

31  
BEFORE THE COUNTY JUDGE OF **LANCASTER** COUNTY, NEBRASKA  
STATE OF NEBRASKA  
DEPARTMENT OF ROADS

Docket 91

Page 46

Condemner

v.

**HARRY T. CROPSEY and ESTHER G. CROPSEY**, husband and wife, Joint Tenants; **ALVIN CROPSEY**, Lessee;

**ESTHER G. CROPSEY**, Owner; **HARRY T. CROPSEY**, husband of Esther G. Cropsey; **ALVIN CROPSEY**, Lessee;

**HAROLD E. OELSCHLAGER and ARLENE R. OELSCHLAGER**, husband and wife, Joint Tenants; **THE PRUDENTIAL INSURANCE COMPANY OF AMERICA**, Mortgagee;

**CARL JOHN GUENZEL**, Owner; **SUZAIN GUENZEL**, wife of Carl John Guenzel;

RETURN OF APPRAISERS

Condemnees

TO HONORABLE **RALPH SLOCUM**, COUNTY JUDGE, **LANCASTER** COUNTY, NEBR.

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us by *William C. Greiner* Sheriff or Deputy Sheriff of **Lancaster** County, Nebraska, on the 14<sup>th</sup> day of July, 1965, 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 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 as in our opinion was damaged by the appropriation of the property herein described:

RLW-648

31

# CONDEMNATION

Land Owners: Harry T. Cropsey and Esther G. Cropsey, husband and wife, Joint Tenants.

Tenants: Alvin Cropsey and Ruth Cropsey, husband and wife.

Existing Oil Lease: McAlester Fuel Company.

Project: F-18(10) AFE: R-228b Lancaster County, Nebraska.

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Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in Lots 4 and 24 of Section 26, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the north quarter corner of said Section 26; thence southerly on the West line of the Northeast Quarter of said Section 26 a distance of 465.2 feet to the point of beginning; thence continuing southerly on said West line a distance of 1,101.1 feet; thence continuing southerly 10 degrees 14 minutes left a distance of 831.0 feet to a point on the South line of said Lot 4; thence easterly 79 degrees 31 minutes left and on said Lot line a distance of 183.0 feet; thence northerly 100 degrees 29 minutes left a distance of 1,054.5 feet; thence continuing northerly 02 degrees 17 minutes right a distance of 500.4 feet; thence continuing northerly 02 degrees 57 minutes left a distance of 393.4 feet to the point of beginning, containing 5.82 acres, more or less, to be secured in this action.

Also, fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the North Half of the Northwest Quarter and Lot 5 of Section 26, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Beginning at the northwest corner of said Section 26; thence southerly on the West line of the Northwest Quarter of said Section 26 a distance of 90.0 feet; thence easterly 90 degrees 00 minutes left a distance of 163.9 feet to point of curvature; thence continuing easterly on a 2,904.79 foot radius curve to the left (initial tangent of which coincides with the last described course) a distance of 361.2 feet to point of tangency; thence continuing easterly, tangent, a distance of 46.4 feet to point of curvature; thence continuing easterly on a 2,824.79 foot radius curve to the right (initial tangent of which coincides with the last described course) a distance of 351.3 feet; thence continuing easterly on a line which forms an angle of 01 degree 52 minutes right from the final tangent of the last described curve a distance of 922.1 feet; thence continuing easterly 01 degree 52 minutes left a distance of 521.4 feet; thence southerly 79 degrees 30 minutes right a distance of 1,521.8 feet to a point on the East line of said Northwest Quarter; thence northerly 169 degrees 46 minutes left and on said East line a distance of 1,101.1 feet; thence continuing northerly 10 degrees 53 minutes left a distance of 440.5 feet; thence easterly 101 degrees 10 minutes right a distance of 83.2 feet to a point on said East line; thence northerly on said East line a distance of 33.0 feet to the northeast corner of said Northwest Quarter; thence westerly on the North line of said Northwest Quarter a distance of 2,633.6 feet to the point of beginning, containing 8.13 acres, more or less, which includes 0.07 acre, more or less, previously occupied as a public highway, the remaining 8.06 acres, more or less, being the additional acreage to be secured in this action.

The above described tracts shall be part of a controlled access facility as defined in Section 39-1302(6) R.R.S. 1943, and the remainder of said Lots 4, 5, and 24, and said North Half of the Northwest Quarter, which by reason of the taking herein described, now abuts on a highway where none existed theretofore, is subject to the Provisions of Section 39-1329 R.R.S. 1943, except over that portion abutting the North line of said North Half of the Northwest Quarter to be constructed as a county road as illustrated on the attached plat.

All mineral rights in the above described tracts shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface

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

Land Owners: Harry T. Cropsey and Esther G. Cropsey, husband and wife, Joint Tenants.

Tenants: Alvin Cropsey and Ruth Cropsey, husband and wife.

