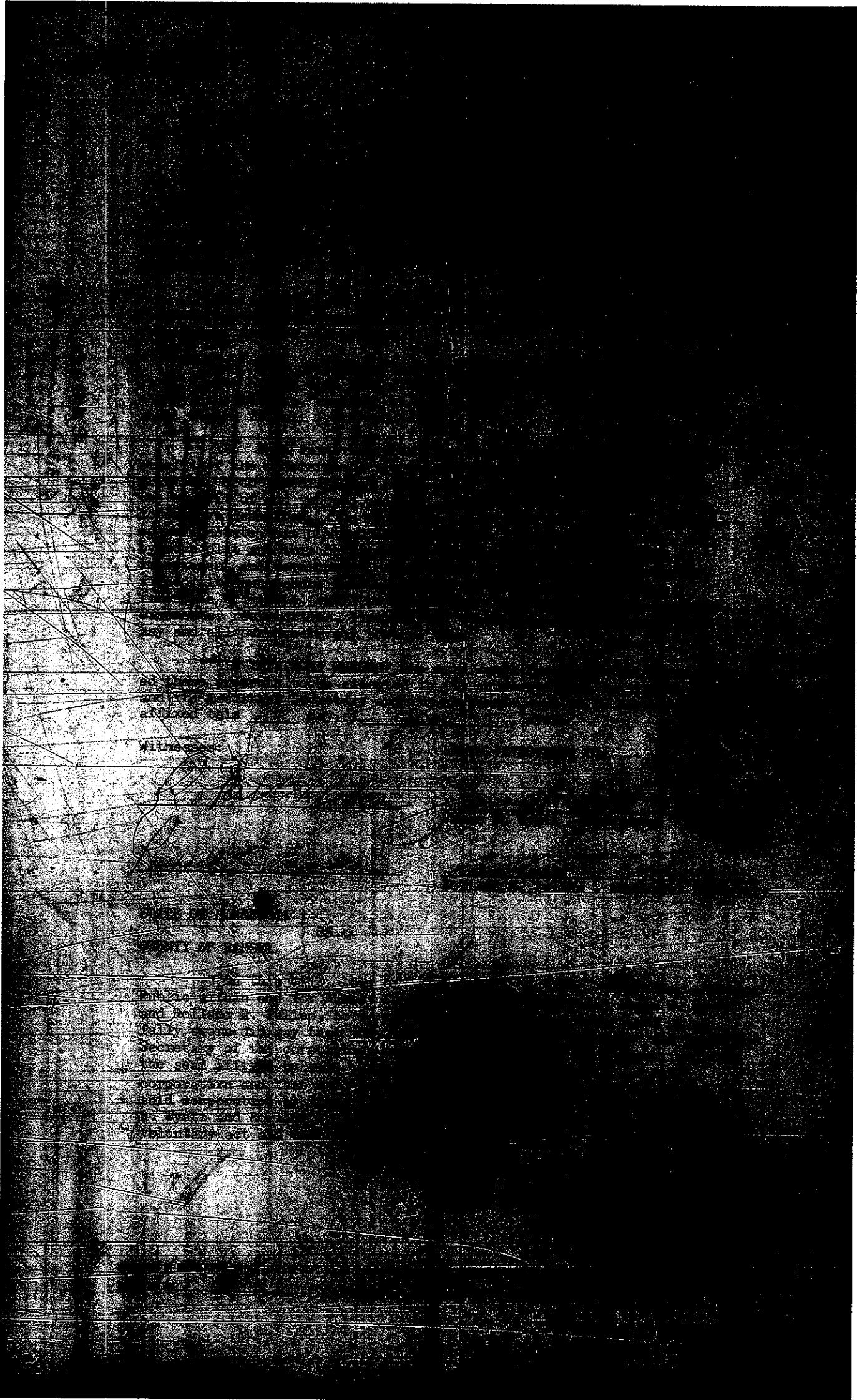


1. **Location**  
The location of the subject is approximately 10 miles west of the town of  
Custer, South Dakota, in the Black Hills area.

2. **Character**  
The subject is described as a man, approximately 5' 8" tall, weighing about  
160 pounds. He has dark hair, brown eyes, and a mustache.

3. **Appearance**  
The subject is wearing a dark-colored suit jacket, a light-colored shirt,  
and dark trousers. He is also wearing a dark-colored hat and dark shoes.

4. **Actions**  
The subject is currently walking towards the town of Custer. He is carrying  
a dark-colored bag or suitcase. He appears to be in a hurry and is looking around  
frequently.



