

NEBRASKA POWER REVIEW BOARD

Received
State of Nebraska
Power Review Board
Filed at 2:30pm This 16
day of January 20 25
By: Sara Bickel
Title: Paralegal

IN THE MATTER OF THE JOINT APPLICATION)
OF NEBRASKA PUBLIC POWER DISTRICT,)
DAWSON PUBLIC POWER DISTRICT)
AND THE CITY OF KEARNEY, NEBRASKA)
TO MODIFY THE RETAIL SERVICE AREA)
AGREEMENTS BETWEEN THE NEBRASKA)
PUBLIC POWER DISTRICT AND DAWSON)
PUBLIC POWER DISTRICT)

SAA 310 and SAA 57
SAA 310-25-A
SAA 57-25-A

This joint application, made and entered into on January 16, 20 25, by and between NEBRASKA PUBLIC POWER DISTRICT, (hereinafter called "NPPD"), a public corporation and political subdivision of the State of Nebraska, DAWSON PUBLIC POWER DISTRICT, (hereinafter called "DAWSON"), a public corporation and political subdivision of the State of Nebraska, and the CITY OF KEARNEY, NEBRASKA, (hereinafter called "City"), a municipal corporation organized under the laws of the State of Nebraska.

WHEREAS, NPPD and DAWSON serve customers at retail in adjoining service areas; and

WHEREAS, Chapter 70, Article 10 of the Revised Statutes of the State of Nebraska authorizes and directs suppliers of electricity serving customers at retail in adjoining service areas to enter into written agreements specifying either the service areas or customers each shall serve; and

WHEREAS, the Parties did pursuant to such statutes enter into Service Area Agreements designated as SAA 310 and SAA 57 by the Nebraska Power Review Board; and

WHEREAS, Amendments to SAA 310 and SAA 57 have been approved by the Nebraska Power Review Board from time to time; and

WHEREAS, on June 13, 2023, the City of Kearney, Nebraska annexed a tract of land in Buffalo County, Nebraska, as further described by metes and bounds in Resolution No. 2023-91 approving the addition of the described tract of land to the City's corporate limits and which is attached as Exhibit "C" hereto; and

WHEREAS, on December 12, 2023, the City of Kearney, Nebraska annexed a tract of land in Buffalo County, Nebraska, as further described by metes and bounds in Resolution No. 2023-171 approving the addition of the described tract of land to the City's corporate limits and which is attached as Exhibit "D" hereto; and

WHEREAS, on April 23, 2024, the City of Kearney, Nebraska annexed a tract of land in Buffalo County, Nebraska, as further described by metes and bounds in Resolution No. 2024-40 approving the addition of the described tract of land to the City's corporate limits and which is attached as Exhibit "E" hereto; and

WHEREAS, NPPD, Dawson, and the City of Kearney have reached agreement on the transfer of the areas (tracts) around the City of Kearney as described by metes and bounds in Exhibits "C", "D" and "E" and with such areas to be transferred further identified and incorporated into Exhibits "A" and "B" from Dawson's service area to NPPD's service area, and

WHEREAS, there are no electric distribution facilities or customers located within the boundaries of the three annexed tracts of land; and

WHEREAS, NPPD operates the retail electric distribution facilities owned by the City pursuant to a long-term operating agreement and, as a result, desires to amend the existing Retail Service Area Agreements between NPPD and DAWSON for the purpose of incorporating the three annexed tracts of land into the service area held by NPPD, and removing the three annexed tracts from Dawson's service area, as each of the respective service areas are described in SAA 310 and SAA 57, and

WHEREAS, under the terms of its rights under Neb. Rev. Stat. Section 70-1010, the City has an interest in the outcome of this application and joins with NPPD and DAWSON as a co-applicant in these proceedings by authority of Resolution No. 2024-141 duly adopted by its City Council on October 8, 2024, and Resolution No. 2024-142 duly adopted by its City Council on October 8, 2024, and Resolution No. 2024-138 duly adopted by its City Council on September 24, 2024, which are attached hereto as Exhibits "F", "G" and "H".

WHEREAS, all parties to this Application have complied with the requirements for joint planning activities as set forth in Chapter 70, Article 10 of the Revised Statutes of the State of Nebraska.

NOW, THEREFORE, the Parties jointly apply to the Nebraska Power Review Board pursuant to said statutes for the purpose of modifying the service area boundary in the subject Service Area Agreements under the terms of the following mutual provisions.

FIRST

Attached hereto, marked Exhibit "A", inclusive and made a part hereof by reference as though set forth in detail herein, is a map reflecting the NPPD retail service area in and around the City of Kearney. Such map includes the newly annexed (and to be transferred tracts of land) which are the subjects of this application. Attached hereto, marked Exhibit "B", and made a part hereof by reference as though set forth in detail herein, is the metes and bounds description more specifically identifying said retail service area boundary between the Parties to this Service Area Agreement around the City of Kearney which include the newly annexed tracts of land which are to be transferred to NPPD service area. The Parties hereto agree that the existing Service Area Agreements between the Parties are hereby amended to reflect the new boundaries set out in Exhibit "A" and Exhibit "B".

SECOND

The retail service areas or customers to be served, or both, may be changed at any time and from time to time upon the mutual agreement of the Parties hereto with the approval of the Nebraska Power Review Board. Nothing above shall prevent any one Party from mutually agreeing with another Party to serve a retail customer in the retail service area of that Party, but the ultimate decision to serve the retail customer shall be with the Party in whose retail service area the said customer is located. Nothing herein contained shall be construed to prevent any of the Parties from applying to the Nebraska Power Review Board for modification of the retail service areas or customers to be served, as set forth in Chapter 70, Article 10 of the Revised Statutes of the State of Nebraska.

THIRD

The Parties are making this application for the purpose of reflecting the transfer of retail service area between the Parties. It is not the intention of the Parties to affect or change any other service area agreements between any of the Parties hereto and any other retail power supplier. This transfer of service area in this agreement is limited to the annexed areas shown on the service area map marked as Exhibit "A" and described by metes and bounds in Exhibit "B", and any and all areas outside these areas as shown on Exhibit "A" and described in Exhibit "B" are not affected by this application.

FOURTH

Notwithstanding any terms of this application, nothing herein contained is intended nor shall it be construed to prevent any one Party from owning existing electric facilities, or subject to any required regulatory approval, from constructing, purchasing, leasing or otherwise acquiring, or from operating and maintaining electric facilities in the retail service area of another Party, provided that no retail customers are served in such other Party's retail service area except as provided herein.

FIFTH

The modification of Service Area Agreement 310 and Service Area Agreement 57 between NPPD and DAWSON shall become effective only after approval by the Nebraska Power Review Board.

NEBRASKA PUBLIC POWER DISTRICT

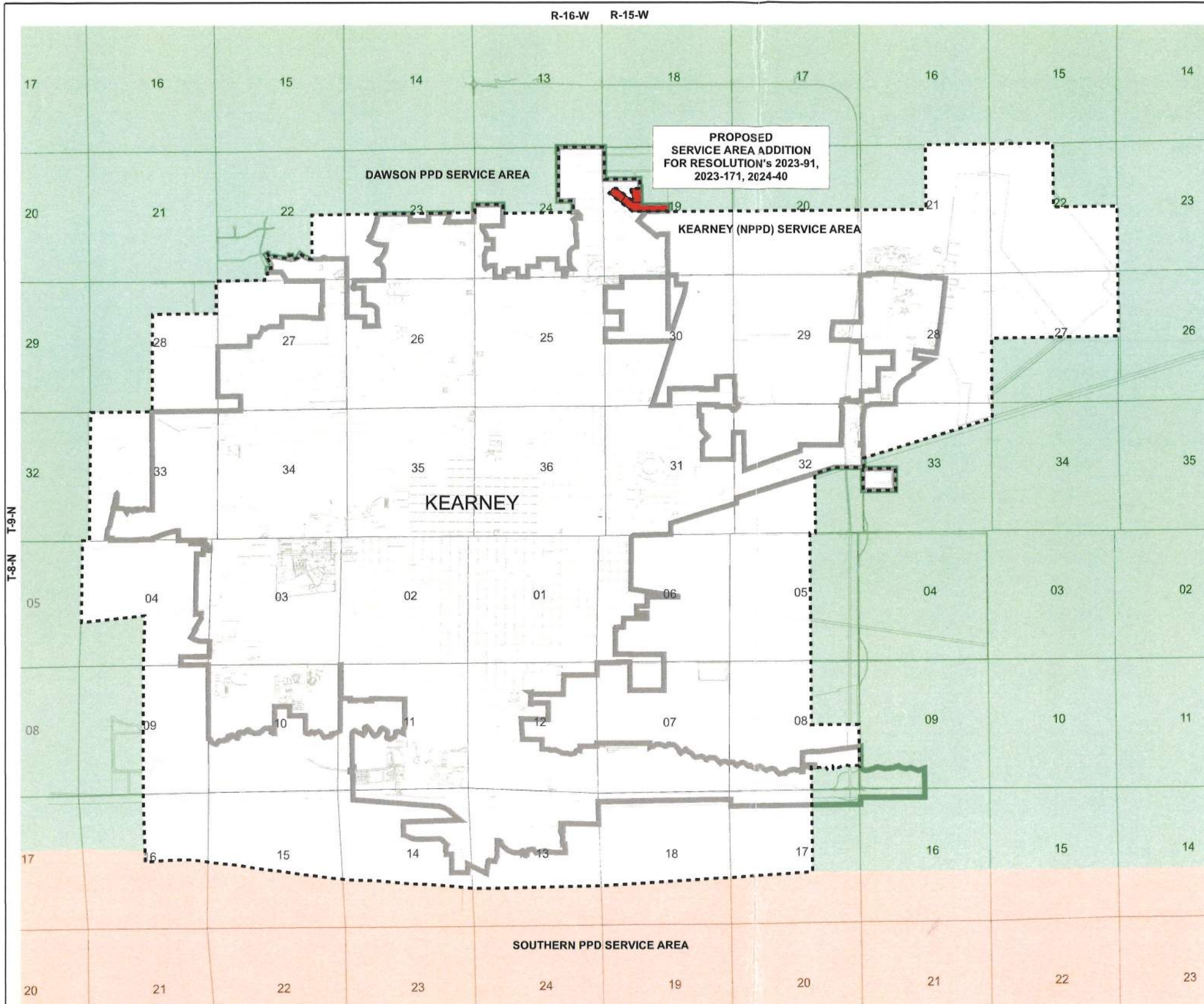
By: Courtney Dentlinger
Print: Courtney Dentlinger
Title: VP Customer Services
Date: 01-16-2025

