

Show on Lots 1-9, 18, 19, Outlot C, 66

BEFORE THE COUNTY JUDGE OF DOUGLAS COUNTY, NEBRASKA

STATE OF NEBRASKA)
DEPARTMENT OF ROADS,)
Condemner,)

Docket C-5 Page 56 Case _____

v.)

ROBERT FROST, Owner; ZELLA)
FROST, Wife of Robert Frost;)
DOUGLAS COUNTY TREASURER;)

RETURN

MARY MAC FARMS, INC., A)
Nebraska Corporation, Owner;)
DOUGLAS COUNTY TREASURER;)

OF

MALCOLM D. YOUNG and MARY B.)
YOUNG, Husband and Wife,)
Joint Tenants; METROPOLITAN)
LIFE INSURANCE, Mortgagee;)
DOUGLAS COUNTY TREASURER;)

APPRAISERS

THOMAS H. FRITZ and ELEANOR M.)
FRITZ, Husband and Wife, Con-)
tract Sellers; W. BURTON)
SMITH and JANET S. SMITH,)
Husband and Wife, Contract)
Buyers; DOUGLAS COUNTY)
TREASURER;)

BRUHN'S PACKING COMPANY, A)
Nebraska Corporation, Owner;)
DOUGLAS COUNTY TREASURER;)

Condemnees.)

TO THE COUNTY JUDGE OF 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 or Deputy Sheriff of Douglas County, Nebraska, on the 14 day of May 1980, 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:

Project: RF-64-7(101)

A/E: R-299

Douglas County

Tract: 3

CONDEMNATION

OWNER: Robert Frost, S.O.
Spouse-Zella

TRACT 3

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 THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

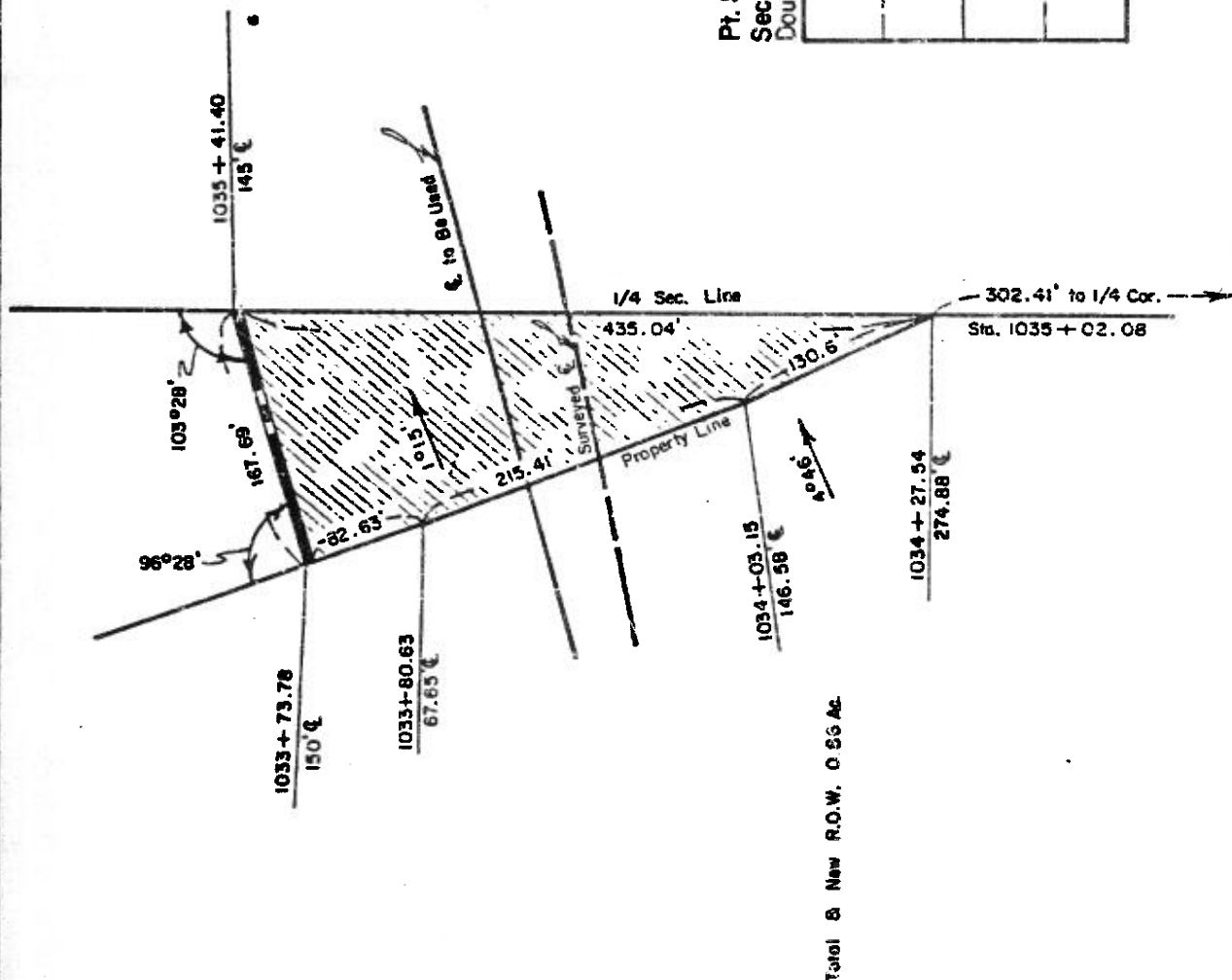
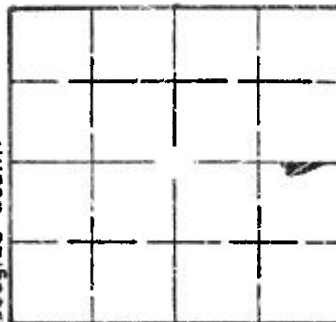
REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 302.41 FEET ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 435.04 FEET ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE WESTERLY DEFLECTING 103 DEGREES, 28 MINUTES LEFT, A DISTANCE OF 167.69 FEET TO A POINT ON THE CENTERLINE OF THE ELKHORN RIVER; THENCE SOUTHERLY DEFLECTING 096 DEGREES, 28 MINUTES LEFT, A DISTANCE OF 82.63 FEET ALONG SAID LINE; THENCE SOUTHERLY DEFLECTING 001 DEGREES, 15 MINUTES LEFT, A DISTANCE OF 215.41 FEET ALONG SAID LINE; THENCE SOUTHEASTERLY DEFLECTING 004 DEGREES, 46 MINUTES LEFT, A DISTANCE OF 130.60 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 0.86 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER QUARTER SECTION.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEDS AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEDS 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 MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY. DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



