

BEFORE THE COUNTY JUDGE OF SARPY COUNTY, NEBRASKA

COUNTY OF SARPY
STATE OF NEBRASKA

Condemner

v.

RETURN OF APPRAISERS

Heirs of OTTO S. LUNDGREN, a/k/a
OTTO S. LUNDGREN, deceased; CAROLINE
H. URBAN BERG, ERNEST O. URBAN,
a single person; JOHN O. URBAN,
ELLEN JOAN GRIGER, RICHARD W. URBAN,
a minor person; Holders of Interest;
LEROY L. BERG, husband of CAROLINE
H. URBAN BERG; JOYCE M. URBAN, wife
of JOHN O. URBAN; DALE GRIGER, hus-
band of ELLEN JOAN GRIGER; ELLEN
ETHEL URBAN, Guardian of RICHARD W.
URBAN, a minor person; EUGENE
ATKINSON, Guardian Ad Litem for
RICHARD W. URBAN, a minor person;
JOHN P. KELLY, Referee;

COURTNEY C. QUINN, Owner; BETTY
QUINN, wife of COURTNEY C. QUINN;
AUSTIN C. QUINN, Mortgagee;

Condemnees

FILED FOR RECORD IN SARPY COUNTY NEB. *May 17 1968* 2 O'CLOCK PM
AND RETURNED IN BOOK *40-81-55-21* PAGE *21*

Ernie N. Heston REGISTER OF DEEDS *21 50*

TO HONORABLE ORVILLE ESTERMAN, 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
R. K. W. [Signature], Sheriff or Deputy Sheriff of Sarpy
County, Nebraska, on the *19th* day of *May*, 1968, and after
having taken and filed the "Oath of Appraisers" that we did carefully
inspect and view the property described herein, sought to be appro-
priated by the County of Sarpy, State of Nebraska, and also other
property of the condemnees alleged damaged thereby and did hear all
parties interested therein in reference to the amount of damages sus-
tained 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 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:

5433

40-82

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 County Road purposes by the County of Sarpy, State of Nebraska, in the amount of:

To: Heirs of Otto S. Lundgren, a/k/a Otto S. Lundgren, deceased; Caroline H. Urban Berg, Ernest O. Urban, a single person, John O. Urban, Ellen Joan Griger, Richard W. Urban, a minor person, Holders of Interest; LeRoy L. Berg, husband of Caroline H. Urban Berg; Joyce M. Urban, wife of John O. Urban; Dale Griger, husband of Ellen Joan Griger; Ellen Ethel Urban, Guardian of Richard W. Urban, a minor person; Eugene Atkinson, Guardian Ad Litem for Richard W. Urban, a minor person; John P. Kelly, Referee; \$ 7,358.40

To: Courtney C. Quinn, Owner; Betty Quinn, wife of Courtney C. Quinn; Austin C. Quinn, Mortgagee; \$

To: Courtney C. Quinn, Owner; Betty Quinn, wife of Courtney C. Quinn; Austin C. Quinn, Mortgagee; \$ 22,860⁰⁰

All of which is hereby respectfully submitted.

Dated this 13 day of May, A.D., 1968.

Ronald L. Lovitt

Robert L. Tall

Mike Hagan

Subscribed and sworn to before me this 13 day of May, A.D., 1968.

(SRAL)

Quill Eutenman
County Judge

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

Land Owners: Caroline H. Berg, Earnest O. Urban, a single man, John O. Urban, Ellen Joan Griger, Richard W. Urban, a single minor, Tenants in Common, Leroy L. Berg, husband of Caroline H. Berg, Joyce M. Urban, wife of John O. Urban, Dale Griger, husband of Ellen Joan Griger, Ellen Ethel Urban, guardian of Richard W. Urban

