

STATE OF NEBRASKA  
DEPARTMENT OF ROADS,

Docket C4 Page 179 Case \_\_\_\_\_

Condemner,

v.

MAXINE CAMPBELL, Owner; FRANK  
J. CAMPBELL, husband of Maxine  
Campbell; GEORGE MORGAN,  
Mortgagee; DOUGLAS COUNTY  
TREASURER;

NROHKLE, INC., a Nebraska  
corporation, Owner; DOUGLAS  
COUNTY TREASURER;

B. J. MINARIK and HELEN L.  
MINARIK, husband and wife,  
Joint Tenants; DOUGLAS COUNTY  
TREASURER;

JOSEPH H. HAUN and MILDRED  
HAUN, husband and wife, Joint  
Tenants; EQUITABLE FEDERAL  
SAVINGS AND LOAN ASSOCIATION  
OF FREMONT, NEBRASKA, Mortgagee;  
DOUGLAS COUNTY TREASURER;

RETURN

OF

APPRAISERS

Condemnees. )

TO THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA.

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us by Joseph Marino, Sheriff or Deputy Sheriff of Douglas County, Nebraska, on the 28 day of January, 1977, 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:

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

Owner: Maxine Campbell, sole owner, Frank J. Campbell husband of Maxine Campbell

Mortgagee: George Morgan of Omaha, Nebraska

## PROJECT RF- 183( 14) TRACT 10

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 1320.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 31 MINUTES RIGHT, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 40.00 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 082 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 143.67 FEET; THENCE SOUTHERLY DEFLECTING 020 DEGREES, 56 MINUTES RIGHT, A DISTANCE OF 268.10 FEET TO A POINT ON THE EASTERLY HIGHWAY 31 RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 177 DEGREES, 19 MINUTES RIGHT, A DISTANCE OF 56.20 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 011 DEGREES, 54 MINUTES LEFT, A DISTANCE OF 348.07 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 0.30 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 1320.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 31 MINUTES RIGHT, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 082 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 143.67 FEET; THENCE SOUTHERLY DEFLECTING 020 DEGREES, 56 MINUTES RIGHT, A DISTANCE OF 268.10 FEET TO A POINT ON THE EASTERLY HIGHWAY 31 RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 012 DEGREES, 56 MINUTES LEFT, A DISTANCE OF 488.70 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 014 DEGREES, 02 MINUTES LEFT, A DISTANCE OF 206.16 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 014 DEGREES, 02 MINUTES RIGHT, A DISTANCE OF 157.74 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE NORTHERLY HIGHWAY 30 RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 26 MINUTES LEFT, A DISTANCE OF 302.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 003 DEGREES, 47 MINUTES RIGHT, A DISTANCE OF 302.60 FEET ALONG SAID RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 003 DEGREES, 47 MINUTES LEFT, A DISTANCE OF 1213.70 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF TERMINATION; EXCEPT, OVER ONE CONDITIONAL RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE OF THE ACCESS IS LOCATED 1561.00 FEET FROM THE WEST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE SOUTH SECTION LINE.

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

Owner: Maxine Campbell, sole owner, Frank J. Campbell husband of Maxine Campbell

Mortgagee: George Morgan of Omaha, Nebraska

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTEE DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

AND ALSO:

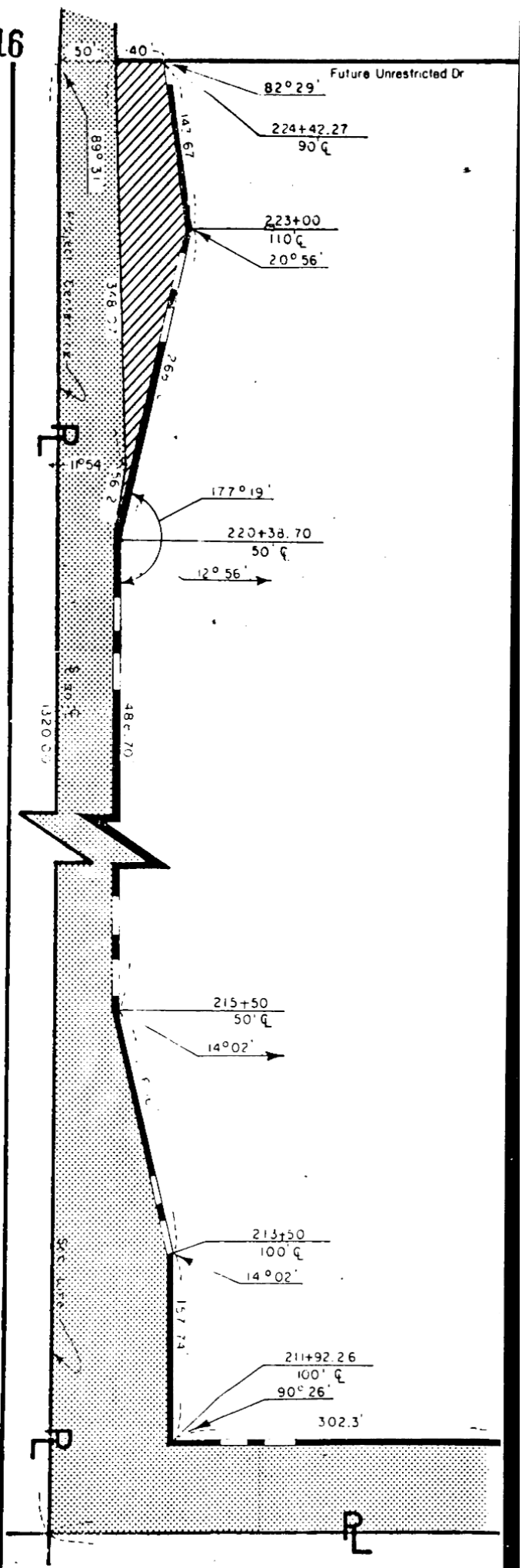
EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE NOT TO EXCEED 40 FEET IN WIDTH THE CENTERLINE OF WHICH IS LOCATED ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR.

AND ALSO:

EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED 1813.09 FEET FROM THE WEST LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE SOUTH SECTION LINE.

IT IS THE INTENT OF THESE PROCEEDINGS THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED AS DESCRIBED ABOVE SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE CONDEMNEE AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEDS AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



