

60-332-6

*Reg of Deeds*

IN THE COUNTY COURT OF SARPY COUNTY, NEBRASKA

SANITARY AND IMPROVEMENT )  
DISTRICT NUMBER 307 OF )  
DOUGLAS COUNTY, NEBRASKA, a )  
body corporate and politic, )

DOC. M4

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Condemner, )

vs. )

REPORT OF APPRAISERS

JUDITH T. FREDERICK, also )  
known as JUDITH I. FREDERICK, )  
formerly known as JUDITH I. )  
TRUMBLE, et al, )

Condemnees. )

On this 8<sup>th</sup> day of October, 1987, the undersigned, being the duly appointed, qualified and acting appraisers in the above entitled matter, do hereby make and file this Report:

1. The undersigned were duly appointed appraisers by an "Order Appointing Appraisers", dated September 1, 1987.

2. The undersigned, before entering upon their duties as appraisers, duly took and subscribed an oath to support the Constitutions of the United States of America and of the State of Nebraska and to faithfully and impartially discharge their duties as required by law.

3. The undersigned appraisers carefully inspected and viewed the premises hereinafter described on the 30th day of September, 1987, and thereafter did hold a meeting on said date in one of the jury rooms of the District Court of Sarpy County, Nebraska, Sarpy County Courthouse, 1210 Golden Gate Drive, Papillion, Nebraska, to assess the damages that the Condemnees sustained by the taking of a twenty (20) foot wide permanent easement and right-of-way to lay, install, maintain, operate,

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PAGES 3326 Ray J. Dowling REGISTER OF DEEDS, SARPY COUNTY, NEB

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repair, replace, relay and remove, at any time, a sanitary outfall sewer and all appurtenances thereto, together with the right of ingress and egress to and from the same, in, on, over, across, under and through the parcels of real estate hereinafter described and a one hundred twenty (120) foot wide temporary construction easement and right-of-way during the initial construction of the sanitary outfall sewer for the accommodation of construction equipment, materials and excavated earth on, over and across the parcels of real estate hereinafter described, upon the conditions set forth in Paragraph IV of the Petition in Condemnation, by the Condemner, at which time evidence was received relative to the amount of damages that the Condemnees have sustained or will sustain by reason of said taking of said easements and rights-of-way. Those who appeared were as follows:

- A. Robert I. Beber, of Richards, Riekes, Brown & Zabin, Attorneys for Condemner.
- B. Paul F. Keller, of Trampe & Associates Company, for Condemner.
- C. Arthur D. Beccard, of Thompson, Dresseen & Dorner, Inc., for Condemner.
- D. Charles Trumble, Condemnee, on behalf of himself and his wife, Marion Trumble; and on behalf of the following Condemnees: Judith T. Frederick, also known as Judith I. Frederick, formerly known as Judith I. Trumble, his sister; Allen L. Frederick, his brother-in-law; Brian C. Frederick, his nephew; Brett D. Frederick, his nephew; Mary Trumble, his daughter; Nancy Trumble, his daughter; and Anne Trumble, his daughter.
- E. Howard Dietz, on behalf of the Condemnees, Maryon D. Hoffman and Jay F. Hoffman.
- F. Floyd F. Durkop and Idora Durkop, Condemnees.
- G. Daniel J. Schram, Condemnee.

H. Warren S. Zweiback, attorney for the Condemnee, Raquel H. Newman.

4. The legal descriptions of the property that the Condemner is acquiring temporary and permanent easements and rights-of-way in, on, over, across, under and through and the Condemnees having or claiming some interest therein are as follows:

Tract 1:

PERMANENT EASEMENT

A 20 foot wide parcel of land located within the E1/2 of the NW1/4 of Section 21, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Southeast corner of said E1/2; thence North 89°57'51" W (assumed bearing), 630.53 feet on the South line of said E1/2; thence North 00°02'09" E, 120.40 feet to the point of beginning; thence North 41°49'33" E, 140.12 feet; thence North 24°44'21" E, 547.32 feet; thence North 08°52'46" W, 345.44 feet; thence North 14°06'03" E, 430.99 feet; thence North 08°23'06" E, 349.74 feet; thence North 27°53'50" W, 130.00 feet; thence North 07°46'13" W, 127.87 feet; thence North 06°24'39" E, 323.44 feet; thence North 38°15'50" E, 325.94 feet to the North line of said E1/2 and the point of termination of said easement, which point is 38.19 feet Westerly of the Northeast corner of said E1/2, except that part occupied by the Union Pacific Railroad right-of-way, the Missouri Pacific Railroad right-of-way and the Cornhusker Road right-of-way. The sidelines of said easement area may be extended or shortened to intersect the North line of the E1/2 of the NW1/4 of said Section 21.