DAWSON PUBLIC POWER DISTRICT

By: G Kautz
Print: Gwen Kautz
Title: General Manager
Date: 1-2-25

CITY OF KEARNEY, NEBRASKA

By: Brenda Jensen
Print: Brenda Jensen
Title: City Manager
Date: 12-16-2024



PROPOSED SERVICE AREA ADDITION FOR RESOLUTION's 2023-91, 2023-171, 2024-40

DAWSON PPD SERVICE AREA

KEARNEY (NPPD) SERVICE AREA

KEARNEY

SOUTHERN PPD SERVICE AREA



SAA 310-25-A
SAA 57-25-A

-- LEGEND --





-  CURRENT CORPORATE LIMITS
-  SERVICE AREA BOUNDARY
-  PROPOSED SERVICE AREA ADDITION
-  SECTION LINE

EXHIBIT A

DAWSON PUBLIC POWER DISTRICT LEXINGTON, NEBRASKA	CITY OF KEARNEY KEARNEY, NEBRASKA	NEBRASKA PUBLIC POWER DISTRICT COLUMBUS, NEBRASKA
APPROVED BY: <i>G. Kautz</i>	BY: <i>Brenda Jensen</i>	BY: <i>Courtney Dentlinger</i>
TITLE: <i>General Manager</i>	TITLE: <i>City Manager</i>	TITLE: <i>UP Cust. Services</i>
DATE: <i>1-2-25</i>	DATE: <i>12-16-24</i>	DATE: <i>01-16-2025</i>

SIGNIFICANT NUMBER	463310	1278	5141		
GROUP	1	2	3	4	5
KEARNEY, NEBRASKA SERVICE AREA MAP					

Drawn	MTK	Drawn Date	10/14/24
Checked		Checked Date	11/25/24
Approved	CBE	Approved Date	12/10/24
 Nebraska Public Power District <small>Always there when you need us</small>			
460030427			

EXHIBIT B

Description of Nebraska Public Power District's Retail Service Area boundary including the newly proposed area at Kearney in the Chartered Area of the Dawson Public Power District in Buffalo County, Nebraska.

BUFFALO COUNTY

KEARNEY: BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 16 WEST OF THE 6TH P.M., BUFFALO COUNTY, NEBRASKA; THENCE SOUTH TO A POINT ON THE NORTH LINE OF SPRUCE HOLLOW ESTATES THIRD, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA AND THE NORTH RIGHT-OF-WAY LINE OF 58TH STREET. SAID POINT BEING APPROXIMATELY 1304.07 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 16 WEST AND APPROXIMATELY 856.76 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 16 WEST; THENCE ALONG THE NORTH LINE OF SAID SPRUCE HOLLOW ESTATES THIRD AND SAID NORTH RIGHT-OF-WAY LINE OF 58TH STREET, S89°32'08"W A DISTANCE 106.50 FEET; THENCE NORTHWESTERLY ALONG A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 24°51'12", A RADIUS OF 210.00 FEET, AND AN ARC LENGTH OF 91.09 FEET; THENCE N65°36'40"W A DISTANCE OF 162.40 FEET; THENCE NORTHWESTERLY ALONG A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 14°16'06", A RADIUS OF 960.00 FEET, AN ARC LENGTH OF 239.07 FEET, AND A CHORD BEARING N58°28'37"W AT A DISTANCE OF 238.45 FEET TO THE NORTHWEST CORNER OF SAID SPRUCE HOLLOW ESTATES THIRD; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE OF 58TH STREET AND ALONG THE WEST LINE OF SAID SPRUCE HOLLOW ESTATES THIRD S38°39'26"W A DISTANCE OF 80.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 58TH STREET; THENCE S30°45'33"W A DISTANCE OF 88.88 FEET; THENCE S00°29'09"W A DISTANCE OF 15.96 FEET TO A POINT ON A THE NORTH LINE OF A TRACT OF LAND LOCATED IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 16 WEST OF THE 6TH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA; THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID TRACT OF LAND, S67°48'25"W A DISTANCE OF 165.08 FEET; THENCE N89°49'17"W A DISTANCE OF 125.21 FEET; THENCE N02°20'43"W A DISTANCE OF 144.37 FEET; THENCE ON A NON-TANGENT CURVE TO THE RIGHT HAVING A 280.00 FOOT RADIUS, FORMING A CENTRAL ANGLE OF 12°08'35", AN ARC DISTANCE OF 59.34 FEET, A CHORD BEARING OF N89°16'25"W AT A DISTANCE OF 59.23 FEET TO A POINT OF TANGENCY; THENCE N80°12'08"W A DISTANCE OF 20.42 FEET; THENCE S09°47'52"W A DISTANCE OF 150.0 FEET; THENCE N80°12'08"W A DISTANCE OF 625.61 FEET; THENCE S80°27'41"W A DISTANCE OF 209.18 FEET; THENCE N23°16'22"W A DISTANCE OF 151.46 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT HAVING A 570.0 FOOT RADIUS, FORMING A CENTRAL ANGLE OF 07°43'01" AN ARC DISTANCE OF 76.77 FEET, A CHORD BEARING S62°52'11"W AT A DISTANCE OF 76.71 FEET TO A POINT OF TANGENCY; THENCE S59°00'40"W A DISTANCE OF 14.89 FEET; THENCE S30°59'20"E A DISTANCE OF 160.43 FEET; THENCE S29°34'31"E A DISTANCE OF 291.41 FEET; THENCE S00°20'34"E A DISTANCE OF 164.53 FEET; THENCE S89°20'35"W A DISTANCE OF 150.0 FEET; THENCE S00°20'34"E A DISTANCE OF 150.0 FEET; THENCE LEAVING SAID WESTERLY LINE OF TRACT S00°20'34"E, A DISTANCE OF 57.89 FEET TO THE NORTH LINE OF LOT 1, BROWELEIT SUBDIVISION, A SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22. TOWNSHIP 9 NORTH, RANGE 16 WEST OF THE 6TH PRINCIPAL MERIDIAN,

