

FILED SARPY CO. NE.  
INSTRUMENT NUMBER  
2005-45189

2005 DEC -8 A 10:12 8

*Lloyd J. Dowding*  
REGISTER OF DEEDS

COUNTER     C.E. D  
VERIFY     D.E. LM  
PROOF P  
FEES \$ 27.00  
CHECK#      
CHG NOA CASH      
REFUND     CREDIT      
SHORT     NCR    



**THIS PAGE ADDED  
FOR RECORDING  
INFORMATION.**

**DOCUMENT STARTS ON  
NEXT PAGE.**

**LLOYD J. DOWDING**

SARPY COUNTY REGISTER OF DEEDS  
1210 GOLDEN GATE DRIVE, STE 1109  
PAPILLION, NE 68046-2895  
402-593-5773

45189

H  
FILED BY THE CLERK  
SARPY COUNTY COURT  
05 NOV 28 PM 3:15

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

CITY OF PAVILLION, A Municipal Corporation. )  
)  
)  
Plaintiff-Condempner, )  
)  
vs. )  
)  
)  
WILLIAM S. BLACK, GAYLE TREDE, )  
AND TBS INVESTMENTS AND SARPY )  
COUNTY TREASURER, )  
)  
)  
Condemnees. )

CASE NO. CI05-3058

**RETURN OF APPRAISERS**

TO: The Honorable Judges of the County of Sarpy County, Nebraska

WE, the undersigned appraisers hereby certify that under and by virtue of "Appointment of Appraisers" duly served upon us by Patrick J. Thomas, or a deputy sheriff of Sarpy County, Nebraska on the \_\_\_\_\_ day of \_\_\_\_\_, 2005, and after having taken and filed the "Oath of Appraisers" that we did carefully inspect and view the property legally described as follows:

Parcel A permanent easement is:

THAT PART OF LOTS 2, 3, 4, AND 5, HUNTINGTON PARK EAST, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 2; THENCE S77°47'43"E (ASSUMED BEARING) 141.42 FEET ON THE NORTH LINES OF SAID LOTS 2 AND 3; THENCE SOUTHEASTERLY ON A NON-TANGENT 225.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S23°50'25"E, CHORD DISTANCE 116.56 FEET, AN ARC DISTANCE OF 117.91 FEET; THENCE S08°49'40"E 170.96 FEET; THENCE, SOUTHEASTERLY ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S22°47'09"E, CHORD DISTANCE 84.42 FEET, AN ARC DISTANCE OF 85.26 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTHWESTERLY ON THE EAST LINES OF SAID LOTS 4 AND 5 ON A NON-TANGENT 2914.79 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S34°28'08"W, CHORD DISTANCE 52.15 FEET, AN ARC DISTANCE OF 52.15 FEET; THENCE NORTHWESTERLY ON A NON-TANGENT 225.00 FOOT RADIUS CURVE TO THE RIGHT; CHORD BEARING N24°55'35"W; CHORD DISTANCE 124.78 FEET, AN ARC DISTANCE OF 126.44 FEET, THENCE N08°49'40"W 170.96 FEET; THENCE NORTHWESTERLY ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, CHORD

B

BEARING N43°18'42"W, CHORD DISTANCE 198.16 FEET, AN ARC DISTANCE OF 210.65 FEET TO THE POINT OF BEGINNING, CONTAINING 0.48 ACRES MORE OR LESS

Parcel B Temporary Easement is:

THAT PART OF LOTS 2, 3, 4 AND 5, HUNTINGTON PARK EAST, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 2; THENCE S77°47'43"E (ASSUMED BEARING) 178.54 FEET ON THE NORTH LINES OF SAID LOTS 2 AND 3; THENCE SOUTHEASTERLY ON A NON-TANGENT 250.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S20°31'30"E, CHORD DISTANCE 101.37 FEET, AN ARC DISTANCE OF 102.08 FEET; THENCE S08°49'40"E 170.96 FEET; THENCE SOUTHEASTERLY ON A 150.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S21°13'06"E, CHORD DISTANCE 64.37 FEET, AN ARC DISTANCE OF 64.88 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTHWESTERLY ON THE EAST LINES OF SAID LOTS 4 AND 5 ON A NON-TANGENT 2914.79 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S34°28'33"W, CHORD DISTANCE 104.49 FEET, AN ARC DISTANCE OF 104.50 FEET; THENCE NORTHWESTERLY ON A NON-TANGENT 250.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N25°42'21"W, CHORD DISTANCE 145.17 FEET, AN ARC DISTANCE OF 147.29 FEET; THENCE N08°49'40"W 170.96 FEET; THENCE NORTHWESTERLY ON A 150.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N43°18'42"W CHORD DISTANCE 169.85 FEET, AN ARC DISTANCE OF 180.56 FEET TO THE WEST LINE OF SAID LOT 2; THENCE N12°12'17"E 25.00 FEET ON THE WEST LINE OF LOT 2 TO THE POINT OF BEGINNING, CONTAINING 0.98 ACRES MORE OR LESS.

sought to be appropriated by the City of Papillion and also other property of the condemnees alleged damages thereby and did hear all parties interested therein in reference to the amount of damages suffered by reason of the improvements to, and relocation of, Olson Drive in Sarpy County, Nebraska, 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 the redesigning, relocating and making improvements on Olson Drive, between 72<sup>nd</sup> Street and Gold Coast Road, in Sarpy County, Nebraska, and also damages to such property of the condemnees as in our opinion was damaged by the

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appropriation for the property herein described above.

NOW, THEREFORE, we, as appraisers do hereby find and appraise the damages that will be suffered by reason of the improvements to, and relocation of, Olson Drive in Sarpy County, Nebraska, \$ 145,500.00 to be allocated as follows:

- 1. \$ \_\_\_\_\_ William S. Black
- 2. \$ \_\_\_\_\_ Gayle Trede
- 3. \$ 141,615.32 TBS Investments
- 4. \$ 3,884.68 Sarpy County Treasurer

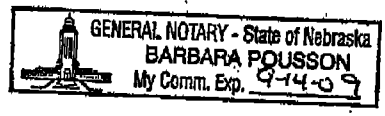
all of which is hereby respectfully submitted.

DATED this 28th day of November, 2005.

*[Handwritten signatures]*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this 28 day of Nov, 2005.

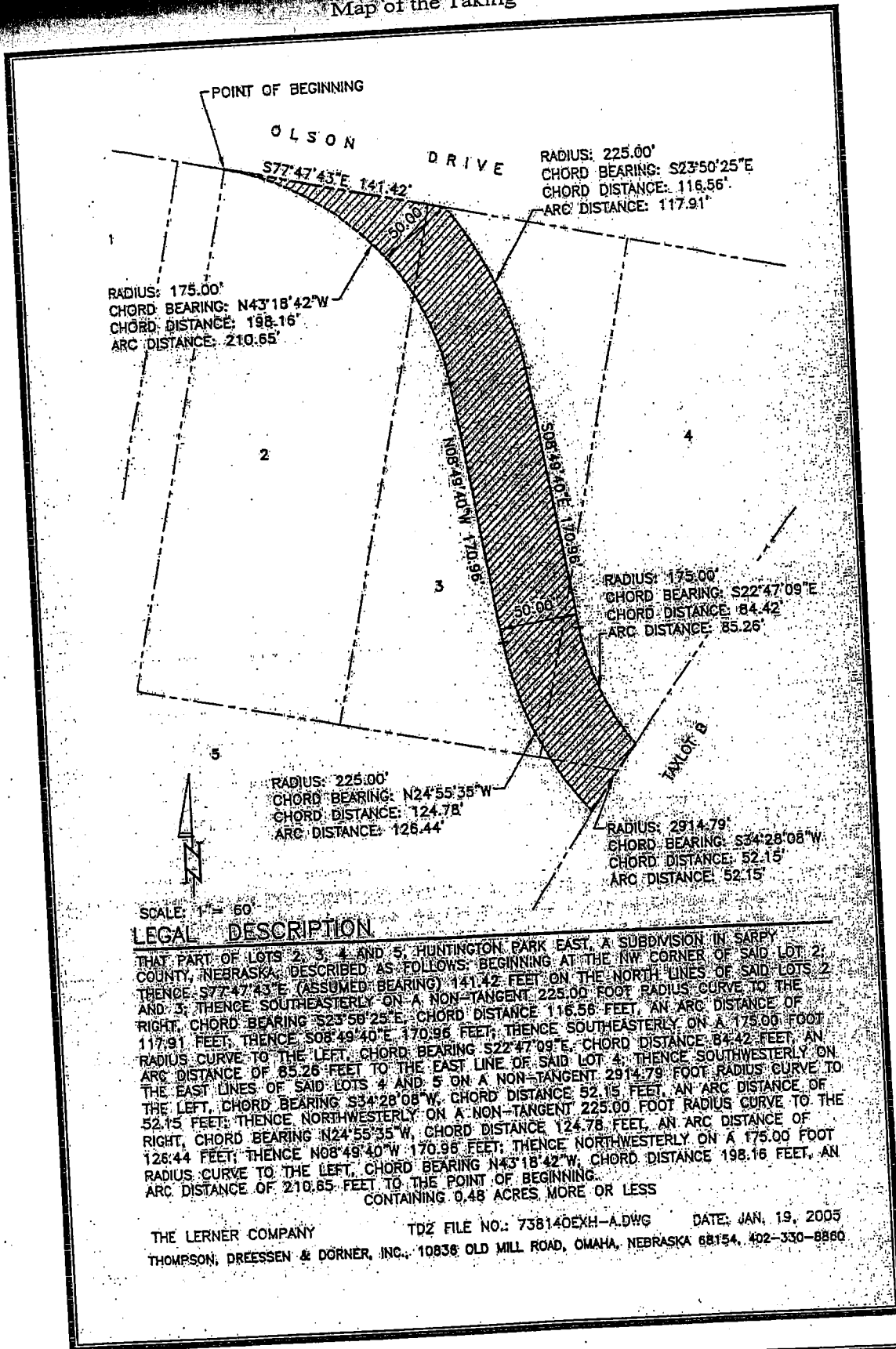
Barbara Pousson  
 Notary Public, County Judge/Clerk of  
 Sarpy County Court



