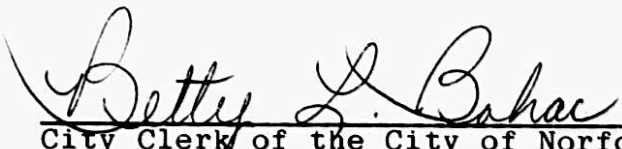


## CLERK'S CERTIFICATE

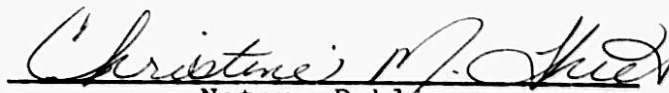
STATE OF NEBRASKA )  
 )  
 COUNTY OF MADISON ) ss  
 )  
 CITY OF NORFOLK )

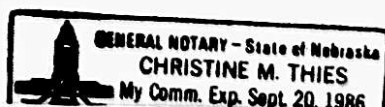
I, Betty L. Bohac, City Clerk of the City of Norfolk, Madison County, Nebraska, hereby certify: That the attached and foregoing is a full, true and correct copy of the subdivision agreement for the Replat of ShopKo Acres; and easements for drainage, sanitary sewer, and water main for the Replat of ShopKo Acres executed March 18, 1985 at the City Council meeting of the City of Norfolk, Nebraska, as the same appears in the records of the City.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of April, 1985.

  
 City Clerk of the City of Norfolk

Subscribed and sworn to before me this 15th day of April, 1985.

  
 Notary Public



## SUBDIVISION AGREEMENT

Replat of Shopko Acres

Madison County, Nebraska

This agreement is made and entered into this 18<sup>th</sup> day of March, 1985, by and between the City of Norfolk, Nebraska, hereinafter referred to as "the City" and Shopko Stores Inc., a Minnesota Corporation, hereinafter referred to as "the Developers".

WHEREAS, the Developers are owners of certain property situated in the City of Norfolk, Madison County, Nebraska, and legally described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of Section 28, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, thence N 90°00'00" W along the South line of the Southwest Quarter of said Section 28, a distance of 535.08 ft.; thence N 00°00'00" W, a distance of 335.00 feet to the Point of Beginning; thence S 89°58' W, a distance of 360.08 ft.; thence N 32°54'30" W, a distance of 743.64 ft.; thence N 0°02'30" E, a distance of 335.28 ft. to the Southerly Right-of-Way line of Michigan Avenue; thence S 89°59' E, a distance of 270.1 ft. to a point of curvature; thence Northerly on a 180.84-foot radius curve to the left, an arc distance of 147.34 ft. (said curve has a chord bearing of N 66°40' E and a distance of 143.30 ft.) to a point of tangency; thence N 43°19' E, a distance of 254.12 ft. to the Southerly Right-of-Way line of Krenzien Drive; thence S 46°41' E, along said Right-of-Way a distance of 439.27 ft. to a point of curvature; thence Southeasterly on a 256.86-foot radius curve to the right, an arc distance of 116.35 ft. (said curve has a chord bearing of S 33°41'45" E and a distance of 115.36 ft.); thence S 20°41'30" E, a distance of 7.19 ft. to a point of curvature; thence Southeasterly on a 221.23-foot radius curve to the left, an arc distance of 134.99 ft. (said curve has a chord bearing of S 38°11'30" E and a distance of 132.90 ft. to the Westerly Right-of-Way line of 20th Street); thence S 34°16' W, a distance of 371.42 ft. to a point of curvature; thence Southwesterly on a 411.97-foot radius curve to the left, an arc distance of 246.39 ft. (said curve has a chord bearing of S 17°08' W and a distance of 242.73 ft.); thence S 0°00' W, a distance of 153.62 ft. to the Point of Beginning and containing 17.732 acres more or less.

