

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 2, 2010

The governing body met in regular session on June 2, 2010, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and City Clerk Crum.

Mayor Hattan declared that a quorum was present and called the meeting to order.

Visitors: Jessica LeDuc, Toby Nosker, Ken Johnson, Frank Mercurio, Kevin Shamburg, Jean Rosemarynoski, Tom Tuggle, Verna Ferguson, Deb Ohlde, Tina Barnett, Kirk Lowell, Dallas Nading, Crystal Paredes, Jim Coash, Darlene Hepperly, Jean Swiercinsky, Janet Lowell, Marcia Johnson, Suzy Tuggle, Don Dean, Cheryl Lanoue, Gaye Newlin, Lisa Partridge. Staff present: Chad Buckley, director of public utilities; Bruno Rehbein, building inspector; Larry Eubanks, fire chief; Ron Copple, director of public works; Chris Edin, chief of police.

Pastor Tina Barnett gave the invocation, followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. City Manager Uri asked that the commission approve the resolutions out of numerical order, as they are not in order on the agenda. He also said that Finance Director Farha would present two invoices for payment needing approval before the next meeting. Also, a resolution needs authorized for the CDBG grant, and an engineering contract needs approved.

APPROVAL OF MINUTES**APPROVED**

Commissioner Wentz moved to approve the minutes of the May 5, 2010, meeting. Commissioner Johnson seconded. Motion carried unanimously.

Commissioner Johnson moved to approve the minutes of the May 19, 2010, meeting. Commissioner Hosie seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #10**APPROVED**

Concerning the \$1100 labor charge to Phone Connections, Commissioner Johnson asked if an employee could be trained to work on the phone system, or if someone local could be hired. City Manager Uri said we have to have someone who is familiar with our phone system, and the alternative would be to purchase a new phone system which would be very costly.

Commissioner Hosie moved to approve appropriation ordinance #10. Commissioner Fraser seconded. Motion carried unanimously.

Finance Director Farha produced two invoices for approval that require payment before the next meeting. These invoices were for payment on temporary notes that were called early, and the first payment to J&K Construction, the contractor on the north development.

Commissioner Fraser moved to approve payment of these two invoices. Commissioner Wentz seconded. Motion carried unanimously.

PUBLIC COMMENTS

Lisa Partridge said she was concerned about truck traffic using the railroad right of way near 4th Street as a detour to avoid the 5th Street construction. The commission and Ron Copple said that, though the concerns are valid, the street is a private drive not owned by the City, and traffic and speed could not be enforced. Rock is being put down to help with ruts and potholes.

PUBLIC HEARING**CDBG GRANT APPLICATION – BROADWAY SEWER**

Ken Johnson explained the need for the replacement of a section of sewer on Broadway.

Mayor Hattan moved to close the public hearing. Commissioner Johnson seconded. Motion carried unanimously.

Deb Ohlde presented application paperwork for the grant. She said this grant is similar to the one the City applied for last year, except that the match requirement of 15% is lower, and a new resolution is required for the change in funds requested due to scaling back the project.

Commissioner Johnson moved to approve Res. 2010-1879. Commissioner Fraser seconded. Motion carried, with the vote being as follows:

Yea: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Nay: None.

Ms. Ohlde explained all paperwork needing approval that will be included with the grant application.

Mayor Hattan moved to adopt the Residential Anti-Displacement and Relocation Assistance Plan. Commissioner Johnson seconded. Motion carried unanimously.

Commissioner Hosie moved to authorize the mayor to sign the agreement for professional services with Campbell & Johnson, contingent upon receiving the funds. Commissioner Fraser seconded. Motion carried unanimously.

NEW BUSINESS:

BUY THE BOOK REVOLVING LOAN

City Manager Uri said the owners have asked to amend their revolving loan eligibility criteria to reflect that the business created 1.25 jobs, rather than 1.5 as stated in the original documentation.

Mayor Hattan moved to approve the Buy the Book revolving loan amendment. Commissioner Wentz seconded. Motion carried unanimously.

