

**MINUTES**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, MARCH 15, 2016**  
**9:00 A.M.**

*Advance public notice of the Board of Commissioners meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on March 11, 2016.*

Commissioners present: Roma Amundson, Chair; Todd Wiltgen, Vice-Chair; Bill Avery, Deb Schorr and Larry Hudkins

Others present: Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Kelly Lundgren, County Clerk's Office

*The Chair called the meeting to order at 9:00 a.m., the pledge of allegiance was recited and the location of the Nebraska Open Meetings Act was announced.*

**1) MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 8, 2016.**

**MOTION:** Wiltgen moved and Schorr seconded approval of the minutes. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

**2) CLAIMS: Approval of all claims process through March 15, 2016.**

**MOTION:** Avery moved and Wiltgen seconded approval of the claims. Hudkins, Schorr, Wiltgen, Avery and Amundson voted aye. Motion carried 5-0.

**3) SPECIAL PRESENTATIONS:**

**A. Recognition of the County-City Building art exhibit – Cliff Hollestelle**

Cliff Hollestelle thanked the Board for the opportunity to display his artwork in the County-City Building. He said his interest began in his youth doing soap carvings. Hollestelle presented additional pieces and discussed the various types of wood and techniques used. He distributed copies of a catalog illustrating his 2006 University of Nebraska State Museum exhibit. (Exhibit A)

**B. 2015 Lancaster County Treasurer's Office Employees of the Year – Bill Jarrett, Chief Deputy and Susan Ross, Manager of the Department of Motor Vehicles**

The Clerk read the nominations for the record. Andy Stebbing, County Treasurer, presented Candace Meredith, Deputy County Treasurer and Don Arp, Motor Vehicle Manager, the awards on behalf of Bill Jarrett and Susan Ross who were unable to attend the meeting.

**SPECIAL PRESENTATIONS CONTINUED:**

**C. Commissioners' Award of Excellence – February Winner – Dan Miller, Corrections, in the category of Valor.**

The Clerk read the nomination for the record. Mike Thurber, Corrections Administrator, thanked the County Board for the opportunity to recognize Miller for his quick reaction during a serious situation. Avery presented Miller the award on behalf of the Board.

Miller thanked the Board, his family and coworkers for their support.

**D. Recognizing March 21-25, 2016 as Severe Weather Awareness Week and April 16, 2016 as Central Plains Severe Weather Symposium and Storm Spotter Appreciation Day and Certificate of Appreciation for the Lancaster County Amateur Radio Operators. (See correlating items 5A and 5B)**

Jim Davidsaver, Emergency Management Director, said a committee is currently reviewing security and safety for the County-City Building. He presented the new signage that will designate safe areas in the event of severe weather. Davidsaver noted that a statewide tornado drill will take place on Wednesday, March 23, 2016 at 10:00 a.m. Davidsaver introduced John Mardock, President of the Lincoln Amateur Radio Club.

Amundson presented Mardock with a Certificate of Appreciation. Mardock accepted the certificate on behalf of over three hundred Lincoln Amateur Radio Operators. He said the members participate in over twenty-five events a year accounting for over three thousand volunteer hours. Mardock said the events range from storm spotting, helping with the Lincoln Marathon and Lancaster County Fair and providing assistance when the 911 Center was down. He thanked the Board for recognizing the members' time and efforts.

**4) PUBLIC HEARING:**

**A. Public hearing regarding the proposed sale of a vacated portion of (old) South 54<sup>th</sup> Street generally located between Martell Road and Hickman Road. (See correlating item 5C)**

The Chair opened the public hearing. No one appeared to testify in support, opposition or in a neutral position. The Chair closed the public hearing.

**NEW BUSINESS:**

**C. Resolution regarding the proposed sale of vacated portions of South 54<sup>th</sup> Street including declaring that the property no longer serves a County purpose, determining fair market value and setting the date for sale of the property. (R-16-0017)**

**MOTION:** Schorr moved and Hudkins seconded approval of the resolution.

**NEW BUSINESS CONTINUED:**

David Derbin, Deputy County Attorney, said that the fair market value recommended by the County Engineer is \$116,000 and it should be entered into the resolution prior to approval. Derbin presented a copy of the County Engineer's appraisal to the County Clerk's staff. (Exhibit B)

**AMENDMENT:** Hudkins moved to amend the original motion to include the fair market value amount (\$116,000) in the resolution.

Schorr, the maker of the original motion, felt it would be more appropriate to reopen the public hearing so that the appraisal could be officially submitted.

The motion failed for lack of a second.

The Chair reopened the public hearing.

David Derbin, Deputy County Attorney, was administered the oath and restated that the County Engineer's Office established a fair market value of \$116,000 for the vacated property and that a copy of the appraisal has now been officially filed with the County Clerk's Office.

No one else appeared to testify in support, opposition or in a neutral position.

The Chair closed the public hearing.

**AMENDMENT:** Schorr moved to amend the original motion to include the fair market value of \$116,000 and the Hudkins concurred. Schorr, Hudkins, Avery, Wiltgen and Amundson voted aye. Motion carried 5-0.

**5) NEW BUSINESS:**

- A. Resolution in the matter of recognizing March 21-25, 2016 as Severe Weather Awareness Week and April 16, 2016 as Central Plains Severe Weather Symposium and Storm Spotter Appreciation Day. (R-16-0016)**

**MOTION:** Avery moved and Wiltgen seconded approval of the resolution. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

- B. Certificate of Appreciation for the Lancaster County Amateur Radio Operators.**

**MOTION:** Avery moved and Wiltgen seconded approval of the certificate. Wiltgen, Schorr, Hudkins, Avery and Amundson voted aye. Motion carried 5-0.

- C. Resolution regarding the proposed sale of vacated portions of South 54<sup>th</sup> Street including declaring that the property no longer serves a County purpose, determining fair market value and setting the date for sale of the property. (R-16-0017)**

Item was moved forward on the agenda.

**NEW BUSINESS CONTINUED:**

- D. Resolution authorizing the installation of the following signs in Lancaster County: Install two 30 M.P.H. speed limit signs (R2-1) in Walton, one on South 120<sup>th</sup> Street just north of A Street for northbound traffic, and one on A Street just west of South 120<sup>th</sup> Street for westbound traffic. (R-16-0018)**

Pam Dingman, County Engineer, noted that the speed limit signs will improve the safety of the intersection.

**MOTION:** Avery moved and Hudkins seconded approval of the resolution. Hudkins, Avery, Wiltgen, Schorr and Amundson voted aye. Motion carried 5-0.

- E. Recommendation from the Purchasing Department and the County Engineer to award a contract to Midwest Coatings Company, Inc., for crack sealing bituminous pavement in the amount of \$102,150.15. (B-16-0008)**

Dingman noted that this is the annual supply of bituminous pavement. She said this will extend the life of existing asphalt.

**MOTION:** Hudkins moved and Avery seconded approval of the recommendation. Avery, Wiltgen, Schorr, Hudkins and Amundson voted aye. Motion carried 5-0.

- F. Administrative services agreement with Blue Cross and Blue Shield of Nebraska for claims administrative services for the Lancaster County self-funded group health care program, effective January 1, 2015. (C-16-0108)**

**MOTION:** Hudkins moved and Wiltgen seconded approval of the agreement. Wiltgen, Hudkins, Avery, Schorr and Amundson voted aye. Motion carried 5-0.

- G. Utility Permit No. 1385 allowing Time Warner Cable Company to add new aerial cable installation to the existing power poles in the area of South Coddington Avenue and West Burnham Street to West Calvert Street. There is no cost to Lancaster County. (C-16-0109)**

**MOTION:** Avery moved and Hudkins seconded approval of the utility permit. Avery, Schorr, Hudkins, Wiltgen and Amundson voted aye. Motion carried 5-0.

- H. Utility Permit No. 1386 allowing Time Warner Cable Company to perform new underground cable installation in the area of Southwest 33<sup>rd</sup> Street and West Pleasant Hill Road. There is no cost to Lancaster County. (C-16-0110)**

**MOTION:** Hudkins moved and Avery seconded approval of the utility permit. Hudkins, Wiltgen, Schorr, Avery and Amundson voted aye. Motion carried 5-0.

**NEW BUSINESS CONTINUED:**

- I. Amendment to County Contract C-13-0317 between Graybar Electric Company, Lancaster County, the City of Lincoln and the Lincoln-Lancaster County Public Building Commission for the annual requirements of electrical products. Pricing will be pursuant to the County of Los Angeles, California Contract MA-IS-1340234-1. Cost to the County is not to exceed \$15,000. The amendment renews the contract from April 1, 2016 through March 31, 2017. (C-16-0111)**

**MOTION:** Wiltgen moved and Schorr seconded approval of the amendment. Schorr, Avery, Wiltgen, Hudkins and Amundson voted aye. Motion carried 5-0.

- J. Amendment to County Contract C-15-0186 between Safety-Kleen Systems, Inc., Lancaster County and the City of Lincoln for the annual requirements for parts washer services/recycling solvent on an as needed basis. The County shall pay for products and services according to the line item pricing as listed in the contractor's proposal. Cost to the County is not to exceed \$1,000. The amendment extends the contract from April 14, 2016 through April 13, 2017. (C-16-0112)**

**MOTION:** Schorr moved and Hudkins seconded approval of the amendment. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

- K. Amendment to County Contract C-13-0111 with Halls Culligan for the annual supply of water softener salt. The amendment renews the agreement for an additional one-year term from March 8, 2016 to March 7, 2017. (C-16-0113)**

**MOTION:** Avery moved and Hudkins seconded approval of the amendment. Hudkins, Schorr, Wiltgen, Avery and Amundson voted aye. Motion carried 5-0.

- L. Amendment to unit price contract C-15-0187 between Lancaster County and Schmader Electric Construction, Inc., for the maintenance and repair of emergency management sirens on an as needed basis. The County will pay for products and services according to the line item pricing in the contractor's proposal. The amendment extends the term of the contract from April 14, 2016 through April 13, 2017. (C-16-0114)**

**MOTION:** Avery moved and Hudkins seconded approval of the amendment. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

- M. Amendment to County Contract C-14-0129 with encompass for the annual supply of Haworth office seating. The amendment reflects price increases as per Attachment A and renews the agreement for an additional one-year term from March 13, 2016 to March 12, 2017. (C-16-0115)**

**MOTION:** Wiltgen moved and Hudkins seconded approval of the amendment. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

**NEW BUSINESS CONTINUED:**

- N. Amendment to County Contract C-14-0193 with All Needs Computer & Mailing Services, Inc. for the annual requirements of mailing services. The amendment renews the agreement for an additional one-year term from April 15, 2016 to April 14, 2017. (C-16-0116)**

**MOTION:** Schorr moved and Hudkins seconded approval of the amendment. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

- 6) PUBLIC COMMENT: Those wishing to speak on items relating to County business not on the agenda may do so at this time.**

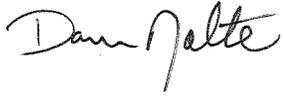
Gary Aldridge, 7112 South 45<sup>th</sup> Street, Lincoln, NE, appeared and commented on articles related to property tax relief solutions. He noted what could be tax relief for some individuals could result in tax increases for others. Aldridge stated the solution begins with citizens and watchfulness.

**7) ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will hold a staff meeting on Thursday, March 17, 2016 at 8:30 a.m., in the Bill Luxford Studio (Room 113) of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln).**
- B. The Lancaster County Board of Commissioners will hold their next regular meeting on Tuesday, March 22, 2016 at 9:00 a.m., in Room 112 of the County-City Building (555 S. 10<sup>th</sup> Street, Lincoln) with the Board of Equalization immediately following.**
- C. The Lancaster County Board of Commissioners will not hold a meeting on Tuesday, March 29, 2016 due to the Board's attendance at the Nebraska Association of County Officials (NACO) Southeast District Meeting at Eugene T. Mahoney State Park.**
- D. The County Commissioners can be reached at 402-441-7447 or [commish@lancaster.ne.gov](mailto:commish@lancaster.ne.gov).**
- E. The Lancaster County Board of Commissioners meeting is broadcast live. It is rebroadcast on Tuesdays (1:30 p.m. and 7:00 p.m.), Wednesdays (12:00 a.m.-midnight) and Saturdays (3:30 p.m.) on 5 City-TV, Cable Channel 5. In addition, the meeting may be viewed on the internet at [lancaster.ne.gov](http://lancaster.ne.gov) under 5 City-TV, Video on Demand or 5 City-TV on YouTube.**

8) **ADJOURNMENT**

**MOTION:** Wiltgen moved and Schorr seconded to adjourn the Lancaster County Board of Commissioners meeting at 9:51 a.m. Hudkins, Schorr, Wiltgen, Avery and Amundson voted aye. Motion carried 5-0.

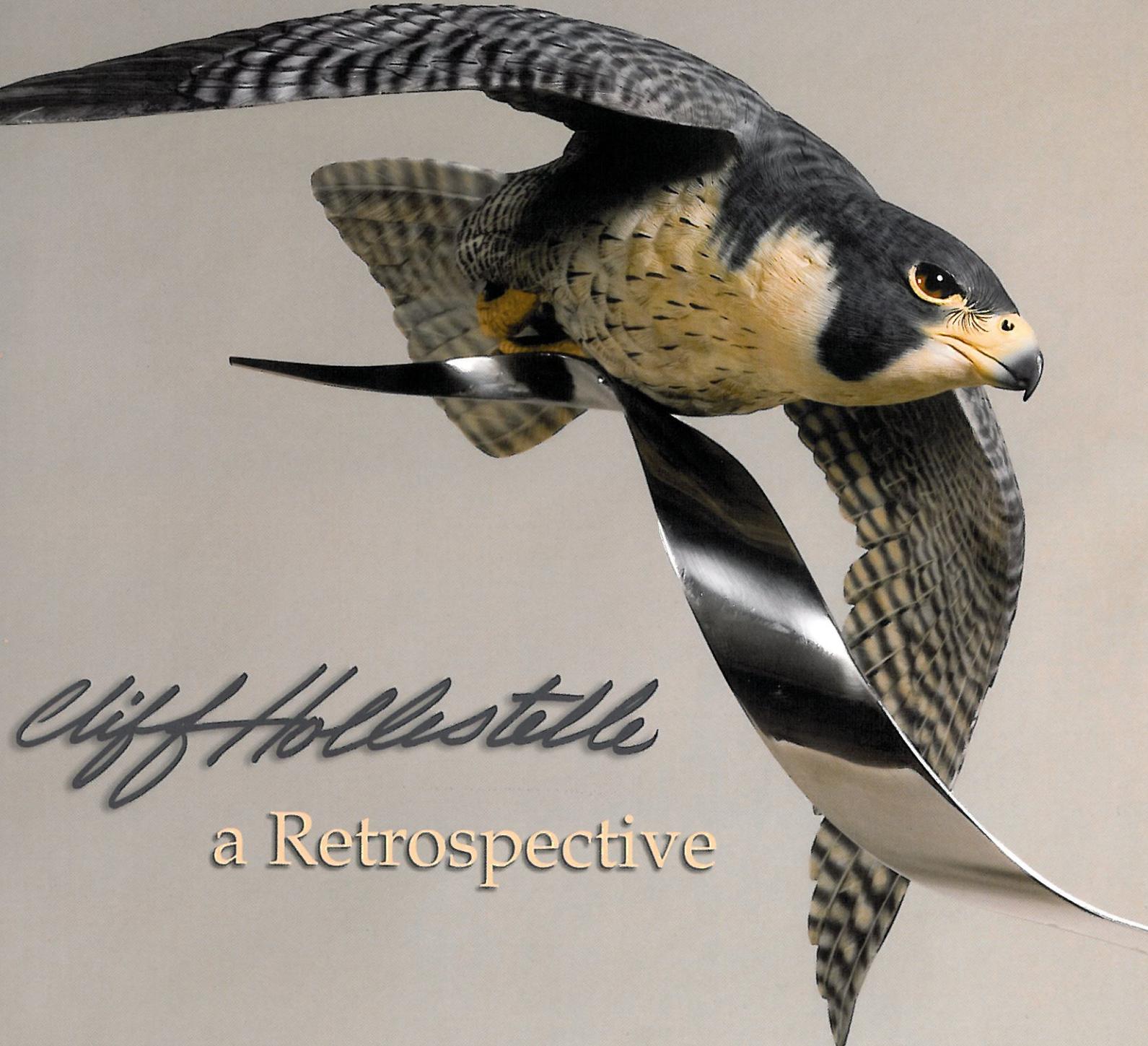


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Dan Nolte, County Clerk



EXHIBIT  
tabbles  
A



*Cliff Hollistelle*  
a Retrospective

# Cliff Hollestelle

## A Retrospective

*The wildlife sculpture and art of Cliff Hollestelle*

University of Nebraska State Museum Exhibit  
December 1, 2006 – April 1, 2007

*Cover: Soaring Predator, Peregrine Falcon, private collection*

*Colorful Attraction, 1993*  
*Ruby-throated Hummingbird*  
*Acrylic on tupelo,*  
*15 by 8 by 6 inches*  
*Private collection*



# Dedication

To my wife, my family, my friends and all the  
winged creatures of the Earth.

# Foreword

*Whenever an artist gets it "exactly right," there is something magical about a bird carving that lifts it outside the realm of a second-rate imitation of a live bird, and into a different place, something that somehow captures the personality of that particular bird. This trait puts the carving outside the possibilities offered by a perfectly composed photograph, or even paintings, because, unlike such representations, one can examine the carving from any angle, and test to see if the magic holds up. Whenever I judged bird carvings in competitions, I always first looked closely at each one in side, top, front, rear, and bottom profiles, looking for any fatal flaws that destroyed its veracity. Not surprisingly, Cliff typically got it "exactly right."*

*While judging carvings at the World Championship competition, my favorite ploy was to pull a ruler out of my pocket and carefully make bill measurements while picking the "best-of-show," in the belief that all the carvers watching would make mental notes to be certain that next time they would get their measurements exactly spot-on. As one who helped Cliff in his very early efforts at decoy carving, I am very pleased to see how far he has come. It is an equal treat to see how far the practice of bird-carving has developed since the 1970s, when decoy-carving first emerged into an art form, rather than being only a craft.*

*— Paul Johnsgard,  
Foundation Professor Emeritus of Biological Science*



# Cliff Hollestelle

Cliff Hollestelle is a native of Omaha and lifelong Nebraska resident. He received a Bachelor of Fine Arts degree from the University of Nebraska-Omaha and later a Master's Degree in Education from the University of Nebraska-Lincoln. Cliff worked as a graphic artist for the University for ten years before becoming Administrative Assistant to the Director of the Barkley Memorial Center at UNL, a position he retired from in 1996. Bird sculpture has been a passion throughout Cliff's adult life.

During the 1970s, collecting hand-carved decoys of the late-1800s and early-1900s, the working tools of market hunters and sportsmen, swelled in popularity along with other folk art. Paralleling that interest was a revival in hand-fashioning wooden birds as decorative objects. During the early-1970s, Hollestelle and most other carvers produced smooth-bodied decoys, but soon began suggesting larger wing and tail feathers in relief. By the 1980s, feather details were being engraved with wood-burning tools. Carvers not only replicated the subtle variation in color of feathers, but also the intricate structure of individual feathers. And, bird species other than ducks and geese became objects of work for carvers.

