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RICHARD H. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

THIS PAGE INCLUDED FOR INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

4463 / See attached

FEE 17.00 FB \_\_\_\_\_

EXP 16-175 CO \_\_\_\_\_ COMP CP

DEL \_\_\_\_\_ SCAN dc FV \_\_\_\_\_

STATE OF NEBRASKA

C/SC 2 (8/88)

CERTIFICATE

44638

M

Case No.  
C98-60002

Douglas County Court, Civil/Small Claims Division  
1819 Farnam Street, Farnam Level, Omaha, NE 68183 (402) 444-5424

STATE OF NEBRASKA )  
                                  ) SS.  
COUNTY OF DOUGLAS )

I, JOYCE A RIEDLER, Deputy Clerk of the Douglas  
County Court, certify that the attached documents are full, true and complete copies of the original records of  
entries identified as follows: PARTIAL REPORT OF APPRAISERS

on file and of record in the Douglas County Court, entitled: CITY OF OMAHA VS. RAINBOW  
RECORDING STUDIOS, INC., ET AL

IN TESTIMONY WHEREOF, I have placed my signature and the seal of said Court.

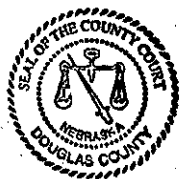
DATE: APRIL 6, 1998

BY THE COURT:

*Joyce A Riedler*

(Deputy Clerk)

(Seal)



RETURN TO:

JOYCE RIEDLER  
ROOM F03  
CIVIC CENTER

BILL:

BERNARD IN DEN BOSCH  
STE 804  
CIVIC CENTER

RETURNED TO COURT ON:

**IN THE COUNTY COURT OF DOUGLAS COUNTY, NEBRASKA**

CITY OF OMAHA, NEBRASKA, )  
 a Municipal Corporation, )  
 )  
 Condemnor, )  
 )  
 vs. )  
 )  
TRACT NO. 1 (a/k/a 4426 Dodge Street) )  
 Rainbow Recording Studios, Inc., a Nebraska Coproration; )  
 Southwest Bank & Trust Company of Omaha n/k/a/ First Bank; )  
 Et al )  
 and )  
 )  
 JULIE M. HANEY, Douglas County Treasurer, )  
 )  
 Condemnees )

DOC. 98 NO. 60002

PARTIAL REPORT OF APPRAISERS

COMES NOW the undersigned and report to the County Judge and to the Court as follows:

FIRST: The undersigned are duly appointed, qualified, and acting appraisers in this proceeding.

SECOND: On the 20th day of March, 1998, commencing at the hour of approximately, 10:30 A.M., the undersigned: (a) carefully inspected and viewed the property taken or sought to be taken by the condemnor, and also any other property of the condemnees damaged thereby; and (b) heard any interested party who was present while the said property was being inspected and viewed.

THIRD: On the 20th day of March, 1998, commencing at the hour of approximately, 1:30 P.M., the undersigned (a) met and convened as a board of appraisers; (b) heard any interested party who was present at said meeting and hearing; and (c) appraised the property sought to be condemned and ascertained and determined the damages sustained by the condemnees.

FOURTH: We, the Board of Appraisers, are continuing the site inspection and condemnation hearing for tracts 11, 37, 42 until further notice.

FIFTH: The undersigned hereby report the aforesaid damages as follows:

TRACT No. 3, (a/k/a 344 No. Saddle Creek Road, Omaha, NE.) SEE ATTACHED EXHIBIT "A"

<u>E. Robert Newman a/k/a E.R. Newman</u>	.....	\$ <u>11,651.46</u>
<u>Murray H. Newman a/k/a M.H. Newman</u>	.....	\$ <u>6,462.68</u>
<u>Murray H. Newman, Trustee of the Maxwell Calvin Newman Trust</u>	.....	\$ <u>637.93</u>
<u>Murray H. Newman, Trustee of the Louis Henry Newman Trust</u>	.....	\$ <u>637.93</u>

<u>Walgreens Nebraska Co., a Neb. Corp.</u>	.....	\$ <u>4,925.00</u>
<u>JULIE M. HANEY, Douglas County Treasurer</u>	.....	\$ <u>0</u>

TOTAL TRACT No. 3 = \$ 24,315.00

TRACT No. 10, (a/k/a 350 North Sadle Creek Road, Omaha, NE.) SEE ATTACHED EXHIBIT "A"

<u>E. Robert Newman a/k/a E.R. Newman</u>	.....	\$ <u>3,692.54</u>
<u>Murray H. Newman a/k/a M.H. Newman</u>	.....	\$ <u>2,048.12</u>
<u>Murray H. Newman, Trustee of the Maxwell Calvin Newman Trust</u>	.....	\$ <u>202.17</u>
<u>Murray H. Newman, Trustee of the Louis Henry Newman Trust</u>	.....	\$ <u>202.17</u>
<u>Westlake Hardware, Inc.</u>	.....	\$ <u>0</u>
<u>JULIE M. HANEY, Douglas County Treasurer</u>	.....	\$ <u>0</u>

TOTAL TRACT No. 10 = \$ 6,145.00

TRACT No. 22 & 23, (a/k/a 530 North Saddle Creek Road, Omaha, NE.) SEE ATTACHED EXHIBIT "A"

<u>Phillip G. Ruffin a/k/a Phil G. Ruffin a/k/a Phil Ruffin and Lynne A. Ruffin</u>	.....	\$ <u>7,757.00</u>
<u>John C. Hurd, Trustee</u>	.....	\$ <u>0</u>
<u>CITICORP USA, INC., a Delaware Corporation, Beneficiary</u>	.....	\$ <u>0</u>
<u>Total Petroleum, Inc.</u>	.....	\$ <u>44,268.00</u>
<u>Contemporary Industries Corporation, a Nevada Corp.</u>	.....	\$ <u>0</u>
<u>JULIE M. HANEY, Douglas County Treasurer</u>	.....	\$ <u>0</u>

TOTAL TRACT No. 22 & 23 = \$ 52,025.00


TRACT No. 40, (a/k/a 723 North Saddle Creek Road, Omaha, NE.) SEE ATTACHED EXHIBIT "A"

<u>Milton Gottlieb, Trustee of the Milton and Pat Gottlieb Trust</u>	.....	\$ <u>37,185.00</u>
<u>Blockbuster Videos, Inc., a Delaware Corporation</u>	.....	\$ <u>19,300.00</u>
<u>JULIE M. HANEY, Douglas County Treasurer</u>	.....	\$ <u>0</u>

TOTAL TRACT No. 40 = \$ 56,485.00

SIXTH. City Warrant (compensation check) pick-up procedure. Please call (402) 444-7420 thirty (30) days from the date this Report of Appraisers is filed, to make arrangements with the Division Manager of the County Court Civil Division as to a date and time when you may pick up your check. The Civil Division of the County Court is located in the Omaha/Douglas Civic Center, 1819 Farnam Street, Room F03 (Farnam Level).

