

BK 0956 PG 363-374



MISC 1991 04730

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INDEXING  
PAGE DOWN FOR BALANCE OF INSTRUMENT

## IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

JOHNSON FAMILY LIMITED PARTNER-	)	Docket <del>878</del>	Page <del>562</del>
SHIP, an unregistered partner-	)	882	183
ship, Owner,	)		
	)		
Plaintiff,	)		
	)		
v.	)		
	)		
STATE OF NEBRASKA	)		
DEPARTMENT OF ROADS,	)		
	)		
Defendant.	)		

## O R D E R

Pursuant to a written stipulation heretofore entered into by and between the parties the court does hereby order, adjudge and decree as follows:

1. Judgment is entered for the plaintiff and against the defendant in the total amount of Four Hundred Forty Thousand and no/100 Dollars (\$440,000.00); that said sum shall constitute full settlement for any and all compensation of every kind and nature due and owing the plaintiff by reason of the condemnation proceeding brought by the defendant and against the plaintiff before the County Judge of Douglas County, Nebraska.

2. That the appropriation described in the condemnation proceeding filed before the County Judge of Douglas County, Nebraska, is hereby affirmed, other than as modified by this decree.

3. That a copy of the attached plat and description be filed with the County Judge of Douglas County, Nebraska, and replace the plat and description presently filed with the Petition and Return of Appraisers filed before the County Judge of Douglas County, Nebraska.

4. That the plat and description for Tract 9 attached to the Return of Appraisers filed with the Register of Deeds for Douglas County, Nebraska, under Book 901, Page 485-509 Misc./B, are hereby superseded and replaced by the plat and description attached hereto, marked Exhibit A and Exhibit B respectively, and made a part hereof by this reference.

5. That each party shall bear all of its own costs and expenses herein except that the cost of certifying a copy of

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this Order to the County Judge of Douglas County, Nebraska, and to the Register of Deeds of Douglas County, Nebraska, be taxed to the defendant.

6. That a copy of this Order be certified by the Clerk of the District Court of Douglas County, Nebraska, to the Register of Deeds of Douglas County, Nebraska, and said Register of Deeds is hereby directed to record the same. The Register of Deeds is further directed, after recording the Order and attached plat and description to return them to the State of Nebraska, Department of Roads, Legal Office, P.O. Box 94759, Lincoln, NE 68509-4759.

7. That a copy of this Order be certified by the Clerk of the District Court of Douglas County, Nebraska, to the County Judge of Douglas County, Nebraska; that said County Judge is hereby authorized and directed to make payment to the plaintiff in the sum of Four Hundred Forty Thousand and no/100 Dollars (\$440,000.00) from the funds heretofore deposited with the County Judge by the defendant, and to return the balance of said funds, if any, to the defendant.

8. That upon performance of said acts the County Judge of Douglas County, Nebraska, is hereby directed to notify the Clerk of the District Court of Douglas County, Nebraska, that disbursement of the funds has been made according to the terms of this Order of court and such notification of the payment of the sum of Four Hundred Forty Thousand and no/100 Dollars (\$440,000.00) shall be entered by the Clerk of the District Court of Douglas County, Nebraska, as satisfaction of the judgment.

Dated this 8 day of March, 1991.

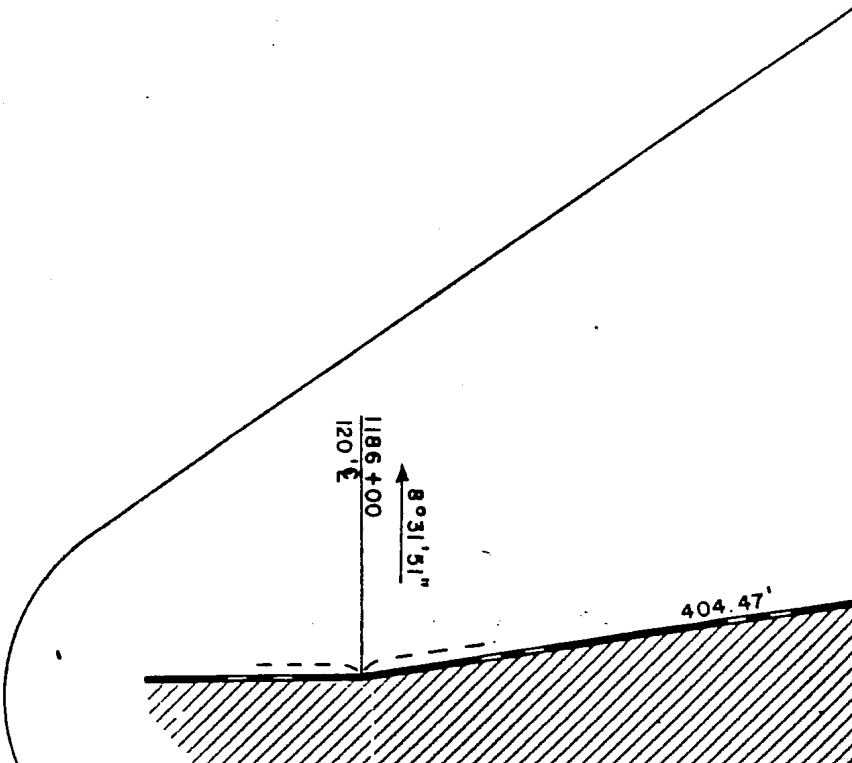
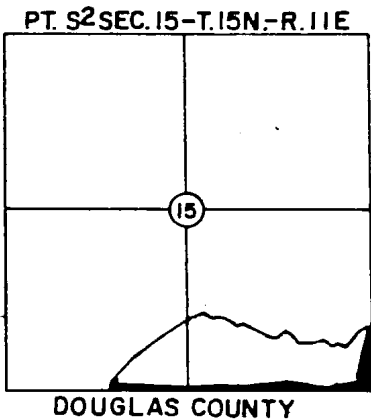
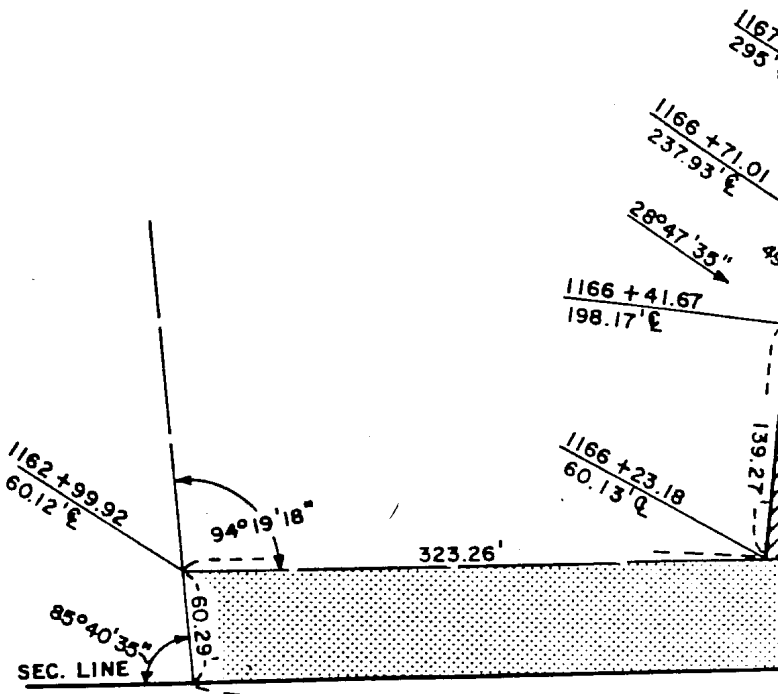
BY THE COURT

