

BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA
DEPARTMENT OF ROADS

Docket _____

Page 44

Condemner

v.

JOHN D. EWING and VIRGINIA L.
EWING, husband and wife, Joint
Tenants; COMMERCIAL SAVINGS AND
LOAN ASSOCIATION, Mortgagee;
DOUGLAS COUNTY TREASURER;VIRGINIA L. EWING, Owner; JOHN D.
EWING, husband of Virginia L.
Ewing; DOUGLAS COUNTY TREASURER;GERALD C. REDDING, Sub-lessee on
property owned by Mary Kazakes;
DOUGLAS COUNTY TREASURER;SKELLY OIL COMPANY, a Delaware
corporation, Owner; DOUGLAS COUNTY
TREASURER;

RETURN OF APPRAISERS

Condemnees

TO HONORABLE ROBERT R. TROYER, COUNTY JUDGE, DOUGLAS COUNTY, NEBR.

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us by Richard L. Corrigan, Sheriff or Deputy Sheriff of Douglas County, Nebraska, on the 6th day of August, 1945, and after having taken and filed the "Oath of Appraisers" that we did 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

Land Owners: John D. Ewing and Virginia L. Ewing, husband and wife,
Joint Tenants.

Mortgagee: Commercial Savings and Loan Association.

Project: F-35(16) AFE: R-300b Douglas 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 part of Lots 5 and 6, Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the southeast corner of Lot 5, said Block 26; thence northerly on the East line of said Lot 5 a distance of 11.0 feet; thence westerly on a line 11.0 feet northerly from and parallel to the South line of said Lot 5 a distance of 200.0 feet; thence continuing westerly a distance of 150.0 feet to a point on the westerly property line, said point being 7.0 feet northerly from the South line of Lot 6, said Block 26; thence southerly on said westerly property line a distance of 7.0 feet to a point on the South line of said Lot 5; thence easterly on the South line of said Lots 5 and 6 a distance of 350.0 feet to the point of beginning, containing 3,550.0 square feet, more or less, to be secured in this action.

There will be no ingress or egress from the above described tract of land onto the remainder of said part of Lots 5 and 6 except over one private residential entrance, not to exceed 20 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 is to be located 43.8 feet westerly from the East line of said Lot 6 as measured along the centerline of the highway and as illustrated on the attached plat.

Also, permanent easement to a tract of land and all improvements thereon, if any, for fill purposes located in part of Lots 5 and 6, Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the southeast corner of Lot 5, said Block 26; thence northerly on the East line of said Lot 5 a distance of 11.0 feet to the point of beginning, said point being on the northerly highway right of way line; thence continuing northerly on said highway right of way line a distance of 23.0 feet; thence westerly 72 degrees 40 minutes left a distance of 39.2 feet; thence southeasterly 24 degrees 23 minutes left a distance of 166.0 feet to a point on said highway right of way line; thence easterly 167 degrees 29 minutes left and on said highway right of way line a distance of 43.8 feet; thence continuing easterly 01 degree 32 minutes right and on said highway right of way line a distance of 200.0 feet to the point of beginning, containing 5,761.3 square feet, more or less, to be secured in this action.

And also, temporary easement to a tract of land and all improvements thereon, if any, for construction purposes located in part of Lot 6, Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the southeast corner of Lot 5, said Block 26; thence westerly on the South line of Lots 5 and 6 of said Block 26 a distance of 350.0 feet; thence northerly 30 degrees 00 minutes right a distance of 7.0 feet to the point of beginning, said point being at the intersection of the westerly property line and the northerly highway right of way line; thence continuing northerly on the last described course produced on said westerly property line a distance of 11.0 feet; thence easterly 34 degrees 31 minutes right a distance of 101.7 feet;