## B A S E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Dollar (\$1.00) in hand paid, receipt of which is hereby acknowledged and other valuable considerations, JAMES INVESTMENT CO., a Minnesota corporation, does hereby grant to the OMAHA PUBLIC POWER DISTRICT, a political subdivision of the State of Nebraska, and to NORTHWESTERN Bell TELEPHONE COMPANY, a corporation, their successors and assigns, a permanent and perpetual easement to construct and maintain electric and telephone utilities as follows:

(A) Along, across, over and under the South Five (5) feet of the East Seventy-Five (75) feet of Lot Twenty-Four (24), the East Five (5) feet of Lots Twenty-Four (24) through Thirty-Two (32), inclusive, the West Five (5) feet of Lot Thirty-Three (33), the rear or South Five (5) feet of Lots Thirty-Three (33) through Thirty-Seven (37) inclusive, the rear or Southwesterly Five (5) feet of Lots Thirty-Eight (38) to Forty-Two (42), inclusive, the rear or Westerly Five (5) feet of Lots Forty-Three (43) and Forty-Four (44), the West Five (5) feet of Lots Forty-Five (45) through Forty-Seven (47), inclusive, the South Five (5) feet of Lot Forty-Six (46), the North Five (5) feet of Lot Forty-Seven (47), the North Two (2) feet of Lot Twenty-Six (26), the South Two (2) feet of Lot Twenty-Seven (27), and that part of Lots Thirty-Seven (37) and Thirty-Eight (38) described as follows: A strip of land Four (4) feet in width, being Two (2) feet on either side of the following described line! Beginning at the Southeast corner of said Lot Thirty-Seven (37), thence Northeasterly along the common boundary line between said Lots Thirty-Seven (37) and Thirty-Eight (38) a distance of Twenty-Five (25) feet and there terminating. The Southeast Two (2) feet of Lot Forty-Two (42), the Northwesterly Two (2) feet of Lot Forty-Three (43), the South Two (2) feet of the West Twenty-Five (25) feet of Lot Forty-Four (44), and the North Two (2) feet of the West Twenty-Five (25) feet of Lot Forty-Five (45), all in Block Four (4), Tomahawk

Mills 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded.

(B) Along, across, over and under that part of Lots Seventeen (17) through Twenty (20), inclusive, more particularly described as follows: a strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the Southeasterly corner of said Lot Twenty (20), thence Northeasterly along the common boundary line between said Lots Seventeen (17) through Twenty (20), inclusive, a distance of 155 feet and there terminating. The South Five (5) feet of Lots Twenty (20) through Twenty-Seven (27), inclusive, that part of Lots Twenty-Seven (27) through Forty-Nine (49), inclusive, more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the Southeast corner of said Lot Forty-Nine (49), thence North along the East line of said Lot Forty-Nine (49) a distance of Fifty (50) feet to the actual point of beginning of the land to be described: thence continuing along the East line of said Lots Forty-Nine (49), Forty-Eight (48), Forty-Seven (47), and Forty-Six (46) a distance of 141.35 feet, thence Northeasterly on a straight line to the Southeasterly corner of Lot Forty-One (41), thence on a straight line to the Northeast corner of Lot Thirty-Two (32), thence on a straight line to the Southeasterly corner of Lot Thirty-Six (36), thence on a straight line to the most Southerly corner of Lot Thirty-Five (35), thence on a straight line to the most Southerly corner of Lot Thirty-Four (34) and there terminating. The Southeasterly Five (5) feet of Lot Seventeen (17), that part of Lots Forty-Two (42) and Forty-Three (43) more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the most Southerly corner of said Lot Forty-Two (42), thence Northwesterly along the common boundary line between said Lots Forty-Two and Forty-Three to its intersection with 93rd Street and there terminating. The South Five (5) feet of Lot Forty-Eight (48), the North Five (5) feet of Lot Forty-Nine (49), the East Five (5) feet of the South Fifty (50) feet of said Lot Forty-Nine (49), the Easterly Two (2) feet of Lot Thirty (30), the Westerly Two (2) feet of Lot Thirty-One (31), the South-

westerly Two (2) feet of Lot Forty Four (44), the Northeastern Two (2) feet of Lot Forty-Five (45), the East Two (2) feet of Lot Thirtys-Two (32) and the West Two (2) feet of Lot Thirty-Three (33), lying North of the South Sixty-Five (65) feet thereof, that part of Lots Thirty-Five (35) and Thirty-Six (36) more particularly described as follows: A strip of land Four (4) feet in width, being Two (2) feet on either side of the following described line: Beginning at the Southeast corner of said Lot Thirty-Six (36), thence Northeasterly along the common boundary line between said Lots Thirty-Five (35) and Thirty-Six (36) a distance of Twenty-Five (25) feet and there terminating. That part of Lots Forty-One (41) and Forty-Two (42) more particularly described as follows: A strip of land Four (4) feet in width, being Two (2) feet on either side of the following described line: Beginning at the Southwesterly corner of said Lot Forty-One (41), thence Northeasterly along the common boundary line between said Lots Forty-One (41) and Forty-Two (42) a distance of Twenty-Five (25) feet and there terminating. The South Two (2) feet of the East Twenty-Five (25) feet of Lot Forty-six (46), and the North Two (2) feet of the East Twenty-Five (25) feet of Lot Forty-Seven (47), all in Block Five (5), Tomahawk Hills 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded.

