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BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

THE STATE OF NEBRASKA  
DEPARTMENT OF ROADS

vs

Condemner

RETURN OF APPRAISERS

Thurman F. Wenzel and Vivienne Alma  
Wenzel, husband and wife;

Bernard A. King and Lena King, husband  
and wife, Joint Tenants, each as his  
or her own interest may appear;

Nellie Bose, as widow and heir of John H.  
Bose, deceased;

Jack Hittner, tenant (King and Bose lands);

Condemnees

TO HONORABLE HERBERT A. KONIN, COUNTY JUDGE, LANCASTER COUNTY, NEBRASKA:

We, the undersigned appraisers, do hereby certify that under  
and by virtue of an "Appointment of Appraisers", duly served upon us by  
*Russell Brehm and Russell Joynt*  
*and on Chasney E. Barney on May 7, 1959*  
*Landmark Co. Staff* on the *28<sup>th</sup>* day of *April* 1959, 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, <sup>as amended</sup> 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 view-  
ing the property herein described, and thereafter did assess the damages  
that the condemnees, and each of them, 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, and  
each of them, as in our opinion was damaged by the appropriation of the  
property herein described.

CONDEMNATION

Land Owner: Thurman F. Wenzel and Vivienne Alma Wenzel, husband and wife

Project: I-80-9 (25) AFE: R-814a Lancaster County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the Southwest Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, described as follows:

Referring to the southwest corner of said Section 36; thence easterly on the South line of the Southwest Quarter of said Section 36 a distance of 254.3 feet to the point of beginning; thence continuing easterly on said South line a distance of 570.7 feet; thence northeasterly on a 5,904.58 foot radius curve to the left (initial tangent of which forms an angle of 40 degrees 02 minutes left with the last described course produced) a distance of 1,172.5 feet to point of tangency; thence continuing northeasterly, tangent, a distance of 1,601.6 feet to a point on the East line of said Southwest Quarter; thence northerly on said East line a distance of 555.8 feet to the northeast corner of said Southwest Quarter; thence westerly on the North line of said Southwest Quarter a distance of 5.4 feet; thence southwesterly 51 degrees 40 minutes left a distance of 2,033.2 feet to point of curvature; thence continuing southwesterly on a 5,554.58 foot radius curve to the right (initial tangent of which coincides with the last described course produced) a distance of 1,544.9 feet to the point of beginning, containing 25.63 acres, more or less, to be secured in this action.

The remainder of said Southwest Quarter, which by reason of the taking herein described, now abuts on a highway where none existed theretofore, is subject to the provisions of Section 39-1329, Revised Statutes of Nebraska, 1957, Cumulative Supplement.

Also fee simple title to a tract of land for highway right of way purposes located in the Southwest Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, described as follows:

Beginning at the southwest corner of said Section 36; thence northerly on the West line of the Southwest Quarter of said Section 36 a distance of 410.0 feet; thence easterly 90 degrees right a distance of 33.0 feet; thence southeasterly a distance of 410.9 feet to a point on the South line of said Southwest Quarter; thence westerly on said South line a distance of 60.0 feet to the point of beginning, containing 0.43 acre, more or less, which includes 0.31 acre, more or less, previously occupied as a public highway, the remaining 0.12 acre, more or less, being the additional acreage to be secured in this action.

3 CONDEMNATION

Land Owner: Bernard E. King and Lena King, husband and wife, Joint Tenants,  
each as his or her own interest may appear

Tenant: Jack Hittner

Project: I-80-9 (25). AFE: R-814a Lancaster County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the Southeast Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, described as follows:

Beginning at the center quarter corner of said Section 36; thence southerly on the West line of the Southeast Quarter of said Section 36 a distance of 555.8 feet; thence northeasterly 141 degrees 40 minutes left a distance of 708.3 feet to a point on the North line of said Southeast Quarter; thence westerly on said North line a distance of 440.8 feet to the point of beginning, containing 2.80 acres, more or less, to be secured in this action.

