



Right of Way

Design Consultant

Manual

Updated November 2005
www.nebraskatransportation.org



Updated by J. Hueske, ROW Design Section
"Quality Assurance & Service Reliability"

State of Nebraska
Department of Roads
Right of Way Design Section

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TABLE OF CONTENTS

Section I: Introduction

- 1) General
- 2) Purpose
- 3) Contents
- 4) Updates/Revisions

Section II: ROW Surveys and Existing Project Research

- 1) ROW Surveys
- 2) Existing project information

Section III: Title Research and the Automated ROW Management System (ARMS)

Section IV: MicroStation MDL menu, level guide, color tables, general drafting standards

- 1) MicroStation MDL menus
- 2) MicroStation level guide
- 3) NDOR CADD file naming convention
- 4) General drafting standards

Section V: Ownership Plans

- 1) Ownership plans
- 2) Ownership plan checklist
- 3) Owner/Occupant situation
- 4) Ownership plan submittals

Section VI: Controlled Access (Existing and Proposed)

Section VII: Appraisal Plans

- 1) Appraisal plan set
- 2) New ROW design general guidelines
- 3) Special use areas
- 4) Permanent easements
- 5) Temporary easements
- 6) Railroad considerations
- 7) Preliminary ROW design scroll
- 8) Preliminary estimate of areas

Section VII (continued)

- 9) Appraisal plan checklist
- 10) Appraisal plan submittals
- 11) Revisions

Section VIII: Property Description Writing (including Railroad)

- 1) Property description format requirements
- 2) Order of information contained in property descriptions
- 3) Property description file transfer
- 4) Legal Description Writer Dictionary

Section IX: Negotiation Plans

- 1) Negotiation plan set
- 2) ROW Coordinate Staking List
- 3) Negotiation plan submittals
- 4) Revisions

Section X: Condemnation Plats and Property Descriptions (Board of Educational Lands and Funds (BELF) land included)

- 1) Condemnations
- 2) Standards for condemnation plats
- 3) BELF Land (Board of Educational Lands & Funds)

Section XI: Plans, Specifications & Estimates (PS&E) plans

- 1) PS&E plan submittals
- 2) Formal PS&E plan revisions

Section XII: Final ROW plans and CADD files for Archival

Section XIII: Corridor Protection Plans (including title research)

- 1) Corridor protection plan set
- 2) Title Research for Corridor Protection plan projects
- 3) Corridor protection plan set types

Section XIV: Miscellaneous

- 1) Supplemental Takings
- 2) Early Acquisitions
- 3) Option 'A' & 'B' situations
- 4) Instructions for the ROW Coordinate Staking List

REVISIONS/CORRECTIONS/UPDATES

DATE: 4-25-05

DETAILS:

- 1) Cover sheets - Updated contact information for Consultant contacts.
- 2) Section IX - Made more specific reference to control points being included in the ROW Staking Report.
- 3) Section X - Added BELF name to condemnation plat and legal description and show TE label with area on condemnation plat.
- 4) Section XI – PS&E plans are to have all build notes shut off except “Do not disturb” notes, and submittal requirements include the ROW Staking Report.

DATE: 6-10-05

DETAILS: Item 7 in the Appraisal Plans Checklist in Section VII corrected.

DATE: 7-1-05

DETAILS: Added Legal Description Writer Dictionary to Section VIII.

DATE: 11-23-05

DETAILS: Updated Section IV part 2, regarding MicroStation level guide.

DATE:

DETAILS:

DATE:

DETAILS:

SECTION I

INTRODUCTION

Section I: Introduction

1) General

While Right Of Way (ROW) plans are a definite, integral part of the roadway construction plans, they are developed as a separate entity, thus requiring a significant amount of specialized knowledge in both the right of way field and the field of boundary surveying. A ROW plan serves to provide information to define the extent of the right of way required in order to construct and maintain a highway. ROW plans provide a “picture” showing the information needed to facilitate an accurate appraisal of the proposed taking(s) and serve to expedite the required negotiations leading to the acquisition thereof. In addition, the ROW deeds serve as official public records documenting that which has been acquired and monumented and are referred to by land professionals forever.

ROW plan development includes, but is not limited to, the performance of courthouse title research (to evidence all ownership and interest rights in a property), the practice of surveying, the performance of ROW computations, the preparation of ROW plans and the preparation of property descriptions.

The Row Design Consultant shall be responsible for interpreting the courthouse title research in order to determine placement of ownership on the plans, preparing the ROW plan sets, designing the new ROW takings, including Permanent and Temporary Easements, writing of the property descriptions used for the acquisition of the property, preparing condemnation plats when necessary, and preparing final plans and submitting CADD files for archival. All work should be of good quality, should follow sound engineering and surveying practices, and must conform to the policies and guidelines set forth within this manual. It is anticipated that the Row Design Consultant will find this manual to be an asset to his or her work practices.

2) Purpose

This ROW Design Consultant Manual is intended to be used as a guide in the preparation of all stages of (ROW) plans, writing the property descriptions, preparation of condemnation plats, preparation of the PS&E plans, and the final archival plans. It will attempt to address most procedures used in the processes, but every situation is different. Only constant interaction between the Consultant and the ROW Design Section Consultant Coordinator will ensure that the project will be completed successfully and satisfactorily.

3) Contents

Each section contained herein is intended to show general guidelines for the various tasks involved in preparing the different stages of a ROW project. Obviously each project will be different and have it's own quirks and problems; therefore they should be addressed individually. Checklists are included for the Ownership Plans and the

Appraisal Plans that the Consultant is encouraged to use. They are the same format that is followed during an in-house Quality Assurance (QA) check. Copies of various in-house policies are included for information purposes, but in some cases the policy will not exactly adhere to the procedure to be used by the Consultant. Here again it is of the utmost importance for the Consultant and the ROW Design Section Consultant Coordinator to be in constant contact.

4) Updates/Revisions

This Consultant Manual will inevitably undergo revisions with new policies added and as technology advances, but the ROW Design Section will try to keep the revisions to a minimum. Revision dates will be posted on the State's website with the updated manual. The address for the State's website is www.dor.state.ne.us.

SECTION II
ROW SURVEYS AND
EXISTING PROJECT RESEARCH

Section II: ROW Surveys and Existing Project Research

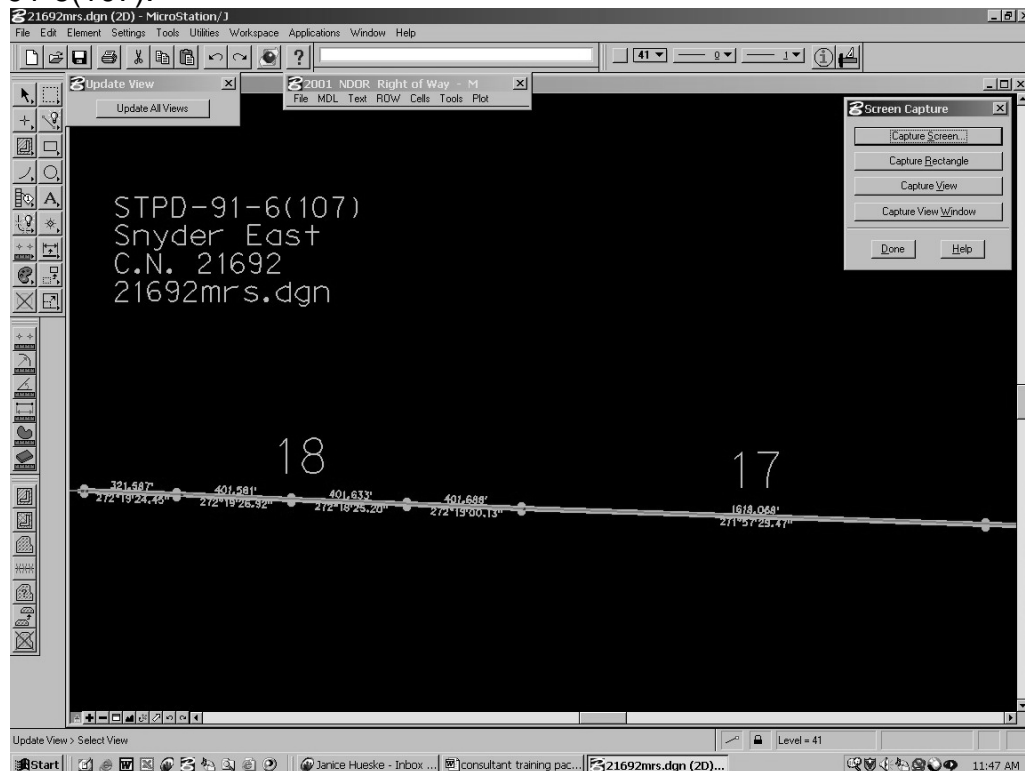
1) ROW Surveys

The ROW Survey for Consultant projects will be furnished by the State in most cases. This section will explain the format(s) in which the information will be provided to the Consultant.

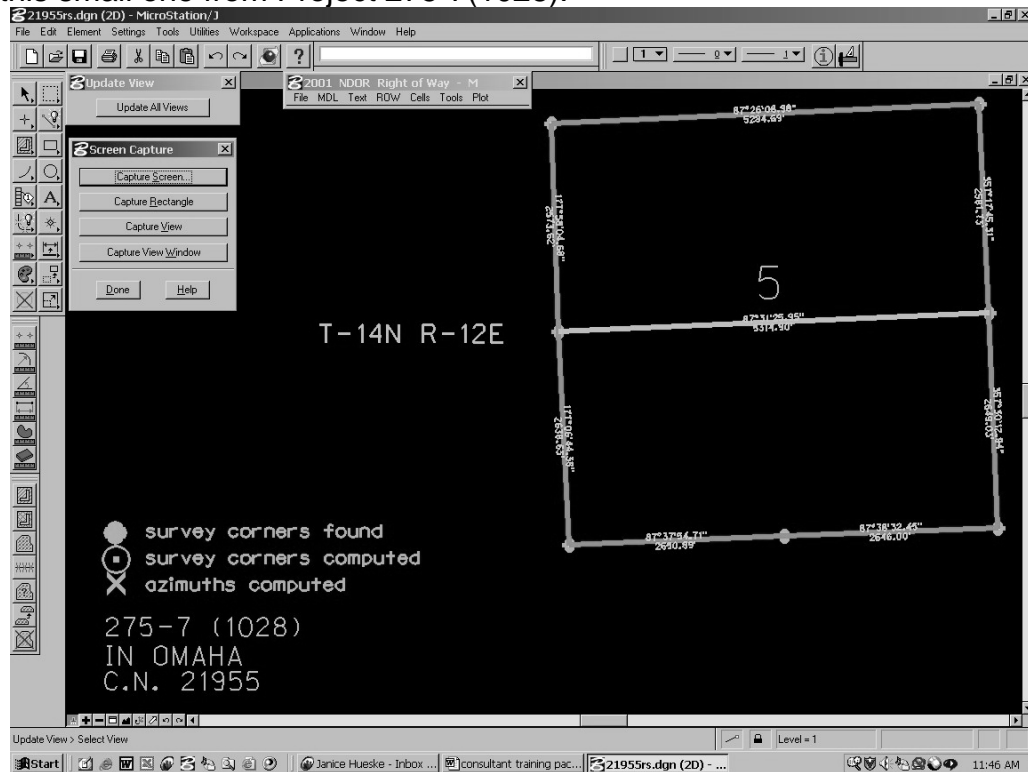
All ROW surveys provided to the Consultant will be as a MicroStation CADD file. The file will contain surveyed corners, quarter corners, and other located points. This file is to be used as a reference file, being attached to the main ROW file. Once the file is attached any levels with text, corner symbols, etc., should be turned off, leaving only the lines shown. These will be labeled in the sheet file(s) with the station where it crosses the centerline and the distance along the section line to the corner from said centerline.

The following pictures show some examples of ROW survey CADD files.

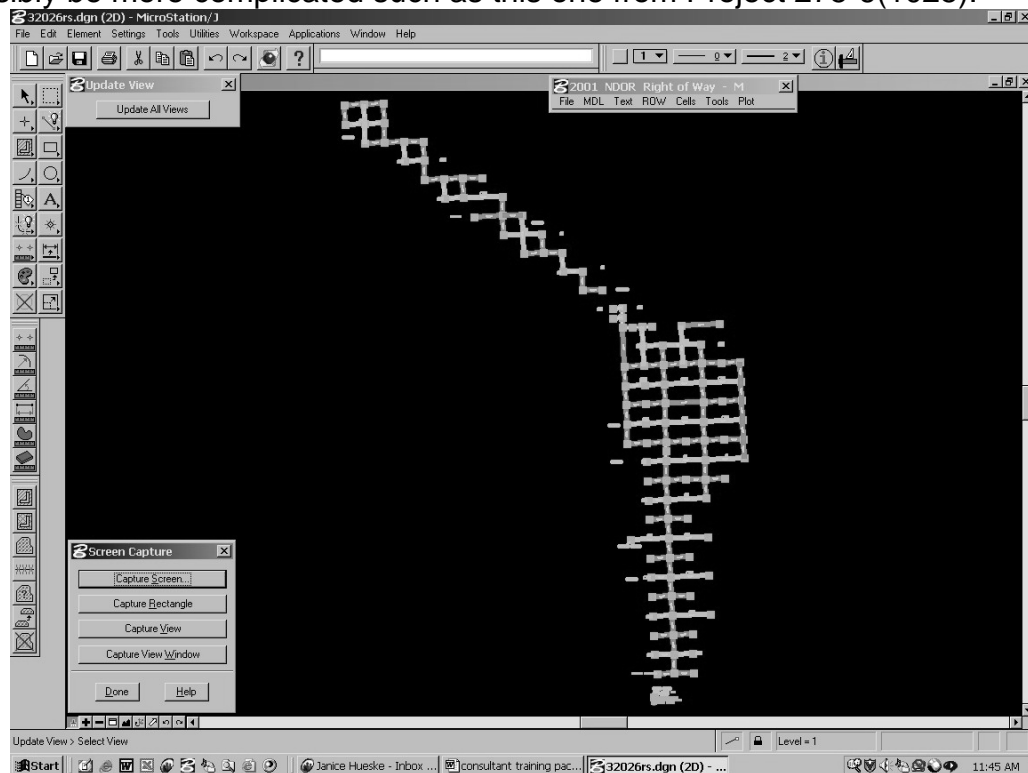
A ROW survey file could possibly only show minimal information like this one from Project 91-6(107):



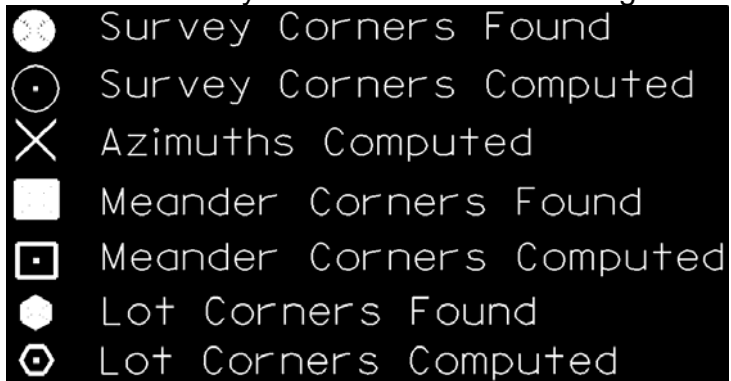
Or like this small one from Project 275-7(1028):



Or possibly be more complicated such as this one from Project 275-6(1025):



The ROW Survey CADD file is labeled using these three symbols:



“Survey corners found” indicate corners found and/or set by this survey.

“Survey corners computed” indicate corners computed in this survey CADD file.

“Azimuths computed” indicates it has been computed in this survey CADD file.

“Meander corners found” indicate corners found and/or set by this survey.

“Meander corners computed” indicate corners computed in this survey CADD file.

“Lot corners found” indicate corners found and/or set by this survey.

“Lot corners computed” indicate corners computed in this survey CADD file.

There may be times that the ROW survey is provided as a coordinate listing and the Consultant would be required to input the corners from this listing. This rarely happens; but, if additional surveys are required, the information will most likely be provided this way.

When it is necessary to compute for a sixteenth corner, a quarter corner, or otherwise (NEVER compute for a section corner), it is usual practice to split equally between the found corners, UNLESS there is an existing Government Survey (as in a correction section) which gives specific distances for a portion or all of the section involved. In this case the distances should be calculated using a single proportion since an equal split would result in an error in the placement of the point(s). Whenever doing work within a correction section the State Surveyor's office or web site should be consulted for the proper information. The website address for the State Surveyors office is: <http://www.sso.state.ne.us/maps/index.htm>.

Computing for corners:

Corners that need to be computed between section corners should be computed using a single proportion. A section corner should NEVER be computed. The first step in doing a single proportion is finding the original Government survey for the Township and Range being worked in. If there has been a Government re-survey done then the new information should be used in place of the original. If all it shows on the Government survey is a single distance between section corners then an equal split is acceptable. Using the partial Government survey shown below as an example, if computing the north quarter corner for Section 8 it would be an equal split because the distance shown for the north line of the section is 80.10 chains with no other closure distances labeled, making the split an even 40.05 chains for each half.

Also, using the Government survey example shown, if solving for the north quarter corner of Section 7 the Government survey shows a closure distance of 20.90 chains. This indicates that the east half of this section measures the standard 40 chains and the west half measures 40.90 chains (the east half of the NW¼ being 20 chains and the west half of the NW¼ being 20.90 chains). Both distances must be used in solving for the corner using the following formula:

$$\frac{\text{Total distance of mile on Gov't. Survey}}{\text{Total distance of mile on new survey}} = \frac{\text{West } \frac{1}{2} \text{ mile on Gov't. Survey}}{\text{New distance for West } \frac{1}{2} \text{ mile}}$$

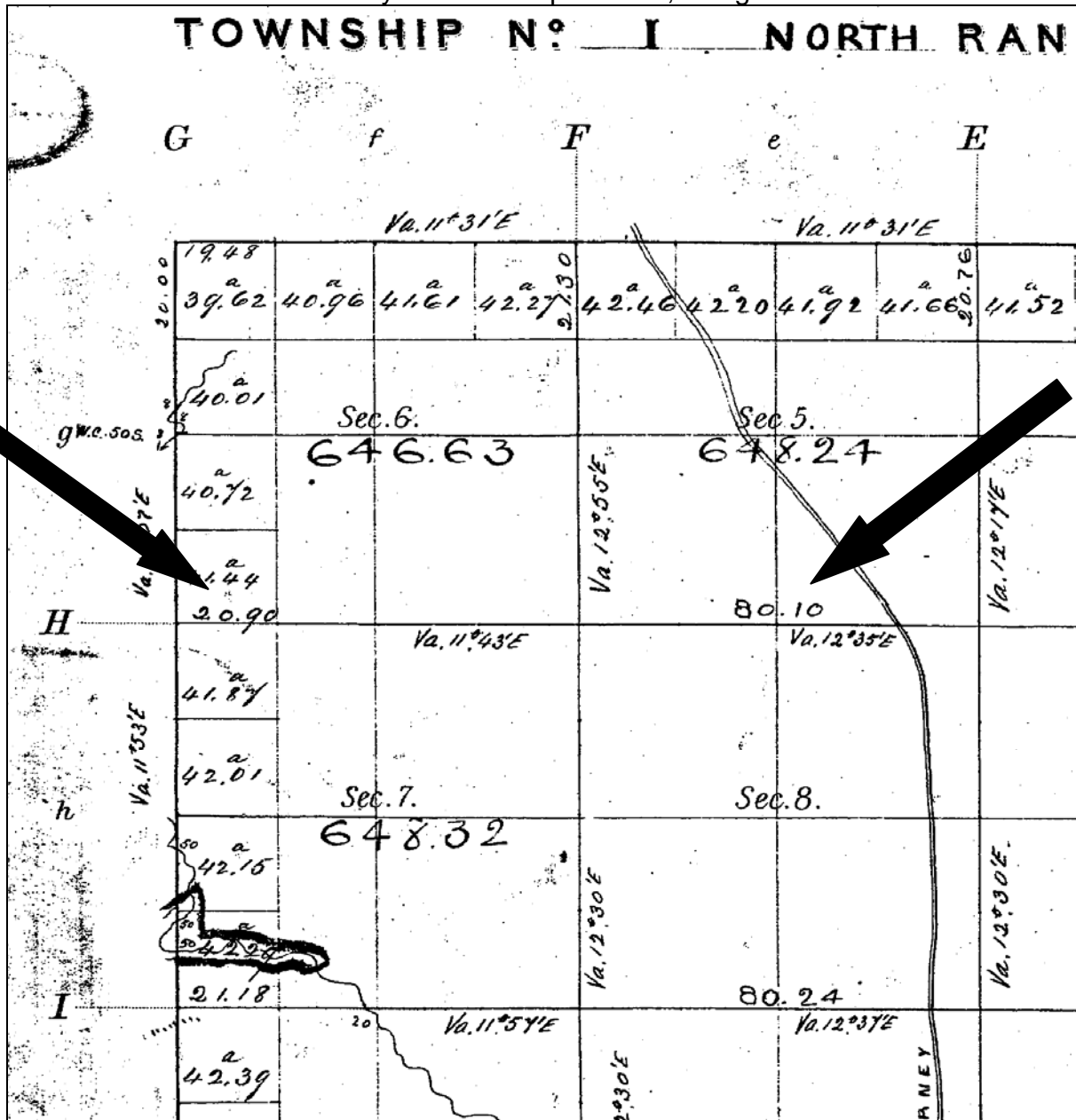
Using information from the new survey and the Government survey example below, you would cross multiply and divide the equation like this:

$$5281.63 \times 40.90 / 80.90 = 2670.19 \text{ (New distance for West } \frac{1}{2} \text{ mile of Section 7)}$$

When trying to solve for the sixteenth corner in the northwest quarter of Section 7, using the information in the Government survey example below and distance compute from above, the equation would show as:

$$2670.19 \times 20.90 / 40.90 = 1364.74 \text{ (New distance for West } \frac{1}{2} \text{ of the NW } \frac{1}{4} \text{ of Section 7)}$$

Portion of a Government Survey for Township 1 North, Range 1 East:



The following miscellaneous survey information shows the layout of a Township showing the numbering of the sections within and the standard acreages of different partitions of a section. Also shown are various Units of Measurements and equivalents.

Shown on the next page is some miscellaneous survey information.

MISC. SURVEY INFORMATION

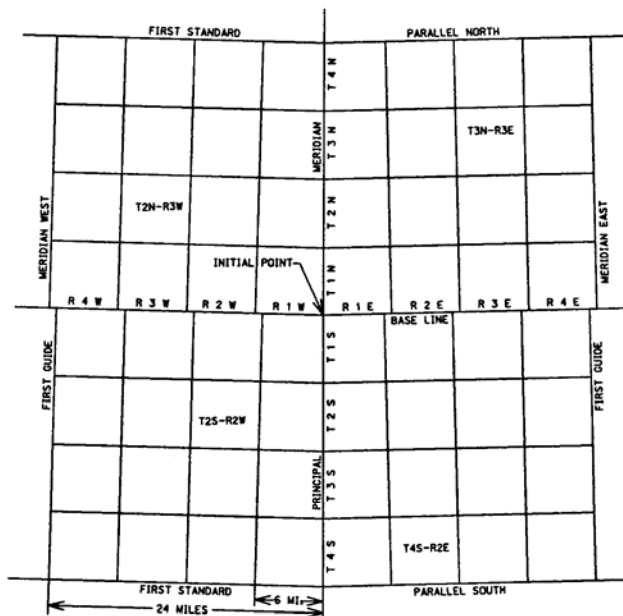
A TOWNSHIP - SHOWING 36 SECTIONS

SHOWING LOCATION OF LOTS ALONG THE NORTH AND WEST SIDES OF THE TOWNSHIP

36	31	32	33	34	35	36	31
1	4 3 2 1 5 6 7	4 3 2 1 5 6 7	4 3 2 1 5 6 7	4 3 2 1 5 6 7	4 3 2 1 5 6 7	4 3 2 1 5 6 7	6
12	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	7
13	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	18
24	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	19
25	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	30
36	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	1 2 3 4 5 6 7 8	31
1	6	5	4	3	2	1	6

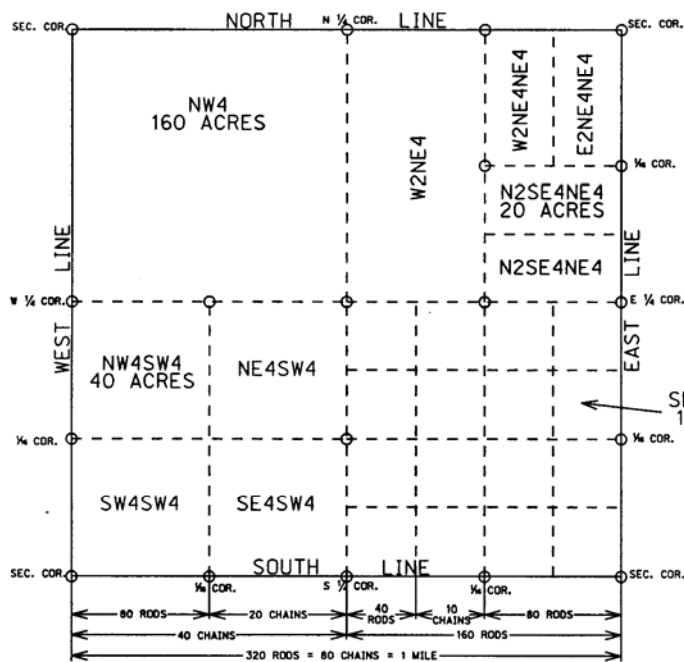
TOWNSHIP-RANGE LAYOUT

SHOWING RANGE AND TOWNSHIP NUMBERING AND PRINCIPAL MERIDIAN



A SECTION OF LAND - 640 ACRES

SHOWING LOCATION OF LOTS ALONG THE NORTH AND WEST SIDES OF THE TOWNSHIP



UNITS OF MEASUREMENT

80 CHAINS = 1 MILE
 1 CHAIN = 100 LINKS = 4 RODS = 66 FEET
 10 SQ. CHAINS = 1 ACRE
 1 LINK = 7.92 INCHES
 320 RODS = 1 MILE
 1 ROD = 25 LINKS = 1/4 CHAIN = 16.5 FEET = 5.5 YARDS
 160 SQ. RODS = 1 ACRE
 43,560 SQ. FEET = ACRE
 1 STATUTE MILE = 5,280 FEET = 1,760 YARDS = 320 RODS = 8 FURLONGS
 1 METER = 3.281 FEET = 39.37 INCHES
 1 ACRE = APPROX. 208 FT. SQ. PARCEL
 1 TOWNSHIP = 36 SQ. MILES = 23,040 ACRES
 1 SECTION = 1 SQ. MILE = 640 ACRES

2) Existing project information

ALL EXISTING ROW, CONTROLLED ACCESS (CA), PERMANENT EASEMENTS AND RAILROAD EASEMENTS SHOWN ON THE PLANS MUST BE SUPPORTED BY A FILED/RECORDED DEED!

If a deed is missing from our file room the Register of Deeds in the county where the project is located must be contacted to have a copy of the deed(s) sent for our permanent record and a copy will be provided to the Consultant. The only exception for not using a filed deed would be on a current ROW project that abuts the Consultants project that the negotiations are still being completed on. In this case the proposed ROW would be shown as it is currently designed on the abutting project and labeled as "ROW to be purchased on Project ##### and shown as new ROW taking(s).

Information used to establish the existing ROW, existing CA, existing Permanent Easements and existing railroad easements will come in various forms. Some of these forms are:

- **"OLD ROLL" ROW PLANS**", which are projects drawn as strip maps*, usually on linen or paper;
- **"HALF SIZE" ROW PLANS**", which are projects on 12"x18" or 11"x17" sheets;
- **"CURRENT" ROW PLANS**", which are projects that are complete but have not been half-sized yet;
- **"EXISTING DEEDS"**, which are filed deeds that correspond to the existing ROW projects;
- **"DEED ONLY's"**, which are filed deeds that have no plan sheets accompanying them;
- **"RAILROAD PLATS"**, which show centerlines and property widths of land owned by railroads;
- **"EXISTING RAILROAD DEEDS"**, which are filed deeds that support existing railroad easements/leases;
- **"AS-BUILT" PLANS**", which are finalized Roadway Design plans, used for information that may not be showing on existing ROW projects;
- **"CITY PLATS"**, for urban projects, showing Lots, Blocks, Additions, Subdivisions, Street names, etc.
- **"COUNTY MAPS"**, to verify county road locations;
- **"OLD SURVEY BOOKS"**, to locate information that may not be shown on existing ROW plans;
- **"TITLE RESEARCH"**, for dedicated right of ways, existing private leases or easements, etc., and to verify current property ownership.

Many ways exist of verifying the existing ROW, etc., and, as stated above, it is imperative that any existing information shown on the ROW plans be supported by a filed deed.

*Plans that were drawn on linen strips or parchment strips have been scanned and entered into a database called PaperVision and copies will be provided to the

consultant. In the future all existing projects will be scanned into this database. At this time the information is only available within the Department of Roads.

SECTION III
TITLE RESEARCH AND ARMS

Section III: Title Research and the Automated ROW Management System (ARMS)

A minimum five-year record of ownership (Title Research) is provided to the Consultant by the State. In the event that the Consultant is requested to provide the information for the project then more detailed instructions will be given at that time. This section is only intended to deal with the research that will be done by the State.

The following pages show an example of Title Research as entered into the ARMS program. Showing first is the Certificate of Title (COT) which gives the property description of the tract being researched, along with the name of the Title Research Agent who did the courthouse work. Following the COT is the Present Owner, Five Year Ownership Record, which shows the ownership name(s), the filing information of the deed(s) and any comments that may be pertinent to this tract. Following that are the Encumbrance data sheets which will show any easements, leases, mortgages, assignments, liens, taxes or special assessments, court proceedings, judgments, etc., that pertain to this tract.

In locations where “see photo” or “see copy”, etc., is entered, there is a copy of the information needed, such as copies of filed deeds, surveys, plats, etc., in the Attachment file. At the time of this writing all attachments are kept in a separate hard copy file. In the future they will be scanned right into the ARMS database. Examples of the attachments are shown after the title research example.

Certificate of Title

Five Year Ownership Record

Project Name: York North and South
Project Number: 81-2(124)

Control Number: 41578

Tract Number:

State: Nebraska

County: York

I, Lance Sanne, for the Nebraska Department of Roads, hereby report the following title data as taken from the records of the Register of Deeds of York County, Nebraska, on the following described real estate:

Comments:

Legal Description:

Irregular Tract Lot 23 & Lot 28 and a strip of land adjoining Lot 28 in Section 7, Township 10 North, Range 2 West of the 6th P.M.

Supporting Legal Documents:

Section:	7
Township:	10N
Range:	2W
City:	YORK
Subdivision:	
Subdivision Block #:	
Subdivision Lot #:	

Lot Type:	Lot Number:
Irregular Lots	23;28

Originator: Lance Sanne

Date Originated: 03/13/2000

**Present Owner
Five Year Ownership Record**

Project Name: York North and South
Project Number: 81-2(124)

Control Number: 41578

Index Number: 1
Tract Number:

Present Title:

Grantee William O. Perry & Linda H. Perry, as Tenants in Common
Grantor Bonneville Partnership, a Utah General Partnership

Media: Deed

Book: 171

Page: 397

Type of Instrument: Corrective Partnership

Date of Instrument:

Date Filed: 03/11/1994

Warranty Deed

12/29/1993

Consideration: \$10.00

Revenue Stamps: Exempt

Comments:

NOTE: Survey filed 10/24/1994 in Survey Book 11, Page 145. See Copy.

Legal Description:

Same as Certificate of Title. See Copy.

Section: 7
Township: 10N
Range: 2W
City: YORK
Subdivision:
Subdivision Block #:
Subdivision Lot #:

Lot Type:	Lot Number:
Irregular Lots	23;28

Originator: Lance Sanne

Date Originated: 03/13/2000

Encumbrance

Project Name: York North and South

Project Number: 81-2(124)

Control Number: 41578

Index Number: 2

Tract Number:

Easements (except utilities)

Type: Ingress/Egress

Miscellaneous Book: 22 **Page:** 19

Dated: 7/19/1971

Date Filed: 10/15/1971

Term: Not Shown

Grantee: Paul Geis

Grantor: Prairie State Broadcasting Co., a Nebraska Corp.

Description:

See Copy.

Leases

Type: Memo

Miscellaneous Book: 30 **Page:** 26

Dated: 10/28/1986

Date Filed: 10/29/1986

Term: To: 10/31/1998

Consideration: Rents Received

Lessor: Bonnevillie Partnership, a Utah General Partnership

Lessee: Pamida, Inc. a Delaware Corp.

Description of Leased Property:

See Copy of Memo.

Mortgage, Deed of Trust, etc.

Encumbrance Data: Mortgage

Book: 220 **Page:** 399

Type: 2nd Mortgage

Amount: \$150,000.00

Date of Instrument: 8/31/1984

Date Due: Not Shown

Date Filed: 08/31/1984

Mortgagor: Bonneville Partnership, a Utah General Partnership

Mortgagee: Pamida Inc., a Delaware Corp.

Legal Description:

Same as Certificate of Title.

Section: 7

Township: 10N

Range: 2W

City: YORK

Subdivision:

Block:

Lot:

Lot Type:	Lot Number:
Irregular Lots	23;28

Comments:

Assignments - NOTHING OF RECORD

Other liens, agreements, conditions, or restrictions

Comments:

Assignment of Easement filed 4/29/1983 in Miscellaneous Book 26, Page 546 - Assigns Easement in Miscellaneous Book 22, Page 19. See Copy.

Taxes or special assessments - NOTHING OF RECORD

Court proceedings, suits, judgements, probate, or guardianships - NOTHING OF RECORD

Encumbrance

Project Name: York North and South

Project Number: 81-2(124)

Control Number: 41578

Index Number: 3

Tract Number:

Easements (except utilities)

Type: Ingress/Egress

Miscellaneous Book: 24 **Page:** 502

Dated: 3/24/1978

Date Filed: 05/04/1978

Term: Perpetual

Grantee: City of York, Nebraska

Grantor: Scott - Hourigan Co., a Corp.

Description:

See Copy.

Leases - NOTHING OF RECORD

Mortgage, Deed of Trust, etc. - NOTHING OF RECORD

Assignments - NOTHING OF RECORD

Other liens, agreements, conditions, or restrictions - NOTHING OF RECORD

Taxes or special assessments - NOTHING OF RECORD

Court proceedings, suits, judgements, probate, or guardianships - NOTHING OF RECORD

Originator: Lance Sanne

Date Originated: 03/13/2000



SCALE: 1"=30'
DATE: 09/17/93

LEGEND

Sanitary Sewer	SS
Storm Sewer	SS24"
Water Line	W6"
Gas Line	G
Underground Cable T.V.	TV
Underground Electric	UE
Underground Telephone	UT
Overhead Electric	OE
Buildings	---
Platted Distance	(P)
Measured Distance	(M)
Deed Distance	(D)
Property Line/Section Line	---
Section/Quarter Corner	●
Property Corner (Set/Found)	○
Light Pole	⊙
Power Pole	⊙
Guy Wire	—
Traffic Signal	⊙
Water Valve	⊙
Pedestal	⊙
Curb Inlet	⊙
Grate/Area Inlet	⊙
Manhole	⊙
Flared End Section	⊙
Back of Curb	⊙
Edge of Concrete	⊙
Fence	⊙

LEGAL DESCRIPTION

Irregular Tract 23, (Except that part deeded to the State of Nebraska for road purposes), and Irregular Tract 28, (Except that part deeded to the State of Nebraska for road purposes), and a strip of land 6 feet in width lying immediately South of and adjoining I.T. 28, all in Section 7, Township 10 North, Range 2 West, of the 6th. P.M., in the City of York, York County, Nebraska.

FLOOD PLAIN CERTIFICATE

The hereon described property does not lie within the 100-Year Flood Prone Area according to the Flood Insurance Rate Map, Community Panel No. 310237-00108 prepared by FEMA for York, Nebraska effective date September 29, 1978.

NOTES

- This drawing shows the easement shown listed under Schedule B1 File No. 45-3543-2 Dated Sept. 15, 1993
- Zoned C-2 Business District
- Conditions shown of this map are as located by Field Surveys completed 9/17/93

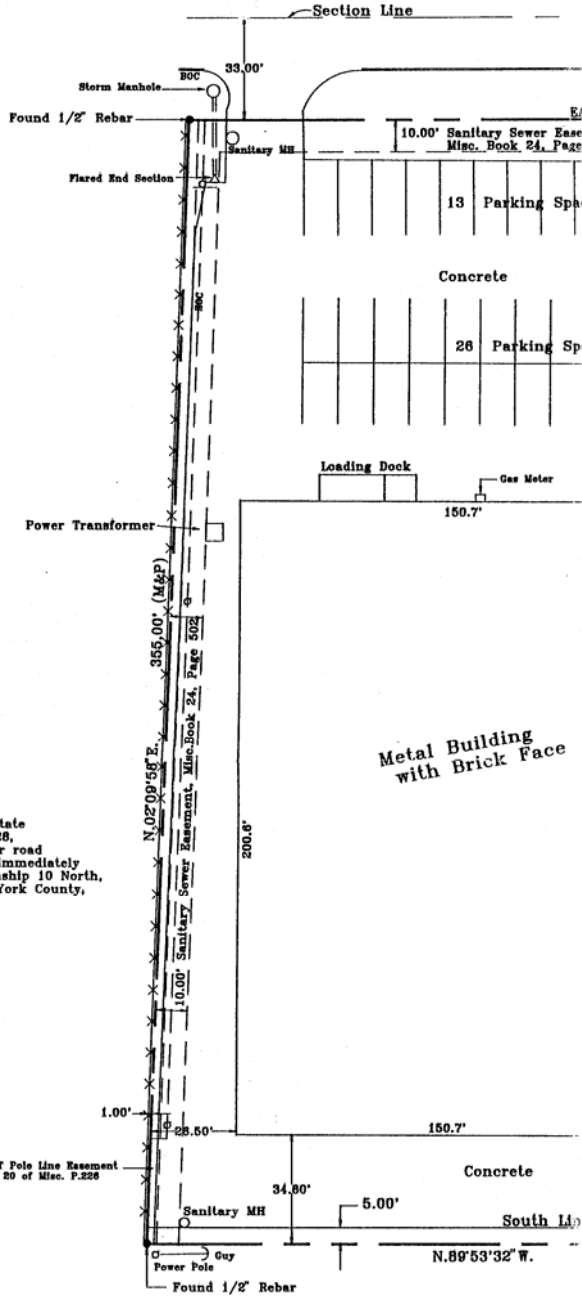
SURVEY RECORD

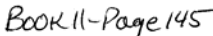
- 10: William O. Perry, III, New England Mutual Life Insurance Company, Chicago Title Insurance Company, and Spence Title Services, Inc., their Agent

This is to certify that this map or plat and the survey on which it is based were made in accordance with the Minimum Standard Detail Requirements for ALTA/ACSM as promulgated by the American Land Title Association and the American Council of Surveyors and Mapmakers, and includes items 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 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766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



REVISOR 12/17/93





Misc Book 22 Page 19

EASEMENT

Prairie State Broadcasting Co., A Nebraska Corporation, hereafter known as "GRANTOR", for value received hereby grants and conveys to Paul Geis, hereafter known as "GRANTEE", an easement for the purposes of ingress and egress described as follows:

From a point along the South line of irregular Tract Number Twenty-Three (23), located in Section Seven (7), Township Ten (10), Range Two (2), West of the 6th P.M., York County, Nebraska, adjacent to the right-of-way of U.S. Highway No. 81; thence Southwest along said right-of-way a distance of 217.67 feet to a point of beginning, thence West a distance of 77.8; thence South a distance of 11.7 feet; thence East to the right-of-way line of U.S. Highway No. 81; thence North-easterly along said right-of-way to a point of beginning.