Tenant: William C. Hamilton

Tenant: Earl Schuessler

Project: RAD-13 (1) AFD: R-629 Sarpy County, Nebraska

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Fee Simple Title to a tract of land and all improvements thereon, if any, for Highway Right of Way Purposes located in Tax Lot B1A and B2B in the Southwest Quarter of Section 34, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the Southwest Corner of said Section 34; thence northerly on the West Line of the Southwest Quarter of said Section 34 a distance of 176.2 feet; thence northeasterly 17 degrees 22 minutes right a distance of 331.7 feet; thence continuing northeasterly 11 degrees 00 minutes right a distance of 320.9 feet; thence continuing northeasterly 12 degrees 23 minutes left a distance of 250.5 feet; thence continuing northeasterly 05 degrees 59 minutes right a distance of 193.5 feet; thence easterly 66 degrees 02 minutes right a distance of 27.2 feet to a point on the westerly Existing Highway Right of Way Line; thence northerly 90 degrees 00 minutes left and on said westerly Existing Highway Right of Way Line a distance of 99.0 feet; thence westerly 90 degrees 00 minutes left a distance of 27.0 feet; thence northerly 86 degrees 25 minutes right a distance of 48.0 feet, more or less; to a point on the Centerline of Papillion Drainage Ditch; thence easterly 109 degrees 04 minutes right, more or less, and on said Drainage Ditch Centerline a distance of 65.4 feet, more or less; thence northeasterly 44 degrees 15 minutes left, more or less, and on said Drainage Ditch Centerline a distance of 61.3 feet, more or less; thence southerly 121 degrees 09 minutes right, more or less, a distance of 29.6 feet, more or less; thence continuing southerly 10 degrees 25 minutes right a distance of 67.7 feet; thence continuing southerly 08 degrees 51 minutes left a distance of 75.0 feet; thence continuing southerly 06 degrees 42 minutes right a distance of 207.7 feet; thence continuing southerly 05 degrees 29 minutes left a distance of 105.0 feet; thence continuing southerly 10 degrees 49 minutes left a distance of 117.6 feet; thence southwesterly 24 degrees 28 minutes right a distance of 492.5 feet; thence southerly 10 degrees 12 minutes left a distance of 300.0 feet to a point on the South Line of said Southwest Quarter; thence westerly on said South Line a distance of 321.7 feet to the point of beginning, containing 7.31 acres, more or less, which includes 1.20 acres, more or less, previously occupied as a public highway, the remaining 5.11 acres, more or less; being the additional acreage to be secured in this action.

There will be no ingress or egress over the above described tract onto the remainder of said Tax Lot B1A and B2B in the Southwest Quarter, except two nonrestricted drives as to use, not to exceed 40.0 feet in width, the centerlines of which are to be located 970.5 feet northerly from the South Line of said Southwest Quarter, as measured along the centerline of the highway and on the westerly and easterly side of said Highway, except over two private residential entrances, not to exceed 20.0 feet in width, to provide ingress and egress to dwelling of the owner so long as it is used consistent with normal activities thereto, the centerline of which are to be located 1,356.5 feet northerly from said South Line and being on the westerly side of said highway as measured along the centerline of the highway and 10.0 feet northerly from said South Line as measured on the easterly Highway Right of Way Line; and except over two Farmstead Entrances, not to exceed 25.0 feet in width, to provide ingress and egress to dwelling and out building site of the owner, so long as they are used consistent with rural living and farming activities the centerlines of which are to be located 1,145.5 feet and 1,328.5 feet northerly from said South Line and being on the easterly side of said highway as measured along the centerline of the highway; subject two page Stipulation.

All mineral rights in the above described tract shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tract for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

40-84

CONDEMNATION

Land Owners: Caroline H. Berg, Ernest O. Urban, a single man, John O. Urban, Ellen Joan Griger, Richard W. Urban, a single minor, Tenants in Common, Leroy L. Berg, Husband of Caroline H. Berg, Joyce M. Urban, wife of John O. Urban, Dale Griger, Husband of Ellen Joan Griger; Ellen Ethel Urban, guardian of Richard W. Urban

Tenant: William C. Hamilton

Tenant: Earl Schuessler

Project: RAD-13(1)

