

(ORIGINAL)

AGREEMENT

South  
of  
Subd.

BOOK 628 228

PROJECT NO. F-78(6)  
WILLIAM M. HOMAN, TRUSTEE  
STATE OF NEBRASKA, DEPARTMENT OF ROADS  
RIGHT OF WAY AND ACCESS CONTROL CHANGES  
U.S. HIGHWAY NO. 275  
NOVEMBER 1, 1979

THIS AGREEMENT, made and entered into by and between William M. Homan, owner of the property affected by this agreement except as herein described, hereinafter referred to as the "Trustee" and the State of Nebraska, Department of Roads, hereinafter referred to as the "State",

WITNESSETH:

WHEREAS, the Trustee owns the property in the West Half of the Southeast Quarter of Section 30, Township 15 North, Range 11 East of the 6th P.M., Douglas County, Nebraska with the exception of 1.99 acres, more or less, conveyed to the State by L. Robert Douglas and Audrey Douglas in Warranty Deed dated December 11, 1958 and filed on record with the Douglas County Register of Deeds on February 26, 1959 in Book 1056, Page 487, and with the exception of 4.10 acres, more or less, conveyed to Todd R. Seastedt and Jacquelyn A. Seastedt by the Trustee in Warranty Deed dated November 21, 1975 and filed on record with the Douglas County Register of Deeds on December 4, 1975 in Book 1533, Page 703, and

WHEREAS, the Trustee desires an unrestricted drive to U.S. Highway No. 275 at Station 383+17.9 Left, Project F-78(6), and

WHEREAS, the State is willing to grant said unrestricted drive under the terms and conditions hereinafter provided.

NOW, THEREFORE, the parties, in consideration of the following covenants and conditions hereby agree as follows:

SECTION 1. That the Trustee, by this agreement, conveys to the State, without cost to the State, Right of Way as described on the plat and description marked Exhibit "A" and "A1" respectively, attached hereto, and hereby made a part of this agreement. That

WD 7921

Trustee will provide a Warranty Deed to said land to the State upon presentation of a Quitclaim Deed for granting of said unrestricted drive by the State.

SECTION 2. That upon compliance with the conditions set forth in Section 5, the Trustee, his heirs, successors or assigns shall relinquish his drive rights and execute a Deed to the State to effect the elimination of the existing field entrance on the North side of U.S. Highway No. 275 at a point 162.1 feet easterly from the West Line of the West Half of the Southeast Quarter of said Section 30 or as shown on Exhibit "B" attached hereto and hereby made a part of this agreement at Station 384+60 Left.

SECTION 3. That the Trustee relinquishes his drive rights by this agreement and executes a Deed to the State to effect the elimination of the existing farmstead entrance on the North side of U.S. Highway No. 275 at a point 1170.1 feet easterly from the West Line of the West Half of the Southeast Quarter of said Section 30 or as shown on Exhibit "B" at Station 394+68, subject to the right of Todd R. Seastedt and Jacquelyn A. Seastedt under the above mentioned Deed found at Book 1533, Page 703 as shown on Exhibit "C" and "D".

SECTION 4. That the State conveys to the Trustee by Quitclaim Deed one (1) unrestricted drive on the North side of U.S. Highway No. 275 at a point 20.0 feet easterly from the West Line of the West Half of the Southeast Quarter of said Section 30 or as shown on Exhibit "B" at Station 383+17.9 Left.

SECTION 5. That the State will issue a permit to construct the unrestricted drive described in Section 4 when the following conditions have been satisfied:

A. That the Trustee, his heirs, successors or assigns have dedicated for public road purposes a network of streets across the entire property extending to the North, West and East property lines and which connect to the highway through the unrestricted drive and said dedication shall be approved by the State prior to the time it is filed on record with the Douglas County Register of Deeds.

B. That the easement granted in the above mentioned Deed found at Book 1533, Page 703, has terminated according to the condition in such Deed.

C. That the Trustee, his heirs, successors or assigns have physically removed the drives as outlined in Sections 2 and 3.

SECTION 6. That the Trustee, his heirs, successors or assigns shall construct the unrestricted drive in accordance with the permit specifications set forth by the State.

SECTION 7. That the State will prepare all Deeds needed relative to the conveyance of Right of Way and access control changes.

IN WITNESS WHEREOF, the parties hereunto have caused the same to be executed by the duly authorized and proper officials as of the date indicated thereon.

Executed by William M. Homan, Trustee this 7th day of December, 1979.

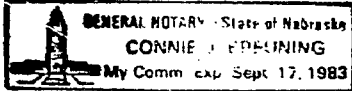
WITNESS:

WILLIAM M. HOMAN, TRUSTEE

Jeanne Yurke

William M. Homan

Subscribed in my presence and sworn to before me this 7th day of December 1979.



Connie J. Bruning  
Notary Public

Executed by the State of Nebraska, Department of Roads, this 28 day of Dec, 1979.