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

SCALE 1"=100'  
TRACT 10

**PROJ. RF-183(14)**  
A.F.E. R-066

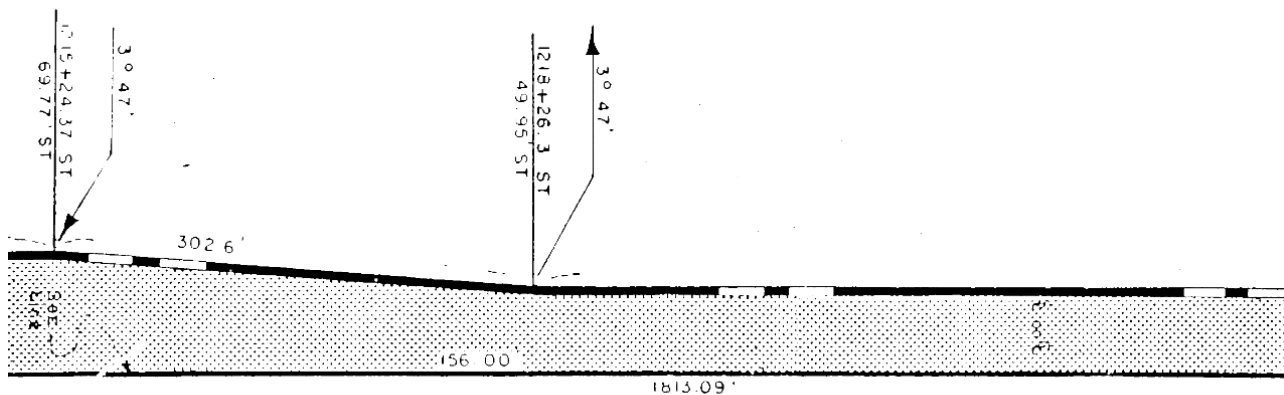
**LEGEND**

STATE OF NEBRASKA DEPARTMENT OF ROADS RIGHT OF WAY DIVISION LINCOLN, NEBRASKA	PREV. R.O.W. NEW R.O.W.	0.30 ACRE ACRES	COMPUTED BY I.B.M. DRAWN BY E.C.S. 1-21-77 CHECKED BY WRITTEN BY CHECKED BY
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CONTROLLED ACCESS

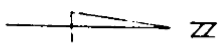
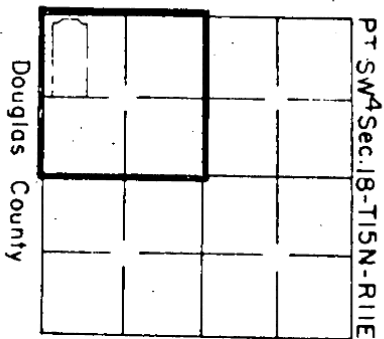
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End C.A. 1230+40 ST  
48.88 ST

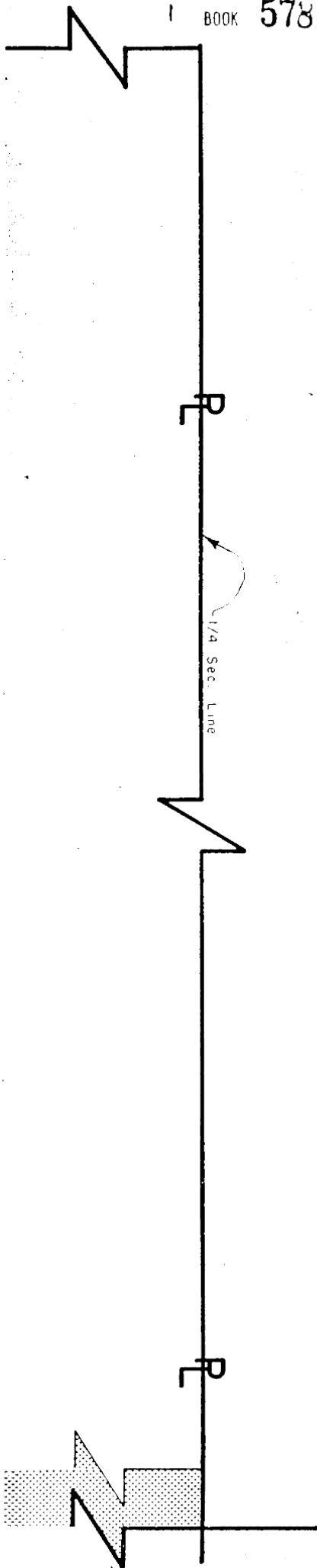
€ Future  
Unrestricted Dr.

€  
Restricted Dr.

1217.70'

Sec.  
Line

Q-1



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:

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 10 \$ 11,214.00

Award distributed as follows:

To: Maxine Campbell, Owner;	\$ <u>11,204.00</u>
Frank J. Campbell, husband of Maxine Campbell;	\$ <u>None</u>
George Morgan, Mortgagee;	\$ <u>10.00</u>
Douglas County Treasurer;	\$ <u>None</u>

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 14A \$ 885.00

Award distributed as follows:

To: Nrohkle, Inc., a Nebraska corporation, Owner;	\$ <u>10.00</u>
Douglas County Treasurer;	\$ <u>875.00</u>

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 16 \$ 8070.00

Award distributed as follows:

To: B. J. Minarik and Helen L. Minarik, husband and wife, Joint Tenants;	\$ <u>4035.00</u>
	\$ <u>4035.00</u>
Douglas County Treasurer;	\$ <u>None</u>

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 20 \$ 23,935

Award distributed as follows:

To: Joseph H. Haun and Mildred Haun, husband and wife, Joint Tenants;	\$ <u>11,960.00</u>
	\$ <u>11,960.00</u>
Equitable Federal Savings and Loan Association of Fremont, Nebraska, Mortgagee;	\$ <u>15.00</u>
Douglas County Treasurer;	\$ <u>None</u>

BOOK 578 PAGE 321  
C O N D E M N A T I O N

Owner: Nrohkle, Inc. a nebraska corp.

PROJECT RF- 183( 14)      TRACT 14-A

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN TAX LOT 1, A PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 330.65 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 090 DEGREES, 32 MINUTES LEFT, A DISTANCE OF 88.55 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 104 DEGREES, 48 MINUTES LEFT, A DISTANCE OF 127.13 FEET; THENCE NORTHERLY DEFLECTING 018 DEGREES, 13 MINUTES RIGHT, A DISTANCE OF 100.12 FEET; THENCE NORTHERLY DEFLECTING 012 DEGREES, 39 MINUTES RIGHT, A DISTANCE OF 112.15 FEET TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 106 DEGREES, 04 MINUTES LEFT, A DISTANCE OF 90.00 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 0.52 ACRES, MORE OR LESS, WHICH INCLUDES 0.40 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION. EXCEPT, OVER ONE CONDITIONAL RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 92.2 FEET FROM THE NORTH LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTEE DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

BOOK 578 PAGE 322  
C O N D E M N A T I O N

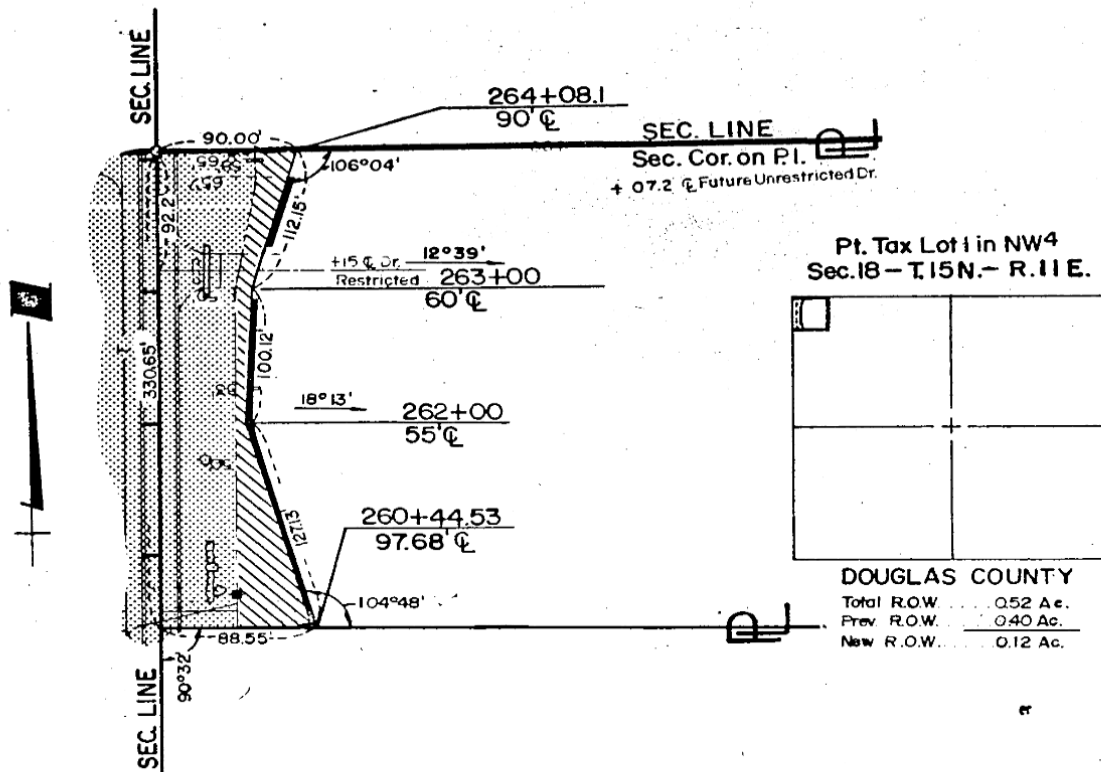
Owner: Nrohkle, Inc., a nebraska corp.