[Signature]  
District Judge

Approved as to form:

[Signature]  
Attorney for the plaintiff

[Signature]  
Attorney for the defendant



PLAT SHOWING

RIGHT OF WAY

TO BE ACQUIRED FROM LAND OWNED BY

JOHNSON FAMILY LIMITED PARTNERSHIP, AN UNREGISTERED PARTNERSHIP,  
OWNER;

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

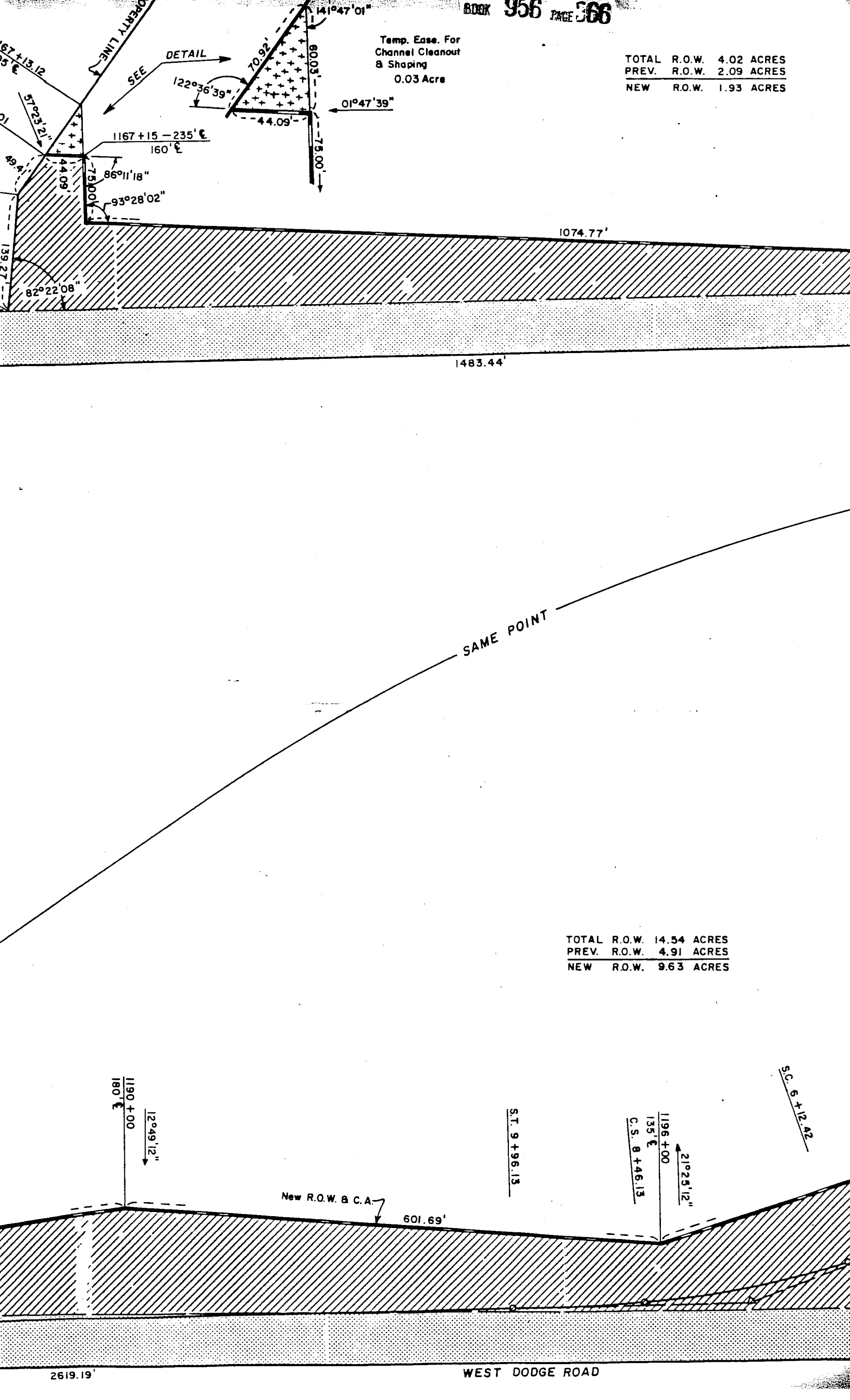
TRACT NO. 9 SCALE 1"=200'  
CONTROL NO. 21212  
PROJECT NO. F-QF-6-7(134)  
LOCATION-WEST DODGE ROAD(126TH-162ND)

