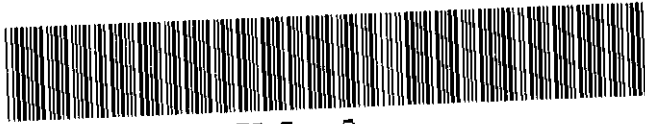


MISC 2005011740



FEB 01 2005 11:53 P 8

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
2/1/2005 11:53:04.66



2005011740

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

Misc 9

FEE 40⁵⁰ FB 01.60000
BKP 31.16.10 ^{Mr} 670 COMP _____
DEL _____ SCAN _____ FV _____

John Allen
c/o Jeff Allen
623 N. Spruce St
Valley, NE 68064

V 2269

Recorder's
Notes

Subdivision approval was to be filed within 30 days of this date 9/15/04. Per Joan Suhr this resolution can be filed today 2/1/05.

M.B.

Temp. 12.4.01

City of

VALLEY



"A Community
On The Way Up"

203 NORTH SPRUCE STREET
P.O. BOX 682
VALLEY, NEBRASKA 68064-0682
402-359-2251
402-359-2610 FAX

Joseph E. Roberts
Mayor

Joan Suhr
City Clerk/Treasurer

Council Members
Carroll Smith
Arlene Cochran
Mary Caffey
Cal Peacock

CERTIFICATION

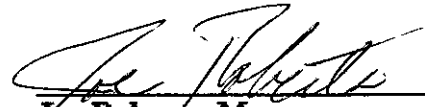
I, JOAN SUHR, the duly appointed and acting City Clerk of the City of Valley, Douglas County, Nebraska, hereby certify that the attached Resolution was adopted by the governing body in regular session on September 14, 2004, and that the attached Resolution is a true copy of the original record of the municipality.

Date: September 15, 2003



Joan Suhr, City Clerk

ATTEST:



Joe Roberts, Mayor

WAIVER FOR SMALL SUBDIVISIONS

OWNER'S CERTIFICATION

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned are owner's of the property as described in the surveyor's certificate and embraced within this plat, and have caused said land to be subdivided into lots as shown on this plat.

Owner John F Allen

Date 8/30/04

ACKNOWLEDGEMENT OF NOTARY

State of Nebraska)
County of Douglas) SS

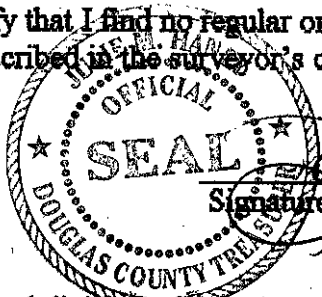
On this 30 day of August, 2004, Before me a Notary Public, personally appeared the above owner, known to me and executed the above dedication as his voluntary act and deed.

NOTARY PUBLIC Colette Thibodeau
GENERAL NOTARY - State of Nebraska
COLETTE THIBODEAU
My Comm. Exp. September 11, 2007

MY COMMISSION EXPIRES _____

DOUGLAS COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due or delinquent against the property as described in the surveyor's certificate and as shown by the records of this office.



Signature [Handwritten Signature] Date 9-1-05

APPROVAL

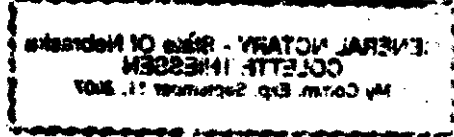
Approved as a subdivision of waiver of subdivision/City of Valley
By Valley City Council per Resolution 2004-20. This subdivision approval is void unless this plat is filed and recorded with the County Register of Deeds within thirty (30) days of this date.