This easement is entered into the 19 day of July, 1971, and said grant by the GRANTOR to the GRANTEE also runs to said GRANTEE's successors and assigns giving him and them full and free right, liberty and authority to enter upon and use said property for the rights of ingress and egress.

Witness my hand and notarial seal on this 19 day of July, 1971.

GRANTOR
PRAIRIE STATE BROADCASTING CO., INC.
Paul Geis, President



STATE OF NEBRASKA)
COUNTY OF York) ss.

Before me, a notary public qualified in said county, personally came Paul Geis, President of said corporation, known to me to be the same person who signed the foregoing instrument, and acknowledged execution thereof to be his voluntary act and deed as such President and the voluntary act and deed of said corporation and that the foregoing instrument was thereto affixed by its authority. Witness my hand and notarial seal on July 19, 1971.

Paul Geis
GRANTEE

My Commission expires 10/13, 1973.

STATE OF NEBRASKA)
COUNTY OF YORK) ss.

Before me, a notary public qualified for said county personally came Paul Geis, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and notarial seal on July 19, 1971.



Paul Geis
Notary Public

My Commission expires 10/13, 1973.

STATE OF NEBRASKA)
COUNTY OF YORK) ss.

Before me, a notary public qualified in said county, personally came Paul Geis, known to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and notarial seal on July 19, 1971.

Paul Geis
Notary Public

My Commission expires 10/13, 1973.

EASEMENT

THIS INDENTURE made and entered into this 24th day of March, 1978, by and between Scott-Hourigan Co., a corporation, of York County, Nebraska, hereinafter called COMPANY, and the City of York, Nebraska, hereinafter called CITY, WITNESSETH:

That Company is the owner of the following described real estate, to-wit:

Irregular Tract No. 23 and Irregular Tract No. 28, located in the Northwest Quarter (NW/4) of Scott Township (T7N); Township Ten (10) North, Range Two (2) West of the 6th P.M., York County, Nebraska.

That City desires to obtain a perpetual easement on and across above described premises for purposes of sewer main construction.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by said Company, said Company does hereby convey unto said City, its successors and assigns, a perpetual easement as set forth below and right-of-way on and across the above described real estate for the purpose of construction by City of a ten inch and 8 inch (see sketch attached hereto) vitrified clay sewer main with right of ingress and egress to said premises by said City for construction and maintenance purposes, said Company agreeing to keep said premises unobstructed at all times for uses hereinbefore stated, to-wit:

PERMANENT EASEMENT

Beginning at the northeast corner of Irregular Tract No. 23; thence running west along the north line of Irregular Tract No. 23 and Irregular Tract No. 28 to a point 7 feet east of the northwest corner of said Irregular Tract No. 28; thence south along a line 7 feet east of and parallel to the west line of said Irregular Tract No. 28 to a point 7 feet east and 17 feet north of the southwest corner of Irregular Tract No. 28; thence west to a point on the west line of Irregular Tract No. 28, said point being 17 feet north of the southwest corner of Irregular Tract No. 28; thence south to the southwest corner of Irregular Tract No. 28; thence east 17 feet; thence north to a point 17 feet east and 10 feet south of the northwest corner of

Irregular Tract No. 28; thence east to a point 10 feet south of the northeast corner of Irregular Tract No. 23; thence north to the point of beginning.

City agrees in the exercise of rights granted to it hereunder to restore said premises substantially in the conditions they are found.

This agreement shall be binding and inure to the benefit of the successors, assigns, executors, administrators, personal representatives and heirs of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

SCOTT-HOURIGAN CO.

BY Charles D. Hourigan
President

ATTEST:
Charles D. Hourigan
Secretary

CITY OF YORK, NEBRASKA

BY Charles D. Hourigan
Mayor

ATTEST:
Charles D. Hourigan
City Clerk

STATE OF NEBRASKA } ss.
County of York }

On this 24th day of March, 1978, before me, the undersigned Notary Public in and for said County, personally came Emmett Scott President, and Charles Hourigan, Secretary, of Scott-Hourigan Co., to me personally known to be the President and Secretary of said Corporation, and the identical persons whose names are affixed to the foregoing easement, and acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and notarial seal the day and year first above written.

My Commission Expires:





505

1004
 This technical map filed for record on
 MAY 4 1978
 at 2:02 P. M. and duly
 recorded in Book 24 of Misc.
 Page 502
 Signed in Office, County Clerk
 \$15.25 City Clerk, Jean Thiele
 York, N.Y. 06667

506

Misc Book 24 - Page 502

York, Nebraska

MEMORANDUM OF LEASE

This Memorandum of Lease is made and entered into this 28th day of October, 1986, by and between BONNEVILLE PARTNERSHIP, a Utah general partnership, hereinafter called "Landlord", and PAMIDA, INC., a Delaware corporation, hereinafter called "Tenant".

WITNESSETH:

1. In consideration of the rents received and the covenants and conditions more particularly set forth in a certain lease between Landlord and Tenant dated August 31, 1984 (the "Lease"), Landlord has demised and let unto Tenant, and Tenant has leased and hired from Landlord, for the term hereinafter set forth, the real estate legally described on Exhibit A attached hereto and incorporated herein by this reference.

2. The initial term of the Lease commenced on August 31, 1984, and shall end on October 31, 1998.

3. At the end of the initial term of the Lease Tenant shall have the option to extend the term thereof for an additional term of ten (10) years; and, if Tenant exercises such option, at the end of such additional term Tenant shall have the option to extend the term of the Lease for a second additional term of ten (10) years.

4. Any notice to be sent to Landlord or Tenant shall be by registered or certified mail, postage prepaid, addressed to the Landlord or Tenant, as the case may be, at the address set forth below opposite its name.

5. This Memorandum of Lease is not intended to vary the terms and conditions of the Lease. The sole purpose of this Memorandum of Lease is to give notice of the existence of the Lease.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Lease as of the day and year first above written.

Address of the Tenant
for Notices:

PAMIDA, INC., a Delaware
corporation, Tenant

Attention: Real Estate
Department
8800 "F" Street
Omaha, Nebraska 68127

By: John J. [Signature] Title

Attest:

Richard W. [Signature] Title

Address of Landlord for
Notices:

Bonneville Partnership, a Utah
general partnership, Landlord

64 East 6400 South,
Suite 220
Murray, Utah 84107

By: William [Signature] Partner

and: _____ Partner

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

On this 28th day of October, 1986, before me, a Notary Public in the State of Nebraska, personally appeared John J. Wiseman, and Richard W. Rasmussen to me personally known, who being by me duly sworn did say that they are the Vice Chairman and Secretary, respectively, of PAMIDA, INC., a Delaware corporation, and that such instrument was signed on behalf of such corporation by authority of its Board of Directors and such officers acknowledged the execution of such instrument to be the voluntary act and deed of such corporation by it voluntarily executed.

Sandy L. Ross
Notary Public

My Commission Expires:

11-23-86

GENERAL NOTARY - State of Nebraska
SANDY L. ROSS
My Comm. Exp. Nov. 23, 1986

STATE OF Utah)
) SS.
COUNTY OF Salt Lake)

On this 21st day of Oct, 1986, before me, a Notary Public in the above state, personally appeared S. Roger Byer, and to me personally known, who being by me duly sworn did say that they are general partners of Bonneville Partnership, a Utah general partnership, and that such instrument was signed on behalf of such partnership and such partners acknowledged the execution of said instrument to be the voluntary act and deed of such partnership by it voluntarily executed.

S. Roger Byer
Notary Public

My Commission Expires:

11-23-89



A

Irregular Tract No. 23 (except that part deeded to the State of Nebraska for road purposes), in Section 7, Township 10 North, Range 2 West of 6th P.M., a part of the City of York, York County, Nebraska; and

Irregular Tract No. 28 (except that part deeded to the State of Nebraska for road purposes) and a strip of land 5 feet in width lying immediately South of and adjoining said Irr. Tr. No. 28, which is bounded on the West by an extension of the West boundary line of said Irr. Tr. 28 and bounded on the East of the West right-of-way line of U.S. Highway No. 81, all in Section 7, Township 10 North, Range 2 West of 6th P.M., a part of the City of York, in York County, Nebraska.

STATE OF NEBRASKA } 2493
 YORK COUNTY }
 This instrument was filed for record on
October 29, 1986
 at 4:30 o'clock P. M., and duly
 recorded in Vol. 30 of Misc.
 Page 26

Patricia Angas, County Clerk
 Fee \$15.50 Return to Abrahams, Kaslow & Cassman
 8712 West Dodge Road
 Suite 300
 Omaha, NE 68114-3419

Misc Book 30 Page 28

Once the ROW has been designed on the project and the property descriptions are written, the area(s) of the taking(s) will be entered into ARMS. Shown on the next three pages is a copy of what the information looks like after input into ARMS. At this time the Consultant will not be responsible for entering this information into ARMS, it will be done by the ROW Design Section, but we feel that it was necessary to show how this is set up on the computer. The example shown is from Project 81-2(124), York N&S, Tract No. 15.



Tract Document

Project Number : 81-2(124)

Control No: 41578

Project Name : York North and South

Project Link :

Tract Number : 15

Tract Plans Page Number :

Tract Owner Name : Charles W. Miller; a single person

PROPERTY LEGAL DESCRIPTION (From Certificate of Title)

SE1/4 of Sec. 2-T10N-R3W, except Irregular Tracts #5, 6, 7, 8, 12, 13, 14, & 15 - see copies of exceptions.

TRACT LOCATION

Section: 2
Township: 10N
Range: 3W
County: York
State: Nebraska

Lot:
Block:
Subdivision:
City:
Lot Type:

Title Research Comments :

TITLE RESEARCH - CHAIN OF TITLE

OWNER NAME OR ENCUMBRANCE TYPE	GRANTOR
1 - PRESENT OWNER- Charles W. Miller, a single person	York State Bank & Trust Company, Trustee
2 - ENCUMBRANCE - Nothing of Record	

ROW TRACT STATUSES

Railroad Tract: ☐ Yes ☒ No

Tract Inactive: ☐ Yes ☒ No

ROW DESIGN ASSIGNMENTS

ROW Design Supervisor :

Chris Casperson

ROW Designer :

Janice Hueske

ROW Design Comments :

Title Research Supervisor :

Kurt Svoboda

Title Research Agent :

Lance Sanne

APPRAISAL ASSIGNMENTS

Appraiser: Timothy Mullin
Assigned Date: 09/05/2002
Expected Complete Date: 12/06/2002
Actual Complete Date:
Suggested Appraisal Type: Other
Comments to Appraiser:

Reviewer: Not Available
Assigned Date:
Expected Complete Date:
Actual Complete Date:
Comments to Reviewer:

TENANTS

Tenants Present: ☐ Yes ☒ No ☐ TBD

SIGNS

Signs Present: ☐ Yes ☒ No ☐ TBD

NEGOTIATIONS TRACT STATUS

Tract Status: Signed
Total Taking: ☐ Yes ☒ No
Assigned To: John Rownd
Date Assigned: 05/05/2003
Contract Written: 05/22/2003
Date Turned In: 09/08/2003

Negotiations Comments:

TRACKING SECTION

08/22/2003 12:38 PM - Don Schulz - Changed this tract's status to Condemnation. Notified ROW Design Assignees: Jim Hertz, Toby Fierstein, Janice Hueske.
09/08/2003 02:03 PM - Don Schulz - Changed this tract's status from Condemnation to Signed. The following Condemnation date(s) were cleared: Plat Odered - 08/22/2003, Plat to Legal - 09/08/2003.

TRACT MEASUREMENT

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

ACQUISTIONS

<u>Taking No.</u>	<u>Description</u>	<u>Prev</u>	<u>New</u>	<u>Total</u>
ROW1	0	1.31	1.31 acre	
		All Taking/s Total: 1.31 acre		

Controlled Access Applies to this Tract		
2 Permanant Easements — 2 Temporary Easements		
<u>PE No.</u>	<u>Description</u>	<u>Total</u>
PE1	ACCESS	.11 acre
PE2	ACCESS	.04 acre
All Permanant Easement /s Total:		.15 acre
<u>TE No.</u>	<u>Description</u>	<u>Total</u>
TE1	DRIVEWAY CONSTRUCTION	.07 acre
TE2	Driveway Construction	.01 acre
All Temporary Easement /s Total:		.08 acre

Last Modified : Don Schulz

02/05/2004

Author: Toby Fierstein

08/14/2002

SECTION IV
MICROSTATION MDL MENU, LEVEL GUIDE,
CURRENT FILE NAMING CONVENTION,
GENERAL DRAFTING STANDARDS

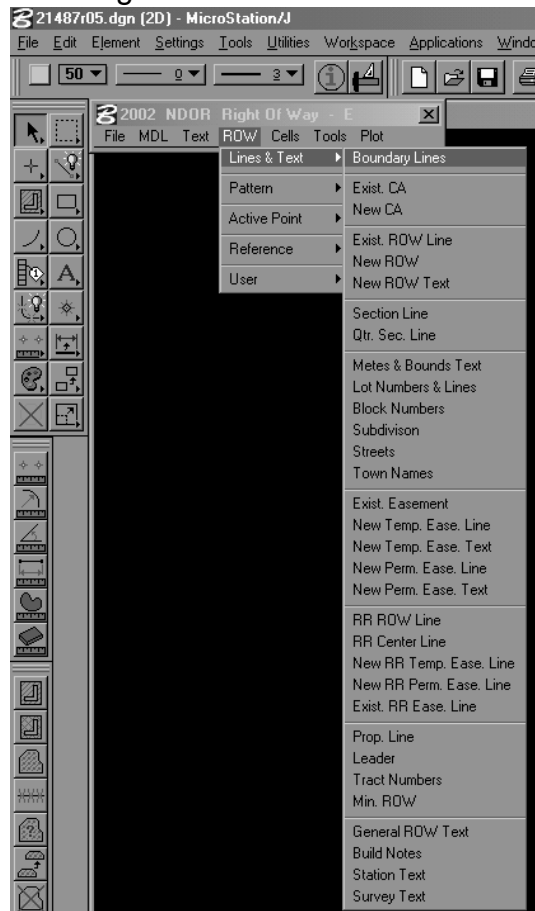
Section IV: MicroStation MDL menus, level guide, current file naming convention, general drafting standards

1) MicroStation MDL Menus

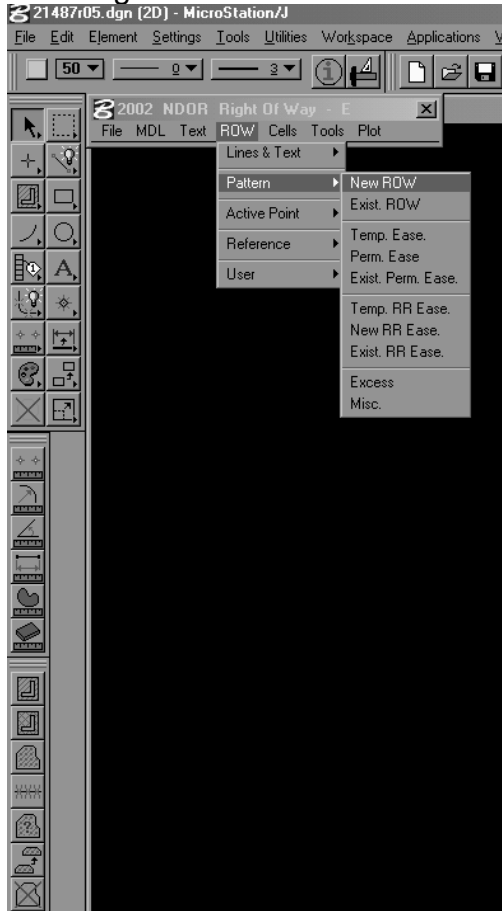
The State has created MDL menus for use with the MicroStation CADD files. In these menus are the settings for all line styles, weights, colors, and etc., for all components of the ROW Design plan contents. These menus were created in an effort to ensure that all CADD files are created equally and with all of the same components. As shown below, there are pull-down menus for placing Lines, Text and Patterns, along with numerous other settings. These menus are set to work with the State's current color table and cell libraries. There are two MDL menus available, an English one and a Metric one. Both are available on the State's website.

Here are a couple of examples of pull-down menus within the MDL menus:

Showing Lines & Text choices:



Showing Pattern choices:



Use of the MDL menus will ensure that all text, lines, patterning, etc., will be placed using the proper levels, line styles, weights, colors, etc., and the format will be the same for all MicroStation CADD files.

2) MicroStation level guide

The MicroStation V8 level guide has been added to the State's website:

<http://www.nebraskatransportation.org/roadway-design/>

Go to “**Design Documentation**” and click the link named “**Level Names – Version 8.**”

Check back often as this is a continuing process naming the unlimited number of levels now available with version V8.

3) Current NDOR File Naming Convention

NDOR FILE NAMING CONVENTION (May 2000)

1 2 3 4 5 0 “U” “B” . d g n

FIRST 5 CHARACTERS ARE PROJECT CONTROL NUMBER. 6TH CHARACTER WILL BE ZERO (0) OR THE ALPHA CHARACTER IN THE CONTROL NUMBER.

UNIT DESIGNATION (“U” - 7TH CHARACTER)

a=Expressway Unit “A”

c=Consultant Unit

d=Technician Unit (Drafting)

e=Expressway Unit “B”

i=Interstate Unit

l=Lighting Unit

m=Roadside Development Unit

o=Resurfacing Unit p=Photogrammetry Unit

r=Right of Way Design

s=Survey Unit

u=Urban Unit

w=Wetlands Unit

z=Rail and Public Transportation

BASE FILE (“B” – 8TH CHARACTER) (EX: 111110da.dgn would be alignment file from Drafting)

a=Design Alignment File

c=Contours

f=Design Feature File

p=Planimetrics

s=Mainline Cross Sections (?????0xs.dgn** may be other alignment cross sections determined by Roadway Designer)

n=Notes File

z=Phasing File

pat=Pattern Shapes (8-10th characters)

plt=Mainline Cross Section Plots (8-10th characters) (?????0xplt.dgn** may be other alignment cross sections determined by Roadway Designer)

pro=Optional Profile File (**File to be named by Roadway Designer. Name not limited to 5 characters.)

OR

TYPE OF SHEET FILE (8TH CHARACTER) (EX: 111110pa16.dgn would be sheet 16 from the aerals set)

a=Aerals (Includes wetland delineation)

c=Construction

d=Drainage
e=Grades
f=Fence
g=Geometrics or Geometrics And Grades
h=Alignment Orientation
j=Joints
k=Summary of Soils and Materials Survey Information
l=Lighting
m=Miscellaneous
n=General Information
p=Plan and Profile
q=Quantities
r=Removals
s=Special Plan (Guardrails, etc.)
t=Typicals
w=Landscaping
x=Erosion Control
z=Phasing

SHEET FILE NUMBER Number files 1-999 (ONE border per sheet file.)

Example: 123450ep5.dgn is Plan and Profile sheet file number 5.

Example: 123450ep116.dgn is Plan and Profile sheet file number 116.

4) General drafting standards

General drafting standards are required by the ROW Design Section to ensure that all projects have the same levels turned on, the station/offsets all facing the same direction, the same sizes of text, etc. Some of the standards we require are:

- All text must be readable from the bottom or right side of the sheet.
- Station/offsets may be placed either perpendicular or at an angle to the centerline, but still readable from the bottom or right side of sheet.
- Text should be placed so as not to overlap other text.
- North arrow must actually point north.
- Text sizes in title block must be consistent.
- Ownership, Appraisal or Negotiations Plan stamp should be in lower right hand corner whenever possible, but may be placed elsewhere on sheet if necessary.
- Topography reference file is to be shown as dashed lines.
- Centerline stations (every 500 feet or every 100 meters) are to be shown along the top of the sheet, not along the centerline, as they will likely be covered up by patterning or text as the plans progress through the different stages. This also makes for easy reference when paging through sheets to find a specific station location.
- The Section-Township-Range callouts should be shown out along the top and bottom of the sheets for easy reference. They also can get “lost” in all of the other information on the sheets very easily.

These are just a few guidelines to follow, and common sense should be used at all times. Each project is different and some have more information shown than others, and therefore will be treated differently in the placement of labels, station/offsets, etc.

SECTION V

OWNERSHIP PLANS

Section V: Ownership Plans

1) Ownership Plan set

Roadway Design uses the Ownership Plan set for plan-in-hand field inspections and public meetings. By showing property lines, existing right of way, existing access control, etc., the plans may help to identify any current or future access problems, traffic flow problems, future development areas and many other items pertinent to the construction of the project.

The Ownership Plan set should be completed by the Row Design Consultant to whom it is assigned and must include:

- All state owned right of way, labeled with the existing project number (along the existing ROW line) on each plan sheet;
- All county road and city street right of way;
- Any other right of ways that may have been dedicated to the public for road usage;
- Any railroad right of way that either crosses or parallels the highway should be shown, along with any existing easements, abandoned railroads should be shown if it is part of a title description;
- Any existing Controlled Access lines and drive breaks*;
- Current property ownerships (shown in block format, left justified, with "See sheet X" if property spans more than one sheet, this saves duplicating information sheet after sheet);
- Current right of way survey with Section and quarter Section lines labeled;
- City, subdivision, addition, out lot and street names, block numbers, lot numbers;
- County line, State line, Section, Township and Range information;
- The Ownership Plan stamp in the lower right hand corner of each sheet;
- Scale block and North Arrow (pointing north);
- Title Block information (top line reserved for PS&E Division, leave blank);
- All Alignment data, including PI, curve, and spiral information, etc. (may have to copy and move sometimes to miss information on plan sheets or to rotate to a bottom readable direction);
- Each Existing Permanent Easement labeled with original usage (purpose) and project number.

*Please refer to Section VI in this manual for more complete information on the requirements for showing the existing Controlled Access as specified by the current policy.

Following is a checklist used by the ROW Design Section to review a set of Ownership Plans. The Consultant may find it useful in their preparation of plans.

2) Ownership Plan Checklist

OWNERSHIP PLAN CHECKLIST

Project No.:

Project Name:

C.N.:

Designer:

Date checked:

Checked by:

Plans corrected:

- | | Complete | Partial | Incomplete | |
|-----|--------------------------|--------------------------|--------------------------|--|
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Location map attached. |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Title block information complete, scale, North arrow and stamp on each sheet. |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Alignment data complete [curve information, PI data (no curve), stations labeled across top of sheet, etc]. |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Railroad involvement [existing easements, etc]?
<input type="checkbox"/> Check RR Liaison office for existing easement deeds.
<input type="checkbox"/> Check RR plats for ROW widths, curves, station at section lines, etc. |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Section-Township-Range(s) called out on each sheet. |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | State/County line labeled if necessary. |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | On urban project, City name, subdivisions, additions, blocks, out lots, street names, etc., labeled.
<input type="checkbox"/> Check against ROW survey, title research, city plats, cadastral maps, etc. |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Topography shown and legible.
<input type="checkbox"/> Check for station/offsets on power poles.
<input type="checkbox"/> Check for buildings within existing ROW [re-check ROW line].
<input type="checkbox"/> Compare fence line against existing ROW line. |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Ownership names complete with ties across road, section lines, sheets, etc., and proper symbol on property lines.
<input type="checkbox"/> Compare title research against plans for completeness and accuracy. |
| 10. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Previous ROW patterned, labeled with previous project number(s), and compared to existing projects and deeds for accuracy.
<input type="checkbox"/> Compare existing deeds against existing plans to make sure all deeds are accounted for.
<input type="checkbox"/> Use scale and measure new plans to compare with existing deeds/plans. |
| 11. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Existing Controlled Access patterned and labeled with project number, all existing accesses labeled with type, etc. |

- ☐ Compare existing deeds/plans against current plans for location of existing controlled access lines.
- ☐ Compare existing deeds/plans against current plans for access types.
- 12. ☐ ☐ ☐ Existing permanent easements patterned and labeled with usage and project number.
 - ☐ Compare existing deeds/plans against current plans for location(s) and usage. Make sure each location is labeled with project number and usage.
- 13. ☐ ☐ ☐ Spot-check "R file" for MDL application usage (proper line levels, symbology, etc).

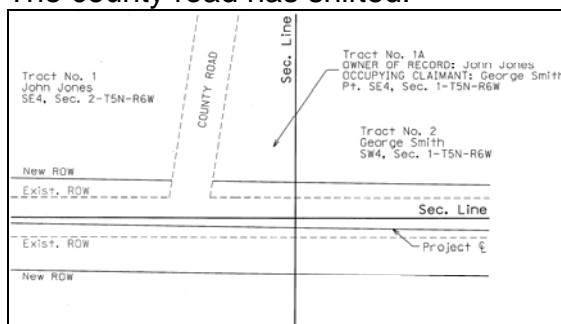
Comments:

Copy to: ☐ , ROW Designer
☐ Project File

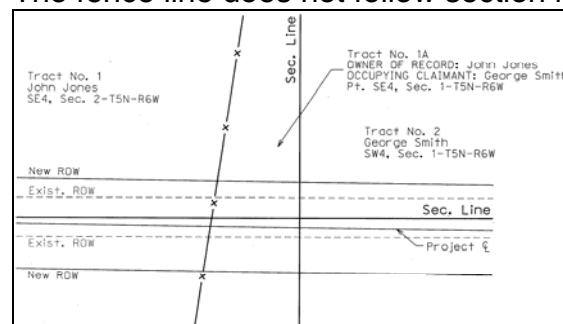
3) Owner/Occupant situation

In rare cases there may be an Owner/Occupant situation where, by title research, one particular owner has title to a parcel of land, but due to terrain variations, etc., another person is using it. For example, usually a county road will follow a section line, but sometimes it may be located away from it. Referring to the sketch below, by title the person on the “left side” owns to the section line, and the person on the “right side” owns to the same section line, but since the road has shifted to the “left” the person on the “right” has been using it. The person on the “left” owns it by title, but the person on the “right” has some interest in it due to the fact that they have been using it. Another example is when a fence line does not follow the property line or section line. Here are examples of both situations:

The county road has shifted:



The fence line does not follow section line:

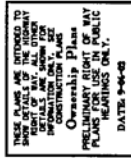


ROW is acquired from Tract 1 up to the county road or the fence line. ROW is acquired from Tract 2 up to the section line. Tract 1A has a property description that describes the land between the county road or the fence and the section line. Tract 1A is acquired as a Quit Claim Deed and is signed by both Tract 1 and Tract 2 owners.

4) Ownership Plan submittals:

Upon completion of the Ownership Plans the Consultant is to submit the required information (as defined in the contract) to the ROW Design Section Consultant Coordinator to whom it is assigned.

Shown on the following pages are examples of an Ownership Plan sheet for a rural project and an urban project.



SECTION VI
CONTROLLED ACCESS
(EXISTING AND PROPOSED)

Section VI: Controlled Access (Existing and Proposed)

Existing Controlled Access (CA) is shown on the Ownership Plans for the purpose of determining the locations of any new CA necessary and also to determine the locations of any new access breaks and whether or not to use existing access breaks already in place or to move them or to simply close them. The type of highway will play a major part in the future determination of all drive breaks. For example, an expressway will have far fewer access breaks than a “normal” controlled access highway.

All existing CA must be shown and labeled on the Ownership Plans. This includes, but is not limited to, all existing CA lines, and all existing CA breaks. Existing CA labeling will include, but not be limited to, the project number the existing CA was purchased on, showing a minimum of once per sheet, and the project number each access break was granted on, shown as part of each drive label.

Shown on the following pages is the current CA Policy for the ROW Section. The Consultant should follow this policy for Existing and New Controlled Access on all stages of ROW plans. The policy has used one particular project for its example because it has many different types of existing CA breaks involved, and also shows a frontage road and how it is being used with the new CA.

Another issue worth mentioning are drives that start at one station on the alignment and curve away from the edge of pavement and end up crossing the new ROW line at a different station than is listed on the CA letter for the drive break. To cover this access break, in the property description, after the CA description with the drive exceptions, add another paragraph stating:

“THE ABOVE ACCESS IS DESCRIBED AT THE PAVEMENT EDGE. BECAUSE OF TERRAIN FEATURES, CENTERLINE OF SUCH ACCESS MAY NOT COINCIDE WITH, BUT WILL BE IN REASONABLY CLOSE PROXIMITY TO, CENTERLINE OF DRIVE AT THE RIGHT OF WAY LINE.”

This statement will be input as a separate paragraph.


	QUALITY ASSURANCE & SERVICE RELIABILITY	Policy No. 3.5.1 Revised 12/3/02
ROW DESIGN PROCESS / POLICY		
DESCRIPTION: Controlled Access (CA) Plan Labeling and Legal Description Wording		APPROVED BY: <i>Toly H. Firth</i> DATE: <i>12-3-02</i>
PURPOSE: To provide labeling standards for plans and wording standards for writing legal descriptions.		
PLEASE NOTE: The example plan sheets and legal descriptions shown herein are from a Metric project, but all of the basic information is applicable to either Metric or English projects.		
PROCESS / POLICY: General NDOR's current Access Control Policy can be found on the ROW Division's webpage with the following address: http://www.dor.state.ne.us/roway/pdfs/accesscontrol.pdf . Paragraphs 001 through 013 are the most relevant portions when it comes to the ROW Design Process/Policy on CA matters. Figures 008.1, 008.2 and 008.3 from the above mentioned policy have been duplicated herein and shown as Figure 3.5.1.1 for reference only. Owners of real property have the right of reasonable convenient access to State Highways. This right may not be denied except with the consent of the owners of such real property, by the NDOR purchasing the access rights, or by NDOR's condemnation of such right of access. When access rights are purchased or condemned by the NDOR the instrument conveying the access rights contains specific language that describes the distinguishing characteristics of the access that is retained and held by the owner of the real property. Project with existing access control: 1. ROW Design will label each existing access break on the Ownership Plans with the specific language that describes the distinguishing characteristics taken from the instrument (deed or condemnation plat) in which the CA was acquired from the property owner. The project number(s) on which the existing CA was acquired shall also be on the label. The format will be as follows: <ul style="list-style-type: none"> a. Station number b. What type of access right currently exists at this location c. The project number on which the existing CA was acquired See Figure 3.5.1.2 for examples of Ownership Plan labeling for different access breaks. Labeling the plans in this way ensures that the existing type of access is perpetuated. For example, if a landowner has a "Field Entrance (Type 'A') and the new project has an "Access" labeled, the new access would be considered to have no restrictions and is therefore an upgrade in access. Special care must be taken to ensure that this does not happen. The only time an upgrade is allowed is if the owner desires to purchase the upgraded access rights from the NDOR. We (ROW Design) are adding to our "Ownership Plans" process. If a project has existing access control		

Figure No. 3.5.1, Controlled Access Plan Labeling and Legal Description Wording

when we complete the ownership plans, we will also supply the roadway designer with a listing of the existing conditions that will include the station and type of existing breaks and illegal drives that we can pick off of the surveyed topography. If the alignment changes roadway design will supply us with updated stationing.

2. A determination of changes to the CA shall be made by Roadway Design and concurred upon by the Access Control Team. One of the following decisions needs to be made about each existing access break location:

- a. Use in Place existing (type of access break) at Station ____; or,
- b. Close existing (type of access break) at Station ____; or,
- c. Move existing (type of access break) from Station ____ to Station ____.

(2c., Note 1: If this is the decision and there is more than one type of access break on the tract, the least restrictive type of access shall be moved.)

(2c., Note 2: There may be instances where one physical drive serves several properties and/or types of existing accesses.)

3. A record (CA Letter) of each CA decision shall be made by Roadway Design & distributed.

4. ROW Design will label each decision noted in the CA letter on the Appraisal Plans. **Figure 3.5.1.3** illustrates labeling as it is to be shown on the Appraisal Plans. See **Figure 3.5.1.4** for examples of the Appraisal Plan sheets.

5. When writing new legal descriptions, the existing accesses that are being used in place or moved will need to contain the same specific language that describes the distinguishing characteristics of the access as was in the original instrument. For example, if the existing Field Entrance (Type 'A') was being used in place then the legal description must include the complete description of that type. The legal description will say "except, over one field entrance, not to exceed 25 feet in width, to provide for the movement of farming implements and crops as long as it is used consistent with normal farming operations." To simply describe it as a Field Entrance (Type 'A') is not good enough. A good rule to follow is to copy word for word the access rights that are in the old instrument to the new instrument.

Figure 3.5.1.5 demonstrates existing deed wording that should be copied into the new legal descriptions. This is not a complete listing so each instance should be treated individually and worded accordingly.

Figure 3.5.1.6 displays new legal descriptions that go with some of the label examples on the Appraisal Plan sheets shown in **Figure 3.5.1.4**.

Figure 3.5.1.7 is a copy of an existing deed that granted the access at Sta. 67+78 Lt.

Figure 3.5.1.8 gives the definitions of the old types of drives noted as Types A-F.

Project without existing access control – New access control being acquired:

- 1. A determination of access locations shall be made by Roadway Design and concurred upon by the Access Control Team.
- 2. A record (CA Letter) of each access location shall be made by Roadway Design and distributed.
- 3. ROW Design will label each decision noted in the CA letter on the Appraisal Plans as "Access."

The format will be as follows:

- a. Station number
- b. The word "Access"

Figure 3.5.1.3 illustrates labeling as it is to be shown on the Appraisal Plans. See **Figure 3.5.1.4** for examples of the Appraisal Plan sheets.

4. When writing new legal descriptions, the deed or condemnation plat will describe the location with the word "Access."

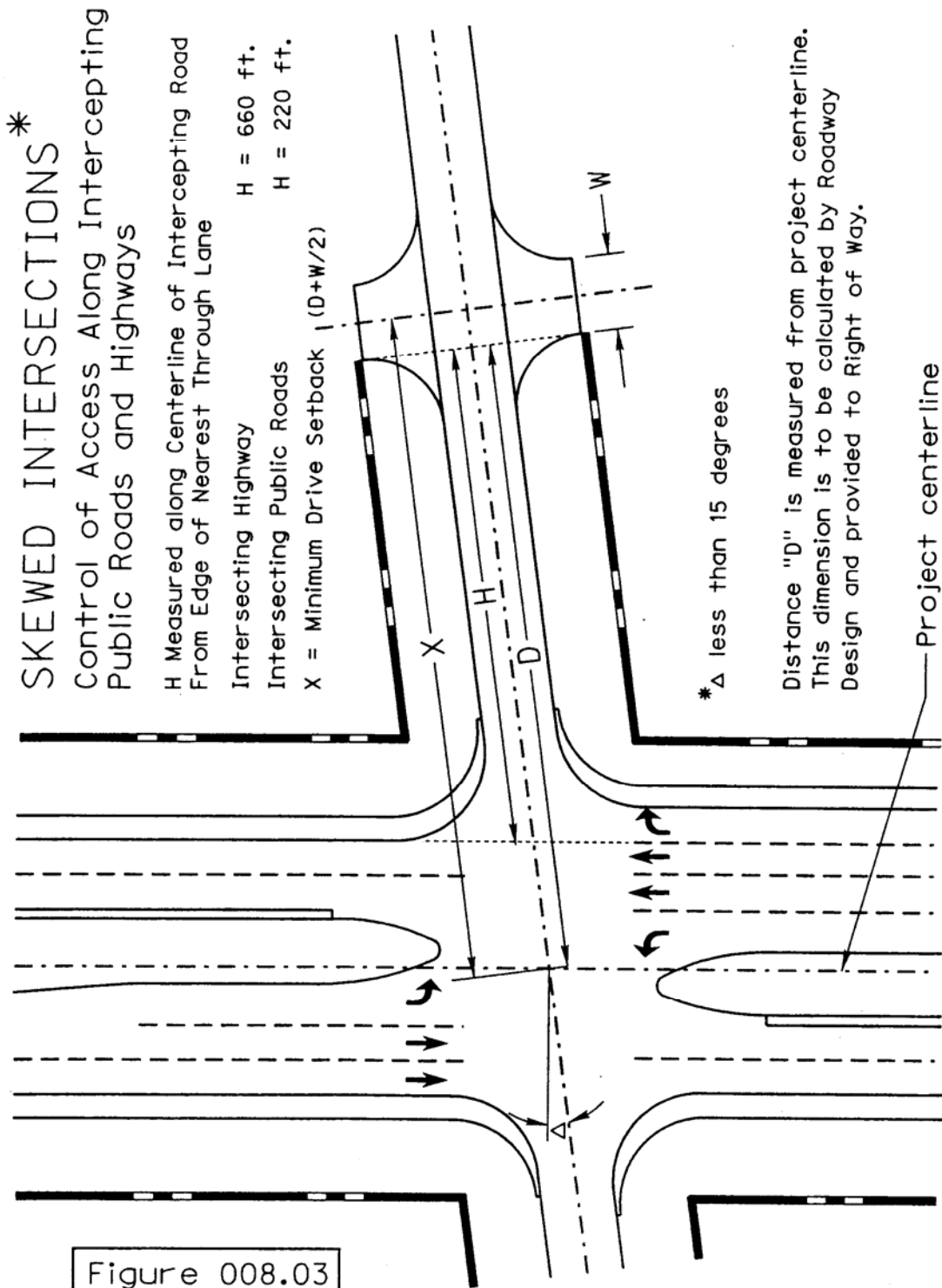
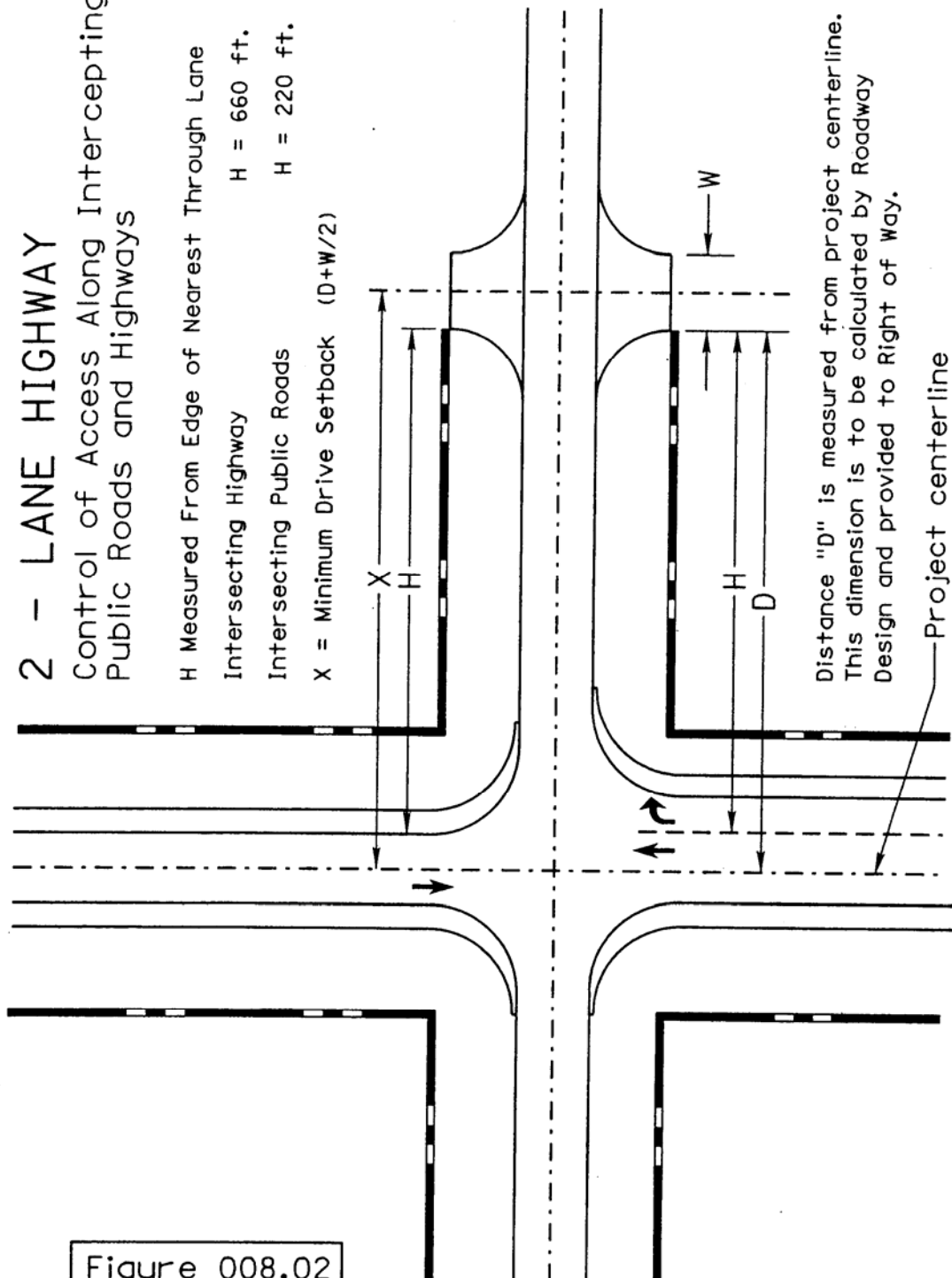


Figure 3.5.1.1, Controlled Access Plan Labeling and Legal Description Writing

2 - LANE HIGHWAY

Control of Access Along Intercepting Public Roads and Highways

H Measured From Edge of Nearest Through Lane
 Intercepting Highway $H = 660 \text{ ft.}$
 Intercepting Public Roads $H = 220 \text{ ft.}$
 $X = \text{Minimum Drive Setback } (D+W/2)$



Distance "D" is measured from project centerline.
 This dimension is to be calculated by Roadway Design and provided to Right of Way.

