

Tracts 1-5+8

COUNTY OF DOUGLAS, STATE OF NEBRASKA

RIGHT-OF-WAY CONTRACT

THIS AGREEMENT, made and entered into this 8th day of September, 1959,

by and between Lena Rohwer, widow, Edith Neuhama, widow, Roy F. Stender and Anna F. Stender, husband and wife, August F.H. Sohl and Laura Sohl, husband and wife, Harry Sohl and Margaret Sohl, husband and wife, Hermann M. Prina and Frieda Prina, husband and wife, William Kruse and Anna Kruse, husband and wife, Otto Hibelner and Alvin Hibelner, husband and wife, William Rickers and Emma Rickers, husband and wife, Arthur Pinkall and Irene Pinkall, husband and wife, Loren Kirman and Iola Kirman, husband and wife, and David Roberts and Doris Roberts, husband and wife,

of the County of Douglas, State of Nebraska, Address c/o Fred C. Kruse, 13208 Maple Street, Omaha, Nebraska

hereinafter called the Owner, and the County of Douglas, hereinafter called the County

WITNESSETH: In consideration of the payment of six thousand nine hundred and forty (\$6,940.00) Dollars, the Owner hereby agrees to convey to the County free and clear of any encumbrances or liens, and to execute to the County of Douglas, State of Nebraska, a warranty deed, which will be furnished and prepared by the County, to certain real estate situated in the County of Douglas, State of Nebraska, as follows:

(Legal Description)

A tract of land in the north 93 acres of the Northwest one-quarter of Section 31, Twp. 15 North, Range 12 East of the 6th P.M. in Douglas County, Nebraska, being more particularly described as follows: commencing at the northwest corner of said Section 31 (intersection of 132nd Street and Center); thence south along the west line of said Section 31 for a distance of 150 feet; thence east 33 feet to the point of beginning; thence easterly to a point 125 feet east and 126.4 feet south of the northwest corner of said Section 31; thence southerly to a point 115 feet east and 325.5 feet south of said northwest corner; thence southerly to a point 105 feet east and 125.5 feet south of said northwest corner; thence southeasterly to a point 80 feet east and 125.5 feet south of said northwest corner of Section 31; thence south parallel to the west line of said Section 31 for a distance of 1027.2 feet; thence west 47 feet; thence north on a line parallel to and 33 feet from the west line of said Section 31 for a distance of 1402.7 feet to the point of beginning, containing 1.30 acres more or less.

A tract of land in the south one-quarter of the northeast one-quarter of Section 36, Twp. 15 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska, being more particularly described as follows: commencing at the northeast corner of said Section 36; thence south 1980.2 feet along the east line of said Section 36; thence west 33 feet to the point of beginning; thence continuing west 47 feet; thence south 660.1 feet along a line parallel to and 80 feet from the east line of said Section 36 to the south line of the northeast one-quarter of Section 36; thence east 47 feet; thence north 660.1 feet to the point of beginning, containing 0.71 acres more or less.

A tract of land in the north one-quarter of the southeast one-quarter of Section 36, Twp. 15 North, Range 11 East of the 6th P.M. in Douglas County, Nebraska, being more particularly described as follows: commencing at the northeast corner of said Section 36; thence south 2640.3 feet along the east line of said Section 36 to the north line of the southeast one-quarter; thence west along the north line of said southeast one-quarter 33 feet to the point of beginning; thence continuing west 47 feet; thence south 163.2 feet along a line parallel to and 80 feet from the east line of Section 36; thence southeasterly 475 feet to a point 70.5 feet west of the east line of said Section 36; thence east 47.5 feet; thence north 660.1 feet along a line parallel to the east line of said Section 36 to the point of beginning, containing 0.46 acres more or less. (It is understood and agreed that payment shall be made to Lena Rohwer the sum \$1582.00, and to August Sohl, Harry G. Sohl and Fred C. Kruse, Attorneys in-fact, the sum of \$5358.00.)

as shown on approved plans for Project No. 5-810 (County Road No. 52).

