

# Survey Record

"ALTA/ACSM LAND TITLE SURVEY"  
CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA

Survey of: TRACT "B", ARBOR ACRES 4TH FILING,  
CITY OF SOUTH SIOUX CITY, NEBRASKA Section 22 T 29N, R 9 E of the 6th P.M.  
Date: SEPTEMBER 4, 2001

## LEGEND

- PROPERTY LINE
- - - EASEMENT/SETBACK
- - - R.O.W. LINE
- S - SANITARY SEWER LINE
- SS - STORM SEWER LINE
- C - UNDERGROUND CABLE T.V.
- W - WATER MAIN
- ▭ CONCRETE
- ▭ GAS MAIN
- WOOD FENCE PARTITION
- FOUND PROPERTY CORNER
- ⊕ FOUND SECTION CORNER
- STORM SEWER MANHOLE
- ⊙ SEWER MANHOLE
- T.V. RISER
- ⊠ TELEPHONE RISER
- ⊡ ELECTRICAL RISER
- ⊗ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊙ MAILBOX
- ⊙ SEWER CLEANOUT

## LEGAL DESCRIPTION

(SCHEDULE A, TITLE COMMITMENT)  
TRACT "B", ARBOR ACRES 4TH FILING, AN ADDITION TO SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA

## LEGAL DESCRIPTION

(METES & BOUNDS)  
A TRACT OF LAND LOCATED IN ARBOR ACRES 4TH FILING, CITY OF SOUTH SIOUX CITY ALL IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW1/4, NW1/4) OF SECTION 22, TOWNSHIP TWENTY-NINE (29) NORTH, RANGE NINE (9) EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID ARBOR ACRES 4TH FILING; THENCE ON AN ASSUMED BEARING OF N 01°55'57" W A DISTANCE OF 27.42 FEET TO A POINT BEING THE SOUTHWEST CORNER OF TRACT "B" OF SAID ARBOR ACRES 4TH FILING, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N 01°55'57" W A DISTANCE OF 181.92 FEET TO A POINT ON THE SOUTH RIGHT OF WAY (R.O.W.) LINE OF HONEYLOCUST DRIVE; THENCE N 88°04'21" E ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 252.00 FEET TO A POINT ON THE WEST R.O.W. LINE OF AUTUMN OLIVE LANE; THENCE S 01°52'38" E ALONG SAID WEST R.O.W. LINE A DISTANCE OF 181.90 FEET TO A POINT ON THE NORTH R.O.W. LINE OF EAST 17TH STREET; THENCE S 88°04'05" W ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 251.82 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 45,825.36 SQUARE FEET OR 1.05 ACRES MORE OR LESS.

"THE FOREGOING LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS SHOWN IN THE VESTING DEED, RECORDED AT DAKOTA COUNTY, NEBRASKA, AND IS THE SAME PROPERTY DESCRIBED IN SCHEDULE A OF TITLE COMMITMENT NO. 27403 BEARING AN EFFECTIVE DATE OF OCTOBER 11, 2000, ISSUED BY "FIRST AMERICAN TITLE INSURANCE COMPANY", AS PREPARED BY "SECURITY LAND TITLE COMPANY."

## SURVEYOR'S CERTIFICATE

THE UNDERSIGNED BEING A REGISTERED SURVEYOR IN AND FOR THE STATE OF NEBRASKA CERTIFIES TO (I) FIRST AMERICAN TITLE INSURANCE COMPANY AND SECURITY LAND TITLE COMPANY, (II) VILLAS AT CRYSTAL COURT, L.L.C., ITS SUCCESSORS AND/OR ASSIGNS, (III) EQUITY FUND OF NEBRASKA VIII, L.P., ITS SUCCESSORS AND/OR ASSIGNS, AND (IV) DAKOTA COUNTY STATE BANK, ITS SUCCESSORS AND/OR ASSIGNS AS FOLLOWS:

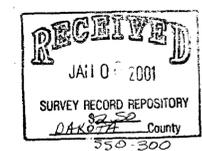
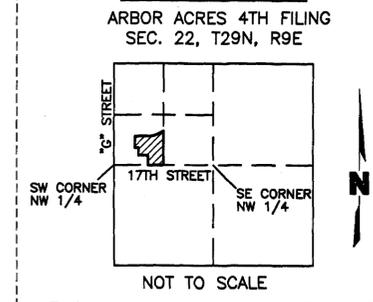
- THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM, AND NSPS IN 1999, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7(c), 7(d)(1), 7(c), 8, 9, 10, 11 AND 13 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS, AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."
- THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE SUBJECT PROPERTY AS SHOWN ON THIS SURVEY MAP AND AS DESCRIBED IN THE LEGAL DESCRIPTION PRESENTED IN FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE COMMITMENT NO. 27403, DATED OCTOBER 11, 2000, WHICH INCLUDES REVISION NO. 5, DATED MAY 29, 2001, ISSUED BY SECURITY LAND TITLE COMPANY, SOUTH SIOUX CITY, NEBRASKA, AND THE BOUNDARY LINES OF THE SUBJECT PROPERTY ARE CONTIGUOUS WITH THE BOUNDARY LINES OF ALL ADJOINING PARCELS, ROADS, HIGHWAYS, STREETS OR ALLEYS AS DESCRIBED IN THEIR MOST RECENT RESPECTIVE LEGAL DESCRIPTIONS OF RECORD.
- THE LOCATION OF EACH EASEMENT, RIGHT OF WAY, SERVITUDE, ALL SETBACK PROVISIONS, RESTRICTIONS AND OTHER MATTER AFFECTING THE SUBJECT PROPERTY AS LISTED IN THE ABOVE REFERENCED TITLE COMMITMENT NO. 27403, DATED OCTOBER 11, 2000, WHICH INCLUDES REVISION NO. 5 DATED MAY 29, 2001, HAS BEEN SHOWN ON THE SURVEY, TOGETHER WITH APPROPRIATE RECORDING REFERENCES, TO THE EXTENT THAT SUCH MATTERS CAN BE LOCATED. THE PROPERTY SHOWN ON THE SURVEY IS THE PROPERTY DESCRIBED IN THAT TITLE POLICY.
- THIS SURVEY WAS MADE ON THE GROUND ON SEPTEMBER 4, 2001 AND CORRECTLY SHOWS THE AREA OF THE SUBJECT PROPERTY, THE LOCATION AND TYPE OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY.
- EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS OF WAY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED.
- EXCEPT AS SHOWN ON THE SURVEY THERE ARE NO OBSERVABLE, ABOVE GROUND ENCROACHMENTS, (A) BY THE IMPROVEMENTS ON THE SUBJECT PROPERTY UPON ADJOINING PROPERTIES, STREETS OR ALLEYS, OR (B) BY THE IMPROVEMENTS ON ADJOINING PROPERTIES, STREETS OR ALLEYS UPON THE SUBJECT PROPERTY.
- THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY.
- EXCEPT AS SHOWN ON THE SURVEY THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS.
- THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.
- THE ENTIRE PROPERTY SHOWN ON THE SURVEY DOES NOT LIE WITHIN AREAS OF 100-YEAR FLOOD. SUBJECT PROPERTY LIES WITHIN "ZONE C" (AREAS OF MINIMAL FLOODING) AS DESCRIBED ON THE FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 310054-0005-B, (ONLY PANEL PRINTED) BEARING AN EFFECTIVE DATE OF AUGUST 15, 1979 FOR THE COMMUNITY IN WHICH THE SUBJECT PROPERTY IS LOCATED.
- ALL UTILITIES, VEHICULAR ACCESS, AND DRAINAGE NECESSARY FOR THE OPERATION OF THE SUBJECT PROPERTY ACCESS THE SUBJECT PROPERTY DIRECTLY THROUGH CONTIGUOUS PUBLIC RIGHTS OF WAY OF CONTIGUOUS PUBLICLY DEDICATED EASEMENT AREAS WITHOUT RELIANCE ON PRIVATE ACCESS/EASEMENT AGREEMENTS OF ACCESS THROUGH PRIVATE PROPERTY.

THE PARTIES ABOVE ARE ENTITLED TO RELY ON THE SURVEY AND THIS CERTIFIES AS BEING TRUE AND ACCURATE.