Cliff's bird carving and bird sculpturing spanned those decades when three-dimensional bird representation evolved to be much more than just decoys. Even before Cliff's first bird was cast in bronze in 1980, he had made the transition from bird carver to bird sculptor, producing lifelike works depicting birds in natural and varied postures, including in flight; groups of birds, as his common loon or Canada geese with young; or a pair of wood ducks sharing a log with a soft-shelled turtle.



Cliff was a charter member of the Central Flyway Decoy Carvers and Collectors Club that formed in Lincoln in 1970. In 1982, Cliff's drake ruddy duck received the Best of Show Decorative Floating Deco at the Ward Foundation World Championship Wildfowl Competition in Ocean City, Maryland, the pinnacle achievement for a wildfowl sculptor. Cliff continues to compete in juried competition throughout the United States and Canada.

Cliff's work, both in wood and bronze, can be found across the United States and abroad in galleries, art museums and private collections. Several of Cliff's waterfowl sculptures are a permanent part of wildlife dioramas at the Nebraska State Museum in Morrill Hall. Cliff's talent has been noted as the Nebraska Ducks Unlimited Artist of the Year and featured artist at Nebraskaland Days Art Show in North Platte. Cliff has served as a judge in numerous, prestigious, wood sculpture competitions in both the U.S. and Canada.



*Family Outing, 1990*  
Common Loons  
Acrylic on tupelo,  
13 by 45 by 26 inches  
Dale and Vicki Jensen collection



*On Guard, 2004  
Bald Eagle  
Acrylic on tupelo,  
32 by 66 by 16 inches  
John and Nancy Brager collection*



*Bambi, 1950  
Chalk drawing,  
20 by 26 inches  
Artist collection*



*Shimmering Sunlight, c. 1964, oil on canvas, 30 by 42 inches, Vincent Brown family collection*



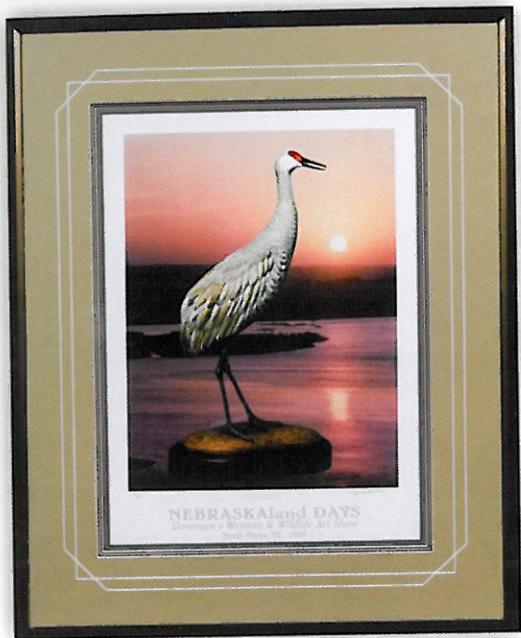
*World Champion, 1982  
Ruddy Duck  
Acrylic on tupelo,  
5 by 9 by 7 inches  
Artist collection*



*Sentinel, 1998  
Pintail  
Acrylic on tupelo,  
25 by 19 by 12 inches  
Drs. Diane Gilles and Stephen  
Johnson collection*



*A Pair to Draw To, 2005  
Green-winged Teal  
Acrylic on tupelo,  
27 by 19 by 13 inches  
Private collection*



*Sandhill Crane, 1993*  
*Poster,*  
*26 by 34 inches*  
*Artist collection*



*Master of Disguise, 2001*  
*Northern Bobwhite*  
*Acrylic on tupelo,*  
*9 by 10 by 8 inches*  
*Bill and Sandra Condon collection*



*Waterfowl Feathers Potpourri*  
*Acrylic on tupelo,*  
*13 by 34 inches*  
*John and Nancy Brager collection*



*Early Arrival, 1999  
Sandhill Crane  
Bronze edition of 50,  
24 by 10 by 10 inches  
Artist collection*



*Platte River Rendezvous  
Sandhill Cranes  
Bronze edition of 50, sold out,  
12 by 10 by 6 inches  
Artist collection*



Joy, 2003  
Sandhill Crane,  
Bronze edition of 50,  
22 by 17 by 15 inches  
Artist collection



Joy with feather remarque,  
Photo with Sandhill Crane feather, Acrylic on tan  
20 by 19 inches  
Ken and Alice McElhose Collection



*Blue Jay, 1994*  
*Acrylic on tupelo, 13 by 10 by 9 inches*  
*Artist collection*



*Maestro of the Prairie, 2005*  
*Meadowlark, acrylic on tupelo, 12 by 8 by 6 inches*  
*Private collection*



*Flicker, 1996, acrylic on tupelo, 15 by 10 by 7 inches*  
*Kay and John Reed collection*



*Stellar's Jay, 1996, acrylic on tupelo,*  
*19 by 13 by 7 inches, Jim and Marge Hewitt collection*



*Cardinal, 1996*  
*Acrylic on tupelo,*  
*10 by 8 by 5 inches*  
*Artist collection*



*Black-billed Magpie*  
*Acrylic on*  
*14 by 18 by 13*  
*Collection of the Estella Geis*



*Blue Jay Feather*  
*Acrylic on tupelo,*  
*11 by 15 inches*  
*John and Nancy Brager collection*



*Primary Colors, 2000*  
 Songbird feathers, acrylic on tupelo, 17 by 27 inches  
 John and Nancy Brager collection



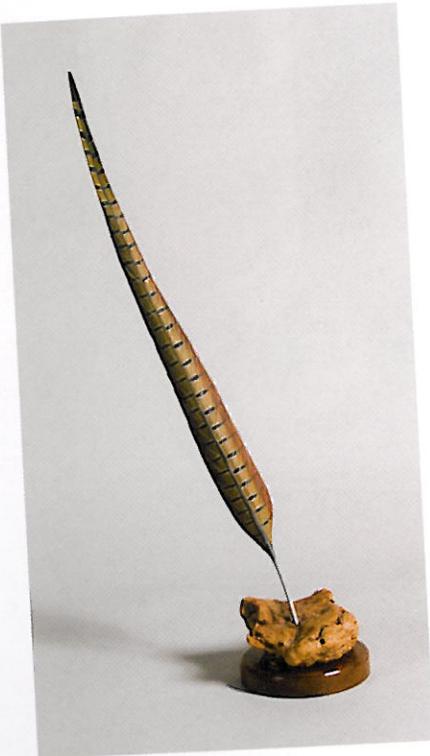
*Backyard Visitor, 1996*  
 White-throated Sparrow  
 Acrylic on tupelo,  
 14 by 7 by 7 inches  
 Chuck and Linda Wilson collection



*Mallard Drake, 1982  
Acrylic on tupelo, 7 by 7 by 4 inches  
Private collection*



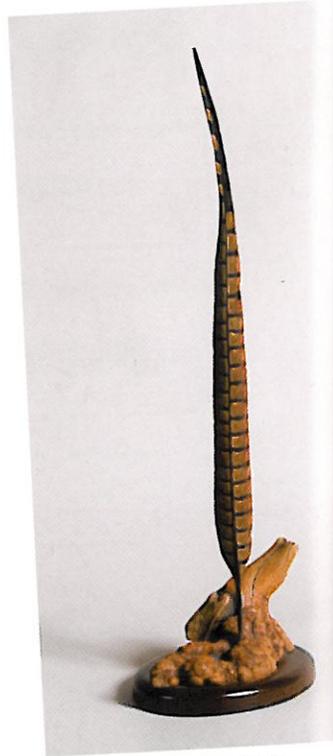
*Ruddy Duck, 1985  
Acrylic on tupelo, 6 by 6 by 6 inches  
Private collection*



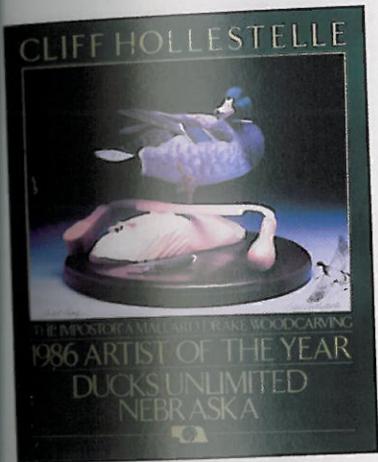
*Pheasant Tail Feather, 1988  
Acrylic on tupelo, 24 by 9 by 9 inches  
Private collection*



*Turkey Feathers, 1992  
Acrylic on tupelo, 18 by 8 by 7 inches  
Private collection*



*Pheasant Tail Feather, 1992  
Acrylic on tupelo, 24 by 10 by 6 inches  
Collection of Ken & Alice McEllicott*



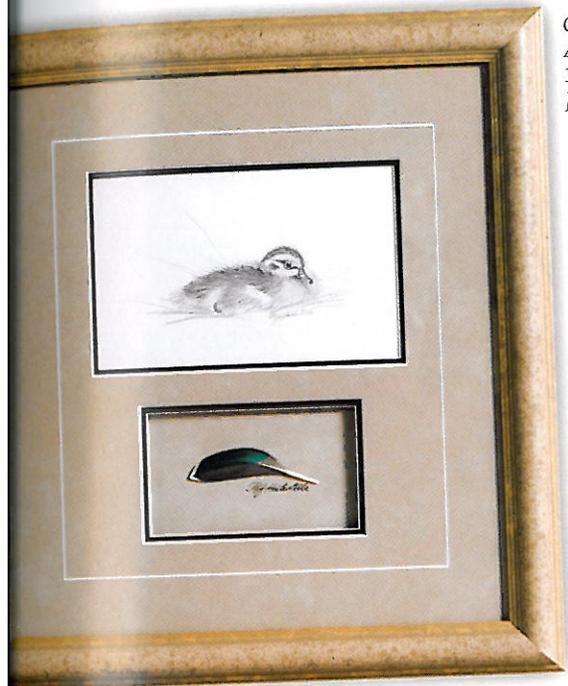
*The Imposter, 1986  
Mallard  
Acrylic on tupelo,  
15 by 18 by 18 inches  
Bruce and Betty Anderson collection*



*Merriam Turkey Feather*  
Acrylic on tupelo,  
17 by 5 by 4 inches  
Ken and Alice McElhose collection



*Waterfowl Feathers With*  
Acrylic  
20 by  
Private



*Green-winged Teal Feather, with duckling remarque, 1999*  
*Acrylic on tupelo feather with pencil drawing,*  
*18 by 16 inches*  
*John and Nancy Brager collection*



*Spring Courtship, 1985*  
*Ruddy Ducks*  
*Acrylic on tupelo,*  
*7 by 14 by 14 inches*  
*Abel family collection*

*Along the Water's Edge, 2006*  
Wood Duck  
Acrylic on tupelo,  
15 by 14 by 10 inches  
Artist collection





*Green-winged Teal, 2004  
Acrylic on tupelo, 6 by 10 by 6 inches  
Private collection*



*Mallard, 1978  
Acrylic on tupelo, 7 by 11 by 4 inches  
Private collection*



*Harlequin Duck, 1973  
Acrylic on tupelo, 7 by 14 by 6 inches  
Private collection*



*Bluebill, 1971  
Acrylic on sugar pine, 7 by 13 by 5 inches  
Artist collection*



*Wood Duck, 1976  
Acrylic on tupelo, 5 by 12 by 5 inches  
Artist collection*



*Green-winged Teal  
Acrylic on tupelo, 5 by 11 by 10 inches  
Private collection*



*Hooded Merganser, 2001*  
*Acrylic on tupelo, 7 by 13 by 5 inches*  
*Dr. Jim and Nancy Ganser collection*



*Bluebill, 1991*  
*Acrylic on tupelo, 7 by 15 by 8 inches*  
*Private collection*



*Resting Ruddy, 1993*  
*Ruddy Duck*  
*Acrylic on tupelo, 6 by 12 by 8 inches*  
*John and Megan Massey collection*



*Scarlet Macaw, 1997  
Acrylic on palm frond,  
8 by 28 by 8 inches  
Miller collection*



*Black-billed Magpie  
Acrylic on palm frond,  
5 by 21 by 6 inches  
Artist collection*



*Rooster Pheasant, 1997  
Acrylic on palm frond,  
7 by 28 by 6 inches  
Miller collection*



*Ring-necked Pheasant,  
1997  
Acrylic on palm frond,  
7 by 22 by 6 inches  
Miller collection*



*Great Blue Heron, 1998  
Acrylic on palm frond,  
10 by 23 by 8 inches  
Miller collection*



*Blue-phase Snow Goose  
Acrylic on palm frond,  
10 by 23 by 8 inches  
Miller collection*



*Family Choir  
Canada Goose and  
Acrylic on  
20 by 26 by 1.  
Center for Great Plains Studies, UN-L. ca*



Lunch, 2006  
Great Blue Heron  
Bronze, edition of 15  
41 by 26 by 22 inches  
Artist collection

Carroll t



*Floating Majesty, 2001  
Common Loon  
Acrylic on tupelo,  
10 by 20 by 12 inches  
Drs. Diane Gilles and  
Stephen Johnson collection*



*Canada Goose, 2004  
Acrylic on tupelo,  
11 by 22 by 9 inches  
Carroll and Ruth Dolson collection*



*His Majesty, 2003*  
*Bald Eagle*  
*Bronze, edition of 25*  
*36 by 13 by 16 inches*  
*Artist collection*

The In  
Wood i  
Bronze  
Collect



*Colorful Nobility, 2006*  
*Ring-necked Pheasant*  
*Acrylic on tupelo,*  
*18 by 30 by 9 inches*  
*John and Nancy Brager collection*



*The Intruder, 2000*  
*Wood Ducks and Soft-shelled Turtle*  
*Bronze, edition of 10, 13 by 45 by 13 inches*  
*Collection of artist*



*Soaring Predator, 2004*  
*Peregrine Falcon*  
*Acrylic on tupelo,*  
*31 by 19 by 21 inches*  
*Private collection*



*Guardian, 2005  
Canada Goose  
Acrylic on tupelo,  
32 by 23 by 14 inches  
John and Nancy Brager collection*



*White-fronted Goose, 2000  
Acrylic on tupelo,  
12 by 20 by 11 inches  
John and Nancy Haessler collection*



*Blue-phase Snow Goose, 1999  
Acrylic on tupelo,  
10 by 23 by 8 inches  
Collection of Drs. Diane Gilles and  
Stephen Johnson*



*Canada Goose, 1975*  
*Acrylic on tupelo,*  
*11 by 27 by 11 inches*  
*Miller collection*



*Canada Goose Feather, 2005*  
*Acrylic on tupelo,*  
*16 by 19 inches*  
*Gary and Joyce McNally collection*



*Resting Time, 1994*  
Common Loon  
Acrylic on tupelo,  
14 by 21 by 16 inches  
Drs. Diane Gilles and Stephen Johnson collection



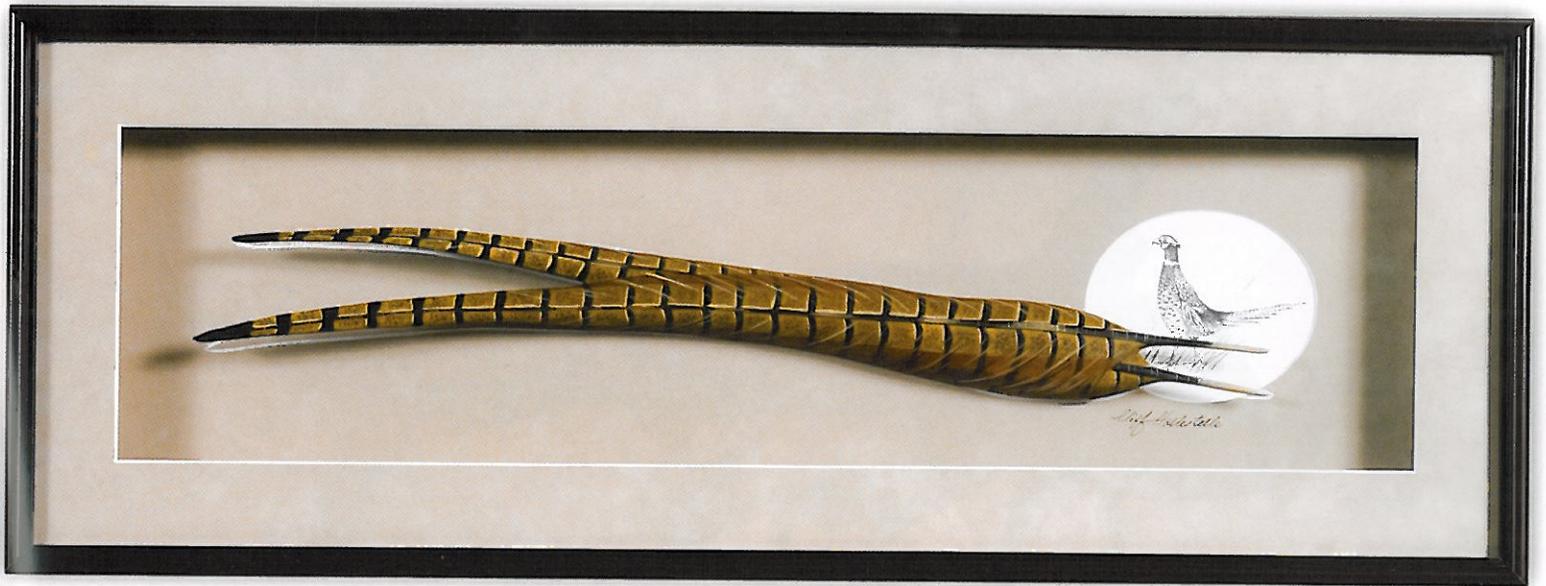
*Nature's Splendor, 2006*  
Waterfowl feathers  
Acrylic on tupelo,  
19 by 38 inches  
Steve and Carol Andersen collection



*Canada Goose, 1981*  
Acrylic on tupelo,  
9 by 11 by 7 inches  
Artist collection

*Merriam Turkey, 1984*  
*Acrylic on tupelo,*  
*31 by 33 by 18 inches*  
*Buzz and Percy Madson collection*





*Pheasant Tail Feathers, 2000*  
*Ring-necked pheasant feathers with remarque*  
*Acrylic on tupelo, 12 by 34 inches, Drs. Diane Gilles and Stephen Johnson collection*



*Pheasant Feathers Study*  
*Ring-necked pheasant feathers with medallion*  
*Acrylic on tupelo, 17 by 35 inches, John and Nancy Brager collection*



*Unexpected Hazards, 2005*  
*Merriam Turkeys*  
*Bronze, edition of 50*  
*14 by 18 by 12 inches*  
*Abel family collection*



*Tom and Jake, 1990*  
*Merriam Turkeys*  
*Acrylic on tupelo,*  
*11 by 12 by 6 inches*  
*Private collection*