WHEREAS, the Developers wish to plat said property and hereby submit to the City as provided by law, an accurate subdivision plat to be known as a Replat of Shopko Acres; and

WHEREAS, new subdivisions are subject to certain required minimum improvements as specified by City Ordinance,

IT IS THEREFORE AGREED by the parties contained herein as follows:

1. General Conditions

- A. Street Improvements - The Developers agree to construct and pay for the paving of Michigan Avenue from the Southerly Right-of-Way of Krenzien Drive for a distance of approximately 350 ft. to a point beyond the intersection of the Westerly entrance to Shopko Acres. Paving, including curbs, shall be 31 ft. wide, constructed of 6" Portland Cement Concrete. Paving shall be completed on or before June 15, 1985.
- B. Water Supply - The Developers have constructed and paid for all necessary mains to serve the subdivision in accordance with the Subdivision Agreement for Shopko Acres entered into on the 29th day of February, 1984 and recorded in the Office of Register of Deeds, Madison County, Nebraska in Book #M-84-4, pp. 322-352 inclusive, and dated March 18, 1984. The Developers agree to connect all structures to the City's Water system.
- C. Sanitary Sewer - The Developers have constructed and paid for all necessary sewer mains to serve the subdivision in accordance with the Subdivision Agreement for Shopko Acres entered into on the 29th day of February, 1984 and recorded in the Office of Register of Deeds, Madison County, Nebraska in Book #M-84-4, pp. 322-352 inclusive, and dated March 18, 1984. The Developers agree to connect all structures to the City's Sanitary Sewer.
- D. Storm Drainage - The Developers agree to construct and pay for all storm sewers necessary to serve the subdivision, to include the drainage ditch within the easement to the South to Omaha Avenue; for the installation of necessary culverts under Omaha Avenue; for continuing maintenance of the drain way to Omaha Avenue all in accordance with the Subdivision Agreement for Shopko Acres entered into on the 29th day of February, 1984 and recorded in the Office of Register of Deeds, Madison County, Nebraska in Book #M-84-4, pp. 322-352 inclusive, and dated March 18, 1984.
- E. Street Signs - The Developers agree to install and pay for street name signs all in accordance with the Subdivision Agreement for Shopko Acres entered into on the 29th day of February, 1984 and recorded in the Office of Register of Deeds, Madison County, Nebraska in Book #M-84-4, pp. 322-352 inclusive, and dated March 18, 1984.

2. Special Conditions

- A. The Developers agree to comply with the Drainage Plan and all work shall be completed before occupancy of structures will be authorized by the City of Norfolk.
- B. The Developers agree to complete all grading necessary to bring the site into compliance with the approved grading plans on file in the office of the City Engineer prior to occupancy of the structures.

3. Miscellaneous

- A. The Developers agree to keep the public Right-of-Way free from accumulation of water; waste material; weeds or rubbish and to maintain the finished street surfaces free from dirt caused by his operation.
- B. This agreement shall be binding upon the parties hereto, their successors, heirs, personal representatives and assigns.

CITY OF NORFOLK  
A Municipal Corporation

BY

James D. Schaefer  
Mayor

ATTEST:

Betty L. Baker  
City Clerk

SHOPKO STORES, INC.  
A MINNESOTA CORPORATION

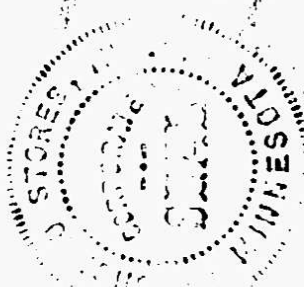
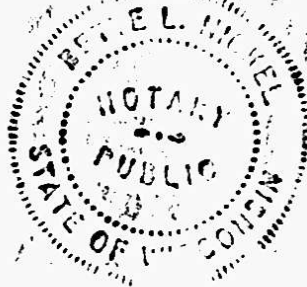
BY

Donald J. Callahan

State of Wisconsin  
County of Brown S.S.

On this 21<sup>st</sup> day of February, 19 85, before me, the undersigned, a Notary Public, personally came Donald J. Callahan to me known to be the identical person whose name is affixed to the foregoing instrument and he has acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and Notarial Seal the date and year above written.