STATE OF NEBRASKA  
DEPARTMENT OF ROADS

W. D. Caldwell  
Director-State Engineer

RECOMMENDED:

John J. B. ...  
Manager, Right of Way  
Division

APPROVED:

W. R. ...  
Deputy State Engineer-  
Engineering Services

Larry G. ...  
Manager, Information,  
Liaison and Agreement  
Services Division

M. R. ...  
Deputy Director-  
Highway Administration

Subscribed in my presence and sworn to before me this 19th day of January, 1979.



Bonnie J. Kennedy  
Notary Public

SW Corner of the W<sub>2</sub> of the SE<sub>4</sub> of Sec. 30-15-11.  
6.9' POINT OF BEGINNING

NORTH  
120.00'

U.S. HIGHWAY NO. 275

That part of the W<sub>2</sub> of the SE<sub>4</sub> of Section 30, T15N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the S.W. corner of said W<sub>2</sub>; thence North (Assumed bearing) on the West line of said W<sub>2</sub>, 113.10 feet to the point of beginning; thence N 89° 39' 22" E, 519.17 feet to a point 114.90 feet North of the South line of said W<sub>2</sub>; thence S 89° 09' 35" E, 554.19 feet; thence North, 11.19 feet; thence S 89° 51' 17" W on a line 120.00 feet North of and parallel to the South line of said W<sub>2</sub>, 873.31 feet to a point on the West line of said W<sub>2</sub>; thence South on the West line of said W<sub>2</sub>, 6.50 feet to the point of beginning. (Containing 0.13 acres more or less.)

EXHIBIT A1

EXHIBIT "A"

(PROPERTY TO BE DEEDED TO STATE)

That part of the W<sub>2</sub> of the SE<sub>4</sub> of Section 30, T15N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: Commencing at the S.W. corner of said W<sub>2</sub>; thence N 00° 01' 38" W (Assumed bearing) on the East line of said W<sub>2</sub>, 105.90 feet to the point of beginning; thence continuing N 00° 01' 38" W 120.00 feet North of and parallel to the South line of said W<sub>2</sub>, 299.30 feet; thence South, 32.20 feet; thence S 89° 51' 17" W on a line 87.80 feet North of and parallel to the South line of said W<sub>2</sub>, 157.76 feet; thence S 00° 08' 43" E, 15.20 feet; thence S 89° 01' 01" E, 436.71 feet to the point of beginning. (Containing 0.41 acres more or less.)

589° 51' 17" W  
885.97'

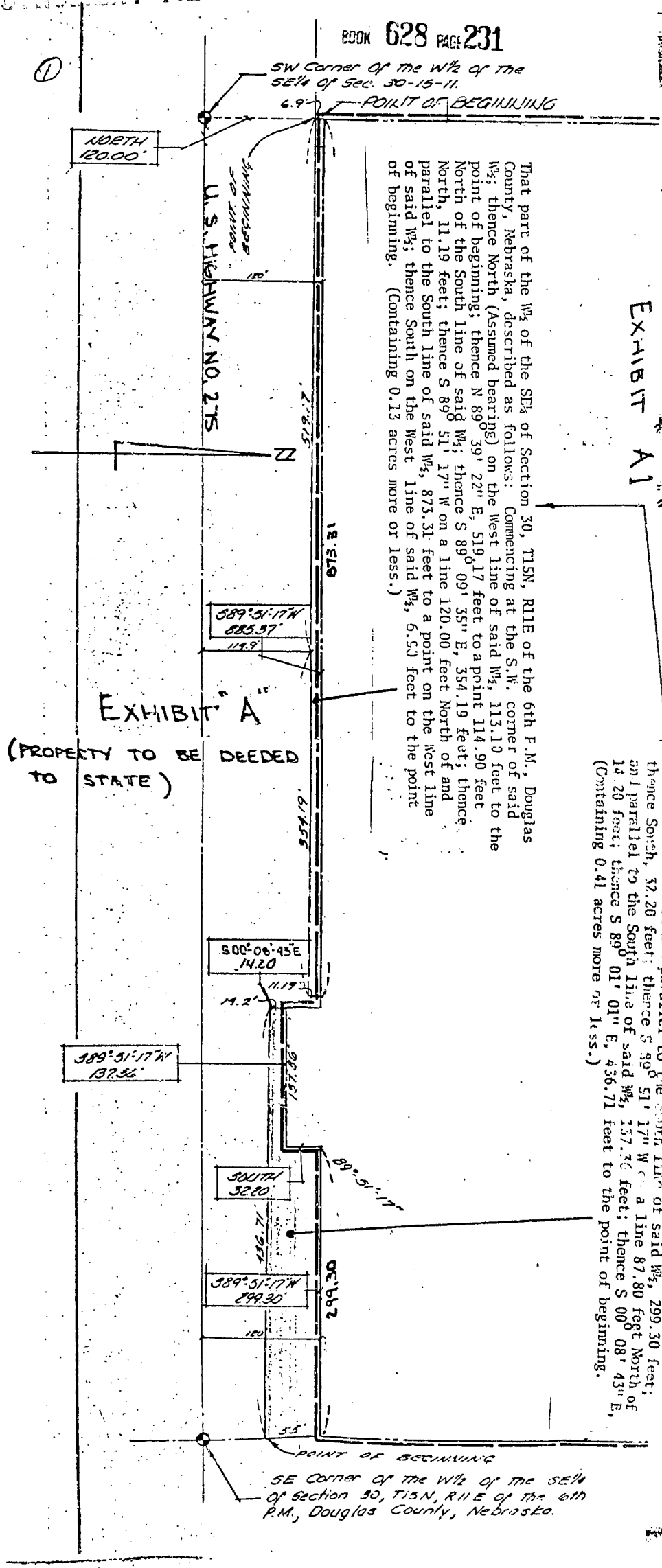
S00° 06' 45" E  
14.20'