The remainder of said Southeast Quarter, which by reason of the taking herein described, now abuts on a highway where none existed theretofore, is subject to the provisions of Section 39-1329, Revised Statutes of Nebraska, 1957, Cumulative Supplement.

CONDEMNATION

Land Owner: John H. Bose Estate; Nellie Bose, as widow and heir of John H. Bose, deceased

Tenant: Jack Hittner

Project: I-80-9 (25) AFE: R-814a Lancaster County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the South Half of the Northeast Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, described as follows:

Beginning at the center quarter corner of said Section 36; thence easterly on the South line of the South Half of the Northeast Quarter of said Section 36 a distance of 440.8 feet; thence northeasterly 50 degrees 09 minutes left a distance of 1,321.5 feet; thence continuing northeasterly 7 degrees 02 minutes left a distance of 363.9 feet to a point on the North line of said South Half of the Northeast Quarter; thence westerly on said North line a distance of 508.6 feet; thence southwesterly 39 degrees 32 minutes left a distance of 146.2 feet; thence continuing southwesterly 15 degrees 24 minutes left a distance of 1,489.1 feet to a point on the West line of said South Half of the Northeast Quarter; thence southerly on said West line a distance of 9.7 feet to the point of beginning, containing 15.90 acres, more or less, to be secured in this action.

The remainder of said South Half of the Northeast Quarter, which by reason of the taking herein described, now abuts on a highway where none existed theretofore, is subject to the provisions of Section 39-1329, Revised Statutes of Nebraska, 1957, Cumulative Supplement.

Also fee simple title to a tract of land for highway right of way purposes located in the Southeast Quarter of the Northwest Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, described as follows:

Beginning at the center quarter corner of said Section 36; thence westerly on the South line of the Southeast Quarter of the Northwest Quarter of said Section 36 a distance of 5.4 feet; thence northeasterly a distance of 11.1 feet to a point on the East line of said Southeast Quarter of the Northwest Quarter; thence southerly on said East line a distance of 9.7 feet to the point of beginning, containing 0.007 acre, more or less, to be secured in this action.

The remainder of said Southeast quarter of the Northwest Quarter, which by reason of taking herein described now, abuts on a highway where none existed theretofore, is subject to the provisions of Section 39-1329, Revised Statutes of Nebraska, 1957, Cumulative Supplement.

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, herein described for State highway purposes, by the State of Nebraska Department of Roads, in the amounts of:

To: Thurman F. Wenzel and Vivienne Alma Wenzel, husband and wife;

\$ 16,250

To: Bernard A. King and Lena King, husband and wife, Joint Tenants; ~~Interest unknown~~  
~~Total damage to real estate described in petition as amended~~ RCB

\$ 600<sup>00</sup>

To: Nellie Bose, as widow and heir of John H. Bose, deceased; ~~Interest unknown~~  
~~Total damage to real estate described in petition as amended~~

\$ 10,900<sup>00</sup>

To: Jack Hittner, tenant (King & Bose lands);

\$ 554<sup>00</sup>

all of which is hereby respectfully submitted.

Dated this 12<sup>th</sup> day of May A. D., 1959.

Chauncey E. Barney  
John H. Hittner  
James V. Hittner  
Appraisers

BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

THE STATE OF NEBRASKA  
DEPARTMENT OF ROADS

CONDEMNOR

vs

Thurman F. Wenzel and Vivienne Alas  
Wenzel, husband and wife;

Bernard E. King and Lena King, hus-  
band and wife, Joint Tenants, each  
as his or her own interest may appear;

Nellie Bose, as widow and hier of John  
H. Bose, deceased;

Jack Hittner, tenant (King and Bose  
lands);

CONDEMNEE

APPENDED DESCRIPTION SETTING  
FORTH THE ACCESS ROAD TO BE  
CONSTRUCTED FOR THE USE AND  
BENEFIT OF CONDEMNEE

TO HONORABLE HERBERT A. ROMIN, COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA:

Comes now your petitioner, the State of Nebraska, Department of  
Roads and hereby amends paragraph 4 of its petition in the following  
respects:

(1) By the addition of attached Exhibit A to the description  
of property to be acquired from above captioned Thurman F. Wenzel and  
Vivienne Alas Wenzel, husband and wife.

