

BEFORE THE
SARPY COUNTY, NEBRASKA
THE STATE OF NEBRASKA
DEPARTMENT OF ROADS

v.
REPAIRS OF APPRAISERS

ROY A. SMITH, Trustee, Owner;
Also WALTER WITTMUSS and
EUNICE WITTMUSS, Mortgagees;

HAROLD OKESON and VICTOR
MATHIES, Partners d/b/a VISTA
VALLEY CO.;

DECKER ENTERPRISES, INC., a
corporation, Owner; Also
ALMA M. SAUTTER, Mortgagee;

KELLY McMAHON CONSTRUCTION,
INC., a Nebraska Corporation,
Owner; Also CARL J. CAMENZIND
and MARY B. CAMENZIND,
Mortgagees;

Condemned

TO HONORABLE JOS. E. STRAWN, 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 *Robert J. Cope*, Sheriff or Deputy Sheriff of Sarpy County, Nebraska, on the *26* day of *Nov*, 1962, 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:

FILED FOR RECORD IN SARPY COUNTY NEBR. *Jan 21* 1963 AT *2* O'CLOCK *P.M.*

AND RECORDED IN BOOK *2* OF *2* PAGES *Alma Sautter* REGISTER OF DEEDS

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

Land Owner: Roy A. Smith, Trustee

Project: F-237 (6) AFB: R-56b Sarpy County, Nebraska

Page 1 of 2.

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in part of the Southwest Quarter of Section 14, Township 14 North, Range 12 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 14; thence easterly on the South line of the Southwest Quarter of said Section 14 a distance of 379.3 feet; thence northerly 90 degrees 00 minutes left a distance of 33.0 feet; thence westerly a distance of 311.7 feet to a point 80.0 feet northerly from said South line, said point also being 71.2 feet easterly from the West line of said Southwest Quarter, said point also being on the easterly old highway right of way line; thence northerly on said old highway right of way line a distance of 140.4 feet to a point 39.1 feet easterly from said West line; thence continuing northerly on said old highway right of way line a distance of 300.0 feet to a point 39.6 feet easterly from said West line; thence continuing northerly on said old highway right of way line a distance of 168.7 feet to a point 55.0 feet easterly from said West line; thence continuing northerly on said old highway right of way line a distance of 132.9 feet to a point 39.8 feet easterly from said West line; thence continuing northerly on said old highway right of way line a distance of 37.1 feet to a point on the northerly property line; thence westerly on said property line a distance of 39.9 feet to a point on said West line; thence southerly on said West line a distance of 853.6 feet to the point of beginning, containing 1.37 acres, more or less, which includes 1.21 acres, more or less, previously occupied as a public highway, the remaining 0.16 acre, more or less, being the additional acreage 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 the Southwest Quarter, except over the public road along the South line of said Section 14 as illustrated on the attached plat.

All mineral rights in the above described tract shall be retained and reserved to the Condemnee, his heirs, successors or assigns. The Condemnee, his 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 Condemnee, his heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

And, also, permanent easement to a tract of land and all improvements thereon, if any, for channel cleanout purposes located in part of the Southwest Quarter of Section 14, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