CONDEMNATION

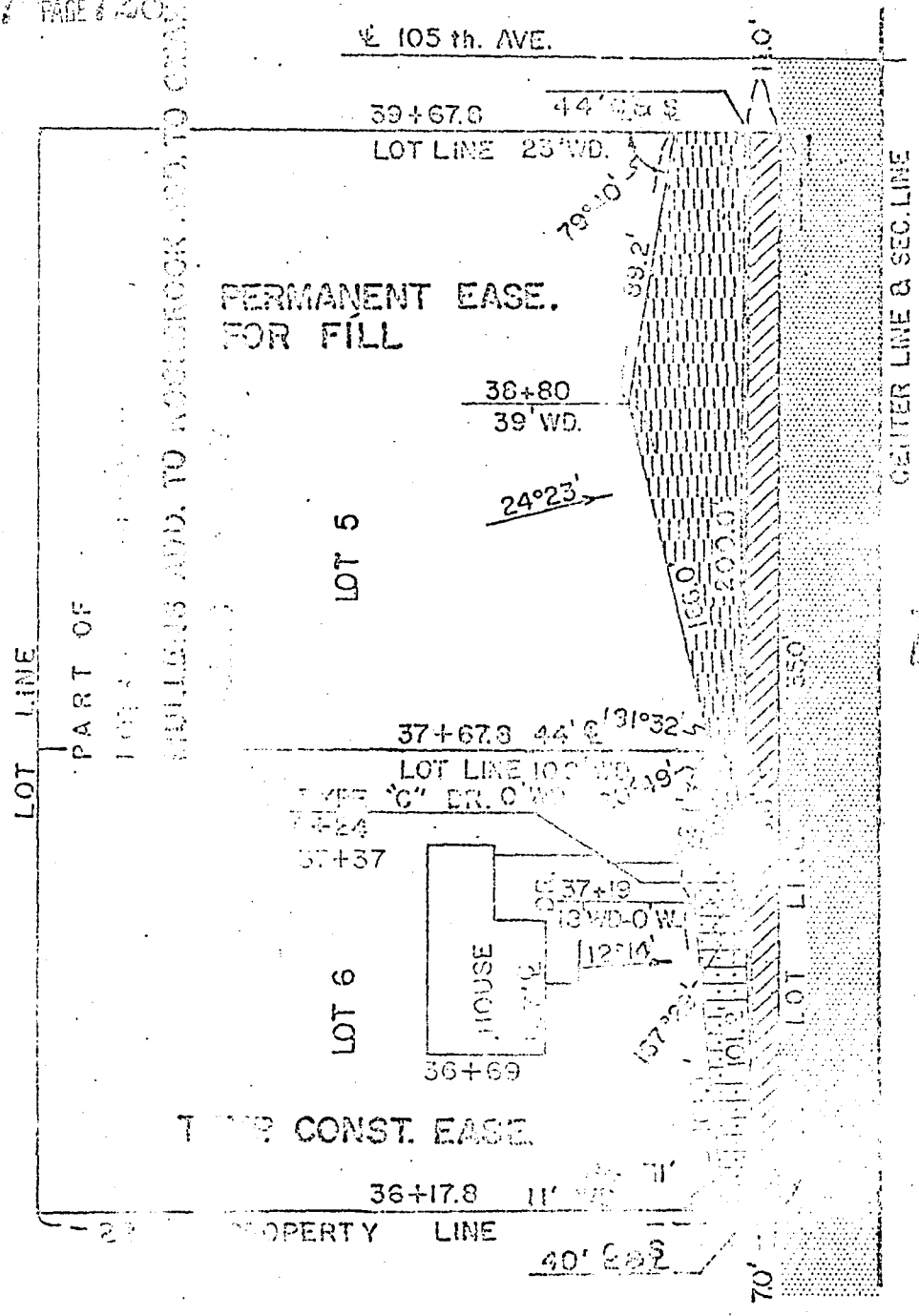
Land Owners: John D. Ewing and Virginia L. Ewing, husband and wife,
Joint Tenants.

Mortgagee: Commercial Savings and Loan Association.

Project: F-35(16) AFE: R-300b Douglas County, Nebraska.

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thence continuing easterly 12 degrees 14 minutes right a distance of 49.1 feet to a point on the east line of said Lot 6; thence north-westerly 159 degrees 11 minutes right a distance of 50.2 feet to a point on said highway right of way line; thence westerly 12 degrees 31 minutes right and on said highway right of way line a distance of 101.2 feet to the point of beginning, containing 1,906.0 square feet, more or less, to be secured in this action.



D. & VIRGINIA L. EWING, H.&W. J.T.

60'
10'

F-35 (16)
PAGE 0-300b

TEMP. EASE.		3550.0	SQ.FT.
		1906.6	SQ.FT.
PERM. EASE.	=====	5788.3	SQ.FT.