389° 51' 17" W  
137.56'

SOUTH  
322.0'

389° 51' 17" W  
899.30'

POINT OF BEGINNING  
SE Corner of the W<sub>2</sub> of the SE<sub>4</sub> of Section 30, T15N, R11E of the 6th P.M., Douglas County, Nebraska.



ROAD DISTRICT 11

STATE OF NEBRASKA  
 DEPARTMENT OF ROADS AND IRRIGATION  
 BUREAU OF HIGHWAYS  
 PLAN AND PROFILE OF PROPOSED  
**STATE HIGHWAY**  
 FEDERAL AID PRIMARY PROJECT  
**WAHOO - OMAHA**  
 DOUGLAS COUNTY

INDEX OF SHEETS

1. TITLE PAGE  
 2. TYPICAL CROSS-SECTION OF IMPROVEMENT NO. 2-R27-R2(2-Sheets) & 2-S-R3

2.1 Details Of Construction  
 2.5 Summary Of Quantities

3 Plan and Profile, Sta 352 to Sta 360  
 4 " " " " 360 " 390  
 5 " " " " 390 " 420  
 6 " " " " 420 " 450  
 7 " " " " 450 " 480  
 8 " " " " 480 " 510  
 9 " " " " 510 " 540  
 10 " " " " 540 " 553+516

11 to 109 Cross Sections  
 110 to 121 of Culvert Sites

122 Details Of Construction, Plan No. F-78(61)-K  
 123 " " " " 414-J-R4(2 Sheets)  
 124 " " " " 414-N2  
 125 " " " " 1699-R2  
 126 " " " " 1718-A  
 127 " " " " 1742-A  
 128 " " " " 1742-E  
 129 " " " " 1742-D  
 130 " " " " 1744  
 131 " " " " 1822-A2-R2  
 132 " " " " 1823-R1  
 133 " " " " 1844-A-R1  
 134 " " " " 420-B  
 135 " " " " 420-C  
 136 " " " " 1599-A-P1

INDEX OF SHEETS  
 DECEMBER 11, 1958 LETTING

1 Title Page  
 2 Typical Cross Section of Improvement No. 2-R27-R2 (Sheet 1 of 2)  
 2.5 Summary of Quantities  
 3 Details of Construction Plan 420-B  
 4 " " " " 420-C

RIGHT OF WAY SECTION

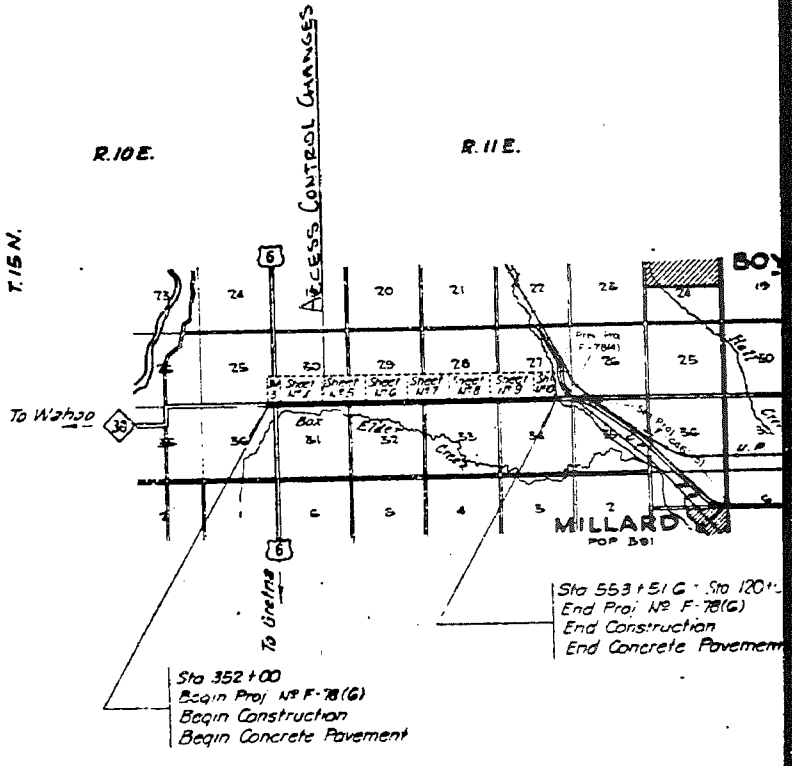
-LEGEND-

- New R.O.W. - Non-Controlled Access
- New R.O.W. - Controlled Access
- Previous R.O.W.
- Access Road Easement
- Channel