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

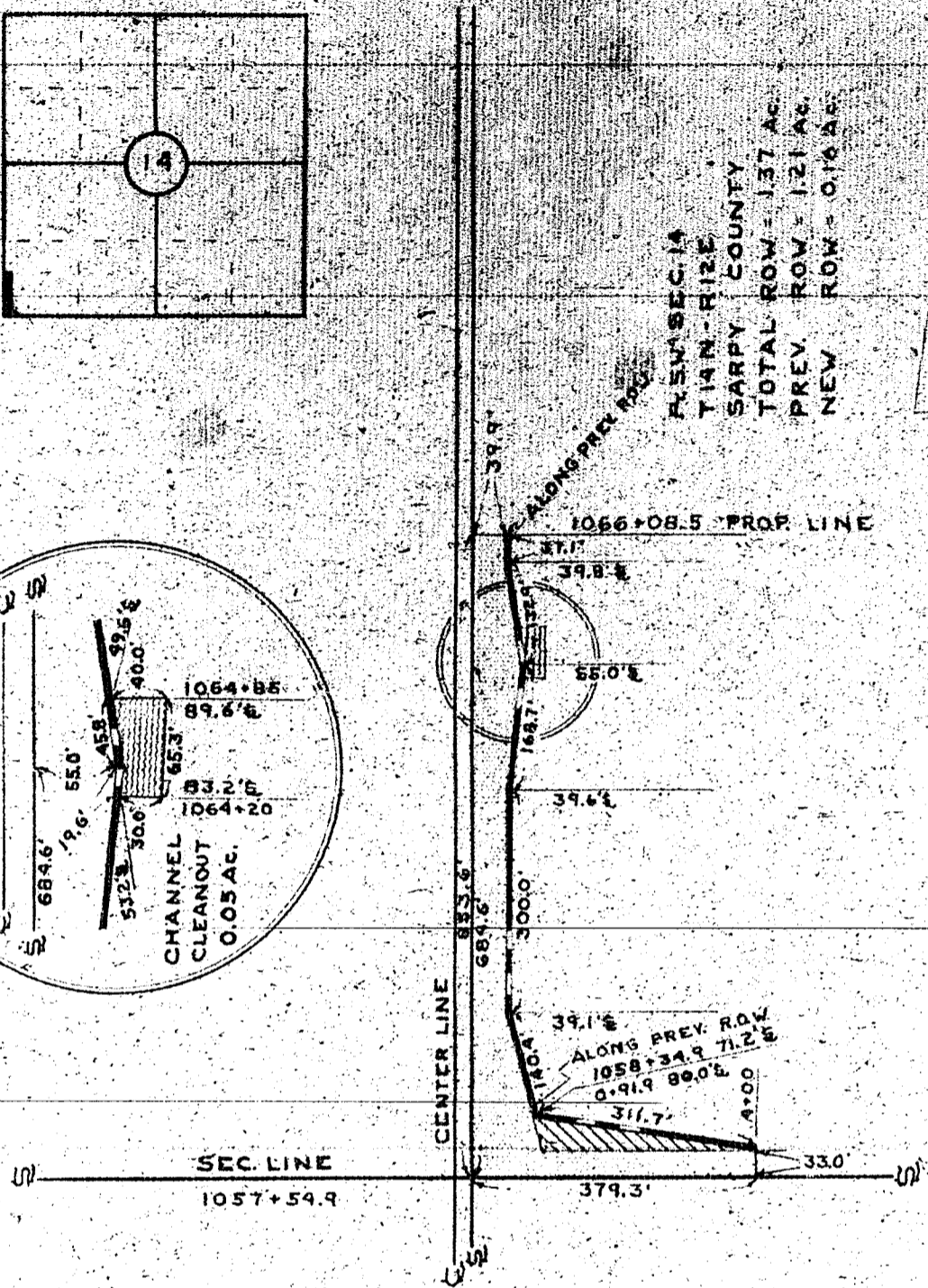
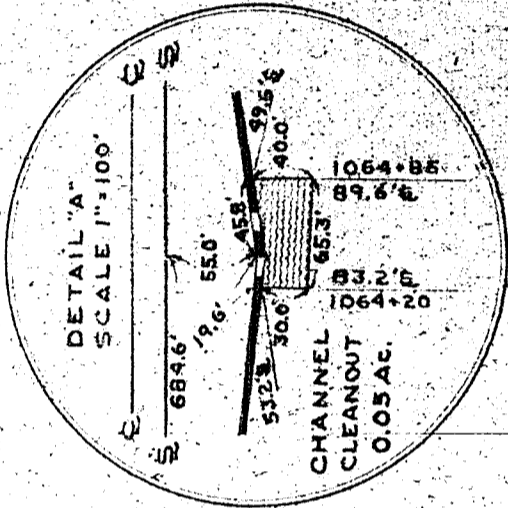
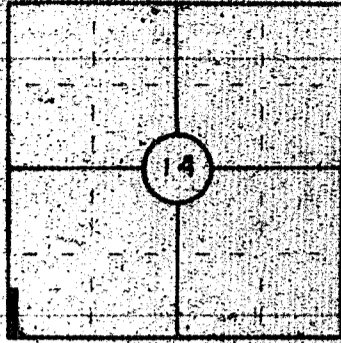
Land Owner: Roy A. Smith, Trustee

Project: F-237 (6) AFE: R-56b Sarpy County, Nebraska

Page 2 of 2.