Project centerline

Figure 008.02

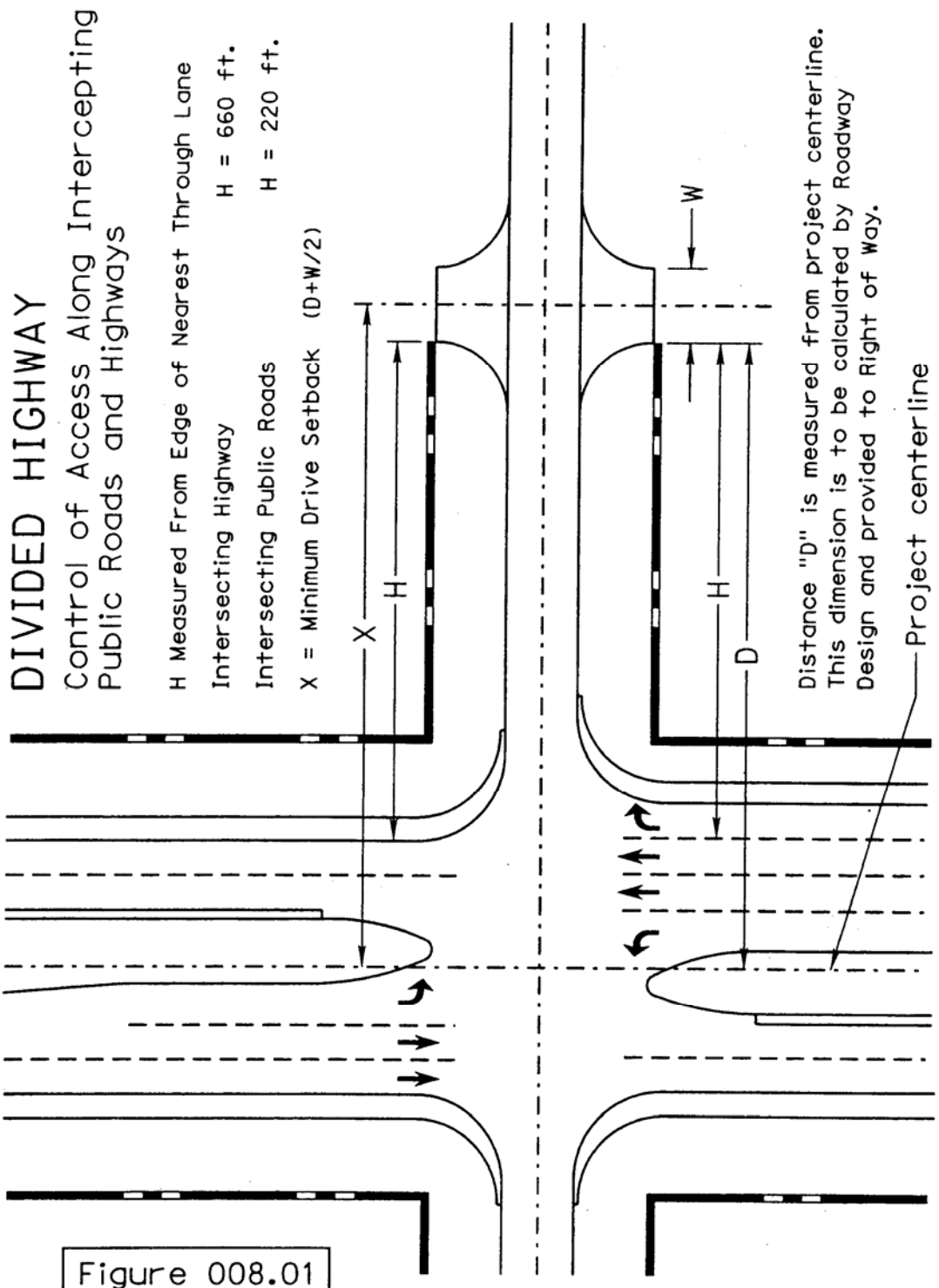


Figure 008.01

Figure 3.5.1.1, Controlled Access Plan Labeling and Legal Description Writing

EXAMPLES OF DRIVE NOTES FOR OWNERSHIP PLAN LABELING

All stations herein are referenced to the stations listed on the CA letter from Roadway Design. If the build note later shows a difference between the station on the CA letter and the actual location the drive is to be built use the station in the build note.

Examples below show wording from existing deed and "type" from plans. Make sure they both match.

STA. 107+04 LT.
EXIST. UNRESTRICTED DRIVE
(Type 'F')
PROJ. F-112(16)

STA. 113+48 LT.
(LT. & RT. OF EXISTING ALIGNMENT)
EXIST. UNRESTRICTED DRIVE
(Type 'F')
PROJ. F-112(16)
(This would be if new align is shown.)

STA. 122+87 LT.
EXIST. FARMSTEAD ENTRANCE
(Type 'B')
PROJ. F-112(16)

STA. 124+94 LT.
EXIST. FIELD ENTRANCE
(Type 'A')
PROJ. F-112(16)

STA. 129+34 LT.
EXIST. UNRESTRICTED DRIVE
(Type 'F')
PROJ. F-112(16)

STA. 137+51 RT.
EXIST. PRIVATE RESIDENTIAL DRIVE
(Type 'C')
PROJ. F-112(16)

STA. 138+15 RT.
EXIST. COMMERCIAL DRIVE
(Type 'E')
PROJ. F-112(16)

STA. 138+46 RT.
ILLEGAL DRIVE

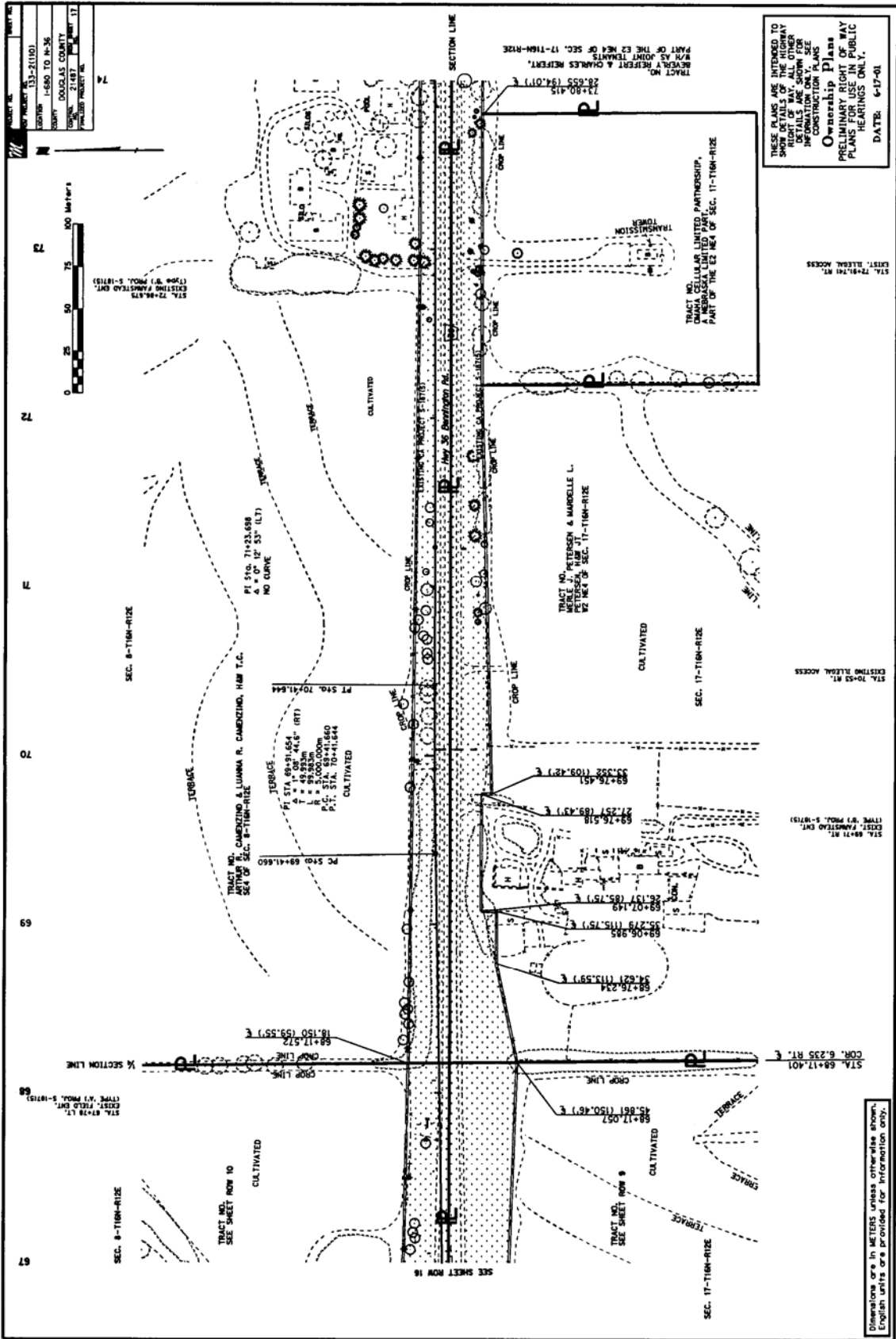
STA. 149+74 LT.
EXIST. RESTRICTED DRIVE
PROJ. F-133-3(1002)

STA. 154+60 RT.
EXIST. RESTRICTED DRIVE
PROJ. F-133-3(1002)

STA. 67+68 LT.
EXIST. FIELD ENTRANCE
(Type 'A')
PROJ. S-187(5)

Drive notes should be placed out away from the project, in line with the drive being described (or suitably close to), usually the same distance away as the build notes, but possibly between the build notes and the edge of the row (out of the way of stations/offsets, etc.) if plans get too crowded.

Figure 3.5.1.2, Controlled Access Plan Labeling and Legal Description Wording



Dimensions are in METERS unless otherwise shown. English units are provided for information only.

THESE PLANS ARE INTENDED TO SHOW DETAILS OF THE HIGHWAY RIGHT OF WAY. ALL OTHER INFORMATION IS FOR INFORMATION ONLY. SEE CONSTRUCTION PLANS FOR DETAILS OF THE HIGHWAY. THESE PLANS ARE PRELIMINARY. THEY ARE NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. DATE: 6-17-01

DEPARTMENT OF ROAD - RIGHT OF WAY DIVISION

EXAMPLES OF DRIVE NOTES FOR APPRAISAL PLAN LABELING
(WITH INSTRUCTIONS FROM CA COMMITTEE LETTER ADDED)

All stations herein are referenced to the stations listed on the CA letter from Roadway Design.

STA. 107+04 LT.
EXIST. UNRESTRICTED DRIVE
(Type 'F')
PROJ. F-112(16)
USE IN PLACE

STA. 113+48 LT.
(LT. & RT. OF EXISTING ALIGNMENT)
EXIST. UNRESTRICTED DRIVE
(Type 'F')
PROJ. F-112(16)
RETAIN ON FRONTAGE ROAD

STA. 122+87 LT.
EXIST. FARMSTEAD ENTRANCE
(Type 'B')
PROJ. F-112(16)
CLOSE

STA. 124+94 LT.
EXIST. FIELD ENTRANCE
(Type 'A')
PROJ. F-112(16)
CLOSE

STA. 127+25.46 LT.
RELOCATED UNRESTRICTED DRIVE
(Type 'F')
FROM STA. 129+34 LT.

STA. 129+34 LT.
EXIST. UNRESTRICTED DRIVE
(Type 'F')
PROJ. F-112(16)
MOVE TO STA. 127+25.46 LT.

STA. 137+51 RT.
EXIST. PRIVATE RESIDENTIAL DRIVE
(Type 'C')
PROJ. F-112(16)
RETAIN ON FRONTAGE ROAD

STA. 138+15 RT.
EXIST. COMMERCIAL DRIVE
(Type 'E')
PROJ. F-112(16)
RETAIN ON FRONTAGE ROAD

STA. 138+46 RT.
ILLEGAL DRIVE
RETAIN ON FRONTAGE ROAD

STA. 149+74 LT.
EXIST. RESTRICTED DRIVE
PROJ. F-133-3(1002)
CLOSE

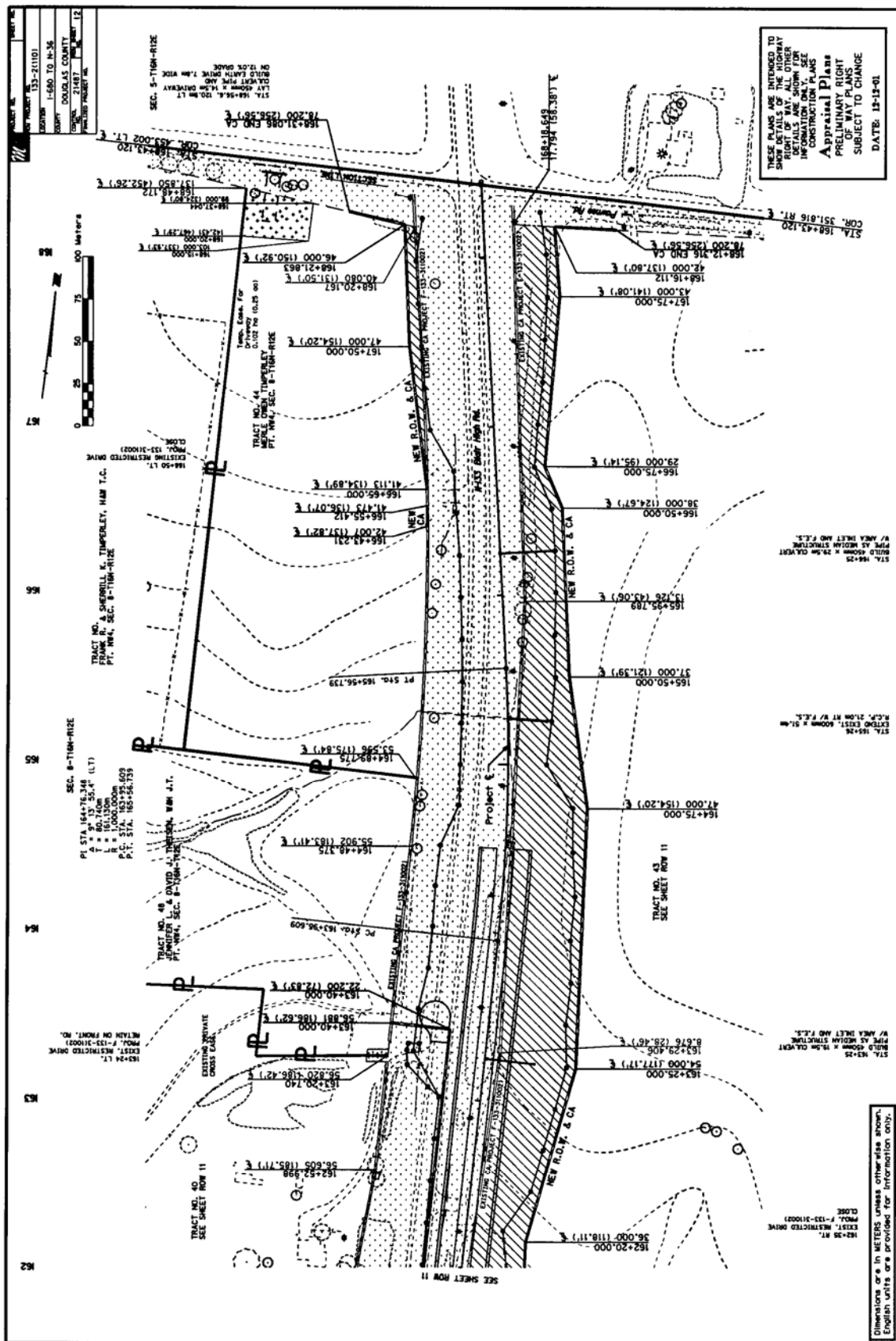
STA. 154+60 RT.
EXIST. RESTRICTED DRIVE
PROJ. F-133-3(1002)
CLOSE AND CONNECT TO FRONTAGE ROAD

STA. 67+68 LT.
EXIST. FIELD ENTRANCE
(Type 'A')
PROJ. S-187(5)
USE IN PLACE

ACCESS (This is considered a new access.)
STA. 70+53 RT.
EXIST. ILLEGAL DRIVE
USE IN PLACE

ACCESS (This is for new accesses only.)
STA. XXX+XX LT. OR RT.

Figure 3.5.1.3. Controlled Access Plan Labeling and Legal Description Wording



CLASSIFICATIONS OF DRIVEWAYS
(TYPES A THRU F INCLUSIVE)

TYPE 'A' (FIELD ENTRANCE) 25 feet in width

Field entrance to provide for the movement of farming implements and crops so long as it is used consistent with normal farming operations.

TYPE 'B' (FARMSTEAD ENTRANCE) 25 feet in width

Farmstead entrance to provide ingress and egress to dwelling and out building site so long as it is used consistent with rural living and farming activities.

TYPE 'C' (PRIVATE RESIDENTIAL) 20 feet in width

Private residential entrance to provide ingress and egress to dwelling so long as it is used consistent with normal activities thereto.

TYPE 'D' (FARM CROSS-OVER) 25 feet in width

Two field entrances subject to the provision of Section 39-1331, R.R.S. 1943.

TYPE 'E' (COMMERCIAL ENTRANCE) Not to exceed 40 feet in width

Commercial entrance to provide ingress and egress to property.

TYPE 'F' (UNRESTRICTED) Width as specified.

No restrictions as to use.

EXAMPLES OF EXISTING DRIVE DESCRIPTIONS IN LEGAL DESCRIPTIONS

These are a few examples of what is included in the old deeds that need to be transferred to a new legal description. After the “except, over ...,” comes these descriptions from old deeds:

1. For an existing Field Entrance (Type ‘A’) - “...one field entrance not to exceed 20 feet in width to provide for the movement of farming implements and crops so long as they are used consistent with normal farming operations of the owner, the centerline of which is located ...”
2. For an existing Nonrestricted Drive - “...one nonrestricted drive as to use, not to exceed 40 feet in width, the centerline of which is located ...”
3. For an existing Unrestricted Drive – “...one unrestricted drive 40 feet in width, the centerline of which is located ...”
4. For an existing Restricted Drive – “...one conditional restricted access. Such access is to be permitted only if it does not exceed 40 feet in width, and only so long as traffic upon such access does not exceed 10 vehicle movements per hour as determined by the Department of Roads in accordance with the procedures indicated below. The centerline of which is located ... as measured along the centerline of the highway.

For the purpose of this instrument, the 10 vehicle movements per hour will be measured and determined by the following procedure: upon its own determination or whenever traffic congestion occurs at a restricted access, the department may make a traffic count, such count to be for a minimum 8-hour period during the hours of 7 am to 9 am, 10 am to 1 pm, 3 pm to 6 pm, and, in addition, for any other peak hours peculiar to the highway. The average hourly traffic will be determined by dividing the total number of vehicle movements recorded during the time periods by the length of the time periods in hours. In the event any of the peak hour vehicle counts exceeds the average by a factor of 1.5, the higher figure may be used to determine the number of vehicle movements for the access point.

Provided that the grantor does covenant and agree that should he or his successors in title fail and refuse to keep or perform the provisions limiting traffic in such access to 10 vehicle movements per hour, by exceeding this amount on five or more separate occasions within a continuous three-month period, he, or his successors in title, will be considered in violation of the terms of this instrument and subject to appropriate proceedings at law or in equity for its enforcement.”

These are just a few examples. The Restricted Drive legal description is by far the wordiest, but it all will need to be transferred in order to perpetuate the type of access.

Figure 3.5.1.5, Controlled Access Plan Labeling and Legal Description Wording

PROJECT 133-2(110) TRACT NO. 22

THE ABOVE NAMED INDIVIDUAL(S), HEREINAFTER KNOWN AS THE GRANTOR, ARE THE OWNER(S) OF THE FOLLOWING DESCRIBED PROPERTY:

PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA.

GRANTOR HEREBY CONVEYS TO STATE HIS, HER, OR THEIR RIGHT OF DIRECT ACCESS TO HIGHWAY 133. IT IS UNDERSTOOD THAT OWNERS RIGHT OF ACCESS TO HIGHWAY 133, AFTER THIS CONVEYANCE, WILL BE AS FOLLOWS:

NEW HIGHWAY 133 WILL BE CONSTRUCTED IMMEDIATELY SOUTHWEST OF AND PARALLEL TO EXISTING HIGHWAY 133, WITH A PORTION OF EXISTING HIGHWAY 133 REMAINING IN PLACE AS A PUBLIC FRONTAGE ROAD. OWNERS ACCESS TO THE NEW FRONTAGE ROAD WILL NOT BE CHANGED. ACCESS FROM OWNERS PROPERTY TO NEW HIGHWAY 133 WILL BE BY THE FRONTAGE ROAD WHICH WILL CONNECT WITH NEW HIGHWAY 133 AT A POINT WHICH IS LOCATED NORTHWESTERLY 400.132 METERS (1,312.77 FEET) FROM THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY NEBRASKA, AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

PROJECT 133-2(110) TRACT NO. 32

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 24.385 METERS (80.00 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE AND POINT OF BEGINNING; THENCE NORTH ALONG SAID EAST LINE DEFLECTING 0 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 23.093 METERS (75.76 FEET); THENCE SOUTHWESTERLY DEFLECTING 100 DEGREES, 08 MINUTES, 42 SECONDS LEFT A DISTANCE OF 43.398 METERS (142.38 FEET); THENCE NORTHWESTERLY DEFLECTING 20 DEGREES, 55 MINUTES, 31 SECONDS RIGHT A DISTANCE OF 101.912 METERS (334.36 FEET); THENCE NORTHWESTERLY DEFLECTING 4 DEGREES, 28 MINUTES, 19 SECONDS LEFT A DISTANCE OF 86.717 METERS (284.50 FEET); THENCE NORTHERLY DEFLECTING 83 DEGREES, 35 MINUTES, 04 SECONDS RIGHT A DISTANCE OF 145.000 METERS (475.72 FEET); THENCE WESTERLY DEFLECTING 90 DEGREES, 00 MINUTES, 00 SECONDS LEFT A DISTANCE OF 23.000 METERS (75.46 FEET); THENCE NORTHERLY DEFLECTING 90 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 191.784 METERS (629.21 FEET) TO A PROPERTY LINE; THENCE WESTERLY ALONG SAID PROPERTY LINE DEFLECTING 89 DEGREES, 19 MINUTES, 53 SECONDS LEFT A DISTANCE OF 38.204 METERS (125.34 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE; THENCE SOUTHERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 89 DEGREES, 55 MINUTES, 11 SECONDS LEFT A DISTANCE OF 247.523 METERS (812.08 FEET); THENCE SOUTHEASTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 7 DEGREES, 17 MINUTES, 16 SECONDS LEFT A DISTANCE OF 107.375 METERS (352.28 FEET); THENCE SOUTHEASTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 75 DEGREES, 01 MINUTES, 00 SECONDS LEFT A DISTANCE OF 98.152 METERS (322.02 FEET); THENCE SOUTHEASTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 0 DEGREES, 54 MINUTES, 00 SECONDS LEFT A DISTANCE OF 73.670 METERS (241.70 FEET); THENCE EASTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 5 DEGREES, 46 MINUTES, 25 SECONDS LEFT A DISTANCE OF 111.083 METERS (364.44 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 2.277 HECTARES (5.63 ACRES), MORE OR LESS.

Figure 3.5.1.6, Controlled Access Plan Labeling and Legal Description Wording

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 47.478 METERS (155.77 FEET) TO THE POINT OF BEGINNING; THENCE SOUTHWESTERLY DEFLECTING 100 DEGREES, 08 MINUTES, 42 SECONDS LEFT A DISTANCE OF 43.398 METERS (142.38 FEET); THENCE NORTHWESTERLY DEFLECTING 20 DEGREES, 55 MINUTES, 31 SECONDS RIGHT A DISTANCE OF 101.912 METERS (334.36 FEET); THENCE NORTHWESTERLY DEFLECTING 4 DEGREES, 28 MINUTES, 19 SECONDS LEFT A DISTANCE OF 86.717 METERS (284.50 FEET); THENCE NORTHERLY DEFLECTING 83 DEGREES, 35 MINUTES, 04 SECONDS RIGHT A DISTANCE OF 145.000 METERS (475.72 FEET); THENCE WESTERLY DEFLECTING 90 DEGREES, 00 MINUTES, 00 SECONDS LEFT A DISTANCE OF 23.000 METERS (75.46 FEET); THENCE NORTHERLY DEFLECTING 90 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 191.784 METERS (629.21 FEET) TO A PROPERTY LINE AND THE POINT OF TERMINATION; EXCEPT OVER ONE GRADED DRIVEWAY NOT TO EXCEED 6.096 METERS (20.00 FEET) IN WIDTH TO BE USED AS A FIELD ENTRANCE TO PROVIDE FOR THE MOVEMENT OF FARMING IMPLEMENTS AND CROPS SO LONG AS IT IS USED CONSISTENT WITH NORMAL FARMING OPERATIONS OF THE GRANTOR, THE CENTERLINE OF WHICH IS LOCATED 39.401 METERS (129.27 FEET) WESTERLY FROM THE EAST LINE OF SAID QUARTER QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR THE PURPOSE OF BUILDING A DRIVE, LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION, A DISTANCE OF 47.478 METERS (155.77 FEET); THENCE SOUTHWESTERLY DEFLECTING 100 DEGREES, 08 MINUTES, 42 SECONDS LEFT A DISTANCE OF 43.398 METERS (142.38 FEET); THENCE NORTHWESTERLY DEFLECTING 20 DEGREES, 55 MINUTES, 31 SECONDS RIGHT A DISTANCE OF 101.912 METERS (334.36 FEET); THENCE NORTHWESTERLY DEFLECTING 4 DEGREES, 28 MINUTES, 19 SECONDS LEFT A DISTANCE OF 86.717 METERS (284.50 FEET); THENCE NORTHERLY DEFLECTING 83 DEGREES, 35 MINUTES, 04 SECONDS RIGHT A DISTANCE OF 145.000 METERS (475.72 FEET) TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 0 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 191.515 METERS (628.33 FEET) TO A PROPERTY LINE; THENCE WESTERLY ALONG SAID PROPERTY LINE DEFLECTING 89 DEGREES, 19 MINUTES, 53 SECONDS LEFT A DISTANCE OF 23.002 METERS (75.47 FEET); THENCE SOUTHERLY DEFLECTING 90 DEGREES, 40 MINUTES, 07 SECONDS LEFT A DISTANCE OF 191.784 METERS (629.21 FEET); THENCE EASTERLY DEFLECTING 90 DEGREES, 00 MINUTES, 00 SECONDS LEFT A DISTANCE OF 23.000 METERS (75.46 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.441 HECTARES (1.09 ACRES), MORE OR LESS.

Figure 3.5.1.6, Controlled Access Plan Labeling and Legal Description Wording

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 133-2(110), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

PROJECT 133-2(110) TRACT NO. 44

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 398.071 METERS (1,306.00 FEET); THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES, 53 MINUTES, 10 SECONDS LEFT A DISTANCE OF 29.040 METERS (95.28 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE AND POINT OF BEGINNING; THENCE SOUTHEASTERLY DEFLECTING 0 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 71.870 METERS (235.79 FEET); THENCE SOUTHEASTERLY DEFLECTING 4 DEGREES, 45 MINUTES, 33 SECONDS LEFT A DISTANCE OF 85.204 METERS (279.54 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE; THENCE NORTHWESTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 175 DEGREES, 02 MINUTES, 39 SECONDS LEFT A DISTANCE OF 59.545 METERS (195.36 FEET); THENCE NORTHWESTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 0 DEGREES, 59 MINUTES, 39 SECONDS LEFT A DISTANCE OF 95.631 METERS (313.75 FEET); THENCE WESTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 74 DEGREES, 01 MINUTES, 00 SECONDS LEFT A DISTANCE OF 6.158 METERS (20.20 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.076 HECTARES (0.19 ACRES), MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 488.817 METERS (1,603.73 FEET) TO A PROPERTY LINE; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 90 DEGREES, 27 MINUTES, 59 SECONDS LEFT A DISTANCE OF 18.195 METERS (59.69 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE; THENCE SOUTHEASTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 83 DEGREES, 14 MINUTES, 01 SECONDS LEFT A DISTANCE OF 62.166 METERS (203.96 FEET) TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 0 DEGREES, 00 MINUTES, 00 SECONDS LEFT A DISTANCE OF 33.495 METERS (109.89 FEET); THENCE SOUTHEASTERLY DEFLECTING 74 DEGREES, 48 MINUTES, 50 SECONDS RIGHT A DISTANCE OF 71.870 METERS (235.79 FEET); THENCE SOUTHEASTERLY DEFLECTING 4 DEGREES, 45 MINUTES, 33 SECONDS LEFT A DISTANCE OF 85.204 METERS (279.54 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY AND CONTROLLED ACCESS LINE AND A POINT OF CURVATURE; THENCE SOUTHERLY ALONG SAID HIGHWAY RIGHT OF WAY AND CONTROLLED ACCESS LINE ON A 1715.899 METER (5,629.58 FOOT) RADIUS CURVE TO THE RIGHT, THE INITIAL TANGENT OF WHICH DEFLECTS 5 DEGREES, 57 MINUTES, 01 SECONDS RIGHT FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 172.282 METERS (565.23 FEET) TO A PROPERTY LINE AND THE POINT OF TERMINATION.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS,

Figure 3.5.1.6, Controlled Access Plan Labeling and Legal Description Wording

SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR THE PURPOSE OF BUILDING A DRIVE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 488.694 METERS (1,603.32 FEET) TO A PROPERTY LINE; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 90 DEGREES, 26 MINUTES, 53 SECONDS LEFT A DISTANCE OF 18.207 METERS (59.73 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE AND POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 0 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 28.542 METERS (93.64 FEET); THENCE EASTERLY DEFLECTING 92 DEGREES, 00 MINUTES, 31 SECONDS LEFT A DISTANCE OF 39.747 METERS (130.40 FEET); THENCE NORTHERLY DEFLECTING 86 DEGREES, 56 MINUTES, 31 SECONDS LEFT A DISTANCE OF 22.404 METERS (73.50 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE; THENCE WESTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 84 DEGREES, 18 MINUTES, 05 SECONDS LEFT A DISTANCE OF 40.413 METERS (132.59 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.102 HECTARES (0.25 ACRES), 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 133-2(110), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

PROJECT 133-2(110) TRACT NO. 46

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 401.888 METERS (1,318.53 FEET) TO A PROPERTY LINE; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 89 DEGREES, 32 MINUTES, 10 SECONDS RIGHT A DISTANCE OF 30.751 METERS (100.89 FEET); THENCE NORTHWESTERLY DEFLECTING 93 DEGREES, 30 MINUTES, 14 SECONDS RIGHT A DISTANCE OF 149.893 METERS (491.77 FEET); THENCE SOUTHWESTERLY DEFLECTING 12 DEGREES, 02 MINUTES, 08 SECONDS LEFT A DISTANCE OF 70.532 METERS (231.40 FEET); THENCE NORTHWESTERLY DEFLECTING 26 DEGREES, 22 MINUTES, 07 SECONDS RIGHT A DISTANCE OF 26.063 METERS (85.51 FEET); THENCE SOUTHWESTERLY DEFLECTING 34 DEGREES, 33 MINUTES, 01 SECONDS LEFT A DISTANCE OF 103.865 METERS (340.76 FEET); THENCE NORTHWESTERLY DEFLECTING 23 DEGREES, 01 MINUTES, 43 SECONDS RIGHT A DISTANCE OF 58.444 METERS (191.75 FEET) TO THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTH ALONG SAID WEST LINE DEFLECTING 83 DEGREES, 32 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 50.767 METERS (166.56 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 1.397 HECTARES (3.45 ACRES), MORE OR LESS, WHICH INCLUDES 0.927 HECTARES (2.29 ACRES), MORE OR LESS, PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 NORTH,

Figure 3.5.1.6, Controlled Access Plan Labeling and Legal Description Wording

SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR THE PURPOSE OF BUILDING A DRIVE, LOCATED IN THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 488.694 METERS (1,603.32 FEET) TO A PROPERTY LINE; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 90 DEGREES, 26 MINUTES, 53 SECONDS LEFT A DISTANCE OF 18.207 METERS (59.73 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE AND POINT OF BEGINNING; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 0 DEGREES, 00 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 28.542 METERS (93.64 FEET); THENCE EASTERLY DEFLECTING 92 DEGREES, 00 MINUTES, 31 SECONDS LEFT A DISTANCE OF 39.747 METERS (130.40 FEET); THENCE NORTHERLY DEFLECTING 86 DEGREES, 56 MINUTES, 31 SECONDS LEFT A DISTANCE OF 22.404 METERS (73.50 FEET) TO THE EXISTING HIGHWAY RIGHT OF WAY LINE; THENCE WESTERLY ALONG SAID HIGHWAY RIGHT OF WAY LINE DEFLECTING 84 DEGREES, 18 MINUTES, 05 SECONDS LEFT A DISTANCE OF 40.413 METERS (132.59 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 0.102 HECTARES (0.25 ACRES), 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 133-2(110), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

PROJECT 133-2(110) TRACT NO. 46

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 NORTH, RANGE 12 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION, A DISTANCE OF 401.888 METERS (1,318.53 FEET) TO A PROPERTY LINE; THENCE SOUTHERLY ALONG SAID PROPERTY LINE DEFLECTING 89 DEGREES, 32 MINUTES, 10 SECONDS RIGHT A DISTANCE OF 30.751 METERS (100.89 FEET); THENCE NORTHWESTERLY DEFLECTING 93 DEGREES, 30 MINUTES, 14 SECONDS RIGHT A DISTANCE OF 149.893 METERS (491.77 FEET); THENCE SOUTHWESTERLY DEFLECTING 12 DEGREES, 02 MINUTES, 08 SECONDS LEFT A DISTANCE OF 70.532 METERS (231.40 FEET); THENCE NORTHWESTERLY DEFLECTING 26 DEGREES, 22 MINUTES, 07 SECONDS RIGHT A DISTANCE OF 26.063 METERS (85.51 FEET); THENCE SOUTHWESTERLY DEFLECTING 34 DEGREES, 33 MINUTES, 01 SECONDS LEFT A DISTANCE OF 103.865 METERS (340.76 FEET); THENCE NORTHWESTERLY DEFLECTING 23 DEGREES, 01 MINUTES, 43 SECONDS RIGHT A DISTANCE OF 58.444 METERS (191.75 FEET) TO THE WEST LINE OF SAID QUARTER SECTION; THENCE NORTH ALONG SAID WEST LINE DEFLECTING 83 DEGREES, 32 MINUTES, 00 SECONDS RIGHT A DISTANCE OF 50.767 METERS (166.56 FEET) TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 1.397 HECTARES (3.45 ACRES), MORE OR LESS, WHICH INCLUDES 0.927 HECTARES (2.29 ACRES), MORE OR LESS, PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 16 NORTH,

Figure 3.5.1.6, Controlled Access Plan Labeling and Legal Description Wording



KNOW ALL MEN BY THESE PRESENTS:

THAT We, Earl S. Merica and Gladys Watkins Merica, husband and wife, Joint Tenants, each as his or her own interest may appear

of the County of _____ and State of _____ for and in consideration of the sum of Six Hundred Thirty-six and no/100- - - - - (\$636.00)- - - - - DOLLARS in hand paid do hereby grant, bargain, sell, convey and confirm unto THE STATE OF NEBRASKA the following described real estate situated in Douglas County, and State of Nebraska, to-wit:

A tract of land located in the South Half of the East Half of the Southwest Quarter of Section 8, Township 16 North, Range 12 East of the 6th P.M., Douglas County, Nebraska, described as follows:

Beginning at the south quarter corner of said Section 8; thence westerly on the South line of the South Half of the East Half of the Southwest Quarter of said Section 8 a distance of 1,308.8 feet, more or less, to the southwest corner of said South Half of the East Half of the Southwest Quarter; thence northerly on the west line of said South Half of the East Half of the Southwest Quarter a distance of 90.0 feet; thence easterly on a line 90.0 feet northerly from and parallel to said South line a distance of 175.6 feet; thence northerly 80 degrees 32 minutes left a distance of 212.9 feet; thence continuing northerly 9 degrees 28 minutes left a distance of 100 feet; thence easterly 90 degrees right a distance of 120 feet; thence southerly 90 degrees right a distance of 100 feet; thence continuing southerly 9 degrees 28 minutes left a distance of 212.9 feet to a point 90 feet northerly from said South line; thence easterly 80 degrees 32 minutes left and on a line 90 feet northerly from and parallel to said South line a distance of 374 feet; thence continuing easterly 1 degree 0 minutes right a distance of 569.3 feet to a point on the East line of said South Half of the East Half of the Southwest Quarter; thence southerly on said East line a distance of 80.0 feet to the point of beginning, containing 3.66 acres, more or less, which includes 1.54 acres, more or less, previously occupied as a public highway, the remaining 2.12 acres, more or less, being the additional acreage hereby secured.

There will be no right of access from the above described tract onto the remaining lands of the grantor except over one graded driveway not to exceed 20 feet in width to be used as a field entrance to provide for the movement of farming implements and crops so long as it is used consistent with normal farming operations of the grantor, the centerline of which to be located 128 feet westerly from the East line of said South Half of the East Half of the Southwest Quarter.

TO HAVE AND TO HOLD the premises above described, together with all the Tenements, Hereditaments and Appurtenances thereunto belonging, unto the said The State of Nebraska and to its successors and assigns forever.