Pt. SE⁴ SW⁴
 Sec. 3-T15N-R10E
 Douglas County



PLAT SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND OWNED BY
ROBERT FROST, S.O.
SPOUSE-ZELLA

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

TRACT NO. 3 SCALE 1" = 100'

PROJECT NO RF-64-7(101)
 AFE R-299

- PREV. R.O.W.
- NEW R.O.W.
- TEMP EASE.
- PERM EASE.
- CONTROLLED ACCESS

0.86 ACRE

DRAWN BY BLH 8-17-79
 CHECKED BY J.E.T. 8-20-79
 COMPUTED BY [Signature]
 WRITTEN BY [Signature]
 CHECKED BY [Signature] 8-20-79

Project: RF-64-7(101)

R-299

Douglas County

Tract: 6

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

OWNER: Mary MacFarms, Inc., S.O.

PROJECT F -64-7(101) TRACT 6

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 976.06 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 102.81 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 089 DEGREES, 39 MINUTES LEFT, A DISTANCE OF 772.68 FEET; THENCE NORTHWESTERLY DEFLECTING 048 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 75.80 FEET TO A POINT ON THE SOUTHEASTERLY EXISTING PUBLIC ROAD RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 065 DEGREES, 10 MINUTES LEFT, A DISTANCE OF 91.12 FEET; THENCE WESTERLY DEFLECTING 004 DEGREES, 37 MINUTES RIGHT, A DISTANCE OF 411.73 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER; THENCE SOUTHERLY DEFLECTING 078 DEGREES, 25 MINUTES LEFT, A DISTANCE OF 167.65 FEET ALONG SAID LINE TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 108 DEGREES, 46 MINUTES LEFT, A DISTANCE OF 249.16 FEET ALONG THE CENTERLINE OF SAID EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 009 DEGREES, 06 MINUTES RIGHT, A DISTANCE OF 101.61 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 008 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 200.09 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 000 DEGREES, 52 MINUTES RIGHT, A DISTANCE OF 200.02 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 000 DEGREES, 21 MINUTES LEFT, A DISTANCE OF 577.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 3.92 ACRES, MORE OR LESS, WHICH INCLUDES 1.35 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 EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 1078.86 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 089 DEGREES, 39 MINUTES LEFT, A DISTANCE OF 772.68 FEET; THENCE NORTHWESTERLY DEFLECTING 048 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 75.80 FEET TO THE POINT OF TERMINATION; THENCE WESTERLY DEFLECTING 065 DEGREES, 10 MINUTES LEFT, A DISTANCE OF 91.12 FEET TO THE POINT OF RESUMPTION; THENCE WESTERLY DEFLECTING 004 DEGREES, 37 MINUTES RIGHT, A DISTANCE OF 411.73 FEET TO THE POINT OF TERMINATION; EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE EAST LINE(S) OF SAID QUARTER SECTION.

Project: RF-64-7(101)

AFE: R-299

Douglas County

Tract: 6

AND ALSO:

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 976.06 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 102.81 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 090 DEGREES, 04 MINUTES RIGHT, A DISTANCE OF 820.38 FEET TO A POINT ON THE EAST LINE OF THE PROPERTY OWNED BY THE CONDEEMEE(S); THENCE SOUTHERLY DEFLECTING 089 DEGREES, 56 MINUTES RIGHT, A DISTANCE OF 90.50 FEET ALONG SAID LINE TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE WESTERLY DEFLECTING 089 DEGREES, 13 MINUTES RIGHT, A DISTANCE OF 820.46 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 1.82 ACRES, MORE OR LESS, WHICH INCLUDES 0.62 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION, EXCEPT, OVER ONE FUTURE UNRESTRICTED DRIVE(S), NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED ON THE WEST LINE(S) OF SAID QUARTER SECTION.

AND ALSO:

EXCEPT, OVER ONE CONDITIONAL RESTRICTED ACCESS(ES), SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW, THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED ON THE WEST LINE(S) OF SAID EAST HALF OF THE SOUTHEAST QUARTER.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT; SUCH COUNT TO BE FOR A MINIMUM 9-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY, THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS, IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTOR DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

Project: RF-64-7(101)

R-299

Douglas County

Tract: 6

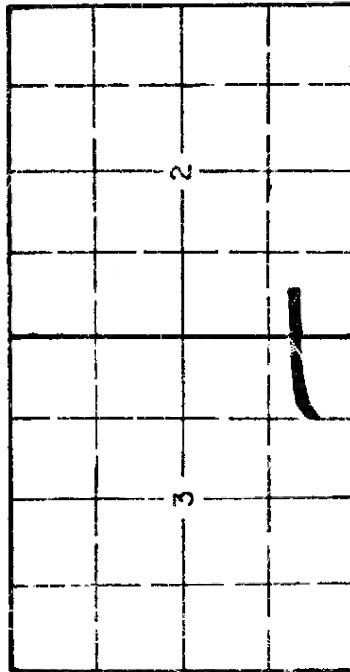
AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 1078.86 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 089 DEGREES, 38 MINUTES LEFT, A DISTANCE OF 772.68 FEET; THENCE NORTHWESTERLY DEFLECTING 048 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 75.80 FEET; THENCE WESTERLY DEFLECTING 065 DEGREES, 10 MINUTES LEFT, A DISTANCE OF 91.12 FEET; THENCE WESTERLY DEFLECTING 004 DEGREES, 37 MINUTES RIGHT, A DISTANCE OF 381.73 FEET TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER; THENCE NORTHERLY DEFLECTING 101 DEGREES, 35 MINUTES RIGHT, A DISTANCE OF 35.58 FEET ALONG SAID LINE; THENCE SOUTHEASTERLY DEFLECTING 135 DEGREES, 09 MINUTES RIGHT, A DISTANCE OF 41.68 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES, MORE OR LESS.