APR: R-629

Sarpy County, Nebraska

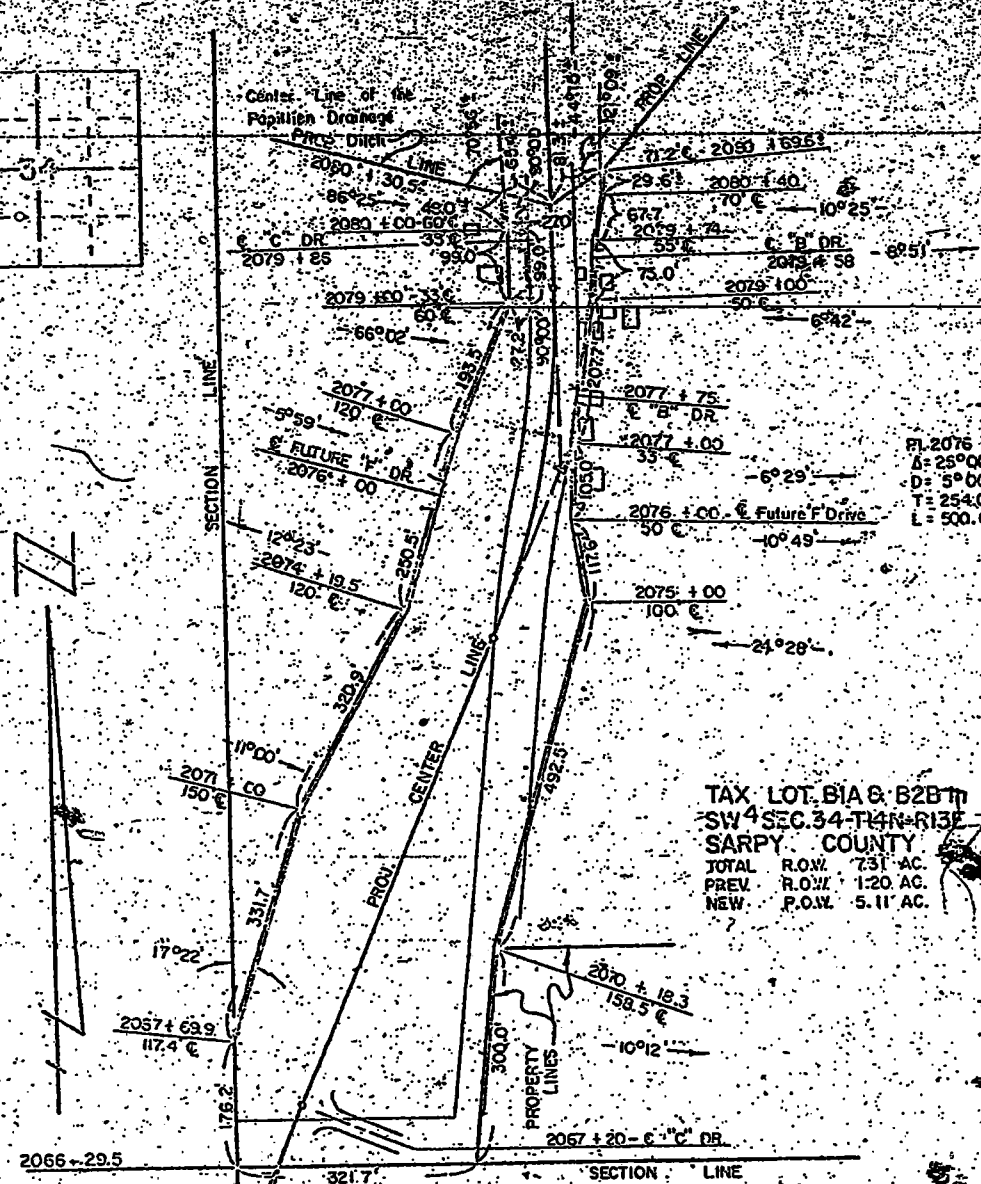
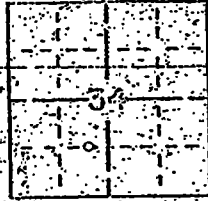
Page 2 of 2

And also, Temporary Easement to a tract of land and all improvements thereon, if any, for Construction purposes located in Tax Lot B1A and B2B in the Southwest Quarter of Section 34, Township 14 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the Southwest Corner of said Section 34; thence northerly on the West Line of the Southwest Quarter of said Section 34 a distance of 176.2 feet to a point on the northwesterly Highway Right of Way Line; thence northeasterly 17 degrees 22 minutes right and on said northwesterly Highway Right of Way Line a distance of 331.7 feet; thence continuing northeasterly 11 degrees 00 minutes right and on said northwesterly Highway Right of Way Line a distance of 320.9 feet; thence continuing northeasterly 12 degrees 23 minutes left and on said northwesterly Highway Right of Way Line a distance of 250.5 feet; thence continuing northeasterly 05 degrees 59 minutes right and on said northwesterly Highway Right of Way Line a distance of 193.5 feet to the point of beginning, said point being on the northerly Highway Right of Way Line; thence easterly 66 degrees 02 minutes right and on said northerly Highway Right of Way Line a distance of 27.2 feet to a point on the westerly Existing Highway Right of Way Line; thence northerly 90 degrees 00 minutes left and on said westerly Existing Highway Right of Way Line a distance of 99.0 feet to a point on the southerly Highway Right of Way Line; thence westerly 90 degrees 00 minutes left and on said southerly Highway Right of Way Line a distance of 27.0 feet; thence southerly a distance of 99.0 feet to the point of beginning, containing 0.06 acre, more or less, to be secured in this action.

The right to use the above described Temporary Easement shall terminate upon acceptance by the Department of Roads of the above mentioned Project: RAD-13(1).

40-85



PI. 2076 + 735
Δ = 25°00' LT.
D = 5°00'
T = 254.04
L = 500.00

TAX LOT B1A & B2B IN
SW 4 SEC. 34-T14N-R13E
SARPY COUNTY
TOTAL R.O.W. 7.31 AC.
PREV. R.O.W. 1.20 AC.
NEW P.O.W. 5.11 AC.

PI. 2064 + 97.8
Δ = 22°44' RT.
D = 5°00'
T = 230.36
L = 454.67

CAROLINE H. BERG, et al.

