

BEFORE THE COUNTY JUDGE OF WASHINGTON COUNTY, NEBRASKA

STATE OF NEBRASKA
DEPARTMENT OF ROADS,Docket 23, Page 85

Condemner,

RETURN OF APPRAISERS

v.

LYNDELL BATH, RICHARD R. PICKERT
and CONSTANCE M. PICKERT, husband
and wife, Holders of Interest; ANNA
MAY PARTRIDGE, Holder of Life Estate;
WILLIAM R. BATH, husband of LYNDELL BATH;

EARL THOMPSON and LIBBIE M. THOMPSON,
husband and wife, Joint Tenants;
JAMES WALKER and PATRICIA WALKER,
husband and wife, Holders of Interest;

Condemnees.

TO HONORABLE HAROLD J. MADSEN, COUNTY JUDGE, WASHINGTON COUNTY, NEBR.

We, the undersigned appraisers, do hereby certify that under and by virtue of an "Appointment of Appraisers" duly served upon us by Ben Reeh, Sheriff or Deputy Sheriff of Washington County, Nebraska, on the 16th day of February, 1968, 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:

Filed Mar. 4, 1968

ALFRED O. SICK, ACTING CO. JUDGE

BY M. A. CLERK

RLW-648

CONDEMNATION

Land Owners: Lyndell Batth and William R. Batth, Wife and Husband

Purchasers on Contract: Richard R. Pickert and Constance M. Pickert, Husband and Wife

Project: F-91 (9)
Page 1 of 2

AFE: R-597

Washington County, Nebraska

Fee Simple Title to a tract of land and all improvements thereon, if any, for Highway Right of Way Purposes located in Tax Lot 43 (formerly part of Tax Lot 18) in the Southwest Quarter of Section 31, Township 17 North, Range 13 East of the 6th P.M., Washington County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the South Quarter Corner of said Section 31; thence westerly on the South Line of the Southwest Quarter of said Section 31 a distance of 1,154.4 feet to the point of beginning, said point being on the westerly Existing Highway Right of Way Line; thence continuing westerly on said South Line a distance of 47.4 feet; thence northerly 94 degrees 27 minutes right a distance of 510.8 feet; thence continuing northerly 02 degrees 48 minutes right a distance of 300.0 feet; thence continuing northerly 01 degree 53 minutes right a distance of 66.5 feet to a point on the northerly Property Line; thence easterly 80 degrees 52 minutes right and on said Property Line a distance of 70.4 feet to a point on said Existing Highway Right of Way Line; thence southerly on said Existing Highway Right of Way Line a distance of 879.5 feet to the point of beginning, containing 1.30 acres, more or less, to be secured in this action.

There will be no ingress or egress over a line 60.0 feet westerly from and parallel to the centerline of the highway onto the remainder of said Tax Lot 43 (formerly part of Tax Lot 18) in the Southwest Quarter, except over one nonrestricted drive as to use, not to exceed 40.0 feet in width, the centerline of which is to be located 866.4 feet northerly from the South Line of said Southwest Quarter, as measured along the centerline of the highway, and except over one farmstead entrance, not to exceed 25.0 feet in width, to provide ingress and egress to dwelling and out building site of the owner, so long as it is used consistent with rural living and farming activities, the centerline of which is to be located 600.0 feet northerly from said South Line as measured along the centerline of the highway.

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.

Also, Permanent Easement to a tract of land and all improvements thereon, if any, for Drive Purposes located in Tax Lot 43 (formerly part of Tax Lot 18) in the Southwest Quarter of Section 31, Township 17 North, Range 13 East of the 6th P.M., Washington County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the South Quarter Corner of said Section 31; thence westerly on the South Line of the Southwest Quarter of said Section 31 a distance of 1,201.8 feet to a point on the westerly Highway Right of Way Line; thence northerly 94 degrees 27 minutes right and on said Highway Right of Way Line a distance of 510.8 feet; thence continuing northerly 02 degrees 48 minutes right and on said Highway Right of Way Line a distance of 300.0 feet; thence continuing northerly 01 degree 53 minutes right and on said Highway Right of Way Line a distance of 36.5 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 30.0 feet to a point on the northerly Property Line; thence westerly 99 degrees 03 minutes left and on said Property Line a distance of 42.5 feet; thence southeasterly 141 degrees 53 minutes left a distance of 48.0 feet to the point of beginning, containing 0.01 acre, more or less, to be secured in this action.

