

90-00879
FILED SARPY CO. NE.
INSTRUMENT NUMBER
90-00879

90 JAN 17 PM 2:37

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

Page 141⁷

REGISTER OF DEEDS

WALTER ALTON GREENE, A Single)	Docket 8965
Person, Owner,)	
)	
Plaintiffs,)	
)	
v.)	
)	
STATE OF NEBRASKA)	
DEPARTMENT OF ROADS,)	
)	
Defendant.)	

ORDER

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 17 1990	
SARP COUNTY NEBRASKA	
30-50	

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 174 owned by the plaintiff filed in the condemnation action brought by the defendant before the County Judge of Sarpy County, Nebraska, Docket M4, Page 50, and on appeal in the District Court of Sarpy County, Nebraska, Docket 8965, Page 141⁷, are hereby superseded and replaced by the plat and description attached hereto, marked Exhibit A and Exhibit B respectively, and made a part hereof by this reference.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 174 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of Appraisers filed with the Register of Deeds for Sarpy County, Nebraska, under Instrument Number 89-13179, are hereby superseded and replaced by the plat and description attached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.

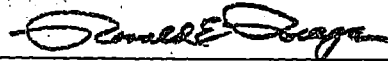
4. That a copy of the attached plat and description be filed with the Register of Deeds for Sarpy County, Nebraska, supersede and replace the plat and description filed under Instrument Number 89-13179.

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 16th day of January, 1990.

BY THE COURT



District Judge

SIGNED COPY

90-00879 B

PROJECT: FIX-Q-73-2(1012) C.N. 20504 SARPY COUNTY TRACT: 174
(PAGE 1)
OF 2

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

OWNER: WALTER ALTON GREENE, A SINGLE PERSON

TENANT: RODNEY ISKE

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 1A AND TAX LOT 2A IN THE NORTH HALF OF SECTION 15, 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:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION; THENCE WESTERLY A DISTANCE OF 1853.73 FEET ALONG THE NORTH LINE OF SAID SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 03 MINUTES, 11 SECONDS LEFT, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTHERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 079 DEGREES, 29 MINUTES, 36 SECONDS LEFT, A DISTANCE OF 152.56 FEET; THENCE EASTERLY DEFLECTING 005 DEGREES, 25 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 451.77 FEET; THENCE SOUTHEASTERLY DEFLECTING 042 DEGREES, 46 MINUTES, 15 SECONDS RIGHT, A DISTANCE OF 659.99 FEET; THENCE SOUTHEASTERLY DEFLECTING 016 DEGREES, 37 MINUTES, 36 SECONDS RIGHT, A DISTANCE OF 467.15 FEET; THENCE SOUTHWESTERLY DEFLECTING 056 DEGREES, 49 MINUTES, 28 SECONDS RIGHT, A DISTANCE OF 267.85 FEET; THENCE SOUTHERLY DEFLECTING 018 DEGREES, 50 MINUTES, 03 SECONDS LEFT, A DISTANCE OF 305.48 FEET TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 102 DEGREES, 24 MINUTES, 52 SECONDS LEFT, A DISTANCE OF 793.03 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 089 DEGREES, 14 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 1538.00 FEET ALONG THE EAST LINE OF SAID SECTION TO THE POINT OF BEGINNING CONTAINING 30.88 ACRES, MORE OR LESS, WHICH INCLUDES 6.70 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 TAX LOT 1A AND TAX LOT 2A IN THE NORTH HALF OF SECTION 15, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SARPY COUNTY, NEBRASKA:

REFERRING TO THE NORTHEAST CORNER OF SAID SECTION; THENCE WESTERLY A DISTANCE OF 1853.73 FEET ALONG THE NORTH LINE OF SAID SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 03 MINUTES, 11 SECONDS LEFT, A

