

Resolution

BE IT RESOLVED, that Larry Hudkins
(Corporate Officer)

and _____ of the
(Corporate Officer)

Lancaster County
(Corporation) are hereby authorized

and directed for, and on behalf of the Board of Directors, to execute all necessary documents to convey title to corporate property for highway purposes to the State of Nebraska, Department of Roads.

I further certify that the Board of Directors of the _____
(Corporation)

Lancaster County has, and at the time of the adoption of said resolution, had full power and lawful authority to adopt the foregoing resolution and to confer the powers therein granted to the persons named who have full power and authority to exercise the same.

Duly executed this 9 day of April, 20 13.

Larry Hudkins
Signature of Corporate Officer

Larry Hudkins
Print or Type Name of Corporate Officer

Signature of Corporate Officer

Print or Type Name of Corporate Officer

FOR REGISTER OF DEEDS USE ONLY
Return to: Julie Westergren
Nebraska Dept. of Roads, R.O.W. Division
1500 Highway 2, Box 94759
Lincoln, NE 68509-4759

EASEMENT – CORPORATION - GENERAL (page 1)

PROJECT: 6-6(161)

C.N.: 13093

TRACT: 6

KNOW ALL MEN BY THESE PRESENTS:

THAT: County of Lancaster, Nebraska, a political subdivision of the State of Nebraska

Organized and existing under and by virtue of the laws of the State of Nebraska
hereinafter known as the Grantor, for and in consideration of the sum of **ONE AND NO/100----**
(\$1.00)----DOLLAR AND OTHER VALUABLE CONSIDERATION in hand paid does hereby grant
and convey unto THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, and to its successors
and assigns the following described permanent easement for **CULVERT CONSTRUCTION AND
MAINTENANCE PURPOSES** and the subsequent maintenance of same;

A PERMANENT EASEMENT TO A TRACT OF LAND FOR CULVERT CONSTRUCTION AND
MAINTENANCE PURPOSES LOCATED IN IRREGULAR TRACT LOT 74 IN THE NORTHWEST
QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL
MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A
DISTANCE OF 75.92 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE
SOUTHERLY DEFLECTING 090 DEGREES, 27 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 50.87
FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE EASTERLY
DEFLECTING 090 DEGREES, 22 MINUTES, 06 SECONDS LEFT, A DISTANCE OF 34.36 FEET ALONG
SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000
DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 35.00 FEET ALONG SAID RIGHT OF WAY

EASEMENT – CORPORATION - GENERAL (page 2)

PROJECT: 6-6(161)

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LINE; THENCE SOUTHERLY DEFLECTING 092 DEGREES, 14 MINUTES, 09 SECONDS RIGHT, A DISTANCE OF 54.14 FEET; THENCE WESTERLY DEFLECTING 092 DEGREES, 38 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 36.12 FEET; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 51.12 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 1869.85 SQUARE FEET, MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

The abandonment of said permanent easement for the purposes described herein shall render this conveyance void and cause said permanent easement to revert to said Grantor and to its successors and assigns.

Duly executed this 9 day of April, A.D. 20 13

County of Lancaster, Nebraska, a political subdivision of the State of Nebraska
Corporation

By: Larry Hudkins
(Corporate Officer)

Larry Hudkins | Board Chair
(Print or Type Name/Title of Corporate Officer)

EASEMENT – CORPORATION - GENERAL (page 3)

PROJECT: 6-6(161)

C.N.: 13093

TRACT: 6

STATE OF Nebraska)
)ss.
Lancaster County)

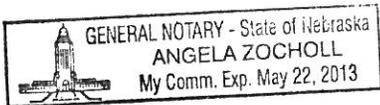
On this 9 day of April, A.D., 2013 before me, a General Notary Public, duly commissioned and qualified, personally came Larry Henderson

the duly authorized representatives of Lancaster County

who acknowledged that he, she or they held the position or title set forth in the instrument, that he, she or they signed the instrument on behalf of the corporation by proper authority and that the instrument was the act of the corporation and are to me known to be said duly authorized representative or representatives and the identical person or persons who signed the foregoing instrument and acknowledged the execution thereof to be his, her or their voluntary act and deed.

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

Angela Zocholl Notary Public.



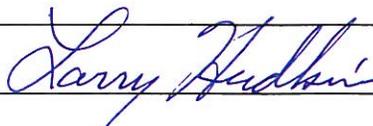
**State of Nebraska – Department of Roads
Voucher Attachment**

NAME (Please Print or Type): Lancaster County			ORIGINATING OE: 350	NIS NO.:
ADDRESS: 555 S. 10th Street			ADDITIONAL OWNERS (Please Print or Type)	
CITY: Lincoln	STATE: NE	ZIP CODE: 68508		
DATE: 4/9/13				

DESCRIPTION		
Permanent easement for culvert construction & maintenance purpose containing 1869.85 Sq. Ft.		\$ 3,790.00
Temporary easement for culvert construction & shaping containing 7253.32 Sq. Ft.		1,640.00
	TOTAL	\$ 5,430.00

MTG:
PE

VENDOR CERTIFICATION (Please sign original in ink)
I HEREBY CERTIFY THAT THE GOODS OR SERVICES LISTED ABOVE ARE PROPER CHARGES AGAINST THE STATE OF NEBRASKA AND THAT PAYMENT HAS NOT BEEN RECEIVED OR PREVIOUSLY CLAIMED

OWNER'S SIGNATURES		
Representative for County of Lancaster, a Political subdivision of the State of Nebraska		
Larry Hudkins <small>(print or type name of Representative)</small>		

DEPARTMENT OF ROADS AGENCY HEAD/AUTHORIZED AGENT:	DATE:

Internal Use Only	
NEW	
PP	
V	
VP	

Form **W-9**
 (Rev. October 2007)
 Department of the Treasury
 Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return): Lancaster County
 Business name, if different from above

Check appropriate box: Individual/Sole proprietor 1099 Reportable Corporation Not 1099 Reportable Partnership 1099 Reportable
 Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) 1099 Reportable Exempt payee
 Government - Not 1099 Reportable 501 (c) - Not 1099 Reportable Other (see instructions) ▶

Address (number, street, and apt. or suite no.): 555 S. 10th Street
 City, state, and ZIP code: Lincoln NE 68505

Remaster's name and address (optional):
 State of Nebraska
 Administrative Services
 PO Box 94664
 Lincoln NE 68509-4664

List account number/s here (optional):

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number	
SSN OR EIN	
Employer identification number	<u>47-6006482</u>

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here: Signature of U.S. person ▶ Larry Hudkins Date ▶ 4/9/13

Printed Name: Larry Hudkins Contact Phone: 402-441-7447

E-mail: commish@lancaster.ne.gov

Comments or Business/Entity Notes:

Internal Use Only:

State of Nebraska – Department of Roads Request for Allocation of Gross Proceeds

Note: If an Allocation of Proceeds is not provided, IRS regulations require the **gross proceeds** to be reported to **each seller**. This allocation is for IRS accounting only. Our policy requires that we issue one check, in all names, for the total amount.

Allocation of Gross Proceeds

Total amount to be allocated \$ 5,430.⁰⁰

Name	Address	Allocated Amount
Lancaster County	555 S. 10th St Lincoln NE 68508	\$ 5,430. ⁰⁰
		\$
		\$
		\$
		\$
		\$
		\$

Keep for your files

Project No.: 6-6(161) - Tr. 6



STATE OF NEBRASKA
DEPARTMENT OF ROADS

ACQUISITION CONTRACT

Copies to:

- 1. Right of Way Division, Nebraska Department of Roads
- 2. Owner (NDOR Approved)
- 3. Owner
- 4. District

Project No.: 6-6(161)
 Control No.: 13093
 Tract No.: 6

THIS CONTRACT, made and entered into this 9 day of April, 2013
 by and between **County of Lancaster, Nebraska, a political subdivision of the State of Nebraska,** __

Address: 955 S. 10th Street, Lincoln NE 68507

hereinafter called the OWNER, and the State of Nebraska, Department of Roads, hereinafter called the STATE.

PERMANENT EASEMENT

WITNESSETH: In consideration of the payment or payments as specified below, the OWNER hereby agrees to execute to the STATE, a Permanent Easement which will be prepared and furnished by the STATE, to certain real estate described as follows:

A PERMANENT EASEMENT TO A TRACT OF LAND FOR CULVERT CONSTRUCTION AND MAINTENANCE PURPOSES LOCATED IN IRREGULAR TRACT LOT 74 IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 75.92 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 27 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 50.87 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 22 MINUTES, 06 SECONDS LEFT, A DISTANCE OF 34.36 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 35.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 092 DEGREES, 14 MINUTES, 09 SECONDS RIGHT, A DISTANCE OF 54.14 FEET; THENCE WESTERLY DEFLECTING 092 DEGREES, 38 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 36.12 FEET; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 51.12 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 1869.85 SQUARE FEET, MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

TEMPORARY EASEMENT

WITNESSETH: In consideration of the payment or payments as specified below, the OWNER hereby grants to the STATE a Temporary Easement to certain real estate described as follows:

A TEMPORARY EASEMENT TO A TRACT OF LAND FOR CULVERT CONSTRUCTION AND SHAPING PURPOSES, LOCATED IN IRREGULAR TRACT LOT 74 IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 75.92 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 27 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 50.87 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 122.96 FEET ALONG THE EASTERLY SOUTHWEST 40TH STREET RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 14 MINUTES, 58 SECONDS LEFT, A DISTANCE OF 40.90 FEET; THENCE NORTHERLY DEFLECTING 065 DEGREES, 59 MINUTES, 21 SECONDS LEFT, A DISTANCE OF 120.42 FEET; THENCE EASTERLY DEFLECTING 059 DEGREES, 37 MINUTES, 11 SECONDS RIGHT, A DISTANCE OF 120.75 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 173 DEGREES, 44 MINUTES, 58 SECONDS LEFT, A DISTANCE OF 140.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 087 DEGREES, 45 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 54.14 FEET; THENCE WESTERLY DEFLECTING 092 DEGREES, 38 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 36.12 FEET; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 51.12 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 093 DEGREES, 29 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 34.36 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE EASTERLY SOUTHWEST 40TH STREET RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 7253.32 SQUARE FEET, MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT. UPON COMPLETION AND ACCEPTANCE OF PROJECT 6-6(161), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE LANCASTER COUNTY, NEBRASKA AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

The STATE agrees to purchase the above described Right of Way and/or Easement(s) and to pay, therefore, upon the delivery of said executed Deed and/or Easement(s). If the OWNER so desires, he/she shall have the right to receive 100% of the final payments due under this contract prior to vacating the premises being acquired.

Permanent easement for culvert construction & maintenance purpose containing 1869.85 Sq. Ft.	\$ 3,790.00
Temporary easement for culvert construction & shaping containing 7253.32 Sq. Ft.	1,640.00
TOTAL	\$ 5,430.00

It is agreed and understood that the STATE is hereby granted an immediate right of entry upon the premises described above.

Any fence constructed, reconstructed or moved by Owner/Tenant pursuant to this acquisition must be placed outside of the limits of State property. It is expressly agreed that any fence erected along the new property line by Owner/Tenant will be owned by the property owner and will not be a "division fence" as that phrase is used under Nebraska law.

The above payments shall cover all damages caused by the establishment and construction of the above project except for CROP DAMAGE, if any, which will be paid for in an amount based on the yield from the balance of the field less expenses of marketing and harvesting. CROP DAMAGE shall mean damage to such crops as are required to be planted annually and which were planted at the time of the signing of this contract and which are actually damaged due to construction of this project, but in no case shall damages be paid for more than one year's crop. The OWNER agrees to make a reasonable attempt to harvest any crop so as to mitigate the crop damage.

If any other party shall hold any encumbrance against the aforementioned property at the time of delivery of the aforementioned property, such payments as are due under this contract shall be made to the OWNER jointly with the party or parties holding such encumbrance, unless said party or parties holding such encumbrance shall have in writing waived his/her right to receive such payment.

Expenses for partial release of mortgages will be paid by the STATE, if required.

This contract shall be binding on both parties as soon as it is executed by both parties, but should none of the above real estate be required, this contract shall terminate upon the payment of \$10.00 by the STATE to the OWNER.

This contract may be executed in more than one copy, each copy of which, however, shall serve as an original for all purposes, but all copies shall constitute but one and the same contract.

REMARKS

THIS IS A LEGAL AND BINDING CONTRACT - READ IT.

The representative of the STATE, in presenting this contract has given me a copy and explained all its provisions. A complete understanding and explanation has been given of the terminology, phrases, and statements contained in this contract. It is understood that no promises, verbal agreements or understanding, except as set forth in this contract, will be honored by the STATE.

STATE OF NEBRASKA
DEPARTMENT OF ROADS

OWNER

Larry Hudkins

Representative for County of Lancaster, Nebraska, a
political subdivision of the State of Nebraska

Larry Hudkins
(print or type name of Representative)

By _____
Right of Way Manager

Date _____

Dated this 9 day of April, 2013

On the above date, before me a General Notary Public duly commissioned and
qualified, personally came

Larry Hudkins

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

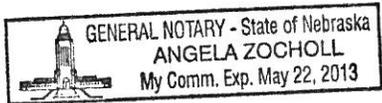
WITNESS my hand and Notarial Seal the day and year above written.

Notary *Angela Zocholl*

STATE OF Nebraska

Lancaster County

ss



Nebraska Department of Roads - Right of Way Division

Civil Rights Survey

The Federal Highway Administration (FHWA) works collaboratively with the Nebraska Department of Roads (NDOR) to protect the rights of those impacted by transportation projects receiving Federal-aid by ensuring that applicable laws, regulations, and policies are being complied with. As stated under 23 CFR 200.9, NDOR has the responsibility to uphold the rules relating to the civil rights of impacted citizens and affected communities by highway construction projects.

23 CFR 200.9 b 4 is the reason for this survey and is written as follows:

Sec. 200.9 State highway agency responsibilities.

- (a) State assurances in accordance with Title VI of the Civil Rights Act of 1964.
- (1) Title 49, CFR part 21 (Department of Transportation Regulations for the implementation of Title VI of the Civil Rights Act of 1964) **requires assurances from States that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the recipient receives Federal assistance from the Department of Transportation, including the Federal Highway Administration.**
- (b) State actions. (1) Establish a civil rights unit and designate a coordinator who has a responsible position in the organization and easy access to the head of the State highway agency. This unit shall contain a Title VI Equal Employment Opportunity Coordinator or a Title VI Specialist, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
- (4) Develop procedures for the collection of statistical data (**race, color, religion, sex, and national origin**) of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities.

This Civil Rights Survey is intended to ensure that NDOR is collecting the statistical data needed to assure Federal Compliance. Answering these questions is **entirely voluntary**. You are requested to return this form to the NDOR, whether you choose to complete it or not.

Race/Color:

- White Hispanic/Latino Black American Indian/Alaskan Native
- Asian Native Hawaiian/Other Pacific Islander Multi-racial
- Other: _____

Religion: _____

Sex: Male Female

National Origin: _____

Who may file a Title VI Complaint?

A complaint may be filed by any individual or group that believes they have been subjected to discrimination or retaliation based on their race, color, national origin, sex, age, disability/handicap and/or income level. The complaint may be filed by the affected party or representative and must be received in writing.

How to File a Complaint

You may file a written complaint within 180 days from the date of the alleged discrimination.

The complaint should include:

1. Your name, address and telephone number. If you are filing on behalf of another person, include their name, address, telephone number and your relation to the person (e.g. friend, attorney, parent, etc.)
2. The name and address of the agency, institution or department you believe discriminated against you.
3. Your signature.
4. A description of how, why and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination.
5. The names of individuals whom you allege discriminated against you, if you know them.
6. The names of any persons, if known, that NDOR could contact for additional information to support or clarify your allegations.

Your complaint must be signed, dated and submitted to the Highway Civil Rights Coordinator.

What will happen if the recipient retaliates against me for asserting my rights or filing a complaint?

A recipient is prohibited from retaliating against you or any person because he or she reported an unlawful policy or practice, or made charges, testified or participated in any complaint action under Title VI.

What is a Recipient?

Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession the District of Columbia, or Puerto Rico, to whom Federal Assistance is extended either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term recipient does not include any ultimate beneficiary under any such program.

Non-discrimination Statement

Under Title VI of the Civil Rights Act of 1964 and related statutes, the Nebraska Department of Roads ensures that no person shall, on the grounds of race, color, national origin, age, disability or sex, be excluded from participation in, denied the benefits or services of, or be otherwise subjected to discrimination in all programs, services or activities administered by the Nebraska Department of Roads.

Highway Civil Rights

Nebraska Department of Roads
Carrie Williams, Highway Civil Rights Coordinator
1500 Highway 2, PO Box 94759
Lincoln, Nebraska 68509

Phone: 402-479-4870 Fax: 402-479-4574
Email: carrie.williams@nebraska.gov

Your Rights Under

Title VI

Of the Civil Rights Act of 1964



“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”



What is Title VI of the Civil Rights Act and the Title VI Program?

Title VI of the Civil Rights Act of 1964 is the Federal law that protects individuals and groups from discrimination on the basis of their race, color, and national origin in programs and activities that receive Federal financial assistance. This also includes other civil rights provisions of Federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving Federal financial aid.

