Public Notice

Notice is hereby given that a meeting of the Board of Commissioners of the County of Nemaha, Nebraska will be held at 8:00 a.m. on Wednesday, July 11, 2012 in the Commissioners Chambers, Courthouse Suite 201, Auburn, Nebraska. The meeting is open to the public. Agenda for such meeting is kept continuously current and is available for public inspection at the office of the County Clerk in the Nemaha County Clerk's office, Courthouse Suite 201, Auburn, NE during normal working hours and also at HYPERLINK "http://www.nemahacounty.ne.gov" www.nemahacounty.ne.gov.

Joyce Oakley

Nemaha County Clerk

Herald - July 5

ZNEZ

PUBLIC NOTICE

The Nemaha Natural Resources District Board of Directors will hold their regular meeting at 8:00 p.m. Thursday, July 12, 2012, at the NRD headquarters in Tecumseh, Nebraska. Individual committee meetings begin at 7:00 p.m. An agenda is being kept current at the office – 62161 Hwy 136, Tecumseh, NE 68450.

Herald - July 5

NOTICE

The regular meeting of the Auburn Board of Public Works will beheld Monday, July 9, 2012 at 12:00 Noon at the Board Office, 1600 O Street, Auburn, NE.

An agenda for the meeting is available for Public inspection at the Board's Office

David A. Hunter Jr.

General Manager

Herald - July 5

NOTICE

Case No. PR 12-26

Estate of DUEY OESTMANN, Deceased.

Notice is hereby given that on July 2, 2012, in the County Court of Nemaha County, Nebraska, the Registrar issued a written statement of Informal Probate of the Will of the Deceased and Myrna R. Esluer, 5832 Blondo Street, Omaha, NE 68104, has been appointed Personal Representative. Creditors must file their claims with this Court on or before September 5, 2012, or be forever barred.

Nancy Hall

Registrar

BYAM & HOARTY

8990 West Dodge Road, Suite 317

Omaha, NE 68114

Attorneys for Applicant

Herald - July 5, 12, 19

PUBLIC NOTICE

The Board of Commissioners of the County of Nemaha, Nebraska will hold a public hearing on July 25, 2012 at 10:00 a.m., Commissioners Chambers, Nemaha County Courthouse, 1824 N Street, Auburn NE to consider the closing or vacating of County Road #117 beginning at the NW corner of the SW ¼, Section 9 T6N R13E, south to the north bank of the Little Nemaha River located in the County of Nemaha, Nebraska.

Dated this 3rd day of July, 2012.

Joyce Oakley

Nemaha County Clerk

Herald - July 5, 12, 19

PUBLIC NOTICE

The Board of Commissioners of the County of Nemaha, Nebraska will hold a public hearing on July 25, 2012 at 10:15 a.m., Commissioners Chambers, Nemaha County Courthouse, 1824 N Street, Auburn NE to consider the closing or vacating of County Road #49 beginning at the South quarter corner of Section 5 T6N R13E, or beginning 2,640 feet west of SE corner Section 5 T6N R13E, west to the bank of the Little Nemaha River located in the County of Nemaha, Nebraska.

Dated this 3rd day of July, 2012.

Joyce Oakley

Nemaha County Clerk

Herald - July 5, 12, 19

NOTICE OF SUIT

IN THE DISTRICT COURT OF NEMAHA COUNTY NEBRASKA

CASE NO. CI 12-50

MARVIN CASPERS, Plaintiff v.