*Blue-winged Teal in Flight, 1998*  
Acrylic on tupelo,  
18 by 11 by 7 inches  
Private collection



*Early Morning Flight, 1995*  
Green-winged Teal  
Acrylic on tupelo,  
13 by 9 by 6 inches  
John and Megan Massey collection



*Canada Goose, 1997*  
*Acrylic on tupelo, 13 by 10 by 7 inches*  
*Kirk and Charlene Reimers collection*



*Eye Catcher, 1988*  
*Mallard, acrylic on tupelo,*  
*6 by 6 by 4 inches, private collection*



*Waterfowl Feathers, A Study, 2005, acrylic on tupelo, 20 by 40 inches, Drs. Diane Gilles and Stephen Johnson collection*



*Sportsman's Prize, 1996*  
*Ring-necked Pheasant*  
*Acrylic on tupelo, 10 by 7 by 4 inches*  
*Private collection*



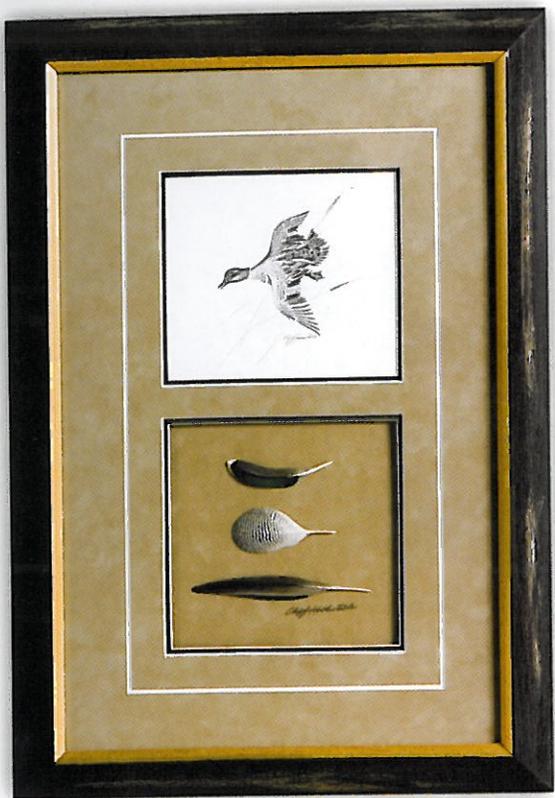
*Morning Stroll, 1998*  
*Ring-necked Pheasant*  
*Acrylic on tupelo, 8 by 8 by 4 inches*  
*Private collection*



*Black-billed Magpie, 1997*  
*Acrylic on tupelo, 12 by 7 by 9 inches*  
*Kay and John Reed collection*



*Water Walker, 2005*  
*Purple Gallinule*  
*Acrylic on tupelo, 6 by 6 by 2 inches*  
*Hank and Barbara Nerone collection*



*A Lost Feather,  
Green-winged Teal feather  
with drawing  
Acrylic on tupelo,  
18 by 16 inches  
John and Diane Dudley collection*



*Mudflat Visitors, 1980  
Canada Geese  
Bronze edition, sold out,  
8 by 12 by 6 inches  
Artist collection*



*Pine Ridge Sentinel, 1990  
Merriam Turkey, bronze edition of 50, sold out, 12 by 11 by 8 inches  
Artist collection*



*Late Season Covey, 2004  
Bobwhites  
Bronze, edition of 35  
13 by 12 by 12 inches  
Artist collection*



*Redtail Hawk Feather, 1999*  
Acrylic on tupelo,  
23 by 19 inches  
Ken and Alice McElhose collection



*Long-billed Curlew, c. 1975*  
Acrylic on tupelo,  
25 by 22 by 6 inches  
Miller collection



*Poised for Attack, 2001*  
Redtail Hawk  
Bronze, edition of 35,  
20 by 12 by 12 inches  
Artist collection



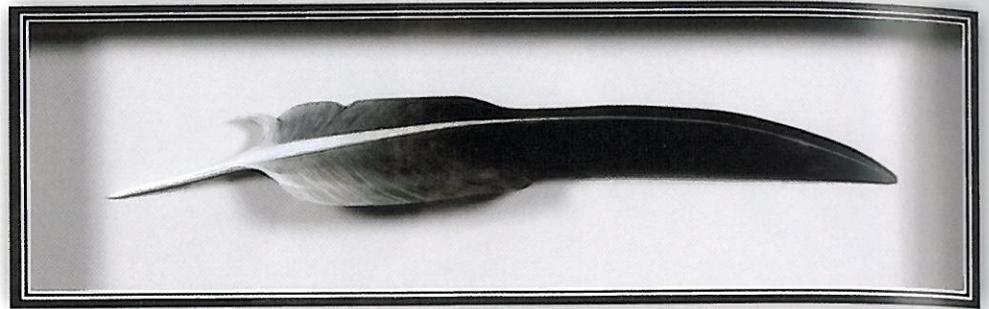
*Calm Before the Storm, 1997*  
Mallard  
Acrylic on jelutong,  
14 by 14 by 10 inches  
Museum of Nebraska  
Art collection



*Wings-a-flutter, 2002*  
*Ruby-throated Hummingbirds*  
*Acrylic on tupelo,*  
*16 by 16 by 12 inches*  
*Jim and Marge Hewitt collection*



*Vantage Point, 1994*  
Bald Eagle  
Acrylic on tupelo, 9 by 5 by 5 inches  
Private collection



*American Symbol, c. 2001*  
Bald Eagle feather,  
Acrylic on tupelo, 18 by 32 inches  
John and Nancy Haessler collection



*Swimming Ruddy, 1986*  
Ruddy Duck  
Acrylic on tupelo,  
6 by 6 by 6 inches  
Private collection



*Migratory Respite, 1994*  
White-front Geese  
Acrylic on tupelo,  
8 by 10 by 6 inches  
Bill and Sandra Condon collection



*Flying Pheasant, 1962*  
Black walnut, 3 by 9 by 9 inches  
Artist collection



*Nebraska Maestro, 2006*  
Meadowlark, bronze, edition of 50,  
14 by 11 by 6 inches, artist collection



*Four Duck Feathers Relief Sculpture, acrylic on tupelo, 16 by 38 inches, John and Nancy Brager collection*

# Hollestelle's Birds

Eyes so real  
feathers real  
each species

fashioned with a feel  
for how it looks  
on water

or rushes by the shore  
or in long grass  
at the roadside

where the pheasant comes exploding  
in an orient  
of colors

mallard and merganser  
heron of the crooked neck  
mother goose

and tiny goslings  
turkey up  
on tiptoe

and meadowlark  
atop  
a fencepost

drops of song  
like rain  
feeding the pasture's roots

*Roy Scheele*

– Roy Scheele,  
*Poet in Residence, Doane College*



*Mated for Life, 1993, Canada Geese, acrylic on tupelo, 9 by 12 by 10 inches, Dale and Vicki Jensen collection*

# Acknowledgments

I would like to thank everyone responsible for suggesting and initiating *Cliff Hollestelle – A Retrospective*. Dr. Priscilla Grew, Director of the University of Nebraska State Museum, was instrumental in providing the impetus for this show. Joel Nielsen and Ron Pike provided assistance in the design and installation.

I thank Dr. Judy Diamond who has invited me to provide various wildlife sculptures for State Museum projects, such as the dioramas located in the Hall of Nebraska Wildlife on the first floor of Morrill Hall and the finch sculptures for the evolution display on the third floor. I appreciate Jon Farrar's willingness to capture these photographic images to best represent a sampling of my wildlife art over the past forty years.

A debt of gratitude goes to Dr. Paul Johnsgard for sharing his unequalled knowledge of wildlife and wildlife art, and for his friendship.

A special thanks goes to my wife, Marcia, for helping me select, contact and collect the works of art on display in this exhibit at Morrill Hall. She worked tirelessly to help create this catalog, and it would have been impossible without her guidance.

This particular showing of the wildlife wood and bronze sculptures could not have been accomplished without the many individuals who have supported my art career and were willing to relinquish their sculptures to be on loan for an extended period of time. Thanks to all of you who have made this event a reality.

Although the art has been taken mainly from the Midwest region, I would like to thank the many individuals throughout the U.S. and abroad for their friendship and continued support of my wildlife sculptures.

*Exhibit catalog design by Tim Reigert*

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EXHIBIT  
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MAR 15 2016

LANCASTER COUNTY  
CLERK

**Real Estate Appraisal Report**

**County Owned Right-of-Way  
Vacated South 54<sup>th</sup> Street**

LANCASTER  
COUNTY

Pamela L. Dingman, P.E.  
County Engineer

ENGINEERING  
DEPARTMENT

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

January 25, 2016

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

Re: Appraisal Report  
County Owned Right-of-Way  
South 54<sup>th</sup> Street  
Lancaster County, NE.

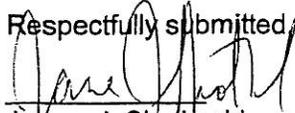
To Whom it May Concern:

I have conducted the required investigation, inspected the subject property and gathered the necessary data, and made certain analysis that has enabled me to form an opinion of the market value of the "Fee Simple" estate to the above referenced property. The following appraisal report is an Appraisal Reporting Format of a sixty-six foot (66') strip of South 54<sup>th</sup> Street right-of-way containing a total area of 1.33 acres. The roadway is located adjacent to Hickman Road, Lancaster County, Nebraska. This appraisal assignment is being used by the referenced client as a basis for disposition of the property by the Sponsor of this report. Based on the inspection of the property and investigation and analyses undertaken, I have estimated the Fee Market Value and after utilizing all appropriate deductions, as of January 20, 2016, to be:

**ONE HUNDRED SIXTEEN THOUSAND (\$ 116,000.00) DOLLARS**

The appraiser wishes it to be known, that he is currently employed by the referenced client as a Right-of-Way Manager for the Lancaster County Engineering Department and this appraisal report is being written in accordance with job specific responsibilities. The appraiser wishes to point out that it is the intent of this report to fully comply with the requirements of the Uniform Standards of Professional Appraisal Practice "USPAP" and State of Nebraska Real Property Appraisal Board. The appraisal assignment was not based on a requested minimum valuation, specific valuations, or the approval of a loan. Neither my engagement to make this appraisal (or any future appraisal to this client), nor any compensation therein, are contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. It is the intent of this report to fully comply with the requirements of the Uniform Standards of Professional Appraisal Practice "USPAP", The Real Estate Appraisal Board. The appraisal assignment was not based on a requested minimum valuation, specific valuations, or the approval of a loan. Neither my engagement to make this appraisal (or any future appraisal to this client), nor any compensation therein, are contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.

Respectfully submitted,

  
James J. Shotkoski  
General Certified Appraiser

## SUMMARY OF FACTS AND CONCLUSIONS

Type of Property: Vacant County Owned Right-of-Way

Location: South 54<sup>th</sup> Street and Hickman Rd.  
Hickman, NE. 68372

Legal Description: A part of the South 54<sup>th</sup> Street Right Of Way, located in the SW ¼, of Section 28, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska,

Property Rights: Fee Simple Estate

Owner of Record: Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE. 68508

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

Purpose of the Appraisal: Valuation of County Owned land for possible disposition

Appraisal Format: Appraisal Reporting Format

Neighborhood: The subject neighborhood is generally described as the Village of Hickman, Nebraska, and is roughly bounded on the south by Hickman Road, on the west by the Burlington Northern Railroad, and on the east by South 82<sup>nd</sup> Street and on the north by Roca Road. The neighborhood boundaries were selected as they provide lines of demarcation for changes in land use. The subject neighborhood is an established mixed-use area with primarily commercial usage in the central part of the Village of Hickman, and less intensive lower density usages dominating development to the east and western portions of the neighborhood.

Site Description: The site lies north of the north right-of-way line of Hickman Road on the south and south of the southwesterly right-of-way line of relocated South 54<sup>th</sup> Street. The subject site is bounded on the west by Lot 56 and on the east by Lot 55. The site was used previously as South 54<sup>th</sup> Street, but has been vacated by the Lancaster County. The site measures 66 lineal feet in width by approximately 877 LF northwesterly from Hickman Road on the south and contains a gross

## SUMMARY OF FACTS AND CONCLUSIONS (Continued)

Site Description (Cont.)	available site area of 57,935 SF (1.33 acres, more or less). The site is at curb grade and slopes from the northwest to the southeast. The recent re-construction and realignment of South 54 <sup>th</sup> Street, has now left this part of old South 54 <sup>th</sup> Street as an uneconomic remainder. As part of this project, the old roadbed in the area of the road vacation has been eliminated and utility lines have been relocated to the new right-of-way and field access drive onto relocated South 54 <sup>th</sup> Street. The site has good visibility with access limited to the relocated field access mentioned above. The site is approximately four feet below grade with realigned South 54 <sup>th</sup> Street on the east and the Burlington Northern Railroad on the west. The site is within the one-mile territorial limits for the Village of Hickman, with municipal fire and police services are available from the Village of Hickman.
Zoning:	The site is zoned TA, Transitional Agriculture. This zoning designation is established for the purpose of preserving agricultural resources that are compatible with adjacent urban growth. Adjacent Lots 55 and 56 both have contiguous ownership; and the owner has asked the City of Hickman for a change in zoning to IL, Light Industrial District. The City of Hickman has requested the Owner to provide certain requirements for this zoning change; however, these City appears to be in favor of granting this zoning change. Therefore, for purposes of this report, the appraiser considers the proposed zoning change to be feasible, and for purposes of this report, the subject site will be appraised as a light industrial usage.
Flood Status:	The majority of the subject site is not located in a delineated flood zone or flood hazard area. A small portion of the northern portion of the subject site appears to be in a delineated flood zone or flood hazard area. Lot 56, IT, which borders the subject site on the west, is located in a delineated flood zone or flood hazard area. Abutting Lot 55, IT, on the east is not located in a delineated flood zone or flood hazard area.
Taxes and Assessments:	The subject site is owned by Lancaster County, State of Nebraska, a governmental agency, and is considered to be exempt from property tax assessments.
Improvements:	The subject site is vacant and unimproved
Highest and Best Use:	Mixed-Light Industrial Development

## **SUMMARY OF FACTS AND CONCLUSIONS (Continued)**

History of Property:	The fee simple title to the subject site land and improvements to the land have not transferred within the last five years.
Marketing Time Estimate:	I consider the subject site to be an uneconomic remnant and its value is in assemblage with adjacent parcels.
Intended Use and Users:	The intended user of this report will be the Lancaster County Board of Commissioners, or their assigns, with all other users considered to be unintended users. The use of this appraisal report is to provide a basis for negotiation between Lancaster County, Nebraska, for the disposition of the subject site.
Scope of the Appraisal:	The intended use of this appraisal will be to provide an estimate of value of the subject site, "as vacant.
Indications of Value: Land Valuation Estimate	\$ 116,000
Date of Appraisal:	The effective date of the appraisal is as of January 20, 2016, and corresponds with my last inspection of the site.

## **GENERAL ASSUMPTIONS AND LIMITING CONDITIONS**

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

1. The date of value to which the conclusions or opinions expressed in this report apply is set forth in the letter of transmittal. The dollar amount of any value opinion rendered is based on the purchasing power of the American dollar existing on that date.
2. Photographs contained in the individual appraisal reports were taken by the appraiser on the date the property was inspected. Any photos taken on a different date or by another person are appropriately labeled.
3. The appraiser assumes no responsibility for economic or physical factors which may affect the opinions in the report which occur after the date of the letter transmitting the report.
4. Forecasts of anticipated revenues and expenses were based on the appraiser's analysis of market trends, economic conditions and the operating history of the property. Such forecasts are dependent on assumptions about future economic, social and political conditions, and market related activity. They represent the appraiser's opinion of current investor attributes and motivations applicable to the class of property appraised, and no

## GENERAL ASSUMPTIONS AND LIMITING CONDITIONS (Continued)

- warranty or representation that these forecasts will materialize is implied. Any leasehold valuation made on the date is assumed to be correct. Should either the property owner or the tenant provide data which is in conflict, the appraiser will re-evaluate the various claims and the estimate of property division? The value of fractional interests, if reported, may or may not equal the value of the whole (in fee simple).
5. Information furnished by others is believed to be reliable; however, no warranty for its accuracy is implied.
  6. Data relating to ownership and legal description were obtained from the client, property owner or from public records and is assumed to be correct. No opinion is rendered on the title. Title is assumed to be marketable and free and clear of all liens, encumbrances, easements and restrictions except those specifically discussed in the report. The property is appraised assuming responsible ownership, competent management, and available for its highest/best use.
  7. The appraiser reserves the right to make such adjustments to the analysis, opinions and conclusions set forth in this report as may be required by consideration of additional data or more reliable data that may become available.
  8. The appraiser assumes no responsibility for hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for arranging for engineering studies that may be required to discover them.
  9. No soil tests or environmental studies were available unless specifically stated in this report. It is assumed that there are no sub-surface, toxic waste or building material hazards in the property that would adversely affect its existing or potential use, unless otherwise stated in this report.
  10. Unless otherwise stated in this report, the existence of hazardous substances, including without limitation asbestos, polychlorinated biphenyl, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of the appraiser nor did the appraiser become aware of such during the appraiser's inspection. The appraisers have no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraisers, however, are not qualified to test such substances or conditions. If the presence of such substances, such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.
  11. Unless otherwise stated, the existence of any violations or non-conformity with the minimum standards set forth in the American with Disabilities Act (ADA) were not called to our attention. The detection non-compliance does not fall within the expertise of the appraiser. It is our recommendation that a survey of the improvements be separately conducted by qualified experts.

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

12. No opinion is expressed on the value of subsurface oil, gas or mineral rights or whether the property is subject to surface entry for the exploration or removal of such materials except as expressly stated.
13. Unless otherwise stated, the property is appraised assuming the property is in compliance with all applicable zoning and use regulations and restrictions.
14. The property is appraised assuming all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been, or can be, obtained or renewed for any use on which the value estimate contained in this report is based, unless otherwise stated.
15. Maps, plats and exhibits included in this report are for illustration purposes only to be used as an aid to help the reader to visualize matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose, nor should they be removed from, reproduced, or used apart from this report.
16. No opinion is intended to be expressed for matters, which require legal expertise or specialized investigation, or knowledge beyond that customarily employed by real estate appraisers.
17. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
18. The possession of this report, or a copy of it, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of appraiser, and in any event only with proper written qualification and only in its entirety.
19. Testimony or attendance in court or at any other hearing is not required by reason of rendering this report, unless such arrangements are made a reasonable time in advance pertaining to such additional employment.
20. Disclosure of the contents of this appraisal report shall not be conveyed to the public without the written consent and approval of the appraiser.

## **EXTRAORDINARY ASSUMPTIONS AND LIMITING CONDITIONS**

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

An "Extraordinary Assumption" is defined as an assumption directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as

## EXTRAORDINARY ASSUMPTIONS AND LIMITING CONDITIONS (Continued)

fact otherwise uncertain information about physical, legal or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of the data used in an analysis. (USPAP, 2014-15).

