



BUFFALO COUNTY ZONING & FLOODPLAIN

Buffalo County Courthouse
1512 Central Avenue
PO Box 1270
Kearney, NE 68848
Phone: (308) 236-1998
Fax: (308) 236-1870
Email: zoning@buffalocounty.ne.gov

ZONING AGENDA ITEM #1

MEETING DATE: May 26, 2026

AGENT: Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc.

SUBJECT: Application for Vacation to vacate Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska

Discussion:

Per Subdivision Regulations, Section 3.22 C (2), "...If the vacation concerns vacation or any plat, other than an administrative type plat allowed in Section 3.02 proceedings shall commence before the Planning and Zoning Commission for that Commission's suggestion to the Board to recommend or not recommend vacation together with any conditions thought necessary..."

The following are impacted parcel ids: 240173230, 240173265, 240173260, 240173255, 240173250, 240173245, 240173270, and 240173235. Zoning District: Agriculture (AG).

At the April 16, 2026 Buffalo County Planning Commission Meeting, a motion was made by Secretary Jeffs and seconded by Mr. Chaney to recommend forwarding the Application for Vacation, on an 9-0 vote, with no abstentions and no absences.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: None.

No opposition was received regarding the Application for Vacation.

If the Application for Vacation is approved, the applicant has requested to rezone said tracts from Agriculture (AG) to Agricultural – Residential 1 (AGR - 1) as shown on Agenda Item #2.

ZONING AGENDA ITEM #2

MEETING DATE: May 26, 2026

AGENT: Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc.

SUBJECT: Application for Zoning Map Amendment to Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, to rezone approximately 4.29 Acres, more or less, from Agriculture (AG) to Agricultural – Residential 1 (AGR - 1).

Discussion:

Per Zoning Regulations, Section 11.2, the Board of Commissioners must review any zoning map amendments, after recommendation of the Planning & Zoning Commission. The applicant is seeking to rezone approximately 4.29 Acres, more or less, from Agriculture (AG) to Agricultural – Residential 1 (AGR - 1)

This property is located east of Highway 10 and along Golfside Drive. The following are impacted parcel ids: 240173230, 240173265, 240173260, 240173255, 240173250, 240173245, 240173270, and 240173235.

Considerations:

- A. The need and justification for the change.
- B. When pertaining to a change in the district classification of property, the effect of the change, if any, on the property and on surrounding properties.
- C. When pertaining to a change in the district classification of property, the amount of undeveloped land in the general area and in the county having the same district classification as requested.
- D. The relationship of the proposed amendment to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purpose of this Resolution and the Comprehensive Plan.

At the April 16, 2026 Buffalo County Planning Commission Meeting, a motion was made by Mr. Stubblefield and seconded by Mr. Sedlacek to recommend forwarding the Application for Zoning Map Amendment favorably, on an 9-0 vote, with no abstentions and no absences.

Upon roll call vote, the following Board members voted “Aye”: Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting “Nay”: None.

Abstain: None.

Absent: None.

No opposition was received for this application.

ZONING AGENDA ITEM #3

MEETING DATE: May 26, 2026

AGENT: Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc.

SUBJECT: Application for Preliminary Subdivision for a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, also known as Golfside Estates, Lots 23-24 and Lots 26-31.

Discussion:

Per Subdivision Regulations, Section 3.09 (A-C), the Board, after notice and public hearing, shall approve the preliminary plat, disapprove the preliminary plat, or approve with conditions, to satisfy Buffalo County Subdivision Regulations.

At the April 16, 2026 Buffalo County Planning Commission Meeting, a motion was made by Vice-Chairperson Keep and seconded by Mr. Kreutzer to recommend forwarding the Application for Preliminary Subdivision, favorably, on an 9-0 vote, with no abstentions and no absences.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: None.

No opposition was received for this application.

ZONING AGENDA ITEM #4

MEETING DATE: May 26, 2026

AGENT: Trenton Snow, licensed land surveyor, on behalf of Brent M. Carmody, Managing Member of Carmody Farms, L.L.C.

SUBJECT: Approval of proposed final plat, phase 1, “Eagle Hill Estates First Subdivision Addition” for a tract of land located in part of the South Half of the Northeast Quarter and Part of the North Half of the Southeast Quarter of Section Twenty-Seven (27), Township Nine (9) North, Range Seventeen (17) West of the 6th p.m., Buffalo County, Nebraska.

Preliminary Plat

At the July 18, 2024 Buffalo County Planning Commission Meeting, a motion was made by Mr. Biehl, and seconded by Secretary Wolfe to favorably recommend the Application for Preliminary Subdivision, “Eagle Hill Estates”, as presented.

Upon roll call vote, the following Board members voted “Aye”: Biehl, Jeffs, Keep, Schmidt, Vacek, Wolfe, and Brady.

Voting “Nay”: None.

Abstain: None.

Absent: Stubblefield and Vest.

At the August 13, 2024 Board of Commissioners’ Meeting, The Buffalo County Board of Commissioners, by simple majority, voted to approve the preliminary plat, on a preliminary basis, for “Eagle Hill Estates”, via Resolution 2024-34.

Final Plat

Buffalo County Subdivision Regulations, Section 3.19, states: “When the final plat conforms to the approved preliminary plat and the requirements have been accomplished, the Board shall review the final plat for approval. The Board shall approve said final plat if the same conforms to the requirements of this resolution applicable at the time of the approval of the preliminary plat except as provided in Section 3.09 of this chapter. At the time of approval, the Board may set forth conditions and shall also expressly accept or reject any or all offers of dedication.”

Attachments:

- Final Plat Application
- Final Plat Survey & Legal Description
- Proof of Title
- Remnant Acres
- Proof of Title
- Drainage Study
- Grading Plan
- Highway Superintendent Road Report
- Road Maintenance Agreement
- Postal Facilities Design & Location
- Preliminary Plat Information
- Locational/Zoning/Floodplain Aerial Map

ZONING AGENDA ITEM #5

MEETING DATE: May 26, 2026

SUBJECT: Discussion and possible approval of contract for a web-based Permitting & Licensing Platform with Schneider Geospatial (Beacon).

Discussion:

The Buffalo County Zoning Office would like provide an online citizen portal for zoning and floodplain application submissions, payments, and status tracking, as well as staff review dashboards, document generation, and inspection management.

Planning
&
Zoning
Commission
Minutes

April 16, 2026

MINUTES OF PLANNING AND ZONING COMMISSION
APRIL 16, 2026
BUFFALO COUNTY COURTHOUSE
7:00 P.M.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, on April 4, 2026. A copy of the proof of publication is on file in the Zoning Administrator's Office. Advance notice of the meeting was also given to the Planning and Zoning Commission and availability of the Agenda was communicated in the advance notice. The Agenda is available for anyone wanting a copy.

Interim Chairperson Brady opened the meeting at 7:01 P.M. on April 16, 2026.

In Attendance: Joshua Chaney, Willie Keep, Tim Kreutzer, Marc Vacek, Loye Wolfe, Scott Stubblefield, Tammy Jeffs, Jeremy Sedlacek, and Scott Brady.

Quorum has been met.

Also attending were: Deputy County Attorney Andrew Hoffmeister, Deputy County Attorney Josiah Davis and Zoning Administrator Dennise Daniels. There were a few members of the public present.

Interim Chairperson Brady announced The Open Meetings Act and agendas were available if anyone wished to have one.

The public forum was opened at 7:02 P.M. No one spoke. The public forum closed at 7:02 P.M.

Chairperson Brady announced the procedure and etiquette for the upcoming public hearings.

Public Hearing. 5(a)

Chairperson Brady opened one consolidated public hearing for the purpose of gathering evidence for Agenda Items 5(a), 5(b), and 5(c) at 7:03 P.M., regarding an Application for Vacation, Application for Zoning Map Amendment, and Application for Preliminary Subdivision filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., to vacate, rezone approximately 4.29 Acres, more or less, from Agriculture (AG) to Agricultural – Residential 1 (AGR - 1) and create a preliminary plat for Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.

Joshua Gilbertson, licensed land surveyor, of Oak Creek Engineering, at 4004 6th Avenue, Kearney, Nebraska, stepped forward to present the project. Mr. Gilbertson stated that the applicants intend to modify existing lot lines for a part of Golfside Estates. He added that the applicants have also requested the appropriate variances to move forward with the project, as presented in The Commission's packets. He stated that it is the applicants' intent to dissolve a commons lot and make the newly proposed lots larger, which is going to appeal to more buyers to increase development in an area that hasn't been developed in years.

Deputy County Attorney Hoffmeister asked Mr. Gilbertson how many lots were on the plat originally and how many would be created. Mr. Gilbertson stated that they are vacating eight lots and creating five.

Deputy County Attorney Hoffmeister requested confirmation that the commons lot, which is an interior, landlocked tract, will be dissolved. Mr. Gilbertson confirmed.

Deputy County Attorney Hoffmeister asked if the lots abut a subdivision road. Mr. Gilbertson confirmed.

Deputy County Attorney Hoffmeister confirmed that the subdivision road accesses Highway 10. Mr. Gilbertson confirmed.

Deputy County Attorney Hoffmeister requested clarification that the applicants intend to vacate, rezone, and create a preliminary plat, which are three entirely different processes. Mr. Gilbertson confirmed.

Mr. Chaney stated that the state requires a 3-acre minimum lot size. Deputy County Attorney Hoffmeister stated that that the minimum lot size is exempted due to fact that they pre-existed county zoning and Department of Water regulation. They should be considered as nonconforming. However, any lot size less than three acres, he added, will be subject to the Nebraska Department of Water, Environment, and Energy's permeability test. Deputy County Attorney Hoffmeister stated that the lots can be reduced to 70,000 square feet, with Nebraska Department of Water, Environment and Energy's approval.

Mr. Chaney asked if the applicants intend to do individual wells or community wells. Scott Phillips, who identified himself as a successor trustee of the trusts and who resides at 8 A Avenue Place, Pleasanton, Nebraska, testified. He stated that the community well is a possibility for some of the tracts. He added there is one community well already in existence.

Deputy County Attorney Hoffmeister asked Mr. Phillips when the tract was subdivided. Zoning Administrator Daniels stated that the subdivision was created in 1996.

Deputy County Attorney Hoffmeister stated that the Board of Adjustment gave approval to reduce eight lots to five.

Deputy County Attorney asked if the lots were all owned by the same individual. Mr. Gilbertson stated that all the lots are owned by the trusts, except the tract owned by the Welliver's. Deputy

County Attorney Hoffmeister asked if the lots had ever been sold. Mr. Gilbertson stated that they had not been sold since the original platting.

Secretary Jeffs stated that, on behalf of the Board of Adjustment, it was agreed that Buffalo County would not assume responsibility of the road maintenance. Deputy County Attorney Hoffmeister agreed.

Chairperson Brady asked if The Commission had additional questions or concerns. No one spoke.

Deputy County Attorney Hoffmeister stated that the applicants intended to make the land more marketable.

Zoning Administrator Daniels stated that the Future Land Use Map showed rural residential.

Secretary Jeffs added that The Board of Adjustment saw this use as already residential and issuing the relaxation would allow the applicants to move forward with adding more developable land.

Deputy County Attorney asked how many lots had residences. Mr. Gilbertson stated that only one had a residence.

Mr. Chaney asked why there was one interior lot, Lot 25, that hadn't been included in the proposed project. Mr. Gilbertson explained that it was under different ownership.

Chairperson Brady asked if The Commission had other questions for the applicant. No one spoke.

Chairperson Brady advised that he appreciated the development, as presented.

Chairperson Brady asked if anyone from the public wished to speak.

Ryan Ohri, of 1104 E 65th Street Place, Kearney, Nebraska, stepped forward to testify. Mr. Ohri testified that he is the representative/realtor for Lot 25's property owner. He stated that the property owner is in favor of the proposed project. He stated that the property is currently under contract.

Deputy County Attorney Hoffmeister asked Mr. Ohri if he believed the proposed project would enhance the marketability of the properties. Mr. Ohri confirmed.

Mr. Ohri thanked The Commission for their time.

Kent Palmer, of 51 Golfside Drive, Pleasanton, Nebraska, stepped forward to testify. Mr. Palmer testified that he resides in the subdivision and said that he is part of the Homeowners Association. He stated that the Homeowners Association is in favor of the proposed project because the interior lots have not sold since the original platting of the property. He added

removing the landlocked tract is looked upon favorably by the Homeowners Association. He continued that he appreciates five residences, as opposed to eight.

Mr. Palmer thanked The Commission for their time.

John Martin, of 35 Golfside Drive, Pleasanton, Nebraska, identified himself, but did not testify.

Chairperson Brady asked if anyone else wished to testify. No one spoke.

Chairperson Brady closed the public hearing at 7:22 p.m.

Motion was made by Secretary Jeffs, and seconded by Mr. Chaney to recommend favorably the proposed Application for Vacation, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., to vacate Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

Motion was made by Mr. Stubblefield, and seconded by Mr. Sedlacek to recommend favorably the proposed Application for Zoning Map Amendment, filed by Joshua Gilbertson, licensed land surveyor on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., for Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, to rezone approximately 4.29 Acres, more or less, from Agriculture (AG) to Agricultural – Residential 1 (AGR - 1) to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

Motion was made by Vice-Chairperson Keep, and seconded by Mr. Kreutzer to recommend favorably the proposed Application for Preliminary Subdivision, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., for a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, also known as Golfside Estates, Lots 23-24 and Lots 26-31, to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted “Aye”: Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

Old Business

Minutes

Motion was made by Ms. Wolfe and seconded by Mr. Vacek to approve the March 19, 2026 meeting minutes, as presented.

Upon roll call vote, the following Board members voted “Aye”: Keep, Kreutzer, Stubblefield, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

New Business

Report on Previous Hearings

Zoning Administrator Daniels reported that Application for Zoning Map Amendment, filed by Dave Wilke, for property described as a tract of land located in the Northwest Quarter of Section Two (2), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to rezone approximately 7.28 Acres, more or less, from Agricultural -

Residential 2 (AGR - 2) to Commercial (C) will be reviewed by the Board of Commissioners on April 28, 2026. She stated that she will report back.

Zoning Administrator Daniels reviewed one Dawson County Notice and one extra-territorial jurisdictional boundary subdivision; “Butler Third Subdivision” was submitted by the city of Kearney. The Commission reviewed the proposed response and found the letter to be satisfactory, with a submission date correction. Zoning Administrator Daniels stated that the proposed letter would be put in the mail the next day, with the requested correction.

Next Meeting

The next meeting is scheduled for May 21, 2026. Zoning Administrator Daniels stated that she has not received any applications for public review as of that evening.

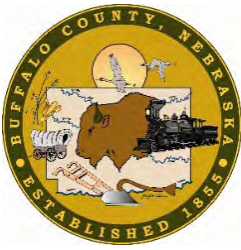
Adjourn

Chairperson Brady adjourned the meeting at 7:34 P.M.

Scott Brady, Chairperson
Buffalo County Planning Commission

Tammy Jeffs, Secretary
Buffalo County Planning Commission

**Board of Commissioner
Denial Report and
Reference Packet**



BUFFALO COUNTY PLANNING & ZONING

To: Buffalo County Board of Commissioners
From: Dennise Daniels, Zoning Administrator
Subject: Summary Report of Denial for Proposed Plat

*Summary Report of Denial for
Proposed Plat Submitted to The
Buffalo County Board of
Commissioners on 12/23/2025.*

On or around September 22, 2025, The Buffalo County Zoning Office received an Application for Preliminary Subdivision for “Golfside #5 Subdivision”, as well as an Application for Vacation of Plat, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., for Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, inventoried as Permits #2025-078 and #2025-079, in the Buffalo County Zoning Records.

While reviewing the proposed plat, “Golfside #5 Subdivision”, and all applicable Zoning and Subdivision Regulations, to ensure compliance, the following regulations, which are including, but not limited to, the subsequent provisions, were considered:

- Buffalo County Subdivision Regulations, Section 1.05, states, “No subdivision of land, regardless of acreage involved, shall be permitted within the jurisdiction of Buffalo County unless the property subdivided and all portions therein abuts before and after subdividing, a dedicated and maintained public street(s) and/or road(s), or private streets as private streets are allowed to be created in this Resolution. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Sec. 2.23 (a) defines a lot as “...A portion of real property containing at least the area required at the time it was created by the zoning district in which it is or was located for use, coverage, and yard space, exclusive of existing, laid out, proposed, or reserved streets, public ways, or roads, abutting and have access to at least one public street, road, or private street as a private street is allowed to be created in this resolution or...”;
- Buffalo County Subdivision Regulations, Section 2.35, defines a street as, “A highway, road, avenue, or boulevard, dedicated to and accessed by the public which affords principal means of access to or abutting property. A private street is not a publicly accessed street. A private street may limit public access by gates, signage, or other means, limits or restricts access on and to the private street. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Section 4.02 (E), states, “All lots shall have a minimum of 25 feet width along a street or road. (Resolution 7-13-2021)”;

TEL: (308) 236-1998
FAX: (308) 236-1870

ZONING@BUFFALOCOUNTY.NE.GOV



1512 CENTRAL AVENUE
P.O. BOX 1270
KEARNEY, NE 68848

- Buffalo County Subdivision Regulations, Sec. 4.03 states, “The location of highways, streets, roads and other rights-of-way shall conform to the locations designated in the Comprehensive Plan. Unless designated a higher use in the Comprehensive Plan, all proposed or existing roads, whether previously vacated or unopened, located upon section lines shall minimally be considered rural local... 66 feet”;
- Buffalo County Subdivision Regulations, Sec 4.07 (C) states, “No lot shall have an area or width less than that required by any zoning resolution.”;
- Buffalo County Subdivision Regulations, Sec 4.07 (E) states, “Every lot shall front upon and have access to a public street or road, except lots may front upon and take access to a private roadway that accesses a public street or road...”;
- Buffalo County Subdivision Regulations, Section 4.11, states, “Streets and roads, whether private as allowed in Chapter 4 or public, within a subdivision shall minimally conform to the Nebraska State Board of Public Roads Classification Local Road RL-2 as to design, grade, maximum grade, tangent sight, traveled width of the road, shoulder width, and other particulars addressed in State Board of Public Road regulations regarding street layout with the dedicated road right of way.”;
- Buffalo County Subdivision Regulations, Section 4.12 (A), states, “Access to and within a subdivision shall be accomplished by dedicated public streets or roads laid out as directed in minimum design standards.”;
- Buffalo County Subdivision Regulations, Section 4.12 (B), states, “Private Street Minimum Width and Operative as Grant of Utility Access and Occupation Private Streets, when created under this Resolution, shall have a minimum street width of sixty-six (66) feet in width and grant access within the private street to entry, occupation, and use by public (Resolution 7-13- 2021).”;
- Buffalo County Subdivision Regulations, Section 5.01, states, “All streets, roads and public ways whether designated public or private within the subdivision shall be graded to the standards described in Chapter 4 of these regulations. Absent a hard surfacing requirement, all streets, roads, and ways whether designated public or private within the subdivision shall be minimally surfaced with three (3) inches of crushed rock embedded into the subgrade during construction and one (1) inch of gravel or higher grade of road surfacing. (Resolution 2-25-2020)”;
- Buffalo County Zoning Regulations, Section 5.12 (8), states: “Single family, ranch, and farm dwellings on a parcel abutting an improved road, meaning a road above county minimum maintenance road classification or public street within approved subdivision, including ranch and farm dwellings; and one additional on farm/ranch single/two family dwellings for the purpose of housing relatives or permanent agriculture workers...”;
- Buffalo County Zoning Regulations, Section 5.16 (2)(A) states that the minimum lot area shall be, “Three (3) acres, with the placement of a maximum of four single family dwellings per U.S. Government surveyed quarter section, on a parcel abutting an improved road (above minimum maintenance road)”;
- Buffalo County Zoning Regulations, Section 5.16 (3) states, “Lots shall have a minimum of twenty-five (25) feet lot width abutting any street or road. (Resolution 7-13-2021).”;
- Buffalo County Zoning Regulations, Section 5.17 states, “There shall be a minimum front yard of not less than the greater of a depth of fifty (50) feet from the right-of-way of street or eighty-three (83) feet from the center of right-of-way.”.

The 3-acre minimum lot size, as referenced under Buffalo County Zoning Regulations, Section 5.16 (2A), for lots in the Agriculture (AG) District is the regulatory standard across the county and state. Wastewater and well setbacks will need to be considered as water wells are replaced and septic tanks and leech fields are created. In 2002, Nebraska enacted provisions relating to wastewater and wastewater discharge. To give effect of a state law, various regulations were put into effect, namely Chapter 124, Chapter 3. These regulations apply state-wide to any lot that is “less than three acres”. The moving of a lot line can invoke a review by DEQ as to whether the subdivision, as now re-created, is compliant as to property line setbacks for the water well, septic tank, and leech field(s).

Furthermore, the subject tract is a pre-zoning created subdivision. It is allowed to exist in its original dimensions as originally created. It can be sold in its original dimensions, without change. If anything about the original lot is revised, it must be created to be compliant.

It should be noted that Buffalo County Zoning Regulations, Section 10.21 states, “No zoning or other structure shall be erected, moved, added to, demolished, or structurally altered, without a zoning permit first having been issued by the Zoning Administrator. No zoning permit shall be issued unless the proposed construction or use is in conformance with all of the provisions of this resolution and with all other applicable codes, regulations and laws of Buffalo County and with all orders, and variances lawfully issued by the Board of Adjustment.” Since the proposed subdivision is non-compliant, the second project, The Application for Vacation will, also, be denied.

With careful consideration given to various chapters and sections regarding the regulatory standards for subdivisions of land in Buffalo County directly affecting the proposed subdivision, and a review of the proposed plat, “Golfside #5 Subdivision ” and accompanying vacation, inventoried as Permits #2025-078 and #2025-079 in the Buffalo County Zoning Records, the preliminary plat, submitted as, “Golfside #5 Subdivision” and the accompanying plat are not compliant and are, therefore, denied based on the above listed reasons 1 through 15.

The applicants and their agent have received a copy of this report. They may seek appeal of the Zoning Administrator and Board of Commissioner’s decision, by requesting a variance within ten (10) days from the review by the Buffalo County Board of Commissioners, under Buffalo County Zoning Regulations, Section 9.4.

