

2-18-58/ms

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IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE APPLICATION OF
 THE CITY OF LINCOLN, NEBRASKA, to condemn
 a temporary and a permanent easement over
 and across Lot 78, Irregular Tracts, in
 the Northeast Quarter (NE $\frac{1}{4}$) of Section
 13, Township 10 North, Range 6 East of
 the 6th P.M., Lancaster County, Nebraska,
 for sanitary sewer purposes and municipal
 purposes generally.

NO. 52-258

REPORT
 OF
 APPRAISERS

TO THE HONORABLE HERBERT A. ROWEN, JUDGE OF THE COUNTY COURT OF LANCASTER
 COUNTY, NEBRASKA:

The undersigned, duly appointed by the Court by order dated January 31, 1958, appraisers of the easements sought to be condemned in this proceeding, and hereinafter described, have duly qualified by taking the oath prescribed by law, and notice having been given as prescribed by law to all owners and parties interested in said land, do hereby report that pursuant to the notice given and proceedings had, we, on this 19th day of February, 1958, at 9:00 o'clock a.m., of said day, being the day and hour specified in said notice, each separately and as a body, did carefully inspect and view the lands named in the said petition and hereinafter described, and heard all parties interested therein in reference to the amount of damages, and we do hereby assess the damages which the owners of said land, and all persons interested therein have sustained by reason of the taking and appropriating of a permanent and temporary easement over said lands for sanitary sewer purposes and municipal purposes generally by the City of Lincoln, as follows:

A permanent easement over and through a strip of land in Lot 78, Irregular Tracts in the Northeast Quarter (NE $\frac{1}{4}$) of Section 13, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, the center line of which is located as follows: Beginning at a point on the west line of said Lot 78, located 195.15 feet south of the northwest corner thereof, running thence easterly a distance of 371.35 feet, more or less, to a point on the east line of said Lot 78, located 196.67 feet south of the northeast corner of said Lot 78;

and

A temporary easement over and through said Lot 78 as follows: A strip of land 100 feet in width lying within 40 feet north of and 60 feet south of the center line of the above described permanent easement for said sanitary trunk sewer; provided that where possible the applicant shall maintain a 5-foot wide clear space adjacent to

the exterior walls of any and all permanent buildings within the described lands;

said temporary easement to be used and occupied by applicant only during construction of said sanitary trunk sewer, for the accommodation of construction equipment, materials and excavated earth subject to the following conditions:

- (1) that immediately upon completion of construction of said sanitary trunk sewer and completion of the necessary backfill, and in any event on or before January 1, 1959, applicant will remove from the land all debris, all surplus material, and all construction equipment and leave the premises in a neat and presentable condition;
- (2) immediately upon completion of construction will repair and restore to a condition fully equal to that existing before construction operations are commenced, all fences, driveways, concrete slabs or permanent buildings of the owner, removed or damaged by applicant or its agents during construction of said sanitary trunk sewer;
- (3) during the period of one (1) year immediately following completion of construction, applicant will restore to smooth surface contours and a neat condition any portion of the trench which may have settled.

We assess all damages in the sum of \$ 4850⁰⁰; which sum we award as follows:

Smitty's Golf Park, a co-partnership consisting of Claude Riley Smith and Lena C. Bricker, owners of the fee title; First National Life Insurance Company of the U.S.A., a corporation, mortgagee; and Public Life Insurance Company, a corporation, mortgagee, jointly, the sum of \$ 4850⁰⁰.

GIVEN under our hands this 19th day of February, 1958.

"FILED
FEB 20 1958
Herbert A. Ronin
County Judge"

McTearman
John J. Matoskullat
Don P. Harrington
Appraisers

IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA

STATE OF NEBRASKA)
LANCASTER COUNTY)

ss.

CERTIFICATE

I, HERBERT A. ROTH, Judge of the County Court of Lancaster County, Nebraska, do hereby certify that the foregoing is a true 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 seal of the County Court of said County at Lincoln, Nebraska, this 20th day of February, 1958.

Herbert A. Roth
County Judge

By _____
Lancaster County Court

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ss.
I, _____, Register of Deeds for said County, do hereby certify that the foregoing is a true and correct copy of the original instrument duly filed and of record in this court on the 28th day of February, 1958, at _____ o'clock PM of the said day.

J. Laughan
Register of Deeds

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County Judge