Existing Oil Lease: McAlester Fuel Company.

Project: F-18(10)

AFE: R-228b

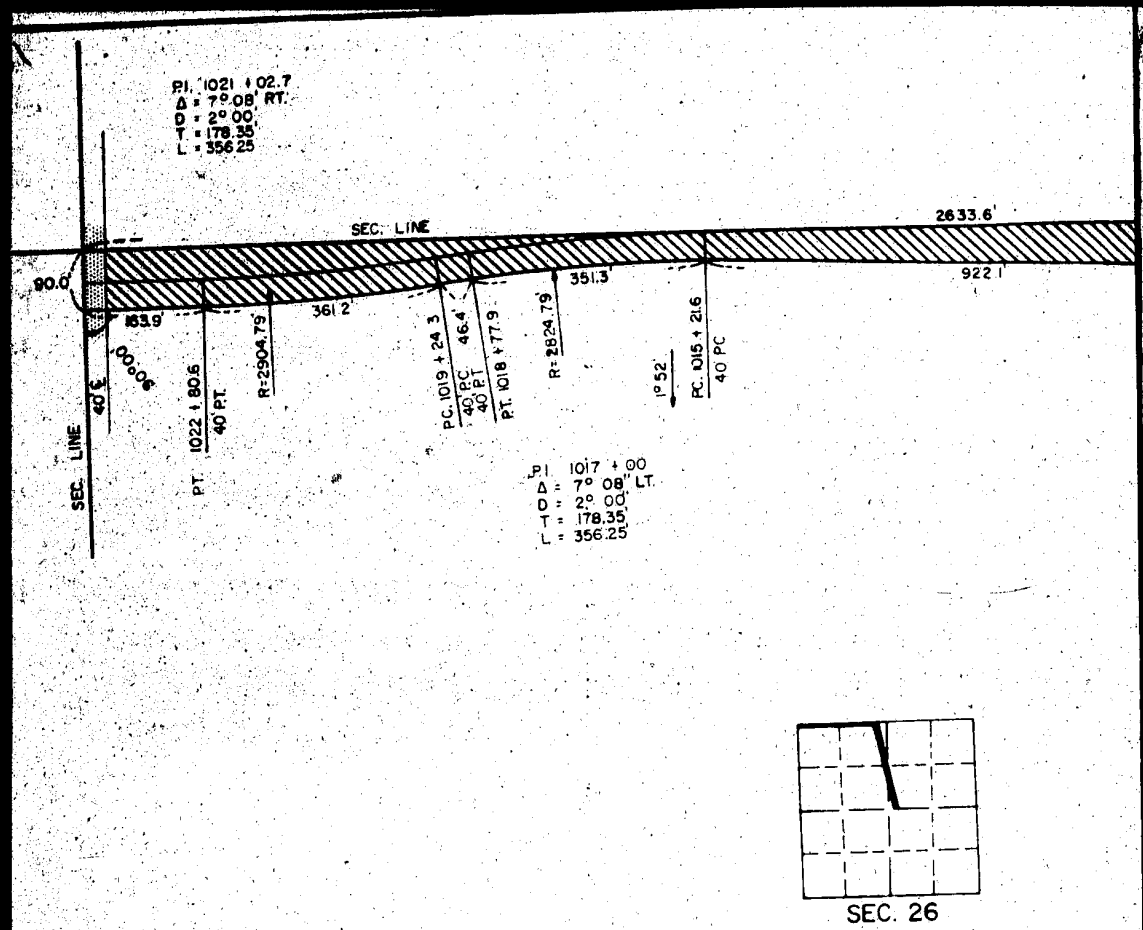
Lancaster County, Nebraska.

Page 2 of 2

of the above described tracts for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tracts.

And also, temporary easement to a tract of land and all improvements thereon, if any, for channel change purposes located in the North Half of the Northwest Quarter of Section 26, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the north quarter corner of said Section 26; thence southerly on the East line of the Northwest Quarter of said Section 26 a distance of 1,566.3 feet to a point on the westerly highway right of way line; thence northerly 169 degrees 46 minutes right and on said highway right of way line a distance of 590.2 feet to the point of beginning; thence continuing northerly on the last described course produced and on said highway right of way line a distance of 325.0 feet; thence westerly 90 degrees 00 minutes left a distance of 200.0 feet; thence south-westerly 55 degrees 18 minutes left a distance of 395.3 feet; thence easterly 124 degrees 42 minutes left a distance of 125.0 feet to the point of beginning, containing 2.33 acres, more or less, to be secured in this action.