(c) Along, across, over and under that part of Lots One (1) through Fourteen (14), inclusive, Twenty-Four (24) through Thirty-Three (33), inclusive, more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the Southeasterly corner of said Lot One (1), thence Northwesterly to the Southeasterly corner of Lot Two (2), thence continuing in a Northwesterly direction on a straight line to the most Northerly corner of said Lot Twenty-Four (24), thence continuing in a Northwesterly direction on a straight line to the most Northerly corner of said Lot Fourteen (14) and there terminating. That part of Lots Fourteen (14), Fifteen

Book 107 page 168

(16), Sixteen (16), Twenty-One (21), Twenty-Two (22), Twenty-Three (23), and Twenty-Four (24) more particularly described as follows: A strip of land ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the most Northerly corner of said Lot Twenty-Four (24), thence on a straight line Southwesterly to the most Southerly corner of said Lot Sixteen (16) and there terminating. That part of Lots Sixteen (16) through Twenty-One (21), inclusive, more particularly described as follows: A strip of land Ten (10) feet in width being Five (5) feet on either side of the following described line: Beginning at the Southeast corner of Lot Twenty (20), thence North along the West line of said Lots Sixteen (16) and Twenty-One (21) a distance of 216 feet and there terminating. That part of Lots Twenty-Four (24) and Twenty-Five (25) more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the most Northerly corner of said Lots Twenty-Four (24) and Twenty-Five (25), thence Southerly along the common boundary line between said Lots Twenty-Four (24) and Twenty-Five (25) a distance of 100 feet and there terminating. The Northwesterly Two (2) feet of Lot Five (5), the Southeasterly Two (2) feet of Lot Six (6), the South Two (2) feet of Lot Eighteen (18), the North Two (2) feet of Lot Nineteen (19), the Southeasterly Two (2) feet of Lot Twenty-Six (26), the Northwesterly Two (2) feet of Lot Twenty-Seven (27), and that part of Lots Thirteen (13) and Fourteen (14) more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the most Southerly corner of said Lot Thirteen (13), thence Northwest on a straight line to a point on the Northwesterly line of said Lot Thirteen (13), said point being 13 feet Northeasterly of the most Westerly corner of said Lot Thirteen (13) and there terminating, all in Block Nine (9), Tomahawk Hills 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded.

(D) Along, across, over and under the East Ten (10) feet of the West Fifty (50) feet of Lots One (1) through Nineteen (19), inclusive, said West Fifty (50) feet being the East Fifty (50) feet of the Great Lakes Pipe Line Company easement as recorded. The South Five (5) feet of Lot Nineteen (19), the South Two (2) feet of that part of Lot Six (6) lying East of the West Fifty (50) feet thereof, the North Two (2) feet of that part of Lot Seven (7) lying east of the West Fifty (50) feet thereof, the South Two (2) feet of that part of Lot Sixteen (16) lying East of the West Fifty (50) feet thereof, and the North Two (2) feet of that part of Lot Seventeen (17), lying East of the West Fifty (50) feet thereof, all in Block Ten (10), Tomahawk Hills 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded.

(E) Along, across, over and under the East Ten (10) feet of the West Fifty (50) feet of Lots One (1), Nineteen (19), Twenty (20), Twenty-One (21), Twenty-Two (22), and Twenty-Three (23), said West Fifty (50) feet being the East Fifty (50) feet of the Great Lakes Pipeline Company easement as recorded. That part of Lots One (1) through Seven (7), inclusive, Lots Nine (9) through Nineteen (19), inclusive; more particularly described as follows: A strip of land Ten (10) feet in width being Five (5) feet on either side of the following described line: Beginning at a point on the North line of said Lot One (1), said point being Fifty (50) feet East of the Northwest corner of said Lot One (1), thence East along the North line of said Lots One (1) and Two (2) to the Northeast corner of said Lot Two (2), thence Northerly on a straight line to the most Northerly corner of Lot Four (4), thence Northeasterly on a straight line to the most Northerly corner of said Lot Seven (7), thence Northwesterly on a straight line to the most Southerly corner of Lot Thirteen (13), thence Northerly on the common boundary line between Lots Thirteen (13) and Fourteen (14) a distance of Twenty-Five (25) feet and there terminating. That part of Lots Fourteen (14) and Fifteen (15) more particularly described as follows: A strip of land ten (10) feet in width,

being Five (5) feet on either side of the following described line: Beginning at the Southeast corner of said Lot Fourteen (14), thence West along the common boundary line between said Lots Fourteen (14) and Fifteen (15), a distance of Twenty-Five (25) feet and there terminating. That part of Lots Seven (7), Eight (8), and Nine (9), more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at the most Southerly corner of said Lots Eight (8), Lots Seven (7), Eight (8) and Nine (9) to the most Westerly corner of said Lot Nine (9), and there terminating. The East Two (2) feet of Lot Two (2), the West Two (2) feet of Lot Three (3), that part of Lots Four (4) and Five (5) more particularly described as follows: A strip of land Four (4) feet in width being Two (2) feet on either side of the following described line: Beginning at the most northerly corner of said Lot Four (4) thence Southeasterly along the common boundary line between said Lots Four (4) and Five (5) a distance of Twenty-Five (25) feet and there terminating, the Northwesterly Two (2) feet of Lot Nine (9), the Southeasternly Two (2) feet of Lot Ten (10), the North Two (2) feet of the part of Lot Twenty (20) lying East of the West Fifty (50) feet thereof, and the South Two (2) feet of that part of Lot Twenty-One (21), lying East of the West Fifty (50) feet thereof, all in Block Eleven (11), Tomahawk Hills 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded.