Pursuant to *Title VI of the Civil Rights Act of 1964*, the *Civil Rights Restoration Act of 1987* and other non-discrimination authorities, it is the policy of the Nebraska Department of Roads that discrimination on the grounds of race, color, national origin, disability/handicap, sex, age or income status shall not occur in connection with programs or activities receiving Federal financial assistance.

What discrimination is prohibited by the FHWA Title VI Program?

Discrimination under our Title VI Program is an act (action or inaction), whether intentional or unintentional, through which a person or group, solely because of race, color, national origin, disability/handicap, sex, age or income status has been otherwise subjected to unequal treatment or impact, under any program or activity receiving financial assistance from FHWA.

Many forms of illegal discrimination based on the grounds identified above do exist that can limit the

opportunity for individuals and groups to gain equal access to services and programs. In operating FHWA-assisted programs, a recipient cannot discriminate either directly or through contractual or other means by:

- Denying programs, services, financial aids or other benefits.
- Providing different programs, services, financial aids or other benefits, or providing them in a manner different from that provided to others.
- Segregating or separately treating individuals or groups in any matter related to the receipt of any program, service, financial aid or benefit.
- Denying person(s) the opportunity to participate as a member of a planning, advisory or similar body.
- Denying person(s) the opportunity to participate in the program through the provision of services, or affording the opportunity to do so differently from those afforded others.

Environmental Justice



VI by providing that, "each agency shall make achieving environmental justice part of its

In 1994, President Clinton signed *Executive Order 12898: Federal Action to Address Environmental Justice in Minority Populations and Low-income Populations*, which focused attention on Title

mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations."

Title VI & Limited English Proficiency (LEP)

The Federal government, and those receiving assistance from the Federal government, must take reasonable steps to ensure that persons of Limited English Proficiency (LEP) have meaningful access to the programs, services and activities of those entities. This will require recipients to create solutions to address the needs of this ever-growing population of individuals for whom English is not their primary language.

Who is an LEP Person?

Persons who do not speak English as their primary language and have a limited ability to read, speak, write or understand English may be considered Limited English Proficient or LEP. These individuals may be entitled to language assistance with respect to a particular type of service, benefit or encounter. Anyone requiring assistance may contact the Highway Civil Rights Coordinator.

Highway Civil Rights

Nebraska Department of Roads
Carrie Williams, Highway Civil Rights Coordinator
1500 Highway 2, PO Box 94759
Lincoln, Nebraska 68509

Phone: 402-479-4870 Fax: 402-479-4574
Email: carrie.williams@nebraska.gov

Highways and Your Property

As our state, cities and towns grow it becomes necessary to make changes and improvements to our roads and highways.

The Nebraska Department of Roads has the responsibility of providing safe highways. The pressure of increasingly heavy traffic requires the improvement of existing highways and the construction of new highways. The task is monumental and never-ending.

To serve this broad public interest, it sometimes becomes necessary for the state to acquire private property to construct new highways or improve and modernize the existing ones. The citizens of the State of Nebraska, through their Legislature, have given the Department statutory permission to acquire private property for this purpose. It is unfortunate that a private property owner must be inconvenienced in any way. However, the accomplishment of modern public works projects would not be possible if the land necessary was not first acquired. There would be no highways, government buildings, railroads, irrigation systems, airports, military bases, or public convenience of transportation. Right-of-way acquisition is a necessary event in the normal course of progress.

The purpose of this brochure is to help you understand methods used by the Department to acquire the land needed. Hopefully, this will provide the information you need and be a basis for mutual understanding and cooperation.

Valuation Process

Real property shall be appraised before the initiation of negotiations. The owner of a subject tract estimated to be valued in excess of \$10,000 shall be given an opportunity to accompany the appraiser during inspection of the subject property. When the appraiser views your property, it is to your advantage to offer comments concerning your land or business, particularly local peculiarities and operational requirements. You should advise the appraiser if any of these conditions exist:

- There are other persons who have ownership or interest in the property.
- There are tenants on the property.

- Items of real or personal property that belong to someone else and are located on your property.
- The presence of hazardous material, underground storage or utilities.

The appraiser will inspect your property and note its physical characteristics. He or she will review sales of properties similar to your in order to compare the facts of those sales with the facts about your property. The appraiser will analyze all elements that affect value.

The appraiser must consider normal depreciation and physical deterioration that has taken place. By law, the appraiser must disregard the influence of the future public project on the value of the property. This requirement may be partially responsible for any difference in the fair market value and market value of your property.

The appraisal report will describe your property and the agency will determine a value based on the condition of the property on the day that the appraiser last inspected it, as compared with other similar properties that have sold.

Upon completion of the report, a Review Appraiser analyzes the report and personally inspects your property. The Review Appraiser will establish the just compensation that will be offered for your property.

Exceptions to the Appraisal Requirements

Regulations provide that the appraisal may be waived:

- If you elect to donate the property and release the Department from the obligation of completing an appraisal.
- If we believe the acquisition of your property is likely to be less than \$10,000, we will prepare a Compensation Estimate to determine your property's fair market value.
- When a Compensation Estimate is prepared, the appraiser is not required to contact the owner.

Procedures Used to Acquire Real Property for Public Use

You will then be contacted by a Right of Way Agent from the Department who will make a written offer for your property. If only a portion of

your property is being acquired, this offer will separate the amount for property acquired and the amount, if any, for damages to the remainder.

If there is a portion of your property which is considered by the Department to be an uneconomic remainder, you will have the right to receive an offer from the Department to acquire the remainder.

Appraisals are made for the mutual benefit of property owners and the Department. The agent does not attempt to bargain or "horse trade" for a lesser amount. The agent is not authorized to go higher than the appraised value unless certain values or damage items have been overlooked in the appraisal. If this is the case, please bring it to the attention of the agent so it can be checked with the appraiser.

The agent will explain the requirements of the Department and present the written offer. The agent will submit to the owner a contract providing for the payment price offered by the state, a deed providing for the conveyance of the necessary right-of-way, and a payment document. The Department will give you a reasonable amount of time to consider the offer and ask questions or seek clarification of anything that is not understood.

To complete the transaction, the owner will execute these documents. The documents will then be returned to the Department for approval.

The Department will pay all closing costs associated with the conveyance of the property being acquired including the following reasonable and necessary costs:

- Recording fees, transfer taxes, documentary stamps, evidence of title, surveys, and similar expenses incidental to this property transaction.
- Penalty costs or charges for prepayment of pre-existing recorded mortgages.
- The pro rata share of real estate taxes allocated to the period after we own the property

Payment

Upon approval of the documents, payment is then mailed directly to you, except in those instances where it is necessary to arrange for electronic payment.

There are basic administrative tasks which must be performed before the payment can actually be tendered, but every effort is made to insure you receive payment in the most expeditious manner.

The Department then proceeds with the recording of the deed in the county's record.

What if a price cannot be agreed upon?

If agreement cannot be reached, the eminent domain law must be used. The Department prepares all the applications and other documents necessary to institute formal condemnation proceedings. They are filed with the office of the county judge in the county where the land is located.

The prospects of a condemnation should not cause fear or apprehension. The eminent domain law provides a means of settlement of honest disagreement and protects you as well as the Department.

With proper notification to you, the county judge appoints three local property owners as a Board of Appraisers. After viewing your property, the Board of Appraisers listens to your statements (or those of your representative) and those of the Department. A formal report of their findings of value is filed with the county judge. This hearing is conducted at no expense to you unless you hire an attorney or other representative.

If you or the Department are not satisfied with the award of the Board of Appraisers, either may appeal to District Court for determination by a jury.

The award by the Board of Appraisers is paid by the Department directly to the County Court. You may then secure your payment from the County Court after the specified appeal period has lapsed. In the event either you or the Department should elect to appeal the award, special arrangements may be made through the Department's attorneys to withdraw the amount of the Department's original written offer.

In some extreme and seldom occurring circumstances, you may be eligible for certain expenses if a Court decides that we cannot condemn your property, if we abandon a condemnation of your property, or if you are successful in an adverse condemnation action. You may appeal our decision of eligibility for these expenses. Your written appeal must be filed with

COMPENSATION ESTIMATE

PREPARED FOR
STATE OF NEBRASKA
DEPARTMENT OF ROADS
RIGHT OF WAY DIVISION

OWNERS COPY

Project Number 6-6(161) **Control Number** 13093 **Tract Number** 6
Project Name US-6/W40th St., Lincoln
Property Owner County of Lancaster; Nebraska; a political subdivision of the State of Nebraska
Property Address 3801 West "O" Street
Lincoln, NE

TOTAL COMPENSATION ESTIMATE VALUE \$5,430.00

This "Compensation Estimate" is not to be considered an appraisal under the Uniform Standards of Professional Appraisal Practice (USPAP) as promulgated by the Appraisal Foundation and adopted by the Nebraska Real Property Appraiser Board. This Compensation Estimate is prepared under a waiver of appraisal provision authorized by Federal Highway Administration regulations, 49 CFR 24.102(C)(2).

This opinion of value may not meet the minimum standards contained in the Uniform Standards of Professional Appraisal Practice and is not governed by the Real Property Appraiser Act.

[In accordance with Neb. Rev. Stat. Section 76-2221(1)]

I hereby certify:

That I have personally inspected the property and that I have afforded the property owner the opportunity to accompany me at the time of inspection. I have also made a personal field inspection of the comparable sales relied upon in making said Compensation Estimate. The subject and the comparable sales relied upon in making said Compensation Estimate were as represented by the photographs contained in said report.

That to the best of my knowledge and belief the statements contained in the fair market value estimate herein set forth are true, and the information upon which the opinions expressed therein are based is correct subject to the limiting conditions therein set forth.

That I understand that such estimate is to be used in connection with the acquisition of right-of-way for a highway to be constructed by the **State of Nebraska** with the assistance of Federal-aid highway funds, or other Federal funds.

No portion of the value assigned to such property consists of items which are noncompensable under the established law of said State.

That neither my employment nor my compensation for making this estimate report are in anyway contingent upon the value reported herein.

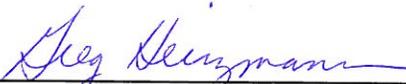
That I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property interests.

That I have not revealed the findings and results of such estimate to anyone other than the proper officials of the acquiring agency or officials of the Federal Highway Administration and I will not do so until so authorized by said officials, or until I am required to do so by due process of law, or until I am released from this obligation by having publicly testified as to such findings.

That my opinion of the fair market value of the acquisition as of the **7th day of December 2012** is **\$5,430.00** based on my independent estimate and the exercise of my professional judgement.

09-Jan-13

Date Signed



Greg Heinzmann - Salaried Staff Appraiser
NDOR Right of Way Division

31-Jan-13

Date Signed



Mark Beethe - Salaried Review Appraiser
NDOR Right of Way Division

APPRAISAL APPROVED AS SUBMITTED

DESCRIPTION AND AFFECT OF ACQUISITIONS

DAMAGES:

PE1

Commercial Lands 5+ acres 1869.85 sq ft. Purpose, culvert const. & maintenance. . PE1, for culvert construction and maintenance, contains 1,869.85 SF and is located between Sta 189+00.00 Rt and Sta 189+35.00 Rt. Compensation for the easement will be based on 90% of the land value. See the attached legal description and ROW plat for the exact details.

TE1

Commercial Lands 5+ acres 7253.32 sq ft. Purpose, culvert const. & shaping . TE1, for culvert construction and shaping, contains 7,253.32 SF of land located between Sta 188+65.64 Rt and Sta 190+75.00 Rt. The area has an irregular shape. Compensation for the easement will be based on 10% of the land value for a period of one year. See the attached legal description and ROW plat for the exact details.

Additional Considerations to the Appraisal: The large mounument-type sign on the corner of West "O" Street and SW 40th Street(Sta 188+91.49) will be within the temporary easement area but will not be disturbed as stated on the ROW plat.

The intent is not to disturb the landscaping located within the easement areas.

In the opinion of the appraiser, the property will suffer no additional damages as a result of this acquisition.

ESTIMATE SUMMARY

DAMAGES:

PE1 Commercial Lands 5+ acres 1869.85 sq ft @ \$2.25 per sq ft X 90%	\$3,790.00
TE1 Commercial Lands 5+ acres 7253.32 sq ft @ \$2.25 per sq ft X 10% X 1 year	\$1,640.00
TOTAL COMPENSATION	\$5,430.00

Dollar Amounts appearing in this report may be rounded

Call Report
Project: 6-6(161)
Control No. 13093
US-6/W40th St., Lincoln
Tract No. 6

Tract Owner Name	County of Lancaster; Nebraska; a political subdivision of the State of Nebraska
Right Of Way Section	Appraisal
Call Method	Appraisal Inspection
Call Date	12/4/2012
Call Time	10:30:00 AM
Creator of This Report	Greg Heinzmann
Owner Participation ?	Yes
People Present	Mike Thurber
Details	The appraiser met Mr. Thurber and several other county officials on the property for the inspection and to review the ROW plans. The appraiser felt he answered all of the questions regarding the project at this time. Mr. Thurber was concerned with damages to the landscaping and the appraiser has forwarded those question on to ROW design. The intent of the ROW design is to avoid as much, if not all of the landscaping.

LINCOLN

SEC. 19-T10N-R6E

SEC. 20-T10N-R6E

TRACT NO. 1
CRETE CARRIER CORP,
A NE CORPORATION
IRREG TR LOTS 38, 48 & 50
IN THE SE1/4
SEC 19-T10N-R6E

LOT 50

TRACT NO. 2
MAD DOG GUEST RANCH, LLC,
A WYO. LLC.
LOT 51, IRREG. TRACT
SE1/4 SEC. 19-T10N-R6E

LOT 51

TRACT NO. 3
STATE TROOPERS ASSOC. OF NEB.
A NEB. NON-PROFIT CORP.
& STATE LAW ENFORCEMENT
BARGAINING COUNCIL, AS JT
UNIT E,
WEST POINT BUSINESS
PARK CONDOMINIUM, AMENDED.

TRACT NO. 3
STATE TROOPERS ASSOC. ET. AL.
COMMON ELEMENT, WEST POINT BUSINESS
PARK CONDOMINIUM UNIT E

177+78.00
60.34' €

179+81.72
84.19' €

180+74.00
95.00' €

187+00.00
87.00' €

186+93.00
188.00' €

187+66.10
188.00' €

187+65.59
107.00' €

188+40.61
110.89' €

189+13.98
111.03' €

189+50.00
78.00' €

COMMON ELEMENT
DETENTION CELL
INST. #2008035925

177+95.44
59.54' €

181+26.81
79.48' €

184+58.39
69.33' €

187+89.94
8.45' €

187+56.63
60.06' €

188+65.64
59.04' €

189+35.00
58.89' €

190+75.00
58.60' €

177+95.42
63.04' €

178+63.00
73.44' €

179+30.00
83.75' €

180+68.00
105.00' €

181+26.34
145.00' €

182+20.00
126.00' €

183+33.00
145.00' €

187+05.00
90.00' €

187+31.00
90.00' €

188+97.00
110.00' €

189+00.00
58.97' €

189+55.00
72.00' €

177+95.42
63.04' €

179+08.00
130.00' €

179+30.00
126.00' €

180+68.00
105.00' €

181+26.34
145.00' €

182+20.00
126.00' €

183+33.00
145.00' €

187+05.00
152.00' €

187+56.25
148.00' €

188+97.00
110.00' €

189+06.00
182.00' €

189+55.00
72.00' €

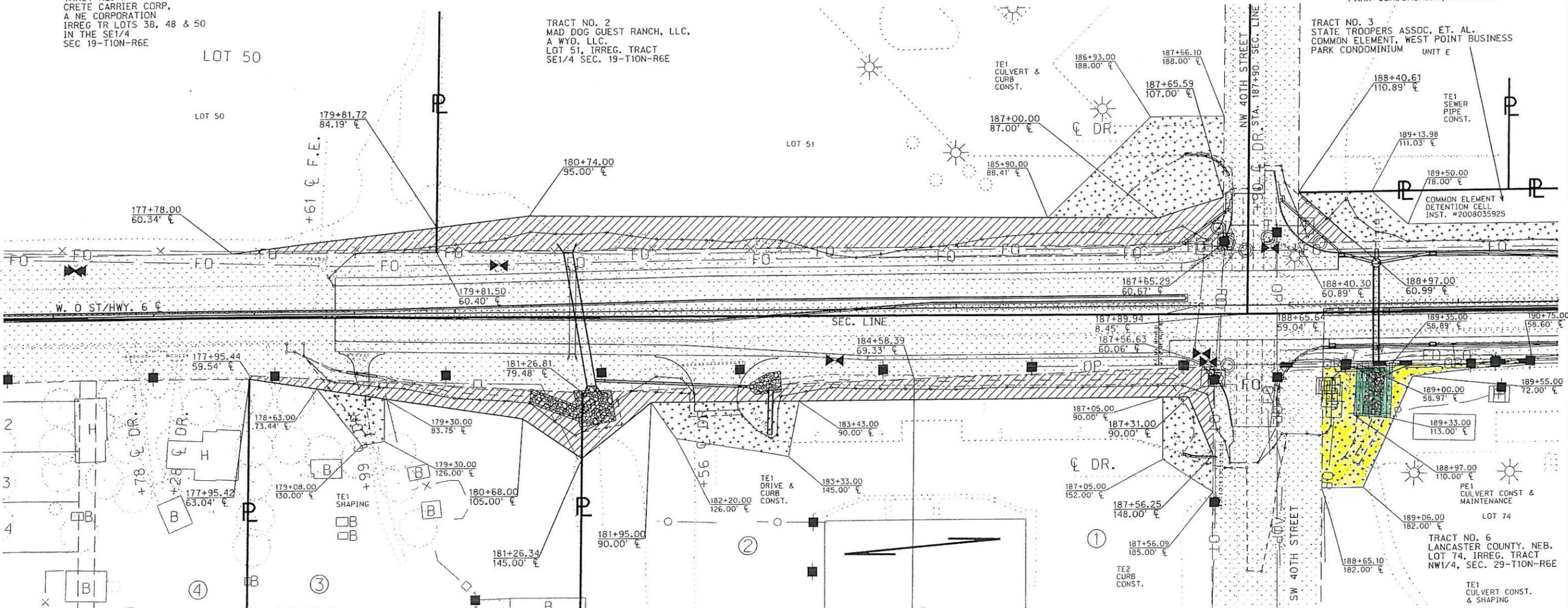
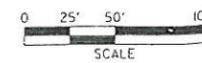
TRACT NO. 4
STEVEN LYNN BURBACH, ET. AL.
BLOCKS 3, 13, & 14
CUSHMAN SUBD.
SEC. 30-T10N-R6E

CUSHMAN SUB.