CES 8-63
WDE 9-63
C.E.S. 5-65
W.D.E. 5-65
OK 3/65

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

Land Owners: Virginia L. Ewing and John D. Ewing, wife and husband.

Project: F-35(16) AFE: R-300b Douglas 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 part of Lots 6 and 7 in Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the southeast corner of Lot 7, said Block 26; thence westerly on the South line of said Lot 7 a distance of 75.0 feet to the southwest property corner; thence northerly 90 degrees 00 minutes right and on the westerly property line a distance of 7.0 feet; thence easterly on a line 7.0 feet northerly from and parallel to the South line of said Lot 7 a distance of 67.2 feet; thence northerly a distance of 13.3 feet to a point 20.3 feet northerly from the South line of said Lot 7; thence easterly a distance of 10.0 feet to a point 20.3 feet northerly from the South line of Lot 6, said Block 26; thence southerly a distance of 13.3 feet to a point 7.0 feet northerly from the South line of said Lot 6; thence easterly on a line 7.0 feet northerly from and parallel to the South line of said Lot 6 a distance of 47.8 feet to a point on the easterly property line; thence southerly on said easterly property line a distance of 7.0 feet to the southeast property corner; thence westerly on the South line of said Lot 6 a distance of 50.0 feet to the point of beginning, containing 1,010.3 square feet, more or less, to be secured in this action.

There will be no ingress or egress over a line located in part of Lots 6 and 7, Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the southwest corner of Lot 6, said Block 26; thence easterly on the South line of said Lot 6 a distance of 50.0 feet; thence northerly 90 degrees 00 minutes left a distance of 7.0 feet to the point of beginning of said controlled access line, said point being on the easterly property line; thence westerly on a line 7.0 feet northerly from and parallel to the South line of Lots 6 and 7, said Block 26 a distance of 125.0 feet to a point on the westerly property line; thence northerly 90 degrees 00 minutes right and on said westerly property line a distance of 10.0 feet to the point of termination of said controlled access line; except ingress and egress will be permitted over one private residential entrance, not to exceed 20 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 is to be located 36.2 feet easterly from the West line of said Lot 6 as measured along the centerline of the highway and as illustrated on the attached plat.

Also, temporary easement to a tract of land and all improvements thereon, if any, for construction purposes located in part of Lot 7, Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the southeast corner of Lot 7, said Block 26; thence westerly on the South line of said Lot 7 a distance of 75.0 feet; thence northerly 90 degrees 00 minutes right a distance of 7.0 feet to the point of beginning, said point being at the intersection of the northerly highway right of way line and the westerly property line; thence easterly on a line 7.0 feet northerly from and parallel to said South line and on said highway right of way line a distance of 67.2 feet; thence northerly 90 degrees 00 minutes left and on said highway right of way line a distance of 13.3 feet; thence westerly a distance of 67.3 feet to a point on said property line; thence

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

Land Owners: Virginia L. Ewing and John D. Ewing, wife and husband.

Project: F-35(16) AFE: R-3005 Douglas County, Nebraska.

