

NUM PAGES 6
DOC TAX _____ PD _____ CHG _____ RET _____
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REC'D Lon Darnall BY _____

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COMPUTER E 13
PICTURED J 7
IMAGED _____

RECORDED
SCOTTS BLUFF COUNTY, NE

Date 1-6-05 Time 4:05 pm

For Recording Only ✓
RET: Lon Darnall

Jean A. Bauer

REGISTER OF DEEDS

CERTIFICATE

This certificate should be indexed and recorded against the real estate described in Paragraph 2 and 3 below.

The following action was taken by the Scotts Bluff County Planning Commission, and the Scotts Bluff County Board of Commissioners.

TO-WIT:

1. Donald & Loretta Schmall have made application to the County Planning Commission, and County Board of Commissioners for an Agricultural Estate Dwelling Site located at 260053 Seagull Road, Scottsbluff, Nebraska, Section 9, Township 23 North, Range 54 West, Scotts Bluff County, Nebraska under Part 5.101-18 of the Scotts Bluff County zoning regulations. The County Planning Commission approved the same at a meeting of the Commission on November 9, 2004, and the County Board of Commissioners accepted such recommendations of the Planning Commission, and gave validity to such recommendations by approving the same, as provided by law, at a meeting of the Board of Commissioners on December 6, 2004.

2. The legal description of the tract-site (AEDS), separated as an Agricultural Estate Dwelling site is:

in the East Half of the Southwest Quarter of Section 9, Township 23 North, Range 54 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, described as follows: Beginning at a point on the west line of said East Half of the Southwest Quarter, 1601.00 feet north of the southwest corner of said East Half of the Southwest Quarter; thence North on said west line, for 221.60 feet; thence North 88°05'20" East, for 221.17 feet; thence South 3°03'27" East, for 192.81 feet; thence South 13°58'40" East, for 199.90 feet; thence South 32°02'33" East, for 142.32 feet; thence South 41°01'33" East, for 177.63 feet; thence South 42°00'38" West, for 30.14 feet; thence North 46°40'27" West, for 166.91 feet; thence North 33°48'44" West, for 233.65 feet; thence North 57°49'00" West; for 236.44 feet to the Point of Beginning and containing an area of 2.01 acres, more or less.

3. The legal description of the reserved real estate pursuant to Part 5.101-18 (reserved for the above described tract site as a one-time exception from the requirement of platting, and inclusive of all of the other provisions of the applicable zoning regulation) is a tract of land in the East Half (E ½) of the Southwest Quarter (SW ¼) of Section 9, Township 23, Range 54 West of the 6th P.M., Scotts Bluff County, Nebraska, except the except the above described land, containing an area of 78.0 acres more or less.

LON DARNALL

ZONING ADMINISTRATOR

STATE OF NEBRASKA)
)
COUNTY OF SCOTTS BLUFF)

I, Lon Darnall the duly appointed, qualified, and acting Zoning Administrator for the County of Scotts Bluff, State of Nebraska, do hereby certify that the foregoing is a true and complete recitation of the action taken by the County Planning Commission, and County Board of Commissioners, as it relates to the subject therein described, as shown by the records and minutes of the referenced public bodies.

IT WITNESS WHEREOF, I DO HERBY SET MY OFFICIAL HAND, THIS 30th DAY OF December, 2004.

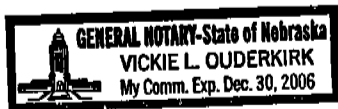
Lon Darnall
Zoning Administrator
Lon Darnall)

STATE OF NEBRASKA)
)
COUNTY OF SCOTTS BLUFF)

On the date immediately above set out, before me, a Notary Public, duly commissioned and qualified to act in Scotts Bluff County, personally came the referenced Zoning Director Lon Darnall, to me known to be the identical person whose name is affixed to the foregoing certificate, and acknowledged the same to be his voluntary act and deed as such official.