REV. ROW.  
EWM. ROW.  
EWM. EASE.  
ERM. EASE.

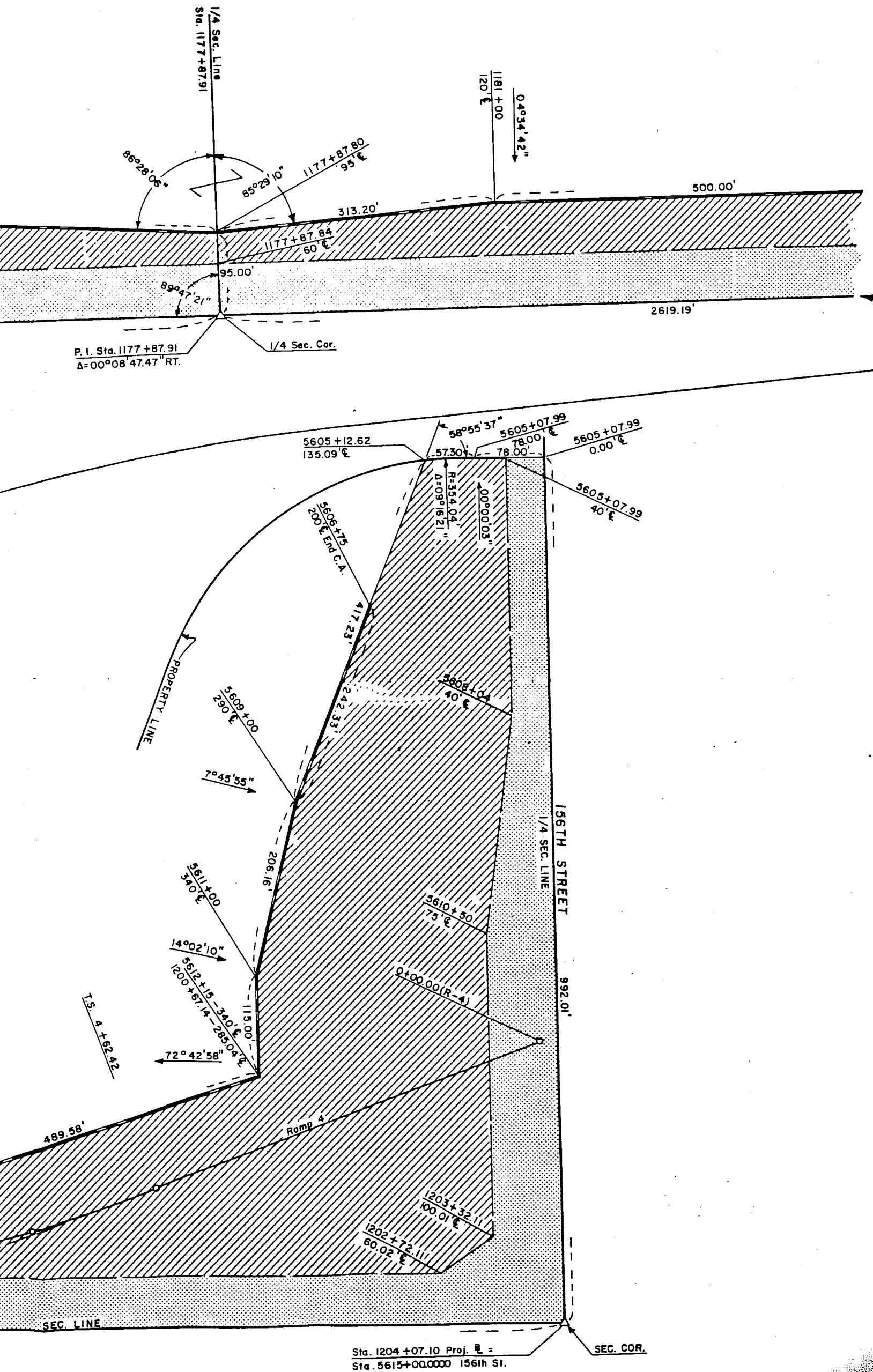
11.56 ACRES  
0.03 ACRE  
EXHIBIT A

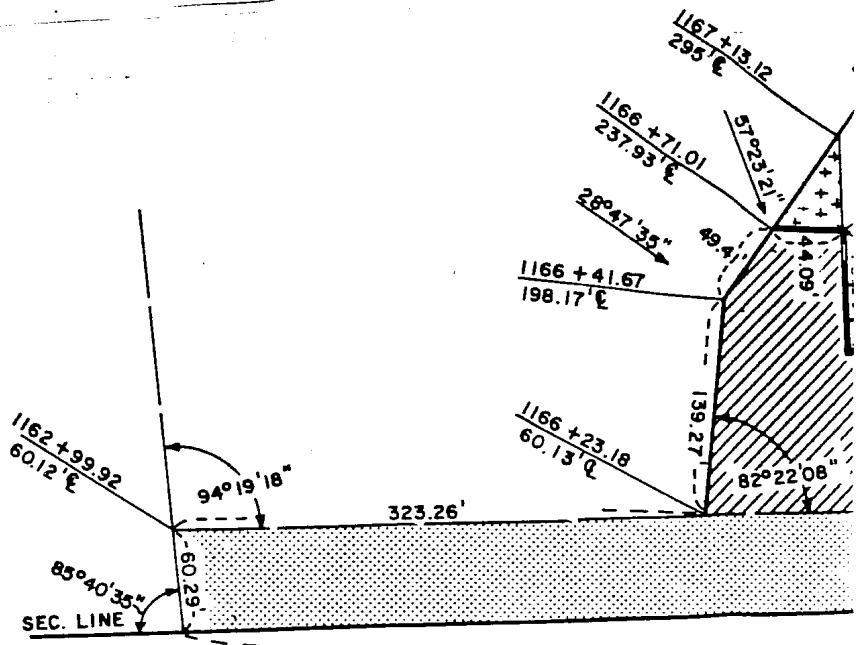
DRAWN BY JFB 6/21/89  
CHECKED BY BAZ 6/21/89  
COMPUTED BY TBM 6/21/89  
WRITTEN BY JBM 6/21/89

TOTAL	R.O.W.	4.02 ACRES
PREV.	R.O.W.	2.09 ACRES
NEW	R.O.W.	1.93 ACRES

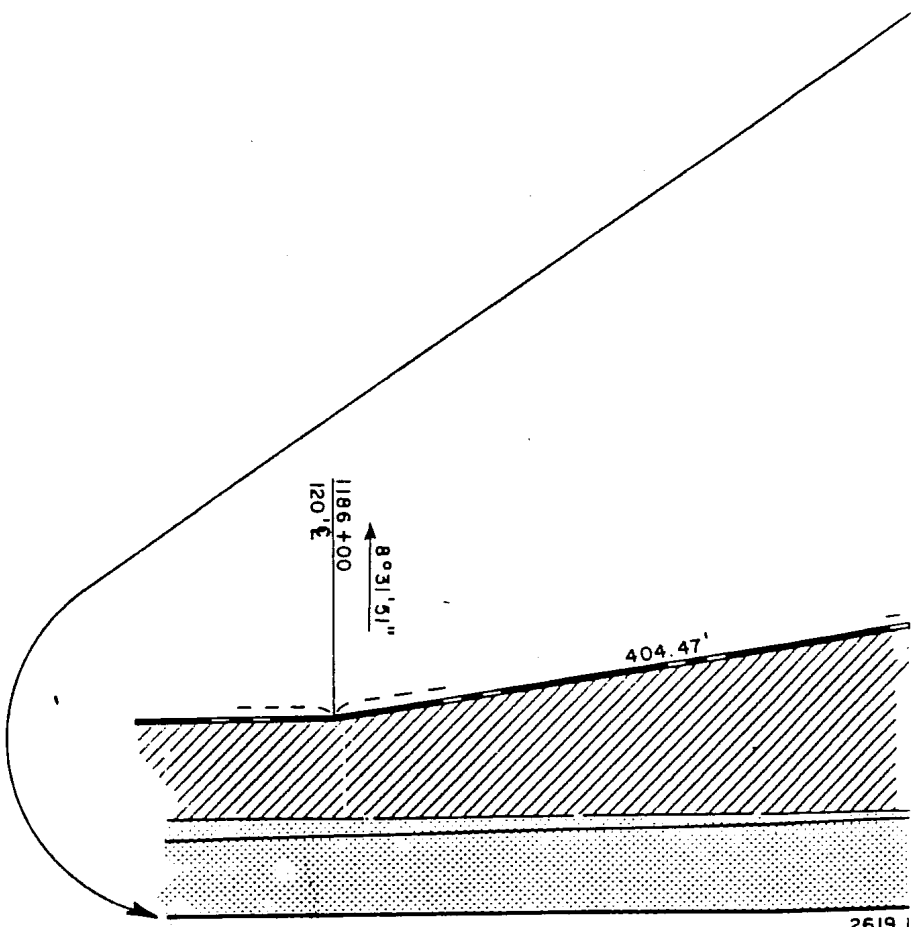
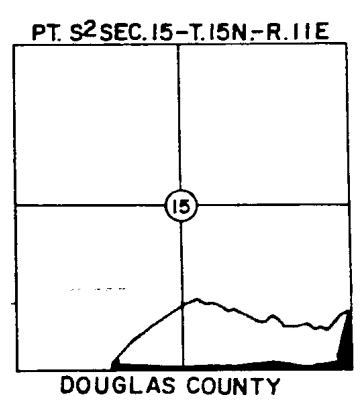


TOTAL	R.O.W.	14.54 ACRES
PREV.	R.O.W.	4.91 ACRES
NEW	R.O.W.	9.63 ACRES





BOOK 956 PAGE 368



# PLAT SHOWING RIGHT OF WAY TO BE ACQUIRED FROM LAND OWNED BY

JOHNSON FAMILY LIMITED PARTNERSHIP, AN UNREGISTERED PARTNERSHIP,  
OWNER;

