

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

RESOLUTION REGARDING THE PROPOSED )  
SALE OF VACATED PORTION OF WEST )  
MEINKE STREET, LEGALLY DESCRIBED )  
HEREIN, AND LOCATED IN LANCASTER )  
COUNTY, NEBRASKA, WHICH INCLUDES ) RESOLUTION NO. R-17-0020  
DECLARING THAT THE PROPERTY NO )  
LONGER SERVES A COUNTY PURPOSE, )  
DETERMINING FAIR MARKET VALUE, AND )  
SETTING THE DATE FOR SALE OF THE )  
PROPERTY )

WHEREAS, pursuant to Neb. Rev. Stat. § 23-107.01, as amended, the Lancaster County Board of Commissioners has the power to sell Lancaster County (“County”) property that no longer serves a County purpose;

WHEREAS, Neb. Rev. Stat. § 23-107.01 further provides that the County may sell such property after determining the fair market value of the property and conducting a public hearing for interested parties to speak for or against the sale of the property and raise any issue regarding the fair market value;

WHEREAS, pursuant to Neb. Rev. Stat. § 23-107.01, the County is required to set a date, within two months of the date of the public hearing, for sale to the highest bidder;

WHEREAS, Lancaster County owns property (the “Property”) generally located at the vacated portions of the West Meinke Street, more particularly described as follows:

a portion of vacated West Meinke Street adjacent to Block 3, in Unincorporated Village of Kramer, lying east of SW 114<sup>th</sup> Street to the northerly extension of the west line of lots 1-6 in said Block 3 all located in the NW ¼ of Section 9, T-7-N, R-5-E of the 6<sup>th</sup> Principal Meridian, Lancaster County, Nebraska,

as depicted in Exhibit A hereto, which Exhibit is hereby incorporated herein by this reference;

WHEREAS, on February 28, 2017, by County Resolution No. R-17-0017, the Lancaster County Board of Commissioners vacated said portion of West Meinke Street and resolved that that portion be sold;

WHEREAS, the Property legally described above no longer serves a County purpose;

WHEREAS, the Lancaster County Board of Commissioners has received an Appraisal report from James J. Shotkoski, Nebraska General Certified Appraiser, which is dated January 31, 2017, a copy of which is on file at the Lancaster County Clerk's Office, and a copy of which is attached hereto as Exhibit B to this Resolution, which Exhibit is incorporated herein by this reference, estimating that the fair market value of the Property is \$2,250.00;

WHEREAS, on March 14, 2017, the Lancaster County Board of Commissioners conducted a public hearing wherein interested parties were given the opportunity to speak for or against the sale; and

WHEREAS, the Lancaster County Board of Commissioners determined that the public sale should be set for Thursday, March 30, 2017, at 2 P.M., and directed the County Clerk to provide notice in accordance with Neb. Rev. Stat. § 23-107.01(3);

NOW, THEREFORE, BE IT RESOLVED, by the Lancaster County Board of Commissioners, that:

1. The vacated portion of West Meinke Street, legally described above, no longer serves a County purpose;
2. The fair market value for the Property legally described above is determined to be \$2,250.00;
3. The public sale of the Property be set for Thursday, March 30, 2017, at 2 P.M.;

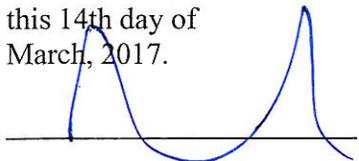
4. The County Clerk provide notice in accordance with Neb. Rev. Stat. § 23-107.01(3); and
5. A blanket utility easement be retained on said Property to protect pre-existing utilities, if any;

AND BE IT FURTHER RESOLVED, that if no bids are received, or if the bids received are substantially lower than fair market value, then the Lancaster County Board of Commissioners reserves the right pursuant to Neb. Rev. Stat. § 23-107.01(4) to reject bids and negotiate a contract for sale of the Property if such negotiated contract for sale is in the best interest of the County.

DATED this 14th day of March, 2017, at the City County Building, Lincoln, Lancaster County, Nebraska.

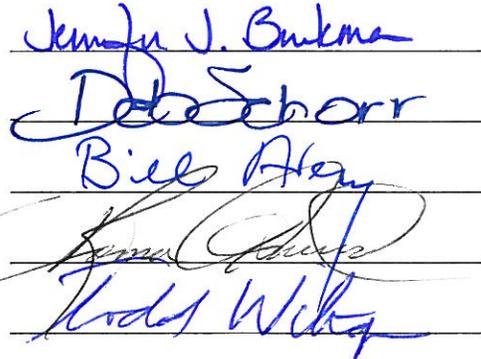
BY THE BOARD OF COUNTY  
COMMISSIONERS OF  
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 14th day of  
March, 2017.



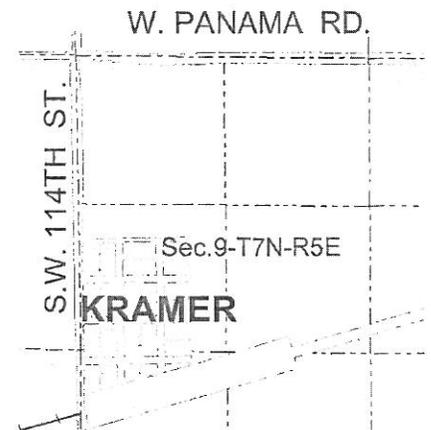
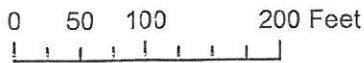
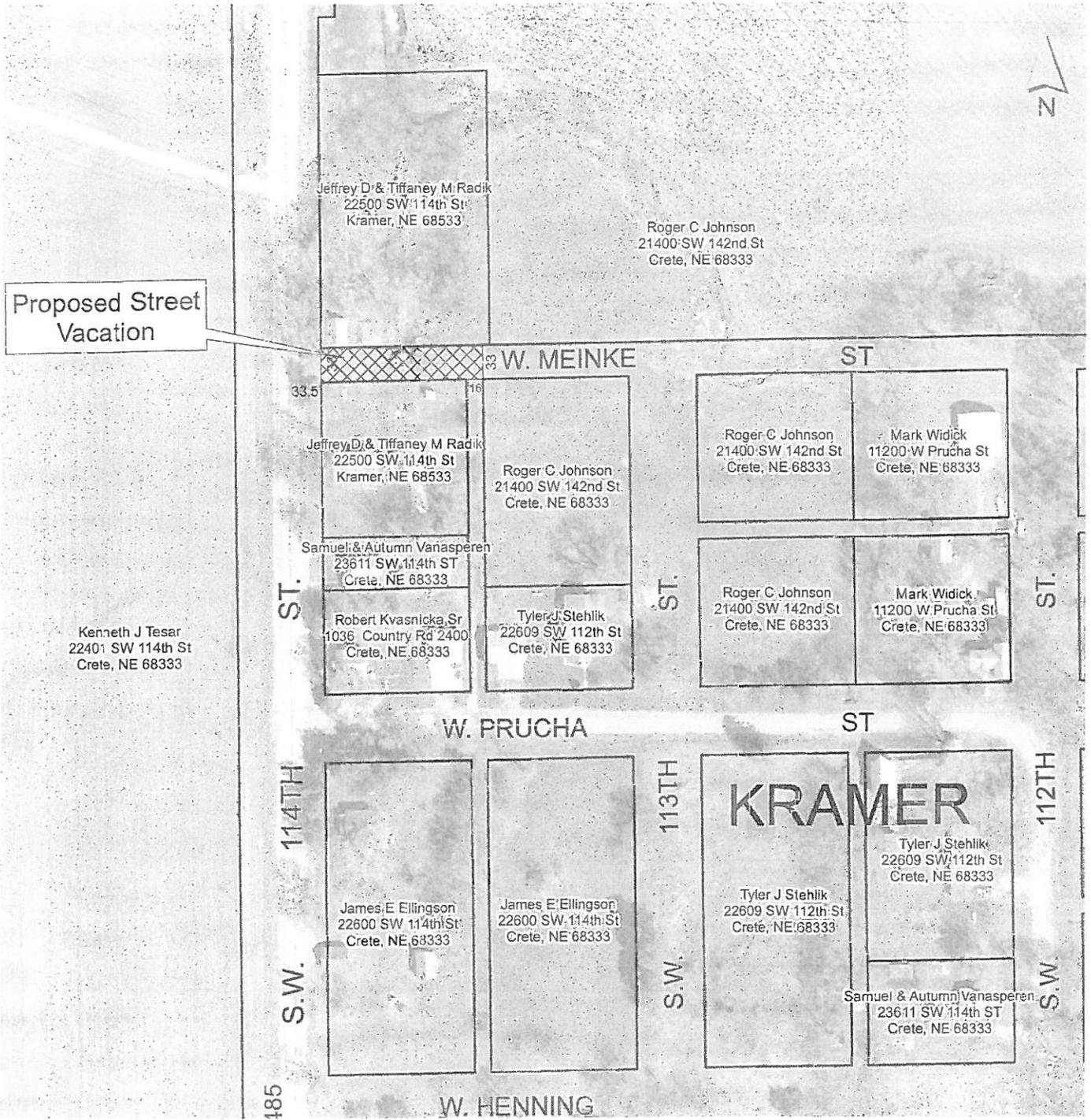
Deputy County Attorney