IN WITNESS WHEREOF, the undersigned have executed this REPORT OF APPRAISERS this 30th  
day of March, 19 98.

  
\_\_\_\_\_  
Greg Swanson

  
\_\_\_\_\_  
Kenneth Manger

  
\_\_\_\_\_  
Joseph Stroesser

# Exhibit "A"

RACT No. 3

15-04560

LAND ACQUISITION LEGAL DESCRIPTION

A PARCEL OF LAND BEING PART OF LOT 11, BLOCK 1, BRIGGS PLACE ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA, AND ALSO BEING PART OF VACATED DAVENPORT STREET LYING WEST OF SADDLE CREEK ROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT A POINT ON THE WEST LINE OF LOT 16, BLOCK 4, BRIGGS PLACE ADDITION, WHICH IS 220.0 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 23, BLOCK 4 OF SAID ADDITION; THENCE NORTH (ASSUMED BEARING) ALONG THE EAST LINE OF THE FORMER OMAHA BELT LINE RAILWAY RIGHT-OF-WAY A DISTANCE OF 333.94 FEET; THENCE SOUTH 89° 54' EAST FOR A DISTANCE OF 299.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 54' EAST FOR A DISTANCE OF 12.71 FEET TO THE WEST RIGHT-OF-WAY LINE OF SADDLE CREEK ROAD; THENCE SOUTH 2° 13' WEST ALONG SAID WEST LINE FOR A DISTANCE OF 58.00 FEET; THENCE SOUTH 3° 22' 00" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 4.00 FEET; THENCE NORTH 89° 04' 27" WEST FOR A DISTANCE OF 10.86 FEET; THENCE NORTH 0° 31' 36" EAST FOR A DISTANCE OF 61.80 FEET TO THE POINT OF BEGINNING.




TEMPORARY EASEMENT LEGAL DESCRIPTION

15-04560

EXCEPT FOR LAND ACQUISITION PREVIOUSLY DESCRIBED; A PARCEL OF LAND BEING PART OF LOTS 11 AND 28 AND THE VACATED EAST/WEST ALLEY IN BLOCK 1, BRIGGS PLACE ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA, AND ALSO BEING PART OF VACATED CAPITOL AVENUE AND VACATED DAVENPORT STREET LYING WEST OF SADDLE CREEK ROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WEST LINE OF LOT 16, BLOCK 4, BRIGGS PLACE ADDITION, WHICH IS 220.0 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 23, BLOCK 4, OF SAID ADDITION; THENCE NORTH (ASSUMED BEARING) ALONG THE EAST LINE OF THE FORMER OMAHA BELT LINE RAILWAY RIGHT-OF-WAY A DISTANCE OF 333.94 FEET; THENCE SOUTH 89° 54' EAST FOR A DISTANCE OF 290.74 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 54' EAST FOR A DISTANCE OF 21.36 FEET TO THE WEST RIGHT-OF-WAY LINE OF SADDLE CREEK ROAD; THENCE SOUTH 2° 13' WEST ALONG SAID WEST LINE FOR A DISTANCE OF 58.00 FEET; THENCE SOUTH 3° 22' 00" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 77.93 FEET; THENCE SOUTH 0° 22' 00" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 193.82 FEET; THENCE NORTH 89° 17' 35" WEST FOR A DISTANCE OF 20.00 FEET; THENCE NORTH 0° 21' 39" EAST FOR A DISTANCE OF 193.74 FEET; THENCE NORTH 2° 18' 28" EAST FOR A DISTANCE OF 135.68 FEET TO THE POINT OF BEGINNING.

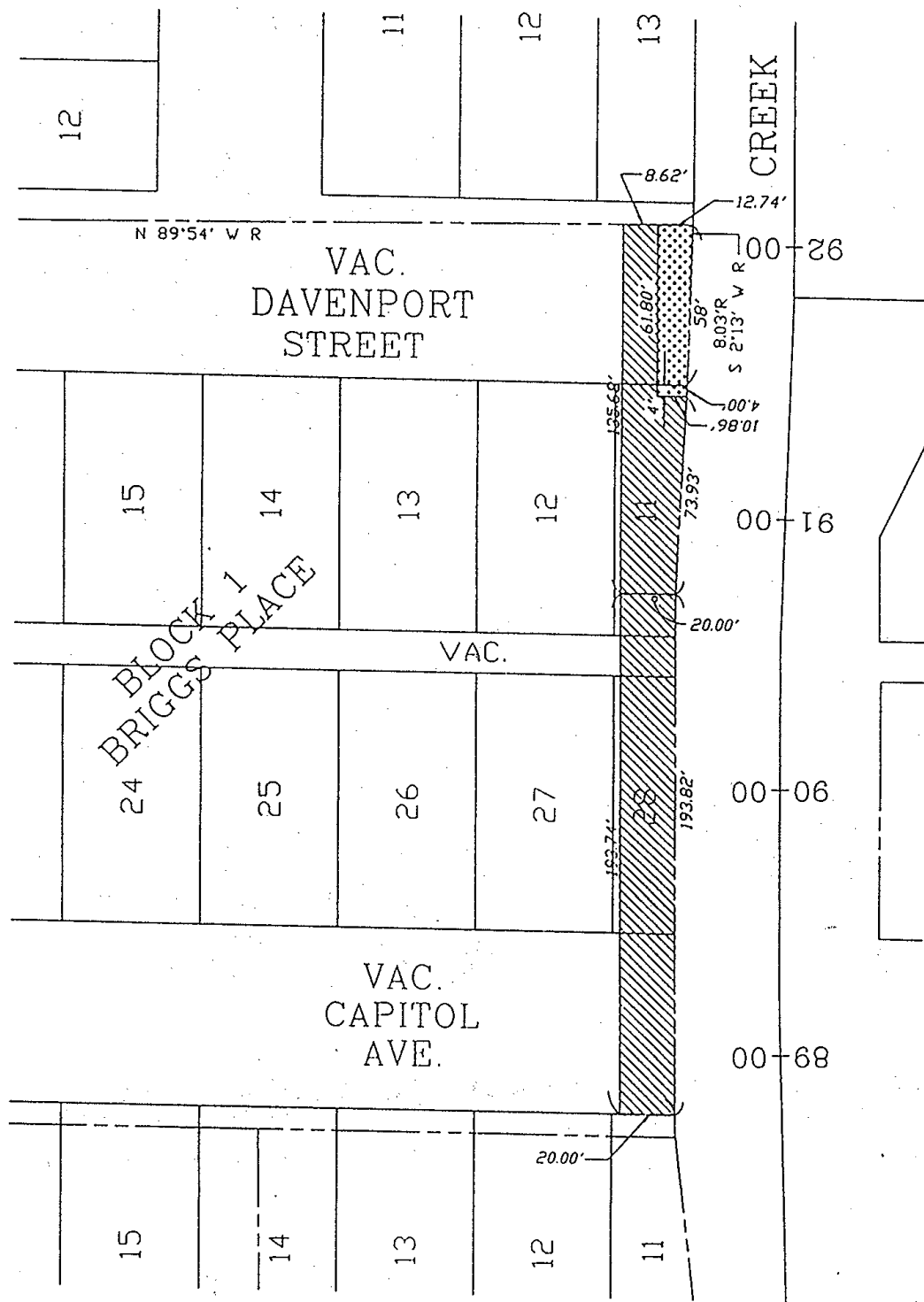
## CITY OF OMAHA Public Works Department