TRACT NO. 5
SPIRIT MASTER FUNDING, III, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
BLOCKS 1 & 2, CUSHMAN, LINCOLN,
LANCASTER COUNTY, NEBRASKA, EXCEPT TRACTS.

SEC. 29-T10N-R6E

SEC. 30-T10N-R6E



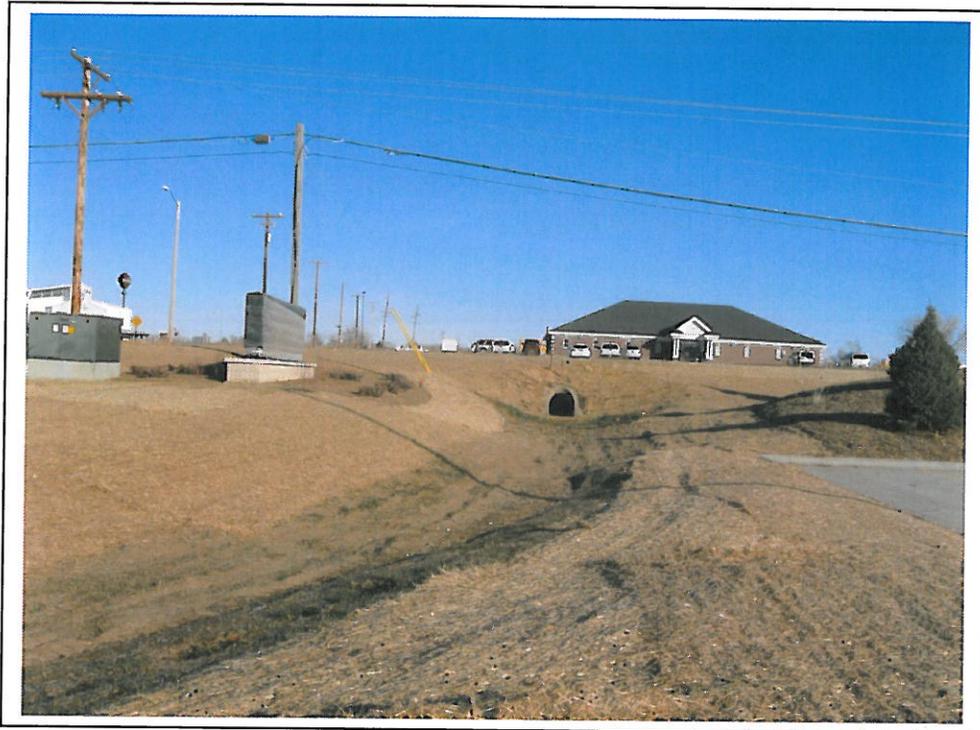
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User: dor18037
Date: 12-DEC-2012 10:37

File: 13093r3a.dgn
Scale: 1:100

REVISED
DATE 12-12-2012
THESE PLANS ARE INTENDED TO
SHOW DETAILS OF THE HIGHWAY
RIGHT OF WAY. ALL OTHER
DETAILS ARE SHOWN FOR
INFORMATION ONLY. SEE
CONSTRUCTION PLANS
Appraisal Plans
PRELIMINARY RIGHT
OF WAY PLANS
SUBJECT TO CHANGE
DATE: 10-26-2012

DO NOT DISTURB		
STATION	SIDE	DESCRIPTION
188+91.49	77.40' RT.	Sign

PHOTOGRAPHS OF ALL PRINCIPAL IMPROVEMENTS AND/OR FEATURES AFFECTING VALUE



Area of temporary and permanent easements looking north from approx. Sta 189+00 Rt.



Area of temporary and permanent easements looking east from approx. Sta 188+65 Rt.

PHOTOGRAPHS OF ALL PRINCIPAL IMPROVEMENTS AND/OR FEATURES AFFECTING VALUE



Area of temporary easement looking east from approx. Sta 189+00 Rt.

Permanent Easement for Tract 6

Project Number: 6-6(161)

Control Number: 13093

Acquisition Type: Permanent Easement
Easement Number: PE1
Purpose: Culvert Const. & Maintenance.

AREAS

The measurements for the design of this tract are in English and the units will be in acre.

Easement Area: 1,869.85 Units: sq ft

DETAILS & NOTES

LEGAL DESCRIPTION

A PERMANENT EASEMENT TO A TRACT OF LAND FOR CULVERT CONSTRUCTION AND MAINTENANCE PURPOSES LOCATED IN IRREGULAR TRACT LOT 74 IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 75.92 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 27 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 50.87 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 22 MINUTES, 06 SECONDS LEFT, A DISTANCE OF 34.36 FEET ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 35.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 092 DEGREES, 14 MINUTES, 09 SECONDS RIGHT, A DISTANCE OF 54.14 FEET; THENCE WESTERLY DEFLECTING 092 DEGREES, 38 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 36.12 FEET; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 51.12 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 1869.85 SQUARE FEET, MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

STAMP*12347095758 *

Temporary Easement for Tract 6

Project Number: 6-6(161)

Control Number: 13093

Acquisition Type: Temporary Easement
Easement Number: TE1
Purpose: Culvert Const. & Shaping

AREAS

The measurements for the design of this tract are in English and the units will be in acre.

Easement Area: 7,253.32 Units: sq ft

DETAILS & NOTES

LEGAL DESCRIPTION

A TEMPORARY EASEMENT TO A TRACT OF LAND FOR CULVERT CONSTRUCTION AND SHAPING PURPOSES, LOCATED IN IRREGULAR TRACT LOT 74 IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LANCASTER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 75.92 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 27 MINUTES, 41 SECONDS RIGHT, A DISTANCE OF 50.87 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 122.96 FEET ALONG THE EASTERLY SOUTHWEST 40TH STREET RIGHT OF WAY LINE; THENCE EASTERLY DEFLECTING 090 DEGREES, 14 MINUTES, 58 SECONDS LEFT, A DISTANCE OF 40.90 FEET; THENCE NORTHERLY DEFLECTING 065 DEGREES, 59 MINUTES, 21 SECONDS LEFT, A DISTANCE OF 120.42 FEET; THENCE EASTERLY DEFLECTING 059 DEGREES, 37 MINUTES, 11 SECONDS RIGHT, A DISTANCE OF 120.75 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 173 DEGREES, 44 MINUTES, 58 SECONDS LEFT, A DISTANCE OF 140.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 087 DEGREES, 45 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 54.14 FEET; THENCE WESTERLY DEFLECTING 092 DEGREES, 38 MINUTES, 48 SECONDS RIGHT, A DISTANCE OF 36.12 FEET; THENCE NORTHERLY DEFLECTING 088 DEGREES, 36 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 51.12 FEET TO A POINT ON THE SOUTHERLY HIGHWAY 6 RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 093 DEGREES, 29 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 34.36 FEET ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE EASTERLY SOUTHWEST 40TH STREET RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 7253.32 SQUARE FEET, MORE OR LESS.

THE EASEMENT AREA(S) MAY BE USED FOR THE TEMPORARY RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT. UPON COMPLETION AND ACCEPTANCE OF PROJECT 6-6(161), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE LANCASTER COUNTY, NEBRASKA AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

Present Owner

Five Year Record Ownership

Owner

Index Number: 1

Present title:

Grantee: County of Lancaster, Nebraska, a political subdivision of the State of Nebraska

Grantor: West O Properties, L.L.C., a Nebraska limited liability company

Media: Inst. #

Book: 2007

Page: 056023

Type of Instrument: Warranty
Deed

Date of Instrument: 11/6/2007

Date Filed: 11/14/2007

Consideration: \$1.00 & ovc

Revenue Stamps: exempt

Comments: Part of Lot 74 sold to the City of Lincoln See Inst.# 2011-057071

Legal Description:

Lots 73 and 74, Irregular Tract, in the NW1/4 of Section 29, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

Legal Description Document:

Section: 29
Township: 10N
Range: 6E
Lot Type:
City:
Subdivision:
Block:
Lot:

Lot Type	Lot Number
No Lot Type	

Originator: Karla Smith

Date Entered into ARMS: 07/28/2011

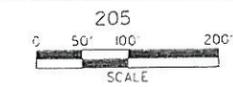
PROJECT NO.	SHEET NO.
ROW PROJECT NO.	STPD-6-6(161)
LOCATION	US-6/W40TH ST., LINCOLN
COUNTY	LANCASTER
CONTROL NO.	13093
ROW SHEET NO.	4
FINALIZED PROJECT NO.	

FOR DETAILS NOT SHOWN
SEE SHEETS 3A & 4A

WEST POINT BUSINESS PARK CONDOMINIUM, AMENDED

STA. 203+08.66 LT
24" x 84" DR. PIPE

STA. 203+72.67
48" x 106" CULV. PIPE W/HDLWS.



STA. 181+18.05
TWIN 6" x 6" x 6' CONC. ARCH CULV.
W/WINGWALLS

STA. 187+53.08, 48.65' LT
18" x 38" CULV. PIPE W/INLET IN
CURB INLET & F.E.S. ON OUTLET

STA. 187+73.75, 62.30' LT
CURB INLET

STA. 188+07.09, 66.56' LT
CURB INLET

STA. 188+27.72, 57.90' LT
18" x 34" CULV. PIPE W/INLET IN
CURB INLET & F.E.S. ON OUTLET

STA. 189+18.50
3' x 3' x 80' CONC. ARCH CULV.
W/WINGWALLS

STA. 189+18.50 LT
36" x 21" REINF. CONC. PIPE
W/INLET IN OVERFLOW STRUCTURE
& F.E.S. ON OUTLET

STA. 189+18.50, 80.61' LT
OVERFLOW STRUCTURE

STA. 189+18.50 LT
30" x 7" REINF. CONC. PIPE
W/F.E.S. ON INLET & OUTLET
IN OVERFLOW STRUCTURE

TRACT NO. 2
MAD DOG GUEST RANCH, LLC,
A WYO. LLC.
LOT 51, IRREG. TRACT
SE1/4 SEC. 19-T10N-R6E

LOT 51

TRACT NO. 3
WEST POINT BUSINESS PARK ASSOC. ET. AL.
COMMON ELEMENT, WEST POINT BUSINESS
PARK CONDOMINIUM, AMENDED

UNIT A

UNIT B

UNIT E

UNIT D

UNIT C

COMMON ELEMENT
DETENTION CELL
INST. #2008035925

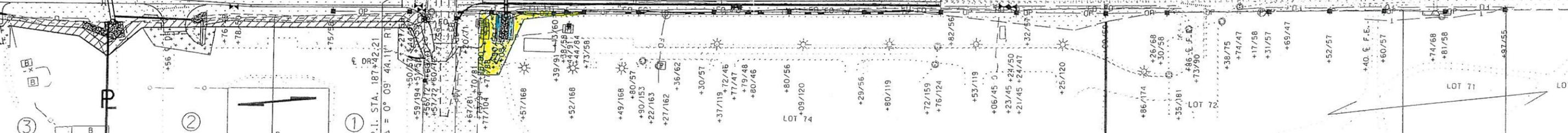
PARKING

PARKING

LOT 76

HWY. 6/W. O ST. &

sec. line



RIGHT OF WAY BEING PURCHASED BY
THE CITY OF LINCOLN
PROJECT # STPN-BR-TMT-5267(1), CN 12744

TRACT NO. 6
LANCASTER COUNTY, NEB.
LOT 74, IRREG. TRACT
NW1/4, SEC. 29-T10N-R6E

TRACT NO. 4
STEVEN LYNN BURBACH,
ET. AL.
BLOCKS 3, 13, & 14
CUSHMAN SUBD.
SEC. 30-T10N-R6E

TRACT NO. 5
SPIRIT MASTER FUNDING, III, LLC,
A DELAWARE LIMITED LIABILITY COMPANY
BLOCKS 1 & 2, CUSHMAN, LINCOLN,
LANCASTER COUNTY, NEBRASKA, EXCEPT TRACTS.

CUSHMAN SUBDIVISION

STA. 182+57.42 RT
18" x 63" DR. PIPE

STA. 187+64.41 RT
30" x 61" DR. PIPE

STA. 202+86.03 RT
18" x 58" DR. PIPE

REVISED
DATE 02-21-2013

THESE PLANS ARE INTENDED TO
SHOW DETAILS OF THE HIGHWAY
RIGHT OF WAY. ALL OTHER
DETAILS ARE SHOWN FOR
INFORMATION ONLY. SEE
CONSTRUCTION PLANS

Negotiations Plans

TENTATIVE FINAL PLANS
SUBJECT TO CHANGE

DATE: 02-01-2013

PROJECT REPORT

**Project # STPD 6-6 (161)
C.N. 13093
US-6/West 40th Street, Lincoln
Lancaster County
Nebraska**

OWNERS COPY

Client

**State of Nebraska
Department of Roads
Right of Way Division**

Date of Report

November 23rd, 2012

Greg Heinzmann

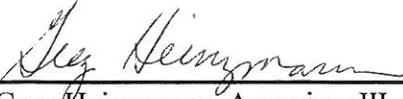
Appraiser III

Salaried employee, exempt

Nebraska Department of Roads

CERTIFICATION

I certify that to the best of my knowledge the facts and data included in this report are true and correct; that I personally inspected and confirmed the sales included; that I am unbiased in regard to the purpose of this report; and that this report has been made in conformity with the appropriate state and federal laws, regulations, policies, and procedures applicable to right-of-way acquisition for federally funded projects.



Greg Heinzmann, Appraiser III

January 9, 2013

Date



Review Appraiser

1-31-13

Date

DEFINITIONS

Appraisal: The act or process of developing an opinion of value; an opinion of value. *(USPAP)*

Appraiser: One who is trained and educated in the methods of determining the value of property through analysis of various factors which determine said value. *(The Real Estate Dictionary, 7th Edition, International Right of Way Association)*

Appraisal review: The act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal, appraisal review, or appraisal consulting assignment. *(The Real Estate Dictionary, Seventh Edition, International Right of Way Association)*

Assignment: A valuation service provided as a consequence of an agreement between an appraiser and a client. *(USPAP)*

Client: The party or parties who engage an appraiser (by employment or contract) in a specific assignment. *(USPAP)*

Extraordinary Assumptions: An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinion or conclusions. *(USPAP)*

Fair Market Value: The price which would be paid by a willing buyer, not compelled to buy, to a willing seller, not compelled to sell, assuming that both buyer and seller are fully informed as to the uses and limitations of the property and that a reasonable time is allowed in which to find a purchaser. *(State of Nebraska, Department of Roads, Right of Way Division, Right of Way Manual)*

Fee Simple: An estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited. It is commonly, a synonym for ownership. *(The Real Estate Dictionary, Seventh Edition, International Right of Way Association)*

Hypothetical Condition: That which is contrary to what exists but is supposed for the purpose of analysis. *(USPAP)*

Highest and Best Use: The use of land which will result in its highest value. In appraisal this cannot be merely theoretical but must be realistic in that the use must be legal, physically possible, and financially feasible. *(The Real Estate Dictionary, Seventh Edition, International Right of Way Association)*

Intended Use: The use or uses of an appraiser's reported appraisal, appraisal review, or appraisal consulting assignment opinions and conclusions, as identified by the appraiser based on communication with the client at the time of the assignment. *(USPAP)*

Intended User: The client and any other party as identified, by name or type, as users of the appraisal, appraisal review, or appraisal consulting report by the appraiser on the basis of communication with the client at the time of the assignment. *(USPAP)*

Just Compensation: As taken from the NDOR Right of Way manual...

The full and fair equivalent for the loss sustained by the owner as a result of taking or damaging of private property for highway purposes. *(Right of Way Committee of AASHTO)*

That amount of money or its equivalent which will compensate the owner; so that he is in the same financial position as he was before his property was taken or damaged for a public purpose. This is the amount of money which will make the owner no richer or no poorer than he was before the taking or damaging of his property. *(Nebraska Supreme Court)*

Leasehold Interest: An ownership interest in real estate held by a tenant during the term of a lease. The leasehold estate can be valued as the present value of the difference between the market rent and the rent specified by the lease. *(Income Property Valuation, Jeffrey D. Fisher and Robert S. Martin)*

Neighborhood: An area delineated by geographical or political boundaries that is characterized by having complementary land uses. *(Income Property Valuation, Jeffrey D. Fisher and Robert S. Martin)*

Personal Property: Any property which is not designated by law as real property. *(The Real Estate Dictionary, Seventh Edition, International Right of Way Association)* Generally this refers to any personal items that are not attached to the land or improvements existing on the land. Trade fixtures can be considered to be personal or real property as set forth in any agreement between tenant and landlord.