(F) Along, across, over and under that part of Lots Three (3) through Twelve (12), inclusive, more particularly described as follows: A strip of land Ten (10) feet in width, lying Westerly and West of the following described line: Beginning at the intersection of the North line of said Lot Three (3) with the Easterly line of the Great Lakes Pipeline Company easement as recorded, thence Southwesterly and Southerly along the Easterly and East Line of said easement to its intersection with the South line of said Lot Twelve (12) and there terminating. That part of Lots Eleven (11) through Fifteen (15), inclusive, more particularly described as follows: A strip of land Ten (10) feet in width being Five (5) feet on either side of the following described line: Beginning at the Southeasterly corner of Lot Thirteen (13), then Northwesterly along the common boundary line between Lots Thirteen (13), Fourteen (14), and Fifteen (15) to the Northeasterly corner of said Lot Thirteen (13), thence Southwesterly along the common boundary line of Lots Eleven (11), Twelve (12), and Thirteen (13) to its intersection with the easterly line of the Great Lakes Pipeline Company easement as recorded and there terminating. That part of said Lots Eleven (11) and Fifteen (15) more particularly described as follows: A strip of land Ten (10) feet in width, being Five (5) feet on either side of the following described line: Beginning at a point on the Southeasterly line said Lot Eleven (11), said point being the Northeasterly corner of said Lot

Thirteen (13), thence Northeasterly along the common boundary line between said Lots Eleven (11) and Fifteen (15), a distance of Twenty-Five (25) feet and there terminating. The Southerly Two (2) feet of that part of Lot Five (5) lying Easterly of the Great Lakes Pipeline Company easement as recorded, and the Northerly Two (2) feet of that part of Lot Six (6) lying Easterly of the Great Lakes Pipeline Company easement as recorded, all in Block Fifteen (15) of Comstock Hills 2nd Addition, a subdivision in Douglas County, Nebraska, as surveyed, platted and recorded.

The provisions hereof shall bind the grantor, its successors and assigns.

IN WITNESS WHEREOF, said James Investment Co. has caused these presents to be executed in its corporate name and by its President and its Assistant Secretary, and its corporate seal to be hereunto affixed this 20<sup>th</sup> day of June, 1961.

JAMES INVESTMENT CO.

ATTEST John S. Tylken BY James R. Wyatt  
Its Asst. Secretary Its President

STATE OF MINNESOTA.)

) SS.  
COUNTY OF Ramsey.)

On this 20<sup>th</sup> day of June, 1961, before me the undersigned, a Notary Public in and for said county, personally came JAMES R. WYATT and CYNTHIA S. TYLKEN to me, personally known to be the President and the Assistant Secretary of said corporation and the identical persons whose names are affixed to the above easement, and acknowledged the execution thereof to be their voluntary act and deed as such officers, and the voluntary act and deed of the said James Investment Co., and that the corporate seal of the said James Investment Co. was thereto affixed by its authority.

WITNESS MY HAND and Notarial Seal at St. Paul, Minnesota, in said county the day and year last above written.

Cynthia S. Mitchell  
Notary Public

CYNTHIA S. MITCHELL  
Notary Public, Ramsey County, Minn.  
My Commission expires July 20, 1967.

SEARCHED IN RUMBLEY INDEX AND RECORDED IN THE REGISTRY OF DEETS OFFICE IN DOUGLAS COUNTY, NEBRASKA  
22 DAY JUNE 1961 2:39 P.M. THOMAS J. O'LODROR, REGISTRAR OF DEETS

44.60

16

STATEMENT AND CONCURRENCE  
INVESTIGATION

STATEMENT OF NOVEMBER, 1907, James Investors  
and Developers, Inc., a corporation existing under and by virtue of  
the laws of the State of Minnesota, by its officers, James R. Gustafson,  
President, and John P. Flakne, Assistant Secretary, being first  
named, and duly authorized, executed on behalf of said corporation, and  
dated in the year and dedication of the said corporation, November  
TWENTY-EIGHT MILLION ADDITION, consisting of a tract of land in  
the Township West Half (W1/2) of the Northwest Quarter (NW1/4) and  
the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of  
Section 12, Township 30 North, Range 12 East of the 6th P.M.  
Dakota County, Minnesota, and more particularly described as

Beginning at a point on the South line of the North-  
west Quarter (NW1/4), said point being 62.98 feet East  
of the South line of the Northwest 1/4 of Section 3;  
thence North 19° 27' East a distance of 1700.37 feet to a  
point; thence North 35° 00' East a distance of 35.00 feet to  
a point; thence North 19° 27' East a distance of 335.00 feet  
to a point; thence North 00° 19' 41" East a distance of  
197.27 feet to a point; thence N 00° 19' 41" E a dis-  
tance of 101.29 feet to a point; thence  
North 35° 00' East a distance of 68.63 feet to a point; thence  
North 19° 27' East a distance of 100.00 feet to a point; thence  
North 00° 19' 41" E a distance of 100.00 feet to a point;