Referring to the southwest corner of said Section 14; thence northerly on the West line of the Southwest Quarter of said Section 14 a distance of 684.6 feet; thence easterly 90 degrees 00 minutes right a distance of 55.0 feet to the point of beginning, said point being on the easterly highway right of way line; thence northerly on said easterly highway right of way line a distance of 45.8 feet to a point 49.6 feet easterly from said West line; thence easterly a distance of 40.0 feet to a point 89.6 feet easterly from said West line; thence southerly a distance of 65.3 feet to a point 83.2 feet easterly from said West line; thence westerly a distance of 30.0 feet to a point 53.2 feet easterly from said West line, said point being on said highway right of way line; thence northerly on said highway right of way line a distance of 19.6 feet to the point of beginning, containing 0.05 acre, more or less, to be secured in this action.

31-158



F. 5 W. SEC. 14
T. 14 N. - R. 12 E.
SARPY COUNTY
TOTAL ROW = 1.37 AC
PREV. ROW = 1.21 AC
NEW ROW = 0.16 AC

SKETCH - SHOWING
RIGHT OF WAY
TO BE ACQUIRED
FROM LAND OWNED
BY

ROY SMITH TRUSTEE

TRACT # 168
SCALE 1" = 200'

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

PROJ. F-237(6)
A.F.E. R. 56b

LEGEND

- PREV. R.O.W. DASHED LINE
- NEW R.O.W. HATCHED LINE = 0.16 ACRE
- CHAN. CLEANOUT CROSS-HATCHED LINE = 0.05 ACRE
- CONTROLLED ACCESS SOLID LINE

COMP. BY IBM
DRAWN BY DNM 10/62
CHECKED BY NLE 10/62
WRITTEN BY CES 10/62
CHECKED BY WDE 10/62

31-159

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

Land Owners: Vista Valley Company, a partnership between
Harold Okeson and Victor Matthies.

Project: F-237 (6) AFE: R-56b Sarpy County, Nebraska

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in Lot 41, Vista Valley Addition to the City of Papillion, Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the southwest corner of said Lot 41; thence northerly on the West line of said Lot 41 a distance of 85.0 feet to the northwest corner of said Lot 41; thence easterly on the North line of said Lot 41 a distance of 26.3 feet; thence southerly a distance of 87.8 feet to a point on the South line of said Lot 41; thence westerly on said South line a distance of 16.2 feet to the point of beginning, containing 1,809.72 square feet, more or less, to be secured in this action.

Also, fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in Lots 1 and 2, Vista Valley Addition to the City of Papillion, Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

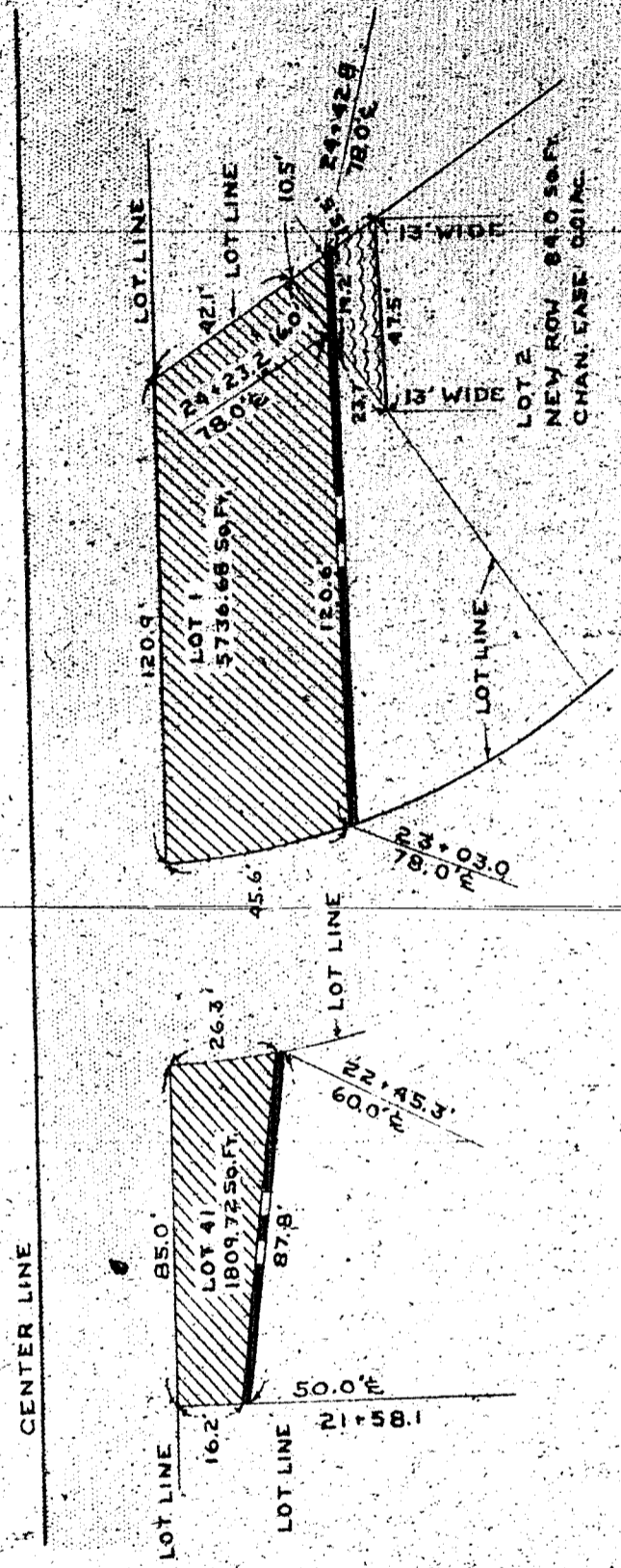
Beginning at the southwest corner of said Lot 1; thence northerly on the West line of said Lot 1 a distance of 120.9 feet to the northwest corner of said Lot 1; thence northeasterly on the Northwest line of said Lots 1 and 2 a distance of 52.6 feet; thence southerly a distance of 139.8 feet to a point on the South line of said Lot 1; thence westerly on said South line a distance of 45.6 feet to the point of beginning, containing 5,820.68 square feet, more or less, to be secured in this action.