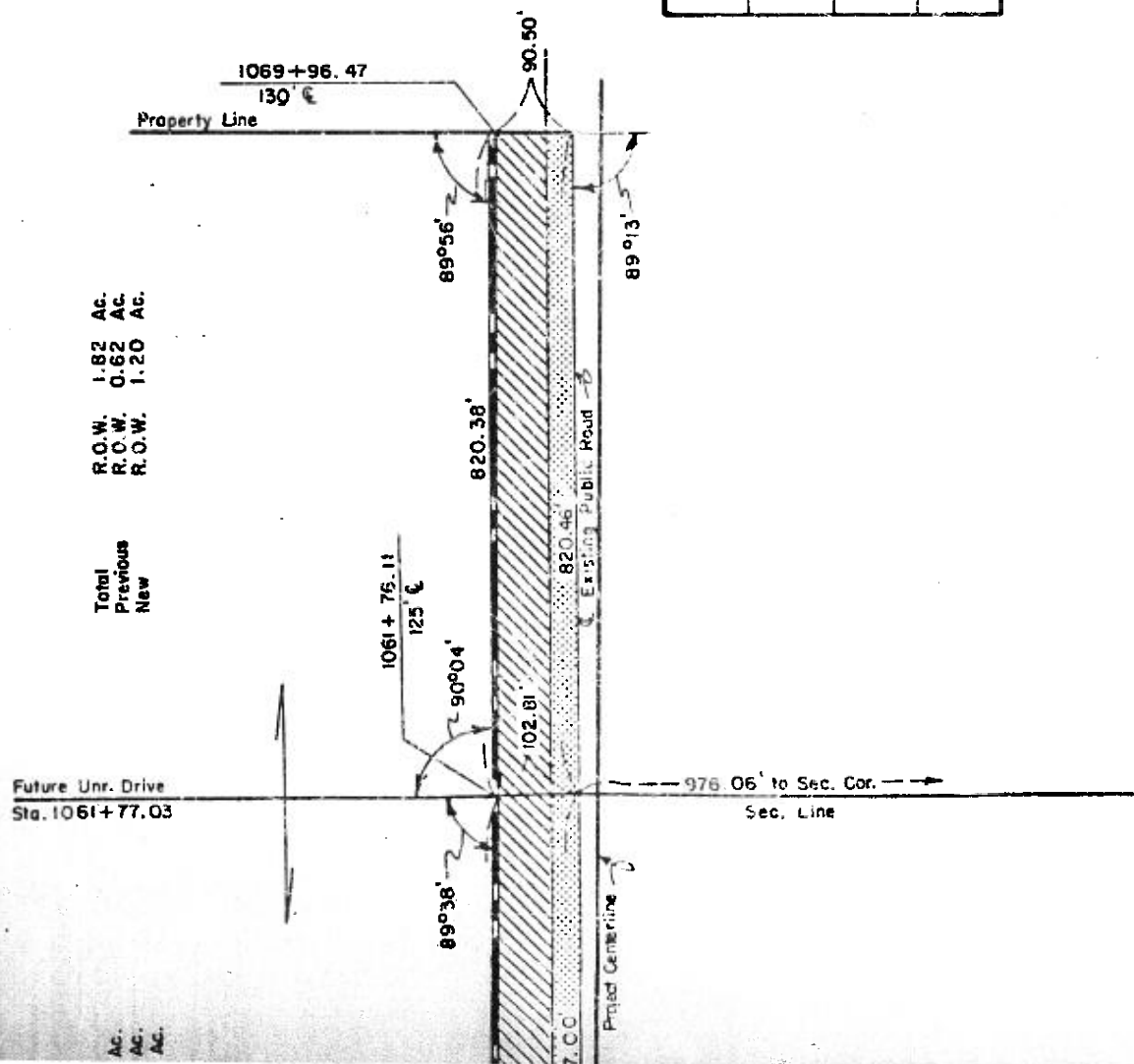
ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