Drawn June 1959

CONVENTIONAL SIGNS

STATE AND NATIONAL LINE	DYKE	MINNERKESPE
COUNTY LINE	CULVERTS	
CITY OR VILLAGE LINE	POWER POLE	
SECTION LINE	TELEPHONE OR TELEGRAPH POLE	
FENCE LINE	MARSH	
GROUND RAIL	WEDGES	
RIGHT OF WAY LINE	TREES	
TRAVELER WAY	GROUND ELEVATION	
LANDSCAPE PLANTING	GRADE ELEVATION	
BASE OF SURVEY LINE		



EQUATIONS

FROM STA	TO STA	EXCEPTIONS INCLUDED IN THIS LINE
TOTAL LENGTH OF EXCEPTIONS		FEET
TOTAL NET LENGTH OF Proj. F-78(G)		20,151.60 FEET 3.817

STATE OF NEBRASKA  
 DEPARTMENT OF COMMERCE  
 BUREAU OF PUBLIC ROADS

Project No.	F-78(G)	Sheet No.	233
Scale		Project Name	
Author		Project No.	
Checked		Project Name	

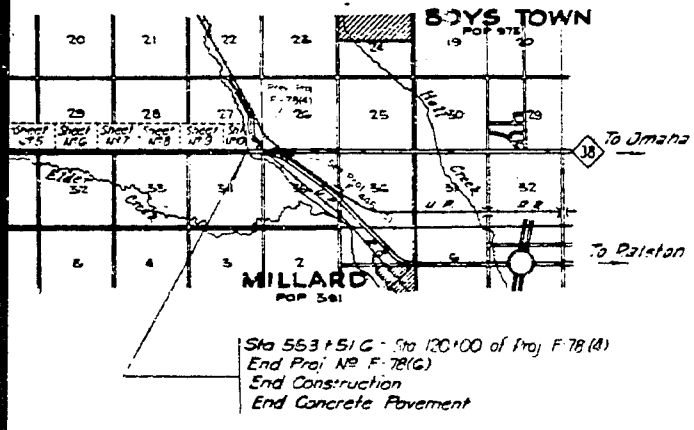
BOOK 628 PAGE 233

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STATE OF NEBRASKA  
 DEPARTMENT OF COMMERCE  
 BUREAU OF HIGHWAYS  
 AND PROFILE OF PROPOSED  
 STATE HIGHWAY  
 AID PRIMARY PROJECT  
 MOO - OMAHA  
 DUGLAS COUNTY

R.11E.

R.12E.



APPROVED *Mar 7* 1958

*H. H. Mangel*  
 DESIGN ENGINEER

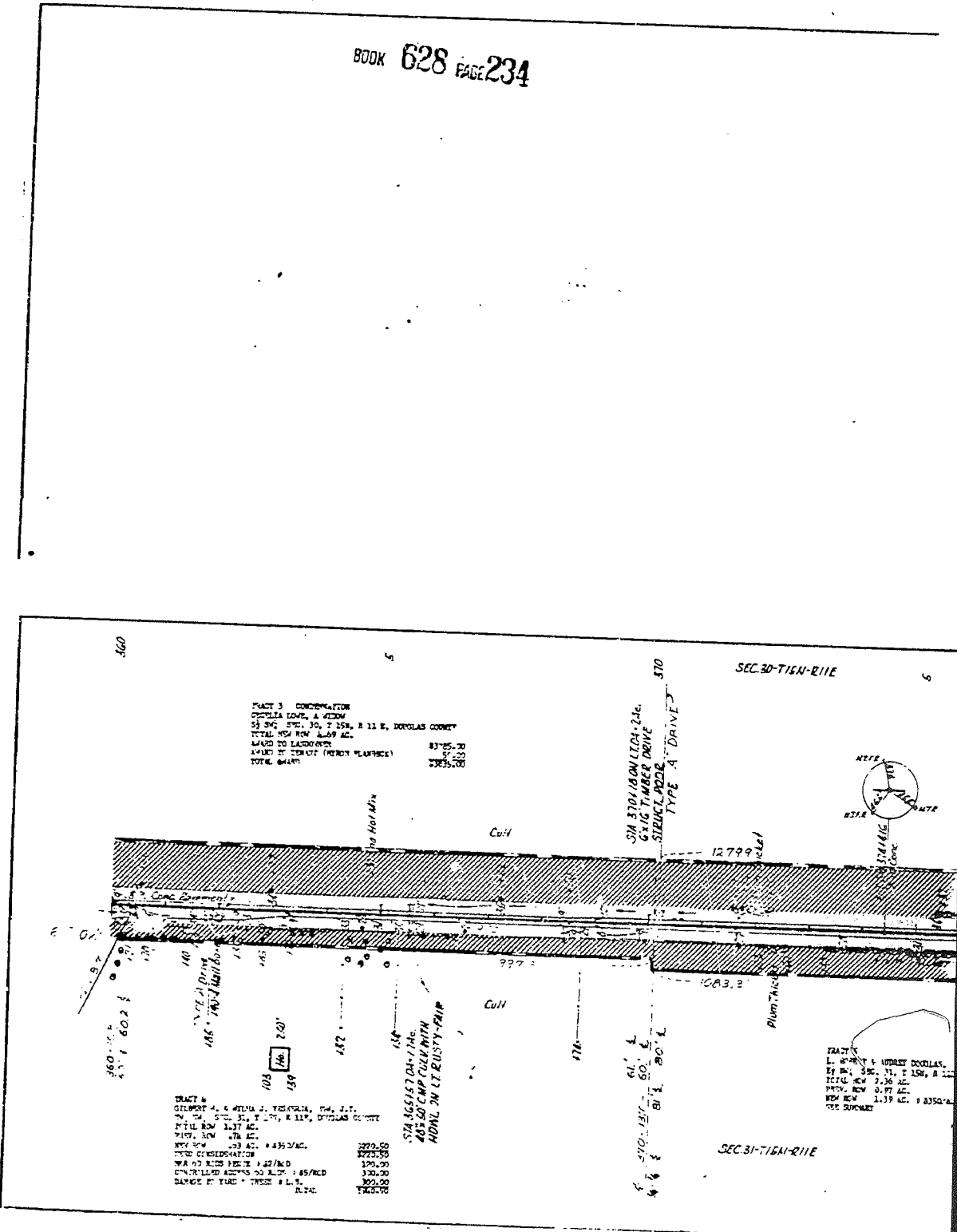
DEPARTMENT OF COMMERCE  
 BUREAU OF PUBLIC ROADS