And WE do hereby covenant with the said Grantee and with its successors and assigns that WE ARE lawfully seized of said premises; that they are free from encumbrance

that WE have good right and lawful authority to sell the same; and WE do hereby covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever.

Attest this _____ day of _____

Notary Public for the State of Nebraska

Signed this 27th day of March

A.D. 1957

In Presence of

x Earl S. Merica
x Gladys Watkins Merica

SECTION VII

APPRAISAL PLANS

Section VII: Appraisal Plans

1) Appraisal plan set

The Appraisal Plan set is used by the Appraisal Section to make an accurate appraisal of the land being acquired. This plan set is also used in the Pre-Appraisal Public Meeting and at other Public Hearings to show the land owner(s) the proposed taking(s) on their property.

The preparation of the Appraisal Plans involves the design of new ROW, Permanent and Temporary Easements. The plans should be representative of the proposed ROW taking(s) needed for construction of the project. The major information necessary for this process are the Ownership Plans, the Controlled Access Committee letter, the Limits Of Construction (LOC's) from the roadway designer, and the topography.

Appraisal Plans should show urban drainage structures, urban and rural culverts, culvert notes, driveways, driveway notes and any other construction items that need to be taken into account as part of the ROW design process.

Possible pivot irrigation damage should have been investigated during the roadway design process in determining the LOC's. It is sometimes necessary for the new ROW takings to be designed to minimize the impact on these pivots. A review of these areas will be done during a preliminary ROW design review meeting that is held with the Consultant, the Utilities Section, and the Roadway Design Section, among others, in attendance.

2) New ROW design general guidelines

New ROW will be designed using these general guidelines:

- Design about 15 feet average behind the LOC's in low cut areas;
- Design about 20 feet average behind the LOC's in high fill and high cut areas;
- Designers should try to minimize the impact of damages to irrigation pivots, wells, homes, yards, windbreaks and utilities when possible;
- Easements, either permanent or temporary, will be used where appropriate;
- ROW design widths along reconstructed county roads can be designed tighter (0-10 feet behind the LOC's) than along the highways. On long county road relocations, ROW should be designed parallel and at a uniform offset from the centerline of the county road;
- A standard access break is 40 feet wide. For intersections and anywhere it is desirable to have a break opening wider than 40 feet, access control should terminate and resume (i.e.: at public street right of ways);
- ROW shall be acquired to or beyond the lateral obstacle clearance in all cases;
- When ROW is designed at the beginning and ending of a project, and either of those points are within the limits of an individual ownership, consideration should be given

to acquiring ROW through the entire ownership for future connecting projects so that the owner will not have to be contacted again.

3) Special use areas:

Areas intended for special use (i.e.: wetlands, etc.) are to be labeled as such on the plans and include the area of taking in the label. The special use area is to be included in the property description as part of the whole description. The label would look similar to this:

WETLAND MITIGATION SITE
2.65 ACRES

4) Permanent Easements:

It is generally desirable to acquire ROW in fee taking for a highway. However, sometimes a permanent easement should be considered. In the case of a permanent easement, the land remains in private ownership and will be taxed. The owner may fence the land or do with it whatever he/she chooses as long as it does not conflict with the purpose of the permanent easement. A permanent easement usually damages the land because it restricts the land use. Some examples of permanent easement uses are:

- Build and maintain embankments, dikes, retaining walls, drainage structures, etc.;
- Channel changes;
- Providing access to two or more adjacent properties; and
- To minimize impacts on adjacent properties.

Occasionally in rural areas and more often in urban areas, it is desirable to maintain a uniform width of ROW through subdivided areas or areas that potentially will be subdivided. Use of permanent easements beyond a uniform width lessens the impact on adjacent landowners and potentially reduces the cost of ROW damages.

To maintain a uniform ROW width in urban areas, ROW is acquired to the hinge point. Beyond the hinge point, a permanent easement is desirable where the slope is steeper than 4:1 and higher than 4 feet. Otherwise a temporary easement for shaping would be adequate. In situations where the toe of fill extends beyond the proposed ROW line, a permanent easement for shaping should be obtained, depending on the slope and height of the fill. A similar permanent easement might be considered at pivot systems as an alternative to moving the outside wheel track.

A permanent easement for Access is usually 30 feet each side of driveway centerline and approximately 30 feet out from the new ROW line.

On all projects, sound judgment should be used to obtain a balance between takings costs and widths.

5) Temporary Easements:

Temporary easements permit the use of private property for a time period not to exceed the duration of the project. Temporary easements typically will be used when construction needs to take place outside the area that is needed for the highway. Temporary easements are sometimes requested for:

- Site clearing (e.g., removal of a structure, such as a granary, that is bisected by the ROW line. Please note that a special provision should be written to provide that the contractor would remove both the structure and the foundation.);
- Culvert, channel and ditch cleanouts;
- Borrow pit or excess material disposal;
- Replacement of existing driveways or building new driveways;
- Build, maintain and remove shoofly's (temporary detour roads);
- Build sewers or inlets that drain water from private property (e.g., an inlet in a private parking lot); and
- Shaping (e.g., to blend in fill or cut in urban areas where the slope is 4:1 or flatter).

When labeling permanent and temporary easements on the plan sheets, and also when writing property descriptions for them, it is very important to be specific in what the usage is. Simply labeling a temporary easement for "culvert" purposes is not enough; it needs to say specifically what it's for (i.e.: culvert construction, drive construction, channel cleanout, etc.). Also, easements need to be separate if different areas are for different reasons. Two or more usages cannot be combined (i.e.: drive construction and shaping). They must be treated as two separate easements and two property descriptions written.

6) Railroad considerations

The State normally does not acquire land from railroads in fee. All land required at crossings or parallel to the highway will be acquired in the form of easements or rights, depending on which Railroad is being dealt with. Permanent or temporary rights are acquired from the Union Pacific Railroad Company. (See Policy 5.3.1 shown at the end of this section for existing lease conversion procedures along Highway 30.) Along all other railroads, such as the Burlington Northern & Santa Fe Railroad Company, permanent or temporary easements are acquired for highway construction. The design for the takings on any railroad will be done by the State and provided to the Consultant and is to be placed on the Appraisal Plans. The Consultant is then responsible for writing the property descriptions for these easement or rights takings. See Section VIII of this manual for information on property description writing.

7) Preliminary ROW design scroll

When the Consultant has completed the preliminary ROW design, plotted it in scroll form (or taped together sheets to form a scroll), prepared the preliminary estimate of areas, and delivered it all to the ROW Design Section Consultant Coordinator to whom

[illegible]

Upon approval of the ROW and railroad designs, areas of all takings are computed and the metes and bounds property descriptions are written. This is covered in more detail in Section VIII of this manual.

All areas of takings are to be combined by Tract and entered on a Summary of Areas (#2) sheet. This sheet lists, for each Tract, the Tract Number, Owner name(s), location(s) of ownership, total area of land they own, and the areas of all takings in the proper columns. The remainders should be shown on this sheet in the proper column also, and the sheet number(s) each Tract is found on within the plan set. An example of a #2 sheet is shown at the end of this section. The #2 sheet is set up with a reference file for the border and the table. The ROW Design Consultant Coordinator provides this reference file to the Consultant.

Following is the checklist used by the ROW Design Section to review the set of Appraisal Plans. The Consultant may find it useful in their preparation of plans.

9) Appraisal plans checklist

APPRAISAL PLANS CHECKLIST

Project No.:

Project Name:

C.N.:

Designer:

Date checked:

Checked by:

Plans corrected:

Complete
Partial
Incomplete

1. ☐ ☐ ☐ **Appraisal stamp shown on each sheet.**
2. ☐ ☐ ☐ **Project file has been checked for any special provisions on this project.**
 - ☐ Check for project number changes (State to Federal, etc.)
3. ☐ ☐ ☐ **Build notes are shown correctly.**
4. ☐ ☐ ☐ **Limits of construction (LOC's) are shown on each sheet.**
 - ☐ Check against the LOC plans from Design.
5. ☐ ☐ ☐ **New ROW takings designed.**
 - ☐ LOC's are covered sufficiently.
6. ☐ ☐ ☐ **Center pivots, homesteads, silos, etc., considered into new taking design.**
 - ☐ Consider easements where new taking can be designed tight.
7. ☐ ☐ ☐ **All temporary and permanent easements are labeled (TE1, TE2, PE1, etc.) and include purpose.**
 - ☐ All LOC's are covered sufficiently.
 - ☐ Labeled purposes are correct type for work being performed.
 - ☐ Check plans against property descriptions for the labeled purposes.
8. ☐ ☐ ☐ **Railroad easements designed, on plans and property descriptions written.**
 - ☐ Check with Railroad Liaison office if not available or if it looks like a questionable design.
9. ☐ ☐ ☐ **Controlled Access line is designed.**
 - ☐ Check CA committee letter for access locations.
 - ☐ All accesses are labeled and line broken with proper width.
 - ☐ Proper offset distance designed at county roads/intersecting highways.
 - ☐ Check current design standards for conformity.
10. ☐ ☐ ☐ **Tract numbers assigned.**
 - ☐ Tract numbers labeled on title research in ARMS.
11. ☐ ☐ ☐ **Each tract has necessary property descriptions.**

- ☐ Check each tract for complete property description and metes/bounds accuracy.
- ☐ Areas of all takings (ROW, PE, TE, RR) entered into ARMS.
- 12. ☐ ☐ ☐ Relocation tracts are identified.
- ☐ Relocation Division is contacted.
- 13. ☐ ☐ ☐ All stations/offsets for all takings and previous ROW are shown correctly and complete.
- ☐ Station/offset should be readable from bottom/right side of page.
- ☐ Existing ROW station/offsets are clearly labeled.
- 14. ☐ ☐ ☐ Section Lines labeled with symbol, station at centerline and distance to corner along the section line.
- ☐ Compare information labeled to actual location on plan for accuracy.
- 15. ☐ ☐ ☐ All taking area(s) are patterned correctly.
- 16. ☐ ☐ ☐ Summary of areas sheet completed and correctly totaled.
- ☐ Check new ROW taking totals against property descriptions.
- ☐ Check new Perm. Ease. taking totals against property descriptions.
- ☐ Check new Temp. Ease. taking totals against property descriptions.
- ☐ Check new RR area totals against property descriptions.
- 17. ☐ ☐ ☐ All surveyed centerline(s) need to be shut off and all references to them deleted (i.e.: labeling on CL).
- 18. ☐ ☐ ☐ Situation sheet completed [correct border used, previous project numbers, project name, project number, control number, reference posts, entire property boundaries shown, Begin/End project label, Tract Numbers, north arrow, title block information, etc.]

Comments:

Copy to: ☐ ROW Designer
☐ Project File

10) Appraisal Plan submittal:

Upon completion of the Appraisal Plans the Consultant is to submit the required information (as defined in the contract) to the ROW Design Section Consultant Coordinator to whom it is assigned. This includes a complete set of Appraisal Plans and the CADD files associated with them on a CD.

Initial Appraisal Plan submittal:

- Half size set showing the Appraisal stamp;
- The property descriptions in electronic format (see Chapter VIII for specific property description information) on a CD; and
- All CADD files on the CD.

Shown on the following pages are sample Appraisal Plan sheets along with current policies pertaining to Tract numbering, Contiguous Tract numbering, Situation Sheet creation and content, and a policy pertaining to Highway 30 Union Pacific existing lease conversions.

11) Revisions

Revisions to Appraisal Plans should be kept to a minimum if at all possible. In the event that a revision is necessary the following information should be included with all revisions:

Appraisal plan revision submittals:

- A detailed transmittal form explaining the revisions completed (either sheet by sheet or tract by tract);
- The revised plan sheet(s);
- A CD containing the revised CADD files (or they may be emailed to the ROW Design Consultant Coordinator responsible for the project); and
- The revised property descriptions in electronic format (see Chapter VIII for specific property description information) either on the CD or emailed to the ROW Design Consultant Coordinator responsible for the project.

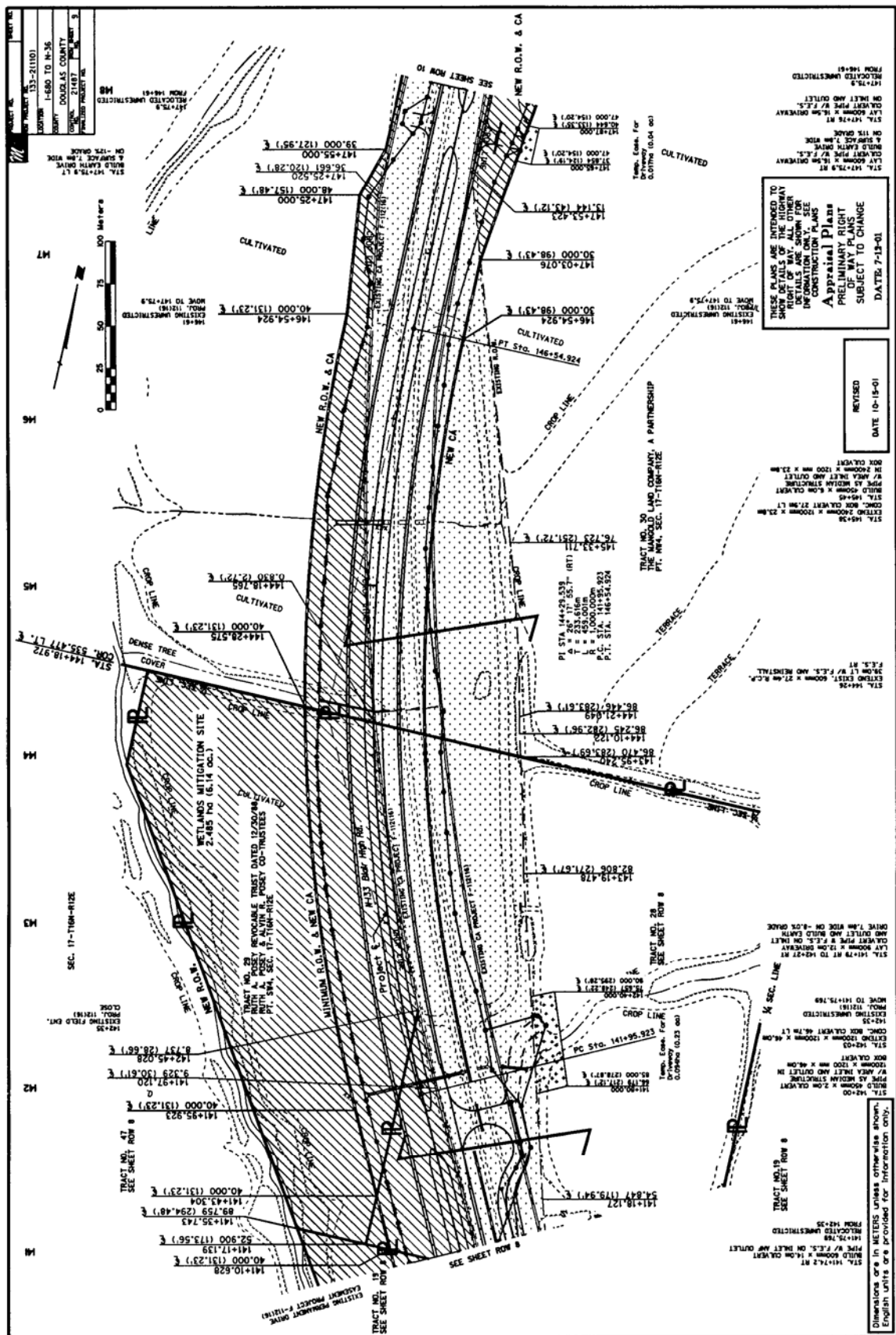
NOTE: ALL AREAS SHOWN ARE HECTARES (ACRES) UNLESS OTHERWISE NOTED

TRACT NO.	OWNER	DESCRIPTION	TOTAL ACRES OWNED	TOTAL TARIFF	NEW TARIFF	EXCESS TARIFF	EASEMENTS		REMARKS	SHEET NO.
							PERMANENT	TEMPORARY		
1	ANTHONY & DEBRA G. SAGE, H&W	LOTS 1-7, CHERRY HILLS VILLAGE	0.124 (0.33)	0.124 (0.33)	0.124 (0.33)					1
2	BRUNER FACING COMPANY	PT. 394, SEC. 20-T10N-R10E	1.028 (2.93)	1.028 (2.93)	1.028 (2.93)					2
3	ANTHONY & DEBRA G. SAGE, H&W	PT. 107, 1 & 2, LOTS 2-7, CHERRY HILLS BUSINESS PARK								3
4	NOT USED									4
5	JOHN T. SPANGLER	PT. 107, 1, CHERRY HILLS BUSINESS PARK								5
6	THE ENTERPRISES, L.L.C.	PT. 394, SEC. 20-T10N-R10E	0.320 (0.91)	0.320 (0.91)	0.320 (0.91)					6
7	THE ENTERPRISES, L.L.C.	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					7
8	THE ENTERPRISES, L.L.C.	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					8
9	THE ENTERPRISES, L.L.C.	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					9
10	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					10
11	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					11
12	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					12
13	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					13
14	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					14
15	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					15
16	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					16
17	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					17
18	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					18
19	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					19
20	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					20
21	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					21
22	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					22
23	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					23
24	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					24
25	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					25
26	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					26
27	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					27
28	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					28
29	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					29
30	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					30
31	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					31
32	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					32
33	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					33
34	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					34
35	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					35
36	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					36
37	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					37
38	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					38
39	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					39
40	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					40
41	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					41
42	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					42
43	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					43
44	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					44
45	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					45
46	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					46
47	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					47
48	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					48
49	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					49
50	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					50
51	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					51
52	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					52
53	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					53
54	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					54
55	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					55
56	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					56
57	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					57
58	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					58
59	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					59
60	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					60
61	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					61
62	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					62
63	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					63
64	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					64
65	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					65
66	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					66
67	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					67
68	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					68
69	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					69
70	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					70
71	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					71
72	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					72
73	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					73
74	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					74
75	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					75
76	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					76
77	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					77
78	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					78
79	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					79
80	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					80
81	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					81
82	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					82
83	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					83
84	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					84
85	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					85
86	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					86
87	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					87
88	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					88
89	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					89
90	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					90
91	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					91
92	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					92
93	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					93
94	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					94
95	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					95
96	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					96
97	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.670 (1.84)	0.670 (1.84)	0.670 (1.84)					97
98	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.320 (0.83)	0.320 (0.83)	0.320 (0.83)					98
99	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.492 (1.37)	0.492 (1.37)	0.492 (1.37)					99
100	ELISE F. BATES	PT. 394, SEC. 20-T10N-R10E	0.837 (2.32)	0.837 (2.32)	0.837 (2.32)					100

THESE PLANS ARE INTENDED TO
 SHOW DETAILS OF THE HIGHWAY
 PROJECT AND ARE NOT TO BE
 USED FOR ANY OTHER PURPOSE.
 INFORMATION ONLY. SEE
 CONSTRUCTION PLANS
 FOR DETAILS.
Appraisal Plans
 PRELIMINARY RIGHT
 OF WAY PLANS
 SUBJECT TO CHANGE
 DATE: 7-13-01

REVISED
 DATE 10-05-01

Dimensions are in METERS unless otherwise shown.
 English units are provided for information only.



PROJECT NO. 50-7(113)
 COUNTY IN BLAIR
 CITY WASHINGTON
 SHEET 21760 PRELIMINARY

SEC. 11-T18N-R1E
 CITY OF BLAIR

125

BLK. 79

TRACT NO. 49
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 50
 DOUGLAS J. & PATRICIA J. BARBER, H&M, JT.
 LOT 12, BLK. 62, FIRST ADD. TO CITY OF BLAIR

BLK. 62

TRACT NO. 51
 NEBRASKA & IOWA SUPPLY CO. INC.
 LOT 7 & 8, BLK. 78, CITY OF BLAIR

TRACT NO. 52
 RONALD W. & SUSAN J. ANDERSON, H&M, JT.
 LOT 6, BLK 78, CITY OF BLAIR

TRACT NO. 53
 A. ROBERT ANDERSON
 LOT 7, BLK. 63, CITY OF BLAIR

BLK. 63

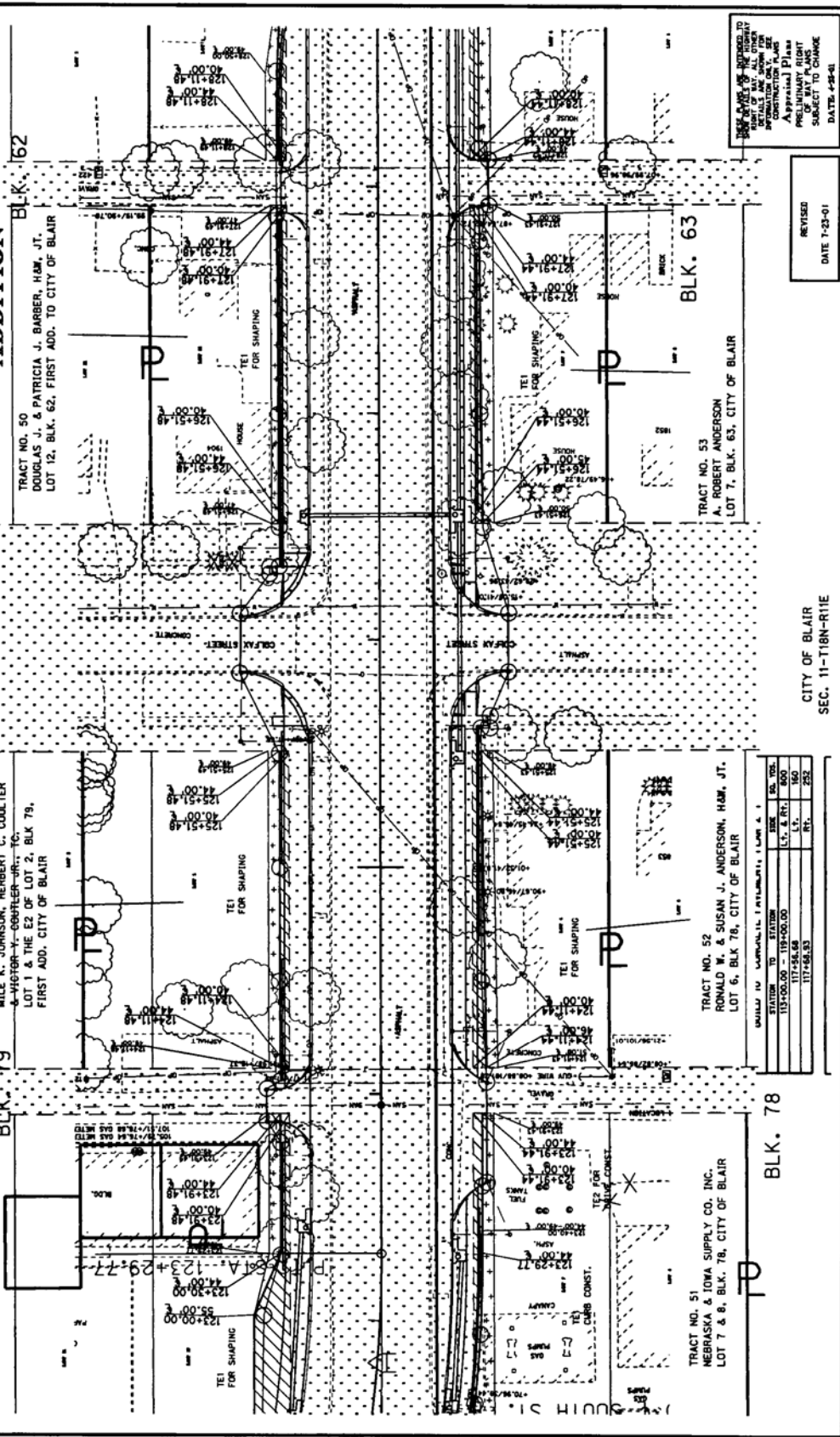
TRACT NO. 54
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 55
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 56
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 57
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 58
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR



TRACT NO. 59
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 60
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

THIS PLAN WAS SUBMITTED TO THE CITY OF BLAIR FOR REVIEW AND APPROVAL. THE CITY ENGINEER HAS REVIEWED THE PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE CITY ORDINANCES. THE CITY ENGINEER HAS NOT REVIEWED THE PLAN FOR THE PURPOSE OF DETERMINING THE ACCURACY OF THE SURVEY OR THE VALIDITY OF THE CLAIMS. THE CITY ENGINEER HAS NOT REVIEWED THE PLAN FOR THE PURPOSE OF DETERMINING THE ACCURACY OF THE SURVEY OR THE VALIDITY OF THE CLAIMS. THE CITY ENGINEER HAS NOT REVIEWED THE PLAN FOR THE PURPOSE OF DETERMINING THE ACCURACY OF THE SURVEY OR THE VALIDITY OF THE CLAIMS.

REVISOR
 DATE 7-23-01

CITY OF BLAIR
 SEC. 11-T18N-R1E

BLK. 78

TRACT NO. 51
 NEBRASKA & IOWA SUPPLY CO. INC.
 LOT 7 & 8, BLK. 78, CITY OF BLAIR

TRACT NO. 52
 RONALD W. & SUSAN J. ANDERSON, H&M, JT.
 LOT 6, BLK 78, CITY OF BLAIR

TRACT NO. 53
 A. ROBERT ANDERSON
 LOT 7, BLK. 63, CITY OF BLAIR

TRACT NO. 54
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 55
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 56
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 57
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 58
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 59
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 60
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 61
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR

TRACT NO. 62
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR W. COMFLER JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK 79,
 FIRST ADD. CITY OF BLAIR



QUALITY ASSURANCE & SERVICE RELIABILITY

Policy 5.3.1 Revised
4/9/2002

ROW DESIGN PROCESS / POLICY

DESCRIPTION: Tract Numbering

APPROVED BY:

DATE:

PURPOSE:

To define a standard way of numbering each tract on Right Of Way projects, including the Railroad tracts.

PROCESS / POLICY:

Individual Tract numbering will be accomplished by starting at the beginning of the project, on the **first** plan sheet (sheet 3), starting at the left of centerline with Tract No. 1, and continuing to the end of that first sheet 3 on the same side of centerline. The next available Tract No. will be used starting at the beginning of sheet 3 on the right of centerline and continuing to the end of this sheet. On sheet 4 the Tract No.'s will continue to be designated in this way. If the Tract at the end of sheet 3 extends onto sheet 4 then the next available Tract No. will be assigned at the end of that ownership. The same applies to the right of centerline. Tract No.'s will continue to be assigned this way proceeding up station to the end of the project. See **Figure 4.2.1.1, Tract Numbering** for an example.

Within each Tract, individual parcels are to be labeled in the legal descriptions as such:

New Right Of Way and/or Controlled Access takings are: ROW1, ROW2, ROW3, etc.*

Permanent Easement takings are: PE1, PE2, PE3, etc.

Temporary Easement takings are: TE1, TE2, TE3, etc.

(* When a CA legal is included with a ROW legal it will not have a separate label, but when a CA legal is done alone it will need to be numbered as a ROW taking: ROW1, ROW2, etc.)

On plan sheets individual Permanent and Temporary Easements will only be labeled with PE1, TE1, etc., and the **purpose**. No areas will be shown at each location. All areas will be listed separately in ARMS and included in the legal descriptions.

If a Tract needs to be split due to a partial sell off of land, it will be numbered as so:

Example: Tract 1 is split into two separate ownerships. Tract 1 will become obsolete and the new Tract splits will be numbered as Tract 1A and Tract 1B. The individual parcels within each are to be numbered as shown above, also.

When an ownership change occurs, the Tract will not have to be re-numbered. The information will be updated in the title certificate in ARMS and in the plan set.

For Railroad Tracts, there is to be only one Tract No. per Railroad per project. This means that if Union Pacific is the only railroad on the project then there will only be one Tract No. 1000. If there are two railroads involved then the second railroad would be Tract No. 1001.

Within each Tract, the individual parcels will be labeled separately as such:

New Permanent Easement takings are: PE1, PE2, PE3, etc.

New Temporary Easement takings are: TE1, TE2, TE3, etc.

On each sheet the Tract No. 1000 will be noted, along with the railroad name. No areas are to be labeled on the sheets. All areas will be listed separately in ARMS. The individual parcels are to be labeled with the PE1, PE2, or TE1, TE2, etc.

When we are buying actual Right Of Way from a railroad the Tract will be numbered as a normal taking, ie: Tract No. 2, etc. This usually only happens when a railroad is in the process of being abandoned at the time we are trying to buy Right Of Way for a highway.

All parcel areas will be combined and listed on the Summary of Areas Sheet (#2 sheet) in the appropriate columns, by Tract, not individual areas (PE1, PE2, TE1, TE2, etc.).

Figure 4.2.1, Tract Numbering Policy

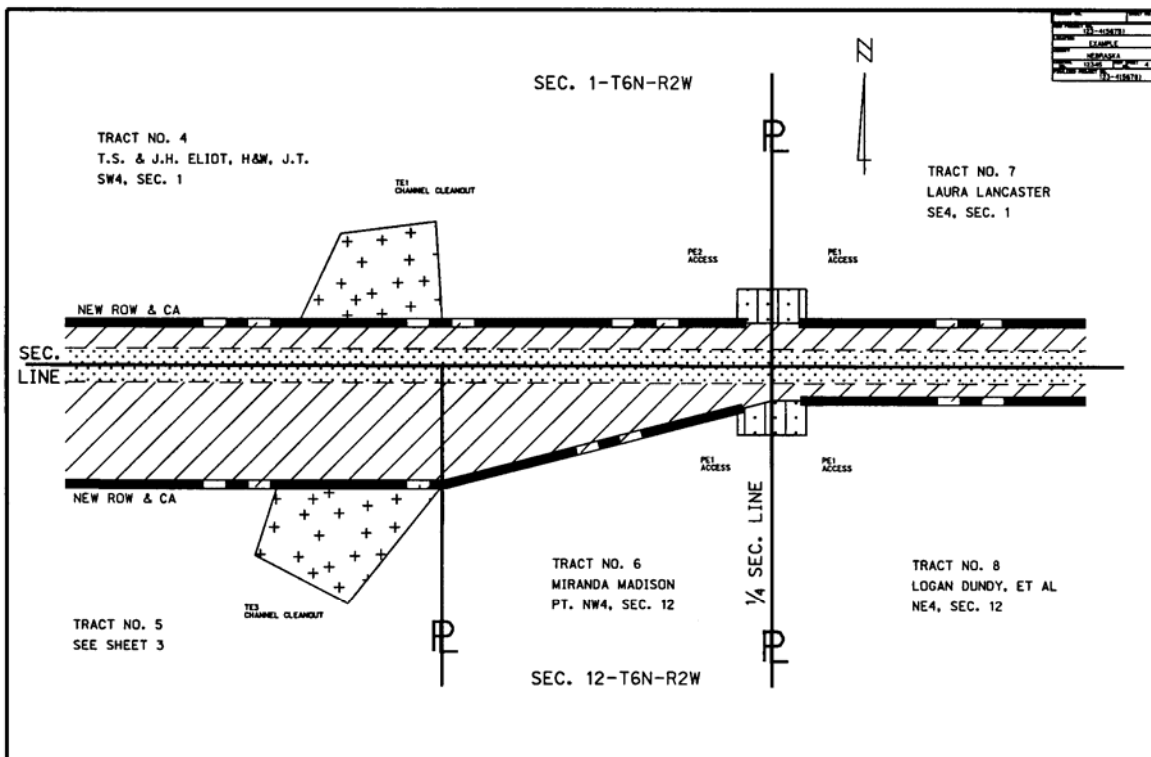
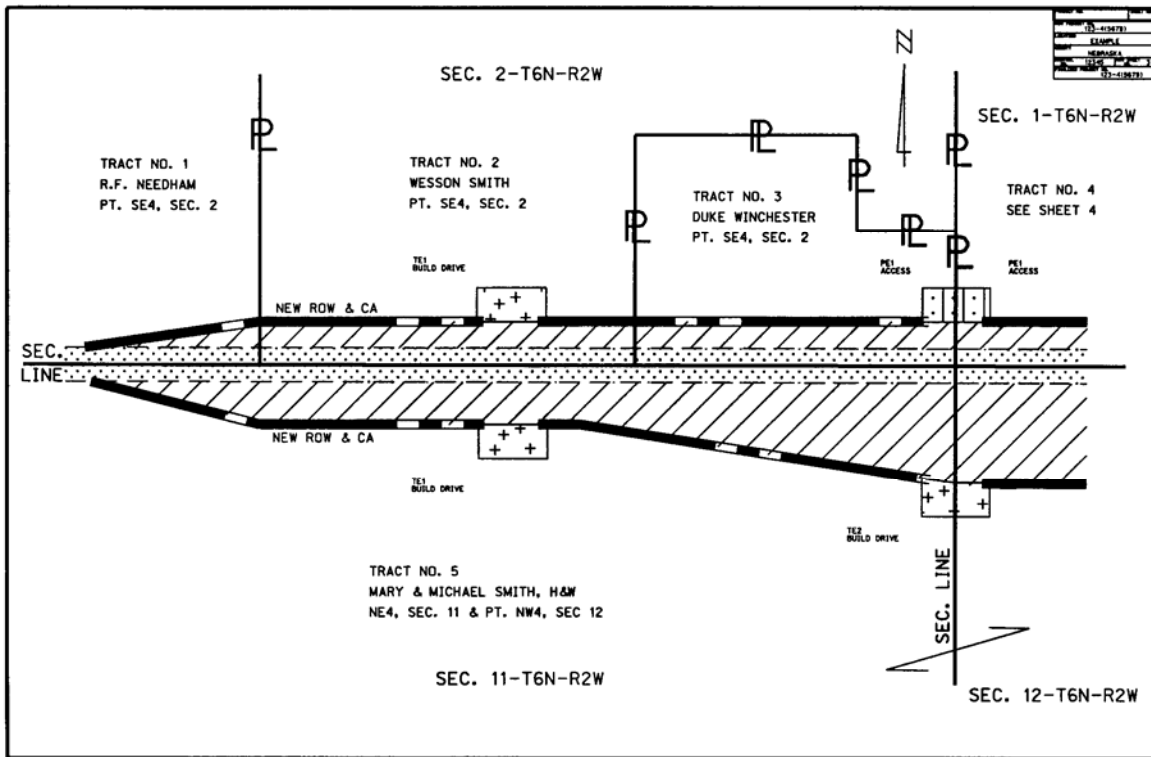


FIGURE 4.2.1.1, Tract Numbering Policy



QUALITY ASSURANCE & SERVICE RELIABILITY

Policy 5.3.1 Supplement

ROW DESIGN PROCESS / POLICY

DESCRIPTION: Contiguous Tract Numbering

APPROVED BY:

DATE:

PURPOSE:

To define the meaning of contiguous ownerships and specify how to number contiguous tracts.

PROCESS / POLICY:

Properties that are contiguous and in the same ownership will have only one tract number.

Definition:

Contiguous adj. 1. In contact; Touching 2. Near (ex: directly across the road or RR); Next

ALL property in contiguous ownership shall have one tract number designated for the entire parcel.

On **Figure 4.2.1.1 & 2 Supplement, Contiguous Tract Numbering Policy** there are three examples of contiguous ownership shown:

The first is labeled as Tract No. 2, Henry Smith. As is shown, Henry owns part of the SE4 of Sec. 2 and part of the SW4 of Sec. 1. There is a different owner of a smaller tract along the highway that is owned by Mary and Michael Smith that makes it appear on the plan sheet as if there should be two different tract numbers for Henry's property, but as shown by the dashed property line Henry's property wraps around Mary and Michael's property making it one contiguous property.

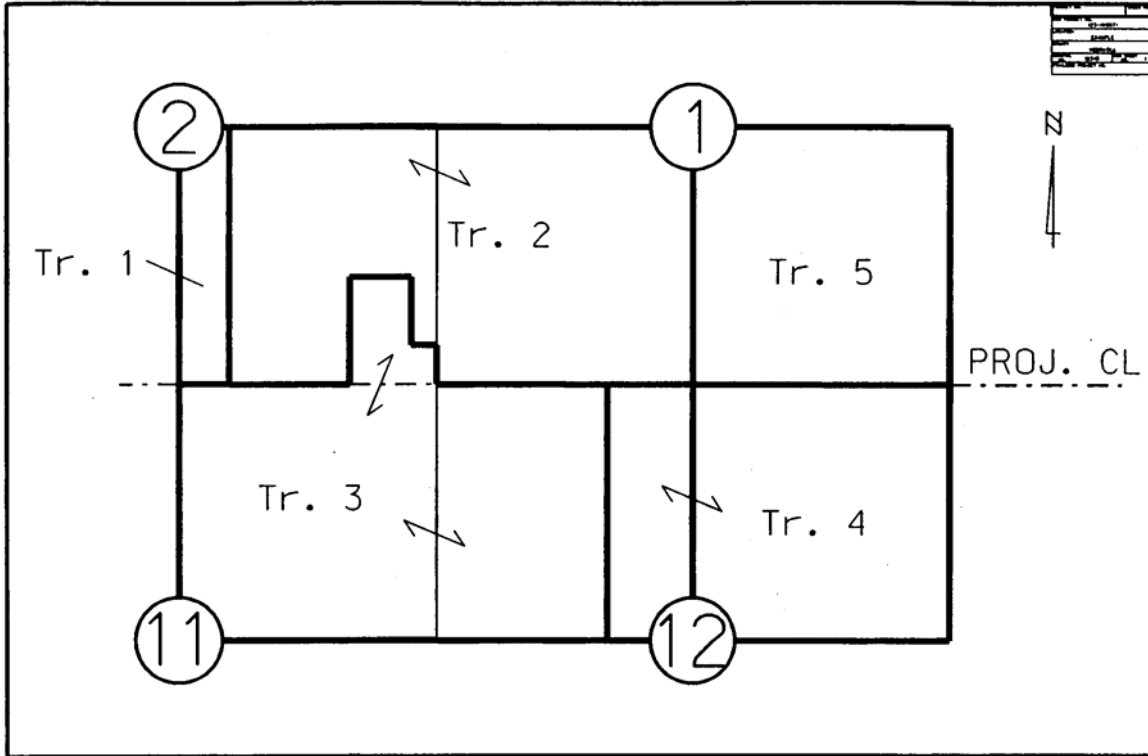
The second example is labeled as Tract No. 3, Mary and Michael Smith, H&W. As is shown, they own the NE4 of Sec. 11, part of the NW4 of Sec. 12 and part of the SE4 of Sec. 2. These three areas are contiguous and have the same tract number assigned.

The third example is labeled as Tract No. 4, John R. & Judy Jones, H&W. As is shown on the plan sheet they own part of the NW4 and the NE4 of Sec. 12. The title research shows that part of the NW4 is owned by John R. Jones, and the NE4 is owned by John R. & Judy Jones, H&W. These are considered contiguous due to the fact that they are husband and wife, even though it only shows John on one parcel.

On Tract No. 5 Mary and Michael Smith own the SE4 of Sec. 1. This is not considered contiguous with their other property (Tract No. 3) because there is no property connecting it with the other three parcels. These will have the two separate Tract numbers.

