

# Survey Record

"ALTA/ACSM LAND TITLE SURVEY"

CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA

Survey of: **LOT 9 AND NORTH HALF OF LOT 10, ALL AMERICA SUBDIVISION,**

**CITY OF SOUTH SIOUX CITY, NEBRASKA** Section 20, T29N, R9E of the 6th P.M.

Date: **NOVEMBER 2005**

Signed this **27<sup>th</sup>** day of **November 2005**

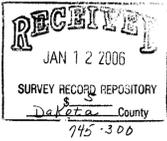
Name: *[Signature]*

Surveyor's license No. **L.S. 458**

Olsson Associates Phone: **308-384-8750**

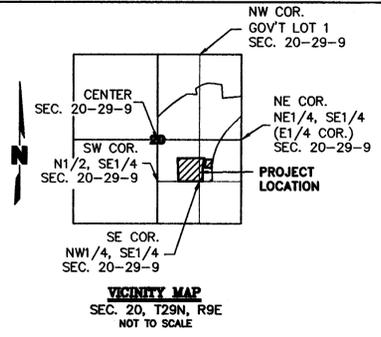
201 East 2nd Street Fax: **308-384-8752**

Grand Island, NE 68801



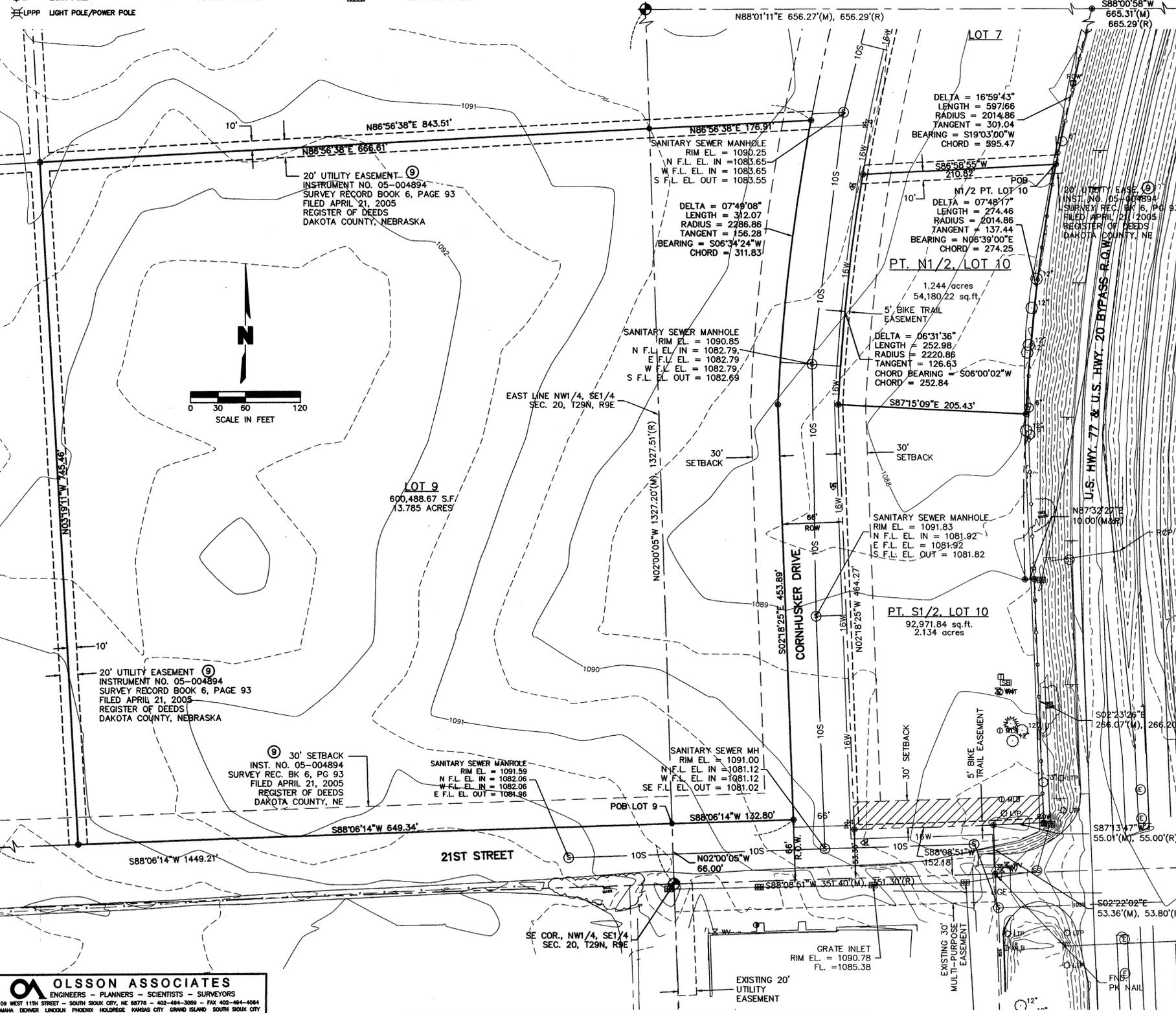
Land Surveyor's Seal

LEGEND	
⊙	SANITARY SEWER MANHOLE
⊕	STORM SEWER MANHOLE
⊖	GRATE INLET
⊗	POWER POLE
⊠	TELEPHONE PEDESTAL
⊡	ELECTRIC SWITCH BOX
⊗	WATER VALVE
⊗	FIRE HYDRANT
⊗	WOODEN POST
⊗	STEEL PIPE/POST
⊗	BILLBOARD
⊗	MAILBOX
⊗	RIGHT OF WAY MARKER
⊗	LTP LIGHT POLE
⊗	LPPP LIGHT POLE/POWER POLE
○	CLEAN OUT
—	GUY WIRE
—	SIGN
—	STUMP
12"	CONIFEROUS TREE
12"	DECIDUOUS TREE
○	CORNER FOUND 5/8" REBAR
○	CORNER SET
△	SECTION CORNER
△	SECTION CORNER
M	MEASURED DISTANCE
R	RECORD DISTANCE
⊙ BU	BUSH
—	TREE MASS/BUSHES
—	CONTOUR LINE
—	SANITARY SEWER LINE
—	GAS LINE
—	OVERHEAD CABLE
—	UNDERGROUND CABLE
—	UNDERGROUND ELECTRIC
—	UNDERGROUND TELEPHONE
—	PROPERTY LINE
—	SECTION LINE
—	RESTRICTED ACCESS



- UTILITY CONTACTS**
- |   |   |
|---|---|