LEE A. GUTZMER, BRENDA DUTCHER, JOHN DOE AND JANE DOE, REAL NAMES UNKNOWN, JOHN E. GUTZMER, TRUSTEE OF THE GUTZMER FAMILY TRUST; RICHARDSON COUNTY BANK AND TRUST COMPANY, A NEBRASKA CORPORATION, And all other person Unknown having or claiming any Right, title or interest in the South Half of the Northwest Quarter of Section 1, Township 4 North, Range 13 East, Nemaha County, Nebraska, and in Lot 1 and 2 and the East 330 feet of the fractional Northwest Quarter of the Northwest Quarter and The fractional North Half of the North East Quarter, all in Section 1, Township 4 North, Range 13 East, Nemaha County, Nebraska, Defendants

TO: JOHN DOE AND JANE DOE; JOHN GUTZMER AND JOHN DOE OR JANE DOE, TRUSTEE OF THE GUTZMER FAMILY TRUST; AND ALL PERSONS CLAIMING ANY INTEREST IN THE ABOVE DESCRIBED REAL ESTATE:

You will take Notice that the Plaintiff did on the 29the day of May, 2012, file his Complaint against you in the above entitled court, praying for the foreclosure of real estate tax sale certificates on the following described real estate, to wit: The South Half of the Northwest Quarter of Section 1, Township 4 North, Range 13 East, Nemaha County, Nebraska, and in Lot 1 and 2 and the East 330 feet of the fractional Northwest Quarter of the Northwest Quarter and the fractional North Half of the North East Quarter, all in Section 1, Township 4 North, Range 13 East, Nemaha County, Nerbaska;

The object and prayer of which is the foreclsure of real estate tax sale certificates issued by the Nemaha County Treasurer on said property; praying that Plaintiff be adjudged a valid, prior, paramount and first lien upon each tract of the real estate in the amount of taxes, special assessments and other charges assessed and levied against the real estate that Plaintiff paid, plus interest from and after the date of payment at the rate of 14% per annum; and whatever interest in, right to or title to or lien upon the real estate herein Defendants or any of them may have is inferior, junior and subject to the lien held by the Plaintiff. Plaintiff also prays that an

accounting be had of the amount due Plaintiff by virtue of his lien on each tract for unpaid taxes, interests, costs and for attorney's fees as provided for by law; that Plaintiff be adjudged to be entitled to foreclose his lien on each tract of the real estate at public sale to satisfy the decree so entered. In default of payment of such sums found to be due and owing to the Plaintiff for 20 days from the entry of decree herein, each tract of the real estate herein shall be sold for the satifaction of the lien; and further prays that the Defendants and each of them be foreclosed and forever barred of all claims upon, interest in, right or title to, lien upon or equity of redemption in the real estate; and upon the sale of the real estate and upon the payments by the purchaser of all subsequent taxes which shall have accrued, the purchaser there shall take a good an indefeasible title to the real estate and shall be placed in possession thereof; that judgment be entered in Plaintiff's favor and against each tract of the real estate in the principal amount of the taxes paid as alleged herein, plus interest computed at 14% per annum from and after the date each item of said taxes was paid, plus title reports costs, court costs, lis pendens filing costs and attorney's fees permitted by law in the amount of 10% of the total amount due to Plaintiff; and for such other and further relief as the Court deems just and equitable.

You are required to accept or plead to said Complaint on or before the 21st day of August, 2012, or the allegations of said complaint will be taken as true and judgment rendered accordingly.

MARVIN CASPERS, Plaintiff

James H. Cain #15527

Attorney for Plaintiff

1920 O Street

Auburn, NE 68305

(402) 274-3938

Herald - June 28, July 5, 12, 19

NOTICE

IN THE COUNTY COURT OF NEMAHA COUNTY, NEBRASKA

Estate of Joyce Ann Clifton, Deceased

Estate Number PR 12-21

Notice is hereby given that on the 7th day of June, 2012, in the County Court of Nemaha County, Nebraska, the Registrar issued a written statement of Informal Appointment of Personal Representative in Intestacy of the Estate of said Decedent, and that Delyn Bryan Clifton, whose address is 2608 “Q” Street, Auburn, Nebraska 68305, was informally appointed by the Registrar as Personal Representative of the Estate. Creditors of this Estate must file their claims with this Court on or before the 28th day of August, 2012, or be forever barred.

