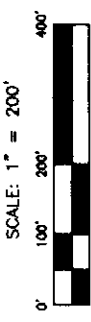
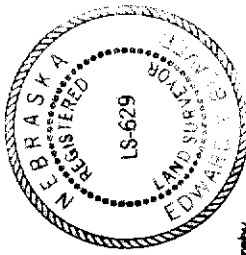


City of Gering - Union Pacific Drain SALE ONLY SUBDIVISION

5.601 acres of land out of three tracts
 Tract No. 1 = 4.703 acre tract out of Lot 1 AG of Nebraska
 Tract No. 2 = 0.704 acre tract out of Tax Lot 35
 Tract No. 3 = 0.194 acre tract out of Tax Lot 39

Said tract is situated in the northwest quarter of the southeast quarter and the southwest quarter of the northeast quarter of Section 35, Township 22 North Range 55 West of the 6th Principal Meridian, City of Gering, Scott Bluff County, Nebraska (NW1/4 of SE1/4 & SW 1/4 of NE1/4 S35 T22N R55W 6PM)

Said tract is out of the western portions of Tax Lots 23 through 27 and the southeastern portion of Tax Lot 35 according to a plat recorded in Book 351, Page 61 of the County Deed Records, Lot 1 of the AG of Nebraska Subdivision as recorded in Volume 181, Page 20 of the County Deed Records and Tax Lot 39 according to a Deed recorded in Volume 189, Page 181 of the Scotts Bluff County, Nebraska.



