

25-15-11

Docket 04 Page 169 Case _____

STATE OF NEBRASKA
DEPARTMENT OF ROADS,

Condemner,

v.

BOETEL PROPERTIES, INC., A Neb-
raska Corporation, Owner; NORTH-
WESTERN MUTUAL LIFE INSURANCE
COMPANY, THE NATIONAL BANK OF
COMMERCE TRUST AND SAVINGS OF
LINCOLN, NEBRASKA, CLERMONT
COURT, INC., A Nebraska Corpor-
ation, and MORAMERICA MORTGAGE
COMPANY, An Iowa Corporation,
Mortgagees; THE FIRST WEST SIDE
BANK OF OMAHA, NEBRASKA, Holder
of Interest; DOUGLAS COUNTY
TREASURER; and any and all other
persons having or claiming any
interest, right or title to the
real estate, real names unknown;

RETURN

OF

APPRAISERS

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 _____ day of _____ 1975, 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:

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

Owner: Boetel Properties, Inc. a Nebraska Corporation

PROJECT M-5012(3) TRACT 6

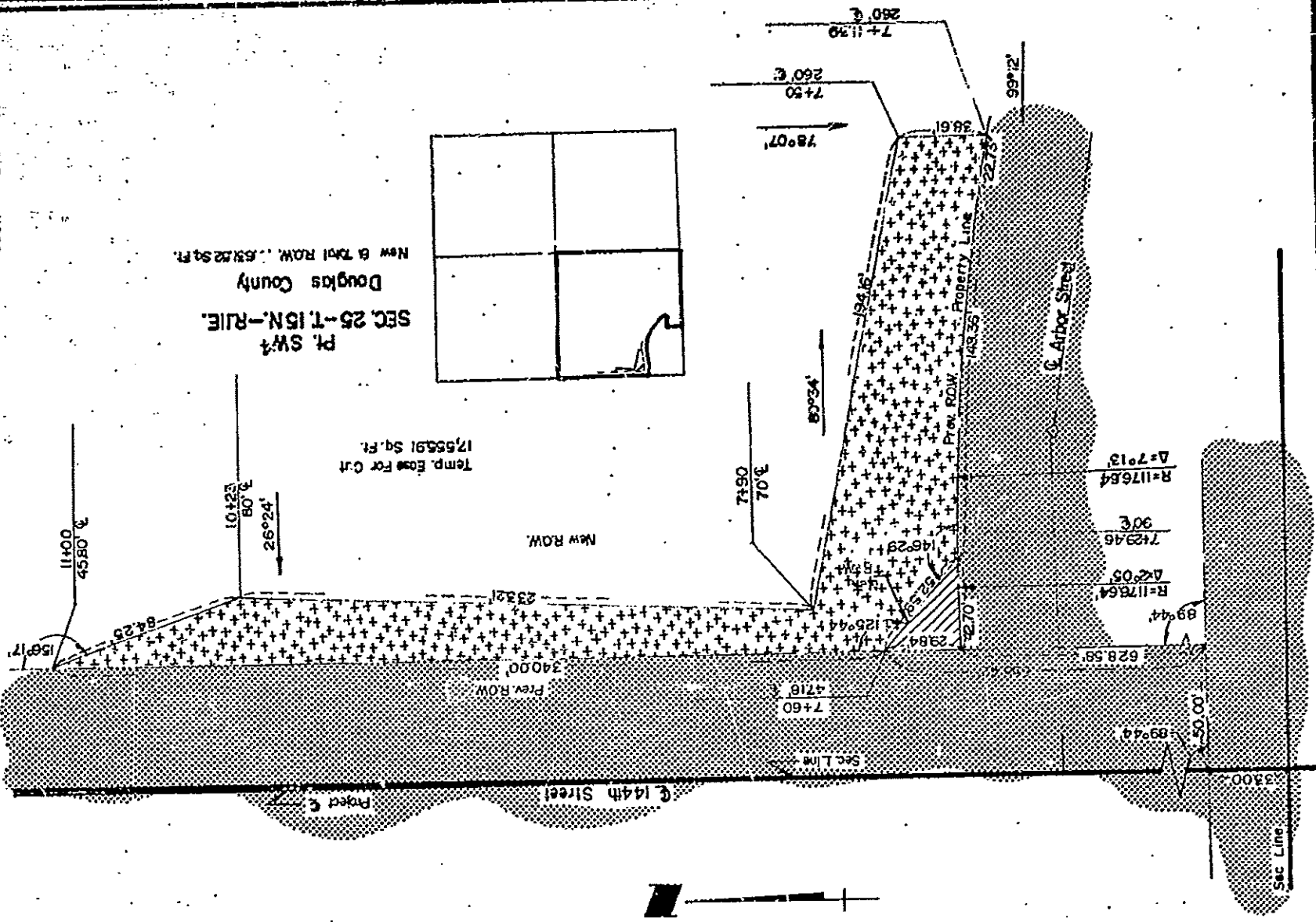
FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 33.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 44 MINUTES RIGHT, A DISTANCE OF 50.00 FEET; THENCE NORTHERLY DEFLECTING 089 DEGREES, 44 MINUTES LEFT, A DISTANCE OF 628.58 FEET ALONG THE EASTERLY 144TH STREET RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 29.84 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 125 DEGREES, 44 MINUTES RIGHT, A DISTANCE OF 52.59 FEET; THENCE WESTERLY ON A 1176.64 FOOT RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING A 146 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 42.70 FEET, SUBTENDING A CENTRAL ANGLE OF 002 DEGREES, 05 MINUTES ALONG THE NORTHERLY ARBOR STREET RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 631.52 SQUARE FEET, MORE OR LESS.

TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR CONSTRUCTION PURPOSES, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 11 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 33.00 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 089 DEGREES, 44 MINUTES RIGHT, A DISTANCE OF 50.00 FEET; THENCE NORTHERLY DEFLECTING 089 DEGREES, 44 MINUTES LEFT, A DISTANCE OF 658.42 FEET ALONG THE EASTERLY 144TH STREET RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 340.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 156 DEGREES, 17 MINUTES RIGHT, A DISTANCE OF 84.25 FEET; THENCE SOUTHERLY DEFLECTING 026 DEGREES, 24 MINUTES RIGHT, A DISTANCE OF 233.21 FEET; THENCE EASTERLY DEFLECTING 080 DEGREES, 34 MINUTES LEFT, A DISTANCE OF 194.16 FEET; THENCE SOUTHERLY DEFLECTING 078 DEGREES, 07 MINUTES RIGHT, A DISTANCE OF 38.61 FEET; THENCE WESTERLY DEFLECTING 099 DEGREES, 12 MINUTES RIGHT, A DISTANCE OF 22.73 FEET ALONG THE NORTHERLY ARBOR STREET RIGHT OF WAY LINE; THENCE WESTERLY ON A 1176.64 FOOT RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING A 000 DEGREES, 00 MINUTES A DISTANCE OF 148.36 FEET, SUBTENDING A CENTRAL ANGLE OF 007 DEGREES, 13 MINUTES ALONG SAID RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 033 DEGREES, 31 MINUTES RIGHT, A DISTANCE OF 52.59 FEET TO THE POINT OF BEGINNING CONTAINING 17555.91 SQUARE FEET, MORE OR LESS.

UPON COMPLETION AND ACCEPTANCE OF PROJECT M-5012(3), 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.



Pt. SW 1/4
SEC. 25-T. 15N.-R. 16E.
Douglas County
New 6' Total ROW... 63122 sq. ft.

Temp. Easement For Cut
1755591 Sq. Ft.

SKETCH SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND
OWNED BY
BOETEL PROPERTIES INC.
A NEBRASKA CORP.

