

89-05390

BEFORE THE COUNTY JUDGE OF SARPY COUNTY, NEBRASKA

STATE OF NEBRASKA)
 DEPARTMENT OF ROADS,)
)
 Condemner,)
)
 v.)
)
E-370-7(118))
 JOSEPH L. TRIBULATO, Holder of an)
 Interest; GERALD L. HIGDAY and)
 ANN HIGDAY, Husband and Wife,)
 Holders of Interest; SARPY COUNTY)
 TREASURER;)
)
 EARL E. SCHUESSLER and EVELYN F.)
 SCHUESSLER, Husband and Wife,)
 Joint Tenants; SARPY COUNTY)
 TREASURER;)
)
E-73-2(126))
 HERMAN PLATT and FRANK W. PLATT,)
 Co-trustees; SARPY COUNTY)
 TREASURER;)
)
 FRANK W. PLATT, EDITH A. WALKER,)
 BARBARA JEAN KRESL, Owners;)
 BERNADETTE E. PLATT, Wife of)
 Frank W. Platt, IRVIN L. WALKER,)
 Husband of Edith A. Walker,)
 DONALD KRESL, Husband of Barbara)
 Jean Kresl, Possible Holders of)
 Interest; FRANK W. PLATT,)
 Trustee; SARPY COUNTY TREASURER;)
)
 Condemnees.)

Docket M4 Page 47 Case _____

RETURN OF APPRAISERS

FILED SARPY CO. NE.
 INSTRUMENT NUMBER
89-05390
 1989 MAY -9 AM 9:43
Wanda
 REGISTER OF DEEDS

INDEXED W
 PAGED _____
 GRANTEE _____
 GRANITOR _____
 FILMED _____
 CHECKED _____
 FEE \$ 117.00

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 County, Nebraska, on the _____ day of _____, 1989, and after having taken and filed the "Oath of Appraisers" that we did carefully inspect and view the

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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:

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

JOSEPH L. TRIBULATO, HOLDER OF INTEREST; GERALD L. HIGDAY AND
ANN HIGDAY, HUSBAND AND WIFE, 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 TAX LOT A IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 13 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 EASTERLY A DISTANCE OF 444.80 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 879.94 FEET TO A POINT ON THE EAST PROPERTY LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 089 DEGREES, 53 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 194.49 FEET ALONG SAID PROPERTY LINE TO A POINT ON THE NORTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 071 DEGREES, 03 MINUTES, 49 SECONDS RIGHT, A DISTANCE OF 371.99 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 014 DEGREES, 01 MINUTES, 59 SECONDS RIGHT, A DISTANCE OF 103.10 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 014 DEGREES, 02 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 50.90 FEET ALONG SAID LINE; THENCE WESTERLY ON A 5639.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 317.70 FEET, SUBTENDING A CENTRAL ANGLE OF 003 DEGREES, 13 MINUTES 40 SECONDS ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 185.10 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 076 DEGREES, 04 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 22.59 FEET ALONG SAID LINE TO A POINT ON THE EASTERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 091 DEGREES, 29 MINUTES, 42 SECONDS RIGHT, A DISTANCE OF 259.30 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 6.44 ACRES, MORE OR LESS, WHICH INCLUDES 1.33 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

ALL RIGHTS TO OIL AND GAS 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

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CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNES AND/OR HIS, HER OR THEIR HEIRS, 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.

AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT A IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 13 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 EASTERLY A DISTANCE OF 1324.74 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO A POINT ON THE WEST PROPERTY LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 089 DEGREES, 53 MINUTES, 31 SECONDS RIGHT, A DISTANCE OF 337.18 FEET ALONG SAID PROPERTY LINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 24.66 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 071 DEGREES, 30 MINUTES, 47 SECONDS RIGHT, A DISTANCE OF 417.71 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 168 DEGREES, 14 MINUTES, 01 SECONDS RIGHT, A DISTANCE OF 102.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 011 DEGREES, 18 MINUTES, 39 SECONDS RIGHT, A DISTANCE OF 325.68 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 0.19 ACRES, MORE OR LESS.