Real Estate: An identified parcel or tract of land, including improvements, if any. *(USPAP)*

Real Property: The interest, benefits, and rights inherent in the ownership of real estate. *(USPAP)*

Scope of work: The type and extent of research and analysis in an assignment. *(USPAP)*

Severance Damage: Damage to the remaining property in condemnation, caused by the partial taking and subsequent construction of the road, building, or other use for which the taking took place. *(The Real Estate Dictionary, Seventh Edition, International Right of Way Association)*

USPAP: Uniform Standard of Appraisal Practice as promulgated by The Appraisal Standards Board for the purpose of promoting and maintaining a high level of public trust in appraisal practice. *(USPAP)*

ASSUMPTIONS

The appraiser renders no opinion of a legal nature, such as to ownership or condition of title. The appraiser assumes the titles to the properties discussed in this report to be marketable; that the properties are an unencumbered fee except where noted; and that the properties do not exist in violation of any applicable codes, ordinances, statutes, or other governmental regulations.

The appraiser assumes that there are no unknown conditions of the properties, soils, or structures which would render them more or less valuable than otherwise comparable properties. The appraiser assumes no responsibility for such conditions or for engineering that might be required to discover such things.

The appraiser has obtained information from city, county, state, and federal governments; buyers and sellers of real estate; brokers; property managers; and others. In all cases, the appraiser has attempted to use the best information and address any conflicts of information from different sources. No warranty is implied for the information used in this report.

All public utilities issues are handled by the Nebraska Department of Roads, Utility Section. Any privately owned utility infrastructure affected by the project is addressed as part of the Compensation Estimates or Short Form appraisals which rely on this report.

LIMITING CONDITIONS

This report is not an appraisal. It is to be used in conjunction with the Compensation Estimates and Short Form Appraisals.

The Compensation Estimates or Short Form appraisals which rely on this report disregard any increase or decrease in value caused by the project prior to the date of this report.

The appraiser is not an advocate or representative of any affected landowner.

The appraiser is employed by the client, in this case the State of Nebraska, Department of Roads, but is not acting as an advocate of the client.

Any opinions of value or information relating to the valuation of affected properties are confidential. The client will reveal opinions of value when negotiations begin. Some information used in value determination may remain confidential even after value opinions have been released to the landowners.

Possession of this Project Report, Compensation Estimates, or Short Form Appraisals or copies thereof does not carry with it the right of publication. These are privileged communications. The Project Report, Compensation Estimates, or Short Form Appraisal reports may not be used for any purpose other than substantiation of the value estimated without the written permission of the Department of Roads. All valuations are applicable only under the conditions stated. The valuation of a component part of the property is applicable only as a part of the whole property. The right-of-way plans are important to each Compensation Estimate and Short Form Appraisal, they should be considered in conjunction with each. The right-of-way plans are not limited by the Compensation Estimates or Short Form Appraisals.

CLIENT

The client of the appraiser is the State of Nebraska, Department of Roads, Right-of-Way Division.

INTENDED USE

The intended use of this Project Report, Compensation Estimates, and Short Form Appraisals is to provide an estimate of fair market value of the subject properties, as of the specified date, under the laws of the State of Nebraska. The client is acquiring real property rights for a federally assisted project. The estimate of fair market value is used in the determination of just compensation which is then used as the basis for negotiations for real property acquisition.

VALUE DEFINITION

Fair Market Value: The price which would be paid by a willing buyer, not compelled to buy, to a willing seller, not compelled to sell, assuming that both buyer and seller are fully informed as to the uses and limitations of the property and that a reasonable time is allowed in which to find a purchaser. (*State of Nebraska, Department of Roads, Right of Way Division, Right of Way Manual*)

INTENDED USER

The intended user is the client which is the State of Nebraska, Department of Roads, Right of Way Division. This report will be released by the client to the owner of affected properties.

REAL PROPERTY RIGHTS BEING APPRAISED

Acquisitions: Acquisitions are taken as fee simple ownership. Fee simple is defined...

An estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited. It is commonly used as a synonym for ownership. (*The Real Estate Dictionary, Seventh Edition, IRWA*)

Temporary Easements: Easements on this project will be considered on a tract-by-tract basis with a minimum payment of \$100.00 for each easement. This is a temporary condition usually lasting for the length of the construction project. All rights to the land that existed prior to the project are restored after completion of the project.

Permanent Easements: This is a right of access for a stated purpose that is permanent. Permanent easements are also considered on tract by tract basis

Control of Access: This is a restriction on access. Due to safety concerns, it is necessary to have some regulation of the location of drives and entry points. When the State acquires Control of Access, they are buying the right to control where a point of access is established. The amount of compensation takes into account the increase or decrease of value to the property caused by permitting or restricting access.

COST TO CURE ITEMS

At times, the acquisition of property rights causes changes in use patterns or other damages to the remaining property. In most cases, these items are considered on a tract by tract basis since not all parcels are affected in the same way. General appraisal practice requires the input of specialists' in situations where the appraiser is not competent to consider or value a certain aspect of the appraisal problem. In estimating the market value of the impacts of an improvement project on an affected property, it is sometimes necessary to obtain estimates from contractors from the area of the project to estimate the cost to cure damage. Some examples of cost to cure items include: septic systems, landscaping, lawn sprinklers, electrical service, etc... When completion of the Compensation Estimates and Short Form Appraisal require the input of an outside contractor, the written bids received are attached to the pertinent tract.

SCOPE OF WORK

Projects assigned to the appraiser usually involve many affected parcels. The level that each parcel is affected varies. The Nebraska Department of Roads, Right-of-Way Division uses three different types of reports to estimate compensation to affected landowners. First, "Compensation Estimates", which do not stand alone and must be used with the Project Report and Right of Way plans. These are used when the valuation process is relatively simple and generally when compensation is under \$10,000 with some exceptions. The amount of information researched in regard to this type of appraisal is limited. Secondly, "Short Form Appraisals" are also to be used in conjunction with the Project Report and Right of Way plans. These are used when the appraisal problem is more complicated and generally the compensation is greater than \$10,000. The amount of information researched in regard to this type of appraisal is less limited. Thirdly, "Before and After" appraisal are used when severance damages exist and/or the appraisal problem is difficult. These appraisals stand alone and are not used in conjunction with the Project Report. The Right of Way plans are also a part of these appraisals. The appraiser generally conducts extensive research into all readily available information pertinent to the appraisal problem.

An appraisal is the process of developing an estimate of value as of a specific date. The appraisal is an educated and unbiased opinion based on market analysis. Its accuracy depends on the basic competence and integrity of the appraiser in researching the problem, assembling the data, and the soundness and skill with which the data is processed. Its worth is influenced by the availability, quality and timeliness of pertinent data. The appraiser does not make the market, but rather seeks to interpret the market within a definable area and time. The three approaches to value are the Summation (Cost), Sales Comparison, and Income Capitalization. They are all comparative market approaches. The basic data comes from direct comparisons to the market, indirect comparisons within the market, and the appraiser's judgment which is based on experience. The valuation approach to be used is determined on a tract by tract basis. The Sales Comparison Approach is the primary method but the other approaches are used when necessary.

The appraiser conducted a physical inspection of the affected parcel. Photos were taken and notes made of characteristics of the land and any possible damages resulting from the acquisition.

The land owner and tenants have been contacted. Public records at the Lancaster County courthouse were examined to gain pertinent information such as title history and assessed values of the affected parcels. Sales of comparable land were obtained from public records as well. Zoning information of the affected parcels and comparable sales was obtained from City of Lincoln. The sales information was confirmed with buyers, sellers, or brokers, inspected and photographed. After compiling information about the affected parcel, determining damages, and determining land values, a report is then written and submitted for review. Upon completion of the review process, the appraisals are delivered to the negotiation section for the next step of acquisition, negotiating with the land owners.

PROJECT INFORMATION

Scope of Work: Under this 3R safety project left and right turn lanes on US-6 (West "O" Street) will be constructed at the West 40th Street intersection. The project starts approximately 910 feet west of West 40th Street, at MM309+84, and ends approximately 1,215 feet east of West 40th Street, at MM 310+24, for a length of 2,125 feet or 0.40 miles.

The existing roadway on this segment of US-6 consists of two 12-foot lanes in each direction separated by a 6-foot wide median (4-foot raised), and 4 to 6-foot wide turf shoulders.

The improvements on the project consist of milling, repairing concrete pavement, widening the existing composite symmetrically about the existing centerline to provide for left and right turn lanes at the intersection with 40th Street. Improvements will also include overlaying the entire driving surface, reconstructing the raised medians, constructing 10-foot wide shoulders, of which 8-foot will be surfaced and replacing existing culverts.

NEIGHBORHOOD

The neighborhood of the subject property is the area of West O Street. This is a narrow area on both sides of West O and south of I-80 stretching from Hwy 77 to west of the city limits at approximately NW 63rd street. The city limits currently lie about 1550' west of NW 56th Street. Public utilities have been made available for much of the area but new development has been slow since the economic downturn starting in 2008. Many of the commercial activities in this area serve the needs of I-80 traffic. There are two truck stops, truck freight terminals, and truck repair businesses. The new Lancaster County jail is currently under construction at the intersection of West "O" Street and 40th Street. There is some residential and retail development happening north of this area on NW 48th street which has and will add to the traffic counts in the area of the project. Most of the area is zoned commercial or industrial or will be as development occurs. After studying floodplain maps, it does not appear that there is any significant floodplain issue for the subjects or sales used.

MARKET CONDITIONS

The area of the project is a mixture of commercial and industrial use with further development occurring as the community grows. Residential and retail use exists north of I -80 on both NW 48th and NW 56th which creates high traffic volumes on West O Street since most employment would be in the city and require commuting. I-80 provides much traffic which businesses in the area cater to. Current development is stagnant due to economic conditions. Many of the listings considered have been on the market for an extended amount of time. Most sales found were not recent transactions. Sales of larger parcels to be developed were not found. Valuation of larger parcels is primarily based on older sales and current listings. Smaller sales for single use were relatively easy to find and use in this report. Since 2008, new development has been slow and transactions are difficult to find. Some development plans for the area of the project have been put on hold or are waiting for buyers/developers to proceed when conditions warrant.

SALES DATA

Official records provided by the Lancaster County Register of Deed's and Assessor's Offices were examined for comparable land sales to the affected parcel. I also spoke to some local appraisers and brokers. Many sales were examined but only the most comparable to the affected parcel are included in this report. Others that were examined remain in the appraisers work file. Please refer to the sales information sheets for information on each sale. See the Short Form Appraisal for discussion of valuation. Since agricultural land prices have been rising quickly due to economic conditions, it is important to use the most recent sales available and balance this information with discussions with of local market participants.

Sale ID	Parcel ID	Deed	sale price	size	indicated value per acre	indicated value per Sq. Ft.	zoning
1	1020302007009	2008035926	188200	1.17	\$160,854.70	\$3.69	H4
2	1019400006000	2009019268	280000	1.9	\$147,368.42	\$3.38	H4
3	1236416005000	not closed	285000	2.39	\$119,246.86	\$2.74	H3
4	1029204009000	2011049995	345114	2.82	\$122,380.85	\$2.81	H3
5	1236416006000	2010027270	402494	3.32	\$121,233.13	\$2.78	H3
6	1714120001000	2010047452	564908	7.08	\$79,789.27	\$1.83	R3
7	1833406001000	2009040893	988434	10.41	\$94,950.43	\$2.18	I1
8	1623404001000, 1623404002000	2010001395	1225000	11.44	\$107,080.42	\$2.46	B2
9	1623218001000	2010039730	1141525	11.47	\$99,522.67	\$2.28	R5
10	1030200035000	listing	1300000	13.27	\$97,965.34	\$2.25	AG
11	1834300007000	2011006702	750000	18.66	\$40,192.93	\$0.92	I1
12	0424400004000	listing	1477200	73.86	\$20,000.00	\$0.46	AG

LAND SALE 1

Location: 150 NW 40th Street, Lincoln, Nebraska

Legal Description: Unit E, West Point Business Park Condominium, Lincoln, Lancaster County, Nebraska



Grantor: West Point, LLC

Grantee: State Troopers Association and State Law Enforcement Bargaining Council, as JT

Book: 2008 Page: 35926 Type of Instrument: WD Dated: 31-Jul-08

Consideration Stated: \$1.00 & OVC Date Recorded: 31-Jul-08

Indicated Price: \$189,000 Doc. Stamps: \$425.25

Sale Confirmed By: Brian Petersen To: Mark Lorenz Date: 8-Nov-12

Price Paid: \$188,200 Other Related Costs: _____

Lot Information: Dimensions: _____ Area: 1.17 acres
Shape: _____

Zoning: H-4 General Commercial District Jurisdiction: City of Lincoln

Utilities: Water: Public Sewer: Public Gas: _____

Street: Paving: X Blacktop: _____ Gravel: _____

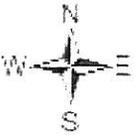
Describe Lot:

- a) Topography: Level
- b) Improvements: none
- c) Indicated Value: \$160,855 per acre or \$3.69 per sq.ft.

Comments: This lot is part of a condominium unit which means that each lot owner is a member of the condominium association and has responsibility for infrastructure maintenance costs in proportion to the percent of land owned in the entire association. This lot has been improved with office property, and it sides Highway 6.



Lancaster County/City of Lincoln GIS Map



Printed: Jan 09, 2013

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email ags@lincoln.ne.gov and you will be directed to the appropriate department.

LAND SALE 2

Location: 4400 West O Street, Lincoln, NE

Legal Description: Lot 49 Irregular Tract - see deed



Grantor: Donald L. Fifer and Sandra J. Fifer, H & W; and Anthony Fifer and Judy Fifer, H & W

Grantee: C.O. Rodenbaugh Investments, LLC

Book: 2009 Page: 19268 Type of Instrument: WD Dated: 8-Apr-09

Consideration Stated: \$1.00 & OVC Date Recorded: 16-Apr-09

Indicated Price: \$255,000 Doc. Stamps: \$573.75

Sale Confirmed By: Craig Rodenbaugh To: Mark Lorenz Date: 6-Nov-12

Price Paid: \$255,000 Other Related Costs: tree clear \$10k fill \$5k, house clear \$10k

Lot Information: Dimensions: _____ Area: 1.90 acres

Shape: _____

Zoning: H-4 General Commercial District Jurisdiction: City of Lincoln

Utilities: Water: public Sewer: private Gas: _____

Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography: Sloping with trees
- b) Improvements: Residential house - interim use
- c) Indicated Value: \$147,368 per acre or \$3.38 per sq.ft.

Comments:

This property was used as residential prior to this transfer. House is being used as an office. Owner plans to build a truck repair shop in the near future on north side of house. Cost to clear trees was \$10,000. Cost to add fill was \$5,000. Potential clearing of house is set at \$10,000. Total purchase price is then considered to be \$280,000 for vacant land. Parcel has public water. Public sewer line is approximately 600' away south of O street. This property has frontage and direct access onto Highway 6,



IT
SS

WARRANTY DEED

CT 44526

Donald L. Fifer and Sandra J. Fifer, husband and wife, and Anthony Fifer and Judy Fifer, husband and wife, ("Grantor"), in consideration of One Dollar and other valuable consideration received from Grantee, do convey unto C. O. Rodenbaugh Investments, LLC, a Nebraska Limited Liability Company, ("Grantee") the real estate (as defined in Neb. Rev. Stat. 76-201) described as follows:

Lot 49, Irregular Tract located in the Southeast Quarter (SE¼) of Section 19, Township 10 North, Range 6 East of the 6th P.M., Lancaster County, Nebraska.

To have and hold the Premises, together with all tenements, hereditaments and appurtenances thereto, herein granted unto the Grantee and to Grantee's successors and assigns forever.

Grantor does hereby covenant with the Grantee as follows:

1. Grantor is lawfully seized of said Premises and it is free from encumbrances, subject, however, to any restrictions, reservations, covenants, easements and agreements of record;
2. Grantor has legal power and lawful authority to convey the same; and
3. Grantor warrants and will defend the title to said Premises against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, Grantor has hereunto signed as of the 8th day of April, 2009

Donald L. Fifer
Donald L. Fifer

Sandra J. Fifer
Sandra J. Fifer

Anthony Fifer
Anthony Fifer

Judy Fifer
Judy Fifer

State of Florida
County of Bay

The foregoing instrument was acknowledged before me this 8th day of April, 2009 by Donald L. Fifer and Sandra J. Fifer.

Debbie Broome
Notary Public

Debbie Broome
Notary Public - State of Florida
My Commission Expires Sept. 18, 2010
Commission No. DD 588771

Affix Notary Seal Here

State of Florida
County of Bay

The foregoing instrument was acknowledged before me this 8th day of April, 2009 by Anthony Fifer and Judy Fifer.