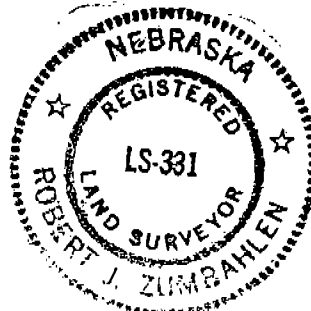
Vickie Ouderkirk
Notary Public

(NOTARY SEAL & COMMISSION EXPIRES)



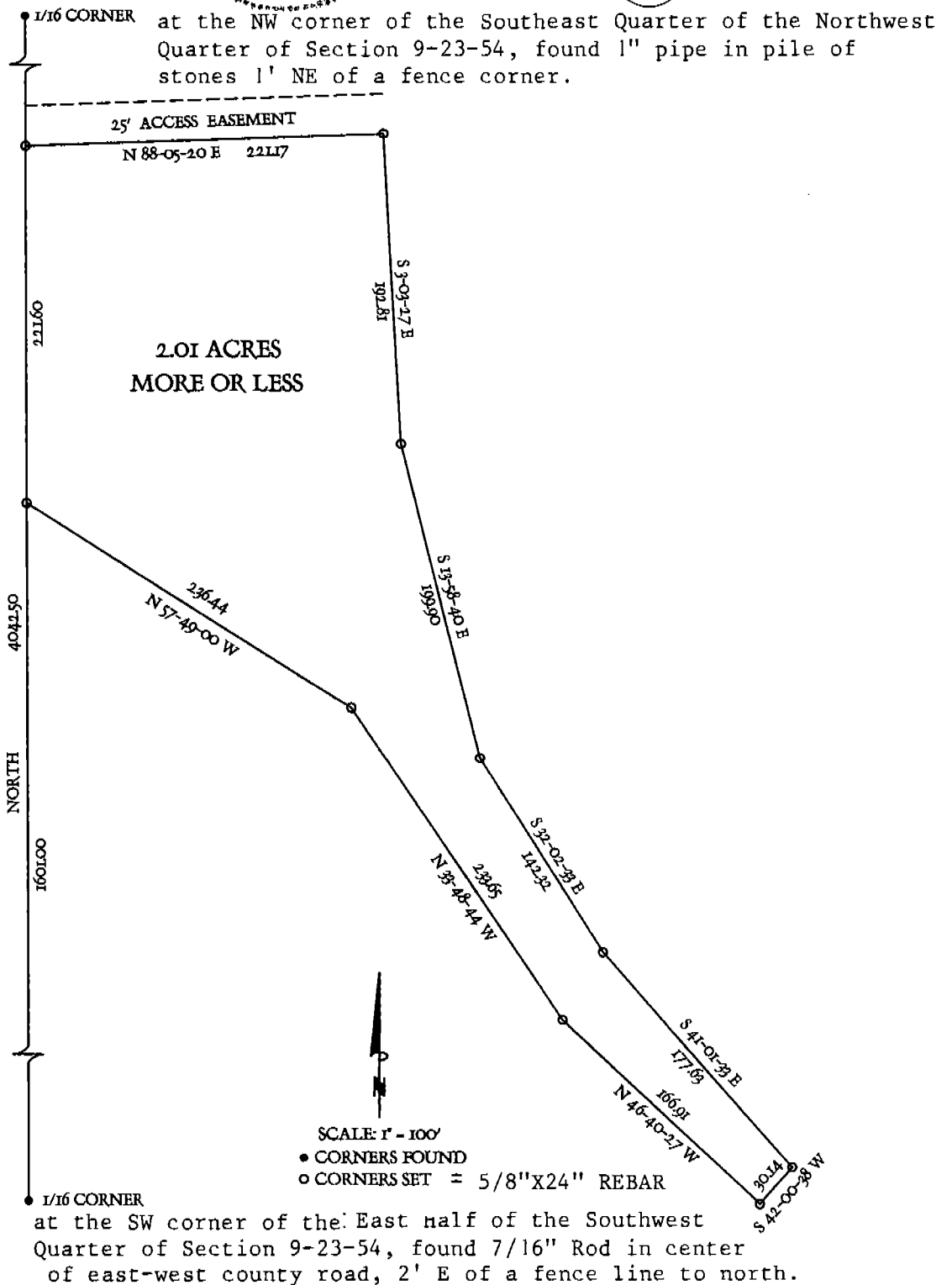
I, Robert J. Zumbahlen, do hereby certify that I have surveyed a tract of land in the East Half of the Southwest Quarter of Section 9, Township 23 North, Range 54 West of the 6th Principal Meridian, Scotts Bluff County, Nebraska, described as follows: Beginning at a point on the west line of said East Half of the Southwest Quarter, 1601.00 feet north of the southwest corner of said East Half of the Southwest Quarter; thence North on said west line, for 221.60 feet; thence North 88°05'20" East. for 221.17 feet; thence South 3°03'27" East, for 192.81 feet; thence South 13°58'40" East, for 199.90 feet; thence South 32°02'33" East, for 142.32 feet; thence South 41°01'33" East, for 177.63 feet; thence South 42°00'38" West, for 30.14 feet; thence North 46°40'27" West, for 166.91 feet; thence North 33°48'44" West, for 233.65 feet; thence North 57°49'00" West; for 236.44 feet to the Point of Beginning and containing an area of 2.01 acres, more or less.