TEMPORARY EASEMENT

A 120 foot wide parcel of land located within the E1/2 of the NW1/4 of Section 21, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Southeast corner of said E1/2; thence North 89°57'51" W (assumed bearing), 663.85 feet on the South line of said E1/2; thence North 00°02'09" E, 83.12 feet to the point of beginning; thence North 41°49'33" E, 190.12 feet; thence North 24°44'21" E, 547.32 feet; thence North 08°52'46" W, 345.44 feet; thence North 14°06'03" E, 430.99 feet; thence

North 08°23'06" E, 349.74 feet; thence North 27°53'50" W, 130.00 feet; thence North 07°46'13" W, 127.87 feet; thence North 06°24'39" E, 323.44 feet; thence North 38°15'50" E, 325.94 feet to the North line of said E1/2 and the point of termination of said easement, which point is 38.19 feet Westerly of the Northeast corner of said E1/2, except that part occupied by the Union Pacific Railroad right-of-way, the Missouri Pacific Railroad right-of-way and the Cornhusker Road right-of-way. The sidelines of said easement area may be extended or shortened to intersect the North and East lines of the E1/2 of the NW1/4 of said Section 21.

JUDITH T. FREDERICK, also known as JUDITH I. FREDERICK, formerly known as JUDITH I. TRUMBLE, Owner and ALLEN L. FREDERICK, her Husband; BRIAN C. FREDERICK, an unmarried minor, Owner; BRETT D. FREDERICK, an unmarried minor, Owner; MARY TRUMBLE, an unmarried woman, Owner; NANCY TRUMBLE, an unmarried woman, Owner; ANNE TRUMBLE, an unmarried minor, Owner; and CHARLES TRUMBLE, Tenant, and MARION TRUMBLE, his Wife;

Tract 2:

PERMANENT EASEMENT

A 20 foot wide parcel of land located within the SE1/4 of the SW1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Southeast corner of said SE1/4; thence North 00°08'35" W (assumed bearing) on the East line of said SE1/4, 48.34 feet to the point of beginning; thence South 38°15'50" W, 61.47 feet to the South line of said SE1/4 and the point of termination of said easement, which point is 38.19 feet Westerly of the Southeast corner of said SE1/4. The sidelines of said easement area may be extended or shortened to intersect the East and South lines of the SE1/4 of the SW1/4 of said Section 16.

TEMPORARY EASEMENT

An irregular shaped parcel of land located within the SE1/4 of the SW1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of said SE1/4 of the SW1/4; thence North 00°08'35" W (assumed bearing) on the East line of said SE1/4, 110.00 feet; thence North 89°53'20" W, 27.58 feet on a line 110.00 feet North of and parallel to the South line of said SE1/4; thence South 38°15'50" W, 139.88 feet to the South line of said SE1/4; thence South 89°53'20" E on the South line of said SE1/4, 114.49 feet to the point of beginning.

MARYON D. HOFFMAN, Owner, and JAY F. HOFFMAN, her Husband;  
and DANIEL J. SCHRAM, Tenant, and JOAN SCHRAM, his Wife;

Tract 3:

PERMANENT EASEMENT

A 20 foot wide parcel of land located within the SW1/4 of the SE1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Northwest corner of said SW1/4 of the SE1/4; thence South 89°52'44" E (assumed bearing) 263.08 feet on the North line of said SW1/4 of the SE1/4 to the point of beginning; thence South 09°38'15" W, 213.96 feet; thence South 18°26'06" E, 237.17 feet; thence South 22°19'03" W, 218.10 feet; thence South 03°44'12" E, 350.00 feet; thence South 21°44'11" W, 306.15 feet; thence North 89°53'20" W, 124.39 feet on a line 50.00 feet North of and parallel to the South line of said SW1/4; thence South 38°15'50" W, 2.11 feet to the West line of said SW1/4 and the point of termination of said easement, which point is 48.34 feet Northerly of the Southwest corner of said SW1/4. The sidelines of said easement area may be extended or shortened to intersect the North and West lines of the SW1/4 of the SE1/4 of said Section 16.

