

## BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA

THE STATE OF NEBRASKA  
DEPARTMENT OF ROADS

Condemner

vs

RETURN OF APPRAISERS

GUSTAV SUMNICK, JR., a single man; LEO SUMNICK, a single man; WILLIAM SUMNICK, a single man; ROSE SUMNICK, a single woman; JOHN SUMNICK and DOROTHY L. SUMNICK, husband and wife; FRANCIS SUMNICK and DOROTHY K. SUMNICK, husband and wife; ALFRED SUMNICK and MARY SUMNICK, husband and wife; KATHERINE BOBERG and DONALD BOBERG, wife and husband; HELEN SUMNICK MCNROS and LEONARD MONROE, wife and husband; MARIE KURTZ and LEONARD KURTZ, wife and husband; Holders of Interests;

ROBERT D. HUMES, a single man; CHARLES L. HUMES and TERESSIA HUMES, husband and wife; holders of interests;

LONILA H. LUBBERTS, and DONALD R. LUBBERTS, wife and husband, holders of two-thirds interest; DOROTHY H. JOHNSON and JOHN H. JOHNSON, wife and husband, holders of one-third interest;

JOHN WALVOORD and GOLDIE WALVOORD, husband and wife, Joint Tenants, each as his or her own interest may appear;

FRED M. SPICER; HAZEL IRENE TRESTRAIL, a widow; each as holders of an undivided one-third interest; HENRY HANSON, heir at law of DOROTHY JEAN HANSON, deceased; holder of an undivided one-third interest; and LAURA L. SPICER, wife of FRED M. SPICER;

DONALD WALVOORD and CAROLYN WALVOORD, husband and wife, Tenants (WALVOORD land);

DONALD R. LUBBERTS and LONILA H. LUBBERTS, husband and wife, Tenants (SPICER, et al, and LUBBERTS, et al, land);

Condemnees

TO HONORABLE ROBERT R. TROYER COUNTY JUDGE DOUGLAS COUNTY, NEBRASKA

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers", duly served upon us by Sheriff on the        day of October, 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, 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 viewing 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:

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

Land owners: Gustav Sumnick, Jr., a single man; Leo Sumnick, a single man; William Sumnick, a single man; Rose Sumnick, a single woman; John Sumnick and Dorothy Sumnick, husband and wife; Francis Sumnick and Dorothy Sumnick, husband and wife; Alfred Sumnick and Mary Sumnick, husband and wife; Katherine Boberg and Donald Boberg, wife and husband; Helen Sumnick Monroe and Leonard Monroe, wife and husband; Marie Kurtz and Leonard Kurtz, wife and husband; Holders of Interests

Project: F-493 (3) AFE: R-903a Douglas County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the West Half of the West Half of the Southwest Quarter of Section 27, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the southwest corner of said Section 27; thence northerly on the West line of the West Half of the West Half of the Southwest Quarter of said Section 27 a distance of 2,655.3 feet to the northwest corner of said West Half of the West Half of the Southwest Quarter; thence easterly on the North line of said West Half of the West Half of the Southwest Quarter a distance of 117.8 feet; thence southeasterly 80 degrees 32 minutes right a distance of 542.7 feet; thence southerly 9 degrees 28 minutes right a distance of 206.7 feet; thence continuing southerly 1 degree 45 minutes right a distance of 1,233.5 feet; thence continuing southerly 2 degrees 54 minutes left a distance of 285.0 feet; thence continuing southerly 2 degrees 55 minutes left a distance of 319.5 feet to point of curvature; thence southeasterly on a 439.67 foot radius curve to the left (initial tangent of which coincides with the last described course produced) a distance of 78.6 feet to a point on the South line of said West Half of the West Half of the Southwest Quarter; thence westerly on said South line a distance of 222.0 feet to the point of beginning, containing a total of 11.49 acres, more or less, which includes 2.01 acres, more or less, previously used as a public highway, the remaining 9.48 acres, more or less, being the additional acreage to be secured in this action.

There will be no ingress and egress from the above described tract onto said West Half of the West Half of the Southwest Quarter except over 1 field entrance, not to exceed 20 feet in width, to provide for the movement of farming implements and crops as long as it is used consistent with normal farming operations, the centerline of which to be located 16.3 feet southerly from said North line as measured along the centerline of the highway.

Also, fee simple title to a tract of land for highway right of way purposes located in the West Half of the West Half of the Northwest Quarter of Section 27, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the west quarter corner of said Section 27; thence northerly on the West line of the West Half of the West Half of the Northwest Quarter of said Section 27 a distance of 764.7 feet; thence easterly 90 degrees right a distance of 93.9 feet; thence southerly a distance of 700.1 feet to a point 106.7 feet easterly from said West line; thence southeasterly 8 degrees 39 minutes left a distance of 65.6 feet to a point on the South line of said West Half of the West Half of the Northwest Quarter; thence westerly on said South line a distance of 117.8 feet to the point of beginning; containing a total of 1.78 acres, more or less, which includes 0.58 acre, more or less, previously used as a public highway, the remaining 1.20 acres, more or less, being the additional acreage to be secured in this action.