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

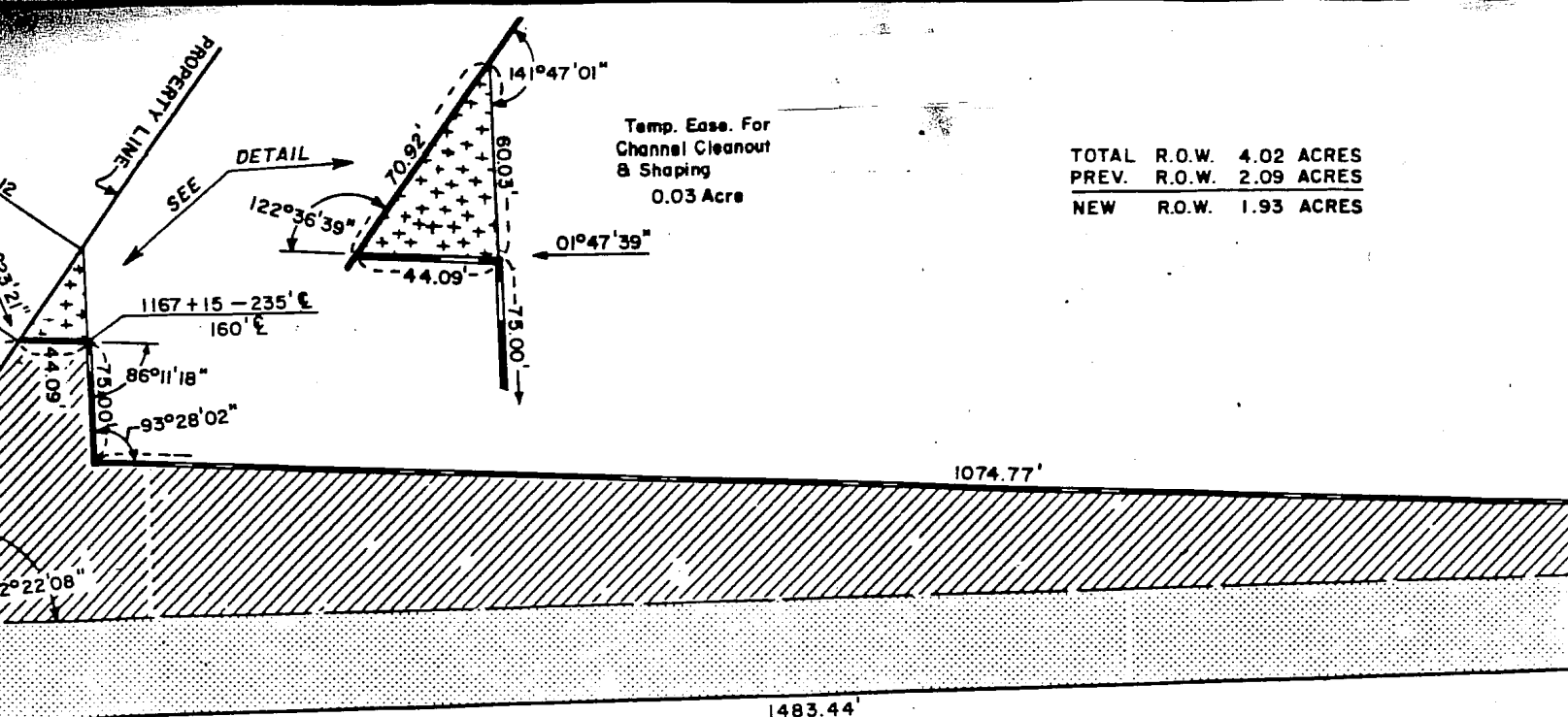
TRACT NO. 9 SCALE 1"=200'  
CONTROL NO. 21212  
PROJECT NO. F-QF-6-7 (134)  
LOCATION - WEST DODGE ROAD (126TH-162ND)

PREV. ROW.  
NEW ROW.  
TEMP. EASE.  
PERM. EASE.