TEMPORARY NOTES BIDS

The Clerk reported that pursuant to the Notice of Note Sale heretofore duly given, bids for the purchase of \$1,900,000 principal amount of General Obligation Renewal and Improvement Temporary Notes, Series 2010-1, dated June 1, 2010, of the City had been received. A tabulation of said bids is set forth as *Exhibit A* hereto.

Thereupon, the governing body reviewed and considered the bids and it was found and determined that the bid of Central National Bank, was the best bid for the Notes, a copy of which is attached hereto as *Exhibit B*.

Mayor Hattan moved that said bid be accepted and that the Mayor and Clerk be authorized and directed to execute the bid form selling the Notes to the best bidder on the basis of said bid and the terms specified in the Notice of Note Sale. The motion was seconded by Commissioner Wentz. Said motion was carried by a vote of the governing body with the vote being as follows:

Yea: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Nay: None.

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$1,900,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION RENEWAL AND IMPROVEMENT TEMPORARY NOTES, SERIES 2010-1, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

Thereupon, Commissioner Hosie moved that said Resolution be adopted. The motion was seconded by Commissioner Fraser. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2010-1877 and was signed by the Mayor and attested by the Clerk.

KLA ENVIRONMENTAL – SOUTH CONCORDIA FLOOD CONTROL

City Manager Uri said he had received contact from the Corps of Engineers since the last meeting, expressing interest in working with KLA Environmental Services on the dam project. Any monies paid to KLA, should the City continue with the Corps, would be considered as contribution match. KLA would be considered a subcontractor for the Corps, and the \$200,000 pledged for the feasibility study would be paid to KLA.

Frank Mercurio, of KLA Environmental, gave a power point presentation on the project. KLA's estimate of the total project cost is \$1,828,500. Mr. Mercurio gave a time frame estimate of six months for the design and permit application, twelve months for approval of permits, and twelve months for construction.

Mr. Mercurio said a vital decision for the commission now will be to decide the configuration of the land for development; whether to follow the contours of the land, or do extensive dirt work to make the property square.

City Manager Uri said that after a teleconference call next week with a Corps representative and Mr. Mercurio, there may be a contract for consideration by the next meeting.

CAMPBELL & JOHNSON CONTRACT FOR 11TH STREET SEWER REPAIR

The contract is for sewer repair between 10th & 11th St. in the alley, east of Broadway, and is for engineer & construction administration.

Commissioner Wentz moved to approve the contract with Campbell & Johnson for the 11th Street sewer project. Commissioner Johnson seconded. Motion carried unanimously.

SAFETY MANUAL

Larry Eubanks said that he took the old safety manual and updated it to IMA's standards. Commissioner Wentz said she had several suggestions for changes. Mr. Eubanks asked for all commissioner suggestions before making copies for all City employees.

Commissioner Hosie moved to approve the safety manual with corrections. Commissioner Fraser seconded. Motion carried unanimously.

PRAIRIE LAND ELECTRIC FRANCHISE – ORD. 2010-2997

PASSED

Thereupon, there was presented an ordinance entitled:

AN ORDINANCE GRANTING PRAIRIE LAND ELECTRIC COOPERATIVE, INC., ITS LESSEES, SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE AND THE AUTHORITY TO CONSTRUCT, OPERATE, MAINTAIN, AND EXTEND AN ELECTRIC DISTRIBUTION PLANT AND SYSTEM, AND GRANTING THE RIGHT TO USE THE STREETS, ALLEYS, AND OTHER PUBLIC PLACES WITHIN THE PRESENT OR FUTURE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS, EXCLUDING THAT PORTION OF THE CORPORATE LIMITS KNOWN AS THE NORTH DEVELOPMENT, AS DESCRIBED IN ATTACHED EXHIBIT A AND HEREAFTER REFERRED TO AS THE NORTH DEVELOPMENT

Thereupon, Commissioner Fraser moved that said ordinance be passed. The motion was seconded by Mayor Hattan. Said ordinance was duly read and considered, and upon being put, the motion for the passage of said ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2010-2997 and was signed by the Mayor and the signature attested by the City Clerk.