1. As defined by the Uniform Standards of Professional Appraisal Practice, this appraisal analysis is reported in an Appraisal Report format. This appraisal report will be reportedly be used by the client, or its representatives, in conjunction with mortgage placement. As such, this appraisal report is not intended for any other users. The appraisal report is written to be in conformance with the Uniform Standards of Professional Appraisal Practice (USPAP).
2. The subject site is contained in a parcel with a total site 1.33 Acres, more or less. The correct legal description conforms to the property herein described and illustrated by plat maps contained in this report. Any change in size or legal description of the land could affect the value estimate.
3. The subject site under consideration in this report includes land generally utilized for light industrial/commercial development usage. A metes and bounds boundary survey description has been provided to the appraiser, the subject site's size and location are based on plat maps filed with the Lancaster County Register of Deeds Office as well as property cards on file with the Lancaster County Assessor's Office. The results of this analysis may change should the actual size of the subject parcel digress.
4. The appraiser has not been provided with a limited title search by Nebraska Title Company for the subject property. Additionally, the appraiser has researched the public records to determine the ownership and title history of the subject property going back to the point the site was vacant and available for its highest and best use. The subject property ownership and title history are based on this research, and are not warranted to be correct. The ownership data in this report is assumed to be correct. Any change in this factual data may affect the subject property valuation.
5. The appraiser is not an expert on hazardous materials. The appraiser cautions that if present, such materials could affect the value of the property. The subject property is currently vacant land. The current use does not appear to include restricted use chemicals; however, proper application procedures would have limited any long-term impact to the subject property. The inspection of the site revealed no known hazardous materials. Once again, the appraiser was not provided with any type of Environmental Hazard or Impact Report, and the existence of any hazardous materials or environmental concerns could affect the overall market value of the subject property land and improvements to the land.
6. The subject site is located in an developing established mixed-use area for the City of Hickman, Nebraska. Surrounding development usages appear to be predominantly a blend of single-family and light commercial/industrial development with predominantly agricultural outside the corporate limits of the Hickman.

## **IDENTIFICATION OF THE PROPERTY**

A part of the South 54<sup>th</sup> Street Right Of Way, located in the SW ¼, of Section 28, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said SW ¼; thence South 89 Degrees, 35 Minutes, 15 Seconds West, with the south line of said SW ¼, a distance of 163.27 feet to a point of intersection with the southeasterly extension of the northeast line of Lot 56, Irregular Tracts, located in said SW ¼; thence North 40 Degrees, 56 Minutes, 11 Seconds West, with the southeasterly extension of the northeast line of said Lot 56, Irregular Tracts, a distance of 78.93 feet to the point of beginning, said point being located 60.00 feet north of as measured perpendicular to the south line of said SW ¼; thence continuing North 40 Degrees, 56 Minutes, 11 Seconds West, with the northeast line of said Lot 56, Irregular Tracts, a distance of 929.19 feet to a point of intersection with the southwesterly right of way line of relocated South 54th Street; thence with a curve turning to the left, with said southwesterly right of way line, with a radius of 1492.40 feet, with a delta angle of 01 Degrees, 38 Minutes, 28 Seconds, with an arc length of 42.75 feet, said arc subtended by a chord which bears South 62 Degrees, 51 Minutes, 01 Seconds East, with a chord length of 42.75 feet to a point; thence South 63 Degrees, 40 Minutes, 16 Seconds East, with said southwesterly right of way line, a distance of 129.50 feet to a point, said point being located 66.00 feet northeast of as measured perpendicular to the northeast line of said Lot 56, Irregular Tracts; thence South 40 Degrees, 56 Minutes, 11 Seconds East, 66.00 feet northeast of and parallel with the northeast line of said Lot 56, Irregular Tracts, a distance of 778.56 feet to a point; thence with a curve turning to the left, with a radius of 181.17 feet, with a delta angle of 16 Degrees, 29 Minutes, 46 Seconds, with an arc length of 52.16 feet, said arc subtended by a chord which bears South 49 Degrees, 11 Minutes, 03 Seconds East, with a chord length of 51.98 feet to a point of intersection with said southwesterly right of way line; thence South 00 Degrees, 13 Minutes, 38 Seconds East, with said southwesterly right of way line, a distance of 2.19 feet to a point, said point being located 60.00 feet north of as measured perpendicular to the south line of said SW ¼; thence South 89 Degrees, 35 Minutes, 15 Seconds West, 60.00 feet north of and parallel with the south line of said SW ¼, a distance of 94.75 feet to the point of beginning. Said Tract Contains 57,935 SF (1.33 acres, more or less).

## **PURPOSE OF THE APPRAISAL**

The purpose or objective of this appraisal is to provide a supported opinion of the market value of the fee simple interest in the property described in this report. The appraisal and the final estimate of value are made subject to the General Limiting Conditions, Extraordinary Assumptions and Hypothetical Conditions cited herein. Any user of this appraisal report should be thoroughly familiar with the three above mentioned sections of this report.

## **MARKET VALUE DEFINED**

Market value is defined as the most probable selling price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

## **MARKET VALUE DEFINED (Continued)**

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- buyer and seller are typically motivated;
- both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest;
- a reasonable time is allowed for exposure in the open market;
- payment is made in cash in US dollars or in terms of financial arrangements comparable thereto;
- the price represents a normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

It should be noted the market value described herein, is the value to a single purchaser, as of the date of the appraisal, with all appropriate deductions and discounts considered.

## **PROPERTY RIGHTS APPRAISED**

The real estate interests appraised are the fee simple estate to the subject property land and improvements to the land.

## **DEFINITION OF FEE SIMPLE ESTATE**

Absolute ownership unencumbered by any other interest of estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat

**Source: Appraisal Institute. The Dictionary of Real Estate Appraisal. Fifth Edition. Chicago 2010**

## **FEE OWNER OF RECORD**

Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE. 68508

## **SPONSOR**

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

## **DATE OF THE APPRAISAL**

The effective date of the appraisal is as of January 20, 2016.

## **FUNCTION OR USE OF THE APPRAISAL**

To establish a market value appraisal to be used as a basis for negotiation for the sale of the fee simple estate between inter-governmental agencies.

## **HISTORY OF PROPERTY**

The fee simple title to the subject site land and improvements to the land have not transferred within the last five years.

## **COMPETENCY PROVISION**

I certify that I have sufficient education, training, and experience to be able to arrive at a supported indication of value for the above-described property in a timely manner. For further clarification of my competencies, skills, and abilities, I urge the reader to review the Qualifications of the Appraiser, located in the Addenda of this report.

## **SCOPE OF THE APPRAISAL**

As part of the appraisal process, I have inspected the subject property, taken the subject photos contained in this report, and obtained the physical and financial information used to prepare my estimate of value.

Geographic, economic and general data contained in this report is based on data from the Lancaster County, Nebraska, Assessor's Office and public information obtained as part of my primary research. The market data used in this report is from my files, municipal records, other appraisers, Realtors, and others knowledgeable with the market place.

The intended user of this appraisal report will be Lancaster County Board of Commissioners, or their assigns. All other users are unintended users. The intended use of the report will be to help provide a basis for negotiation for the disposition of the subject site.

## **MARKETING TIME ESTIMATE**

I consider the subject site to be an uneconomic remnant and its value is in assemblage with adjacent parcels. The value of the subject site is inherent in the assemblage with contiguous parcel on both sites into one developable site.

## **INTENDED USE AND USERS**

The intended user of this appraisal report will be Lancaster County Board of Commissioners, or their assigns, with all other users considered to be unintended users. The appraiser has had no discussion with the owner or client relating to value conclusions, prior to the preparation of this report.

## **NON-REALTY ITEMS EXCLUDED FROM VALUATION**

This appraisal and analysis gives no consideration to items of personal property, except those herein described. The subject site is currently improved with a one-story pre-fabricated metal single tenant distribution warehouse/service building.

## **ACKNOWLEDGEMENT OF ASSISTANCE**

No one provided significant assistance in the preparation of the appraisal report or this report other than the author of the report. All photographs were taken on January 20, 2016, by James J. Shotkoski, Lancaster County Engineering Dept.

## **NEIGHBORHOOD DESCRIPTION**

The subject neighborhood is generally described as the Village of Hickman, Nebraska, and is roughly bounded on the south by Hickman Road, on the west by the Burlington Northern Railroad, and on the east by South 82<sup>nd</sup> Street and on the north by Roca Road. The neighborhood boundaries were selected as they provide lines of demarcation for changes in land use. The subject neighborhood is an established mixed-use area with primarily commercial usage in the central part of the Village of Hickman, and less intensive lower density usages dominating development to the east and western portions of the neighborhood.

## **SITE DESCRIPTION**

The site lies north of the north right-of-way line of Hickman Road on the south and south of the southwesterly right-of-way line of relocated South 54<sup>th</sup> Street. The subject site is bounded on the west by Lot 56 and on the east by Lot 55. The site was used previously as South 54<sup>th</sup> Street, but has been vacated by the Lancaster County. The site measures 66 lineal feet by approximately 877 LF northwesterly from Hickman Road on the south and contains a gross available site area of 57,935 SF (1.33 acres, more or less).

The site has good visibility with access limited to the relocated field access mentioned above. The site is approximately four feet below grade with realigned South 54<sup>th</sup> Street on the east and the Burlington Northern Railroad on the west. The recent re-construction and realignment of South 54<sup>th</sup> Street, has now left this part of old South 54<sup>th</sup> Street as an uneconomic remainder. As part of this project, the old roadbed in the area of the road vacation has been eliminated and utility lines have been relocated to the new right-of-way and field access drive onto relocated South 54<sup>th</sup> Street.

The site is within the one-mile territorial limits for the Village of Hickman, with municipal fire and police services are available from the Village of Hickman.

## **ZONING**

The site is zoned TA, Transitional Agriculture. This zoning designation is established for the purpose of preserving agricultural resources that are compatible with adjacent urban growth. Adjacent Lots 55 and 56 both have contiguous ownership; and the owner has asked the City of

## **ZONING (Continued)**

Hickman for a change in zoning to IL, Light Industrial District. The City of Hickman has requested the Owner to provide certain requirements for this zoning change; however, the City appears to be in favor of granting this zoning change. Therefore, for purposes of this report, the appraiser considers the proposed zoning change to be feasible, and for purposes of this report, the subject site will be appraised as a light industrial usage.

Please refer to the Addenda of this report for a copy of the applicable zoning regulations.

## **FLOOD STATUS**

The majority of the subject site is not located in a delineated flood zone or flood hazard area. A small portion of the northern portion of the subject site appears to be in a delineated flood zone or flood hazard area. Lot 56, IT, which borders the subject site on the west, is located in a delineated flood zone or flood hazard area. Abutting Lot 55, IT, on the east is not located in a delineated flood zone or flood hazard area.

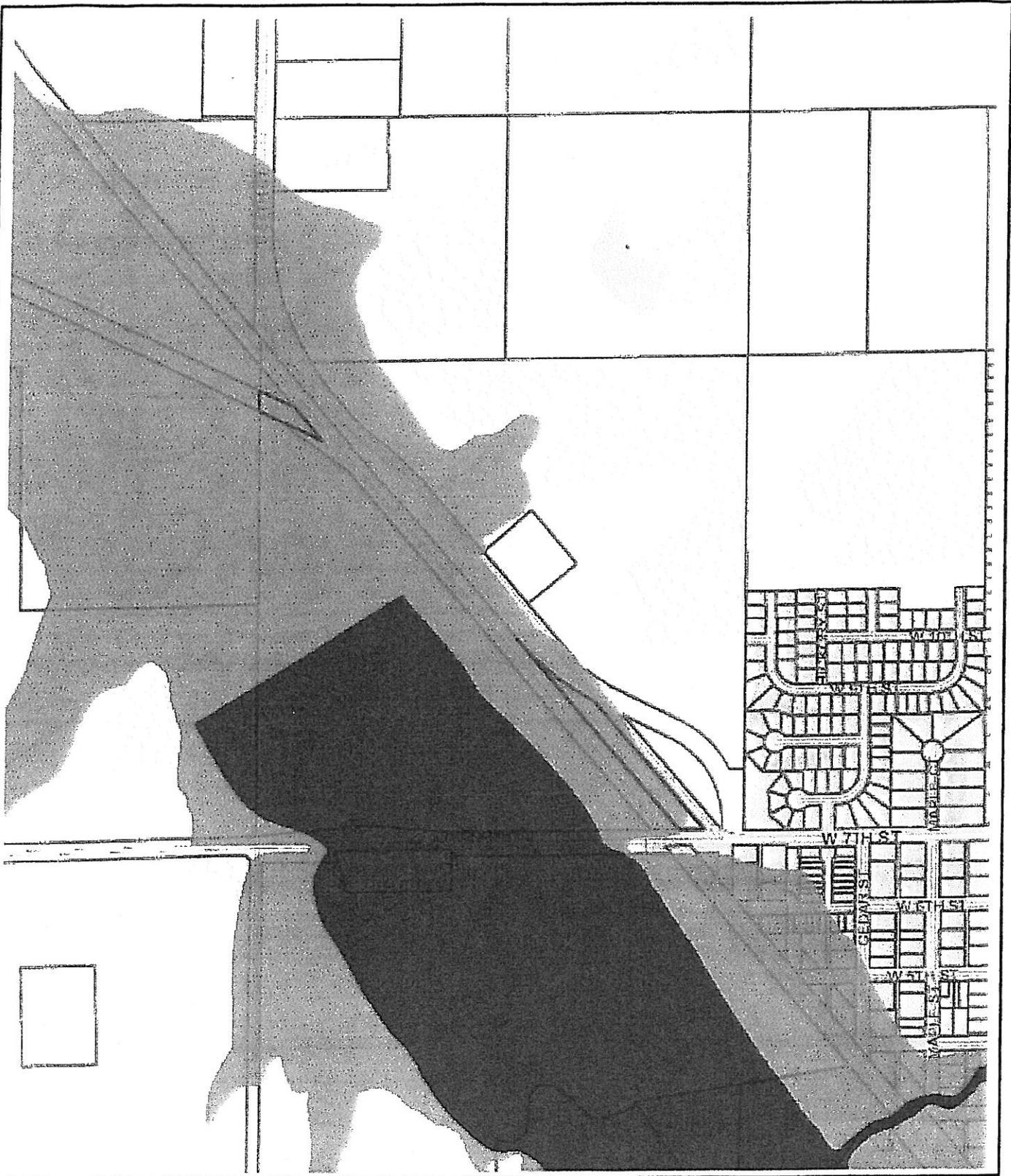
## **TAXES AND ASSESSMENTS**

The subject site is owned by Lancaster County, State of Nebraska, a governmental agency, and is considered to be exempt from property tax assessments.

## **DESCRIPTION OF THE IMPROVEMENTS**

The subject site is vacant and unimproved





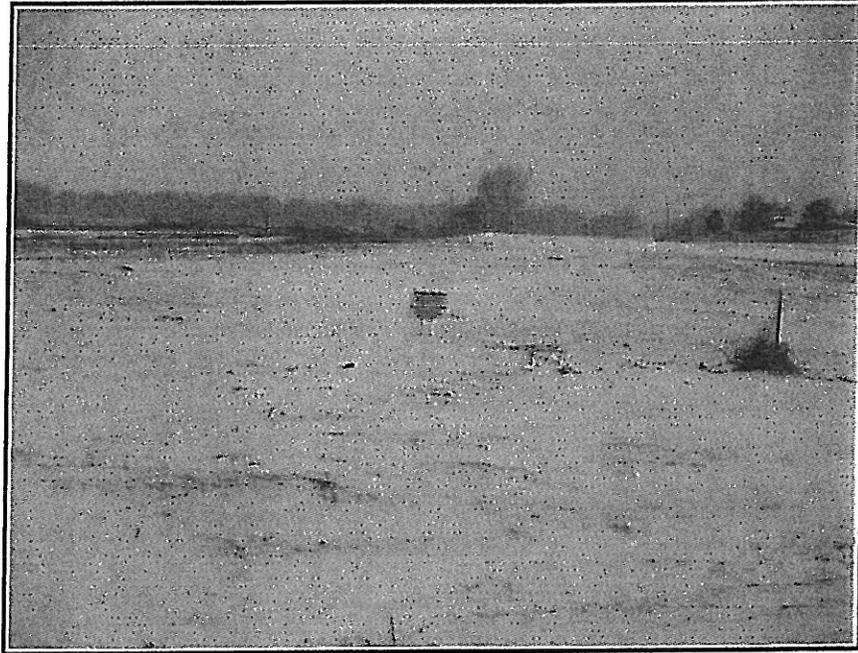
## Lancaster County/City of Lincoln GIS Map

### FLOOD MAP



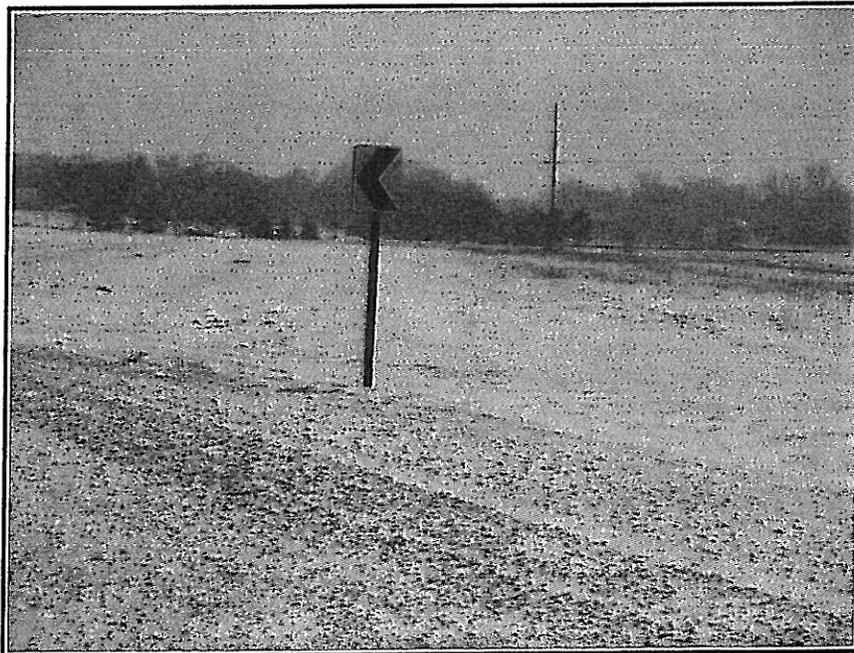
Printed: Jan 21, 2016

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



Subject Site

Partial view looking northerly across the length of the subject site as seen from the intersection of Hickman Road and realigned South 54<sup>th</sup> Street. Camera direction facing northerly. Photograph taken January 20, 2016, by James J. Shotkoski



Subject Site

Partial view looking southerly across the length of the subject site as seen from realigned South 54<sup>th</sup> Street. Camera direction facing southerly. Photograph taken January 20, 2016, by James J. Shotkoski

## HIGHEST AND BEST USE

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

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

The highest and best use analysis involves two separate studies:

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

### Highest and Best Use as if Vacant

The site lies north of the north right-of-way line of Hickman Road on the south and south of the southwesterly right-of-way line of relocated South 54<sup>th</sup> Street. The subject site is bounded on the west by Lot 56 and on the east by Lot 55. The site was used previously as South 54<sup>th</sup> Street, but has been vacated by the Lancaster County. The site measures 66 lineal feet by approximately 877 LF northwesterly from Hickman Road on the south and contains a gross available site area of 57,935 SF (1.33 acres, more or less). The site has good visibility with access limited to the relocated field access mentioned above. The site is approximately four feet below grade with realigned South 54<sup>th</sup> Street on the east and the Burlington Northern Railroad on the west. The recent re-construction and realignment of South 54<sup>th</sup> Street, has now left this part of old South 54<sup>th</sup> Street as an uneconomic remainder. As part of this project, the old roadbed in the area of the road vacation has been eliminated and utility lines have been relocated to the new right-of-way and field access drive onto relocated South 54<sup>th</sup> Street.