BUFFALO COUNTY, NEBRASKA; THENCE N87°46'17"W, ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 134.79 FEET; THENCE S01°44'00"W, ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 295.14 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 16 WEST; THENCE WEST TO THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE SOUTH TO THE NORTHEAST CORNER OF SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 16 WEST; THENCE WEST TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION; THENCE WEST TO THE SOUTHWEST CORNER OF SAID SECTION; THENCE SOUTH ALONG THE WEST SECTION LINE OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 16 WEST AND EXTENDING SOUTH ALONG THE WEST SECTION LINE OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 16 WEST TO THE CENTER OF THE RIGHT-OF-WAY OF THE UNION PACIFIC RAILROAD IN SAID SECTION; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO THE POINT OF INTERSECTION OF SAID CENTERLINE AND THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 16 WEST; THENCE SOUTH ON THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4, SECTION 9 AND SECTION 16 TO THE CENTER OF THE PLATTE RIVER; THENCE IN AN EAST-SOUTHEASTERLY DIRECTION ON THE CENTERLINE OF SAID RIVER ACROSS SECTIONS 16, 15, 14 AND 13 ALL IN TOWNSHIP 8 NORTH, RANGE 16 WEST AND ACROSS SECTIONS 18 AND 17 BOTH IN TOWNSHIP 8 NORTH, RANGE 15 WEST TO THE POINT OF INTERSECTION OF SAID RIVER CENTER AND THE POINT 3/8 MILE WEST OF THE EAST SECTION LINE OF SECTION 17, TOWNSHIP 8 NORTH, RANGE 15 WEST; THENCE NORTH AND PARALLEL TO SAID SECTION LINE TO THE CENTER OF THE KEARNEY SUPPLY CANAL IN SECTION 8, TOWNSHIP 8 NORTH, RANGE 15 WEST; THENCE EASTERLY ALONG THE CENTERLINE OF SAID CANAL TO THE EAST SECTION LINE OF SAID SECTION; THENCE NORTH ALONG SAID SECTION LINE TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE WEST TO THE POINT THAT IS 1/2 MILE NORTH OF THE SOUTH SECTION LINE OF SAID SECTION AND 3/8 MILE WEST OF THE EAST SECTION LINE OF SAID SECTION; THENCE NORTH PARALLEL TO AND 3/8 MILE WEST OF THE EAST SECTION LINES OF SECTION 8 AND SECTION 5, TOWNSHIP 8 NORTH, RANGE 15 WEST AND SECTION 32, TOWNSHIP 9 NORTH, RANGE 15 WEST TO THE CENTERLINE OF U.S. HIGHWAY NO. 30 IN SECTION 32, TOWNSHIP 9 NORTH, RANGE 15 WEST; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID HIGHWAY CENTERLINE TO THE POINT OF INTERSECTION OF SAID HIGHWAY CENTERLINE WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 15 WEST; THENCE EAST TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 15 WEST; THENCE EAST ON THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 1300.00 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 907.77 FEET; THENCE WEST PARALLEL WITH AND 410.00 FEET NORTH OF THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHWEST QUARTER A DISTANCE OF 1300.00 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH ON THE WEST LINE OF SAID SECTION 33 TO THE CENTERLINE OF U.S. HIGHWAY NO. 30; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID HIGHWAY CENTERLINE TO THE POINT OF INTERSECTION OF SAID HIGHWAY CENTERLINE WITH THE WEST SECTION LINE OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 15 WEST; THENCE NORTH TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 15 WEST; THENCE EAST TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE NORTH TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 15 WEST;

THENCE WEST TO THE CENTER OF SAID SECTION; THENCE NORTH TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION; THENCE WEST TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 15 WEST; THENCE SOUTH TO THE CENTER OF SAID SECTION; THENCE WEST ALONG THE EAST-WEST QUARTER SECTION LINES OF SAID SECTION 21, SECTION 20 AND SECTION 19 ALL IN TOWNSHIP 9 NORTH, RANGE 15 WEST TO THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19 AND THE SOUTHEAST CORNER OF ARBOR VIEW FOURTH ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA; THENCE NORTH ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE EAST LINE OF SAID ARBOR VIEW FOURTH ADDITION, A DISTANCE OF 241.17 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 64TH STREET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND ON THE NORTH RIGHT-OF-WAY LINE OF 64TH STREET, A DISTANCE OF 1094.51 FEET, TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 3, OF SAID ARBOR VIEW FOURTH ADDITION; THENCE NORTH ON THE EAST LINE OF ARBOR VIEW FOURTH ADDITION AND THE EAST LINE OF ARBOR VIEW THIRD ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA, A DISTANCE OF 746.63 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 65TH STREET; THENCE WEST ON THE NORTH RIGHT-OF-WAY LINE OF 65TH STREET, A DISTANCE OF 35.00 FEET TO SOUTHEAST CORNER OF LOT 4, BLOCK 2, ARBOR VIEW FIRST ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA; THENCE NORTH ON THE EAST LINE OF SAID ARBOR VIEW FIRST ADDITION, A DISTANCE OF 333.00 FEET TO NORTH LINE OF GOVERNMENT LOT 2, ALSO BEING THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, AND THE SOUTH LINE OF BUFFALO RIDGE SECOND ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA; THENCE WEST ON NORTH LINE OF SAID GOVERNMENT LOT 2, ALSO BEING THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE SOUTH LINE OF SAID BUFFALO RIDGE SECOND ADDITION TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 2; THENCE NORTH ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, ALSO BEING THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 16 WEST TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE N89°51'35"W AND ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24 AND ON THE NORTH LINE OF BEL AIR THIRD ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA A DISTANCE OF 400.00 FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID BEL AIR THIRD ADDITION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF BEL AIR FIFTH ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA; THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24 AND ON THE NORTH LINE OF SAID BEL AIR FIFTH ADDITION, N89°51'35"W, A DISTANCE OF 362.00 FEET; THENCE CONTINUING ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24 AND ON THE NORTH LINE OF REMINGTON HEIGHTS SECOND ADDITION, AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA, N89°51'35"W, A DISTANCE OF 1115.13 FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID REMINGTON HEIGHTS SECOND ADDITION; THENCE LEAVING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, S00°08'47"W, ON THE WEST LINE OF SAID REMINGTON HEIGHTS SECOND ADDITION, A DISTANCE OF 216.00 FEET; THENCE S89°51'35"E, PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24 AND ON THE WEST LINE OF SAID REMINGTON HEIGHTS SECOND ADDITION, A DISTANCE OF 20.16 FEET; THENCE S00°08'47"W, ON THE WEST LINE OF SAID REMINGTON HEIGHTS SECOND ADDITION, A

DISTANCE OF 94.65 FEET TO THE NORTHERLY LINE OF A TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 2007-6589 FILED FOR RECORD AUGUST 31, 2007 IN THE OFFICE OF THE REGISTER OF DEEDS, BUFFALO COUNTY, NEBRASKA; THENCE S00°08'09"W PARALLEL WITH AND 785.0 FEET EASTERLY OF THE WEST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 1889.48 FEET; THENCE N89°59'E AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 631.26 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 448.0 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 24, WHICH BEARS S89°59'00"W, AN ASSUMED BEARING, ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1231.01 FEET FROM SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 24; THENCE WEST ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 24, TOWNSHIP 9 NORTH, RANGE 16 WEST, TO THE EAST LINE OF INGALLS CROSSING THIRD ADDITION TO THE CITY OF KEARNEY, NEBRASKA, AT A LOCATION APPROXIMATELY 1166.56 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE N00°15'38"E (ON AN ASSUMED BEARING), AND ON THE EAST LINE OF SAID ADDITION, 250.06 FEET; THENCE N00°07'47"E, 80 FEET ON THE EAST LINE TO THE NORTHEAST CORNER OF SAID ADDITION; THENCE N89°52'13"W, 1058.08 FEET ON THE NORTH LINE OF SAID ADDITION TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 10; THENCE S00°14'24"W, 330.08 FEET ON THE EAST RIGHT-OF-WAY LINE OF SAID HIGHWAY TO A LOCATION ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24, SAID LOCATION IS 108.42 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 24; THENCE WEST APPROXIMATELY 1¼ MILES TO THE POINT OF BEGINNING.

SAA 310-25-A
SAA 57-25-A
Exhibit B, page 4

EXHIBIT C**RESOLUTION NO. 2023-91**

WHEREAS, an Application has been submitted by Miller & Associates for Fox Creek Development, LLC for the inclusion of Arbor View Second, an addition within the corporate boundaries of the City of Kearney said property described as a tract of land being part of Government Lot 2 in Section 19, Township 9 North, Range 15 West of the 6th P. M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at the Southwest Corner of Government Lot 2 in Section 19; thence N 00°14'22" E on the West line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 940.03 feet to the Northwesterly extension of the Southwesterly line of Block 4, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska and the Northwesterly extension of the Northeasterly line of Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 50°49'39" E on said Extension and on said Southwesterly line of Block 4 and said Northeasterly line of Starostka Estates Addition a distance of 291.64 feet to a 5/8" rebar w/cap at the Southeast corner of said Block 4 and the POINT OF BEGINNING; thence continuing S 50°49'39" E on said Northeasterly line a distance of 593.64 feet to a 5/8" rebar w/cap; thence N 39°10'21" E a distance of 340.00 feet to a 5/8" rebar w/cap on the Southwesterly line of Block 3 in said Arbor View First; thence N 50°49'39" W on said Southwesterly line of Block 3 a distance of 474.16 feet to a 5/8" rebar w/cap at the Northwest corner of said Block 3 and on the South line of 65th Street as platted in said Arbor View First; thence N 89°42'02" W on said South line of 65th Street a distance of 153.46 feet to a 5/8" rebar w/cap at the Northeast corner of said Block 4; thence S 39°10'21" W on the Southeasterly line of said Block 4 a distance of 243.69 feet to the Point of Beginning. Containing 4.50 acres, more or less, all in Buffalo County, Nebraska; and

WHEREAS, the Kearney City Planning Commission has received and held a public hearing on May 19, 2023 on the inclusion of Arbor View Second within the corporate limits and recommended the Kearney City Council approve said application; and

WHEREAS, said application to include the land within the corporate limits was duly signed by the owners of the land affected with the express intent of platting the land as part of Arbor View Second, an addition to the City of Kearney, Buffalo County, Nebraska; and


WHEREAS, a public hearing was held by the Kearney City Council relating to said application on June 13, 2023 who deemed the said Arbor View Second to be included within the corporate limits to be advantageous to and in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the land to be platted as Arbor View Second shall be included within the corporate limits of the City of Kearney, Buffalo County, Nebraska, that the inhabitants of such addition shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules and regulations of the City of Kearney.