CMB LICENSE – EL PUERTO

Commissioner Johnson moved to approve the CMB license for El Puerto. Commissioner Fraser seconded. Motion carried unanimously.

RESOLUTIONS:

2010-1878 CURB & GUTTER IMPROVEMENTS

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CONCORDIA, KANSAS, AND AUTHORIZING SUCH IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY AND K.S.A. 12-6a01 ET SEQ.

Thereupon, Commissioner Wentz moved that said Resolution be adopted. The motion was seconded by Commissioner Johnson. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly

MANAGER'S REPORT

City Manager Uri said the corporation commission had approved Prairie Land's franchise agreement for the north development.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Wentz thanked the animal control officer for the contact she has made with an Iowa rescue to save several dogs. Commissioner Wentz asked the departments receiving Kawasaki Mules from Womack how these vehicles will be used. Chris Edin said the police department will use it for closer contact with the public, and to patrol areas such as the park and the 5th Street construction. Larry Eubanks said the fire department will use their Mule for fire prevention activities.

Commissioner Johnson asked if there was an ordinance for picking up dead animals on the street. City Manager Uri said that animal control takes care of that. Commissioner Johnson asked if ammo could be purchased locally. Chris Edin promised to look into that the next time he orders.

Commissioner Fraser said that it is likely loaded trucks will use 3rd Street as a detour. City Manager Uri said AgMark could be contacted to let the drivers know.

Mayor Hattan said we could contact the railroad to stop all traffic if problems arise.

STAFF COMMENTS

Larry Eubanks said the fire truck that was placed on the Purple Wave auction site sold for \$10,230 to Gove fire department.

Ken Johnson gave an update on the north development construction on 2nd Street, which is now crossing Washington Street.

Don Dean of Campbell & Johnson gave an update on the 5th Street project.

Chad Buckley discussed the progress of the booster pump building project.

Bruno Rehbein said there is money left for demo projects, as there has been less interest this year in participating. He also said the LDS Church project has been slowed due to the rains.

EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGE

HELD

Mayor Hattan moved that the commission recess into executive session for five (5) minutes for attorney client privilege. Inviting: City Manager Uri. Commissioner Wentz seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Wentz, Johnson, Hosie, and Fraser.

Nay: None.

Time: 8:07 p.m.

The commission reconvened at 8:12 p.m.


Mayor Hattan announced there was no binding action taken.

ADJOURN

Mayor Hattan announced there would be a study session following the adjournment of the meeting.

There being no further business, Mayor Hattan moved to adjourn the meeting. Commissioner Hosie seconded. Motion carried unanimously.

(Seal)



Stacey Crum
City Clerk

Exhibit A

City of Concordia North Development

The North Development is described as:

Concordia Tractor, Inc. tract:

A tract of land in the Southeast Quarter SE $\frac{1}{4}$ of the Southwest Quarter SW $\frac{1}{4}$ of Section Sixteen (16), Township Five (5) South, Range Three (3) West of the 6th P.M., Cloud County, Kansas, more fully described as follows:

Commencing at the Southwest corner of said section; thence N 87°33'55" E along the south line of said section for a distance of 1320.13 feet to the Southeast corner of the Southwest Quarter of the Southwest Quarter; thence N 00°55'46" W for a distance of 50.00 feet to the Point of Beginning, which is also the Public Road Right-of-Way; thence N 00°55'46" W for a distance of 775.76 feet; thence N 87°34'20" E for a distance of 1120.91 feet to the Highway 81 Right-of Way line; thence S 01°28'50" E along the Highway 81 Right-of Way line for a distance of 53.35 feet; thence S 03°14'35" E along the Highway 81 Right-of-Way line for a distance of 650.31 feet; thence S 69°38'53" W along the Highway Right-of Way line for a distance of 233.32 feet; thence S 87°33'55" W along the Public Road Right-of Way line for a distance of 927.57 feet to the Point of Beginning, containing 20 acres more or less.