Prepared & Submitted by:

Michael N. Schirber #13688  
 SCHIRBER AND WAGNER, L.L.P.  
 1243 Golden Gate Drive  
 Papillion, NE 68046  
 (402) 592-2800

## Map of the Taking



### LEGAL DESCRIPTION

THAT PART OF LOTS 2, 3, 4 AND 5, HUNTINGTON PARK EAST, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID LOT 2; THENCE S77°47'43"E (ASSUMED BEARING) 141.42 FEET ON THE NORTH LINES OF SAID LOTS 2 AND 3; THENCE SOUTHEASTERLY ON A NON-TANGENT 225.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING S23°50'25"E, CHORD DISTANCE 116.56 FEET, AN ARC DISTANCE OF 117.91 FEET; THENCE S08°49'40"E 170.96 FEET; THENCE SOUTHEASTERLY ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S22°47'09"E, CHORD DISTANCE 84.42 FEET, AN ARC DISTANCE OF 85.26 FEET TO THE EAST LINE OF SAID LOT 4; THENCE SOUTHWESTERLY ON THE EAST LINES OF SAID LOTS 4 AND 5 ON A NON-TANGENT 2914.79 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING S34°28'08"W, CHORD DISTANCE 52.15 FEET, AN ARC DISTANCE OF 52.15 FEET; THENCE NORTHWESTERLY ON A NON-TANGENT 225.00 FOOT RADIUS CURVE TO THE RIGHT, CHORD BEARING N24°55'35"W, CHORD DISTANCE 124.78 FEET, AN ARC DISTANCE OF 126.44 FEET; THENCE N08°49'40"W 170.96 FEET; THENCE NORTHWESTERLY ON A 175.00 FOOT RADIUS CURVE TO THE LEFT, CHORD BEARING N43°18'42"W, CHORD DISTANCE 198.16 FEET, AN ARC DISTANCE OF 210.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.48 ACRES, MORE OR LESS

THE LERNER COMPANY      TD2 FILE NO.: 738140EXH-A.DWG      DATE: JAN. 19, 2005  
 THOMPSON, DREESSEN & DORNER, INC., 10836 OLD MILL ROAD, OMAHA, NEBRASKA 68154, 402-330-8860