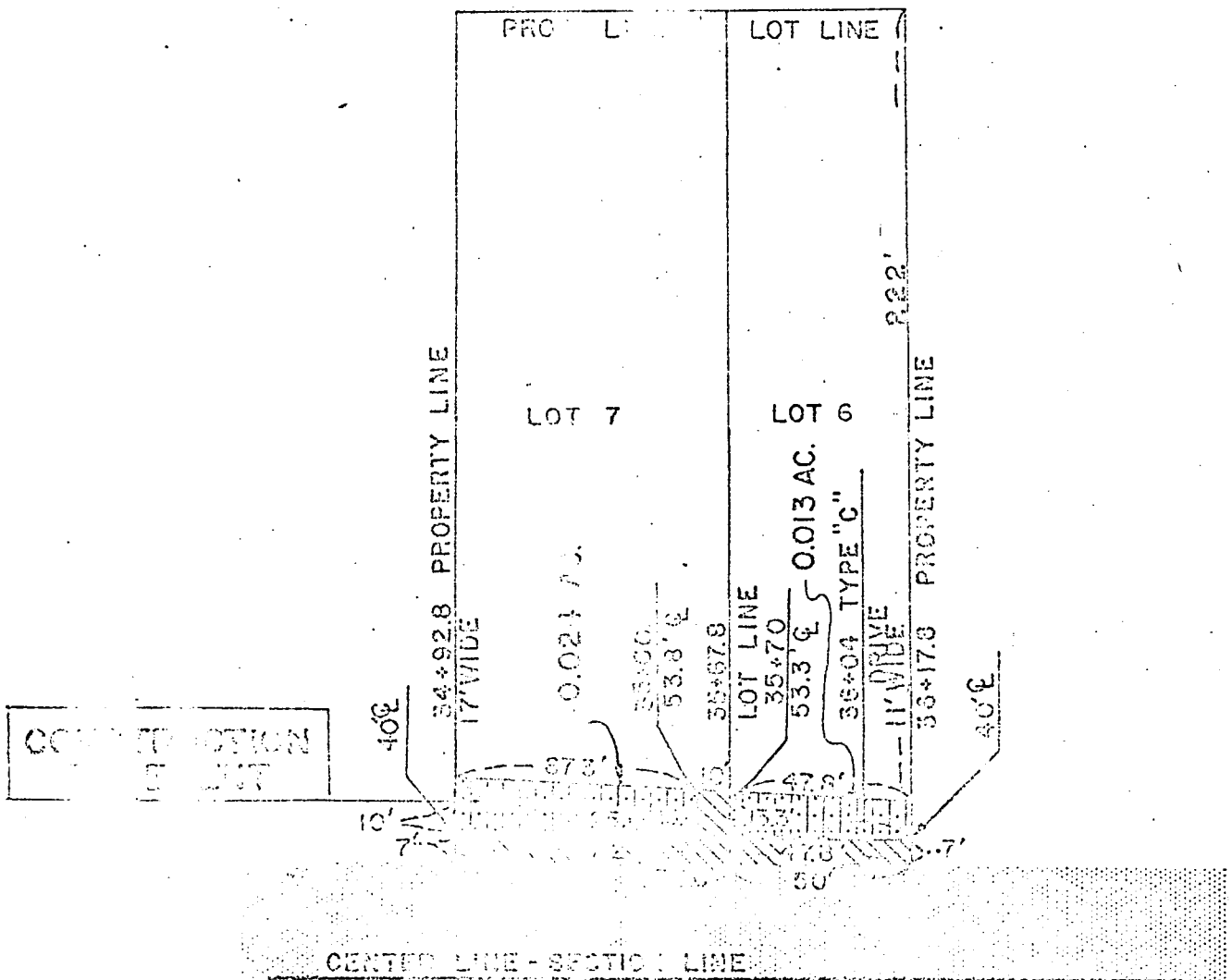
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southerly on said property line a distance of 17.0 feet to the point of beginning, containing 0.024 acre, more or less, to be secured in this action.

And also, temporary easement to a tract of land and all improvements thereon, if any, for construction purposes located in part of Lot 6, Block 26, Mullens Addition to Rockbrook Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the southwest corner of Lot 6, said Block 26; thence easterly on the South line of said Lot 6 a distance of 50.0 feet; thence northerly 90 degrees 00 minutes left a distance of 7.0 feet to the point of beginning, said point being at the intersection of the northerly highway right of way line and the easterly property line; thence westerly on a line 7.0 feet northerly from and parallel to said South line and on said highway right of way line a distance of 47.8 feet; thence northerly 90 degrees 00 minutes right and on said highway right of way line a distance of 13.3 feet; thence easterly a distance of 47.8 feet to a point on said property line; thence southerly on said property line a distance of 11.0 feet to the point of beginning, containing 0.013 acre, more or less, to be secured in this action.

PT. LOTS 6 & 7 BLK 2S.
MULLENS ADD. TO ROCKBROOK ADD. TO OMAHA
DOUGLAS COUNTY



VIRGINIA L. EWING

50'

F-35(16)

3006

CONVEYANCE. 1.010.3 SQ. FT.
0.037 ACRE

GLN. 9'63
WDE 9'63
C.E.S. 5-65
W.D.B. 5-65

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

Tenant: Continental Oil Company on land owned by Mary Kazakes.