for JOE KELLY  
Lancaster County Attorney



Jennifer J. Burkma  
Deb Schorr  
Bill Atkey  
Kenna  
Kody Wilky

↑ W. PANAMA RD.



**Real Estate Appraisal Report**

**Road Vacation  
SW 114<sup>th</sup> St & W. Meinke Rd.  
Kramer, NE. 68333**

LANCASTER  
COUNTY

Pamela L. Dingman, P.E.  
County Engineer

ENGINEERING

DEPARTMENT

Kenneth D. Schroeder, R.L.S.  
Deputy County Surveyor

January 31, 2017

Lancaster County Board of Commissioners  
555 South 10<sup>th</sup> Street, Suite 110  
Lincoln, NE. 68508

Re: Appraisal Report  
Excess/Surplus Land  
SW 114<sup>th</sup> & W. Meinke Road  
Kramer, NE. 68333

To Whom It May Concern:

In response to your request, I have conducted the required investigation, inspected the subject property and gathered the necessary data, and made certain analysis that has enabled me to form an opinion of the market value of the "Fee Simple" estate to the above referenced property. The following appraisal report is a Restrictive Appraisal Report Format of a vacant 5,214 SF (0.12 Ac.) parcel of land. This appraisal format restricts the use to the client only and the rationale for the opinions and conclusions set forth in this report may not be understood properly without additional information in the appraiser's work file.

Based on my inspection and investigation thereof, and an analysis undertaken, I have formed an estimate of the Market Value and after utilizing all appropriate deductions and discounts, as of January 26, 2017, to be:

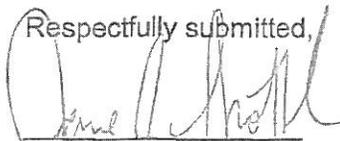
**TWO THOUSAND TWO HUNDRED FIFTY (\$ 2,250.00) DOLLARS**

It is the intent of this report to comply fully with the requirements of the Uniform Standards of Professional Appraisal Practice "USPAP", of the Appraisal Foundation as well as the State of Nebraska Real Property Appraisal Board. The appraisal assignment is not based on any requested minimum valuation, specific valuations, or the approval of a loan.

Neither my engagement to make this appraisal (or any future appraisal to this client), nor any compensation therein, are contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

I have no present or prospective interest in the property that is the subject of this report nor do I have any personal interest with respect to the parties involved.

Respectfully submitted,



James J. Shotkoski  
General Certified Appraiser  
Nebraska CG -920233

## SUMMARY OF FACTS AND CONCLUSIONS

Type of Property:	Vacant Land
Location:	SW 114 <sup>th</sup> & W. Meinke Rd. Kramer, NE. 68333
Legal Description:	The subject parcel is legally described as West Meinke Road adjacent to Lot Twelve (12) and the alleyway of Block Three (3), and Lot Ten (10), Irregular Tract, located in the Northwest Quarter (NW ¼) of Section Nine (9), Township Seven (7) North , Range Five (5) East of the 6 <sup>th</sup> P.M., Village of Kramer, Lancaster County, State of Nebraska
Property Rights:	Fee Simple Estate
Owner of Record:	Lancaster County 555 South 10 <sup>th</sup> Street Lincoln, NE. 68508
Sponsor:	Lancaster County Board of Commissioners 555 South 10 <sup>th</sup> Street Lincoln, NE. 68508
Purpose of the Appraisal:	Road Vacation
Appraisal Format:	Restricted Appraisal Report. This appraisal format restricts the use to the client only and the rationale for the opinions and conclusions set forth in this report may not be understood properly without additional information in the appraiser's work file
Neighborhood:	The subject neighborhood is described as the Village of Kramer, Nebraska, and is roughly bounded on the west by SW 114 <sup>th</sup> Street and on the south by W. Kramer Street and on the east by SW 112 <sup>th</sup> Street and on the north by northern territorial limits for the Village of Kramer. The neighborhood boundaries provide lines of demarcation for changes in land use. The subject neighborhood is an established mixed-use area with primarily residential usage and a little commercial/industrial development along the perimeter boundaries of the neighborhood. The neighborhood is characterized by older single-family development.
Site Description:	The site is a rectangular strip bounded on the west by SW 114 <sup>th</sup> Street and contains thirty-three feet (33') of frontage adjacent to SW 114 <sup>th</sup> Street and extends

## SUMMARY OF FACTS AND CONCLUSIONS (Continued)

Site Description (Cont.)	easterly for approximately 158 lineal feet. The site contains a total gross available tract area of 5,214 SF (0.12 Ac.), more or less. The site is at curb grade with SW 114 <sup>th</sup> and slopes away from SW 114 <sup>th</sup> Street from the northwest to the southeast. The site has access limited to SW 114 <sup>th</sup> Street and is landlocked on the east. The site is within the Village Limits of Kramer.
Zoning:	The site is zoned for Residential Use. This zoning designation is intended to provide a small town residential area of relatively low residential density. This district provides for single family, two-family, and multiple residential uses, plus support facilities. This zoning designation requires a lot size requirement of 9,000 SF as a minimum for a buildable site.
Taxes and Assessments:	The subject site is owned by Lancaster County, State of Nebraska, a governmental agency, and is considered exempt from property tax assessments.
Improvements:	None
Highest and Best Use:	Greenspace
History of Property:	The fee simple title to the subject site has not transferred within the last five years.
Marketing Time Estimate:	The sales used in this report indicate a relatively short marketing time in the area of twelve (12) to eighteen (18) months assuming the property is actively marketed and competitively priced.
Intended Use and Users:	The intended user of this appraisal report will be the Lancaster County Board of Commissioners, or their assigns, with all other users are considered to be unintended users.
Scope of the Appraisal:	The intended use of this appraisal is for purposes of disposition of a unused road by the Owner. The subject site is vacant. As such, the Cost and Income Approaches are not considered applicable in this appraisal report, as typical buyers and sellers would utilize the Sales Comparison Approach as the primary indication of value.