<p>owner(s): E.R. Newman &amp; M.H. Newman, as OWNERS; and Walgreen Nebraska Co.,</p> <p>address: 344 North Saddle Creek Rd. Omaha, Nebraska 681</p>	  	<p>Land Acquisition = _____ 733 S.F.</p> <p>Permanent Easement = _____ 0 S.F.</p> <p>Temporary Easement = _____ 5,995 S.F.</p>	
<p>Project No. S.P. 91-19</p>		<p>Project Name: Saddle Creek Road</p>	
<p>act No. 3</p>	<p>Date Prepared:</p>	<p>Revision Date(s):</p>	<p>Page</p>






N.W. 1/4 SEC. 20-15-13

SCALE: 1" = 50'



CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

	LAND ACQUISITION	733	S.F.
	PERMANENT EASEMENT	-0-	S.F.
	TEMPORARY EASEMENT	5,995	S.F.

PROJECT NO. S.P. 91-19  
 TRACT NO. 3

# Exhibit "A"

TRACT No. 10

## OWNER'S LEGAL DESCRIPTION

## LAND ACQUISITION LEGAL DESCRIPTION

10-30940

A PARCEL OF LAND BEING PART OF LOT 13, BLOCK 24, POPPLETON PARK ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA, AND ALSO BEING PART OF VACATED DAVENPORT STREET LYING WEST OF SADDLE CREEK ROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 23, BRIGGS PLACE ADDITION; THENCE NORTH (ASSUMED BEARING) ALONG THE EAST LINE OF THE FORMER OMAHA BELT RAILWAY RIGHT-OF-WAY FOR A DISTANCE OF 670.07 FEET; THENCE SOUTH 89° 16' EAST FOR A DISTANCE OF 10.45 FEET; THENCE SOUTH 89° 55' EAST FOR A DISTANCE OF 175.11 FEET; THENCE SOUTH 89° 16' EAST FOR A DISTANCE OF 14.42 FEET; THENCE DUE SOUTH FOR A DISTANCE OF 2.07 FEET; THENCE SOUTH 89° 16' EAST FOR A DISTANCE OF 111.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 16' EAST FOR A DISTANCE OF 1.76 FEET TO THE WEST RIGHT-OF-WAY LINE OF SADDLE CREEK ROAD; THENCE SOUTH 0° 24' WEST ALONG SAID WEST LINE FOR A DISTANCE OF 60.95 FEET; THENCE SOUTH 0° 48' 59" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 43.70 FEET; THENCE SOUTH 2° 12' 55" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 8.03 FEET; THENCE NORTH 89° 54' WEST FOR A DISTANCE OF 12.74 FEET; THENCE NORTH 0° 33' 36" EAST FOR A DISTANCE OF 11.22 FEET; THENCE SOUTH 89° 04' 24" EAST FOR A DISTANCE OF 11.37 FEET; THENCE NORTH 0° 29' 09" EAST FOR A DISTANCE OF 101.64 TO THE POINT OF BEGINNING.




## TEMPORARY EASEMENT LEGAL DESCRIPTION

EXCEPT FOR LAND ACQUISITION PREVIOUSLY DESCRIBED, A PARCEL OF LAND BEING PART OF LOT 13, BLOCK 24, POPPLETON PARK ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NEBRASKA, AND ALSO BEING PART OF VACATED DAVENPORT STREET LYING WEST OF SADDLE CREEK ROAD, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 23, BRIGGS PLACE ADDITION; THENCE NORTH (ASSUMED BEARING) ALONG THE EAST LINE OF THE FORMER OMAHA BELT RAILWAY RIGHT-OF-WAY FOR A DISTANCE OF 670.07 FEET; THENCE SOUTH 89° 16' EAST FOR A DISTANCE OF 10.45 FEET; THENCE SOUTH 89° 55' EAST FOR A DISTANCE OF 175.11 FEET; THENCE SOUTH 89° 16' EAST FOR A DISTANCE OF 14.42 FEET; THENCE DUE SOUTH FOR A DISTANCE OF 2.07 FEET; THENCE SOUTH 89° 16' EAST FOR A DISTANCE OF 91.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89° 16' EAST FOR A DISTANCE OF 21.76 FEET TO THE WEST RIGHT-OF-WAY LINE OF SADDLE CREEK ROAD; THENCE SOUTH 0° 24' WEST ALONG SAID WEST LINE FOR A DISTANCE OF 60.95 FEET; THENCE SOUTH 0° 48' 59" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 43.70 FEET; THENCE SOUTH 2° 12' 55" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 8.03 FEET; THENCE NORTH 89° 54' WEST FOR A DISTANCE OF 21.76 FEET; THENCE NORTH 0° 29' 09" EAST FOR A DISTANCE OF 112.92 FEET TO THE POINT OF BEGINNING.

## CITY OF OMAHA Public Works Department

Owner(s): E. Robert Newman, ET AL  
Address: 350 North Saddle Creek Rd.  
Omaha, Nebraska 681

	Land Acquisition = _____ 324 S.F.
	Permanent Easement = _____ 0 S.F.
	Temporary Easement = _____ 2,130 S.F.