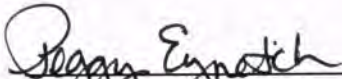
BE IT FURTHER RESOLVED that the inclusion of Arbor View Second within the corporate limits of the City of Kearney is subject to the final plat being filed with the Buffalo County Register of Deeds.

PASSED AND APPROVED THIS 13TH DAY OF JUNE, 2023.

ATTEST:



STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR



PEGGY EYNETICH
CITY CLERK



SAA 310-25-A
SAA 57-25-A
Exhibit C, page 2

**FINAL PLAT
-ARBOR VIEW SECOND-
AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA**

LEGAL DESCRIPTION

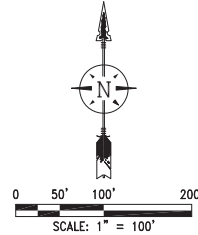
A tract of land being part of Government Lot 2 in Section Nineteen (19), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows:
Commencing at the Southwest Corner of Government Lot 2 in Section 19;
thence N 0°14'22" E on the West line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 940.03 feet to the Northwesterly extension of the Southwesterly line of Block 4, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska and the Northeastly line of Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska;
thence S 50°49'39" E on said Extension and on said Southwesterly line of Block 4 and said Northeastly line of Starostka Estates Addition a distance of 291.64 feet to a 5/8" rebar w/cap at the Southeast corner of said Block 4 and the POINT OF BEGINNING;
thence continuing S 50°49'39" E on said Northeastly line a distance of 593.64 feet to a 5/8" rebar w/cap;
thence N 39°10'21" E a distance of 340.00 feet to a 5/8" rebar w/cap on the Southwesterly line of Block 3 in said Arbor View First;
thence N 50°49'39" W on said Southwesterly line of Block 3 distance of 474.16 feet to a 5/8" rebar w/cap at the Northwest corner of said Block 3 and on the South line of 65th Street as platted in said Arbor View First;
thence N 89°42'02" W on said South line of 65th Street a distance of 143.53 feet to a 5/8" rebar w/cap at the Northeast corner of said Block 4;
thence S 39°10'21" W on the Southeastly line of said Block 4 a distance of 243.69 feet to the Point of Beginning.
Containing 4.50 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Chad Dixon, Nebraska Registered Land Surveyor No. 672, duly registered under the Land Surveyor's Regulation Act, do hereby state that I have performed a survey of "ARBOR VIEW SECOND", an addition to the City of Kearney, Buffalo County, Nebraska, depicted on the accompanying plat; that said plat is a true delineation of said survey performed personally or under my direct supervision; that said survey was made with reference to known and recorded monuments marked as shown, and to the best of my knowledge and belief is true, correct and in accordance with the Land Surveyors Regulation Act in effect at the time of this survey.

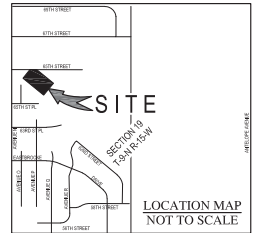
Chad Dixon
Nebr. Reg. L.S. No. 672

DATE _____



LEGEND

- = CORNERS FOUND (5/8" REBAR W/CAP UNLESS OTHERWISE NOTED)
- = CORNERS ESTABLISHED (CAPPED 5/8" X 24" REBAR)
- x = TEMPORARY POINT
- (M) = MEASURED DISTANCES
- (P) = PLATTED DISTANCES
- (R) = RECORD DISTANCES
- = BOUNDARY LINE
- - - = SECTION LINE
- · - · - = EXISTING LOT LINES
- · - · - = CENTERLINE
- BSL— = 25' BUILDING SETBACK LINE
- · - · - = NEW EASEMENT LINE
- · - · - = EXISTING EASEMENT LINE
- · - · - = SPECIAL FLOOD HAZARD AREA



SECTION CORNER TIES

- (A) SOUTHWEST CORNER GOVT LOT 2 SECTION 19-TOWNSHIP 9 NORTH-RANGE 15 WEST, 6th P.M. BUFFALO COUNTY, NEBRASKA.
FOUND CHISELED "+" IN CONC. ON CENTERLINE AVE "N"
E 50.00' 5/8" REBAR
ESE 51.83' NEAR CORNER PVC FENCE POST
SE 39.70' "+" NAILS IN POWER POLE
- (B) NORTHWEST CORNER GOVT LOT 2 SECTION 19-TOWNSHIP 9 NORTH-RANGE 15 WEST, 6th P.M. BUFFALO COUNTY, NEBRASKA.
FOUND CHISELED "+" IN CONC. ON CENTERLINE AVE "N"
E 59.00' NEAR FACE TELE. PED.
W 38.30' TOP CENTER FIRE HYDRANT
E 39.96' 5/8" REBAR

NOTES

This plat prepared April, 2023 for:
Fox Creek Development, LLC
P.O. Box 1084
Kearney, NE 68848
Current Zoning: R-1

SHEET 1 OF 2

	PARTY CHIEF: NATE GORTY	REVISION DATE & REASON
	DRAWN BY: BYRON MAXSON, STAN BLACKMORE	
	JOB NUMBER: 130-P156-030-22	
	1111 CENTRAL AVENUE KEARNEY, NE 68847-4833 Tel: 308-234-6456 Fax: 308-234-1146 www.miller-engineers.com	

BASIS OF BEARINGS:

All bearings are based on Buffalo County Low Distortion Projection from Nebraska State Surveyor's Office.
Projection = Transverse Mercator
Scale Factor = 1.0000959
Central Meridian = 98°56'00" West
Standard Parallel = 40°51'00" North
False N/E = 25000/45000 (meters)
Spheroid - Datum = GRS80 - NAD83

**SAA 310-25-A
SAA 57-25-A
Exhibit C, page 4**

6:\Projects\CON\130-P156-030-CAD\Design\Drawings\Survey\Design\ARBOR_VIEW_SECOND_FINAL_SHEET.dwg
 SAVED: 4/27/2023 11:52 AM
 PLOTED: 4/27/2023 11:52 PM

FINAL PLAT
 -ARBOR VIEW SECOND-
 AN ADDITION TO THE CITY OF KEARNEY, BUFFALO COUNTY, NEBRASKA

ACKNOWLEDGMENT

STATE OF _____)
) S.S.
 COUNTY OF _____)
 The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

by (print name) _____ (print title) _____
 NP Land Development, Inc. a Nebraska Corporation, Trustor under Deed of Trust, recorded
 April 3, 2018 recorded on Document #2019-01747

 Notary Public (S E A L)

My commission expires _____

ACKNOWLEDGMENT

STATE OF _____)
) S.S.
 COUNTY OF _____)
 The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

by (print name) _____ (print title) _____
 Exchange Bank, Beneficiary and Trustee.

 Notary Public (S E A L)

My commission expires _____

APPROVAL

OF KEARNEY, NEBRASKA, CITY PLANNING COMMISSION

The undersigned, _____ (print name), Chairperson or Vice Chairperson of the City Planning Commission of the City of Kearney, Buffalo County, Nebraska, does hereby certify that the foregoing plat of "ARBOR VIEW SECOND", an addition to the City of Kearney, Buffalo County, Nebraska, was submitted to the Kearney, Nebraska, Planning Commission for a public meeting and review and that recommendation by the Kearney, Nebraska, Planning Commission was made to the City Council on the ____ day of _____, 20____.

 Chairperson or Vice Chairperson (signature) (print name)

APPROVAL

OF KEARNEY, NEBRASKA, CITY COUNCIL

The above and foregoing plat was submitted to the City Council in and for the City of Kearney, Buffalo County, Nebraska, and duly considered by this Council at its regular meeting assembled on the ____ day of _____, 20____, and upon motion duly made and recorded, the same was approved in accordance with the requirements of Section 19-916, Nebraska Revised Statutes of 1943 (as amended), in all respects by a majority vote of the members of such council.

Dated this ____ day of _____, 20____.