SKETCH SHOWING  
**RIGHT OF WAY**  
**TO BE ACQUIRED**  
**FROM LAND OWNED**  
**BY**




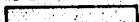
**HARRY T. & ESTHER G. CROUSEY, H. & W., J.T.**

SCALE 1" = 200'  
 TRACT 24

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

**PROJ. F-18 (10)**  
 A.F.E. R- 228 b

**LEGEND**

TEMP. EASE.		2.33.	ACRES
NEW R.O.W.		13.88	ACRES
CONTROLLED ACCESS			
PREV. ROW			ACRE

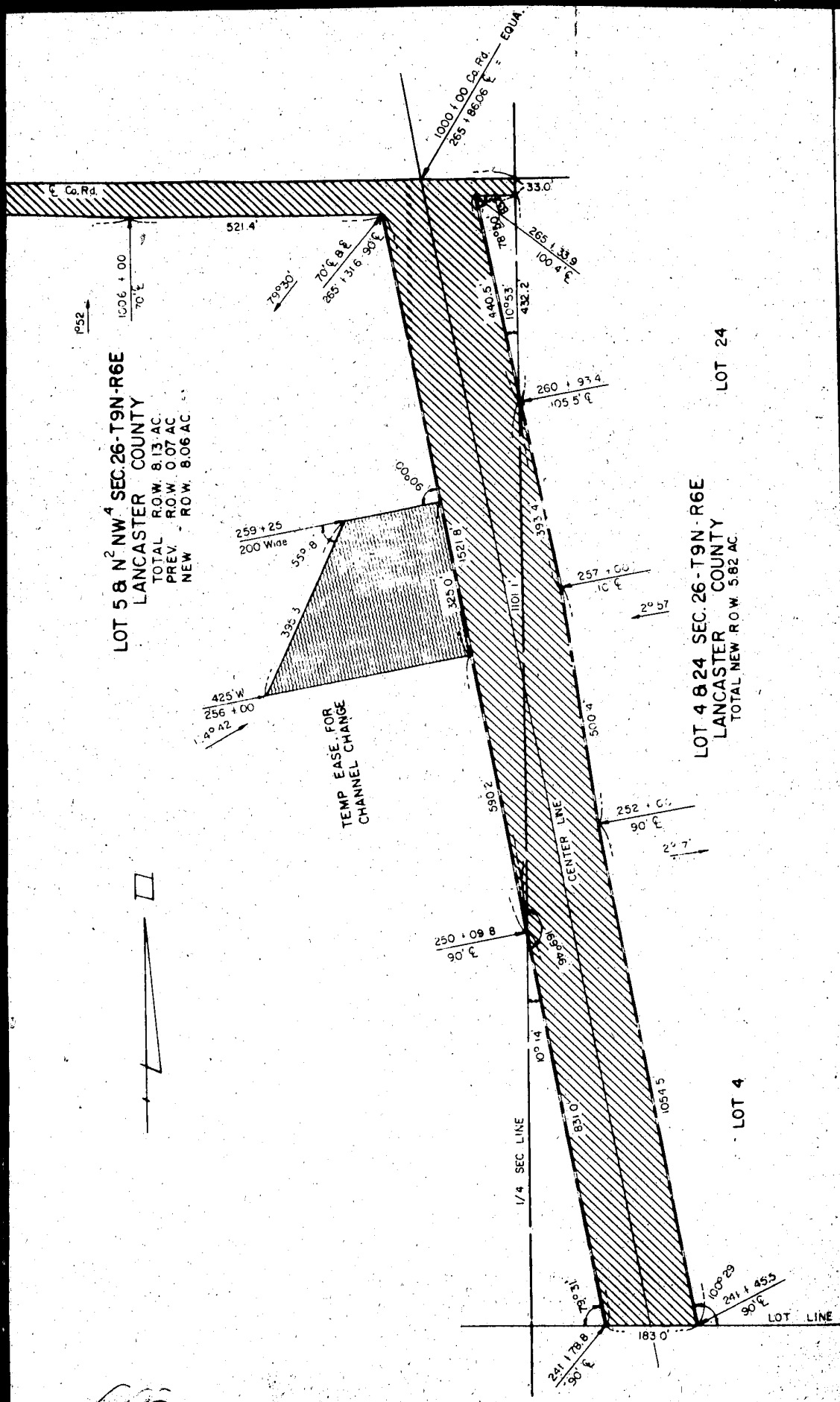
COMPUTED	BY	I.B.M.
DRAWN	BY	J.D.V. 5/65
CHECKED	BY	D.R.C. 5-65
WRITTEN	BY	W.D.B. 5-65
CHECKED	BY	C.E.S. 5-65

LOT 5 & N<sup>2</sup> NW<sup>4</sup> SEC. 26-T9N-R6E  
 LANCASTER COUNTY  
 TOTAL R.O.W. 8.13 AC.  
 PREV. R.O.W. 0.07 AC.  
 NEW R.O.W. 8.06 AC.

LOT 4 & 24 SEC. 26-T9N-R6E  
 LANCASTER COUNTY  
 TOTAL NEW R.O.W. 5.82 AC.