2

W. a distance of 129.99 feet to a point, thence N. 03° 00' E.  
W. a distance of 53.00 feet to a point, thence S. 00° 00' E.  
W. a distance of 200.00 feet to a point, thence N. 00° 00' E.  
E. a distance of 130.00 feet to a point, thence N. 00° 00' E.  
W. a distance of 79.34 feet to a point, thence S. 00° 00' E.  
W. a distance of 192.01 feet to a point, thence N. 00° 00' E.  
N. a distance of 100.00 feet to a point, thence S. 00° 00' E.  
W. a distance of 192.01 feet to a point, thence N. 00° 00' E.  
W. a distance of 100.00 feet to a point, thence S. 00° 00' E.  
W. a distance of 100.00 feet to a point, thence S. 00° 00' E.  
W. a distance of 197.01 feet to a point, the point of beginning and containing 41.65 acres, more or less.

said plat and dedication being recorded on December 29, 1960 in  
Book 1106 of Deeds at Page 154 on the records of the Register of  
Deeds of Douglas County, Nebraska; and

WHEREAS, at the time of said plat and dedication, reference  
was omitted in the acknowledgment appended thereto, indicating  
that the aforescribed officers of said James Investment Co.,  
excepted such plat and dedication in their official capacity  
for and on behalf of said James Investment Co., and it now de-  
sires to rectify the said omission, and to ratify and approve  
said plat and dedication.

NOW, THEREFORE, James Investment Co., a corporation, does  
hereby ratify and approve of the platting and dedication of  
said property and hereby confirms that the execution thereof by  
the said James R. Wyatt, President, and Robert C. Flakne, Assis-  
tant Secretary, was their voluntary act and deed, and the vol-  
untary act and deed of said corporation, for the uses and pur-  
poses therein set forth.

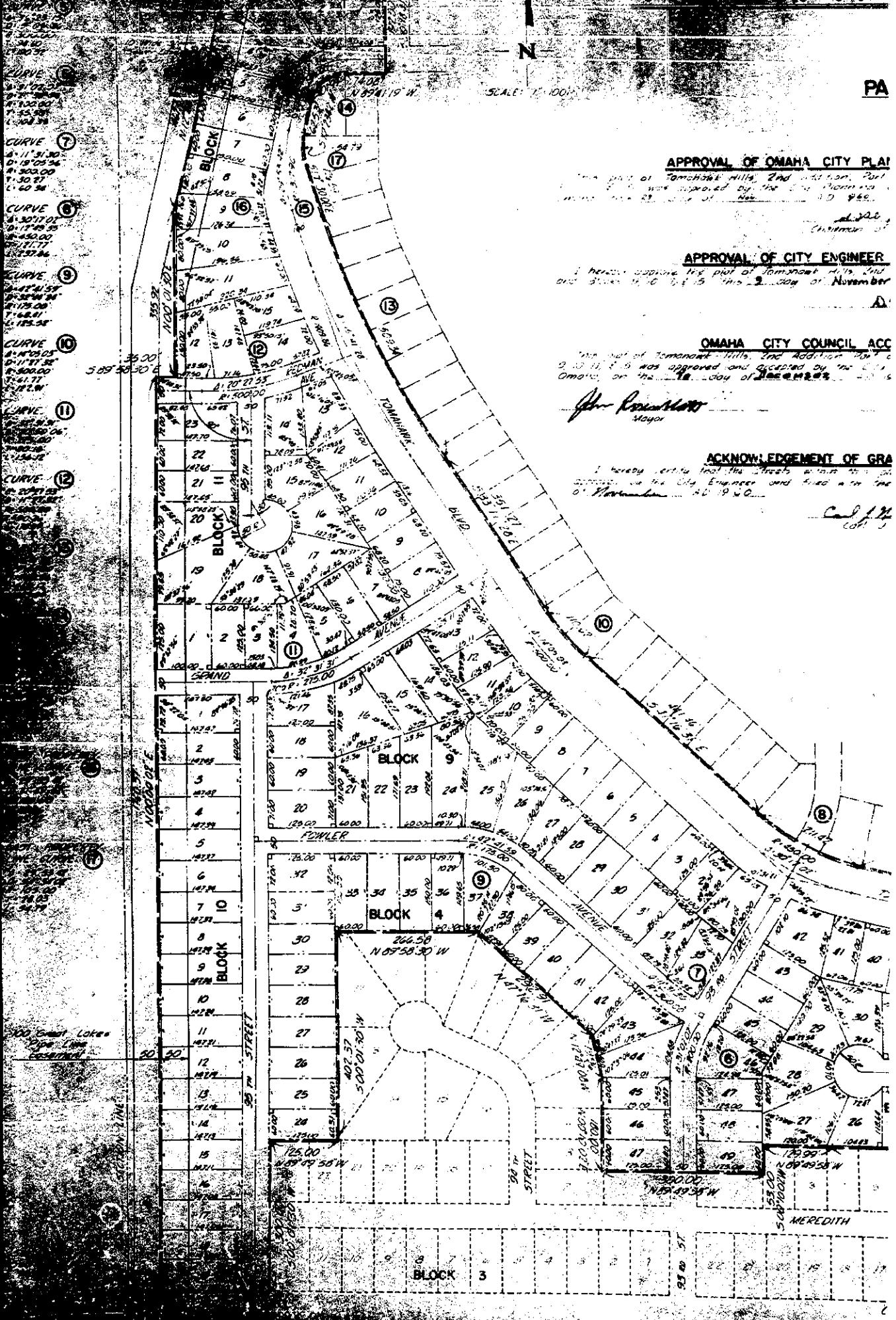
In witness whereof, said James Investment Co. has caused  
these presents to be signed by its president, attested by its  
assistant secretary, and its corporate seal to be hereunto affixed  
this 26th day of May, 1961.