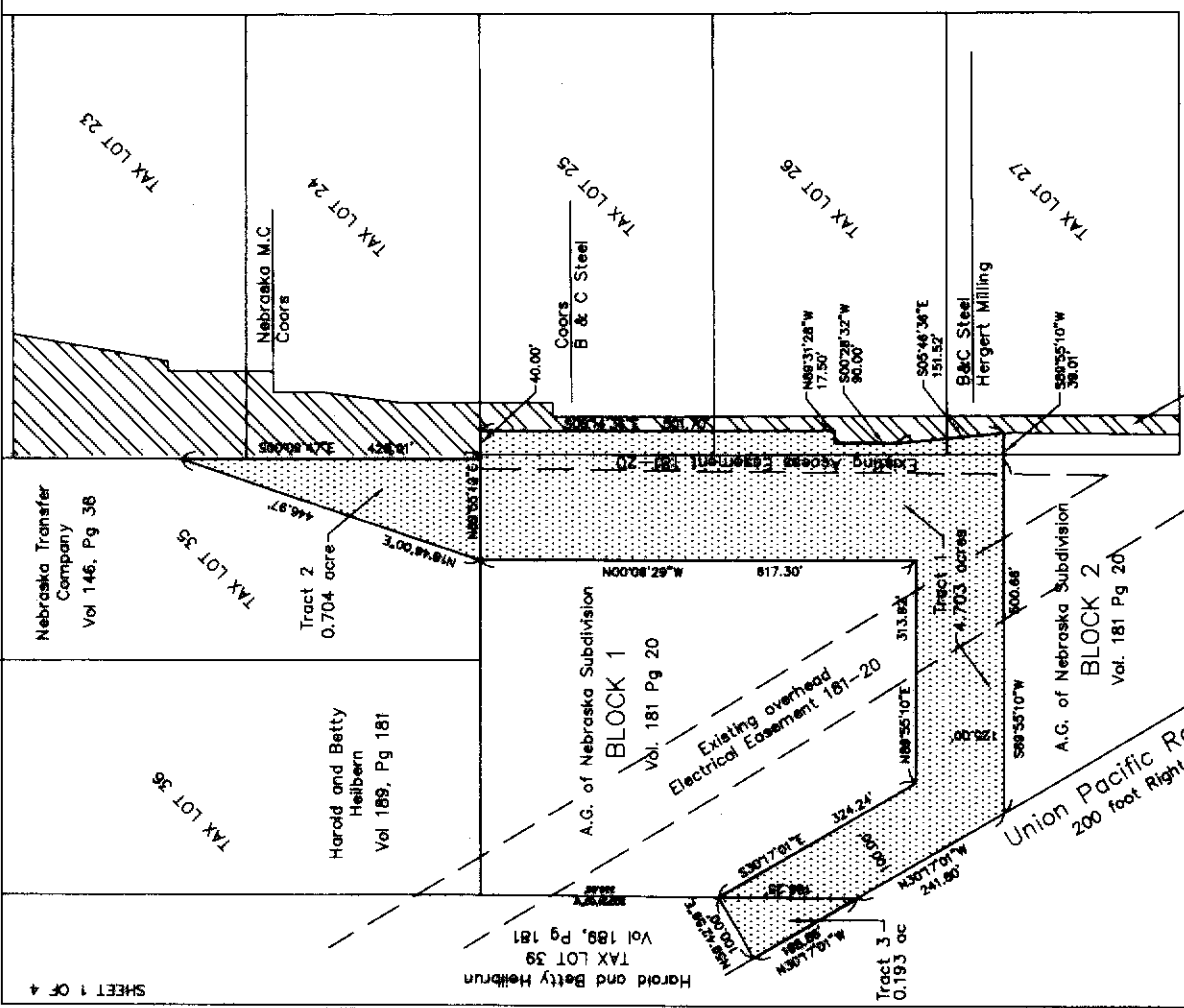
Surveyor's Certificate

I, Edward Y. Beaver, Nebraska Land Surveyor No. 629, do hereby certify that the tract of land described and shown on the accompanying drawing was surveyed under my direct supervision; that the accompanying is to the best of my knowledge and belief true and correct and the delineation of said survey as made on the ground to a scale of 200 feet to the inch; that the drawing was made under my direct supervision; that all distances are in feet and decimals thereof; the area is in acres; the bearings are based in GPS Grid Azimuth (GEOID 99) and that the monuments were set or found as noted hereon.

WITNESS MY HAND AND SEAL this 16th day of April 2004

Edward Y. Beaver
 Nebraska Registered Land Surveyor
 No. 629
 Edward Y. Beaver

Prepared by
Baker & Associates, Inc.
 Engineers Planners Consultants
 Scottsbluff, Nebraska
 Feb. 2004



CITY OF GERING - Union Pacific
 Railroad Sale Only Subdivision

NOTE:
 SEE SHEET 2 OF 2
 FOR COMPLETE FIELD NOTES
 FOR PARCEL

RECORDED
 SCOTTS BLUFF COUNTY, NE
 Date: 11-06 Time: 2:01 pm
 Inst. 2006 - 170
Jan A. Bauer
 REGISTER OF DEEDS

NUM. INDEX
 COMPUTER
 PICTURED
 MAPPED

NUM PAGES 4
 DOC TAX PD CHG - RET
 FEES PD CHG - RET
 TOTAL REC'D
 RET
Kristi: City of Gering

See Recorder's Memo on Page 2 of this document.

DRAFTING REVISIONS 12-04

Recorder's memo: This plat recorded against part of TL 25, TL 26 & TL 27 in the Northwest quarter of the Southeast quarter; part of TL39 in the Northeast quarter of the Southwest quarter; Part of TL 35 in the Southwest quarter of the Southwest quarter; all in Section 35, Township 22 North, Range 55 West of the 6th P.M. Additionally, also indexed against part of Block 1, A.G. of Nebraska Subdivision, Gering, instead of part of "Lot" 1.