There will be no ingress or egress from the above described tracts of land onto the remainder of said Lots 1, 2, and 41.

And, also, permanent easement to a tract of land and all improvements thereon, if any, for channel purposes located in Lot 2, Vista Valley Addition to the City of Papillion, Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the northwest corner of said Lot 2; thence northeasterly on the Northwest line of said Lot 2 a distance of 10.5 feet to the point of beginning, said point being on the easterly highway right of way line; thence continuing northeasterly on the last described course produced a distance of 15.5 feet; thence southerly a distance of 47.5 feet to a point on the Southwest line of said Lot 2; thence northwesterly on said Southwest line a distance of 23.7 feet to a point on said highway right of way line; thence northerly on said highway right of way line a distance of 19.2 feet to the point of beginning, containing 0.01 acre, more or less, to be secured in this action.

31-160



LOTS 1, 2, & 41 VISTA VALLEY
 ADDITION TO PAPILLION
 SАРY COUNTY

31-161

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



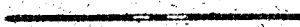
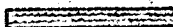
VISTA VALLEY COMPANY

TRACTS #647
SCALE 1"=40'

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

PROJ. F-237(6)
A.F.E. R. 56b

LEGEND

PREV. ROW		
NEW ROW		7630.40 SQ. FT.
CONTROLLED ACCESS		
CHAN. EASE		0.01 ACRE

COMP. BY	IBM
DRAWN BY	DNM 10/62
CHECKED BY	CES 10/62
WRITTEN BY	C.E.S. 10/62
CHECKED BY	W.D.E. 10/62

CONDEMNATION

Land Owner: Decker Enterprises, Incorporated, a corporation.

Mortgagee: Alma M. Sautter

Project: F-237 (6) AFE: R-56b Sarpy County, Nebraska

Page 1 of 2.

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the Northwest Quarter of Section 14, Township 14 North, Range 12 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 northwest corner of said Section 14; thence southerly on the West line of the Northwest Quarter of said Section 14 a distance of 2,646.9 feet to the southwest corner of said Northwest Quarter; thence easterly on the South line of said Northwest Quarter a distance of 42.5 feet to a point on the easterly old highway right of way line; thence northerly on said old highway right of way line a distance of 319.0 feet to a point 70.0 feet easterly from said West line; thence continuing northerly on said old highway right of way line a distance of 273.5 feet to a point 42.5 feet easterly from said West line; thence continuing northerly on said old highway right of way line a distance of 400.0 feet to a point 42.5 feet easterly from said West line; thence easterly on said old highway right of way line a distance of 8.0 feet to a point 50.5 feet easterly from said West line; thence northerly on said old highway right of way line a distance of 278.1 feet to a point 58.5 feet easterly from said West line; thence continuing northerly a distance of 1,240.7 feet to a point 71.7 feet easterly from said West line, said point being on said old highway right of way line; thence northeasterly on said old highway right of way line a distance of 213.3 feet to a point on the North line of said Northwest Quarter; thence westerly on said North line a distance of 225.0 feet to the point of beginning, containing 3.86 acres, more or less, which includes 3.42 acres, more or less, previously occupied as a public highway, the remaining 0.44 acre, more or less, being the additional acreage 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 Northwest Quarter, except over one farmstead entrance, not to exceed 20 feet in width, to provide ingress and egress to dwelling and out building site of the owner so long as it is used consistent with rural living and farming activities, the centerline of which is to be located 783.1 feet northerly from the South line of said Northwest Quarter, as measured along the centerline of the highway, except over existing Easy Street, and except over the public road along the North line of said Section 14 as illustrated on the attached plat.