Mayor Joseph E Roberts Date 9/15/04

SECTION 12. WAIVER FOR SMALL SUBDIVISIONS. THE SUBDIVIDER MAY MAKE APPLICATION FOR, AND THE COUNCIL MAY GRANT, A WAIVER OF SOME OR ALL OF THE REQUIREMENTS PROVIDED FOR HEREIN FOR SMALL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL SUBDIVISIONS WHERE THE FOLLOWING CONDITIONS EXIST:

- A) THE SUBDIVISION CONTAINS NO MORE THAN FOUR (4) LOTS, WHICH TOTAL AREA OF SAID LOTS SHALL NOT EXCEED ONE HALF (1/2) ACRE EACH, AND CONFORM TO EXISTING ZONING ORDINANCES,
- B) ALL LOTS OF THE PROPOSED SUBDIVISIONS SHALL BE PLATTED ON EXISTING STREETS,
- C) SURFACES OF ALL STREETS SERVING THE SUBDIVISION MEET, OR EXCEED, STREET SURFACE STANDARDS OF THE CITY,
- D) PUBLIC WATER, SANITARY SEWER, STORM SEWER SYSTEM FACILITIES ARE AVAILABLE TO ALL LOTS IN THE SUBDIVISION,
- E) THE DEVELOPMENT OF THE SUBDIVISION WILL NOT INCREASE EROSION OR FLOODING POTENTIAL, AND
- F) THE SUBDIVIDER DEMONSTRATES TO THE COUNCIL THAT SAID DEVELOPMENT IS IN CONFORMITY WITH THE POTENTIAL DEVELOPMENT OF ABUTTING PROPERTY. A SUBDIVIDER REQUESTING A WAIVER HEREUNDER SHALL SUBMIT SAID REQUEST IN WRITING TO THE COUNCIL PRIOR TO THE SUBMISSION OF A PRELIMINARY PLAT. THE REQUEST FOR A WAIVER SHALL INCLUDE A LIST OF ALL REQUIREMENTS FOR WHICH A WAIVER IS SOUGHT BY REFERENCE TO CODE NUMBERS AND DESCRIPTIVE HEADINGS.



(SEE BACK OF SHEET FOR FORMS)

RESOLUTION 2004-20

WHEREAS, the owners of a parcel of land located in the part of the North Half of the Northeast Quarter of Section 31, Township 16N, Range 10E of the Sixth P.M., Douglas County, propose to divide the property into three parcels described as follows:

Parcel 1

Part of the North Half of the Northeast quarter of Section 31, Township 16N, Range 10E of the Sixth P.M. Douglas County, Nebraska, being described as follows: Beginning at the northeast corner of said Section 31; thence $S00^{\circ}29'05''E$ (assumed bearing) on the east line of said north half northeast quarter, a distance of 315.00 feet; thence $S89^{\circ}30'55''W$ perpendicular to said east line, a distance of 1081.55 feet to a point on the east right-of-way line of U.S. Highway No. 275; thence $N44^{\circ}12'17''W$ on said east right-of-way line, a distance of 233.87 feet; thence continuing on said east right-of-way line $N74^{\circ}22'41''E$, a distance of 120.37 feet; thence continuing on said east right-of-way line $N83^{\circ}46'41''E$, a distance of 676.08 feet; thence continuing on said east right-of-way line $N00^{\circ}22'23''W$, a distance of 46.82 feet to a point on the north line of said northeast quarter; thence $N89^{\circ}29'51''E$ on said north line, a distance of 454.21 feet to the point of beginning, containing 7.08 acres, more or less.

Parcel 2

Part of the North Half of the Northeast quarter of Section 31, Township 16N, Range 10E of the Sixth P.M. Douglas County, Nebraska, being described as follows: Beginning at the northeast corner of said Section 31; thence $S00^{\circ}29'05''E$ (assumed bearing) on the east line of said north half northeast quarter, a distance of 315.00 feet to the true point of beginning; thence continuing $S00^{\circ}29'05''E$ on said east line, a distance of 330.80 feet; thence $S89^{\circ}30'55''W$ perpendicular to said east line, a distance of 765.21 feet to a point on the east right-of-way line of U.S. Highway No. 275; thence $N44^{\circ}12'17''W$ on said east right-of-way line, a distance of 457.71 feet; thence $N89^{\circ}30'55''E$ perpendicular to the east line of said north half northeast quarter, a distance of 1081.55 feet to the true point of beginning, containing 7.01 acres, more or less.

