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BEFORE THE COUNTY JUDGE OF LANCASTER COUNTY, NEBRASKA

CITY OF LINCOLN, NEBRASKA, )  
A Municipal Corporation, )  
 )  
Condemner. )

CASE NO. CI 13-12850

vs. )

REPORT OF APPRAISERS

BNSF RAILWAY COMPANY, (f/k/a and )  
successor in interest to the Burlington )  
Northern Railroad Company and Burlington )  
Northern, Inc.) f/k/a The Chicago, Burlington & )  
Quincy Railroad Company; and )  
LANCASTER COUNTY, NEBRASKA, )  
 )  
Condemnees. )

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Lancaster County  
Court, District 3

TO: THE HONORABLE JUDGE OF THE COUNTY COURT OF LANCASTER  
COUNTY, NEBRASKA

We, the undersigned Appraisers, duly appointed by the County Judge of Lancaster County, Nebraska to view the grounds, hear testimony, and appraise the damages by reason of the taking as hereinafter described respectfully submit the following report.

After taking and subscribing to the oath as prescribed by law, we, separately, and as a body, did carefully inspect and view the grounds and premises in question, and the grounds, premises, and property for which damages are claimed by the claimant or claimants named in the Petition for the Appointment of Appraisers and Condemnation of Lands, and hear all parties present who were interested therein with reference to the amount of damages, and we have and do hereby assess the damages which all persons interested therein have sustained by reason of the taking and

- Lan. Co Ct

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appropriating of lands and rights therein for the purposes as stated in the said Petition and as shown on the description hereinafter set forth:

- A. **A permanent easement for construction, maintenance, inspection, operation, and replacement of utility facilities and all other underground and above ground appurtenances thereto belonging, on, over, upon, under, across, above, and through the following described premises, situated in Lancaster County, State of Nebraska, to-wit:**

A portion of Lot 98, Irregular Tract located in the Northeast Quarter of Section 27, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of Unit B, 345 West O Street Condominium, Lincoln, Lancaster County, Nebraska, created by Condominium Declaration filed July 20, 2009 as Instrument Number 2009040277; amended by Amended and Restated Condominium Declaration recorded September 8, 2009 as Instrument Number 2009049488; Records of Lancaster County, Nebraska; thence North 89° 36' 02" West (assumed bearing) on the south line of Units B and C of said 345 West O Street Condominium, a distance of 179.13 feet to the Point of Beginning; thence southwesterly on a 875.00 foot radius curve to the left, an arc distance of 177.45 feet, the chord of said curve bears South 17° 56' 14" West, 177.14 feet; thence North 69° 43' 37" West, a distance of 50.09 feet; thence northeasterly on a 925.00 foot radius curve to the left, an arc distance of 194.92 feet to the south line of said Unit C, the chord of said curve bears North 17° 31' 19" East, 194.56 feet; thence South 89° 36' 02" East on said south line, a distance of 51.01 feet to the Point of Beginning, containing 0.21 acres, more or less.

- B. **A temporary easement to use and occupy temporarily, during the initial construction, reconstruction, maintenance, operation, and replacement of sanitary sewer construction and appurtenances thereto over and through the following described real property, to wit:**

A portion of Lot 98, Irregular Tract located in the Northeast Quarter of Section 27, Township 10 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of Unit B, 345 West O Street Condominium, Lincoln, Lancaster County, Nebraska, created by Condominium Declaration filed July 20, 2009 as Instrument Number 2009040277; amended by Amended and Restated Condominium Declaration recorded September 8,

2009 as Instrument Number 2009049488; Records of Lancaster County, Nebraska; thence North 89° 36' 02" West (assumed bearing) on the south line of said Unit B, a distance of 128.28 feet to the Point of Beginning; thence continuing North 89° 36' 02" West on the south line of Units B and C of said 345 West O Street Condominium, a distance of 50.85 feet; thence south-westerly on a 875.00 foot radius curve to the left, an arc distance of 177.45 feet, the chord of said curve bears South 17° 56' 14" West, 177.14 feet; thence North 69° 43' 37" West, a distance of 25.04 feet; thence South 10° 04' 21" West, a distance of 54.18 feet; thence South 89° 36' 02" East, a distance of 101.44 feet; thence North 10° 04' 21" East, a distance of 234.16 feet to the Point of Beginning, containing 0.36 acres, more or less.

That the right, privilege, and easement herein granted for temporary construction use of those portions of said property as may lie inside the boundaries of the aforesaid temporary easement shall cease and terminate immediately following the completion of construction on said property, final inspection, and acceptance of the construction, reconstruction, maintenance, operation, and replacement of the sanitary sewer construction or one year after commencement of construction on said property, whichever occurs first.

We assess all damages in the sum of \$ 1,770.00, which sum we award as follows:

To:	BNSF Railway Company, Owner	\$ <u>1,770.00</u>
To:	Lancaster County, Nebraska	\$ <u>0</u>

GIVEN under our hands this 4<sup>th</sup> day of December, 2013.

Mark Brown

Benjamin J. Ram

Benjamin J. Ram  
Appraisers

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Subscribed and sworn to before me this 4th day of December, 2013.

*Sam J. Long*

County Judge

by: Keri Pritschau

Keri Pritschau / Deputy Clerk

CI13-12850

City of Lincoln, NE

Vs.

BNSF Railway Company, et al

State of Nebraska )  
                                  ) ss  
County of Lancaster )

I, Clerk of Lancaster County Court, certify this document consisting of 4 page(s) to be a full, true and correct copy of the original record on file in the Lancaster County Court IN TESTIMONY WHEREOF, I have placed my signature and seal of said court

Dated: Dec 16, 2013



BY THE COURT

Keri Pritschau