40' case
25' farm

*
his part
reled
254-493

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

Land Owners: Lyndell Batth and William R. Batth, Wife and Husband

Purchasers on Contract: Richard R. Pickert and Constance M. Pickert, Husband and Wife

Project: F-91 (9)
Page 2 of 2

AFF: R-597

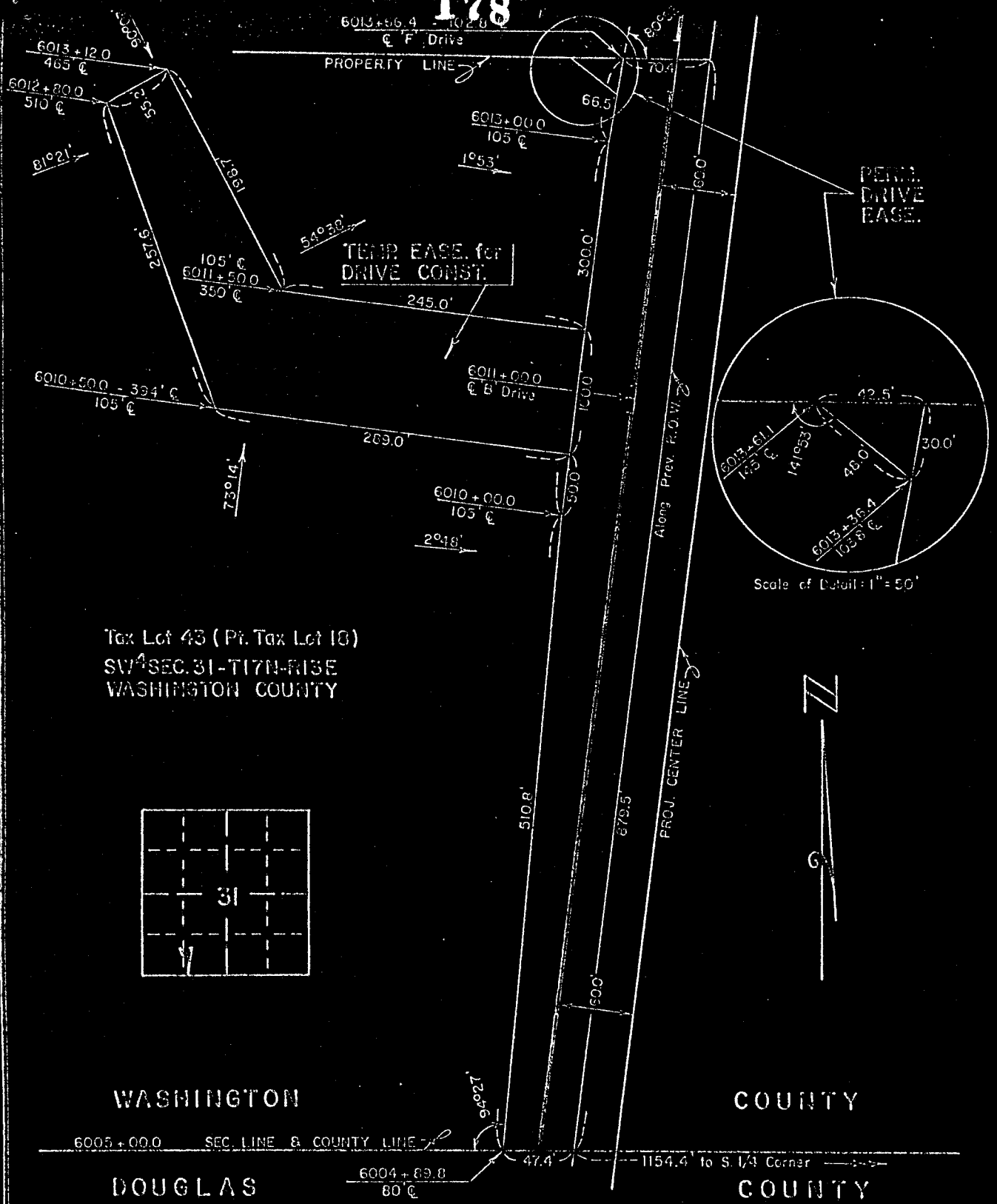
Washington County, Nebraska

And also, Temporary Easement to a tract of land and all improvements thereon, if any, for Drive Construction Purposes located in Tax Lot 43 (formerly part of Tax Lot 18) in the Southwest Quarter of Section 31, Township 17 North, Range 13 East of the 6th P.M., Washington County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

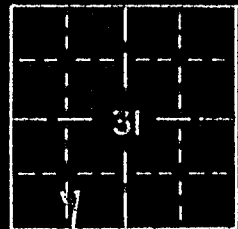
Referring to the South Quarter Corner of said Section 31; thence westerly on the South Line of the Southwest Quarter of said Section 31 a distance of 1,201.8 feet to a point on the westerly Highway Right of Way Line; thence northerly 94 degrees 27 minutes right and on said Highway Right of Way Line a distance of 510.8 feet; thence continuing northerly 02 degrees 48 minutes right and on said Highway Right of Way Line a distance of 50.0 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 100.0 feet; thence westerly 90 degrees 00 minutes left a distance of 245.0 feet; thence northwesterly 54 degrees 38 minutes right a distance of 198.7 feet; thence southwesterly 90 degrees 03 minutes left a distance of 55.2 feet; thence southeasterly 81 degrees 21 minutes left a distance of 257.6 feet; thence easterly 73 degrees 14 minutes left a distance of 289.0 feet to the point of beginning, containing 0.99 acre, more or less, to be secured in this action.

