

MISCELLANEOUS RECORD No. 59

2. CERTIFIED COPY OF REPORT OF APPRAISERS.

In the Matter of

Elkhorn Valley Drainage District.

BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA.

In the Matter of

Condemnation Proceedings by Elkhorn Valley Drainage District for the purchase of Right-of-Way over Certain Lands Within Douglas County, Nebraska, in connection with the extension of the District's Ditch No. 3

REPORT

OF

APPRAISERS.

TO HON. BRYCE CRAWFORD, COUNTY JUDGE, DOUGLAS COUNTY, NEBRASKA:

Pursuant to your selection and appointment, and being disinterested free holders of Douglas County, Nebraska, and not interested in a like question and having taken the requisite oath as by law prescribed for appraisers of the within described land in said County, we have to report that on January 15, 1923, in accordance with the requirements of the attached notice, we carefully inspected and viewed the real estate listed therein and heard the parties interested therein with reference to the amount of damages when we were so inspecting and viewing the said real estate, and having finished said inspection, we assembled at Walsh's Hall, Waterloo, Nebraska, on said January 15, 1923, in accordance with the said notice, and again heard such of the interested parties as were present, to-wit:

Gustave Sumnick, Charles A. Obert, Charles B. Compton, Arthur D. Compton, H.R. Smallwood, and Hans G. Ehlers.

We then adjourned until January 27th, 1923, when having before us the written consent of Charles B. Compton and Gustave Sumnick to a certain change in the course of the proposed extension of the District's Ditch No. 3 being Exhibit A. attached to the said District's amendment of its application in the above entitled proceedings and having previously carefully inspected and viewed the real estate described in the said amendment, and having finished our inspection of all the lands in accordance with the said amended application, the notice to property owners and the said written consent of the above mentioned Charles B. Compton and Gustave Sumnick, we found and assessed the damages which the owners shall sustain by the appropriation of their respective lands to the use of the Elkhorn Valley Drainage District, petitioner herein, as follows:

OWNERS	MORTGAGEE	DAMAGES
DANIEL G. HOPPER and EMILIE S. HOPPER, The East 3 rods of the South 1700 ft. of the West $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 15-15-10 containing 1.93 acres.	United States Trust Company	\$1158.00
HANS G. EHLERS AND MRS. EHLERS first and real name unknown, wife of Hans G. Ehlers	None	1050.00
GUSTAVE SUMNICK and MARY SUMNICK, West 3 rods of the East Half of the North East Quarter of Section 22-15-10 containing 3.0 acres	Nelson J. Bell	900.00
Gustave Sumnick and Mary Sumnick,	Prudential Insurance Company	490.25

A strip of land six (6) rods in width, being 3 rods on each side of the following described line; Beginning at a point on the South line of Section 27-15-10, eight hundred fifty feet East of the SW corner of said Sec. 27; thence North 32 degrees 30 minutes East nine hundred eighty five feet (985) feet more or less to the East line of the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27, containing 2.23 acres.

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SAUNDERS INVESTMENT COMPANY OWNER None 1350.00

The West 3 rods
of the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section
22-15-10 containing 3.0 acres.

Also West 3 rods of the
NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 27-15-10
containing 1.5 acres

HOWARD SMALLWOOD, Tenant None 25.00

East $\frac{1}{2}$ of SE $\frac{1}{4}$ of
Section 22-15-10

MARY E. GIBBS, WELLINGTON S. GIBBS,
MARGARET McLAUGHLIN SMITH, JOHN SMITH,
LUELLA A. McLAUGHLIN, CHARLES A. OBERT,
and ANNIE C. OBERT,

The East 3 rods of the West $\frac{1}{2}$ of the
SE $\frac{1}{4}$ of Section 22-15-10 containing 3.0 acres

CHARLES B. COMPTON, OWNER Creighton Uni- 6379.00
Versity

A strip of land six (6) rods in
width, being three (3) rods on each side of the
following described line; Beginning at the
NE corner of the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27-15-10;
thence South along the east line of said W $\frac{1}{2}$ of the
NE $\frac{1}{4}$ of Section 27, 990 feet; thence by a curve to the right
having a radius of 573.7 feet and a central angle of 69
degrees 15 minutes, a distance of 692.5 feet; thence South
69 degrees 15 minutes West, 765 ft; thence by a curve to
a left having a radius of 573.7 ft. and a central angle of
42 degrees 45 minutes, a distance of 427.5 feet; thence South 26
degrees 30 minutes West, 2725 feet more or less to the West
line of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 27, except that
part of the above described land lying in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$
of said Section 27, containing 11.23 acres.

CHARLES B. COMPTON OWNER Jonas H. Keith

Beginning at a point 860 feet south
of the N.W. Corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34-15-10;
thence by a curve Easterly and Northerly having a radius
of 200 ft. and a central angle of 63 degrees and 30 minutes; thence on
a tangent, North 26 degrees 30 minutes East 840 ft. more or less to
the North line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34-15-10 containing
2.41 acres

421.75

ARTHUR D. COMPTON and ESTHER MARY COMPTON OWNERS Peters Trust Company

A strip of ground 6 rods in width being
3 rods on each side of the following described lines;
Beginning at a point 850 feet East of the NW corner of
Section 34-15-10; thence South 3 degrees 30 minutes East,
610 feet; thence by a curve to the right, having a
radius of 500 ft. and a central angle of 30 degrees;
thence South 26 degrees 30 minutes, 515 feet more or less,
to the South line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 34,
containing 3.15 acres.