TEMPORARY EASEMENT

A 120 foot wide parcel of land located within the SW1/4 of the SE1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Northwest corner of said SW1/4 of the SE1/4; thence South 89°52'44" E (assumed bearing) 263.08 feet on the North line of said SW1/4 of the SE1/4 to the point of beginning; thence South 09°38'15" W, 213.96 feet; thence South 18°26'06" E, 237.17 feet; thence South 22°19'03" W, 218.10 feet; thence South 03°44'12" E, 350.00 feet; thence South 21°44'11" W, 306.15 feet; thence North 89°53'20" W, 124.39 feet on a line 50.00 feet North of and parallel to the South line of said SW1/4; thence South 38°15'50" W, 2.11 feet to the West line of said SW1/4 and the point of termination of said easement, which point is 48.34 feet Northerly of the Southwest corner of said SW1/4, except that part occupied by the Missouri Pacific Railroad right-of-way. The sidelines of said easement area may be extended or shortened to intersect the North, South and West lines of the SW1/4 of the SE1/4 of said Section 16.

FLOYD W. DURKOP, Owner, and IDORA DURKOP, his Wife;

Tract 4:PERMANENT EASEMENT

A 20 foot wide parcel of land located within Tax Lot 9, in the NW1/4 of the SE1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Northwest corner of said NW1/4; thence South 89°52'12" E (assumed bearing) 386.09 feet on the North line of said NW1/4 to the point of beginning; thence South 32°06'11" W, 239.96 feet; thence South 32°50'35" W, 318.99 feet; thence South 35°22'23" E, 230.00 feet; thence South 13°11'29" E, 125.84 feet; thence South 15°08'45" W, 261.00 feet; thence South 16°55'26" E, 300.00 feet; thence South 09°38'15" W, 1.07 feet to the South line of said NW1/4 and the point of termination of said easement, which point is 263.08 feet Easterly of the Southwest corner of said NW1/4, except that part occupied by the C.B. & Q. Railroad right-of-way. The sidelines of said easement area may be extended or shortened to intersect the North and South lines of said Tax Lot 9.

TEMPORARY EASEMENT

A 120 foot wide parcel of land located within Tax Lot 9, in the NW1/4 of the SE1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Northwest corner of said NW1/4; thence South 89°52'12" E (assumed bearing) 386.09 feet on the North line of said NW1/4 to the point of beginning; thence South 32°06'11" W, 239.96 feet; thence South 32°50'35" W, 318.99 feet; thence South 35°22'23" E, 230.00 feet; thence South 13°11'29" E, 125.84 feet; thence South 15°08'45" W, 261.00 feet; thence South 16°55'26" E, 300.00 feet; thence South 09°38'15" W, 1.07 feet to the South line of said NW1/4 and the point of termination of said easement, which point is 263.08 feet Easterly of the Southwest corner of said NW1/4, except that part occupied by the C.B. & Q. Railroad right-of-way. The sidelines of said easement area may be extended or shortened to intersect the North and South lines of said Tax Lot 9.

MARYON D. HOFFMAN, Owner, and JAY F. HOFFMAN, her Husband; and DANIEL J. SCHRAM, Tenant, and JOAN SCHRAM, his Wife;

Tract 5:PERMANENT EASEMENT

A 20 foot wide parcel of land located within the NE1/4 and the NW1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Southwest

corner of said NE1/4; thence South 89°52'12" E (assumed bearing) 386.09 feet on the South line of said NE1/4 to the point of beginning; thence North 32°06'11" E, 70.51 feet; thence North 18°09'10" E, 320.98 feet; thence North 44°25'08" E, 290.07 feet; thence North 05°09'31" E, 350.00 feet; thence North 21°46'12" W, 350.00 feet; thence North 22°06'21" W, 350.00 feet; thence North 20°45'17" W, 350.00 feet; thence North 09°42'17" W, 350.00 feet; thence North 10°01'38" W, 350.00 feet; thence West 294.00 feet; thence North 64.00 feet to the North line of said NW1/4 and the point of termination of said easement, which point is 34.81 feet Westerly of the Northwest corner of the NE1/4 of said Section 16. The sidelines of the easement area may be extended or shortened to intersect the North line of the NW1/4 and the South line of the NE1/4 of said Section 16.

