

78- 007701

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA
IN AND FOR THE ELEVENTH JUDICIAL DISTRICT

CITY OF GRAND ISLAND, NEBRASKA,
A Municipal Corporation

Condemner,

vs.

EMIL STELK and BERTHA M. STELK;
CHARLES C. STELK and ADELINE
STELK; DORA RIEF and EVELYN
BLATTNER; and RICHARD HARTMAN,
JR., and PATRICIA HARTMAN,

Condemnees.

REPORT OF APPRAISERS

NOW on this 13th day of November 1978, the undersigned, being the duly appointed, qualified, and acting appraisers in the above-entitled matter, do hereby make and file this report, showing unto the Court:

1. The undersigned were duly appointed appraisers in the above-entitled matter by "Order Appointing Appraisers" dated October 4, 1978.

2. Before entering upon the duties as appraisers in the above-entitled matter, the undersigned duly took and subscribed an oath to support the Constitutions of the United States and 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 real estate hereinafter specified sought to be taken and also any other property of the Condemnee damaged thereby and heard all parties interested therein to the amount of damages while so inspecting and viewing the property. Those appearing were:

Howard Hinman, Jon Baker, Jeff Nitzel, James Truell

Gary Mader, C. Arlen Beam, Charles Stelk, Bertha Stelk

and Adeline Stelk

4. Said appraisers did meet on the 13th day of November 1978, at 1:30 p.m., to assess the damages that the Condemnees sustained by the

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taking of the hereinafter specified property by the Condemner, at which time said appraisers did receive evidence relative to the amount of damages that will be sustained by the owner of said real estate. Those who appeared were:

Howard Minman, Jon Baker, Jeff Hitzel, James Truell,

Gary Mader, C. Arlen Beas, Charles Stelk, Bertha Stelk,

Adeline Stelk, Richard Hartman, Jr. and Patricia Hartman

5. The amount of damages that will be sustained by the Condemnees, as owners of the said real estate, by reason of the taking thereof by the Condemner a temporary construction easement and a permanent and perpetual right-of-way in fee simple to construct a railway spur from the St. Joseph Branch of the Union Pacific Railroad to the Platte Generating Station for purposes of delivering heavy machinery during construction of said station and coal during operation thereof, upon and through the tract of land described herein, is as hereinafter found and assessed, the said real estate being taken described on Exhibits "C" and "D" attached hereto and incorporated herein by reference.

NOW, THEREFORE, the undersigned appraisers do hereby find and assess the damages that will be suffered by reason of the taking of the real estate herein described for use by the Condemner as follows:

Emil Stelk and Bertha M. Stelk	\$ <u>46,000.00</u>
Charles C. Stelk and Adeline Stelk, tenants	\$ <u>2,750.00</u>
Dora Raef	\$ <u>32,400.00</u>
Evelyn Blattner	\$ <u>100.00</u>
Richard Hartman, Jr., and Patricia Hartman, tenants	\$ <u>1,121.00</u>

Jon C. Baker
Appraiser

J. H. Hitzel
Appraiser

Richard A. Minman
Appraiser

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ORIGINAL

Date		Hall County Court Receipt		No. 19932	
77	20	77	Received from <u>City of Grand Island</u>		
Book	Page	ITEM		Amount	
3	15	City - v - Stebb, et al	Fees		
		Condemnation	Fines		
			J.R.F.		
			L.E.F.		
			Sheriff Fees		
			Witness Fees		
			Publication Fees		
			Trust	76,371	00
			TOTAL	76,371	00
<input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check		by <u>JAB</u>		Hall County Court	

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LEGAL DESCRIPTION FOR FEE TITLE
83' STRIP IN N $\frac{1}{2}$ NE $\frac{1}{4}$ SEC. 8-T10N-R9W

A tract of land comprising a part of the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at the northeast corner of said Section Eight (8); thence southerly along the east line of said Section Eight (8), a distance of Eight Three (83.0) feet; thence westerly parallel to the north line of said Section Eight (8), a distance of One Thousand Seven Hundred Seven and Fifty Eight Hundredths (1,707.58) feet, to a point of curvature; thence running northwesterly along the arc of a curve whose radius is 985.37 feet (the long chord of which deflects 11°50'33" right from the last described course), a long chord distance of Four Hundred Four and Forty Four Hundredths (404.44) feet, to the north line of said Section Eight (8); thence easterly along the north line of said Section Eight (8), a distance of Two Thousand One Hundred One and Nine Tenths (2,101.9) feet to the place of beginning and containing 3.759 acres more or less.