11.56 ACRES  
0.03 ACRE

EXHIBIT A

DRAWN BY J.F.B. 6/21/89  
CHECKED BY B.A. 6/21/89  
COMPUTED BY T.B. 6/21/89  
WRITTEN BY J.B. 6/21/89

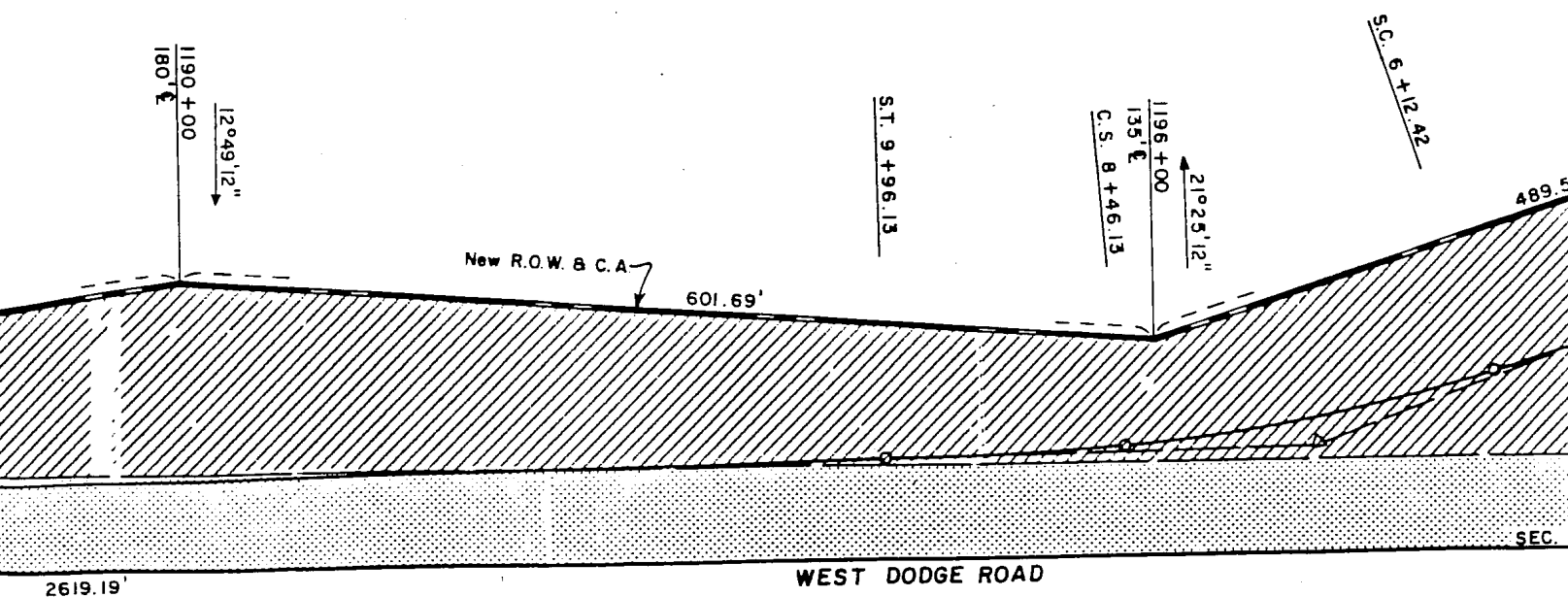