TEMPORARY EASEMENT

A 120 foot wide parcel of land located within the NE1/4 and the NW1/4 of Section 16, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, the center line of which is described as follows: Commencing at the Southwest corner of said NE1/4; thence South 89°52'12" E (assumed bearing) 386.09 feet on the South line of said NE1/4 to the point of beginning; thence North 32°06'11" E, 70.51 feet; thence North 18°09'10" E, 320.98 feet; thence North 44°25'08" E, 290.07 feet; thence North 05°09'31" E, 350.00 feet; thence North 21°46'12" W, 350.00 feet; thence North 22°06'21" W, 350.00 feet; thence North 20°45'17" W, 350.00 feet; thence North 09°42'17" W, 350.00 feet; thence North 10°01'38" W, 350.00 feet; thence West 294.00 feet; thence North 64.00 feet to the North line of said NW1/4 and the point of termination of said easement, which point is 34.81 feet Westerly of the Northwest corner of the NE1/4 of said Section 16. The sidelines of the easement area may be extended or shortened to intersect the North line of the NW1/4 and the North and South lines of the NE1/4 of said Section 16.

RAQUEL H. NEWMAN, an unmarried woman, Owner; and FLOYD W. DURKOP, Tenant, and IDORA DURKOP, his Wife.

5. The Condemner has stipulated and agreed that, in excavating trenches in the permanent easement areas described above within which sanitary sewer pipe and appurtenances will be placed, it will remove and store at least eight (8) inches of topsoil; that after sanitary sewer pipe and appurtenances have been placed in the trenches, the trenches will be filled in accordance with good engineering practices and the topsoil which was previously removed shall be replaced; and that the surface

of soil excavated in the permanent easement areas shall be restored, as near as may be reasonably possible, to the original contour thereof.

6. The Appraisers find that the amount of damages sustained by the Condemnees by reason of the Condemner's acquisition of temporary and permanent easements and rights-of-way in, on, over, across, under and through the parcels of real property described above, is as follows:

Tract 1:

<u>NAME</u>	<u>AWARD</u>
Judith T. Frederick, also known as Judith I. Frederick, formerly known as Judith I. Trumble and Allen L. Frederick, wife and husband	\$2,562.00
Brian C. Frederick	\$ 366.00
Brett D. Frederick	\$ 366.00
Mary Trumble	\$ 366.00
Nancy Trumble	\$ 366.00
Anne Trumble	\$ 366.00
Charles Trumble and Marion Trumble, husband and wife	<u>\$ 0.00</u>
TOTAL	\$4,392.00

Tract 2:

<u>NAME</u>	<u>AWARD</u>
Maryon D. Hoffman and Jay F. Hoffman, wife and husband	\$ 111.00
Daniel J. Schram and Joan Schram, husband and wife	<u>\$ 0.00</u>
TOTAL	\$ 111.00



Tract 3:

<u>NAME</u>	<u>AWARD</u>
Floyd W. Durkop and Idora Durkop, husband and wife	\$2,681.00

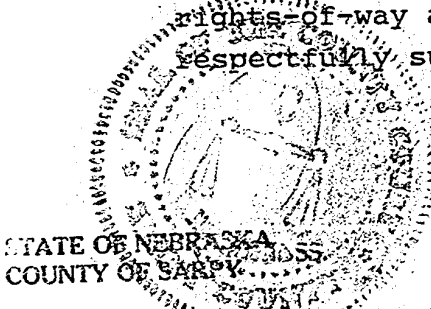
Tract 4:

<u>NAME</u>	<u>AWARD</u>
Maryon D. Hoffman and Jay F. Hoffman, wife and husband	\$2,419.00
Daniel J. Schram and Joan Schram, husband and wife	\$ 0.00
<b>TOTAL</b>	<b>\$2,419.00</b>

Tract 5:

<u>NAME</u>	<u>AWARD</u>
Raquel H. Newman	\$8,091.00
Floyd W. Durkop and Idora Durkop, husband and wife	\$ 0.00
<b>TOTAL</b>	<b>\$8,091.00</b>

NOW, THEREFORE, the undersigned Appraisers do hereby find and assess the damages that will be suffered by reason of Condemner's acquisition of temporary and permanent easements and rights-of-way as set forth above, and all of which is hereby respectfully submitted.



*John E. Johnson*  
 \_\_\_\_\_  
 John E. Johnson

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*Gene W. Murphy*  
 \_\_\_\_\_  
 Gene W. Murphy

I, the Judge of the County Court in and for said county, do hereby certify that I have compared the foregoing entries (nine) pages, with the original thereof now on file in the office of the County Clerk, and that the same is a correct transcript therefrom, and of the whole of each original.

Dated 10/21/87 \_\_\_\_\_  
 County Judge

SEAL By *[Signature]* \_\_\_\_\_  
 Clerk of the County Court