The site is zoned TA, Transitional Agriculture. This zoning designation is established for the purpose of preserving agricultural resources that are compatible with adjacent urban growth. Adjacent Lots 55 and 56 both have contiguous ownership; and the owner has petitioned the City of Hickman for a change in zoning to IL, Light Industrial District. The City of Hickman has requested the Owner to provide certain requirements for this zoning change; however, the City appears to be in favor of granting this zoning change.

The subject neighborhood is an established mixed-use area with primarily commercial usage in the central part of the Village of Hickman, and less intensive lower density usages dominating development to the east and western portions of the neighborhood.

Given the above, it is my opinion that the existing agricultural use represents an interim highest and best use for the subject site, "as vacant".

## HIGHEST AND BEST USE (Continued)

### Highest and Best Use, as Improved

The current agricultural usage is considered to be an interim highest and best use; however, the owner of contiguous parcels Lots 55 and 56, has petitioned the Village of Hickman for a zoning change to IL, Light Industrial Usage. This zoning change will incorporate Lots 55 and 56 as well as the subject site. The western half of the assembled site is within a delineated flood plain and any building improvements will have to be raised to an elevation that is at least one foot above the base flood level prior to the issuance of a building permit.

As such, any proposed building improvements are expected to be constructed on the east half of the assembled site and it is my opinion, one of the highest and best uses for the subject site, "as improved", is for assemblage into a larger parcel with contiguous lots to comprise a buildable light industrial building improvement.

## VALUATION SECTION

### Land Valuation

The value of the subject site is estimated by comparison to other similar land transactions. The following transactions representing vacant commercial/light industrial sales that were used to assist in the estimate of the value of the subject site.

#### Land Sale No. 1

Parcel Identification Number: 15-09-100-010-000

Location: 13400 South 54<sup>th</sup> Street  
Lancaster County, NE.

Legal Description: A lengthy legal briefly described as part Lot Twenty One (21), Irregular Tracts, located in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section Nine (9), Township Eight (8) North, Range Seven (7) East of the 6<sup>th</sup> P.M., Lancaster County, State of Nebraska

Grantor: 13400 South 54<sup>th</sup> Holdings, LLC

Grantee: Ed Ring and Coty Ring, Husband and Wife

Instrument: Warranty Deed Date: 04/20/2012  
Book/Page: 2012/018358

Tract Size: 498,037 SF (11.43 Ac), more or less

Sale Price: \$ 150,000 \$/SF: \$ 0.30/SF  
\$/Ac: \$ 13,068/Acre

Financing: Cash to Seller

Zoning: Agricultural District

Flood Status: A portion of the northeast part of the site appears to be in a delineated flood zone or flood hazard area

Highest and Best Use at Time of the Sale: Mixed-Use Development

Improvements: The site has been improved with two storage warehouse buildings

Confirmed: Register of Deeds Office  
Lancaster County, NE

**Land Valuation (Continued)**

Land Sale No. 2

Parcel Identification Number: 15-28-406-001-000

Location: 6780 Woodland Blvd.  
Hickman, NE. 68372

Legal Description: A lengthy legal briefly described as part Lot One (1), Block One (1), Woodland Plaza, located in the Southeast Quarter (SE ¼), of Section Twenty-Eight (28), Township Eight (8) North, Range Seven (7) East of the 6<sup>th</sup> P.M., Lancaster County, State of Nebraska

Grantor: ANKNW, LLC, a Nebraska Limited Liability Co.

Grantee: Black Dragon Fireworks, LLC

Instrument: Warranty Deed Date: 07/18/2014  
Book/Page: 2014/029641

Tract Size: 80,464 SF (1.85 Ac), more or less

Sale Price: \$ 310,000 \$/SF: \$ 3.85/SF  
\$/Ac: \$ 167,706/Acre

Financing: Cash to Seller

Zoning: Commercial

Flood Status: The site is not located in a delineated flood hazard area

Highest and Best Use at Time of the Sale: Mixed-Use Commercial Development

Improvements: The site is vacant as of the date of the appraisal

Remarks: The site was purchased as part of an IRS 1031 like-kind exchange and is located within the corporate city limits for the Village of Hickman

Confirmed: Register of Deeds Office  
Lancaster County, NE

**Land Valuation (Continued)**

Land Sale No. 3

Parcel Identification Number: 15-27-301-010-000

Location: 18940 South 68<sup>th</sup> St.  
Hickman, NE. 68372

Legal Description: Lot Forty-Nine (49), Irregular Tract, located in the Southwest Quarter (SW ¼), of Section Twenty-Seven (27), Township Eight (8) North, Range Seven (7) East of the 6<sup>th</sup> P.M., Village of Hickman, Lancaster County, State of Nebraska

Grantor: Dennis D. Heckman and Shirley H. Jahn, Husband & Wife

Grantee: Whitehead Oil Company, a Nebraska corporation

Instrument: Warranty Deed Date: 12/30/2014  
Book/Page: 2014/049960

Tract Size: 190,677 SF (4.38 Ac), more or less

Sale Price: \$ 735,000 \$/SF: \$ 3.86/SF  
\$/Ac: \$ 167,141/Acre

Financing: Cash to Seller

Zoning: Commercial

Flood Status: The site is not located in a delineated flood hazard area

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

Improvements: The site is vacant as of the date of the appraisal

Remarks: The site was purchased for a proposed commercial convenience store development

Confirmed: Register of Deeds Office  
Lancaster County, NE

**Land Valuation (Continued)**

Land Sale No. 4

Parcel Identification Number: 15-28-437-001-000

Location: 18955 South 68<sup>th</sup> St.  
Hickman, NE. 68372

Legal Description: Lot One (1), Scott's Creek 6<sup>th</sup> Addition Administrative Plat to the City of Hickman, Lancaster County, State of Nebraska

Grantor: Jack D. Scott and Cheryl L. Scott, Husband & Wife

Grantee: Fenway Partners, LLC, a Kansas limited liability company

Instrument: Special Warranty Deed

Date: 08/31/2015  
Book/Page: 2015/037709

Tract Size: 38,937 SF (0.89 Ac), more or less

Sale Price: \$ 137,000                      \$/SF: \$ 3.52/SF  
\$/Ac: \$ 153,331/Acre

Financing: Cash to Seller

Zoning: Commercial

Flood Status: The site is not located in a delineated flood hazard area

Highest and Best Use at Time of the Sale: Mixed-Use Commercial Development

Improvements: The site was improved with an existing pre-fabricated steel pole building; however, the existing building improvements were considered to have a nominal value in this report, and the site is considered to be purchased as vacant.

Remarks: The site is purchased for development of a new retail Dollar General Store

Confirmed: Register of Deeds Office  
Lancaster County, NE

**Land Valuation (Continued)**

Land Sale No. 5

Parcel Identification Number: 15-28-419-014-000

Location: 1102 Park Dr.  
Hickman, NE. 68372

Legal Description: Lot Fourteen (14), Block Five (5), Scott's Creek First Addition, Village of Hickman, Lancaster County, State of Nebraska

Grantor: Kubr Construction, Inc., a Nebraska Corporation

Grantee: LPA, Properties Hickman, LLC, a Nebraska limited liability company

Instrument: Warranty Deed  
Date: 09/23/2015  
Book/Page: 2015/5040559

Tract Size: 72,356 SF (1.66 Ac), more or less

Sale Price: \$ 115,000  
\$/SF: \$ 1.59/SF  
\$/Ac: \$ 69,260/Acre

Financing: Cash to Seller

Zoning: Commercial

Flood Status: The site is not located in a delineated flood hazard area

Highest and Best Use at Time of the Sale: Mixed-Use Commercial Development

Improvements: The site is vacant as of the date of the appraisal

Confirmed: Register of Deeds Office  
Lancaster County, NE

SALE  
1

SOUTH ST

SALE  
2

SALE  
5

SALE  
4  
SALE  
3

SUBJECT

HICKMAN RD

W 7TH ST

MAPLE CT

Hickman

WOODLAND BLVD

RIDGE RD

AUTUMN RD

PARK DR

PRAIRIE VIEW L

W 10TH ST

HICKORY ST

W 9TH ST

# Lancaster County/City of Lincoln GIS Map

## LAND SALES MAP



Printed: Jan 22, 2016

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

## Land Valuation (Continued)

The preceding vacant commercial land sales are summarized as follows:

Sale	Location	Date	Price Paid (\$)	Acres	Total SF	\$/Ac	\$/SF	Zoned
1	NW 9-8-7	2012	\$ 150,000	11.43	498,037	\$ 13,068	\$ 0.30	AG
2	SE 28-8-7	2014	310,000	1.85	80,464	167,706	3.85	Com
3	SW 27-8-7	2014	735,000	4.38	190,677	167,141	3.86	Com
4	Hickman	2015	137,000	0.89	38,937	153,331	3.52	Com
5	Hickman	2015	115,000	1.66	72,356	69,260	1.59	Com
Subj.	SW 28-8-7			1.33				Com

The subject site is located in a commercially developing area of Hickman, and the typical economic unit of comparison for vacant light industrial or commercial sites is the sales price per square foot of total available site area. As such, the economic unit of comparison in this report will be the sales price per square of total gross available site area.

The above sales range in size from a low of 0.89 acres to a high of 11.43 acres with an arithmetic mean of 4.04 acres, compared to the subject site's size of 1.33 acres. The consideration per acre varied from a low of \$ 13,068/acre to a high of \$ 167,706/Acre with an arithmetic mean of \$ 114,101/Acre and a weighted average of \$ 71,598/Acre (\$ 1,447,000 Total Consideration divided by 20.21 Total Acres).

The considerations per square foot vary from a low of \$ 0.30/SF to a high of \$ 3.85/SF with an arithmetic mean of \$ 2.62/SF. The weighed average is \$ 1.64/SF (\$ 1,447,000 Total Consideration by 880,471 Total SF).

In the process of estimating a market value for the subject site, the preceding sales must first be analyzed to identify significant differences between the elements of comparison and make adjustments either positive or negative for those differences.

In the process of estimating a market value for the site, the items considered to warrant adjustments are property rights conveyed by the sale, terms and conditions of the sale, the financing surrounding the sale, and finally an adjustment for changing market conditions, more commonly referred to as a time adjustment, to reflect the changes from the effective date of the sales to the date of the appraisal and finally, any physical adjustments for size, location, access and the functional utility or usage of the subject site.

Each of the above sales involved the transfer of the fee simple estate and do not require any further adjustments for property rights conveyed.

In adjusting for the terms and conditions of the sale, each of the above sales are considered to be normal "arms length" transactions, and do not require any further adjustments for this consideration, relative to that of the subject.

Each of the above sales are considered to a cash sales, or has been adjusted for financing and do not require any further adjustments for below market or special financing adjustments or arrangements.

## Land Valuation (Continued)

In adjusting for changing market conditions over the past four years, an analysis of the above sales indicates a fairly active market for commercial development lots in the Village of Hickman with four of the five executed sales having occurred during the 2014-2015 time period. Each of the above sales are considered sufficiently recent, in terms of the date of the sale to the effective date of the appraisal, and as such the above sales do not require any further adjustments for time or changing market conditions, relative to that of the date of the appraisal.

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

The underlying real estate principle governing the adjustments is the larger the size of the unit of comparison, the smaller the price paid per unit of value, and conversely, the smaller the size of the unit of value, the higher the price paid per unit of value, all other valuation considerations being equal.

In adjusting for size, the subject site contains 57,935 SF or 1.33 Acres. Comparable Sale 1 is larger than the subject site and is considered to be inferior to that of the subject site in terms of size and require varying degrees of upward adjustment toward the subject site to account for this difference, relative to size. The magnitude of the adjustment is not well documented from an analysis of the above sales; however, utilizing the above principle, this sale requires an upward adjustment for differences in size, relative to that of the subject site. The magnitude of the adjustment for purposes of this report, I will use a ten percent adjustment for Comparable Sale 1 to account for the element of size, relative to that of the subject property. The remaining four sales are considered to be sufficiently comparable to the subject site in terms of size, and require only minor adjustments, relative to that of the subject site to account for this distinction.

The next adjustment is for location and takes into consideration the marketability of the comparable sale, relative to that of the subject site. The subject site is located on the western fringe of the Village of Hickman, and is within the one-mile territorial limits for the Village of Hickman. Comparable Sales 2, 3, 4 and 5 are each located in the Village of Hickman and are considered comparable to the subject site in terms of location and require only minor adjustments, relative to the location of the subject site, to account for this consideration. Comparable Sale 1 is located just south of South 54<sup>th</sup> & Bennet Road and is considered to be slightly inferior to the subject site for this consideration and require a slight upward adjustment of ten percent toward the subject site to account for locational differences..

In adjusting for access the subject site has limited access from realigned South 54<sup>th</sup> Street on the north end of the site. Each of the comparable sales are located adjacent to paved roadways and are considered to be slightly superior to the subject site and given the above real estate principle, each require varying degrees of downward adjustment toward the subject site for this consideration. Comparable Sales 2, 3, 4 and 5 are located in the Village of Hickman and these sales each require a downward adjustment of ten percent each toward the subject site for this consideration. Comparable Sale 1 is also located adjacent to a paved South 54<sup>th</sup> Street and is considered to be superior and requires a downward adjustment of five percent toward the subject site to account for superior access, relative to that of the subject site. The subject site is not located in a delineated flood zone or flood hazard area but the abutting tract to the west is

**Land Valuation (Continued)**

within the floodplain. This floodplain distinction severely limits the development potential of the subject site as the existing roadbed has been removed resulting in a lowering of the vacated roadway which may result in the subject site also being within a delineated floodplain. As such, the subject site is considered to be inferior to each of the comparable sales in this regard with Comparable Sales 2, 3, 4 and 5 each requiring a downward adjustment of twenty percent toward the subject site for this consideration. A small portion of Comparable Sale 1 also appears to be in a delineated floodplain and this sale requires a downward adjustment of fifteen percent toward the subject site for flood concerns.

The last adjustment is for the functional use or functional utility of the comparable sales, relative to that of the subject site. The subject site is appraised as a commercial site, based on the surrounding land uses and requirements by a contiguous owner for this change in zoning. The subject site is a narrow vacated roadway and is considered to inferior to each of the comparable sales, relative to the functional use of the comparable sales. As such, each of the comparable sales requires varying degrees of downward adjustment toward the subject site for this consideration. Comparable Sales 2, 3, 4 and 5 are each within the City Limits of Hickman and each of these sales require a downward adjustment of twenty percent toward the subject site to account for this consideration. Comparable Sale 1 is also superior and requires a downward adjustment of fifteen percent to account for this consideration.

The above adjustments considered for the sales are reflected on the following adjustment grid. An adjustment factor greater than one indicates the subject is superior; and an adjustment factor less than one indicates the subject is inferior.

**UNIMPROVED SALES ADJUSTMENT GRID**

<b>Attribute</b>	<b>Sale 1</b>	<b>Sale 2</b>	<b>Sale 3</b>	<b>Sale 4</b>	<b>Sale 5</b>
Prop. Rights	1.00	1.00	1.00	1.00	1.00
Conditions	1.00	1.00	1.00	1.00	1.00
Financing	1.00	1.00	1.00	1.00	1.00
Mkt. Conditions	1.00	1.00	1.00	1.00	1.00
Size	1.10	1.00	1.00	1.00	1.00
Location	1.10	1.00	1.00	1.00	1.00
Access	0.95	0.90	0.90	0.90	0.90
Flood Status	0.85	0.80	0.80	0.80	0.80
Functionality	0.85	0.80	0.80	0.80	0.80
Unadjstd. \$/SF	\$ 0.30	\$ 3.85	\$ 3.86	\$ 3.52	\$ 1.59
Composite	0.83	0.58	0.58	0.58	0.58
Adjusted \$/SF	\$ 0.25	\$ 2.23	\$ 2.24	\$ 2.04	\$ 0.92

Arraying the above sales in linear fashion, results in the adjusted sales falling in a range from a low of \$ 0.92/SF to a high of \$ 2.24/SF with three of the five sales falling in a narrow range of value from a low of \$ 2.4/SF to a high of \$ 2.25/SF. Based on the analysis of the above sales, with particular emphasis on the relatively narrow range of value as demonstrated by Comparable Sales 2, 3 and 4, I am of the opinion the fee simple market value of the subject site, as of January 20, 2016, to be \$ 2.00/SF. This results in the following indication of value for the subject site to be:

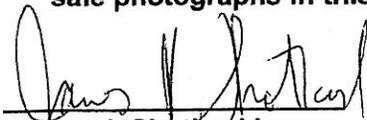
$$57,935 \text{ SF @ } \$ 2.00/\text{SF} = \$ 115,870$$

$$\text{Call It: } \$ 116,000$$

## CERTIFICATION

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

- the statements of fact contained in this report are true and correct.
- the reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no personal or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of his report or to the parties involved with this assignment.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction of value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant real property appraisal assistance to the person signing this certification. Alex Olson, an employee of the Lancaster County Engineering Department assisted the appraiser by taking all subject property and comparable sale photographs in this report.

  
James J. Shotkoski  
General Certified Appraiser  
Nebraska CG-920233

**ADDENDA**

LANCASTER  
COUNTY  
ENGINEERING

Pamela L. Dingman, P.E.  
County Engineer

DEPARTMENT

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

Date: January 5, 2016  
To: Lancaster County Board of Commissioners  
From: Ken Schroeder   
County Surveyor  
Subject: Resolution No. R-15-0062  
Study to vacate a portion of (old) South 54<sup>th</sup> Street between Hickman Road and Relocated South 54<sup>th</sup> Street located in the SW ¼ of Section 28, T8N, R7E of the 6<sup>th</sup> P. M., Lancaster County, NE.