TOTAL	R.O.W.	4.02 ACRES
PREV.	R.O.W.	2.09 ACRES
NEW	R.O.W.	1.93 ACRES

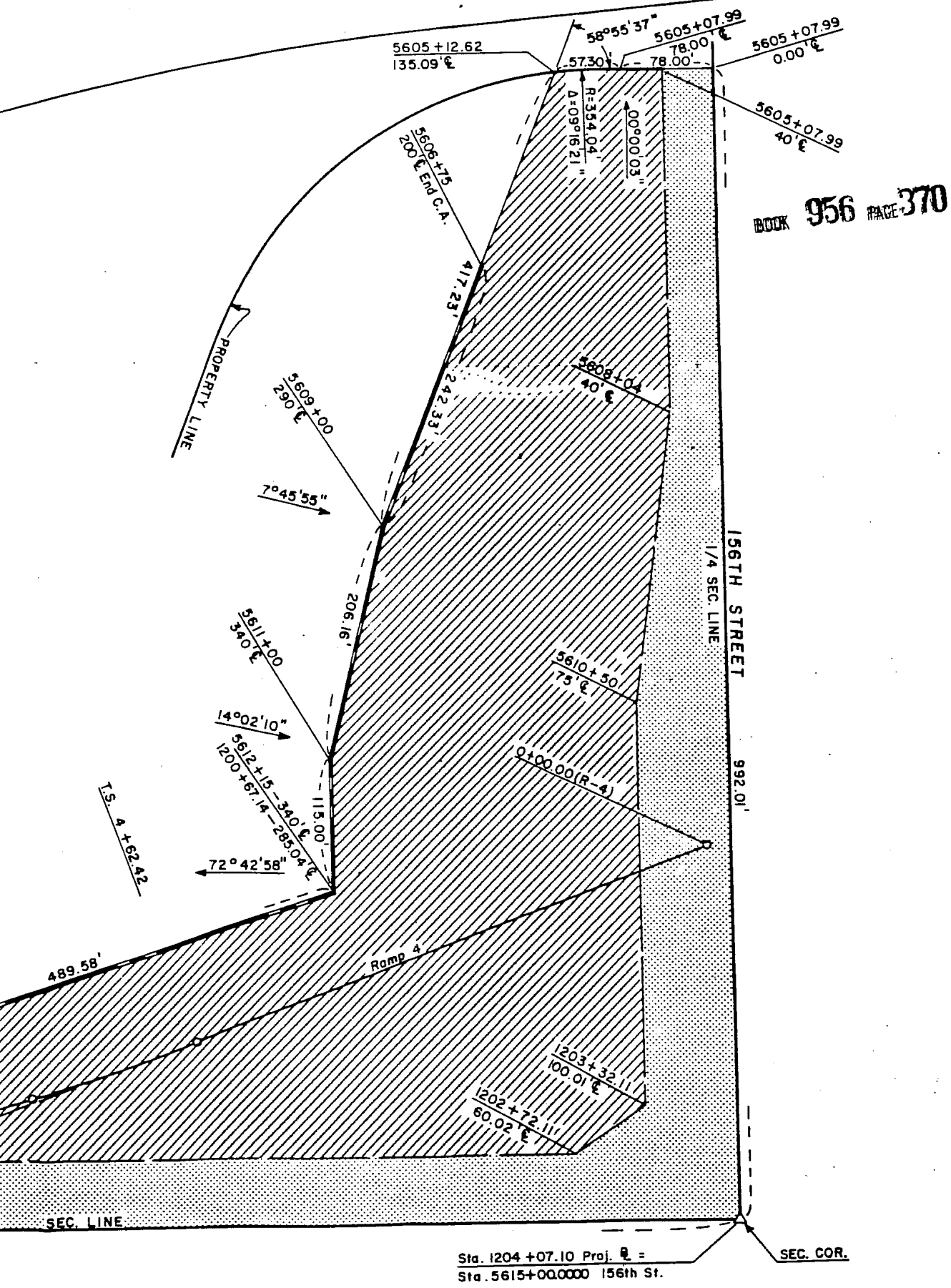
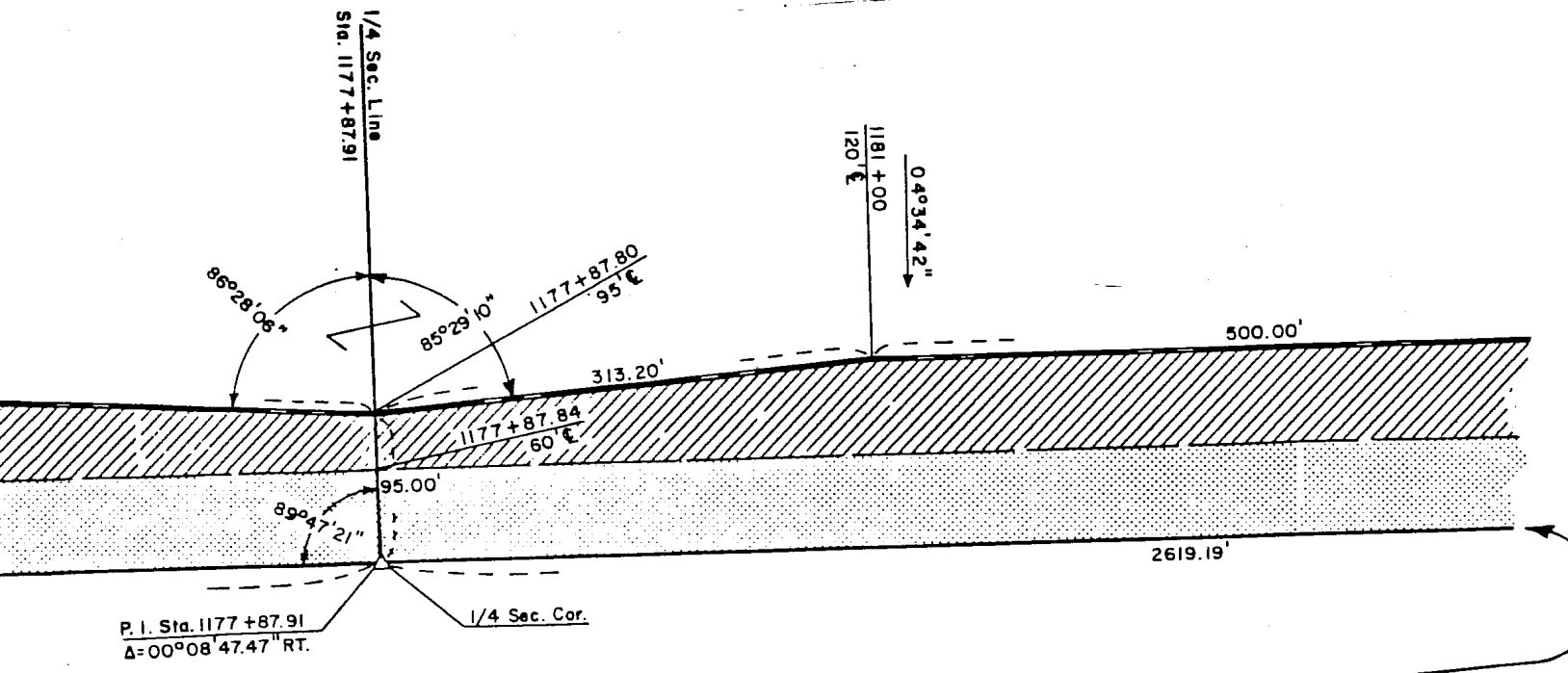
BOOK 956 PAGE 369