| <b>WATER COMPANY</b><br>CITY OF SOUTH SIOUX CITY<br>125 E. 26th STREET<br>SOUTH SIOUX CITY, NE 68776<br>(402) 494-8166<br>DAVE OLSEN          | <b>DEPARTMENT OF TRANSPORTATION</b><br>NDOR DISTRICT #3<br>P.O. BOX 1707<br>401 NORTH 13th STREET<br>NORFOLK, NE 68702<br>(402) 370-3470<br>KRIS WINTER |
| <b>SANITARY SEWER COMPANY</b><br>CITY OF SOUTH SIOUX CITY<br>125 E. 26th STREET<br>SOUTH SIOUX CITY, NE 68776<br>(402) 494-8166<br>DAVE OLSEN | <b>TELEPHONE COMPANY</b><br>QWEST<br>(800) 603-6000<br>FIBERCOM<br>1104 6th STREET<br>SIOUX CITY, IA 51101<br>(712) 224-2020                            |
| <b>GAS COMPANY</b><br>MID-AMERICAN ENERGY<br>401 DOUGLAS STREET<br>SIOUX CITY, IA 51101<br>(712) 233-4865<br>DEAN BURGER                      | <b>POWER COMPANY</b><br>CITY OF SOUTH SIOUX CITY<br>417 142nd STREET<br>SOUTH SIOUX CITY, NE 68776<br>(402) 412-2554<br>STERLING STOLPE                 |

- SECTION CORNER TIES**
- NORTHEAST COR. NE 1/4, SE 1/4 (E 1/4 COR.)**  
SEC. 20, T29N, R9E, FOUND 5/8" REBAR  
10.81' N TO PK NAIL IN W FACE OF 15" DECIDUOUS TREE  
14.64' E TO "X" NAILS IN TOP OF WOOD FENCE POST  
1.67' ESE TO "X" NAILS IN BASE OF WOOD FENCE POST  
43.07' S TO PK NAIL IN 15" TREE STUMP
- SOUTHWEST COR. NE 1/4, SE 1/4 SEC. 20, T29N, R9E**  
FOUND PK NAIL IN ASPHALT PARKING LOT  
25.0' NW TO 3/4" PIPE  
25.0' NE TO 3/4" PIPE  
65.41' SE TO CHISELED "X" IN BASE OF STEEL  
FENCE POST (NE FACE)