## GENERAL NOTES

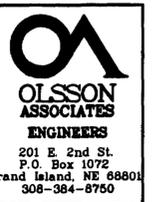
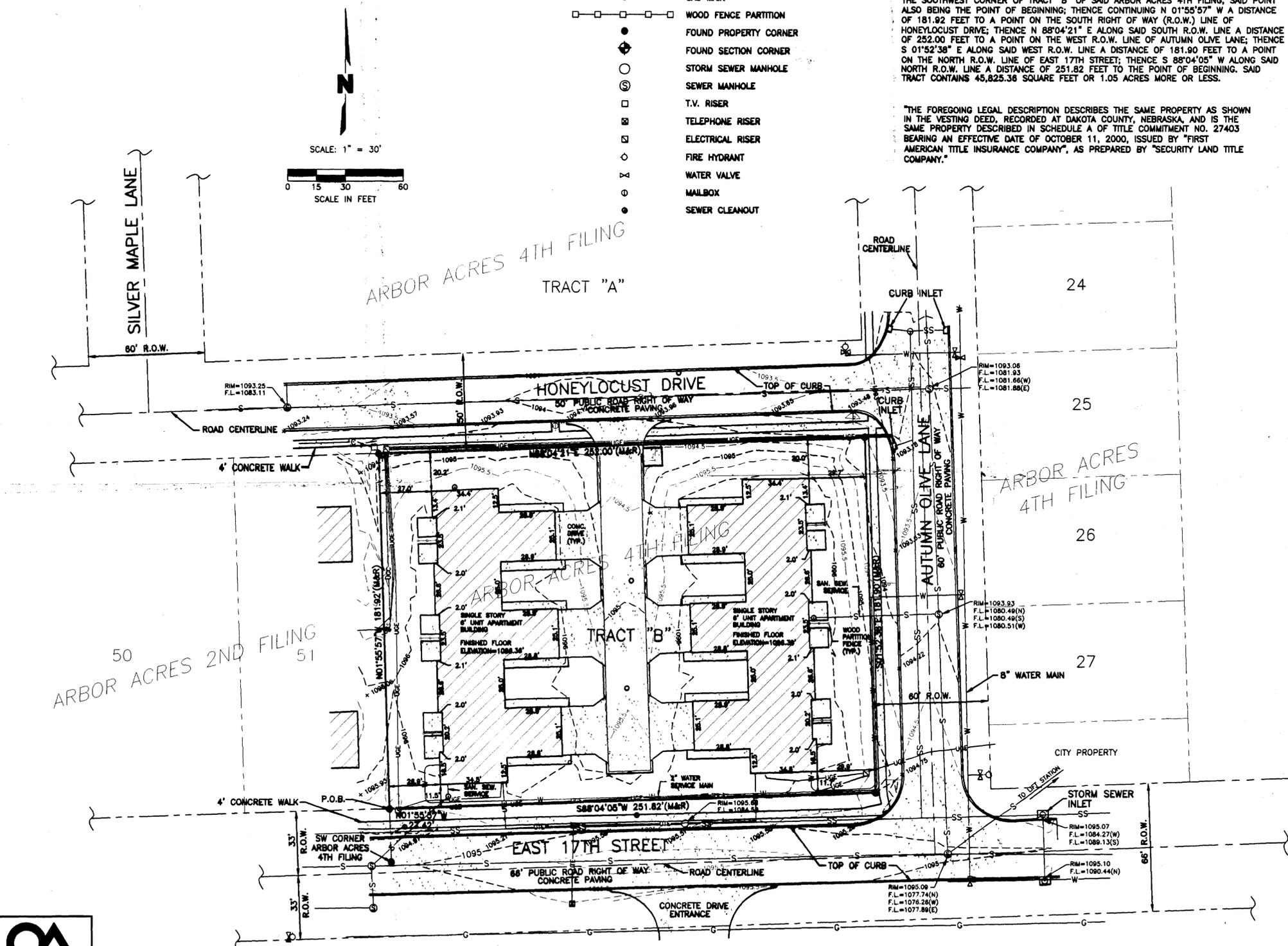
- SUBJECT PROPERTY IS ZONED R3B. ALL RECORDED SETBACK RESTRICTIONS WERE AMENDED UPON APPROVAL OF THE BUILDING AND SITE PLANS BY THE CITY OF SOUTH SIOUX CITY INSPECTION SERVICES DEPARTMENT. BUILDING PERMIT ISSUED DECEMBER 6, 2000.
- TOTAL AREA OF SUBJECT PROPERTY IS 45,825.36 SQUARE FEET, OR 1.05 ACRES MORE OR LESS.
- UTILITY LOCATIONS ON THIS SURVEY ARE BASED ON PUBLIC UTILITY RECORDS.
- ALL DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING AT GROUND LINE.
- ORDINANCE NO. 89-20 DATED OCTOBER 10, 1989 AND FILED ON DECEMBER 3, 1990 IN BOOK 60, PAGE 297, MISC. RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, DAKOTA COUNTY, NEBRASKA; AMENDS CHAPTER 11 OF THE SOUTH SIOUX CITY MUNICIPAL CODE FOR REZONING. "NOT PLOTTABLE"
- SETBACK LINES AND RIGHT OF WAYS AS EVIDENCED BY FINAL PLAT DATED AND FILED ON SEPTEMBER 25, 2000 AS INSTRUMENT NO. 00-002530, RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, DAKOTA COUNTY, NEBRASKA. "NOT PLOTTED, AMENDED BY CITY INSPECTION SERVICES DEPT."
- RESOLUTION J-138 DATED SEPTEMBER 11, 2000 AND FILED ON SEPTEMBER 25, 2000 AS INSTRUMENT NO. 00-002531, RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, DAKOTA COUNTY, NEBRASKA; APPROVES SUBDIVISION PLAT. "NOT PLOTTABLE"

## LOCATION MAP



SIGNED THIS 12<sup>TH</sup> DAY OF DECEMBER 2001  
NAME: Timothy J. Aitken  
TIMOTHY J. AITKEN  
SURVEYOR'S LICENSE NO. LS. 458

LAND SURVEYOR'S SEAL



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