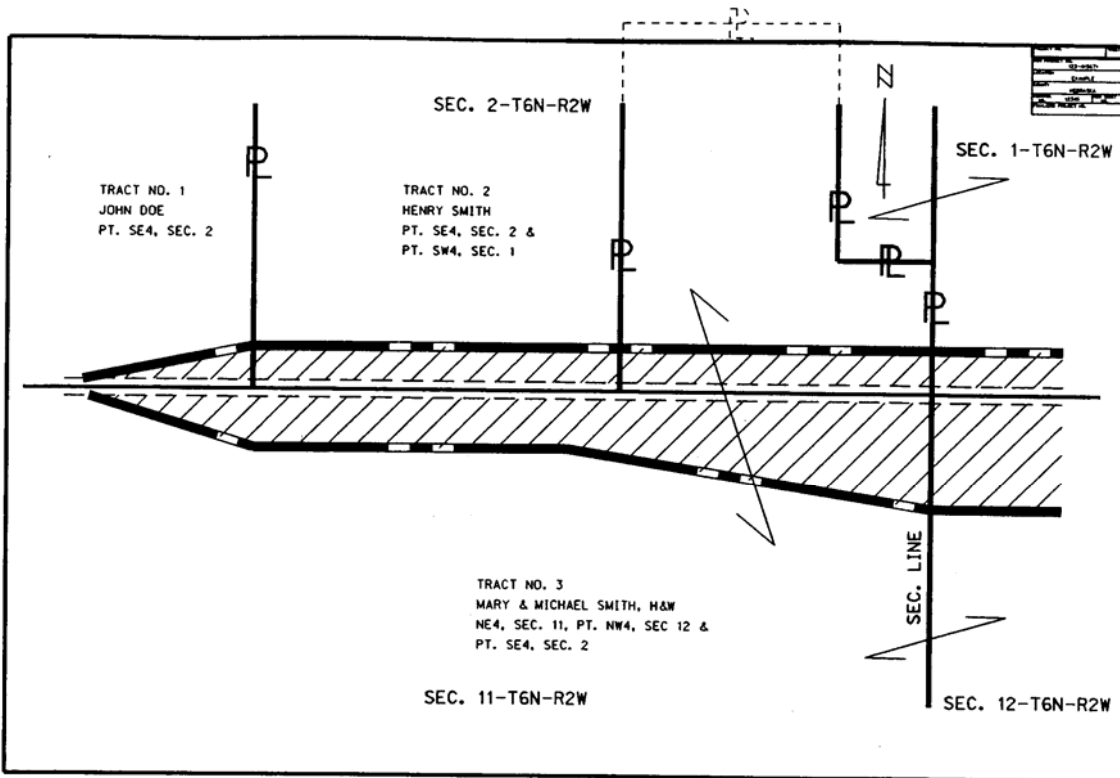
In the event that the Appraiser, Review Appraiser, Negotiator or Legal Department decide that parcels should be considered contiguous, it will be the ROW Designer's responsibility to revise the Tract number on both the plans and in ARMS.

Figure 4.2.1 Supplement, Contiguous Tract Numbering Policy

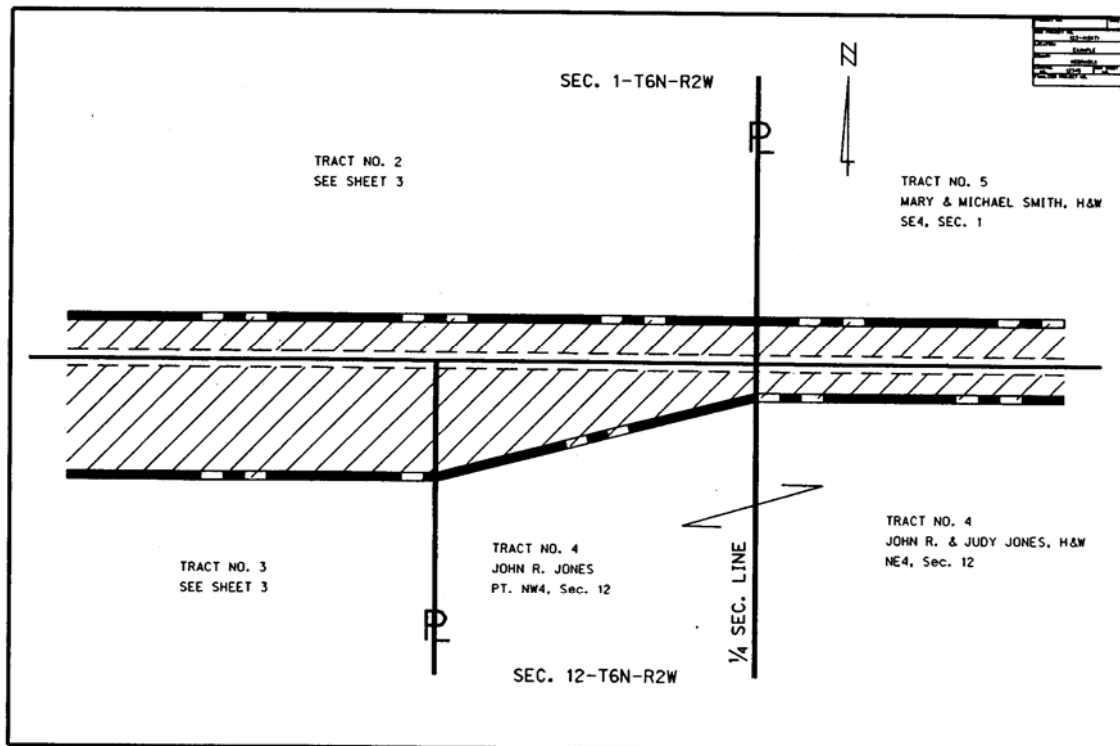


Example of a Situation Sheet (Sheet 1)

FIGURE 4.2.1.1 Supplement, Contiguous Tract Numbering



Example of Sheet 3



Example of Sheet 4

FIGURE 4.2.1.2 Supplement, Contiguous Tract Numbering



QUALITY ASSURANCE & SERVICE RELIABILITY

Policy No. 4.5.2
Revised 4-17-02

ROW DESIGN PROCESS / POLICY

DESCRIPTION: Situation Sheet creation/content

APPROVED BY: Laura Lenzen

DATE: 6-6-2000

PURPOSE: To specify the standard process of creating the situation sheet and the information to be included on it so that the final product from all ROW Designers is the same.

PROCESS / POLICY:

This is to specify a policy for the creation of the Situation plan sheet so that the final product from each ROW designer is in a standard format with all pertinent information included.

The Situation Sheet is usually created in the main "R" file. This keeps it handy and makes it easier to find. Turn off all information except the section lines, property lines and centerline. Existing ROW may be shown on rural projects, and is desirable to be shown in urban settings. Place a fence around the entire area and copy all lines into a different area of the file. This may then be scaled down to fit into a border sheet, or a border sheet may be scaled up to fit around the area. The standard full sheet border is to be used, attaching it using the MDL menu from **ROW>Reference>Full**, or referenced from **M:\data\le_bord.dgn**.

The information in the title block must be filled in, numbering this sheet as sheet 1. The text size should look the same as other sheets in the plan set, usually a size of 12 with a weight of 1. It is not necessary to include the situation sheet in the ownership plan set, but it may be worked on at any time so it is ready by the time the Appraisal plans are distributed.

All properties must show their entire boundary outline, as per the title research, as being a bolder line, distinguishable from the section lines. Property ties across section lines, ¼ section lines, centerline, etc., also should be shown, if necessary.

All tracts must be labeled, such as "Tract 1", Tract No. 1", or "Tr. 1", etc. Which style used is dependent on how much room is available, personal preferences, etc. Text must be large enough to read easily. For extremely long projects it may be necessary to create a second situation sheet, called sheet 1A. For Urban projects it may also be necessary to create two sheets. On a combination project, an urban area may be "blown up" into a detail area on the same sheet or created into a second situation sheet.

The Appraisal Plans stamp or Negotiations Plans stamp must be placed in the bottom right hand corner, depending on the stage of the project.

Put the North arrow in the proper direction and "Not To Scale" beneath it.

Add the "Begin Project" and "End Project" notation to the centerline where it belongs.

For an example of a "Rural" and an "Urban" situation sheet, see the next two sheets.

Figure No. 4.5.2, Situation Sheet Creation Policy

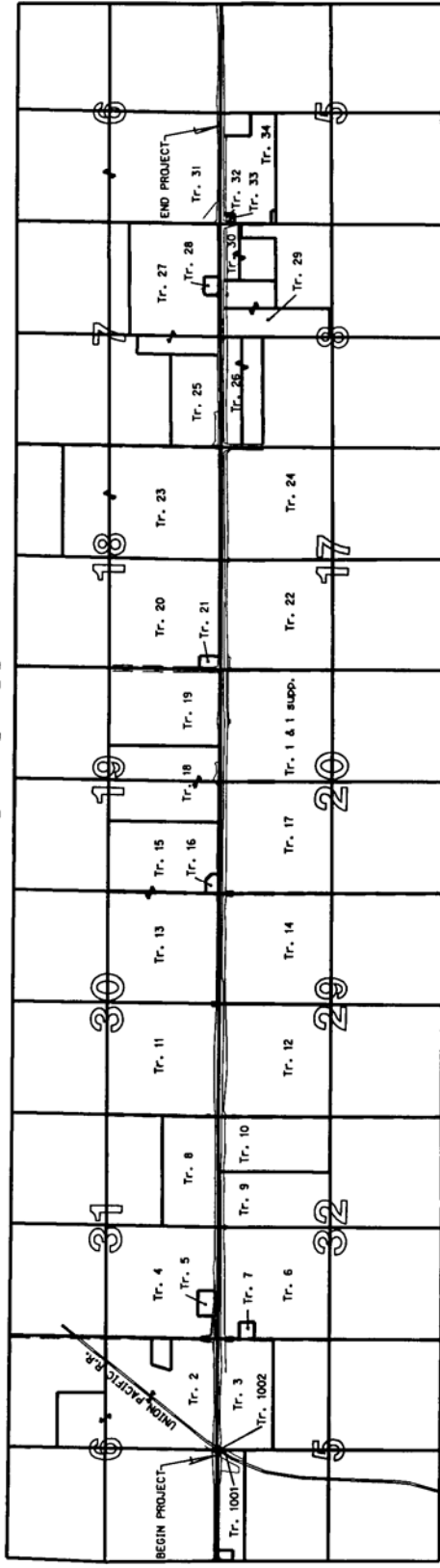
PROJECT NO.	111
DATE OF PROJECT	11-11-1008
DESIGNER	WILSON & COMPANY
COUNTY	TRAVIS
CITY	43773
PROJECT NO.	111

REFERENCE POST FROM 18+20
REFERENCE POST TO 24+27

WILSON
& COMPANY

NOT TO SCALE

T 3 N T 4 N



LEGEND

- NEW CONTROLLED ACCESS
- PREVIOUS CONTROLLED ACCESS
- LIMITS OF CONSTRUCTION
- PREVIOUS R.O.W.
- NEW R.O.W.
- PERMANENT CHANNEL EASEMENT
- EXISTING PERMANENT EASEMENT
- TEMPORARY EASEMENT
- EXCESS TAKING
- PERMANENT EASEMENT EXCEPT CHANNEL
- EXISTING RAILROAD EASEMENT
- NEW RAILROAD PERMANENT EASEMENT
- NEW RAILROAD TEMPORARY EASEMENT

THESE PLANS ARE INTENDED TO
SHOW DETAILS OF THE HIGHWAY
RIGHT OF WAY. ALL OTHER
DETAILS ARE SUBJECT TO THE
CONSTRUCTION PLANS.
Appraisal Plans
PRELIMINARY RIGHT
OF WAY PLANS
SUBJECT TO CHANGE
DATE: 6-20-08

PREV. R.O.W. PURCHASED
UNDER PROJ. F-81-11112
F-81-11008

Dimensions are in METERS unless otherwise shown.
English units are provided for information only.

DEPARTMENT OF ROADS - RIGHT OF WAY DIVISION

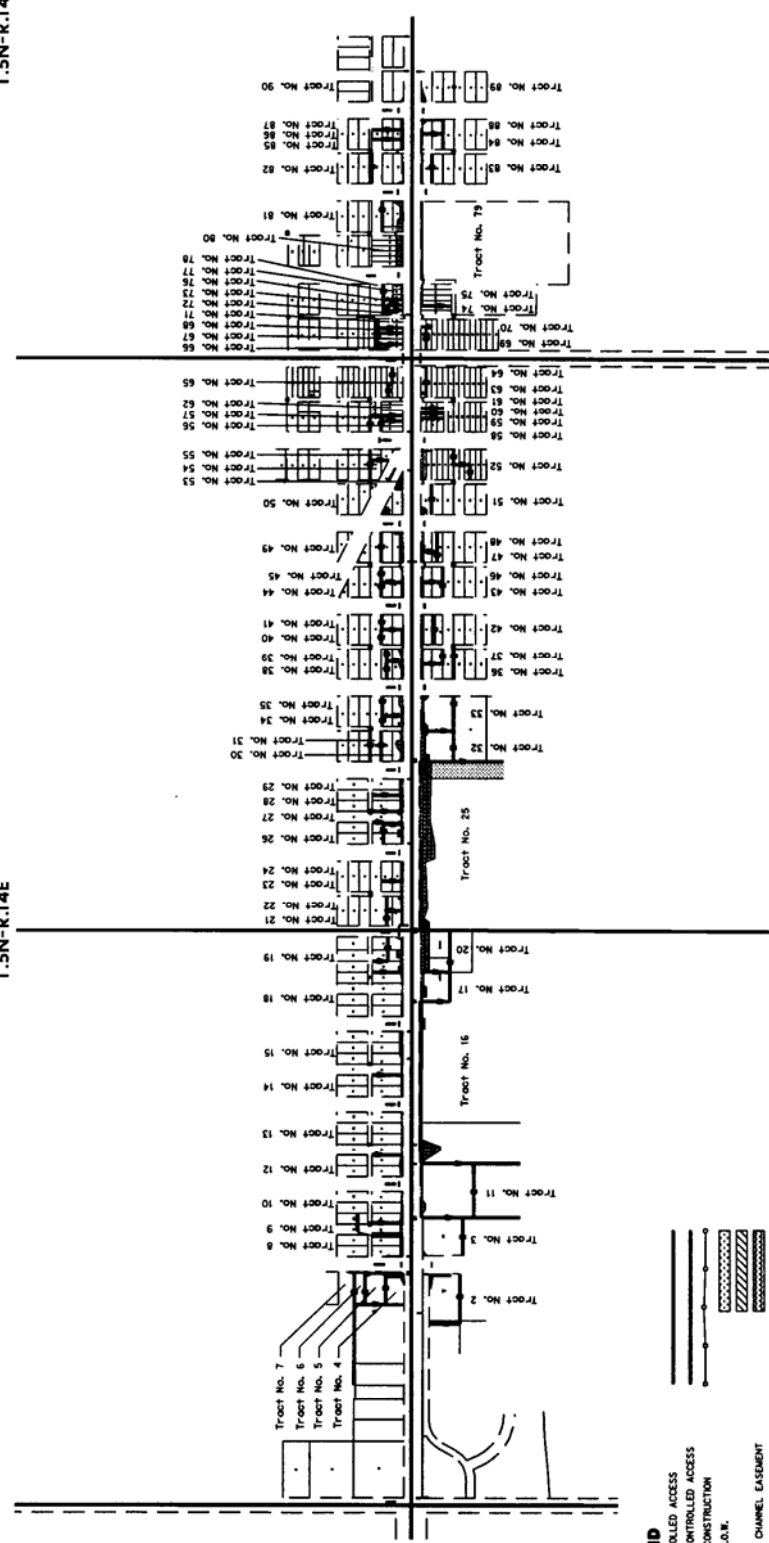
PROJECT NO. 7-73-11(1007)
 COUNTY IN ALABAMA
 TOWNSHIP
 SECTION 16
 PLANNED PROJECT NO.



REFERENCE POST FROM 26+75
 REFERENCE POST TO 27+66

SEC. 16
 T.5N-R.14E

SEC. 21
 T.5N-R.14E



SEC. 15
 T.5N-R.14E

SEC. 22
 T.5N-R.14E

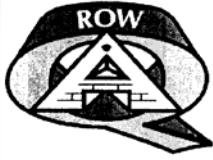
PREVIOUS ROW PURCHASED
 UNDER PROCL. BRP-73-1(107)
 HHS-73-1(108)

THESE PLANS ARE INTENDED TO
 REPRESENT THE PROPERTY
 RIGHT OF WAY. ALL OTHER
 INFORMATION, INCLUDING
 CONSTRUCTION PLANS
 AND EASEMENTS, IS
 SUBJECT TO CHANGE
 DATE: 4-28-82

LEGEND

- NEW CONTROLLED ACCESS
- PREVIOUS CONTROLLED ACCESS
- LIMITS OF CONSTRUCTION
- PREVIOUS R.O.W.
- NEW R.O.W.
- PERMANENT CHANNEL EASEMENT
- EXISTING PERMANENT EASEMENT
- TEMPORARY EASEMENT
- EXCESS TIMING
- PERMANENT EASEMENT EXCEPT CHANNEL
- EXISTING RAILROAD EASEMENT
- NEW RAILROAD PERMANENT EASEMENT
- NEW RAILROAD TEMPORARY EASEMENT

Dimensions are in METERS unless otherwise shown.
 English units are provided for information only.



QUALITY ASSURANCE & SERVICE RELIABILITY

Policy No. 6.3.1

ROW DESIGN PROCESS / POLICY

DESCRIPTION: Highway 30 UPRR Lease Conversions

APPROVED BY: Laura Lenzen

DATE: 6-6-2000

PURPOSE: To specify a standard process of converting existing lease areas along Highway 30 into Permanent Railroad Easements.

PROCESS / POLICY:

This is to specify a policy for the conversion of Existing UPRR Railroad Lease areas along Highway 30 into Permanent Railroad Easements.

1. All existing Railroad Lease area(s) will be patterned as existing lease areas.
2. If Lease has expired do **NOT** show it on plans.
3. All new easement areas (Permanent and Temporary) will be designed by the Railroad Liaison Division based on the limits of construction (LOC's).
4. All new Permanent Easement areas will include existing Lease area(s) and patterning will overlap (see **Figure No. 5.3.1.2**).
5. All legal descriptions will include the area(s) of the existing Lease(s).
6. All existing Lease area(s) will be included in the legal descriptions as "which includes xxx acres, more or less, existing railroad lease area*" (see **Figure No. 5.3.1.3**). (*This wording will have to be typed in manually due to the fact that there is no statement set up in the legal description dictionary to accomplish this.)
7. On plan sheets and the #2 sheet, areas shown will refer to the total taking, without excepting the existing Lease area(s).

(Examples shown in **Figure No. 5.3.1.2** and **Figure No. 5.3.1.3** do not represent the new proposed Tract numbering policy.)

Figure No. 5.3.1, UPRR Lease Conversion Policy

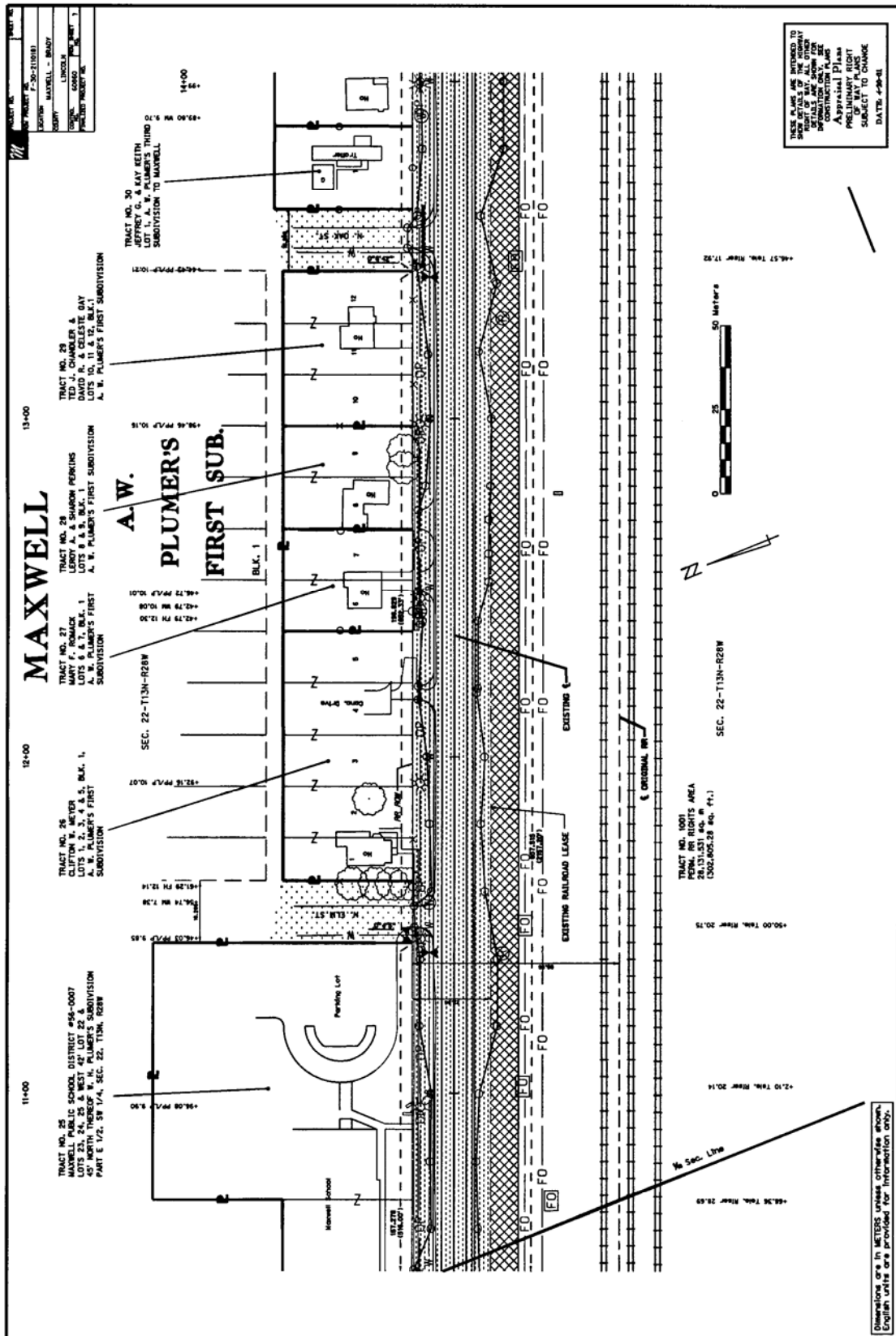


Figure No. 5.3.1.2. UPRR Lease Conversion Policy

PROJECT F-30-2 (1018) TRACT NO. 1001

PERMANENT EASEMENT

A TRACT OF LAND FOR HIGHWAY PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 13 NORTH, RANGE 28 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN LINCOLN COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH ALONG THE WEST LINE OF SAID QUARTER SECTION, A DISTANCE OF 363.364 METERS (1192.14 FEET) TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 36.744 METERS (120.55 FEET), TO THE NORTHERLY UNION PACIFIC RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 111 DEGREES, 58 MINUTES, 05 SECONDS RIGHT, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 69.274 METERS (227.28 FEET); THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 20 MINUTES, 59 SECONDS RIGHT, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 30.488 METERS (100.03 FEET); THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 21 MINUTES, 54 SECONDS LEFT, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 121.958 METERS (400.12 FEET); THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 06 MINUTES, 25 SECONDS LEFT, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 152.404 METERS (500.01 FEET); THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 08 MINUTES, 28 SECONDS RIGHT, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 157.278 METERS (516.00 FEET); THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 04 MINUTES, 05 SECONDS LEFT ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 198.829 METERS (652.33 FEET); THENCE SOUTHEASTERLY DEFLECTING 000 DEGREES, 06 MINUTES, 42 SECONDS RIGHT, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 150.771 METERS (494.66 FEET), TO THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 067 DEGREES, 56 MINUTES, 19 SECONDS RIGHT, ALONG THE EAST LINE OF SAID QUARTER SECTION, A DISTANCE OF 35.032 METERS (114.93 FEET); THENCE NORTHWESTERLY DEFLECTING 112 DEGREES, 06 MINUTES, 39 SECONDS RIGHT, A DISTANCE OF 657.515 METERS (2157.20 FEET); THENCE SOUTHWESTERLY DEFLECTING 090 DEGREES, 06 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 3.000 METERS (9.84 FEET); THENCE NORTHWESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 04 SECONDS RIGHT, A DISTANCE OF 222.866 METERS (731.19 FEET); TO THE POINT OF BEGINNING. CONTAINING AN AREA 2.854 HECTARES (7.05 ACRES) WHICH INCLUDES 2.016 HECTARES (4.98 ACRES), MORE OR LESS, EXISTING RAILROAD LEASE AREA.

Figure No. 5.3.1.3, UPRR Lease Conversion Policy

SECTION VIII
PROPERTY DESCRIPTION WRITING
(INCLUDING RAILROAD)

Section VIII: Property Description writing (including Railroad)

1) Property description format requirements

Once new ROW takings and easements are approved the property descriptions need to be written. Please refer to the policy on Tract Numbering, which is included in Section VII of this manual for examples of how the various takings are split. Keep in mind that each property description will need to have this area labeled before the opening statement for each area (i.e.: ROW1, ROW2, PE1, PE2, TE1, etc.).

The opening statement for any property description (i.e.: ROW1, PE1, TE1, etc.) must coincide with the description as specified in the title research. For example, if the title research states that the area owned is in the "North Half of the Northeast Quarter" then the opening statement must also state that, and not just read "...located in the Northeast Quarter..." If the title research states that the area owned is in "Lot 2, Irregular Tracts, in the Northeast Quarter" then the same rule applies. Another example would be if the area owned is in the "Southeast Quarter of the Southeast Quarter" then the property description should be written as such, not just in the quarter section only.

There is a specific format now that **MUST** be used by Consultants in writing the deeds. This is from a specification provided by the IT Section in order for the property description to be used with our ARMS program. The policy is as follows:

REQUIRED FORMAT OF AN IMPORT FILE CONTAINING RIGHT OF WAY PROPERTY DESCRIPTIONS.

Nebraska Department of Roads,
Right of Way Division
September 20, 2002

A file containing property descriptions to be used as an import file to load property descriptions into the Automated Right Of Way Management system (ARMS) must meet the following requirements.

File Type:

The import file must be an ASCII text file (.txt file extension).

File Name:

In General, the file name is the same as the projects control number. And the file extension should be ".txt" or ".pr2". The ".pr2" files are generated internally by the Nebraska Department of Roads. A file extension is not strictly required for import files, but the file contents must be ASCII text.

The following file names are typical examples of ASCII text files:

13307.txt 13307.pr2

File Format:

The formatting of import files is critical to allow automated processing of the property descriptions and areas. Note that BLANK LINES are used to separate logical sections (elements) of the file and are critical especially in delimiting individual paragraphs of a property description.

Example File Contents:

<----- begin example ----->

PROJECT 34-6(129) TRACT 6

ROW1

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEWARD COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 164.59 METERS (540.00 FEET) ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 5.68 METERS (18.64 FEET) ALONG SAID LINE TO A POINT ON THE SOUTHERLY EXISTING HIGHWAY 34 RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 130 DEGREES, 18 MINUTES, 51 SECONDS LEFT, A DISTANCE OF 24.72 METERS (81.10 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 168 DEGREES, 22 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 21.48 METERS (70.49 FEET) TO THE POINT OF BEGINNING CONTAINING 0.01 HECTARES (0.02 ACRES), MORE OR LESS.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

Total Area: 0.02

Previous Area:
New Area: 0.02
Area Units: acre

TE1

TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR DRIVE CONSTRUCTION PURPOSES, LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 11 NORTH, RANGE 3 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEWARD COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 170.27 METERS (558.64 FEET) ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION TO A POINT ON THE SOUTHERLY EXISTING HIGHWAY 34 RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 130 DEGREES, 18 MINUTES, 44 SECONDS LEFT, A DISTANCE OF 24.72 METERS (81.10 FEET) ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 02 SECONDS RIGHT, A DISTANCE OF 7.62 METERS (25.00 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE NORTHWESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 16 SECONDS LEFT, A DISTANCE OF 15.58 METERS (51.12 FEET) ALONG SAID RIGHT OF WAY LINE TO A POINT ON THE EASTERLY EXISTING BEMIS DRIVE RIGHT OF WAY LINE; THENCE WESTERLY DEFLECTING 049 DEGREES, 41 MINUTES, 01 SECONDS LEFT, A DISTANCE OF 2.37 METERS (7.77 FEET) ALONG SAID RIGHT OF WAY LINE; THENCE SOUTHEASTERLY DEFLECTING 111 DEGREES, 33 MINUTES, 22 SECONDS LEFT, A DISTANCE OF 18.08 METERS (59.30 FEET) TO THE POINT OF BEGINNING CONTAINING 0.01 HECTARES (0.02 ACRES), 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 34-6(129), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

Total Area: 0.02
Previous Area:
New Area: 0.02
Area Units: acre

<----- end example ----->

File Format Details:

In the descriptions below, each "element" described must be separated from other elements by at least one blank line.

File Contents

Description

PROJECT 34-6(129) TRACT 6

Required: This element states the project number and tract number of the parcel to be described. The project number is taken as the text appearing between the words "PROJECT" and "TRACT" the tract number is that text following the word "TRACT". Do NOT label it as "TRACT NO.", only use the word "TRACT". Padding with spaces or the mixed use of upper and lower case is not critical. However, the numbers must exactly match the NDOR numbers. This is delimited by a blank line above and below.

ROW1

Required: This element states the identifier of the parcel to be described. The only recognized prefixes are "ROW" for right of way takings, "TE" for temporary easements, and "PE" for permanent easements. Added to these prefixes is the numeric number assigned (WITHOUT INTERVENING WHITE SPACE) i.e. "Row1" "Row2" "Row3". Mixed case is acceptable. This is delimited by a blank line above and below.

{Paragraph}

Required: At least one paragraph is required and must be delimited by a blank line above and below. Each subsequent paragraph must be delimited by a blank line above and below.

{Paragraph}

{Paragraph}

Total Area: 0.02
Previous Area:
New Area: 0.02
Area units: acre

Required: This element is made up of a contiguous block of 2 or 3 lines. It defines the area of the taking or easement and the units of measure. The identifiers: "New Area:", "Previous Area:" and "Area Units:" must exactly match that given here. The colon must appear. Mixed case is acceptable. The data after the colon can have intervening white space. "Previous Area:" may not be known and be void of data. Also, the line containing "Previous Area:" is optional. "New Area:" and "Area Units:" must be present, however. Also, the only accepted values for the Area Units are "acre" and "sq ft". (Note: In the event that the project is Metric, the English equivalents will be used.) Also, if the property description includes the previous area, the New Area will be the total area minus the Previous Area. Example: "...containing 1.00 acres, which includes 0.30 acres previously occupied as..." would show the New Area as 0.70 acres and the Previous area as 0.30 acres.

TE1

The above pattern is to be repeated for additional takings associated with the same tract and project numbers.

{Paragraph}

{Paragraph}

Total Area: 0.02
Previous Area:
New Area: 0.02
Area Units:

Assuming each taking id is unique (i.e. 2 property descriptions can not both be labeled "Row1").

PROJECT 34-6 (129) TRACT 7

Etc....Repeated for next Tract...

2) Order of information contained within property descriptions

Property descriptions are written to be used in the contracts and final deeds, which are filed in the proper County Courthouse. Property descriptions are to be written for ALL takings, including the Temporary Easements. The State of Nebraska, Department of Roads, writes its property descriptions using distances and deflections, no bearings or azimuths. All property description files are to be provided to the ROW Section as one file, not separate files for each Tract. The order in which the takings are described within each Tract are as follows:

- 1) Right of Way taking¹
- 2) Controlled Access¹
- 3) Mineral Rights statement²
- 4) Permanent Easement(s)³
- 5) Temporary Easement(s)³
- 6) Easement statement(s)³
- 7) Railroad Permanent takings⁴
- 8) Railroad Temporary takings⁴

¹If there are more than one ROW taking descriptions required and Controlled Access is included, then the first ROW taking (ROW1) will be described followed by it's CA description, then the next ROW taking (ROW2) will be described followed by it's CA description, and so forth. Of further note, if there is not a new ROW taking, but there IS a new CA description, then the CA description will be labeled as ROW1, etc. Labeling it as CA1 is not acceptable.

²There are two different mineral rights statements, one for individual property ownership and one for corporate property ownership:

The Individual ownership statement reads as:

"SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY."

The Corporate ownership statement reads as:

"SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO ITS SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS IN

OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS NOR SHALL SAID GRANTOR AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY."

³The statement that follows the easements will be determined by whether or not there are both Permanent and Temporary easements involved. If there is ONLY permanent easement then the statement after the last description will read as follows: "THE EASEMENT AREA(S) MAY BE USED FOR THE RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT." If there are both permanent and temporary easements, or only temporary easements, then the statement following the last easement description will read as follows: "THE EASEMENT AREA(S) MAY BE USED FOR THE RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT. UPON COMPLETION AND ACCEPTANCE OF PROJECT ####, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED." Note: This statement is intended for Individual ownership tracts. If the Tract is Corporate owned the statement should read as: "THE EASEMENT AREA(S) MAY BE USED FOR THE RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT. UPON COMPLETION AND ACCEPTANCE OF PROJECT ####, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED."

Also, when a temporary easement is to be used for a detour road (shoo-fly) the purpose should read: "TEMPORARY ROAD CONSTRUCTION TO MAINTAIN TRAFFIC DURING CONSTRUCTION OF THE PROJECT PURPOSES" and the plan sheet purpose should read: "Temporary Road Construction."

⁴Property descriptions for Railroad Tracts are treated as separate Tracts (see the policy on Tract Numbering at the end of Section VII of this manual) and are written as either Permanent Easements or Temporary Easements when working with the "Burlington Northern and Santa Fe Railway Company." When dealing with the "Union Pacific Railroad" the takings are designated as Permanent Rights and Temporary Rights areas. When writing property descriptions for Railroad tracts the opening statement paragraph is a bit like an easement statement, in that there is a purpose included. For the Permanent takings the purpose will be "for Highway Construction and Maintenance purposes" and for Temporary takings the purpose will be "for Highway Construction purposes."

As always, constant interaction with the ROW Design Consultant Coordinator to whom the project is assigned will ensure that the property descriptions are written correctly.

It is good practice to include the existing ROW in the property description. If a property description is going along the existing ROW line it probably will not match the line exactly as it was deeded previously. Therefore, if the property description goes around the total new and existing ROW, (i.e.: to the section line) then there is no question on the intent to own it all.

Shown here are various examples of property descriptions. Also refer to the CA policy shown in Section VI of this manual for more examples of property descriptions.

PROJECT 77-2(1026) TRACT 3

ROW1

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 15 NORTH, RANGE 7 EAST OF THE 6TH PRINCIPAL MERIDIAN, SAUNDERS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 35; THENCE EASTERLY ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 35, A DISTANCE OF 2660.43 FEET TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 35; THENCE SOUTHERLY DEFLECTING 89 DEGREES 04 MINUTES 55 SECONDS RIGHT, A DISTANCE OF 575.66 FEET; THENCE NORTHWESTERLY DEFLECTING 162 DEGREES 49 MINUTES 54 SECONDS RIGHT, A DISTANCE OF 172.60 FEET; THENCE NORTHWESTERLY DEFLECTING 09 DEGREES 17 MINUTES 56 SECONDS RIGHT, A DISTANCE OF 216.08 FEET; THENCE WESTERLY DEFLECTING 79 DEGREES 59 MINUTES 00 SECONDS LEFT, A DISTANCE OF 1328.84 FEET; THENCE WESTERLY DEFLECTING 00 DEGREES 24 MINUTES 24 SECONDS LEFT, A DISTANCE OF 1250.02 FEET; THENCE NORTHERLY DEFLECTING 87 DEGREES 25 MINUTES 31 SECONDS RIGHT, A DISTANCE OF 151.58 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 10.99 ACRES, MORE OR LESS WHICH INCLUDES 4.02 ACRES, MORE OR LESS PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 15 NORTH, RANGE 7 EAST OF THE 6TH PRINCIPAL MERIDIAN, SAUNDERS COUNTY, NEBRASKA:

REFERRING TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 35; THENCE SOUTHERLY ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 35, A DISTANCE OF 151.58 FEET TO THE

POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 87 DEGREES 25 MINUTES 31 SECONDS LEFT, A DISTANCE OF 1250.02 FEET; THENCE EASTERLY DEFLECTING 00 DEGREES 24 MINUTES 24 SECONDS RIGHT, A DISTANCE OF 1328.84 FEET; THENCE SOUTHEASTERLY DEFLECTING 79 DEGREES 59 MINUTES 00 SECONDS RIGHT, A DISTANCE OF 106.50 FEET TO THE POINT OF TERMINATION; EXCEPT, OVER ONE ACCESS, NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE OF THE ACCESS IS LOCATED 1061.57 FEET EASTERLY OF THE WEST LINE OF SAID NORTHEAST QUARTER OF SECTION 35 AS MEASURED ALONG THE CENTERLINE OF THE PROJECT.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER, OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HERS OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TOTAL AREA:	10.99
PREVIOUS AREA:	4.02
NEW AREA:	6.97
AREA UNITS:	ACRES

TE1

TEMPORARY EASEMENT TO A TRACT OF LAND FOR CULVERT CLEANOUT PURPOSES LOCATED IN THE NORTHEAST QUARTER, SECTION 35, TOWNSHIP 15 NORTH, RANGE 7 EAST OF THE 6TH PRINCIPAL MERIDIAN, SAUNDERS COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 35; THENCE SOUTHERLY ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 35, A DISTANCE OF 151.58 FEET; THENCE EASTERLY DEFLECTING 87 DEGREES 25 MINUTES 31 SECONDS LEFT, A DISTANCE OF 1250.02 FEET; THENCE EASTERLY DEFLECTING 00 DEGREES 24 MINUTES 24 SECONDS RIGHT, A DISTANCE OF 65.62 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 89 DEGREES 17 MINUTES 31 SECONDS RIGHT, A DISTANCE OF 38.56 FEET; THENCE EASTERLY DEFLECTING 90 DEGREES 00 MINUTES 00 SECONDS LEFT, A DISTANCE OF 49.21 FEET; THENCE DEFLECTING 90 DEGREES 00 MINUTES 00 SECONDS LEFT, A DISTANCE OF 37.95 FEET; THENCE WESTERLY DEFLECTING 89 DEGREES 17 MINUTES 34 SECONDS LEFT, A DISTANCE OF 49.22 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 0.04 ACRES, 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 77-2(1026), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

TOTAL AREA:	0.04
PREVIOUS AREA:	
NEW AREA:	0.04
AREA UNITS:	ACRE

PROJECT 75-3(1014) TRACT 3

ROW1

A TRACT OF LAND LOCATED IN LOT 11, BLOCK 20, DEXTER'S SECOND ADDITION TO THE CITY OF BLAIR, WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY A DISTANCE OF 77.00 FEET ALONG THE WEST LINE OF SAID LOT 11 TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE EASTERLY DEFLECTING 090 DEGREES, 19 MINUTES, 53 SECONDS LEFT, A DISTANCE OF 1.99 FEET ALONG SAID SOUTH LINE; THENCE NORTHERLY DEFLECTING 090 DEGREES, 24 MINUTES, 42 SECONDS LEFT, A DISTANCE OF 77.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE WESTERLY DEFLECTING 089 DEGREES, 35 MINUTES, 18 SECONDS LEFT, A DISTANCE OF 0.99 FEET ALONG SAID LOT LINE TO THE POINT OF BEGINNING CONTAINING 114.90 SQUARE FEET, MORE OR LESS.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TOTAL AREA:	114.90
PREVIOUS AREA:	
NEW AREA:	114.90

AREA UNITS: SQUARE FEET

TE1

AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR SHAPING PURPOSES, LOCATED IN LOT 11, BLOCK 20, DEXTER'S SECOND ADDITION TO THE CITY OF BLAIR, WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID LOT; THENCE EASTERLY A DISTANCE OF 0.99 FEET ALONG THE NORTH LINE OF SAID LOT 11 TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 11.00 FEET ALONG SAID LOT LINE; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 19 MINUTES, 57 SECONDS RIGHT, A DISTANCE OF 18.79 FEET; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 10.76 FEET; THENCE NORTHERLY DEFLECTING 089 DEGREES, 15 MINUTES, 21 SECONDS RIGHT, A DISTANCE OF 18.73 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11 TO THE POINT OF BEGINNING CONTAINING 204.10 SQUARE FEET, MORE OR LESS.