Parcel 3

Part of the North Half of the Northeast quarter of Section 31, Township 16N, Range 10E of the Sixth P.M. Douglas County, Nebraska, being described as follows: Beginning at the northeast corner of said Section 31; thence $S00^{\circ}29'05''E$ (assumed bearing) on the east line of said north half northeast quarter, a distance of 645.80 feet to the true point of beginning; thence continuing $S00^{\circ}29'05''E$ on said east line, a distance of 677.00 feet to the southeast corner of said north half northeast quarter; thence $S89^{\circ}29'37''W$ on the south line of said north half northeast quarter, a distance of 150.01 feet to a point on the east right-of-way line of U.S. Highway No. 275; thence $N41^{\circ}33'32''W$ on said east right-of-way line, a distance of 504.99 feet; thence $N44^{\circ}12'17''W$ continuing on said east right-of-way line, a distance of 410.06 feet; thence $N89^{\circ}30'55''E$ perpendicular to the east line of said north half northeast quarter, a distance of 765.21 feet to the true point of beginning, containing 7.00 acres, more or less.


WHEREAS, said owners seek the approval of the Governing Body of the City of Valley, Douglas County, Nebraska, for the proposed lot division of the herein described property pursuant to R.R.S. 76-2,110.

NOW, THEREFORE, the governing Body of the City of Valley, Douglas County, Nebraska does herewith waive the notice and the 120-day waiting period provided for in the Statute, and does herewith prospectively and retrospectively approve the lot division as proposed.


A signed copy of land surveyor's certificate by Dan Martinez, registered land surveyor, dated Sept. 19, 2003, showing the lot division, map and survey of the lot(s) involved in the said lot division is attached hereto and made a part hereof by reference.

PASSED AND APPROVED this 14th day of September, 2004.

CITY OF VALLEY, DOUGLAS
COUNTY, NEBRASKA


Joseph E. Roberts, Mayor

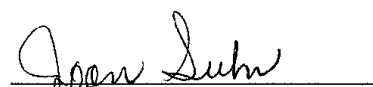

Carroll Smith, Council President


Mary Caffey, Council Member


Arlene Cochran, Council Member


Cal Peacock, Council Member

ATTEST:


Joan Suhr, City Clerk

2186.32' (D4M)

PARCEL NO. 1:

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 16 NORTH, RANGE 10 EAST OF THE SIXTH P.M., DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE 500°29'05"E (ASSUMED BEARING) ON THE EAST LINE OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 315.00 FEET; THENCE 589°30'55"W PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 1081.55 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 275; THENCE N44°12'17"W ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 233.87 FEET; THENCE CONTINUING ON SAID EAST RIGHT-OF-WAY LINE N74°22'41"E, A DISTANCE OF 120.37 FEET; THENCE CONTINUING ON SAID EAST RIGHT-OF-WAY LINE N83°46'41"E, A DISTANCE OF 676.08 FEET; THENCE CONTINUING ON SAID EAST RIGHT-OF-WAY LINE N00°22'23"W, A DISTANCE OF 46.82 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE N89°29'51"E ON SAID NORTH LINE, A DISTANCE OF 454.21 FEET TO THE POINT OF BEGINNING, CONTAINING 7.08 ACRES, MORE OR LESS.

PARCEL NO. 2:

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 16 NORTH, RANGE 10 EAST OF THE SIXTH P.M., DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31; THENCE 500°29'05"E (ASSUMED BEARING) ON THE EAST LINE OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 315.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING 500°29'05"E ON SAID EAST LINE, A DISTANCE OF 330.80 FEET; THENCE 589°30'55"W PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 765.21 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 275; THENCE N44°12'17"W ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 457.71 FEET; THENCE N89°30'55"E PERPENDICULAR TO THE EAST LINE OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 1081.55 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 7.01 ACRES, MORE OR LESS.