ATTEST: _____
 STANLEY A. CLOUSE
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

 PEGGY EYNETICH
 CITY CLERK (SEAL)

RESOLUTION NO. _____

BE IT RESOLVED BY THE PRESIDENT AND COUNCIL OF THE CITY OF KEARNEY, NEBRASKA, that the plat of "ARBOR VIEW SECOND", an addition to the City of Kearney, Buffalo County, Nebraska, for a tract of land being part of Government Lot 2 in Section Nineteen (19), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows: Commencing at the Southwest Corner of Government Lot 2 in Section 19; thence N 00°14'22" E on the West line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 940.03 feet to the Northwesterly extension of the Southwesterly line of Block 4, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska and the Northeasterly line of Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 50°49'39" E on said Extension and on said Southwesterly line of Block 4 and said Northeasterly line of Starostka Estates Addition a distance of 291.64 feet to a 5/8" rebar w/cap at the Southeast corner of said Block 4 and the POINT OF BEGINNING; thence continuing S 50°49'39" E on said Northeasterly line a distance of 593.64 feet to a 5/8" rebar w/cap; thence N 39°10'21" E a distance of 340.00 feet to a 5/8" rebar w/cap on the Southwesterly line of Block 3 in said Arbor View First; thence N 50°49'39" W on said Southwesterly line of Block 3 distance of 474.16 feet to a 5/8" rebar w/cap at the Northwest corner of said Block 3 and on the South line of 65th Street as platted in said Arbor View First; thence N 89°42'02" W on said South line of 65th Street a distance of 143.53 feet to a 5/8" rebar w/cap at the Northeast corner of said Block 4; thence S 39°10'21" W on the Southeasterly line of said Block 4 a distance of 243.69 feet to the Point of Beginning, Containing 4.50 acres, more or less, duly made out, acknowledged and certified, and the same hereby is approved in accordance with the provisions and requirements of Section 19-916 of the Nebraska Revised Statutes, be accepted and ordered filed and recorded in the Office of the Register of Deeds of Buffalo County, Nebraska; said addition is hereby included within the corporate limits of said City and shall be and become a part of said City for all purposes whatsoever, and the inhabits of such addition shall be entitled to all the rights and privileges and shall be subject to all laws, ordinances, rules and regulations of said City.

BE IT FURTHER RESOLVED that the Subdivision Agreement, marked as Exhibit "A" attached hereto and made a part hereof by reference, be and is hereby approved and that the President of the Council be and is hereby authorized and directed to execute said agreement on behalf of the City of Kearney, Nebraska. Said Subdivision Agreement shall be filed with the final plat with the Buffalo County Register of Deeds.

BE IT FURTHER RESOLVED that the President of the Council be and is hereby authorized and directed to execute the final plat on behalf of the City of Kearney, Nebraska.

PASSED AND APPROVED THIS ____ DAY OF _____, 20____.

ATTEST: _____
 STANLEY A. CLOUSE
 PRESIDENT OF THE COUNCIL
 AND EX-OFFICIO MAYOR

 PEGGY EYNETICH (SEAL)
 CITY CLERK

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that

Fox Creek Development, L.L.C. a Nebraska Limited Liability Company,
 by (print name) _____ (print title) _____, and

NP Land Development, Inc., a Nebraska Corporation, Trustor under Deed of Trust, recorded April 3, 2018 on Document #2018-01747,
 by (print name) _____ (print title) _____, and

Exchange Bank, Beneficiary and Trustee,
 by (print name) _____ (print title) _____, being the sole owner and beneficiary and trustee of the land described hereon have caused the same to be surveyed, subdivided, platted and designated as "ARBOR VIEW SECOND", an addition to the City of Kearney, Buffalo County, Nebraska and said owner and beneficiary and trustee hereby ratify and approve the disposition of their property as shown on said plat, and hereby dedicate to the use and benefit of the public, the streets and utility easements as shown on the said plat, and acknowledge said addition to be made with the free consent and in accord with the desires of said owner and beneficiary and trustee, and dedicate the storm water management facilities contained on the proposed land and all appurtenances thereto contained within the boundaries of the subdivision to the use and the benefit of all property owners in said subdivision, including Lots One (1) through Lot Six (6), inclusive, Block 1, and Lots One (1) through Seven (7), inclusive, Block 2 of said "ARBOR VIEW SECOND", an addition to the City of Kearney, Buffalo County, Nebraska, that said owner shall be collectively and proportionally responsible for the ongoing maintenance of said storm water facilities in perpetuity, with such obligations stipulated as part of the Subdivision Agreement of said subdivision; said agreement by reference hereto made a part hereof and filed with the subdivision plat with the Register of Deeds.

Dated this ____ day of _____, 20____.

by _____ (signature)
 (print name) _____ (print title) _____
 Fox Creek Development, L.L.C., a Nebraska Limited Liability Company

Dated this ____ day of _____, 20____.

by _____ (signature)
 (print name) _____ (print title) _____
 NP Land Development, Inc., a Nebraska Corporation,
 Trustor under Deed of Trust, recorded April 3, 2018 on Document #2018-01747

Dated this ____ day of _____, 20____.

by _____ (signature)
 (print name) _____ (print title) _____
 Exchange Bank, Beneficiary and Trustee

ACKNOWLEDGMENT

STATE OF _____)
) S.S.
 COUNTY OF _____)
 The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

by (print name) _____ (print title) _____
 Fox Creek Development, L.L.C. a Nebraska Limited Liability Company.

 Notary Public (S E A L)

My commission expires _____

G:\Projects\130\130-A\130-A-1100_16_1194\130-A-1100-P166-0301(CAD-DWG)-Design Drawings\Survey Design\M0606_NEW SECOND REVISED 2023-A\Arbor View Second FINAL SHEET.dwg

SAVED: 4/27/2023 11:17 AM

PLOTED: 4/27/2023 1:54 PM

SAA 310-25-A
 SAA 57-25-A
 Exhibit C, page 5

 Miller & Associates Consulting Engineers, P.C.	PARTY CHIEF: _____	DATE DORNY: _____
	DRAWN BY: _____	DATE: _____
	JOB NUMBER: 130-P166-030	REVISIONS/DATE & REASON
	1111 CENTRAL AVENUE KEARNEY, NE 68847-8853 TEL: 308-234-6656 FAX: 308-234-1168 www.millerandassociates.com	
BUFFALO CO-KEARNEY-ARBOR VIEW SECOND		

EXHIBIT D

RESOLUTION NO. 2023-171

WHEREAS, an Application has been submitted by Miller & Associates for Fox Creek Development, LLC, a Nebraska Limited Liability Company for the inclusion of Arbor View Third, an addition within the corporate boundaries of the City of Kearney said property described as being a part of a tract of land being part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at the Southwest Corner of Government Lot 2 in Section 19; thence N 00°14'22" E on the West line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 976.72 feet to the centerline of 65th Street, as platted in Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 89°42'02" E on said centerline a distance of 969.72 feet; thence continuing on said centerline Easterly on a tangent curve to the Right having a central angle of 08°53'06", a radius of 750.00 feet, an arc length of 116.31 feet, and a chord bearing of S 85°15'28" E a distance of 116.19 feet; thence continuing on said centerline Easterly on a tangent curve to the Left having a central angle of 01°37'59", a radius of 750.00 feet, an arc length of 21.38 feet, and a chord bearing of S 81°37'55" E a distance of 21.38 feet to the Northerly extension of the East line of Outlot A, Block 3 in Arbor View First; thence S 03°28'02" E on said Northerly extension of said East line of Outlot A, Block 3 a distance of 30.54 feet to a 5/8" rebar w/cap and the POINT OF BEGINNING; thence continuing S 03°28'02" E on said East line of Outlot A, Block 3 a distance of 97.74 feet to a 5/8" rebar w/cap; thence S 15°10'23" E continuing on said East line of Outlot A, Block 3 a distance of 243.38 feet to a 5/8" rebar w/cap; thence S 00°14'22" W continuing on said East line of Outlot A, Block 3 a distance of 234.45 feet to a 5/8" rebar w/cap; thence S 89°44'06" E a distance of 340.00 feet to a 5/8" rebar w/cap; thence N 00°14'22" E a distance of 620.80 feet to a 5/8" rebar w/cap on the Easterly extension of the South line of Lot 4, Block 2, Arbor View First; thence N 89°42'02" W on said Easterly extension of said South line a distance of 35.00 feet to a 5/8" rebar w/cap; thence S 00°14'22" W on the Southerly extension of the East line of said Lot 4, Block 2 a distance of 60.00 feet to a 5/8" rebar on the South right-of-way line of said 65th Street; thence N 89°42'02" W on said South right-of-way line of a distance of 283.34 feet to a 5/8" rebar w/cap; thence Northwesterly on a tangent curve to the Right having a

central angle of 06°49'24", a radius of 780.00 feet, an arc length of 92.89 feet, and a chord bearing of N 86°17'20" W a distance of 92.83 feet to the Point of Beginning. Containing 4.75 acres, more or less, with said property identified on the attached map; and

WHEREAS, the Kearney City Planning Commission has received and held a public hearing on November 17, 2023 on the inclusion of Arbor View Third within the corporate limits and recommended the Kearney City Council approve said application; and

WHEREAS, said application to include the land within the corporate limits was duly signed by the owners of the land affected with the express intent of platting the land as Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska; and

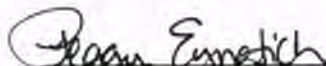
WHEREAS, a public hearing was held by the Kearney City Council relating to said application on November 17, 2023 who deemed the said addition to be included within the corporate limits to be advantageous to and in the best interests of the City.

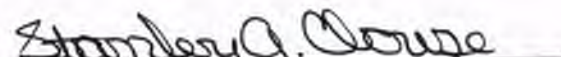
NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the land to be platted as Arbor View Third shall be included within the corporate limits of the City of Kearney, Buffalo County, Nebraska, that the inhabitants of such addition shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules and regulations of the City of Kearney.

BE IT FURTHER RESOLVED that the inclusion of Arbor View Third within the corporate limits of the City of Kearney is subject to the final plat being filed with the Buffalo County Register of Deeds.