### SURVEYOR'S CERTIFICATE

THE UNDERSIGNED BEING A REGISTERED SURVEYOR IN AND FOR THE STATE OF NEBRASKA CERTIFIES TO (I) THE COMMUNITY DEVELOPMENT AGENCY OF SOUTH SIOUX CITY, NEBRASKA, A GOVERNMENTAL SUBDIVISION (II) TIMBER SOUTH SIOUX CITY PROPERTIES, L.P., A GEORGIA LIMITED PARTNERSHIP (III) UNION BANK & TRUST (IV) FIRST AMERICAN TITLE INSURANCE COMPANY (V) SECURITY LAND TITLE AND ESCROW COMPANY, ITS SUCCESSORS AND/OR ASSIGNS OF ANY OF THE FOREGOING AND ANY OTHER PERSON WHO PURCHASES, MORTGAGES OR GUARANTEES THE TITLE THERETO WITHIN ONE YEAR OF THE DATE OF THIS SURVEY AS FOLLOWS:

1. 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, 10, 11(a), and (b), 13 AND 15 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."
2. THIS SURVEY WAS MADE ON THE GROUND ON OCTOBER 31, 2005 AND CORRECTLY SHOWS THE AREA OF THE SUBJECT PROPERTY, THE LOCATION AND TYPE OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTIES.
3. THE PROPERTY SHOWN ON THE SURVEY LIES WITHIN FLOOD ZONE DESIGNATION "B" WHICH IS CLASSIFIED AS "AREAS BETWEEN LIMITS OF THE 100 YEAR FLOOD AND 500 YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100 YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD." AS DESCRIBED ON THE FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER 310054 0005 B, BEARING AN EFFECTIVE DATE OF AUGUST 15, 1979 FOR THE COMMUNITY IN WHICH THE SUBJECT PROPERTY IS LOCATED.
4. 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. 596125, DATED NOVEMBER 16, 2005, 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.
5. 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 COMPANY, TITLE COMMITMENT NO. 596125, DATED NOVEMBER 16, 2005, 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.
6. EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO VISIBLE EASEMENTS OR RIGHT OF WAY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED.
7. 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 PROPERTIES.
8. EXCEPT AS SHOWN ON THE SURVEY THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS.
9. THE SUBJECT HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY.
10. THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.
11. 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 OR CONTIGUOUS PUBLICLY DEDICATED EASEMENT AREAS WITHOUT THE 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.

### LEGAL DESCRIPTION

**LOT 9**  
A TRACT OF LAND CONSISTING OF PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER (N1/2, SE1/4) OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 9 EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF THE NW1/4, SE1/4; THENCE ON AN ASSUMED BEARING OF N02°00'05"W UPON AND ALONG THE EAST LINE OF SAID SE1/4 A DISTANCE OF 66.00 FEET TO THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF 21st STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE S88°06'14"W UPON AND ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 649.34 FEET; THENCE N03°19'11"W A DISTANCE OF 745.46 FEET; THENCE N86°56'38"E A DISTANCE OF 666.61 FEET TO SAID EAST LINE; THENCE CONTINUING N86°56'38"E A DISTANCE OF 176.91 FEET TO THE WEST R.O.W. LINE OF CORNHUSKER DRIVE, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 07°49'08", AN ARC LENGTH OF 312.07 FEET, A RADIUS OF 2286.86 FEET AND A CHORD BEARING OF S06°34'24"W FOR A CHORD DISTANCE OF 311.83 FEET; THENCE S02°18'25"E A DISTANCE OF 453.89 FEET TO THE INTERSECTION OF SAID WEST R.O.W. LINE OF CORNHUSKER DRIVE AND THE NORTH R.O.W. LINE OF 21st STREET; THENCE S88°06'14"W UPON AND ALONG SAID NORTH R.O.W. LINE A DISTANCE OF 132.80 FEET TO THE POINT OF BEGINNING.  
SAID TRACT CONTAINS A CALCULATED AREA OF 600,488.67 SQUARE FEET OR 13.785 ACRES MORE OR LESS.