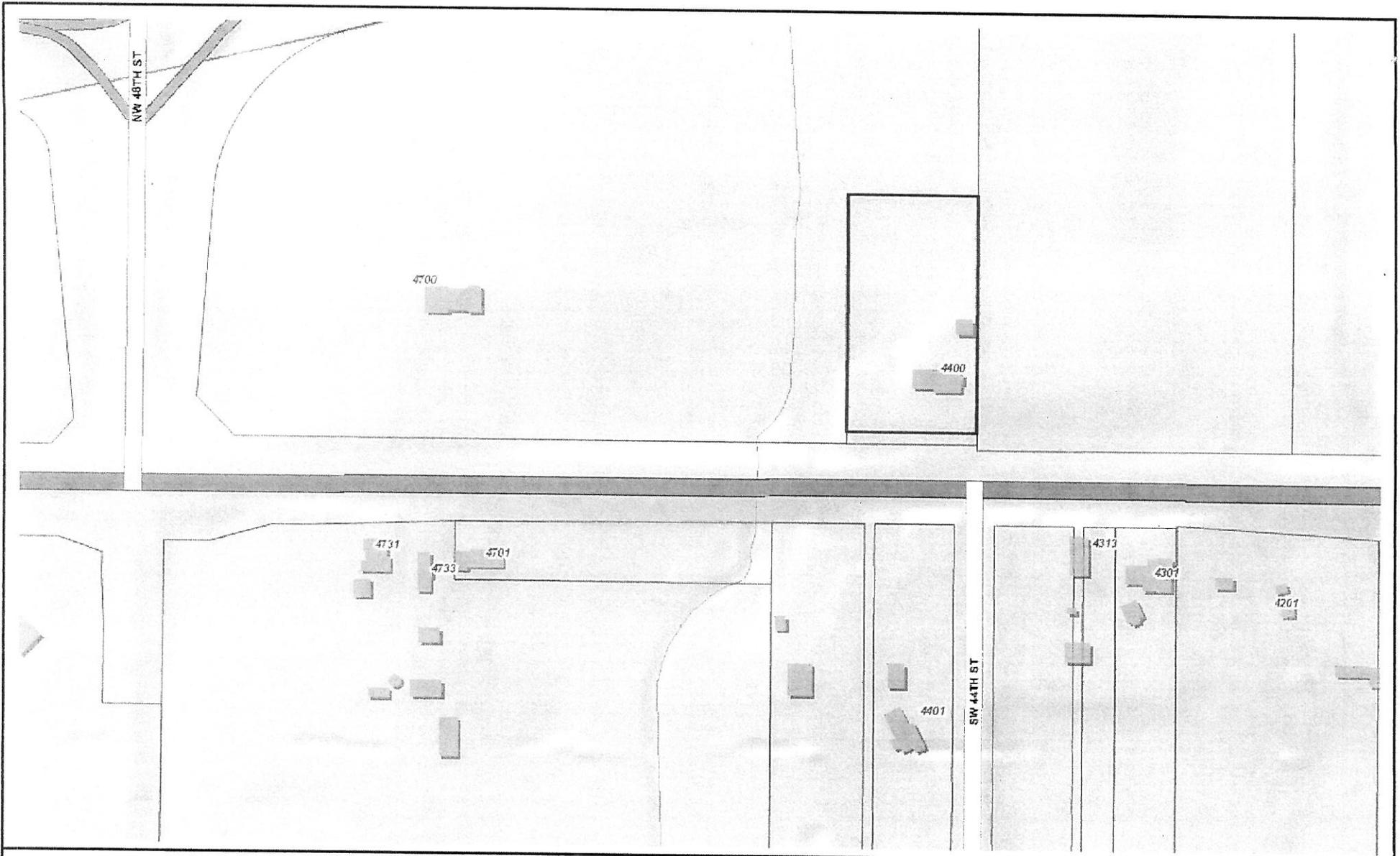
Debbie Broome
Notary Public

Debbie Broome
Notary Public - State of Florida
My Commission Expires Sept. 18, 2010
Commission No. DD 588771

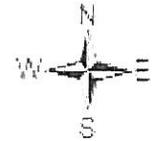
Affix Notary Seal Here

1400 Manchester Dr.
1.8.5.2.8

CA13



Lancaster County/City of Lincoln GIS Map



Printed Jan 09, 2013

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LAND SALE 3 - not yet closed

Location: NE of intersection of 14th and Fletcher Streets, south side of I-80, Lincoln, NE
Legal Description: Lot 5, Block 2, North Creek Business Park, Lincoln, Lancaster County, Nebraska

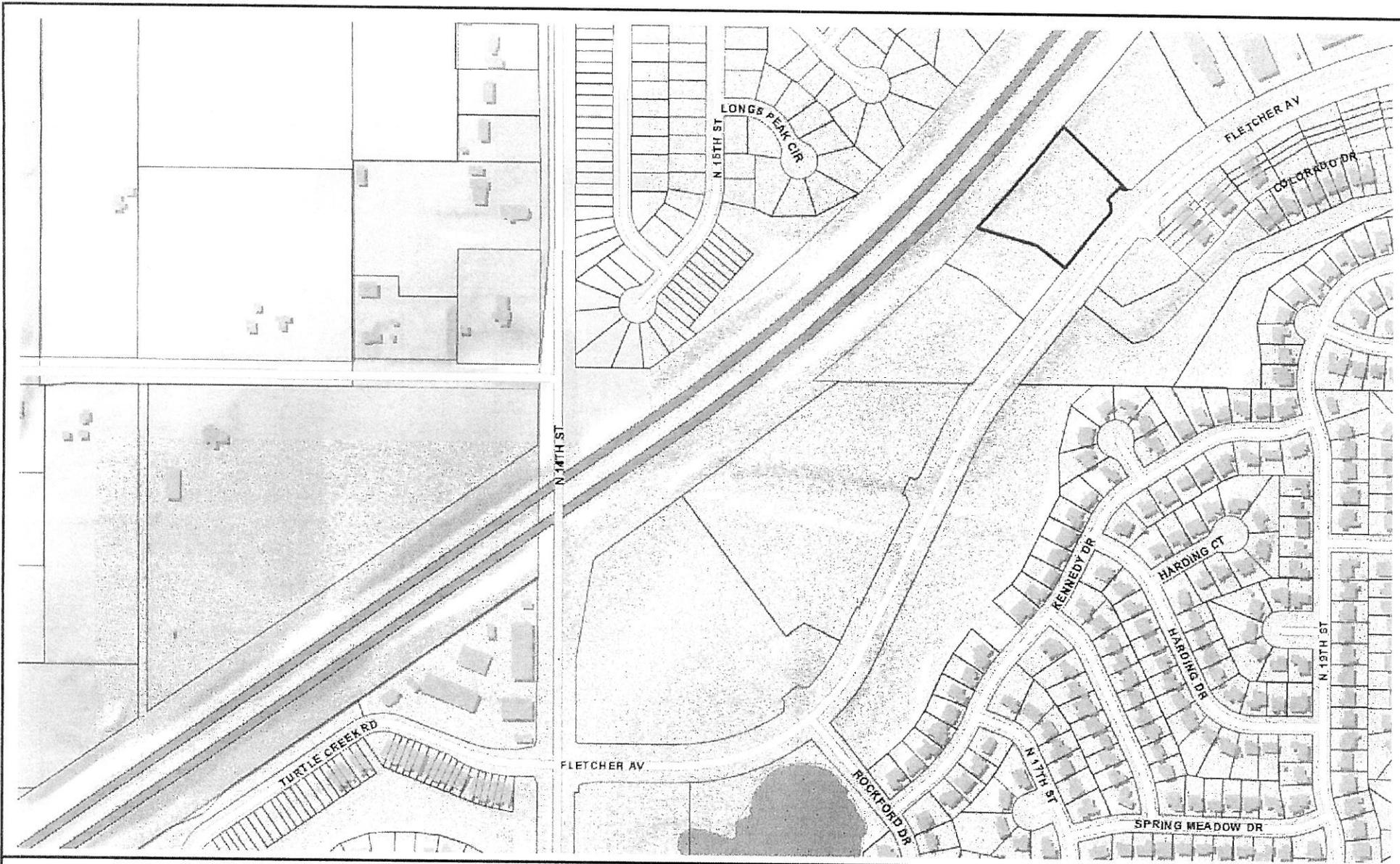


Grantor: Lincoln North Creek, LLC
Grantee: NA
Book: NA Page: NA Type of Instrument: NA Dated: NA
Consideration Stated: NA Date Recorded: NA
Indicated Price: NA Doc. Stamps: _____
Sale Confirmed By: Steve Knobel To: Mark Lorenz Date: 5-Nov-12
Price Paid: \$285,000 Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 2.39 acres
Shape: _____
Zoning: H-3 Highway Commercial District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

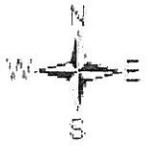
Describe Lot:

- a) Topography: sloping to gently sloping
- b) Improvements: none
- c) Indicated Value: \$119,247 per acre or \$2.74 per sq.ft.

Comments: Mr. Knobel provided this sale while confirming another. Is set to close after January 1, 2013.



Lancaster County/City of Lincoln GIS Map



Printed: Jan 09, 2013

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LAND SALE 4

Location: 3101 West O Street, Lincoln, NE

Legal Description: Lot 9, Block 3, EDM Industrial Center Addition, Lincoln, Lancaster County, Nebraska



Grantor: Larry W. Coffey and Connie F. Coffey, H & W

Grantee: GRT Properties, LLC

Book: 2011 Page: 49995 Type of Instrument: WD Dated: 20-Oct-11

Consideration Stated: \$1.00 & OVC Date Recorded: 8-Nov-11

Indicated Price: \$346,000 Doc. Stamps: \$778.50

Sale Confirmed By: Mary Peters To: Mark Lorenz Date: 6-Nov-12

Price Paid: \$345,114 Other Related Costs: _____

Lot Information: Dimensions: _____ Area: 2.82 acres

Shape: _____

Zoning: H-3 Highway Commercial District Jurisdiction: City of Lincoln

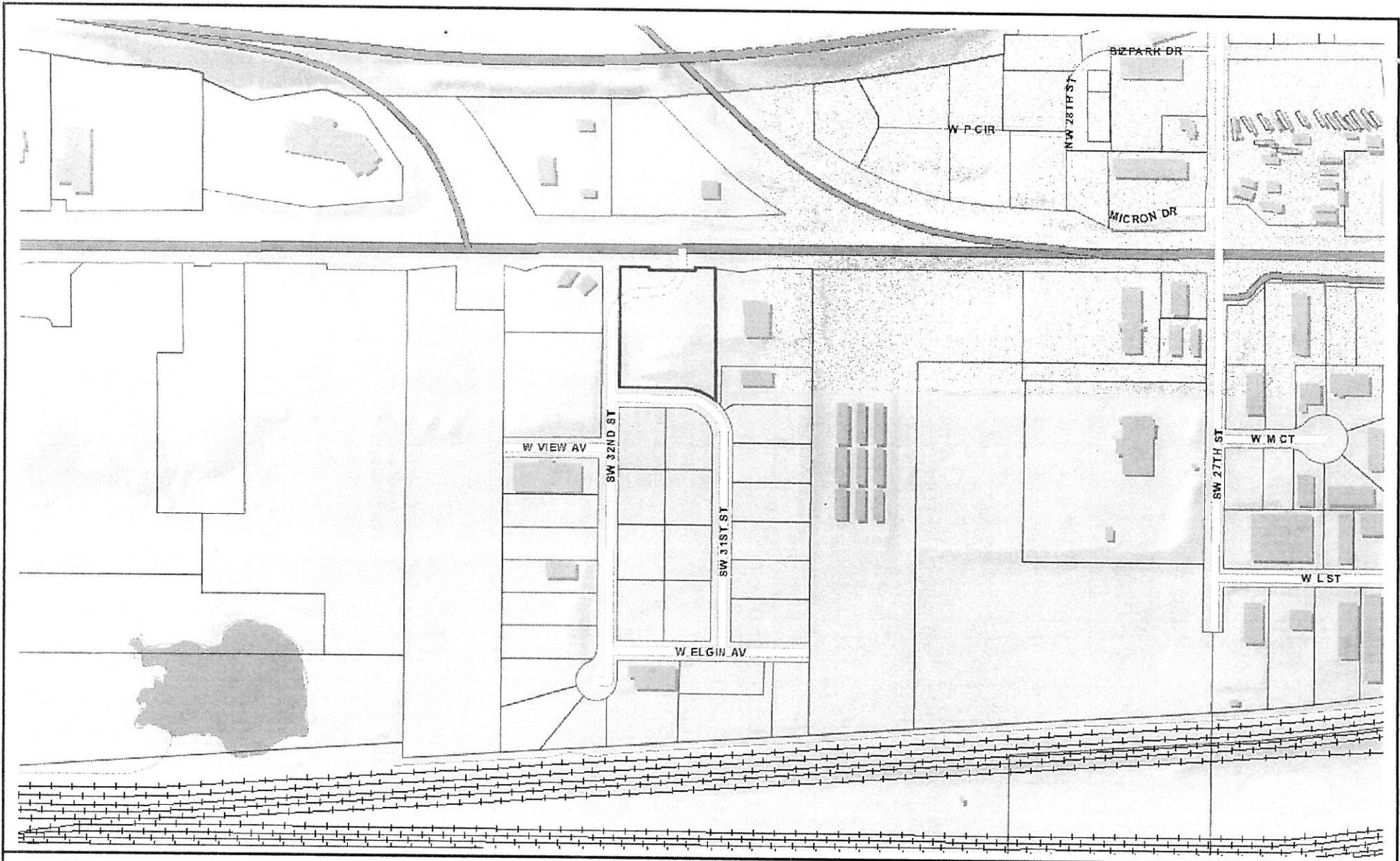
Utilities: Water: public Sewer: public Gas: _____

Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography: level
- b) Improvements: none
- c) Indicated Value: \$122.381 per acre or \$2.81 per sq.ft.

Comments: This parcel was purchased by adjoining owner on east side and will be used for parking. This has O Street frontage. This property has frontage onto Highway 6.



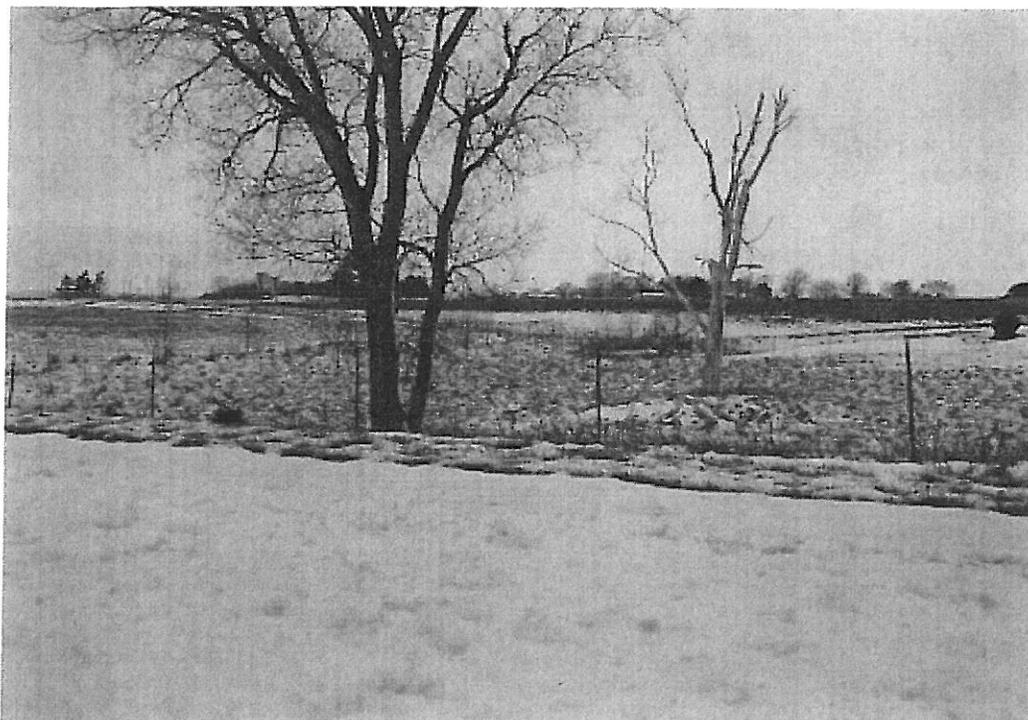
Lancaster County/City of Lincoln GIS Map

Printed: Jan 09, 2013

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LAND SALE 5

Location: NE of intersection of 14th and Fletcher Streets, south side of I-80, Lincoln, NE
Legal Description: Lot 6, Block 2, North Creek Business Park, Lincoln, Lancaster County, Nebraska



Grantor: Lincoln North Creek, LLC
Grantee: Central States Conference of Seventh-Day Adventists
Book: 2010 Page: 27270 Type of Instrument: WD Dated: 21-Jun-10
Consideration Stated: \$1.00 & OVC Date Recorded: 29-Jun-10
Indicated Price: \$403,000 Doc. Stamps: \$906.75
Sale Confirmed By: Steve Knobel To: Mark Lorenz Date: 5-Nov-12
Price Paid: \$402,494 Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 3.32 acres
Shape: _____
Zoning: H-3 Highway Commercial District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography: sloping to gently sloping
- b) Improvements: none
- c) Indicated Value: \$121,233 per acre or \$2.78 per sq.ft.

Comments: This will be the future home of a church. Parcel backs to I-80. Not on a major arterial.