The right to use the above described tract shall terminate upon acceptance by the Department of Roads of the above mentioned Project: F-91 (9).

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Tax Lot 43 (Pt. Tax Lot 18)
 SW 1/4 SEC. 31-T17N-R15E
 WASHINGTON COUNTY



WASHINGTON
 DOUGLAS

COUNTY
 COUNTY

LYNDELL BATTIN

100'
36 A

F-91(9)
597

PERM. EASE.
 TEMP. EASE.
 CONTROLLED ACCESS

1.30
 0.01
 0.93 ACRES

ORC 2-68
 LCC 2-68
 TCA 2-68
 LCP 2-68

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

Land Owners: Earl Thompson and Libbie M. Thompson, Husband and Wife, Joint Tenants

Purchasers on Contract: James Walker and Patricia Walker, Husband and Wife

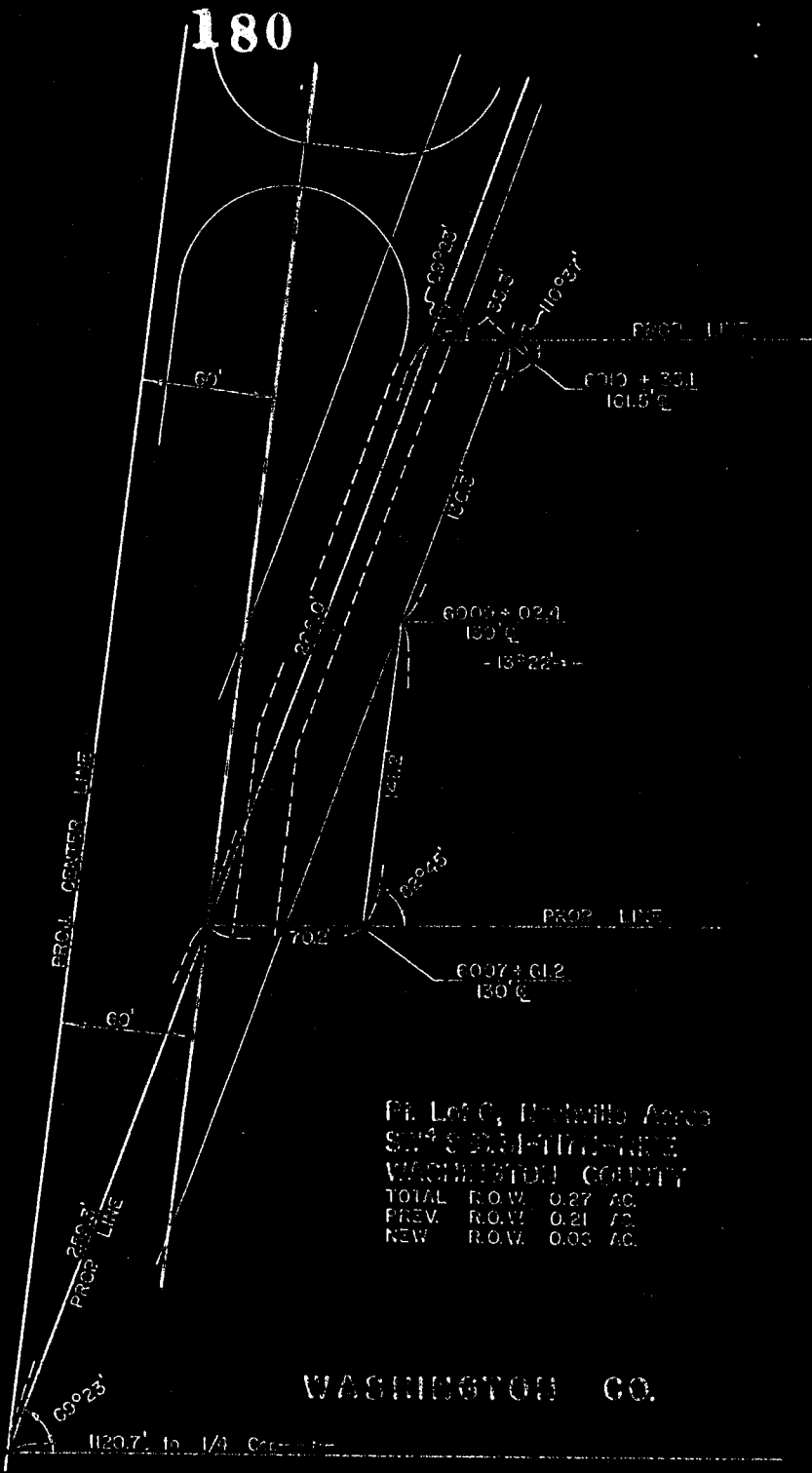
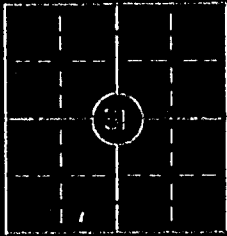
Project: F-91 (9) AFE: R-597 Washington County, Nebraska