Pt. SE⁴ Sec. 3 & Pt. SW⁴ Sec. 2 all in T15N - R10E Douglas County

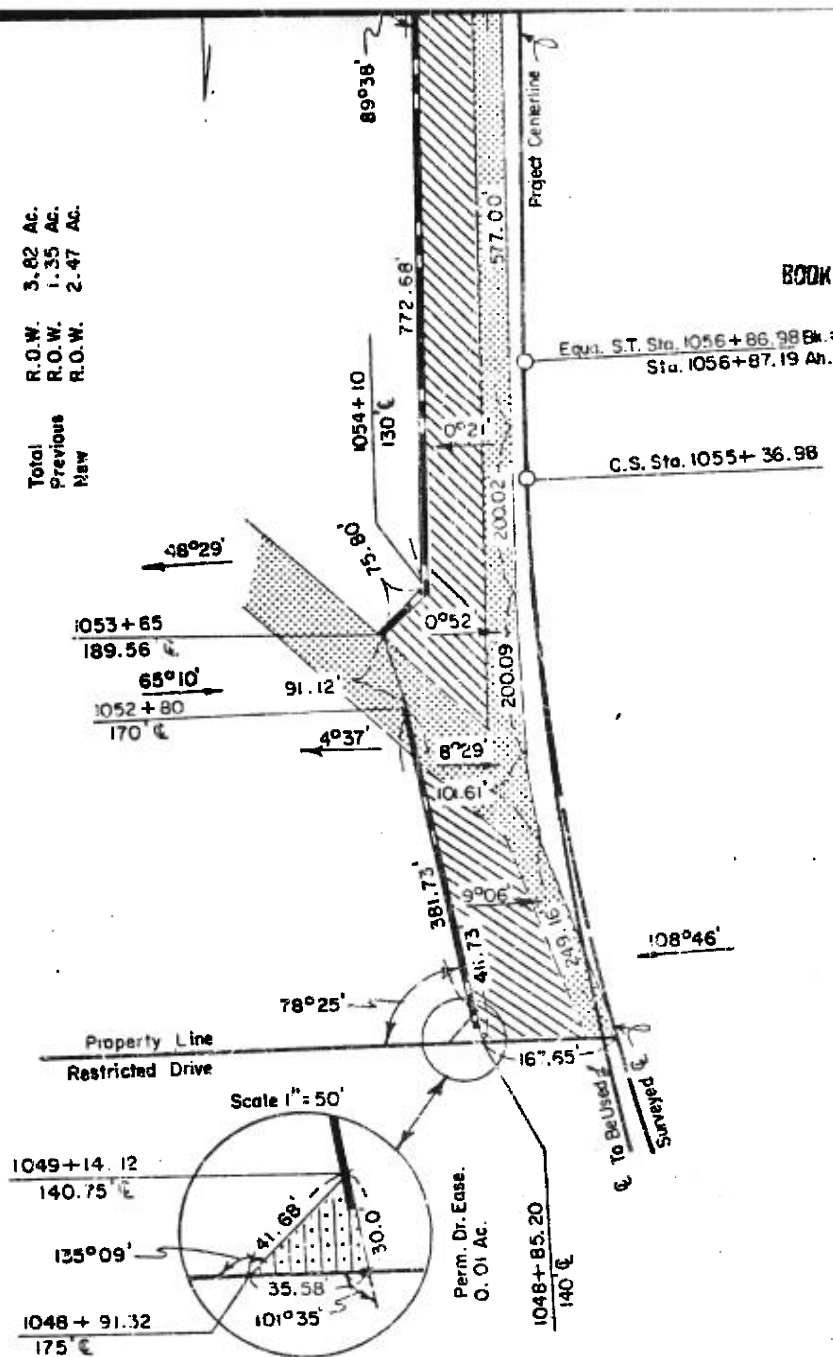


2



11

Total	3.82	Ac.
Previous	1.35	Ac.
New	2.47	Ac.



P.I. Sta. 1050 + 86.68 (Shifted ϵ)
 Sta. 1050 + 90.5 (Surveyed ϵ)
 $A = 15^{\circ}48'03.3''$
 $Dc = 16.30'$
 $T = 605.1'$
 $Cs = 1^{\circ}07'30''$
 $Lc = 903.40'$
 $Ls = 150.0'$
 $Lr = 100.0'$
 $S.T. = 50.0'$

PLAT SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND OWNED BY
MARY MacFARMS, INC., S.O.

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

TRACT NO. 6 SCALE 1" = 200'
 PROJECT NO. RF-64-7(101)
 AFE R-299

PREV. R.O.W.		3.67	ACRES
NEW R.O.W.		0.01	ACRE
TEMP. EASE.			
PERM. EASE.			
CONTROLLED ACCESS			

DRAWN BY BLH 9-24-79
 CHECKED BY J.E.T. 9-24-79
 COMPUTED BY
 WRITTEN BY
 CHECKED BY

Project: RF-64-7(101)

AFE: R-299

Douglas County

Tract:

Proj

CONDEMNATION

OWNER: Malcolm D. and Mary B. Young, H. & W., J.T.

MORTGAGEE: Metropolitan Life Insurance

PROJECT RF-64-7(101) TRACT 10

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE EAST 20.0 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 976.06 FEET ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 089 DEGREES, 13 MINUTES RIGHT, A DISTANCE OF 1321.35 FEET ALONG SAID LINE TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 20.00 FEET ALONG SAID LINE TO A POINT ON THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 34 MINUTES RIGHT, A DISTANCE OF 120.49 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 090 DEGREES, 38 MINUTES RIGHT, A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE NORTHERLY DEFLECTING 089 DEGREES, 22 MINUTES RIGHT, A DISTANCE OF 120.07 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 0.06 ACRES, MORE OR LESS, WHICH INCLUDES 0.02 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER QUARTER SECTION, EXCEPT, OVER ONE CONDITIONAL RESTRICTED ACCESS(ES), SUCH ACCESS IS TO BE PERMITTED ONLY IF IT DOES NOT EXCEED 40 FEET IN WIDTH, AND ONLY SO LONG AS TRAFFIC UPON SUCH ACCESS(ES) DOES NOT EXCEED 10 VEHICLE MOVEMENTS PER HOUR AS DETERMINED BY THE DEPARTMENT OF ROADS IN ACCORDANCE WITH THE PROCEDURES INDICATED BELOW. THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED 1332.97 FEET FROM THE WEST LINE OF SAID QUARTER QUARTER SECTION AS MEASURED ALONG THE PROJECT CENTERLINE.

FOR THE PURPOSE OF THIS INSTRUMENT, THE 10 VEHICLE MOVEMENTS PER HOUR WILL BE MEASURED AND DETERMINED BY THE FOLLOWING PROCEDURE: UPON ITS OWN DETERMINATION OR WHENEVER TRAFFIC CONGESTION OCCURS AT A RESTRICTED ACCESS, THE DEPARTMENT MAY MAKE A TRAFFIC COUNT, SUCH COUNT TO BE FOR A MINIMUM 8-HOUR PERIOD DURING THE HOURS OF 7 AM TO 9 AM, 10 AM TO 1 PM, 3 PM TO 6 PM, AND, IN ADDITION, FOR ANY OTHER PEAK HOURS PECULIAR TO THE HIGHWAY, THE AVERAGE HOURLY TRAFFIC WILL BE DETERMINED BY DIVIDING THE TOTAL NUMBER OF VEHICLE MOVEMENTS RECORDED DURING THE TIME PERIODS BY THE LENGTH OF THE TIME PERIODS IN HOURS. IN THE EVENT ANY OF THE PEAK HOUR VEHICLE COUNTS EXCEEDS THE AVERAGE BY A FACTOR OF 1.5, THE HIGHER FIGURE MAY BE USED TO DETERMINE THE NUMBER OF VEHICLE MOVEMENTS FOR THE ACCESS POINT.