Nancy Hall

Clerk Magistrate

Nemaha County Courthouse

1824 “N” Street

Auburn, Nebraska 68305

Telephone: (402) 274-3008

Angelo M. Ligouri (22926)

Ligouri Law Office

Attorneys for Personal Representative

Herald - June 28, July 5, 12

NOTICE

IN THE COUNTY COURT OF NEMAHA COUNTY, NEBRASKA

Estate of Irene M. Hahn, Deceased

Estate Number PR 12-24

Notice is hereby given that on the 22nd day of June, 2012, in the County Court of Nemaha County, Nebraska, the Registrar issued a written statement of Informal Probate of the Will of Irene M. Hahn, Decedent, and that Michael C. Casey, whose address is Post Office Box 215, Johnson, Nebraska 68378, was informally appointed by the Registrar as Persoanl Representative of the Estate. Creditors of this Estate must file their claims with this Court on or before the 28th day of August, 2012, or be forever barred.

Nancy Hall

Clerk Magistrate

Nemaha County Courthouse

1824 “N” Street

Auburn, Nebraska 68305

Telephone: (402) 274-3008

Louie M. Ligouri (16708)

Ligouri Law Office

Attorneys for Personal Representative

Herald - June 28, July 5, 12

Notice of Trustee’s Sale

TS No.: 12 -0037200

TSG No.: 12-0059742-01

The following described property will be sold at public auction to the highest bidder At the East front door of the Nemaha County Courthouse, 1824 N Street, Auburn, NE 68305, on the August 06, 2012 between the hours of 9 A.M. and 5 P.M. (10:00 AM):LOTS THREE (3), FOUR (4) AND THE NORTH HALF (N1/2) OF LOT FIVE (5) IN BLOCK FIFTEEN (15) IN CALVERT ADDITION TO AUBURN, NEMAHA COUNTY, NEBRASKA. All subject to any and all: (1) real estate taxes, (2) special assessments, (3) easements, covenants, restrictions, ordinances, and resolutions of record which affect the property, and (4) unpaid water bills, (5) prior mortgages and trust deed of record and (6) ground leases of record. The purchaser is responsible for all fees or taxes. This sale is made without any warranties as to title or condition of the property. By: RECONTRUST COMPANY, N.A., Trustee 2380 Performance Dr, TX2-984-0407 Richardson, TX 75082 (800) 281-8219 A-4260052 06/28/2012, 07/05/2012, 07/12/2012, 07/19/2012, 07/26/2012

Herald - June 28, July 5, 12, 19, 26

City of Auburn Notice of Public Hearing & Notice of Intent to Re-Lend Program Income From a Previous CDBG - ED Award

Notice is hereby given that, on Monday, July 9, 2012 at 7:10 P.M. or as close as possible thereafter, in the City Council Chamber, the City Council of the City of Auburn, Nebraska will as part of the regularly scheduled City Council meeting, hold a public hearing concerning the use of approximately $17,000 of program income from a previous ED Community Development Block Grant for a specific Relending to Amy S. Clark/Rick L. Clark/ C & T Inc/ dba Arbor Manor, to finance construction/ re-roof of the Arbor Manor Steakhouse, an existing building located at1617 Central in Auburn, Nebraska.

The proposed terms are 10 years (120 monthly payments) at 0% interest. For CDBG compliance purposes, the Project will retain 0.57 full time equivalent job. More that 51% of CDBG funds will benefit lower &/or moderate income persons as the jobs retained/jobs created will be either taken by or made available to LMI persons. The City of Auburn is not contributing any local tax funds/local matching funds to the Project. There will not be any displaced persons as a result of this activity.

The loan application & MOU is available for public inspection at the City Clerk's office 1101 J Street during regular business hours. All interested parties are invited to attend the public hearing scheduled for 7:10 pm or as soon there after on 7-9-2012, at City Council Chambers at 1101 J Street, at which time you will have an opportunity to be heard regarding this loan request. Written testimony will also be accepted at the above referenced public hearing, and written comment addressed to City Clerk, 1101 J Street, Auburn, NE 68305 will be accepted if received on or before 7:10 pm on 7-9-2012. If there are any questions regarding this CDBG ED ReUse Loan Application, please contact the City Clerk at (402) 274-3420 (during regular business hours); or SENDD 862-2201 or via email senddhumboldt@windstream.net. Individuals requiring physical or sensory accommodations including interpreter services, Braille, large print or recorded materials please contact the SENDD Office or City Hall at the #s above no later than noon 7-9-2012.