*H. P. [Signature]*  
 STATE ENGINEER

APPROVED  
 [Redacted Signature Box]

EQUATIONS  
 EXCEPTIONS  
 INCLUDED IN THIS LAYOUT  
 TOTAL LENGTH OF EXCEPTIONS FEET  
 TOTAL NET LENGTH OF Proj. F-78(G) 20,151.00 FEET 3.817 MILES

BOOK 628 PAGE 234



TRACT 3 CONDOMINIUM  
 CHELLA LOPE, A JUNIOR  
 57 00' 00" S 30' 00" E 150' 00" A 11 E, DOUGLAS COUNTY  
 TOTAL NEW 1.49 AC.  
 SALES TO LANDOWNER 8175.70  
 SALES BY TRAFFIC (TRUCK PLACEMENT) 57.00  
 TOTAL 8232.70

SIM 370' 180' LICH. 246.  
 6" X 6" TIMBER DRIVE  
 SIENK-LADER  
 TYPE "A" DRIVE



TRACT 4  
 GILBERT A. & WILMA J. YERGENIA, JR., J.T.  
 N. 24' 00" 00" S 17' 00" 00" E 117' 00" 00" A 11 E, DOUGLAS COUNTY  
 TOTAL NEW 1.37 AC.  
 NET NEW 0.78 AC.  
 NET COST 33 AC. @ 435/AC. 14355.00  
 NET RESIDUAL 2775.00  
 WA AD RES FEE @ 22/ACD 170.00  
 CONTROLLED ACRES @ 22/ACD 300.00  
 DANGER TO TRUCK TRUCK @ 1.1 300.00  
 TOTAL 15320.00

STAGSISTON, DANA  
 403 20 CAMP COLUMBIA  
 HONOLULU, HI 96817-2118

TRACT 5  
 L. W. WELLS & URBAN DOUGLAS,  
 57 00' 00" S 30' 00" E 150' 00" A 11 E, DOUGLAS COUNTY  
 TOTAL NEW 2.36 AC.  
 NET NEW 0.77 AC.  
 NET NEW 1.19 AC. @ 8350/AC.  
 NET 9967.50