PASSED AND APPROVED THIS 12TH DAY OF DECEMBER, 2023.

ATTEST:


PEGGY EYNETICH
CITY CLERK


STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR



SAA 310-25-A
SAA 57-25-A
Exhibit D, page 2

EXHIBIT E

SAA 310-25-A
SAA 57-25-A

RESOLUTION NO. 2024-40

WHEREAS, an Application has been submitted by Miller & Associates for Fox Creek Development, LLC, a Nebraska Limited Liability Company for the inclusion of Arbor View Fourth, an addition within the corporate boundaries of the City of Kearney said property described as A tract of land being part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P. M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a chiseled "+" at the Southwest corner of Government Lot 2 of Section 19; thence S 89°44'06" E on the South line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 1164.26 feet to a 5/8" rebar at the Southeast corner of Outlot B, Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska and the POINT OF BEGINNING; thence continuing S 89°44'06" E on the South line of said Government Lot 2 and the South line of the Southeast Quarter of the Northwest Quarter of said Section 19 a distance of 1449.75 feet to a 5/8" rebar at the Southeast corner of said Southeast Quarter of the Northwest Quarter; thence N 00°21'32" E on the East line of said Southeast Quarter of the Northwest Quarter a distance of 241.17 feet to a 5/8" rebar w/cap; thence N 89°44'06" W parallel with said South line of the Southeast Quarter of the Northwest Quarter a distance of 1094.51 feet to a 5/8" rebar w/cap; thence N 00°14'22" E a distance of 125.83 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 7, Block 1, Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 89°44'06" W on the South line of said Arbor View Third a distance of 340.00 feet to a 5/8" rebar w/cap at the Southwest corner of Lot 7, Block 2 of said Arbor View Third; thence N 00°14'22" E on the West line of said Arbor View Third a distance of 97.98 feet to a 5/8" rebar w/cap at the Southeast corner of Outlot A, Block 3, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 89°59'58" W on the South line of said Outlot A, Block 3, Arbor View First a distance of 50.00 feet to a 5/8" rebar w/cap at the Southwest corner of said Outlot A, and the Southeast corner of Lot 3, Block 3 of said Arbor View First; thence N 50°49'39" W on the South line of said Block 3, Arbor View First a distance of 292.72 feet to a 5/8" rebar w/cap at the Northeast corner of Lot 6, Block 1, Arbor View Second, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 39°10'21" W on the East line of said Arbor View

Second a distance of 340.00 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 7, Block 2, of said Arbor View Second and on the Northeasterly line of said Outlot B, Starostka Estates Addition; thence S 50°49'39" E on said Northeasterly line a distance of 611.43 feet to the Point of Beginning. Containing 12.80 acres, more or less Buffalo County, Nebraska., with said property identified on the attached map marked as Exhibit "A"; and

WHEREAS, the Kearney City Planning Commission has received and held a public hearing on March 15, 2024 on the inclusion of Arbor View Fourth within the corporate limits and recommended the Kearney City Council approve said application; and

WHEREAS, said application to include the land within the corporate limits was duly signed by the owners of the land affected with the express intent of platting the land as Arbor View Fourth, an addition to the City of Kearney, Buffalo County, Nebraska; and

WHEREAS, a public hearing was held by the Kearney City Council relating to said application on April 23, 2024 who deemed the said addition to be included within the corporate limits to be advantageous to and in the best interests of the City.


NOW, THEREFORE, BE IT RESOLVED by the President and City Council of the City of Kearney, Nebraska, that the land to be platted as Arbor View Fourth shall be included within the corporate limits of the City of Kearney, Buffalo County, Nebraska, that the inhabitants of such addition shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules and regulations of the City of Kearney.

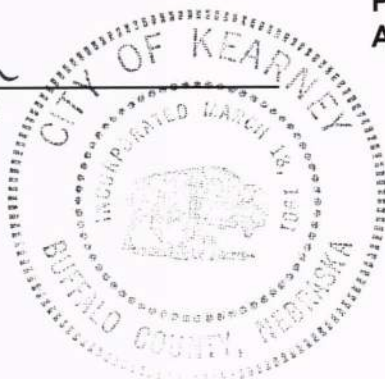
BE IT FURTHER RESOLVED that the inclusion of Arbor View Fourth within the corporate limits of the City of Kearney is subject to the final plat being filed with the Buffalo County Register of Deeds.

PASSED AND APPROVED THIS 23RD DAY OF APRIL, 2024.

ATTEST:


PEGGY EYNETICH
CITY CLERK


STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR



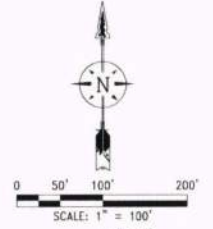
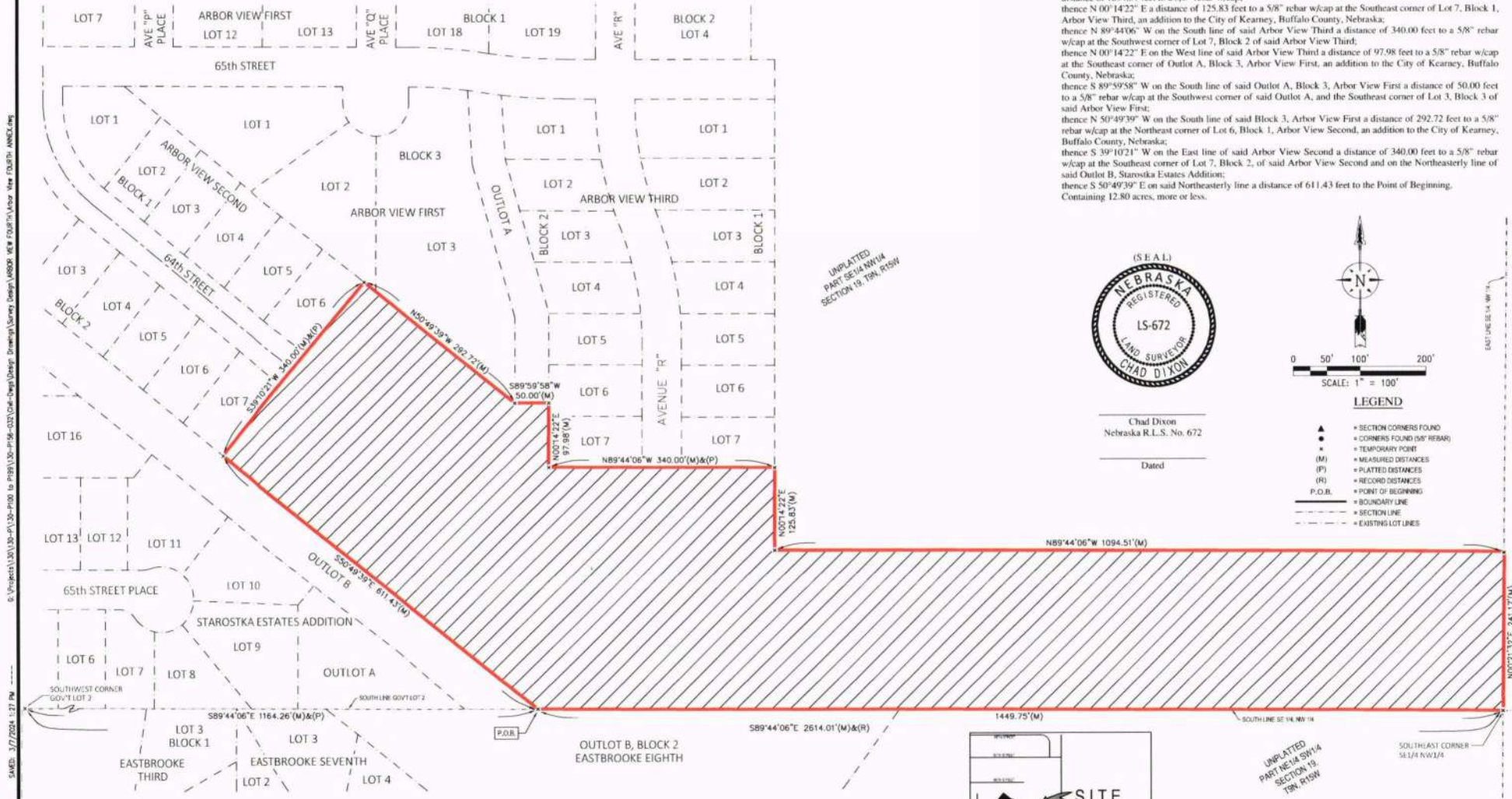
SAA 310-25-A
SAA 57-25-A
Exhibit E, page 2