Project No. S.P. 91-19

Project Name: Saddle Creek Road

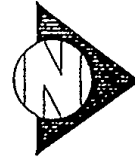
Tract No. 10

Date Prepared: 3/3/97

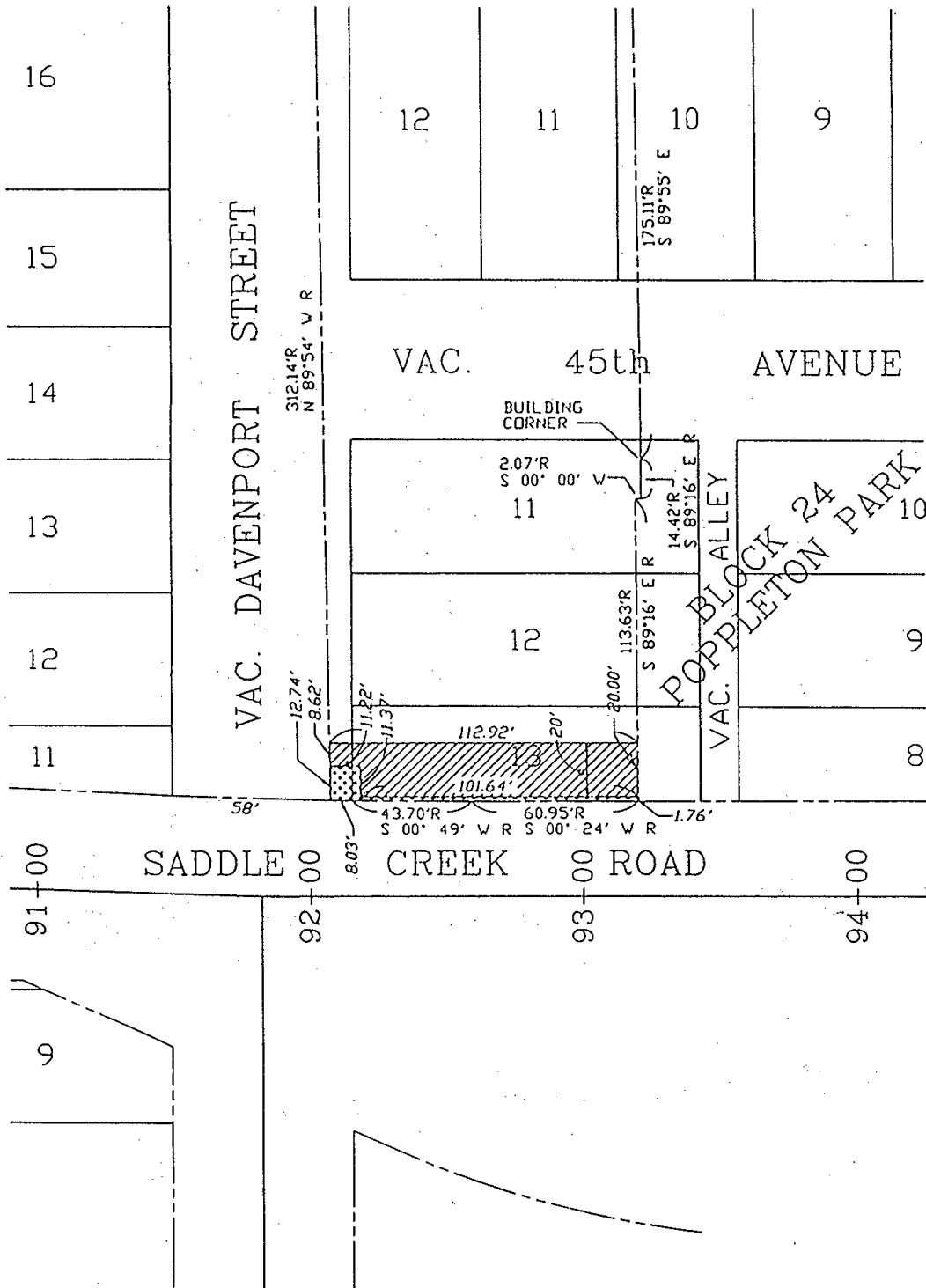
Revision Date(s):

Page 1 of 2



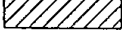




N.W. 1/4 SEC. 20-15-13  
SCALE: 1"=50'



CITY OF OMAHA - PUBLIC WORKS DEPARTMENT

	LAND ACQUISITION	324	S.F.	PROJECT NO.	S.P. 91-19
	PERMANENT EASEMENT	-0-	S.F.	TRACT NO.	10
	TEMPORARY EASEMENT	2,130	S.F.		

# Exhibit "A"

**TRACT No. 22 & 23**

**LAND ACQUISITION LEGAL DESCRIPTION**

10-30940

AN IRREGULAR TRACT OF LAND SITUATED IN LOT ONE (1) BLOCK 14, POPPLETON PARK, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHERLY R.O.W. LINE OF CALIFORNIA STREET AND THE EAST ROW LINE OF THE OMAHA BELTLINE RAILWAY, THENCE SOUTH 89°34'34" EAST FOR A DISTANCE OF 36.75 FEET; THENCE SOUTH 00°25'12" WEST FOR 1 FOOT; THENCE SOUTH 74°59'37" EAST FOR A DISTANCE OF 36.59 FEET; THENCE SOUTH 58°52'34" EAST FOR 24.71 FEET; THENCE SOUTH 87°20'26" EAST FOR 38.42 FEET; THENCE SOUTH 89°34'28" WEST FOR A DISTANCE OF 58.51 FEET; THENCE SOUTH 00°25'30" EAST FOR A DISTANCE OF 4.07 FEET; THENCE SOUTH 89°34'22" WEST FOR A DISTANCE OF 20.08 FEET; THENCE NORTH 84°42'56" WEST FOR A DISTANCE OF 53.28 FEET, TO A POINT ON THE EAST ROW LINE OF THE OMAHA BELTLINE RAILWAY, SAID POINT BEING 25.05 FEET SOUTH OF THE P.O.B.; THENCE NORTH 00°00'00" EAST AND ALONG SAID EAST ROW LINE OF THE OMAHA BELT LINE RAILWAY FOR A DISTANCE OF 25.05 FEET TO POINT OF BEGINNING.