30-T16N-R11E

SEC. 30-T16N-R11E

31-T16N-R11E

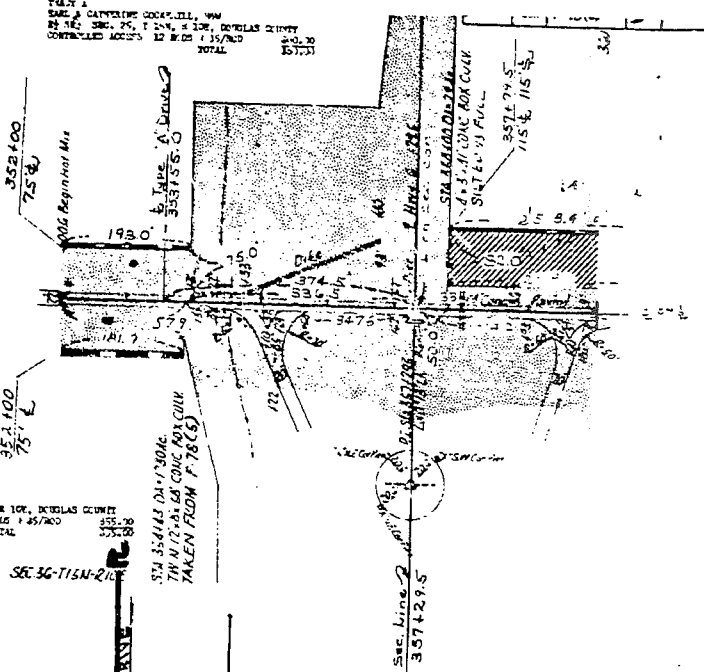
SEC. 31-T16N-R11E

**POOL RELOCATION PLAN**

BOOK 628 PAGE 235

TRACT 1  
 PART 1 CAMPBELL 2004.111, NW  
 SEC. 36, T. 15N., R. 11E., S. 10E., DALLAS COUNTY  
 CONTROLLED ACRES 11.105 ± 0.000  
 TOTAL 11.105 ± 0.000

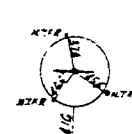
TRACT 2  
 LLOYD & ANNE PRINCE, &  
 SEC. 36, T. 15N., R. 11E., S. 10E., DALLAS COUNTY  
 CONTROLLED ACRES 11.105 ± 0.000  
 TOTAL 11.105 ± 0.000



TRACT 3  
 T. 15N., R. 11E., S. 10E., DALLAS COUNTY  
 CONTROLLED ACRES 11.105 ± 0.000  
 TOTAL 11.105 ± 0.000

TRAC	STATE	NO.	DATE	TOTAL
5	TEXAS	F-78(C)	4	

Project Engineer's  
 Relocate & as shown



TRACT 5  
 L. WENZEL & HELEN DUTELLE, NW  
 SEC. 36, T. 15N., R. 11E., S. 10E., DALLAS COUNTY  
 CONTROLLED ACRES 11.105 ± 0.000  
 TOTAL 11.105 ± 0.000