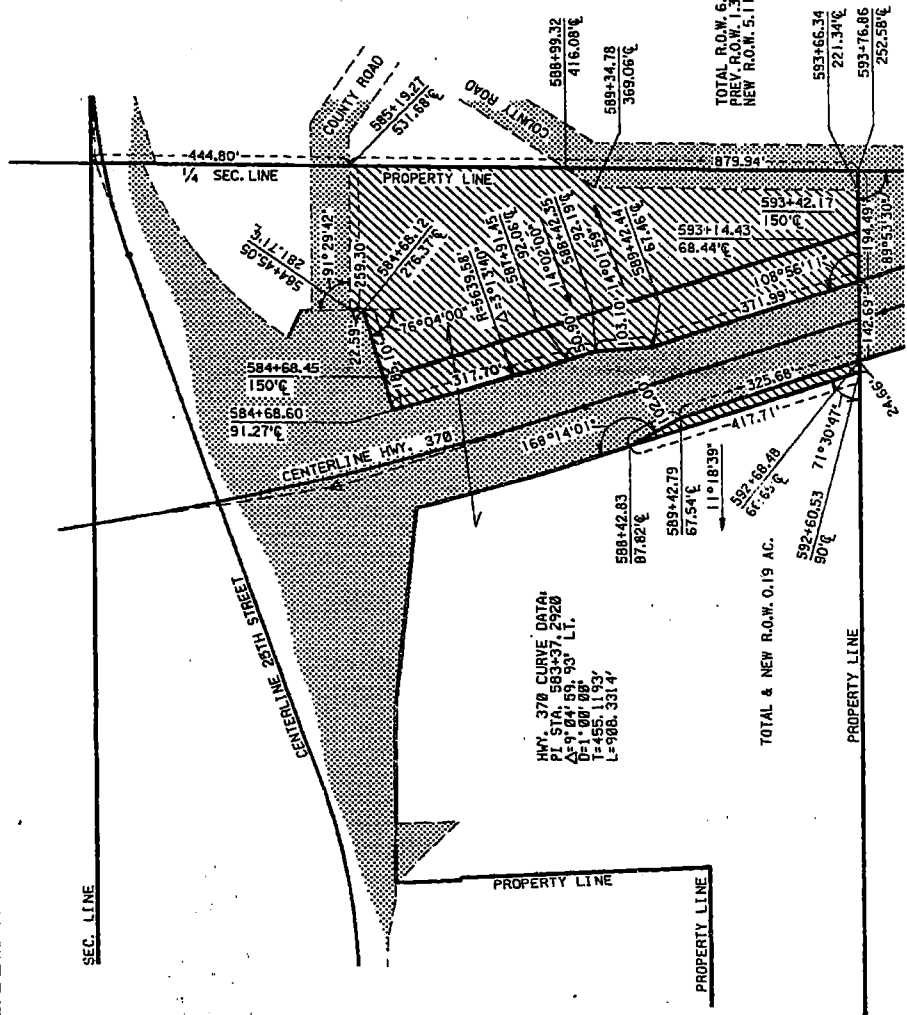
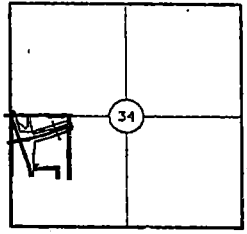
THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID TAX LOT A IN THE SOUTHWEST QUARTER.

ALL RIGHTS TO OIL AND GAS MINERALS IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNES AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNES 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNES AND/OR HIS, HER OR THEIR HEIRS, 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.

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PT. TAX LOT "A" IN SW4,
SEC. 34-T14N-R13E,
SARPY COUNTY, NEBRASKA



TOTAL R.O.W. 6.44 AC.
NEW R.O.W. 1.35 AC.
NEW ROAD 5.11 AC.

HWY. 370 CURVE DATA
PT. STA. 583+37.2928
AS 9°04'59.33" LT.
D=1,000.00'
T=455.1193'
L=988.3314'

TOTAL & NEW R.O.W. 0.19 AC.

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

JOSEPH L. TRIDJALATO, HOLDER OF INTEREST; GERALD L. HIGDAY AND
ANN HIGDAY, HUSBAND AND WIFE, HOLDERS OF INTEREST

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

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

5.30 AC.

DRAWN BY K.J. 1-18-89
CHECKED BY J.B. 1-23-89
COMPUTED BY J.W. 1-23-89
WRITTEN BY J.W. 1-23-89
CHECKED BY J.W. 1-23-89

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

EARL E. SCHUESSLER AND EVELYN F. SCHUESSLER, H&W, J.T.

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 5A1 AND TAX LOT 12 IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 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 NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 496.20 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 71.10 FEET ALONG SAID LINE TO A POINT ON THE NORTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE WESTERLY ON A 5649.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 079 DEGREES, 51 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 43.30 FEET, SUBTENDING A CENTRAL ANGLE OF 000 DEGREES, 26 MINUTES 21 SECONDS ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 245.30 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 004 DEGREES, 18 MINUTES, 06 SECONDS LEFT, A DISTANCE OF 200.60 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 004 DEGREES, 18 MINUTES, 13 SECONDS RIGHT, A DISTANCE OF 892.45 FEET ALONG SAID LINE; THENCE WESTERLY ON A 5664.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 1291.87 FEET, SUBTENDING A CENTRAL ANGLE OF 013 DEGREES, 04 MINUTES 01 SECONDS ALONG SAID LINE TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 086 DEGREES, 23 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 96.79 FEET ALONG SAID QUARTER SECTION LINE; THENCE EASTERLY ON A 5574.58 FOOT RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 093 DEGREES, 48 MINUTES, 42 SECONDS RIGHT, A DISTANCE OF 1278.01 FEET, SUBTENDING A CENTRAL ANGLE OF 013 DEGREES, 08 MINUTES 08 SECONDS; THENCE EASTERLY DEFLECTING 000 DEGREES, 11 MINUTES, 40 SECONDS RIGHT, A DISTANCE OF 1391.39 FEET TO THE POINT OF BEGINNING CONTAINING 5.51 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID TAX LOT 5A1 AND TAX LOT 12 IN THE

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SOUTHEAST QUARTER. EXCEPT, OVER ONE UNRESTRICTED ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE WEST LINE(S) OF SAID QUARTER SECTION.