PROVIDED THAT THE GRANTOR DOES COVENANT AND AGREE THAT SHOULD HE OR HIS SUCCESSORS IN TITLE FAIL AND REFUSE TO KEEP OR PERFORM THE PROVISIONS LIMITING TRAFFIC IN SUCH ACCESS TO 10 VEHICLE MOVEMENTS PER HOUR, BY EXCEEDING THIS AMOUNT ON FIVE OR MORE SEPARATE OCCASIONS WITHIN A CONTINUOUS THREE-MONTH PERIOD, HE, OR HIS SUCCESSORS IN TITLE, WILL BE CONSIDERED IN VIOLATION OF THE TERMS OF THIS INSTRUMENT AND SUBJECT TO APPROPRIATE PROCEEDINGS AT LAW OR IN EQUITY FOR ITS ENFORCEMENT.

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Project: RF-64-7(101)

AFE: R-299

Douglas County

Tract: 10

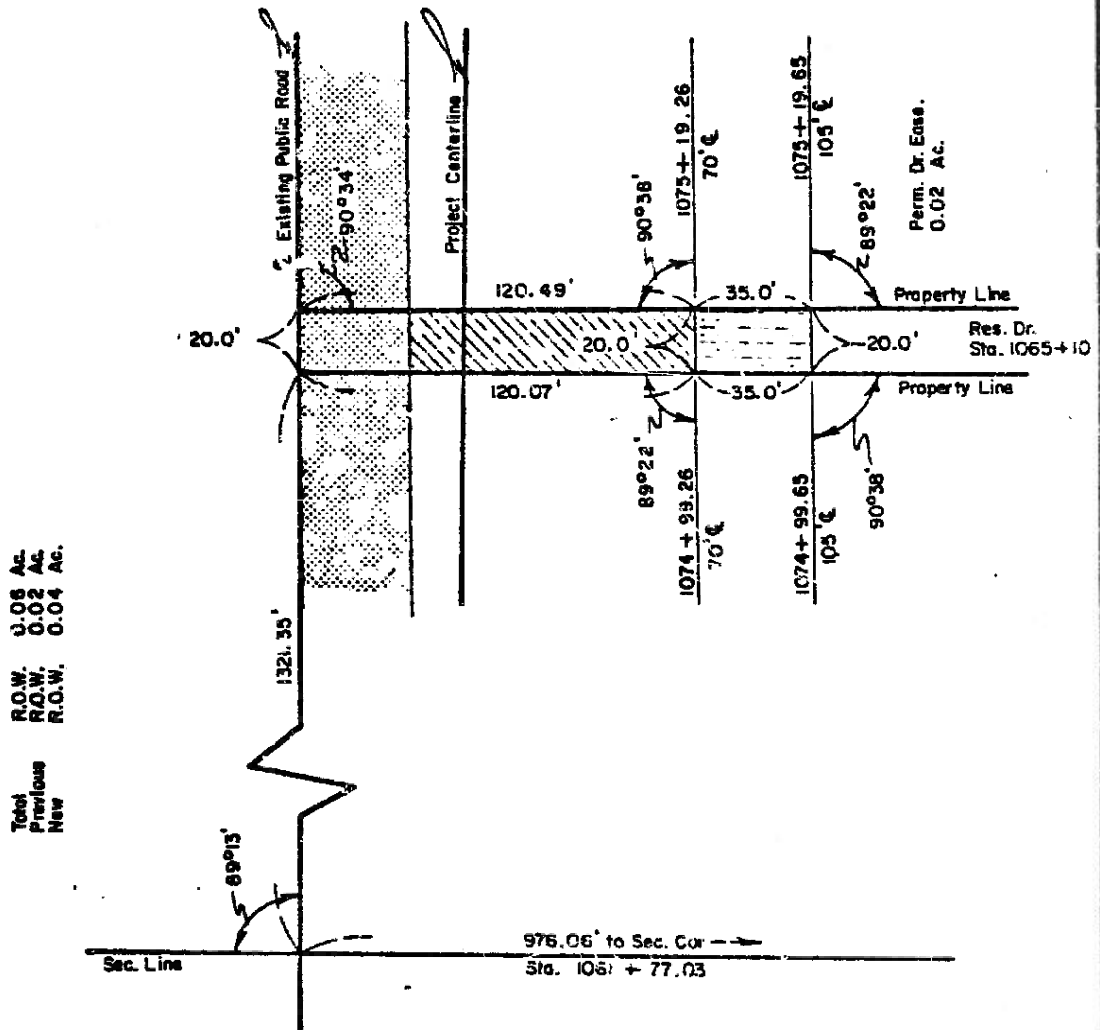
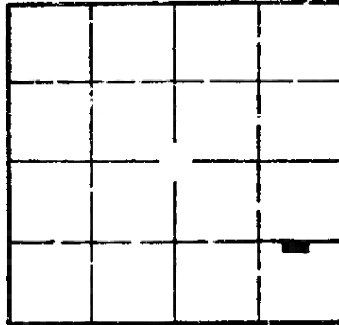
AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE PURPOSES, LOCATED IN THE EAST 20.0 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 776.06 FEET ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE CENTERLINE OF THE EXISTING PUBLIC ROAD; THENCE EASTERLY DEFLECTING 089 DEGREES, 13 MINUTES RIGHT, A DISTANCE OF 1341.35 FEET ALONG SAID LINE TO A POINT ON THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 34 MINUTES RIGHT, A DISTANCE OF 120.49 FEET ALONG SAID LINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 35.00 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 090 DEGREES, 38 MINUTES RIGHT, A DISTANCE OF 20.00 FEET TO A POINT ON THE WEST LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE NORTHERLY DEFLECTING 089 DEGREES, 22 MINUTES RIGHT, A DISTANCE OF 35.00 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 38 MINUTES RIGHT, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.02 ACRES, MORE OR LESS.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEDS AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEDS 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 MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



E. 20' SW 4 SW 4
 Sec. 2-T15N-R10E
 Douglas County



Total
 Previous
 New

0.06 Ac.
 0.02 Ac.
 0.04 Ac.

R.O.W.
 R.O.W.
 R.O.W.