SAME POINT

TOTAL	R.O.W.	14.54 ACRES
PREV.	R.O.W.	4.91 ACRES
NEW	R.O.W.	9.63 ACRES







BOOK 956 PAGE 370

PROJECT: F-QF-6-7 (134)

DOUGLAS COUNTY  
(PAGE 1)  
OF 3

TRACT: 9

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

JOHNSON FAMILY LIMITED PARTNERSHIP, AN UNREGISTERED PARTNERSHIP,  
OWNER;

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15,  
TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN,  
DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE  
WESTERLY A DISTANCE OF 1483.44 FEET ALONG THE SOUTH LINE OF SAID  
QUARTER SECTION; THENCE NORTHERLY DEFLECTING 085 DEGREES, 40 MINUTES,  
35 SECONDS RIGHT, A DISTANCE OF 60.29 FEET TO A POINT ON THE NORTHERLY  
EXISTING RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 094 DEGREES, 19  
MINUTES, 18 SECONDS RIGHT, A DISTANCE OF 323.26 FEET ALONG SAID RIGHT  
OF WAY LINE TO THE SOUTHWEST CORNER OF THE PROPERTY OWNED BY THE  
GRANTOR(S); THENCE NORTHERLY DEFLECTING 082 DEGREES, 22 MINUTES, 08  
SECONDS LEFT, A DISTANCE OF 139.27 FEET; THENCE NORTHEASTERLY  
DEFLECTING 028 DEGREES, 47 MINUTES, 35 SECONDS RIGHT, A DISTANCE OF  
49.41 FEET ALONG THE WEST LINE OF THE PROPERTY OWNED BY THE  
GRANTOR(S); THENCE EASTERLY DEFLECTING 057 DEGREES, 23 MINUTES, 21  
SECONDS RIGHT, A DISTANCE OF 44.09 FEET; THENCE SOUTHERLY DEFLECTING  
086 DEGREES, 11 MINUTES, 18 SECONDS RIGHT, A DISTANCE OF 75.00 FEET;  
THENCE EASTERLY DEFLECTING 086 DEGREES, 31 MINUTES, 58 SECONDS LEFT, A  
DISTANCE OF 1074.77 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER  
SECTION; THENCE SOUTHERLY DEFLECTING 086 DEGREES, 28 MINUTES, 06  
SECONDS RIGHT, A DISTANCE OF 95.00 FEET ALONG SAID LINE TO THE POINT  
OF BEGINNING CONTAINING 4.02 ACRES, MORE OR LESS, WHICH INCLUDES 2.09  
ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