PARCEL NO. 3:

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 16 NORTH, RANGE 10 EAST OF THE SIXTH P.M., DOUGLAS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 31 (ASSUMED BEARING) ON THE EAST LINE OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 645.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING 500°29'05"E ON SAID EAST LINE, A DISTANCE OF 677.00 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF NORTHEAST QUARTER; THENCE 589°29'37"W ON THE SOUTH LINE OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 1081.55 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 275; THENCE N41°33'32"W ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 410.06 FEET; THENCE N89°30'55"E PERPENDICULAR TO THE EAST LINE OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 765.21 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 7.01 ACRES, MORE OR LESS.

N00°27'29"W
1322.96' (M)
1323.11' (R)



SW CORNER N 1/2 NE 1/4

SCALE: 1" = 200'
SEPTEMBER 19, 2003

NOTE:

1. ALL BEARINGS ARE ASSUMED.

LEGEND

- ⊕ MONUMENT FOUND
- MONUMENT SET (5/8" X 24" REBAR)
- COMPUTED POSITION
- (M) MEASURED DISTANCE
- (R) RECORD DISTANCE
- (D) DEED DISTANCE

NE CORNER OF SECTION 31, T16N, R10E:

FOUND A BRASS CAP IN CONCRETE PAVING

- NE 44.63' TO A 600 SPIKE SET IN THE SW FACE OF A GUY POLE (2.5' ABOVE GROUND)
- NW 44.71' TO A 600 SPIKE SET IN THE SE FACE OF A POWER POLE (2' ABOVE GROUND)
- SW 38.30' TO A 600 SPIKE SET IN THE NE FACE OF A POWER POLE (2' ABOVE GROUND)
- SE 56.29' TO 1/2" NAILS SET IN THE NW FACE OF AN 1 1/2" CEDAR TREE (1' ABOVE GROUND)
- S 5' +/- TO THE CENTERLINE OF IDA STREET

SE CORNER N1/2 NE1/4 OF SECTION 31, T16N, R10E:

FOUND A 5/8" REBAR, 0.1' BELOW THE ROAD SURFACE

- W 28.01' TO THE SE CORNER OF A STEEL CORNER FENCE POST (3' ABOVE GROUND)
- WNW 26.69' TO 1/2" NAILS SET IN THE SE FACE OF A POWER POLE (2' ABOVE GROUND)
- SE 33.42' TO A 5/8" REBAR
- ESE 25.33' TO A CHISELED 1/2" IN THE TOP OF THE NORTH END OF AN 1 1/2" RCP
- E 6' +/- TO THE CENTERLINE OF 264TH STREET
- CORNER IS ON LINE WITH FENCE WEST

589°29'37"

2641.15' (M) 26

NW CORNER NE 1/4 OF SECTION 31, T16N, R10E:

FOUND A BRASS CAP 0.5' BELOW THE DRIVEWAY SURFACE

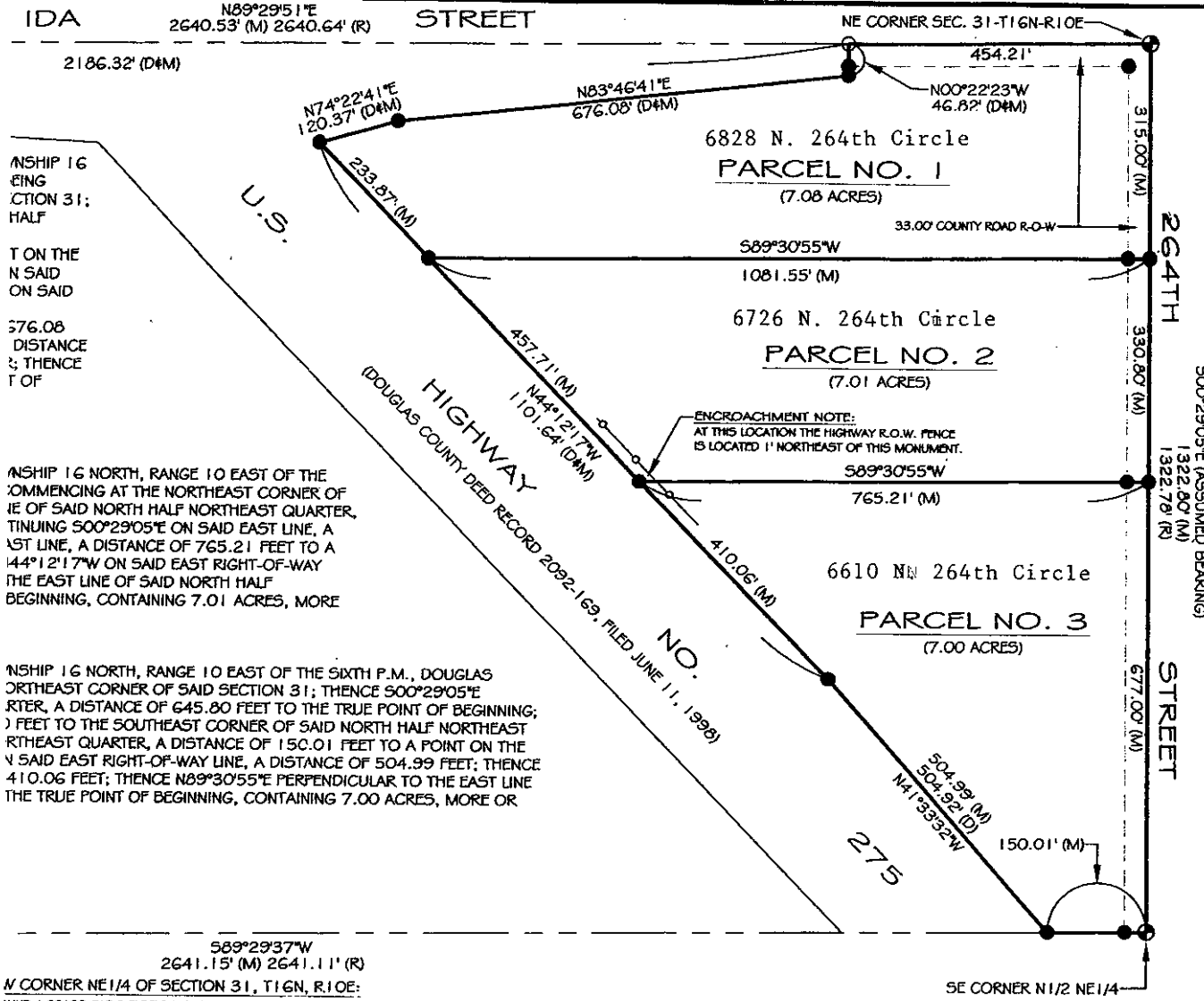
- NW 36.15' TO 1/2" NAILS SET IN THE SE FACE OF A LIGHT POLE
- SW 39.79' TO 1/2" NAILS SET IN THE NE FACE OF A POWER POLE
- SE 65.44' TO 1/2" NAILS SET IN THE WEST FACE OF A STUD
- W 5.4' +/- TO THE CENTERLINE OF SPRUCE STREET SOUTH
- CORNER IS ON LINE WITH THE CENTERLINE OF IDA STREET

SW CORNER N1/2 NE1/4 OF SECTION 31, T16N, R10E:

FOUND A 5/8" REBAR AT GROUND SURFACE

- ENE 8.72' TO THE SW FACE OF A CHAINLINK CORNER PILE
- E 2.90' TO A NAIL SET IN THE TOP OF A RAILROAD TIE CORNER
- SSE 14.55' TO 1/2" NAILS SET IN THE NORTH FACE OF A 36" RCP
- E 6.5' +/- TO A CHAINLINK FENCE NORTH
- N 2.7' +/- TO A CHAINLINK FENCE EAST