AND ALSO:

EXCEPT, OVER ONE RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED WESTERLY 912.8 FEET FROM THE EAST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT SHOULD THE CONDEMNEE(S) OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS 90 DAY PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

ALL RIGHTS TO OIL AND GAS 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, 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.

AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 5A1 IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 EAST OF

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THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 242.31 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTHWESTERLY DEFLECTING 156 DEGREES, 41 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 52.64 FEET; THENCE NORTHERLY ON A 1235.92 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 004 DEGREES, 21 MINUTES, 55 SECONDS RIGHT, A DISTANCE OF 200.41 FEET, SUBTENDING A CENTRAL ANGLE OF 009 DEGREES, 17 MINUTES 26 SECONDS TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 099 DEGREES, 40 MINUTES, 09 SECONDS RIGHT, A DISTANCE OF 70.27 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 0.23 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 242.31 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY DEFLECTING 156 DEGREES, 41 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 52.64 FEET; THENCE NORTHERLY ON A 1235.92 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 004 DEGREES, 21 MINUTES, 55 SECONDS RIGHT, A DISTANCE OF 200.41 FEET, SUBTENDING A CENTRAL ANGLE OF 009 DEGREES, 17 MINUTES 26 SECONDS TO THE POINT OF TERMINATION; EXCEPT, OVER ONE UNRESTRICTED ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE NORTH LINE LINE(S) 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 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, 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.

AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 1 IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 365.63 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 33.00 FEET TO A POINT ON THE WESTERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE SOUTHWESTERLY DEFLECTING 061 DEGREES, 07 MINUTES, 41 SECONDS LEFT, A DISTANCE OF 115.64 FEET; THENCE SOUTHERLY DEFLECTING 030 DEGREES, 08 MINUTES, 33 SECONDS LEFT, A DISTANCE OF 87.73 FEET; THENCE SOUTHERLY ON A 1235.92 FOOT RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 177.37 FEET, SUBTENDING A CENTRAL ANGLE OF 008 DEGREES, 13 MINUTES 22 SECONDS TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 080 DEGREES, 19 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 70.27 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 0.65 ACRES, MORE OR LESS, WHICH INCLUDES 0.26 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 70.27 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHERLY ON A 1235.92 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 080 DEGREES, 19 MINUTES, 51 SECONDS RIGHT, A DISTANCE OF 177.37 FEET, SUBTENDING A CENTRAL ANGLE OF 008 DEGREES, 13 MINUTES 22 SECONDS; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 87.73 FEET; THENCE NORTHEASTERLY DEFLECTING 030 DEGREES, 08 MINUTES, 33 SECONDS RIGHT, A DISTANCE OF 115.64 FEET TO A POINT ON THE WESTERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE TO THE POINT OF TERMINATION; EXCEPT, OVER ONE UNRESTRICTED ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE SOUTH LINE LINE(S) 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 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, 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.

AND ALSO:

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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 B1B IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 378.80 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO A POINT ON THE WESTERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE SOUTHERLY DEELECTING 089 DEGREES, 36 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 261.47 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE NORTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE WESTERLY DEELECTING 088 DEGREES, 30 MINUTES, 13 SECONDS RIGHT, A DISTANCE OF 18.84 FEET ALONG SAID LINE; THENCE SOUTHWESTERLY DEELECTING 063 DEGREES, 49 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 279.60 FEET ALONG SAID LINE; THENCE WESTERLY ON A 5649.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 052 DEGREES, 47 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 249.50 FEET, SUBTENDING A CENTRAL ANGLE OF 002 DEGREES, 31 MINUTES 49 SECONDS TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEELECTING 100 DEGREES, 09 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 71.10 FEET ALONG SAID LINE; THENCE NORTHEASTERLY DEELECTING 053 DEGREES, 46 MINUTES, 13 SECONDS RIGHT, A DISTANCE OF 103.07 FEET; THENCE NORTHWESTERLY DEELECTING 077 DEGREES, 04 MINUTES, 43 SECONDS LEFT, A DISTANCE OF 210.12 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEELECTING 023 DEGREES, 18 MINUTES, 30 SECONDS RIGHT, A DISTANCE OF 242.31 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 3.96 ACRES, MORE OR LESS, WHICH INCLUDES 0.67 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID TAX LOT B1B IN THE WEST HALF OF THE SOUTHWEST QUARTER.

ALL RIGHTS TO OIL AND GAS 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, 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.

AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT B1B IN THE

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TRACT: 1

WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 13 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 729.80 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 21.44 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 097 DEGREES, 45 MINUTES, 20 SECONDS LEFT, A DISTANCE OF 177.95 FEET; THENCE SOUTHERLY DEFLECTING 077 DEGREES, 20 MINUTES, 58 SECONDS RIGHT, A DISTANCE OF 586.19 FEET TO A POINT ON THE WESTERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 165 DEGREES, 09 MINUTES, 57 SECONDS LEFT, A DISTANCE OF 309.02 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 001 DEGREES, 07 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 305.20 FEET ALONG SAID LINE TO A POINT ON THE SOUTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE WESTERLY ON A 5809.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 096 DEGREES, 21 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 321.60 FEET, SUBTENDING A CENTRAL ANGLE OF 003 DEGREES, 10 MINUTES 18 SECONDS ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 1.19 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAX LOT B1B IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 751.24 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 097 DEGREES, 45 MINUTES, 19 SECONDS LEFT, A DISTANCE OF 177.95 FEET; THENCE SOUTHERLY DEFLECTING 077 DEGREES, 20 MINUTES, 58 SECONDS RIGHT, A DISTANCE OF 586.19 FEET TO A POINT ON THE WESTERLY EXISTING 25TH STREET RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 014 DEGREES, 50 MINUTES, 03 SECONDS RIGHT, A DISTANCE OF 43.68 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF TERMINATION;

ALL RIGHTS TO OIL AND GAS 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, 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.

AND ALSO:

89-05390 K

PROJECT: F-370-7(118)

SARPY COUNTY
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TRACT: 1

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAX LOT 5A2 IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 729.80 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO A POINT ON THE SOUTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE WESTERLY ON A 5809.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 080 DEGREES, 08 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 15.90 FEET, SUBTENDING A CENTRAL ANGLE OF 000 DEGREES, 09 MINUTES 25 SECONDS ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 245.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 002 DEGREES, 52 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 200.20 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 002 DEGREES, 52 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 211.28 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 88.07 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 010 DEGREES, 01 MINUTES, 18 SECONDS LEFT, A DISTANCE OF 21.75 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE WEST LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S) TO THE POINT OF TERMINATION; EXCEPT, OVER ONE RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED WESTERLY 912.8 FEET FROM THE EAST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT SHOULD THE CONDEMNEE(S) OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS 90 DAY PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW

89-05390 L

PROJECT: F-370-7(118)

SARPY COUNTY
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TRACT: 1

OR IN EQUITY FOR ITS ENFORCEMENT.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR JOINT DRIVE PURPOSES, LOCATED IN TAX LOT 12 IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 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 755.55 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 35.08 FEET ALONG SAID LINE TO A POINT ON THE NORTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE EASTERLY ON A 5574.58 FOOT RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 086 DEGREES, 11 MINUTES, 19 SECONDS LEFT, A DISTANCE OF 30.00 FEET, SUBTENDING A CENTRAL ANGLE OF 000 DEGREES, 18 MINUTES 30 SECONDS ALONG SAID RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 132 DEGREES, 29 MINUTES, 16 SECONDS LEFT, A DISTANCE OF 47.59 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES, MORE OR LESS.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN TAX LOT 5A2 IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 13 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 NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 729.80 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO A POINT ON THE SOUTHERLY HIGHWAY 370 RIGHT OF WAY LINE; THENCE WESTERLY ON A 5809.58 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 080 DEGREES, 08 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 15.90 FEET, SUBTENDING A CENTRAL ANGLE OF 000 DEGREES, 09 MINUTES 25 SECONDS ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 245.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 002 DEGREES, 52 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 200.20 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 002 DEGREES, 52 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 211.28 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 88.07 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 010 DEGREES, 01 MINUTES, 18 SECONDS LEFT, A DISTANCE OF 21.75 FEET ALONG SAID LINE TO A POINT ON THE WEST PROPERTY LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 070 DEGREES, 25 MINUTES, 29 SECONDS LEFT, A DISTANCE OF 29.62 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 099 DEGREES, 24 MINUTES, 22 SECONDS LEFT, A DISTANCE OF 108.70 FEET TO A POINT ON THE EAST PROPERTY LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE NORTHERLY DEFLECTING 080

87-05390 M

PROJECT: F-370-7(118)