976.06' to Sec. Cor ->
 Sta. 1065+77.03

PLAT SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND OWNED BY
MALCOLM D. & MARY B.
YOUNG, H.&W., J.T.

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

TRACT NO. 10 SCALE 1" = 50'
 PROJECT NO. RF-64-7(101)
 AFE R-299

PREV. R.O.W.			
NEW R.O.W.		0.04	ACRE
TEMP. EASE.			
PERM. EASE.		0.02	ACRE
CONTROLLED ACCESS			

DRAWN BY BLH 9-19-79
 CHECKED BY *U.S.M.* 9-21-79
 COMPUTED BY *I.B.M.*
 WRITTEN BY *I.B.M.*
 CHECKED BY *P.K.* 9-25-79

Project: RF-64-7(101)

AFE: R-299

Douglas County

Tract: 16

CONDEMNATION

BUYER: W. Burton and Janet S. Smith

SELLERS: Thomas H. and Eleanor M. Fritz

PROJECT RF-64-7(101) TRACT 16

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

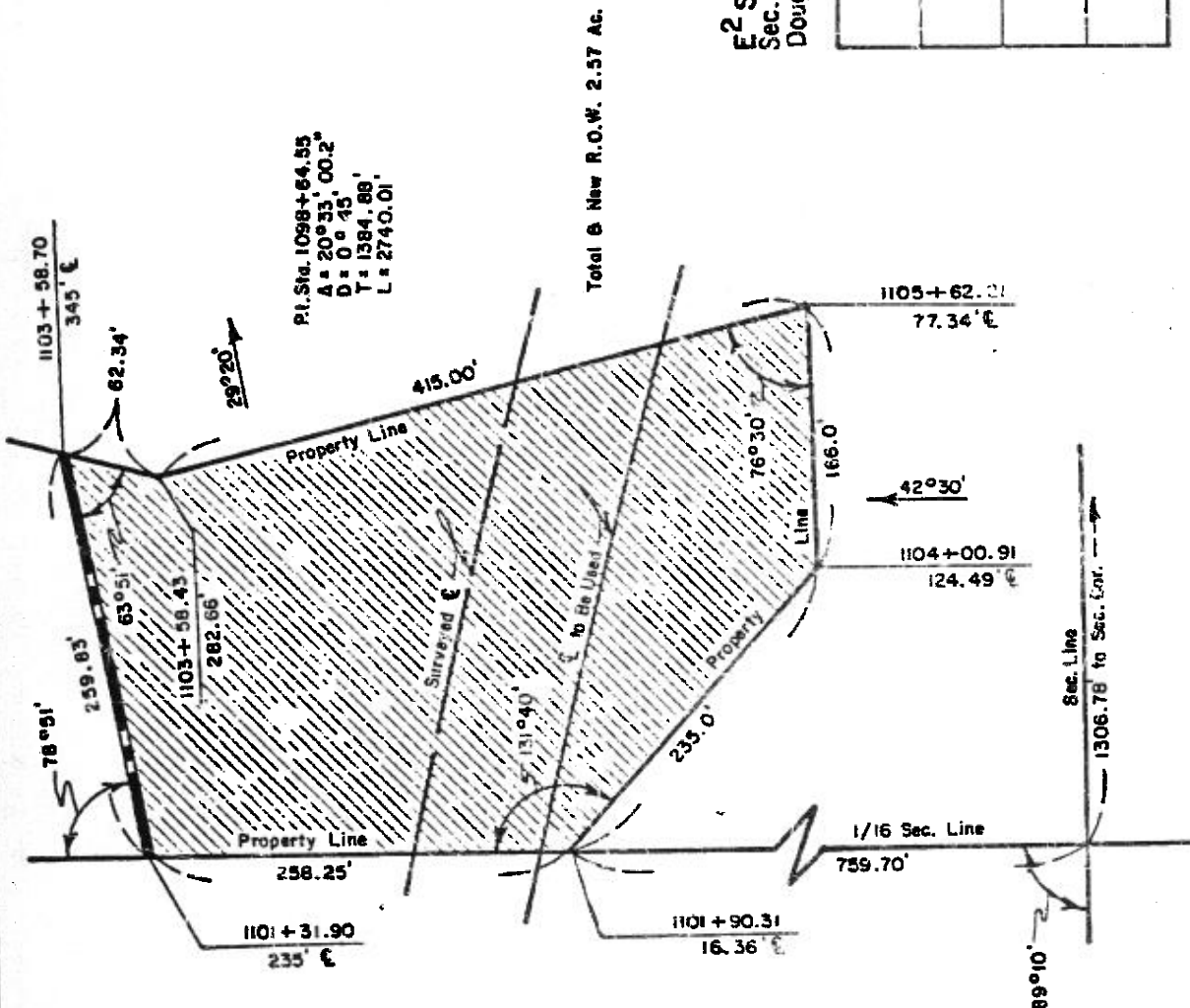
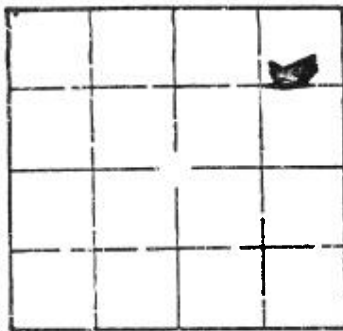
REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE WESTERLY A DISTANCE OF 1306.78 FEET ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE SOUTHWEST CORNER OF SAID EAST HALF OF THE SOUTH EAST QUARTER; THENCE NORTHERLY DEFLECTING 089 DEGREES, 10 MINUTES RIGHT, A DISTANCE OF 759.70 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 259.25 FEET ALONG SAID LINE; THENCE EASTERLY DEFLECTING 078 DEGREES, 51 MINUTES RIGHT, A DISTANCE OF 259.83 FEET TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 116 DEGREES, 09 MINUTES RIGHT, A DISTANCE OF 62.34 FEET ALONG SAID LINE; THENCE SOUTHERLY DEFLECTING 029 DEGREES, 20 MINUTES LEFT, A DISTANCE OF 415.00 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 103 DEGREES, 30 MINUTES RIGHT, A DISTANCE OF 166.00 FEET ALONG SAID LINE; THENCE NORTHWESTERLY DEFLECTING 042 DEGREES, 30 MINUTES RIGHT, A DISTANCE OF 235.00 FEET ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 2.57 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEES AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEES 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 MINERAL RIGHTS, NOR SHALL SAID CONDEMNEES AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