EXHIBIT B

DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTHERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 079 DEGREES, 29 MINUTES, 36 SECONDS LEFT, A DISTANCE OF 152.56 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 005 DEGREES, 25 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 451.77 FEET; THENCE SOUTHEASTERLY DEFLECTING 042 DEGREES, 46 MINUTES, 15 SECONDS RIGHT, A DISTANCE OF 659.99 FEET; THENCE SOUTHEASTERLY DEFLECTING 016 DEGREES, 37 MINUTES, 36 SECONDS RIGHT, A DISTANCE OF 467.15 FEET; THENCE SOUTHWESTERLY DEFLECTING 056 DEGREES, 49 MINUTES, 28 SECONDS RIGHT, A DISTANCE OF 267.85 FEET; THENCE SOUTHERLY DEFLECTING 018 DEGREES, 50 MINUTES, 03 SECONDS LEFT, A DISTANCE OF 305.48 FEET TO THE POINT OF TERMINATION;

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN TAX LOT 1A IN THE NORTH HALF OF SECTION 15, 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 NORTHEAST CORNER OF SAID SECTION; THENCE WESTERLY A DISTANCE OF 1853.73 FEET ALONG THE NORTH LINE OF SAID SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 03 MINUTES, 11 SECONDS LEFT, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTHERLY EXISTING COUNTY ROAD RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 079 DEGREES, 29 MINUTES, 36 SECONDS LEFT, A DISTANCE OF 116.96 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 35.60 FEET; THENCE EASTERLY DEFLECTING 005 DEGREES, 25 MINUTES, 37 SECONDS LEFT, A DISTANCE OF 128.17 FEET; THENCE SOUTHERLY DEFLECTING 084 DEGREES, 58 MINUTES, 24 SECONDS RIGHT, A DISTANCE OF 66.00 FEET; THENCE NORTHWESTERLY DEFLECTING 137 DEGREES, 19 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 48.52 FEET; THENCE WESTERLY DEFLECTING 042 DEGREES, 40 MINUTES, 50 SECONDS LEFT, A DISTANCE OF 130.18 FEET; THENCE NORTHERLY DEFLECTING 085 DEGREES, 18 MINUTES, 29 SECONDS RIGHT, A DISTANCE OF 37.49 FEET TO THE POINT OF BEGINNING CONTAINING 0.14 ACRES, MORE OR LESS.

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.

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

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 and EXHIBIT A and B

.....
entered in a cause in said court wherein..... WALTER ALTON GREENE, a Single Person,
..... Owner,