Pursuant to Resolution R-15-0062, this office has reviewed the request for vacating a portion of Old South 54<sup>th</sup> Street between Hickman Road and Relocated South 54<sup>th</sup> Street as shown on enclosed Exhibit "A" located in the SW ¼ of Section 28, T8N, R7E of the 6<sup>th</sup> P. M., Lancaster County, Nebraska and would offer the following comments:

1. The area of proposed South 54<sup>th</sup> Street road vacation was deeded to Lancaster County on June 22, 1948 by warrant deed recorded in Deed Book 417, Page 323 and was acquired following the June 15, 1948 Resolution #675 vacating a one half mile portion of County Road #584 being along the west line of the SW ¼ of said Section 28 from Hickman Road to the Railroad right-of-way north.
2. The area of proposed road vacation consists of 1.33 acres of the 66' wide old South 54<sup>th</sup> Street road right-of-way which lies north of the north right-of-way line of Hickman Road and south of the southwesterly right-of-way line of relocated South 54<sup>th</sup> Street described in warranty deed instrument #2012-36862. (see exhibit "A")
3. The recent reconstruction and realignment of South 54<sup>th</sup> Street, Project C55-S-405(3) from Hickman Road to Roca Road has now left this part of old South 54<sup>th</sup> Street abandoned and of no use for road purposes. Also, in conjunction with grading Project C55-S-405(3), the old roadbed in the area of proposed road vacation has been eliminated, utility lines have relocated to the new right-of-way and a field access drive onto relocated South 54<sup>th</sup> Street has been constructed near the northerly end of proposed area of vacation.
4. This office has no immediate plans, nor has any long range plans that would include the need to utilize the 66' of old South 54<sup>th</sup> Street in the area of proposed road vacation and would therefore have no opposition to the vacation request subject to the following.
  - a. The abutting lands on either side of the area of proposed South 54<sup>th</sup> Street vacation which is of same private ownership to be combined with vacated South 54<sup>th</sup> Street to form one lot bordered by the existing right-of-ways of Hickman Road, relocated South 54<sup>th</sup> Street and B.N.S.F. Railroad. lot A, Lot
  - b. That upon creation of the above mentioned combined single lot, vehicular access to the public roadway shall be limited to the one existing access drive constructed onto relocated South 54<sup>th</sup> Street and that vehicular access from this lot to Hickman Road will not be allowed.
  - c. That the land in question be sold as part of the vacation to the adjacent owners, but if no sale can be completed on terms that are in the County's best interests, then title to the land shall be retained by the County and may be sold at a later date.

Page Two

Subject: Resolution No. R-15-0062  
Study to vacate a portion of (old) South 54<sup>th</sup> Street between Hickman Road and Relocated South 54<sup>th</sup> Street located in the SW ¼ of Section 28, T8N, R7E of the 6<sup>th</sup> P. M., Lancaster County, NE.

5. The adjacent property to this vacation is located within the City of Hickman's 1-mile zoning jurisdiction and is currently under consideration for re-zoning by the City of Hickman Planning Commission.
6. Value at this time is unknown with an appraisal report forthcoming.

Enclosures

Cc: Pamela L. Dingman, P.E., Lancaster County Engineer  
James Shotkoski, Right-of-Way Manager  
David Derbin, Deputy County Attorney  
Michael Meyers, Hickman, City Administrator  
Kelly Lundgren, County Clerk's Office

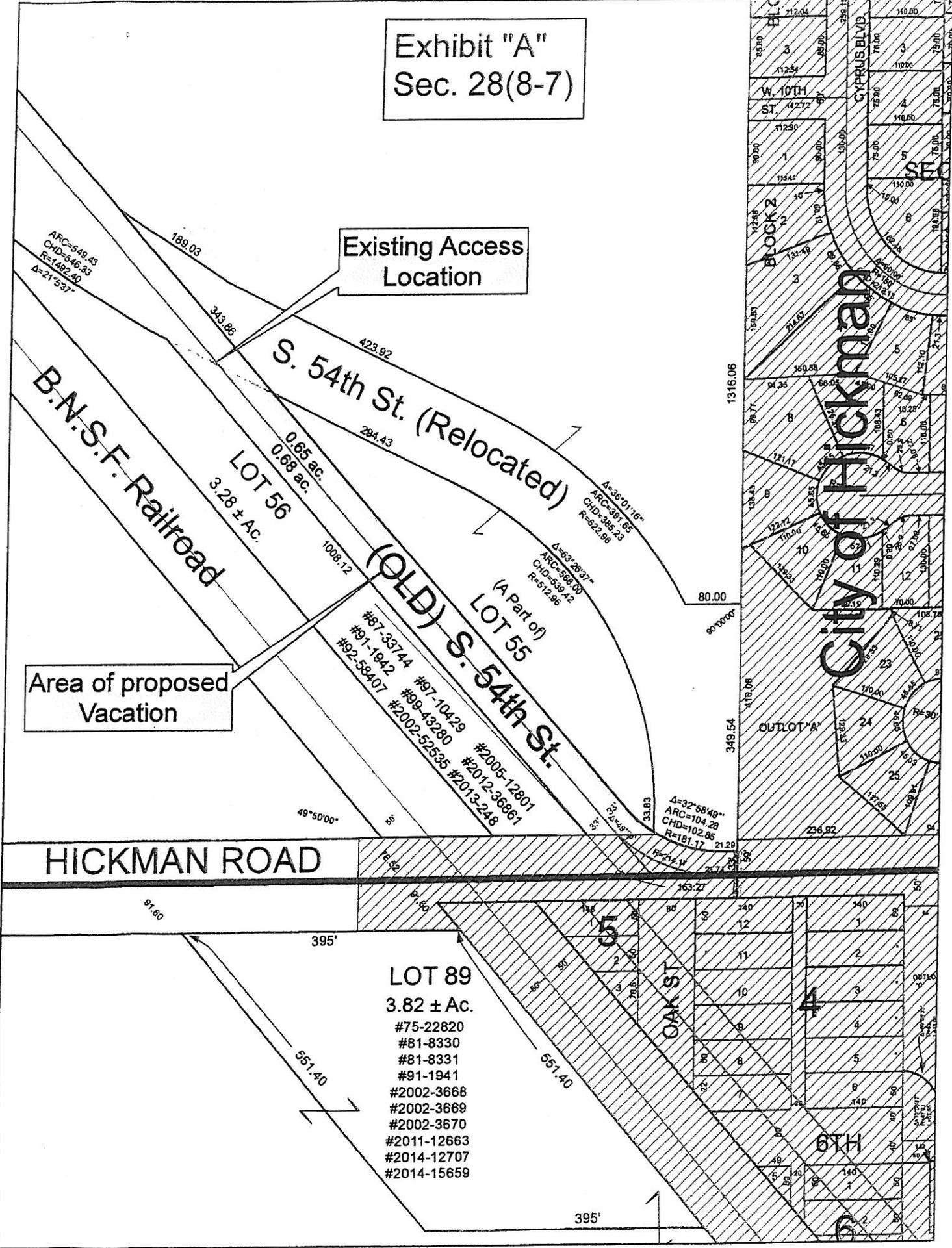
KDS/bml

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Exhibit "A"  
Sec. 28(8-7)

Existing Access  
Location

Area of proposed  
Vacation





South



12/21/2015



North



12/21/2015

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**Section 5.05 TA Transitional Agriculture District**

5.05.01 *Intent:* The Transitional Agriculture District is established for the purpose of preserving agricultural resources that are compatible with adjacent urban growth. It is not intended for commercial feedlot operations for livestock or poultry. Because the areas are not in the identified growth areas for the community, the district is designed to limit urban sprawl.

5.05.02 *Permitted Uses:*

The following principal uses are permitted in the TA District.

1. Churches.
2. Farm dwellings for the owners and their families, tenants, and employees.
3. Farming, pasturing, orchards, greenhouses and nurseries, including the sale and distribution of agricultural products, excluding the sale and distribution of chemicals.
4. Farms for breeding, raising, and selling wild game, fish and livestock, provided that no livestock feedlot or yard for more than 20 animals shall be established, also provided that any building for the enclosure or shelter of animals shall be setback at least 50 feet from all street and lot lines.
5. Private clubs or organizations not operated for profit.
6. Public parks and recreation areas, playgrounds and conservation areas including flood control facilities.
7. Family Child Care Home II.
8. Public uses, including but not limited to recreational uses, fire stations, community centers, auditoriums, libraries or museums.
9. Roadside stands and truck gardens offering for sale agriculture products produced on the premises.
10. Single family dwelling.
11. Railroads, not including switching, terminal facilities or freight yards.

5.05.03 *Conditional Uses:*

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the TA District as recommended by the Planning Commission and City Council and approved by the City Council.

1. Buildings and facilities for the raising and care of animals for 4-H, Future Farmer of America (FFA) or other rural/school organizations.
2. Cemeteries or mausoleums provided all structures are located at least 100 feet from all property lines.
3. Existing farmsteads used in conjunction with a farm that has been in existence for a minimum of 15 years and shall meet the minimum lot requirements found in the R-1: Residential Estates District of this Ordinance. Said farmstead shall be subdivided in the manner determined by the City.
4. Public utility main transmission lines including substations, distribution centers, regulator stations, pumping, treatment facilities, storage, equipment buildings, garages, towers, or similar public service uses.
5. Public and private schools, colleges, and universities.
6. Commercial recreation areas and facilities, such as swimming pools, fishing lakes, and gun clubs.
7. Private or Commercial kennels or facilities for the raising, breeding, or boarding of dogs and other small animals provided that such facility is located a minimum of 100 feet from the property line and a minimum of 300 feet away from the nearest residential zoning district, and is located on a minimum of five acres.
8. Private stables and facilities for housing animals and fowl for non-commercial purposes, on at least five acres, provided that all buildings shall be no closer than 300 feet to any residential district.
9. Public and private riding academies on at least five acres provided that no stable, building or structure in which horses or other animals are housed may be closer than 300 feet to any residential district.
10. Telecommunication and Broadcast towers, pursuant to Article 9.
11. Veterinarians' offices and hospitals.
12. Wastewater treatment facilities.
13. Commercial/Utility Grade Wind energy systems, pursuant to Article 9.
14. Amateur Radio Antenna greater than 65 feet in height, pursuant to Article 9.

- 5.05.04 *Temporary Uses:* The following temporary uses may be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit
1. Temporary greenhouses.
  2. Fireworks stands provided the criteria are met as established by the City through separate Ordinances.
  3. Buildings and uses incidental to construction work which shall be removed upon completion or abandonment of the construction work.
  4. Temporary structure for festivals or commercial events.
  5. Temporary Signs as provided in Article 8

- 5.05.05 *Permitted Accessory Uses:*
1. Buildings and uses customarily incidental to the permitted and conditional uses.
  2. Fences pursuant to Article 9
  3. Home occupation, pursuant to Article 9.
  4. Parking pursuant to Article 7.
  5. Private swimming pool, tennis court and other similar facilities in conjunction with a residence.
  6. Signs pursuant to Article 8.
  7. Decks, gazeboes, elevated patios either attached or detached.
  8. Family Child Care Home I.
  9. Amateur Radio Antenna less than 65 feet in height.

5.05.06 *Height and Lot Requirements:* The height and minimum lot requirements shall be as follows:

Use	Lot Area (acres)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Max. Height (feet)	Max. Lot Coverage
Permitted Uses	40	500	70	25	50	65	10%
Conditional Uses	(1)	200	70	25	50	35	10%
Accessory Uses / Structures (3)	-	-	70	10	10	25	5% (2)

1. The minimum lot area is five acres; however, depending upon the size of the facilities and required setbacks the minimum lot area may be required to be greater.
2. Accessory buildings shall not exceed the smallest of 3,600 square feet or five percent of the size of the lot; however, in no case shall an accessory building exceed 150 percent of the size of the dwelling. The total coverage for all structures shall not exceed 15 percent.
3. Accessory buildings are defined as non-farm structure.

- 5.05.07 *Miscellaneous Provisions:*
1. Supplementary regulations shall be complied with as defined herein
  2. Only one principal building shall be permitted on one zoning lot except as otherwise provided

**Section 5.12 I-1 Light Industrial District**

5.12.01 *Intent:* It is the intent of the Light Industrial District to provide standards for areas suitable for some limited industrial, wholesaling and storage activities, to preserve land for the expansion of the basic economic activities, to free these areas from intrusion by incompatible land uses, that these areas should be served with adequate transportation facilities, and that user of this land conduct activities that create low to moderate hazards to adjacent properties.

Adult Entertainment Facilities are included in this Zoning District. The intent of the Hickman Zoning Ordinance in placing these uses in this district is not to prohibit these uses but to regulate the secondary effects of these uses within the community.

5.12.02 *Permitted Uses:*

The following principal uses are permitted in the I-1 District.

1. Assembly, fabrication and processing of products inside an enclosed building, except hazardous or combustible materials.
2. Motor vehicle and boat storage yard provided all vehicles are kept in an enclosed and screened area.
3. Building materials yards with enclosed and screened storage areas.
4. Construction and heavy equipment sales and service.
5. Dying and cleaning establishments.
6. Farm and industrial equipment sales.
7. Highway maintenance yards or buildings.
8. Laboratories with minimal biohazards.
9. Machine shop or metal working excluding drop hammers and other noise producing tools.
10. Manufacture and assembly of electrical and electronic appliances.
11. Manufacturing, compounding, processing, packaging, or treatment of articles or merchandise from previously prepared materials.
12. Printing and publishing business.
13. Self-storage units provided the standards of Article 9 are met.
14. Stone and monument works.
15. Utility substations, pumping stations, and water reservoirs.
16. Warehouses and wholesale businesses.

5.12.03 *Conditional Uses:*

The following uses are subject to any conditions listed in this Ordinance and are subject to other conditions relating to the placement of said use on a specific tract of ground in the I-1 District as recommended by the Planning Commission and City Council and approved by the City Council.

1. Concrete or cement product manufacturing.
2. Grain storage bins and elevators.
3. Auto body repair shops, provided the following minimum standards are met:
  - a. all vehicles waiting on repair shall be behind an opaque screened area
  - b. all exhaust fumes from painting areas shall meet all Federal and State requirements
  - c. All parts shall be in a screened in area.
  - d. Parts shall not be stacked taller than the fence or wall
  - e. Parts are not intended to be inventoried for more than a one year period
  - f. Screened areas and business are not to be used in a manner that would be defined as either a "Automobile Wrecking Yard" or "Junk Yard".
  - g. Screened in areas shall be opaque fence or solid wall at least eight feet in height.
4. Live-in quarters used by live-in watchman or custodians during periods of construction or when necessary as an accessory to permitted use.
5. Overhead and underground utility main transmission lines including but not limited to power, telephone, gas, fuel, or fertilizer lines, substations, terminal facilities, and reservoirs.
6. Telecommunication and Broadcast towers, pursuant to Article 9.
7. Research facilities.
8. Automobile junk yard or wrecking yard provided the standards of Article 9 are met.
9. Truck terminal and dock facilities to include truck washing.
10. Adult Entertainment establishments shall conform to these regulations:
  - a. No Adult business shall be closer than 1,000 feet to any similar use and no closer than 1,000 feet to a residential district or use, religious use, educational use or recreational use. Measurements shall be made in a straight line, without regard to intervening structures or

- objects, from the main entrance of such adult business to the closest point on the property line of such other adult business, residential district or use, religious use, educational use or recreational use.
- b. Said businesses shall be screened along adjoining property lines so as to prevent any direct visual contact of the adult business from the perimeter.
  - c. Doors, curtains and any other means of obstruction to the opening of all booths and other preview areas, including but not limited to Adult Novelty Businesses, Adult Motion Picture Arcades, Adult Mini-Motion Picture Theaters, and Adult Motion Picture Theaters shall be removed and kept off at all times during the execution of this Permit. Failure to comply with this condition shall result in revocation of the Conditional Use Permit.
  - d. No adult business shall be open for business between the hours of twelve-midnight (12:00 a.m.) and six a.m. (6:00 a.m.).
  - e. The proposed location, design, construction and operation of the particular use shall provide adequate safeguards to protect the health, safety, and general welfare of persons residing or working in adjoining or surrounding property.
  - f. Such use shall not impair an adequate supply of light and air to surrounding property.
  - g. Such use shall not unduly increase congestion in the streets or public dangers, including fire and safety hazards.
  - h. Such use shall not diminish or impair established property values in adjoining or surrounding property.
  - i. Such use shall be in accord with the intent, purpose and spirit of this Ordinance and the Comprehensive Development Plan of Hickman, Nebraska.
  - j. Applications for adult businesses under the terms of this Section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property. The application shall also include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, driveways and points of ingress and egress, the location and height of walls, the location and type of landscaping, and the location, size and number of signs.
  - k. An adult business shall post a sign at the entrance of the premises that shall state the nature of the business and shall state that no one under the age of 18 years of age is allowed on the premises. This Section shall not be construed to prohibit the owner from establishing an older age limitation for admission to the premises.
  - l. *Prohibited Activities of Adult Businesses:*
    - A. No adult business shall employ any person under 18 years of age
    - B. No adult business shall furnish any merchandise or services to any person who is under 18 years of age
    - C. No adult business shall be conducted in any manner that permits the observation of any model or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct in or about the premises which is prohibited by this Ordinance or any other laws of the State.
    - D. No part of the interior of the adult business shall be visible from the pedestrian sidewalk, walkway, street, or other public or semi-public area.

5.12.04 *Temporary Uses:* The following temporary uses shall be permitted provided a Temporary Use Permit is obtained and said temporary use is eliminated at the expiration of the permit

1. Buildings and uses incidental to construction work which shall be removed upon completion or abandonment of the construction work.
2. Temporary structure for festivals or commercial events.
3. Fireworks stands provided the criteria are met as established by the City through separate Ordinance.
4. Temporary Signs as provided in Article 8.

5.12.05 *Accessory Uses:*

1. Buildings and uses customarily incidental to the permitted uses.
2. Signs pursuant to Article 8.
3. Parking pursuant to Article 7.
4. Fences pursuant to Article 9, including perimeter fencing above six feet in height.

5.12.06 *Height and Lot Requirements:* The height and minimum lot requirements shall be as follows:

	Lot Area (sq. ft.)	Lot Width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Max. Height (feet)	Max. Lot Coverage
Permitted Uses	10,000	-	25'	(1)	(2)	45'	-
Conditional Uses	10,000	-	25'	(1)	(2)	45'	-
Accessory Uses	-	-	25'	(1)	(2)	45'	-

1. None, except that when adjacent to any residential district, the side yard setback shall be 25 feet.
2. None, except that when adjacent to any residential district, the rear yard setback shall be 25 feet.
3. Minimum Lot Area to be calculated based upon Maximum Lot Coverage, Building footprint, and required ancillary uses like parking and landscaping and Section 5.12.07 unless otherwise noted.

5.12.07 *Use Limitations:*

1. The minimum height requirement may be exceeded, provided the setback is increased by one foot for every one foot increase in building height.
2. When adjacent to residentially zoned land, no parking, driveways or signs shall be allowed in the required front yard within 15 feet of said residential district.
3. When adjacent to residentially zoned land, new construction must provide a permanent screen six feet in height in order to minimize impacts on residentially zoned property.
4. No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
5. Exterior lighting fixtures, other than publicly installed street lights, shall be located and installed to reflect light away from abutting residential properties.