Sub-lessee: Gerald C. Redding on land leased by Continental Oil Co.

Project: P-35 (16) AFE: R-3008 Douglas County, Nebraska.

Page 1 of 2.

To relinquishment of lessee rights only to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the north 150 feet of Lot 3, Block 5, Rockbrook Heights Addition, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the northeast corner of Lot 3, said Block 5; thence southerly on the East line of said Lot 3 a distance of 12.0 feet to the point of beginning, said point being on the southerly existing highway right of way line; thence continuing southerly on said East line a distance of 25.0 feet; thence westerly 90 degrees 00 minutes right a distance of 16.2 feet; thence northerly 90 degrees 00 minutes right a distance of 10.0 feet; thence westerly 90 degrees 48 minutes left a distance of 247.8 feet to a point on the easterly existing 108th Street right of way line; thence northerly 90 degrees 48 minutes right and on said existing 108th Street right of way line a distance of 10.0 feet to a point on said existing highway right of way line; thence westerly on said existing highway right of way line a distance of 255.0 feet to the point of beginning, containing 2,247.8 square feet, more or less.

There will be no ingress or egress over the southerly existing highway right of way line or over the easterly existing 108th Street right of way line onto the remainder of said Lot 3, except over two commercial entrances, not to exceed 40 feet in width, to provide ingress and egress to property of the owner, the centerlines of which are to be located 107.2 feet and 191.6 feet westerly from the East line of said Lot 3 as measured along the centerline of the highway, and 12.0 feet and 118.0 feet southerly from the North line of said Lot 3 as measured along the centerline of 108th Street and as illustrated on the attached plat.

Also, to relinquishment of lessee rights only for purposes connected to a tract of land and all improvements thereon, if any, for drive purposes located in the north 150 feet of Lot 3, Block 5, Rockbrook Heights Addition, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the northwest corner of Lot 3, said Block 5; thence southerly on the West line of said Lot 3 a distance of 150.0 feet; thence easterly 90 degrees 00 minutes left a distance of 7.0 feet to the point of beginning, said point being at the intersection of the southerly existing 108th Street right of way line and the southerly property line; thence continuing southerly on the last described course westerly and on said southerly property line a distance of 20.0 feet; thence northerly 90 degrees 00 minutes left a distance of 11.0 feet to a point on said existing 108th Street right of way line; thence southerly on said existing 108th Street right of way line a distance of 45.0 feet to the point of beginning, containing 210.0 square feet, more or less.

And also, to relinquishment of lessee rights only for purposes connected to a tract of land and all improvements thereon, if any, for commercial purposes located in the north 150 feet of Lot 3, Block 5, Rockbrook Heights Addition, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