TOTAL AREA: 204.10
PREVIOUS AREA:
NEW AREA: 204.10
AREA UNITS: SQUARE FEET

TE2

AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR DRIVE CONSTRUCTION PURPOSES, LOCATED IN LOT 11, BLOCK 20, DEXTERS SECOND ADDITION TO THE CITY OF BLAIR, WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID LOT; THENCE EASTERLY A DISTANCE OF 0.99 FEET ALONG THE NORTH LINE OF SAID LOT 11; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 35 MINUTES, 18 SECONDS RIGHT, A DISTANCE OF 18.73 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 26.00 FEET; THENCE EASTERLY DEFLECTING 089 DEGREES, 15 MINUTES, 21 SECONDS LEFT, A DISTANCE OF 10.42 FEET; THENCE NORTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 26.00 FEET; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 10.76 FEET TO THE POINT OF BEGINNING CONTAINING 275.29 SQUARE FEET, MORE OR LESS.

TOTAL AREA: 275.29

PREVIOUS AREA:
NEW AREA: 275.29
AREA UNITS: SQUARE FEET

TE3

AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR SHAPING PURPOSES, LOCATED IN LOT 11, BLOCK 20, DEXTER'S SECOND ADDITION TO THE CITY OF BLAIR, WASHINGTON COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID LOT; THENCE EASTERLY A DISTANCE OF 0.99 FEET ALONG THE NORTH LINE OF SAID LOT 11; THENCE SOUTHERLY DEFLECTING 089 DEGREES, 35 MINUTES, 18 SECONDS RIGHT, A DISTANCE OF 44.73 FEET TO THE POINT OF BEGINNING; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 32.27 FEET TO A POINT ON THE SOUTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE EASTERLY DEFLECTING 089 DEGREES, 35 MINUTES, 18 SECONDS LEFT, A DISTANCE OF 10.00 FEET ALONG SAID SOUTH LINE; THENCE NORTHERLY DEFLECTING 089 DEGREES, 40 MINUTES, 03 SECONDS LEFT, A DISTANCE OF 32.21 FEET; THENCE WESTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 10.42 FEET TO THE POINT OF BEGINNING CONTAINING 329.11 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 75-3(1014), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

TOTAL AREA: 329.11
PREVIOUS AREA:
NEW AREA: 329.11
AREA UNITS: SQUARE FEET

PROJECT 81-3(1021) TRACT 18

ROW1

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE SIXTH PRINCIPAL MERIDIAN, PLATTE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 452.85 FEET ALONG THE EASTERLY LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS ALONG THE EASTERLY LINE OF SAID QUARTER SECTION, A DISTANCE OF 131.77 FEET TO A POINT ON THE EXISTING NORTHEASTERLY RIGHT OF WAY LINE OF HIGHWAY 81; THENCE NORTHWESTERLY DEFLECTING 129 DEGREES, 16 MINUTES, 34 SECONDS RIGHT ALONG THE SAID EXISTING NORTHEASTERLY RIGHT OF WAY LINE OF HIGHWAY 81, A DISTANCE OF 935.45 FEET TO A POINT ON THE NORTHERLY LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 141 DEGREES, 19 MINUTES, 24 SECONDS RIGHT, ALONG THE NORTHERLY LINE OF SAID QUARTER SECTION A DISTANCE OF 163.22 FEET TO A POINT WHICH IS 560.96 FEET WESTERLY FROM THE SAID NORTHEAST CORNER OF THE QUARTER SECTION: THENCE SOUTHEASTERLY DEFLECTING 038 DEGREES, 40 MINUTES, 36 SECONDS RIGHT, A DISTANCE OF 724.61 FEET TO THE POINT OF BEGINNING CONTAINING 1.94 ACRES, MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF THE SAID SOUTHWEST QUARTER SECTION, EXCEPT, OVER ONE ACCESS NOT TO EXCEED 40.00 FEET IN WIDTH, THE CENTERLINE OF WHICH IS LOCATED NORTHWESTERLY 126.92 FEET FROM THE EASTERLY LINE OF SAID SOUTHWEST QUARTER SECTION AS MEASURED ALONG THE CENTERLINE OF THE HIGHWAY.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

TOTAL AREA:	1.94
PREVIOUS AREA:	
NEW AREA:	1.94
AREA UNITS:	ACRE

PE1

AND ALSO, PERMANENT EASEMENT FOR ACCESS PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 17 NORTH, RANGE 1 WEST OF THE SIXTH PRINCIPAL MERIDIAN, PLATTE COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 381.80 FEET ALONG THE EASTERLY LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS ALONG THE EASTERLY LINE OF SAID QUARTER SECTION, A DISTANCE OF 71.05 FEET; THENCE NORTHWESTERLY DEFLECTING 129 DEGREES, 16 MINUTES, 34 SECONDS RIGHT, A DISTANCE OF 60.61 FEET; THENCE NORTHEASTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 55.00 FEET; THENCE SOUTHEASTERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS RIGHT, A DISTANCE OF 15.63 FEET TO THE POINT OF BEGINNING CONTAINING 0.05 ACRES, MORE OR LESS.

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

TOTAL AREA:	0.05
PREVIOUS AREA:	
NEW AREA:	0.05
AREA UNITS:	ACRE

3) Property description file transfer

The Consultant shall furnish to the ROW Design Consultant Coordinator to whom the project is assigned all property descriptions in the earlier described ASCII text format. The file must be one file that contains all descriptions. If the submittal is one file for each Tract then it will be returned to the Consultant to be made into one file. This submittal of the property descriptions must accompany the submittal of the Appraisal Plans.

(NOTE: When a Tract goes to Condemnation the wording in the opening paragraphs, the mineral rights statements and the easement statements will change. Please refer to Section X of this manual for more information on Condemnations.)

4) Legal Description Dictionary

The following statements are used in the State's GEOPAK deed writing program during the Appraisal Plan stage as part of the process of writing the legal descriptions of the parcels to be acquired through the Negotiations process. This dictionary is being provided for the Consultant's reference only.

"REFERRING TO THE" Statements

- 45 REFERRING TO THE _____ CORNER OF _____;
- 145 REFERRING TO THE _____ CORNER OF SAID _____;
- 15 REFERRING TO THE POINT WHERE THE _____ LINE OF _____ INTERSECTS THE _____ LINE OF _____;

"BEGINNING AT THE" Statements

- 46 BEGINNING AT THE _____ CORNER OF _____;
- 146 BEGINNING AT THE _____ CORNER OF SAID _____;
- 16 BEGINNING AT THE POINT WHERE THE _____ LINE OF _____ INTERSECTS THE _____ LINE OF _____;

"MISCELLANEOUS" Statements

- 144 AND ALSO:
- 147 _____ (This statement inserts a line within a paragraph)
- 148 _____ (This statement starts a new paragraph)
- 149 _____ (This statement starts a new page)
- 7 TO THE POINT OF BEGINNING
- 8 (ASSUMED AZIMUTH)
- 9 TO THE POINT OF TERMINATION
- 10 TO THE POINT OF RESUMPTION

“TO A POINT ON” Statements

- 1 TO A POINT ON THE NORTH LINE OF SAID SECTION
- 2 TO A POINT ON THE EAST LINE OF SAID SECTION
- 3 TO A POINT ON THE SOUTH LINE OF SAID SECTION
- 4 TO A POINT ON THE WEST LINE OF SAID SECTION
- 5 TO A POINT ON THE _____ERLY _____ RIGHT OF WAY LINE
- 6 TO A POINT ON THE CENTERLINE OF _____
- 11 TO A POINT ON THE NORTH LINE OF SAID QUARTER SECTION
- 12 TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION
- 13 TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION
- 14 TO A POINT ON THE WEST LINE OF SAID QUARTER SECTION
- 21 TO A POINT ON THE NORTH LINE OF SAID QUARTER QUARTER SECTION
- 22 TO A POINT ON THE EAST LINE OF SAID QUARTER QUARTER SECTION
- 23 TO A POINT ON THE SOUTH LINE OF SAID QUARTER QUARTER SECTION
- 24 TO A POINT ON THE WEST LINE OF SAID QUARTER QUARTER SECTION
- 31 TO A POINT ON THE NORTH LINE OF SAID _____
- 32 TO A POINT ON THE EAST LINE OF SAID _____
- 33 TO A POINT ON THE SOUTH LINE OF SAID _____
- 34 TO A POINT ON THE WEST LINE OF SAID _____
- 210 TO A POINT ON THE _____ LINE OF THE PROPERTY OWNED BY THE GRANTOR(S)
- 211 TO A POINT ON THE _____ LINE OF THE PROPERTY OWNED BY THE CONDEMNEE(S)
- 212 TO A POINT ON THE PROPERTY LINE OF THE GRANTOR(S)

213 TO A POINT ON THE PROPERTY LINE OF THE CONDEMNEE(S)

“TO THE...CORNER OF” Statements

41 TO THE NORTHEAST CORNER OF SAID SECTION

42 TO THE SOUTHEAST CORNER OF SAID SECTION

43 TO THE SOUTHWEST CORNER OF SAID SECTION

44 TO THE NORTHWEST CORNER OF SAID SECTION

51 TO THE NORTHEAST CORNER OF SAID QUARTER SECTION

52 TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION

53 TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION

54 TO THE NORTHWEST CORNER OF SAID QUARTER SECTION

61 TO THE NORTHEAST CORNER OF SAID QUARTER QUARTER SECTION

62 TO THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION

63 TO THE SOUTHWEST CORNER OF SAID QUARTER QUARTER SECTION

64 TO THE NORTHWEST CORNER OF SAID QUARTER QUARTER SECTION

71 TO THE NORTHEAST CORNER OF SAID LOT

72 TO THE SOUTHEAST CORNER OF SAID LOT

73 TO THE SOUTHWEST CORNER OF SAID LOT

74 TO THE NORTHWEST CORNER OF SAID LOT

75 TO THE _____ CORNER OF SAID _____

218 TO THE _____ CORNER OF THE PROPERTY OWNED BY THE GRANTOR(S)

219 TO THE _____ CORNER OF THE PROPERTY OWNED BY THE
CONDEMNEE(S)

“ALONG” Statements

81 ALONG THE NORTH LINE OF SAID SECTION

- 82 ALONG THE EAST LINE OF SAID SECTION
- 83 ALONG THE SOUTH LINE OF SAID SECTION
- 84 ALONG THE WEST LINE OF SAID SECTION
- 91 ALONG THE NORTH LINE OF SAID QUARTER SECTION
- 92 ALONG THE EAST LINE OF SAID QUARTER SECTION
- 93 ALONG THE SOUTH LINE OF SAID QUARTER SECTION
- 94 ALONG THE WEST LINE OF SAID QUARTER SECTION
- 101 ALONG THE NORTH LINE OF SAID QUARTER QUARTER SECTION
- 102 ALONG THE EAST LINE OF SAID QUARTER QUARTER SECTION
- 103 ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION
- 104 ALONG THE WEST LINE OF SAID QUARTER QUARTER SECTION
- 111 ALONG THE NORTH LINE OF SAID _____
- 112 ALONG THE EAST LINE OF SAID _____
- 113 ALONG THE SOUTH LINE OF SAID _____
- 114 ALONG THE WEST LINE OF SAID _____
- 214 ALONG THE _____ LINE OF THE PROPERTY OWNED BY THE GRANTOR(S)
- 215 ALONG THE _____ LINE OF THE PROPERTY OWNED BY THE CONDEMNES(S)
- 216 ALONG THE PROPERTY LINE OF THE GRANTOR(S)
- 217 ALONG THE PROPERTY LINE OF THE CONDEMNEE(S)
- 25 ALONG THE _____ERLY _____ RIGHT OF WAY LINE
- 26 ALONG THE CENTERLINE OF SAID _____
- 27 ALONG SAID RIGHT OF WAY LINE

28 ALONG SAID LINE

29 ALONG SAID _____ LINE

“CONTROLLED ACCESS” Statements

106 EXCEPT, OVER _____ ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS,ARE) LOCATED _____ FEET FROM THE _____ OF _____ AS MEASURED ALONG THE _____.

107 EXCEPT, OVER _____ ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS,ARE) LOCATED ON THE _____ LINE OF SAID _____ FEET _____ FROM SAID _____ LINE AS MEASURED ALONG THE _____.

108 EXCEPT, OVER _____ ACCESS(ES) NOT TO EXCEED 40 FEET IN WIDTH, THE CENTERLINE(S) OF WHICH (IS,ARE) LOCATED ON THE _____ LINE OF SAID _____.

115 THERE WILL BE NO INGRESS OR EGRESS TO THE REMAINING _____.

117 THE ABOVE ACCESS IS DESCRIBED AT PAVEMENT EDGE. BECAUSE OF TERRAIN FEATURES, CENTERLINE OF SUCH ACCESS MAY NOT COINCIDE WITH, BUT WILL BE IN REASONABLY CLOSE PROXIMITY TO CENTERLINE OF DRIVE AT RIGHT OF WAY LINE.

120 THE ABOVE DESCRIBED TRACT SHALL BE PART OF A CONTROLLED ACCESS FACILITY AS DEFINED IN SECTION 39-1302(6), R.R.S. 1943, AND THE REMAINDER OF SAID _____, WHICH BY REASON OF THE TAKING HEREIN DESCRIBED, NOW ABUTS ON A HIGHWAY WHERE NONE EXISTED THERETOFORE, IS SUBJECT TO THE PROVISIONS OF SECTION 39-1329 R.R.S. 1943.

121 THAT PART OF THE ABOVE DESCRIBED TRACT LYING _____ OF THE FOLLOWING DESCRIBED LINE SHALL BE PART OF A CONTROLLED ACCESS FACILITY AS DEFINED IN SECTION 39-1302(6) R.R.S. 1943, AND THE REMAINDER OF SAID _____ WHICH BY REASON OF THE TAKING HEREIN DESCRIBED, NOW ABUTS ON A HIGHWAY WHERE NONE EXISTED THERETOFORE, IS SUBJECT TO THE PROVISIONS OF SECTI ON 39-1329 R.R.S. 1943.

122 THERE WILL BE NO INGRESS OR EGRESS OVER THE ABOVE DESCRIBED TRACT FROM OR TO THE REMAINDER OF SAID _____.

123 THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE _____

QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____
OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA:

- 124 THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA:
- 119 THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA:
- 125 THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA:
- 126 THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN _____, _____, _____, _____ COUNTY, NEBRASKA:
- 130 EXCEPT, OVER THE EXISTING PUBLIC ROAD ALONG THE _____ LINE OF SAID _____.
- 131 EXCEPT, OVER THE _____.
- 143 THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED ON THE _____ LINE(S) OF SAID _____.
- 242 IT IS THE INTENT OF THIS INSTRUMENT THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED _____ SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.
- 243 IT IS THE INTENT OF THESE PROCEEDINGS THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED _____ SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE CONDEMNEE AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL

RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.

244 IT IS THE INTENT OF THIS INSTRUMENT THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED_____ SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE GRANTOR AND TO ITS SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.

245 IT IS THE INTENT OF THESE PROCEEDINGS THAT THE CONDITIONAL RESTRICTED ACCESS(ES) LOCATED_____ SHALL REMAIN IN EXISTENCE AND SHALL RUN WITH THE LAND AND BE BINDING UPON THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS UNTIL SUCH TIME AS THE ABOVE DESCRIBED FUTURE UNRESTRICTED DRIVE(S) SHALL BE CONSTRUCTED. AT SUCH TIME, ALL RIGHTS TO THE AFOREMENTIONED CONDITIONAL RESTRICTED ACCESS(ES) SHALL CEASE.

127 THE PREDESIGNATED ACCESS AT _____.

128 THE PREDESIGNATED ACCESSSES AT _____ AND AT _____.

129 THE PUBLIC ROAD AT _____.

19 THERE WILL BE NO INGRESS OR EGRESS OVER THE _____ERLY EXISTING HIGHWAY _____ RIGHT OF WAY LINE LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, FROM OR TO THE REMAINDER OF SAID _____.

20 IT IS THE INTENTION OF THIS DEED THAT THE CONTROL OF ACCESS REMAIN UNCHANGED, EXCEPT THAT THE RIGHTS OF INGRESS AND EGRESS AS GRANTED IN THE DOCUMENT FILED IN _____ BOOK _____, PAGE _____, IN THE RECORDS OF THE REGISTER OF DEEDS OF _____ COUNTY, NEBRASKA SHALL BE TERMINATED, AND THAT THE RIGHTS OF INGRESS AND EGRESS AS DESCRIBED ABOVE SHALL PREVAIL.

118 THE CENTERLINE(S) OF THE ACCESS(ES) (IS, ARE) LOCATED_____ FEET FROM THE _____ OF SAID _____ AS MEASURED ALONG THE _____.

“ROW” Opening Paragraph Statements

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 170 A TRACT OF LAND LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 171 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 172 A TRACT OF LAND LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____, COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 173 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 162 A TRACT OF LAND LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 163 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 174 A TRACT OF LAND LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 175 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- 176 A TRACT OF LAND LOCATED IN _____, _____, _____, _____
COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 177 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS
THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED
IN _____, _____, _____, _____ COUNTY, NEBRASKA, AS
ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:
- 200 A TRACT OF LAND DESCRIBED AS ALL OF _____, _____, _____,
_____ COUNTY, NEBRASKA.
- 201 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS
THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES AS
ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE
PARTICULARLY DESCRIBED AS ALL OF _____, _____, _____, _____
COUNTY, NEBRASKA.
- 204 A TRACT OF LAND DESCRIBED AS ALL OF _____ OF SECTION _____,
TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL
MERIDIAN, _____ COUNTY, NEBRASKA.
- 205 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS
THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES AS
ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE
PARTICULARLY DESCRIBED AS ALL OF _____ OF SECTION _____,
TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL
MERIDIAN, _____ COUNTY, NEBRASKA.
- 240 A TRACT OF LAND DESCRIBED AS ALL OF _____ OF SECTION _____,
TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL
MERIDIAN, _____ COUNTY, NEBRASKA.
- 241 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS
THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES AS
ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE
PARTICULARLY DESCRIBED AS ALL OF _____ OF SECTION _____,
TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL
MERIDIAN, _____ COUNTY, NEBRASKA.
- 202 A TRACT OF LAND LOCATED IN _____, _____, _____ COUNTY, NEBRASKA,
DESCRIBED AS FOLLOWS:
- 203 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS
THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED
IN _____, _____, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE

ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- 206 A TRACT OF LAND LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 207 FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

MINERAL RIGHTS Statements

For INDIVIDUALLY Owned Tracts

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 192 SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND /OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND /OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.
- 193 ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNED AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNED AND /OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID CONDEMNED AND /OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

For CORPORATE Owned Tracts

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

194 SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO ITS SUCCESSORS AND ASSIGNS ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND /OR ITS SUCCESSORS AND AS SIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPE RTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID GRANT OR AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

195 ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL P ROPE RTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE AND TO ITS SUCC ESSORS AND ASSIGNS. SAID CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL THE CONDEMNEE AND/OR ITS SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

BELF Tracts (Board of Educational Lands and Funds)

18 EXCEPT THE SALT SPRINGS, COAL, OIL, MINERALS OR OTHER NATURAL RESOURCES ON OR CONTAINED IN THE LAND ARE RESERVED BY THE STATE AS PROVIDED BY LAW.

“RAILROAD EASEMENT” Opening Paragraph Statements

140 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN SECTION _____ , TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

141 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

142 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

“PERMANENT EASEMENT” Opening Paragraph Statements (WITHOUT ROW)

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 230 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 231 PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 232 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 233 PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 234 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 235 PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 236 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____, _____, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 237 PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, _____, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 228 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____

COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

- 229 PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

“PERMANENT EASEMENT” Opening Paragraph Statements (WITH ROW)

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 178 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

- 179 AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- 180 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

- 181 AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- 164 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

- 165 AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE

ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- 182 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 183 AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 183 A TRACT OF LAND FOR _____ PURPOSES LOCATED IN _____, _____, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 184 AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, _____, _____, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PERMANENT EASEMENT “CLOSING” Statements

(THESE STATEMENTS TO BE AFTER THE LAST PERM. EASE. ONLY WHEN NO TEMP. EASE. IS PRESENT)

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

“TEMPORARY EASEMENT” Opening Paragraph Statements (WITH ROW)

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 186 AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

- 187 AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 188 AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 189 AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 168 AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 169 AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 190 AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 191 AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 158 AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____

PURPOSES, LOCATED IN _____, _____, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

- 159 AND ALSO, TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, _____, _____, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 208 A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 209 TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE **FIFTH** PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

“TEMPORARY EASEMENT” Opening Paragraph Statements (WITHOUT ROW)

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 150 A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 151 TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 152 A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 153 TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

- 166 A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 167 TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN THE _____ QUARTER OF THE _____ QUARTER OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 154 A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 155 TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
- 156 A TEMPORARY EASEMENT TO A TRACT OF LAND FOR _____ PURPOSES, LOCATED IN _____, _____, _____, _____ COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
- 157 TEMPORARY EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR _____ PURPOSES, LOCATED IN _____, _____, _____, _____ COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TEMPORARY EASEMENT “CLOSING” Statements

(THESE STATEMENTS TO BE AFTER THE LAST TEMP. EASE. STATEMENT PER TRACT)

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

RELOCATION OF UTILITIES DURING THE CONSTRUCTION OF THE PROJECT.

For INDIVIDUALLY Owned Tracts

- 196 UPON COMPLETION AND ACCEPTANCE OF PROJECT _____, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

For condemnation legals:

- 197 UPON COMPLETION AND ACCEPTANCE OF PROJECT _____, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

For CORPORATE Owned Tracts

- 198 UPON COMPLETION AND ACCEPTANCE OF PROJECT _____, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR(S) AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

For condemnation legals:

- 199 UPON COMPLETION AND ACCEPTANCE OF PROJECT _____, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE CONDEMNEE AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

For CITY or GOVERNMENT Owned Tracts

- 160 UPON COMPLETION AND ACCEPTANCE OF PROJECT _____, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE _____ AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.
- 161 UPON COMPLETION AND ACCEPTANCE OF PROJECT _____, ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE _____ AND TO ITS SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.

“BORROW AREA” Statements

- 226 THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA SHALL BE RESTORED BY THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, IN THE FOLLOWING MANNER:

THE EXISTING OVERLYING SOIL IN THE BORROW AREA SHALL BE REMOVED, AS NEARLY AS PRACTICABLE, TO A DEPTH OF _____ AND STOCKPILED WITHIN THE EASEMENT AREA. UPON COMPLETION OF THE REMOVAL OF THE BORROW MATERIAL, THE ENTIRE EASEMENT AREA SHALL BE GRADED AND SHAPED TO PROVIDE PROPER DRAINAGE AND THE AREA FROM WHICH BORROW MATERIAL HAS BEEN REMOVED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF _____. THE STOCKPILED OVERLYING SOIL SHALL THEN BE SPREAD UNIFORMLY OVER THE AREA FROM WHICH BORROW MATERIAL HAS BEEN REMOVED AND THE ENTIRE EASEMENT AREA SHALL BE FERTILIZED, MULCHED AND SEEDED WITH A MIXTURE OF NATIVE PASTURE GRASSES.

- 227 THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA SHALL BE RESTORED BY THE STATE OF NEBRASKA, DEPARTMENT OF ROADS, IN THE FOLLOWING MANNER:

THE EXISTING OVERLYING SOIL IN THE BORROW AREA SHALL BE REMOVED, AS NEARLY AS PRACTICABLE, TO A DEPTH OF _____ AND STOCKPILED WITHIN THE EASEMENT AREA. UPON COMPLETION OF THE REMOVAL OF THE BORROW MATERIAL, THE ENTIRE EASEMENT AREA SHALL BE GRADED AND SHAPED TO PROVIDE PROPER DRAINAGE AND THE AREA FROM WHICH BORROW MATERIAL HAS BEEN REMOVED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF _____. THE STOCKPILED OVERLYING SOIL SHALL THEN BE SPREAD UNIFORMLY OVER THE AREA FROM WHICH BORROW MATERIAL HAS BEEN REMOVED AND THE ENTIRE EASEMENT AREA SHALL BE FERTILIZED, MULCHED AND SEEDED WITH A MIXTURE OF NATIVE PASTURE GRASSES.

“OUTDOOR ADVERTISING” Statements

(Note: EVEN numbered statements are for normal legal description writing and the ODD numbered statements are used for condemnation legal descriptions.)

- 220 ALL THAT PART OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, LYING WITHIN 660 FEET OF THE INTERSTATE HIGHWAY RIGHT OF WAY CONTROLLED ACCESS LINES AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID INTERSTATE HIGHWAY AND BEING IN ACCORDANCE WITH THE RULES AND REGULATIONS RELATING TO THE CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE

NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN NEBRASKA, WHICH WERE ADOPTED PURSUANT TO SECTION 39-1320, R.S. SUPP., 1961 AND IN ACCORDANCE WITH SECTION 84-907, R.R.S. 1943; APPROVED AND FILED ON JUNE 15, 1961.

- 221 ALSO, PERMANENT EASEMENT TO A TRACT OF LAND FOR THE CONTROL OF OUTDOOR ADVERTISING AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS ALL THAT PART OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, LYING WITHIN 660 FEET OF THE INTERSTATE HIGHWAY RIGHT OF WAY CONTROLLED ACCESS LINES AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID INTERSTATE HIGHWAY AND BEING IN ACCORDANCE WITH THE RULES AND REGULATIONS RELATING TO THE CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN NEBRASKA, WHICH WERE ADOPTED PURSUANT TO SECTION 39-1320, R.S. SUPP., 1961 AND IN ACCORDANCE WITH SECTION 84-907, R.R.S. 1943; APPROVED AND FILED ON JUNE 15, 1961.
- 222 ALL THAT PART OF _____, OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, LYING WITHIN 660 FEET OF THE INTERSTATE HIGHWAY RIGHT OF WAY CONTROLLED ACCESS LINES AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID INTERSTATE HIGHWAY AND BEING IN ACCORDANCE WITH THE RULES AND REGULATIONS RELATING TO THE CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN NEBRASKA, WHICH WERE ADOPTED PURSUANT TO SECTION 39-1320, R.S. SUPP., 1961 AND IN ACCORDANCE WITH SECTION 84-907, R.R.S. 1943; APPROVED AND FILED ON JUNE 15, 1961.
- 223 ALSO, PERMANENT EASEMENT TO A TRACT OF LAND FOR THE CONTROL OF OUTDOOR ADVERTISING AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS ALL THAT PART OF _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, LYING WITHIN 660 FEET OF THE INTERSTATE HIGHWAY RIGHT OF WAY CONTROLLED ACCESS LINES AS MEASURED AT RIGHT ANGLES TO THE CENTER LINE OF SAID INTERSTATE HIGHWAY AND BEING IN ACCORDANCE WITH THE RULES AND REGULATIONS RELATING TO THE CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN NEBRASKA, WHICH WERE ADOPTED PURSUANT TO SECTION 39-1320, R.S. SUPP., 1961 AND IN ACCORDANCE WITH SECTION 84-907, R.R.S. 1943; APPROVED AND FILED ON JUNE 15, 1961.

- 224 PERMANENT EASEMENT TO A TRACT OF LAND FOR THE CONTROL OF OUTDOOR ADVERTISING AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS ALL THAT PART OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, LYING WITHIN 660 FEET OF THE INTERSTATE RIGHT OF WAY CONTROLLED ACCESS LINE AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID INTERSTATE HIGHWAY AND BEING IN ACCORDANCE WITH THE RULES AND REGULATIONS RELATING TO THE CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN NEBRASKA, WHICH WERE ADOPTED PURSUANT TO SECTION 39-1320, R.S. SUPP., 1961 AND IN ACCORDANCE WITH SECTION 84-907, R.R.S. 1943; APPROVED AND FILED ON JUNE 15, 1961.
- 225 PERMANENT EASEMENT TO A TRACT OF LAND FOR THE CONTROL OF OUTDOOR ADVERTISING AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS ALL THAT PART OF _____ OF SECTION _____, TOWNSHIP _____ NORTH, RANGE _____ OF THE SIXTH PRINCIPAL MERIDIAN, _____ COUNTY, NEBRASKA, LYING WITHIN 660 FEET OF THE INTERSTATE HIGHWAY RIGHT OF WAY CONTROLLED ACCESS LINES AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID INTERSTATE HIGHWAY AND BEING IN ACCORDANCE WITH THE RULES AND REGULATIONS RELATING TO THE CONTROL OF OUTDOOR ADVERTISING IN AREAS ADJACENT TO THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS IN NEBRASKA, WHICH WERE ADOPTED PURSUANT TO SECTION 39-1320, R.S. SUPP., 1961 AND IN ACCORDANCE WITH SECTION 84-907, R.R.S. 1943; APPROVED AND FILED ON JUNE 15, 1961.

SECTION IX
NEGOTIATION PLANS AND
ROW COORDINATE STAKING LIST

Section IX: Negotiation Plans and ROW Coordinate Staking Listing

1) Negotiation plan set

The Negotiations Plan set is used by the ROW Negotiators to explain the offers to acquire ROW to the landowners. The only difference between the Appraisal Plan set and the Negotiations Plan set is that the Appraisal Plans stamp is removed and the new Negotiations Plans stamp is added, signifying that the appraisals have been completed and the project is ready for negotiations.

2) ROW Coordinate Staking List:

The ROW Coordinate Staking List (hereinafter simply called “staking list”) is due at the same time as the Negotiation Plans. The staking list consists of stations, offsets, coordinate values, and a brief description of the point to be staked.

Points to be staked are:

- Existing railroad ROW and easements;
- Existing highway ROW, control of access and easements;
- Property lines;
- Proposed highway ROW, control of access and easements (permanent and temporary);
- Proposed railroad easements; and,
- Any points of intersection of any of the above lines.

Also, points located along the existing and/or proposed ROW at full station also need to be included in the staking list (i.e. 120+00, 121+00, 122+00...), along with the locations of the control points along the centerline (PI without a curve, PC, PT, TS, SC, CS and ST's, etc.)

The State does provide software to help compile this extensive list of information. The software can be downloaded from the State's website. Instructions on installing and using this software can be found on the State's website and also in Section XIV of this manual.

The following is an example of what the staking list should look like:

ROW STAKING REPORT

Project Name: 30-7(113)
Control Number: 21760
Operator Name: Quinten Jordan
Active Alignment: newaline

STATE OF NEBRASKA
Date: May 23, 2002

<u>PT No.</u>	<u>STATION</u>	<u>OFFSET</u>	<u>X-COORD</u>	<u>Y-COORD</u>	<u>ELEMENT</u>
9	35+00.00 R1	-75	2918110.7177	691767.1961	New Temp Ease
8	35+00.00 R1	-60	2918123.3268	691759.0716	New ROW
10	35+00.00 R1	-50.77	2918131.088	691754.0708	New C.A.
12	35+00.00 R1	39.92	2918207.3214	691704.9508	Existing C.A.
11	35+00.00 R1	77.83	2918239.1866	691684.4188	New C.A.
987	35+03.32 R1	-50.72	2918132.926	691756.834	Existing C.A.
700	35+10.00 R1	-75	2918116.134	691775.602	New Temp Ease
701	35+10.00 R1	-60	2918128.743	691767.478	New Temp Ease
483	35+37.54 R1	-50.22	2918151.881	691785.331	Existing Prop Line
704	35+37.68 R1	-60	2918143.737	691790.748	New Temp Ease
731	35+37.68 R1	-60	2918143.7375	691790.7477	New ROW
1081	35+46.08 R1	-50.1	2918156.6136	691792.4463	New C.A.
416	35+52.74 R1	-50	2918160.299	691797.987	Existing C.A.
417	35+60.51 R1	-49.85	2918164.635	691804.435	Existing C.A.
705	35+70.00 R1	-110	2918119.211	691844.996	New Temp Ease
924	35+86.08 R1	-49.34	2918178.91	691825.6643	New C.A.
706	36+00.00 R1	-90	2918152.272	691859.382	New Temp Ease
14	36+00.00 R1	-90	2918152.2721	691859.382	New Temp Ease
708	36+00.00 R1	-90	2918152.272	691859.382	New Temp Ease
13	36+00.00 R1	-60	2918177.4901	691843.1331	New ROW
707	36+00.00 R1	-60	2918177.49	691843.133	New Temp Ease
734	36+00.00 R1	-60	2918177.49	691843.133	New ROW
15	36+00.00 R1	-49.07	2918186.6765	691837.2139	New C.A.
17	36+00.00 R1	39.85	2918261.4277	691789.0489	Existing C.A.
16	36+00.00 R1	80.3	2918295.4295	691767.1403	New C.A.
988	36+00.51 R1	-49.06	2918186.959	691837.634	Existing C.A.
925	36+75.51 R1	-47.59	2918228.818	691899.883	New C.A.
18	37+00.00 R1	-50	2918240.06	691921.7779	New ROW
735	37+00.00 R1	-50	2918240.06	691921.778	New ROW
19	37+00.00 R1	-47.11	2918242.4887	691920.213	New C.A.
21	37+00.00 R1	39.78	2918315.5341	691873.1471	Existing C.A.
20	37+00.00 R1	82.77	2918351.6725	691849.8618	New C.A.
989	37+15.51 R1	-46.81	2918251.143	691933.083	Existing C.A.
736	37+35.00 R1	-60	2918250.611	691956.616	New ROW
737	37+50.00 R1	-80	2918241.924	691980.057	New ROW
614	37+90.00 R1	85	2918402.2909	691924.3113	New Temp Ease
959	37+90.00 R1	85	2918402.2909	691924.3113	New C.A.

Example shown above is just a portion of a report, only showing from station 35+00 to station 38+00.

NOTE: Please see Section XI for important information regarding Negotiations Plans after the project has been sent to PS&E.

3) Negotiation plan submittal

Upon completion of the Negotiation Plans the Consultant is to submit the required information (as defined in the contract) to the ROW Design Section Consultant Coordinator to whom it is assigned. This includes a complete set of Negotiation Plans, the CADD files associated with them on a CD, and the ROW Staking Report.

Initial Negotiation Plan submittal:

- Half size set showing the Negotiation Plan stamp on each sheet;
- The ROW Coordinate Staking List electronically on CD; and
- All CADD files on CD.

4) Revisions

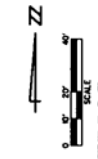
Revisions to Negotiation Plans should be kept to a minimum if at all possible. In the event that a revision is necessary the following should be included with all revisions:

Negotiation Plan revision submittals:

- A detailed transmittal form explaining the revisions completed;
- The revised plan sheet(s);
- A CD containing the revised CADD files (or they may be emailed to the ROW Design Consultant Coordinator responsible for the project);
- The revised property descriptions in electronic format (see Chapter VIII for specific property description information) either on the CD or emailed to the ROW Design Consultant Coordinator responsible for the project; and
- An updated ROW Coordinate Staking List electronically on CD or via email.

Once PS&E plans have been submitted the Negotiation Plans become void. The Negotiation Plans stamp is not to be replaced on the sheets. Any revisions after that point must be PS&E plan revisions and have special requirements. Please refer to Section XI for further information.

PROJECT NO. 30-7(113)
 COUNTY IN BLAIR
 CITY WASHINGTON
 SHEET 21760 OF 21760
 PROJECT PLAT 19



SEC. 11-T18N-R11E
 CITY OF BLAIR

125

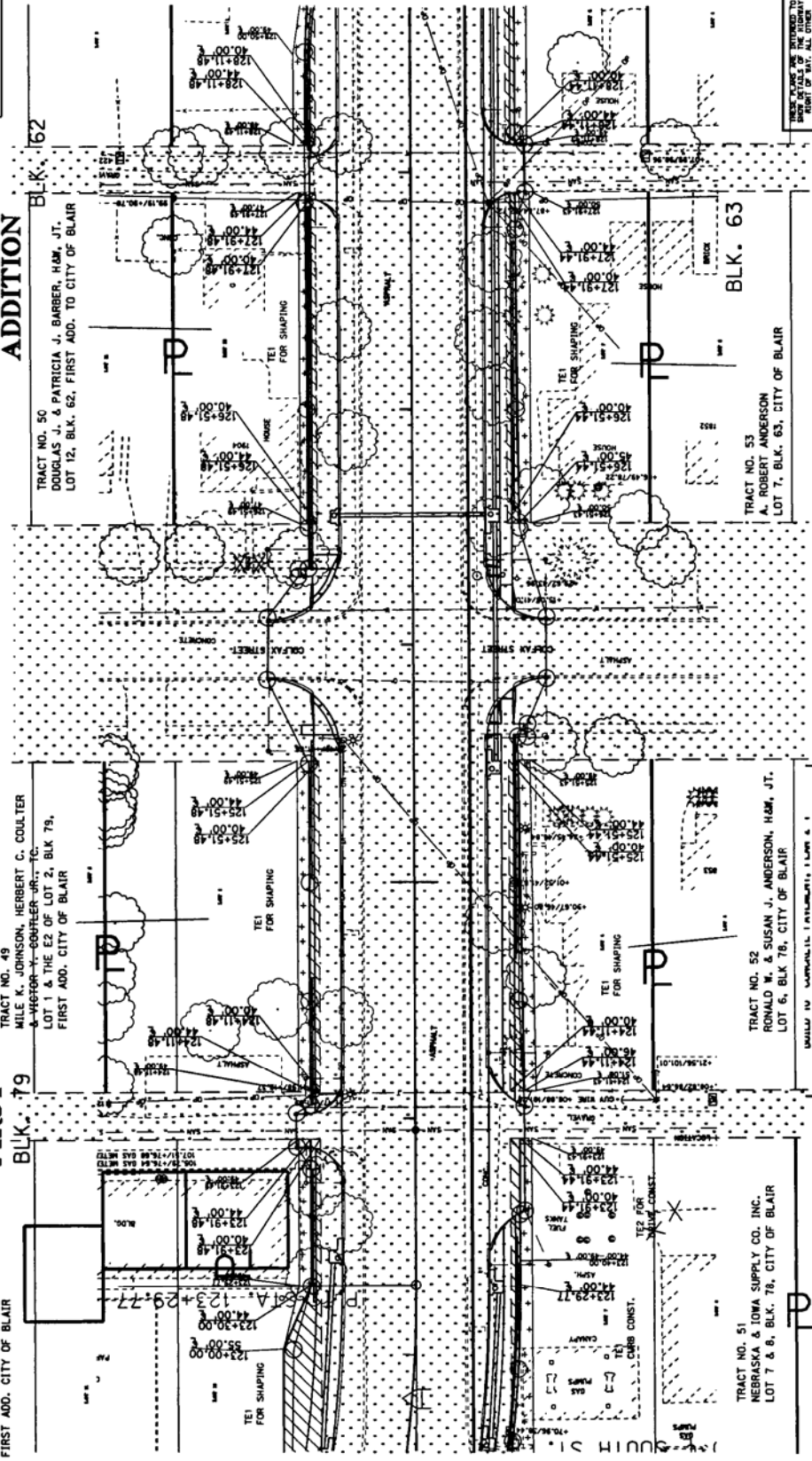
TRACT NO. 48
 PROFESSIONAL ASSOC., A PARTNERSHIP
 PT. LOTS 9 - 12, BLK. 79,
 FIRST ADD. CITY OF BLAIR

BLK. 79

TRACT NO. 49
 MILE K. JOHNSON, HERBERT C. COULTER
 & VICTOR A. COULTER-JR., TC.
 LOT 1 & THE E2 OF LOT 2, BLK. 79,
 FIRST ADD. CITY OF BLAIR

ADDITION
 BLK. 62

TRACT NO. 50
 DOUGLAS J. & PATRICIA J. BARBER, HAM. JT.
 LOT 12, BLK. 62, FIRST ADD. TO CITY OF BLAIR



TRACT NO. 51
 NEBRASKA & IOWA SUPPLY CO. INC.
 LOT 7 & 8, BLK. 78, CITY OF BLAIR

BLK. 78

TRACT NO. 52
 RONALD W. & SUSAN J. ANDERSON, HAM. JT.
 LOT 6, BLK. 78, CITY OF BLAIR

STATION	TO STATION	SIZE	EA. VOL.
117+00.00	119+00.00	15' x 15'	800
117+00.00	117+56.68	15' x 15'	160
117+56.68	117+56.68	15' x 15'	252

TRACT NO. 53
 A. ROBERT ANDERSON
 LOT 7, BLK. 63, CITY OF BLAIR

BLK. 63

CITY OF BLAIR
 SEC. 11-T18N-R11E

REVISED
 DATE 7-23-02

THESE PLANS ARE SUBMITTED TO THE CITY OF BLAIR FOR REVIEW AND APPROVAL. THE CITY OF BLAIR IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON FOR CONSTRUCTION PLANS.
 Negative Final Plans
 TENTATIVE FINAL PLANS
 SUBJECT TO CHANGE
 DATES 4-28-02

SECTION X
CONDEMNATIONS AND BELF LAND
(BOARD OF EDUCATIONAL LANDS AND
FUNDS)

Section X: Condemnations and BELF land (Board of Educational Lands and Funds)

1) Condemnations

During the Negotiations stage sometimes the property owner(s) and the State cannot come to an agreement on a variety of things. If the conflict cannot be resolved in a timely manner the State will file a condemnation to acquire the ROW.