RECEIVED  
IN THE SECRETARY OF STATE'S OFFICE  
MARCH 17, 1947  
BY [REDACTED]  
THE PRESIDENT AND ASSISTANT SECRETARY OF SAID CORPORATION,  
AND  
THEY SUBSTANTIATED SAID INSTRUMENT TO BE TRUE, VOLUNTARY, AND  
FAIR  
AND THE VOLUNTARY ACT AND DEED OF SAID CORPORATION.  
WITNESS MY HAND AND OFFICIAL SEAL THE FIFTEENTH DAY OF MARCH

My commission expires:

March 17, 1947

U.S. GOVERNMENT PRINTING OFFICE: 1947 10-1400-1  
1000 COPIES



# MAHAWK HILLS

## 2ND ADDITION

PART OF BLOCKS 4 & 5 AND  
BLOCKS 9, 10, 11 & 15

### OF OMAHA CITY PLANNING BOARD

Hills, 2nd Addition, Part of Blocks 4 & 5 and Blocks  
by the City Planning Board of the City of  
Nebraska AD 1965

*W.H. Johnson*  
Chairman of the City Planning Board

### AL OF CITY ENGINEER OF OMAHA

of Tomahawk Hills 2nd Addition Part of Blocks 4 & 5  
5th day of November AD 1965

*A.P. Nelson*  
City Engineer

### CITY COUNCIL ACCEPTANCE

2nd Addition Part of Blocks 4 & 5 and Blocks  
Accepted by the City Council of the City of  
Nebraska AD 1965

*M.J. Hansen Jr.*  
City Clerk

### ACKNOWLEDGEMENT OF NOTARY

State of Nebraska  
County of Douglas

On this 2nd day of November AD 1965 before me, a  
Notary Public duly commissioned and qualified in said  
for said county came James K. Wyatt, Robert C. Flattne,  
John S. Nagel, Texa V. Segal, L.S. Cassman, M.  
Cassman, G.J. Meyers, F.J. Steyer, J. Tucker, George  
A. Umlauf, Paul M. Nichols, Peg Morris and Winnie  
Vigars who are personally known to me to be the  
identical persons whose names are affixed to the  
dedication on the 2nd and these acknowledge the  
signing of said dedication to be their voluntary  
act and deed.

Witness my hand and official seal at Lincoln,  
Nebraska in said County the date last aforesaid

