

\$46.50

Dan Jatte
REGISTER OF DEEDS
2000 FEB 28 P 4: 02

INST. NO 2000
008170

Firethorn 3
POEAES
CRPOES

BLOCK
CODE
CHECKED
ENTERED
EDITED

BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN, NEBRASKA,
A Municipal Corporation,

Condemner,

vs.

MARY C. RECKMEYER and MATTHEW C.
RECKMEYER, wife and husband; UNION BANK
AND TRUST COMPANY; GE CAPITAL
MORTGAGE SERVICES, INC.; and
LANCASTER COUNTY, NEBRASKA,
[S 84th St. Widening Project 700-776 - Tract 5]

GLEN E. HERBERT and INEZ M. HERBERT,
husband and wife; and LANCASTER COUNTY,
NEBRASKA,
[S 84th St. Widening Project 700-776 , Tract 7]

HERBERT BROTHERS, a partnership; and
LANCASTER COUNTY, NEBRASKA,
[S 84th St. Widening Project 700-776 - Tract 13]

Condemnees.

CASE NO. C199-6829

REPORT OF APPRAISERS

TO: THE HONORABLE JUDGE OF THE COUNTY COURT OF LANCASTER COUNTY,
NEBRASKA

We, the undersigned Appraisers, duly appointed by the County Judge of Lancaster County, Nebraska to view the grounds, hear testimony, and appraise the damages by reason of the taking as hereinafter described respectfully submit the following report.

After taking and subscribing to the oath as prescribed by law, we, separately, and as a body, did carefully inspect and view the grounds and premises in question, and the grounds, premises, and property for which damages are claimed by the claimant or claimants named in the Petition for the Appointment of Appraisers and Condemnation of Lands, and hear all parties present who were interested therein with reference to the amount of damages, and we have and do hereby assess the damages which all persons interested therein have sustained by reason of the taking and appropriating of lands and rights therein for the purposes as stated in the said Petition and as shown on the description hereinafter set forth:

County Court

A. **Owner:** Mary E. Reckmeyer and Matthew C. Reckmeyer -Tract 5

(1) **Fee Simple Title To:**

A portion of Lot 2, Firethorn 3rd Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the northwest corner of said Lot 2, said point is located 15.24 meters (50.0 feet) east of the west line of the said Southwest Quarter of Section 2; thence south along the west line of said Lot 2, a distance of 107.238 meters (351.83 feet) to the southwest corner of said Lot 2; thence east along the south line of said Lot 2, a distance of 4.471 meters (14.67 feet); thence north along a line which deflects 90° 41' 16" left, a distance of 98.433 meters (322.94 feet); thence continuing north along a line which deflects 14° 25' 40" right, a distance of 9.195 meters (30.17 feet) to the north line of said Lot 2; thence west along the north line of said Lot 2, a distance of 5.414 meters (17.76 feet) to the Point of Beginning; containing an area of 436.915 square meters (4,703.07 square feet), more or less.

(2) **Control of Access Over the Following Described Property:**

There will be no ingress and/or egress over the east line of 84th Street from Lot 2, Firethorn 3rd Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the southwest corner of said Lot 2, said point is located 15.24 meters (50.0 feet) east of the west line of the said Southwest Quarter of Section 2; thence east along the south line of said Lot 2, a distance of 4.471 meters (14.67 feet) to the Point of Beginning; thence north along a line which deflects 90° 41' 16" left, a distance of 98.433 meters (322.94 feet); thence continuing north along a line which deflects 14° 25' 40" right, a distance of 9.195 meters (30.17 feet) to the Point of Termination, except for an opening 8.0 meters (26.25 feet) in width whose centerline is located 53.223 meters (174.61 feet) north of the south line of said Lot 2.

(3) **A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading, and appurtenances thereto outside the street right-of-way over and through the following described real property, to wit:**

A portion of Lot 2, Firethorn 3rd Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at a point on the north line of said Lot 2 located 5.414 meters (17.76 feet) east of the northwest corner thereof, said point is located 20.654 meters (67.76 feet) east of the west line of the said Southwest Quarter of Section 2; thence east along the said north line of Lot 2, a distance of 12.807 meters (42.02 feet); thence south along a line located 18.221 meters (59.78 feet) east of and parallel with the west

line of said Lot 2, a distance of 26.814 meters (87.71 feet); thence east along a line which deflects 90° 00' 00" left, a distance of 8.851 meters (29.04 feet); thence south along a line located 27.072 meters (88.82 feet) east of and parallel with the west line of said Lot 2, a distance of 30.172 meters (98.99 feet); thence southwesterly along a line which deflects 32° 18' 58" right, a distance of 17.880 meters (58.66 feet); thence south along a line located 17.667 meters (57.96 feet) east of and parallel with the west line of said Lot 2, a distance of 35.241 meters (115.62 feet) to the south line of said Lot 2; thence west along the south line of said Lot 2, a distance of 13.196 meters (43.29 feet); thence north along a line which deflects 89° 18' 44" right, a distance of 98.435 meters (322.94 feet); thence continuing north along a line which deflects 14° 25' 40" right, a distance of 9.195 meters (30.17 feet) to the Point of Beginning; containing an area of 1,857.770 square meters (19,997.56 square feet) more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the grading, or one year after commencement of construction on said property, whichever occurs first.