## SUMMARY OF FACTS AND CONCLUSIONS (Continued)

### Indications of Value:

Cost Approach	Not Applicable
Sales Approach	\$ 2,250
Income Approach	Not Applicable
Final Indication of Value:	\$ 2,250

Date of Appraisal: The effective date of the appraisal is as of January 26, 2017, and corresponds with my last physical inspection of the site.

## GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

The Standards of Professional Practice of the Appraisal Foundation requires the appraisers to disclose clearly and accurately any extraordinary assumption or limiting conditions that directly affects an opinion or conclusion. In order to help the reader in interpreting this report, the appraiser's assumptions and limiting conditions are set forth as follows:

1. The date of value to which the conclusions or opinions expressed in this report apply is set forth in the letter of transmittal. The dollar amount of any value opinion rendered is based on the purchasing power of the American dollar existing on that date.
2. Photographs contained in the individual appraisal reports were taken by the appraiser on the date the property was inspected. Any photos taken on a different date or by another person are appropriately labeled.
3. The appraiser assumes no responsibility for economic or physical factors which may affect the opinions in the report which occur after the date of the letter transmitting the report.
4. Forecasts of anticipated revenues and expenses were based on the appraiser's analysis of market trends, economic conditions and the operating history of the property. Such forecasts are dependent on assumptions about future economic, social and political conditions, and market related activity. They represent the appraiser's opinion of current investor attributes and motivations applicable to the class of property appraised, and no warranty or representation that these forecasts will materialize is implied. Any leasehold valuation made on the date is assumed to be correct. Should either the property owner or the tenant provide data which is in conflict, the appraiser will re-evaluate the various claims and the estimate of property division? The value of fractional interests, if reported, may or may not equal the value of the whole (in fee simple).
5. Information furnished by others is believed to be reliable; however, no warranty for its accuracy is implied.
6. Data relating to ownership and legal description were obtained from the client, property owner or from public records and is assumed to be correct. No opinion is rendered on the title. Title is assumed to be marketable and free and clear of all liens, encumbrances

## GENERAL ASSUMPTIONS AND LIMITING CONDITIONS (Continued)

- easements and restrictions except those specifically discussed in the report. The property is appraised assuming responsible ownership, competent management, and available for its highest/best use.
7. The appraiser reserves the right to make such adjustments to the analysis, opinions and conclusions set forth in this report as may be required by consideration of additional data or more reliable data that may become available.
  8. The appraiser assumes no responsibility for hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for arranging for engineering studies that may be required to discover them.
  9. No soil tests or environmental studies were available unless specifically stated in this report. It is assumed that there are no sub-surface, toxic waste or building material hazards in the property that would adversely affect its existing or potential use, unless otherwise stated in this report.
  10. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of the appraiser nor did the appraiser become aware of such during the appraiser's inspection. The appraisers have no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraisers, however, are not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.
  11. Unless otherwise stated, the existence of any violations or non-conformity with the minimum standards set forth in the American with Disabilities Act (ADA) were not called to our attention. The detection non-compliance does not fall within the expertise of the appraiser. It is our recommendation that a survey of the improvements be separately conducted by qualified experts.
  12. No opinion is expressed on the value of subsurface oil, gas or mineral rights or whether the property is subject to surface entry for the exploration or removal of such materials except as expressly stated.
  13. Unless otherwise stated, the property is appraised assuming the property is in compliance with all applicable zoning and use regulations and restrictions.
  14. The property is appraised assuming all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been, or can be, obtained or renewed for any use on which the value estimate contained in this report is based.

## **GENERAL ASSUMPTIONS AND LIMITING CONDITIONS (Continued)**

15. Maps, plats and exhibits included in this report are for illustration purposes only to be used as an aid to help the reader to visualize matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose, nor should they be removed from, reproduced, or used apart from this report.
16. No opinion is intended to be expressed for matters, which require legal expertise or specialized investigation, or knowledge beyond that customarily employed by real estate appraisers.
17. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocation for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
18. The possession of this report, or a copy of it, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of appraiser, and in any event only with proper written qualification and only in its entirety.
19. Testimony or attendance in court or at any other hearing is not required by reason of rendering this report, unless such arrangements are made a reasonable time in advance pertaining to such additional employment.
20. Disclosure of the contents of this appraisal report shall not be conveyed to the public without the written consent and approval of the appraiser.

## **EXTRAORDINARY ASSUMPTIONS AND LIMITING CONDITIONS**

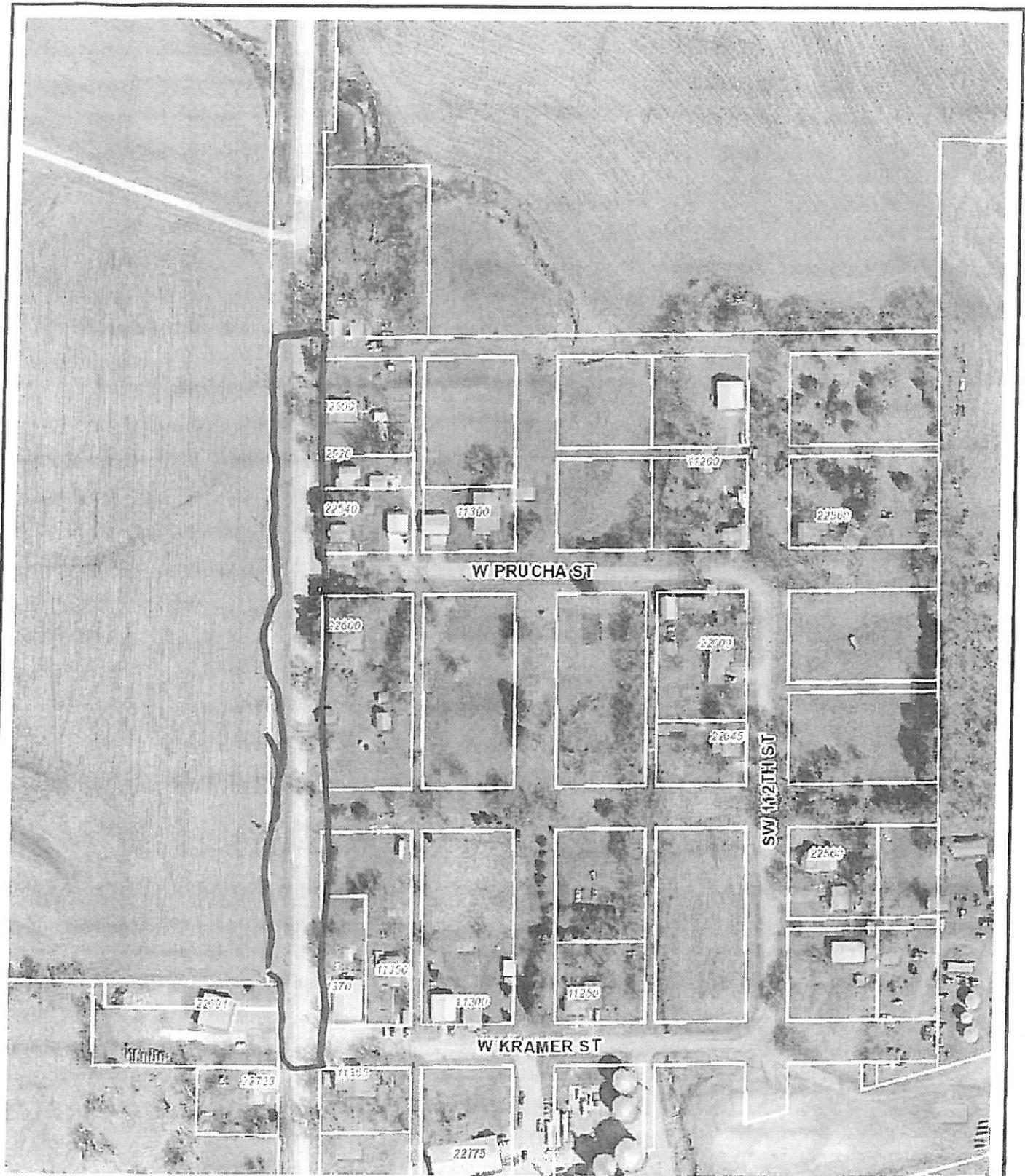
This appraisal is made under the following assumptions along with those that appear in the body of the appraisal.