Issue No.	Date	Description	Issue No.	Date
1	09/19/03	Final Plat of Survey		



NSHIP 16 NORTH, RANGE 10 EAST OF THE COMMENCING AT THE NORTHEAST CORNER OF THE NORTH HALF NORTHEAST QUARTER, TURNING 500°29'05"E ON SAID EAST LINE, A DISTANCE OF 765.21 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 504.99 FEET; THENCE 410.06 FEET; THENCE N89°30'55"E PERPENDICULAR TO THE EAST LINE THE TRUE POINT OF BEGINNING, CONTAINING 7.00 ACRES, MORE OR

NSHIP 16 NORTH, RANGE 10 EAST OF THE SIXTH P.M., DOUGLAS NORTHEAST CORNER OF SAID SECTION 31; THENCE 500°29'05"E DISTANCE OF 645.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE 150.01 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF NORTHEAST QUARTER, A DISTANCE OF 150.01 FEET TO A POINT ON THE SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 504.99 FEET; THENCE 410.06 FEET; THENCE N89°30'55"E PERPENDICULAR TO THE EAST LINE THE TRUE POINT OF BEGINNING, CONTAINING 7.00 ACRES, MORE OR

SE CORNER NE 1/4 OF SECTION 31, T16N, R10E:
FOUND A BRASS CAP 0.5' BELOW THE DRIVEWAY SURFACE

136.15' TO "X" NAILS SET IN THE SE FACE OF A LIGHT POLE (1' ABOVE GROUND)
139.79' TO "X" NAILS SET IN THE NE FACE OF A POWER POLE (1' ABOVE GROUND)
65.44' TO "X" NAILS SET IN THE WEST FACE OF A STUB POWER POLE (2' ABOVE GROUND)
5.4' +/- TO THE CENTERLINE OF SPRUCE STREET SOUTH
CORNER IS ON LINE WITH THE CENTERLINE OF 16A STREET EAST

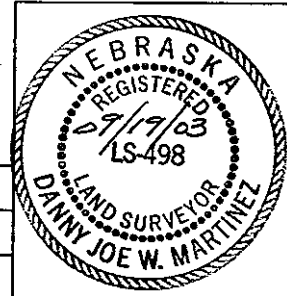
SE CORNER N1/2 NE1/4 OF SECTION 31, T16N, R10E:
FOUND A 5/8" REBAR AT GROUND SURFACE

8.72' TO THE SW FACE OF A CHAINLINK CORNER FENCE POST (4' ABOVE GROUND)
1.90' TO A NAIL SET IN THE TOP OF A RAILROAD CORNER FENCE POST
14.55' TO "X" NAILS SET IN THE NORTH FACE OF A 36" TREE (2' ABOVE GROUND)
1.5' +/- TO A CHAINLINK FENCE NORTH
1.7' +/- TO A CHAINLINK FENCE EAST

SURVEYOR'S STATEMENT:

I, DANNY JOE W. MARTINEZ, HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

Danny Joe W. Martinez
DANNY JOE W. MARTINEZ, LS 498
SEPTEMBER 19, 2003



Issue No.	Date	Description

PLAT OF SURVEY

500°29'05"E (ASSUMED BEARING)
1322.80' (M)
1322.78' (R)

264TH STREET

Project: PART OF THE NORTH HALF OF THE NORTHEAST QUARTER SECTION 31, TOWNSHIP 16 NORTH, RANGE 10 EAST DOUGLAS COUNTY, NEBRASKA
CLIENT: JOHN & JAN ALLEN

Drawn By: D. Martinez	Project No.:	Drawing File: Allen Survey.dwg	Issue No.:
Prepared By: D. Martinez	Date: 09/19/03	Scale: 1" = 200'	Sheet: 1 of 1