ALSO

10-30940

AN IRREGULAR TRACT OF LAND SITUATED IN LOT 10, BLOCK 13, POPPLETON PARK ADDITION, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTH FOR A DISTANCE OF 92.75 FEET AND ALONG THE WEST LOT LINE AND TO A POINT ON THE SOUTH R.O.W. LINE OF CALIFORNIA STREET; THENCE SOUTH 87°20'26" EAST ALONG SAID SOUTH R.O.W. LINE OF CALIFORNIA STREET FOR A DISTANCE OF 22.31 FEET, AND TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 87°20'26" EAST ALONG SAID SOUTH R.O.W. LINE FOR A DISTANCE OF 15.87 FEET; THENCE SOUTH 44°26'33" EAST FOR A DISTANCE OF 16.75 FEET; THENCE SOUTH 13°21'23" WEST ALONG SAID WEST R.O.W. LINE OF SADDLE CREEK ROAD FOR A DISTANCE OF 79.05 FEET; THENCE ALONG A CURVE TO THE RIGHT, WITH A RADIUS OF 856.51 FEET, CHORD LENGTH OF 68.8 FEET (CHORD BEARING NORTH 07°35'25" EAST) AN ARC LENGTH OF 68.81 FEET; THENCE NORTH 40°38'03" WEST FOR A DISTANCE OF 28.26 FEET, AND TO THE POINT OF BEGINNING.

**PERMANENT EASEMENT LEGAL DESCRIPTION**










10 30940

AN IRREGULAR TRACT OF LAND SITUATED IN PART OF LOT ONE (1) AND TWO (2), BLOCK 14, POPPLETON PARK, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHERLY R.O.W. LINE OF CALIFORNIA STREET AND THE EAST R.O.W. LINE OF THE OMAHA BELTLINE RAILWAY; THENCE SOUTH ALONG SAID EAST R.O.W. LINE FOR A DISTANCE OF 25.05 FEET, AND TO POINT OF BEGINNING; THENCE SOUTH 84°42'56" EAST FOR A DISTANCE OF 53.28 FEET; THENCE NORTH 89°34'22" EAST FOR A DISTANCE OF 20.08 FEET; THENCE SOUTH 00°25'30" EAST FOR A DISTANCE OF 10 FEET; THENCE SOUTH 89°34'22" WEST FOR A DISTANCE OF 20.58 FEET; THENCE NORTH 84°42'56" WEST FOR A DISTANCE OF 52.79 FEET; THENCE NORTH 00°00'00" EAST AND ALONG SAID EAST ROW LINE OF THE OMAHA BELTLINE RAILWAY FOR A DISTANCE OF 10.04 FEET, AND TO POINT OF BEGINNING

(CONTINUED ON NEXT PAGE)

## CITY OF OMAHA Public Works Department

<p><b>Owner(s):</b> Phil G. Ruffin and Lynne A. Ruffin, as OWNER and Total Petroleum Inc.,</p> <p><b>Address:</b> 530 North Saddle Creek Rd.  Omaha, Nebraska 68131</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px; text-align: center;"></td> <td>Land Acquisition = _____ 2,611 S.F.</td> </tr> <tr> <td style="text-align: center;"></td> <td>Permanent Easement = _____ 734 S.F.</td> </tr> <tr> <td style="text-align: center;"></td> <td>Temporary Easement = _____ 7,008 S.F.</td> </tr> </table>		Land Acquisition = _____ 2,611 S.F.		Permanent Easement = _____ 734 S.F.		Temporary Easement = _____ 7,008 S.F.
	Land Acquisition = _____ 2,611 S.F.						
	Permanent Easement = _____ 734 S.F.						
	Temporary Easement = _____ 7,008 S.F.						
Project No. S.P. 91-19	Project Name: Saddle Creek Road						
Tract No. 22 & 23	Date Prepared: 2/11/97						
Revision Date(s):	Page						

# Exhibit "A"

TRACT No. 22 & 23 (CONTINUED)

TEMPORARY EASEMENT LEGAL DESCRIPTION

10-30940

AN IRREGULAR TRACT OF LAND LOCATED IN LOTS 10 & 11, BLOCK 13, POPPLETON PARK, INCLUDING PORTIONS OF VACATED ALLEYS ADJOINING SAME LOTS, ALONG WITH PORTIONS OF VACATED 45TH AVENUE, AND A PART OF LOT 1, BLOCK 14, POPPLETON PARK, ALL LYING WEST OF THE WESTERLY R.O.W. LINE OF SADDLE CREEK ROAD AND SOUTH OF THE SOUTHERLY R.O.W. LINE OF CALIFORNIA STREET, AND DESCRIBED AS FOLLOWS:

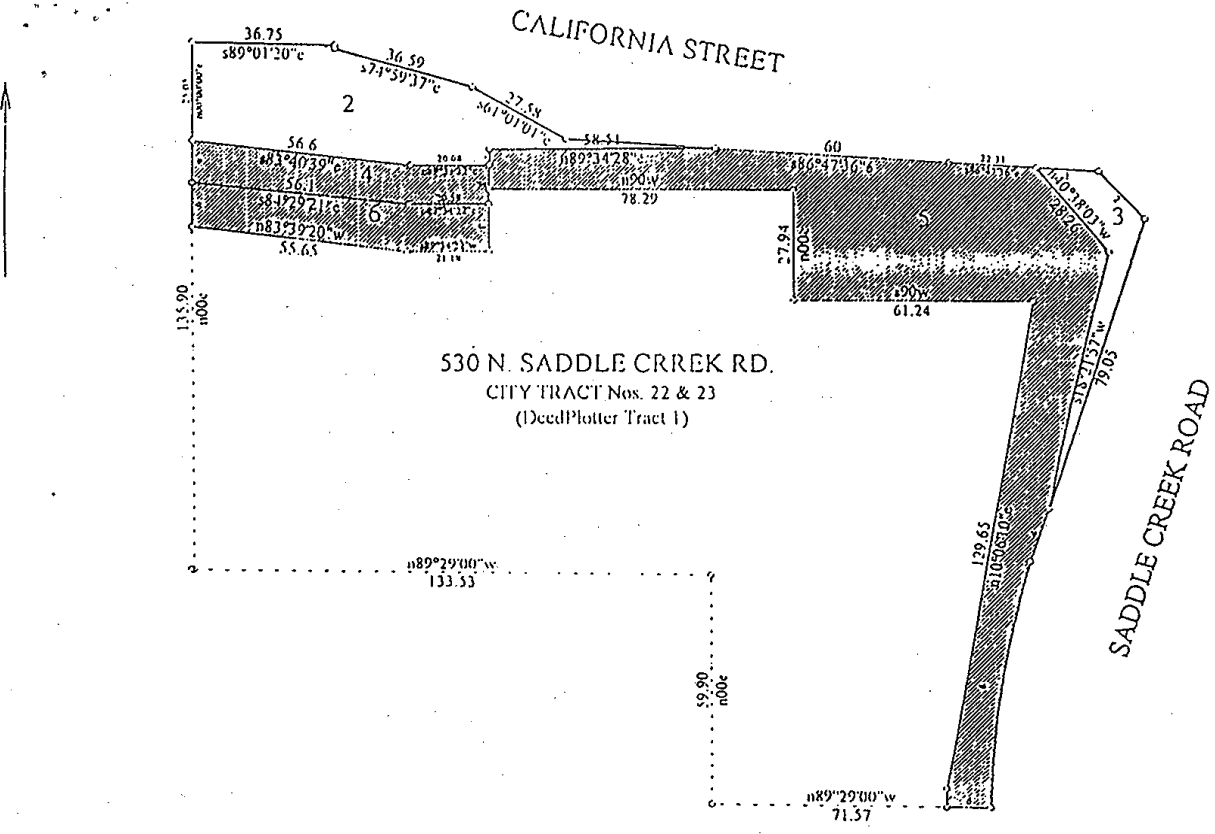
COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 13 POPPLETON PARK; THENCE NORTH ALONG THE WEST LINE OF LOT 10 FOR 92.75 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF CALIFORNIA STREET AND POINT OF BEGINNING; THENCE SOUTH 87°20'26" EAST ALONG SAID SOUTH R.O.W. LINE OF CALIFORNIA STREET FOR A DISTANCE OF 22.31 FEET, THENCE SOUTH 40°38'03" EAST FOR A DISTANCE OF 28.26 FEET; THENCE ALONG A CURVE TO THE LEFT, A RADIUS OF 856.51 FEET, CHORD LENGTH OF 68.8 FEET (CHORD BEARING SOUTH 07°35'25" WEST) AN ARC LENGTH OF 68.81 FEET; THENCE SOUTH 13°21'23" WEST AND ALONG THE WEST R.O.W. LINE OF SADDLE CREEK ROAD FOR A DISTANCE OF 81.12 FEET; THENCE SOUTH 00°40'41" WEST FOR A DISTANCE OF 14.85 FEET TO A POINT ON THE EAST R.O.W. LINE OF VACATED 45TH AVENUE; THENCE NORTH 00°40'43" EAST AND ALONG SAID EAST R.O.W. LINE OF VACATED 45TH AVENUE FOR A DISTANCE OF 4.75 FEET; THENCE NORTH 10°06'10" EAST FOR A DISTANCE OF 129.65 FEET; THENCE SOUTH 89°34'25" WEST FOR A DISTANCE OF 61.24 FEET; THENCE NORTH 00°40'44" EAST FOR A DISTANCE OF 27.94 FEET; THENCE NORTH 89°21'00" WEST FOR A DISTANCE OF 78.29 FEET; THENCE NORTH 00°25'30" WEST FOR A DISTANCE OF 11.82 FEET; THENCE NORTH 89°34'28" EAST FOR A DISTANCE OF 58.51 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF CALIFORNIA STREET; THENCE SOUTH 87°20'26" EAST ALONG SAID SOUTH R.O.W. LINE OF CALIFORNIA STREET FOR A DISTANCE OF 60 FEET, AND TO POINT OF BEGINNING.

TOGETHER WITH

10-30940

AN IRREGULAR TRACT OF LAND LOCATED IN LOT 2, BLOCK 14, POPPLETON PARK ADDITION TO THE CITY OF OMAHA, DOUGLAS COUNTY, NE., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2, THENCE SOUTH 84°42'56" EAST FOR A DISTANCE OF 52.79 FEET; THENCE NORTH 89°34'22" EAST FOR A DISTANCE OF 20.58 FEET; THENCE SOUTH 00°25'30" WEST FOR A DISTANCE OF 12 FEET; THENCE SOUTH 89°34'22" WEST FOR A DISTANCE OF 21.18 FEET; THENCE NORTH 84°42'56" WEST FOR A DISTANCE OF 52.35 FEET TO A POINT ON THE WEST LOT LINE OF SAID LOT 2; THENCE NORTH ALONG THE WEST LOT LINE OF SAID LOT FOR A DISTANCE OF 12.05 FEET TO THE POINT OF BEGINNING.



Title: RUFFIN/TOTAL PETROL./7-11 STORE		Date: 04-07-1997
Scale: 1 inch = 40 feet	File: TR-22B.DES	<i>Tract 22</i>
Tract 1: 0.724 Acres: 31539 Sq Feet: 2930.1 Sq Meters: Closure = n84.2225e 0.66 feet: Precision = 1/1226: Perimeter = 816 feet Tract 2: 0.049 Acres: 2129 Sq Feet: 197.8 Sq Meters: No significant closure error.: Perimeter = 305 feet Tract 3: 0.012 Acres: 533 Sq Feet: 49.6 Sq Meters: No significant closure error.: Perimeter = 208 feet Tract 4: 0.018 Acres: 789 Sq Feet: 73.3 Sq Meters: Closure = s84.4228e 0.01 feet: Precision = 1/16103: Perimeter = 174 feet Tract 5: 0.116 Acres: 5045 Sq Feet: 468.7 Sq Meters: Closure = n30.1440w 0.04 feet: Precision = 1/14713: Perimeter = 641 feet Tract 6: 0.021 Acres: 898 Sq Feet: 83.4 Sq Meters: Closure = n84.2153w 0.02 feet: Precision = 1/8554: Perimeter = 177 feet		
001=n00e 135.90	021=s89.3422w 20.08	041=s18.2157w 14.76
002=s89.0120e 36.75	022=n83.4039w 56.6	042=Lt. R-231.70, Acc-63.53 Inq-509.6018w, Chd-63.23
003=s00.5840w 1	023=n00.0000e 25.05	043=n89.2900w 11.57
004=s74.5937e 36.59	024=@0 Merge 1	044=n00.3100e 4.75
005=s61.0101e 27.58	025=s86.4736e 15.87	045=n10.0610e 129.65
006=s86.4736e 136.57	026=s44.0120e 16.79	046=s90w 61.24
007=s44.0120e 16.79	027=s18.2157w 79.05	047=n00e 27.94
008=s18.2157w 93.81	028=Lt. R-536.51, Acc-68.41 Inq-113.2122e, Chd-68.39	048=n90w 78.29
009=Lt. R-231.70, Acc-63.53 Inq-509.6018w, Chd-63.23	029=n40.3803w 28.26	049=s*n00.2530w 10.2
010=n89.2900w 71.57	030=@0 Merge 1	050=n89.3428e 58.51
011=n00e 59.90	031=s83.4039e 56.6	051=s86.4736e 60
012=n89.2900w 133.53	032=n89.3422e 20.08	052=@0 Merge 1
013=@0 Merge 1	033=s00.2530e 10	053=s84.2921e 56.1
014=s89.0120e 36.75	034=s89.3422w 20.58	054=n89.3422e 20.58
015=s00.5840w 1	035=s*n84.2921w 56.1	055=s00.2530e 12
016=s74.5937e 36.59	036=n00.0000e 10.85	056=s89.3422w 21.18
017=s61.0101e 27.58	037=@0 Merge 1	057=n83.3920w 55.65
018=s86.4736e 38.67	038=s86.4736e 22.31	058=n00.0000e 11.24
019=s89.3428w 58.51	039=s*40.3803e 28.26	
020=s00.2530e 4.07	040=Lt. R-536.51, Acc-68.41 Inq-113.2122e, Chd-68.39	