An "Extraordinary Assumption" is defined as an assumption directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of the data used in an analysis. (USPAP, 2016-17).

1. As defined by the Uniform Standards of Professional Appraisal Practice, this appraisal analysis is reported in a Restricted Appraisal Report format. This appraisal report is for the client use only and will be reportedly be used by the client, or its representatives, in conjunction to provide a valuation for disposition of an asset by the Client. As such, this appraisal report is not intended for any other users. The appraisal report is written to be in conformance with the Uniform Standards of Professional Appraisal Practice (USPSP). The subject site contains 5,214 SF (0.12 Ac.), more or less. Any change in size or legal description could affect the value.

## EXTRAORDINARY ASSUMPTIONS AND LIMITING CONDITIONS

2. The subject site under consideration in this report includes land generally utilized for County road purposes. A metes and bounds boundary survey description has not been provided to the appraiser, the subject site's size and location are based on plat maps filed with the Lancaster County Register of Deeds Office as well as property cards on file with the Lancaster County Assessor's Office. The results of this analysis may change should the actual size of the subject parcel digress.
3. The client has not provided the appraiser with a Commitment for Title Insurance for the subject property. Additionally, the appraiser has researched the public records to determine the ownership and title history of the subject property going back to the point the site was vacant and available for its highest and best use. The subject property ownership and title history are based on this research, and are not warranted to be correct. The ownership data in this report is assumed to be correct. Any change in this factual data may affect the subject property valuation.
4. The appraiser is not an expert on hazardous materials. The appraiser cautions that if present, such materials could affect the value of the property. The subject property is currently improved with an early childcare development. The current use does not appear to include restricted use chemicals; however, proper application procedures would have limited any long-term impact to the subject property. The inspection of the site revealed no known hazardous materials. Once again, the appraiser was not provided with any type of Environmental Hazard or Impact Report, and the existence of any hazardous materials or environmental concerns could affect the overall market value of the subject property land and improvements to the land.



## Lancaster County/City of Lincoln GIS Map

### NEIGHBORHOOD MAP



Printed: Jan 26, 2017

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](mailto:ags@lincoln.ne.gov) and you will be directed to the appropriate department.



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# Lancaster County/City of Lincoln GIS Map

## ZONING MAP



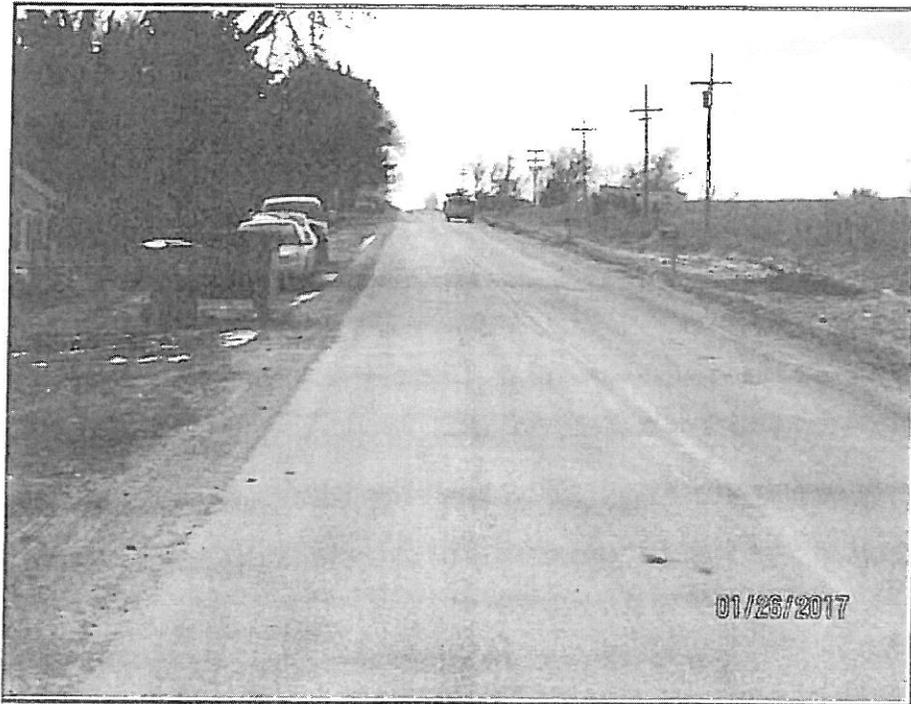
Printed: Jan 27, 2017

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](mailto:ags@lincoln.ne.gov) and you will be directed to the appropriate department.



Street Scene

View looking northerly on SW 114<sup>th</sup> Street as seen from the front of the subject site. Camera facing northerly. Photo taken January 26, 2017, by James J. Shotkoski



Street Scene

View looking southerly on SW 114<sup>th</sup> Street as seen from the front of the subject site. Camera facing southerly. Photo taken January 26, 2017, by James J. Shotkoski



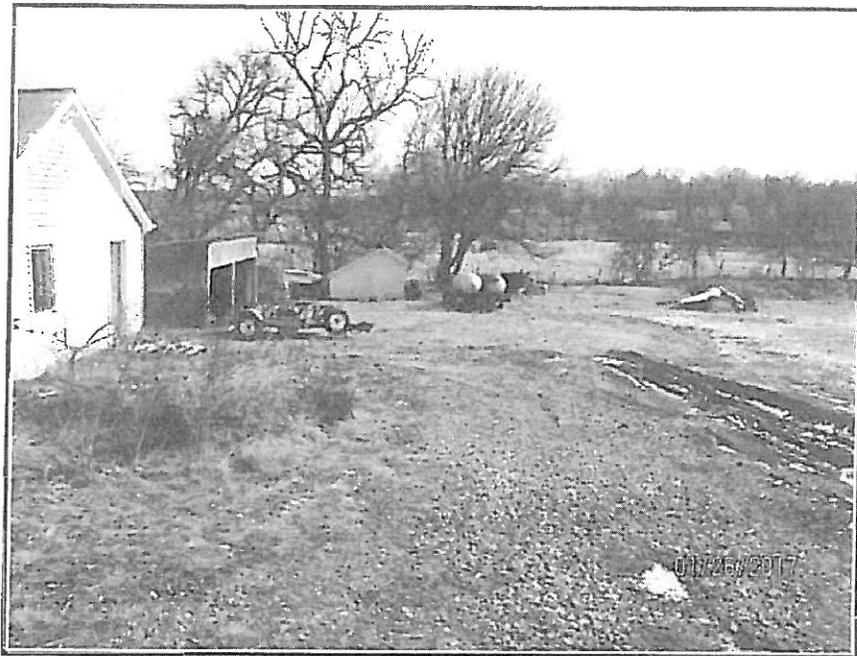
Subject Photograph

View looking northeasterly across the subject site as seen from the southerly edge of W. Meinke Rd. Camera facing northeasterly. Photo taken January 16, 2017, by James J. Shotkoski