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

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE  
NORTHERLY A DISTANCE OF 95.00 FEET ALONG THE WEST LINE OF SAID QUARTER  
SECTION TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 086  
DEGREES, 28 MINUTES, 06 SECONDS LEFT, A DISTANCE OF 1074.77 FEET;  
THENCE NORTHERLY DEFLECTING 086 DEGREES, 31 MINUTES, 58 SECONDS RIGHT,  
A DISTANCE OF 75.00 FEET; THENCE WESTERLY DEFLECTING 086 DEGREES, 11  
MINUTES, 18 SECONDS LEFT, A DISTANCE OF 44.09 FEET TO A POINT ON THE

EXHIBIT B

PROJECT: F-QF-6-7 (134)

DOUGLAS COUNTY  
(PAGE 2)  
OF 3

TRACT: 9

WEST LINE OF THE PROPERTY OWNED BY THE GRANTOR(S) TO THE POINT OF TERMINATION;

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO;

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 2619.19 FEET TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 089 DEGREES, 47 MINUTES, 21 SECONDS RIGHT, A DISTANCE OF 95.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 085 DEGREES, 29 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 313.20 FEET; THENCE EASTERLY DEFLECTING 004 DEGREES, 34 MINUTES, 42 SECONDS RIGHT, A DISTANCE OF 500.00 FEET; THENCE EASTERLY DEFLECTING 008 DEGREES, 31 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 404.47 FEET; THENCE EASTERLY DEFLECTING 012 DEGREES, 49 MINUTES, 12 SECONDS RIGHT, A DISTANCE OF 601.69 FEET; THENCE EASTERLY DEFLECTING 021 DEGREES, 25 MINUTES, 12 SECONDS LEFT, A DISTANCE OF 489.58 FEET; THENCE NORTHERLY DEFLECTING 072 DEGREES, 42 MINUTES, 58 SECONDS LEFT, A DISTANCE OF 115.00 FEET; THENCE NORTHERLY DEFLECTING 014 DEGREES, 02 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 206.16 FEET; THENCE NORTHERLY DEFLECTING 007 DEGREES, 45 MINUTES, 55 SECONDS RIGHT, A DISTANCE OF 417.23 FEET; THENCE EASTERLY ON A 354.04 FOOT RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 058 DEGREES, 55 MINUTES, 37 SECONDS RIGHT, A DISTANCE OF 57.30 FEET, SUBTENDING A CENTRAL ANGLE OF 009 DEGREES, 16 MINUTES 21 SECONDS; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 03 SECONDS LEFT, A DISTANCE OF 78.00 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 992.01 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 14.54 ACRES, MORE OR LESS, WHICH INCLUDES 4.91 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

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

PROJECT: F-QF-6-7 (134)

DOUGLAS COUNTY  
(PAGE 3)  
OF 3

TRACT: 9

DOUGLAS COUNTY, NEBRASKA:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 2619.19 FEET TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 089 DEGREES, 47 MINUTES, 21 SECONDS RIGHT, A DISTANCE OF 95.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 085 DEGREES, 29 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 313.20 FEET; THENCE EASTERLY DEFLECTING 004 DEGREES, 34 MINUTES, 42 SECONDS RIGHT, A DISTANCE OF 500.00 FEET; THENCE EASTERLY DEFLECTING 008 DEGREES, 31 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 404.47 FEET; THENCE EASTERLY DEFLECTING 012 DEGREES, 49 MINUTES, 12 SECONDS RIGHT, A DISTANCE OF 601.69 FEET; THENCE EASTERLY DEFLECTING 021 DEGREES, 25 MINUTES, 12 SECONDS LEFT, A DISTANCE OF 489.58 FEET; THENCE NORTHERLY DEFLECTING 072 DEGREES, 42 MINUTES, 58 SECONDS LEFT, A DISTANCE OF 115.00 FEET; THENCE NORTHERLY DEFLECTING 014 DEGREES, 02 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 206.16 FEET; THENCE NORTHERLY DEFLECTING 007 DEGREES, 45 MINUTES, 55 SECONDS RIGHT, A DISTANCE OF 242.33 FEET TO THE POINT OF TERMINATION;

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR 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 OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

THE STATE OF NEBRASKA, )  
 ) SS  
COUNTY OF DOUGLAS. )

I, RUDY J. TESAR, Clerk of the District Court, Fourth Judicial District of Nebraska, within and for said County, do hereby certify that the above and foregoing is a true and correct copy of ORDER filed and entered of record on the 18th day of March, 1991, in Journal 2824 Page 303 and designated as Docket 882 Number 143,

BK 956 N 15-15-11KP C/O 60 FEE 50  
PG 33-37 N 15-15-11 DEL 1N MC Wc  
OF Misc COMP 4N F/B 01-60000

RECEIVED  
MAR 20 12 00 PM '91  
GEORGE J. BUGLEWICZ  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

in a cause in said Court wherein JOHNSON FAMILY LIMITED PARTNERSHIP, AN UNREGISTERED PARTNERSHIP, OWNER, is Plaintiff

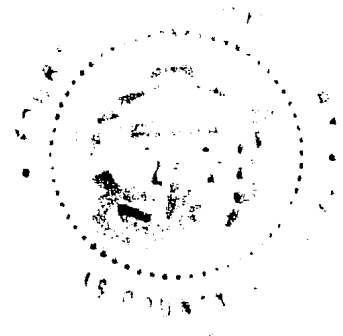
Misc A and STATE OF NEBRASKA DEPARTMENT OF ROADS is Defendant

as the same appears fully upon the records and in the files of said Court now in my charge remaining as Clerk aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Omaha, Nebraska, this 20th day of March ,A.D. 19 91

RUDY J. TESAR  
CLERK

BY Robert J. Levatek  
DEPUTY



4730