Fee Simple Title to a tract of land and all improvements thereon, if any, for Highway Right of Way Purposes located in part of Lot 6, Nashville Acres in the Southwest Quarter of Section 31, Township 17 North, Range 13 East of the 6th P.M., Washington County, Nebraska, as illustrated on the attached plat and being more particularly described as follows:

Referring to the South Quarter Corner of said Section 31; thence westerly on the South Line of the Southwest Quarter of said Section 31 a distance of 1,120.7 feet; thence northeasterly 110 degrees 37 minutes right a distance of 259.3 feet to the point of beginning, said point being on the Southwest Property Corner; thence continuing northeasterly on the last described course produced and on the northwesterly Property Line a distance of 286.0 feet to the Northwest Property Corner; thence easterly 69 degrees 23 minutes right and on the northerly Property Line a distance of 35.3 feet to a point on the southeasterly Existing Highway Right of Way Line; thence southwesterly 110 degrees 37 minutes right and on said Existing Highway Right of Way Line a distance of 136.3 feet; thence southerly 13 degrees 22 minutes left a distance of 141.2 feet to a point on the southerly Property Line; thence westerly 82 degrees 45 minutes right and on said southerly Property Line a distance of 70.2 feet to the point of beginning, containing 0.27 acre, more or less, which includes 0.21 acre, more or less, previously occupied as a public highway, the remaining 0.06 acre, more or less, being the additional acreage to be secured in this action.

All mineral rights in the above described tract shall be retained and reserved to the Condonees, their heirs, successors or assigns. The Condonees, 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 Condonees, their heirs, successors or assigns in extracting such minerals, damage or in any way impair the use of the above described tract.

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Pl. Loc. C, Nashville Area
S.W. 1/4 Sec. 31 - T11S - R1E
WASHINGTON COUNTY
TOTAL R.O.W. 0.27 AC.
PREV. R.O.W. 0.21 AC.
NEW R.O.W. 0.06 AC.

WASHINGTON CO.

DOUGLAS CO.

EARL & LIDIE M. THOMPSON, HOW, JR.

1120.7' to 1/4 Corner

F-91 (9)
597

0.06

180

L.C.C. 2/10

9/20 2-68

1/28

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: Lyndell Batth, Richard R. Pickert and
Constance M. Pickert, husband and wife,
Holders of Interest; Anna May Partridge,
Holder of Life Estate; William R. Batth,
husband of Lyndell Batth; \$ 1800.00

To: Earl Thompson and Libbie M. Thompson,
husband and wife, Joint Tenants; James
Walker and Patricia Walker, husband and
wife, Holders of Interest; \$ 150.00

All of which is hereby respectfully submitted.

Dated this 4th day of March, A.D., 1968.

s/ Stanley Bednar

s/ Ralph W. Mencke

s/ Donald E. Schettler
Appraisers

Subscribed and sworn to before me this 4th day of
March, 1968, A.D.,

(SEAL)

Certificate of Transcript

STATE OF NEBRASKA }
WASHINGTON COUNTY } ss.

IN THE COUNTY COURT OF WASHINGTON COUNTY, NEBRASKA

I, **H. J. MADSEN** County Judge in and for said County, do hereby certify that I have compared the foregoing copy of

RETURN OF APPRAISERS

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Condemner,

v.

LYNDELL BATTH, RICHARD R. PICKERT and CONSTANCE M. PICKERT, husband and wife, Holders of Interest; ANNA MAY PARTRIDGE, Holder of Life Estate; WILLIAM R. BATTH, husband of LYNDELL BATTH;

EARL THOMPSON and LIBBIE M. THOMPSON, husband and wife, Joint Tenants; JAMES WALKER and PATRICIA WALKER, husband and wife, Holders of Interest

Condemnees.

Civil Docket No. 23
Case No. 5656
Page No. 85

Recorded _____
General _____
Numerical _____
Photostat _____

Handwritten notes and signatures:
4-18-68
405
11
175-112
G. J. Madsen

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 this 4th day of March A.D. 19 68.



Handwritten signature of H. J. Madsen
COUNTY JUDGE
By: *Handwritten signature of Clerk*
CLERK OF COUNTY COURT