Sherry Heskett, City Clerk

Herald - July 5

proceedings of the nemaha county

commissioners meeting

june 27, 2012

County Board of Commissioners of the County of Nemaha, State of Nebraska met on June 27, 2012, Commissioner's Chambers, Nemaha County Courthouse, Auburn NE for a regular scheduled meeting. Notice of meeting published in the Nemaha County Herald on June 21, 2012. The agenda for the meeting was kept continually current and available for public inspection at the office of Nemaha County Clerk during normal business hours and also on the Nemaha County website. The agenda was held open until one business day prior to the meeting for appearance before the board and items for approval by the Board of Commissioners. The Board of Commissioners has the right to modify the agenda to include items of an emergency nature only at such public meeting.

Chairman Hutton called the meeting to order at 8:00 a.m. Present for the meeting: Commissioner District 1 Bob Hutton, Commissioner District 2 Dennis Wittmann, Commissioner District 3 Marvin Bohling and County Clerk Joyce Oakley.

Chairman Hutton noted the posting of the Open Meeting Poster and the availability of the Open Meeting Handouts to the public.

Visitors present – Dave Swanson, Nemaha County Herald; Bob Hilske, NRD; Renee Crister, Emergency Management Director

Motion by Bohling, seconded by Wittmann to approve the agenda as presented. Roll call vote: Wittmann, aye; Bohing, aye; Hutton, aye.

Motion by Wittmann, seconded by Bohling to approve the June 13, 2012 regular scheduled meeting minutes with no corrections. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.

Motion by Bohling, seconded by Wittmann to approve the claims for payment as presented by the County Clerk and authorized for payment by the Board of Commissioners. Roll call vote: Hutton, aye; Bohling, aye; Wittmann, aye.

Noxious Weed Board Chairman Joe Moody and Board Member Phil Walker visited with the board regarding abolishing the 'elected' weed board. 82 counties in Nebraska have voted to abolish the weed board. Commissioners indicated they would place a question on the general election ballot for the voters to vote on retaining or abolishing the elected weed board members.

Fuel Bids for July, 2012 - The following fuel bids for July, 2012 were received: Lueders Petroleum No. 2 Diesel $3.24, Unleaded $3.24; Farmers Coop No. 2 Diesel $3.20, Unleaded $3.14. Motion by Bohling, seconded by Wittmann to award the fuel bid for the month of July, 2012 to Farmers Coop. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.

Motion by Wittmann, seconded by Bohling to adopt Resolution 2012-20 transferring funds to the Veterans Service budget ($851.71) and County Attorney's budget ($1605.53) due to over spending of budgeted FY 2011-2012 funds. Roll call vote: Hutton, aye; Wittmann, aye; Bohling, aye.

Motion by Wittmann, seconded by Bohling to approve Omaha Public Power District Application #166, proposed single phase overhead crossing 4 miles W & 1.25 miles N of Auburn for Amber Last. Roll call vote: Wittmann, aye; Hutton, aye; Bohling, aye.

Motion by Bohling, seconded by Wittmann to accept the quote from Mainelli Wagner & Associates for 64 bridge inspections for 2012 @ $114.00 per bridge. Roll call vote: Bohling, aye; Hutton, aye; Wittmann, aye.

The following competitive quotes were received for Quick Tach Scarifier: Midwest Service & Sales $1,876.00 for blades & bits; NE Machinery Co. $4,164.68 (complete unit); Murphy Tractor & Equipment $5,800.00 (complete unit). Motion by Wittmann, seconded by Bohling to approve the quote for Quick Tach Scarifier from in the amount of $4,164.68 from NE Machinery Co. Roll call vote: Hutton, aye; Bohling, aye; Wittmann, aye.