Cloud County Development Corporation tract:

A tract of land in the Northeast Quarter (NE/4) of Section Twenty one (21), Township Five (5) South, Range Three (3) West of the 6th Principal Meridian in Cloud County, Kansas, more fully described as follows:

Commencing at the Northeast corner of the NE/4 of Section 21-5-3; thence South 87 Degrees 44 Minutes 34 Seconds West along the North line of the NE/4 for a distance of 1177.96 feet to the POINT OF BEGINNING; thence South 00 Degrees 16 Minutes 11 Seconds East for a distance of 30.02 feet to the South Right of Way line of a public road; thence continuing South 00 Degrees 16 Minutes 11 Seconds East for a distance of 1414.47 feet to the South line of the North Sixty (60) acres of the East One hundred ten (110) acres of the NE/4 as determined by Mr. Ralph E. Campbell, PE #902 in a survey filed of record in the Cloud County Register of Deeds Office in Misc. Book 38, Page 591; thence South 87 Degrees 55 Minutes 36 Seconds West along said South line for a distance of 642.83 feet; thence North 01 Degrees 00 Minutes 53 Seconds West for a

distance of 148.35 feet; thence South 87 Degrees 43 Minutes 12 Seconds West for a distance of 735.31 feet to a point on the East Right of Way line of U.S. Highway 81 that is 99.70 feet East and 1348.22 feet North of the Southwest corner of the NE/4 of Section 21-5-3; thence North 01 Degrees 28 Minutes 50 Seconds West along the East Right of Way line for a distance of 889.48 feet; thence with a curve turning to the right with an arc length of 562.83 feet, with a radius of 499.67 feet, with a chord bearing of North 49 Degrees 39 Minutes 16 Seconds East, with a chord length of 533.55 feet to a point that is 75.0 feet South and 513.20 feet East of the Northwest Corner of the NE/4; thence North 02 Degrees 15 Minutes 59 Seconds West for a distance of 45.00 feet to the South Right of Way line of a public road going East; thence continuing North 02 Degrees 15 Minutes 59 Seconds West for a distance of 30.00 feet to the North line of the NE/4 of Section 21-5-3; thence North 87 Degrees 44 Minutes 34 Seconds East along said North line for a distance of 993.04 feet to the POINT OF BEGINNING. Containing an area of 41.95 acres, more or less, which includes 0.68 acres of public road right of way along the North side of the tract.

and

A tract of land in the Northeast Quarter (NE/4) of Section Twenty one (21), Township Five (5) South, Range Three (3) West of the 6th Principal Meridian in Cloud County, Kansas, more fully described as follows:

Commencing at the Northeast corner of the NE/4 of Section 21-5-3; thence South 87 Degrees 44 Minutes 34 Seconds West along the North line of the NE/4 for a distance of 162.00 feet to the POINT OF BEGINNING; thence continuing South 87 Degrees 44 Minutes 34 Seconds West along the North line of the NE/4 for a distance of 424.29 feet; South 02 Degrees 15 Minutes 26 Seconds East for a distance of 30.00 feet to the South Right of Way line of a public road; thence in a Southerly direction along a drainage ravine whose centerline is describe as; thence South 04 Degrees 35 Minutes 17 Seconds West for a distance of 63.25 feet; thence South 02 Degrees 01 Minutes 02 Seconds West for a distance of 39.30 feet; thence South 01 Degrees 12 Minutes 28 Seconds East for a distance of 78.51 feet; thence South 02 Degrees 52 Minutes 28 Seconds East for a distance of 38.01 feet; thence South 18 Degrees 01 Minutes 44 Seconds East for a distance of 35.68 feet; thence South 12 Degrees 50 Minutes 00 Seconds East for a distance of 24.53 feet; thence South 03 Degrees 53 Minutes 06 Seconds West for a distance of 46.95 feet; thence North 83 Degrees 21 Minutes 50 Seconds East for a distance of 23.74 feet; thence South 05 Degrees 24 Minutes 03 Seconds East for a distance of 47.78 feet; thence South 38 Degrees 56 Minutes 22 Seconds East for a distance of 20.36 feet; thence North 86 Degrees 33 Minutes 48 Seconds East for a distance of 42.03 feet; thence South 60 Degrees 17 Minutes 56 Seconds East for a distance of 20.61 feet; thence South 29 Degrees 20 Minutes 05 Seconds East for a

