

THE STATE OF NEBRASKA  
DEPARTMENT OF ROADS

BOOK 407 PAGE 345

Condemner

C2-220

vs.

RETURN OF APPRAISERS

MORRIS PASHMAN and LESTER M. ENTEN  
and JOSEPH WATERS d/b/a LESTER M.  
ENTEN ASSOCIATES, a Partnership,  
d/b/a WENDLE PROPERTIES, a  
Partnership, Owner; MACK TRUCKS,  
INC., a New Jersey Corporation,  
Lessee; THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA, Mortgagee;  
DOUGLAS COUNTY TREASURER;

Condemnees

TO HONORABLE ROBERT R. TROYER, COUNTY JUDGE OF 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 Charles E. Lenz, ~~Sheriff~~ or Deputy Sheriff of Douglas County, Nebraska, on the 21<sup>st</sup> day of June, 1963, 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:

Land Owner: Wendle Properties, a partnership.

Tenant: Mack Trucks, Incorporated.

Mortgagee: Prudential Insurance Company

Project: U-446 (7) AFE: R-122b Douglas 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 Northeast Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the east quarter corner of said Section 2; thence northerly on the East line of the Northeast Quarter of said Section 2 a distance of 600.4 feet; thence westerly 90 degrees 00 minutes left and on the northerly property line a distance of 50.0 feet; thence southerly on a line 50.0 feet westerly from and parallel to said East line a distance of 397.4 feet; thence westerly on a 135.0 foot radius curve to the right (initial tangent of which forms an angle of 06 degrees 13 minutes right from the last described course) a distance of 185.0 feet to point of tangency; thence continuing westerly, tangent, a distance of 23.8 feet to a point 80.0 feet northerly from the South line of said Northeast Quarter; thence continuing westerly on a line 80.0 feet northerly from and parallel to said South line a distance of 287.0 feet to a point on the westerly property line; thence southerly on said westerly property line a distance of 80.0 feet to a point on said South line; thence easterly on said South line a distance of 483.0 feet to the point of beginning, containing 68,725.74 square feet, more or less, which includes 46,814.52 square feet, more or less, previously occupied as a public highway, the remaining 21,911.22 square feet, more or less, being the additional area to be secured in this action.

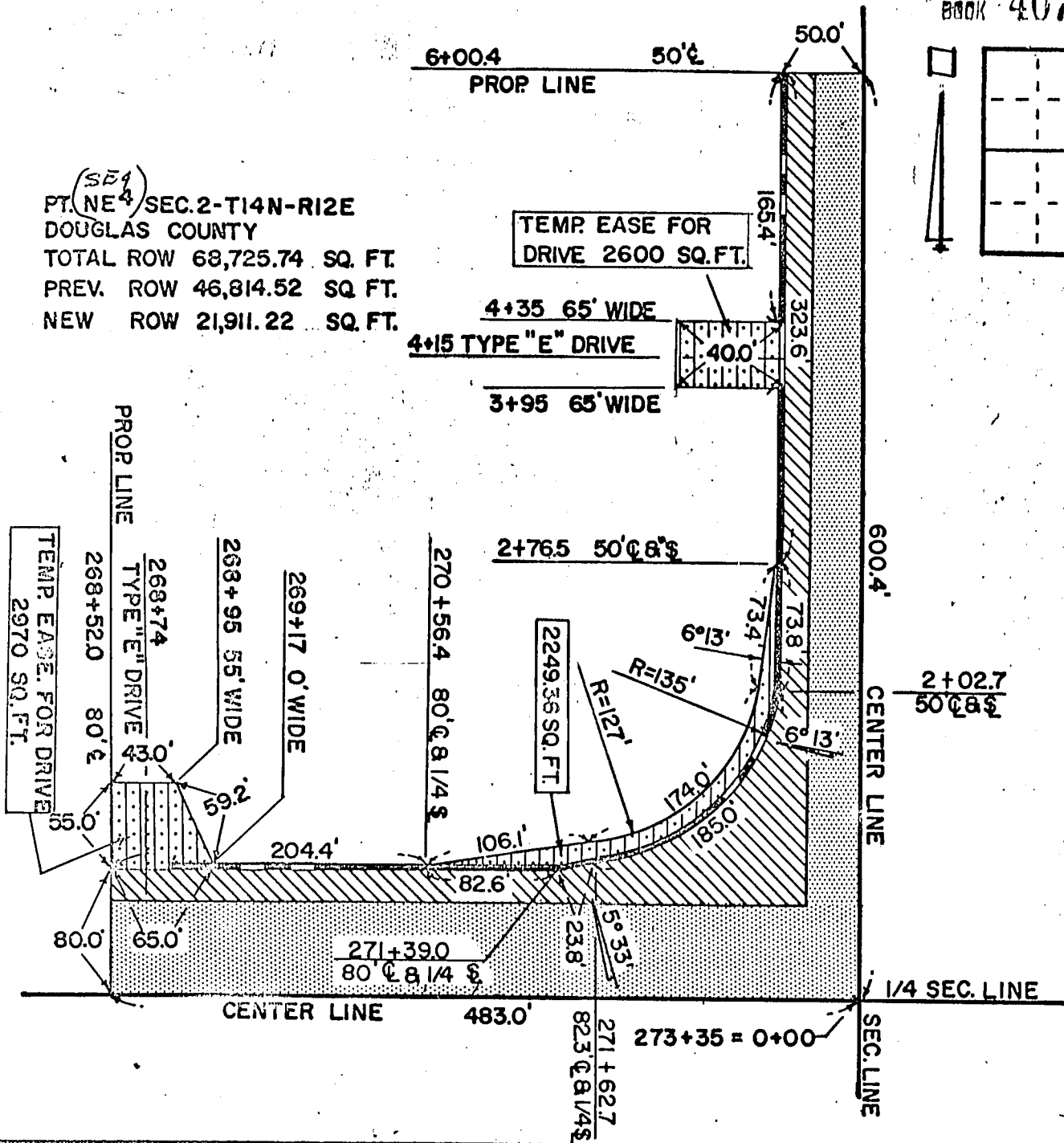
There will be no ingress or egress from the above described tract of land onto the remainder of said part of the Northeast Quarter, except over two commercial entrances, not to exceed 40 feet in width, to provide ingress and egress to property of the owner so long as they are used consistent with operating normal business activities as they exist, the centerlines of which are to be located 461.0 feet westerly from the East line of said Northeast Quarter and 415.0 feet northerly from the South line of said Northeast Quarter, both as measured along the centerline of the highway.