SCALE 1" = 50'
TRACT 6

PROJ. M-5012 (3)
A.F.E. R-070

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

LEGEND

- PREV. R.O.W. [Stippled Box]
- NEW R.O.W. [Cross-hatched Box]
- TEMP. EASE. [Dashed Box]
- CONTROLLED ACCESS [Dashed Box]

63152 SQ. FT.
1755591 SQ. FT.
ACRES

COMPUTED BY I.B.M.
DRAWN BY [Signature] 6/30/75
CHECKED BY R.C. [Signature]
WRITTEN BY [Signature]
CHECKED BY [Signature]

BOOK 558 PAGE 172

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

Owner: Boetel Properties, Inc. a Nebraska Corporation

PROJECT M-5012(4) 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 SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 11 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 69.80 FEET ALONG THE EAST LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 102 DEGREES, 38 MINUTES LEFT, A DISTANCE OF 81.98 FEET ALONG THE NORTHERLY EXISTING HIGHWAY RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 000 DEGREES, 00 MINUTES A DISTANCE OF 88.32 FEET ALONG SAID RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 012 DEGREES, 29 MINUTES RIGHT, A DISTANCE OF 65.03 FEET ALONG SAID RIGHT OF WAY LINE; THENCE NORTHEASTERLY DEFLECTING 130 DEGREES, 49 MINUTES RIGHT, A DISTANCE OF 82.76 FEET; THENCE EASTERLY DEFLECTING 048 DEGREES, 21 MINUTES RIGHT, A DISTANCE OF 54.84 FEET; THENCE NORTHEASTERLY DEFLECTING 038 DEGREES, 19 MINUTES LEFT, A DISTANCE OF 54.85 FEET; THENCE SOUTHERLY DEFLECTING 129 DEGREES, 18 MINUTES RIGHT, A DISTANCE OF 78.97 FEET ALONG THE WESTERLY 139TH STREET RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 7750.07 SQUARE FEET, MORE OR LESS.

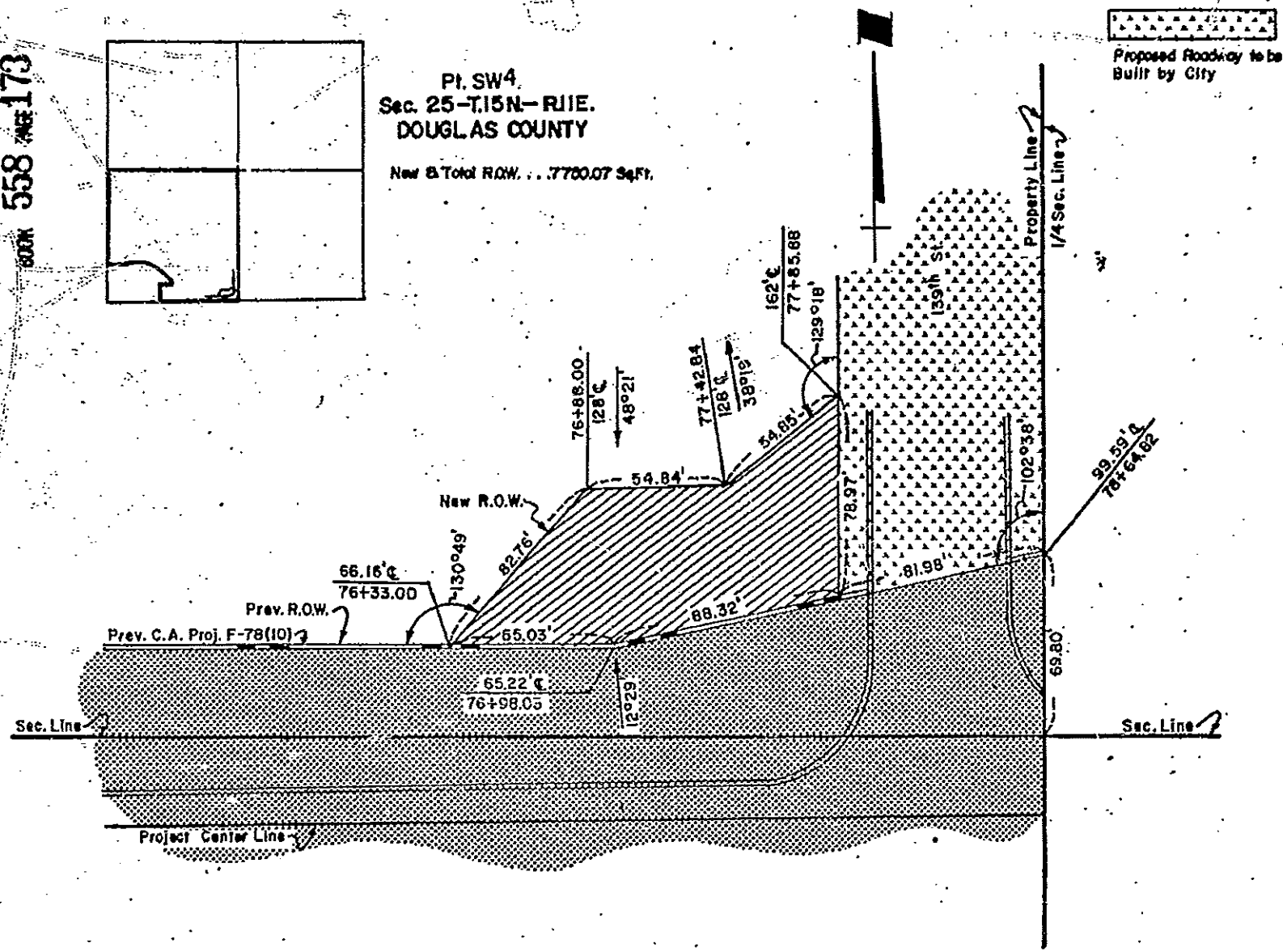
ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NGR 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.