STA 380+00 DA-170/AC  
 100' X 50' CAP DRIVE CULV. TYP. 40"  
 FINISH: GOOD  
 380+00  
 380+00

TRACT 6  
 T. 15N., R. 11E., S. 10E., DALLAS COUNTY  
 CONTROLLED ACRES 11.105 ± 0.000  
 TOTAL 11.105 ± 0.000

30-T. 15N-R11E

31-T. 15N-R11E

DALLAS COUNTY  
 4350-4

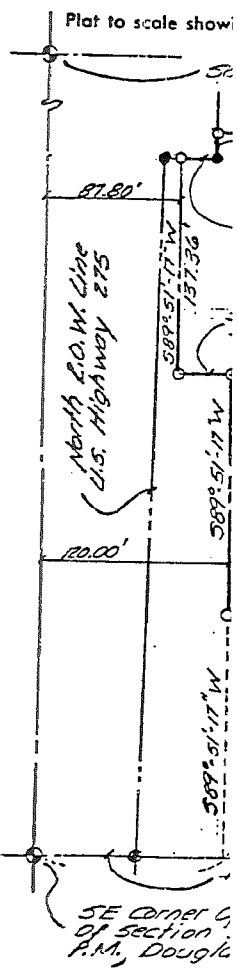
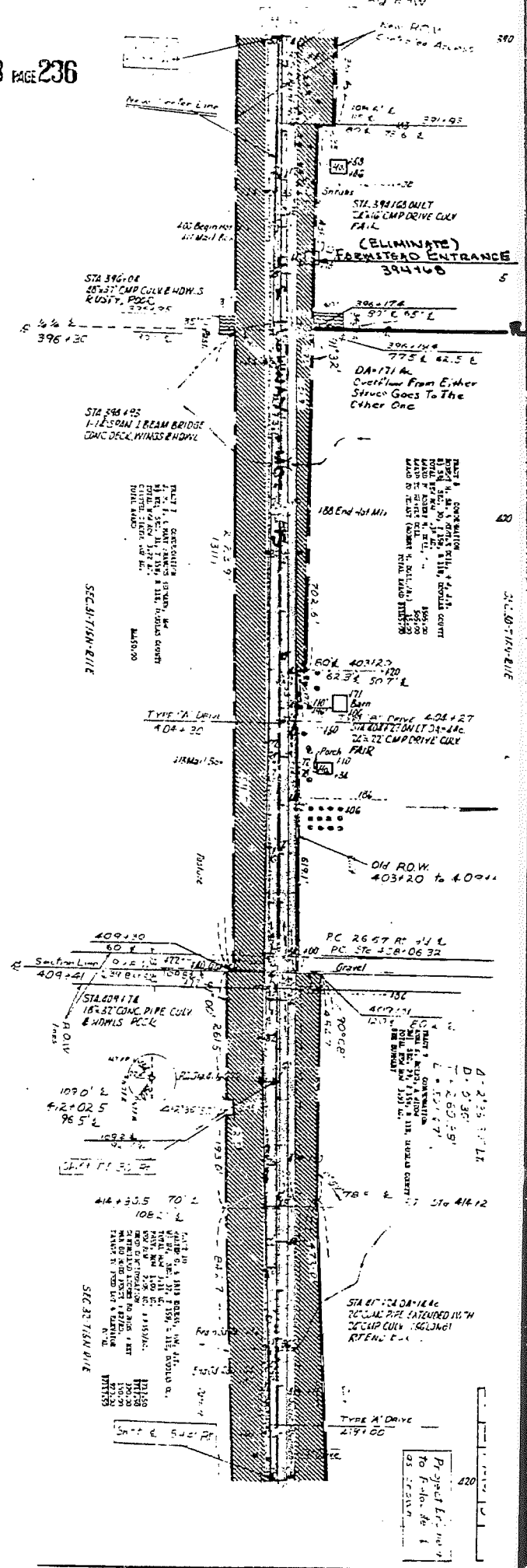
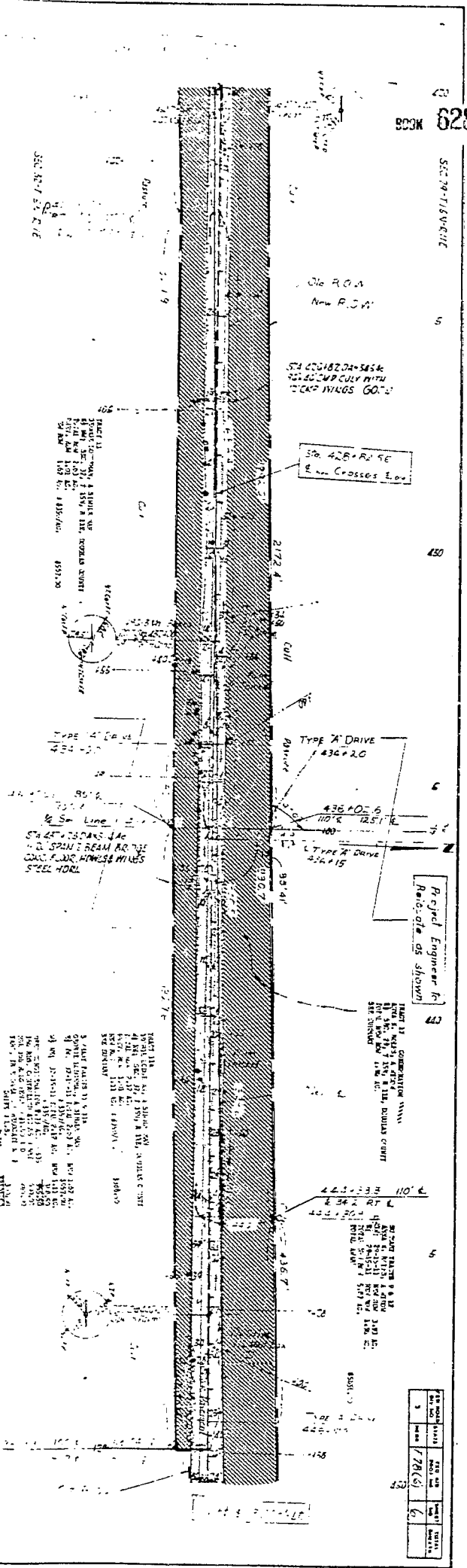


POOR COPY

I hereby certify that I am a duly Registered

Legal Description

Plat to scale show



LEGEND  
CORNERS FROM  
CORNERS SET

DATE RECEIVED \_\_\_\_\_

LEGAL DESCRIPTION  
That part of Section 27-19-21E of said County, Missouri, of said Section 27-19-21E and parcel of beginn and parcel of 32.20 fee to the So 20.80 fee East, 299. (Contains