That the accompanying plat represents a correct delineation of said survey drawn to the scale of 100 feet to the inch; and that all dimensions are in feet and decimals of a foot.



WITNESS MY HAND AND SEAL
this 25th day of August, 2004.

Robert J. Zumbahlen
Robert J. Zumbahlen
Nebraska LS 331





UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

North Platte National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited Permit No.
64511 - 2004_14

Date **September 27, 2004**

Period of Use (inclusive)

From **September 24, 2004**

To **September 27, 2029**

Permittee Name

Don Schmall, Sr.

Permittee Address

260053 Seagull Road
Scottsbluff, NE 69361

Purpose (specify in detail privilege requested, or units of products involved)

WHEREAS, the Permittee requests authorization to cross lands administered by the U.S. Fish and Wildlife Service (Service), to access privately owned property as shown on the attached Exhibit A;
NOW, THEREFORE, in consideration of the mutual agreements herein contained, the Service, to the extent of its interest therein, hereby grants to the Permittee, upon the terms hereinafter provided, a Special Use Permit for access across the North Platte National Wildlife Refuge as shown on the attached Exhibit A.

Description (specify unit numbers: metes and bounds, or other recognizable designations)

Sections 8 and 9 as identified in red on the attached Exhibit "A", T23N, R54W, 6th P.M. Scotts Bluff County, Nebraska.

Amount of fee if not a fixed payment, specify rate and unit of charge:

- Payment Exempt - Justification: Access to private land is otherwise prevented by U.S. Government irrigation canal.
- Full Payment
- Partial Payment - Balance of payments to be made as follows:

Record of Payments

N/A

Special Conditions

1. This Permit is issued for the exclusive and private use of the Permittee, his/her family, and persons under contract with or authorized by the Permittee for the sole purpose of gaining access to the Permittee's agricultural property and single family dwelling.
2. Permittee shall confine his/her use to existing roads identified on Exhibit "A".
3. All firearms carried in Permittee's vehicles shall be unloaded and cased or broken down and stored behind the seat of the vehicle.
4. The use of the roads by the Service for operation & maintenance purposes is paramount to all other uses and not to be interfered with by the Permittee. (Special Conditions continued)

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

Permittee Signature

Donald Schmall Sr

Issuing Officer Signature and Title

Steven A Knobel - Project Leader

Special Conditions (continued) - Permit # 64511-2004_14

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Permittee Name: Don Schmall, Sr.

Period of Use: September 27, 2004 - September 26, 2029

5. The Service is in no way bound to maintain the road to any minimum standards nor in a passable condition (such as may be the case during periods of inclement weather).
6. The use of the road by the Permittee is to be conducted so as to prevent any damage to natural surroundings or vegetation.
7. Any damage to the road by the Permittee shall be repaired at the expense of the Permittee.
8. This is a 25 year permit which may be renewed for an additional 25 years provided the conditions of this permit have been followed.
9. The U.S. Bureau of Reclamation reserves the right to vary the water surface of Lake Alice as necessary for operations and maintenance of reservoir works.

"EXHIBIT A"

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R. 55 W. R. 54 W.

14 N.
13 N.

