

IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA

CITY OF OMAHA,)	DOC. C5	NO. 85
A Municipal Corporation)		
)		
Condemnor,)		
)		
vs.)	REPORT OF APPRAISERS	
)		
LORELLO REALTY CO., INC.)		
)		
ROSS' STEAK HOUSE, INC.)		
)		
SAM J. HOWELL, Douglas County)		
Treasurer,)		
)		
Condemnees.)		

On this 21st day of September, 1981, the undersigned being duly appointed, qualified and acting appraisers in the above-entitled cause of action, do hereby make and file this report as follows:

I. THAT pursuant to an order entered in the County Court of Douglas County, Nebraska on the 20th of July 1981, the undersigned were duly appointed appraisers in the above-entitled matter; and that before entering upon the duties as such appraisers, the undersigned duly took and subscribed their oath as required by law.

II. THAT the undersigned appraisers carefully inspected and viewed the premises, hereinafter described on the 19th day of August 1981 and thereafter did hold a hearing on the 19th day of August 1981 at which time evidence was received relative to the amount of damages that could be sustained by the owners of the real estate in question.

III. THAT your appraisers find that the amount of damages sustained by the Condemnees by reason of the taking of said property is as follows:

TRACT NO. 1 (A/K/A 909 South 72nd Street) - Legal Description

The South 115.8 feet of the North 600 feet of the East 610 feet of the West 660 feet of the Southwest Quarter (¼) of the Southwest Quarter (¼) of Section 24, Township 15 North, Range 12 East of the 6th P.M.; Douglas County Nebraska.

PERMANENT EASEMENT FOR VEHICULAR INGRESS AND EGRESS OVER AND ACROSS TRACT 1 FOR PUBLIC ACCESS TO TRACT 2.

A triangular parcel of land for a Permanent Easement for ingress and egress, being more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter (¼) of the Southwest Quarter (¼) of Section 24, Township 15 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska, thence South along the

Section line in 72nd Street for a distance of 600 feet; thence East for a distance of 50 feet to the point of beginning, said point of beginning being also a point on the East property line of 72nd Street, thence North along the East property line of 72nd Street for a distance of 30 feet, thence Southeasterly along a straight line for a distance of 50 feet, to a point, said point being 40 feet East of the point of beginning, thence West for a distance of 40 feet to the point of beginning.

TEMPORARY CONSTRUCTION EASEMENT

Except for that part taken for Permanent Easement described above, a rectangular parcel of property for temporary construction easement, being more particularly described as follows:

Beginning at the Northwest Corner of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section 24, Township 15 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska, thence South along the Section line in 72nd Street for a distance of 600 feet, thence East for a distance of 50 feet to a beginning point, said point of beginning being also a point on the East property line of 72nd Street, thence North along the East property line of 72nd Street for a distance of 63.65 feet, thence East for a distance of 55.00 feet, thence South and parallel to the East property line of 72nd Street for a distance of 63.65 feet, thence West for a distance of 55 feet to the point of beginning.

Temporary and Permanent Easement <i>to be paid</i>	
<i>To Ross' Steak House, Inc</i>	
Value of Land taken for	
Temporary Easement	\$1,390.00
Value of damage to planter	\$ 675.00
Compensation for acquisition	
of Permanent Easement	\$1,920.00

Samuel J. Howell,
Douglas County Treasurer.

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<u>TOTAL AWARD</u>	<u>\$3,985.00</u>
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TRACT No. 2 (A/K/A 929 South 72nd Street) Legal Description

That part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 24, T 15 N, R 12 E of the 6th P.M., lying east of the centerline of the Little Papillion Creek more particularly described and bounded as follows: Beginning at a point on the East line of 72nd Street 600 feet south of the north line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ thence south along the east line of 72nd Street for 126' more or less to the centerline of the Little Papillion Creek, thence southeasterly along the centerline of the said creek to a point 210.5 feet N of the North line of Pacific Street; thence E along a line 210.5' North of and parallel to the North line of Pacific Street for 255' more or less to a point 327.5' west of the west line of 69th Street; thence North along a line 327.5' W of and parallel to the West line of 69th Street for 470' more or less to a point 600' S of the North line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence W 610' more or less to the point of beginning, Douglas County, NE.

TEMPORARY CONSTRUCTION EASEMENT

An irregular parcel of land for temporary construction easement, being more particularly described as follows:

Beginning at the Southwest Corner of the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section 24, Township 15 North, Range 12, East of the 6th P.M. in Douglas County, Nebraska thence North along the section line in 72nd Street for a distance of 676.00 feet, thence East for a distance of 50.00 feet to a point of

beginning, said point of beginning being also a point formed by the intersecting lines of the East property line of 72nd Street and the North right-of-way line of the Little Papillion Creek, said line having a bearing of South 73degrees 35' 35" East, thence North along the East property line of 72nd Street for a distance of 46.35 feet, thence East for a distance of 55.00 feet, thence South and parallel to the East property line of 72nd Street for a distance of 62.58 feet to a point on a line, said line being the North right-of-way line of the Little Papillion Creek and having a bearing of North 73 degrees 33' 35" West, thence North 73 degrees 33' 35" West along the North right-of-way line of the Little Papillion Creek for a distance of 57.43 feet to the point of beginning.

PERMANENT LOSS OF PUBLIC VEHICULAR INGRESS AND EGRESS

The permanent loss of vehicular ingress and egress is located in the southwest corner of said Tract No. 2, within the Temporary Construction Easement limits described above, and said loss of driveway being more particularly described as follows:

Beginning in the southwest corner of Tract 2, thence 30 feet north along the east property line of City owned right-of-way, a/k/a South 72nd Street and the west property line of said Tract 2.

A Permanent Easement for public vehicular ingress and egress over and across the southwest corner of Tract 1 as described in the Permanent Easement description in Tract 1, shall provide vehicular ingress and egress to said Tract 2.

LORELLO REALTY CO.	<u>\$900.00</u>
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SAM J. HOWELL, Douglas County Treasurer	<u>0</u>
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<u>TOTAL AWARD</u>	<u>\$900.00</u>
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THEREFORE, the undersigned appraisers do hereby find and assess the damages as indicated in Paragraph II that will be suffered by reason of the taking of the real estate by the Condemner and said appraisers hereby submit this report as required by the laws of the State of Nebraska.

FILED
IN COUNTY COURT
DOUGLAS COUNTY, NEBRASKA

SEP 23 1981

DEAN HADORN, CLERK

Melvin L. Strong
Melvin L. Strong

Max Brager
Max Brager

Douglas E. Witt
Douglas E. Witt

COUNTY COURT
DOUGLAS COUNTY
DEAN HADORN, CLERK
OMAHA, NEBR.

STATE OF NEBRASKA, }
COUNTY OF DOUGLAS } ss.

I, Dean Hadorn, Clerk of the County Court of Douglas County, Nebraska, do hereby
certify that I have compared the foregoing copy of.....

"REPORT OF APPRAISERS" in re:

CITY OF OMAHA, A Municipal Corporation, Condemner,

-VS-

LORELLO REALTY CO., INC., et al, Condemnees

in the matter of --- Condemnation Docket C5 - Page 85

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..... 25th day
of..... September, A. D. 1981

DEAN HADORN, Clerk of the County Court

By John A. Dougherty Deputy

L. Miss

RECEIVED
1981 SEP 25 PM 3:54
C. HAROLD OSTLER
REGISTER OF DEEDS
DOUGLAS COUNTY, NEBR.

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Miss

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