NO.	DATE	BY	REVISION
1			
2			
3			
4			
5			
6			

Registered Engineer's Seal

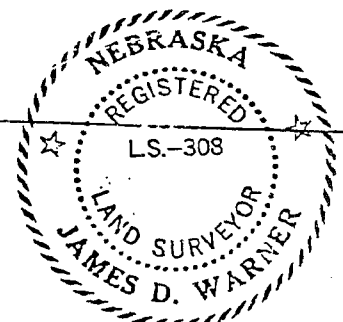
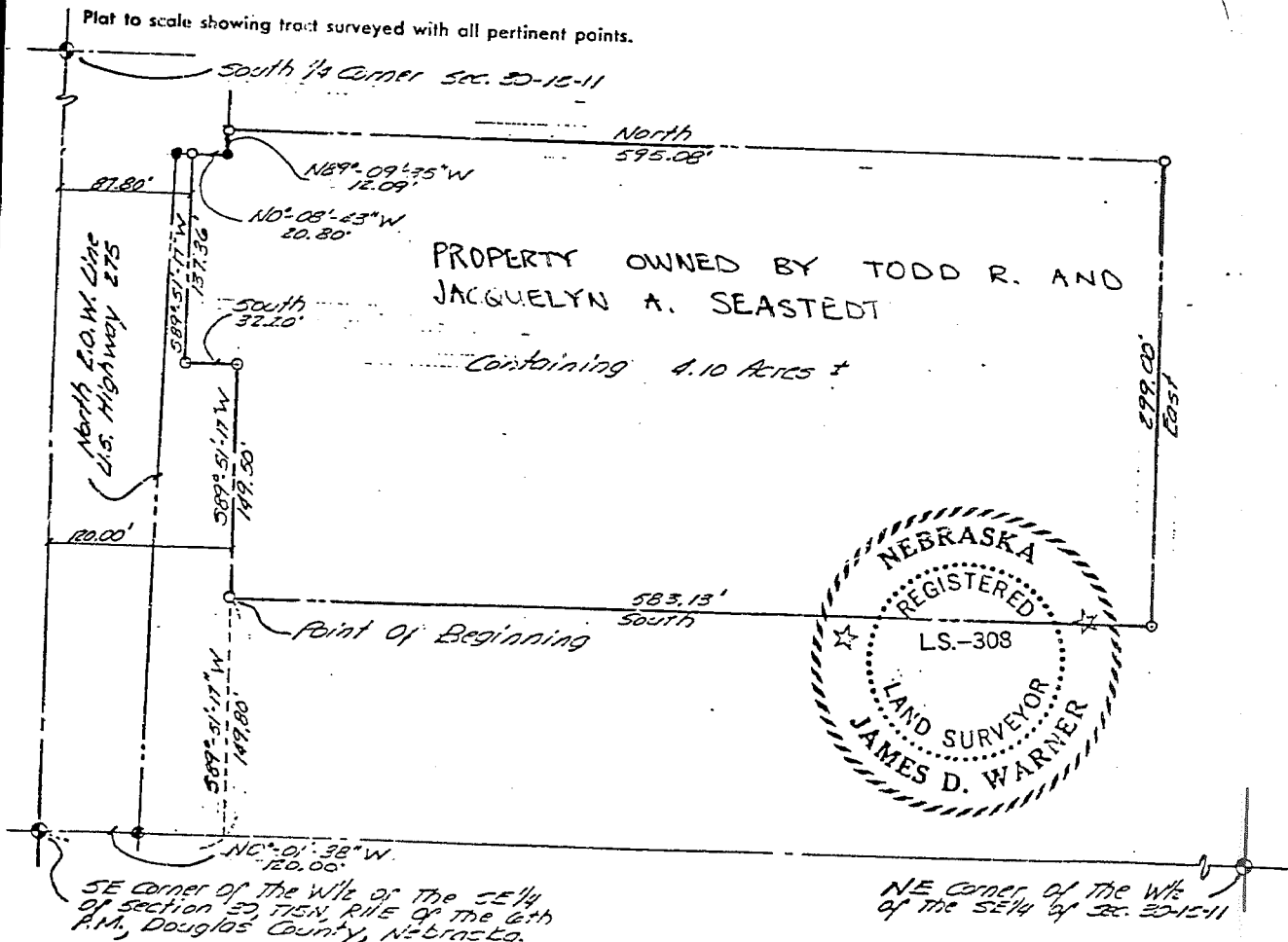
LAND SURVEYOR'S CERTIFICATE

I hereby certify that this plat, map, survey or report was made by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Nebraska.

Legal Description

"see Attached"

Plat to scale showing tract surveyed with all pertinent points.



LEGEND  
 Corners Round  
 Corners Set

Scale: 1" = 100'

Signature of Land Surveyor

*James D. Warner*

DATE RECEIVED: \_\_\_\_\_

Date: November 4, 1975 Reg. No. L.S. 308

LEGAL DESCRIPTION

That part of the  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$  of Section 30, T15N, R11E of the 6th P.M., Douglas County, Nebraska described as follows: Commencing at the SE corner of the  $W\frac{1}{2}$  of said  $SE\frac{1}{4}$ ; thence  $N 0^{\circ} 01' 38'' W$  (Assumed bearing) on the East line of the  $W\frac{1}{2}$  of said  $SE\frac{1}{4}$ , 120.00 feet; thence  $S 89^{\circ} 51' 17'' W$  on a line 120.00 feet North from and parallel to the South line of the  $W\frac{1}{2}$  of said  $SE\frac{1}{4}$ , 149.80 feet to the point of beginning; thence continuing  $S 89^{\circ} 51' 17'' W$  on a line 120.00 feet North from and parallel to the South line of the  $W\frac{1}{2}$  of said  $SE\frac{1}{4}$ , 149.50 feet; thence South, 32.20 feet; thence  $S 89^{\circ} 51' 17'' W$  on a line 87.80 feet North from and parallel to the South line of the  $W\frac{1}{2}$  of said  $SE\frac{1}{4}$ , 137.36 feet; thence  $N 0^{\circ} 08' 43'' W$ , 20.80 feet; thence  $N 89^{\circ} 09' 35'' W$ , 12.09 feet; thence North 595.08 feet; thence East, 299.00 feet; thence South 583.13 feet to the point of beginning. (Containing 4.10 Acres more or less)

EXHIBIT "C"