LOT 4

LOT 24



31

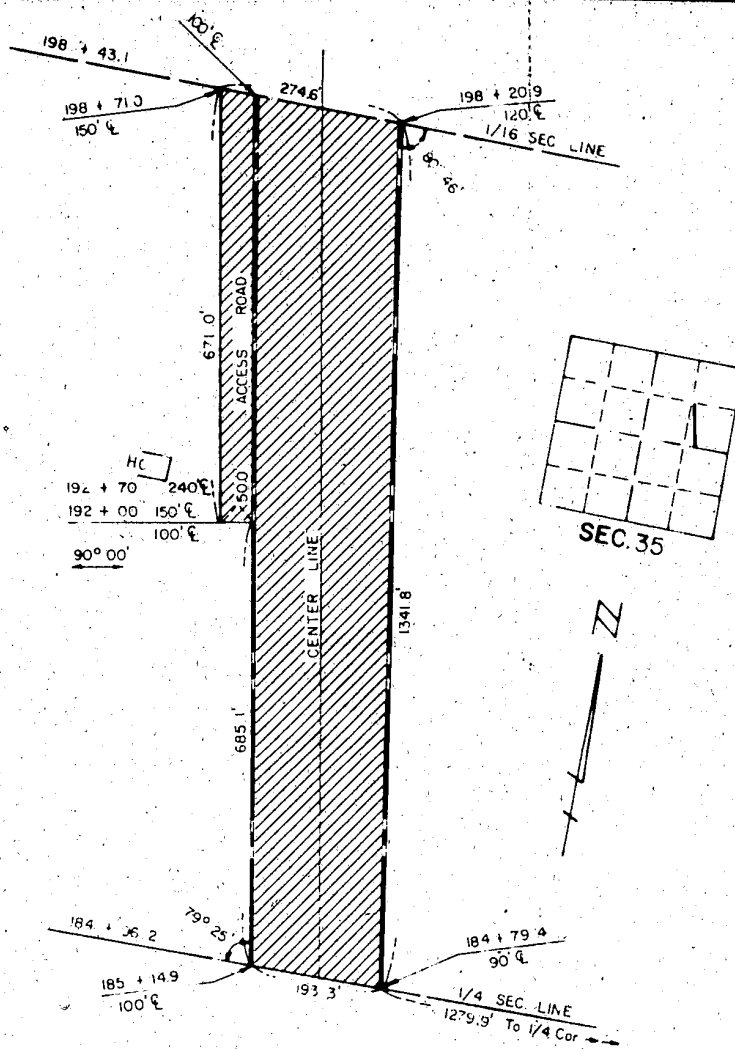
Tenants: Alvin Cropsy and Ruth Cropsy, Husband and Wife.

Project: F-18 (10)      AFB: R-226b      Lancaster County, Nebraska.

Referring to the same quarter of the same section, the line then turned westerly on the South line of the same section, to the Quarter of said Section 35, a distance of 1,000 feet; Beginning, thence containing, westerly on the same line, 193.3 feet; thence northerly 90 feet; thence easterly 695.1 feet; thence westerly 90 feet; thence southerly 30.0 feet; thence northerly 90 feet; thence easterly 370.0 feet to a point on the line of the same section, Northside Survey; thence easterly on the same line, 274.6 feet; thence southerly 90 feet; thence easterly 1,321.6 feet to the point of beginning, containing, the same loss, to be made in this year.

trained and authorized to use the equipment and to make repairs and adjustments. The Government has no right to use or enter any portion of the premises for any purpose concerning the equipment, including the removal, damage, their heirs, successors or assigns, or the use of the same, or in any way limit the use of the same for the purpose of the contract.

S<sup>2</sup> NE<sup>4</sup> SEC. 35 - T9N - R6E  
LANCASTER COUNTY



SKETCH SHOWING  
RIGHT OF WAY  
TO BE ACQUIRED  
FROM LAND OWNED  
BY  
ESTHER G. CROPSEY

SCALE 1" = 200'  
TRACT 21

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

PROJ. F-18 (10)  
A.F.E. R- 228 b

LEGEND

PREV. R.O.W.

NEW R.O.W.

CONTROLLED ACCESS

7.10

ACRES  
ACRES

COMPUTED BY  
DRAWN BY  
CHECKED BY  
WRITTEN BY  
CHECKED BY

I.B.M.  
J.D.V. 5/65  
D.R.C. 5/65  
H.D. 5/65

## CONDEMNATION

Land Owners: Harold E. Oelschlager and Arlene R. Oelschlager, husband and wife, Joint Tenants.

Mortgagee: Prudential Insurance Company.

Existing Oil Lease: McAlester Fuel Company.

Project: F-18 (10) AFE: R-228b Lancaster County, Nebraska.