SHEET 2 OF 4

City of Gering - Union Pacific Drain SALE ONLY SUBDIVISION

TRACT #1, CITY OF GERING - UNION PACIFIC DRAIN SUBDIVISION AND TRACT #2, CITY OF GERING - UNION PACIFIC DRAIN SUBDIVISION

TRACT DESCRIPTION

A 5.407 acre tract of land situated in the northwest quarter of the southeast quarter and the southwest quarter of the northeast quarter of Section 35, Township 22 North, Range 55 West of the 6th Principal meridian (N44°54'45"W44°45'S12°21'N85°56'W) in the City of Gering, Scotts Bluff County, Nebraska. Said drainage tract is out of Lot 1 of the AG of Nebraska Subdivision as recorded in Volume 181, Page 20 and the Nebraska Transport Company (NTC) tract as described in Volume 146, Page 38 of the Deed Records of Scotts Bluff County and more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of Lot 1 of the said AG of Nebraska Subdivision for the southeast corner of this drainage tract area. Said point is located in the west line of the City of Gering-Union Pacific Subdivision, a distance of 9.13 feet northerly from the northeasterly angle point in of Lot 2 of the said AG of Nebraska Subdivision and on the old right of way line;

THENCE: South 89°56'10" West, a distance of 539.67 feet, passing the southwest corner of the existing easement line of 39.01 feet, to a found 5/8" iron rod for the common corner of Lots 1 and 2 and its intersection with the northeast line of the 200 foot Union Pacific Rail Road right of way. Said iron rod is the southwest corner of Lot 1 and this tract;

THENCE: North 30°17'01" West, a distance of 241.80 feet, along and with the southwest line of the said Lot 1 and the northeast right of way line of the said 200 foot wide Union Pacific right-of-way, to an angle point of the southern corner of the 1.61 acre Heilburgs tract (Tax Lot 39) for the southwest angle point of Lot 1 and this tract;

THENCE: North 00°21'00" West, a distance of 196.25 feet, along and with the west line of Lot 1 and the east line of the said 1.61 acre Heilburg tract to a set nail and t-post for the westerly angle corner of this drainage tract. Said point is referenced by its location as South 00°21'00" East a distance of 336.65 feet from the northwest corner of Lot 1;

THENCE: South 31°17'01" East, a distance of 324.24 feet, parallel to and 100 foot from the southwesterly line of this tract and the northeast line of the 200 foot right of way of the Union Pacific, to a set nail and t-post for an angle point in this description;

THENCE: North 89°56'10" East, a distance of 313.92 feet, parallel to and 125.00 feet from the north line of Lot 2 and the south line of Lot 1 and this tract to a set nail and t-post for a re-entrant corner of this description;

THENCE: North 00°06'29" West, a distance of 617.30 feet, parallel to portions of the said City of Gering-Union Pacific Subdivision to a set nail and t-post for an angle point in this description. Said point is in the north line of Lot 1 and the south line of the said Nebraska Transport Company (NTC) tract as described in Volume 146, Page 38 of the Scotts Bluff County Deed Records and situated South 89°55'12" West a distance of 185.00 feet from the northeast corner of Lot 1;

THENCE: North 18°46'00" East, a distance of 446.97 feet, into the said NTC tract to a set nail and t-post near the fence corner for the north corner of this drainage tract and a point in the west line of the existing City of Gering-Union Pacific Subdivision;

THENCE: South 00°09'47" East, a distance of 423.10 feet, along and with the west line of the said Union Pacific easement tract to a set nail and t-post in the north line of Lot 1 of the AG of Nebraska Subdivision and a re-entrant corner of this easement description;

THENCE: North 89°56'12" East, a distance of 40.00 feet, along and with the north line of Lot 1 and the south line of the NTC tract to the northeast corner of Lot 1 and a point on the west line of the City of Gering-Union Pacific Subdivision (old Union Pacific siding right-of-way) for the east angle point of this tract;

THENCE: The following courses and distances with the east line of Lot 1 and the west line of the City of Gering-Union Pacific Subdivision (old Union Pacific siding right of way) for the east line of this tract:

South 00°14'36" West, a distance of 501.70 feet to a found nail and t-post for an angle point;

North 89°31'28" West, a distance of 17.50 feet to a found nail and t-post for an angle point;

South 00°28'30" West, a distance of 90.80 feet to a found nail and t-post for an angle point;

South 05°46'36" East, a distance of 151.52 feet to the POINT OF BEGINNING and containing 5.407 acres of land as a drainage easement in the City of Gering, Nebraska.