EXHIBIT "C"

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LEGAL DESCRIPTION FOR EASEMENT

50' STRIP IN N $\frac{1}{2}$ NE $\frac{1}{4}$ SEC. 8-T10N-R9W

A tract of land comprising a part of the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) Section Eight (8), Township Ten (10) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at a point on the east line of said Section Eight (8), said point being Eighty Three (83.0) feet south of the northeast corner of said Section Eight (8); thence southerly along the east line of said Section Eight (8), a distance of Fifty (50.0) feet; thence westerly parallel to the north line of said Section Eight (8), a distance of One Thousand Seven Hundred Eight and Forty Eight Hundredths (1,708.48) feet to a point of curvature; thence running northwesterly along the arc of a curve whose radius is 1,035.37 feet (the long chord of which deflects 14°40'50.5" right from the last described course), a long chord distance of Five Hundred Twenty Four and Seventy Nine Hundredths (524.79) feet to a point on the north line of said Section Eight (8); thence easterly along the north line of said Section Eight (8), a distance of One Hundred Eleven and Eighty Three Hundredths (111.83) feet to a point of curvature; thence running southeasterly along the arc of a curve whose radius is 985.37 feet (the long chord of which deflects 11°50'33" right from the last described course), a long chord distance of Four Hundred Four and Forty Four Hundredths (404.44) feet, to a point of tangency; thence easterly along a line Eighty Three (83.0) feet south of and parallel to the north line of said Section Eight (8), a distance of One Thousand Seven Hundred Seven and Fifty Eight Hundredths (1,707.58) feet to the place of beginning and containing 2.499 acres more or less.

EXHIBIT "C"

78- 007701

LEGAL DESCRIPTION FOR EASEMENT

S.W. 25' STRIP IN SW $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 5-T10N-R9W

A tract of land comprising a part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Five (5), Township Ten (10) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at a point on the south line of said Southeast Quarter (SE $\frac{1}{4}$) said point being Four Hundred Eighty Three and Ninety Seven Hundredths (483.97) feet east of the southwest corner of said Southeast Quarter (SE $\frac{1}{4}$); thence easterly along the south line of said Southeast Quarter (SE $\frac{1}{4}$), a distance of Sixty and Seven Hundredths (60.07) feet, to a point of curvature; thence running ~~southeasterly~~ along the arc of a curve whose radius is 980.37 feet (the long chord of which deflects 135° 15' 11" left from the last described course) a long chord distance of Seven Hundred Twenty Six and Sixteen Hundredths (726.16) feet to a point on the easterly right-of-way line of the Union Pacific Railroad; thence deflecting left 136° 32' 39" from the long chord of the last described curve, and running southerly along said easterly railroad right-of-way line, a distance of Sixty Two and Ninety Six Hundredths (62.96) feet to a point of curvature; thence running southeasterly along the arc of a curve whose radius is 1,005.37 feet (the long chord of which deflects 43° 32' 50" left from the last described course), a long chord distance of Six Hundred Thirty Seven and Seventy Nine Hundredths (637.79) feet to the place of beginning and containing 0.400 acres more or less.

EXHIBIT 'D'

78- 007701

LEGAL DESCRIPTION FOR FEE TITLE
50' STRIP IN SW $\frac{1}{4}$ SE $\frac{1}{4}$; SEC. 5-T10N-R9W

A tract of land comprising a part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Five (5), Township Ten (10) North, Range Nine (9) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows:

Beginning at a point on the south line of said Southeast Quarter (SE $\frac{1}{4}$) said point being Five Hundred Forty Four and Four Hundredths (544.04) feet east of the southwest corner of said Southeast Quarter (SE $\frac{1}{4}$); thence easterly along the south line of said Southeast Quarter (SE $\frac{1}{4}$), a distance of One Hundred Fifty Six and Sixty Eight Hundredths (156.68) feet, to a point of curvature; thence northwesterly along the arc of a curve whose radius is 930.37 feet (the long chord of which deflects 134°44'33" left from the last described course), a long chord distance of Nine Hundred Sixty Two and Ninety Five Hundredths (962.95) feet to a point on the easterly right-of-way line of the Union Pacific Railroad; thence deflecting left 137°03'17" from the long chord of the last described curve, and running southerly along said easterly railroad right-of-way line, a distance of One Hundred Seventy Two and Eighty Five Hundredths (172.85) feet to a point of curvature; thence running southeasterly along the arc of a curve whose radius 980.37 feet (the long chord of which deflects 43°27'21" left from the last described course) a long chord distance of Seven Hundred Twenty Six and Sixteen Hundredths (726.16) feet to the place of beginning and containing 1.008 acres more or less.

EXHIBIT "D"

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In the County Court of Hall County, Nebraska

IN AND FOR THE ELEVENTH JUDICIAL DISTRICT

CERTIFICATE

STATE OF NEBRASKA }
HALL COUNTY } ss.

I, RICHARD L. DE BACKER County Judge of Hall County, Nebraska, do hereby certify that I have compared the foregoing copy of Report of Appraisers and receipt of award

with the original record thereof, now remaining in said Court, that the same is a correct transcript thereof, and of the whole of such original record; that said Court is a Court of Record having a seal, which is hereto attached; that said Court has a Clerk authorized to sign certificates in his own name, and that I am the legal custodian of said Seal and the Records of said Court, and that the foregoing attestation is in due form of law.

~~Richard L. DeBacker~~

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of the County Court, at Grand Island, this 21st day of November, 19 78

Richard L. DeBacker County Judge
By *Ferry A. Place*
Clerk County Court

Entered as Document No
78-067701

Grantor J.F.F.
Grantee J.F.F.
Numerical XIV
1 2 3 4

78 NOV 22 PM 4 39

State Of Nebraska
County Of Hall

Register Of Deeds
JEAN FISHER

Jean Fisher