No CRBP
E



CTC 57962

WARRANTY DEED

Lincoln North Creek, L.L.C., a Nebraska limited liability company ("Grantor"), in consideration of One Dollar and other valuable consideration received from Grantee, do convey unto Central States Conference of Seventh-Day Adventists, a Missouri non profit corporation, ("Grantee") the real estate (as defined in Neb. Rev. Stat. 76-201) described as follows:

Lot 6, Block 2, North Creek Business Park, Lincoln, Lancaster County, Nebraska.

To have and hold the Premises, together with all tenements, hereditaments and appurtenances thereto, herein granted unto the Grantee and to Grantee's successors and assigns forever.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE as follows:

1. Grantor is lawfully seised of said Premises and it is free from encumbrances, subject, however, to any restrictions, reservations, covenants, easements and agreements of record and subject to all regular taxes and special assessments;
2. Grantor has legal power and lawful authority to convey the same; and
3. Grantor warrants and will defend the title to said Premises against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, Grantor has hereunto signed as of the 21 day of June, 2010

Lincoln North Creek, L.L.C., a Nebraska Limited Liability Company

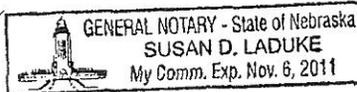
Steven L. Knobel
By: Steven Knobel, Co-Manager

John L. Terpsma
By: John L. Terpsma, Co-Manager

State of Nebraska
County of Lancaster

The foregoing instrument was acknowledged before me this 21 day of June, 2010 by Steven Knobel, Co-Manager and John L. Terpsma, Co-Manager of Lincoln North Creek, L.L.C., a Nebraska limited liability company.

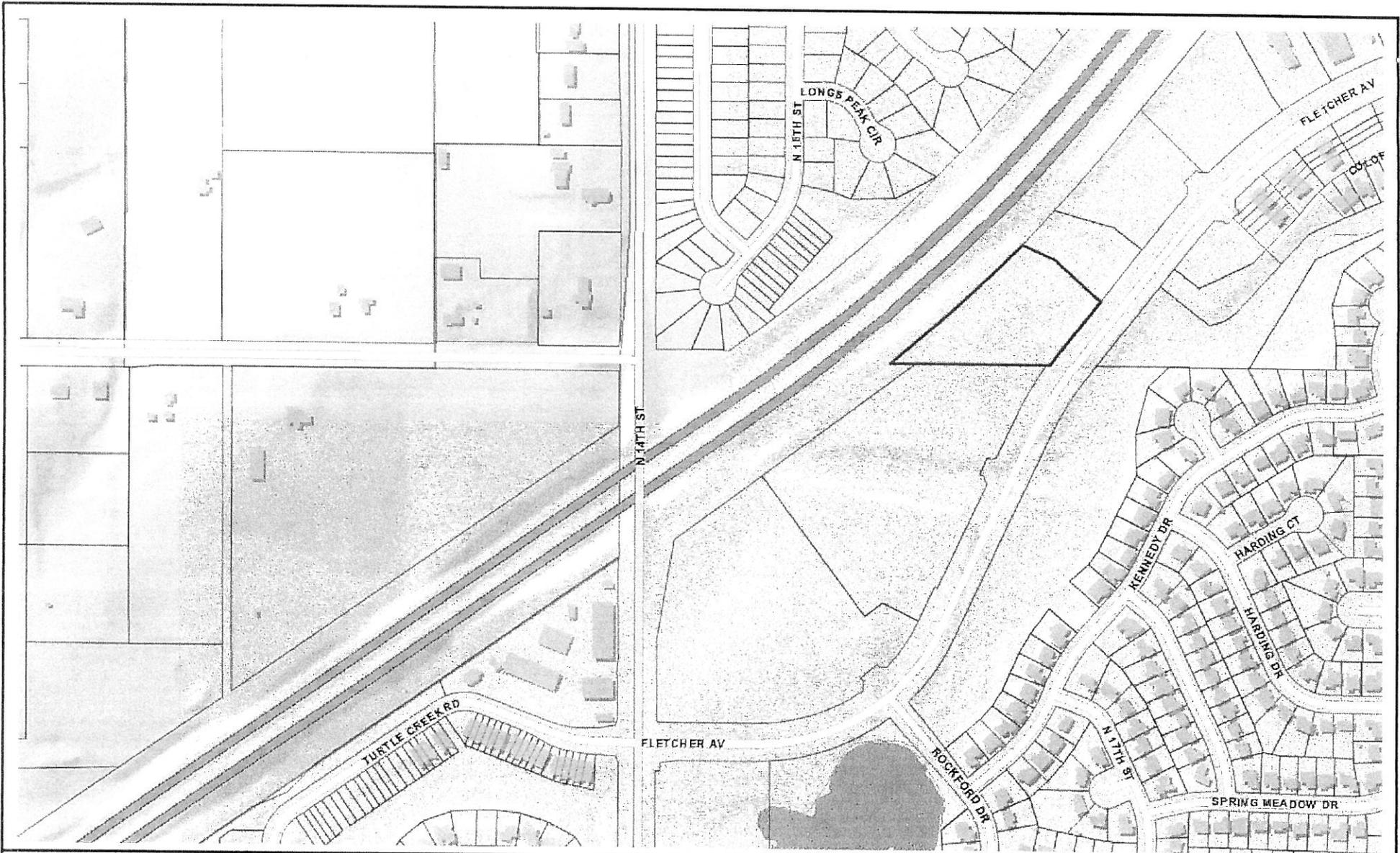
Susan D. Laduke
Notary Public



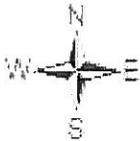
Credit \$21.00 to NLTA

3301 Parallel Pkwy. Kansas City, KS 66104

NLTA



Lancaster County/City of Lincoln GIS Map



Printed: Jan 09, 2013

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LAND SALE 6

Location: 8600 Leighton Avenue, Lincoln, NE
Legal Description: Lot 1, Prairie Village 7th Addition Final Plat (see deed)



Grantor: Prairie Home Builders, Inc.
Grantee: Pedcor Investments - 2010-CXXVI, L.P.
Book: 2010 Page: 47452 Type of Instrument: Special WD Dated: 18-Oct-10
Consideration Stated: \$10.00 & OVC Date Recorded: 22-Oct-10
Indicated Price: \$565,000 Doc. Stamps: \$1,271.25
Sale Confirmed By: Rob Champoux To: Mark Lorenz Date: 20-Nov-12
Price Paid: \$564,908 Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 7.08 acres
Shape: _____
Zoning: R-3 Residential District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography:
- b) Improvements: none
- c) Indicated Value: \$79,789 per acre or \$1.83 per sq.ft.

Comments:

Parcel has been developed with apartment complex. It is close to high traffic north 84th street in an area of new development. Mr. Champoux thought this value was fair to maybe a bit low. They wanted to make the deal happen in the hope that the buyer would buy additional land in the future which probably will not happen now due to market conditions. He also said the commercial market is very flat right now.

\$20.50

PRAVIL T

Inst # 2010047452 Fri Oct 22 12:32:44 CDT 2010
Filing Fee: \$1291.75 Stamp Tax: \$1271.25 cpotsc
Lancaster County, NE Assessor/Register of Deeds Office WDEED
Pages 4



(Space above the line is for recording data)

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Prairie Home Builders, Inc., a Nebraska corporation (hereinafter the "Grantor"), in consideration of Ten (\$10.00) Dollars and Other Good and Valuable Consideration, received from Grantee, does hereby CONVEY and WARRANT to Pedcor Investments-2010-CXXVI, L.P., an Indiana limited partnership (hereinafter the "Grantee"), the following described real estate in Lancaster County, Nebraska:

Lot 1 of the Prairie Village 7th Addition Final Plat and recorded as Instrument Number 2010040399 in the Office of the Recorder of Lancaster County, Nebraska;

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances thereto belonging unto the Grantee and to Grantee's successors and assigns forever.

And the Grantor for itself and its successors does hereby covenant with the Grantee and with Grantee's successors and assigns that Grantor is lawfully seized of said premises; that they are free from encumbrance, except matters listed on Exhibit "A" attached hereto and incorporated herein by this reference (the "Permitted Encumbrances"); that Grantor has good right and lawful authority to convey the same; and that the grantor warrants and will defend the title to said premises against the lawful claims of all persons claiming the same or any part thereof through, by or under Grantor.

[Signature page follows.]

FNT

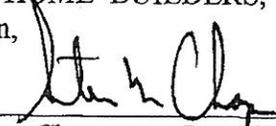
IN WITNESS WHEREOF, the Grantor has executed and delivered this deed on the date affixed hereto.

Dated this 18 day of October, 2010.

GRANTOR:

PRAIRIE HOME BUILDERS, INC., a Nebraska corporation,

By:

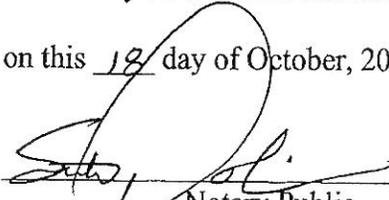


Steve Champoux, President

STATE OF NEBRASKA)
)ss.
COUNTY OF LANCASTER)

Before me, a Notary Public qualified for said County and State, personally came Steve Champoux, President of Prairie Home Builders, Inc., a Nebraska corporation, known to me to be the identical person who signed the foregoing General Warranty Deed, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed on behalf of said corporation.

WITNESS my hand and Notary Seal on this 18 day of October, 2010.

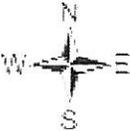


Notary Public





Lancaster County/City of Lincoln GIS Map



Printed: Jan 09, 2013

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LAND SALE 7

Location: 6330 McCormick Drive, Lincoln, Nebraska

Legal Description: Lot 1, Burlington Northern Industrial Center 2nd Addition, Lincoln, Lancaster County, Nebraska



Grantor: LRC Incorporated, a Nebraska Corporation

Grantee: 2009 Lincoln, LLC

Book: 2009 Page: 40893 Type of Instrument: Corp WD Dated: 22-Jul-09

Consideration Stated: \$1.00 & OVC Date Recorded: 22-Jul-09

Indicated Price: \$956,000 Doc Stamps: \$2,151.00

Sale Confirmed By: Tim Aschoff To: Mark Lorenz Date: 9-Nov-12

Price Paid: \$955,009 Other Related Costs: _____

Lot Information: Dimensions: _____ Area: 10.41 acres
Shape: _____

Zoning: I-1 Industrial District Jurisdiction: _____

Utilities: Water: public Sewer: public Gas: _____

Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

a) Topography:

b) Improvements:

c) Indicated Value: \$94,950 per acre or \$2.18 per sq.ft.

Comments: This parcel is being used for a FedEx terminal. It has quick access to Hwy 77, I-80, and City of Lincoln area. Mr. Aschoff felt this sale should be adjusted upward since there were no brokerage fees which enabled them to sell it a little lower. I have adjusted sale price upward 3.5% to \$988,434.



no
BNIINCL2
E

CORPORATE WARRANTY DEED

THE Grantor, **LRC Incorporated**, a Nebraska corporation in consideration of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, conveys to **2009 Lincoln, LLC**, a Nebraska limited liability company, Grantee, the following described real estate (as defined in Neb. Rev. Stat. 76-201) in Lancaster County, Nebraska:

Lot 1, Burlington Northern Industrial Center 2nd Addition, Lincoln, Lancaster County, Nebraska

THE Grantor covenants with Grantee that Grantor:

- (1) is lawfully seized of such real estate and that it is free from encumbrances subject to easements, reservations, covenants and restrictions of record **and subject to all regular taxes and special assessments arising subsequent to the date of this Deed.**
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

Executed this 22nd day of July, 2009

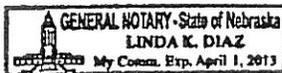
LRC Incorporated, a Nebraska corporation

By: Timothy G. Aschoff
Attorney-in-Fact

STATE OF Nebraska

COUNTY OF Lancaster

The foregoing instrument was acknowledged before me this 22nd day of July, 2009 by Timothy G. Aschoff, Attorney-in-Fact for and on the behalf of LRC Incorporated, a Nebraska corporation.


Notary Public

UT-217



Lancaster County/City of Lincoln GIS Map



Printed: Jan 09, 2013

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LAND SALE 8

Location: 9401 Andermatt Drive, Lincoln, Nebraska
Legal Description: Lot 1, South Lake 2nd Addition, Lincoln, Lancaster County, Nebraska



Grantor: Andermatt, LLC
Grantee: Manor of Lincoln, Inc.
Book: 2010 Page: 1395 Type of Instrument: WD Dated: 8-Jan-10
Consideration Stated: \$10.00 & OVC Date Recorded: 11-Jan-10
Indicated Price: \$1,225,000 Doc Stamps: \$2,756.25
Sale Confirmed By: Kelvin Korver To: Mark Lorenz Date: 9-Nov-12
Price Paid: \$1,225,000 Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 11.44 acres
Shape: _____
Zoning: B-2 Planned Neighborhood Business District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

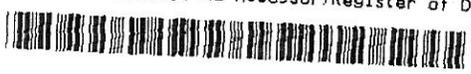
Describe Lot:

- a) Topography:
- b) Improvements:
- c) Indicated Value: \$107,080 per acre or \$2.46 per sq.ft.

Comments: Part of this parcel has been improved with an assisted living center since the purchase. The rest remains vacant. Traffic counts on the nearby Hwy 2 are similar to the West O and NW 48th area but the parcel does not directly front Hwy 2. Area has much retail and medical facilities.

Mo
SOLA-2

Inst # 2010001395 Mon Jan 11 13:58:13 CST 2010
Filing Fee: \$2771.75 Stamp Tax: \$2756.25
Lancaster County, NE Assessor/Register of Deeds Office WDEED
Pages 3



WARRANTY DEED

ANDERMATT, L.L.C., a Nebraska limited liability company, GRANTOR, in consideration of TEN and 00/100th DOLLARS (\$10.00) and other good and valuable consideration, received from GRANTEE, MANOR OF LINCOLN, INC., a Nebraska corporation, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

Lot 1, South Lake 2nd Addition, Lincoln, Lancaster County, Nebraska

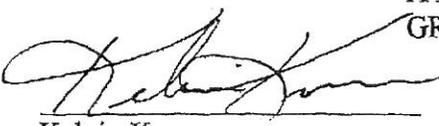
GRANTOR covenants with GRANTEE, that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances Except: (i) easements, covenants and restrictions of record and (ii) applicable zoning ordinances and regulations;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

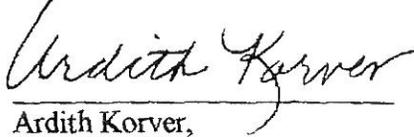
NT. CEM

Executed January 8, 2010.

ANDERMATT, L.L.C.,
A Nebraska limited liability company,
GRANTOR

By: 
Kelvin Korver,
Member

By: Zermatt Equity Corporation, a
Nebraska corporation, Member

By: 
Ardith Korver,
Member

By: 
Gregory E. Sutton,
President

By: Odyssey, L.P., a Nebraska
Limited partnership, Member

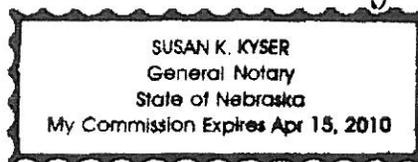
By: Vincent J. Sutton
Vincent J. Sutton
General Partner

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 5th day of January, 2010, by Gregory E. Sutton, President of Zermatt Equity Corporation, a Nebraska corporation, and a Member of Andermatt, L.L.C., for and on behalf of said corporation.

Susan K. Kyser
Notary Public

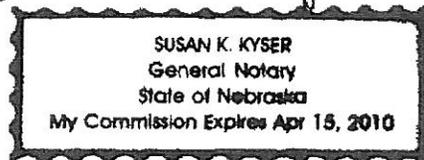
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing instrument was acknowledged before me this 5th day of January, 2010, by Vincent J. Sutton, General Partner of Odyssey, L.P., a Nebraska limited partnership, and a Member of Andermatt, L.L.C., for and on behalf of said limited partnership.

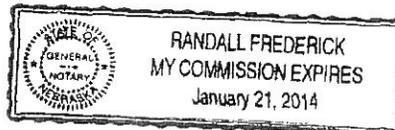
Susan K. Kyser
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



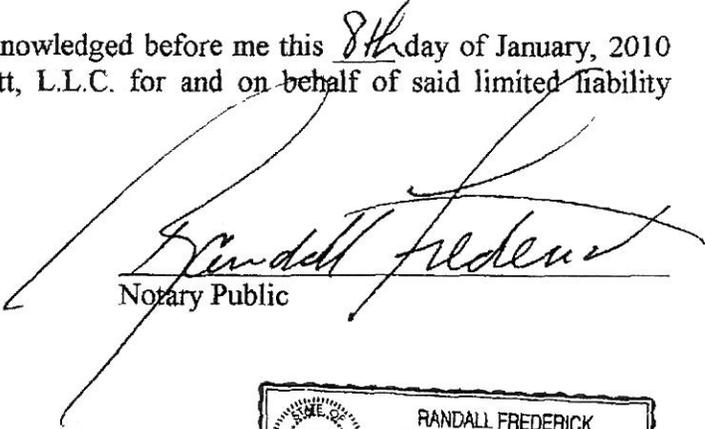
The foregoing instrument was acknowledged before me this 5th day of January, 2010 by Kelvin Korver, Member of Andermatt, L.L.C. for and on behalf of said limited liability company.