AND ALSO:

EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE NORTH LINE(S) OF SAID QUARTER SECTION.

IT IS THE INTENT OF THESE PROCEEDINGS THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED AS DESCRIBED ABOVE SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



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



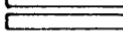

**NROHKE, INC.**

SCALE 1" = 100'  
TRACT 14A

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

**PROJ. RF-183(14)**  
A.F.E. R-066

**LEGEND**

PREV. R.O.W.   
NEW R.O.W.   
  
CONTROLLED ACCESS 

Q12 ACRE  
ACRES  
ACRES

COMPUTED BY I.B.M.  
DRAWN BY R.L.J. 1/13/77  
CHECKED BY  
WRITTEN BY  
CHECKED BY

BOOK 578 PAGE 324

## CONDEMNATION

Owners: B.J. and Helen L. Minarik, Husband and Wife, Joint Tenants

PROJECT RF- 183( 14) TRACT 16

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 432.90 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 088 DEGREES, 44 MINUTES LEFT, A DISTANCE OF 89.94 FEET ALONG THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 081 DEGREES, 59 MINUTES LEFT, A DISTANCE OF 341.52 FEET; THENCE SOUTHERLY DEFLECTING 009 DEGREES, 16 MINUTES LEFT, A DISTANCE OF 96.77 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 35 MINUTES LEFT, A DISTANCE OF 145.00 FEET TO THE POINT OF BEGINNING CONTAINING 1.23 ACRES, MORE OR LESS, WHICH INCLUDES 0.79 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION. EXCEPT, OVER ONE CONDITIONAL RESTRICTED ACCESS(ES). SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 67.8 FEET FROM THE SOUTH LINE OF SAID QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY. THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTEE DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

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

Owners: B. J. and Helen L. Minarik, Husband and Wife, Joint Tenants

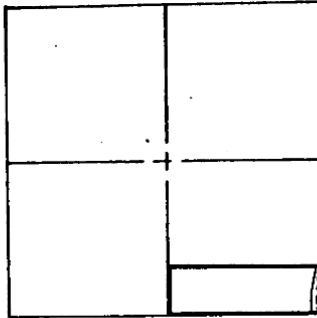
## AND ALSO:

EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE SOUTH LINE(S) OF SAID QUARTER SECTION.

IT IS THE INTENT OF THESE PROCEEDINGS THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED AS DESCRIBED ABOVE SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE CONDEMNEE AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEES AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEES AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID CONDEMNEES AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

Pt. SE4 SE4  
Sec. 12 - T. 15 N. - R. 10 E.