**PT. N1/2 OF LOT 10**  
A TRACT OF LAND CONSISTING OF PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W1/2, NE1/4, SE1/4) OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 9 EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF THE NE1/4, SE1/4; THENCE ON AN ASSUMED BEARING OF S88°00'58"W UPON AND ALONG THE NORTH LINE OF SAID NE1/4, SE1/4 A DISTANCE OF 665.31 FEET TO THE WEST RIGHT-OF-WAY (R.O.W.) LINE OF U.S. HIGHWAY 77 AND 20 BYPASS, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 16°59'43", AN ARC LENGTH OF 597.66 FEET, A RADIUS OF 2014.86 FEET AND A CHORD BEARING OF S19°03'00"W FOR A CHORD DISTANCE OF 595.47 FEET TO THE POINT OF BEGINNING; THENCE S88°58'55"W A DISTANCE OF 210.82 FEET TO THE EAST R.O.W. LINE OF CORNHUSKER DRIVE, SAID POINT ALSO BEING A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 06°31'36", AN ARC LENGTH OF 252.98 FEET, A RADIUS OF 2220.86 FEET AND A CHORD BEARING OF S06°00'02"W FOR A CHORD DISTANCE OF 252.84 FEET; THENCE S87°15'09"E A DISTANCE OF 205.43 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING SAID WEST R.O.W. LINE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 07°48'17", AN ARC LENGTH OF 274.46 FEET, A RADIUS OF 2014.86 FEET AND A CHORD BEARING OF N06°39'00"W FOR A CHORD DISTANCE OF 274.25 FEET TO THE POINT OF BEGINNING.  
SAID TRACT CONTAINS A CALCULATED AREA OF 54,180.22 SQUARE FEET OR 1.244 ACRES MORE OR LESS.

### GENERAL NOTES

1. ZONING IS C-4 COMMERCIAL, WITH SETBACKS AS FOLLOWS: FRONT YARD=30 FEET; SIDE YARD=NONE; REAR YARD=NONE. (REPRESENTED GRAPHICALLY)
2. TOTAL AREA OF SUBJECT PROPERTY IS LOT 9 = 600,488.67 SQUARE FEET OR 13.785 ACRES, MORE OR LESS AND PART OF THE NORTH HALF OF LOT 10 = 54,180.22 SQUARE FEET OR 1.244 ACRES, MORE OR LESS.
3. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
9. TREE SIZES ARE APPROXIMATELY 12" MEASURED FROM THE TRUNK AT APPROX. 3' FROM GROUND LEVEL. TREE CANOPY SIZES ARE NOT INCLUDED.
- SCHEDULE B - EXCEPTIONS - TITLE COMMITMENT NO. 596125**  
ITEMS 1, 2, 4, 5, 6, 7 & 8 DO NOT AFFECT SURVEY DRAWING. (NOT PLOTTABLE)
- ③ EASEMENTS, CLAIMS OF EASEMENT OR ENCUMBRANCES WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS. (NOT PLOTTABLE)
- ⑨ EASEMENTS AS SET FORTH ON THE PLAT AND CONTAINED IN THE DEDICATION OF ALL AMERICA SUBDIVISION FILED APRIL 21, 2005 IN BOOK 6, PAGE 93, SURVEY RECORDS, AND AS INSTRUMENT NO. 05-004894, ALL OF THE RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, DAKOTA COUNTY, NEBRASKA. (AFFECTS PROPERTY PLOTTABLE)
- ⑩ TERMS AND PROVISIONS OF EASEMENT GRANTED OF THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, FILED FEBRUARY 24, 1986 IN BOOK 57, PAGE 31, MISCELLANEOUS RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, DAKOTA COUNTY, NEBRASKA. (DOES NOT AFFECT PROPERTY NOT PLOTTABLE)
- ⑪ TERMS AND PROVISION OF DECLARATION OF RESTRICTIONS FILE JULY 26, 2005 AS INSTRUMENT NO. 05-006001, RECORDS OF THE OFFICE OF THE REGISTER OF DEEDS, DAKOTA COUNTY, NEBRASKA. (AFFECTS PROPERTY NOT PLOTTABLE)

DWG: F:\Projects\20050740\G050740.dwg USER: jfjennz DATE: Nov 25, 2005 3:08pm