Randall Frederick
Notary Public



STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)

The foregoing instrument was acknowledged before me this 8th day of January, 2010 by Ardith Korver, Member of Andermatt, L.L.C. for and on behalf of said limited liability company.



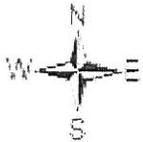
Notary Public



After Recording Return To:
Keith Green
McGill, Gotsdiner, Workman + Lepp, P.C. L.L.C.
11401 West Dodge Road Suite 500
Omaha NE 68154-2584



Lancaster County/City of Lincoln GIS Map



Printed Jan 09, 2013

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LAND SALE 9

Location: 7100 South 91st Street, Lincoln, NE
Legal Description: Lot 1, Springs at Heritage Lakes Addition, Lincoln, Lancaster County, Nebraska



Grantor: Andermatt, LLC
Grantee: Continental 206 Fund LLC
Book: 2010 Page: 39730 Type of Instrument: WD Dated: 9-Sep-10
Consideration Stated: \$10.00 & OVC Date Recorded: 10-Sep-10
Indicated Price: \$1,142,000 Doc. Stamps: \$2,569.50
Sale Confirmed By: Kelvin Korver To: Mark Lorenz Date: 9-Nov-12
Price Paid: \$1,141,525 Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 11.47 acres
Shape: _____
Zoning: R-5 Residential District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography:
- b) Improvements: none
- c) Indicated Value: \$99,523 per acre or \$2.28 per sq. ft.

Comments: This parcel is in an area of stronger development with Hwy 2 being a major arterial. It does not front Hwy 2 but is within quick access. Mr. Korver confirmed that this is a good arms length transaction.

Inst # 2010039730 Fri Sep 10 15:21:48 CDT 2010
Filing Fee: \$2585.00 Stamp Tax: \$2569.50 cpoisc
Lancaster County, NE Assessor/Register of Deeds Office WDEED
Pages 3

no
SHELA
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WARRANTY DEED

ANDERMATT, L.L.C., a Nebraska limited liability company, GRANTOR, in consideration of TEN and 00/100th DOLLARS (\$10.00) and other good and valuable consideration, received from GRANTEE, CONTINENTAL 206 FUND LLC, a Wisconsin limited liability company, conveys to GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

Lot 1, Springs at Heritage Lakes Addition, Lincoln, Lancaster County, Nebraska.

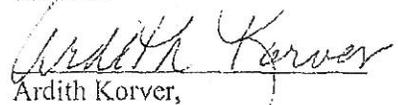
GRANTOR covenants with GRANTEE, that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances Except: (i) easements, covenants and restrictions of record and (ii) applicable zoning and building ordinances and regulations;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed September 9th, 2010.

ANDERMATT, L.L.C.,
A Nebraska limited liability company,
GRANTOR

By: 
Kelvin Korver,
Member

By: 
Ardith Korver,
Member

By: Zermatt Equity Corporation, a
Nebraska corporation, Member

By: 
Gregory E. Sutton,
President

NT-Conn

By: Odyssey, L.P., a Nebraska
Limited partnership, Member

By: Vincent J. Sutton
Vincent J. Sutton,
General Partner

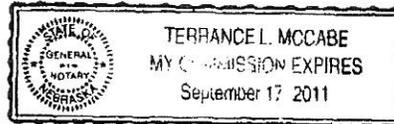
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing instrument was acknowledged before me this 9th day of September, 2010, by Gregory E. Sutton, President of Zermatt Equity Corporation, a Nebraska corporation, and a Member of Andermatt, L.L.C., for and on behalf of said corporation.

Terrance L. McCabe
Notary Public

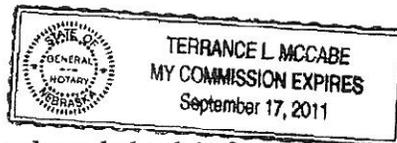
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing instrument was acknowledged before me this 9th day of September, 2010, by Vincent J. Sutton, General Partner of Odyssey, L.P., a Nebraska limited partnership, and a Member of Andermatt, L.L.C., for and on behalf of said limited partnership.

Terrance L. McCabe
Notary Public

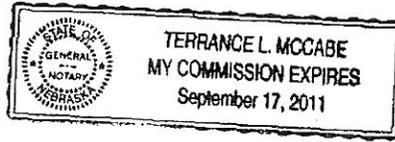
STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing instrument was acknowledged before me this 9th day of September, 2010 by Kelvin Korver, Member of Andermatt, L.L.C. for and on behalf of said limited liability company.

Terrance L. McCabe
Notary Public

STATE OF NEBRASKA)
) ss.
COUNTY OF LANCASTER)



The foregoing instrument was acknowledged before me this 7th day of September, 2010 by Ardith Korver, Member of Andermatt, L.L.C. for and on behalf of said limited liability company.

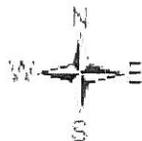


Notary Public

After Recording Return To:



Lancaster County/City of Lincoln GIS Map



Printed Jan 09, 2013

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LAND LISTING 10

Location: 4201 West O Street, Lincoln, NE
Legal Description: Blocks 3, 13, and 14, Cushman Subdivision

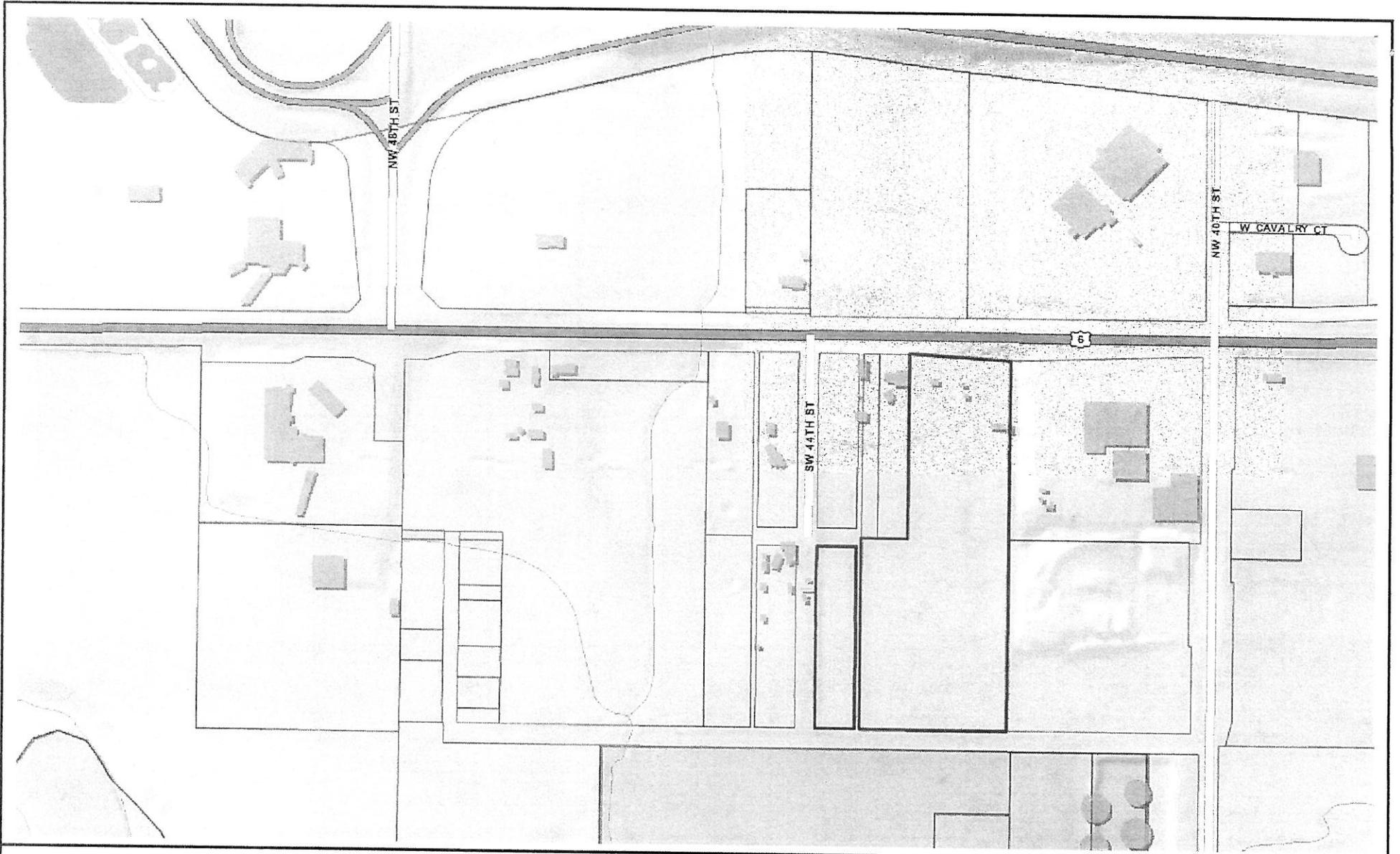


Grantor: NA
Grantee: NA
Book: NA Page: NA Type of Instrument: NA Dated: NA
Consideration Stated: NA Date Recorded: NA
Indicated Price: \$1,300,000 Doc. Stamps: NA
Sale Confirmed By: Kim Deubelbeiss, listing agent To: Mark Lorenz Date: 10-Oct-12
Price Paid: NA Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 13.28 acres
Shape: _____
Zoning: AG Agricultural District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

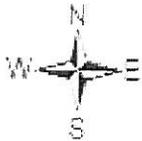
Describe Lot:

- a) Topography:
- b) Improvements: Buildings are of no value
- c) Indicated Value: \$97,892 per acre or \$2.25 per sq. ft.

Comments: This property has been listed on the MLS for 798 days, and the original asking price was \$1,650,000 or about \$124,250/acre. It has a main sewer trunk running alongside east boundary. Is close to SW 40th street which will soon be rebuilt with a new bridge over railroad tracks. Ready for development.



Lancaster County/City of Lincoln GIS Map



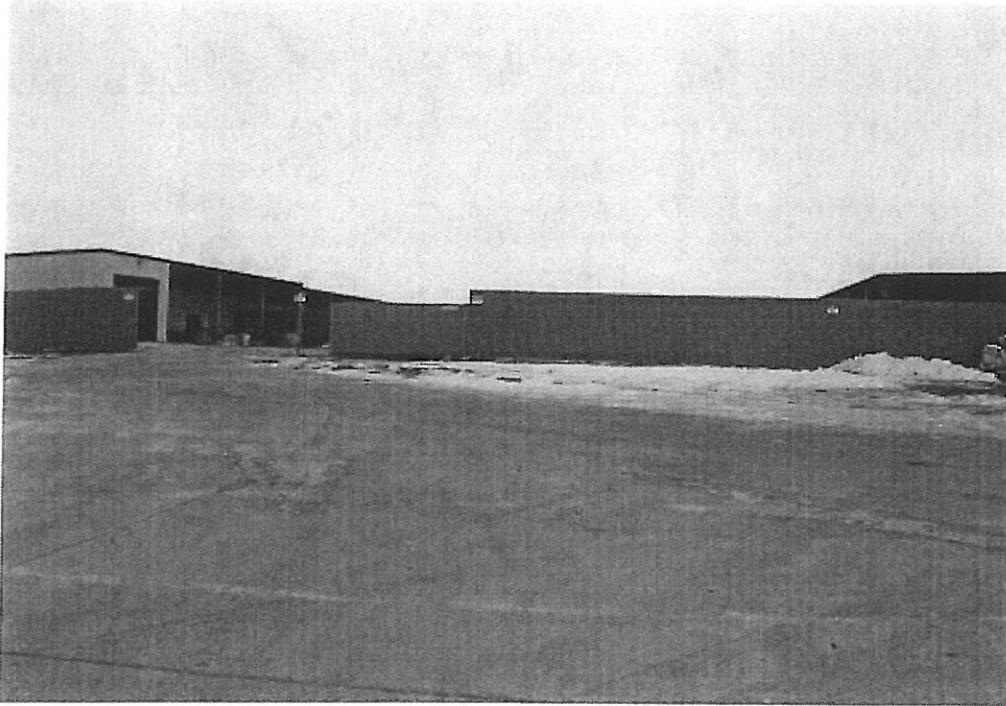
Printed: Jan 09, 2013

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LAND SALE 11

Location: 6300 North 70 Street, Lincoln, Ne

Legal Description: Lot 46, Irregular Tract located in the SW 1/4 of 34-11-7, Lancaster County, Nebraska



Grantor: Robert Cather and Cecelia B. Cather, H & w

Grantee: Hansen Property Development, Inc

Book: 2011 Page: 6702 Type of Instrument: WD Dated: 4-Feb-11

Consideration Stated: \$1.00 & OVC Date Recorded: 7-Feb-11

Indicated Price: \$750,000 Doc. Stamps \$1,687.50

Sale Confirmed By: Harry Hansen To: Mark Lorenz Date: 6-Nov-12

Price Paid: \$750,000 Other Related Costs: _____

Lot Information: Dimensions: _____ Area: 18.66 acres
Shape: _____

Zoning: I-1 Industrial District Jurisdiction: City of Lincoln

Utilities: Water: public Sewer: public Gas: _____

Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography:
- b) Improvements: none
- c) Indicated Value: \$40,193 per acre or 92-cents per sq.ft.

Comments: Mr. Hansen said that at time of purchase he thought he was getting 20 acres but turned out to be short of that. Parcel will be used for a truck salvage yard.

Inst # 201106702 Mon Feb 07 14:15:09 CST 2011
Filing Fee: \$1693.00 Stamp Tax: \$1687.50 opatsc WDEED
Lancaster County, NE Assessor/Register of Deeds Office Pages 1

WARRANTY DEED

Robert Cather and Cecelia B. Cather, husband and wife, GRANTOR, whether one or more, in consideration of One Dollar and other good and valuable consideration received from **GRANTEE, Hansen Property Development, Inc., a Nevada corporation**, conveys to **GRANTEE**, the following-described real estate (as defined in Neb. Rev. Stat. 76-201).

Lot Forty-Six (46), Irregular Tract located in the Southwest Quarter of Section 34, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska.

GRANTOR covenants with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances, **except** for any easements and restrictions now of record;
- (2) has legal power and lawful authority to convey the same; and
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed on this 4th day of February, 2011

NT-COM

Robert Cather

Cecelia B. Cather

State of Nebraska

§

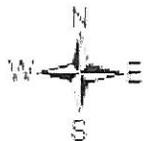
County of Lancaster

The foregoing instrument was acknowledged before me this 4th day of February, 2011, by **Robert Cather and Cecelia B. Cather, husband and wife**, GRANTOR.

Notary Public

6061130





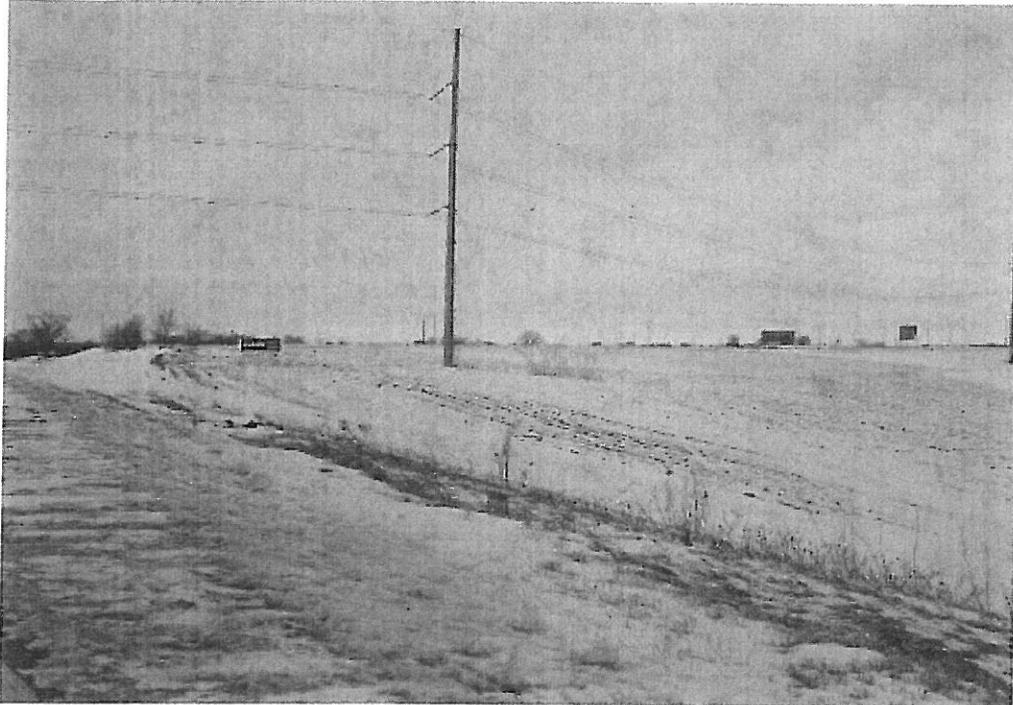
Lancaster County/City of Lincoln GIS Map

Printed: Jan 09, 2013

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LAND LISTING 12

Location: 5900 West O Street
Legal Description: Lot 24 SE, 24-10-5, Lancaster County, Nebraska