PARTIAL ACQUISITION: (Tract 2 + Tract 3) = 2,662 Sq. Feet  
 PERMANENT EASEMENT: (Tract 4) = 789 Sq. Feet  
 TEMPORARY EASEMENT: (Tract 5 + Tract 6) = 5,943 Sq. Feet

# Exhibit "A"

TRACT No. 40

## LAND ACQUISITION LEGAL DESCRIPTION

10-42280

AN IRREGULAR PARCEL OF LAND LOCATED WITHIN PART OF LOTS 5, 6, & 7, BLOCK 1, WEST CUMING ADDITION, AND WITHIN LOT 7, BLOCK 2, DONECKENS ADDITION TO WALNUT HILL, AND WITHIN PART OF THE VACATED ALLEY BETWEEN SAID WEST CUMING ADDITION AND DONECKENS ADDITION TO WALNUT HILL, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID ABANDONED RAILROAD AND THE EAST LINE OF BLOCK 2, DONECKENS ADDITION TO WALNUT HILL; THENCE SOUTH 40°18'09" WEST (ASSUMED BEARING) FOR A DISTANCE OF 34.33 FEET AND ON THE SOUTHEASTERLY LINE OF SAID ABANDONED RAILROAD TO A POINT OF CURVE; THENCE SOUTHWESTERLY ON A 2,650.59 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING SOUTH 37°50'37" WEST, CHORD DISTANCE 227.25 FEET, AN ARC DISTANCE OF 227.32 FEET. TO THE EASTERLY LINE OF SADDLE CREEK ROAD AND TO THE POINT OF BEGINNING; THENCE NORTH 37°38'51" WEST FOR A DISTANCE OF 128.78 FEET, AND ALONG THE EASTERLY LINE OF SADDLE CREEK ROAD, AND TO A POINT ON THE NORTHWESTERLY LINE OF SAID ABANDONED RAILROAD; THENCE NORTHEASTERLY ON A 2,774.02 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING NORTH 38°14'01" EAST, CHORD DISTANCE OF 14.52 FEET, FOR AN ARC DISTANCE OF 14.52 FEET AND ALONG THE NORTHWESTERLY LINE OF SAID ABANDONED RAILROAD; THENCE SOUTH 37°43'10" EAST FOR A DISTANCE OF 58.63 FEET; THENCE SOUTHEASTERLY ALONG A 610.96 FOOT RADIUS CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 06°39'22", FOR AN ARC DISTANCE OF 70.98 FEET AND TO A POINT ON THE SOUTHEASTERLY LINE OF SAID ABANDONED RAILROAD; THENCE SOUTHWESTERLY ON A 2,650.59 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING SOUTH 37°50'37" WEST, CHORD DISTANCE 227.25 FEET, AN ARC DISTANCE OF 11.44 FEET TO THE POINT OF BEGINNING.

## TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION

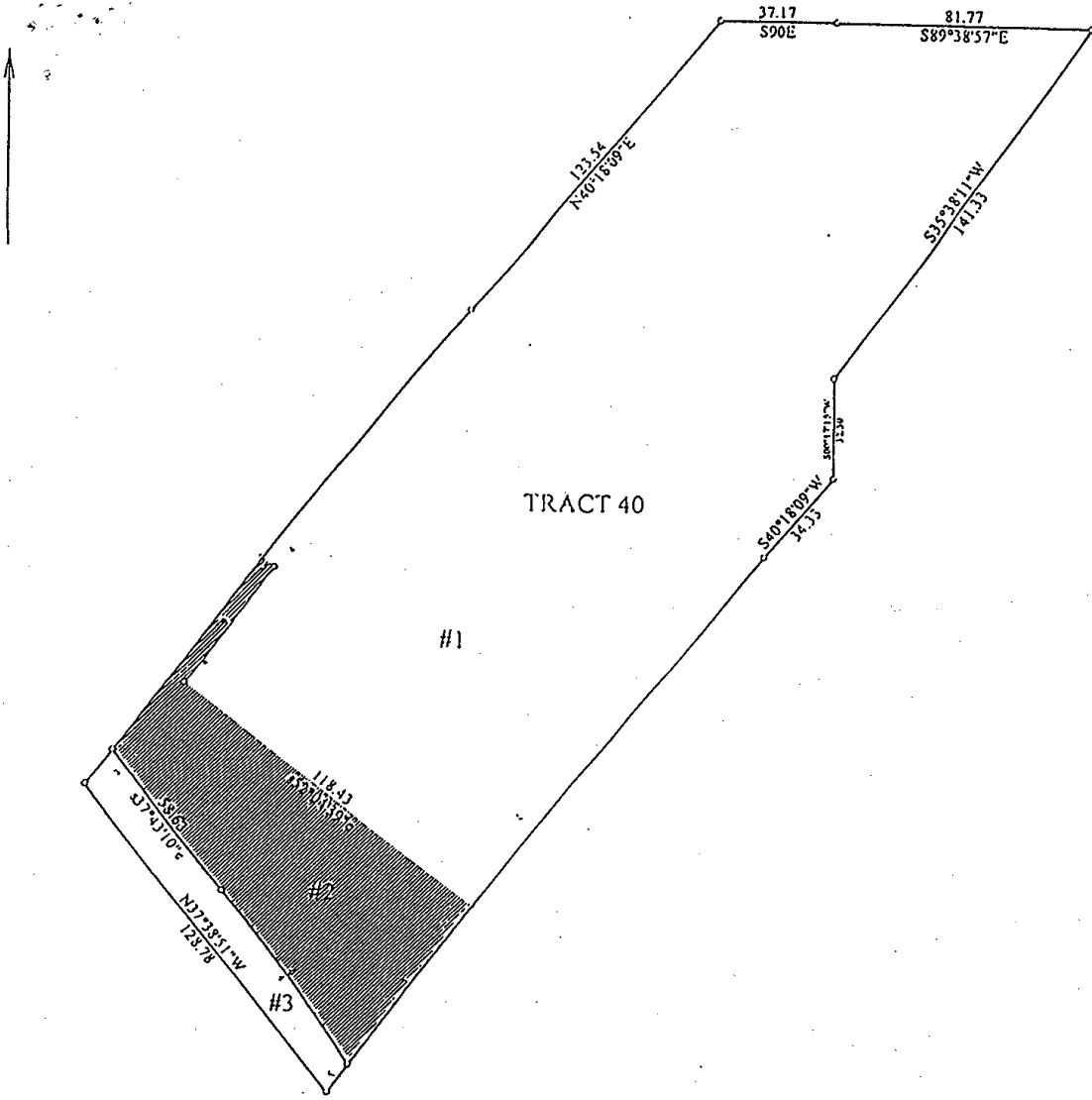
10-42280

AN IRREGULAR PARCEL OF LAND LOCATED WITHIN PART OF LOTS 4, 5, 6, & 7, BLOCK 1, WEST CUMING ADDITION, AND WITHIN LOT 6 & 7, BLOCK 2, DONECKENS ADDITION TO WALNUT HILL, AND WITHIN PART OF THE VACATED ALLEY BETWEEN SAID WEST CUMING ADDITION AND DONECKENS ADDITION TO WALNUT HILL, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE SOUTHEASTERLY LINE OF SAID ABANDONED RAILROAD AND THE EAST LINE OF BLOCK 2, DONECKENS ADDITION TO WALNUT HILL; THENCE SOUTH 40°18'09" WEST (ASSUMED BEARING) FOR A DISTANCE OF 34.33 FEET AND ON THE SOUTHEASTERLY LINE OF SAID ABANDONED RAILROAD TO A POINT OF CURVE; THENCE SOUTHWESTERLY ON A 2,650.59 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING SOUTH 37°50'37" WEST, CHORD DISTANCE 148.69 FEET, AN ARC DISTANCE OF 148.76 FEET AND TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE PREVIOUSLY DESCRIBED CURVE FOR A DISTANCE OF 67.12 FEET; THENCE NORTHWESTERLY ALONG A 610.96 FOOT RADIUS CURVE TO THE LEFT, WITH A CENTRAL ANGLE OF 06°39'22"; FOR AN ARC DISTANCE OF 70.98 FEET; THENCE NORTH 37°43'10" WEST FOR A DISTANCE OF 58.63 FEET AND TO A POINT ON THE NORTHWESTERLY LINE OF SAID ABANDONED RAILROAD; THENCE NORTHEASTERLY ON A 2,774.02 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING NORTH 38°14'01" EAST, CHORD DISTANCE OF 200.29 FEET, FOR AN ARC DISTANCE OF 79.35 FEET AND ALONG THE NORTHWESTERLY LINE OF SAID ABANDONED RAILROAD; SOUTH 51°26'37" EAST FOR A DISTANCE OF 5 FEET; THENCE SOUTHWESTERLY ON A 2,769.02 FOOT RADIUS CURVE TO THE LEFT, A CENTRAL ANGLE OF 0°59'56", FOR AN ARC DISTANCE OF 48.27 FEET; THENCE SOUTH 52°04'39" EAST FOR A DISTANCE OF 118.43 FEET AND TO THE POINT OF BEGINNING.

## CITY OF OMAHA Public Works Department

Owner(s): Milton Gottlieb, Trustee of the Milton and Pat Gottlieb Trust (Fee Owner) Blockbuster Video, (Lessee)	Land Acquisition = _____ 1,774 S.F.		
Address: 723 North Saddle Creek Rd. Omaha, Nebraska 68132	Permanent Easement = _____ 0 S.F.		
	Temporary Easement = _____ 6,206 S.F.		
Project No. S.P. 91-19	Project Name: Saddle Creek Road		
Tract No. 40	Date Prepared: 2/19/97	Revision Date(s): 12/11/97	Page



Title:		Date: 03-12-1997
Scale: 1 inch = 50 feet	File: TRACT-40.DES	
Tract 1: 1.001 Acres: 43598 Sq Feet: 4050.4 Sq Meters: No significant closure error. : Perimeter = 1007 feet Tract 2: 0.142 Acres: 6206 Sq Feet: 576.5 Sq Meters: No significant closure error. : Perimeter = 447 feet Tract 3: 0.040 Acres: 1744 Sq Feet: 162.0 Sq Meters: No significant closure error. : Perimeter = 284 feet		
001=S40.1809W 34.33 002. LL R=2650.59, Arc=227.32 Bng=S37.5637W, Chd=227.23 003=N37.3851W 128.78 004. RL R=2774.02, Arc=200.33 Bng=N38.1401E, Chd=200.29 005=N40.1809E 123.54 006=S90E 37.17 007=S89.3857E 81.77 008=S35.3811W 141.33	009=S00 1715W 32.50 010=@@ Merge 1 011. LL R=2650.59, Arc=67.12 Bng=S36.2111W, Chd=67.12 012. LL R=610.96, Arc=70.95 Bng=N33.6915W, Chd=70.91 013=**n37.4310w SR 63 014. RL R=2774.02, Arc=70.33 Bng=N37.1703E, Chd=70.33 015=s51.2637e 5 016. LL R=2760.03, Arc=17.37 Bng=S37.1622W, Chd=17.37	017=s52.0439e 118.43 018=@0 Merge 1 019=**n37.3851w 128.78 020. RL R=2774.02, Arc=14.52 Bng=N36.1853E, Chd=14.52 021=s37.4310e S8.63 022. RL R=610.96, Arc=70.95 Bng=S35.0915E, Chd=70.91 023. LL R=2650.59, Arc=11.44 Bng=S33.2822W, Chd=11.44