558 A.E. 173



Pt. SW4,
Sec. 25-T.15N-R.1E.
DOUGLAS COUNTY

New & Total R.O.W. . . . 77500.07 Sq.Ft.



SKETCH SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND
OWNED BY
BOETEL PROPERTIES INC.
A NEBRASKA CORP.

SCALE 1" = 50'
TRACT 6

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

LEGEND
PREV. R.O.W. [diagonal lines]
NEW R.O.W. [cross-hatch]
CONTROLLED ACCESS [dashed line]

775007 SQ. FT.
ACRES
ACRES

PROJ. M-5012 (4)
A.F.E. R-089

COMPUTED BY I.B.M.
DRAWN BY 22/6/27/75
CHECKED BY R.L.W. 6-78
WRITTEN BY J.B.H.
CHECKED BY G.M.L. 6-30-77

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 6 \$6,448.04 (BOTH PROJECTS)

Award to be distributed as follows:

- To: Doetal Properties, Inc., \$ 6,412.96
 - A Nebraska Corporation, Owner;
 - Northwestern Mutual Life Insurance Company, \$ 1.00
 - The National Bank of Commerce Trust and Savings of Lincoln, Nebraska, \$ 1.00
 - Clermont Court, Inc., A Nebraska Corporation, and Moramerica Mortgage Company, An Iowa Corporation, Mortgagees; \$ 1.00
 - The First West Side Bank of Omaha, Nebraska, Holder of Interest; \$ 1.00
 - Douglas County Treasurer; \$ 30.08

FILED IN COUNTY COURT DOUGLAS COUNTY, NEBRASKA

OCT 10 1975

DEAN HADORN, CLERK

All of which is hereby respectfully submitted.

Dated this 10th day of October, A.D. 1975.

[Signature]

[Signature]
Appraisers

Subscribed and sworn to before me this 10th day of

[Signature], A.D. 1975.

[Signature]

(SEAL)

County Judge

COUNTY COURT
DOUGLAS COUNTY
DEAN HADORN, CLERK
OMAHA, NEBR.

STATE OF NEBRASKA, }
COUNTY OF DOUGLAS } SS.

I, Dean Hadorn, Clerk of the County Court of Douglas County, Nebraska, do hereby certify that I have compared the foregoing copy of

"RETURN OF APPRAISERS" in re:

STATE OF NEBRASKA, DEPARTMENT OF ROADS, Condemner,

-VS-

BOETEL PROPERTIES, INC., et al, Condemnees,

in the matter of... Condemnation Docket C4 - Page 164

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, according 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 14th day of October, A. D. 1975.



By *Dean Hadorn*
DEAN HADORN, Clerk of the County Court

5 ENTERED IN NUMERICAL ORDER AND SUCCEDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA
24 DAY OF Dec 1975 AT 10:34 P.M. HAKOLD OSTLER, REGISTER OF DEEDS 2125