**Application for
Vacation &
Accompanying
Documentation**

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO
COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office
1512 Central Ave., PO Box 1270 Kearney, NE 68848
308-236-1998 www.buffalogov.org

Type of Plat Administrative Sub _____ Preliminary Plat _____ Final Plat _____
Vacation of Plat X Variance _____

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: Golfside Estates Date 8/11/25

Owner's name: Ercil D. Phillips family trust also known as the Phillips family trust also known as Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Owner's home address: 2 Praire Hills Rd Pleasanton NE, 68866

Telephone number(home): 308 440 4682 (daytime) _____

Developer's name: Scott R. Phillips, Co-Trustee

Developer's address: 2 Praire Hills Rd Pleasanton NE, 68866

Engineer's name and address: Oak Creek Engineering, P.O. Box 1209 Kearney NE 68848

List all people who own, have liens and other interest _____
Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Present use of property: Residential Lots

Desired use of property: Residential Lots Present Zoning Residential

Legal Description of property: Lots 23-24, 26-31 Golfside Estates

Area of property(square feet and/or acres) 4.29 AC

Number of lots or parcels: 8 Lots

School District 10-0105 Fire District Pleasanton

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: See Attached Signature Sheet Printed Name See Attached Signature Sheet

And agent: _____

Preliminary Plat approval date: _____

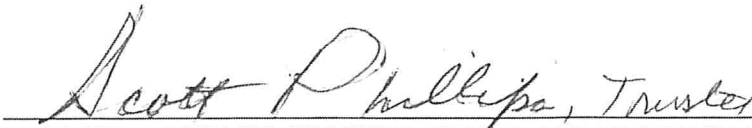
Office Use Only
Permit Number 2025-078
Filing Fee 290.00 Receipt # 975125
Zoning Classification AG
Floodplain Yes or No (No) 9/22/2025
8/09 Date Initial

Action Taken:

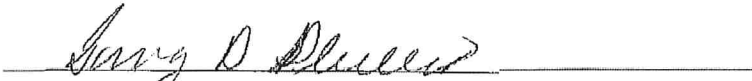
P & Z Recommendation: _____ approved _____ disapproved Date: _____

County Commissioners _____ approved _____ disapproved Date: _____

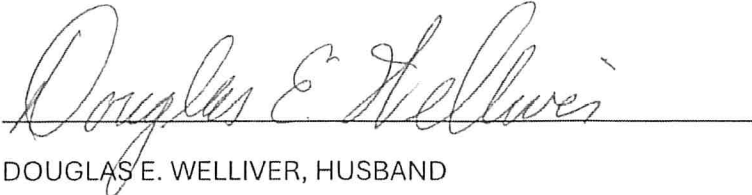
ATTACHMENT 1 - GOLFSIDE ESTATES LOTS 23-24, 26-31 VACATION



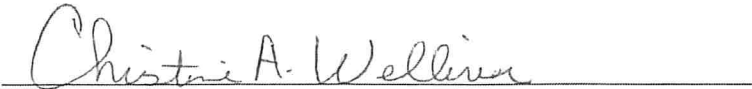
SCOTT R. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST



GARY D. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST



DOUGLAS E. WELLIVER, HUSBAND

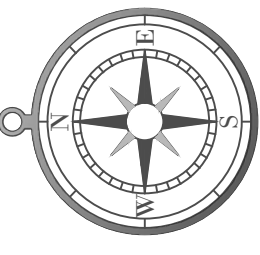


CHRISTINE A. WELLIVER, WIFE

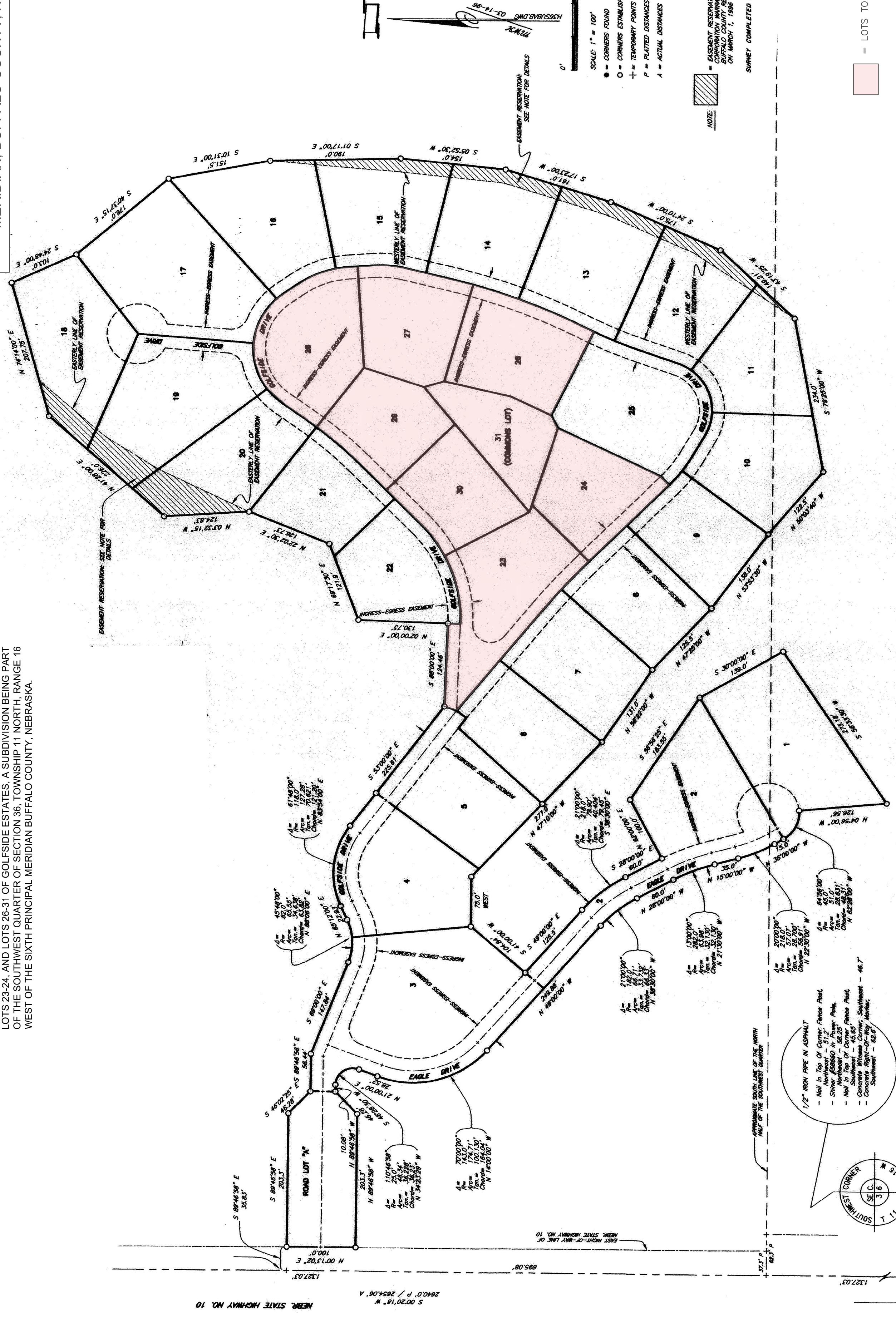


GARRETT SELTZER, PRESIDENT,
GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION INC.

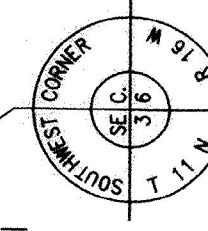
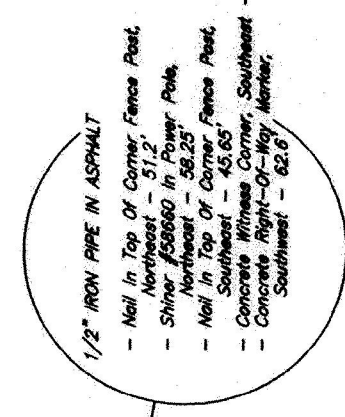
GOLFSIDE ESTATES VACATION MAP
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA



LEGAL DESCRIPTION OF LOTS TO BE VACATED:
 LOTS 23-24, AND LOTS 26-31 OF GOLFSIDE ESTATES, A SUBDIVISION BEING PART
 OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16
 WEST OF THE SIXTH PRINCIPAL MERIDIAN BUFFALO COUNTY, NEBRASKA.



□ = LOTS TO BE VACATED AND REPLATTED



NEBR. STATE HIGHWAY NO. 10
 S 00°20'18" W / 2694.0' P / 2694.06' A
 1327.03'

APPROXIMATE SOUTH LINE OF THE NORTH
 HALF OF THE SOUTHWEST QUARTER

EAST RIGHT-OF-WAY LINE OF
 NEBR. STATE HIGHWAY NO. 10

**Application for
Subdivision, Plat
& Accompanying
Documentation**

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO
COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office
1512 Central Ave., PO Box 1270 Kearney, NE 68848
308-236-1998 www.buffalogov.org

Type of Plat Administrative Sub _____ Preliminary Plat X Final Plat _____
Vacation of Plat _____ Variance _____

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: Golfside #5 Subdivision Date 8/11/25

Owner's name: Ercil D. Phillips family trust also known as the Phillips family trust also known as Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Owner's home address: 2 Prairie Hills Rd Pleasanton NE, 68866

Telephone number(home): 308 440 4682 (daytime) _____

Developer's name: Scott R. Phillips, Co-Trustee

Developer's address: 2 Prairie Hills Rd Pleasanton NE, 68866

Engineer's name and address: Oak Creek Engineering, P.O. Box 1209 Kearney NE 68848

List all people who own, have liens and other interest _____

Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Present use of property: Residential Lots

Desired use of property: Residential Lots Present Zoning Residential

Legal Description of property: Lots 23-24, 26-31 Golfside Estates

Area of property(square feet and/or acres) 4.29 AC

Number of lots or parcels: 5 Lots

School District 10-0105 Fire District Pleasanton

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: See Attached Signature Sheet Printed Name See Attached Signature Sheet

And agent: _____

Preliminary Plat approval date: _____

Office Use Only
Permit Number 2025-079
Filing Fee 490.00 Receipt # 975125
Zoning Classification R9
Floodplain Yes or No No 9/22/2025 and
8/09 Date Initial

Action Taken:

P & Z Recommendation: _____ approved _____ disapproved Date: _____

County Commissioners _____ approved _____ disapproved Date: _____

ATTACHMENT 1 - GOLFSIDE #5 SUBDIVISION

Scott Phillips, Trustee

SCOTT R. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST

Gary D. Phillips

GARY D. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST

Douglas E. Welliver

DOUGLAS E. WELLIVER, HUSBAND

Christine A. Welliver

CHRISTINE A. WELLIVER, WIFE

Garrett Seltzer

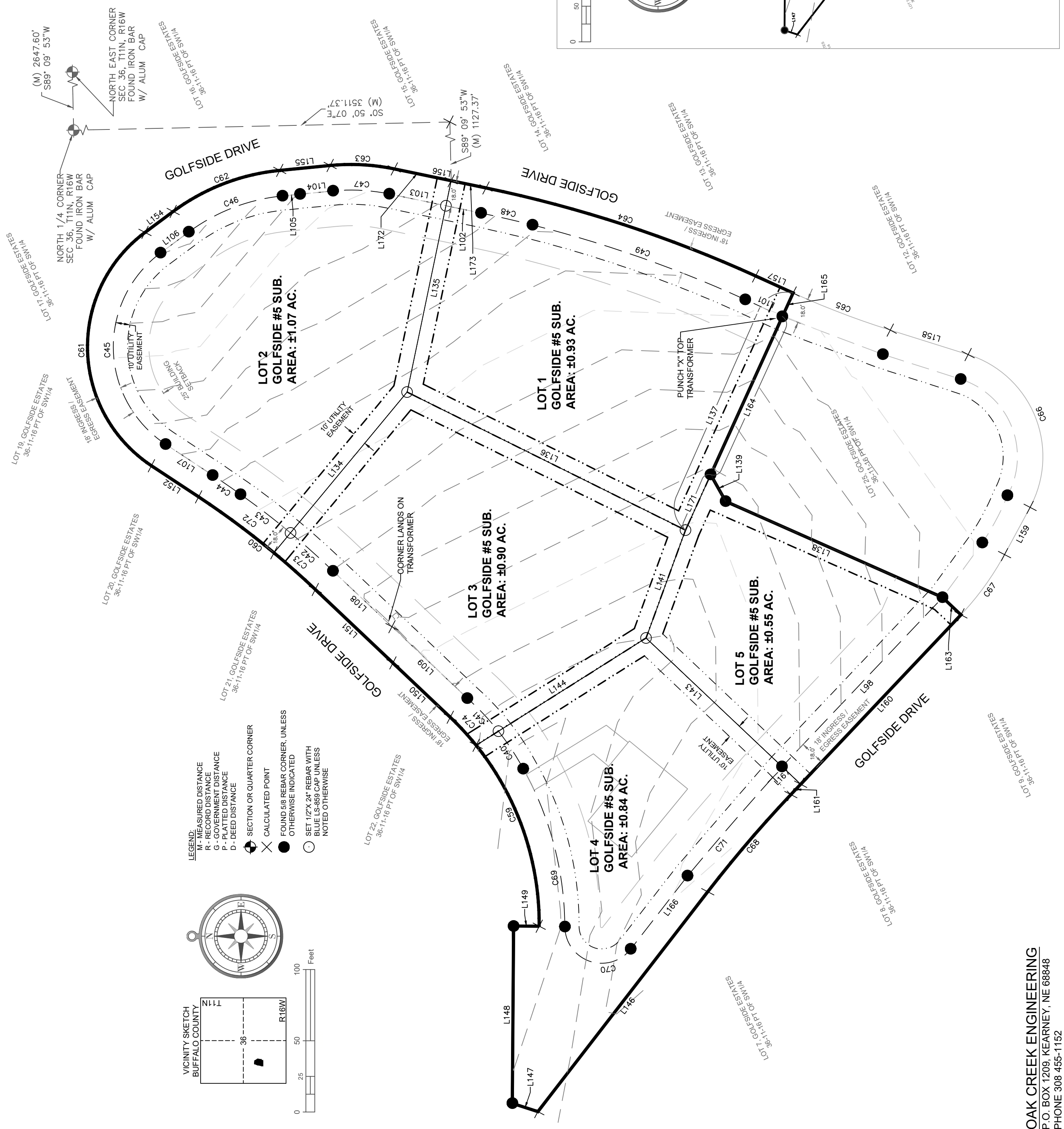
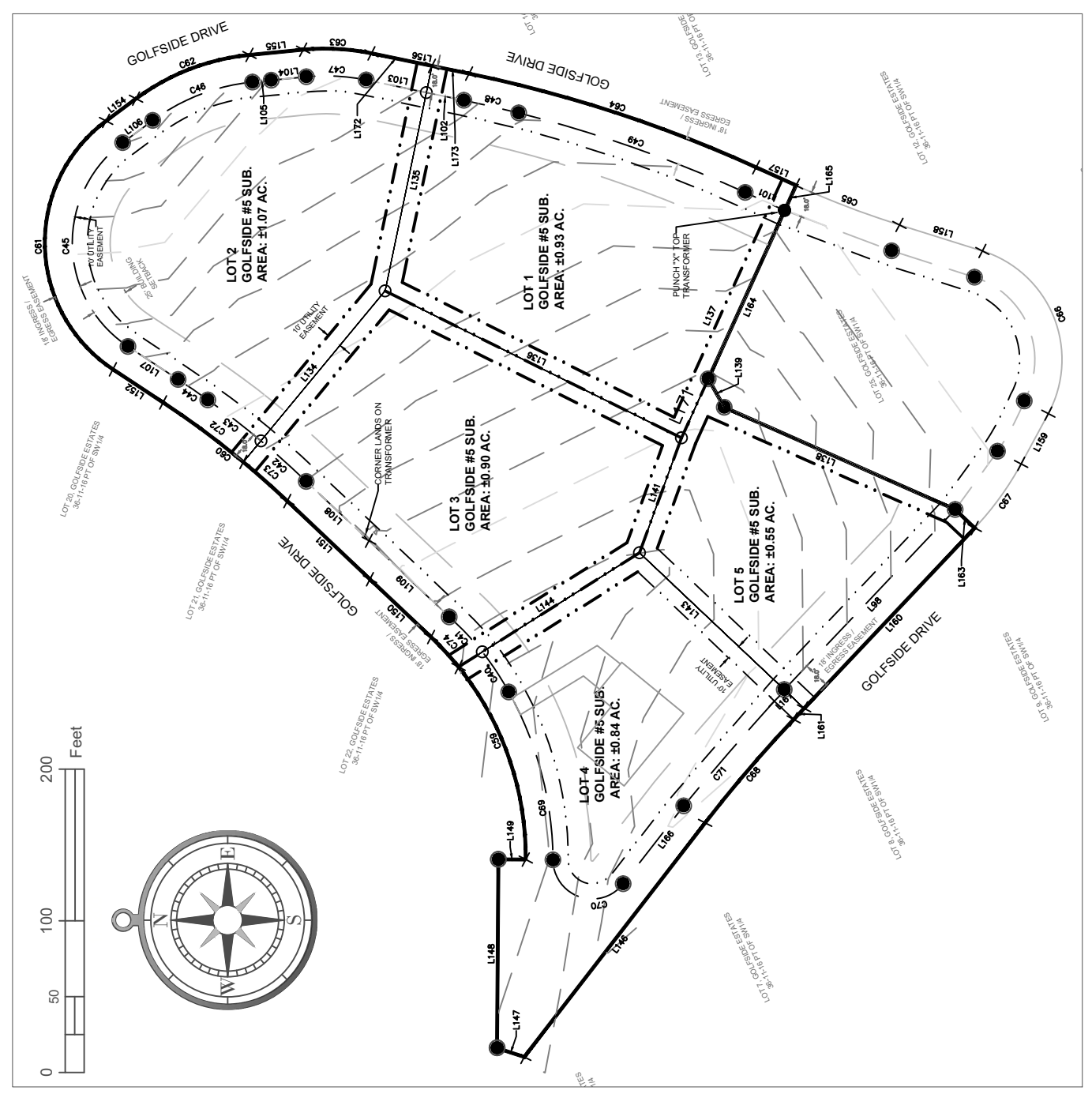
GARRETT SELTZER, PRESIDENT,
GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION INC.

GOLFSIDE #5 SUBDIVISION
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA

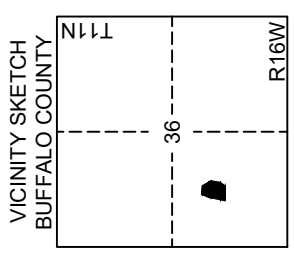
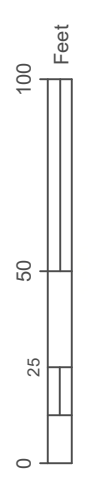
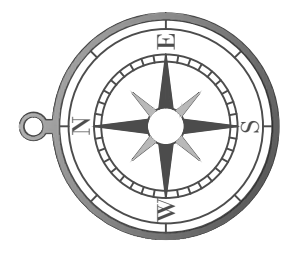
SURVEYOR'S CERTIFICATE
 I, JOSHUA J. GILBERTSON, NEBRASKA REGISTERED LAND SURVEYOR NO. 859, DULY REGISTERED UNDER THE LAND SURVEYOR'S REGULATION ACT, DO HEREBY STATE THAT I HAVE PERFORMED A SURVEY OF THE LAND DEPICTED ON THE ACCOMPANYING PLAT; THAT SAID PLAT IS A TRUE DELINEATION OF SAID SURVEY PERFORMED 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 SURVEYOR'S REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY.

JOSHUA J. GILBERTSON
 NEBR. REG. L.S. NO. 859
 DATE: _____

PRELIMINARY



- LEGEND:**
- M - MEASURED DISTANCE
 - R - RECORD DISTANCE
 - P - PLATTED DISTANCE
 - D - DEED DISTANCE
 - - SECTION OR QUARTER CORNER
 - - CALCULATED POINT
 - - FOUND 1/8" REBAR CORNER, UNLESS OTHERWISE INDICATED
 - - SET 1/2" X 24" REBAR WITH BLUE LS-859 CAP UNLESS NOTED OTHERWISE



GOLFSIDE #5 SUBDIVISION
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA

LEGAL DESCRIPTION:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID SECTION 36, THENCE S89°09'53"W (ASSUMED BEARING) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36 A DISTANCE OF 2647.60 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE S0°50'07"E A DISTANCE OF 3511.37 FEET; THENCE S89°09'53"W A DISTANCE OF 1127.37 FEET TO THE POINT OF BEGINNING; THENCE ON A 900.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 199.58 FEET (LONG CHORD BEARS S18°04'10"W, A DISTANCE OF 199.17 FEET); THENCE S24°25'20"W A DISTANCE OF 28.67 FEET; THENCE S65°34'57"W A DISTANCE OF 121.90 FEET; THENCE S60°36'46"W A DISTANCE OF 21.53 FEET; THENCE S23°52'48"W A DISTANCE OF 166.57 FEET; THENCE S43°28'29"W A DISTANCE OF 17.73 FEET; THENCE N46°34'40"W A DISTANCE OF 163.73 FEET; THENCE N46°34'40"W A DISTANCE OF 10.00 FEET; THENCE ON A 900.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 89.80 FEET (LONG CHORD BEARS N49°26'10"W, A DISTANCE OF 89.76 FEET); THENCE N52°17'40"W A DISTANCE OF 195.06 FEET; THENCE N17°55'20"E A DISTANCE OF 18.87 FEET; THENCE ON A 900.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 124.46 FEET; THENCE S0°25'20"W A DISTANCE OF 18.00 FEET; THENCE ON A 200.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 164.06 FEET (LONG CHORD BEARS N66°55'20"E, A DISTANCE OF 159.50 FEET); THENCE N43°25'20"E A DISTANCE OF 55.38 FEET; THENCE ON A 600.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 104.72 FEET (LONG CHORD BEARS N38°25'20"E, A DISTANCE OF 104.59 FEET); THENCE N33°25'20"E A DISTANCE OF 39.69 FEET; THENCE ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 191.99 FEET (LONG CHORD BEARS N88°25'20"E, A DISTANCE OF 163.83 FEET); THENCE S36°34'40"E A DISTANCE OF 24.64 FEET; THENCE ON A 150.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 81.16 FEET (LONG CHORD BEARS S21°04'40"E, A DISTANCE OF 80.17 FEET); THENCE S5°34'40"E A DISTANCE OF 35.59 FEET; THENCE ON A 150.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 45.28 FEET (LONG CHORD BEARS S3°04'10"W, A DISTANCE OF 45.11 FEET); THENCE S11°43'00"W A DISTANCE OF 65.75 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.29 ACRES (187,156.92 SQUARE FEET) MORE OR LESS AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

Parcel Line Table			
Line #	DIRECTION	LENGTH	LENGTH
L98	N46° 29' 30"W	(M) 163.75'	(R) 163.73'
L101	S24° 31' 01"W	(M) 28.60'	(R) 28.67'
L102	S11° 46' 47"W	(M) 25.25'	-
L103	S11° 46' 47"W	(M) 40.57'	-
L104	S5° 37' 45"E	(M) 23.29'	(R) 23.24'
L105	S5° 43' 35"E	(M) 12.37'	(R) 12.35'
L106	S36° 32' 52"E	(M) 24.69'	(R) 24.64'
L107	N33° 21' 57"E	(M) 39.57'	(R) 39.69'
L108	N43° 21' 19"E	(M) 56.86'	(R) 57.12'
L109	N43° 31' 11"E	(M) 73.07'	(R) 73.27'
L134	S50° 20' 18"E	(M) 146.51'	-
L135	N78° 13' 13"W	(M) 151.56'	-
L136	S26° 22' 13"W	(M) 218.18'	-
L137	S65° 34' 57"E	(M) 182.83'	-
L138	S23° 52' 48"W	(M) 166.57'	(R) 166.62'
L139	S60° 36' 46"W	(M) 21.53'	(R) 21.45'
L141	S69° 54' 52"E	(M) 80.61'	-
L143	S43° 23' 47"W	(M) 119.29'	-
L144	S32° 15' 12"E	(M) 141.10'	-
L146	N52° 17' 40"W	(M) 195.06'	(R) 195.06'
L147	N17° 55' 20"E	(M) 18.87'	(R) 18.87'

Parcel Line Table			
Line #	DIRECTION	LENGTH	LENGTH
L148	S89° 34' 40"E	(M) 124.46'	(R) 124.46'
L149	S0° 25' 20"W	(M) 18.00'	(R) 18.0'
L150	N43° 25' 20"E	(M) 55.38'	(R) 55.38'
L151	N43° 25' 20"E	(M) 75.01'	(R) 75.01'
L152	N33° 25' 20"E	(M) 39.69'	(R) 39.69'
L154	S36° 34' 40"E	(M) 24.64'	(R) 24.64'
L155	S5° 34' 40"E	(M) 35.59'	(R) 35.59'
L156	S11° 43' 00"W	(M) 65.75'	(R) 65.75'
L157	S24° 25' 20"W	(M) 28.67'	(R) 28.67'
L158	S17° 25' 20"W	(M) 57.32'	(R) 57.32'
L159	N61° 34' 40"W	(M) 37.69'	(R) 37.69'
L160	N46° 34' 40"W	(M) 163.73'	(R) 163.73'
L161	N46° 34' 40"W	(M) 10.00'	(R) 10.0'
L163	S43° 28' 29"W	(M) 17.73'	(R) 18.0'
L164	N65° 34' 57"W	(M) 121.90'	(R) 122.00'
L165	N65° 34' 57"W	(M) 18.16'	(R) 18.00'
L166	N52° 09' 44"W	(M) 65.03'	(R) 64.93'
L167	N45° 00' 00"W	(M) 9.83'	(R) 10.0'
L171	S65° 34' 57"E	(M) 42.78'	-
L172	N11° 43' 00"E	(M) 40.78'	-
L173	N11° 43' 00"E	(M) 24.97'	-

Curve Table						
Curve #	LENGTH	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH	CHORD LENGTH
C40	(M) 31.76'	-	182.00'	N56° 35' 02"E	(M) 31.72'	-
C41	(M) 31.76'	-	182.00'	N46° 35' 03"E	(M) 31.72'	-
C42	(M) 40.11'	-	582.00'	N41° 51' 02"E	(M) 40.10'	-
C43	(M) 44.23'	-	539.45'	N37° 36' 48"E	(M) 44.22'	-
C44	(M) 23.78'	-	457.26'	N34° 30' 39"E	(M) 23.78'	-
C45	(M) 157.54'	-	82.00'	N88° 29' 43"E	(M) 134.40'	-
C46	(M) 71.38'	-	132.00'	S20° 59' 36"E	(M) 70.51'	-
C47	(M) 39.68'	-	132.00'	S3° 05' 05"W	(M) 39.54'	-
C48	(M) 37.10'	-	896.06'	S12° 57' 51"W	(M) 37.09'	-
C49	(M) 158.52'	-	882.76'	S19° 19' 47"W	(M) 158.31'	-
C59	(M) 164.06'	(R) 164.06'	200.00'	N66° 55' 20"E	(M) 159.50'	(R) 159.5'
C60	(M) 104.72'	(R) 104.72'	600.00'	N38° 25' 20"E	(M) 104.59'	(R) 104.59'
C61	(M) 191.99'	(R) 191.99'	100.00'	N88° 25' 20"E	(M) 163.83'	(R) 163.83'
C62	(M) 81.16'	(R) 81.16'	150.00'	S21° 04' 40"E	(M) 80.17'	(R) 80.17'
C63	(M) 45.28'	(R) 45.28'	150.00'	S3° 04' 10"W	(M) 45.11'	(R) 45.11'
C64	(M) 199.58'	(R) 199.58'	900.00'	S18° 04' 10"W	(M) 199.17'	(R) 199.17'
C65	(M) 73.31'	(R) 73.31'	600.00'	S20° 55' 20"W	(M) 73.26'	(R) 73.26'
C66	(M) 132.20'	(R) 132.20'	75.00'	S67° 55' 20"W	(M) 115.74'	(R) 115.74'
C67	(M) 52.36'	(R) 52.36'	200.00'	N54° 04' 40"W	(M) 52.21'	(R) 52.21'
C68	(M) 89.80'	(R) 89.80'	900.00'	N49° 26' 10"W	(M) 89.76'	(R) 89.76'
C69	(M) 115.64'	(R) 115.68'	229.56'	N75° 15' 04"E	(M) 114.42'	(R) 114.32'
C70	(M) 64.10'	(R) 64.52'	25.90'	N18° 46' 38"E	(M) 48.95'	(R) 49.08'
C71	(M) 91.35'	(R) 91.6'	2290.35'	N49° 07' 47"W	(M) 91.35'	(R) 91.56'
C72	(M) 65.90'	-	600.00'	S36° 34' 08"W	(M) 65.87'	-
C73	(M) 38.82'	-	600.00'	S41° 34' 08"W	(M) 38.81'	-
C74	(M) 26.90'	-	600.00'	S47° 16' 31"W	(M) 26.88'	-

GOLFSIDE #5 SUBDIVISION
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA

DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE AND GARY D. PHILLIPS, SUCCESSOR COTRUSTEE OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND GARY D. PHILLIPS, SUCCESSOR COTRUSTEE AND SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST, GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC., AND DOUGLAS E. WELLIVER AND CHRISTINE A. WELLIVER, HUSBAND AND WIFE, U.S. BANK NATIONAL ASSOCIATION ND AS BENEFICIARY AND U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION AS TRUSTEE, BEING THEN OWNERS AND LIEN HOLDERS OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAS CAUSED THE SAME TO BE SURVEYED, PLATTED AND DESIGNATED AS "GOLFSIDE #5 SUBDIVISION", A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA, AND THAT SAID OWNERS HEREBY RATIFY AND APPROVES THE DISPOSITION OF THEIR PROPERTY AS SHOWN ON THIS PLAT, AND HEREBY DEDICATES TO THE USE AND BENEFIT OF THE PUBLIC, THE STREETS AND UTILITY EASEMENTS (IF ANY) AS SHOWN UPON SAID PLAT, AND ACKNOWLEDGES SAID SUBDIVISION TO BE MADE WITH FREE CONSENT AND IN ACCORD WITH THE DESIRES OF SAID OWNER, DATED THIS ____ DAY OF _____, 20__.

SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE,
 OF THE LEE NELL PHILLIPS REVOCABLE TRUST
 DATED DECEMBER 4, 1990 AND SUCCESSOR
 COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY
 TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

DOUGLAS E. WELLIVER, HUSBAND

CHRISTINE A. WELLIVER, WIFE

 BENEFICIARY
 U.S. BANK NATIONAL ASSOCIATION ND

GARY D. PHILLIPS, SUCCESSOR COTRUSTEE,
 OF THE LEE NELL PHILLIPS TRUST REVOCABLE TRUST
 DATED DECEMBER 4, 1990 AND SUCCESSOR
 COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY
 TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

 TRUSTEE
 U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION
 (PRINTED NAME) _____ (PRINTED CAPACITY)

GARRETT SELTZER, PRESIDENT,
 GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

ACKNOWLEDGEMENT:

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE, OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY GARY D. PHILLIPS, SUCCESSOR COTRUSTEE, OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY DOUGLAS E. WELLIVER AND CHRISTINE A. WELLIVER, HUSBAND AND WIFE.

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

ACKNOWLEDGEMENT:

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY GARRETT SELTZER, PRESIDENT, GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

STATE OF _____)
 COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY _____, U.S. BANK TRUST COMPANY, NATIONAL ASSOCIATION, TRUSTEE.

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

STATE OF _____)
 COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__ BY _____, U.S. BANK NATIONAL ASSOCIATION ND, BENEFICIARY.

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

RESOLUTION NO. _____

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA IN REGULAR SESSION WITH A QUORUM PRESENT, THAT THE PLAT OF "GOLFSIDE #5 SUBDIVISION", A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA, DULY MADE OUT, ACKNOWLEDGED AND CERTIFIED, IS HEREBY APPROVED, ACCEPTED AND ORDERED FILED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS, BUFFALO COUNTY, NEBRASKA. ANY DEDICATION OF THE ROADS AND/OR OTHER RIGHT-OF-WAY TO THE PUBLIC IS ACCEPTED SOLELY AS RESERVATION OF ROADS AND/OR OTHER RIGHT-OF-WAY TO BUFFALO COUNTY WITHOUT BUFFALO COUNTY BEING RESPONSIBLE FOR SUCH ROADS AND/OR OTHER RIGHT-OF-WAY.

MOVED BY _____ AND SECONDED BY _____ THAT THE FOREGOING RESOLUTION BE

ADOPTED. MOTION CARRIED ON _____ VOTE (____ ABSENT).

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

I, HEATHER A. CHRISTENSEN, COUNTY CLERK, IN AND FOR SAID COUNTY, BEING DULY ELECTED AND QUALIFIED, DO HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE RESOLUTION AS PASSED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS ON THIS ____ DAY OF _____.

HEATHER A. CHRISTENSEN, COUNTY CLERK _____ (SEAL)

APPROVAL OF BUFFALO COUNTY, NEBRASKA, PLANNING COMMISSION

THE UNDERSIGNED, _____ (PRINT NAME), CHAIRPERSON OR VICE-CHAIRPERSON OF THE BUFFALO COUNTY PLANNING AND ZONING COMMISSION DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF "GOLFSIDE #5 SUBDIVISION, A SUBDIVISION BEING LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 36, ALL IN TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA", WAS SUBMITTED TO THE BUFFALO COUNTY PLANNING AND ZONING COMMISSION FOR A PUBLIC MEETING AND REVIEW AND THE AT RECOMMENDATION BY THE BUFFALO COUNTY PLANNING COMMISSION WAS MADE TO THE BUFFALO COUNTY BOARD OF COMMISSIONERS ON THE ____ DAY OF _____, 20__.

CHAIRPERSON OR VICE-CHAIRPERSON _____

Last Deed of Record

NHM PAGES 1
 DOC TAX 17.50 PD CHG X RET CHG X
 FEES 6.00 PD CHG X RET CHG X
 TOTAL _____
 CK NUM _____ BY _____
 REC'D _____ BY _____
 RETURN Vintage Title
PO Box 2596
Kearney, NE 68848

TRACT INDEX KX Condo
 COMPUTER X
 COMPARED X

Inst. 1999 - 2131
 RECORDED
 BUFFALO COUNTY, NE
 1999 MR 15 PM 4:16
Kellie John
 REGISTER OF DEEDS

NEBRASKA DOCUMENTARY
 STAMP TAX
 Date 3-15-1999
 \$ 17.50 By KSJ

PROPERTY OF
CORPORATION WARRANTY DEED

PINNACLE BUILDERS, INC., a Corporation organized and existing under the laws of the State of NEBRASKA, GRANTOR, in consideration of ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION, received from GRANTEE, GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC., conveys to GRANTEE, the following described real estate (as described in Neb. Rev. Stat. 76-201):

Lot 31 and Road Lot "A", Golfside Estates, a subdivision being a part of the Southwest 1/4 of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska

GRANTOR covenants (jointly and severally, if more than one) with GRANTEES that GRANTOR:

- 1) Is lawfully seised of such real estate and that it is free from encumbrances subject to easements, reservations, covenants and restrictions of record and subject to all regular taxes and special assessments.
- 2) has legal power and lawful authority to convey the same
- 3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed this 26th day of February, 1999.

Pinnacle Builders, Inc.

BY: *William G. Hines, Jr.*
 William G. Hines, Jr., President

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me on this 26th day of February, 1999 by William G. Hines, Jr., President of Pinnacle Builders, Inc. a Nebraska Corporation, on behalf of the Corporation.

GENERAL NOTARY-State of Nebraska
 DARCIE SIMMONS
 My Comm. Exp. March 15, 2000

Darcie Simmons
 Notary Public

My Commission Expires: 3/15/00

NUM PAGES 1
 DOC TAX 17.50 PD CHG X RET
 FEES 5.50 PD CHG X RET
 TOTAL _____
 CK NUM _____ BY _____
 _____ BY _____

INDEX V
 COMPUTER A
 COMPARED _____
 Cards _____

REC'D _____

REC'D _____
 RETURN _____
 CLASSIC TITLE
 3423.2nd AVENUE
 KEARNEY NE 68847

NEBRASKA DOCUMENTARY
 STAMP TAX
 Date 5-17-96
 \$ 17.50 By NKB

Inst. **96 - 3334**
 '96 MAY 17 P4:12

CORPORATION JOINT TENANCY WARRANTY DEED

Margaret J. ...
 REGISTER OF DEEDS
 BUFFALO COUNTY NE

PINNACLE BUILDERS, INC., a Corporation organized and existing under the laws of the State of NEBRASKA, GRANTOR, in consideration of TEN THOUSAND AND NO/100 (\$10,000.00) DOLLARS received from GRANTEEES, DOUGLAS E WELLIVER AND CHRISTINE A WELLIVER, Husband and Wife, conveys to GRANTEEES, as joint tenants and not as tenants in common, the following described real estate (as described in Neb. Rev. Stat. 76-201):

LOT 28, GOLFSIDE ESTATES, A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA

GRANTOR covenants (jointly and severally, if more than one) with GRANTEEES that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances
- (2) has legal power and lawful authority to convey the same
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed this 16th day of May, 1996.

PINNACLE BUILDERS, INC.
 By: William G Hines, Jr.
 William G Hines, Jr., President

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)

The foregoing instrument was acknowledged before me on this 16th day of May, 1996 by William G Hines, Jr., President of Pinnacle Builders, Inc. a Nebraska Corporation, on behalf of the Corporation.

GENERAL NOTARY - State of Nebraska
 DARCIE SIMMONS
 My Comm. Exp. March 15, 2000

Darcie Simmons
 Notary Public

My Commission Expires: 3/15/00

NUM PAGES 3
 DOC TAX Exempt 18 PD _____ CHG _____ RET _____
 FEES 28.00 PD _____ CHG X RET _____
 TOTAL _____
 CK NUM _____ BY _____
 REC'D _____ BY _____
 RETURN _____

TRACT INDEX N
 COMPUTER N
 COMPARED W
Card

Inst. 2009 - 1278

RECORDED
 BUFFALO COUNTY, NE
 2009 FEB 27 PM 3:11

NEBRASKA DOCUMENTARY
 STAMP TAX
 Date 2-27-2009
Exempt 18 By TKS

Kellie John
 REGISTER OF DEEDS

PARKER G B & B
BOX 1600
KEARNEY, NE 68848

PROPERTY OF

TRUSTEE'S DEED

Lee Nell Phillips, Trustee of the Ercil D. Phillips Administration Trust, GRANTOR, in consideration of the transfer to the beneficiaries of a family trust, conveys to GRANTEE, Lee Nell Phillips, Trustee of The Phillips Family Trust, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

The South half of the Southeast 1/4 of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.

An undivided one-half interest in and to Lots 1, 2, 3, 4, 5, 6, 7, 12, 14, 16, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29 and 30, Golfside Estates, subdivision being part of the Southwest Quarter of Section 36, Township 11 North, Range 16, West of the 6th P.M., Buffalo County, Nebraska.

An undivided one-half interest in and to Lot 11, Golfside Estates, a Subdivision being part of the Southwest Quarter of Section 36, Township 11 North, Range 16, West of the 6th P.M., Buffalo County, Nebraska, along with a small tract of land being located on the south side of said Lot 11, more particularly described as follows: Referring to the Southwesterly Corner of Lot 9, Golfside Estates, a subdivision being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska, said point being 1412.16 feet North and 1004.57 feet East of the Southwest Corner of said Section 36 and assuming the Southwesterly line of said Lot 9 as bearing S 53° 53' 30" E and all bearings contained herein are relative thereto; thence S 53° 53' 30" E and on the Southwesterly line of said Lot 9, a distance of 138.0 feet to the Southwesterly Corner of Lot 10 of said Golfside Estates; thence S 50° 03' 40" E and on the Southerly line of said Lot 10, a distance of 122.5 feet; thence continuing on the Southerly line of said Lot 10, N 79° 25' 00" E a distance of 85.00 feet to the ACTUAL PLACE OF BEGINNING, said point being the Southwesterly Corner of Lot 11 of said Golfside Estates; thence continuing N 79° 25' 00" E and on the Southerly line of said Lot 11 a distance of 149.0 feet; thence continuing on the Southerly line of said Lot 11, N 43° 19' 25" E a distance of 75.53 feet to the most Easterly Corner of said Lot 11; thence leaving the Southerly line of said Lot 11, S 34° 46' 30" W a distance of 169.54 feet; thence N 81° 52' 07" W a distance of 103.83 feet to a point on the Westerly line of said Lot 11 (if extended); thence N 02° 02' 37" E and on the Westerly line of said Lot 11 (if extended), a distance of 42.05 feet to the place of beginning.

A tract of land being part of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Thirty-six (36), Township Eleven (11) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of the Southwest Quarter of said Section 36 and assuming the North line of said Southwest Quarter as bearing N 89° 30' 09" E and all bearings contained herein are relative thereto; thence N 89° 30' 09" E and on the North line of said Southwest Quarter a distance of 81.2 feet; thence S 00° 10' 20" E a distance of 45.66 feet to the ACTUAL PLACE OF BEGINNING; thence continuing S 00° 10' 20" E and on the afore described course (produced) a distance of 159.0 feet; thence N 88° 32' 32" E a distance of 103.05 feet; thence N 02° 05' 11" W a distance of 117.7 feet; thence N 68° 40' W a distance of 106.5 feet to the place of beginning. Containing 0.32 acres, more or less. TOGETHER WITH, rights of ingress and egress over and across a strip of land, with said strip of land being more particularly described as follows: Referring to the Northwest Corner of the Southwest Quarter of said Section 36; thence N 89° 30' 09" E and on the North line of the Southwest Quarter of said section a distance of 34.5 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the East right-of-way line of Nebraska State Highway No. 10; thence continuing N 89° 30' 09" E and on the North line of said quarter section a distance of 46.7 feet; thence S 00° 10' 20" E a distance of 204.66 feet; thence S 88°

32' 32" W a distance of 45.48 feet to a point on the East right-of-way line of Nebraska State Highway No. 10, thence N 00°31'03" W and on the aforesaid East right-of-way line a distance of 205.42 feet to the place of beginning.

An undivided one half interest in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section Fourteen 14, Township 11 North, Range 17 West of the 6th P.M., Buffalo County, Nebraska EXCEPT a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Fourteen (14), Township Eleven (11) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of Section 14 and assuming the West line of the Southwest Quarter of said Section 14 as bearing N 00° 02' 45" W and all bearings contained herein are relative thereto; thence S 86° 56' 58" E and on the South line of the Southwest Quarter of said Section 14 a distance of 1341.56 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being the Southwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 14; thence continuing S 86° 56' 58" E and on the South line of the Southwest Quarter of said Section 14 a distance of 291.0 feet; thence N 00° 02' 33" W a distance of 60.0 feet; thence N 87° 41' 15" W a distance of 226.85 feet; thence N 01° 58' 29" E a distance of 1255.0 feet to a point on the North line of the Southeast Quarter of the Southwest Quarter of said Section 14; thence N 86° 52' 40" W and on the North line of the Southeast Quarter of the Southwest Quarter of said Section 14 a distance of 108.2 feet to the Northwest Corner of the Southeast Quarter of the Southwest Quarter of said Section 14; thence S 00° 02' 33" E and on the West line of the Southeast Quarter of the Southwest Quarter of said Section 14 a distance of 1313.83 feet to the place of beginning. Containing 2.88 acres, more or less, of which 0.22 acres, more or less, are presently being used for road purposes on the South side.

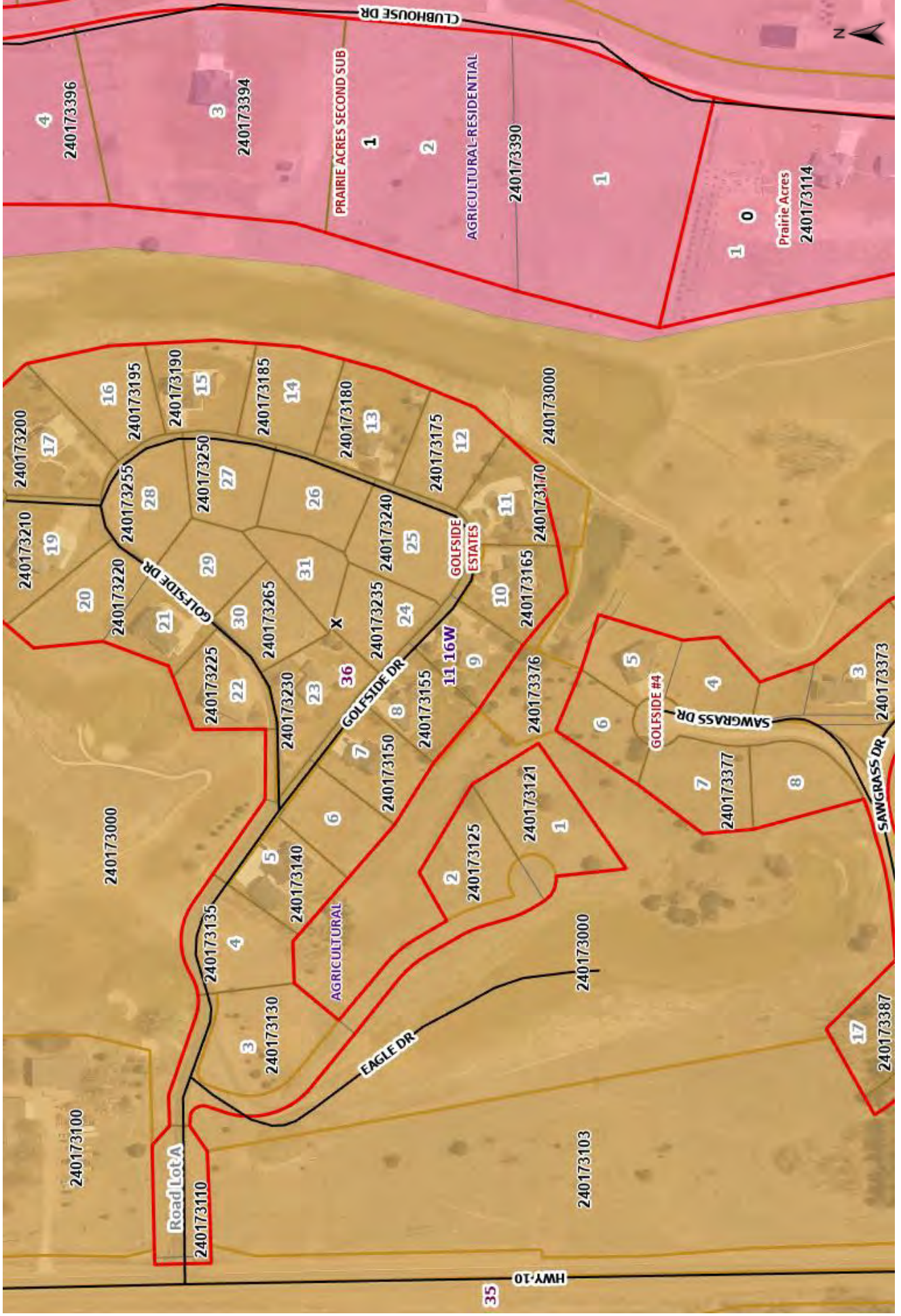
An undivided one half interest in and to the Southeast Quarter of Section Fourteen 14, Township 11 North, Range 17, West of the 6th P.M., Buffalo County, Nebraska EXCEPT a tract of land being part of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 14, Township Eleven (11) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of the Southeast Quarter of Section 14 and assuming the South line of the Southeast Quarter as bearing EAST and all bearings contained herein are relative thereto; then EAST on the South line of the Southeast Quarter of said Section 14 a distance of 736.11 feet to the ACTUAL PLACE OF BEGINNING; thence continuing EAST on the South line of the Southeast Quarter of said Section 14 a distance of 414.00 feet; thence N 03 degrees 24' 14" W a distance of 491.00 feet; thence WEST a distance of 414.00 feet; thence S 03 degrees 24' 14" E, a distance of 491.00 feet to the place of beginning. Containing 4.66 acres more or less, of which 0.31 acres more or less, are presently being used for road purposes on the South side.

An undivided one-half interest in and to the Northeast Quarter of Section 14, Township 11 North, Range 15, West of the 6th P.M., Buffalo County, Nebraska.

An undivided one-half interest in and to a tract of land in the Southeast Quarter of Section 14, Township 11 North, Range 15, West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Beginning at the Northeast Corner of the SE $\frac{1}{4}$ of Section 14 and assuming the North line of said SE $\frac{1}{4}$ as bearing N 89° 10' 41" W and all bearings contained herein are relative thereto; thence N 89° 10' 41" W and on the North line of said SE $\frac{1}{4}$ a distance of 2361.6 feet to a point on an existing fence line; thence S 06° 07' 23" W and on the aforesaid existing fence line a distance of 317.8 feet; thence S 58° 10' 33" E a distance of 252.95 feet; thence S 75° 37' 03" E a distance of 152.0 feet; thence S 00° 50' 38" E a distance of 195.05 feet; thence S 38° 52' 25" W a distance of 260.0 feet; thence S 00° 22' 08" W a distance of 678.85 feet; thence S 79° 30' 50" E a distance of 274.6 feet; thence S 00° 20' 17" W a distance of 362.85 feet to a point; said point being 663.0 feet north of the South line of the SE $\frac{1}{4}$ of said Section 14; thence leaving said fence line S 88° 52' 30" E parallel with the south line of said SE $\frac{1}{4}$ a distance of 301.0 feet, more or less, to a point; said point being 1,020.0 feet east of the West line of said SE $\frac{1}{4}$; thence southerly parallel with and 1,020.0 feet easterly from the west line of said SE $\frac{1}{4}$ a distance of 663.0 feet to a point on the south line of

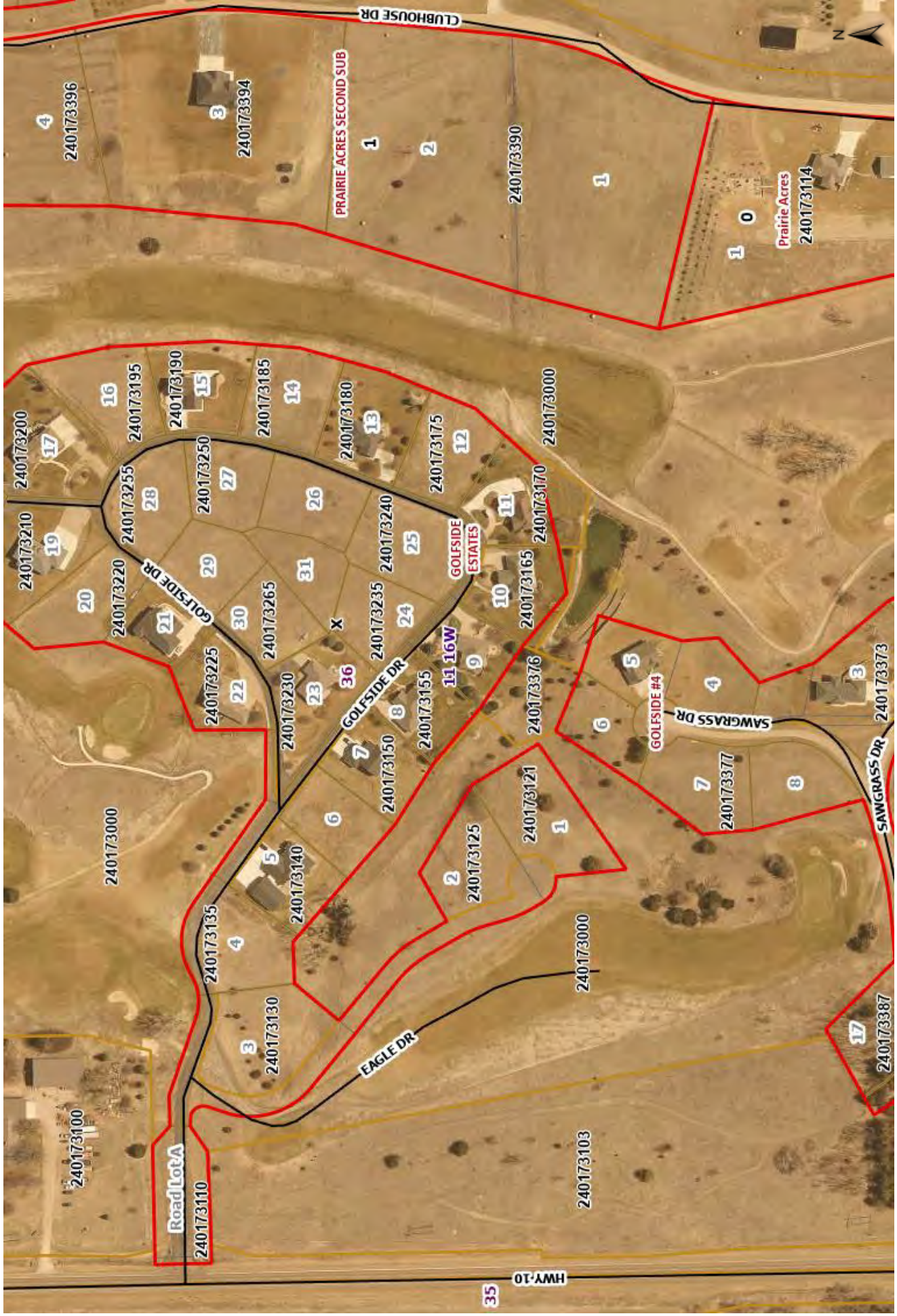
Zoning & Floodplain Map

Created by: null



Aerial & Floodplain Map

Created by: null



Remainderment

From: [Josh Gilbertson](#)
To: [Dennise Daniels](#)
Subject: GOLFSIDE #5
Date: Thursday, December 11, 2025 3:21:52 PM

Good afternoon Dennise,

The vacation of the existing Golfside subdivision lots and replating are as follows:

THE ENTIRTY OF LOTS 23-24, AND ENTIRTY OF LOTS 26-31 OF GOLFSIDE ESTATES, A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN BUFFALO COUNTY, NEBRASKA

Joshua Gilbertson, Land Surveyor
PLS 859, Nebraska
Oak Creek Engineering
308-627-1944

Other Considerations (State Standards)

LII > State Regulations > Nebraska Administrative Code

> Topic - ENVIRONMENT AND ENERGY

> Title 124 - ONSITE WASTEWATER TREATMENT SYSTEMS

> Neb. Admin. Code ENVIRONMENT AND ENERGY, tit. 124, ch. 4 -

SUBDIVISIONS

> **124 Neb. Admin. Code, ch. 4, § 001 - Subdivision Review and Approval Application**

124 Neb. Admin. Code, ch. 4, § 001 - Subdivision Review and Approval Application

[State Regulations](#) [Compare](#)

001.01 Prior to construction of a development area where an onsite wastewater treatment system is proposed on any lot less than three acres in size, the owner of the development area will submit an application for subdivision review and receive Department approval for the use of onsite wastewater treatment systems for the development area on a form provided by the Director and include any additional information as requested. The Department will review the application and determine the acceptability of onsite wastewater treatment systems for the development area. The Department will either approve or deny the use of onsite wastewater treatment systems for the development area. Approval will be based upon an evaluation of the submitted information to meet design requirements of this Title.

