

United States Department of Justice

93-234  
UNITED STATES ATTORNEY  
DISTRICT OF NEBRASKA  
Omaha 1, Nebraska  
May 26, 1958

Mr. George Nicholsen  
Register of Deeds  
Papillion, Nebraska

Re: U. S. vs. 168.17 Acres, Sarpy County,  
Cond. 147

Dear Mr. Nicholsen:

We are enclosing a certified copy of the  
Judgment on Declaration of Taking and an Order  
recently filed in the above case. Please record  
the same in the land records of Sarpy County.

Upon receipt of your statement of fee, you  
will be promptly paid.

Very truly yours,

For the United States Attorney

*Byron D. Stratton*  
BYRON D. STRATTON  
Assistant United States Attorney

BS:ns

Enc. 2

P.S. We are enclosing a postage-free, self-addressed  
envelope for your convenience.

29<sup>th</sup> May 58 1958

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
158.17 Acres of land, more or  
less, situate in Sarpy County,  
State of Nebraska; Inez M. (Wood)  
Johnson, et al., )  
Defendants. )

COND. 147

JUDGMENT ON  
DECLARATION OF TAKING

Now on this 21<sup>st</sup> day of April, 1957, this cause came on to be heard upon the motion of Byron D. Stratton, Assistant United States Attorney for the District of Nebraska, one of the attorneys for the plaintiff herein, to enter a Judgment on the Declaration of Taking filed in the above cause on the 21<sup>st</sup> day of April, 1957, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration of the case and of the condemnation Complaint and Declaration of Taking filed herein and the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purpose set out and prayed in said Complaint;

SECOND: That a Complaint in condemnation was filed at the request of the Secretary of the Air Force of the United States of America, the authority empowered by law to acquire the land and interest therein described in said Complaint, and also under authority of the Attorney General of the United States;

THIRD: That said Complaint and Declaration of Taking state the authority under which and the public use for which said lands and interest therein were taken; that the Secretary of the Air Force of the United States of America is the person duly authorized and empowered by law to acquire the lands and interest therein,

such as are described in the Complaint, for use in connection with the Offutt Air Force Base, Sarpy County, State of Nebraska, and provide for the establishment of additional facilities for the use of the Department of the Air Force and other military uses incident thereto, and for such other uses as may be authorized by Congress or by Executive Order; that said interests in said land are required for immediate use and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land and the interest therein sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the said lands taken for public use;

SIXTH: That a plat showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money estimated by said acquiring authority to be just compensation for the said interests in said land, in the sum of \$69,100.00, and that said sum was deposited in the Registry of the Court for the use of the persons entitled thereto upon and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation for the taking of said property, in the opinion of the Secretary of the Air Force of the United States of America, will be within any limits prescribed by law as the price to be paid therefor.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that upon the filing of the said Declaration of Taking herein and the deposit in the Registry of the Court of the estimated amount of just compensation there is vested in the United States of America the fee simple title to 168.47 acres of land, more or less, described

as Tracts Nos. A-100, A-101, and A-102 in Exhibit "A", subject, however, to existing easements for public roads and highways, public utilities, railroads and pipe lines.

That said interests in and to said land are adjudged to have been conceded and taken for the use of the United States of America, and the right to just compensation for said interests taken vested in the persons entitled thereto, and the amount of just compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that possession of the real estate herein described and the interest therein taken shall be surrendered to the United States of America and its duly authorized agents, forthwith.

IT IS FURTHER ORDERED that this cause be held upon for such other orders, judgments, and decrees as may be necessary in the premises.

BY THE COURT:

/s/ Richard L. Robinson  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT.

RECORDED  
STRAIGHT & BROWN  
APR 1964  
APR  
CLERK

I certify this to be a true copy of the original record in my custody.  
MARY A. MULLEN, CLERK

By \_\_\_\_\_ Mary Clark

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IN THE COUNTY COURT OF SULLIVAN,  
STATE OF NEW YORK,

Plaintiff,  
vs.  
John J. L. (or Lang, more or less,  
inhabitance in happy County,  
State of Nebraska; alias M. Ward)  
Defendant.

This matter comes before the court this 26th day of April, 1957, upon the written motion of the plaintiff, in the above-entitled cause, and the court being fully advised in the premises does hereby:

IT IS ORDERED, ADJUDGED, AND DECREED, that the plaintiff's motion be granted and that the Judgment on declaration of intestacy entered in this cause on the 21st day of April, 1957, be and the same is hereby amended by attaching thereto the affidavit which is attached to this Order, which is the same exhibit of evidence as in the said Judgment or Declaration of Intestacy.

FILED  
CLERK OF COURT  
MAY 1 1957  
MARY A. MULLEN, CLERK  
BY Mary A. Mullen  
Sgt. DEPUTY

I certify this to be a true copy of  
the original record in my custody.  
MARY MULLEN, CLERK  
By Mary A. Mullen  
Deputy Clerk

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 168.17 acres, more or less, situate in Sarpy County, State of Nebraska. A description of the land taken, together with the names and addresses of the purported owners thereto, is as follows:

TRACT NO. A-100

DESCRIPTION:

That portion of the Southeast Quarter of Section 4, Township 13 North, Range 13 East of the Sixth Principal Meridian, Sarpy County, Nebraska, lying North of Nebraska State Highway No. 31. The tract of land herein described contains 122.11 acres, more or less.

Name and Address of Purported Owner:

Inez K. (Hood) Johnson  
Fort Crook, Nebraska

Anna K. Dahms  
6051 43rd St., N.E.  
Seattle, Washington

Estimated Compensation:

\$47,300.00

TRACT NO. A-101

DESCRIPTION:

The last 1320.00 feet of the South 61 acres of the North 12 of the Southwest Quarter of Section 4, Township 13 North, Range 13 East of the Sixth Principal Meridian, Sarpy County, Nebraska. The tract of land herein described contains 35.12 acres, more or less.

Name and Address of Purported Owner:

Matilda Helwig  
Fort Crook, Nebraska

Estimated Compensation:

\$16,500.00

TRACT NO. A-102

DESCRIPTION:

The last 1320.00 feet of the North 19.00 acres of the southwest Quarter of Section 4, Township 13 North, Range 13 East of the Sixth Principal Meridian, Sarpy County, Nebraska. The tract of land herein described contains 10.94 acres, more or less.

Name and Address of Purported Owner:

LeRoy Miller  
Fort Crook, Nebraska

Estimated Compensation:

\$3,300.00

The gross sum estimated to be just compensation for the lands hereby taken, is \$69,100.00.

*Exhibit "C"*