B. Owner: Glen E. Herbert & Inez M. Herbert - Tract 7

(1) Fee Simple Title To:

A portion of Outlot A, Block 1, Pointe East Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the northeast corner of said Outlot 'A'; thence south along the east line of said Outlot 'A', a distance of 4.57 meters (14.99 feet); thence northwesterly along a straight line a distance of 6.463 meters (21.20 feet) to the north line of said Outlot 'A' at a point located 4.57 meters (14.99 feet) west of the northeast corner thereof; thence east along the north line of said Outlot 'A', a distance of 4.57 meters (14.99 feet) to the Point of Beginning; containing an area of 10.442 square meters (112.40 square feet) more or less.

(2) Control of Access Over the Following Described Property:

There will be no ingress and/or egress over the west right-of-way line of 84th Street from Outlot 'A', Block 1, Pointe East Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Outlot 'A'; thence north along the east line of said Outlot 'A', a distance of 221.835 meters (727.80 feet); thence northwest along a line which deflects 45° 00' left, a distance of 6.463 meters (21.20 feet) to the

north line of said Outlot 'A'; thence west along the north line of said Outlot 'A', a distance of 8.611 meters (28.25 feet) to the Point of Termination.

- (3) **A permanent easement to construct, reconstruct, maintain, operate and replace fill and appurtenances thereto, over and through the following described real property, to wit:**

A portion of Outlot 'A', Block 1, Pointe East Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Outlot 'A'; thence west along the south line of said Outlot 'A', a distance of 1.0 meter (3.28 feet); thence north along a line located 1.0 meter (3.28 feet) west of and parallel with the east line of said Outlot 'A', a distance of 23.0 meters (75.46 feet); thence northwesterly along a line which deflects 4° 52' 19" left, a distance of 10.030 meters (32.91 feet); thence northeasterly along a line which deflects 8° 16' 00" right, a distance of 31.268 meters (102.59 feet) to the east line of said Outlot 'A'; thence north along the east line of said Outlot 'A', a distance of 21.712 meters (71.23 feet); thence northwesterly along a line which deflects 4° 03' 11" left, a distance of 49.516 meters (162.45 feet); thence north along a line which deflects 4° 03' 11" right, a distance of 50.0 meters (164.04 feet); thence northeasterly along a line which deflects 4° 05' 42" right, a distance of 28.0 meters (91.86 feet); thence east along a line located 15.0 meters (49.21 feet) south of and parallel with the north line of said Outlot 'A', a distance of 1.50 meters (4.92 feet) to the east line of said Outlot 'A'; thence south along the east line of said Outlot 'A', a distance of 213.232 meters (699.58 feet) to the Point of Beginning; containing an area of 397.37 square meters (4,277.40 square feet), more or less.

- (4) **A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading, and appurtenances thereto outside the street right-of-way over and through the following described real property, to wit:**

A portion of Outlot 'A', Block 1, Pointe East Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the northeast corner of said Outlot 'A', thence south along the east line of said Outlot 'A', a distance of 4.57 meters (14.99 feet) to the Point of Beginning; thence continuing south along the east line of Outlot 'A', a distance of 10.43 meters (34.22 feet); thence west along a line located 15.0 meters (49.21 feet) south of and parallel with the north line of said Outlot 'A', a distance of 1.50 meters (4.92 feet); thence northwesterly along a line which deflects 52° 56' 37" right, a distance of 19.365 meters (63.53 feet) to the north line of said Outlot 'A'; thence east along the north line of said Outlot 'A', a distance of 8.611 meters (28.25 feet); thence southeasterly along a straight line, a distance of 6.463 meters (21.20 feet) to the east line of said Outlot 'A' at a point located 4.57 meters (14.99 feet) south of the

northeast corner thereof, said point being the Point of Beginning; containing a combined total area of 99.259 square meters (1,068.45 square feet), more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the grading, or one year after commencement of construction on said property, whichever occurs first.