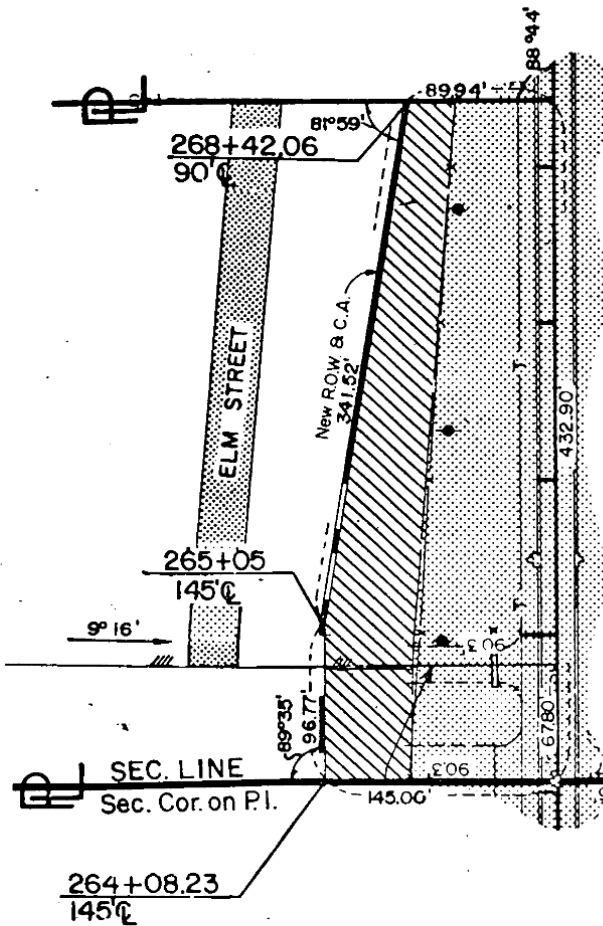


**DOUGLAS COUNTY**

Total R.O.W. . . . 123 Ac.  
Prev. R.O.W. . . . 079 Ac.  
New R.O.W. . . . 044 Ac.

Restricted Earth Drive (25' Wide)

- Future Unrestricted Dr.  
(40' Wide)



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

**B. J. & HELEN L. MINARIK H. & W., J.T.**

SCALE 1"=100'  
TRACT 16

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

**PROJ. RF-183 (14)**  
A.F.E. R-066

**LEGEND**

PREV. R.O.W.   
NEW R.O.W.   
CONTROLLED ACCESS

**044** ACRE  
ACRES  
ACRES

COMPUTED BY I.B.M.  
DRAWN BY *266* 1-18-77  
CHECKED BY  
WRITTEN BY  
CHECKED BY

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

Owners: Joseph H. and Mildred Haun, H.&W., J.T.  
Mortgagee: Equitable Federal Savings and Loan Association

PROJECT RF- 183( 14)      TRACT 20

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 59.70 FEET ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE EASTERLY HIGHWAY 31 RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 084 DEGREES, 11 MINUTES LEFT, A DISTANCE OF 392.90 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 009 DEGREES, 59 MINUTES LEFT, A DISTANCE OF 376.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 041 DEGREES, 36 MINUTES RIGHT, A DISTANCE OF 125.00 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 053 DEGREES, 48 MINUTES RIGHT, A DISTANCE OF 105.47 FEET ALONG SAID LINE TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 130.53 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 090 DEGREES, 39 MINUTES LEFT, A DISTANCE OF 358.70 FEET TO A POINT ON THE SOUTHERLY PARK ROAD RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 085 DEGREES, 10 MINUTES LEFT, A DISTANCE OF 136.07 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 142 DEGREES, 49 MINUTES LEFT, A DISTANCE OF 47.12 FEET; THENCE SOUTHERLY DEFLECTING 047 DEGREES, 58 MINUTES RIGHT, A DISTANCE OF 180.00 FEET; THENCE SOUTHERLY DEFLECTING 010 DEGREES, 49 MINUTES RIGHT, A DISTANCE OF 159.97 FEET TO THE POINT OF BEGINNING CONTAINING 0.90 ACRES, MORE OR LESS.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 59.70 FEET ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE EASTERLY HIGHWAY 31 RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 084 DEGREES, 11 MINUTES LEFT, A DISTANCE OF 392.90 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 009 DEGREES, 59 MINUTES LEFT, A DISTANCE OF 376.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 041 DEGREES, 36 MINUTES RIGHT, A DISTANCE OF 125.00 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 053 DEGREES, 48 MINUTES RIGHT, A DISTANCE OF 105.47 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 079 DEGREES, 51 MINUTES LEFT, A DISTANCE OF 133.31 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 26.66 FEET; THENCE NORTHERLY DEFLECTING 010 DEGREES, 49 MINUTES LEFT, A DISTANCE OF 28.00 FEET; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT, A DISTANCE OF 5.00 FEET; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT, A DISTANCE OF 54.19 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES, MORE OR LESS.