*Mary Jean Baker*

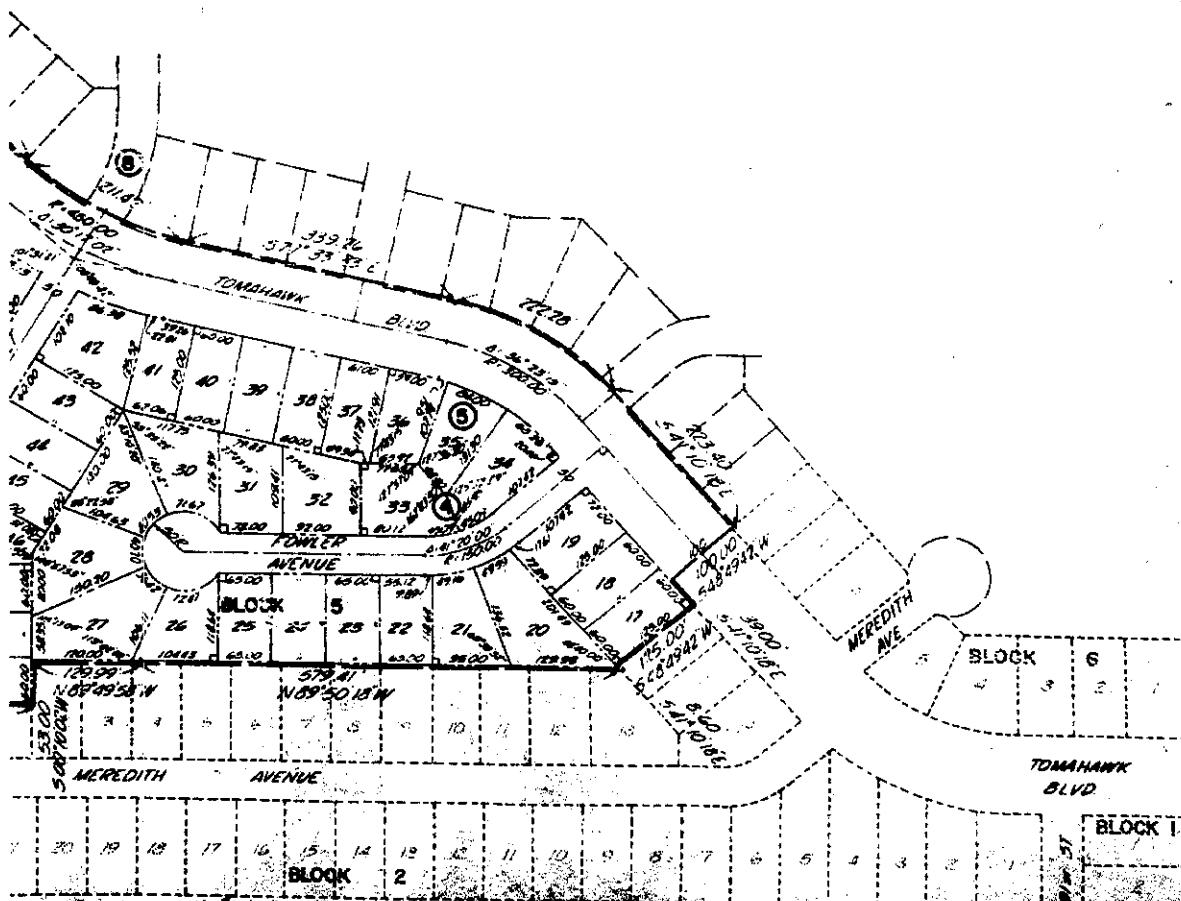
Notary Public

My Commission expires on 3rd day of January AD 1965

### OWLEDGEMENT OF GRADING

Streets within this plot are graded to the grades  
and filed with the City Dated this 9th day  
of

*Carl J. Hauseleher, Jr.*  
Carl J. Hauseleher, PE



THE SURVEYOR'S CERTIFICATE

I, Charles W. Ahern, Registered Land Surveyor of the State of Nebraska, do hereby certify that I have accurately surveyed and staked with wood pipe all corners of all lots, streets, angle points and the ends of all streets as shown on this plot of Part of Blocks 4 & 5 and Blocks 9, 10, 11 & 15 of Tomahawk Hills, 2nd Addition. The limits and boundaries of said blocks are as follows:

A tract of land lying wholly within the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 3, T 15 N., R 12 E. of the 6th P.M. Douglas County, Nebraska, and more particularly described as follows:

Beginning at a point on the South line of the Northwest  $\frac{1}{4}$  of Section 3, said point being 62.98 feet East of the Southwest Corner of the Northwest  $\frac{1}{4}$  of Section 3; thence N 0° 00' 02" E a distance of 1760.37 feet to a point; thence 589° 58' 30" E a distance of 35.00 feet to a point; thence N 0° 01' 30" E a distance of 335.92 feet to a point; thence N 12° 23' 42" E a distance of 467.57 feet to a point; thence 589° 41' 19" E a distance of 298.16 feet to a point; thence 50° 18' 41" W a distance of 192.00 feet to a point; thence N 89° 41' 19" W a distance of 74.08 feet to a point; thence Southwesterly along a curve to the left, said curve having a radius of 75.00 feet, a distance of 101.93 feet to a point; thence 512° 23' 42" W a distance of 62.53 feet to a point; thence Southeasterly along a curve to the left, said curve having a radius of 105.00 feet, a distance of 54.79 feet to a point; thence 517° 30' 00" E a distance of 126.59 feet to a point; thence Southeasterly along a curve to the left, said curve having a radius of 1859.86 feet, a distance of 509.34 feet to a point; thence 533° 11' 28" E a distance of 351.27 feet to a point; thence Southeasterly along a curve to the left, said curve having a radius of 450.00 feet, a distance of 110.62 feet to a point; thence 547° 16' 39" E a distance of 441.46 feet to a point; thence Southeasterly along a curve to the left, said curve having a radius of 300.00 feet, a distance of 211.42 feet to a point; thence 577° 33' 33" E a distance of 339.26 feet to a point; thence Southeasterly along a curve to the right, said curve having a radius of 350.00 feet, a distance of 222.28 feet to a point; thence 501° 10' 18" E a distance of 223.40 feet to a point; thence 548° 49' 42" W a distance of 39.00 feet to a point; thence 541° 10' 18" E a distance of 125.00 feet to a point; thence 541° 10' 18" E a distance of 8.60 feet to a point; thence N 89° 50' 18" W a distance of 579.41 feet to a point; thence N 89° 49' 58" W a distance of 729.99 feet to a point; thence 5° 10' 02" W a distance of 53.00 feet to a point; thence N 89° 49' 58" W a distance of 300.00 feet to a point; thence N 0° 10' 02" E a distance of 180.00 feet to a point; thence N 12° 47' 08" W a distance of 79.96 feet to a point; thence N 07° 46' 31" W a distance of 292.91 feet to a point; thence N 89° 58' 30" W a distance of 266.58 feet to a point; thence 50° 01' 30" W a distance of 402.37 feet to a point; thence N 89° 49' 58" W a distance of 125.00 feet to a point; thence 50° 01' 30" W a distance of 300.00 feet to a point; thence N 89° 59' 42" W a distance of 197.01 feet to a point, the point of beginning and containing 41.65 acres, more or less.