distance of 71.59 feet; thence South 22 Degrees 39 Minutes 56 Seconds West for a distance of 17.68 feet; thence South 08 Degrees 46 Minutes 09 Seconds West for a distance of 46.01 feet; thence South 53 Degrees 09 Minutes 53 Seconds East for a distance of 30.96 feet; thence South 26 Degrees 57 Minutes 21 Seconds East for a distance of 86.47 feet; thence South 01 Degrees 54 Minutes 32 Seconds West for a distance of 25.78 feet; thence South 45 Degrees 58 Minutes 43 Seconds West for a distance of 51.25 feet; thence South 55 Degrees 16 Minutes 36 Seconds West for a distance of 36.82 feet; thence South 31 Degrees 15 Minutes 06 Seconds East for a distance of 135.06 feet; thence South 19 Degrees 00 Minutes 46 Seconds East for a distance of 78.53 feet; thence South 06 Degrees 38 Minutes 57 Seconds East for a distance of 40.77 feet; thence South 40 Degrees 53 Minutes 25 Seconds East for a distance of 81.08 feet; thence South 03 Degrees 05 Minutes 21 Seconds East for a distance of 68.63 feet; thence South 33 Degrees 51 Minutes 45 Seconds East for a distance of 73.74 feet; thence South 42 Degrees 26 Minutes 13 Seconds East for a distance of 54.17 feet; thence South 32 Degrees 58 Minutes 52 Seconds East for a distance of 83.57 feet; thence South 19 Degrees 59 Minutes 56 Seconds East for a distance of 58.13 feet; thence South 04 Degrees 40 Minutes 47 Seconds West for a distance of 44.92 feet; thence South 09 Degrees 08 Minutes 43 Seconds East for a distance of 50.30 feet; thence South 05 Degrees 52 Minutes 16 Seconds East for a distance of 26.03 feet to the South line of the North Sixty(60) acres of the East One hundred ten (110) acres of the NE/4 as determined by Mr. Ralph E. Campbell, PE#902 in a survey filed of record in the Cloud County Register of Deeds Office in Misc. Book 38, page 591; thence North 87 Degrees 55 Minutes 36 Seconds East for a distance of 299.32 feet to the West Right of Way line of a public road; thence continuing North 87 Degrees 55 Minutes 36 Seconds East for a distance of 20.00 feet to the East line of the NE/4; thence North 00 Degrees 52 Minutes 20 Seconds West for a distance of 127.17 feet to the Southeast corner of the North half (N/2) of the NE/4 ; thence North 00 Degrees 16 Minutes 11 Seconds West for a distance of 514.07 feet to a point 807.00 feet South of the Northeast corner of the NE/4; thence South 87 Degrees 44 Minutes 34 Seconds West for a distance of 20.00 feet to the West Right of Way line of a public road; thence continuing South 87 Degrees 44 Minutes 34 Seconds West for a distance of 142.00 feet; thence North 00 Degrees 16 Minutes 11 Seconds West for a distance of 777.00 feet to the South Right of Way line of public road; thence continuing North 00 Degrees 16 Minutes 11 Seconds West for a distance of 30.00 feet to the POINT OF BEGINNING. Containing an area of 15.80 acres, more or less, including 0.70 acres of public road right of way.