001.02 Once the Department has issued a subdivision approval, any subsequent change may be considered a new application and subject to the subdivision review


and approval application and fee requirements.

001.03 A subdivision approval expires ten years from the date the approval is issued by the Department unless the owner submits a written request for reauthorization or extension from the Department prior to the expiration date and the reauthorization or extension is approved by the Department. Such reauthorization or extension will be subject to requirements in effect at the time the reauthorization or extension is issued, and such reauthorization or extension will be valid for no more than one year from the date of issuance. Additional reauthorization or extension may be requested in writing prior to expiration.

Notes

124 Neb. Admin. Code, ch. 4, § 001

Amended effective 6/27/2022

 [State Regulations Toolbox](#)

[Help](#)

[Terms of use](#)

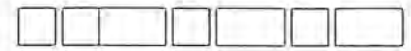
[Privacy](#)

004. [Adopted without title]

124 NE ADC Ch. 2, § 004 · Nebraska Administrative Code · Effective: June 27, 2022 · (Approx. 7 pages)

Document Notes of Decisions (0) History (14) Citing References (2) Context & Analysis (1)

Fullscreen



Nebraska Administrative Code
Environment and Energy
Title 124. Onsite Wastewater Treatment Systems
Chapter 2. Application of Regulations, General Provisions (Refs & Annos)

Notes
Outlines

Effective: June 27, 2022

Neb. Admin. R. & Regs. Tit. 124, Ch. 2, § 004

004. [Adopted without title]

Currentness

An existing onsite wastewater treatment system must obtain a new construction and/or operating permit or coverage under a general permit in accordance with this title if:

- 004.01 It endangers public health or environment, fails, or discharges a prohibited or unauthorized discharge.
- 004.02 It is being replaced, reconstructed, altered, repaired or modified, and the repairs are not exempted under 005 below;
- 004.03 There is an adverse change in use such as an increase in the number of bedrooms, design flow, or waste strength;
- 004.04 It begins to receive wastewater from a different dwelling or non-dwelling facility than it was originally constructed to serve;
- 004.05 It begins to receive wastewater from a dwelling or non-dwelling facility that is reconstructed or replaced following an event such as fire that renders the structure unsuitable for occupancy; or
- 004.06 The system owner creates or causes an encroachment on a setback distance by a change in a property line or construction of a new development feature such as a well, water line or foundation.

Credits

Amended eff. June 27, 2022.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(8).

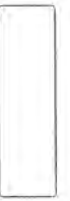
Current with rules filed through May 21, 2025. Some sections may be more current; see credits for details.

124 NAC Ch. 2, § 004, 124 NE ADC Ch. 2, § 004

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.

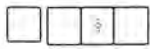




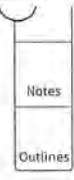
008. [Adopted without title]

124 NE ADC Ch. 2, § 008 • Nebraska Administrative Code • Effective: June 27, 2022 • (Approx. 3 pages)

Document Notes of Decisions (0) History (14) Citing References (2) Context & Analysis (0)



Fullscreen



Nebraska Administrative Code
Environment and Energy
Title 124, Onsite Wastewater Treatment Systems
Chapter 2, Application of Regulations; General Provisions (Refs & Annos)

Effective: June 27, 2022

Neb. Admin. R. & Regs. Tit. 124, Ch. 2, § 008

008. [Adopted without title]

Currentness

The owner of any dwelling or non-dwelling facility will establish a reserve area sufficient in size to be used for a replacement onsite wastewater treatment system capable of meeting the requirements of the construction permit or general permit covering the original system and these regulations. The reserve area will be considered a part of the onsite wastewater treatment system and all setback requirements apply to the reserve area.

Credits

Adopted eff. June 27, 2022.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(8).

Current with rules filed through May 21, 2025. Some sections may be more current; see credits for details.
124 NAC Ch. 2, § 008, 124 NE ADC Ch. 2, § 008

End of Document © 2025 Thomson Reuters. No claim to original U.S. Government Works.

All content

Enter terms, citations, databases, questions, anything

Nebraska

WestlawNext
Advanced

009. [Adopted without title]

124 NE ADC Ch. 2, § 009 · Nebraska Administrative Code · Effective: June 27, 2022 · (Approx. 2 pages)

Document

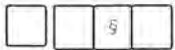
Notes of Decisions (0)

History (13)

Citing References (2)

Context & Analysis (0)

Fullscreen



Nebraska Administrative Code
Environment and Energy

Title 124. Onsite Wastewater Treatment Systems

Chapter 2. Application of Regulations; General Provisions (Refs & Annos)

Notes

Outlines

Effective: June 27, 2022

Neb. Admin. R. & Regs. Tit. 124, Ch. 2, § 009

009. [Adopted without title]

Currentness

Location of an onsite wastewater treatment system on property not owned by the facility using the system is to have a properly executed and filed property easement which is to include provisions that allow for the operation and maintenance of the onsite wastewater treatment system. A copy of the filed easement is to be submitted with the system registration.

Credits

Adopted eff. June 27, 2022.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(8).

Current with rules filed through May 21, 2025. Some sections may be more current; see credits for details.

124 NAC Ch. 2, § 009, 124 NE ADC Ch. 2, § 009

End of Document

© 2025 Thomson Reuters. No claim to original U.S. Government Works.



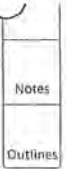
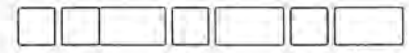
011. [Adopted without title]

124 NE ADC Ch. 2, § 011 • Nebraska Administrative Code • Effective: June 27, 2022 • (Approx. 3 pages)

Document Notes of Decisions (0) History (14) Citing References (0) Context & Analysis (0)



Fullscreen



Nebraska Administrative Code
Environment and Energy
Title 124, Onsite Wastewater Treatment Systems
Chapter 2, Application of Regulations; General Provisions (Refs & Annos)

Effective: June 27, 2022

Neb. Admin. R. & Regs. Tit. 124, Ch. 2, § 011

011. [Adopted without title]

Currentness

A person is not to construct or relocate a foundation, well, water line, surface water feature, or property line within the setback distances listed in Table 2.1 of any onsite wastewater system, except that the Department may approve, at the system owner's request, an encroachment within the minimum setback distance to system components upon submittal of a construction plan and a letter from a professional engineer stating that he or she has evaluated the proposed construction plan and in his or her professional opinion, the encroachment will not have any detrimental effect on the system components, or on the proper function and operation of the system components, or on the ability to maintain or replace any of the system components and does not endanger human health or cause pollution; or if a less stringent distance is in a General Permit that setback distance would apply.

Table 2.1 - Lagoon, Tank and Soil Absorption System Setbacks

Item	Minimum Setback Distance feet (meters)		
	Tanks	Absorption, Infiltrative, and Evaporative Systems	Lagoons
Surface Water	50 ft. (15.2 m)	50 ft. (15.2 m)	50 ft. (15.2 m)
Private Drinking Water Wells	50 ft. (15.2 m)	100 ft. (30.5 m)	100 ft. (30.5 m)
Public Drinking Water Supply Wells:			
Non-Community System*	50 ft. (15.2 m)	100 ft. (30.5 m)	100 ft. (30.5 m)
Community System	500 ft. (152.4 m)	500 ft. (152.4 m)	1000 ft. (304.8 m)
Community System when a septic system or soil absorption system of > 1000 gpd is installed	500 ft. (152.4 m)	1000 ft. (304.8 m)	N/A
Horizontal Closed Loop Geothermal Wells (trenched or dug and above the ground water table)	25 ft. (15.2m)	25 ft. (15.2m)	25 ft. (15.2m)

All Other Water Wells	50 ft. (15.2 m)	100 ft. (30.5 m)	100 ft. (152.4 m)
Water Lines:			
Pressure Main/Service Connection/Suction Lines	10 ft. (3.1 m)	25 ft. (7.6 m)	25 ft. (7.6 m)
Property Lines	5 ft. (1.5 m)	5 ft. (1.5 m)	50 ft. (15.2 m)
Trees	NA	NA	50 ft. (15.2 m)
Parking area, driveway, sidewalk, or other impermeable surface or cover	5 ft. (1.5 m)	5 ft. (1.5 m)	50 ft. (15.2 m)
Foundation:			
Class 1	15 ft. (4.6 m)	30 ft. (9.1 m)	100 ft. (30.5 m)
Class 2	10 ft. (3.1 m)	10 ft. (3.1 m)	100 ft. (30.5 m)
Class 3	7 ft. (2.1 m)	10 ft. (3.1 m)	50 ft. (15.2 m)
Neighbor's Foundation:			
Class 1	25 ft. (7.6 m)	40 ft. (12.2 m)	200 ft. (61.0 m)
Class 2	20 ft. (6.1 m)	30 ft. (9.1 m)	200 ft. (61.0 m)
Class 3	15 ft. (4.6 m)	20 ft. (6.1 m)	100 ft. (30.5 m)

*See NAC Title 179 - Public Water Supply Systems, 7-010, for a complete definition for Non-community systems. It should be noted that some non-community systems may have more stringent setback requirements, per Title 179.

* Class 1 means a basement, a non-basement footing, swimming pool, or slab-on-grade living quarters where any portion of the living quarters basement, footing, or slab is lower in elevation than the onsite wastewater treatment system component.

* Class 2 means a basement, a non-basement footing foundation, trailer house, swimming pool, or slab-on-grade living quarters higher in elevation than the on-site wastewater treatment system. Any other foundation that is not a Class 1 or Class 3 is a Class 2 Foundation

* Class 3 means slab-on-grade construction that is not used as living quarters.

* The water well setback does not apply to a monitoring well meeting the requirements of Nebraska Administrative Code Title 178 that is installed and used for monitoring ground water quality.

Credits

Adopted eff. June 27, 2022.

Enabling Legislation: Neb. Rev. Stat. § 81-1505(8).

Current with rules filed through May 21, 2025. Some sections may be more current; see credits for details.

124 NAC Ch. 2, § 011, 124 NE ADC Ch. 2, § 011



Applicant & Agent Denial Letters



BUFFALO COUNTY PLANNING & ZONING

December 12, 2025

Oak Creek Engineering
c/o Joshua Gilbertson
PO Box 1209
Kearney, NE 68848

Mr. Gilbertson,

On or around September 22, 2025, The Buffalo County Zoning Office received an Application for Preliminary Subdivision for “Golfside #5 Subdivision”, as well as an Application for Vacation of Plat, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., for Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, inventoried as Permits #2025-078 and #2025-079, in the Buffalo County Zoning Records.

While reviewing the proposed plat, “Golfside #5 Subdivision”, and all applicable Zoning and Subdivision Regulations, to ensure compliance, the following regulations, which are including, but not limited to, the subsequent provisions, were considered:

- Buffalo County Subdivision Regulations, Section 1.05, states, “No subdivision of land, regardless of acreage involved, shall be permitted within the jurisdiction of Buffalo County unless the property subdivided and all portions therein abuts before and after subdividing, a dedicated and maintained public street(s) and/or road(s), or private streets as private streets are allowed to be created in this Resolution. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Sec. 2.23 (a) defines a lot as “...A portion of real property containing at least the area required at the time it was created by the zoning district in which it is or was located for use, coverage, and yard space, exclusive of existing, laid out, proposed, or reserved streets, public ways, or roads, abutting and have access to at least one public street, road, or private street as a private street is allowed to be created in this resolution or...”;
- Buffalo County Subdivision Regulations, Section 2.35, defines a street as, “A highway, road, avenue, or boulevard, dedicated to and accessed by the public which affords principal means of access to or abutting property. A private street is not a publicly accessed street. A private street may limit public access by gates, signage, or other means, limits or restricts access on and to the private street. (Resolution 7-13-2021)”;

TEL: (308) 236-1998
FAX: (308) 236-1870

ZONING@BUFFALOCOUNTY.NE.GOV



1512 CENTRAL AVENUE
P.O. BOX 1270
KEARNEY, NE 68848

- Buffalo County Subdivision Regulations, Section 4.02 (E), states, “All lots shall have a minimum of 25 feet width along a street or road. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Sec. 4.03 states, “The location of highways, streets, roads and other rights-of-way shall conform to the locations designated in the Comprehensive Plan. Unless designated a higher use in the Comprehensive Plan, all proposed or existing roads, whether previously vacated or unopened, located upon section lines shall minimally be considered rural local... 66 feet”;
- Buffalo County Subdivision Regulations, Sec 4.07 (C) states, “No lot shall have an area or width less than that required by any zoning resolution.”;
- Buffalo County Subdivision Regulations, Sec 4.07 (E) states, “Every lot shall front upon and have access to a public street or road, except lots may front upon and take access to a private roadway that accesses a public street or road...”;
- Buffalo County Subdivision Regulations, Section 4.11, states, “Streets and roads, whether private as allowed in Chapter 4 or public, within a subdivision shall minimally conform to the Nebraska State Board of Public Roads Classification Local Road RL-2 as to design, grade, maximum grade, tangent sight, traveled width of the road, shoulder width, and other particulars addressed in State Board of Public Road regulations regarding street layout with the dedicated road right of way.”;
- Buffalo County Subdivision Regulations, Section 4.12 (A), states, “Access to and within a subdivision shall be accomplished by dedicated public streets or roads laid out as directed in minimum design standards.”;
- Buffalo County Subdivision Regulations, Section 4.12 (B), states, “Private Street Minimum Width and Operative as Grant of Utility Access and Occupation Private Streets, when created under this Resolution, shall have a minimum street width of sixty-six (66) feet in width and grant access within the private street to entry, occupation, and use by public (Resolution 7-13-2021).”;
- Buffalo County Subdivision Regulations, Section 5.01, states, “All streets, roads and public ways whether designated public or private within the subdivision shall be graded to the standards described in Chapter 4 of these regulations. Absent a hard surfacing requirement, all streets, roads, and ways whether designated public or private within the subdivision shall be minimally surfaced with three (3) inches of crushed rock embedded into the subgrade during construction and one (1) inch of gravel or higher grade of road surfacing. (Resolution 2-25-2020)”;
- Buffalo County Zoning Regulations, Section 5.12 (8), states: “Single family, ranch, and farm dwellings on a parcel abutting an improved road, meaning a road above county minimum maintenance road classification or public street within approved subdivision including ranch and farm dwellings; and one additional on farm/ranch single/two family dwellings for the purpose of housing relatives or permanent agriculture workers...”;
- Buffalo County Zoning Regulations, Section 5.16 (2)(A) states that the minimum lot area shall be, “Three (3) acres, with the placement of a maximum of four single family dwellings per U.S. Government surveyed quarter section, on a parcel abutting an improved road (above minimum maintenance road)”;
- Buffalo County Zoning Regulations, Section 5.16 (3) states, “Lots shall have a minimum of twenty-five (25) feet lot width abutting any street or road. (Resolution 7-13-2021).”;
- Buffalo County Zoning Regulations, Section 5.17 states, “There shall be a minimum front yard of not less than the greater of a depth of fifty (50) feet from the right-of-way of street or eighty-three (83) feet from the center of right-of-way.”.

The 3-acre minimum lot size, as referenced under Buffalo County Zoning Regulations, Section 5.16 (2A), for lots in the Agriculture (AG) District is the regulatory standard across the county and state.

Wastewater and well setbacks will need to be considered as water wells are replaced and septic tanks and leech fields are created. In 2002, Nebraska enacted provisions relating to wastewater and wastewater discharge. To give effect of a state law, various regulations were put into effect, namely Chapter 124, Chapter 3. These regulations apply state-wide to any lot that is "less than three acres". The moving of a lot line can invoke a review by DEQ as to whether the subdivision, as now re-created, is compliant as to property line setbacks for the water well, septic tank, and leech field(s).

Furthermore, the subject tract is a pre-zoning created subdivision. It is allowed to exist in its original dimensions as originally created. It can be sold in its original dimensions, without change. If anything about the original lot is revised, it must be created to be compliant.

It should be noted that Buffalo County Zoning Regulations, Section 10.21 states, "No zoning or other structure shall be erected, moved, added to, demolished, or structurally altered, without a zoning permit first having been issued by the Zoning Administrator. No zoning permit shall be issued unless the proposed construction or use is in conformance with all of the provisions of this resolution and with all other applicable codes, regulations and laws of Buffalo County and with all orders, and variances lawfully issued by the Board of Adjustment." Since the proposed subdivision is non-compliant, the second project, The Application for Vacation will, also, be denied.

With careful consideration given to various chapters and sections regarding the regulatory standards for subdivisions of land in Buffalo County directly affecting the proposed subdivision, and a review of the proposed plat, "Golfside #5 Subdivision " and accompanying vacation, inventoried as Permits #2025-078 and #2025-079 in the Buffalo County Zoning Records, the preliminary plat, submitted as, "Golfside #5 Subdivision" and the accompanying plat are not compliant and are, therefore, denied based on the above listed reasons 1 through 15.

The applicants and their agent have received a copy of this report. They may seek appeal of the Zoning Administrator and Board of Commissioner's decision, by requesting a variance within ten (10) days from the review by the Buffalo County Board of Commissioners, under Buffalo County Zoning Regulations, Section 9.4.

Sincerely,



Dennise Daniels

Buffalo County Zoning & Floodplain Administrator

PO Box 1270

1512 Central Ave

Kearney, NE 68847

Office: (308) 236-1998

ddaniels@buffalocounty.ne.gov

PC: Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust

Douglas E. Welliver, Christine A. Welliver

Golfside Estates Subdivision Homeowners Association, Inc.



BUFFALO COUNTY PLANNING & ZONING

December 12, 2025

Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust

Douglas E. Welliver, Christine A. Welliver

Golfside Estates Subdivision Homeowners Association, Inc.

2 Prairie Hills Road

Pleasanton, NE 68866

To Whom it May Concern,

On or around September 22, 2025, The Buffalo County Zoning Office received an Application for Preliminary Subdivision for “Golfside #5 Subdivision”, as well as an Application for Vacation of Plat, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., for Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, inventoried as Permits #2025-078 and #2025-079, in the Buffalo County Zoning Records.

While reviewing the proposed plat, “Golfside #5 Subdivision”, and all applicable Zoning and Subdivision Regulations, to ensure compliance, the following regulations, which are including, but not limited to, the subsequent provisions, were considered:

- Buffalo County Subdivision Regulations, Section 1.05, states, “No subdivision of land, regardless of acreage involved, shall be permitted within the jurisdiction of Buffalo County unless the property subdivided and all portions therein abuts before and after subdividing, a dedicated and maintained public street(s) and/or road(s), or private streets as private streets are allowed to be created in this Resolution. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Sec. 2.23 (a) defines a lot as “...A portion of real property containing at least the area required at the time it was created by the zoning district in which it is or was located for use, coverage, and yard space, exclusive of existing, laid out, proposed, or reserved streets, public ways, or roads, abutting and have access to at least one public street, road, or private street as a private street is allowed to be created in this resolution or...”;

TEL: (308) 236-1998
FAX: (308) 236-1870

ZONING@BUFFALOCOUNTY.NE.GOV



1512 CENTRAL AVENUE
P.O. BOX 1270
KEARNEY, NE 68848

- Buffalo County Subdivision Regulations, Section 2.35, defines a street as, “A highway, road, avenue, or boulevard, dedicated to and accessed by the public which affords principal means of access to or abutting property. A private street is not a publicly accessed street. A private street may limit public access by gates, signage, or other means, limits or restricts access on and to the private street. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Section 4.02 (E), states, “All lots shall have a minimum of 25 feet width along a street or road. (Resolution 7-13-2021)”;
- Buffalo County Subdivision Regulations, Sec. 4.03 states, “The location of highways, streets, roads and other rights-of-way shall conform to the locations designated in the Comprehensive Plan. Unless designated a higher use in the Comprehensive Plan, all proposed or existing roads, whether previously vacated or unopened, located upon section lines shall minimally be considered rural local... 66 feet”;
- Buffalo County Subdivision Regulations, Sec 4.07 (C) states, “No lot shall have an area or width less than that required by any zoning resolution.”;
- Buffalo County Subdivision Regulations, Sec 4.07 (E) states, “Every lot shall front upon and have access to a public street or road, except lots may front upon and take access to a private roadway that accesses a public street or road...”;
- Buffalo County Subdivision Regulations, Section 4.11, states, “Streets and roads, whether private as allowed in Chapter 4 or public, within a subdivision shall minimally conform to the Nebraska State Board of Public Roads Classification Local Road RL-2 as to design, grade, maximum grade, tangent sight, traveled width of the road, shoulder width, and other particulars addressed in State Board of Public Road regulations regarding street layout with the dedicated road right of way.”;
- Buffalo County Subdivision Regulations, Section 4.12 (A), states, “Access to and within a subdivision shall be accomplished by dedicated public streets or roads laid out as directed in minimum design standards.”;
- Buffalo County Subdivision Regulations, Section 4.12 (B), states, “Private Street Minimum Width and Operative as Grant of Utility Access and Occupation Private Streets, when created under this Resolution, shall have a minimum street width of sixty-six (66) feet in width and grant access within the private street to entry, occupation, and use by public (Resolution 7-13-2021).”;
- Buffalo County Subdivision Regulations, Section 5.01, states, “All streets, roads and public ways whether designated public or private within the subdivision shall be graded to the standards described in Chapter 4 of these regulations. Absent a hard surfacing requirement, all streets, roads, and ways whether designated public or private within the subdivision shall be minimally surfaced with three (3) inches of crushed rock embedded into the subgrade during construction and one (1) inch of gravel or higher grade of road surfacing. (Resolution 2-25-2020)”;
- Buffalo County Zoning Regulations, Section 5.12 (8), states: “Single family, ranch, and farm dwellings on a parcel abutting an improved road, meaning a road above county minimum maintenance road classification or public street within approved subdivision including ranch and farm dwellings; and one additional on farm/ranch single/two family dwellings for the purpose of housing relatives or permanent agriculture workers...”;
- Buffalo County Zoning Regulations, Section 5.16 (2)(A) states that the minimum lot area shall be, “Three (3) acres, with the placement of a maximum of four single family dwellings per U.S. Government surveyed quarter section, on a parcel abutting an improved road (above minimum maintenance road)”;
- Buffalo County Zoning Regulations, Section 5.16 (3) states, “Lots shall have a minimum of twenty-five (25) feet lot width abutting any street or road. (Resolution 7-13-2021).”;

- Buffalo County Zoning Regulations, Section 5.17 states, “There shall be a minimum front yard of not less than the greater of a depth of fifty (50) feet from the right-of-way of street or eighty-three (83) feet from the center of right-of-way.”.