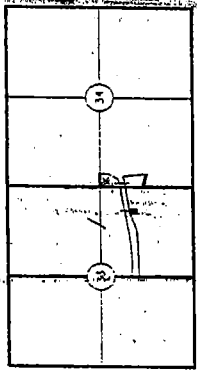
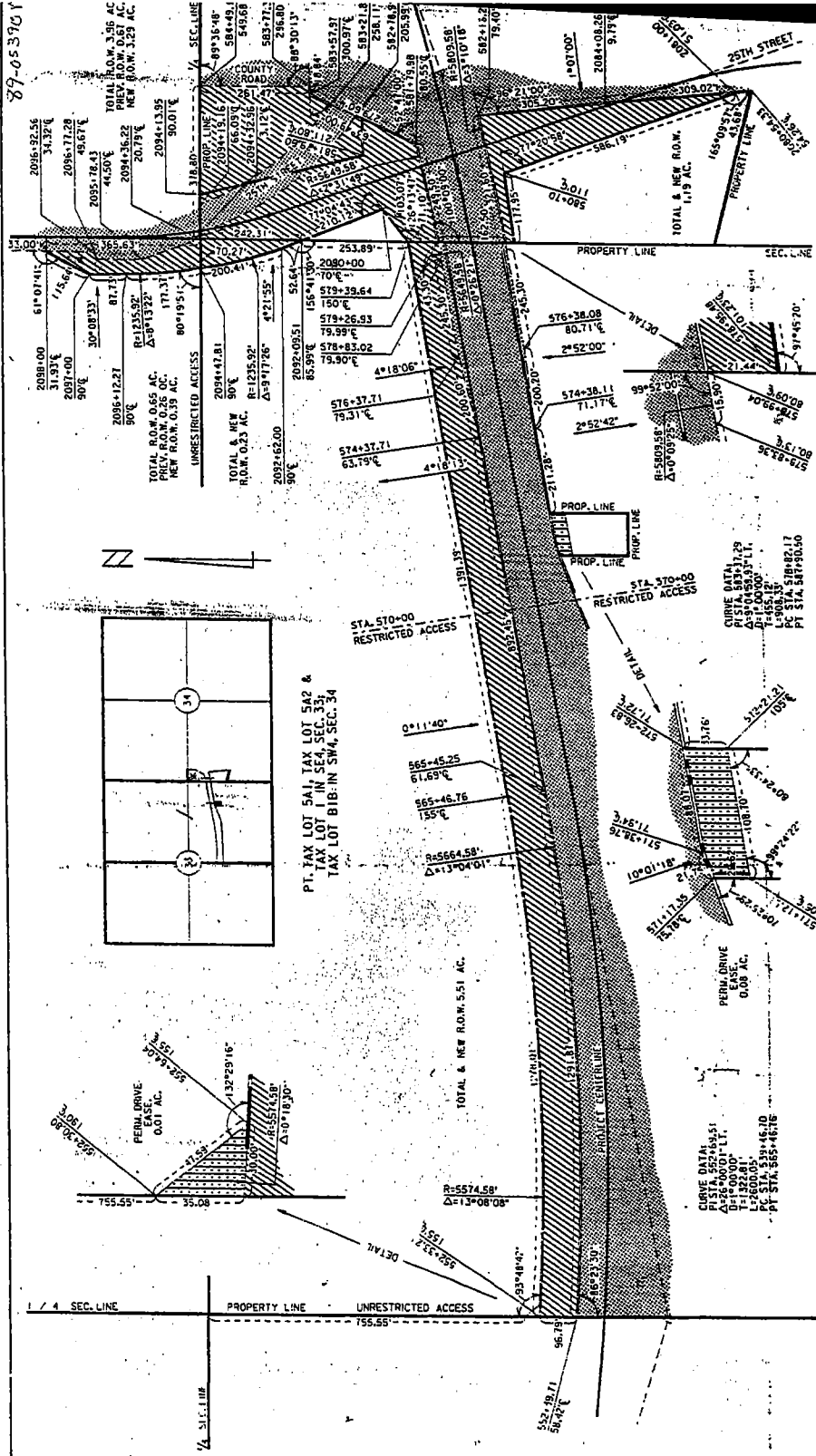
SARPY COUNTY
(PAGE 9)
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TRACT: 1

DEGREES, 24 MINUTES, 33 SECONDS LEFT, A DISTANCE OF 33.76 FEET TO THE POINT OF BEGINNING CONTAINING 0.08 ACRES, MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

89-053701



PT. TAX LOT 5A1, TAX LOT 5A2 &
 TAX LOT 1 IN SW4, SEC. 33;
 TAX LOT 11B IN SW4, SEC. 34

PLAT SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND OWNED BY
 EARL E. SCHUESSLER AND EVELYN F. SCHUESSLER, H&W, J.T.

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

TRACT NO. 1 SCALE 1"=200'
 PROJECT NO. F-370-7(118)

PREV. R.O.W.		10.61 AC.	DRAWN BY K.J. 2-29-89
NEW R.O.W.			CHECKED BY R.B. 3-1-89
TEMP. EASE.			COMPUTED BY
PERM. EASE.		0.09 AC.	WRITTEN BY
CONTROLLED ACCESS			CHECKED BY

89-5340 0

PROJECT: F-73-2(126)

SARPY COUNTY
(PAGE 1)
OF 3

TRACT: 188

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

HERMAN PLATT AND FRANK W. PLATT, CO-TRUSTEES;

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 8:1 (NOW KNOWN AS PART OF TAX LOT 14) IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 13 NORTH, RANGE 13 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 SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 33.01 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 2614.72 FEET TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 088 DEGREES, 59 MINUTES, 43 SECONDS RIGHT, A DISTANCE OF 817.31 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 091 DEGREES, 23 MINUTES, 49 SECONDS RIGHT, A DISTANCE OF 692.50 FEET; THENCE SOUTHERLY DEFLECTING 008 DEGREES, 54 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 1772.47 FEET; THENCE SOUTHEASTERLY DEFLECTING 043 DEGREES, 29 MINUTES, 12 SECONDS LEFT, A DISTANCE OF 75.79 FEET; THENCE EASTERLY DEFLECTING 039 DEGREES, 00 MINUTES, 24 SECONDS LEFT, A DISTANCE OF 280.19 FEET; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 117.00 FEET TO A POINT ON THE NORTHERLY EXISTING CAPEHART ROAD RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 746.11 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 091 DEGREES, 00 MINUTES, 28 SECONDS RIGHT, A DISTANCE OF 60.00 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE WESTERLY DEFLECTING 091 DEGREES, 00 MINUTES, 28 SECONDS LEFT, A DISTANCE OF 100.00 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 088 DEGREES, 59 MINUTES, 32 SECONDS LEFT, A DISTANCE OF 60.00 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S) TO A POINT ON THE NORTHERLY EXISTING CAPEHART ROAD RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 088 DEGREES, 59 MINUTES, 32 SECONDS RIGHT, A DISTANCE OF 570.92 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 55.90 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAX LOT 8.1 (NOW KNOWN AS PART OF TAX