The following competitive quotes for Main Pin Thumb for John Deere 690E were received: NE Machinery $8,222.00 and Murphy Tractor & Equipment $8,300.00. Motion by Wittmann, seconded by Bohling to approve the quote for Main Pin Thumb for John Deere 690E Bucket in the amount of $8,222.00 from NE Machinery Co. Roll call vote: Wittmann, aye; Bohling, aye; Hutton, aye.

Motion by Bohling, seconded by Wittmann to approve the amendment of the Child Support Enforcement Sub Grant between NE Department of HHS Child Support Enforcement and Nemaha County changing the 'Period of Performance and Termination., Paragraph A. - Term is amended to read: This award is in effect from July 1, 2011 through September 30, 2012 the completion date'. Roll call vote: Bohling, aye; Wittmann.

Motion by Wittmann, seconded by Bohling to adopt Resolution 2012-21 establishing a Road/Bridge Improvement Fund 0802 for the FY 2011-2012 budget and transfer $100,000.00 from the Road fund 0200 to the Road/Bridge Improvement Fund 0802. Roll call vote: Hutton, aye; Wittmann, aye; Bohling, aye.

Motion by Wittmann, seconded by Bohling to adopt Resolution 2012-22 establishing the County Buildings Fund 4050 transferring $150,000.00 from the General fund 0100 to the County Buildings Fund 4050. Roll call vote: Wittmann, aye; Hutton, aye; Bohling, aye.

Motion by Wittmann, seconded by Bohling to enter executive session at 10:55 a.m. to review

General Assistance #7957, request for assistance, and to prevent needless injury to an individual or business. Roll call vote: Bohling, aye; Hutton, aye; Wittmann, aye. Motion by Wittmann, seconded by Bohling leave executive session at 11:35 a.m. Roll call vote: Hutton, aye; Bohling, aye; Wittmann, aye. No action was taken in executive session.

The following claims were approved for payment by the Board of Commissioners and authorize the County Clerk for payment:

General

Salaries $ 38,979.57

Action Tech, se 3,764.49

AFLAC, ins 532.60

Amer-Chem, su 96.95

Ameritas Life Ins, ret 5,732.03

Anderson, C, mhb 200.00

As Central, se 215.00

Aub Postmaster, pstg 183.98

Bear Graphics, su 17.64

Beasterfield, B, reim 126.48

Black Hills, ut 98.48

Blaser, Jesse, reim 138.54

Burt Co Sheriff, se 44.33

Cain, James, atty fe 765.00

Capital Business, cont 812.72

Capital Business, cont 287.65

Cenex, fu 42.78

Con Management, me 104.75

Constellation, ut 27.43

Continental Res, su 374.20

Credit Manage, garn 144.75

Credit Manage, garn 267.24

D&D Comm, eq 2,737.50

Dell, eq 1,112.23

Edwards Chem, su 468.12

Elliott, Ron, cont 2,695.42

Fankhauser, A, se 19.17

Fuller, A, mhb 200.00

Gerdes, Jana, reim 150.00

Hauserman, J, mhb 200.00

Hector, Amy, mi 325.77

Holiday Inn, ldg 307.80

Holtzman, P, mi me 376.51

Hutton, Bob, mi 108.78

JS Wurm, se 253.50

Kadavy, M, reim 172.82

Kathleen Laughlin, garn 207.00

Lesoing, Gary, mi 70.47

Liberty Nat'l, ins 20.40

Matthew Bender, su 40.49

Metlife, annt 11.16

Meyer, Jane, mi,pstg 250.51

Midwest Card, eq 6,176.46

MIPS, se 540.20

Moyer, Casey, reim 138.54

NACEB, du 100.00

NE Hlth Human, se 186.00

NE Law, du, ldg 68.00

Nebraska.gov, se 3.00

Nem Co Clerk, ins 869.03

Nem Co Hosp, bl al,me se 246.87

Nem Co Sheriff, fe 943.80

Nem Co Tax, ss, fwh 10,730.04

Nem Co Tax, nwh 3,045.25

Nem Co Treas, tran 150,000.00

Nutsch-Fulton, K, mi 50.62

Oakley, J, mi, me 248.95

OPPD, ut 114.52

Orscheln, su 26.06

Petersens Auto, se 1,914.18

Pitney Bowes, ma ag 142.00

Priority Printing, su 124.36

Quality Inn, ldg 245.00

Quill, su 599.10

RC Booth, su 4,950.25

Richardson Co, se 150.62

Rieger, Rachel, bd pr 50.40

Shell Fleet, fu 1,234.48

Smith Hogancamp,atty fe 233.10

Tanner, C, reim 150.00

TAP Publish, sub 83.95

The Hartford, annt 100.00

United Healthcare, ins 12,654.18

UNL Is Comm, se 201.92

US Bank, su 99.96

Verizon Wireless, se 1,604.98

Vision Care, ins 66.12

Vlach, Richard, su 10.66

Waddell & Reed, annt 25.00

Washington Nat'l, ins 10.80

West Payment, su 350.75

Windstream, se 1,701.05

Wingate, ldg 74.95

Road

Salaries $14,870.95

Ace Irrigation, culv 9,002.60

AFLAC, ins 205.20

Ameritas, ret 2,163.09

Black Hills, ut 19.81

Cavalry SPV, garn 163.08

Crop Production, chem 430.00

Dettmer Farm, chem 886.25

Inland Truck, pts 989.02

Johnson Quik, ti re 291.98

Liberty Nat'l, ins 168.62

Lueders Petro, fu 11,216.22

Martin Marietta, rk 9,670.07

Meyer-Earp, eq 23,500.00

NE Public Emp, un du 560.00

Nem Co Tax, ss, fwh 4,347.35

Nem Co Tax, nwh 1,747.24

Nem Co Treas, fe, tran 100,057.50

Newman Traffic, sgn 32.02

NMC, pts 202.35

Orscheln, su 19.99

Schneider OK, ti re 705.68

Tecumseh Lumber, su 66.80

United Healthcare, ins 7,151.04

Washington Nat'l, ins 28.00

Windstream, se 197.27

Windstream, se 40.00

Wise-Mack, pts 55.05

Wittwer, Joe, mi 289.16

County Visitors

Brownville Theater, su 308.56

Chitwood, Bob, su 300.00

Kruger, Mary, mi 130.98

Capital Improvement

Brownville Theater,bldg re 9,220.00

Drug Coalition

Salaries $2,207.34

Ameritas, ret 288.05

Glenn’s Corner,su 11.18

NADAA, reim 2.60

Nem Co Tax, ss, fwh 493.90

Nem Co Tax, nwh 205.24

Osborne, Laura, mi 25.66

Verizon Wireless, se 136.81

Wells Fargo, se 1,010.18

Whisler, K, mi 112.61

911 Wireless

GIS Workshop, se 3,186.00

Windstream, se 609.13

Windstream, se 314.88

911 Emergency

GIS Workshop, se 2,214.00

Nem Co Treas, tran 2,454.49

Windstream, se 423.30

Windstream, se 218.82

annt, annuity; atty fe, attorney fees; bd pr, board of prisoners; bldg re, building repair; bl al, blood alcohol; cont, contract; du, dues; eq, equipment; fe, fees; fu, fuel; ins, insurance; la, labor; ma ag, maintenance agreement; me, meals; me se, medical service; mi, mileage; pts, parts; reim, reimbursement; ret, retirement; se, service; su, supplies; ti re, tire repair; ut, utilities; tran, transfer

With no further business to come before the Board of Commissioners, motion by Wittmann, seconded by Bohling to adjourn at 11:55 a.m. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.

Bob Hutton, Chairman

Board of Commissioners

I, Joyce Oakley, the undersigned County Clerk of Nemaha County, Nebraska do hereby certify the foregoing minutes are true and are a part of the official records of this office. A complete copy of the minutes is available during normal business hours at the Nemaha County Clerk's office.

Joyce Oakley

County Clerk

Herald - July 5