebraska, being more particularly described as follows:

Commencing at the Southeast corner of said Lot 14; thence S. $87^{\circ} 38' 15''$ W. (assumed bearing) along the North right-of-way line of Harrison Street, 10.00 Feet to the point of beginning; thence continuing S. $87^{\circ} 38' 15''$ W. along said North right-of-way line, 589.37 Feet; thence N. $84^{\circ} 57' 20''$ W., 61.14 Feet to a point on the West line of said Lot 14; thence N. $02^{\circ} 21' 45''$ W. along said West line, 10.00 Feet; thence S. $82^{\circ} 11' 14''$ E., 61.60 Feet; thence N. $87^{\circ} 38' 15''$ E., 550.00 Feet; thence N. $46^{\circ} 35' 05''$ E., 65.42 Feet to a point on the West right-of-way line of 108th Street; thence S. $02^{\circ} 24' 13''$ E., along said West right-of-way line, 39.96 Feet; thence S. $42^{\circ} 37' 01''$ W., 14.14 Feet to the point of beginning.

Said parcel contains 5,721 square feet (0.13 acres) more or less.

Parcel D - Controlled Access

✓ Permanent access control located along the East and South boundaries of Lot 14, Brookhaven Replat II, an addition in the South $1/2$ of Section 8, Township 14 North, Range 12 East of the 6th P.M., in Douglas County, Nebraska.

There will be no ingress or egress permitted from or to said Lot 14 along the lines of controlled access. The lines of controlled access extend the entire length of Harrison Street and the entire length of 108th Street except:

Access to said Lot 14 will be permitted from 108th Street through a private drive 50 Feet in width centered approximately 750 Feet North of the Southeast corner of said Lot 14, and access will also be permitted from Harrison Street through a private drive 50 Feet in width centered approximately 575 Feet West of the Southeast corner of said Lot 14.

TRACT NO. 40:

Legal Description of Tract:

Lot 1, Brookhaven Replat II, a subdivision, as surveyed, platted and recorded, in Douglas County, Nebraska

Controlled Access

Said tract being the East line of Lot 1 Brookhaven Replat II as surveyed, platted and recorded in Douglas County, Nebraska. Said controlled access hereby denies ingress and/or egress from said Lot 1 onto 108th Street.

3. THAT 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 county road purposes by the County of Douglas, in the amount of:

TRACT NO. 28:

TO: Sam J. Howell, Douglas County Treasurer	\$ 3,796.96
Michael J. and Mary E. Hage, Owners	\$ 120,203.04
Harold L. Rock, Trustee	
Mid City Bank, Beneficiary	
AT & T Communications of the Midwest, Inc.	\$ -0-
TOTAL AWARD	\$ 124,000.00

TRACT NO. 31:

TO: Sam J. Howell, Douglas County Treasurer	\$ 50,875.00
C & N Enterprises, Inc., Owner	
Sanitary and Improvement District No. 294	
First Tier Mortgage Company, f/k/a Realbank	
Omaha Public Power District	\$ -0-
Northwestern Bell Telephone Company	\$ -0-
American Telephone and Telegraph	\$ -0-
TOTAL AWARD	\$ 50,875.00

TRACT NO. 34:

TO: Sam J. Howell, Douglas County Treasurer	\$ 3,150.00
Title Insurance Company of Minnesota, Owner	\$ -0-
First American Title Insurance Company, Owner	\$ -0-

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Safeco Title Insurance Company, Owner
Omaha Public Power District
Northwestern Bell Telephone Company
Mid City Bank, Plaintiff

\$ -0-
\$
\$
\$
\$

TOTAL AWARD

\$ 3,150.00

TRACT NO. 40:



TO: Sam J. Howell, Douglas County Treasurer
Construction Sciences, Inc., Owner
FirstTier Bank, f/k/a Omaha National Bank,
Trustee
FirstTier Mortgage Company, Beneficiary
Brookhaven Replat II Homeowners Association
Omaha Public Power District
Northwestern Bell Telephone Company

\$ -0-
\$
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\$

TOTAL AWARD

\$ -0-

THEREFORE, the undersigned appraisers do hereby find and assess the damages as indicated in Paragraph 3 that will be suffered by reason of the taking of the real estate by the Condemner and said appraisers hereby submit this report as required by the laws of the State of Nebraska.

FILED
COUNTY COURT
PROCEEDING DIVISION

JUN 18 1987

DOUGLAS COUNTY, NEBRASKA

0181/69-77

James E. Rho
David M. Osborne
David L. Fredricks

COUNTY COURT
DOUGLAS COUNTY
OMAHA, NEBR.

STATE OF NEBRASKA, }
COUNTY OF DOUGLAS } ss.

I, Clerk of the County Court of Douglas County, Nebraska, do hereby
certify that I have compared the foregoing copy of _____
"REPORT OF APPRAISERS"

in the ~~matter of~~ Condemnation C5 - 194 County Of Douglas, vs. Michael
J. and Mary E. Hagge, et al

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 19th day
of June A. D. 19 87

Clerk of the County Court

By Paul J. Lusk

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