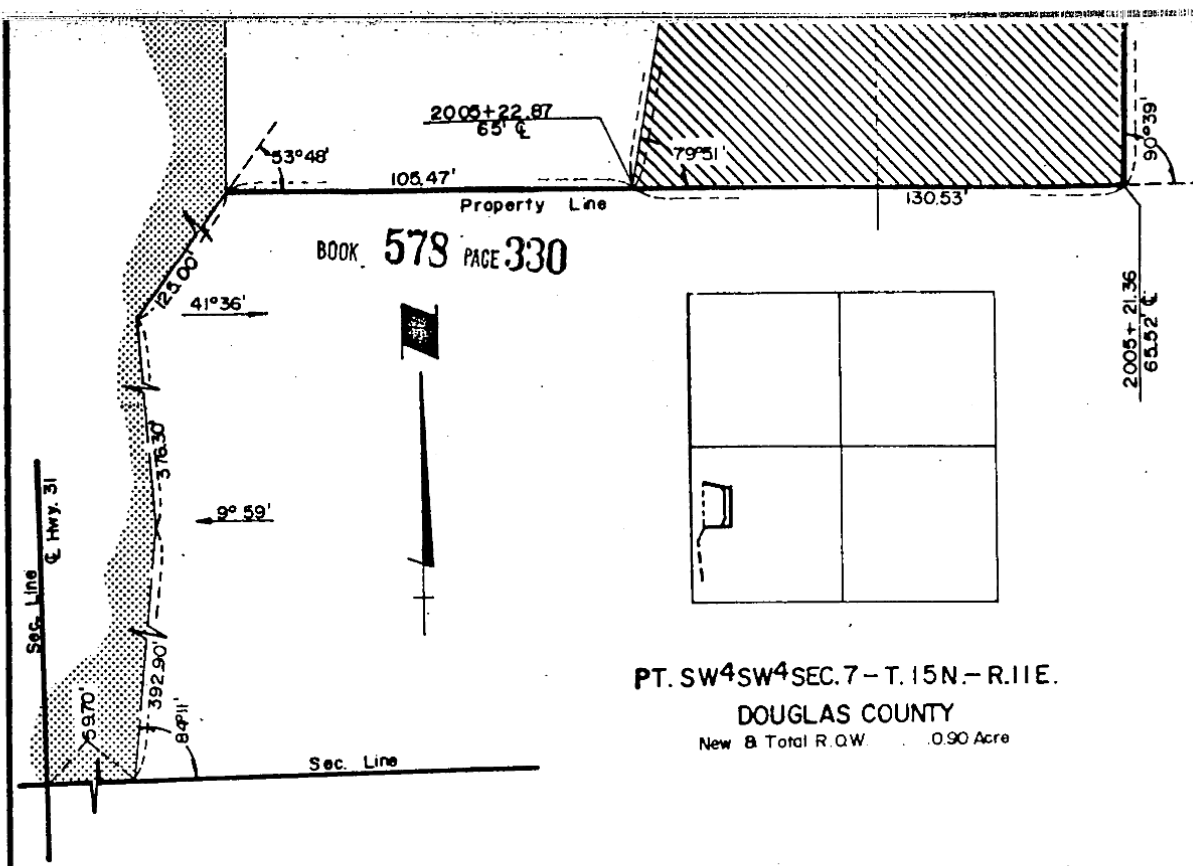
Owners: Joseph H. and Mildred Haun, H.&W., J.T.  
Mortgagee: Equitable Federal Savings and Loan Association