And

Kansas Department of Transportation tract:

A tract of land in the Northeast Quarter (NE/4) of Section Twenty one (21), Township Five (5) South, Range Three (3) West of the 6th Principal Meridian in Cloud County, Kansas, more fully described as follows:

Commencing at the Northeast corner of the NE/4 of Section 21-5-3; thence South 87 Degrees 44 Minutes 34 Seconds West along the North line of the NE/4 for a distance of 748.29 feet to the POINT OF BEGINNING; thence South 02 Degrees 15 Minutes 26 Seconds East for a distance of 30.00 feet to the South Right of Way line of a public road; thence in a Southerly direction along a drainage ravine whose centerline is described as; thence South 04 Degrees 35 Minutes 17 Seconds West for a distance of 63.25 feet; thence South 02 Degrees 01 Minutes 02 Seconds West for a distance of 39.30 feet; thence South 01 Degrees 12 Minutes 28 Seconds East for a distance of 78.51 feet; thence South 02 Degrees 52 Minutes 28 Seconds East for a distance of 38.01 feet; thence South 18 Degrees 01 Minutes 44 Seconds East for a distance of 35.68 feet; thence South 12 Degrees 50 Minutes 00 Seconds East for a distance of 24.53 feet; thence South 03 Degrees 53 Minutes 06 Seconds West for a distance of 46.95 feet; thence North 83 Degrees 21 Minutes 50 Seconds East for a distance of 23.74 feet; thence South 05 Degrees 24 Minutes 03 Seconds East for a distance of 47.78 feet; thence South 38 Degrees 56 Minutes 22 Seconds East for a distance of 20.36 feet; thence North 86 Degrees 33 Minutes 48 Seconds East for a distance of 42.03 feet; thence South 60 Degrees 17 Minutes 56 Seconds East for a distance of 20.61 feet; thence South 29 Degrees 20 Minutes 05 Seconds East for a distance of 71.59 feet; thence South 22 Degrees 39 Minutes 56 Seconds West for a distance of 17.68 feet; thence South 08 Degrees 46 Minutes 09 Seconds West for a distance of 46.01 feet; thence South 53 Degrees 09 Minutes 53 Seconds East for a distance of 30.96 feet; thence South 26 Degrees 57 Minutes 21 Seconds East for a distance of 86.47 feet; thence South 01 Degrees 54 Minutes 32 Seconds West for a distance of 25.78 feet; thence South 45 Degrees 58 Minutes 43 Seconds West for a distance of 51.25 feet; thence South 55 Degrees 16 Minutes 36 Seconds West for a distance of 36.82 feet; thence South 31 Degrees 15 Minutes 06 Seconds East for a distance of 135.06 feet; thence South 19 Degrees 00 Minutes 46 Seconds East for a distance of 78.53 feet; thence South 06 Degrees 38 Minutes 57 Seconds East for a distance of 40.77 feet; thence South 40 Degrees 53 Minutes 25 Seconds East for a distance of 81.08 feet; thence South 03 Degrees 05 Minutes 21 Seconds East for a distance of 68.63 feet; thence South 33 Degrees 51 Minutes 45 Seconds East for a distance of 73.74 feet; thence South 42 Degrees 26 Minutes 13 Seconds East for a distance of 54.17 feet; thence South 32

Degrees 58 Minutes 52 Seconds East for a distance of 83.57 feet; thence South 19 Degrees 59 Minutes 56 Seconds East for a distance of 58.13 feet; thence South 04 Degrees 40 Minutes 47 Seconds West for a distance of 44.92 feet; thence South 09 Degrees 08 Minutes 43 Seconds East for a distance of 50.30 feet; thence South 05 Degrees 52 Minutes 16 Seconds East for a distance of 26.03 feet to the South line of the North Sixty (60) acres of the East One hundred ten (110) acres of the NE/4 as determined by Mr. Ralph E. Campbell, PE #902 in a survey filed of record in the Cloud County Register of Deeds Office in Misc. Book 38, Page 591; thence South 87 Degrees 55 Minutes 36 Seconds West along said South line for a distance of 859.85 feet; thence North 00 Degrees 16 Minutes 11 Seconds West for a distance of 1414.47 feet to the South Right of Way line of a public road; thence continuing North 00 Degrees 16 Minutes 11 Seconds West for a distance of 30.02 feet to the North line of the NE/4 of Section 21-5-3; thence North 87 Degrees 44 Minutes 34 Seconds East along said North line for a distance of 429.67 feet to the POINT OF BEGINNING. Containing an area of 20.30 acres, more or less, including 0.30 acres of public road right of way along the North side of the tract.

ATTACHMENTS

IN

FILE