79-05390 P

PROJECT: F-73-2(126)

SARPY COUNTY
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TRACT: 188

LOT 14) IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 2647.73 FEET TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 088 DEGREES, 59 MINUTES, 43 SECONDS RIGHT, A DISTANCE OF 817.31 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 091 DEGREES, 23 MINUTES, 49 SECONDS RIGHT, A DISTANCE OF 692.50 FEET; THENCE SOUTHERLY DEFLECTING 008 DEGREES, 54 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 1772.47 FEET; THENCE SOUTHEASTERLY DEFLECTING 043 DEGREES, 29 MINUTES, 12 SECONDS LEFT, A DISTANCE OF 314.11 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF TERMINATION.

AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 3E (NOW KNOWN AS TAX LOT 14) IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 13 NORTH, RANGE 13 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 SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 304.79 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 512.52 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 11 SECONDS LEFT, A DISTANCE OF 445.63 FEET TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE WESTERLY DEFLECTING 091 DEGREES, 23 MINUTES, 49 SECONDS LEFT, A DISTANCE OF 515.53 FEET ALONG THE NORTH LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 088 DEGREES, 59 MINUTES, 25 SECONDS LEFT, A DISTANCE OF 445.57 FEET ALONG THE WEST LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S) TO THE POINT OF BEGINNING CONTAINING 5.26 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN TAX LOT 3E (NOW KNOWN AS TAX LOT 14) IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 817.31 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 11 SECONDS LEFT, A DISTANCE OF 445.63 FEET TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 088 DEGREES, 36 MINUTES, 10 SECONDS RIGHT,

89-05390 Q

PROJECT: F-73-2(126)