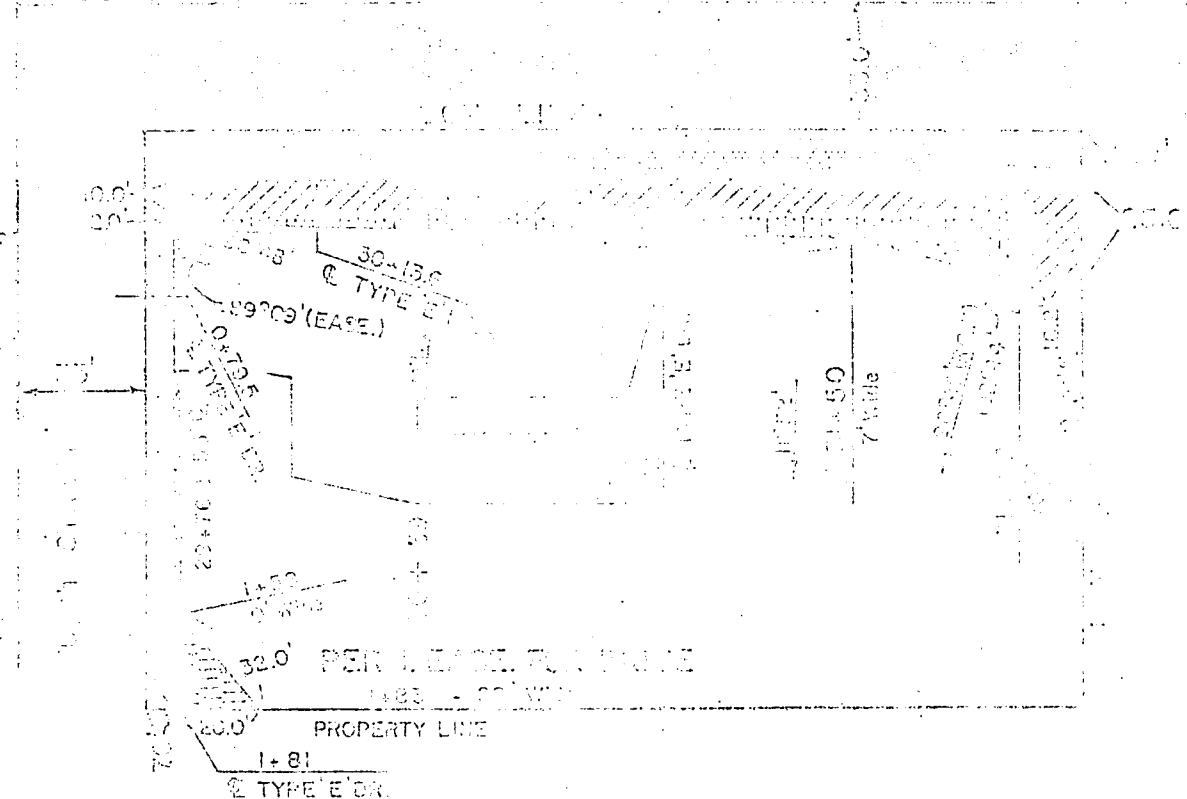
Tenant: Continental Oil Company on land owned by Mary Kazakes.

Sub-tenant: Gerald C. Redding on land leased by Continental Oil Co.

Project: F-35 (15) AFB: R-300B Douglas County, Nebraska.

Page 2 of 2.

Referring to the northeast corner of Lot 3, said Block 5; thence southerly on the East line of said Lot 3 a distance of 37.0 feet to a point on the southerly highway right of way line; thence westerly 12 degrees 00 minutes right and on said highway right of way line a distance of 16.2 feet to the point of beginning; thence continuing westerly 12 degrees 14 minutes right a distance of 44.2 feet; thence continuing westerly 11 degrees 52 minutes left a distance of 175.1 feet to a point on the easterly existing 108th Street right of way line; thence northerly 39 degrees 09 minutes right and on said existing 108th Street right of way line a distance of 2.0 feet to a point on said highway right of way line; thence easterly on said highway right of way line a distance of 214.8 feet; thence southerly on said highway right of way line a distance of 18.0 feet to the point of beginning, containing 1,319.6 square feet, more or less.



RIGHT OF WAY

44-1000

CONFIDENTIAL OIL CO.

50

CONFIDENTIAL

[illegible]

REF ID: A66562

OK 3/65

سری - سری
سری - سری

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

Land Owner: Skelly Oil Company, a Delaware Corporation.

Project: F-35(16) AFE: R-300b Douglas County, Nebraska.

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in part of Lot 1, Rainbow Second Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the northwest corner of said Lot 1; thence easterly on the North line of said Lot 1, said North line being on a 922.40 foot radius curve to the right a distance of 43.0 feet to the point of beginning; thence continuing easterly on a line which forms an angle of 09 degrees 38 minutes right from the final tangent of the last described curve a distance of 96.2 feet to a point on the easterly property line; thence northerly 89 degrees 32 minutes left and on said easterly property line a distance of 11.2 feet to a point on said North line; thence westerly on said North line a distance of 97.0 feet to the point of beginning, containing 619.7 square feet, more or less, to be secured in this action.

There will be no ingress or egress from the above described tract of land or over the westerly 43.0 feet of the North line of said Lot 1 onto the remainder of said part of Lot 1, except over two commercial entrances, not to exceed 40 feet in width, to provide ingress and egress to property of the owner, the centerlines of which are to be located 46.3 feet and 106.3 feet easterly from the northwest corner of said Lot 1 as measured along the centerline of the highway and as illustrated on the attached plat.