(2) By the addition of the attached Exhibit B to the description  
of property to be acquired from above captioned Nellie Bose and Jack  
Hittner.

Your petitioner, the State of Nebraska, Department of Roads,  
respectfully requests that said Exhibits A and B, as attached hereto  
be made a part of the petition for the Appointment of Appraisers now  
on file and also a part and be attached to the Return of Appraisers  
which will be filed with the Register of Deeds, Lancaster County, Nebraska.

Dated this 11<sup>th</sup> day of May 1959.

THE STATE OF NEBRASKA  
DEPARTMENT OF ROADS

FILED

MAY 11 1959

Herbert A. Romin  
County Judge

By G. C. Christensen  
Its Attorney

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EXHIBIT B

Nellie Bose

Land Owner: ~~Thurman F. Wenzel and Vivienne Alma Wenzel, husband and wife~~  
 Tenant: ~~Jack Hittner~~

In accordance with the provisions of Chapter 39, Sections 1328, 1330, 1331, RRS Statutes of Nebraska, 1943, Department of Roads will construct and maintain an access road as shown on its plans for the use and benefit of such remaining property of the condemnee which after the acquisition of the above described tract does not abut on a road.

The access road here defined shall be a gravel or rock graded road with a surface width of 20 feet located adjacent to and north of the proposed controlled access facility commencing at the North 27th Street road and running parallel to said controlled access facility to the north line of the South Half of the Northeast Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

FILED

MAY 1 1950

Herbert C. Benin  
 County Judge

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~~EXHIBIT B~~ EXHIBIT A

Land Owner: Nellie Bose Thurman Wenzel, et al  
 Tenant: Jack Hittner

In accordance with the provisions of Chapter 39, Sections 1328, 1330, 1331, RRS Statutes of Nebraska, 1943, Department of Roads will construct and maintain an access road as shown on its plans for the use and benefit of such remaining property of the condemnee which after the acquisition of the above described tract does not abut on a road.

The access road here defined shall be a gravel or rock road with a surface width of 20 feet located adjacent to and south of the proposed controlled access facility commencing at the North 14th Street road and running parallel to said controlled access facility to the South line of the Southwest Quarter of Section 36, Township 11 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

FILED

MAY 1 1950

Herbert C. Benin  
 County Judge

IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA

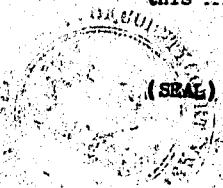
STATE OF NEBRASKA	}	ss.	CERTIFICATE
LANCASTER COUNTY			

I, HERBERT A. RONIN, Judge of the County Court of Lancaster County, do hereby certify that the foregoing is a full and correct copy of the original instrument duly filed and of record in this Court.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County Court of said County at Lincoln, Nebraska this 28th day of May, 1959

Herbert A. Ronin  
County Judge

By \_\_\_\_\_  
Clerk County Court



INDEXED  
GENERAL  
COMPARED  
PAGED

62-432  
misc. 41

STATE OF NEBRASKA } ss.  
Lancaster County }

Entered on numerical index and filed for record in the Register of Deeds Office of said County the

28 day of May, 1959  
at 2 o'clock and \_\_\_\_\_  
minutes \_\_\_\_\_ M, and recorded in  
Book \_\_\_\_\_ of \_\_\_\_\_

at page \_\_\_\_\_  
Samuel L. Ferguson  
Deputy

350

— L. C. —