5.12.08 *Performance Standards:*

See Article 9 of the Supplemental Regulations.

**Section 9.07 Self Storage Units / Convenience Storage Units**

- 9.07.01 Minimum lot size of the Self Storage facility shall be two acres.
- 9.07.02 Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
- 9.07.03 All driveways, parking, loading and vehicle circulation areas shall be paved with concrete, asphalt, or asphaltic concrete. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.
- 9.07.04 All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
- 9.07.05 No storage may open into the front yards.
- 9.07.06 Facilities must maintain landscape buffer yards of 50 feet adjacent to any public Right-of-Way and 20 feet adjacent to other property lines, unless greater setbacks are required, a total of 35 percent of all buffers shall be landscaped.
- 9.07.07 Height limitations shall require a maximum height of 20 feet for any structure in the facility.
- 9.07.08 The perimeter of each facility shall be fully enclosed by fencing or screen walls. Perimeter fencing shall be provided at a minimum of six feet and maximum of eight feet in height, of material approved by the Building Inspector. Fencing shall be constructed behind required buffer yards.

**Section 9.08 Auto Wrecking Yards, Junk Yards Salvage Yards and Scrap Processing Yards**

- 9.08.01 The use shall be located on a tract of land at least 300 hundred feet from a residential district.
- 9.08.02 The operation shall be conducted wholly within a noncombustible building or within an area completely surrounded by a solid fence or wall at least eight feet high.
- 9.08.03 The fence or wall shall be uniform in height, texture, and color, and shall be so maintained by the proprietor as to ensure maximum safety to the public, obscure the junk from normal view of the neighborhood.
- 9.08.04 The fence or wall shall be installed in such a manner as to retain all scrap, junk or other material within the yard. No scrap, junk or other salvaged materials may be piled or stacked so to exceed the height of the enclosing fence or wall.
- 9.08.05 No junk shall be loaded, unloaded or otherwise placed either temporarily or permanently outside the enclosed building, fence or wall, or within the public Right-of-Way.
- 9.08.06 Burning of paper, trash, junk or other materials shall be prohibited.

**Section 9.09 Landscaping Requirements:**

9.09.01 Intent:

The intent of the landscaping requirements are to improve the appearance of lot areas and soften paved areas and buildings; to provide a buffer between differing land uses; to minimize the adverse effect of uses from one another; to minimize the effect of heat, noise and glare; to conserve the value of property and neighborhoods within the community; and to enhance the physical environment within the City of Hickman by ensuring that yards, open spaces, parking lots and those areas abutting public rights-of-way are designed, installed and maintained in accordance with then provisions of this section.

Property development shall consider and respect land capabilities and constraints, minimize erosion and destruction of natural amenities and provide a buffer between differing land uses.

9.09.02 Application and Scope:

The provisions of the section shall apply to all new construction and development including, but not limited to, structures, dwellings, buildings, parking lots, residential subdivisions, office parks, shopping centers, and redevelopment for which either a building or zoning permit approval is required, except the following:

1. Agricultural buildings, structures and uses.
2. Replacement of lawfully existing structures or uses.
3. Additions, remodeling or enlargements of existing uses or structures provided that the enlargement of surface parking of less than 4,000 square feet shall not be excepted. Where such enlargement is less than 4,000 square feet, the provisions of this section shall apply only to that portion of the lot or site where the enlargement occurs.
4. Where there is more than one lot or site being developed together as one unit with common property lines, the entire site shall be treated as one lot or site for the purpose of conforming to the requirements of this section.
5. When a lot or site with more than one ownership has been partially developed at the time of the adoption of this section. The application of the requirements of this section shall be determined by the City Council with the recommendation of the City Planning Commission.

rezoning change may also be a request to change the existing primary zoning district to another zoning district with the PD as an appendage.

The property owner shall file, together with the rezoning application, a Site Development Plan and such other drawings or calculations necessary to determine whether the proposed development conforms with the provisions of the primary zoning district to which the PD is to be appended. In the event the applicant is seeking modifications to the district requirements, information shall be submitted as to the extent of the modification, justifications, and specific proposals for mitigating any impacts on adjacent properties.

- B. Required Information. The plans and other drawings and calculations shall provide adequate information to show the arrangement of buildings, the number of dwelling units or establishments, building bulk and height, access drives, walks, parking areas, drainage, grading plan, utilities distribution, recreation areas, open spaces, and the general landscape development.

The property owner may further be asked to furnish other information, such as typical building floor plans, building elevations to show the general architectural character of the buildings, some indications as to size and type of landscape plant materials, pavements, and other major site improvements.

- C. Amendments. Changes in the Development Plan, which increase the number of dwelling units or establishments, the arrangement of buildings, the number of parking stalls, any increase in the size or number of other improvements, and the alignment of driveways or roadways shall require a resubmission for approval of the application for rezoning. Any minor changes or adjustments or decrease in the number of dwelling units, common facilities and recreation facilities may be approved by the Council without resubmission.

13.08 *Other Applicable Provisions.* Off-street parking shall be provided for all uses established in this zoning district.

The entire planned development may be considered as one zoned lot.

Signs in districts with industrial or commercial designation shall be limited to ground signs not over eight (8) feet in height (8) feet in height and wall signs.

#### Section 14: FF/FW Flood Plain Districts

14.01 *Statement of Purpose:* It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize losses due to flood hazards by applying the provisions of this ordinance to:

- A. Restrict or prohibit uses which are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
- B. Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction.

- C. Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard.
- D. Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program.

14.02 *General Provisions:*

- A. Lands to Which Ordinance Applies:  
This ordinance shall apply to all lands within the jurisdiction of the City of Hickman identified on the Flood Insurance Rate map (FIRM) as numbered and unnumbered A Zones (including AE, AO, and AH Zones) and within the Zoning Districts FW and FF established in sub-section 14.04 of this ordinance. In all areas covered by this ordinance no development shall be permitted except upon the issuance of a floodplain permit to develop, granted by the City Council or its duly designated representative under such safeguards and restrictions as the City Council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community and where specifically noted in sub-section 14.05, 14.06 and 14.07.
- B. The Enforcement Officer:  
The Mayor of the community is hereby designated as the community's duly designated Enforcement Officer under this Ordinance.
- C. Rules for Interpretation of District Boundaries:  
The boundaries of the floodway and flood fringe overlay districts shall be determined by scaling distances on the official zoning map or on the Flood Insurance Rate Map or Floodway Map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the official zoning map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Enforcement Officer shall make the necessary interpretation. In such cases where the interpretation is contested, the Board of Adjustment will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board of Adjustment and to submit his own technical evidence, if he so desires.
- D. Compliance:  
Within identified special flood hazard areas of this community, no development shall be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.
- E. Abrogation and Greater Restrictions:  
It is not intended by this ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with ordinance are hereby repealed to the extent of the inconsistency only.

- F. Interpretation:  
In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.
- G. Warning and Disclaimer of Liability:  
The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside floodway and flood fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damage. This ordinance shall not create liability on the part of the City of Hickman or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.
- H. Severability:  
If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- I. Appeal:  
Where a request for a permit to develop or a variance is denied by the Mayor the applicant may apply for such permit or variance directly to the Board of Adjustment.

14.03 *Development Permit:*

- A. Permit Required:  
No person, firm or corporation shall initiate any floodplain development or substantial improvement or cause the same to be done without first obtaining a separate permit for development as defined in sub-section 14.12.
- B. Administration
1. The Mayor is hereby appointed to administer and implement the provisions of this ordinance.
  2. Duties of the Mayor shall include, but not be limited to:
    - a) Review all development permit applications to assure that sites are reasonably safe from flooding and that the permit requirements of this ordinance have been satisfied.
    - b) Review applications for proposed development to assure that all necessary permits have been obtained from those Federal, State, or Local governmental agencies from which prior approval is required.
    - c) Notify adjacent communities and the Nebraska Natural Resources Commission prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency

Management Agency.

- d) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
- e) Verify, record and maintain record of the actual elevation (in relation to mean seal level) of the lowest floor (including basement) of all new or substantially improved structures in special flood hazard areas.
- f) Verify, record and maintain record of the actual elevation (in relation to mean sea level) to which new or substantially improved structures have been floodproofed.
- g) When floodproofing is utilized for a particular structure the Mayor shall be presented certification from a registered professional engineer or architect.

C. Application for Permit:

To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

- 1. Identify and describe development to be covered by the floodplain development permit.
- 2. Describe the land on which the proposed development is to be done by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building or development.
- 3. Indicate the use or occupancy for which the proposed development is intended.
- 4. Be accompanied by plans and specifications for proposed construction.
- 5. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.
- 6. Give such other information as reasonably may be required by the Mayor.

14.04 *Establishment of Zoning Districts:* Along watercourses where a floodway has been established, the mapped floodplain areas are hereby divided into the two following districts: A floodway overlay district (FW) and a flood fringe overlay district (FF) as identified in the Flood Insurance Study [and accompanying map(s)]. Within these districts all uses not meeting the standards of this ordinance and those standards of the underlying zoning district shall be prohibited.

14.05 *Standards for Floodplain Development:*

- A. No permit for development shall be granted for new construction, substantial improvements and other development(s) including the placement of manufactured homes within all numbered and unnumbered A zones including AE, AO, and AH zones, unless the conditions of this Section are satisfied.

- B. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the base flood; however, the water surface elevation was not provided. The unnumbered A zones shall be subject to all development provisions of sub-section 14.06. If Flood Insurance Study data is not available, the community shall utilize any base flood elevation or floodway data currently available from Federal, State, and other sources.
- C. Until a floodway has been designated, no development or substantial improvement may be permitted within special flood hazard areas unless the applicant has demonstrated that the proposed development or substantial improvement, when combined with all other existing and reasonably anticipated developments or substantial improvements, will not increase the water surface elevation of the base flood more than one (1) foot at any location as shown on the Flood Insurance Study.
- D. New Construction, subdivision proposals, substantial improvements, prefabricated buildings, placement of manufactured and mobile homes and other developments shall require:
1. Design or anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
  2. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination.
  3. Construction with materials resistant to flood damage, utilizing methods and practices that minimize flood damages, and with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
  4. All utility and sanitary facilities be elevated or floodproofed up to the regulatory flood protection elevation.
- E. Storage of Material and Equipment:
1. The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.
  2. Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

- F. Subdivision proposals and other proposed new development, including manufactured or mobile home parks or subdivisions, be required to assure that:
1. All such proposals are consistent with the need to minimize flood damage,
  2. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate flood damage,
  3. Adequate drainage is provided so as to reduce exposure to flood hazards, and
  4. Proposals for development (including proposals for manufactured or mobile home parks and subdivision) of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals the base flood elevations.

*14.06 Flood Fringe Overlay District - Including AO & AH Zones*

A. Permitted Uses:

Any use permitted in sub-section 14.07 shall be permitted in the Flood Fringe Overlay District. No use shall be permitted in the district unless the standards of sub-section 14.05 are met.

B. Standards for the Flood Fringe Overlay District:

1. Require new construction or substantial improvements of residential structures to have the lowest floor, including basement, elevated to or above one (1) foot above the base flood elevation.
2. Require new construction or substantial improvements of non-residential structures to have the lowest floor, including basement, elevated to or above one (1) foot above the base flood elevation or, together with attendant utility and sanitary facilities, to be floodproofed so that below that level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to by Mayor as set forth in Section 14.03, B (2) (g).
3. Require for all new construction and substantial improvements that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom

of all openings shall be not higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. Within AH zones adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

5. Manufactured or Mobile Homes:

a) All manufactured or mobile homes shall be anchored to resist floatation, collapse, or lateral movement. Manufactured homes must be anchored in accordance with local building codes or FEMA guidelines. In the event that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:

(1) Over-the-top ties be provided at each of the four corners of the manufactured or mobile home, with two additional ties per side at intermediate locations and manufactured homes less than fifty (50) feet long requiring one additional tie per side;

(2) Frame ties be provided at each corner of the home with five (5) additional ties per side at intermediate points and manufactured or mobile homes less than sixty (60) feet long requiring four (4) additional ties per side;

(3) All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and

(4) Any additions to the manufactured or mobile home be similarly anchored.

b) Require that all manufactured or mobile homes to be placed or substantially improved within special flood hazard areas on the community's FIRM on sites:

(1) Outside of manufactured home park or subdivision.

(2) In a new manufactured home park or subdivision.

(3) In a subdivision to an existing manufactured home park or subdivision, or

(4) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above one (1) foot above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 14.06, B (5) (a).

- c) Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within special flood hazard areas on the community's FIRM that are not subject to the provisions of Section 14.06, B (5) (a) be elevated so that either:
  - (1) The lowest floor of the manufactured home is at or above (1) foot above the base flood elevation, or
  - (2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 14.06, B (5) (b).
- 6. Recreational vehicles placed on sites within the special flood hazard areas on the community's official map shall either (i) be on the site for fewer than one hundred eighty (180) consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements and the elevation and anchoring requirements for "manufactured homes" of this ordinance. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently-attached additions.
- 7. Located within the areas of special flood hazard established in sub-section 14.02,A are areas designated as AO Zones. These areas have special flood hazards associated with base flood depths of one (1) to three ( 3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply within AO Zones:
  - a) All new construction and substantial improvements of residential structures shall have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as one (1) foot above the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
  - b) All new construction and substantial improvements of non-residential structures shall:
    - (1) Have the lowest floor elevated above the highest adjacent grade at least as high as one (1) foot above the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or
    - (2) Together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any

space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of buoyancy. Such certification shall be provided to the official as set forth in Section 14.03, B (2) (g).

- c) Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

C. **Minimum Standards Governing Location of Obstructions and Substantial Improvements in the Floodplains for the Base Flood:**

The following minimum standards shall apply when an obstruction is to be located or substantially improved within the floodplain of a base flood. In the event of a conflict between the following minimum standards and those in sub-section 14.05, the minimum standards in sub-section 14.05 shall govern.

- 1. Appurtenant structures used exclusively for storage of motor vehicles, and storage of other items readily removable in the event of a flood warning may have their lowest floor below one foot above the base flood elevation provided the structure is capable of withstanding hydrostatic and hydrodynamic forces caused by the base flood and provided that no utilities are installed in the structure except elevated or floodproofed electrical fixtures. If the structure is converted to another use, it must be brought into full compliance with the minimum standards governing such use.

**14.07 Floodway Overlay District:**

A. **Permitted Uses:**

Only uses having a low flood-damage potential and not obstructing flood flows shall be permitted within the Floodway District to the extent that they are not prohibited by any other ordinance. The following are recommended uses for the Floodway District:

- 1. Agricultural uses such as general farming, pasture, nurseries, forestry.
- 2. Residential uses such as lawns, gardens, parking, and play areas.
- 3. Non-residential areas such as loading areas, parking and airport landing strips.
- 4. Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves.

B. **Standards for the Floodway Overlay District:**

New structures for human habitation are prohibited. All encroachments, including fill, new construction, substantial improvements, and other development

must be prohibited unless certification by a registered professional engineer or architect is provided demonstrating that the development shall not result in any increase in water surface elevations along the floodway profile during occurrence of the base flood discharge. These uses are subject to the standards of sub-section 14.05 and 14.06. In Zone A unnumbered, obtain, review, and reasonably utilize any flood elevation and floodway data available through Federal, State, and other sources or sub-section 14.05, F (4) of this section, in meeting the standards of this section.

14.08 *Variance Procedures:*

- A. The Board of Adjustment, as herein established by the City, shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- B. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the City in the enforcement or administration of this ordinance.
- C. Any person aggrieved by the decision of the board may appeal such decision to the District Court as provided in Section 19-912, R.R.S. 1943.
- D. In passing upon such applications, the boards shall consider all technical evaluation, all relevant factors, standards specified in other sections of this ordinance, and;
  - 1. the danger that materials may be swept onto other lands to the injury of others;
  - 2. the danger to life and property due to flooding or erosion damage;
  - 3. the susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - 4. the importance of the services provided by the proposed facility to the community;
  - 5. the necessity to the facility of a waterfront location, where applicable;
  - 6. the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - 7. the compatibility of the proposed use with existing and anticipated development;
  - 8. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - 9. the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - 10. the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
  - 11. the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

E. Conditions for Variances:

1. Generally variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (2-5 below) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
4. Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
5. Any applicant to whom a variance is granted shall be given a written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

14.09 *Non-conforming Use:*

- A. A structure or the use of a structure or premises which was lawful before the passage or amendment of the ordinance, but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions:
  1. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this ordinance.
  2. Uses or adjuncts thereof which are or become nuisances shall not be entitled to continue as nonconforming uses.
- B. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent (50%) of the market value of the structure before the damage occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

- 14.10 *Penalties for Violation:* Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one hundred dollars (\$100.00) and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- Nothing herein contained shall prevent the City or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.
- 14.11 *Abrogation and Greater Restrictions:* It is not intended by this ordinance to repeal, abrogate or impair any existent easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.
- 14.12 *Interpretation:* In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal, of any other powers granted by state statutes.
- 14.13 *Warning and Disclaimer of Liability:* The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside floodplain district boundaries or land uses permitted within such districts will be free from flooding or flood damage. This ordinance shall not create liability on the part of City of Hickman or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.
- 14.14 *Severability:* If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- 14.15 *Conflicting Ordinances:* This ordinance shall take precedence over conflicting Ordinances or parts of Ordinances. The Governing Body of the City of Hickman may, from time to time, amend this Ordinance to reflect any and all changes in the National Flood Disaster Protection Act of 1973. The regulations of this Ordinance are in compliance with the National Flood Insurance Program Regulations as published in Title 44 of the Code of Federal Regulations and the 1983 Nebraska Floodplain Management Act.
- 14.16 *Definitions:* Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

Appeal means a request for a review of the Chairman of the Board's interpretation of any provision of this ordinance or a request for a variance.

Appurtenant Structure means a structure on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure.

Area of Shallow Flooding means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Base Flood means the flood having one percent chance of being equalled or exceeded in any given year.

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Existing Construction means (for the purpose of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing Construction" may also be referred to a "existing structure".

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is complete before the effective date of the floodplain management regulations adopted by a community.

Expansion of Existing Manufactured Home Park or Subdivision the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) The overflow of inland or tidal waters. (2) The usual and rapid accumulation of runoff of surface waters from any source.

Flood Fringe is that area of the floodplain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent chance of flood occurrence in any one year).