Betty L. Nickel  
Notary Public

LOCATION: Replat of Shopko Acres  
Norfolk, Nebraska

FOR : Drainage

A tract of land 10 feet wide, 5 feet on each side of a line running over, across and through Replat of Shopko Acres, a subdivision in the City of Norfolk, Madison County, Nebraska. Said line is more particularly described as follows:

Referring to the Southeast Corner of Lot 2, Block 1, of said Replat of Shopko Acres; thence proceeding 58.0 ft. Northwest, along the Southwesterly line of said Lot 2; thence Southwesterly, along the Northwesterly line of Lot 4, Block 1, of said Subdivision, 290 ft. to the Point of Beginning; thence at a deflection angle from the last described course of  $109^{\circ}13'$  Right, 257 ft.; thence at a deflection angle of  $91^{\circ}41'$  Left, 58 ft.; thence at a deflection angle of  $46^{\circ}39'$  Right, 63 ft.; thence at a deflection angle of  $68^{\circ}45'$  Left, 333 ft.; thence at a deflection angle of  $49^{\circ}58'$  Left, 122 ft.; thence at a deflection angle of  $21^{\circ}43'$  Left, 170 ft.; thence at a deflection angle of  $9^{\circ}17'$  Right, 42 ft., more or less, to a point on the Southwesterly line of Lot 4, Block 1 of said Subdivision and 32 ft. Southeasterly of the Southwest Corner of said Lot 4 and a point of egress from said property.

And a tract of land 10 feet wide, 5 feet on each side of a line running over, across and through Replat of Shopko Acres, a subdivision in the City of Norfolk, Madison County, Nebraska. Said line is more particularly described as follows:

Referring to the Northeast Corner of Lot 1, Block 1 of said Replat of Shopko Acres; thence proceeding Southwesterly, along the Westerly Right-of-Way of 20th Street, 306 ft. to the Point of Beginning; thence at a deflection angle from the last described course of  $111^{\circ}11'$  Right, 15 ft.; thence at a deflection angle of  $27^{\circ}48'$  Left, 373 ft.; thence at a deflection angle of  $13^{\circ}59'$  Right, 9.5 ft. to a point on the Northwesterly line of said Lot 1 which is 449 ft. Southwest of the Northwest corner of said Lot 1.

And all that land in Lot 1, Block 1 of Replat of Shopko Acres which is located in a tract of land 10 feet wide, 5 feet on each side of a line running over, across and through Replat of Shopko Acres, a subdivision in the City of Norfolk, Madison County, Nebraska. Said line is more particularly described as follows:

Referring to the Northeast Corner of said Lot 1; thence proceeding Southwesterly, along the Westerly Right-of-Way of 20th Street; 371.4 ft. to the Point of Beginning; thence at a deflection angle from the last described course of  $6^{\circ}27'$  Left, 109 ft.; thence at a deflection angle of  $17^{\circ}22'$  Left, 114 ft.; thence at a deflection angle of  $38^{\circ}01'$  Right, 179 ft.; thence at a deflection angle of  $20^{\circ}44'$  Right, 93 ft.; thence at a deflection angle of  $38^{\circ}15'$  Right, 81 ft.; thence at a deflection angle of  $18^{\circ}28'$  Right, 110 ft.; thence at a deflection angle of  $16^{\circ}39'$  Left, 53 ft. to a point on the Southwesterly line of said Lot 1 which is 144 ft. Southeasterly of the Southwest Corner of said Lot 1 and a point of egress from said property.



## EASEMENT

LOCATION: Replat of Shopko Acres  
Norfolk, Nebraska

FOR : Sanitary Sewer

A strip of land lying over, across and through the Replat of Shopko Acres, a subdivision in Norfolk, Nebraska. Said strip being 10 feet wide, 5 feet on each side of a line described as follows:

Referring to the Southeast Corner of Lot 1, Block 1 of Replat of Shopko Acres, a subdivision in the City of Norfolk, Madison County, Nebraska; thence North, along the West Right-of-Way of 20th Street, 153.62 feet, to the P.C. of a 411.97-foot radius curve to the Right; thence around said curve, 57 feet to the Point of Beginning; thence Northwesterly, 175 feet to a point which is 61 feet Northwest and 18 feet Northeast of the Northeast Corner of the existing Shopko building; thence Northwesterly, 18 feet Northeast of and parallel to, the Northeasterly line of the existing Shopko building, 385 feet to the Point of Ending.

