AUSTIN ESTATES

A SUBDIVISION BEING PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Terry L. Broadfoot, a single person, and Terry L. Broadfoot, Personal Representative of the Ronda D. Broadfoot Estate, and Marlin Heiden and Cheryl Heiden, Trustees of the Marlin Heiden and Cheryl Heiden Revocable Trust, and David Swift and Patti Swift, Husband and Wife, owners, and Platte Valley State Bank & Trust Company as Beneficiary under Deed of Trust, and First National Bank of Omaha as Beneficiary under Deed of Trust, and Mortgage Electronic Registration Systems, Inc., as nominee for Wells Fargo Bank, N.A. successor in interest to Commercial Federal Bank, being the sole owners, Beneficiaries, and Trustee of the land described hereon have caused the same to be surveyed, subdivided, platted and designated as "AUSTIN ESTATES", a subdivision being part the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and said owners, Beneficiaries, and Trustee hereby ratify and approve the disposition of their property as shown on the above plat, and hereby dedicates to the use and benefit of the public, the streets and utility easements if (any) as shown upon said plat, and acknowledges said subdivision to be made with the free consent and in accord with the desires of said owners, Beneficiaries, and Trustee.

Dated this 1st day of September, 2005.

Terry L. Broadfoot

Terry L. Broadfoot, Personal Representative of the Ronda D. Broadfoot Estate

Marlin Heiden, Trustee of the Marlin Heiden and Cheryl Heiden Revocable Trust

Cheryl Heiden, Trustee of the Marlin Heiden and Cheryl Heiden Revocable Trust

David Swift

Patti Swift

PLATTE VALLEY STATE BANK & TRUST COMPANY
Beneficiary under Deed of Trust

Signature

Phil Landon, SVP
Print Name and Title

FIRST NATIONAL BANK OF OMAHA
Beneficiary under Deed of Trust

Signature

Richard A. Fenwoden
Print Name and Title, SR. VICE President

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
Nominee for WELLS FARGO BANK, N.A.
successor in Interest to Commercial Federal Bank

Lorna L. Slaughter, Vice President

ACKNOWLEDGMENTS

STATE OF NEBRASKA)
) ss:
COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me this 2 day of September, 2005, by Terry L. Broadfoot.

(S E A L) GENERAL NOTARY - State of Nebraska LARRY E. BUTLER My Comm. Exp. Aug. 2, 2006

Notary Public

My commission expires 8-2-2006

STATE OF NEBRASKA)
) ss:
COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me this 2 day of September, 2005, by Terry L. Broadfoot, ~~Personal Representative of the~~ Ronda D. Broadfoot Estate.

(S E A L) GENERAL NOTARY - State of Nebraska LARRY E. BUTLER My Comm. Exp. Aug. 2, 2006

Notary Public

My commission expires 8-2-2006

STATE OF NEBRASKA)
) ss:
COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me this 1st day of September, 2005, by Marlin Heiden, Trustee of the Marlin Heiden and Cheryl Heiden Revocable Trust.

(S E A L) GENERAL NOTARY-State of Nebraska ELLEN L. PROVINCE My Comm. Exp. 1-18-09

Notary Public

My commission expires 1-18-2009

STATE OF NEBRASKA)
) ss:
COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me this 1st day of September, 2005, by Cheryl Heiden, Trustee of the Marlin Heiden and Cheryl Heiden Revocable Trust.

(S E A L) GENERAL NOTARY-State of Nebraska ELLEN L. PROVINCE My Comm. Exp. 1-18-09

Notary Public

My commission expires 1-18-2009

STATE OF NEBRASKA)
) ss:
COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me this 14th day of September, 2005, by David Swift.

(S E A L) GENERAL NOTARY - State of Nebraska JENNIFER K. TORELL My Comm. Exp. Oct. 3, 2007

Notary Public

My commission expires 10/3/07

STATE OF NEBRASKA)
) ss:
COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me this 14th day of September, 2005, by Patti Swift.

(S E A L) GENERAL NOTARY - State of Nebraska JENNIFER K. TORELL My Comm. Exp. Oct. 3, 2007

Notary Public

My commission expires 10/3/07

STATE OF Nebraska)
) ss:
COUNTY OF Buffalo)

The foregoing instrument was acknowledged before me this 15 day of September, 2005, on behalf of Platte Valley State Bank & Trust Company, Beneficiary under Deed of Trust by and through Phil Landon (Name), Senior Vice President (Title).

(S E A L) GENERAL NOTARY - State of Nebraska MELISSA A. DUBOWSKY My Comm. Exp. Dec. 11, 2005

Notary Public

My commission expires 12/11/05

STATE OF Nebraska)
) ss:
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 27th day of September, 2005, on behalf of First National Bank of Omaha, Beneficiary under Deed of Trust by and through Richard A. Fondeen (Name), Sr. Vice President (Title).

(S E A L) GENERAL NOTARY - State of Nebraska PAMELA M. WAITE My Comm. Exp. December 20, 2006

Notary Public

My commission expires 12-20-06

STATE OF [illegible])
) ss:
COUNTY OF [illegible])

The foregoing instrument was acknowledged before me this 22nd day of September, 2005, on behalf of Mortgage Electronic Registration Systems, Inc., nominee for Wells Fargo Bank, N.A. successor in interest to Commercial Federal Bank, by Lorna L. Slaughter, Vice President.

(S E A L)

Notary Public

My commission expires 1/12/2008

T.L. CRULL NOTARY PUBLIC FREDERICK COUNTY, MD MY COMM. EXPS. 01/12/2008

APPROVAL OF KEARNEY, NEBRASKA, CITY PLANNING COMMISSION

The undersigned, James R. Ganz Jr., Chairperson ~~or Vice Chairperson~~ of the City Planning Commission of the City of Kearney, Buffalo County, Nebraska, does hereby certify that the foregoing plat of "AUSTIN ESTATES", a subdivision being part the Northeast Quarter (NE1/4) of Section Twenty-three (23), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, was submitted to the Kearney, Nebraska, Planning Commission for a public meeting and review and that recommendation by the Kearney, Nebraska, Planning Commission was made to the City Council on the 15th day of April, 2005.

Chairperson ~~or Vice Chairperson~~

Title: Chairperson

APPROVAL OF KEARNEY, NEBRASKA, CITY COUNCIL

The above and foregoing plat was submitted to the City Council in and for the City of Kearney, Buffalo County, Nebraska, and duly considered by this Council at its regular meeting assembled on the 10 day of May, 2005, and upon motion duly made and recorded, the same was approved, solely within the terms and meanings of Section 16-901 through 16-904 inclusive, R.R.S. 1943 (as amended) as a suburban development, not a part of the City, in all respects by a majority vote of the members of such Council.

Dated this 12th day of October, 2005.

(S E A L)

GALEN D. HADLEY
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

ATTEST:

MICHAELLE E. TREMBLY
CITY CLERK

RESOLUTION NO. 2005-74

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of "AUSTIN ESTATES" a subdivision being part of the Northeast Quarter of Section 23, Township 9 North, Range 16 West of the 6th P.M., containing 12.20 acres, more or less, Buffalo County, Nebraska, and in accordance with the terms and requirements of Sections 16-901 through 16-904 inclusive, R.R.S. 1943 (as amended) be accepted and ordered filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS 10TH DAY OF MAY, 2005.

(S E A L)

GALEN D. HADLEY
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

ATTEST:

MICHAELLE E. TREMBLY
CITY CLERK

BUFFALO SURVEYING CORPORATION
Kearney, Nebr. 68848
P.O. Box 905 (308) 237-3785

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