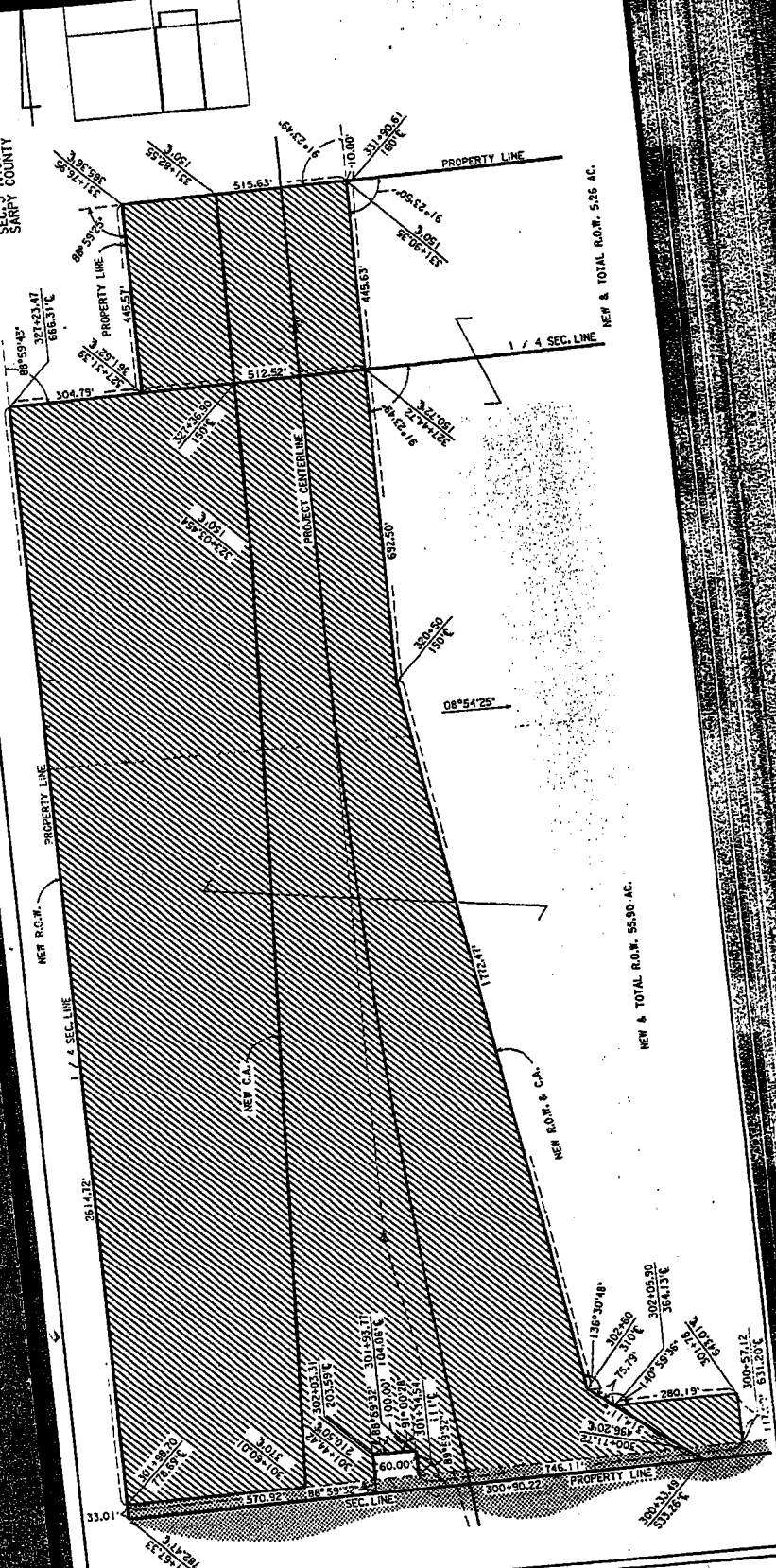
SARPY COUNTY
(PAGE 3)
OF 3

TRACT: 188

A DISTANCE OF 10.00 FEET ALONG THE NORTH LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S).

ALL RIGHTS TO OIL AND GAS 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING

TAX LOT B1, NW/4A TAX LOT 14
 TAX LOT A2, SW/4A TAX LOT 14
 SEC. 37 - T. 135E., R. 13E.,
 SARPY COUNTY



NEW & TOTAL R.O.W. 5.25 AC.

NEW & TOTAL R.O.W. 55.90 AC.

PLAT SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND OWNED BY
 HERMAN PLATT AND FRANK W. PLATT, CO-TRUSTEES:

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

PREV. R.O.W. [Symbol]
 NEW R.O.W. [Symbol]
 TEMP. EASE. [Symbol]
 PERM. EASE. [Symbol]
 CONTROLLED ACCESS [Symbol]

TRACT NO. 188 SCALE 1" = 200'
 PROJECT NO. F-73-2(126)
 61.16 ACRES

DRAWN BY R.C. 1-11-89
 CHECKED BY B.G. 1-11-89
 COMPUTED BY
 WRITTEN BY
 CHECKED BY

89-05390 S

PROJECT: F-73-2(126)

SARPY COUNTY
(PAGE 1)

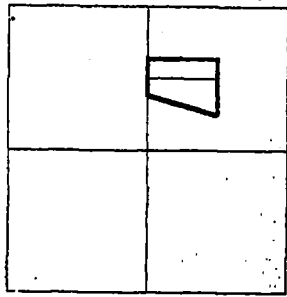
TRACT: 178

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

FRANK W. PLATT, EDITH A. WALKER, BARBARA JEAN KRESL, OWNERS;
BERNADETTE E. PLATT, WIFE OF FRANK W. PLATT; IRVIN L. WALKER,
HUSBAND OF EDITH A. WALKER, DONALD KRESL, HUSBAND OF BARBARA
JEAN KRESL, POSSIBLE HOLDERS OF INTEREST; FRANK W. PLATT, TRUSTEE;

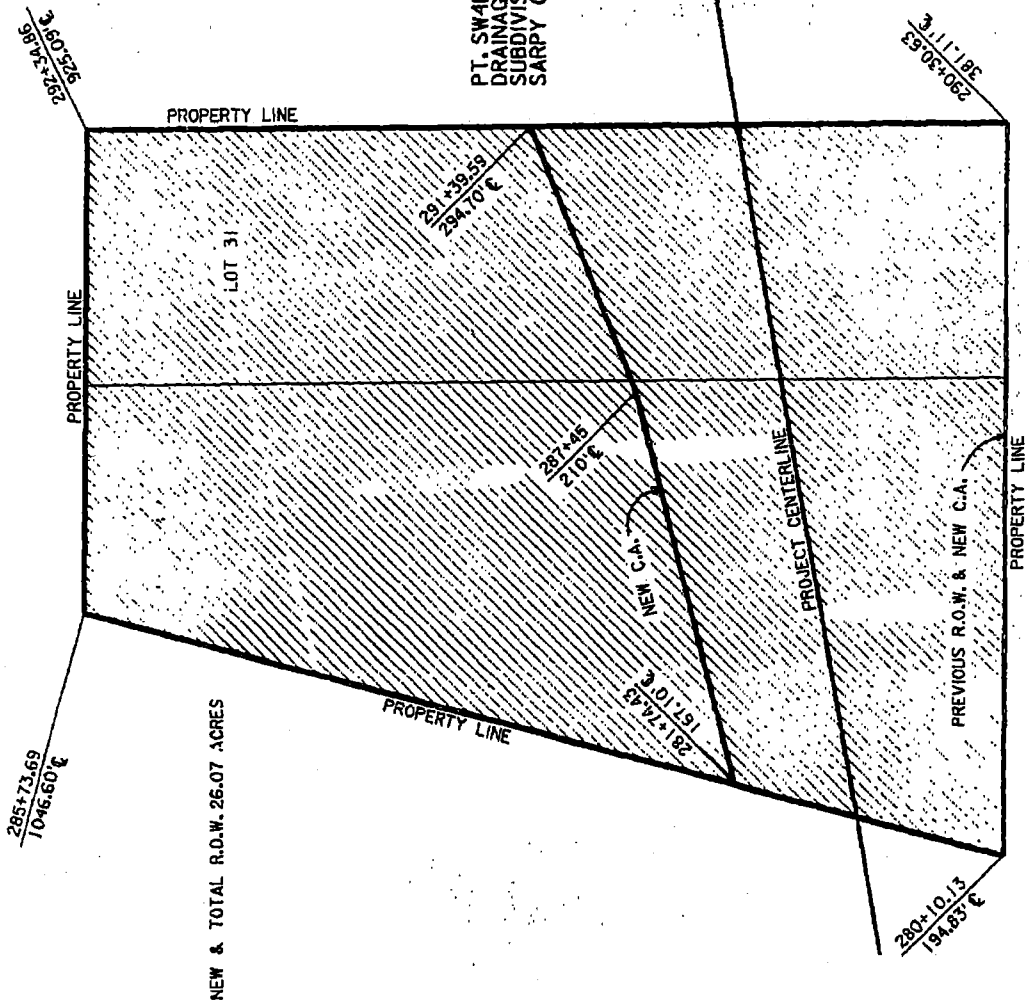
FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, LYING NORTH OF THE PAPILLION DRAINAGE DITCH AND LOT 31, BUTTERFIELD'S SUBDIVISION OF THE NORTHEAST QUARTER ALL IN SECTION 10, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA.