E2SE2
Sec. 2--T15N--R10E
Douglas County



PLAT SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY
BUYERS--W. BURTON & JANET S. SMITH
SELLERS--THOMAS H. & ELEANOR M. FRITZ

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

TRACT NO. 16

SCALE 1"=100'

PROJECT NO. RF-64-7(101)
AFE R-299

- PREV. R.O.W.
- NEW R.O.W.
- TEMP. EASE.
- PERM. EASE.
- CONTROLLED ACCESS

2.57 ACRES

DRAWN BY BLH 8-17-79
CHECKED BY J.E.H. 8-17-79
COMPUTED BY IBT
WRITTEN BY IBT
CHECKED BY

Project: RF-64-7(101)

AFE: R-299

Douglas County

Tract: 50

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

OWNER: Bruhn's Packing Co.

PROJECT RF-64-7(101) TRACT 50

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 33.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 089 DEGREES, 42 MINUTES LEFT, A DISTANCE OF 1553.39 FEET ALONG THE SOUTHERLY EXISTING PUBLIC ROAD RIGHT OF WAY LINE TO A POINT ON THE EAST LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S); THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES RIGHT, A DISTANCE OF 27.07 FEET ALONG SAID LINE; THENCE WESTERLY DEFLECTING 084 DEGREES, 16 MINUTES RIGHT, A DISTANCE OF 250.64 FEET; THENCE WESTERLY DEFLECTING 003 DEGREES, 10 MINUTES RIGHT, A DISTANCE OF 382.95 FEET; THENCE WESTERLY DEFLECTING 001 DEGREES, 55 MINUTES RIGHT, A DISTANCE OF 621.30 FEET TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 090 DEGREES, 21 MINUTES RIGHT, A DISTANCE OF 89.47 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 2.51 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID QUARTER SECTION, EXCEPT, OVER ONE UNRESTRICTED DRIVE(S) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS, ARE) LOCATED 860.36 FEET FROM THE WEST LINE OF QUARTER SECTION AS MEASURED ALONG THE PROJECT CENTERLINE.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CHANNEL CLEANOUT PURPOSES, LOCATED IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 10 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

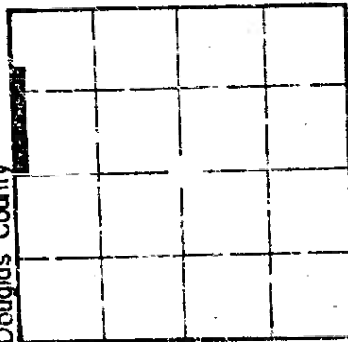
REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 122.48 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 090 DEGREES, 21 MINUTES LEFT, A DISTANCE OF 174.64 FEET TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 50.00 FEET; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 01 MINUTES RIGHT, A DISTANCE OF 35.08 FEET; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES RIGHT, A DISTANCE OF 50.00 FEET; THENCE NORTHERLY DEFLECTING 090 DEGREES, 00 MINUTES RIGHT, A DISTANCE OF 35.07 FEET TO THE POINT OF BEGINNING CONTAINING 0.04 ACRES, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF PROJECT RF-64-7(101), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



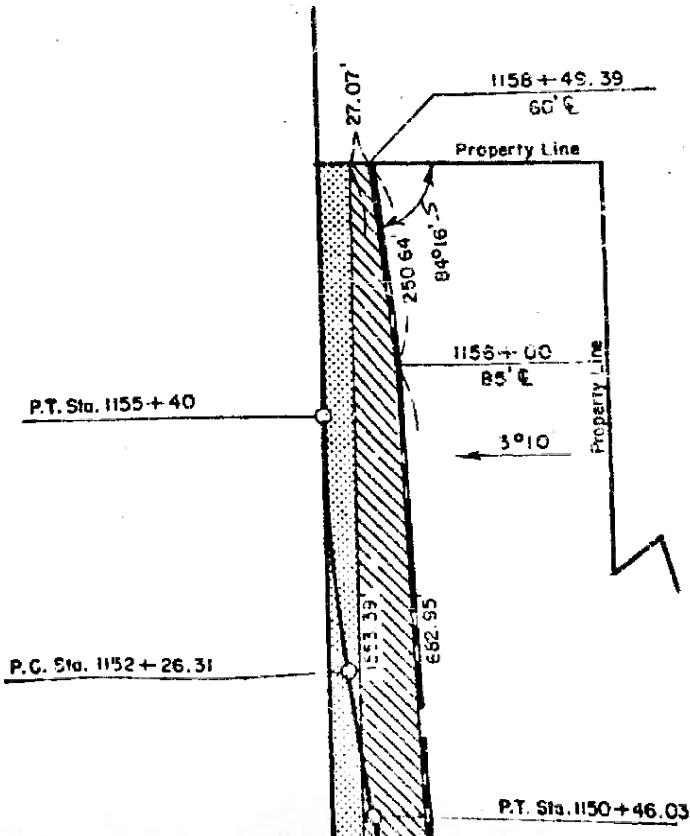
Outlot 2, Blk. 4, Suburban James
Add. No. 2 B, Pt. NE 4
Sec. 12-T15N-R10E
Douglas County