OWNER'S STATEMENT

We, the undersigned, being the Owners of the tract of land described in the foregoing Surveyor's Certificate and shown on the accompanying plat, have caused such real estate to be surveyed and platted as:

CITY OF GERRING - UNION PACIFIC DRAIN (A SALE ONLY SUBDIVISION)

The foregoing plat is made with our free consent and in accordance with the desires of the undersigned owners.

Dated this 21 day of May, 2004.

[Signature]
Representative
Nebraska Transport Company

ACKNOWLEDGMENT

STATE OF NEBRASKA)
SCOTTS BLUFF COUNTY) SS.

Before me, a Notary Public, qualified and acting in said county, personally came David J. Sisk known to me to be the identical person who signed the foregoing "Owner's Statement" and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL this 21 day of May, 2004.

My Commission Expires: 7/28/04

[Signature]



APPROVAL BY PLANNING COMMISSION

The foregoing plat of CITY OF GERRING - UNION PACIFIC DRAIN (A SALE ONLY SUBDIVISION) was reviewed and approved by the Planning Commission of the City of Gering, Nebraska, and upon its recommendation, it is submitted to the City Council of the City of Gering, Nebraska for final approval and acceptance.

Dated this 20th day of February, 2004

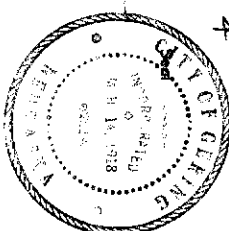
By *[Signature]*
Chairman City Engineer

APPROVAL AND ACCEPTANCE BY CITY COUNCIL

The foregoing plat of CITY OF GERRING - UNION PACIFIC RAILROAD SALE ONLY SUBDIVISION was approved by the Mayor and City Council of the City of Gering, Nebraska, by Resolution duly passed this 14th day of March, 2004.

By: *[Signature]*

Attested: *[Signature]*
Bernice K. Richter, City Clerk



ACKNOWLEDGMENT

STATE OF NEBRASKA)
SCOTTS BLUFF COUNTY) SS.

Before me, a Notary Public, qualified and acting in said County, personally came Starr Lehl, Mayor of the City of Gering, Nebraska, known to me to be the identical person who signed the foregoing "Approval and Acceptance" and acknowledged the execution thereof to be her voluntary act and deed.

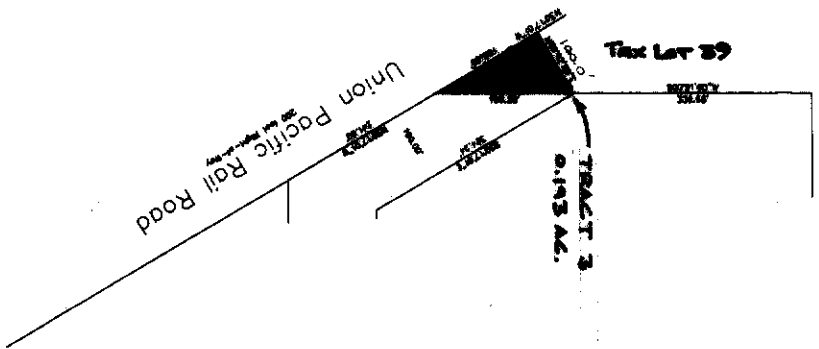
WITNESS MY HAND AND NOTARIAL SEAL this 17th day of June, 2004.