C. Owner: Herbert Brothers - Tract 13

(1) Fee Simple Title To:

A portion of Outlot 'A', Block 4, Crown Pointe Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said Outlot 'A', said point is located 50.0 feet west of the east line of the said Northeast Quarter of Section 3; thence north along the east line of said Outlot 'A', a distance of 4.57 meters (15.0 feet); thence southwesterly along a line which deflects 135° 00' left, a distance of 6.46 meters (21.21 feet) to the south line of said Outlot 'A'; thence east along the south line of said Outlot 'A', a distance of 4.57 meters (15.0 feet) to the Point of Beginning. And also:

Commencing at the northeast corner of the Northeast Quarter of said Section 3; thence west along the north line of the said Northeast Quarter, a distance of 15.24 meters (50.0 feet); thence south along a line located 15.24 meters (50.0 feet) west of and parallel with the east line of the said Northeast Quarter, a distance of 22.86 meters (75.0 feet) to the Point of Beginning; thence continuing south along the previously described line, also known as the east line of said Outlot 'A', a distance of 155.156 meters (509.04 feet); thence northerly along a line which deflects 178° 51' 20" right, a distance of 41.276 meters (135.42 feet); thence continuing north along a line which deflects 1° 08' 40" right, a distance of 106.034 meters (347.88 feet); thence northwesterly along a line which deflects 45° 07' 07" left, a distance of 15.21 meters (49.90 feet); thence west along a line located 11.604 meters (38.07 feet) south of and parallel with the north line of said Outlot 'A', a distance of 61.0 meters (200.13 feet); thence west along a line which deflects 5° 44' 20" right, a distance of 36.0 meters (118.11 feet); thence west along a line which deflects 4° 48' 51" left, a distance of 63.634 meters (208.77 feet) to the north line of said Outlot 'A'; thence east along the north line of said Outlot 'A', a distance of 164.511 meters (539.73 feet); thence southeasterly along the northeasterly line of said Outlot 'A' which deflects 45° 06' 58" right, a distance of 10.757 meters (35.29 feet) to the Point of Beginning; containing a combined total area of 622.730 square meters (6,703.22 square feet), more or less.

(2) Control of Access Over the Following Described Property:

There will be no ingress and/or egress over the west right-of-way line of 84th Street from Outlot 'A', Block 4, Crown Pointe Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the southeast corner of said Outlot 'A', said point is located 15.24 meters (50.0 feet) west of the east line of the said Northeast Quarter; thence west along the south line of said Outlot 'A', a distance of 19.681 meters (64.57 feet) to the Point of Beginning ; thence east along the south line of said Outlot 'A', a distance of 15.111 meters (49.58 feet); thence northeast along a line which deflects 45° 00' left, a distance of 6.460 meters (21.21 feet) to the east line of said Outlot 'A'; thence north along the east line of said Outlot 'A', a distance of 117.130 meters (348.28 feet); thence north along a line which deflects 1° 08' 40" left, a distance of 41.276 meters (135.42 feet); thence continuing north along a line which deflects 1° 08' 40" right, a distance of 106.034 meters (347.88 feet); thence northwesterly along a line which deflects 45° 07' 07" left, a distance of 15.210 meters (49.90 feet); thence west along a line located 11.604 meters (38.07 feet) south of and parallel with the north line of said Outlot 'A', a distance of 61.0 meters (200.13 feet); thence west along a line which deflects 5° 44' 20" right, a distance of 36.0 meters (118.11 feet); thence west along a line which deflects 4° 48' 51" left, a distance of 63.634 meters (208.77 feet) to the north line of said Outlot 'A'; thence west along the north line of said Outlot 'A', a distance of 18.371 meters (60.27 feet) to the northwest corner of said Outlot 'A', said point being the Point of Termination.

(3) A permanent easement to construct, reconstruct, maintain, operate and replace fill and appurtenances thereto, over and through the following described real property, to wit:

A portion of Outlot 'A', Block 4, Crown Pointe Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the southeast corner of said Outlot 'A', said point is located 15.24 meters (50.0 feet) west of the east line of the said Northeast Quarter; thence west along the south line of said Outlot 'A', a distance of 4.57 meters (15.0 feet) to the Point of Beginning; thence west along the south line of Outlot 'A', a distance of 15.11 meters (49.58 feet); thence northeasterly along a line which deflects 164° 59' right, a distance of 15.416 meters (50.58 feet); thence north along a line which deflects 78° 09' 14" left, a distance of 134.292 meters (440.59 feet); thence northeasterly along a line which deflects 10° 20' 34" right, a distance of 90.128 meters (295.69 feet) to a point located 0.827 meters (2.71 feet) west of the east line of said Outlot 'A'; thence south along a line located 0.827 meters (2.71 feet) west of and parallel with the east line of said Outlot 'A', a distance of 65.128 meters (213.67 feet); thence south along a line which deflects 1° 08' 40" left, a distance of 41.276 meters (135.42 feet) to the east line of said Outlot 'A'; thence south along the east line of said Outlot 'A', a distance of 117.13 meters (348.28 feet); thence

southwesterly along a line which deflects 45° 00' right, a distance of 6.46 meters (21.21 feet) to the Point of Beginning. And also:

