

59-4096

BEFORE THE COUNTY JUDGE OF SARPY COUNTY, NEBRASKA

STATE OF NEBRASKA  
DEPARTMENT OF ROADS,

) Docket MT Page 34 Case

Condemner,

vs.

AAA INVESTMENTS, A Nebraska  
Partnership, Owner-Trustor;  
OCCIDENTAL/NEBRASKA FEDERAL  
SAVINGS BANK, Trustee-Beneficiary  
SARPY COUNTY TREASURER;

~~GHALEY PROPERTIES, A Nebraska  
General Partnership, Owner;  
SCOTT ROTH, Tenant; SARPY  
COUNTY TREASURER;~~

MICHAEL MCCORMACK, Trustee;  
SARPY COUNTY TREASURER;

RETURN

ON

APPRAISERS

*West Hill  
Avery Hill*

TO THE COUNTY JUDGE OF SARPY 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 Sarpy

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County, Nebraska, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

and after having taken and filed the "Oath of Appraisers" that we  
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

MICHAEL MCCORMACK, TRUSTEE

58-2119

SEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE EAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 11 EAST, 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 654.07 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 110.05 FEET TO THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY 36 MINUTES, 19 SECONDS LEFT, A DISTANCE OF 110.05 FEET TO THE NORTHERLY CORNHUSKER ROAD RIGHT OF WAY LINE; THENCE DEFLECTING 095 DEGREES, 19 MINUTES, 01 SECONDS RIGHT, A DISTANCE OF 299.14 FEET ALONG THE WESTERLY 15TH STREET RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 176 DEGREES, 56 MINUTES, 20 SECONDS LEFT, A DISTANCE OF 250.19 FEET; THENCE WESTERLY DEFLECTING 176 DEGREES, 56 MINUTES, 20 SECONDS LEFT, A DISTANCE OF 250.19 FEET; THENCE WESTERLY DEFLECTING 044 DEGREES, 17 MINUTES, 21 SECONDS LEFT, A DISTANCE OF 456.58 FEET; THENCE NORTHERLY DEFLECTING 044 DEGREES, 17 MINUTES, 21 SECONDS RIGHT, A DISTANCE OF 61.23 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 02 MINUTES, 13 SECONDS LEFT, A DISTANCE OF 110.05 FEET ALONG THE SOUTHERLY GREEN ROAD RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 2.86 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAX LOT 513 IN NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 654.07 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 02 MINUTES, 26 SECONDS LEFT, A DISTANCE OF 56.86 FEET ALONG THE SOUTHERLY GREEN ROAD RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY DEFLECTING 048 DEGREES, 46 MINUTES, 25 SECONDS RIGHT, A DISTANCE OF 538.89 FEET; THENCE PASTERLY DEFLECTING 044 DEGREES, 17 MINUTES, 21 SECONDS LEFT, A DISTANCE OF 303.42 FEET TO THE POINT OF TERMINATION;

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SARBY COUNTY  
(PAGE 2)

TRACT 155

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, AND SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN RETAINING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

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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 71 \$ 42,875<sup>00</sup>

Award to be distributed as follows:

- To: AAA Investments, A Nebraska Partnership, Owner-Trustor; \$ 42,875<sup>00</sup>
- Occidental/Nebraska Federal Savings Bank, Trustee-Beneficiary; \$ 0
- Sarpy County Treasurer; \$ 0

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 148 \$

Award to be distributed as follows:

- To: ~~Ghalet Properties, A Nebraska General Partnership, Owner;~~ \$
- Scott Roth, Tenant; \$
- Sarpy County Treasurer; \$

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 155 \$ 42,900

Award to be distributed as follows:

- To: Michael McCormack, Trustee; \$ 42,900
- Sarpy County Treasurer; \$ 0

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All of which is hereby respectfully submitted.

Dated this 22<sup>nd</sup> day of December, A.D. 1986.

James Conipe  
Robert Walker  
Red Young  
Appraisers

Subscribed and sworn to before me this 22<sup>nd</sup> day of December,  
A.D. 1986.

Luft Fugem  
County Judge  
W. H. H. H. H.

STATE OF MISSISSIPPI  
COUNTY OF [unclear]

Exhibit Page 34

I, the undersigned, County Judge, do hereby certify that I have compared the [unclear] with the original and find that the same is correct.

Dated 12/22/86

Luft Fugem  
County Judge

Clerk of the County Court