The 3-acre minimum lot size, as referenced under Buffalo County Zoning Regulations, Section 5.16 (2A), for lots in the Agriculture (AG) District is the regulatory standard across the county and state. Wastewater and well setbacks will need to be considered as water wells are replaced and septic tanks and leech fields are created. In 2002, Nebraska enacted provisions relating to wastewater and wastewater discharge. To give effect of a state law, various regulations were put into effect, namely Chapter 124, Chapter 3. These regulations apply state-wide to any lot that is “less than three acres”. The moving of a lot line can invoke a review by DEQ as to whether the subdivision, as now re-created, is compliant as to property line setbacks for the water well, septic tank, and leech field(s).

Furthermore, the subject tract is a pre-zoning created subdivision. It is allowed to exist in its original dimensions as originally created. It can be sold in its original dimensions, without change. If anything about the original lot is revised, it must be created to be compliant.

It should be noted that Buffalo County Zoning Regulations, Section 10.21 states, “No zoning or other structure shall be erected, moved, added to, demolished, or structurally altered, without a zoning permit first having been issued by the Zoning Administrator. No zoning permit shall be issued unless the proposed construction or use is in conformance with all of the provisions of this resolution and with all other applicable codes, regulations and laws of Buffalo County and with all orders, and variances lawfully issued by the Board of Adjustment.” Since the proposed subdivision is non-compliant, the second project, The Application for Vacation will, also, be denied.

With careful consideration given to various chapters and sections regarding the regulatory standards for subdivisions of land in Buffalo County directly affecting the proposed subdivision, and a review of the proposed plat, “Golfside #5 Subdivision ” and accompanying vacation, inventoried as Permits #2025-078 and #2025-079 in the Buffalo County Zoning Records, the preliminary plat, submitted as, “Golfside #5 Subdivision” and the accompanying plat are not compliant and are, therefore, denied based on the above listed reasons 1 through 15.

The applicants and their agent have received a copy of this report. They may seek appeal of the Zoning Administrator and Board of Commissioner’s decision, by requesting a variance within ten (10) days from the review by the Buffalo County Board of Commissioners, under Buffalo County Zoning Regulations, Section 9.4.

Sincerely,

Dennise Daniels
Buffalo County Zoning & Floodplain Administrator
PO Box 1270
1512 Central Ave
Kearney, NE 68847
Office: (308) 236-1998
ddaniels@buffalocounty.ne.gov

PC: Oak Creek Engineering
c/o Joshua Gilbertson

- Buffalo County Zoning Regulations, Section 5.17 states, "There shall be a minimum front yard of not less than the greater of a depth of fifty (50) feet from the right-of-way of street or eighty-three (83) feet from the center of right-of-way."

The 3-acre minimum lot size, as referenced under Buffalo County Zoning Regulations, Section 5.16 (2A), for lots in the Agriculture (AG) District is the regulatory standard across the county and state. Wastewater and well setbacks will need to be considered as water wells are replaced and septic tanks and leech fields are created. In 2002, Nebraska enacted provisions relating to wastewater and wastewater discharge. To give effect of a state law, various regulations were put into effect, namely Chapter 124, Chapter 3. These regulations apply state-wide to any lot that is "less than three acres". The moving of a lot line can invoke a review by DEQ as to whether the subdivision, as now re-created, is compliant as to property line setbacks for the water well, septic tank, and leech field(s).

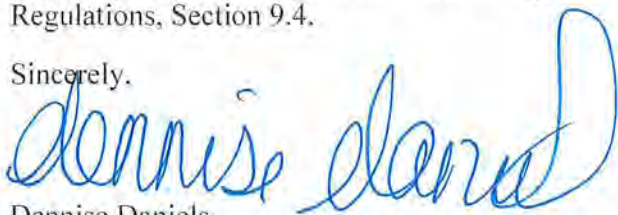
Furthermore, the subject tract is a pre-zoning created subdivision. It is allowed to exist in its original dimensions as originally created. It can be sold in its original dimensions, without change. If anything about the original lot is revised, it must be created to be compliant.

It should be noted that Buffalo County Zoning Regulations, Section 10.21 states, "No zoning or other structure shall be erected, moved, added to, demolished, or structurally altered, without a zoning permit first having been issued by the Zoning Administrator. No zoning permit shall be issued unless the proposed construction or use is in conformance with all of the provisions of this resolution and with all other applicable codes, regulations and laws of Buffalo County and with all orders, and variances lawfully issued by the Board of Adjustment." Since the proposed subdivision is non-compliant, the second project, The Application for Vacation will, also, be denied.

With careful consideration given to various chapters and sections regarding the regulatory standards for subdivisions of land in Buffalo County directly affecting the proposed subdivision, and a review of the proposed plat, "Golfside #5 Subdivision " and accompanying vacation, inventoried as Permits #2025-078 and #2025-079 in the Buffalo County Zoning Records, the preliminary plat, submitted as, "Golfside #5 Subdivision" and the accompanying plat are not compliant and are, therefore, denied based on the above listed reasons 1 through 15.

The applicants and their agent have received a copy of this report. They may seek appeal of the Zoning Administrator and Board of Commissioner's decision, by requesting a variance within ten (10) days from the review by the Buffalo County Board of Commissioners, under Buffalo County Zoning Regulations, Section 9.4.

Sincerely,



Dennise Daniels
Buffalo County Zoning & Floodplain Administrator
PO Box 1270
1512 Central Ave
Kearney, NE 68847
Office: (308) 236-1998
ddaniels@buffalocounty.ne.gov

PC: Oak Creek Engineering
c/o Joshua Gilbertson

**Certification
of Board of
Adjustment
Meeting
Minutes**

February 12, 2026



PROPERTY OF BUFFALO COUNTY NE
CERTIFICATE

2026-01155
JEN SCHLEUSENER
BUFFALO COUNTY REGISTER OF DEEDS
KEARNEY, NEBRASKA
RECORDED ON: 03/09/2026 11:01:37 AM
CERTIFICATE-CERT
REC FEE: 0.00
PAGES: 5
PD: NO FEE
ESCROW:
CK: NO FEE DOCUMENT

Return to: Buffalo County Zoning
PO Box 1270
Kearney, NE 68848

Board of Adjustment Minutes
CERTIFICATE

STATE OF NEBRASKA
COUNTY OF BUFFALO COUNTY

I, Dennise Daniels, Zoning Administrator of Buffalo County, Nebraska, hereby certify that the variance listed below is a true and correct portion of the minutes of the Board of Adjustment for Buffalo County for the meeting held on the 12th day of February, 2026. This should be indexed against three properties, acquired by the corresponding property owners, as shown below:

Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc. found under Inst. 98-7736, Inst. 2009-1278, Document #2024-00992, Document #2024-00993, and Inst. 96-3334, and 1999-2131;

Chairperson Jeffs opened the public hearing at 4:10 P.M. for a Zoning Variance, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc., under Buffalo County Zoning Regulations: Section 5.12 (8), regarding 4 houses per quarter section; Section 5.16 (2A) regarding minimum lot sizes in the Agriculture (AG) District; Section 5.16 (3), regarding minimum distances abutting an improved road; Section 5.17, regarding minimum front yards; AND Buffalo County Subdivision Regulations: Section 1.05 regarding all lots abutting an improved road; Section 2.23 (a) which defines a lot; Section 2.35 regarding the definition of a street; Section 4.02 (E) regarding minimum footage abutting an improved road; Section 4.03 regarding minimum road/street lengths; Section 4.07 (C) regarding allowance of lots sizes smaller than required; Section 4.07 (E) regarding frontage upon improved roadway; Section 4.11, regarding minimum access requirements; Section 4.12 (A) regarding access requirements; Section 4.12 (B) regarding minimum street width; Section 5.01 regarding minimum grading/surfacing requirements as described below:

Tract A - Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust

Lots 24, 26, 27, 28, 29, and 30, Golfside Estates, a subdivision being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Tract B - Douglas E. Welliver and Christine A. Welliver, Husband and Wife

Lot 23, Golfside Estates, a subdivision being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Tract C - Golfside Estates Subdivision Homeowners Association, Inc.

Lot 31, Golfside Estates, a subdivision being part of the Southwest quarter of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Joshua Gilbertson, licensed land surveyor, of Oak Creek Engineering, located at 4004 6th Avenue, Kearney, Nebraska, stepped forward to present the application. Mr. Gilbertson stated that the original subdivision, Golfsides Estates, was created prior to the adoption of zoning and subdivision regulations. He added that the applicants are requesting to receive several relaxations on the proposed subdivision to absolve Lot 31, which is a common lot, into the newly-created lots. He said that it is the applicants' intent to enlarge the proposed lots and propose less housing to encourage growth. He added that the applicants would like some relaxations as to not disturb or cause detriment to the adjacent properties.

Deputy County Attorney Hoffmeister inquired if the street/access is owned by adjacent landowners. Mr. Gilbertson confirmed and added that the proposal would not affect street/accesses to the existing or proposed lots.

Deputy County Attorney Hoffmeister advised the Buffalo County requires lots abut an improved road. He asked Zoning Administrator Daniels if that relaxation was added to the proposed list of relaxation. Zoning Administrator Daniels confirmed. Deputy County Attorney Hoffmeister added that although the proposed plat was being considered for relaxation, any approvals by the Board of Adjustment would not include the requirement of Buffalo County to maintain the existing roads. He added that the existing roads are only 36 feet wide.

Deputy County Attorney Hoffmeister asked if the proposed subdivision would affect current accesses, if the subdivision is approved. A gentleman from the public stepped forward. He later identified himself as Kent Palmer, who resides at 51 Golfside Drive, Kearney, Nebraska. Mr. Palmer stated that the access is a paved street, which is maintained by the property owners of Golfside Estates. He testified, on behalf of the homeowner's association, that Lot 31, which is a commons lot, should be dissolved because it is landlocked. He added that it seemed more reasonable to absolve that particular lot into the surrounding lots and make the proposed lots larger and more appealing to buyers. Deputy County Attorney Hoffmeister added that the lots, as developed today, were less appealing and may not be economically sustainable to encourage growth, without the allowance of the relaxations.

Deputy County Attorney Hoffmeister advised that the proposed lots were less than three acres, which would require a relaxation. He added that the proposed subdivision also has more houses than four per quarter, which are required under Buffalo County Zoning Regulations. He counselled that the applicant intends to rezone the proposed tract to Agricultural – Residential (AGR – 1) District.

Deputy County Hoffmeister asked if any utility easements were occupied or would need to be relocated. Mr. Gilbertson stated that no utility easements were currently occupied and would not need to be removed or revised.

Mr. Palmer testified that the proposed subdivision would not affect any of the accesses to existing property owners or the proposed lots. He stated that there would less, but larger lots.

Deputy County Attorney Hoffmeister asked if the applicants have had a difficult time selling the proposed lots. Mr. Scott Phillips, of 2 Prairie Hills Road, Pleasanton, Nebraska, stepped forward

and answered. He stated that the lots have been in existence for 30 years and have not been sold. He added that the requirements for septic systems have become more stringent and difficult to market the smaller lots. He added that if the proposed relaxations are issued, then the applicants are hopeful the proposed lots would be more appealing to buyers.

Deputy County Attorney Hoffmeister added that the Future Land Use Map of the Buffalo County Comprehensive Plan shows the proposed tract as being zoned Agricultural – Residential 1 (AGR – 2) District. Therefore, he continued, the proposed relaxations fall within the requirements of the Buffalo County Comprehensive Plan. The Future Land Use Map, using the projector, was reviewed by The Board.

Vice-Chairperson Hardesty asked if the three-acre requirement applied to the Agricultural – Residential 1 (AGR – 1). Deputy County Attorney Hoffmeister answered that the three-acre applies to all tracts in the State of Nebraska. He added that the three-acre minimum lot size is an exempt size, state-wide, for septic tank regulation by the Nebraska Department of Water, Environment and Energy (DWEE). When a lot is comprised of less than three-acres, he continued, DEQ requires soil absorption testing. Because the lots in question are located in the AG Zoning District, he stated, the minimum lot size of that zoning district is three-acres. Also, he counselled, AGR-1, if the land in question were rezoned to AGR-1 would generally require a three-acre minimum lot size or reduced area size subject to DEQ review. The proposed lots, he added, even at their increased size, would need relaxation of minimum lot size because they do not meet the minimum lot size of the zoning district. Deputy County Attorney Hoffmeister asked Mr. Palmer if his septic system and well were spread out between his three lots and Mr. Palmer replied that his well and septic system were all on his residential tract.

Vice-Chairperson Hardesty commented that Mr. Palmer purchased three lots, instead of just one. Mr. Palmer added that he preferred to have a buffer between his residence and his neighbors.

Mr. Palmer testified that there are 13 residences along the proposed subdivision and in the homeowner's association. He added that no one was in attendance to oppose. He stated that the homeowner's association, as a whole, believe they should not be paying taxes on a tract that will benefit no one in the adjacent area.

Deputy County Attorney Hoffmeister advised that the proposed subdivision would have an economic hardship because the lots are not being maintained and are going to waste because they are not being properly developed. He added that the interior lot could create waste and generate complaints regarding non-maintenance.

Vice-Chairperson Hardesty asked why the applicants didn't create a three-acre tract with the remaining tracts. Deputy County Attorney Hoffmeister advised that creating a three-acre tract would change the characteristics of the neighborhood.

Mr. Gibbs asked if there are areas with similar issues. Deputy County Attorney Hoffmeister reviewed other grandfathered, smaller lot, pre-zoning subdivisions, but he added that they did not have a wasteful interior, landlocked lot.

Mr. Palmer reviewed the history of the golf course.

Discussion occurred regarding which lots will require revision to dissolve Lot 31.

Mr. Gibbs asked if Buffalo County maintains the accesses/roads of the proposed and existing subdivision and Deputy County Attorney Hoffmeister stated that Buffalo County does not maintain the roads/accesses and will not accept maintenance because it does not meet the county minimum requirements.

Chairperson Jeffs asked if anyone wished to provide comment.

Mr. Palmer testified that he appreciated the larger, less dense lots and that he would appreciate the commons lot be dissolved, because it was currently a wasteful tract that no one was properly maintaining.

Vice-Chairperson Hardesty reviewed the hardships: the smaller, denser lots are less marketable and harder to fulfill regulatory standards based on septic and well; marketing the remaining tracts as one large three-acre tract would change the nature of the neighborhood.

Deputy County Attorney Hoffmeister discussed the remaining duties of this board of the proposed relaxations.

- The undue hardship is the smaller, denser lots are less marketable and harder to fulfill regulatory standards based on septic and well; marketing the remaining tracts as one large three-acre tract would change the nature of the neighborhood.
- The hardship is not shared generally by other properties in the same zoning district and the same vicinity: the hardships are not the same because there are smaller lots to the north, larger lots to the southwest and much larger lots to the north.
- The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.
- The granting of the variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or hardship.

Chairperson Jeffs closed the public hearing at 4:47 P.M.

Chairperson Jeffs stated that she appreciated the larger lots, but less density.

Mr. Gibbs stated that if the neighbors were in opposition of the proposed project, then they would be present. Seeing none, he added, it appeared that the neighbors found the proposal to be satisfactory.

Chairperson Jeffs asked if more discussion needed to occur among the board members. No one spoke.

A motion was made by Mr. Hardesty and seconded by Mr. White to approve the requests for variance under Buffalo County Zoning Regulations: Section 5.12 (8), regarding 4 houses per quarter section; Section 5.16 (2A) regarding minimum lot sizes in the Agriculture (AG) District; Section 5.16 (3), regarding minimum distances abutting an improved road; Section 5.17, regarding minimum front yards; AND Buffalo County Subdivision Regulations: Section 1.05 regarding all lots abutting an improved road; Section 2.23 (a) which defines a lot; Section 2.35 regarding the definition of a street; Section 4.02 (E) regarding minimum footage abutting an improved road; Section 4.03 regarding minimum road/street lengths; Section 4.07 (C) regarding allowance of lots sizes smaller than required; Section 4.07 (E) regarding frontage upon improved roadway; Section 4.11, regarding minimum access requirements; Section 4.12 (A) regarding access requirements; Section 4.12 (B) regarding minimum street width; Section 5.01 regarding minimum grading/surfacing requirements in Golfside Estates, Lots 23-24 and Lots 26-31, also known as a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, with the stipulation that Buffalo County will not assume or accept to maintain the access ingress easement, based on the following reasons:

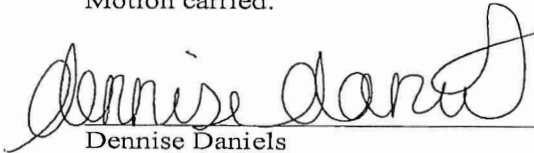
The strict application of the regulation would produce undue hardship. This Board finds the following to be true:

PROPERTY OF BUFFALO COUNTY, NE

- The undue hardship is the smaller, denser lots are less marketable and harder to fulfill regulatory standards based on septic and well; marketing the remaining tracts as one large three-acre tract would change the nature of the neighborhood.
- The hardship is not shared generally by other properties in the same zoning district and the same vicinity: the hardships are not the same because there are smaller lots to the north, larger lots to the southwest and much larger lots to the north.
- The authorization of such variance will not be of substantial detriment to adjacent property and the character of the district will not be changed by the granting of the variance.
- The granting of the variance is based upon reasons of demonstrable and exceptional hardship as distinguished from variations for purposes of convenience, profit, or hardship.

Voting "Aye" were: Gibbs, Hardesty, White, and Jeffs.
Abstain: None.
Voting "Nay": None.
Absent: Gangwish and Pemberton-Riege.

Motion carried.


Dennise Daniels
Buffalo County Zoning Administrator

ATTEST


Heather A. Christensen
Buffalo County Clerk

Date: 3/9/2026



Zoning Agenda

Item #1

36-11-11e
RUSCO

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office
1512 Central Ave., PO Box 1270 Kearney, NE 68848
308-236-1998 www.buffalogov.org

Type of Plat Administrative Sub _____ Preliminary Plat _____ Final Plat _____
Vacation of Plat X Variance _____

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: Golfside Estates Date 8/11/25

Owner's name: Ercil D. Phillips family trust also known as the Phillips family trust also known as Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Owner's home address: 2 Praire Hills Rd Pleasanton NE, 68866

Telephone number(home): 308 440 4682 (daytime) _____

Developer's name: Scott R. Phillips, Co-Trustee

Developer's address: 2 Praire Hills Rd Pleasanton NE, 68866

Engineer's name and address: Oak Creek Engineering, P.O. Box 1209 Kearney NE 68848

List all people who own, have liens and other interest _____

Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Present use of property: Residential Lots

Desired use of property: Residential Lots Present Zoning Residential

Legal Description of property: Lots 23-24, 26-31 Golfside Estates

Area of property(square feet and/or acres) 4.29 AC

Number of lots or parcels: 8 Lots

School District 10-0105 Fire District Pleasanton

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: See Attached Signature Sheet Printed Name See Attached Signature Sheet

And agent: _____

Preliminary Plat approval date: _____

Office Use Only
Permit Number 2026-013
Filing Fee 470 Receipt # 975164
Zoning Classification AG
Floodplain Yes or No 2/21/2026 dnd
8/09 Date Initial

Action Taken:

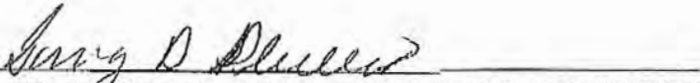
P & Z Recommendation: X approved _____ disapproved Date: 4/16/2026

County Commissioners _____ approved _____ disapproved Date: _____

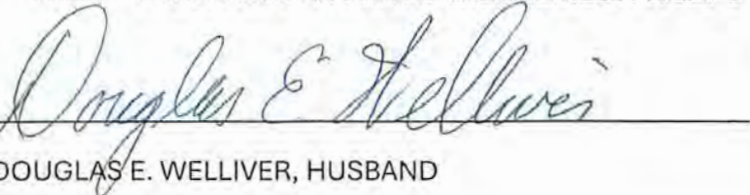
ATTACHMENT 1 - GOLFSIDE ESTATES LOTS 23-24, 26-31 VACATION



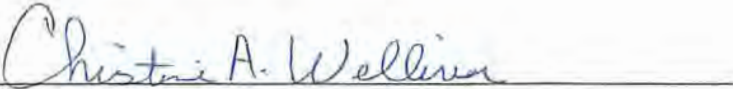
SCOTT R. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST



GARY D. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST



DOUGLAS E. WELLIVER, HUSBAND

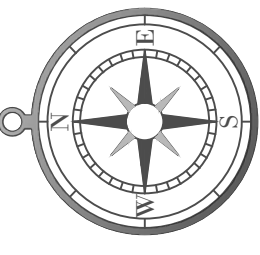


CHRISTINE A. WELLIVER, WIFE

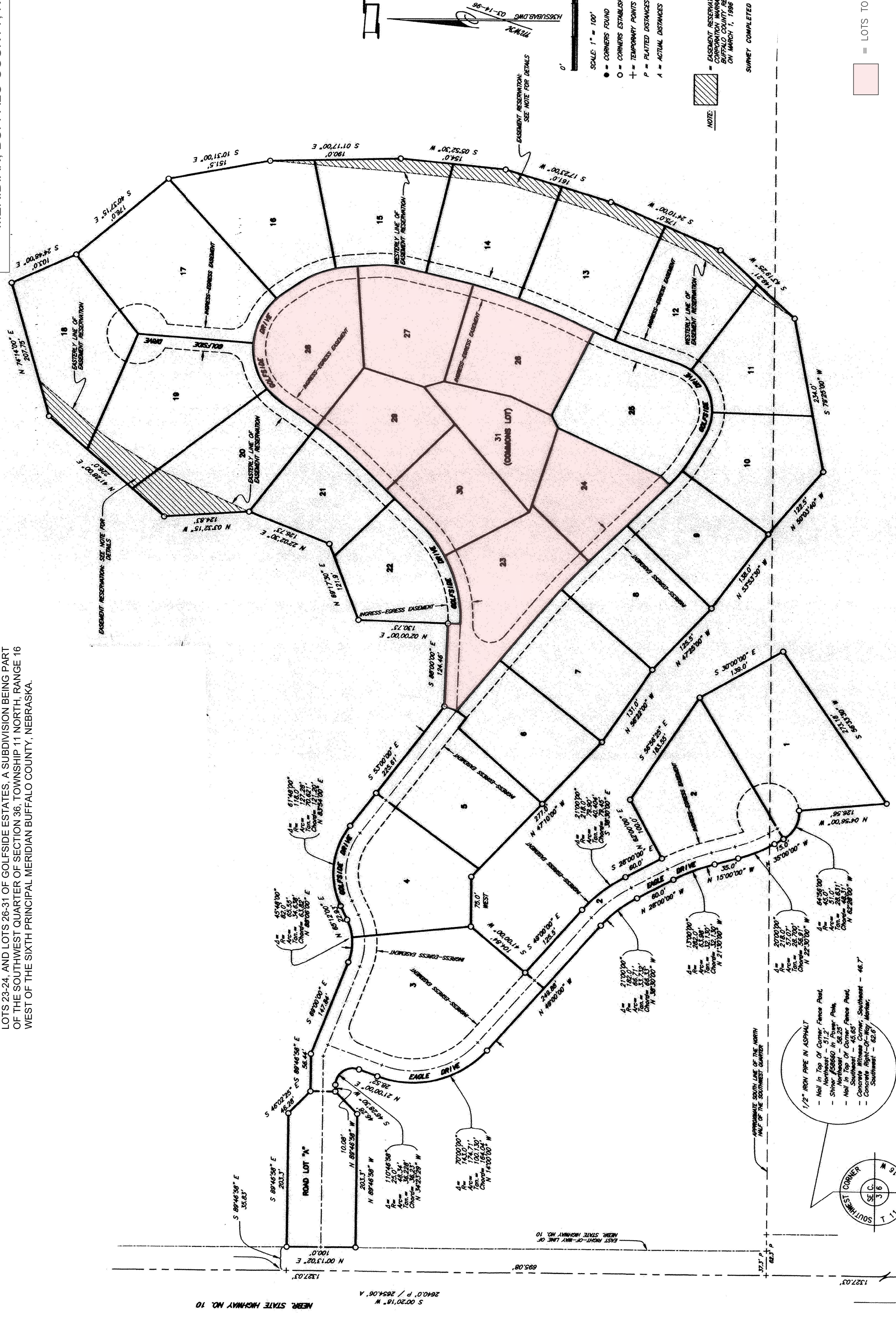


GARRETT SELTZER, PRESIDENT,
GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION INC.