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the North Half of the Northeast Quarter of Section 35, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the north quarter corner of said Section 35; thence easterly on the North line of the North Half of the Northeast Quarter of said Section 35 a distance of 612.3 feet to the point of beginning; thence continuing easterly on said North line a distance of 259.3 feet; thence southerly 79 degrees 32 minutes right a distance of 870.7 feet; thence continuing southerly 01 degree 48 minutes left a distance of 479.4 feet to a point on the South line of said North Half of the Northeast Quarter; thence westerly on said South line a distance of 274.6 feet; thence northerly 79 degrees 29 minutes right a distance of 1,346.8 feet to the point of beginning, containing 7.97 acres, more or less, which includes 0.20 acre, more or less, previously occupied as a public highway, the remaining 7.77 acres, more or less, being the additional acreage to be secured in this action.

The above described tract shall be part of a controlled access facility as defined in Section 39-1302 (6), R. R. S. 1943, and the remainder of said North Half of the Northeast Quarter, which by reason of the taking herein described, now abuts on a highway where none existed theretofore, is subject to the provisions of Section 39-1329 R. R. S. 1943, except over the existing public road along the North line of said North Half of the Northeast Quarter. Ingress and egress will be permitted over an access road to be constructed along the westerly highway right of way line at the completion of the project as illustrated on the attached plat.

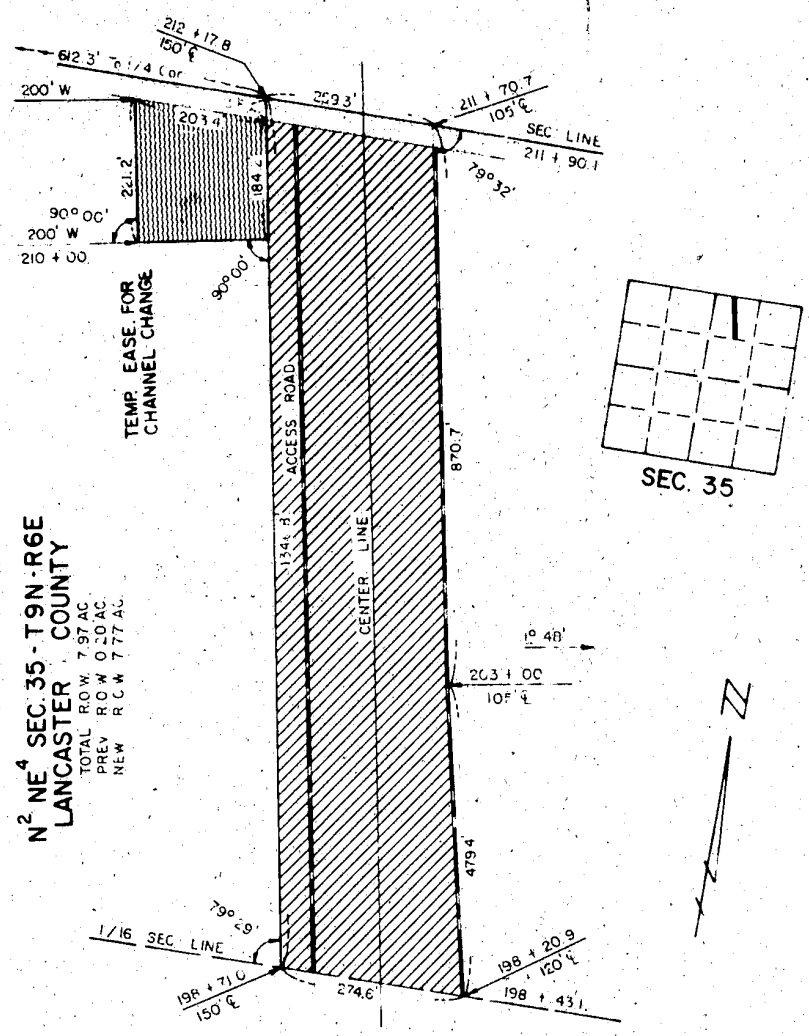
All mineral rights in the above described tract shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tract for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

And also, temporary easement to a tract of land and all improvements thereon, if any, for channel change purposes located in the North Half of the Northeast Quarter of Section 35, Township 9 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the north quarter corner of said Section 35; thence easterly on the North line of the North Half of the Northeast Quarter of said Section 35 a distance of 612.3 feet; thence southerly 79 degrees 32 minutes right a distance of 33.6 feet to the point of beginning, said point being at the intersection of the southerly existing public road right of way line and the westerly highway right of way line; thence continuing southerly on the last described course produced and on said highway right of way line a distance of 184.2 feet; thence westerly 90 degrees 00 minutes right a distance of 200.0 feet; thence northerly 90 degrees 00 minutes right a distance of 221.2 feet to a point on said existing public road right of way line; thence easterly on said existing public road right of way line a distance of 203.4 feet to the point of beginning, containing 0.93 acre, more or less, to be secured in this action.