ARTHUR D. COMPTON and ESTHER MARY COMPTON, OWNERS. Peters Trust Company 3547.50

Beginning at a point on the South line of
Section 33-15-10, 118 feet West of the South East corner
of the West Half of the South East Quarter of said Section 33;
thence North 823 feet; thence by a curve to the right, having
a radius of 500 feet and a central angle of 37 degrees;
thence on a tangent 2460 feet more or less, to the East line
of said Section 33, containing 8.19 acres.

ARTHUR D. COMPTON and ESTHER MARY COMPTON, OWNERS Peters Trust Company 1815.15

Beginning at a point on the North line
of Section 4-14-10, 118 feet West of the North East corner
of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; thence by a curve
to the left in a southerly direction, having a radius of
400 ft. and a central angle of 31 degrees; thence by a
curve to the right, having a radius of 400 feet and a
central angle of 31 degrees to a point on the East line of
the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4, 410 feet South of the
North line of said Section 4; thence South along said East
line 367 feet; thence by a curve to the right having a
radius of 500 feet and a

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OWNER

MORTGAGEE

DAMAGES.

central angle of 59 degrees; thence south 59 degrees West, 1060 feet to the Northerly bank of the old Elkhorn River, except that part of the last above described tract lying in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4-4-10 containing 4.6 acres

MARY T. ROBINSON

Bankers Mortgage
Loan Company

\$139.15

The West 3 rods of the South
800 feet of the north 1050 feet of the NE $\frac{1}{4}$ of the
NE $\frac{1}{4}$ of Section 4-14-10, containing 0.79 acres

IN WITNESS WHEREOF, we have hereunto set our hands at Omaha in said Douglas
County, Nebraska, this 27 day of January, 1923.

R. J. Tebbens

Charles L. Peklo

Patrick F. Lynch

William Van Dohren Jr.

Geo. Rohwer

H. C. Glissmann Sr.

State of Nebraska)
) ss.
County of Douglas)

On this 27 day of January, A.D. 1923, before me, a Notary Public in and for
Douglas County, Nebraska, personally appeared P. J. Tebbens, H. C. Glissman, George Rohwer,
William Von Dohren, Jr., Patrick Lynch, and Charles Peklo, the above mentioned persons who
are to me personally known to be the appraisers whose names are affixed to the foregoing instru-
ment, and they individually acknowledged the said instrument to be their voluntary act and deed,
and the voluntary act and deed of the said Board of Appraisers.

PAUL L. MARTIN,

(seal)

Notary Public.

STATE OF NEBRASKA,)
) ss.
County of Douglas.)

I, Bryce Crawford County Judge of Douglas County, Nebraska, do hereby certify
that I have compared the foregoing copy of REPORT in the matter of the Report of Elkhorn Valley
Drainage District, 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, accord-
ing 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 2nd day of March A.D. 1923.

BRYCE CRAWFORD
County JudgeBy Clyde C. Sumblad
Clerk of the County
Court.

Omaha, Neb. March 1, 1923.

DUPLICATE.

Stout, Rose, Wells & Martin, attys.,
Omaha National Bk. Bldg., City

Gentlemen:-

We hereby acknowledge receipt of check of Elkhorn Valley Drainage District in
the sum of \$18,981.90, covering a ward made appraisers in condemnation proceedings in connection

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155084—MFG. BY OMAHA PTO. CO., OMAHA

with extension of District's Ditch No. 3, said check covering amount of ward, court costs and appraiser's fee, towit:

Acct. Daniel G. Hopper and Emilie S. Hopper, owners and U.S. Trust Company, mortgagee	\$1158.00
Hans G. Ehlers and wife,	1050.00
Gustave Sumnick and Mary Sumnick, and Nelson J. Bell, mortgagee	900.00
Gustave and Mary Sumnick and Prudential Ins. Co., Mortgagee.	495.25
Saunders Invest. Co.	1350.00
Howard Smallwood,	25.00
Mary E. Gibbs, Wellington S. Gibbs, Margaret McLaughlin Smith, John Smith, Luella A. McLaughlin, Chas. A. Obert, and Annie C. Obert,	900.00
Chas. B. Compton, Creighton Uni, mtgee	6379.00
Chas. B. Compton, and Jonas H. Keith, "	421.75
Arthur D. and Esther Mary Compton, and Peters Trust Co., mtgee.	551.25
Arthur D. and Esther Mary Compton, and Peters Trust Co., Mtgee,	\$3547.50
Arthur D. and Esther Mary Compton and Peters Trust Co., mtgee,	1,815.15
Mary T. Robinson and Bankers Mortgage Loan Co.,	139.15
P. J. Tebbins, appraiser's fee,	40.00
Chas. L. Peklo,	40.00
Patrick F. Lynch,	40.00
Wm. Von Dohren, Jr.,	40.00
Geo. Rohwer,	40.00
H. C. Glissmann, Sr.	40.00
County Court, court costs,	14.85
	<u>\$18,981.90</u>

Yours respectfully,

BRYCE CRAWFORD, County Judge

By Clyde C. Sundblad

Clerk of the County Court.

State of Nebraska,)
Douglas County,) ss.

Entered on Numerical Index and filed for Record in
the Register of Deeds' Office of said County, the 6th
day of March, A.D., 1923, at 11:00 o'clock A.M.
Harry Pearce,

Register of Deeds.

Compared by W&P.

3. AFFIDAVIT.

E. G. McGilton

to

Whom It May Concern.

AFFIDAVIT.

STATE OF NEBRASKA,)
SS:
COUNTY OF DOUGLAS,)

E. G. McGilton, being first duly sworn, deposes and says that on the 14th
day of September, 1900, an order was entered in the County Court of Douglas County, Nebraska,
in the Matter of the Estate of Mary Pratt, Deceased, No. 2875, appointing affiant Guardian ad litem