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 59.70 FEET ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE EASTERLY HIGHWAY 31 RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 084 DEGREES, 11 MINUTES LEFT, A DISTANCE OF 392.90 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHERLY DEFLECTING 009 DEGREES, 59 MINUTES LEFT, A DISTANCE OF 376.30 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 041 DEGREES, 36 MINUTES RIGHT, A DISTANCE OF 125.00 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE EASTERLY DEFLECTING 053 DEGREES, 48 MINUTES RIGHT, A DISTANCE OF 105.47 FEET ALONG SAID LINE; THENCE NORTHERLY DEFLECTING 079 DEGREES, 51 MINUTES LEFT, A DISTANCE OF 159.97 FEET; THENCE NORTHERLY DEFLECTING 010 DEGREES, 49 MINUTES LEFT, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 50.00 FEET; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT, A DISTANCE OF 5.00 FEET; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT, A DISTANCE OF 50.00 FEET; THENCE EASTERLY DEFLECTING 090 DEGREES, 00 MINUTES LEFT, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF PROJECT RF-183(14), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.





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



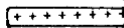
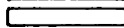
JOSEPH H. & MILDRED HAUN, H.&W, J.T.

SCALE 1" = 40'  
TRACT 20

PROJ. RF-183(14)  
A.F.E. R-066

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

### LEGEND

PREV. R.O.W.   
NEW R.O.W.   
TEMP. EASE.   
CONTROLLED ACCESS 

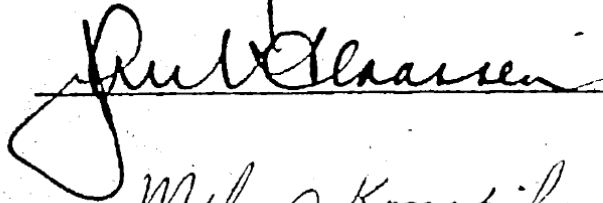
0.90 ACRE  
0.02 ACRE  
ACRE

COMPUTED BY L.B.M.  
DRAWN BY D.L.J. 9/24/76  
CHECKED BY R.L.W. 9-76  
WRITTEN BY J.B.O.  
CHECKED BY R.A.R. 9-76

(2)

All of which is hereby respectfully submitted.

Dated this 26 day of February, A.D. 1977.





  
Appraisers

Subscribed and sworn to before me this \_\_\_\_ day of

\_\_\_\_\_, A.D. 19\_\_\_\_.

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

DEAN W. DOWN, CLERK

**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 "RETURN OF APPRAISERS"  
 in re: STATE OF NEBRASKA, DEPARTMENT OF ROADS, Condemner,

-vs-

MAXINE CAMPBELL, et al, Condemnees,

in the matter of. Condemnation Docket C4 - Page 179

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.

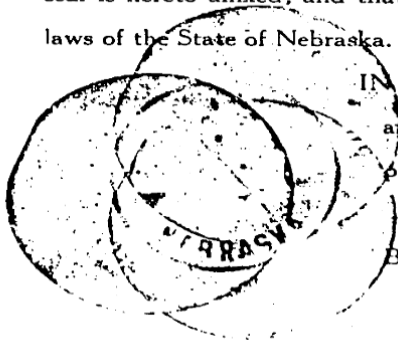
IN WITNESS WHEREOF, I have hereunto set my hand and  
 affixed the seal of said Court at Omaha, this 28th day  
 of February, A. D. 19 77

DEAN HADORN, Clerk of the County Court

By

*Dean Hadorn*

Deputy



Form No. 14-3M-7-74  
 Fee 60.25  
 Index 14-15-11  
 Cor. 14-15-11  
 14-15-10

Book 578  
 Page 313  
 of 179

RECEIVED  
 1977 MAR 21 AM 9-04  
 DOUGLAS COUNTY, NEBR.  
 REGISTER OF DEEDS

*8*  
*Price*