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N<sup>2</sup> NE<sup>4</sup> SEC. 35 - T9N - R6E  
LANCASTER COUNTY  
TOTAL ROW 7.97 AC  
PREV ROW 0.20 AC  
NEW ROW 7.77 AC

SKETCH SHOWING  
RIGHT OF WAY  
TO BE ACQUIRED  
FROM LAND OWNED  
BY

HAROLD E. & ARLENE R. OELSCHLAGER, H&W. JT.

SCALE 1" = 200'  
TRACT 22

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

PROJ. F- 18 (10)  
A.F.E. R- 228 b

LEGEND

PREV. R.O.W.		
NEW R.O.W.		7.77 ACRES
TEMP. EASE.		0.93 ACRE
CONTROLLED ACCESS		

COMPUTED BY I.B.M.  
DRAWN BY J.D.V. 5-65  
CHECKED BY D.R.C. 5-65  
WRITTEN BY C.E.S. 5-65  
CHECKED BY W.D.B. 5-65

31  
CONDEMNATION

Land Owners: Carl John Guenzel and Suzanne Guenzel, husband and wife.

Project: F-13(10) AFE: R-223b Lancaster County, Nebraska.

Page 1 of 2

Fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the Southeast Quarter of Section 2, Township 3 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat, and being more particularly described as follows:

Beginning at the southeast corner of said Section 2; thence northerly on the East line of the Southeast Quarter of said Section 2 a distance of 2,609.2 feet to the northeast corner of said Southeast Quarter; thence westerly on the North line of said Southeast Quarter a distance of 121.7 feet; thence southerly 03 degrees 01 minutes left a distance of 1,125.7 feet; thence continuing southerly 01 degree 45 minutes left a distance of 1,123.2 feet to the South line of said Southeast Quarter; thence easterly on said South line a distance of 123.2 feet to the point of beginning, containing 7.92 acres, more or less, which is 12.00 acres, more or less, previously occupied as a white clay pit, the remaining 0.02 acres, more or less, being the additional acreage to be secured in this action.

There will be no ingress or egress from the above described tract of land onto the remainder of said Southeast Quarter, except over one farmstead entrance, not to exceed 10 feet in width, to provide ingress and egress to said tract of land for the owner so long as it is used consistent with normal farming activities, the centerline of which is to be located 1,125.7 feet northerly from the South line of said Southeast Quarter, and along the centerline of the highway and as illustrated on the attached plat.

Also, fee simple title to a tract of land and all improvements thereon, if any, for highway right of way purposes located in the South Half of the Northeast Quarter of Section 2, Township 3 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat, and being more particularly described as follows:

Beginning at the east quarter corner of said Section 2; thence westerly on the South line of the South Half of the Northeast Quarter of said Section 2 a distance of 121.7 feet; thence southerly 03 degrees 01 minutes right a distance of 1,123.2 feet; thence continuing southerly 03 degrees 01 minutes left a distance of 1,123.2 feet to a point on the North line of said Southeast Quarter; thence easterly 03 degrees 01 minutes right a distance of 1,123.2 feet to the northeast corner of said South Half of the Northeast Quarter; thence southerly on the East line of said South Half of the Northeast Quarter a distance of 1,123.2 feet to the point of beginning, containing 0.22 acres, more or less, which includes 0.22 acres, more or less, previously occupied as a white clay pit, the remaining 0.02 acres, more or less, being the additional acreage to be secured in this action.

There will be no ingress or egress from the above described tract of land onto the remainder of said South Half of the Northeast Quarter, except over one field entrance, not to exceed 10 feet in width, to provide for the movement of farming implements and other equipment so long as it is used consistent with normal farming activities, the centerline of which is to be located 1,123.2 feet easterly from the South line of said South Half of the Northeast Quarter, and along the centerline of the highway and as illustrated on the attached plat.

CONDEMNATION

Land Owners: Carl John Guenzel and Suzanne Guenzel, husband and wife.