2

STATE
DEPART
RIGHT
LINCOL

PREV.
NEW F
TEMP
PERM.
CONF

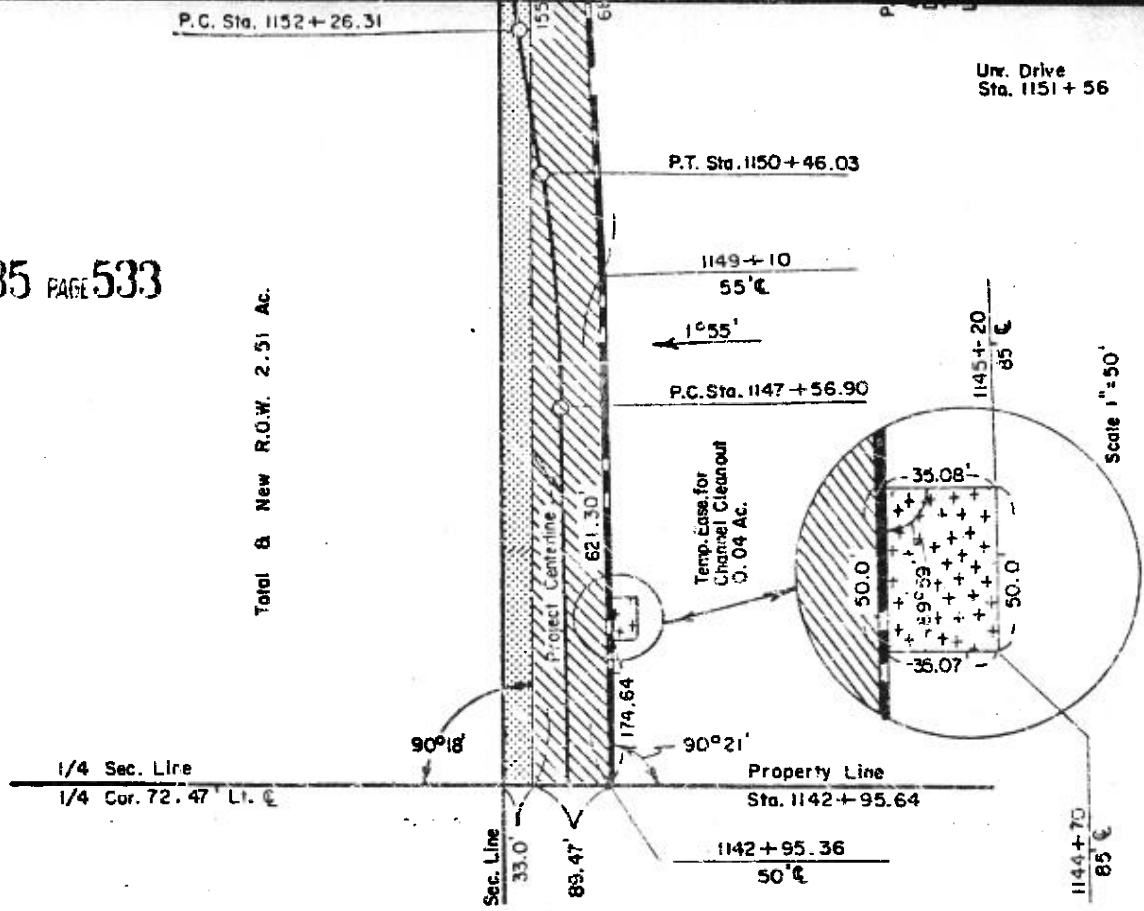


P.I. Sta. 1153+83.40
A = 7°50' 31.8"
D = 2030'
T = 157.09'
L = 313.69'

Unr. Drive
Sta. 1151+56

BOOK 635 PAGE 533

Total & New R.O.W. 2.51 Ac.



PLAT SHOWING
RIGHT OF WAY
 TO BE ACQUIRED FROM LAND OWNED BY
BRUHN'S PACKING CO.
A NEBR. CORP.

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

TRACT NO. 50 SCALE 1"=200'

PROJECT NO. RF-64-7(101)
 AFE R-299

PREV. R.O.W. 
 NEW R.O.W.  2.51 ACRES
 TEMP. EASE.  0.04 ACRE
 PERM. EASE. 
 CONTROLLED ACCESS 

DRAWN BY BLH 9-24-79
 CHECKED BY J.E.T. 9-24-79
 COMPUTED BY
 WRITTEN BY
 CHECKED BY

2

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:

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 3 \$ 1100⁰⁰

Award to be distributed as follows:

To: Robert Frost, Owner; \$ 963⁷²
 Zella Frost, Wife of Robert Frost; \$ - 0 -
 Douglas County Treasurer; \$ 136²⁸

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 6 \$ 10,800⁰⁰

Award to be distributed as follows:

To: Mary Mac Farms, Inc., A Nebraska Corporation, Owner; \$ 10,555⁰⁵
 Douglas County Treasurer; \$ 244⁹⁵

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 10 \$ 200⁰⁰

Award to be distributed as follows:

To: Malcolm D. Young and Mary B. Young, Husband and Wife, Joint Tenants; \$ 197⁵⁴
 Metropolitan Life Insurance, Mortgagee; \$ - 0 -
 Douglas County Treasurer; \$ 246

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 16 \$ 13,500⁰⁰

Award to be distributed as follows:

To: Thomas H. Fritz and Eleanor M. Fritz, Husband and Wife, Contract Sellers, *per request of Sellers.* \$ None
 W. Burton Smith and Janet S. Smith, Husband and Wife, Contract Buyers; \$ 13,403⁰⁵
 Douglas County Treasurer; \$ 96⁹⁵

TOTAL AMOUNT AWARDED FOR ACQUISITION OF TRACT 50 \$ 21,000⁰⁰/₂

Award to be distributed as follows:

To: Bruhn's Packing Company, A Nebraska Corporation, Owner;	\$ <u>20,931⁵⁶</u>
Douglas County Treasurer;	\$ <u>6844</u>

All of which is hereby respectfully submitted.

Dated this 4th day of June A.D. 1980.

[Signature]

Robert A. Hartwig

Milo A. Konopik

Appraisers

Subscribed and sworn to before me this ___ day of
_____, A.D. 19__.

(SEAL)

County Judge

Filed: June 9th, 1980.