My Commission Expires: December 31, 2004

[Signature]



Prepared by
Baker & Associates, Inc.
Engineers Planners
Scottsbluff, Nebraska
Feb. 2004



TRACT DESCRIPTION (Tract 3) TAX LOT #39

A 0.194 acre triangular tract of land out of the northeast quarter of the southwest quarter of Section 35, Township 22 North, Range 55 West, 6th Principal Meridian, City of Gering, Scotts Bluff County, Nebraska, (NE4SW435122N655W6PM). Said tract is a portion of Tax Lot No. 39 as described in Volume 189, Page 161 of the Scotts Bluff County Deed Records and more particularly described by metes and bounds as follows:

COMMENCING: at the northwest corner of Lot 1 of the AG of Nebraska Subdivision as recorded in Volume 181, Page 20 of the Deed Records of Scotts Bluff County, Nebraska and a point in the east line of Tax Lot 39;

THENCE: South 00°21'00" West, a distance of 336.68 feet, along and with the common line of the said Lot 1 and Tax Lot 39 to a set 5/8" iron rod with a red plastic cap marked "Baker & Asso. LS 629" for the northwest corner of tract 1 also surveyed this day, the north corner of this triangular tract and the **POINT OF BEGINNING;**

THENCE: South 00°21'00" West, a distance of 196.25 feet, along and with the common line of Tax Lot 39, Tract 1 and the west line of the said AG of Nebraska Subdivision to a set 5/8" iron rod with a red plastic cap marked "Baker & Asso. LS 629" for a western angle point of the said tract 1, the southwest corner of Lot 1 of the said AG of Nebraska Subdivision, a point in the northeast line of the Union Pacific Railroad Company 200 foot right-of-way, the south corner of Tax Lot 39 and this tract;

THENCE: North 30°17'01" West, a distance of 168.86 feet, along and with the said northeast Union Pacific Right-of-way line and southwest line of Tax Lot 39 to a set 5/8" iron rod with a red plastic cap marked the "Baker & Asso. LS 629" for the southwest corner of the remaining portion of Tax Lot 39 and the west corner of this tract;

THENCE: North 59°42'59" East, a distance of 100.00 feet along and with the south line of the remaining portion of Tax Lot 39 to the **POINT OF BEGINNING** and containing 0.194 acres of land in the City of Gering, Scotts Bluff County, Nebraska.

OWNER'S STATEMENT

We, the undersigned, being the Owners of the tract of land described in the foregoing Surveyor's Certificate and shown on the accompanying plot, have caused such tract estate to be surveyed and platted as:

CITY OF GERING - UNION PACIFIC DRAIN (A SALE ONLY SUBDIVISION)

The foregoing plat is made with our free consent and in accordance with the desires of the undersigned owners.

Dated this 17th day of Nov, 2004.

Heather Family Agent
Heithorn Family Agent
Heithorn

ACKNOWLEDGMENT

STATE OF NEBRASKA }
SCOTTS BLUFF COUNTY } SS.

Before me, a Notary Public, qualified and acting in said county, personally came Heather Family Agent on agent of the Heithorn Family, known to me to be the identical person who signed the foregoing Owner's Statement and acknowledged the execution thereof to be a voluntary act and deed.

WITNESS MY HAND AND NOTARIAL SEAL this 17th day of Nov, 2004.

My Commission Expires: 1-5-2006



APPROVAL BY PLANNING COMMISSION

The foregoing plat of CITY OF GERING - UNION PACIFIC DRAIN (A SALE ONLY SUBDIVISION) was reviewed and approved by the Planning Commission of the City of Gering, Nebraska, and upon its recommendation, it is submitted to the City Council of the City of Gering, Nebraska for final approval and acceptance.

Dated this 20th day of November, 2004
By Brian R. Peterson
Chairman City Council

Surveyor's Certificate

I, Edward Y. Beaver, Nebraska Land Surveyor No. 629, do hereby certify that the tract of land described and shown on the accompanying drawing was surveyed under my direct supervision; that the accompanying drawing is to the best of my knowledge and belief true and correct and the delineation of said survey as made on the ground to a scale of 200 feet to the inch; that the drawing was made under my direct supervision; that all distances are in feet and decimals thereof; the area is in acres; the bearings are based in GPS Grid Azimuth (GEOID 99) and that the monuments were set or found as noted hereon.

WITNESS MY HAND AND SEAL this 17th day of Nov, 2004

