

BOARD OF COUNTY COMMISSIONERS

DOUGLAS COUNTY, NEBRASKA

BOOK 155 PAGE 25

Reference

Resolved

WHEREAS, on the 26th day of April, 1964, Donald R. Jahnke and John M. Slavik filed a petition and affidavit with the Board of County Commissioners of Douglas County, Nebraska, alleging that the land owned by the said Donald R. Jahnke and John M. Slavik was shut out from all public roads, and that they are unable to purchase from the owners of land adjoining property right-of-way over or through their lands, and requesting that the County Board find that a public road be established and set a time and place for hearing and serve notice on all interested parties, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, did set the date of May 19, 1964, at the Douglas County Court House, and did serve notice of said hearing on all persons interested in said hearing, either as owners or occupiers of lands adjacent to said property, and

WHEREAS, on May 19, 1964, at the hour of 10:00 A.M., a hearing was held at the Douglas County Court House and evidence presented, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, find that the conditions as set forth in the petition and affidavit of Donald R. Jahnke and John M. Slavik exist, and that it is necessary to establish a public road over and over the lands owned by Alex G. Barna, M. L. Fehlander, Herman Cohen, Donald R. Jahnke and John M. Slavik, and that said road shall be not more than four (4) rods in width, and

WHEREAS, the Board of County Commissioners of Douglas County, Nebraska, finds that the right-of-way shall be acquired from a portion of the ground owned by each of the aforementioned persons, and that the fair market value of the lands taken is \$350.00 per acre, and that much of the above shall receive a sum equivalent to \$350.00 times the number of acres taken; and that said sum shall be paid to the County Clerk of Douglas County, Nebraska, by Donald R. Jahnke and John M. Slavik as damages to the parties as owners of the land taken.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, NEBRASKA, that there is hereby established a county road on which 113 feet on either side of the section line between 23-15-10 and 26-15-10, which is more particularly described as follows: Beginning at a point 33 feet north of the intersection of the right-of-way of County Road B4 and the section line between 23-15-10 and 26-15-10, thence east a distance of 1830 feet to the Elkhorn River; thence southerly oblique to a point ten feet west of a distance of 1830 feet more or less to a point one foot south of the intersection of the section line between 23-15-10 and 26-15-10 and the right-of-way of County Road B4, said tract to be known in the County Highway System as County Road 41. Provided, however, that Donald R. Jahnke and John M. Slavik shall pay to the County Clerk of Douglas County, Nebraska, for the right-of-way acquired, the following:

To Alex Barna (.975 acre taken) - The sum of \$341.25

To M. L. Fehlander (.178 acre taken) - The sum of \$44.75

To Herman Cohen (.163 acre taken) - The sum of \$61.70

Reference

33
for Road

BOARD OF COUNTY COMMISSIONERS

BOOK 435 PAGE 26: DOUGLAS COUNTY, NEBRASKA

Resolved

Page -2-

Provided, further, that the right-of-way acquired from Donald R. Jihoke and John M. Slavik shall be assessed no damages.

DATED this 19th day of May, 1964.

John J. Bergman
Oscar Hefflinger
John P. Lynch
William J. Malner
Chairman
BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, NEBRASKA

Motion by Lynch; Seconded by Bergman
I move the adoption of the resolution.
ADOPTED: May 19th, 1964.
YEAS: Bergman, Hefflinger, Lynch,
Malner, Cavanaugh

(CERTIFIED COPY)

Walter L. Sellmer
COUNTY CLERK

SEARCHED IN NUMERICAL INDEX AND RECORDED IN THE REGISTER OF DEEDS OFFICE IN DOUGLAS COUNTY, NEBRASKA

DAY: May 19, 1964 AT 2:17 P.M. THOMAS J. O'CONNOR, REGISTER OF DEEDS

Presented by C. A. S.
J. J. Bergman
O. Hefflinger
J. P. Lynch
W. J. Malner
Chairman