In the event a condemnation is requested, a condemnation plat and description must be prepared. The plat and property description will be used as a filed document in the county courthouse, much like a fee taking deed.

Condemnation plats have the tendency to become very large, depending on the size of the Tract being condemned. The State would prefer to keep the plats 8 ½" wide, with no limit on the length. By keeping them to this width it is much easier to copy and insert into the final document that is filed in the courthouse. Also, if the plat can be kept to the 8 ½" width and have a tendency to be really long, it is acceptable to use more than one page, as long as the pages are marked "Page X of X" in the title block.

Also, in preparing condemnation plats it is not always feasible size-wise to keep the scale at 1"=100', so therefore a scale of 1"=200' is acceptable. As long as all the text is readable.

2) Standards for condemnation plats

General drafting standards apply to condemnation plats. One thing in particular is that the title block is considered the "bottom" of the plat and should be on the 8 ½" side. In reference to the examples shown below the text is all readable from the bottom and right side of the plat.

3) BELF Land (Board of Educational Lands and Funds)

When dealing with BELF it is always required to provide a condemnation plat and description. Usually it is only requested during the negotiations stage of the project, but is a good idea to keep it in mind that the plat and description will be required.

Shown on the following pages are condemnation examples and also the existing BELF Land policy with an example of what a BELF condemnation plat and property description should look like.

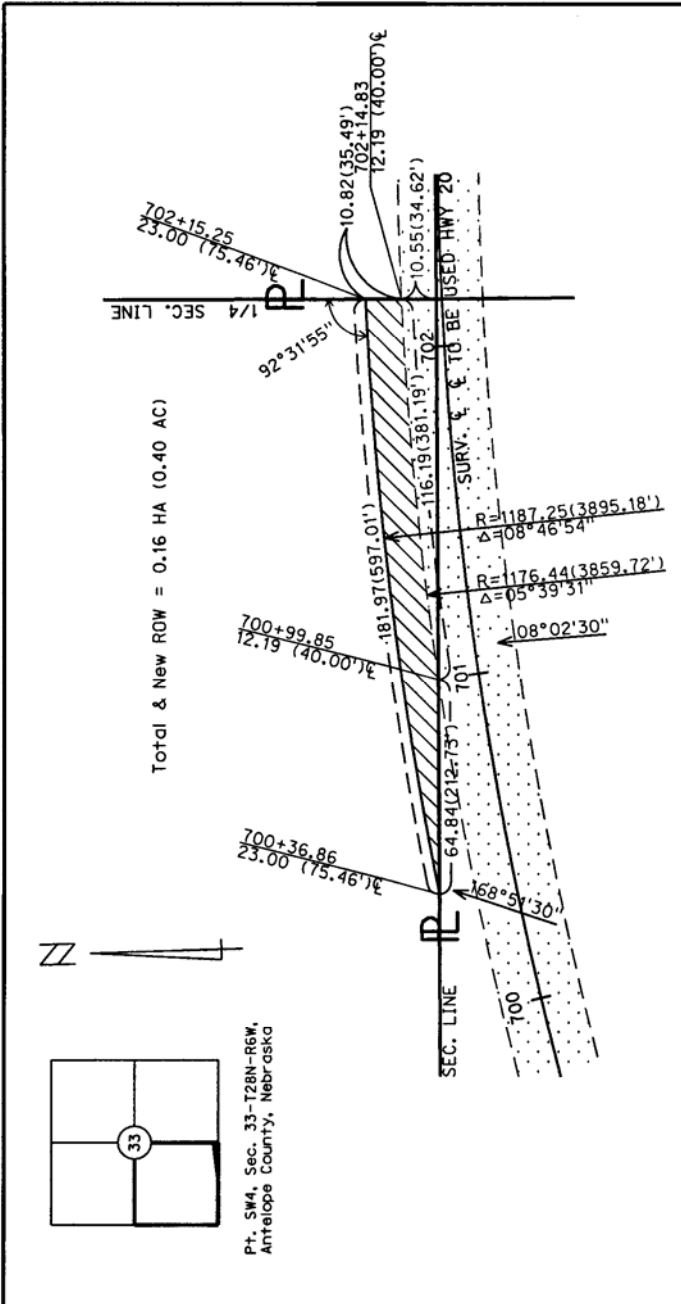
The mineral rights statement is entirely different for a BELF condemnation also. See example for wording.

C O N D E M N A T I O N

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 6 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ANTELOPE COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY A DISTANCE OF 10.55 METERS (34.62 FEET) ALONG THE EAST LINE OF SAID QUARTER SECTION TO A POINT ON THE NORTHERLY EXISTING HIGHWAY 20 RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE NORTHERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 10.82 METERS (35.49 FEET) ALONG SAID LINE; THENCE WESTERLY ON A 1187.25 METER (3895.18 FOOT) RADIUS CURVE TO THE LEFT, DEFLECTION TO THE INITIAL TANGENT BEING 092 DEGREES, 31 MINUTES, 55 SECONDS LEFT, A DISTANCE OF 181.97 METERS (597.01 FEET), SUBTENDING A CENTRAL ANGLE OF 008 DEGREES, 46 MINUTES 54 SECONDS TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 168 DEGREES, 51 MINUTES, 30 SECONDS LEFT, A DISTANCE OF 64.84 METERS (212.73 FEET) ALONG SAID LINE; THENCE EASTERLY ON A 1176.44 METER (3859.72 FOOT) RADIUS CURVE TO THE RIGHT, DEFLECTION TO THE INITIAL TANGENT BEING 008 DEGREES, 02 MINUTES, 30 SECONDS LEFT, A DISTANCE OF 116.19 METERS (381.19 FEET), SUBTENDING A CENTRAL ANGLE OF 005 DEGREES, 39 MINUTES 31 SECONDS ALONG SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING CONTAINING 0.16 HECTARES (0.40 ACRES), MORE OR LESS.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEDS AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID CONDEMNEDS AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.



PLAT SHOWING

Sheet 1 of 1

RIGHT OF WAY

TO BE ACQUIRED FROM LAND OWNED BY

STATE OF NEBRASKA
DEPARTMENT OF ROADS
RIGHT OF WAY DIVISION
LINCOLN, NEBRASKA

TRACT NO. 34
LOCATION ROYAL-BRUNSWICK
PROJECT NO. 20-5(1009)
CONTROL NO. 310730

SCALE 1000:1

DATE 2-02-01
DRAWN BY T FIERSTEIN
CHECKED BY K BEHLEN
COMPUTED BY T FIERSTEIN

PREV. R.O.W.
NEW R.O.W.
TEMP. EASE.
PERM. EASE.
CONTROLLED ACCESS

0.16HA (0.40AC)

Molite

DRAWING NOT TO SCALE

C O N D E M N A T I O N

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES LOCATED IN LOTS 7 AND 8, BLOCK 111, CITY OF CRETE, SALINE COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE EASTERLY A DISTANCE OF 1.29 METERS (4.22 FEET) TO A POINT ON THE SOUTH LINE OF SAID LOT 7; THENCE NORTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 50 SECONDS LEFT, A DISTANCE OF 24.38 METERS (80.00 FEET) TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE WESTERLY DEFLECTING 089 DEGREES, 59 MINUTES, 10 SECONDS LEFT, A DISTANCE OF 1.28 METERS (4.20 FEET) ALONG SAID LINE TO A POINT ON THE WEST LINE OF SAID LOT 8; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 00 SECONDS LEFT, A DISTANCE OF 24.38 METERS (80.00 FEET) ALONG SAID LINE TO THE POINT OF BEGINNING CONTAINING 31.29 SQUARE METERS (336.81 SQUARE FEET), MORE OR LESS.

ALL RIGHTS TO MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY, SHALL BE RETAINED AND RESERVED TO THE CONDEMNEE(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS. SAID CONDEMNEE(S) AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID MINERAL RIGHTS, NOR SHALL SAID CONDEMNEE(S) AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO, A TEMPORARY EASEMENT TO A TRACT OF LAND FOR SHAPING PURPOSES, LOCATED IN LOTS 7 AND 8, BLOCK 111, CITY OF CRETE, SALINE COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE EASTERLY A DISTANCE OF 1.29 METERS (4.22 FEET) TO A POINT ON THE SOUTH LINE OF SAID LOT 7 TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS A DISTANCE OF 2.00 METERS (6.56 FEET) ALONG SAID LINE; THENCE

PROJECT:33-6(106)

C.N.:11836

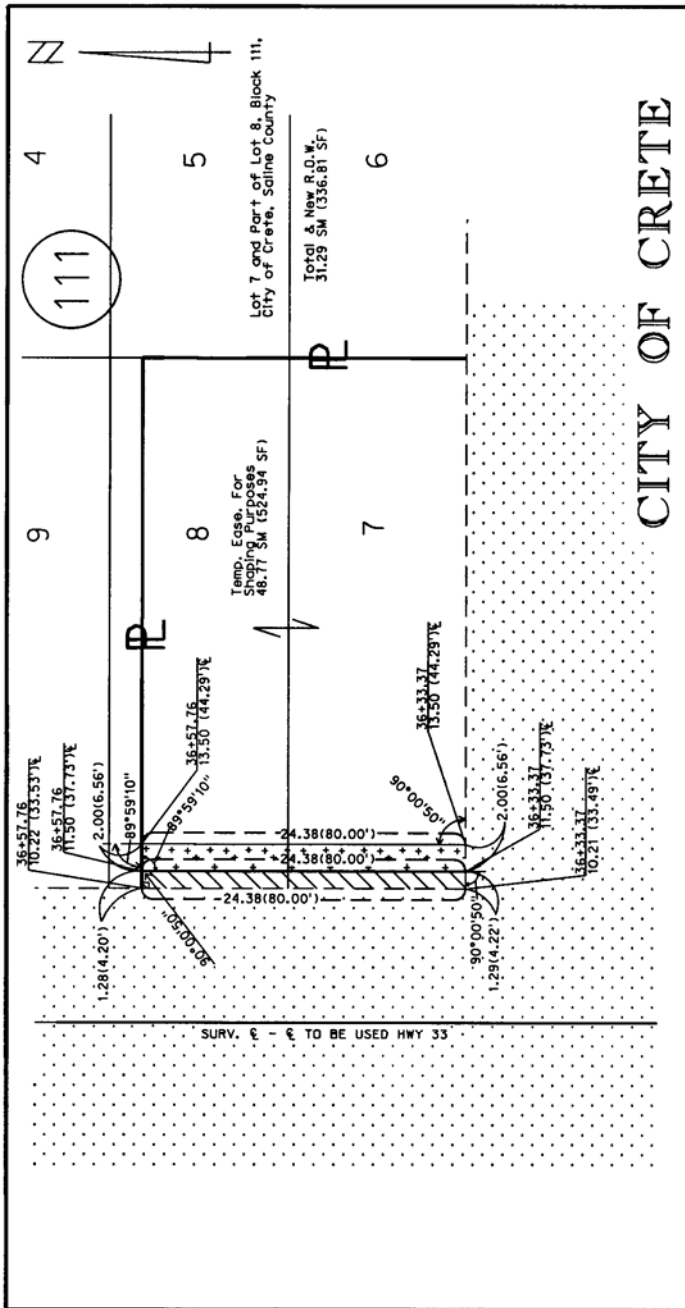
SALINE COUNTY

TRACT:23

(PAGE 2)

NORTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 50 SECONDS LEFT, A DISTANCE OF 24.38 METERS (80.00 FEET) TO A POINT ON THE NORTH LINE OF THE PROPERTY OWNED BY THE GRANTOR(S); THENCE WESTERLY DEFLECTING 089 DEGREES, 59 MINUTES, 10 SECONDS LEFT, A DISTANCE OF 2.00 METERS (6.56 FEET) ALONG SAID LINE; THENCE SOUTHERLY DEFLECTING 090 DEGREES, 00 MINUTES, 50 SECONDS LEFT, A DISTANCE OF 24.38 METERS (80.00 FEET) TO THE POINT OF BEGINNING CONTAINING 48.77 SQUARE METERS (524.94 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 33-6(106), ALL RIGHTS, INTEREST AND USE OF THE ABOVE DESCRIBED TEMPORARY EASEMENT AREA(S) SHALL BE RETURNED TO THE GRANTOR(S) AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS WITH THE AFORESAID CHANGES COMPLETED.



Sheet 1 of 1

PLAT SHOWING

RIGHT OF WAY






TO BE ACQUIRED FROM LAND OWNED BY

STATE OF NEBRASKA
DEPARTMENT OF ROADS
RIGHT OF WAY DIVISION
LINCOLN, NEBRASKA

TRACT NO. 23
LOCATION HAWTHORNE AVE./CRETE
PROJECT NO. 33-6(106)
CONTROL NO. 11836

SCALE 250:1

DATE 3-12-01
DRAWN BY T FIERSTEIN
CHECKED BY K BEHLEN
COMPUTED BY T FIERSTEIN

PREV. R.O.W. 
NEW R.O.W. 
TEMP. EASE. 
PERM. EASE. 
CONTROLLED ACCESS 

31.29SM (336.81SF)
48.77SM (524.94SF)



DRAWING NOT TO SCALE

Date: December 14, 1992
To: All ROW Design and Computations personnel
From: Jim Hertzel
Subject: BELF Land (Board of Educational Lands and Funds)

(1) BELF Land that has a deed for all previous ROW will require no changes to the description.

(2) BELF Land with no deed or title to previous ROW:

A. Manually input statement "OF RIGHT OF WAY NOT PREVIOUSLY PURCHASED" for "PREVIOUSLY OCCUPIED AS PUBLIC HIGHWAY".

B. Note on workplans the year adjacent previous ROW parcels were purchased.

(3) BELF Land with deed or title to portion of previous ROW and no deed or title to some portion of previous ROW:

A. Four types of areas will appear on legal description and manually input as per example.

1. TOTAL ROW
2. EXISTING PUBLIC ROW TO BE ACQUIRED
3. PREVIOUSLY PURCHASED ROW
4. NEW ROW

Example:

. . . TO THE POINT OF BEGINNING, CONTAINING 5.46 ACRES, MORE OR LESS, WHICH INCLUDES 2.35 ACRES, MORE OR LESS, PREVIOUSLY PURCHASED PUBLIC RIGHT OF WAY, AND 2.07 ACRES, MORE OR LESS, EXISTING PUBLIC RIGHT OF WAY TO BE ACQUIRED, AND 1.04 ACRES, MORE OR LESS, OF NEW RIGHT OF WAY TO BE ACQUIRED.

B. Note on workplans the year adjacent previous ROW parcels were purchased.

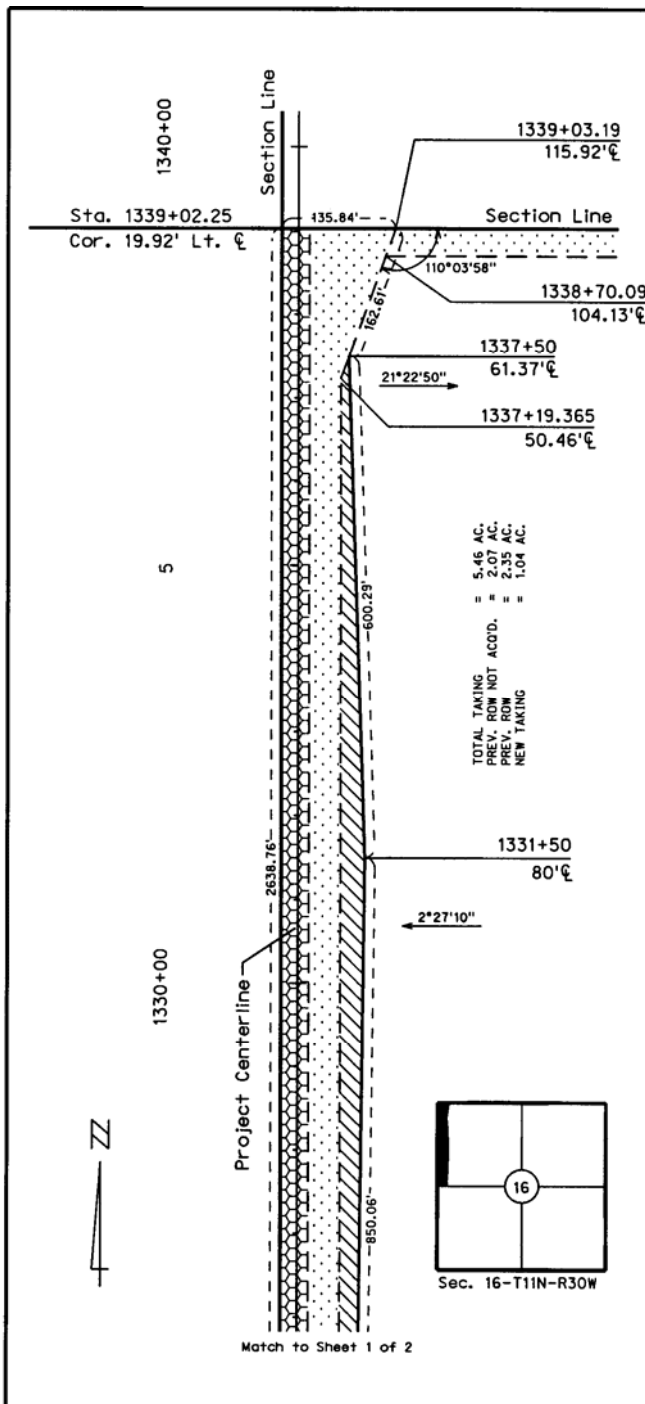
C O N D E M N A T I O N

OWNER: BOARD OF EDUCATIONAL LANDS AND FUNDS (BELF)

FEE SIMPLE TITLE TO A TRACT OF LAND AND ALL IMPROVEMENTS THEREON, IF ANY, FOR HIGHWAY RIGHT OF WAY PURPOSES, LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 30 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LINCOLN COUNTY, NEBRASKA, AS ILLUSTRATED ON THE ATTACHED PLAT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 135.84 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHERLY DEFLECTING 110 DEGREES, 03 MINUTES, 58 SECONDS RIGHT, A DISTANCE OF 162.61 FEET ALONG THE EASTERLY EXISTING HIGHWAY 83 RIGHT OF WAY LINE; THENCE SOUTHERLY DEFLECTING 021 DEGREES, 22 MINUTES, 50 SECONDS LEFT, A DISTANCE OF 600.29 FEET; THENCE SOUTHERLY DEFLECTING 002 DEGREES, 27 MINUTES, 10 SECONDS RIGHT, A DISTANCE OF 850.06 FEET; THENCE SOUTHERLY DEFLECTING 000 DEGREES, 40 MINUTES, 27 SECONDS LEFT, A DISTANCE OF 400.00 FEET; THENCE SOUTHERLY DEFLECTING 002 DEGREES, 52 MINUTES, 14 SECONDS RIGHT, A DISTANCE OF 200.27 FEET; THENCE SOUTHERLY DEFLECTING 001 DEGREES, 39 MINUTES, 04 SECONDS LEFT, A DISTANCE OF 436.21 FEET TO A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION; THENCE WESTERLY DEFLECTING 088 DEGREES, 20 MINUTES, 59 SECONDS RIGHT, A DISTANCE OF 71.00 FEET ALONG SAID LINE TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTHERLY DEFLECTING 090 DEGREES, 26 MINUTES, 22 SECONDS RIGHT, A DISTANCE OF 2638.76 FEET ALONG THE WEST LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING CONTAINING 5.46 ACRES, MORE OR LESS, WHICH INCLUDES 2.35 ACRES, MORE OR LESS, PREVIOUSLY PURCHASED PUBLIC RIGHT OF WAY, 2.07 ACRES, MORE OR LESS, EXISTING PUBLIC RIGHT OF WAY TO BE ACQUIRED, AND 1.04 ACRES, MORE OR LESS, OF NEW RIGHT OF WAY TO BE ACQUIRED.

EXCEPT THE SALT SPRINGS, COAL, OIL, MINERALS OR OTHER NATURAL RESOURCES ON OR CONTAINED IN THE LAND ARE RESERVED BY THE STATE AS PROVIDED BY LAW.



Sheet 2 of 2

PLAT SHOWING
RIGHT OF WAY
TO BE ACQUIRED FROM LAND OWNED BY
OWNER: BOARD OF EDUCATIONAL LANDS AND FUNDS (BELF)

STATE OF NEBRASKA
DEPARTMENT OF ROADS
RIGHT OF WAY DIVISION
LINCOLN, NEBRASKA

TRACT NO. 2
LOCATION LAKE MALONEY SOUTH
PROJECT NO. 83-2(120)
CONTROL NO. 60755

SCALE 1:200

DATE 12-1-92
DRAWN BY J.S.B.
CHECKED BY J.L.D.
COMPUTED BY D.W.E.

PREV. R.O.W.	2.07 AC.
NOT ACQUIRED	2.35 AC.
PREV. R.O.W.	1.04 AC.
NEW R.O.W.	
TEMP. EASE.	
PERM. EASE.	
CONTROLLED ACCESS	

EXAMPLE NOT TO SCALE

SECTION XI
PS&E PLANS
(PLANS, SPECIFICATIONS AND ESTIMATES)

Section XI: PS&E Plans (Plans, Specifications & Estimates)

1) PS&E plan submittals

PS&E Plans are to be plotted at FULL SIZE, and stamped, signed and dated by the Consultant's Engineer assigned to the project. In the PS&E Policy shown at the end of this section the plan sheets show a signature block that is used by the State for the signatures of all parties involved with the project, including the ROW Designer, the ROW Design Unit Supervisor, the ROW Design Engineer, and the Quality Assurance Agent who checked the project. When a Consultant is doing the project it is only necessary to have the Engineer's seal and signature, as they are the one responsible for the final product. Bear in mind that the signature should either be right on top of the seal (crossing it) or touching it in some way or it is not considered valid. The ROW Design Engineer usually signs across at an angle and includes the date as part of the signature. The engineer's stamp is usually electronic, but the signature must be real. The State's PS&E Division has accepted this.

All build notes must be turned off for PS&E plans. The only notes to be left showing are the notes for any "DO NOT DISTURB" items.

Upon completion of the PS&E Plans the Consultant is to submit the required information (as defined in the contract) to the ROW Design Section Consultant Coordinator to whom it is assigned. This includes a complete set of full-size PS&E Plans; a complete set of half-size PS&E Plans, and the CADD files associated with them on a CD. The half-size set of plans does not have to be signed, just stamped.

Once PS&E Plans have been submitted the Negotiations Plans become void. Any further submittals on that project will be PS&E Plan revisions.

2) Revisions

Revisions to PS&E Plans should be kept to a minimum if at all possible. In the event that a revision is necessary the following should be included with all revisions:

- A detailed transmittal form explaining the revisions completed;
- The required revised plan sheet(s), stamped and signed;
- A CD containing the revised CADD files (or they may be emailed to the ROW Design Consultant Coordinator responsible for the project);
- The revised property descriptions in electronic format (see Chapter VIII for specific property description information) either on the CD or emailed to the ROW Design Consultant Coordinator responsible for the project.

3) Formal PS&E plan revisions

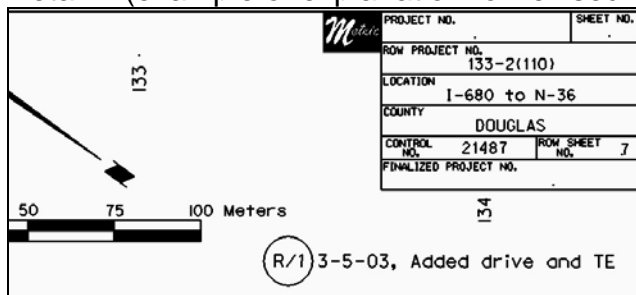
Once the project has been submitted to the Construction Division all future submittals for revisions, etc., must be "Formal" PS&E Plan revisions with the proper revision

information added. This will include an R/1 (or 2, 3, etc., depending on which revision is being done) in a circle with the date¹ and a short explanation (see Detail 1), much like it is done on Roadway Design plans. If the information is put in the upper right hand corner of the sheet then an R/1, etc., in a circle must also be placed close to the area that has been revised for reference (see Detail 2). The Roadway Designer assigned to the project will assign the revision number.

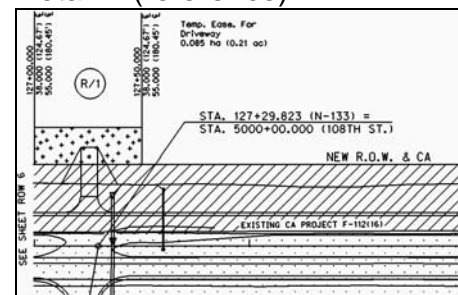
¹The revision number and date are assigned by Roadway Design.

Also required for a formal revision is a copy of the original PS&E sheet(s) with a big, heavy "X" across the entire sheet, and the short explanation of the revision as a "Deleted Sheet" for that sheet (see Details 3 and 4).

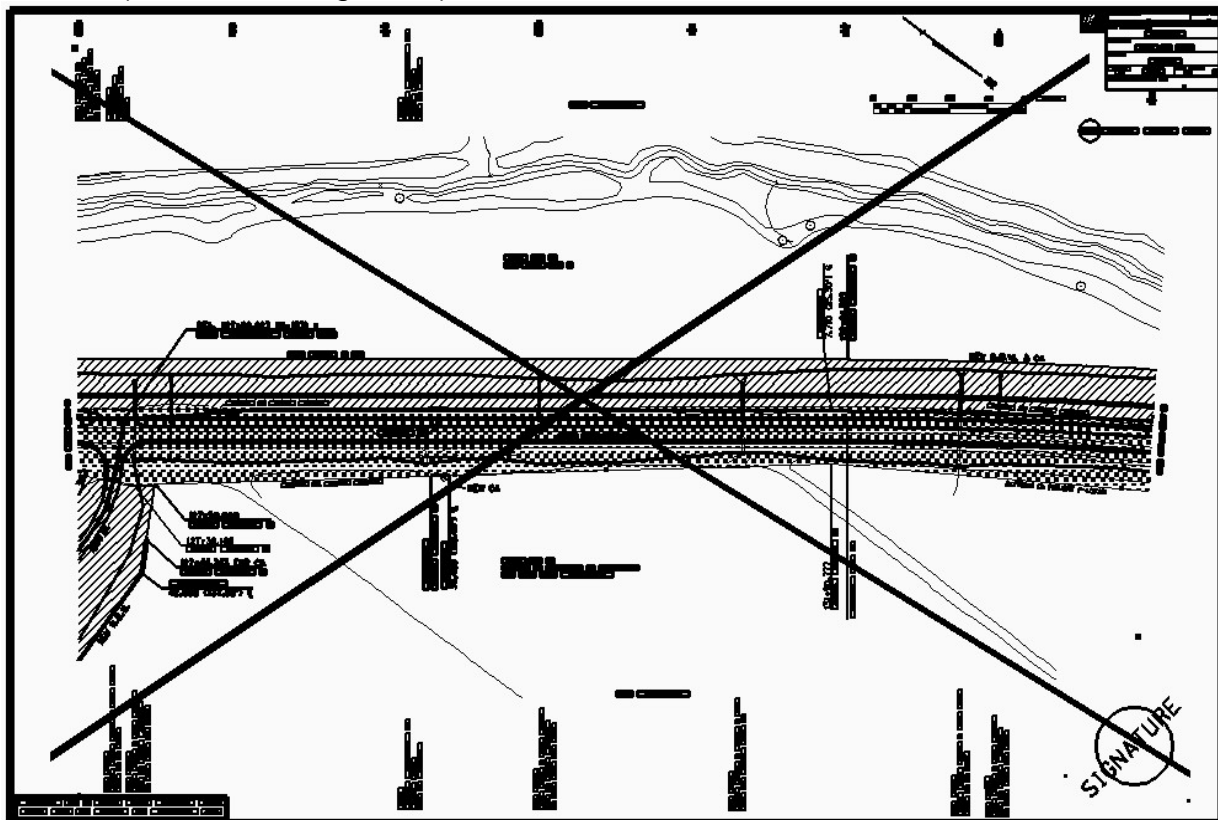
Detail 1 (example of explanation for revised sheet):



Detail 2 (reference):



Detail 3 (deleted existing sheet):



Detail 4 (explanation for deleted sheet):

PROJECT NO.	SHEET NO.
ROW PROJECT NO.	133-2(110)
LOCATION	I-680 to N-36
COUNTY	DOUGLAS
CONTROL NO.	21487
ROW SHEET NO.	7
FINALIZED PROJECT NO.	

R/1 3-5-03, Deleted sheet

In review, the requirements for the PS&E Plan submittals are:

Initial submittal:

- Full size set with seal, date and signature (do not include title sheets or the #2 sheets);
- Half size set with seal only (include title sheets and #2 sheets);
- Current ROW Staking Report electronically; and
- All CADD files on a CD.

Revision submittals:

- Detailed transmittal of all changes made;
- Full size sheet(s) with seal, date and signature, showing the revision stamp and date;
- Half size sheet(s) with seal, revision stamp and date;
- Revised ROW Staking Report electronically (if necessary);
- Revised property descriptions on CD (if necessary); and
- Affected CADD files on a CD.

Formal revision submittals:

- Detailed transmittal of all changes made;
- Full size sheet(s) with revision information (R/2, etc.);
- Full size existing sheet(s) shown as a deleted sheet;
- Half size sheet(s) with seal only;
- All sheets must have revision information shown;
- Revised ROW Staking Report electronically (if necessary);
- Revised property descriptions on CD (if necessary); and
- Affected CADD files on a CD.


	<h1 style="margin: 0;">QUALITY ASSURANCE & SERVICE RELIABILITY</h1>	Policy No. 7.8.1 Revised 5/12/03
ROW DESIGN PROCESS / POLICY		
DESCRIPTION: PS&E plan preparation and transmittal		APPROVED BY: Toby Fierstein DATE: 5-12-03
PURPOSE: The purpose of sending plans to the Roadway Designer is for inclusion into the final PS&E plan package for use by contractors for bidding purposes.		
<p>PROCESS / POLICY:</p> <p>This is to specify a policy for the requests, content and transmittal of full size plans for use in the Plans, Specifications and Estimating (PS&E) Division's plan set. Steps followed for this policy are as follows:</p> <ol style="list-style-type: none"> 1. Requests for full size plans will come from the Roadway Designer to the Right of Way Design Division either through the Right of Way Design Engineer or directly to the Right of Way Designer that the individual project is assigned to. 2. A typical set of PS&E plans will only include sheets numbered 3 and above. The title sheet, situation sheet and number 2 sheets are not to be included. 3. The Right of Way Designer shall create a set of full size plans by removing certain items from the plan sheets. These items are: <ul style="list-style-type: none"> • The Negotiation Plan stamp will be removed from the plan sheet(s) by shutting off the level in which it is placed. • The construction notes will be removed from the plan sheet(s) by shutting off the level(s) in which they are placed, except the Do Not Disturb notes. • The PS&E stamp will then be added in place of the Negotiations Stamp and the date will be inserted below the seal. • The ROW Designer shall use the PS&E Checklist to check his/her own plans prior to submittal to a Quality Assurance Agent. 4. The completed PS&E plan set will be given to a Quality Assurance Agent along with the properly filled out Q/A Check Request form for checking and distribution. Upon completion of the Q/A Agent's check, the following steps will be taken: <ul style="list-style-type: none"> • If needed, the plans will be returned to the Right of Way Designer for corrections. When any necessary corrections are completed, plans <u>must</u> be resubmitted to the Q/A Agent. • Q/A Agent will sign the plans in the appropriate spot, obtain the signatures of the Right of Way Designer, the Right of Way Design Unit Supervisor, have the Right of Way Design Engineer place official stamp and signature in the appropriate spot, and enter date of PS&E Plan transmittal into ARMS. • Q/A Agent will then transmit the plan set to the Roadway Designer with appropriate transmittal form, copies of which will be routed to the Right of Way Designer and the Right of Way Design Engineer. <p>See Figure 7.8.1.2, PS&E Plan Request Flowchart See Figure 7.8.1.3, PS&E Plan Checklist See Figure 7.8.1.4, PS&E Plan Example (Urban) See Figure 7.8.1.5, PS&E Plan Example (Rural)</p>		

Figure 7.8.1, PSE Plan Transmittal Policy

Process for request and transmittal of the PS&E Plans

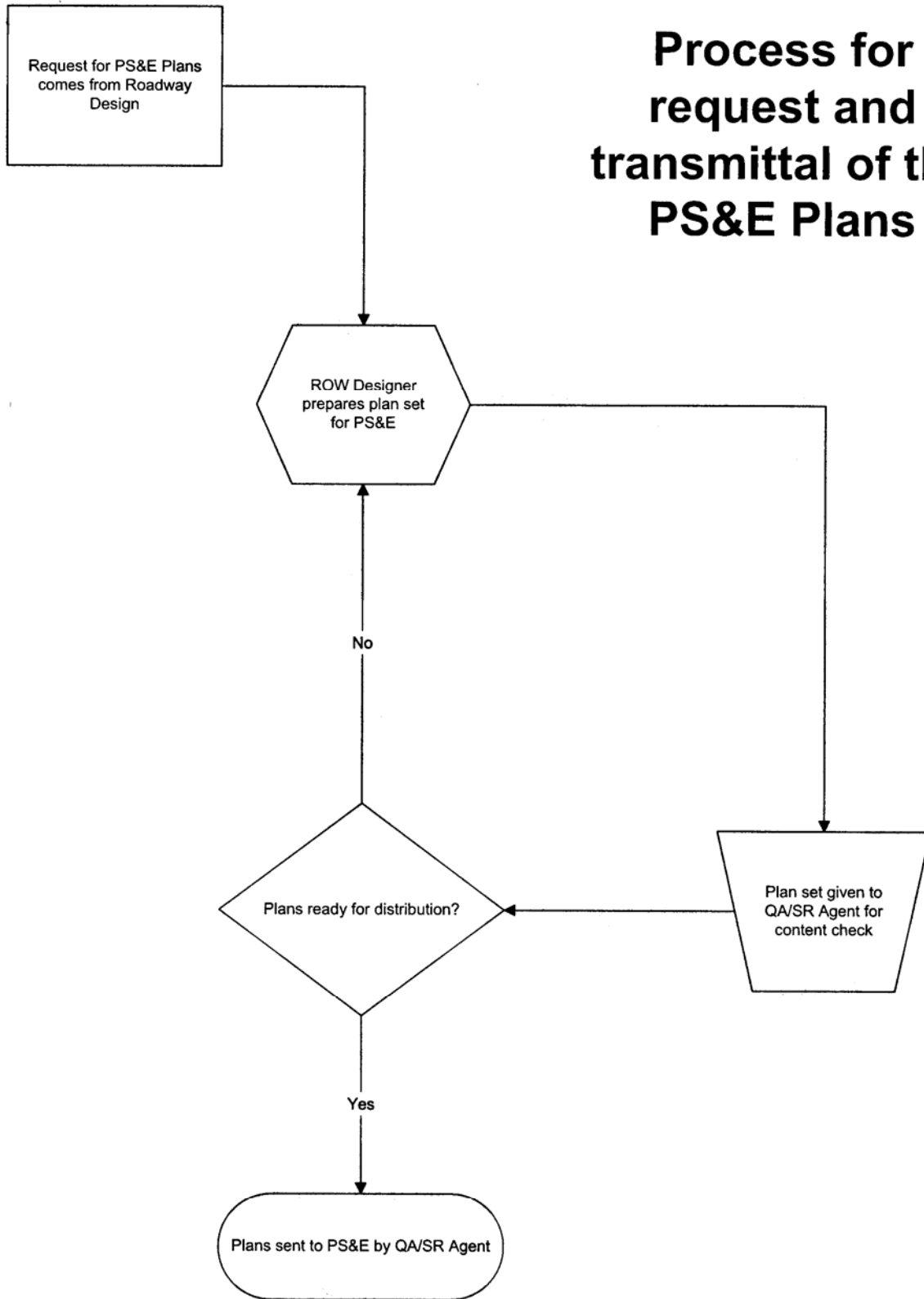
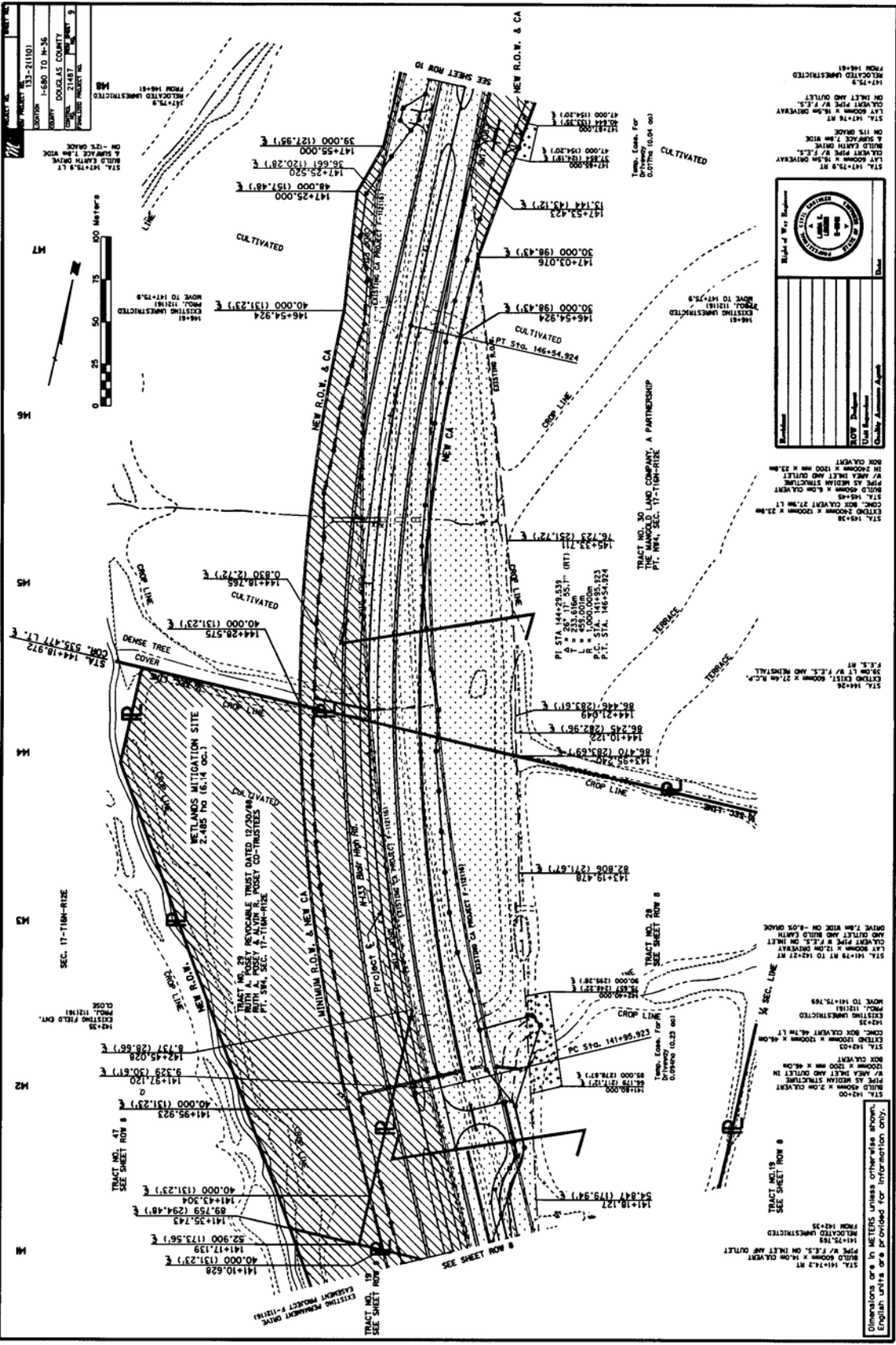


Figure 7.8.1.2. PS&E Plans Request Flowchart



Project Information	
Project No.	131-21103
Sheet No.	1
County	DOUGLAS COUNTY
Project Name	WETLANDS MITIGATION SITE
Date	11/18/10
Drawn By	J. L. HARRIS
Checked By	J. L. HARRIS
Approved By	J. L. HARRIS

WETLANDS
CULTIVATED
DENSE TREE COVER
WETLANDS MITIGATION SITE

Dimensions are in feet. Unless otherwise shown, English units are to govern for information only.