-ANNEXATION PLAT-

**SAA 310-25-A
SAA 57-25-A
Exhibit E, page 3**

LEGAL DESCRIPTION

A tract of land being part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Nineteen (19), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows:
Commencing at a chiseled "+" at the Southwest corner of Government Lot 2 of Section 19;
thence S 89°44'06" E on the South line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 1164.26 feet to a 5/8" rebar at the Southeast corner of Outlot B, Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska, and the POINT OF BEGINNING;
thence continuing S 89°44'06" E on the South line of said Government Lot 2 and the South line of the Southeast Quarter of the Northwest Quarter of said Section 19 a distance of 1449.75 feet to a 5/8" rebar at the Southeast corner of said Southeast Quarter of the Northwest Quarter;
thence N 00°21'32" E on the East line of said Southeast Quarter of the Northwest Quarter a distance of 241.17 feet to a 5/8" rebar w/cap;
thence N 89°44'06" W parallel with said South line of the Southeast Quarter of the Northwest Quarter a distance of 1094.51 feet to a 5/8" rebar w/cap;
thence N 00°14'22" E a distance of 125.83 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 7, Block 1, Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska;
thence N 89°44'06" W on the South line of said Arbor View Third a distance of 340.00 feet to a 5/8" rebar w/cap at the Southwest corner of Lot 7, Block 2 of said Arbor View Third;
thence N 00°14'22" E on the West line of said Arbor View Third a distance of 97.98 feet to a 5/8" rebar w/cap at the Southeast corner of Outlot A, Block 3, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska;
thence S 89°59'58" W on the South line of said Outlot A, Block 3, Arbor View First a distance of 50.00 feet to a 5/8" rebar w/cap at the Southwest corner of said Outlot A, and the Southeast corner of Lot 3, Block 3 of said Arbor View First;
thence N 50°49'39" W on the South line of said Block 3, Arbor View First a distance of 292.72 feet to a 5/8" rebar w/cap at the Northeast corner of Lot 6, Block 1, Arbor View Second, an addition to the City of Kearney, Buffalo County, Nebraska;
thence S 39°10'21" W on the East line of said Arbor View Second a distance of 340.00 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 7, Block 2, of said Arbor View Second and on the Northeasterly line of said Outlot B, Starostka Estates Addition;
thence S 50°49'39" E on said Northeasterly line a distance of 611.43 feet to the Point of Beginning.
Containing 12.80 acres, more or less.



- LEGEND**
- = SECTION CORNERS FOUND
 - ▲ = CORNERS FOUND (5/8" REBAR)
 - = TEMPORARY POINT
 - (M) = MEASURED DISTANCES
 - (P) = PLATTED DISTANCES
 - (R) = RECORD DISTANCES
 - P.O.B. = POINT OF BEGINNING
 - = BOUNDARY LINE
 - - - = SECTION LINE
 - - - - = EXISTING LOT LINES

Chad Dixon
Nebraska R.L.S. No. 672
Dated



NOTES

This plat prepared February, 2024 for:
Fox Creek Development, LLC
P.O. Box 1084
Kearney, NE 68848

BASIS OF BEARINGS:
All bearings are based on Buffalo County Law Division Projection from Nebraska State Surveyor's Office:
Projection = Transverse Mercator
Scale Factor = 1.0000059
Central Meridian = 98°56'00" West
Standard Parallel = 40°31'00" North
False NB = 250000/5000 (meters)
Spheroid = Datum = GRS80 - NAD83

<p>Hiller & Associates Consulting Engineers, P.C.</p>	PARTY GIBET: CHAD DIXON DRAWN BY: Ryan Houser DATE: 2/25/2024 1511 CENTRAL AVENUE KEARNEY, NE 68848 TEL: 308-224-9498 FAX: 308-224-1146 WWW: www.hillerandassociates.com
	PROJECT: ANNEXATION PLAT SHEET: 3 OF 3
	DATE: 2/25/2024
	SCALE: AS SHOWN

3/7/2024 2:05 PM
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 C:\Projects\130-130-01\30-01\30-0100 to 0100\130-01-01-0033(Cad-Draft)\Draw: Drawn\Survey Design\48000-NEE-F040170.kaw Net F040170_AW02.dwg

EXHIBIT F

SAA 310-25-A
SAA 57-25-A

RESOLUTION NO. 2024-141

WHEREAS, on June 13, 2023 the Kearney City Council passed and approved Resolution No. 2023-91 extending the corporate limits of the City of Kearney to include the contiguous and adjacent tract of land described as a tract of land being part of Government Lot 2 in Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at the Southwest Corner of Government Lot 2 in Section 19; thence N 00°14'22" E on the West line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 940.03 feet to the Northwesterly extension of the Southwesterly line of Block 4, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska and the Northwesterly extension of the Northeasterly line of Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 50°49'39" E on said Extension and on said Southwesterly line of Block 4 and said Northeasterly line of Starostka Estates Addition a distance of 291.64 feet to a 5/8" rebar w/cap at the Southeast corner of said Block 4 and the POINT OF BEGINNING; thence continuing S 50°49'39" E on said Northeasterly line a distance of 593.64 feet to a 5/8" rebar w/cap; thence N 39°10'21" E a distance of 340.00 feet to a 5/8" rebar w/cap on the Southwesterly line of Block 3 in said Arbor View First; thence N 50°49'39" W on said Southwesterly line of Block 3 a distance of 474.16 feet to a 5/8" rebar w/cap at the Northwest corner of said Block 3 and on the South line of 65th Street as platted in said Arbor View First; thence N 89°42'02" W on said South line of 65th Street a distance of 153.46 feet to a 5/8" rebar w/cap at the Northeast corner of said Block 4; thence S 39°10'21" W on the Southeasterly line of said Block 4 a distance of 243.69 feet to the Point of Beginning. Containing 4.50 acres, more or less; and

WHEREAS, the Nebraska Public Power District (NPPD) will apply to the Nebraska Power Review Board for an order amending its existing retail service area, which includes the City of Kearney, to include the above described property into the corporate boundaries of the City of Kearney, Nebraska; and

WHEREAS, the City of Kearney has an interest in the outcome of such application by reason of its rights under the Professional Retail Operations Agreement with NPPD approved on July 11, 1989, pursuant to which NPPD operates and maintains the electric distribution system owned by the City of Kearney; and

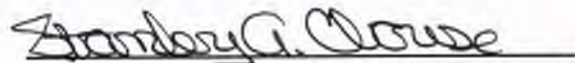
WHEREAS, it is determined by the City Council that it would be desirable and in the best interests of the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the City of Kearney, Nebraska, be authorized to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area which includes the City to include the above described property into the corporate boundaries of the City of Kearney, Nebraska in said retail service area.

BE IT FURTHER RESOLVED that the President be and is hereby authorized to execute on behalf of the City of Kearney a joint application with NPPD to the Nebraska Power Review Board and to cooperate with NPPD in the prosecution of its application.

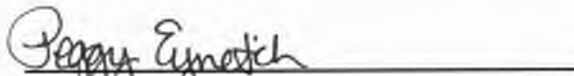
BE IT FURTHER RESOLVED that such joint application shall be prosecuted at the sole cost and expense of NPPD.

PASSED AND APPROVED THIS 8TH DAY OF OCTOBER, 2024.



**STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR**

ATTEST:



**PEGGY EYNETICH
CITY CLERK**



Peggy Eynetich, City Clerk
P.O. Box 1180
Kearney, NE 68848-1180

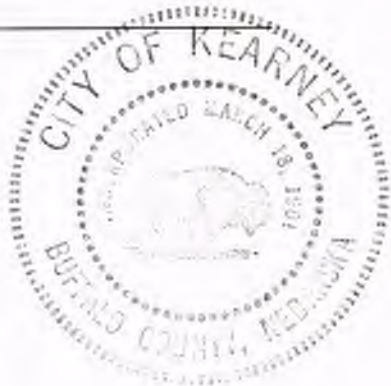
CERTIFICATE FOR RESOLUTION NO. 2024-141

STATE OF NEBRASKA)
COUNTY OF BUFFALO) SS
CITY OF KEARNEY)

I, Peggy Eynetich, duly appointed, qualified, and acting City Clerk of the City of Kearney, Nebraska, do hereby certify that the attached is a true and correct copy of Resolution No. 2024-141 as was passed and approved by the City Council of the City of Kearney at its regular meeting held October 8, 2024.

WITNESS MY HAND AND SEAL this 9th day of October, 2024.