And also, temporary easement to a tract of land and all improvements thereon, if any, for construction purposes located in part of Lot 1, Rainbow Second Addition to the City of Omaha, Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the northwest corner of said Lot 1; thence easterly on the North line of said Lot 1, said North line being on a 922.40 foot radius curve to the right a distance of 43.0 feet to a point on the southerly highway right of way line; thence continuing easterly on a line which forms an angle of 09 degrees 38 minutes right from the final tangent of the last described curve and on said highway right of way line a distance of 96.2 feet to a point on the easterly property line; thence southerly 90 degrees 23 minutes right and on said property line a distance of 8.0 feet; thence westerly 85 degrees 30 minutes right a distance of 129.4 feet; thence southerly 85 degrees 53 minutes left a distance of 60.2 feet; thence westerly 85 degrees 27 minutes right a distance of 9.8 feet to a point on the West line of said Lot 1; thence northerly on said West line a distance of 70.0 feet to the point of beginning, containing 2,208.4 square feet, more or less, to be secured in this action.



50'
70'

300b

D.R.C. 9-'63
CES 9-63
C.E.S. 4-65
W.D.E. 4-65

OK 3/65 DRC.

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:

To: John D. Ewing and Virginia L. Ewing, husband and wife, Joint Tenants; Commercial Savings and Loan Association, Mortgagee;	\$ <u>900.00</u>
To: Douglas County Treasurer;	\$ <u>0.00</u>
To: Virginia L. Ewing, Owner; John D. Ewing, husband of Virginia L. Ewing;	\$ <u>200.00</u>
To: Douglas County Treasurer;	\$ <u>0.00</u>
To: Gerald C. Redding, Sub-lessee on property owned by Mary Kazakes;	\$ <u>10.00</u>
To: Douglas County Treasurer;	\$ <u>0.00</u>
To: Skelly Oil Company, a Delaware corporation, Owner;	\$ <u> </u>
To: Douglas County Treasurer;	\$ <u> </u>

For distribution of amounts above, see exhibit "A" attached hereto.

All of which is hereby respectfully submitted.

Dated this 25 day of August, A. D., 1945

William H. Thomas
Clay H. Thomas
Appraisers

Subscribed and sworn to before me this _____ day of _____,
A. D., 19____.

(SEAL)

County Judge

Exhibit "A" Attached to RETURN OF APPRAISERS DOC. C-3 PAGE 43

John D. Ewing	\$299.00
Virginia L. Ewing	\$299.00
Commercial Savings and Loan Association	\$365.00

Douglas County Treasurer	\$ 0.00
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Virginia L. Ewing, Owner	\$300.00
John D. Ewing, husband of Virginia L. Ewing	\$ 0.00

Douglas County Treasurer	\$ 0.00
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Gerald C. Redding, Sub-lessee on property owned by Mary Kazakes	\$ 10.00
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Douglas County Treasurer	\$ 0.00
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Skelly Oil Company, a Delaware corporation, Owner	\$ 0.00
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Douglas County Treasurer	\$ 0.00
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OFFICE OF THE
COUNTY JUDGE
FILED
SEP 13 1965

ROBERT R. TROYER, County Judge

COUNTY COURT

DOUGLAS COUNTY

ROBERT R. TROYER, JUDGE
JOSEPH J. BELITZ, CLERK

OMAHA, NEBR.

BOOK 437 PAGE 739

STATE OF NEBRASKA, }
COUNTY OF DOUGLAS } SS.

I, ROBERT R. TROYER, County Judge of Douglas County,
Nebraska, do hereby certify that I have compared the foregoing copy of
"RETURN OF APPRAISERS"

in re: STATE OF NEBRASKA, DEPT. OF ROADS, Condemner

vs.

JOHN D. EWING, et al., Condemnees

in the matter of the Condemnation Docket #C3 - Page 44,
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 8th day
of April, A. D. 1966.

ROBERT R. TROYER

By

Joseph J. Belitz

County Judge,

Clerk of the County Court.

THOMAS J. O'CONNOR
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

12 6 AM 3 JUN 3 1966

RECEIVED

INDEXED
FILED
for record in the office of the Register of
Deeds of said county and recorded in
Book 437 of Map
Page 725

By Joseph J. Belitz
County Judge

Compared 62-418 Fee 192

64-731
64-850