## CONDEMNATION CONTINUED

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Land owners: Gustav Sumnick, Jr., et al

Project: F-493 (3)

There will be no ingress and egress from the above described tract onto said West Half of the West Half of the Northwest Quarter.

And, also, control of access and elimination of any right of ingress and egress onto the South Half of the Northeast Quarter of Section 28, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, from the public right of way between the point of beginning and the point of termination of the following described line:

Referring to the east quarter corner of said Section 28; thence northerly on the East line of the South Half of the Northeast Quarter of said Section 28 a distance of 213.7 feet; thence westerly 90 degrees left a distance of 50.0 feet to a point on the westerly highway right of way line, said point being the point of beginning of said line; thence northerly on said highway right of way line a distance of 551.0 feet to the point of termination of said line, said point being 50.0 feet westerly from said East line.

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

Land owners: Robert D. Humes, a single man; Charles L. Humes and Teressia Humes, husband and wife; holders of interests

Project: F-493 (3) AFE: R-903a Douglas County, Nebraska

To control of access and elimination of any right of ingress and egress onto the North Half of the Southeast Quarter of Section 28, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, from the public right of way between the point of beginning and the point of termination of the following described line:

Referring to the east quarter of said Section 28; thence westerly on the North line of the North Half of the Southeast Quarter of said Section 28 a distance of 50.0 feet to a point on the westerly highway right of way line, said point being the point of beginning of said line; thence southerly on said highway right of way line a distance of 741.1 feet; thence easterly on said highway right of way line a distance of 17.0 feet; thence southerly on said highway right of way line a distance of 356.9 feet; thence southwesterly on a 1,870.08 foot radius curve to the right (initial tangent of which forms an angle of 11 degrees 00 minutes right with the last described course produced) and on said highway right of way line a distance of 240.9 feet to a point on the South line of said North Half of the Southeast Quarter, said point being the point of termination of said line..

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

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Land owners: Lomila H. Lubberts, and Donald R. Lubberts, wife and husband, holders of two-thirds interest; Dorothy H. Johnson and John N. Johnson, wife and husband, holders of one-third interest

Tenants: Donald R. Lubberts and Lomila H. Lubberts, husband and wife

Project: F-493 (3) AFE: R-903a Douglas County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the Southwest Quarter of Section 15, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the southwest corner of said Section 15; thence northerly on the West line of the Southwest Quarter of said Section 15 a distance of 33.0 feet; thence easterly 90 degrees right a distance of 59.4 feet to the point of beginning, thence continuing easterly on the last described course produced a distance of 1,438.6 feet; thence northwesterly on a 1,918.56 foot radius curve to the right (initial tangent of which forms an angle of 167 degrees 48 minutes left with said South line) a distance of 2,042.7 feet to a point 57.3 feet easterly from said West line; thence southerly a distance of 1,321.0 feet to the point of beginning, containing a total of 13.78 acres, more or less, to be secured in this action.

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

Land owners: John Walvoord and Goldie Walvoord, husband and wife, Joint Tenants, each as his or her own interest may appear

Tenants: Donald Walvoord and Carolyn Walvoord, husband and wife

Project: F-493 (3) AFE: R-903a Douglas County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the South Half of the Southeast Quarter of Section 28, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the southeast corner of said Section 28, thence northerly on the East line of the South Half of the Southeast Quarter of said Section 28 a distance of 1,329.2 feet to the northeast corner of said South Half of the Southeast Quarter; thence westerly on the North line of said South Half of the Southeast Quarter a distance of 94.6 feet; thence southwesterly on a 1,870.08 foot radius curve to the right (initial tangent of which forms an angle of 71 degrees 42 minutes left with said North line) a distance of 2,342.5 feet to a point 40.0 feet northerly from the South line of said South Half of the Southeast Quarter; thence southerly 90 degrees left a distance of 40.0 feet to a point on said South line; thence easterly on said South line a distance of 1,868.3 feet to the point of beginning containing a total of 18.52 acres, more or less, which includes 6.02 acres, more or less, previously used as a public highway, the remaining 12.50 acres, more or less, being the additional acreage to be secured in this action.

There will be no ingress and egress from the above described tract onto said South Half of the Southeast Quarter.

Also, fee simple title to a tract of land for highway right of way purposes located in the Northwest Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the northwest corner of said Section 34; thence easterly on the North line of the Northwest Quarter of the Northwest Quarter of said Section 34 a distance of 100.0 feet to the point of beginning; thence continuing easterly on said North line a distance of 122.2 feet; thence southeasterly on a 439.67 foot radius curve to the left (initial tangent of which forms an angle of 75 degrees 12 minutes right with said North line) a distance of 163.2 feet; thence northwesterly on a line forming an angle of 136 degrees 42 minutes right with the final tangent of the last described curve produced a distance of 195.8 feet; thence northerly on a line 79 degrees 46 minutes right a distance of 110.5 feet to the point of beginning, containing a total of 0.43 acre, more or less, to be secured in this action.

There will be no ingress and egress from the above described tract onto said Northwest Quarter of the Northwest Quarter.