plaintiff..... and..... STATE OF NEBRASKA DEPARTMENT OF ROADS,

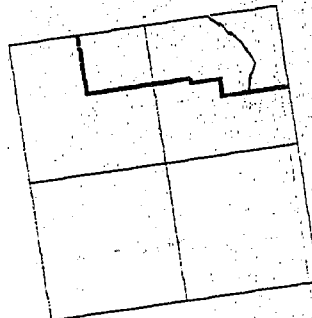
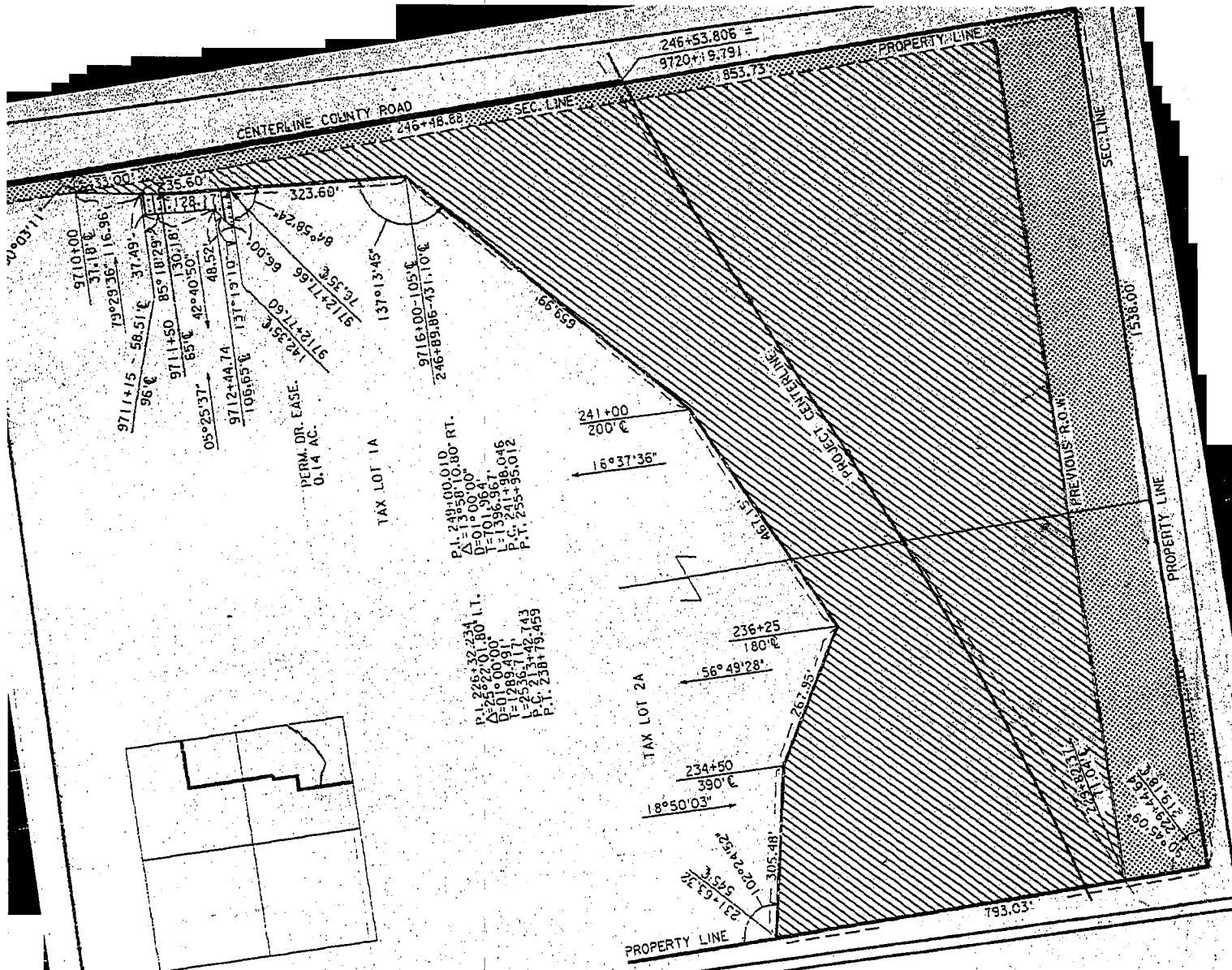
.....
defendant....., Docket..... 8965 Page..... 1418, as the same appear fully upon the records of said Court now in my charge remaining as Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Papillion, this..... 16th day of..... January..... A.D. 1990



Charlene Marchand
CLERK

DEPUTY CLERK



**TAX LOTS 1A & 2A IN N2,
SEC. 15-T. 13N.-R. 13E.
SARPY COUNTY**

PREV. R.O.W. 6.70 AC.
NEW R.O.W. 24.30 AC.
TOTAL R.O.W. 31.00 AC.

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

PREV. R.O.W. [Hatched pattern]
NEW R.O.W. [Dotted pattern]
TEMP. EASE. [Horizontal lines]
PERM. EASE. [Vertical lines]
CONTROLLED ACCESS [Cross-hatched pattern]

PLAT SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY
WALTER ALTON GREENE, A SINGLE PERSON
TENANT: RODNEY ISKE

TRACT NO. 174
PROJECT NO. F-IX-Q-73-2(1012)

EXHIBIT A
24.18 ACRES
0.14 ACRE

SCALE 1" = 200'

DRAWN BY - R.G. 11-16-89
CHECKED BY - B.G. 11-16-89
COMPUTED BY - [Signature]
WRITTEN BY - [Signature]
CHECKED BY - [Signature]