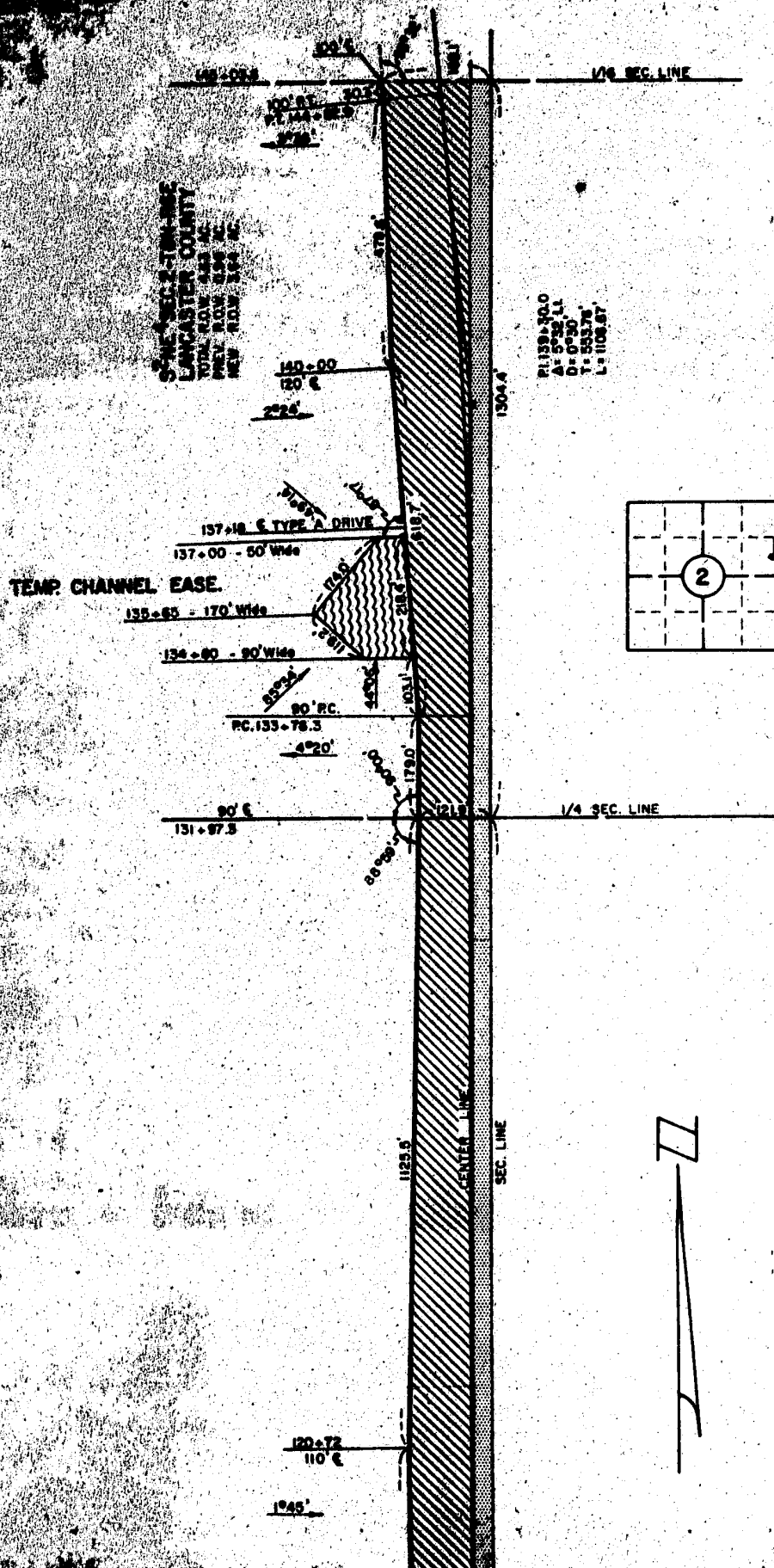
Project: F-18(10) AFE: R-223b Lancaster County, Nebraska.

Page. 2 of 2

All mineral rights in the above described tracts shall be retained and reserved to the Condemnees, their heirs, successors or assigns. The Condemnees, their heirs, successors or assigns shall have no right to use or enter the surface of the above described tracts for any purpose concerning the reserved mineral rights; nor shall the Condemnees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tracts.

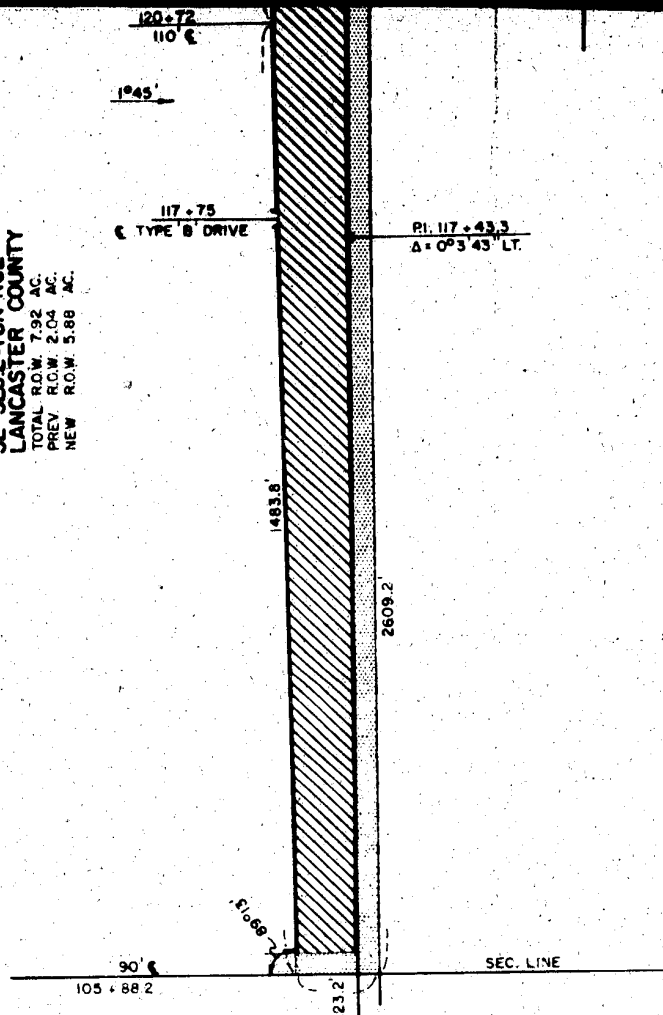
And also, temporary easement to a tract of land and all improvements thereon, if any, for channel purposes located in the South half of the Northeast Quarter of Section 2, Township 8 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the east quarter corner of said Section 2; thence westerly on the South line of the South half of the Northeast Quarter of said Section 2 a distance of 121.9 feet to a point on the westerly highway right of way line; thence northerly 90 degrees 00 minutes right and on said highway right of way line a distance of 177.0 feet; thence continuing northerly 04 degrees 20 minutes left and on said highway right of way line a distance of 103.1 feet to the point of beginning; thence continuing northerly on the last described course produced and on said highway right of way line a distance of 213.4 feet; thence westerly 37 degrees 17 minutes left a distance of 50.0 feet; thence southwesterly 49 degrees 14 minutes left a distance of 174.0 feet; thence southeasterly 35 degrees 34 minutes left a distance of 119.2 feet; thence easterly 14 degrees 06 minutes left a distance of 70.0 feet to the point of beginning, containing 0.59 acre, more or less; to be secured in this action.