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, temporary easement to a tract of land and all improvements thereon, if any, for drive purposes located in part of the Northeast Quarter of Section 2, Township 14 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the east quarter corner of said Section 2; thence westerly on the South line of the Northeast Quarter of said Section 2 a distance of 483.0 feet; thence northerly 90 degrees 00 minutes right and on the westerly property line a distance of 80.0 feet to the point of beginning, said point being on the northerly highway right of way line; thence continuing northerly on said westerly property line a distance of 55.0 feet; thence easterly 90 degrees 00 minutes right a distance of 43.0 feet; thence southeasterly a distance of 59.2 feet to a point on said highway right of way line; thence ~~easterly~~ <sup>westerly</sup> on said highway right of way line a distance of 65.0 feet to the point of beginning, containing 2,970 square feet, more or less, to be secured in this action.

(SE 4)  
 FT. NE 4 SEC. 2-T14N-R12E  
 DOUGLAS COUNTY  
 TOTAL ROW 68,725.74 SQ. FT.  
 PREV. ROW 46,814.52 SQ. FT.  
 NEW ROW 21,911.22 SQ. FT.



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

**WENDLE PROPERTIES**

SCALE 1" = 100'  
 TRACT 21

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

**PROJ. U-446(7)**  
 A.F.E. R-122 b

**LEGEND**

- PREV. R.O.W. 46,814.52 SQ. FT.
- NEW R.O.W. 21,911.22 SQ. FT.
- CONST. EASE. 7819.36 SQ. FT.
- CONTROLLED ACCESS

COMPUTED BY I.B.M.  
 DRAWN BY G.B. 8 '63  
 CHECKED BY DAC. 8-63  
 WRITTEN BY  
 CHECKED BY

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:

Tract No. 21

Total amount awarded for acquisition of property heretofore described: \$27,500.00

Award to be distributed according to respective interests of parties, as follows:

Morris Pashman and Lester M. Enten and Joseph Waters d/b/a Lester M. Enten Associates, a Partnership, d/b/a Wendle Properties, a Partnership; (OWNER) \$27,500.00

The Prudential Insurance Company of America; (MORTGAGEE) \$ None

Mack Trucks, Inc., a New Jersey Corporation; (LESSEE) \$ None

Douglas County Treasurer \$ None

All of which is hereby respectfully submitted.

Dated this 15<sup>th</sup> day of October, A.D., 1963.

*[Signature]*  
*[Signature]*  
*[Signature]*  
Appraisers

Subscribed and sworn to before me this \_\_\_\_ day of October, A.D., 1963.

\_\_\_\_\_  
County Judge

20

MISS RECEIVED

1964 JAN 15 PM 4:21

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

... of ... Index and ...  
... Record in the office of the Register of  
... of said County and recorded in  
Book 407 of  
Page 345

*[Handwritten signature]*

Judge Troyer

2-14-12

SE of NE  
2-14-12

STATE OF NEBRASKA } SS. I, Robert R. Troyer, County Judge  
COUNTY OF DOUGLAS } of Douglas County, Nebraska, do  
hereby certify the foregoing copy, consisting of 4 pages  
to be a full, true and correct copy of the original record  
thereof, now remaining on file in said court; that I have  
the legal custody and control of said original record; and  
that the seal of said court is hereto affixed.

WITNESS my hand and the seal of said Court at Omaha  
this 14th day of October 1962

ROBERT R. TROYER, County Judge  
BY Joseph J. Delity  
Clerk of the County Court