89-05390 T



PT. SWANE4 LYING NORTH OF THE PAPILLION DRAINAGE DITCH & LOT 31, BUTTERFIELD'S SUBDIVISION OF THE NE4, SEC. 10-T-13N-R-13E, SARPY COUNTY

P.L. 306+98.183
Δ=10°43'59.90" RT.
D=00+20.00'
T=1814.7211
L=3919.9921
P.C. 250+83.462
P.T. 323+03.454



NEW & TOTAL R.O.W. 26.07 ACRES

PROPERTY LINE

PROPERTY LINE

LOT 31

PROPERTY LINE

PROJECT CENTERLINE

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

PROPERTY LINE

PLAT SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY
FRANK W. PLATT, EDITH A. WALKER, BARBARA JEAN KRESL, OWNERS;
BERNADETTE E. PLATT, WIFE OF FRANK W. PLATT, IRVIN L. WALKER,
HUSBAND OF EDITH A. WALKER, DONALD KRESL, HUSBAND OF BARBARA
JEAN KRESL, POSSIBLE HOLDERS OF INTEREST; FRANK W. PLATT, TRUSTEE;

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

TRACT NO. 178 SCALE 1" = 200'
PROJECT NO. F-73-2(126)

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

26.07 ACRES

DRAWN BY R.G. 1-10-89
CHECKED BY B.C. 1-10-89
COMPUTED BY J.D.M. 1-12-89
WRITTEN BY J.C.M. 1-12-89
CHECKED BY J.C.M. 1-12-89

89-05390 U

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:

F-370-7(118)

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 6 \$ 10,145.00

Award to be distributed as follows:

To: Joseph L. Tribulato, Holder of an Interest; \$ 5017.90

Gerald L. Higday and Ann Higday, Husband and Wife, Holders of Interest; \$ 5017.91

Sarpy County Treasurer; \$ 109.19

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 1 \$ 68,984.08

Award to be distributed as follows:

To: Earl E. Schuessler and Evelyn F. Schuessler, Husband and Wife, Joint Tenants; \$ 67,344.34

Sarpy County Treasurer; \$ 1639.66

F-73-2(126)

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 188 \$ 143,429.00

Award to be distributed as follows:

To: Herman Platt and Frank W. Platt, Co-trustees; \$ 142,806.01

Sarpy County Treasurer; \$ 622.99

89-05390 V

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 178

\$ 279,300.00

Award to be distributed as follows:

To: Frank W. Platt, Edith A. Walker, Barbara Jean Kasl, Owners; \$ 278,864.73

Bernadette E. Platt, Wife of Frank W. Platt, Irvin L. Walker, Husband of Edith A. Walker, Donald Kresl, Husband of Barbara Jean Kresl, Possible Holders of Interest; \$ - - -

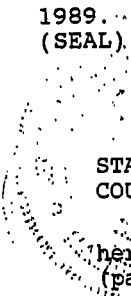
Sarpy County Treasurer; \$ 435.27

All of which is hereby respectfully submitted.

Dated this 8th day of May, A.D. 1989.

F. S. Jean Guyon
James Warren
Jan Wilder
Appraisers

Subscribed and sworn to before me this 8th day of May, 1989.
(SEAL) L. P. Tuden
County Judge



STATE OF NEBRASKA)
COUNTY OF SARPY) SS

Case No. M4-47

I, the Judge of the County Court in and for said county, do hereby certify that I have compared the foregoing copies (pages) with the original thereof now remaining on file and of record in this Court, and that the same is a correct transcript therefrom, and of the whole of such original:

Dated 5/5/89

J. C. Walsh
County Judge
L. P. Tuden
Clerk of County Court
M. J. ...

SEAL