Access from the Owner's remaining land onto the highway will be permitted only at the following points:

Tract #1 - A 60-foot unrestricted access at Station 411 plus 00' as shown on the project plans, the center point of which is 1027.2 feet North of the seller's South property line.

Tract #2 - A 60-foot unrestricted access at Station 419 plus 71.2' as shown on the project plans, the center point of which is 155 feet North of the seller's South property line.

Tract #3 - A 60-foot unrestricted access at Station 427 plus 9.7' as shown on the project plans, the center point of which is 155 feet South of the seller's North property line.

Tract #4 - A 60-foot unrestricted access at Station 433 plus 50' as shown on the project plans, the center point of which is 536.1 feet North of the seller's South property line.

It is hereby agreed that possession of the above described premises is the essence of this contract, and the County may take immediate possession of the premises upon the signing of this contract for the purposes above set forth. The County agrees to purchase the above described real estate and to pay therefor upon the delivery of said executed warranty deed.

The above payment shall cover all damages caused by the establishment and construction of the above project, including damages for loss of access and damages resulting in the diminution of the value of the Owner's remaining land because of the grading required on said project. Owner waives the statutory procedure for arriving at damages by reason of any change of grade.

It is understood that no promises, verbal agreements or understanding made by the representative of the County of Douglas, State of Nebraska, except as set forth in this contract, will be honored by the County of Douglas, State of Nebraska.

ACCEPTED:

OWNER:

*Walter J. Spellenberg*  
COUNTY OF DOUGLAS

*Laura Bohrer*  
Laura Bohrer

Walter Spellenberg, Herman W. Fritsch and Frieda Erina, Max E. Stender and Anna E. Stender, August F. R. Sohl and Laura Sohl, Harry Sohl and Margaret Sohl, William Erbe and Anna Erbe, Otto Ribeler and Alvin Ribeler, William Hinger and Rosa Hinger, Edgar Pankell and Irene Pankell, Loren Kirkman and Lois Kirkman, Lorna Roberts and Doris Roberts, all by their attorneys in fact, August Sohl, Harry S. Sohl, and Fred C. Kluse, jointly.

*August Sohl*  
August Sohl

*Harry S. Sohl*  
Harry S. Sohl

*Fred C. Kluse*  
Fred C. Kluse

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS )

On this 24th day of September, 1959, before me, Wayne C. Selby,

a Notary Public duly commissioned and qualified,  
personally came Lena Nishner, widow,

to me known to be the identical person, whose name is affixed to the foregoing instrument as grantor, and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

*Wayne C. Selby*  
NOTARY PUBLIC

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS )

On this 24th day of September, 1959, before me,

a General Notary Public duly commissioned and qualified,  
personally came

to me known to be the identical person, whose name is affixed to the foregoing instrument as grantor, and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

STATE OF NEBRASKA )  
COUNTY OF DOUGLAS )

NOTARY PUBLIC

On this 24th day of September, 1959, before me, Wayne C. Selby, a Notary Public duly commissioned and qualified, personally came August Schil, Harry G. Schil, and Fred C. Kruse, attorneys in fact, to me known to be the identical persons whose names are affixed to the foregoing instrument as grantors, and acknowledged the same to be a voluntary act and deed, and a voluntary act and deed of these principals, Edith Neuhans, widow, Herman W. Prinx and Frieda Prinx, husband and wife, Roy F. Stender and Anna E. Stender, husband and wife, August F.R. Schil and Laura Schil, husband and wife, Harry Schil and Margaret Schil, husband and wife, William Kruse and Irma Kruse, husband and wife, Otto Hilscher and Alvina Hilscher, husband and wife, William Hickers and Elsie Hickers, husband and wife, Arthur Pinkall and Irene Pinkall, husband and wife, Loren Kirkman and Lois Kirkman, husband and wife, and Edith Roberts and Doris Roberts, husband and wife.

WITNESS my hand and notarial seal the day and year last above written.

*Wayne C. Selby*  
NOTARY PUBLIC

Notary Public Seal and Signature in the County of Douglas, State of Nebraska  
24th September 1959