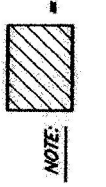
GOLFSIDE ESTATES VACATION MAP
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA



LEGAL DESCRIPTION OF LOTS TO BE VACATED:
 LOTS 23-24, AND LOTS 26-31 OF GOLFSIDE ESTATES, A SUBDIVISION BEING PART
 OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16
 WEST OF THE SIXTH PRINCIPAL MERIDIAN BUFFALO COUNTY, NEBRASKA.



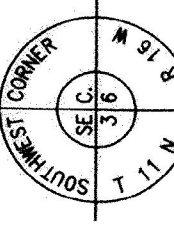
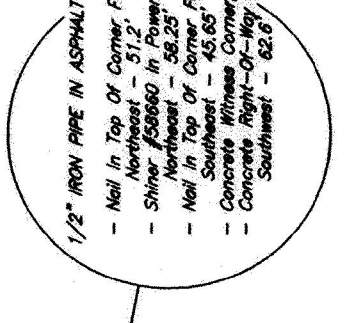
SCALE: 1" = 100'
 CORNERS ESTABLISHED
 CORNERS FOUND
 TEMPORARY POINTS
 PLATTED DISTANCES
 ACTUAL DISTANCES



NOTE:
 EASEMENT RESERVATION AS DEFINED IN THE
 CORPORATION WARRANTY DEED FILED IN THE
 BUFFALO COUNTY REGISTER OF DEEDS OFFICE
 ON MARCH 1, 1988 OR INSTRUMENT NO. 86-1178.
 SURVEY COMPLETED MARCH 13, 1996.



= LOTS TO BE VACATED AND REPLATTED



NEBR. STATE HIGHWAY NO. 10
 S 00°20'18" W / 264.0' P / 2694.06' A
 1327.03'

APPROXIMATE SOUTH LINE OF THE NORTH
 HALF OF THE SOUTHWEST QUARTER

EAST RIGHT-OF-WAY LINE OF
 NEBR. STATE HIGHWAY NO. 10

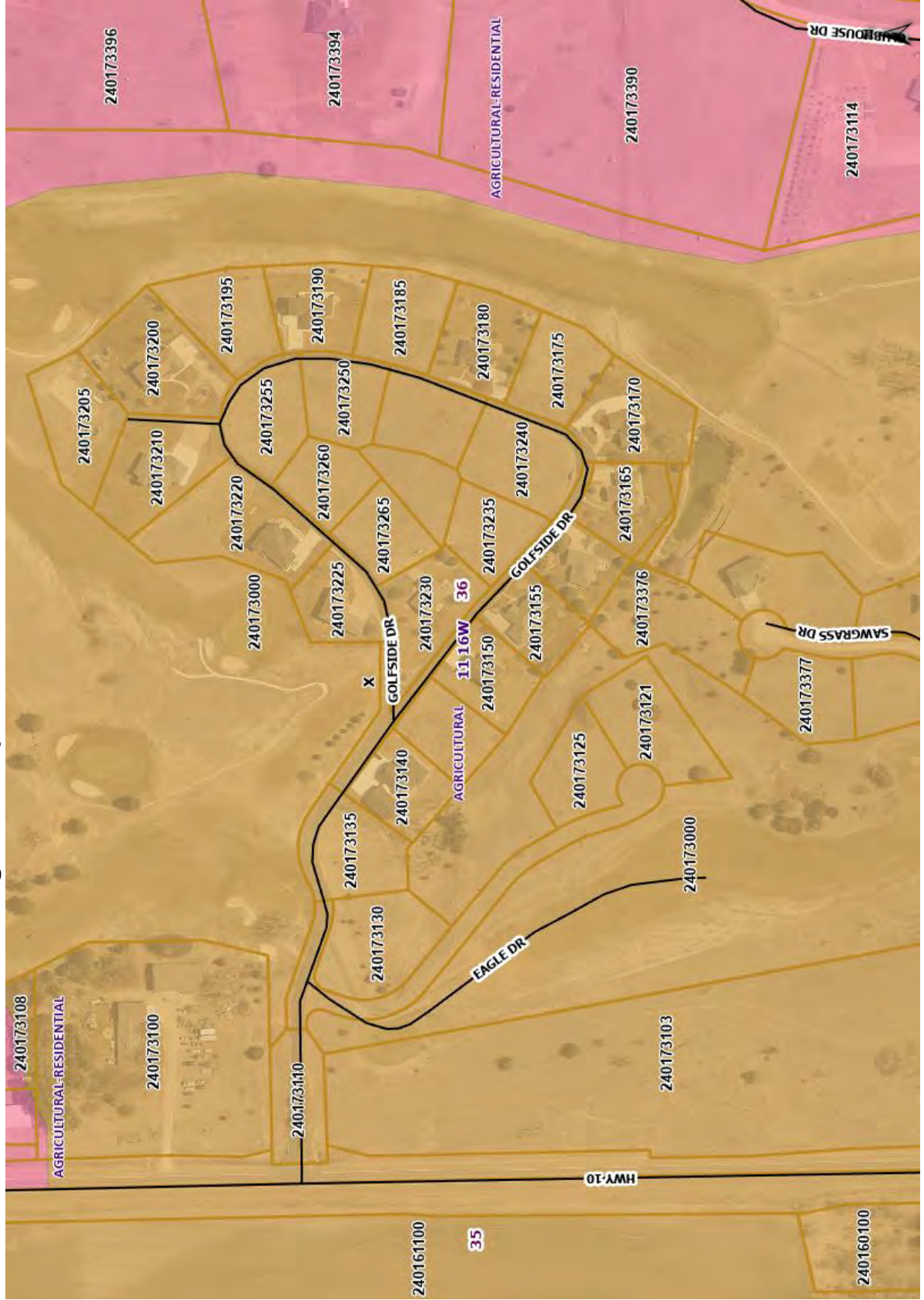


Buffalo County, NE

Golside Estates Zoning/Floodplain

Created by: null

- Parcels
- Parcel Numbers
- Roads
- Townships
- Sections
- Zoning
 - AGRICULTURAL
 - AGRICULTURAL-RESIDENTIAL
 - COMMERCIAL
 - INDUSTRIAL
 - RURAL CONSERVATION
 - AGRICULTURAL-RESIDENTIAL
- Floodplain
 - 2
 - A
 - AE
 - AH
 - AO
 - X



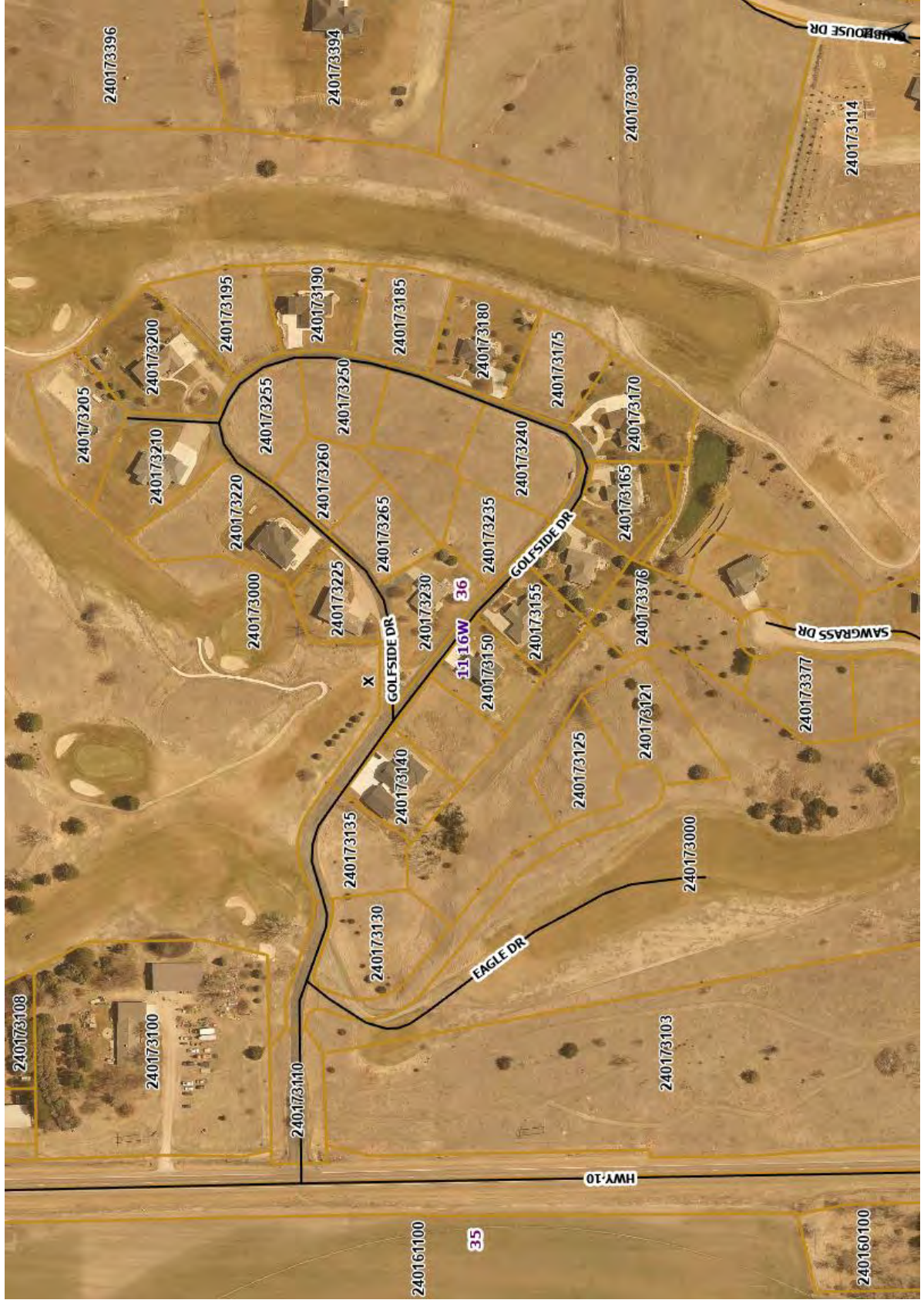


Buffalo County, NE

Golside Estates Aerial/Floodplain

Created by: null

- Parcels
 - Roads
 - Townships
 - Sections
 - Floodplain
- A
 - AE
 - AH
 - AO
 - X



Zoning Agenda

Item #2

APPLICATION FOR A CHANGE OF ZONING
BUFFALO COUNTY, NEBRASKA

36-11-16

RUSCO

Filing Fee: \$330.00 plus estimated cost of publication made payable to Buffalo County.
Form must be filled out completely before acceptance of this application for processing. **Please print.**

Date 2/19/2026

Applicant's Name Ercil D. Phillips family trust also known as the Phillips family trust also known as the Lee Nell Phillips Trust, Douglas E. & Christine A. Welliver, Golfside Estates HOA Telephone # 3084404682

Applicant's Address 2 Prairie Hills Rd Pleasanton NE Zip Code 68866

Present Use of Subject Property Undeveloped Residential Lots

Desired Use of Subject Property Residential Lots

Present Zoning AG Requested Zoning AGR-1

Legal Description of Property Requested to be Rezoned See Attached Legal

Area of Subject Property, Square Feet and/or Acres 4.29 AC

How are Adjoining Properties Used (Actual Use)

North AGR - residential and golfing

South AGR - residential and golfing

East AGR - residential and golfing

West AGR - residential and golfing

If Exhibits are furnished, please describe and enumerate. Furnish plot or site plan showing existing and proposed structures, easements, water courses, curb cutbacks, etc.

Justification

You must justify your request. Questions 1 through 4 must be answered completely. Use additional sheets if needed.

1. What is the general character of the area? Describe.
Area is made up of a golf course and pockets of residential houses around the course.
2. Can soil conditions support the kinds of development in the proposed zoning district? What is the soil classification of the area?
yes, neighboring lots are already developed
Coly silt loam
3. What type of sewer and water system will be used?
Private septic and wells will be use to match existing developed lots
4. How will the proposed zoning district affect traffic in the area?
zoning change will not change existing traffic conditions

The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

The above requested information is, to the best of my knowledge, true and accurate.

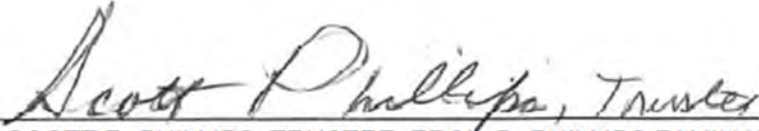
Signature of Owner _____ Signature of Agent _____

Printed Name see signature sheet Printed Name see signature sheet

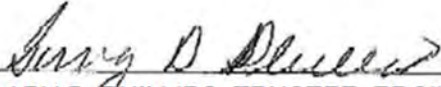
Buffalo County Zoning
1512 Central Ave.
PO Box 1270
Kearney, NE 68848
308-236-1998

Office Use Only
Permit Number 2026-014
Amount 390.00 Receipt # 975164
Floodplain Yes of No 2/20/2026
Date Initial

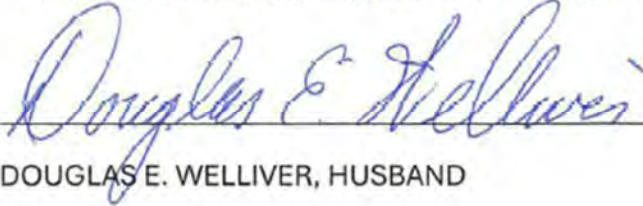
Signature Sheet – Zoning App. A subdivision being part of the southwest quarter of section 36, township 11 north, range 16 west of the sixth principal meridian, Buffalo county, Nebraska



SCOTT R. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST



GARY D. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST



DOUGLAS E. WELLIVER, HUSBAND



CHRISTINE A. WELLIVER, WIFE



GARRETT SELTZER, PRESIDENT,
GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION INC.

OFFICE USE ONLY

Permit # 2026-014

Fee Received \$390.00

Receipt # 975164

Date 4/16/2026

Approved X
Disapproved _____

Scott Brady
Chair, Buffalo County Planning Commission

Date _____

Approved _____
Disapproved _____

Chair, Buffalo County Board of Commissioners

NOTICE TO APPLICANT

Section 11.2 of the Buffalo County Zoning Ordinance requires the applicant to submit the following information which must accompany this application before it can be considered by the Planning & Zoning Commission:

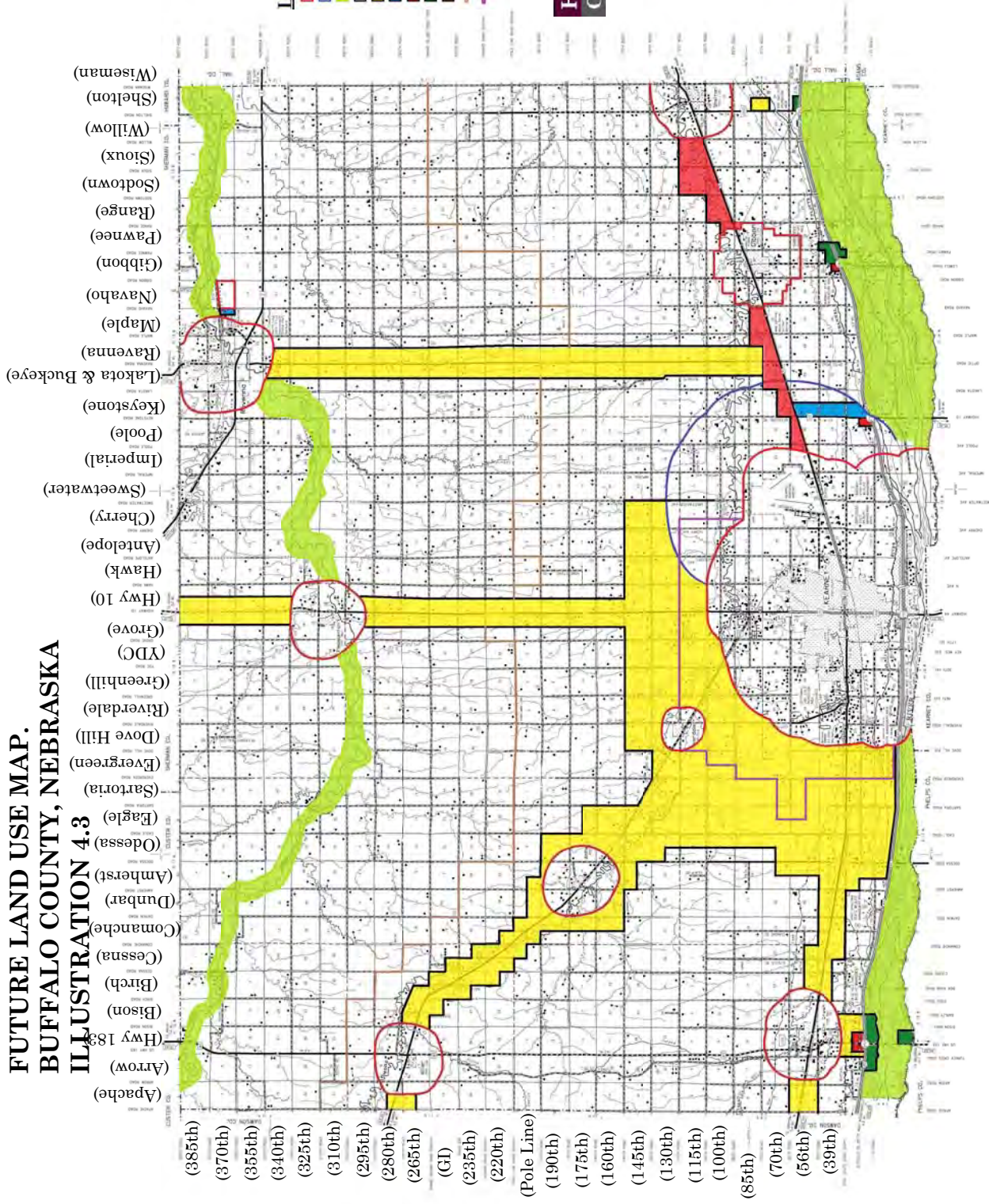
1. The legal description and local address of the property;
2. The present zoning classification and the zoning classification requested for the property.
3. The existing use and proposed use of the property.
4. The names and addresses of the owners of all property within three hundred (300) feet of the property for which the change is requested;
5. A statement of the reasons why the applicant feels the present zoning classification is no longer valid; and
6. A drawing showing the location, dimensions, and use of the applicant's property and all property within three hundred (300) feet thereof, including roads, railroads, and other physical features.

LEGAL DESCRIPTION:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN BUFFALO COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID SECTION 36, THENCE S89°09'53"W (ASSUMED BEARING) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36 A DISTANCE OF 2647.60 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE S0°50'07"E A DISTANCE OF 3511.37 FEET; THENCE S89°09'53"W A DISTANCE OF 1127.37 FEET TO THE POINT OF BEGINNING; THENCE ON A 900.00 FOOT RADIUS CURVE TO RIGHT, A DISTANCE OF 199.58 FEET (LONG CHORD BEARS S18°04'10"W, A DISTANCE OF 199.17 FEET); THENCE S24°25'20"W A DISTANCE OF 28.67 FEET; THENCE N65°34'57"W A DISTANCE OF 18.16 FEET; THENCE N65°34'57"W A DISTANCE OF 121.90 FEET; THENCE S60°36'46"W A DISTANCE OF 21.53 FEET; THENCE S23°52'48"W A DISTANCE OF 166.57 FEET; THENCE S43°28'29"W A DISTANCE OF 17.73 FEET; THENCE N46°34'40"W A DISTANCE OF 163.73 FEET; THENCE N46°34'40"W A DISTANCE OF 10.00 FEET; THENCE ON A 900.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 89.80 FEET (LONG CHORD BEARS N49°26'10"W, A DISTANCE OF 89.76 FEET); THENCE N52°17'40"W A DISTANCE OF 195.06 FEET; THENCE N17°55'20"E A DISTANCE 18.87 FEET; THENCE S89°34'40"E A DISTANCE OF 124.46 FEET; THENCE S0°25'20"W A DISTANCE OF 18.00 FEET; THENCE ON A 200.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 164.06 FEET (LONG CHORD BEARS N66°55'20"E, A DISTANCE OF 159.50 FEET); THENCE N43°25'20"E A DISTANCE OF 55.38 FEET; THENCE N43°25'20"E A DISTANCE OF 75.01 FEET; THENCE ON A 600.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 104.72 FEET (LONG CHORD BEARS N38°25'20"E, A DISTANCE OF 104.59 FEET); THENCE N33°25'20"E A DISTANCE OF 39.69 FEET; THENCE ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 191.99 FEET (LONG CHORD BEARS N88°25'20"E, A DISTANCE OF 163.83 FEET); THENCE S36°34'40"E A DISTANCE OF 24.64 FEET; THENCE ON A 150.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 81.16 FEET (LONG CHORD BEARS S21°04'40"E, A DISTANCE OF 80.17 FEET); THENCE S5°34'40"E A DISTANCE OF 35.59 FEET; THENCE ON A 150.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 45.28 FEET (LONG CHORD BEARS S3°04'10"W, A DISTANCE OF 45.11 FEET); THENCE S11°43'00"W A DISTANCE OF 65.75 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.29 ACRES (187,156.92 SQUARE FEET) MORE OR LESS AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

FUTURE LAND USE MAP.
BUFFALO COUNTY, NEBRASKA
ILLUSTRATION 4.3



HANNA-KEELAN ASSOCIATES, P.C.
COMMUNITY PLANNING & RESEARCH

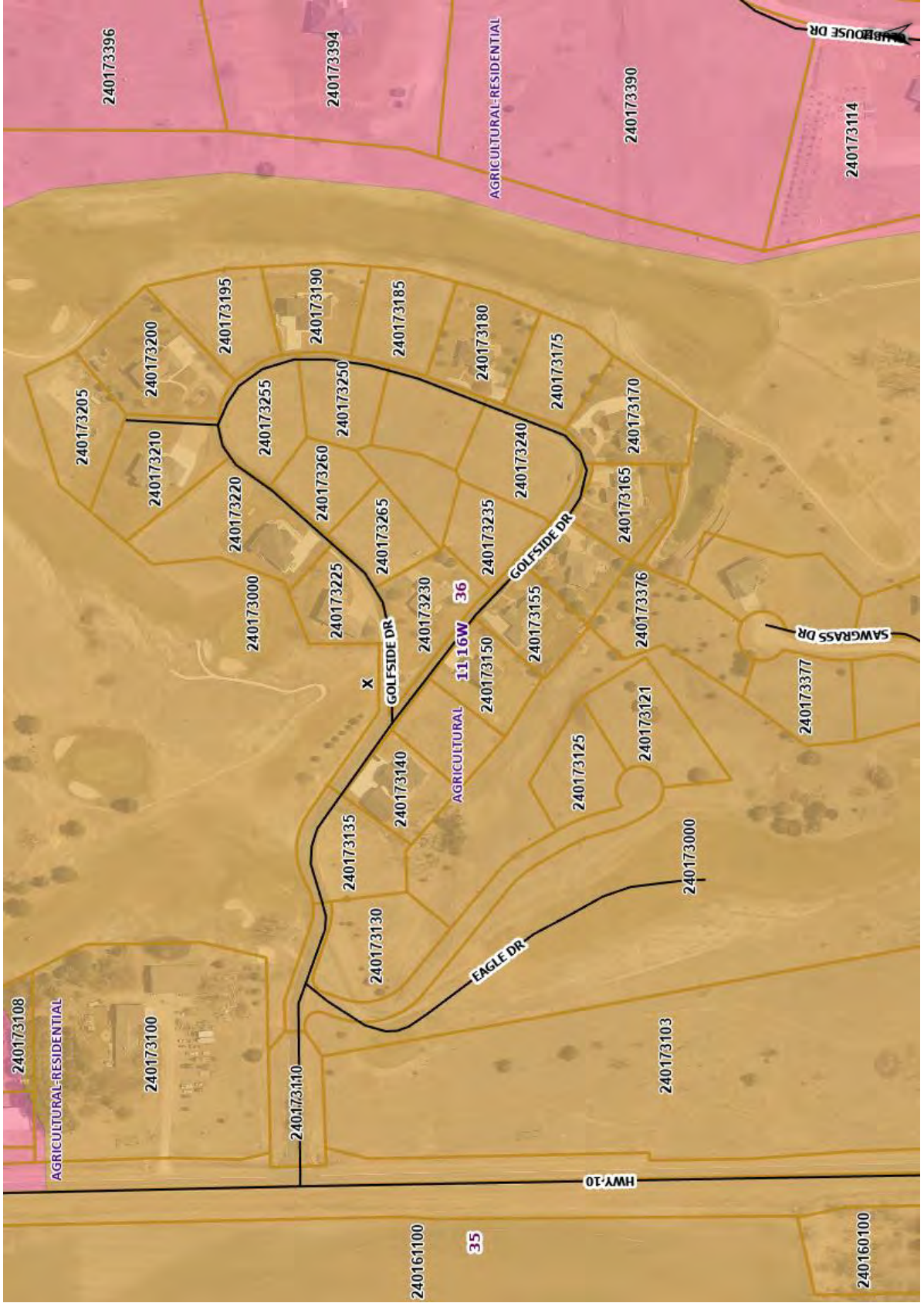


Buffalo County, NE

Golside Estates Zoning/Floodplain

Created by: null

- Parcels
- Parcel Numbers
- Roads
- Townships
- Sections
- Zoning
 - AGRICULTURAL
 - AGRICULTURAL-RESIDENTIAL
 - COMMERCIAL
 - INDUSTRIAL
 - RURAL CONSERVATION
 - AGRICULTURAL-RESIDENTIAL
- Floodplain
 - 2
 - A
 - AE
 - AH
 - AO
 - X