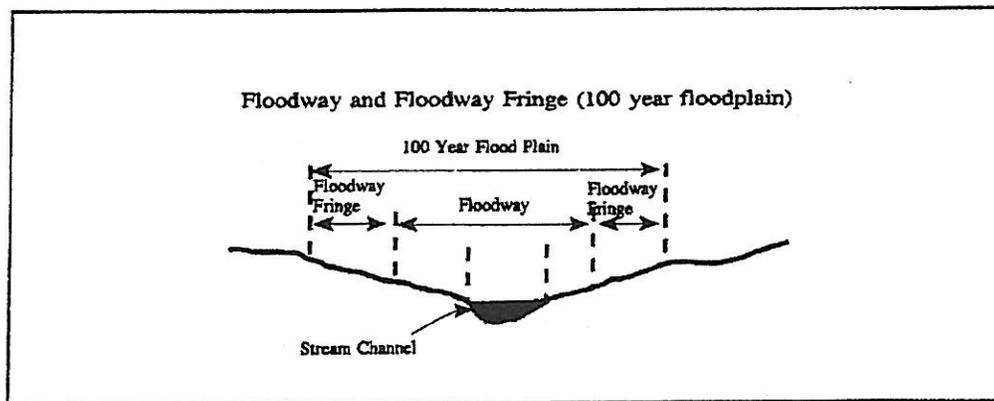
Flood Insurance Rate Map (FIRM) Means an official map of a community, on which the Administrator has delineated both the special flood hazards areas and the risk premium applicable to the community.

Flood Insurance Study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodplain means any land area susceptible to being inundated by water from any source (see definition of "flooding").

Floodproofing means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway means the channel of the river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.



Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure means any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with

historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

New Construction For floodplain management purposes, "new construction" means structures for which the "start of construction commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

100-Year Flood means the condition of flooding having one percent chance of annual occurrence.

Overlay District is a district in which additional requirements act in conjunction with the underlying zoning district(s). the original zoning district designation does not change.

Principally Above Ground means that at least 51 percent of the actual cash value of the structure is above ground.

Recreational Vehicle means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projection; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Flood Elevation means the water surface elevation of the 100-year flood.

Special Flood Hazard Area is the land in the floodplain within a community subject to one percent or greater chance of flooding in any given year.

*Revised 12-3-15*

A portion of South 54<sup>th</sup> Street Right Of Way to be vacated  
South 54<sup>th</sup> St. (Hickman Rd. to Roca Rd.)

A part of the South 54<sup>th</sup> Street Right Of Way, located in the SW  $\frac{1}{4}$ , of Section 28, Township 8 North, Range 7 East of the 6th Principal Meridian, Lancaster County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said SW  $\frac{1}{4}$ ; thence South 89 Degrees, 35 Minutes, 15 Seconds West, with the south line of said SW  $\frac{1}{4}$ , a distance of 163.27 feet to a point of intersection with the southeasterly extension of the northeast line of Lot 56, Irregular Tracts, located in said SW  $\frac{1}{4}$ ; thence North 40 Degrees, 56 Minutes, 11 Seconds West, with the southeasterly extension of the northeast line of said Lot 56, Irregular Tracts, a distance of 78.93 feet to the point of beginning, said point being located 60.00 feet north of as measured perpendicular to the south line of said SW  $\frac{1}{4}$ ; thence continuing North 40 Degrees, 56 Minutes, 11 Seconds West, with the northeast line of said Lot 56, Irregular Tracts, a distance of 929.19 feet to a point of intersection with the southwesterly right of way line of relocated South 54<sup>th</sup> Street; thence with a curve turning to the left, with said southwesterly right of way line, with a radius of 1492.40 feet, with a delta angle of 01 Degrees, 38 Minutes, 28 Seconds, with an arc length of 42.75 feet, said arc subtended by a chord which bears South 62 Degrees, 51 Minutes, 01 Seconds East, with a chord length of 42.75 feet to a point; thence South 63 Degrees, 40 Minutes, 16 Seconds East, with said southwesterly right of way line, a distance of 129.50 feet to a point, said point being located 66.00 feet northeast of as measured perpendicular to the northeast line of said Lot 56, Irregular Tracts; thence South 40 Degrees, 56 Minutes, 11 Seconds East, 66.00 feet northeast of and parallel with the northeast line of said Lot 56, Irregular Tracts, a distance of 778.56 feet to a point; thence with a curve turning to the left, with a radius of 181.17 feet, with a delta angle of 16 Degrees, 29 Minutes, 46 Seconds, with an arc length of 52.16 feet, said arc subtended by a chord which bears South 49 Degrees, 11 Minutes, 03 Seconds East, with a chord length of 51.98 feet to a point of intersection with said southwesterly right of way line; thence South 00 Degrees, 13 Minutes, 38 Seconds East, with said southwesterly right of way line, a distance of 2.19 feet to a point, said point being located 60.00 feet north of as measured perpendicular to the south line of said SW  $\frac{1}{4}$ ; thence South 89 Degrees, 35 Minutes, 15 Seconds West, 60.00 feet north of and parallel with the south line of said SW  $\frac{1}{4}$ , a distance of 94.75 feet to the point of beginning.

Containing 1.33 acres, more or less.

# State of Nebraska Real Property Appraiser Board



Hereby certifies that: JAMES J SHOTKOSKI  
LANCASTER CO. ENGINEERING  
444 CHERRYCREEK, BLDG "C"  
LINCOLN, NE 68528

Is credentialed in the State of Nebraska as a:  
Certified General Real Property Appraiser

Holding credential number: CG920233

Issued on: Jan 01, 2016

Set to expire on: Dec 31, 2016

Nebraska Real Property Appraiser Board Director: \_\_\_\_\_

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

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

Nebraska Real Property Appraiser Board  
301 Centennial Mall South, LL PO Box 94963  
Lincoln, Nebraska 68509-4963  
Phone: 402-471-9015 Fax: 402-471-9017 [www.appraiser.ne.gov](http://www.appraiser.ne.gov)

Administrative Identification Number:	5473-2016	Registration Fee Paid:	\$275.00
Random Fingerprint Audit Program Fee Paid:	\$5.00	Federal Registry Fee Paid:	\$40.00

IN THE COUNTY COURT OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF THE ESTATE OF )

Case No. 15 - 839

LOIS I. MCNEILL, Deceased )

INHERITANCE TAX WORKSHEET VOLUNTARY  
APPEARANCE AND WAIVER OF NOTICE

Date of Death: August 4, 2015 )

Final Determination

ASSETS OF ESTATE FOR INHERITANCE TAX PURPOSES, SECTIONS 77-2001 & 77-2002		
1	Schedule A, Real Estate (or Total of Short Form Inventory Value if Separate Schedules not Filed)	
2	Schedule B, Stocks and Bonds	
3	Schedule C, Mortgages, Notes and Cash	3,036.00
4	Schedule D, Life Insurance Payable to Estate	
5	Schedule E, Jointly Owned Property	125,917.00
6	Schedule F, Other Miscellaneous Property	
7	Schedule G, Transfers During Lifetime (Include Section 77-2002(2) gifts)	
8	Schedule H, Powers of Appointment (See Section 77-2009 for Taxability)	
9	Schedule I, Annuities	259,270.00
10	Total Clear Market Value (Total of lines 1 through 9) or Total Inventory Value	388,223.00
11	Contribution by Surviving Joint Tenant (Explanation Attached)	
12	Gross Estate (Line 10 Minus Line 11)	388,223.00
ALLOWANCES & EXEMPT PROPERTY, SECTIONS 30-2322 TO 30-2325 & DEDUCTIONS, SECTION 77-2018.04		
13	Homestead Allowance (Maximum \$20,000)	
14	Exempt Property (Maximum \$12,500)	12,500.00
15	Family Maintenance Allowance (Maximum \$20,000 Without Court Order)	
16	Total Allowances & Exempt Property (Total of Lines 13 Through 15)	12,500.00
17	Cost of Funeral, Including Interment and Marker	
18	Attorney Fees and Expenses	4,000.00
19	Personal Representative Fees	
20	Court Costs and Recording Fees	46.00
21	Publication Costs	54.00
22	Bond	
23	Other Administration Expenses (Schedule J or Other Schedule Attached)	
24	Non-Probate Property Expense	
25	Predeath Debts Not Otherwise Listed (Schedule K or Other Schedule Attached)	
26	Total Deductions (Total of Lines 17 Through 25)	4,100.00
MARITAL EXEMPTION, SECTION 77-2004		
This is Total of Spouse's Actual Share less Homestead Allowance, Exempt Property, and Family Allowance Together with Claims and Administration Expenses Which are Paid Out of the Interest of the Surviving Spouse		
27	Interest of Spouse in Decedent's Joint Property	
28	Interest of Spouse in Decedent's Probate Estate	
29	Interest of Spouse in Decedent's Other Property	
30	Total of Spouse's Actual Share (Total of Lines 27 Through 29)	0.00
FEDERAL ESTATE TAX DEDUCTION, SECTION 77-2018.04(5), CHARITABLE EXEMPTION SECTION 77-2007.03 & .04		
31	Gross Estate plus Adjusted Taxable Gifts (From Federal Estate Tax Return)	
32	Total of Line 31 Not Subject to Nebraska Inheritance Tax	
33	Total of Line 31 Subject to Nebraska Inheritance Tax (Line 31 minus Line 32)	0.00
34	Factor (Line 33 Divided by Line 31 carried to four places)	0.0000
35	Federal Estate Tax Paid (From Form 706)	
36	Federal Estate Tax Paid Attributable to Property Subject to Nebraska Inheritance (Line 34 Multiplied by Line 35)	0.00
37	Governmental, Religious, and Charitable Gifts	
38	Total Deductions and Exemptions (Sum of Line 16 Plus Line 26 Plus Line 30 Plus Line 36 Plus Line 37)	16,600.00
39	Net Value of Property Subject to Nebraska Inheritance Tax (Line 12 Minus Line 38)	371,623.00
TENTATIVE INHERITANCE TAX PAID AND CREDIT FROM ESTATES OF PRIOR DECEDENTS, SECTION 77-2018.06		
	Total Inheritance Tax Credit Due Estate of this Decedent (Explanation Attached)	
	Tentative Inheritance Tax Previously Paid in this Estate	

**NEBRASKA INHERITANCE TAX COMPUTATION**

		Beneficiary Number		1	2	3
		Beneficiary Name		Jonathan R. McNeill	Lorna S. Heid	
		Beneficiary Relationship		Son	Daughter	
		Class (Insert Spouse, 1, 2, 3, or Charitable)		1	1	
Page 1 & Beneficiary Totals	Difference From Page 1 Total to Adjust	Gross Estate		194,112.00	194,111.00	
12	388,223.00	0.00				
16	12,500.00	0.00		6,250.00	6,250.00	
26	4,100.00	0.00		2,050.00	2,050.00	
30	0.00	0.00				
36	0.00	0.00				
37	0.00	0.00				
39	371,623.00	0.00		185,812.00	185,811.00	0.00
	80,000.00			40,000.00	40,000.00	0.00
	291,623.00			145,812.00	145,811.00	0.00
40	2,916.23			1,458.12	1,458.11	0.00
41	0.00			0.00	0.00	0.00
42	0.00	0.00				
43	2,916.23			1,458.12	1,458.11	0.00
	0.00	<< Total Of Inheritance Tax Credit From Prior Estates, Must Equal or Exceed Line 41 Allocation of				

Class 1: Parents, grandparents, siblings, lineal descendants, and spouses of any of these. /// Class 2: Uncles and aunts, nephews and nieces, or lineal descendants or spouses of such relatives. /// Class 3: All others. /// Note: The relatives of decedent's current spouse and of a former spouse of the decedent to whom the decedent was married at the death of the former spouse have the same relationship as if relatives of decedent.

Beneficiary Number	4	5	6	7	8	9
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Inheritance tax rates on taxable amount: Class 1, \$40,000 exemption, balance is taxed at 1% /// Class 2, \$15,000 exemption, balance is taxed at 13% /// Class 3, \$10,000 exemption, balance is taxed at 18%. This schedule is for deaths on or after January 1, 2008.

**NEBRASKA INHERITANCE TAX APPORTIONMENT, SECTION 77-2014**

County	Allocation of Gross Estate		Nebraska Inheritance Tax Due			
	Gross Estate in County	Percent of Gross Estate	Tentative Tax Due	Inheritance Tax Credit Allowed	Tentative Tax Previously Paid	Inheritance Tax Due
LANCASTER		100.0000%	2,916.23	0.00		2,916.23
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
		0.0000%	0.00	0.00		0.00
12	Gross Estate	-388,223.00				
40	Tentative Inheritance Tax Due (Must Equal Line 40 Above)		2,916.23			
41	Inheritance Tax Credit Allowable ( See Note)			0.00		
42	Tentative Inheritance Tax Previously Paid (Total Must Equal Line 42 Above)				0.00	
43	Nebraska Inheritance Tax Due (Total Must Equal Line 43 Above)					2,916.23

Note: The total inheritance tax credit from prior estates may exceed the amount which is allocated and actually deductible. Because it is allocated

to beneficiaries pro rata on a gross estate basis, a low tax rate beneficiary or charitable beneficiary may be allocated credit in excess of any tax due.



INHERITANCE TAX WORKSHEET, CONTINUED

Beneficiary Number	10	11	12	13	14	15
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	16	17	18	19	20	21
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	22	23	24	25	26	27
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

INHERITANCE TAX WORKSHEET, CONTINUED

Beneficiary Number		28	29	30	31	32	33
Beneficiary Name							
Beneficiary Relationship							
Class (1, 2, 3, or Charitable)							
Gross Estate							
Allowances & Exempt Property							
Deductions							
Federal Estate Tax							
Charitable							
Net Value		0.00	0.00	0.00	0.00	0.00	0.00
Exemption		0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount		0.00	0.00	0.00	0.00	0.00	0.00
40	Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41	Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42	Tentative Tax Paid						
43	Tax Due	0.00	0.00	0.00	0.00	0.00	0.00
Beneficiary Number		34	35	36	37	38	39
Beneficiary Name							
Beneficiary Relationship							
Class (1, 2, 3, or Charitable)							
Gross Estate							
Allowances & Exempt Property							
Deductions							
Federal Estate Tax							
Charitable							
Net Value		0.00	0.00	0.00	0.00	0.00	0.00
Exemption		0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount		0.00	0.00	0.00	0.00	0.00	0.00
40	Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41	Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42	Tentative Tax Paid						
43	Tax Due	0.00	0.00	0.00	0.00	0.00	0.00
Beneficiary Number		40	41	42	43	44	45
Beneficiary Name							
Beneficiary Relationship							
Class (1, 2, 3, or Charitable)							
Gross Estate							
Allowances & Exempt Property							
Deductions							
Federal Estate Tax							
Charitable							
Net Value		0.00	0.00	0.00	0.00	0.00	0.00
Exemption		0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount		0.00	0.00	0.00	0.00	0.00	0.00
40	Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41	Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42	Tentative Tax Paid						
43	Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

INHERITANCE TAX WORKSHEET, CONTINUED

Beneficiary Number	46	47	48	49	50	51
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	52	53	54	55	56	57
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	58	59	60	61	62	63
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

INHERITANCE TAX WORKSHEET, CONTINUED

Beneficiary Number	64	65	66	67	68	69
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	70	71	72	73	74	75
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	76	77	78	79	80	81
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

INHERITANCE TAX WORKSHEET, CONTINUED

Beneficiary Number	82	83	84	85	86	87
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	88	89	90	91	92	93
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

Beneficiary Number	94	95	96	97	98	99
Beneficiary Name						
Beneficiary Relationship						
Class (1, 2, 3, or Charitable)						
Gross Estate						
Allowances & Exempt Property						
Deductions						
Federal Estate Tax						
Charitable						
Net Value	0.00	0.00	0.00	0.00	0.00	0.00
Exemption	0.00	0.00	0.00	0.00	0.00	0.00
Taxable Amount	0.00	0.00	0.00	0.00	0.00	0.00
40 Tentative Tax	0.00	0.00	0.00	0.00	0.00	0.00
41 Tax Credit From Prior Estate	0.00	0.00	0.00	0.00	0.00	0.00
42 Tentative Tax Paid						
43 Tax Due	0.00	0.00	0.00	0.00	0.00	0.00

**COUNTY ATTORNEY VOLUNTARY APPEARANCE AND WAIVER OF NOTICE FOR FINAL DETERMINATION OF INHERITANCE TAX  
CONTINUED**

I, the undersigned (Deputy) County Attorney, hereby enter my voluntary appearance on behalf of the below designated County and the State of Nebraska in the above captioned proceeding and waive the service of notice upon me to show just cause, and furthermore waive all notice required by law of time and place of hearing for the determination of values of property for inheritance tax purposes and for the purpose of assessing inheritance tax, if any, due under the laws of the State of Nebraska. I have examined the foregoing Worksheet and have no objections thereto for inheritance tax purposes only.

Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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Deputy County Attorney	County	Date
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**MINUTES**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**COUNTY-CITY BUILDING, ROOM 112**  
**TUESDAY, MARCH 15, 2016**  
**IMMEDIATELY FOLLOWING THE LANCASTER COUNTY**  
**BOARD OF COMMISSIONERS MEETING**

*Advance public notice of the Board of Equalization meeting was posted on the County-City Building bulletin board and the Lancaster County, Nebraska, web site and emailed to the media on March 11, 2016.*

Commissioners present: Roma Amundson, Chair; Todd Wiltgen Vice-Chair; Bill Avery, Larry Hudkins and Deb Schorr

Others present: Scott Gaines, County Assessor/Register of Deeds Office; Kerry Eagan, Chief Administrative Officer; Gwen Thorpe, Deputy Chief Administrative Officer; David Derbin, Deputy County Attorney; Dan Nolte, County Clerk; Cori Beattie, Deputy County Clerk; and Kelly Lundgren, County Clerk's Office

*The Chair called the meeting to order at 9:51 a.m., and the location of the Nebraska Open Meetings Act was announced.*

**1) MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 8, 2016.**

**MOTION:** Schorr moved and Wiltgen seconded approval of the minutes. Avery, Hudkins, Schorr, Wiltgen and Amundson voted aye. Motion carried 5-0.

**2) ADDITIONS AND DEDUCTIONS TO THE TAX ASSESSMENT ROLLS: (See attached additions and deductions.)**

**MOTION:** Schorr moved and Hudkins seconded approval of the additions and deductions. Hudkins, Schorr, Wiltgen, Avery and Amundson voted aye. Motion carried 5-0.

**3) PUBLIC HEARING:**

**A. Motor Vehicle Tax Exemption Applications**

**Alzheimer's Association – Nebraska Chapter**  
**Goodwill Industries Serving Southeast Nebraska, Inc.**  
**Madonna Rehabilitation Hospital**  
**Peoples City Mission**  
**Tabitha, Inc.**

The Chair opened the public hearing.

No one appeared to testify in support, opposition or in a neutral position.

**PUBLIC HEARING CONTINUED:**

The Chair closed the public hearing.

**MOTION:** Wiltgen moved and Schorr seconded approval of the exemptions. Schorr, Wiltgen, Avery, Hudkins and Amundson voted aye. Motion carried 5-0.

**4) PUBLIC COMMENT:** Those wishing to speak on items relating to County Board of Equalization business not on the agenda may do so at this time.

No one appeared for public comment.

**5) ADJOURNMENT**

**MOTION:** Schorr moved and Wiltgen seconded to adjourn the Lancaster County Board of Equalization meeting at 9:53 a.m. Wiltgen, Avery, Hudkins, Schorr and Amundson voted aye. Motion carried 5-0.

*Dan Nolte*

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Dan Nolte, County Clerk