SE 1/4 SEC 2-T8N-R6E  
LANCASTER COUNTY

TOTAL R.O.W. 7.92 AC.  
PREV. R.O.W. 2.04 AC.  
NEW R.O.W. 5.88 AC.



SKETCH SHOWING  
**RIGHT OF WAY  
TO BE ACQUIRED  
FROM LAND OWNED  
BY  
CARL JOHN GUENZEL**

SCALE 1" = 200'  
TRACT 13

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

**PROJ. F-18(10)**  
A.F.E. R-228D

**LEGEND**

PREV. R.O.W.		
NEW R.O.W.		9.52 ACRES
TEMP. EASE		0.59 ACRES
CONTROLLED ACCESS		

COMPUTED BY	L.B.M.
DRAWN BY	D.R.C. 6/65
CHECKED BY	R.D.V. 4/65
WRITTEN BY	C.E.S. 6/65
CHECKED BY	W.D.E. 6/65

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 described for State highway purposes by the State of Nebraska, Department of Roads in the amount of:

- To: Harry T. Gropsey and Esther G. Gropsey, husband and wife, Joint Tenants; \$ 20,150.<sup>66</sup>
- To: Alvin Gropsey, Lessee; \$ 1.<sup>00</sup>
- To: Esther G. Gropsey, Owner; Harry T. Gropsey, husband of Esther G. Gropsey; \$ 10,817.<sup>00</sup>
- To: Alvin Gropsey, Lessee; \$ 1.<sup>00</sup>
- To: Harold E. Gilschlager and Arlene E. Gilschlager, husband and wife, Joint Tenants; The Prudential Insurance Company of America, Mortgagee; \$ 9833.<sup>00</sup>
- To: Carl John Gansel, Owner; Suzanne Gansel, wife of Carl John Gansel; \$ 14,088.<sup>00</sup>

All of which is hereby respectfully submitted.

Dated this 16<sup>th</sup> day of Aug, A. D., 1965.

Jack Schmitt  
Russell O. Mott  
Appraisers

Subscribed and sworn to before me this 16 day of Aug,

A. D., 1965.

(SEAL)

Ralph W. Slocum  
County Judge

RLW-649

IN THE COUNTY COURT OF LANCASTER COUNTY NEBRASKA

STATE OF NEBRASKA )  
 ) ss. CERTIFICATE  
 LANCASTER COUNTY )

I, RALPH W. SLOCUM, Judge of the County Court of Lancaster County, do hereby certify that the foregoing is a full 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 the seal of the County Court of said County at Lincoln, Nebraska this 13 day of September 1965

(SEAL)

Ralph W. Slocum  
 County Judge  
 By Edna M. Smith  
 Clerk County Court

INDEXED 6-174, 501, 513 31  
 GENERAL INDEX  
 COMPARED  
 PAGED

STATE OF NEBRASKA } ss.  
 Lancaster County }  
 Entered on numerical Index and  
 filed for record in the Register of  
 Deeds Office of said County the  
13 day of SEPTEMBER 1965  
 at 10 o'clock and  
 minutes 00 M. and recorded in  
 Book 10 of MISC.  
 at page 2325

Kenneth L. Ferguson  
 REG. OF DEEDS  
 By \_\_\_\_\_ Deputy

2325