Zoning Agenda

Item #3

36-11-16
BUSCO

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office
1512 Central Ave., PO Box 1270 Kearney, NE 68848
308-236-1998 www.buffalogov.org

Type of Plat Administrative Sub _____ Preliminary Plat X Final Plat _____
Vacation of Plat _____ Variance _____

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: Golfside #5 Subdivision Date 2/19/2026

Owner's name: Ercil D. Phillips family trust also known as the Phillips family trust also known as Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Owner's home address: 2 Prairie Hills Rd Pleasanton NE, 68866

Telephone number(home): 308 440 4682 (daytime) _____

Developer's name: Scott R. Phillips, Co-Trustee

Developer's address: 2 Prairie Hills Rd Pleasanton NE, 68866

Engineer's name and address: Oak Creek Engineering, P.O. Box 1209 Kearney NE 68848

List all people who own, have liens and other interest _____
Lee Nell Phillips Trust, Douglas E. Welliver & Christine A. Welliver, Golfside HOA

Present use of property: Residential Lots

Desired use of property: Residential Lots Present Zoning Residential

Legal Description of property: A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA

Area of property(square feet and/or acres) 4.29 AC

Number of lots or parcels: 5 Lots

School District 10-0105 Fire District Pleasanton

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: See Attached Signature Sheet Printed Name See Attached Signature Sheet

And agent: _____

Preliminary Plat approval date: _____

Action Taken:
P & Z Recommendation: X approved _____ disapproved
County Commissioners _____ approved _____ disapproved

Date: 4/16/2026
Date: _____

Office Use Only	
Permit Number	<u>2026-015</u>
Filing Fee	<u>720.00</u> Receipt # <u>9751041</u>
Zoning Classification	<u>AG</u>
Floodplain Yes or No	<u>2/24/2026 dm/d</u>
8/09	Date Initial

ATTACHMENT 1 - GOLFSIDE #5 SUBDIVISION

Scott Phillips, Trustee

SCOTT R. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST

Gary D Phillips

GARY D. PHILLIPS, TRUSTEE, ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST ALSO KNOWN AS THE LEE NELL PHILLIPS TRUST

Douglas E. Welliver

DOUGLAS E. WELLIVER, HUSBAND

Christine A Welliver

CHRISTINE A . WELLIVER, WIFE

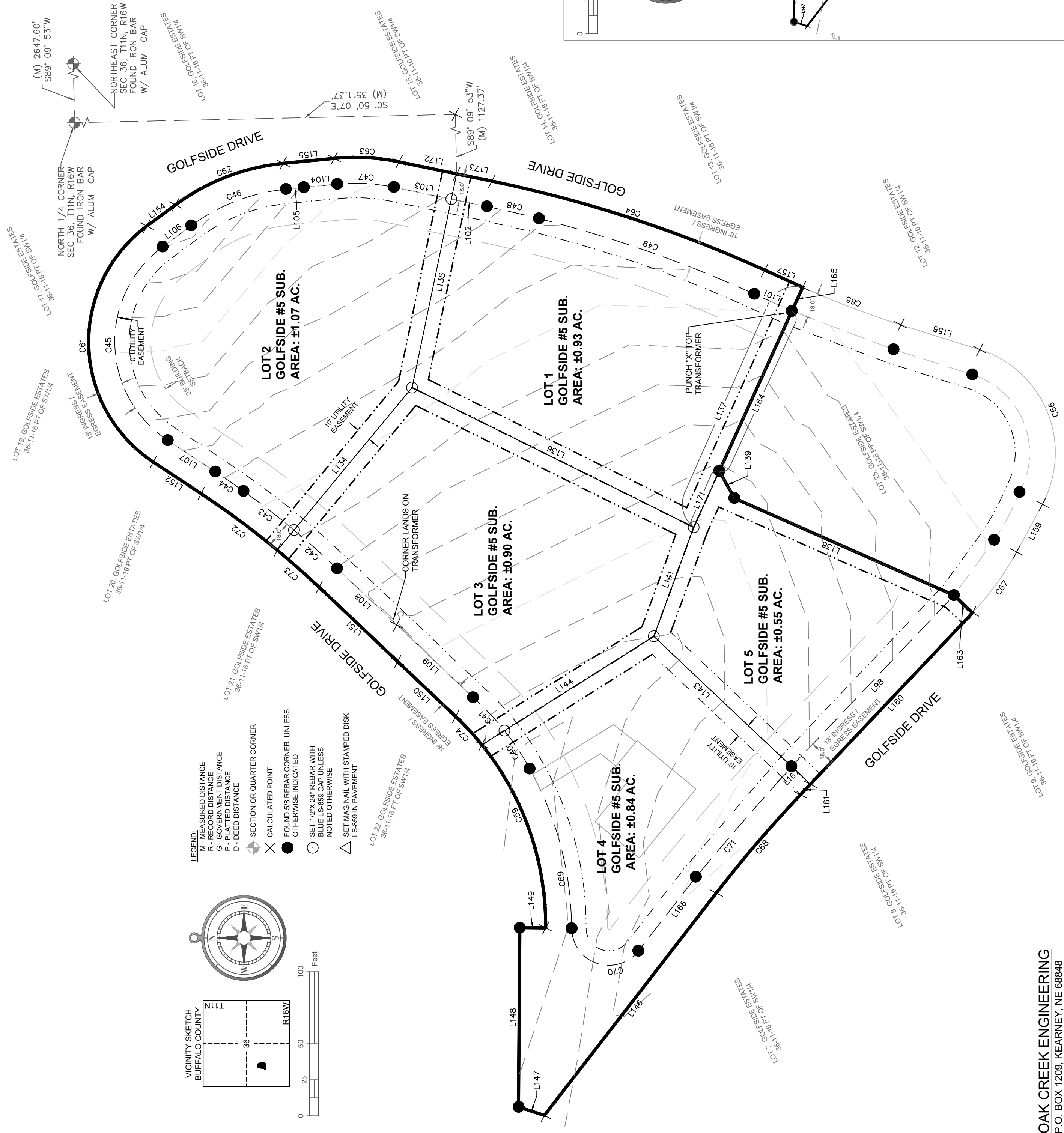
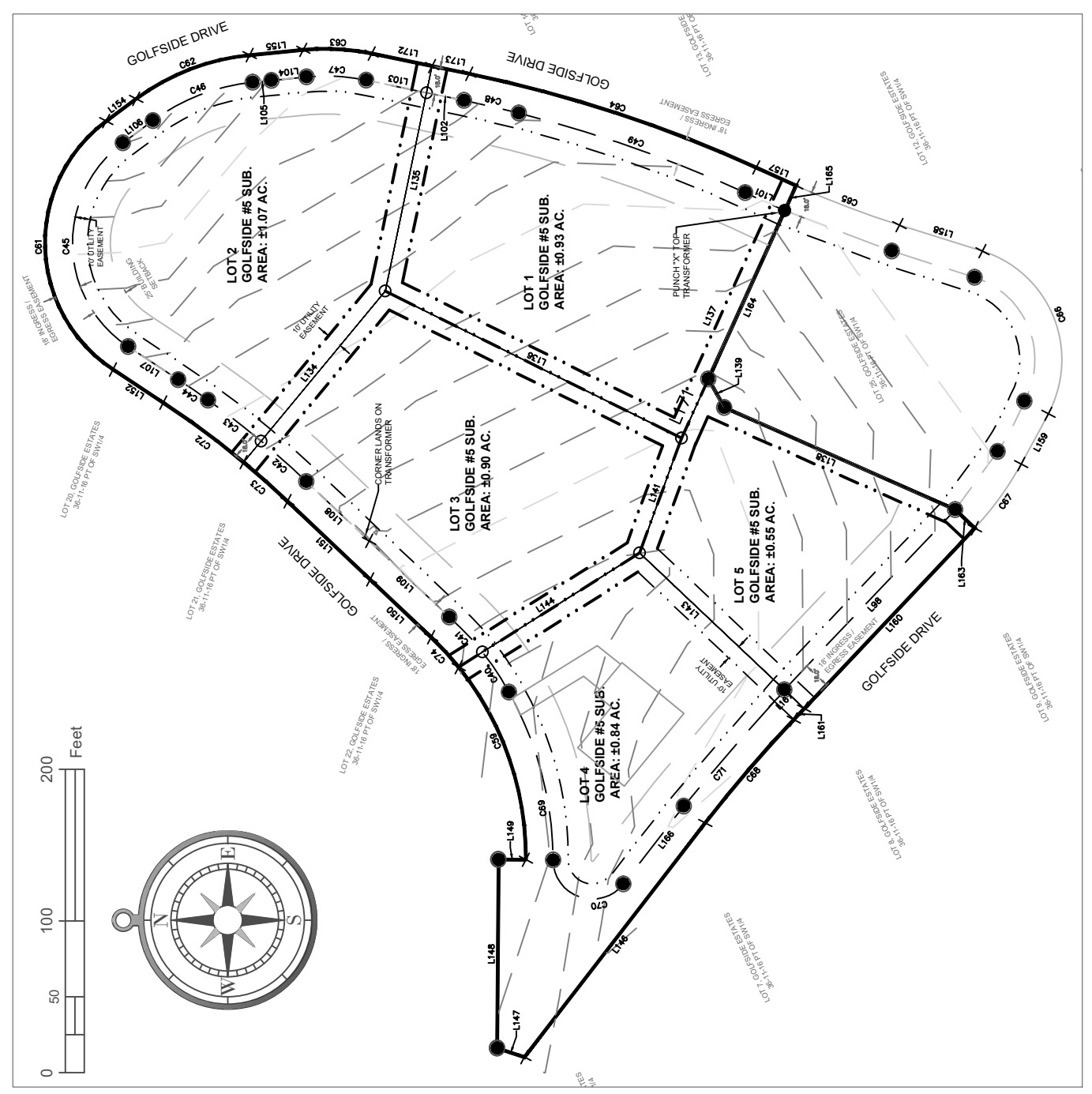
Garrett Seltzer

GARRETT SELTZER, PRESIDENT,
GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION INC.

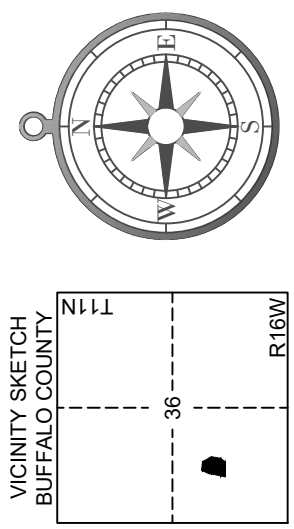
GOLFSIDE #5 SUBDIVISION
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA

SURVEYOR'S CERTIFICATE
 I, JOSHUA J. GILBERTSON, NEBRASKA REGISTERED LAND SURVEYOR NO. 859, DULY REGISTERED UNDER THE LAND SURVEYOR'S REGULATION ACT, DO HEREBY STATE THAT I HAVE PERFORMED A SURVEY OF THE LAND 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 SURVEYOR'S REGULATION ACT IN EFFECT AT THE TIME OF THIS SURVEY.

JOSHUA J. GILBERTSON
 NEBR. REG. L.S. NO. 859
 DATE: _____



- LEGEND:**
- M- MEASURED DISTANCE
 - R- RECORD DISTANCE
 - P- PLATTED DISTANCE
 - D- DEED DISTANCE
 - SECTION OR QUARTER CORNER
 - CALCULATED POINT
 - FOUND 6/8 REBAR CORNER, UNLESS OTHERWISE INDICATED
 - SET 1/2" X 24" REBAR WITH BLUE LS-889 CAP UNLESS NOTED OTHERWISE
 - SET MAG NAIL WITH STAMPED DISK LS-889 IN PAVEMENT



GOLFSIDE #5 SUBDIVISION
A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA

LEGAL DESCRIPTION:

A TRACT OF LAND BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHEAST CORNER OF SAID SECTION 36, THENCE S89°09'53"W (ASSUMED BEARING) ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36 A DISTANCE OF 2647.60 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE S0°50'07"E A DISTANCE OF 3511.37 FEET; THENCE S89°09'53"W A DISTANCE OF 1127.37 FEET TO THE POINT OF BEGINNING; THENCE S11°43'00"W A DISTANCE OF 24.97 FEET; THENCE ON A 900.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 199.58 FEET (LONG CHORD BEARS S18°04'10"W, A DISTANCE OF 199.17 FEET); THENCE S24°25'20"W A DISTANCE OF 28.67 FEET; THENCE N65°34'57"W A DISTANCE OF 18.16 FEET; THENCE N65°34'57"W A DISTANCE OF 121.90 FEET; THENCE S60°36'46"W A DISTANCE OF 21.53 FEET; THENCE S23°52'48"W A DISTANCE OF 166.57 FEET; THENCE S43°28'29"W A DISTANCE OF 17.73 FEET; THENCE N46°34'40"W A DISTANCE OF 163.73 FEET; THENCE N46°34'40"W A DISTANCE OF 10.00 FEET; THENCE ON A 900.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 89.80 FEET (LONG CHORD BEARS N49°26'10"W, A DISTANCE OF 89.76 FEET); THENCE N52°17'40"W A DISTANCE OF 195.06 FEET; THENCE N17°55'20"E A DISTANCE OF 18.87 FEET; THENCE S89°34'40"E A DISTANCE OF 124.46 FEET; THENCE S0°25'20"W A DISTANCE OF 200.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 26.88 FEET; THENCE N17°55'20"E A DISTANCE OF 134.48 FEET; THENCE ON A 200.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 26.90 FEET (LONG CHORD BEARS N47°16'31"E, A DISTANCE OF 26.88 FEET); THENCE N43°25'20"E A DISTANCE OF 55.38 FEET; THENCE N43°25'20"E A DISTANCE OF 75.01 FEET; THENCE ON A 600.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 38.82 FEET (LONG CHORD BEARS N41°34'08"E, A DISTANCE OF 38.81 FEET); THENCE ON A 600.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 65.90 FEET (LONG CHORD BEARS N36°34'08"E, A DISTANCE OF 65.87 FEET); THENCE N33°25'20"E A DISTANCE OF 39.69 FEET; THENCE ON A 100.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 191.99 FEET (LONG CHORD BEARS N88°25'20"E, A DISTANCE OF 163.83 FEET); THENCE S36°34'40"E A DISTANCE OF 24.64 FEET; THENCE ON A 150.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 81.16 FEET (LONG CHORD BEARS S21°04'40"E, A DISTANCE OF 80.17 FEET); THENCE S5°34'40"E A DISTANCE OF 35.59 FEET; THENCE ON A 150.00 FOOT RADIUS CURVE TO THE RIGHT, A DISTANCE OF 45.28 FEET (LONG CHORD BEARS S3°04'10"W, A DISTANCE OF 45.11 FEET); THENCE S11°43'00"W A DISTANCE OF 40.78 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 4.29 ACRES (187,156.92 SQUARE FEET) MORE OR LESS AND FURTHER SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

ROADWAY NOTE:

THE PROPOSED INGRESS-EGRESS EASEMENT SHOWN ON THIS PLAT IS PRIVATE, AND DOES NOT MEET STATE OR COUNTY STANDARDS FOR CONCLUSION IN THE SECONDARY ROAD SYSTEM AND WILL NOT BE MAINTAINED BY THE COUNTY. THE PROPERTY OWNER(S) AND SUCCESSORS HERETO AGREES TO NOT REQUEST ROAD MAINTENANCE FROM BUFFALO COUNTY UNTIL SUCH TIME AS THE INGRESS-EGRESS EASEMENT IS APPROVED AND DEDICATED TO THE PUBLIC AS A PRIVATE STREET OR PUBLIC ROAD AND IS BROUGHT TO THE THEN APPLICABLE BUFFALO COUNTY PUBLIC STREET IMPROVEMENT REQUIREMENTS STANDARDS.

BUILD NOTE:

LOTS CREATED IN THIS PLAT, THAT ARE COMPRISED OF LESS THAN 3-ACRES IN AREA, ARE SUBJECT TO REVIEW AS TO ADEQUATE SIZE BY THE STATE OF NEBRASKA DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT (NOW KNOWN AS DWEE, FORMERLY DEQ) FOR SANITATION PURPOSES.

Curve Table

Curve #	LENGTH	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH	CHORD LENGTH
C40	(M) 31.76'	—	182.00'	N56° 35' 02"E	(M) 31.72'	—
C41	(M) 31.76'	—	182.00'	N46° 35' 03"E	(M) 31.72'	—
C42	(M) 40.11'	—	582.00'	N41° 51' 02"E	(M) 40.10'	—
C43	(M) 44.23'	—	539.45'	N37° 36' 48"E	(M) 44.22'	—
C44	(M) 23.78'	—	457.26'	N34° 30' 39"E	(M) 23.78'	—
C45	(M) 157.54'	—	82.00'	N88° 29' 43"E	(M) 134.40'	—
C46	(M) 71.38'	—	132.00'	S20° 59' 36"E	(M) 70.51'	—
C47	(M) 39.68'	—	132.00'	S3° 05' 05"W	(M) 39.54'	—
C48	(M) 37.10'	—	896.06'	S12° 57' 51"W	(M) 37.09'	—
C49	(M) 158.52'	—	882.76'	S19° 19' 47"W	(M) 158.31'	—
C59	(M) 137.16'	—	200.00'	N70° 46' 28"E	(M) 134.48'	—
C60	(M) 104.72'	(R) 104.72'	600.00'	N38° 25' 20"E	(M) 104.59'	(R) 104.59'
C61	(M) 191.99'	(R) 191.99'	100.00'	N88° 25' 20"E	(M) 163.83'	(R) 163.83'
C62	(M) 81.16'	(R) 81.16'	150.00'	S21° 04' 40"E	(M) 80.17'	(R) 80.17'
C63	(M) 45.28'	(R) 45.28'	150.00'	S3° 04' 10"W	(M) 45.11'	(R) 45.11'
C64	(M) 199.58'	(R) 199.58'	900.00'	S18° 04' 10"W	(M) 199.17'	(R) 199.17'
C65	(M) 73.31'	(R) 73.31'	600.00'	S20° 55' 20"W	(M) 73.26'	(R) 73.26'
C66	(M) 132.20'	(R) 132.20'	75.00'	S67° 55' 20"W	(M) 115.74'	(R) 115.74'
C67	(M) 52.36'	(R) 52.36'	200.00'	N54° 04' 40"W	(M) 52.21'	(R) 52.21'
C68	(M) 89.80'	(R) 89.80'	900.00'	N49° 26' 10"W	(M) 89.76'	(R) 89.76'
C69	(M) 115.64'	(R) 115.68'	229.56'	N75° 15' 04"E	(M) 114.42'	(R) 114.32'
C70	(M) 64.10'	(R) 64.52'	25.90'	N18° 46' 38"E	(M) 48.95'	(R) 49.08'
C71	(M) 91.35'	(R) 91.6'	2290.35'	N49° 07' 47"W	(M) 91.35'	(R) 91.56'
C72	(M) 65.90'	—	600.00'	N36° 34' 08"E	(M) 65.87'	—
C73	(M) 38.82'	—	600.00'	N41° 34' 08"E	(M) 38.81'	—
C74	(M) 26.90'	—	200.00'	N47° 16' 31"E	(M) 26.88'	—

Parcel Line Table

Line #	DIRECTION	LENGTH	LENGTH
L148	S89° 34' 40"E	(M) 124.46'	(R) 124.46'
L149	S0° 25' 20"W	(M) 18.00'	(R) 18.0'
L150	N43° 25' 20"E	(M) 55.38'	(R) 55.38'
L151	N43° 25' 20"E	(M) 75.01'	(R) 75.01'
L152	N33° 25' 20"E	(M) 39.69'	(R) 39.69'
L154	S36° 34' 40"E	(M) 24.64'	(R) 24.64'
L155	S5° 34' 40"E	(M) 35.59'	(R) 35.59'
L157	S24° 25' 20"W	(M) 28.67'	(R) 28.67'
L158	S17° 25' 20"W	(M) 57.32'	(R) 57.32'
L159	N61° 34' 40"W	(M) 37.69'	(R) 37.69'
L160	N46° 34' 40"W	(M) 163.73'	(R) 163.73'
L161	N46° 34' 40"W	(M) 10.00'	(R) 10.0'
L163	S43° 28' 29"W	(M) 17.73'	(R) 18.0'
L164	N65° 34' 57"W	(M) 121.90'	(R) 122.00'
L165	N65° 34' 57"W	(M) 18.16'	(R) 18.00'
L166	N52° 09' 44"W	(M) 65.03'	(R) 64.93'
L167	N45° 00' 00"W	(M) 9.83'	(R) 10.0'
L171	S65° 34' 57"E	(M) 42.78'	—
L172	N11° 43' 00"E	(M) 40.78'	—
L173	N11° 43' 00"E	(M) 24.97'	—

Parcel Line Table

Line #	DIRECTION	LENGTH	LENGTH
L98	N46° 29' 30"W	(M) 163.75'	(R) 163.73'
L101	S24° 31' 01"W	(M) 28.60'	(R) 28.67'
L102	S11° 46' 47"W	(M) 25.25'	—
L103	S11° 46' 47"W	(M) 40.57'	—
L104	S5° 37' 45"E	(M) 23.29'	(R) 23.24'
L105	S5° 43' 35"E	(M) 12.37'	(R) 12.35'
L106	S36° 32' 52"E	(M) 24.69'	(R) 24.64'
L107	N33° 21' 57"E	(M) 39.57'	(R) 39.69'
L108	N43° 21' 19"E	(M) 56.86'	(R) 57.12'
L109	N43° 31' 11"E	(M) 73.07'	(R) 73.27'
L134	S50° 20' 18"E	(M) 146.51'	—
L135	N78° 13' 13"W	(M) 151.56'	—
L136	S26° 22' 13"W	(M) 218.18'	—
L137	S65° 34' 57"E	(M) 182.83'	—
L138	S23° 52' 48"W	(M) 166.57'	(R) 166.62'
L139	S60° 36' 46"W	(M) 21.53'	(R) 21.45'
L141	S69° 54' 52"E	(M) 80.61'	—
L143	S43° 23' 47"W	(M) 119.29'	—
L144	S32° 15' 12"E	(M) 141.10'	—
L146	N52° 17' 40"W	(M) 195.06'	(R) 195.06'
L147	N17° 55' 20"E	(M) 18.87'	(R) 18.87'

GOLFSIDE #5 SUBDIVISION
 A SUBDIVISION BEING PART OF THE SOUTHWEST
 QUARTER OF SECTION 36, TOWNSHIP 11 NORTH,
 RANGE 16 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, BUFFALO COUNTY, NEBRASKA

DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE AND GARY D. PHILLIPS, SUCCESSOR COTRUSTEE OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND GARY D. PHILLIPS, SUCCESSOR COTRUSTEE AND SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST, GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC., AND DOUGLAS E. WELLIVER AND CHRISTINE A. WELLIVER, HUSBAND AND WIFE, BEING THEN OWNERS OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAS CAUSED THE SAME TO BE SURVEYED, PLATTED AND DESIGNATED AS "GOLFSIDE #5 SUBDIVISION", A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA, AND THAT SAID OWNERS HEREBY RATIFY AND APPROVES THE DISPOSITION OF THEIR PROPERTY AS SHOWN ON THIS PLAT, AND HEREBY DEDICATES TO THE USE AND BENEFIT OF THE PUBLIC, THE STREETS AND UTILITY EASEMENTS (IF ANY) AS SHOWN UPON SAID PLAT, AND ACKNOWLEDGES SAID SUBDIVISION TO BE MADE WITH FREE CONSENT AND IN ACCORD WITH THE DESIRES OF SAID OWNER, DATED THIS ____ DAY OF _____, 20__.

SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE
 OF THE LEE NELL PHILLIPS REVOCABLE TRUST
 DATED DECEMBER 4, 1990 AND SUCCESSOR
 COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY
 TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

DOUGLAS E. WELLIVER, HUSBAND

CHRISTINE A. WELLIVER, WIFE

GARY D. PHILLIPS, SUCCESSOR COTRUSTEE
 OF THE LEE NELL PHILLIPS REVOCABLE TRUST
 DATED DECEMBER 4, 1990 AND SUCCESSOR
 COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY
 TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

GARRETT SELTZER, PRESIDENT,
 GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC.