Commencing at the northwest corner of said Outlot 'A', said point is located 15.24 meters (50.0 feet) south of the north line of the said Northeast Quarter of Section 3; thence east along the north line of said Outlot 'A', a distance of 18.37 meters (60.27 feet); thence continuing easterly along a line which deflects 0° 55' 32" right, a distance of 54.453 meters (178.65 feet) to the Point of Beginning; thence continuing easterly along the previously described line, a distance of 9.181 meters (30.12 feet); thence southeasterly along a line which deflects 4° 48' 51" right, a distance of 36.0 meters (118.11 feet); thence south along a line which deflects 84° 15' 40" right, a distance of 3.373 meters (11.07 feet); thence west along a line located 8.0 meters (26.25 feet) south of and parallel with the north line of said Outlot 'A', a distance of 45.0 meters (147.64 feet); thence north along a line which deflects 90° 00' right, a distance of 7.12 meters (23.36 feet) to the Point of Beginning; containing a combined total area of 1,930.358 square meters (20,778.88 square feet), more or less.

- (4) **A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of grading, and appurtenances thereto outside the street right-of-way over and through the following described real property, to wit:**

A portion of Outlot 'A', Block 4, Crown Pointe Estates Addition, Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Commencing at the northwest corner of said Outlot 'A', said point is located 15.24 meters (50.0 feet) south of the north line of the said Northeast Quarter of Section 3; thence east along the north line of said Outlot 'A', a distance of 18.371 meters (60.27 feet); thence continuing easterly along a line which deflects 0° 55' 32" right, a distance of 63.634 meters (208.77 feet); thence southeasterly along a line which deflects 4° 48' 51" right, a distance of 36.0 meters (118.11 feet); thence east along a line located 11.604 meters (38.07 feet) south of and parallel with the north line of said Outlot 'A', a distance of 61.0 meters (200.13 feet); thence southeasterly along a line which deflects 45° 06' 58" right, a distance of 4.21 meters (13.81 feet) to the Point of Beginning; thence continuing southeasterly along the previously described line, a distance of 11.0 meters (36.09 feet); thence south along a line located 0.827 meters (2.71 feet) west of and parallel with the east line of said Outlot 'A', a distance of 38.0 meters (124.67 feet); thence northwesterly along a line which deflects 170° 20' 03" right, a distance of 46.421 meters (152.30 feet) to the Point of Beginning; containing an area of 148.087 square meters (1,594.05 square feet), more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on

said property, final inspection, and acceptance of the grading, or one year after commencement of construction on said property, whichever occurs first.

A. Owner: Mary E. Reckmeyer and Matthew C. Reckmeyer - Tract 5

We assess all damages in the sum of \$ _____, which sum we award as follows:

To: Mary E. Reckmeyer & Matthew C. Reckmeyer \$ _____
To: Union Bank and Trust Company \$ _____
To: GE Capital Mortgage Services, Inc. \$ _____
To: Lancaster County, Nebraska \$ _____

B. Owner: Glen E. Herbert & Inez M. Herbert - Tract 7

We assess all damages in the sum of \$ 3,800⁰⁰, which sum we award as follows:

To: Glen E. Herbert & Inez M. Herbert \$ 3,800⁰⁰
To: Lancaster County, Nebraska \$ _____

C. Owner: Herbert Brothers - Tract 13

We assess all damages in the sum of \$ 28,285⁰⁰, which sum we award as follows:

To: Herbert Brothers, a partnership \$ 28,285.⁰⁰
To: Lancaster County, Nebraska \$ _____

GIVEN under our hands this 26 day of January, 2000.

John White

Appraisers

Subscribed and sworn to before me this 26 day of Jan., 2000.



James H. Foster
County Judge

BY: Sherry DeLarney
Deputy Clerk

FILED
JAN 26 2000
LANCASTER
COUNTY COURT
DISTRICT THREE

IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA
STATE OF NEBRASKA }
LANCASTER COUNTY } SS. CERTIFICATE

The Deputy Clerk of the County Court of Lancaster County does hereby certify that the foregoing is a full and correct copy of the original instrument duly filed and of record in this court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County Court of said County at Lincoln, Nebraska this 25th day of Feb., 2000.



Sherry DeLarney
Deputy Clerk of the County Court