PEGGY EYNETICH
CITY CLERK



SAA 310-25-A
SAA 57-25-A
Exhibit F, page 3

EXHIBIT G

SAA 310-25-A
SAA57-25-A

RESOLUTION NO. 2024-142

WHEREAS, on December 12, 2023 the Kearney City Council passed and approved Resolution No. 2023-171 extending the corporate limits of the City of Kearney to include the contiguous and adjacent tract of land described as A tract of land being part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at the Southwest Corner of Government Lot 2 in Section 19; thence N 00°14'22" E on the West line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 976.72 feet to the centerline of 65th Street, as platted in Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 89°42'02" E on said centerline a distance of 969.72 feet; thence continuing on said centerline Easterly on a tangent curve to the Right having a central angle of 08°53'06", a radius of 750.00 feet, an arc length of 116.31 feet, and a chord bearing of S 85°15'28" E a distance of 116.19 feet; thence continuing on said centerline Easterly on a tangent curve to the Left having a central angle of 01°37'59", a radius of 750.00 feet, an arc length of 21.38 feet, and a chord bearing of S 81°37'55" E a distance of 21.38 feet to the Northerly extension of the East line of Outlot A, Block 3 in Arbor View First; thence S 03°28'02" E on said Northerly extension of said East line of Outlot A, Block 3 a distance of 30.54 feet to a 5/8" rebar w/cap and the POINT OF BEGINNING; thence continuing S 03°28'02" E on said East line of Outlot A, Block 3 a distance of 97.74 feet to a 5/8" rebar w/cap; thence S 15°10'23" E continuing on said East line of Outlot A, Block 3 a distance of 243.38 feet to a 5/8" rebar w/cap; thence S 00°14'22" W continuing on said East line of Outlot A, Block 3 a distance of 234.45 feet to a 5/8" rebar w/cap; thence S 89°44'06" E a distance of 340.00 feet to a 5/8" rebar w/cap; thence N 00°14'22" E a distance of 620.80 feet to a 5/8" rebar w/cap on the Easterly extension of the South line of Lot 4, Block 2, Arbor View First; thence N 89°42'02" W on said Easterly extension of said South line a distance of 35.00 feet to a 5/8" rebar w/cap; thence S00°14'22" W on the Southerly extension of the East line of said Lot 4, Block 2 a distance of 60.00 feet to a 5/8" rebar on the South right-of-way line of said 65th Street; thence N 89°42'02" W on said South right-of-way line of a distance of 283.34 feet to a 5/8" rebar w/cap; thence Northwesterly on a tangent curve to the Right having a central angle of 06°49'24", a radius of 780.00 feet, an arc length of 92.89 feet, and a chord bearing of N 86°17'20" W a distance of 92.83 feet to the Point of Beginning. Containing 4.75 acres, more or less; and

WHEREAS, the Nebraska Public Power District (NPPD) will apply to the Nebraska Power Review Board for an order amending its existing retail service area, which includes the City of Kearney, to include the above described property into the corporate boundaries of the City of Kearney, Nebraska; and

WHEREAS, the City of Kearney has an interest in the outcome of such application by reason of its rights under the Professional Retail Operations Agreement with NPPD

approved on July 11, 1989, pursuant to which NPPD operates and maintains the electric distribution system owned by the City of Kearney; and

WHEREAS, it is determined by the City Council that it would be desirable and in the best interests of the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the City of Kearney, Nebraska, be authorized to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area which includes the City to include the above described property into the corporate boundaries of the City of Kearney, Nebraska in said retail service area.

BE IT FURTHER RESOLVED that the President be and is hereby authorized to execute on behalf of the City of Kearney a joint application with NPPD to the Nebraska Power Review Board and to cooperate with NPPD in the prosecution of its application.


BE IT FURTHER RESOLVED that such joint application shall be prosecuted at the sole cost and expense of NPPD.

PASSED AND APPROVED THIS 8TH DAY OF OCTOBER, 2024.

ATTEST:



PEGGY EYNETICH
CITY CLERK



STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR



SAA 310-25-A
SAA 57-25-A
Exhibit G, page 2

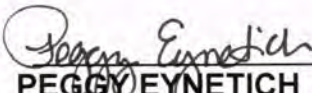
Peggy Eynetich, City Clerk
P.O. Box 1180
Kearney, NE 68848-1180

CERTIFICATE FOR RESOLUTION NO. 2024-142

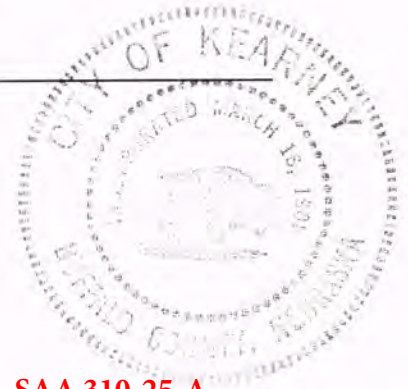
STATE OF NEBRASKA)
COUNTY OF BUFFALO) SS
CITY OF KEARNEY)

I, Peggy Eynetich, duly appointed, qualified, and acting City Clerk of the City of Kearney, Nebraska, do hereby certify that the attached is a true and correct copy of Resolution No. 2024-142 as was passed and approved by the City Council of the City of Kearney at its regular meeting held October 8, 2024.

WITNESS MY HAND AND SEAL this 9th day of October, 2024.



PEGGY EYNETICH
CITY CLERK



SAA 310-25-A
SAA 57-25-A
Exhibit G, page 3

EXHIBIT H

SAA 310-25-A
SAA 57-25-A

RESOLUTION NO. 2024-138

WHEREAS, on April 23, 2024 the Kearney City Council passed and approved Resolution No. 2024-40 extending the corporate limits of the City of Kearney to include the contiguous and adjacent tract of land described as a tract of land being part of Government Lot 2 and part of the Southeast Quarter of the Northwest Quarter of Section 19, Township 9 North, Range 15 West of the 6th P. M., Buffalo County, Nebraska, and more particularly described as follows: Commencing at a chiseled "+" at the Southwest corner of Government Lot 2 of Section 19; thence S 89°44'06" E on the South line of said Government Lot 2, and all bearings contained herein are relative thereto, a distance of 1164.26 feet to a 5/8" rebar at the Southeast corner of Outlot B, Starostka Estates Addition, an addition to the City of Kearney, Buffalo County, Nebraska and the POINT OF BEGINNING; thence continuing S 89°44'06 " E on the South line of said Government Lot 2 and the South line of the Southeast Quarter of the Northwest Quarter of said Section 19 a distance of 1449.75 feet to a 5/8" rebar at the Southeast corner of said Southeast Quarter of the Northwest Quarter; thence N 00°21'32" E on the East line of said Southeast Quarter of the Northwest Quarter a distance of 241.17 feet to a 5/8" rebar w/cap; thence N 89°44'06" W parallel with said South line of the Southeast Quarter of the Northwest Quarter a distance of 1094.51 feet to a 5/8" rebar w/cap; thence N 00°14'22" E a distance of 125.83 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 7, Block 1, Arbor View Third, an addition to the City of Kearney, Buffalo County, Nebraska; thence N 89°44'06" W on the South line of said Arbor View Third a distance of 340.00 feet to a 5/8" rebar w/cap at the Southwest corner of Lot 7, Block 2 of said Arbor View Third; thence N 00°14'22" E on the West line of said Arbor View Third a distance of 97.98 feet to a 5/8" rebar w/cap at the Southeast corner of Outlot A, Block 3, Arbor View First, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 89°59'58" W on the South line of said Outlot A, Block 3, Arbor View First a distance of 50.00 feet to a 5/8" rebar w/cap at the Southwest corner of said Outlot A, and the Southeast corner of Lot 3, Block 3 of said Arbor View First; thence N 50°49'39" W on the South line of said Block 3, Arbor View First a distance of 292.72 feet to a 5/8" rebar w/cap at the Northeast corner of Lot 6, Block 1, Arbor View Second, an addition to the City of Kearney, Buffalo County, Nebraska; thence S 39°10'21" W on the East line of said Arbor View Second a distance of 340.00 feet to a 5/8" rebar w/cap at the Southeast corner of Lot 7, Block 2, of said Arbor View

Second and on the Northeasterly line of said Outlot B, Starostka Estates Addition; thence S 50°49'39" E on said Northeasterly line a distance of 611.43 feet to the Point of Beginning. Containing 12.80 acres, more or less located in Buffalo County, Nebraska; and

WHEREAS, the Nebraska Public Power District (NPPD) will apply to the Nebraska Power Review Board for an order amending its existing retail service area, which includes the City of Kearney, to include the above described property into the corporate boundaries of the City of Kearney, Nebraska; and

WHEREAS, the City of Kearney has an interest in the outcome of such application by reason of its rights under the Professional Retail Operations Agreement with NPPD approved on July 11, 1989, pursuant to which NPPD operates and maintains the electric distribution system owned by the City of Kearney; and

WHEREAS, it is determined by the City Council that it would be desirable and in the best interests of the City of Kearney to join with NPPD as a co-applicant to the Nebraska Power Review Board.

NOW, THEREFORE, BE IT RESOLVED by the President and Council of the City of Kearney, Nebraska, that the City of Kearney, Nebraska, be authorized to join with NPPD as a co-applicant to the Nebraska Power Review Board for an amendment to NPPD's retail service area which includes the City to include the above described property into the corporate boundaries of the City of Kearney, Nebraska in said retail service area.

BE IT FURTHER RESOLVED that the President be and is hereby authorized to execute on behalf of the City of Kearney a joint application with NPPD to the Nebraska Power Review Board and to cooperate with NPPD in the prosecution of its application.

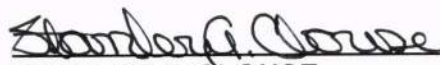
BE IT FURTHER RESOLVED that such joint application shall be prosecuted at the sole cost and expense of NPPD.

PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER, 2024.

ATTEST:


PEGGY EYNETICH
CITY CLERK




STANLEY A. CLOUSE
PRESIDENT OF THE COUNCIL
AND EX-OFFICIO MAYOR

SAA 310-25-A
SAA 57-25-A
Exhibit H, page 2