Date Nov 9, AD 1960

*Charles W. Ahern*  
Charles W. Ahern Registered Land Surveyor

DEDICATION

1106 pg 157

Know All Men by These Presents:

That we, James R. Nyquist and Robert C. Flakne, respectively the now President and Assistant Secretary of James Investment Co., a Minnesota Corporation; John S. Nyquist, Trevor M. Nyquist, Husband and wife; F.S. Cossman, M. Cossman, husband and wife; D.J. Meyers, H.S. Meyers, husband and wife; and J. Tucker, single, sole owners and proprietors; George W. Michka, Viola M. Michka, husband and wife; Roy Morris and Winnie Morris, husband and wife, Mortgagees of the land described in the Surveyor's Certificate and embraced within this plot have caused the same to be subdivided into blocks, lots and streets, said subdivision after known as TOMAHAWK HILLS, 2nd Add., the blocks and lots as shown and we hereby ratify and approve the disposition of property as shown on this plot and we hereby dedicate to public use the streets as shown herein.

In witness, whereof we do hereunto set our hands this 8 day of Nov., A.D. 1960.

JAMES INVESTMENT CO.

by James R. Nyquist, President, and Robert C. Flakne, Asst. Secretary  
James R. Nyquist Robert C. Flakne

John S. Nyquist

Trevor M. Nyquist  
John S. Nyquist and Trevor M. Nyquist, Husband and Wife

F.S. Cossman  
F.S. Cossman and M. Cossman, Husband and Wife

D.J. Meyers  
D.J. Meyers and H.S. Meyers, Husband and Wife

J. Tucker

J. Tucker, Single

Mortgagees:

George W. Michka Viola M. Michka  
George W. Michka and Viola M. Michka, Husband and Wife

Roy Morris Winnie Morris  
Roy Morris and Winnie Morris, Husband and Wife

COUNTY TREASURER'S CERTIFICATE

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

Date

A.D. 1960

John Michael Kirkham  
County Treasurer  
Kirkham Michael & Associates

KIRKHAM MICHAEL & ASSOCIATES  
ENGINEERS ARCHITECTS  
OMAHA RAPID CITY FARGO

23. ENTERED IN MINNEAPOLIS METROPOLITAN PLAT BOOK BY THE PLATTER COMPANY, MINNEAPOLIS, MINNESOTA  
23. December 1960 2137 P. H. KIRKHAM, CLERK OF RECORDS \$10.75

# Tomahawk Hills 2nd

Plat and Dedication  
Filed 12-29-60, in Book 1106 at Page 154, Instrument No. \_\_\_\_\_  
Grants a perpetual easement in favor of  
Omaha Public Power District,  
U.S. West Communications  
Northwestern Bell Telephone Company  
and any cable company granted a cable television franchise system,  
and /or

No EASE

for utility, installation and maintenance  
on, over, through, under and across  
or

a \_\_\_\_\_ foot wide strip of land abutting the front and the side boundary lines of all lots;  
an \_\_\_\_\_ foot wide strip of land abutting the rear boundary line of all interior lots;  
and a \_\_\_\_\_ foot wide strip of land abutting the rear boundary line of all exterior lots.

Does it include the following?? Yes or No (Circle One)  
Also grants an easement to Metropolitan Utilities District \_\_\_\_\_ for utility,  
installation and maintenance on, through, under and across a \_\_\_\_\_ foot wide strip of land  
abutting all cul-de-sac streets.

Any additional info,

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Declaration of Covenants, Conditions, Restrictions and Easements,

Restrictive Covenants  
Protective Covenants

X

or

Filed 12-29-60, in Book 362 at Page 355, Instrument No. \_\_\_\_\_  
Omaha Public Power District,  
U.S. West Communications  
Northwestern Bell Telephone Company  
and any cable company granted a cable television franchise system,  
and /or

for utility, installation and maintenance  
on, over, through, under and across  
or

a \_\_\_\_\_ foot wide strip of land abutting the front and the side boundary lines of all lots;  
an \_\_\_\_\_ foot wide strip of land abutting the rear boundary line of all interior lots;  
and a \_\_\_\_\_ foot wide strip of land abutting the rear boundary line of all exterior lots.

Does it include the following?? Yes or No (Circle One)  
Also grants an easement to Metropolitan Utilities District \_\_\_\_\_ for utility,  
installation and maintenance on, through, under and across a \_\_\_\_\_ foot wide strip of land  
abutting all cul-de-sac streets.

Does it include the Following?? Homeowners Association Yes or No. (Circle One)

Does it include the following ?? Possible Telephone Connection Charge Yes or No (Circle One)

Any additional info.

EASEMENT FOR INSTALLATION AND MAINTENANCE  
OF UTILITIES AND DRAINAGE FACILITIES

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Easement Right of Way 1<sup>st</sup>, 2<sup>nd</sup> 3<sup>rd</sup> or \_\_\_\_\_ Amendment to \_\_\_\_\_  
Dated 6-20-61 Filed 6-22-61 Book 367 at Page 165, Instrument No. \_\_\_\_\_

EASEMENT TO NWBTC & OPPD TO CONSTRUCT AND MAINTAIN  
ELECTRIC & TELEPHONE UTILITIES

See Attach Copy