And, also, temporary easement to a tract of land located in the Northwest Quarter of the Northwest Quarter of Section 34, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, and temporary use of said land in securing road material, described as borrow dirt, said tract of land being more particularly described as follows:

Referring to the northwest corner of said Section 34; thence easterly on the North line of the Northwest Quarter of the Northwest Quarter of said Section 34, a distance of 222.2 feet to the point of beginning; thence continuing easterly on said North line a distance of 399.7 feet; thence southwesterly 103 degrees 07 minutes right a distance of 205.1 feet; thence northwesterly 87 degrees 30 minutes right a distance of 288.3 feet; thence continuing northwesterly on a 439.67 foot radius

## CONDEMNATION CONTINUED

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Land owners: John Walvoord, et al

Project: F-493 (3)

curve to the right (initial tangent of which forms an angle of 43 degrees 18 minutes right with the last described course produced) a distance of 163.2 feet to the point of beginning, containing a total of 1.37 acres, more or less, to be secured in this action.

The right to remove above described borrow dirt from the above described premises shall terminate upon acceptance by the Department of Roads of the above mentioned project F-493 (3).

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

Land owners: Fred H. Spicer; Hazel Irene Trestrail, a widow; each as holders of an undivided one-third interest; Henry Hanson, heir at law of Dorothy Jean Hanson, deceased; holder of an undivided one-third interest; and Laura L. Spicer, wife of Fred H. Spicer

Tenants: Donald R. Lubberts and Lomila H. Lubberts, husband and wife

Project: F-493 (3) AFE: R-903a Douglas County, Nebraska

Fee simple title to a tract of land for highway right of way purposes located in the Northwest Quarter of Section 22, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Referring to the northwest corner of said Section 22; thence southerly on the West line of the Northwest Quarter of said Section 22 a distance of 33.0 feet; thence easterly 90 degrees left a distance of 59.4 feet to the point of beginning; thence continuing easterly on the last described course produced a distance of 1,217.1 feet; thence southwesterly on a 2,007.72 foot radius curve to the left (initial tangent of which forms an angle of 159 degrees 49 minutes right with the last described course produced) a distance of 1,848.5 feet to a point 59.1 feet easterly from said West line; thence northerly a distance of 1,294.2 feet to the point of beginning, containing a total of 12.29 acres, more or less, to be secured in this action.

Also, to control of access and elimination of any right of ingress and egress onto the Northwest Quarter of Section 22, Township 15 North, Range 10 East of the 6th P.M., Douglas County, Nebraska, from the public right of way between the point of beginning and the point of termination of the following described line:

Referring to the northwest corner of said Section 22; thence easterly on the North line of the Northwest Quarter of said Section 22 a distance of 1,937.3 feet; thence southerly 90 degrees right a distance of 33.0 feet to the point of beginning of said line; thence westerly on a line 33.0 feet southerly from and parallel to said North line a distance of 263.9 feet; thence southwesterly on a 1,907.72 foot radius curve to the left (initial tangent on which forms an angle of 8 degrees 57 minutes left to the last described course produced) a distance of 2,687.5 feet to a point 73.8 feet easterly from said West line of said Northwest Quarter, said point being the point of termination of said line.



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 amount of:

- (1) To: Gustav Sumnick  
Mary N. Sumnick  
Joint tenants with right of survivorship  
Husband and Wife \$5,678.86
- (2) To: Robert D. Humes (One half) \$ 175.00  
Charles L. Humes (One half) \$ 175.00  
Tenants in common
- (3) To: Robert Saxton, Trustee \$4,709.50  
Lomila H. Lubberts, et al, grantees
- (4) To: John Walvoord \$7,081.60  
Goldie Walvoord  
Joint tenants with right of survivorship  
Husband and wife
- (5) To: Hazel Irene Trestrail - Undiv. One Third \$1,216.17  
Henry Hansen - Undiv. One Third \$1,216.16  
Fred H. Spicer - Undiv. One Third \$1,216.17  
Laura L. Spicer  
Joint tenants with right of survivorship  
Husband and Wife
- (6) To: Donald Walvoord and Carolyn Walvoord, Nil  
Tenants (Walvoord land)
- (7) To: Donald R. Lubberts and Lomila H. Lubberts, Nil  
Tenants (Spicer, et al, and Lubberts,  
et al, land)

All of which is hereby respectfully submitted.

Dated this 11th day of December, A.D., 1959.

STATE OF NEBRASKA } SS. I, Robert R. Troyer, County Judge  
COUNTY OF DOUGLAS } of Douglas County, Nebraska, do  
hereby certify the foregoing copy, consisting of 9 pages,  
to be a full, true and correct copy of the original record  
thereof, now remaining on file in said court; that I have  
the legal custody and control of said original record; and  
that the seal of said court is hereto affixed.

WITNESS my hand and the seal of said Court at Omaha  
this 16th day of December 1959.

ROBERT R. TROYER, County Judge

BY Joseph J. Belitz  
Clerk of the County

ENTERED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
5 22 DAY Nov 1959 AT 10:14 AM THOMAS J. O'CONNOR, REGISTER OF DEEDS