Subject Photograph

View looking northeasterly across the subject site as seen from the northern edge of W. Meinke Rd. Camera facing northeasterly. Photo taken January 26, 2017, by James J. Shotkoski



Subject Site

Partial overview of the subject site as seen from the intersection of SW 114<sup>th</sup> and W. Meinke Rd.  
View looking easterly. Photo taken January 26, 2017, by James J. Shotkoski



Subject Site

Partial overview of the subject site as seen from the intersection of SW 114<sup>th</sup> and W. Meinke Rd.  
View looking easterly. Photo taken January 27, 2017, by Alex O. Olson

## HIGHEST AND BEST USE

All real estate value estimates must be supported by a conclusion as to the highest and best use of a land tract. Highest and best use is considered in the economic sense and it is generally defined as the most profitable likely use within the realm of reasonable probability to which a land tract can be put or adapted and for which there is a current market. The criteria for determining the highest and best use of a given property call for an evaluation of how the property adapts to a number of requirements, i.e.

1. The use must be legally permissible or reasonably possible.
2. The use must be physically possible on the site.
3. The use must be economically and financially feasible under the projected market conditions.
4. The use must be the most profitable among the alternatives that are legally permissible, physically possible and economically feasible.

The highest and best use analysis involves two separate studies:

1. The site as if vacant and ready to be put to its highest and best use; and if the property is improved;
2. A study of the highest and best use of the property as improved.

### Highest and Best Use as if Vacant

The site is a rectangular strip bounded on the west by SW 114<sup>th</sup> Street and contains thirty-three feet (33') of frontage adjacent to SW 114<sup>th</sup> Street and extends easterly for approximately 158 lineal feet. The site contains a total gross available tract area of 5,214 SF (0.12 Ac.), more or less.

The site is at curb grade with SW 114<sup>th</sup> and slopes away from SW 114<sup>th</sup> Street from the northwest to the southeast. The site has access limited to SW 114<sup>th</sup> Street and is landlocked on the east. The site is within the Village Limits of Kramer.

The site is zoned for Residential Use. This zoning designation is intended to provide a small town residential area of relatively low residential density. This district provides for single family, two-family, and multiple residential uses, plus support facilities. This zoning designation requires a lot size requirement of 9,000 SF as a minimum for a buildable site.

Given the above, it is my opinion, one of the highest and best uses for the subject site, as vacant, is for some type of accessory or greenspace usage incidental the primarily single-family residential development. The subject site is not developable as a stand-alone building site.

### Highest and Best Use, as Improved

Given the above, it is my opinion that one of the highest and best uses for the subject site, "as improved" would be for assemblage purposes with abutting parcels to provide for a physically possible, legally permissible and economically feasible development.

## VALUATION SECTION

### Land Valuation

The value of the subject site is estimated by comparison to other similar land transactions. The following transactions representing vacant single family residential lot sales were used to assist in the estimate of the value of the subject site.

#### Land Sale No. 1

Parcel Identification Number: 01-09-109-001-000

Location: 11300 W. Kramer St.  
Kramer, NE.

Legal Description: Lots One (1) thru Twelve (12), inclusive, Block Nine (9), as surveyed, platted and recorded, Village of Kramer, Lancaster County, State of Nebraska

Grantor: Branden Brazee and Rebeka D. Brazee, Husband & Wife

Grantee: Samuel Van Asperen and Autumn Van Asperen, Husband & Wife

Instrument: Survivorship Warranty Deed      Date: 02/03/2015  
Recorded: 02/06/2015

Tract Size: 42,600 SF (0.98 Ac), more or less

Sale Price: \$ 67,000  
Assessed Value of Improvements: \$ 47,900  
Land Residual Value: \$ 19,100      \$/SF: \$ 0.45/SF

Financing: Cash to Seller

Zoning: Residential Development

Highest and Best Use at Time of the Sale: Residential Development

Improvements: The site at the time of sale was improved with a single-family home constructed in 1910

Confirmed: Register of Deeds Office  
Lancaster County, NE

**Land Valuation (Continued)**

Land Sale No. 2

Parcel Identification Number: 01-04-400-005-000

Location: 10400 Panama Rd.  
Lancaster Co., NE

Legal Description: A lengthy legal briefly described as a part of Lot Fourteen (14), Irregular Tract, located in the Southeast Quarter (SE ¼) of Section Four (4), Township Seven (7) North, Range Five (5) East of the 6<sup>th</sup> P.M., Lancaster County, State of Nebraska

Grantor: Lee C. Miller, single person

Grantee: Kory J. Lehr and Abby M. Lehr, Husband & Wife

Instrument: Survivorship Warranty Deed      Date: 08/25/2015  
Recorded: 09/01/2015

Tract Size: 438,047 SF (10.06 Ac), more or less  
Less Excess Land: 300,128 SF (6.89 Ac.), more or less  
Developable Building Site: 138,085 SF (3.17 Ac.) more or less

Sale Price: \$ 300,000  
Assessed Value of Improvements: \$ 234,300  
Land Residual Value: \$ 65,700      \$/SF: \$ 0.48/SF

Financing: Cash to Seller

Zoning: Agricultural Homesite Development

Highest and Best Use at Time of the Sale: Existing Development

Improvements: The site at the time of sale was improved with a single-family home constructed in 1990

Confirmed: Register of Deeds Office  
Lancaster County, NE



## Land Valuation (Continued)

The preceding sales are summarized as follows:

### Unimproved Land Sales

Sale	Location	Date	Price	Residual Land Value	Tract Size (SF)	Price \$/SF
1	11300 W. Kramer	02/2015	\$ 67,000	\$ 19,100	42,600	\$ 0.45
2	10400 Panama	08/2015	300,000	65,700	138,085	0.48
3	12901. Stagecoach	12/2016	252,500	69,900	144,981	0.48
Subject	SW 114 <sup>th</sup> W. Meinke				5,214	

The above sales range in size from a low of 42,600 SF to a high of 144,981 SF with an arithmetic mean of 108,555 SF, compared to the subject site's size of 5,214 SF. The residual land values range from a low of \$ 19,100 to a high of \$ 69,900. The prices paid per square foot vary from a low of \$ 0.45/SF to a high of \$ 0.48/SF with an arithmetic mean of \$ 0.47/SF. The weighed average is \$ 0.48/SF (\$ 154,700 Total Residual Land Value Consideration by 325,666 Total SF).