SHOPKO STORES, INC.

A MINNESOTA CORPORATION

BY *Donald J. Callahan*

State of Wisconsin

County of Brown S.S.

On this 21<sup>st</sup> day of February, 19 85, before me, the undersigned, a Notary Public, personally came Donald J. Callahan to me known to be the identical person whose name is affixed to the foregoing instrument and he has acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and Notarial Seal the date and year above written.

*Bette L. Nickel*

Notary Public



Drainage Easement con't.

SHOPKO STORES, INC.

A MINNESOTA CORPORATION

BY Donald J. CallahanState of WisconsinCounty of Brown S.S.

On this 21<sup>st</sup> day of February, 19 85, before me, the undersigned, a Notary Public, personally came Donald J. Callahan to me known to be the identical person whose name is affixed to the foregoing instrument and he has acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and Notarial Seal the date and year above written.

Bette L. Nickel  
Notary Public



## EASEMENT

LOCATION: Replat of Shopko Acres  
Norfolk, Nebraska

FOR : Water Main

A strip of land lying over, across and through the Replat of Shopko Acres, a subdivision in Norfolk, Nebraska. Said strip being 10 feet wide, 5 feet on each side of the line described as follows:

Referring to the Northwest Corner of Lot 3, Block 1 of Replat of Shopko Acres, a subdivision in the City of Norfolk, Madison County, Nebraska; thence running East, along the South Right-of-Way of Michigan Avenue, 254 feet to the Point of Beginning; thence at a deflection angle of  $90^{\circ}00'$  Right, 79 feet; thence at a deflection angle of  $43^{\circ}19'$  Right, 308 feet; thence at a deflection angle of  $54^{\circ}44'$  Left, 54 feet; thence at a deflection angle of  $19^{\circ}19'$  Left, 401 feet; thence at a deflection angle of  $15^{\circ}57'$  Left, 157 feet; thence at a deflection angle of  $0^{\circ}30'$  Right, 114 feet, to a point on the extension of the Southeasterly line of the existing Shopko building, 62 feet Southwest of the Southeast Corner of said building; thence around a curve to the left to a point which is 92 feet Northeasterly and 129 feet Southeasterly from the Southeast Corner of said building; thence continuing Northeasterly, parallel to the Southeasterly building line, 80 feet, more or less; thence at a deflection angle of  $56^{\circ}35'$  Right, 34 feet, more or less to a point on the Westerly Right-of-Way of 20th Street which is 185 feet North of the Southeast Corner of Lot 1 of said Block 1, Replat of Shopko Acres.

And a strip of land 10 feet wide, 5 feet on each side of a line described as follows:

Referring to the Northwest Corner of Lot 3, Block 1 of Replat of Shopko Acres, a subdivision in the City of Norfolk, Madison County, Nebraska; thence running East along the South Right-of-Way of Michigan Avenue, 254 feet; thence at a deflection angle of  $90^{\circ}00'$  Right, 79 feet; thence at a deflection angle of  $43^{\circ}19'$  Right, 54 feet; thence at a deflection angle of  $90^{\circ}00'$  Left, 10 feet to the Point of Beginning; thence continuing Southeasterly on the last described course 324 feet to the Point of Ending.



Water Main Easement con't.

SHOPKO STORES, INC.

A MINNESOTA CORPORATION

BY *Donald J. Callahan*State of WisconsinCounty of Brown S.S.

On this 21<sup>st</sup> day of February, 19 85, before me, the undersigned, a Notary Public, personally came Donald J. Callahan to me known to be the identical person whose name is affixed to the foregoing instrument and he has acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and Notarial Seal the date and year above written.

*Bette L. Nickel*  
Notary Public

THE STATE OF NEBRASKA } ss.  
MADISON COUNTY

This instrument filed for record  
the 16 day of April 19 85  
at 2:10 o'clock P. M. and recorded in

M85-4Page 558

*Betty M. Eucker*  
Register of Deeds  
Deputy Reg. of Deeds

Chg \$ 45.50

No. 1434Paged ☒General ☒Indexed ☒

City of Norfolk

2:10