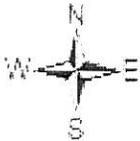
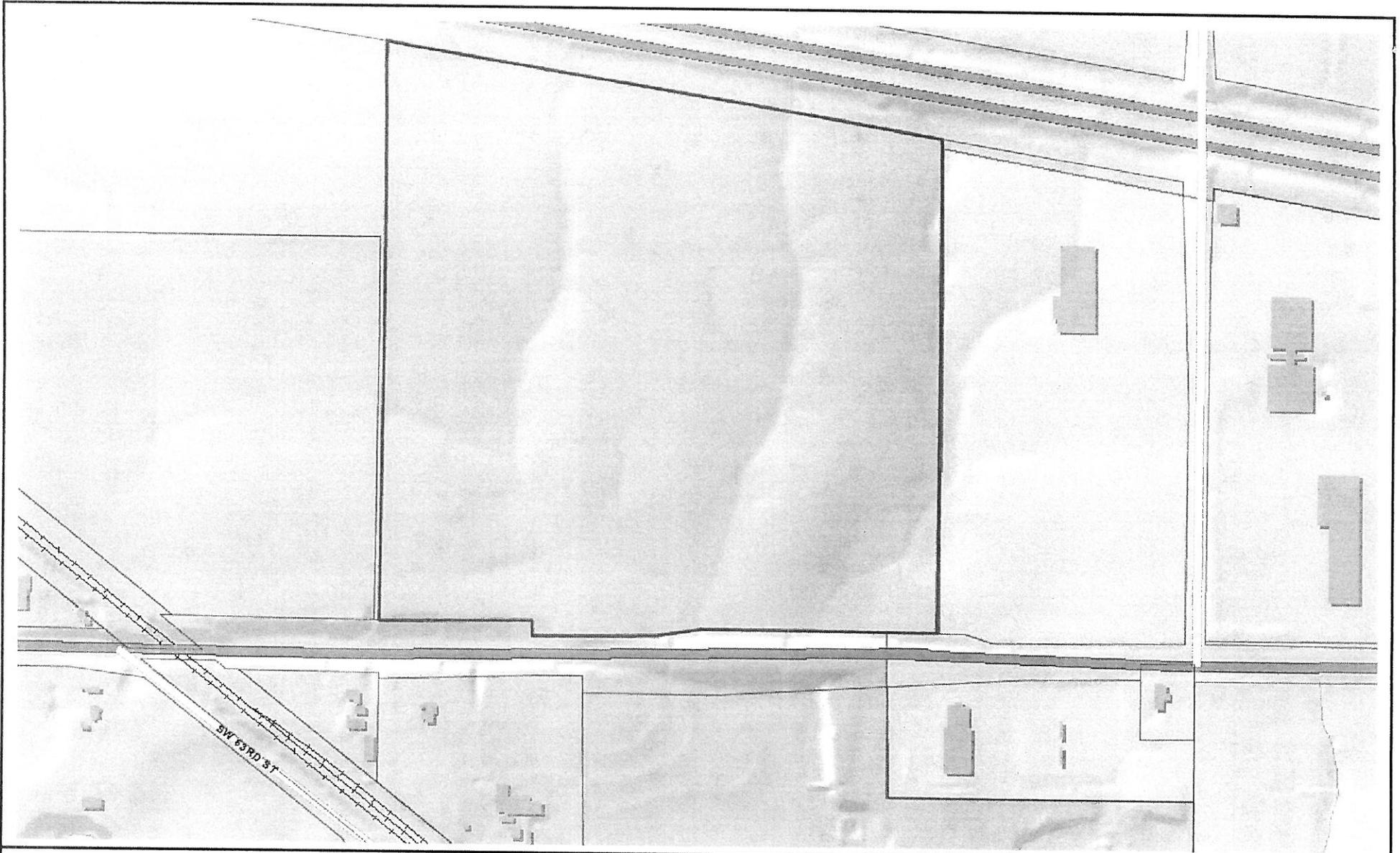


Grantor: NA
Grantee: NA
Book: NA Page: NA Type of Instrument: NA Dated: NA
Consideration Stated: NA Date Recorded: NA
Indicated Price: \$1,477,200 Doc. Stamps: NA
Sale Confirmed By: Richard Meginnis To: Mark Lorenz Date: 10-Oct-12
Price Paid: NA Other Related Costs: _____
Lot Information: Dimensions: _____ Area: 73.86 acres
Shape: _____
Zoning: AG Agricultural District Jurisdiction: City of Lincoln
Utilities: Water: public Sewer: public Gas: _____
Street: Paving: X Blacktop: _____ Gravel: _____

Describe Lot:

- a) Topography: rolling
- b) Improvements: none
- c) Indicated Value: \$20,000 per acre

Comments: This property has been listed on the MLS for 410 days, and the original asking price has not been revised. Public water is available to parcel. Sewer trunk line is on south side of O Street on the south side of this parcel.



Lancaster County/City of Lincoln GIS Map

Printed: Jan 09, 2013

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Date: April 11, 2012

From: Daniel L. Carey, P.E. _____
Olsson Associates

To: Project File

Thru: Don Turek, P.E. _____
Assistant Design Engineer

Subject: Final Plan-In-Hand Report
Project HSIP-6-6(161)
US-6/West 40th Street, Lincoln
Control No. 13093

Location

The project is located at the intersection of U.S. Highway 6 (West "O" Street) and West 40th Street on the west edge of Lincoln. The intersection is located at US-6 R.P. 310+01.

Scope of Work

Under this 3R safety project left and right turn lanes on US-6 (West "O" Street) will be constructed at the West 40th Street intersection. The project starts approximately 910 feet west of West 40th Street, at MM 309+84, and ends approximately 1,215 feet east of West 40th Street, at MM 310+24, for a length of 2,125 feet or 0.40 miles.

The existing roadway on this segment of US-6 consists of two 12-foot wide lanes in each direction separated by a 6-foot wide median (4-foot raised), and 4 to 6-foot wide turf shoulders.

The improvements on this project consist of milling, repairing concrete pavement, widening the existing composite pavement symmetrically about the existing centerline to provide for left and right turn lanes at the intersection with West 40th Street. Improvements will also include overlaying the entire driving surface, reconstructing the raised medians, constructing 10-foot wide shoulders, of which 8-foot will be surfaced (when adjacent to a right run lane the shoulder width will be 6-foot wide, of which 4-foot will be surfaced), and replacing existing culverts.

Traffic Count

US-6	<u>2011</u>	<u>2022</u>	<u>2030</u>
ADT	9,000	17,030	32,865
% Trucks	6%	6%	13%

Design Standard

The design standard for US-6 will be 3R. A design speed of 60 mph will be used on US-6. The traffic analysis utilized year 2022 projections and year 2022 was identified as the final year of the projects 10-year lifespan. US-6 is not on the Priority Commercial System.

Crash History Analysis

Crash data for the three-year period, January 1, 2005 through December 31, 2008, were evaluated for the intersection of US-6 and West 40th Street. The following is the intersection crash summary for the project:

Intersection Crash Summary

Location	Number of Crashes	Crash Rate (acc/MV)
US-6 and W. 40 th Street Inters.	8	0.441

Traffic Engineering has performed a review and analysis of the crashes on this segment of roadway and as a result of this study have determined that due to the small number of correctable crashes in the study period, a valid evaluation of the effectiveness of this project cannot be prepared. The full details of the Traffic Engineering report are in the project file.

General

The Plan-In-Hand was conducted on February 24, 2012. Those present were:

Tom Goodbarn, NDOR
 Don Turek, NDOR
 John Lyons, NDOR
 Devin Biesecker, City of Lincoln
 Dan Carey, Olsson Associates
 Tom Leikam, Olsson Associates

Bridges

There are no bridges within the limits of the project.

Agreements

The project is located in Lancaster County and construction will fall within the corporate limits of the City of Lincoln. Therefore, an agreement will be required with the City of Lincoln.

Balance Factor

The balance factor to be used for the project is 1.00.

Material Needed

Earthwork construction on this project will be paid for as “Earthwork measured in Embankment” and the contractor shall be required to furnish borrow on this project.

Phasing/Accommodation of Traffic

The project will be constructed under traffic utilizing temporary crossovers at each end of the project. The pavement recommendation indicates that traffic will not be allowed on the milled surface. Phase I will consist of widening and overlaying the eastbound lanes while traffic runs head-to-head on the westbound lanes. Traffic will be routed to the newly surfaced eastbound lanes while the westbound lanes are widened and overlaid for Phase II construction. In order to facilitate the phased construction of the two culverts, full depth shoulders are proposed for the eastbound lanes. Access to West 40th Street will need to be maintained throughout construction. The Construction phasing for the project may need to be coordinated with the construction phasing for the City of Lincoln’s SW40th Street Viaduct project if the construction schedule of both projects overlaps.

Constructability Issues

Construction coordination with the construction of the City’s SW40th Street Viaduct project will be needed if the construction schedule for both projects overlaps.

Changes

The DR-73 Report indicates that the widening for the left turn bay will be done all on the south side of US-6. After further evaluation and discussion, it is recommended that US-6 be widened symmetrically about the centerline. This will decrease the overall project limits, reduce impacts to adjacent properties, and reduce the cost of the project. The PIH plans have been developed assuming the widening is done symmetrically about the centerline of US-6.

The DR-73 Report also indicates that two bus stops will need to be built as part of the project at the request of the City of Lincoln. The bus stops have already been built as part of the Lancaster County Adult Detention Facility (LCADF) project and will no longer be required as part of the proposed intersection improvements.

The Plan-in-Hand plans indicate constructing an open ditch section adjacent to the LCADF. After evaluation of the recent grading and improvements constructed for the LCADF, it was recommended that this section utilize a curb and gutter section on this segment to reduce impacts into the adjacent improvements. Further evaluation will be done as part of final design once additional field survey is completed.

The Plan-in-Hand plans and the DR-73 Report indicate using Asphalt Type SP-4 for the overlay and shoulder surfacing for the project. The final pavement determination changed this material to Type SPH for the mainline overlay and Type SPS for the shoulder surfacing. The Plan-in-Hand plans show milling the entire existing surface including the portion of the pavement that will be removed. After further clarification, the milling shown for final design will be limited to the portion of the existing pavement that will stay in place.

The Plan-in-Hand plans show a 2' turf shoulder behind the back of curb for those areas where curb and gutter is needed. This will be changed to a 6' dimension to allow for street light poles.

The Plan-in-Hand plans indicate that the proposed 8' x 6' box culvert at approximate station 181+23 has a 0 degree skew but after further field evaluation it appears that the box will need to be on a skew in order to align with the existing downstream channel. Additional survey has been requested to re-survey the existing channel to tie down its location based on current conditions.

East of the W. 40th Street intersection, recommendations are to utilize a concrete combined curb & gutter section outside the surfaced shoulder in order to reduce impacts at adjacent properties. The Plan-in-Hand plans show extending the 8" concrete base out to the concrete curb & gutter. After further evaluation and consultation with M&R it was determined that 6" Type SPS asphalt surfacing for the shoulder between the driving lane and the concrete curb & gutter will be used. This change will be reflected on the final plans.

The Plan-in-Hand plans show a full depth shoulder for the segment of the eastbound lanes west of W. 40th Street in order to accommodate traffic for the phased construction of the proposed 8'X6' box culvert. Traffic will need to be able to utilize the full width of the proposed shoulder for this segment. The Plan-in-Hand plans show extending the 8" concrete base all the way out to the edge of shoulder but after further evaluation and consultation with M&R it was recommended that 8" Type SPH asphalt be used on prepared subgrade for the segment of full depth shoulder.

Right of Way

Right of Way will be required for this project and an estimated 8 tracts will be affected by the proposed improvements.

Relocation Assistance

There are no relocations proposed for this project, therefore, relocation assistance will not be required.

Miscellaneous

The proposed 8' x 6' box will utilize a broken back design due to the significant elevation differences at the inlet and outlet locations.

East of W. 40th Street the project will utilize a curb and gutter section with mountable curb inlets along the north side to reduce impacts to the existing dike and along the south side to reduce impacts at the LCADF property.

The design of the project needs to be coordinated with the plans that have been developed for the City's SW 40th Street Viaduct project to minimize the amount of reconstruction that may be required to accommodate the project that will be constructed second. The final plans and special provisions for the project will need to take into account the latest information available for the City's project.

Snow Control

None.

Relinquishments

None.

Roadside Development

Seeding and erosion control measures will be used on all slopes for this project. Turf reinforcement mats and erosion checks will be used in all ditches and silt fence will be required for the project. Existing topsoil shall be salvaged and stockpiled prior to the start of grading operations. The salvaged topsoil shall be placed on all disturbed areas on the project prior to seeding to enhance establishment of vegetation.

In addition, erosion control measures such as ditch checks and riprap shall be incorporated along ditch bottoms in areas with steep grades to prevent erosion and degradation. Riprap shall be designed at the outlet of the new culverts to dissipate energy and control erosion.

Public Meetings

There will be no Design Public Hearings or Public Information Meetings for the project.

4F-6F Lands

None.

Signals

There is no existing signal at the intersection but the 2022 traffic projections indicate that a signal will be warranted in the future.

Lighting

Roadway lighting for the intersection will be provided as part of the project.

Utilities

There is an existing 16" water main that runs along the north side of US-6 from the beginning of the project to approximately Station 183+50, crosses US-6, and then runs along the south side for the entire length of the project to the east. Approximately 370' of this water main will be located underneath the proposed eastbound right turn lane. An existing 12" water main connects into the existing 16" main at the intersection of US-6 and W. 40th and runs north along N.W. 40th Street on the east side. All locations and sizes were obtained from the City of Lincoln GIS database and additional survey and as-built plans for the existing water mains are needed to verify potential conflicts.

Sanitary sewer lines exist within the project limits. Two existing 15" lines cross US-6 at approximately Stations 180+50 and 188+00. There is also an 8" sanitary sewer line that runs east along the north side of US-6 from the W. 40th Street intersection through the limits of the project. All locations and sizes were obtained from the City of Lincoln GIS database and additional survey and as-built plans for the existing sanitary sewer lines are needed to verify potential conflicts.

An existing storm sewer outlet with a flared end section was discovered on the field visit that was not part of the survey. The flared end is located on the north side of US-6 at approximately Station 184+00. Additional survey is needed to verify potential impacts to the existing storm sewer system.

Other utilities in the project limits include fiber optic lines that run along the north side of US-6, a level 3 communication line which runs along the south side of US-6, and an overhead power line that runs along the south side of US-6.

Railroad

The proposed improvements will not cross or encroach into any railroad property.

Wetlands

It is anticipated that small areas of wetlands may be encountered within existing drainageways that run through the project area. Construction of the fills and embankments for the project will impact wetlands at areas where the construction crosses existing drainage ways. Based on the preliminary wetland delineation it is anticipated that approximately 0.08 acres of wetlands will be impacted. A request will be made to

re-delineate the existing wetlands to reflect current conditions. The wetland impacts will subsequently be re-evaluated during final design.

Floodplain

The proposed construction will not encroach into a FEMA designated floodplain and a floodplain permit will not be required for the project.

Special Investigation

None.

Construction Schedule

This project is estimated to take approximately 65 working days to complete the construction. The project will be completed within one construction season. The tentative letting date for the project is scheduled for 12/13/2012 with a tentative start date and completion date of 5/6/2013 and 8/17/2013, respectively.

Exceptions

No design exceptions are anticipated with this project.

Hazardous Waste

No sites have been identified within the project limits.

Safety Enhancements

The following is a list of items which will be implemented into the design of this project:

- I. New driving surface
- II. Surfaced shoulders
- III. Improved drainage
- IV. Widening for offset left-turn lanes
- V. Widening for right-turn lanes
- VI. Lighting
- VII. Shoulder rumble strip
- VIII. Improved surfacing

Accommodation of Bicycles and Pedestrians

The City of Lincoln S.W. 40th Street project is proposing a concrete bike path located along the east side of S.W. 40th Street between "A" Street and US-6. Based upon the 2011 Lincoln/Lancaster County Comprehensive Plan, the future trail will extend north crossing US-6 at the W. 40th Street intersection. The current project will need to accommodate this future crossing at the US-6 and W. 40th Street intersection.

Curb Ramps & Sidewalks

The project will need to construct curb ramps to accommodate the proposed bike path for the City of Lincoln S.W. 40th Street project.

ADA Access During Construction

There are currently no existing sidewalks or pedestrian walkways within the project limits. Therefore, no consideration is needed for ADA access during the construction of the project.

Retaining Walls

None anticipated.

Airport

The Lincoln Municipal Airport is located approximately one mile from the proposed project.

Comments

West of W40th Street on the south side, the plans need to show an 8-foot surfaced shoulder as shown on the north side. Response: This will be added during final design.

A 15:1 bay taper for the right turn lane should be used. It appears that a lot flatter bay taper was used. Response: This will be revised during final design.

The 8-foot surfaced shoulder needs to be extended parallel to the thru lane until it intercepts the 4-foot surfaced shoulder for the right turn lane in the bay taper. This goes for the curbed right turn lane also. Response: This will be revised during final design.

From W40th Street east, the typical cross sections need to be revised to show a curbed shoulder not a curb & gutter section. Since, the surfaced shoulder will be curbed on both sides east of W40th Street, suggest that we show a separate typical cross section for west and east of W40th Street. Response: Additional typical sections will be added during final design to clarify the differences between the two sections. After further discussion, a concrete curb and gutter section will be used due to the relatively flat longitudinal grade in order to facilitate drainage to the new inlets.

The plan-in-hand plans and additional comments are available in Roadway Design.