In the process of estimating a market value for the subject site, the preceding sales must first be analyzed to identify significant differences between the elements of comparison and make adjustments either positive or negative for those differences. The items considered to warrant adjustments are property rights conveyed by the sale, terms and conditions of the sale, the financing surrounding the sale, and finally any physical adjustments for size, location, access and the functional utility or usage of the subject site.

Each of the above sales involved the transfer of the fee simple estate and do not require any further adjustments for property rights conveyed. Each of the above sales are considered to have been cash sales, or have been adjusted for financing and do not require any further adjustments for below market or special financing adjustments.

In adjusting for changing market conditions over the past year, an analysis of the above sales indicates a market for residential lots in the area surrounding the Village of Kramer. Each of the above are considered sufficiently recent, in terms of the date of the sale to the effective date of the appraisal, and as such the above sales do not require any further adjustments for time or changing market conditions, relative to that of the date of the appraisal.

The next step is to make adjustments for physical characteristics and differences. The subject is the norm and the sales are adjusted accordingly toward the subject with sales which are considered to be inferior requiring upward adjustments; and conversely, sales which are considered to be superior requiring downward adjustments toward the subject.

The underlying real estate principle governing the adjustments is the larger the size of the unit of comparison, the smaller the price paid per unit of value, and conversely, the smaller the size of the unit of value, the higher the price paid per unit of value, all other valuation considerations being equal. The subject site is considered the norm, and sales are adjusted according utilizing the above mentioned real estate principle.

### Land Valuation (Continued)

In adjusting for size, the subject site contains 5,214 SF or 0.01 Acres. Each of the comparable sales are larger than the subject site and are considered to be inferior to that of the subject site in terms of size and require varying degrees of upward adjustment toward the smaller subject site to account for these differences, relative to size. The magnitude of the adjustment is not well-documented from an analysis of the above sales; however, utilizing the above principle, these sales each require an upward adjustment for differences in size, relative to that of the subject site. The magnitude of the adjustment for purposes of this report, I will use a five percent adjustment for each of these sales to account for the element of size.

The next adjustment is for location and takes into consideration the marketability of the comparable sale, relative to that of the subject site. The above sales considered to be comparable to the subject site for this consideration and require only minor adjustments, relative to the subject site for this consideration.

The last adjustment is for the functional use or functional utility of the comparable sales, relative to that of the subject site. The subject site is a narrow strip that is landlocked on three sides, and is too small to be a buildable lot. Each of the above sales are fully developable lots and are considered superior to the subject site for access and functional utility or use, and require downward adjustments toward the subject site to account for this consideration. The magnitude of the adjustment not well-documented from an analysis of the sales; however, for purposes of this report, I will use a downward adjustment of fifteen percent toward the subject site for each of these sales to account for these considerations. The above adjustments are shown on the following adjustment grid. An adjustment factor greater than one indicates the subject is superior; and an adjustment factor less than one indicates the subject is inferior.

#### UNIMPROVED SALES ADJUSTMENT GRID

Attribute	Sale 1	Sale 2	Sale 3
Prop. Rights	1.00	1.00	1.00
Condition	1.10	1.00	1.00
Financing	1.00	1.00	1.00
Time	1.00	1.00	1.00
Size	1.05	1.05	1.05
Location	1.00	1.00	1.00
Utility	0.85	0.85	0.85
Composite	0.89	0.89	0.89
Unadj. \$/SF	\$ 0.45	\$ 0.48	\$ 0.48
Composite	0.89	0.89	0.89
Adjust. \$/SF	\$ 0.40	\$ 0.43	\$ 0.43

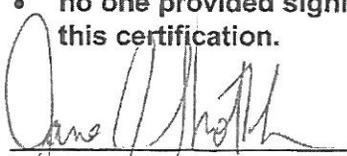
Arraying the above sales in linear fashion, results in the adjusted sales ranging from a low of \$ 0.40/SF to a high of \$ 0.43/SF. Based on the analysis of the above sales, I am of the opinion the market value of the subject site, as of January 26, 2017, to be \$0.43/SF. This results in the following indication of value for the subject site to be:

$$\begin{aligned} 5,214 \text{ SF @ } \$ 0.43/\text{SF} &= \$ 2,242 \\ \text{Call It } & \$ 2,250 \end{aligned}$$

## CERTIFICATION

I certify that, to the best of my knowledge and belief:

- the statements of fact contained in this report are true and correct.
- the reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of his report or to the parties involved with this assignment.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction of value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant real property appraisal assistance to the person signing this certification.



James J. Shotkoski  
General Certified Appraiser  
Nebraska CG-920233

**ADDENDA**

VACATION  
W. MEINKE Rd  
01/05/17

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LANCASTER COUNTY, NEBRASKA

DIRECTING THE COUNTY ENGINEER )  
TO CONDUCT A STUDY REGARDING )  
VACATING PORTIONS OF WEST MEINKE )  
ROAD, MORE PARTICULARLY ) RESOLUTION NO. R-17-0002  
DESCRIBED IN EXHIBIT "A", AND LOCATED )  
IN LANCASTER COUNTY, NEBRASKA )

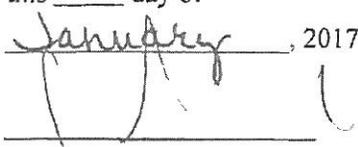
WHEREAS, the Board of County Commissioners of Lancaster County, Nebraska,  
(hereinafter referred to as the "County Board") received a petition, see Exhibit "A" attached  
hereto and incorporated by this reference, that the public interest will be served by vacating  
portions of West Meinke Road, more particularly described in Exhibit "A," located in Lancaster  
County, Nebraska; and

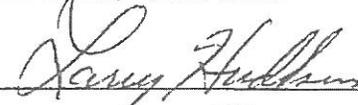
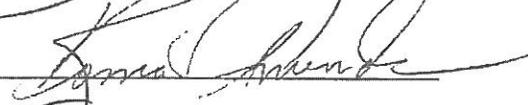
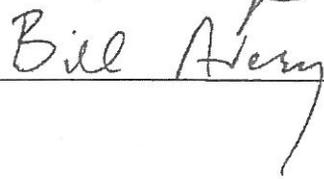
WHEREAS, pursuant to Neb. Rev. Stat. §§ 39-1723 and 39-1722, within two weeks of  
the filing of a duly submitted petition with the Lancaster County Clerk, the Board shall by  
resolution direct the Lancaster County Engineer to study the use being made of such public road  
and to submit in writing to the County Board within thirty days a report upon the study made and  
her recommendation as to the vacation or abandonment thereof;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of  
Lancaster County, Nebraska, that the Lancaster County Engineer, or such person designated by  
the Engineer, shall conduct a study of the use being made of the above-described portion of  
county road, and to submit in writing to the County Board within thirty days, a report upon the  
study made and his recommendation as to the vacation thereof.

DATED this 3 day of January, 2017.

BY THE BOARD OF COUNTY  
COMMISSIONERS OF LANCASTER  
COUNTY, NEBRASKA

APPROVED AS TO FORM  
this 3 day of  
January, 2017.  
  
\_\_\_\_\_  
for JOE KELLY  
County Attorney

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

RECEIVED

DEC 27 2016

LANCASTER COUNTY CLERK

INFORMATION SHEET

This information sheet should be completed by each primary petitioner. The attached "Petition to Vacate with Release and Waiver of Rights and Title and Quit Claim to County of Lancaster, Nebraska" should also be completed according to the instruction contained in the Instruction Sheet.