PS&E PLANS CHECKLIST

Project No.:
Project Name:
C.N.:
Designer:
Date checked:
Checked by:
Plans corrected:

	Complete	Partial	Incomplete
1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>
2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PS&E stamp shown on each sheet.

Stamp is proper size (approx 2.5" tall @ full size).

Date under engineer stamp is filled in.

Build notes are turned off (leave DND notes ON.)

Limits of construction (LOC's) are shown on each sheet.

LOC's are covered sufficiently.

All temporary and permanent easements are correctly labeled on plans.

Existing and New Controlled Access labeled per policy.

Every sheet has previous ROW/CA projects labeled.

All stations/offsets for all takings and previous ROW are shown correctly and complete.

Section Lines labeled.

All taking areas are patterned correctly, with no excess patterns hanging out, or encroaching into other areas.

All surveyed centerline(s) are shut off and all references to them deleted (ie: labeling on CL).

Design alignment information shown correctly (PI's, stations, and curve info, etc.).

General appearance/layout/information (cleanliness).

If "formal" revision, information included/complete.

Comments:

Copy to: ☐ **ROW Designer**
☐ **Project File**

This checklist is used by the NDOR's ROW Design section in preparing PS&E plans. It may be used by the Consultant as an aid in preparing the plans for submittal.

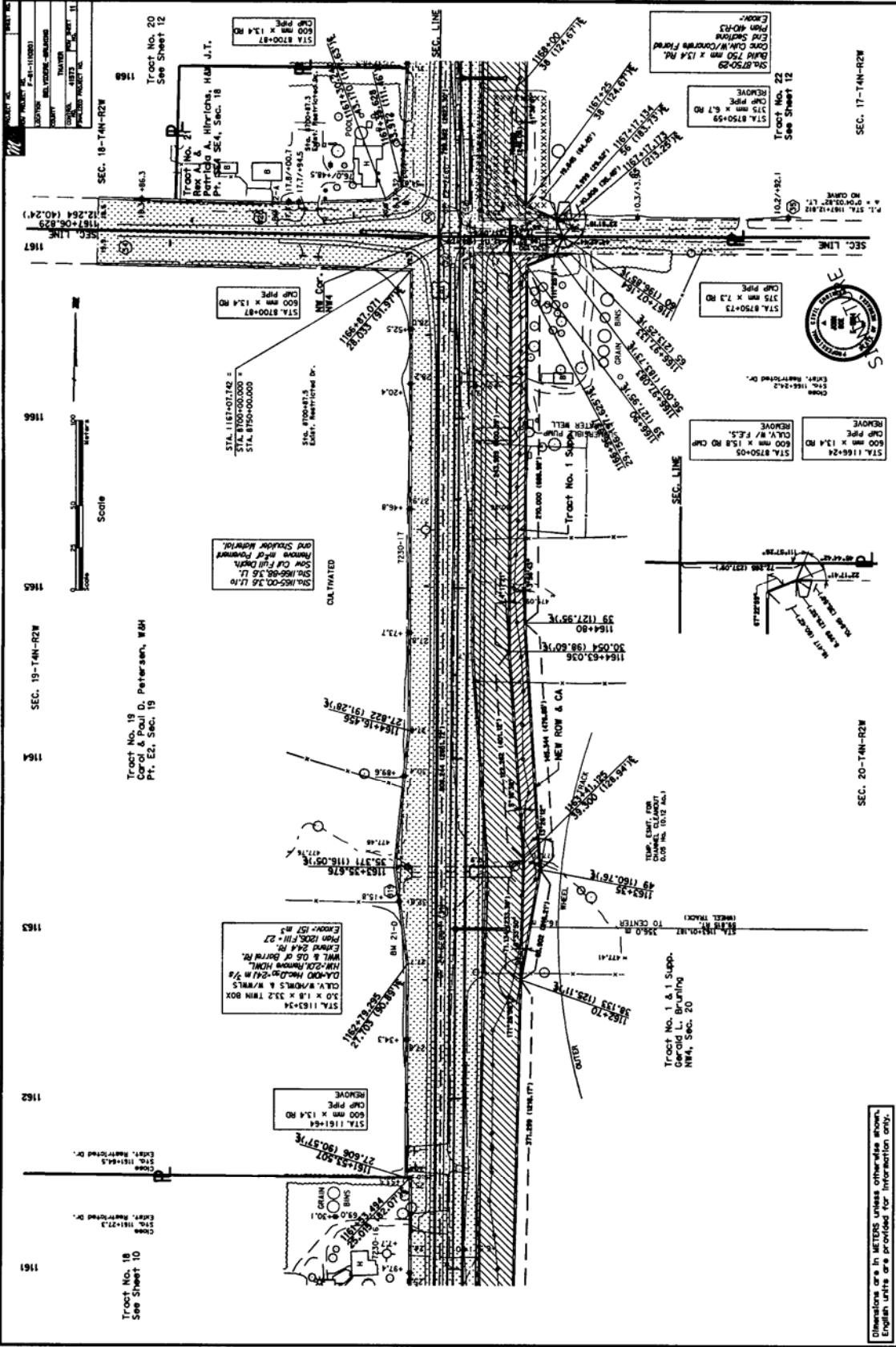
SECTION XII
FINAL ROW PLANS AND CADD FILES FOR
ARCHIVAL

Section XII: Final ROW Plans and CADD files for Archival

When a project is completed (e.g., designed, appraised, acquired, and construction is completed) the ROW plans need to be archived. All Tracts must have the metes and bounds from the property descriptions shown on the plans, with the exception of on the temporary easements. The levels with the temporary easement lines, text, etc., will be shut off. This is because after the project has been completed there is no reason to leave them showing on the plans. All rights have been returned to the owner(s).

All MicroStation CADD files need to be submitted to the State on a compact disk (CD). The reference files do not need to be submitted to the ROW Design Section, but all files pertaining to the ROW must be on the CD, accompanied by a list of the files included thereon, and also a list of all reference files necessary that have been submitted to the Roadway Design Division of the State. In this way there is no duplication of file submittals.

Shown on the following pages are some examples of finalized plan sheets, showing metes and bounds. Note the LOC's outside the existing ROW in some areas. This is where the temporary easements have been shut off.



Distances are in METERS unless otherwise shown. English units are provided for information only.

PROJECT NO.	20256
DATE	11/13/03
BY	W. J. H. TO M. H.
CHECKED	W. J. H. TO M. H.
SCALE	AS SHOWN
SECTION	SECTION 28
ROW	ROW 8

SECTION 28-T144-R12E
 TRACT NO. 28
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 28, T144-R12E
 PT STA. 204+42.735

SECTION 29-T144-R12E
 TRACT NO. 29
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 29, T144-R12E
 PT STA. 204+42.735

SECTION 30-T144-R12E
 TRACT NO. 30
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 30, T144-R12E
 PT STA. 204+42.735

SECTION 31-T144-R12E
 TRACT NO. 31
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 31, T144-R12E
 PT STA. 204+42.735

SECTION 32-T144-R12E
 TRACT NO. 32
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 32, T144-R12E
 PT STA. 204+42.735

SECTION 33-T144-R12E
 TRACT NO. 33
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 33, T144-R12E
 PT STA. 204+42.735

SECTION 34-T144-R12E
 TRACT NO. 34
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 34, T144-R12E
 PT STA. 204+42.735

SECTION 35-T144-R12E
 TRACT NO. 35
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 35, T144-R12E
 PT STA. 204+42.735

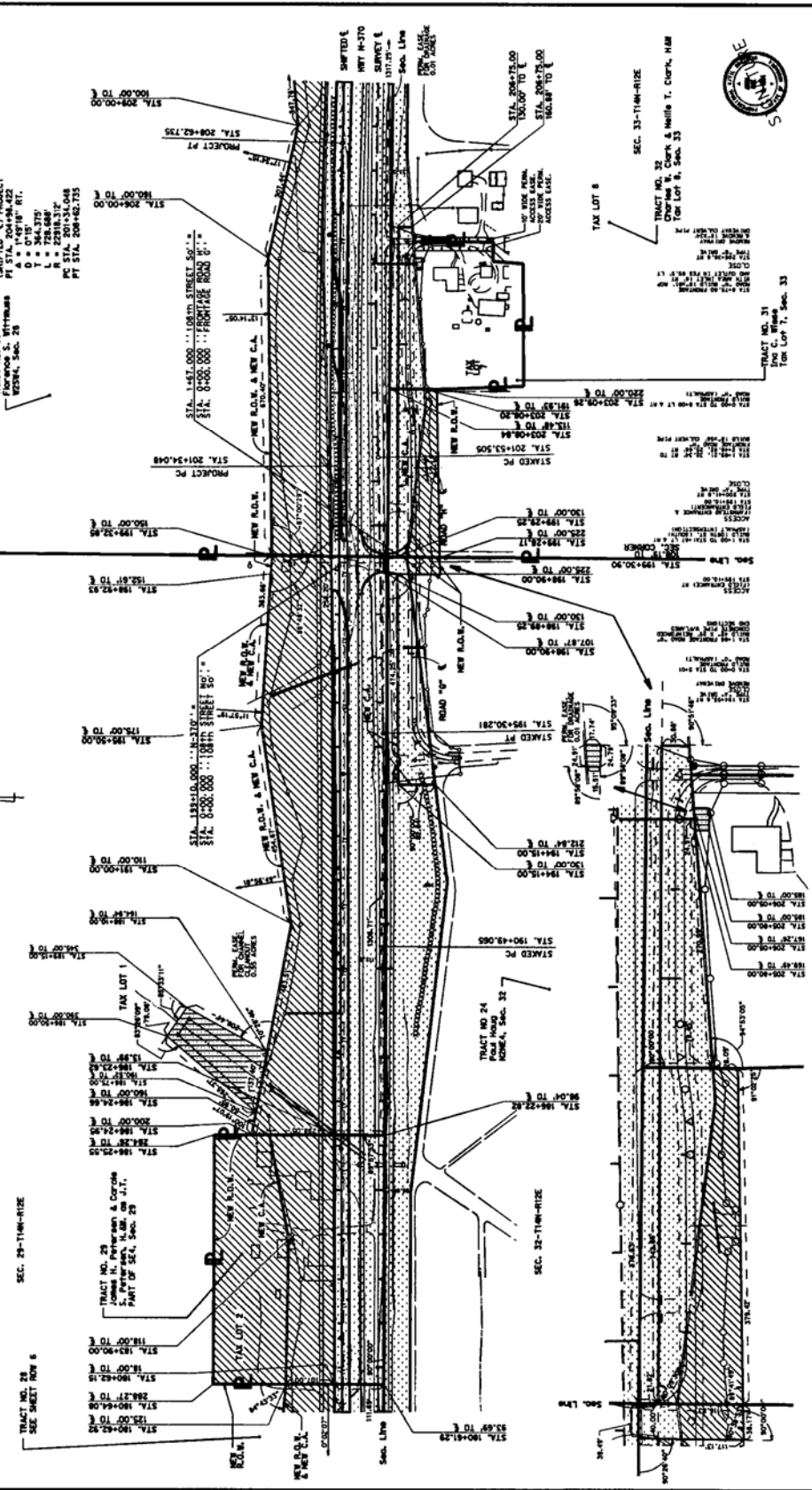
SECTION 36-T144-R12E
 TRACT NO. 36
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 36, T144-R12E
 PT STA. 204+42.735

SECTION 37-T144-R12E
 TRACT NO. 37
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 37, T144-R12E
 PT STA. 204+42.735

SECTION 38-T144-R12E
 TRACT NO. 38
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 38, T144-R12E
 PT STA. 204+42.735

SECTION 39-T144-R12E
 TRACT NO. 39
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 39, T144-R12E
 PT STA. 204+42.735

SECTION 40-T144-R12E
 TRACT NO. 40
 JAMES H. PETERMAN & CORP.
 PART OF SEC. 40, T144-R12E
 PT STA. 204+42.735





SECTION XIII
CORRIDOR PROTECTION PLANS

Section XIII: Corridor Protection Plans

1) Corridor protection plan set

Highways in areas having the potential to develop prior to a planned highway improvement will be reviewed for corridor protection. Corridor protection is designed to coordinate development that may occur adjacent to the selected highway corridor.

The ROW Division has the responsibility for establishing corridor protection on state highways and notifying the public that corridor protection has been filed. If there is a need for corridor protection, a recommendation will be made by the Project Development Division, Roadway Design Division, ROW Division, or the District Engineer.

For projects using an existing alignment for which it is deemed necessary to file corridor protection, a strip 300 feet wide will be designated on both sides of the existing right of way. In the case of projects on a new alignment, a strip 400 feet wide on both sides of the proposed centerline will be designated for corridor protection. These widths are guidelines and may vary depending on the terrain and design. Projects will have corridor protection procedures initiated after the project concept and alignment have been defined.

Corridor protection plans are considered when building requests are presented to local officials. When a property owner files a request for a building permit, the local zoning authority informs the owner that the State has filed corridor protection and the permit cannot be issued unless the State releases the corridor protection. The local authority notifies the State of the request. The State then has two months to approve or disapprove the request. If the State disapproves, then the State has six months to negotiate and acquire the necessary ROW. If the State has not acquired the ROW within six months, the local authority can issue the building permit.

There are two basic ways to prepare corridor protection plans. Each way will contain basic plan information including, but not limited to:

- Sheet border with title block information completed;
- North arrow;
- Scale (if applicable);
- Section lines and quarter section lines;
- Section-Township-Range labels;
- Labeling of County lines, State line, City limits, etc. (if applicable);
- Centerline of highway or proposed highway;
- Property lines;
- Property owner name(s) with ownership data; and
- Corridor lines with labels and width labels on each sheet.

2) Title Research for Corridor Protection plan projects:

When researching ownership information for Corridor Protection projects it is not necessary to locate the mortgage and/or easement information. Necessary information will include the current owner's name(s), mailing address(es), telephone number(s), and the property description(s) of what they own. This information may be handwritten on lined paper if desired, as long as all pertinent information is there.

To research Corridor Protection title information it is usually only necessary to visit the County Assessor's office in the courthouse of the county in which the project is located. Using the project map prepared by the ROW Pre-Design Unit Supervisor, cadastral maps and other records in their office, and possibly a phone book, it is usually not too hard to put together the list of names and the other needed information. When there is a question someone in the County Assessors office will usually be able to help. It is not necessary to do a complete five-year record of ownership search at this time.

3) Corridor protection plan set types:

The first type of corridor protection plan set is done by overlaying information onto aerial photographs. The photos are made into plan sheets that contain the information listed above. No existing ROW is usually shown on plans prepared this way. The centerline, section lines and quarter section lines are added, along with property lines with ownership names and ownership data

The second type of corridor protection plan set is done by laying out existing ROW, etc., in a CADD file, much like setting up an Ownership Plan set. If the topography is available it is used. Sometimes there is an alignment available, other times not. If no centerline is available then one must be created using existing ROW project and surveys. The same goes for the section lines. If a new survey is available it may be used with the centerline being based on that. If no survey is available the section lines will have to be input using information from old project plans and surveys. Property owner names and ownership data is added.

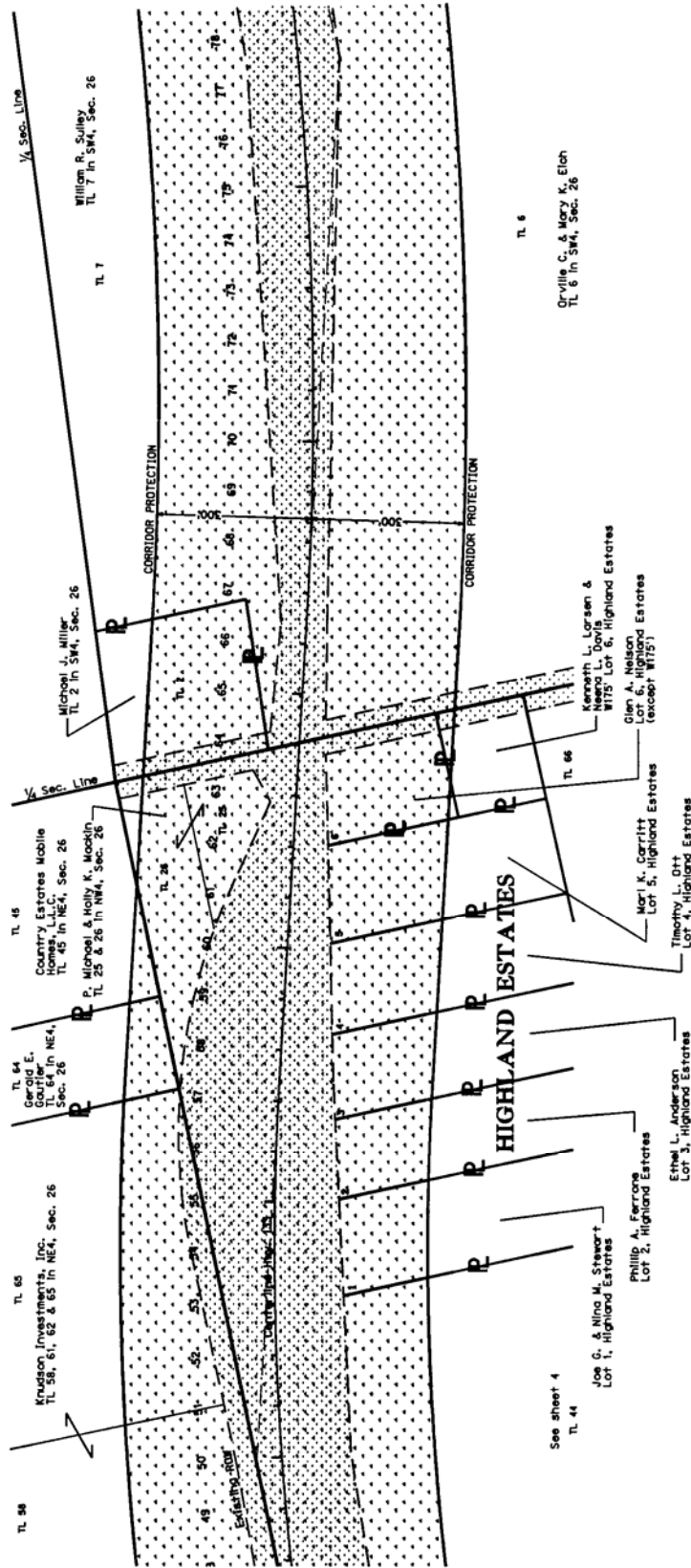
Shown on the following pages is an example of each type of corridor protection plan sheet.

BLANK NO.	135-3(102)
OWNER	BLAIR SOUTH
PROJECT	WASHINGTON/DODGAS
DATE	2/19/81
PROJECT NUMBER	5



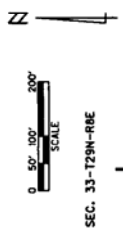
ZZ

Sec. 26-T18N-R11E



Sec. 26-T18N-R11E

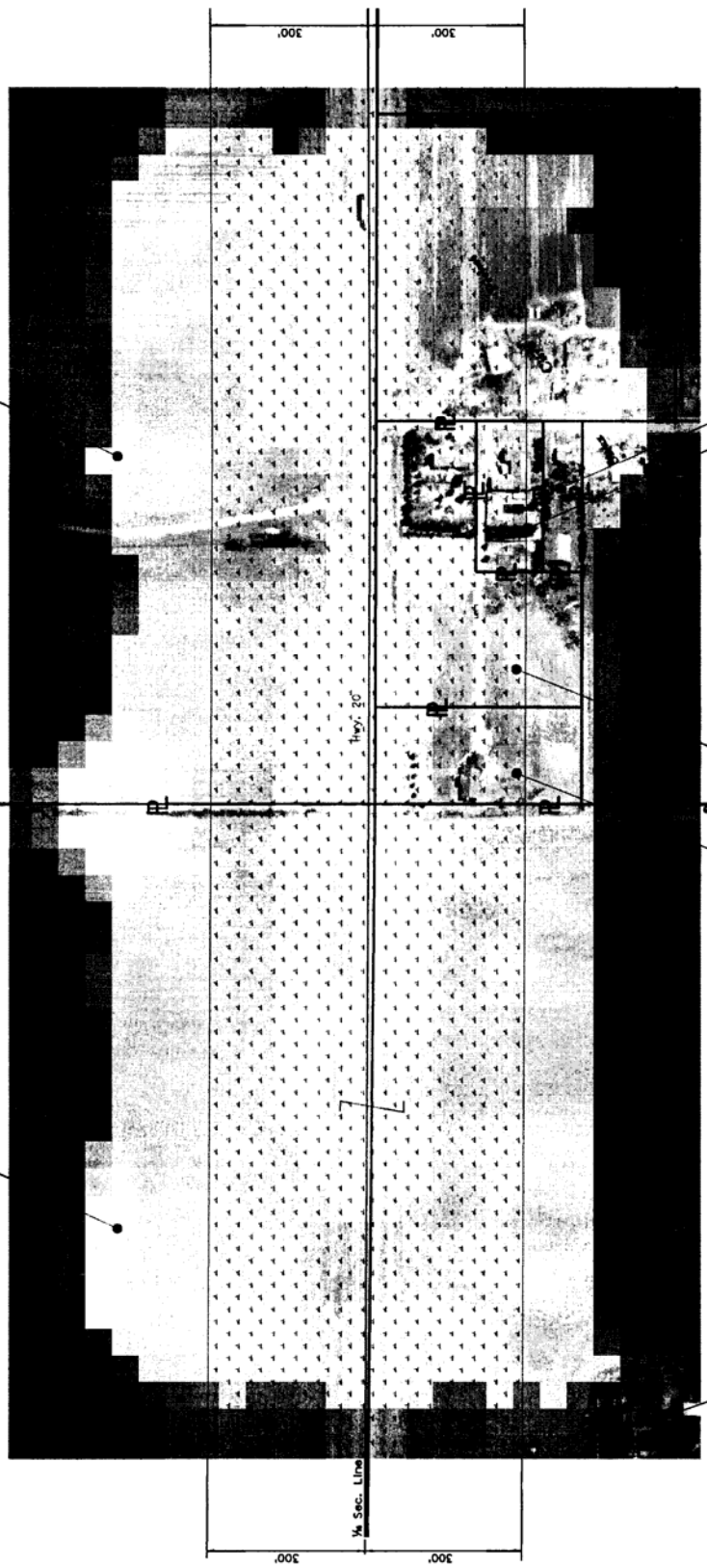
PROJECT NO.	11141
SECTION	JACKSON EAST
COUNTY	DACOTA
TOWNSHIP	33S
RANGE	123E
SECTION	33



SEC. 33-T29N-R8E

Long V. Albershus Living Trust
N 1/4 NE 1/4 Except ROW
Sec. 33-T29N-R8E

Paul Albershus Trustee
E 1/4 NW 1/4 Except ROW
Sec. 33-T29N-R8E



APPROXIMATE CORRIDOR PROTECTION

300'

1/4 Sec. Line

Hwy. 20

300'

300'

- Larry & Claudette Albershus
PT of the SE 1/4 NW 1/4
Sec. 33-T29N-R8E
- Rodger Bentz Jr. & Rebecca Bentz
The West 1/2 of Lot 1
So. Sioux City Project
Sec. 33-T29N-R8E
- Virgil & Rita Olligmueller
Lot 1 Except South 189'
of the East 290'. So. Sioux City Project
Sec. 33-T29N-R8E
- Hans T. Krudsen
Lot 6 So. Sioux City Project
Sec. 33-T29N-R8E
- Todd S. & Morde Eva Brinkley Eriksen
South 15' of the East 290' of Lot 1
So. Sioux City Project
Sec. 33-T29N-R8E
- Richard Allen & Sheila Marie Olligmueller
North 14' of the South 189'
of the East 290' of Lot 1
So. Sioux City Project
Sec. 33-T29N-R8E

SEC. 33-T29N-R8E

SECTION XIV
MISCELLANEOUS

Section XIV: Miscellaneous

1) Supplemental Takings

When it becomes necessary to add takings to a Tract that has already been purchased it is done with a Supplemental Taking. The taking(s) are designed as needed and labeled as a Supplemental Taking.

In one situation where we have already bought an easement, and have now decided to purchase new ROW taking over the top of it, the easement area will remain on the plans and the new ROW taking will be patterned over the top of it (showing double patterning). An example will be shown at the end of this section.

The Tract ownership label will be altered as such:

Old:	Tract No. 1	New:	Tract No. 1 & 1 Supplemental
	Gerald L. Bruning, et al		Gerald L. Bruning, et al
	NW4, Sec. 20		NW4, Sec. 20

In the label, it is best to spell out the word Supplemental, but where room is an issue the word may be abbreviated as Supp. or Suppl.

At the location where the supplemental taking is being taken a label will need to be added to the plan sheet(s) pointing to it (see example).

In the case where there is additional new ROW taking being designed outside of the earlier designed new ROW taking the patterning will be shown at 90 degrees opposite of the original patterning, just to make it more noticeable. Also, if an easement has already been purchased underneath the new taking area, the patterning should be left showing and the new taking patterned on top of it (see example).

The Summary of Areas sheet (#2 sheet) will need to have the Supplemental taking added on a separate line (see example).

A separate property description will need to be written using Tract No. 1 Supplemental as the tract number (see example).

The example shown on the last four pages of this section is for Tract No. 1 from Project 81-1(1020), Belvidere-Bruning, CN: 41573. Copies included for this example include the summary of areas sheet, the plan sheet, and the property description.

2) Early Acquisitions

Some times it is necessary to buy a parcel of land earlier than at the Negotiations stage. When this happens an Early Acquisition is required.

Requirements for an Early Acquisition submittal are:

- A set of Appraisal Plan¹ sheet(s) for the area(s) being bought early; and
- An electronic set of property description(s)² for the area(s) being purchased as an early acquisition; and
- CADD files on a CD that pertain to the area(s) being bought early.

¹Please refer to Section VII for Appraisal Plan sheet requirements and examples.

²Please refer to Section VII for Property Description requirements.

3) Option 'A' & 'B' situations

On some projects there are remainders left after the taking for the highway is decided. During the negotiation process sometimes the negotiator will make an offer to the property owner to purchase the property with or without the remainder area. When that happens the negotiator needs to have both deeds available for signatures.

Upon request from the State, the Consultant must furnish a property description for the optional taking. This property description needs to be labeled as Option 'B'. The original design will be considered as Option 'A'.

Once the Tract has been negotiated and the deeds have been signed then the plan sheets will need to be updated (if needed) to reflect the final purchase decision.

4) Instructions for the ROW Staking Report

Please refer to the Readme.txt file included with the Geopak downloads available on NDOR's website for detailed instructions.

Staking reports are to be delivered to NDOR in electronic format, either on a CD or via email.

NOTE: ALL AREAS SHOWN ARE HECTARES (ACRES) UNLESS OTHERWISE NOTED

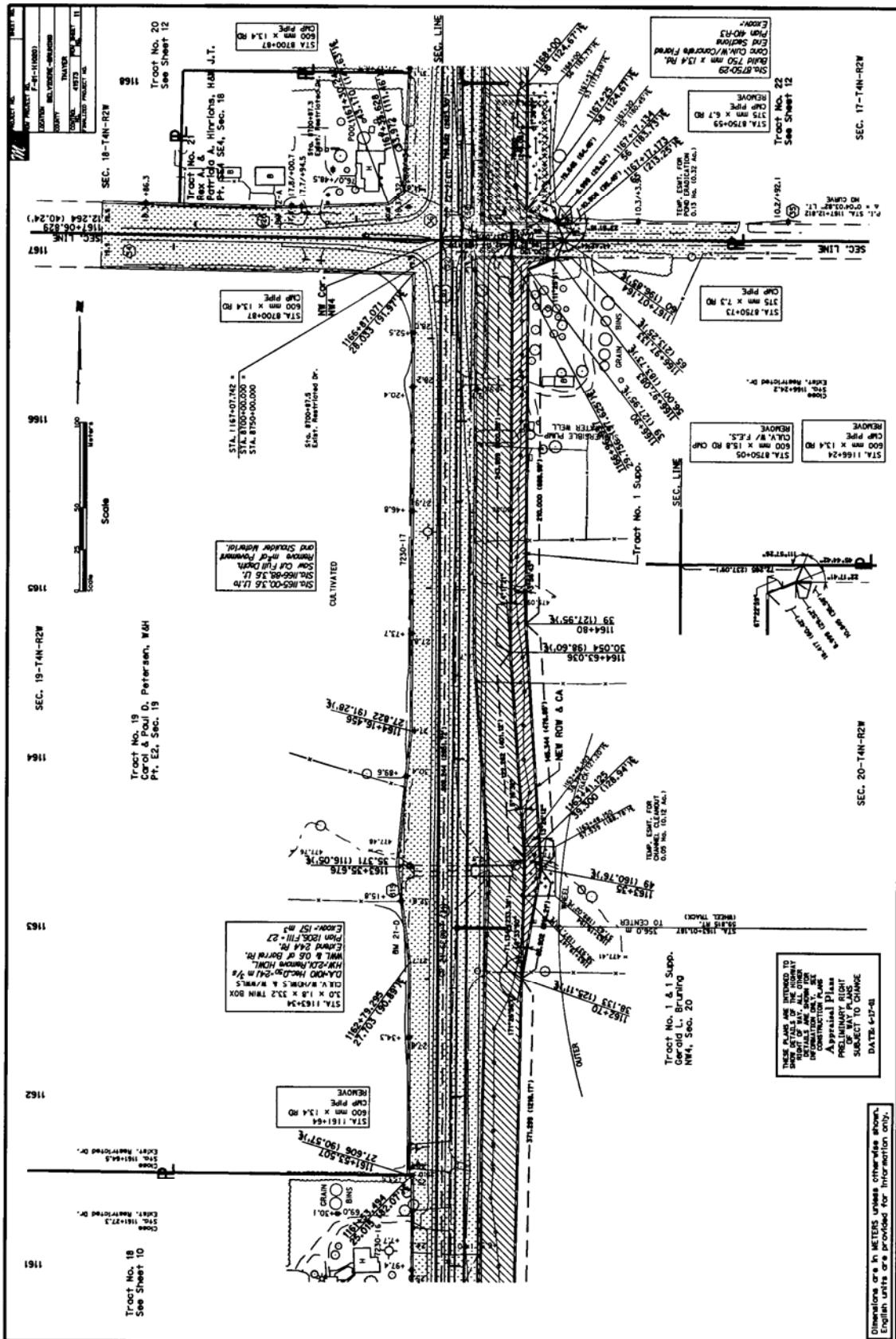
[illegible]

THE PLANS ARE INTENDED TO
SHOW DETAILS OF THE HIGHWAY
RIGHT OF WAY. ALL OTHER
DETAILS ARE SHOWN FOR
INFORMATION ONLY. SEE
CONSTRUCTION PLANS
Approval Plans
PRELIMINARY RIGHT
OF WAY PLANS
SUBJECT TO CHANGE
DATE: 6-17-81

Dimensions are in METERS unless otherwise shown.
English units are provided for information only.

DEPARTMENT OF ROADS - RIGHT OF WAY DIVISION

DATE: 6-17-01



F-81-1(1020) BELVIDERE - BRUNING

TRACT NO. 1 SUPPLEMENTAL

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE SIXTH PRINCIPAL MERIDIAN, THAYER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 42.114 METERS (138.17 FEET) ALONG THE NORTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 30.150 METERS (98.92 FEET) ALONG SAID NORTH LINE; THENCE SOUTHWESTERLY DEFLECTING 111 DEGREES 57 MINUTES 26 SECONDS RIGHT A DISTANCE 10.845 METERS (35.58 FEET); THENCE SOUTHWESTERLY DEFLECTING 045 DEGREES 44 MINUTES 42 SECONDS RIGHT, A DISTANCE OF 18.417 METERS (60.42 FEET); THENCE SOUTHERLY DEFLECTING 067 DEGREES 22 MINUTES 59 SECONDS LEFT, A DISTANCE OF 210.000 METERS (688.98 FEET); THENCE SOUTHERLY DEFLECTING 003 DEGREES 56 MINUTES 43 SECONDS LEFT, A DISTANCE OF 145.344 METERS (476.85 FEET); THENCE SOUTHERLY DEFLECTING 013 DEGREES 26 MINUTES 12 SECONDS RIGHT, A DISTANCE OF 65.902 METERS (216.21 FEET); THENCE NORTHERLY DEFLECTING 171 DEGREES 26 MINUTES 56 SECONDS RIGHT, A DISTANCE 71.134 METERS (233.38 FEET); THENCE NORTHERLY DEFLECTING 005 DEGREES 16 MINUTES 38 SECONDS LEFT, A DISTANCE OF 122.262 METERS (401.12 FEET); THENCE NORTHERLY DEFLECTING 004 DEGREES 17 MINUTES 21 SECONDS RIGHT, A DISTANCE OF 243.959 METERS (800.39 FEET) TO THE POINT OF BEGINNING, CONTAINING 0.40 HECTARES (1.00 ACRES), MORE OR LESS.

THERE WILL BE NO INGRESS OR EGRESS OVER THE FOLLOWING DESCRIBED CONTROLLED ACCESS LINE LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 2 WEST OF SIXTH PRINCIPAL MERIDIAN, THAYER COUNTY, NEBRASKA;

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY A DISTANCE OF 72.265 METERS (237.09 FEET) ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTHWESTERLY DEFLECTING 111 DEGREES 57 MINUTES 26 SECONDS RIGHT A DISTANCE 10.845 METERS (35.58 FEET) TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF A PUBLIC ROAD; THENCE EASTERLY DEFLECTING 111 DEGREES 57 MINUTES 26 SECONDS LEFT, A DISTANCE OF 8.999 METERS (29.52 FEET) ALONG SAID ROAD RIGHT OF WAY LINE TO THE POINT OF BEGINNING; THENCE WESTERLY DEFLECTING 180 DEGREES 00 MINUTES 00 SECONDS RIGHT, A DISTANCE OF 8.999 METERS (29.52 FEET); THENCE SOUTHWESTERLY DEFLECTING 022 DEGREES 17 MINUTES 41 SECONDS LEFT A DISTANCE OF A DISTANCE OF 18.417 METERS (60.42 FEET); THENCE SOUTHERLY DEFLECTING 067 DEGREES 22 MINUTES 59 SECONDS LEFT, A DISTANCE OF 210.000 METERS (688.98 FEET); THENCE SOUTHERLY DEFLECTING 003 DEGREES 56 MINUTES 43 SECONDS LEFT, A DISTANCE OF 145.344 METERS (476.85 FEET); THENCE SOUTHERLY DEFLECTING 013 DEGREES 26 MINUTES 12 SECONDS RIGHT, A DISTANCE OF 65.902 METERS (216.21 FEET) TO THE POINT OF TERMINATION.

SAID GRANTOR DOES HEREBY RETAIN AND RESERVE TO SAID GRANTOR AND TO HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS ALL RIGHTS TO OIL AND GAS MINERALS, IN OR ON THE ABOVE DESCRIBED REAL PROPERTY. SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS SHALL HAVE NO RIGHT TO ENTER OR USE THE SURFACE OF SAID REAL PROPERTY FOR ANY PURPOSE CONCERNING SAID OIL AND GAS MINERAL RIGHTS, NOR SHALL SAID GRANTOR AND/OR HIS, HER OR THEIR HEIRS, SUCCESSORS AND ASSIGNS IN EXTRACTING SAID OIL AND GAS MINERALS FROM SAID REAL PROPERTY, DAMAGE OR IN ANY WAY IMPAIR THE USE OF SAID REAL PROPERTY.

AND ALSO, PERMANENT EASEMENT TO A TRACT OF LAND AND ALL IMPROVEMENTS, IF ANY, FOR ACCESS PURPOSES LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE 6TH PRINCIPAL MERIDIAN, THAYER COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE SOUTHERLY A DISTANCE OF 808.244 METERS (2651.72 FEET) ALONG THE WEST LINE TO THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EASTERLY DEFLECTING 090 DEGREES, 10 MINUTES, 13 SECONDS LEFT, A DISTANCE OF 42.262 METERS (138.66 FEET) ALONG THE SOUTH LINE OF SAID QUARTER SECTION TO THE POINT OF BEGINNING; THENCE EASTERLY DEFLECTING 000 DEGREES, 00 MINUTES, 00 SECONDS, A DISTANCE OF 10.670 METERS (35.01 FEET); THENCE NORTHWESTERLY DEFLECTING 138 DEGREES, 53 MINUTES, 14 SECONDS LEFT, A DISTANCE OF 13.897 METERS (45.59 FEET); THENCE SOUTHERLY DEFLECTING 129 DEGREES, 51 MINUTES, 34 SECONDS LEFT, A DISTANCE OF 9.140 METERS (29.99 FEET) TO THE POINT OF BEGINNING, CONTAINING 48.65 SQUARE METERS (524.47 SQUARE FEET), MORE OR LESS.

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