19

RAD-13(1)
629

TEMP CONST EASE

511
0.15

STATE OF NEBRASKA

IN SENATE,
January 12, 1975.

Comes now heirs of John A. Lindgren, Deceased, by and through their attorneys John A. Lindgren, Oscar E. Berman, John P. Kelley, and the State of Nebraska, Department of Roads, by and through one of its attorneys, and does hereby stipulate and agree as follows:


That the map plat and description, a copy of each of which are attached to this stipulation, be substituted in the petition filed before the County Judge of Surry County, Nebraska, and in the Returns of Appraisers in the above entitled cause. The map plat and description provides for a future "P" drive leading at Section 2975-00 right, said opening being granted by the defendant and for the granting thereof, the defendant waive any and all severance damages, if any, that may hereinafter be claimed because of this taking, and agree that no such severance damages to the remainder shall be claimed in this action and that the only value that will be considered by the appraisers, and that will be considered if there should be an ultimate appeal to the District Court of Surry County, Nebraska, if the value of the land actually being taken by this condemnation proceeding.

That the appraisers have been advised of this stipulation and will make their return of appraisals conform to this agreement and will only value the land actually taken giving no consideration to damages to the remainder, if any should exist.

Proved this 16th day of May, 1938

Witness my hand and seal of said
County of ...
this 16th day of May, 1938.
Notary Public for said County of ...
John P. Kelly

Witness my hand and seal of said
County of ...



s/ Peter E. Marchetti
Peter E. Marchetti

s/ Oscar T. Doerr
Oscar T. Doerr

s/ John P. Kelly
John P. Kelly

44-259

RIGHT-OF-WAY EASEMENT

I, Joseph M and Mary K Cieslik

of the real estate described below, and hereafter referred to as "Grantor(s)", in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the QUAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, and the NORTHWESTERN BELL TELEPHONE COMPANY, a corporation, its successors and assigns, collectively referred to as "Grantees", a permanent right-of-way easement to install, operate, maintain, repair, replace and renew its electric and telephone facilities over, upon, above, along, under, in and across the following described real estate, to wit: Lots One (1) and Two (2), Marijo Estates, an addition to Sarpy County, Nebraska, as surveyed, platted and recorded.

FILED FOR RECORD 5:20 PM 8:00 AM IN BOOK 49 OF Misc. Fees 350
PAGE 259 Carl L. Hillebrand REGISTER OF DEEDS, SARPY COUNTY, NEB

CONDITIONS:

- (a) Where Grantees' facilities are constructed, Grantees shall have the right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate, at any time, service lines, poles, wires, cables, crossarms, guys and anchors and other instrumentalities for the carrying and transmission of electric current for light, heat and power and for the transmission of signals and sound of all kinds and the reception thereof, including all services of the Grantees to the residence on the above described real estate, over, upon, along, above, under, in and across a strip of land sixteen feet (16') in width, being eight feet (8') on each side of and parallel to facilities as constructed by Grantees.
- (b) The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Grantor, its heirs, successors or assigns, covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways be erected, constructed, used or placed on or below the surface of said land where Grantees' facilities have been constructed.
- (d) Grantees shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be and to repair or replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be.
- (e) It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her heirs, executors, administrators, successors or assigns shall warrant and defend the same and will indemnify and hold harmless the Grantees forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this 18 day of March, 1976

ATTEST:

Joseph M Cieslik

ATTEST:

Mary K Cieslik

Grantor(s)

STATE OF
COUNTY OF

STATE OF
COUNTY OF Douglas

On this 18 day of March, 1976 before me the undersigned, a Notary Public in and for said County, personally came

On this 18 day of March, 1976 before me the undersigned, a Notary Public in and for said County and State, personally appeared

Joseph M Cieslik and Mary K Cieslik
President of
personally to me known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be voluntary act and deed for the purpose therein expressed.

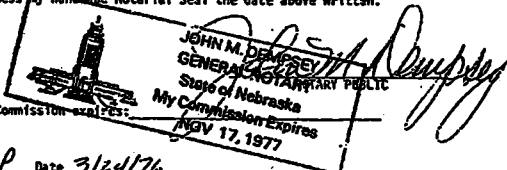
personally to me known to be the identical person(s) and who acknowledged the execution thereof to be their voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at _____ in said County the day and year last above written.

Witness my hand and Notarial Seal the date above written.

NOTARY PUBLIC

My Commission expires:



Distribution Engineer BLD Date 3/25/76 Land Rights and Services RWP Date 3/24/76

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19 _____
Section 34 Township 14 North, Range 13 East Salesman Graves Engineer LEE Est. #48525 v.o. #3250

Rec # 54836
A