1. Petitioner's Name Jeffrey D. and Tiffaney M. Radik  
2. Petitioner's Address 22500 SW 114th St, Kramer, NE 68333 (22500 SW 114th)  
3. Petitioner's Telephone Number 402-381-8800

4. Street/Alley/Public Way sought to be vacated West Meinke Road  
Adjacent to Lot 1 and the Alley of Block 3, Kramer, 33' Wide  
and 158' long

5. Why are you seeking to have this street/alley/public way vacated?  
Petitioners own the real estate on both side of West Meinke  
Road and the area is NOT used as a roadway

6. What use(s) do you propose to make of the public way if vacated?  
The Petitioners have had a chicken coop on this area for  
many years and want to clear the records and connect their land

I (WE) DO INTEND TO PURCHASE (describe area intended to be purchased)

33' x 158' of West Meinke Road adjacent to Lot 1 and Alley, Block 3  
OF THE VACATED PUBLIC WAY WHICH ABUTS THE PROPERTY OWNED BY ME (US) AS  
DESCRIBED IN THE PETITION TO VACATE PUBLIC ROAD.

YES  NO

*Prior to the public hearing the property will be appraised. The purchase price of the portion you intend to buy must be deposited with the County Clerk before receiving a deed to said property or the property will be sold to any other party willing to pay the purchase price. The vacation resolution will not become final until the full price of the entire public road proposed to be vacated has been paid.*

**BE SURE THAT THE PETITION TO VACATE PUBLIC WAY HAS BEEN COMPLETED AND IS ATTACHED TO THE INFORMATION SHEET.**

PETITION TO VACATE PUBLIC ROAD  
WITH RELEASE AND WAIVER OF RIGHTS  
AND TITLE AND QUIT CLAIM TO COUNTY  
OF LANCASTER, NEBRASKA

\*  
\*  
\*  
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\* \* \* \* \*

(For Register of Deeds Use Only)

TO THE COUNTY BOARD OF THE COUNTY OF LANCASTER, NEBRASKA

The undersigned property owner(s) hereby ask and petition you to vacate the following described street/alley/public road, to-wit:

West Meinke Road adjacent to Lots 14 and the alleyway of Block 3

Kramer, Lancaster County, NE (33' x 158')

in the County of Lancaster, Nebraska, to reserve and retain in said street, alley, or other public way such title, rights, easements and privileges as it may deem necessary. In consideration of the vacation of the above described street, alley or other public road, we, and each of us, for ourselves, our heirs, administrators, successors, and assigns, hereby waive and release any and all claims, causes of action, title, rights and demands of every nature, known or unknown, which may accrue to us, or which we now have, or which we may hereafter have as a result of or resulting from such vacation of said street, alley, or other public way; and hereby remise and forever quit claim unto the County of Lancaster, Nebraska and to its successors and assigns forever, all right, title, interest, estate, claim and demand, both at law and in equity, of, in and to all of said street, alley or other public way, together with all and singular there hereditaments thereunto belonging.

TO HAVE AND TO HOLD the above described street, alley or other public way unto the County Lancaster, Nebraska and to its successors and assigns, so that none of the undersigned, nor any person in his, her, their or its name(s) or behalf, shall or will hereafter claim or demand any right or title to the said premises or any part thereof, but they and every one of them shall by these presents be excluded and forever barred.

The undersigned hereby represent(s) that he, she, they or it is (are) the owner(s) of the following described property in Lancaster County, Nebraska, abutting on said street, alley or other public way, to-wit:

Lots 11 and 12, Block 3 AND Lot10, Irregular Tract #86-13906

On both sides of this portion of West Meinke Road, Kramer, NE

Dated this 27 day of December, 2016.

Jeffrey D Radik  
Tiffaney M Radik

State of Nebraska )  
 )ss  
Saline County )

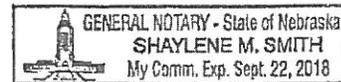
Before me, a notary public qualified for said county, personally came \_\_\_\_\_

Jeffrey D. Radik and Tiffaney M. Radik, Husband & Wife

known to be the identical person(s) who signed the foregoing instrument, and acknowledged the execution thereof to be his, her or their voluntary act and deed for the purposes therein set forth, and acknowledged that he, she or they signed the foregoing instrument with the view of having said County of Lancaster vacate said street, alley or other public road and the County of Lancaster reserving and retaining in said street, alley or other public road such title, rights and privileges as it may deem necessary, together with a waiver and release of any and all claims, causes of action, title, rights, demands and quitclaim.

WITNESS my hand and notarial seal on December 27, 2016.

Shaylene M. Smith, Notary Public  
My commission expires: 9/22/2018



## PETITION FOR VACATION OF PUBLIC ROAD

The undersigned registered voters of Lancaster County, Nebraska reside within ten (10) miles of a segment of public road right-of-way described as:

a map of which is attached hereto, hereby petition the County Board of Lancaster County to vacate said segment of public road for the reason that:

And further request that a time and date be set for a public hearing before the County Board on this matter.

NAME	ADDRESS
1. Jimmy Fox	5954 W. Gage Rd. <sup>Hallam</sup> NE 68368
2. Michael Zoten	5954 W. Gage Rd. Hallam NE 68368
3. Steve Vander	12530 W Panama Rd. Crete, NE 68333
4. Delecta	10600 W Panama Rd. Crete, NE 68333
5. [Signature]	1700 W 3rd St Sprague NE 68438
6. [Signature]	10509 W Panama Rd Crete 68333
7. [Signature]	10600 W Panama Rd 68333
8. Steve Marink	11817 W Princeton Rd <sup>Crete</sup> NE 68333
9. Dennis Kattou	8291 W Panama Rd Hallam NE 68368
10. Maude Rode	13833 SW 100th St Crete, NE. 68333
11. [Signature]	13116 W Stagecoach Rd Crete Ne. 68333
12. Jayne VanAsperen	12530 W Panama Rd Crete NE 68333
13. Blake Vost	12530 W Panama Rd Crete NE 68333
14. Gaby Woll	21421 SW 128th St Crete NE 68333
15. Judy Woll	21421 SW 128th St Crete, Ne 68333



**ARTICLE 6**  
**"R" RESIDENTIAL DISTRICT**

This district is intended to provide a small town residential area of relatively low residential density. This district provides for single-family, two-family and multiple residential uses plus support facilities.

6.001. Scope of Regulations. The regulations set forth in this Article or set forth elsewhere in this resolution when referred to in this Article, are the district regulations in the "R" Residential District.

6.003. Use Regulations. A building or premises shall be used only for the following purposes:

- a) Farms and Farmsteads;
- b) Single-family dwellings;
- c) Two-family dwellings;
- d) Multiple dwellings
- e) Public parks, playgrounds and community buildings;
- f) Public libraries;
- g) Public schools, elementary and high, or private schools having a curriculum equivalent to a public elementary or public high school and having no rooms regularly used for housing or sleeping purposes;
- h) Churches;
- i) Golf courses, except miniature courses and driving tees;
- j) Accessory buildings and accessory uses, customarily incidental to the above uses (not involving the conduct of a business), including a private garage, home occupations, the use of a lot or portion thereof for a vegetable or flower garden and the keeping of small animals and fowl, but not on a commercial basis or on a scale reasonably objectionable to adjacent property owners. Accessory uses shall also include public building bulletin boards and temporary signs not exceeding ten (10) square feet in area, pertaining to the lease, hire or sale of a building or premises, and church bulletin boards not exceeding twenty (20) square feet in area.
- k) Wind energy conversion systems (WECS) (Resolution R-08-0090, Approved October 15, 2008)

6.005. Permitted Special Uses. A building or premises may be used for the following purposes in the "R" Residential district if a special permit for such use has been obtained in conformance with the requirements of Article 13.