All mineral rights in the above described tract shall be retained and reserved to the Condemnee, its heirs, successors or assigns. The Condemnee, its 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 Condemnee, its heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

Also, permanent easement to a tract of land and all improvements thereon, if any, for channel cleanout purposes located in the Northwest Quarter of Section 14, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

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

Land Owner: Decker Enterprises, Incorporated, a corporation.

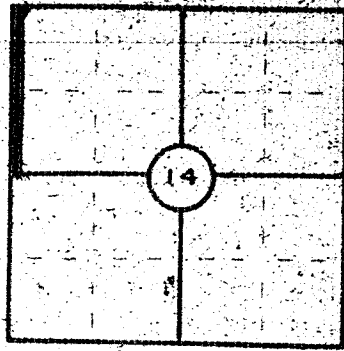
Mortgagee: Alma M. Sautter

Project: F-237 (6) AFE: R-56b Sarpy County, Nebraska

Page 2 of 2.

Referring to the west quarter corner of said Section 14; thence easterly on the South line of the Northwest Quarter of said Section 14 a distance of 42.5 feet to a point on the easterly highway right of way line; thence northerly on said easterly highway right of way line a distance of 309.3 feet to the point of beginning; thence continuing northerly on the last described course produced a distance of 9.7 feet; thence continuing northerly on said easterly highway right of way line a distance of 40.5 feet to a point 65.9 feet easterly from the West line of said Northwest Quarter; thence easterly a distance of 30.0 feet to a point 95.9 feet easterly from said West line; thence southerly a distance of 50.0 feet to a point 94.2 feet easterly from said West line; thence westerly a distance of 25.0 feet to the point of beginning, containing 0.03 acre, more or less, to be secured in this action.

31-164



1110+48.8
SEC. LINE

225.0' 82+8.8'E

CENTER LINE

2135' ALONG PREV. ROW

1109+00
77.0'E 71.7'E

NW 1/4 SEC. 14
T14N - R12E
SARPY COUNTY
TOTAL ROW = 3.86 AC.
PREV. ROW = 3.42 AC.
NEW ROW = 0.44 AC.



2646.9'

E EASY STREET

1906+59.3
67.5'E 58.5'E

ALONG PREV. ROW

278.1'

50.5'
42.5'

1091+85
TYPE "B" DRIVE

42.5'

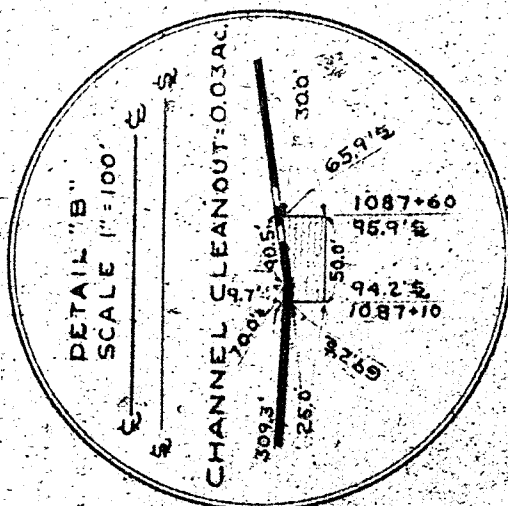
SEE DETAIL "B"

70.0'

ALONG PREV. ROW

42.5'E 55.3'E

1084+01.9



174 SEC. LINE

1/4 S

1/4 S

31-165
SKETCH SHOWING
RIGHT OF WAY
TO BE ACQUIRED
FROM LAND OWNED
BY





DECKER ENTERPRISES INCORPORATED

TRACT # 116
SCALE 1" = 200'

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

PROJ. F-237(6)
A.F.E. R. 56 b

LEGEND

PREV. ROW 
NEW ROW  0.44 ACRE
CONTROLLED ACCESS 
CHANNEL CLEANOUT  0.03 ACRE

COMP BY IGM
DRAWN BY DNM 10/62
CHECKED BY NLE 10/62
WRITTEN BY CES 10/62
CHECKED BY WDE 10/62

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

Land Owner: Kelly McMahon Construction Inc., a corporation.