- a) Expansion of non-conforming use;
- b) Historical preservation;
- c) Any public building erected by any department of a governmental agency;
- d) Private schools, including nursery, pre-kindergarten, kindergarten, play and special schools;
- e) Hospitals, clinics and institutions, including educational, religious and philanthropic institutions; provided, however, that such buildings occupy not over forty (40) percent of the total area of the lot and will not have any serious and depreciating effect upon the value of the surrounding property and provided further, that the buildings shall be setback from all yard lines a distance of not less than one (1) foot for each foot of building height and that adequate off-street parking space will be provided;

- f) Cemeteries;
- g) Community buildings or recreation fields;
- h) Airports or landing fields;
- l) Trailer, mobile home courts in accordance with the provisions of the Lancaster County Trailer Regulations, and amendments thereto; (Resolution No. 3777, January 18, 1983)
- j) Except as provided in Section 17.031, church steeples, towers, and ornamental spires which exceed the maximum district height; (Resolution No. 5408, November 19, 1996)
- k) Community unit plans;
- l) Private recreational activities, including cabins and trailers not used as a residence;
- m) Riding stables and private stables;
- n) Roadside stands for temporary or seasonal operation;
- o) Mining and storage and processing thereof in the "AG" and "AGR" Districts;
- p) Clubs and semi-public buildings;
- q) Nursing homes when approved by the City-County Health Department;
- r) Temporary dwellings;
- s) Wind energy conversion systems over the district height; (Resolution R-08-0090, Approved October 15, 2008; Resolution No. 3744A, October 5, 1982)
- t) A mobile home on an individual lot subject to the following conditions: (Resolution No. 3777, January 18, 1983)
  - 1) The lot meets all the height and area regulations of this district except the Planning Commission may increase the yard areas. (Resolution No. R-11-0023, March 29, 2011)
  - 2) The mobile home has:
    - i. No less than an eight hundred (800) square foot floor area excluding garages.
    - ii. No less than an eighteen (18) foot exterior width.
    - iii. A three (3) inch in twelve (12) inch pitched roof or steeper.
    - iv. A non-reflective exterior siding material which is or simulates wood, stucco or masonry.
    - v. A non-reflective roof material which is or simulates asphalt or wood shingles, tile or rock.
    - vi. Permanent connections to permanently located utilities complying with plumbing codes and electrical codes.
    - vii. A certificate stating the construction complies with the Federal Department of Housing and Urban Development's mobile home construction and safety standards.
  - 3) The mobile home's longest exterior dimension is less than three (3) times the most narrow exterior dimension.
  - 4) The towing bar and hitch, wheels and tires, and axles are removed.
  - 5) The mobile home's exterior siding extends to the ground and is supported to withstand wind loads as set forth in the building code or the foundation forms a complete enclosure under the exterior walls. The space beneath the mobile home shall be properly ventilated.
  - 6) The mobile home is securely and permanently attached to a permanent foundation complying with the building code.
  - 7) The mobile home's placement is inspected and complies with this resolution before the mobile home is occupied. (Resolution No. 3777, January 18, 1983)

6.007. Use Regulations. An accessory building that is not a part of the main structure shall be located not less than sixty (60) feet from the front lot line.

6.009. Parking Regulations. Whenever a structure is erected, converted or structurally altered for a dwelling, there shall be provided accessible parking space on the lot to accommodate one (1) automobile for each dwelling unit. Any church that is on a new site shall provide off-street parking space upon the lot or within two hundred (200) feet thereof, which space is adequate to accommodate one (1) car for every fifty (50) square feet for which seating provided in the largest meeting hall of the church, exclusive of the seating capacity of Sunday School and other rooms.

6.011. Height Regulations. No building shall exceed two and one-half (2-1/2) stories nor shall it exceed thirty-five (35) feet in height except as provided in Article 15 and 17 hereof.

6.013. Sign Regulations. Signs within the "R" Residential District shall be regulated in conformance with the provisions of Article 16.

6.015. Area Regulations.

a) Front yard:

- 1) There shall be a front yard having a depth of not less than thirty (30) feet except as provided in Article 17 hereof;
- 2) Where lots have a double frontage, the required front yard shall be provided on both streets;
- 3) Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a buildable lot at the time of the passage of this resolution need not be reduced to less than thirty five (35) feet, except where necessary to provide a yard along the side street with a depth not less than five (5) feet. No accessory building shall project beyond the front yard line on either street and the front yard line shall be separately computed for accessory buildings except that the buildable width for accessory buildings shall not be reduced to less than twenty two (22) feet;

b) Side yard:

- 1) Except as hereinafter provided in the following paragraph and in Article 17, there shall be a side yard on each side of a building, having a width of not less than ten (10) feet;
- 2) Wherever a buildable lot at the time of passage of this resolution has a width less than required in the district, the side yard on each side of a building may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instance shall it be less than four (4) feet.

c) Rear yard: Except as hereinafter provided in Article 17, there shall be a rear yard having a depth of not less than thirty (30) feet or twenty (20) percent of the depth of the lot, whichever amount is smaller;

4) Intensity of use: Minimum buildable lot areas and buildable lot widths for dwellings shall be provided as follows:

- 1) Single-family dwellings. . . . . 9,000 square feet
- Two-family dwellings. . . . . 14,000 square feet
- Multiple dwelling, provided. . . . . 14,000 square feet
- other applicable adopted standards and resolutions are met, i.e., percolation. . . . . 5,000 square feet for tests for septic fields; each family over two
- 2) The minimum lot width shall be sixty (60) feet;
- 3) A buildable lot containing less area or width than herein required may be used for single family purposes, provided its boundary lines along their entire length touched lands under other ownership on the effective date of this resolution and have not since been changed.
- 4) Accessory buildings not a part of the main structure, if located not less than sixty (60) feet from the front lot line, may extend into the required side yard though not nearer than two (2) feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten (10) feet to the alley line. (Resolution No. 3657, December 22, 1981)

# State of Nebraska Real Property Appraiser Board



Hereby certifies that:

JAMES J SHOTKOSKI

LANCASTER CO. ENGINEERING

444 CHERRYCREEK, BLDG "C"

LINCOLN, NE 68528

Is credentialed in the State of Nebraska as a:

Certified General Real Property Appraiser

Folding credential number:

CG920233

Issued on: Jan 01, 2017

Set to expire on: Dec 31, 2018

Nebraska Real Property Appraiser Board Director:

All address changes, business or residence must be reported to the Real Property Appraiser Board immediately.

This Pocket Card is proof that such person is credentialed under the Real Property Appraiser Act unless credential has been canceled, surrendered, suspended, or revoked.

Nebraska Real Property Appraiser Board

301 Centennial Mall South, LL PO Box 94963

Lincoln, Nebraska 68509-4963

Phone: 402-471-9015 Fax: 402-471-9017 [www.appraiser.ne.gov](http://www.appraiser.ne.gov)

Administrative Identification Number: 6129-2017

Registration Fee Paid: \$275.00

Random Fingerprint Audit Program Fee Paid: \$5.00

Federal Registry Fee Paid: \$40.00