Mortgagees: Carl J. Camenzind and Mary B. Camenzind.

Existing Easement: Omaha Public Power District.

Project: F-237 (6) AFE: R-56b Sarpy County, Nebraska

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in Parkview Heights excepting Lots 1, 13, and 19, Sarpy County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the east quarter corner of Section 15, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska; thence northerly on the East line of the Northeast Quarter of said Section 15 a distance of 390.0 feet to the point of beginning; thence continuing northerly on said East line a distance of 1,903.9 feet; thence westerly 90 degrees, 00 minutes left and on the northerly property line a distance of 143.5 feet; thence southerly a distance of 1,904.0 feet to a point on the southerly property line, said point being 132.8 feet westerly from said East line; thence easterly on said southerly property line a distance of 132.8 feet to the point of beginning, containing 6.04 acres, more or less, which includes 2.06 acres, more or less, previously occupied as a public highway, the remaining 3.98 acres, more or less, being the additional acreage 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 Parkview Heights, except over the existing Parkview Road as illustrated on the attached plat.

All mineral rights in the above described tract shall be retained and reserved to the Condemnee, its heirs, successors or assigns. The Condemnee, its 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 Condemnee, its heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

1106+95.8 137.7'±
Prop. Line 143.5'±

Center Line
Sec. Line

± Park View Road

19040

19039

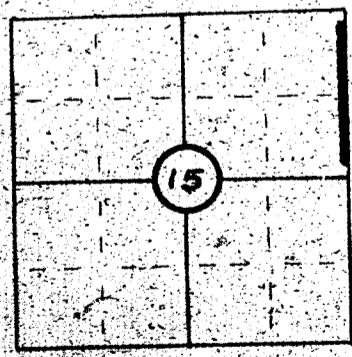
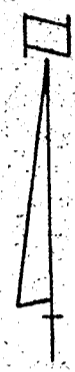
ALL PARKVIEW HEIGHTS EXCEPT
LOTS 1, 13, & 19

SARPY COUNTY
TOTAL R.O.W. 6.04 AC.
PREV. R.O.W. 2.06 AC.
NEW R.O.W. 3.98 AC.

1087+91.9 121.1'±
Prop. Line 132.8'±

1084+01.9

1/4 Sec. Line



31-168

SKETCH SHOWING

**RIGHT OF WAY
TO BE ACQUIRED
FROM LAND OWNED
BY**

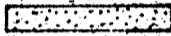

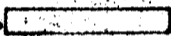

KELLY McMAHON CONSTRUCTION INC.

SCALE 1" = 200'
TRACT 115

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

PROJ. F-237(6)
A.F.E. R-56b

LEGEND

PREV. R.O.W. 
NEW R.O.W.  3.98 ACRES
 ACRE
CONTROLLED ACCESS 

COMPUTED BY I.B.M.
DRAWN BY G.B. 12-62
CHECKED BY D.N.M. 12-62
WRITTEN BY C.E.S. 12-62
CHECKED BY W.D.E. 12-62

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: Roy A. Smith, Trustee, Owner; Also Walter Wittmuss and Eunice Wittmuss, Mortgagees; \$ 16,965
- To: Harold Okeson and Victor Matthies, Partners d/b/a Vista Valley Co.; \$ 4600
- To: Dedker Enterprises, Inc., a corporation, Owner; Also Alma M. Sautter, Mortgagee; \$ 31,450
- To: Kelly McMahon Construction, Inc., a Nebraska Corporation, Owner; Also Carl J. Camenzind and Mary B. Camenzind, Mortgagees; \$ 36,910

All of which is hereby respectfully submitted.

Dated this 21 day of January, A. D., 1968.

Willie Warrus
Arthur J. Sperschild
Jerry Strawn
 Appraisers

Subscribed and sworn to before me this 21st day of Jan, A. D., 1968.



Joe E. Strawn
County Judge