ACKNOWLEDGEMENT:

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)
)SS
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__, BY GARRETT SELTZER,
 PRESIDENT, GOLFSIDE ESTATES SUBDIVISION HOMEOWNERS ASSOCIATION, INC.
 MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

NOTARY _____ (SEAL)

RESOLUTION NO. _____

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA IN REGULAR SESSION WITH A QUORUM PRESENT, THAT THE PLAT OF "GOLFSIDE #5 SUBDIVISION", A SUBDIVISION BEING PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA, DULY MADE OUT, ACKNOWLEDGED AND CERTIFIED, IS HEREBY APPROVED, ACCEPTED AND ORDERED FILED AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS, BUFFALO COUNTY, NEBRASKA. ANY DEDICATION OF THE ROADS AND/OR OTHER RIGHT-OF-WAY TO THE PUBLIC IS ACCEPTED SOLELY AS RESERVATION OF ROADS AND/OR OTHER RIGHT-OF-WAY TO BUFFALO COUNTY WITHOUT BUFFALO COUNTY BEING RESPONSIBLE FOR SUCH ROADS AND/OR OTHER RIGHT-OF-WAY.

MOVED BY _____ AND SECONDED BY _____ THAT THE FOREGOING RESOLUTION BE

ADOPTED. MOTION CARRIED ON _____ VOTE (_____ ABSENT).

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)
)SS

I, HEATHER A. CHRISTENSEN, COUNTY CLERK, IN AND FOR SAID COUNTY, BEING DULY ELECTED AND QUALIFIED, DO HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE RESOLUTION AS PASSED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS ON THIS ____ DAY OF _____, 20__.

HEATHER A. CHRISTENSEN, COUNTY CLERK _____ (SEAL)

APPROVAL OF BUFFALO COUNTY, NEBRASKA, PLANNING AND ZONING COMMISSION

THE UNDERSIGNED, _____, (PRINT NAME), CHAIRPERSON OR VICE-CHAIRPERSON OF THE BUFFALO COUNTY PLANNING AND ZONING COMMISSION DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF "GOLFSIDE #5 SUBDIVISION, A SUBDIVISION BEING LOCATED IN PART OF THE SOUTHWEST QUARTER OF SECTION 36, ALL IN TOWNSHIP 11 NORTH, RANGE 16 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA", WAS SUBMITTED TO THE BUFFALO COUNTY PLANNING AND ZONING COMMISSION FOR A PUBLIC MEETING AND REVIEW AND THE AT RECOMMENDATION BY THE BUFFALO COUNTY PLANNING COMMISSION WAS MADE TO THE BUFFALO COUNTY BOARD OF COMMISSIONERS ON THE ____ DAY OF _____, 20__.

CHAIRPERSON OR VICE-CHAIRPERSON _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__, BY GARY D. PHILLIPS, SUCCESSOR COTRUSTEE, OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

NOTARY _____ (SEAL)

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)
)SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__, BY SCOTT R. PHILLIPS, SUCCESSOR COTRUSTEE, OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

NOTARY _____ (SEAL)

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)
)SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__, BY GARY D. PHILLIPS, SUCCESSOR COTRUSTEE, OF THE LEE NELL PHILLIPS REVOCABLE TRUST DATED DECEMBER 4, 1990 AND SUCCESSOR COTRUSTEE OF THE ERCIL D. PHILLIPS FAMILY TRUST ALSO KNOWN AS THE PHILLIPS FAMILY TRUST

NOTARY _____ (SEAL)

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

STATE OF NEBRASKA)
 COUNTY OF BUFFALO)
)SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 20__, BY DOUGLAS E. WELLIVER AND CHRISTINE A. WELLIVER, HUSBAND AND WIFE.

NOTARY _____ (SEAL)

MY COMMISSION EXPIRES THE ____ DAY OF _____, 20__.

Zoning Agenda

Item #4

27-9-17
Odessa

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office
1512 Central Ave., PO Box 1270 Kearney, NE 68848
308-236-1998 www.buffalogov.org

Type of Plat Administrative Sub _____ Preliminary Plat _____ Final Plat X
Vacation of Plat _____ Variance _____

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: Eagle Hill Estates First Date: 3/27/26

Owner's name: Carmody Farms, LLC

Owner's home address: 3070 Odessa Rd, Kearney, NE 68845

Telephone number(home): 308-293-9893 (daytime)

Surveyor's Developer's name: Trenton Snow

Surveyor's Developer's address: PO Box 1772, Kearney, NE 68848-1772

Engineer's name and address: Paul Brungardt, 352 W Verde Ln, Tempe AZ 85284

List all people who own, have liens and other interest: Pinnacle Bank Kearney

Present use of property: Agriculture

Desired use of property: Residential Present Zoning: AGR

Legal Description of property: Sec Attached

Area of property(square feet and/or acres) 86.6 A±

Number of lots or parcels: 11

School District: 10-0009 Elm Creek Fire District: Suburban Fire Protection District #1

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: 

Printed Name: Brett M. Carmody
CEO of Carmody Farms, LLC

And agent: _____

Managing Office Use Only
Member Permit Number 2026-036
Filing Fee \$785.00 Receipt # 275185
Zoning Classification AGR
Floodplain Yes or No (No) 4/2/26 DW
8 09 Date Initial

Preliminary Plat approval date: _____

Action Taken:
P & Z Recommendation: _____ approved _____ disapproved Date: _____
County Commissioners: _____ approved _____ disapproved Date: _____

EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AND PART OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA

DEDICATION
KNOW ALL MEN BY THESE PRESENTS that Carmody Farms, LLC a Nebraska Limited Liability Company, by and through Brent M. Carmody, Managing Member and Pinnacle Bank, Trustee and Beneficiary, by and through Randy Jackson, Vice President, being the sole owners and lien holder of the land described hereon have caused the same to be surveyed, subdivided, platted and designated as "EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION", a subdivision being part of the South 1/2 of the Northeast 1/4 and part of the North 1/2 of the Southeast 1/4 of Section 27, Township 9 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska, and said owner and lien holder hereby ratify and approve the disposition of their property as shown on the above plat, and hereby dedicate to the use and benefit of the public the streets and utility easements (if any) as shown upon said plat, and acknowledge said subdivision to be made with free consent and in accord with the desire of said owner and lien holder.

Dated this _____ day of _____, 20____.

Brent M. Carmody, Managing Member of Carmody Farms, LLC,
a Nebraska Limited Liability Company

Randy Jackson, Vice President of Pinnacle Bank,
Trustee and Beneficiary

ACKNOWLEDGMENTS

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,

20____ by Brent M. Carmody, Managing Member of Carmody Farms, LLC, a Nebraska Limited Liability Company.

Notary Public _____ (S E A L)
My commission expires _____

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,

20____ by Randy Jackson, Vice President of Pinnacle Bank, Trustee and Beneficiary.

Notary Public _____ (S E A L)
My commission expires _____

PLANNING AND ZONING COMMISSION STATEMENT

The undersigned, Scott Brady, Chairperson of the Buffalo County Planning and Zoning Commission do hereby certify that the foregoing plat of "EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION", a subdivision being part of the South 1/2 of the Northeast 1/4 and part of the North 1/2 of the Southeast 1/4 of Section 27, Township 9 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska, was submitted to Buffalo County Planning and Zoning Commission for public meeting and review and that the recommendation by the Buffalo County Planning and Zoning Commission was made to the Buffalo County Board of Commissioners on the 18th day of July, 2024.

Scott Brady
Chairperson

COUNTY TREASURER'S CERTIFICATE

This is to certify that I find no regular or special taxes due on the property described within the surveyor's certificate and described within this plat, as shown on the records of this office as of this _____ day of _____, 20____.

(S E A L)

Brenda R. Rohrich
Buffalo County Treasurer

RESOLUTION
BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA in regular session with a quorum present, that the plat of "EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION"; a subdivision being part of the South 1/2 of the Northeast 1/4 and part of the North 1/2 of the Southeast 1/4 of Section 27, Township 9 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified and authorized to be filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Moved by _____ and Seconded by _____ that the foregoing resolution be adopted. Motion carried on _____ vote (____ absent).

STATE OF NEBRASKA)
) ss
COUNTY OF BUFFALO)

I, Heather A. Christensen, County Clerk, in and for said county, being duly elected and qualified, do hereby certify that the above is a true and correct copy of the resolution as passed by the Buffalo County Board of Commissioners on this _____ day of _____, 20____.

Heather A. Christensen, County Clerk
(S E A L)

TRENTON D. SNOW, LLC
A Land Surveying Company



1520 Cass Avenue
P.O. Box 1772
Hemlock, NE 68648
Office: (308) 293-1176
Cellular: (308) 293-1086
www.ndsksurvey.com



LIMITED TITLE CERTIFICATE - REPORT OF TITLE

THE UNDERSIGNED, a Nebraska Registered Abstractor, presents this Certificate of Title - Report of Title, hereafter "Certificate", relative only to the following described real estate in the county referenced, hereafter "Property":

The South Half (S1/2) and the South Half of the North Half (S1/2N 1/2) of Section Twenty-seven (27), Township Nine (9) North, Range Seventeen (17) West of the 6th P .M., Buffalo County, Nebraska EXCEPT that part of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Twenty-seven (27), more particularly described as follows:

Referring to the Northeast corner of Section Twenty-seven (27) and assuming the East line of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of Section Twenty-seven (27) as bearing South and all bearings contained herein are relative thereto; thence South on the East line of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of said Section Twenty-seven (27) a distance of 1,326.45 feet to the actual place of beginning, said point being the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of said Section Twenty-seven (27), and said point also being Northeast corner of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of said Section Twenty-seven (27); thence S 00°03'03" E on the East line of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of said Section Twenty-seven (27) a distance of 98.00 feet; thence N 88°58'23" W a distance of 1,200.2 feet; thence North a distance of 84.18 feet to a point on the line common to the North line of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) and the South line of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of said Section Twenty-seven (27); thence S 89°37'58" E on the North line of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) and the South line of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) of said Section Twenty-seven (27) a distance of 1,198.95 feet to the place of beginning;

AND FURTHER EXCEPTING

A tract of land being part of the South Half (S1/2) of Section Twenty-seven (27), Township Nine (9) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Beginning at the Southwest Corner of the Southwest Quarter (SW1/4) of said Section Twenty-seven (27) and assuming the West line of said Southwest Quarter (SW1/4) as bearing N 00°40'56" E and all bearings contained herein are relative thereto; thence N 00°40'56" E and on the aforesaid West line a distance of 990.00 feet; thence S 89°19'04" E a distance of 127.00 feet to the point of curvature; thence on a 73.00 foot radius curve to the left, forming a central angle of 90°00', a distance of 114.67 feet to the point of tangency; thence tangent N 00°40'56" E parallel with the aforesaid West line a distance of 215.00 feet; thence N 80°12' E a distance of 700.00 feet; thence SOUTH a distance of 85.00 feet; thence S

89°12'25" E a distance of 1,401.76 feet; thence S 53°48'51" E a distance of 417.85 feet; thence S 10°05'13" W a distance of 298.79 feet; thence S 72°06'16" E a distance of 1,567.00 feet; thence S 15°25'33" W a distance of 325.03 feet to a point on the South line of the Southeast Quarter (SE1/4) of said Section Twenty- seven (27); thence N 89°20'55" W on the aforesaid South line a distance of 1,362.08 feet to the Southwest corner of said Southeast Quarter (SE1/4); thence N 89°20'55" W on the South line of the Southwest Quarter (SW1/4) of said section a distance 2,634.5 feet to the place of beginning.

This Certificate is a contract between the undersigned as an abstracter and Trenton D. Snow, LLC. The consideration for this contract is the information set forth below and furnished by the abstracter together with the fee charged by the undersigned for this service to be performed by the abstracter. The nature of this contract, first as to what this Certificate does not do, and second as to what this Certificate does do, is explained as follows:

- A. This Certificate is not an abstract of title in that it is not a complete compilation of all facts of record relative to the property, nor is it a complete chain of title search; and, it is not an opinion on the title nor is it a policy of title insurance.
- B. This Certificate does provide limited information and report limited title facts relative to the property only as is specifically set out in the following numbered paragraphs, in each of which the introductory words after the paragraph number identifies what particular information is given by the undersigned in this Certificate.
- C. This Certificate reports limited information of record only to the date set forth below.
 - 1. The Grantee in the Last Deed of Record is:

[Carmody Farms, LLC](#), a Nebraska limited liability company

- 2. Unreleased Mortgages and/or Deeds of Trust: (Pursuant to Nebraska Title Standard No. 1.4 and Nebr. Rev. Stat. §25-202 and 76-239)

Deed of Trust dated April 27, 2023 and Recorded May 5, 2023 as Instrument No. [2023-01857](#), executed by Carmody Farms, LLC, a Nebraska Limited Liability Company, Michael F. Carmody and Gladys M. Carmody, husband and wife, to Pinnacle Bank, Trustee and Pinnacle Bank, Beneficiary securing the principal sum of \$800,000.00.

Assignment of Rents and Leases dated April 27, 2023 and recorded May 5, 2023 as Instrument No. [2023-01858](#) between Carmody Farms, LLC, a Nebraska Limited Liability company, Michael F. Carmody and Gladys M. Carmody, husband and wife, and Pinnacle Bank.

Revolving Line of Credit Deed of Trust dated December 15, 2025 and Recorded December 16, 2025 as Instrument No. [2025-06042](#), executed by Carmody Farms, LLC, a Nebraska Limited Liability Company, to Pinnacle Bank, Trustee and Pinnacle Bank, Beneficiary securing the principal sum of \$200,000.00.

3. Financing Statements: Those filed in the office of the Register of Deeds and indexed against the property are:

NONE

4. Real Estate Taxes and Special Assessments: Unpaid real estate taxes and unpaid special assessments filed for record in the offices of the county and indexed against the property, are:

2024 Taxes Paid. 2025 taxes due but not delinquent. 2026 Taxes Accruing. Special Assessments not yet of record. (For information only: 2025 taxes \$7,980.24; Tax ID # [520177000](#))

5. State Tax Liens:

Unreleased State tax liens of record filed against the Grantee are:

NONE

6. Federal Tax Liens:

Unreleased Federal tax liens of record filed against the Grantee are:

NONE

7. Judgments:

Judgments of record in the County of the property, indexed against the Grantee set forth above are:

NONE

8. Lawsuits Pending:

Lawsuits pending of record in the County of the property, indexed against the Grantee set forth above are:

NONE

9. Easements, Covenants, Reservations, and Restrictions: NOT SEARCHED

10. Other Liens of Record:

NONE

11. Miscellaneous: NONE

12. Minerals: NOT SEARCHED OR CERTIFIED.

13. Chain of Title: Chain of Title searched from and after: 30 years prior from the date of this report.

DATED: April 2, 2026 at 8:00 AM.

Tri-City Title Services, LLC



Tracey J. Miles/Steven P. Vinton, a
Registered Abstractor, Certificate of
Authority No. 671

File No. K-13070





Other Company File No.

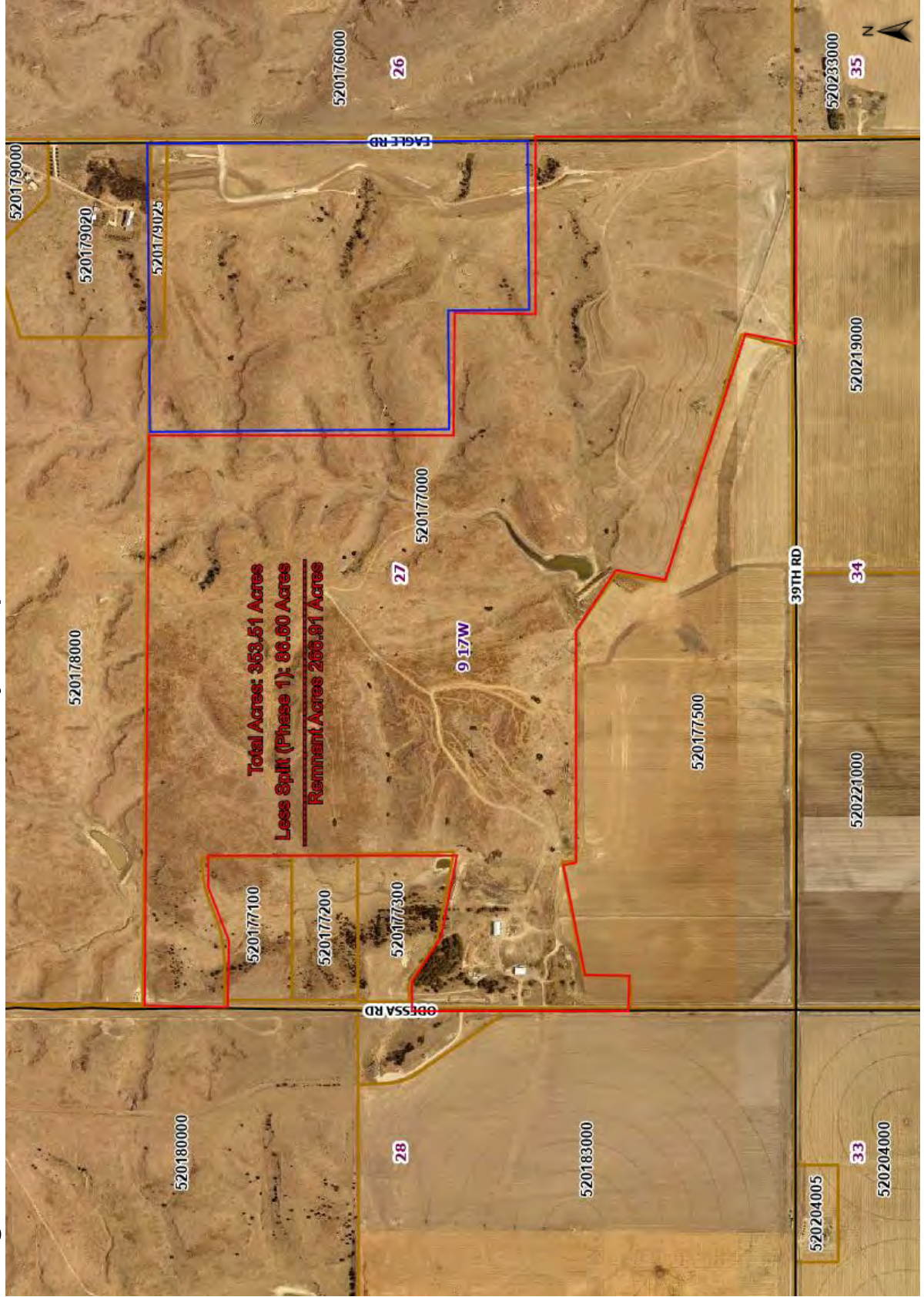


Buffalo County, NE

Eagle Hill Estates First Remnancy Map

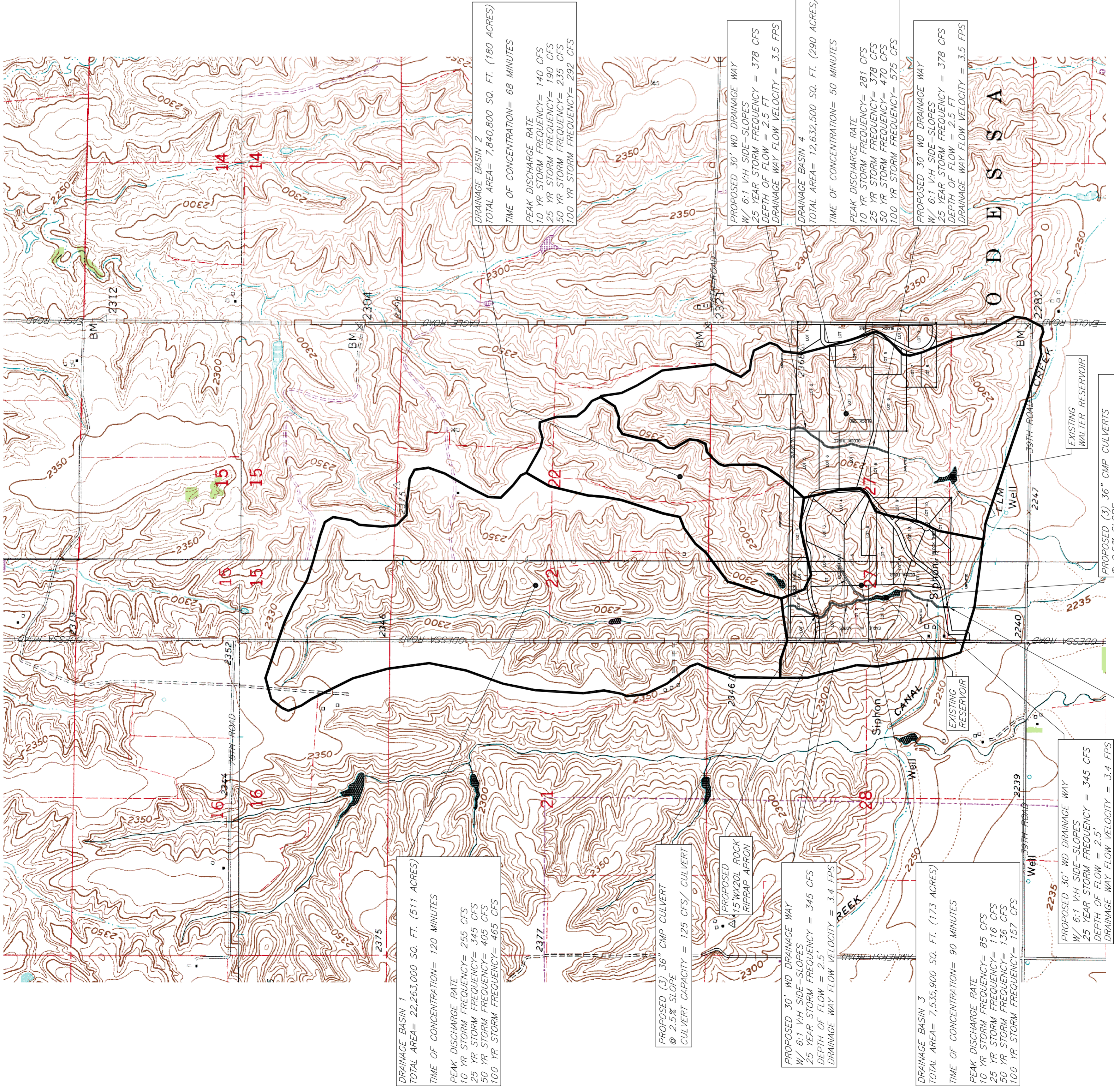
Created by: null

-  Parcels
-  Parcel Numbers
-  Roads
-  Townships
-  Sections



1000' 500' 0' 1000'
SCALE: 1"=1000'

KEY



DRAINAGE BASIN 1
TOTAL AREA= 22,263,000 SQ. FT. (511 ACRES)
TIME OF CONCENTRATION= 120 MINUTES
PEAK DISCHARGE RATE
10 YR STORM FREQUENCY= 295 CFS
25 YR STORM FREQUENCY= 345 CFS
50 YR STORM FREQUENCY= 465 CFS
100 YR STORM FREQUENCY= 465 CFS

PROPOSED (3) 36" CMP CULVERT
@ 2.5% SLOPE
CULVERT CAPACITY = 125 CFS/ CULVERT

PROPOSED 30" WD DRAINAGE WAY
W/ 6.1 VH SIDE-SLOPES
25 YEAR STORM FREQUENCY = 345 CFS
DEPTH OF FLOW = 2.5'
DRAINAGE WAY FLOW VELOCITY = 3.4 FPS

DRAINAGE BASIN 3
TOTAL AREA= 7,535,900 SQ. FT. (173 ACRES)
TIME OF CONCENTRATION= 90 MINUTES
PEAK DISCHARGE RATE
10 YR STORM FREQUENCY= 85 CFS
25 YR STORM FREQUENCY= 116 CFS
50 YR STORM FREQUENCY= 136 CFS
100 YR STORM FREQUENCY= 157 CFS

PROPOSED 30" WD DRAINAGE WAY
W/ 6.1 VH SIDE-SLOPES
25 YEAR STORM FREQUENCY = 345 CFS
DEPTH OF FLOW = 2.5'
DRAINAGE WAY FLOW VELOCITY = 3.4 FPS

PROPOSED 15 Wx20L ROCK RIPRAP APPROX.

DRAINAGE BASIN 2
TOTAL AREA= 7,840,800 SQ. FT. (180 ACRES)
TIME OF CONCENTRATION= 68 MINUTES
PEAK DISCHARGE RATE
10 YR STORM FREQUENCY= 140 CFS
25 YR STORM FREQUENCY= 190 CFS
50 YR STORM FREQUENCY= 235 CFS
100 YR STORM FREQUENCY= 292 CFS

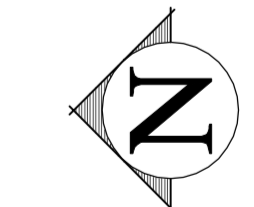
PROPOSED 30" WD DRAINAGE WAY
W/ 6.1 VH SIDE-SLOPES
25 YEAR STORM FREQUENCY = 378 CFS
DEPTH OF FLOW = 2.5 FT
DRAINAGE WAY FLOW VELOCITY = 3.5 FPS

DRAINAGE BASIN 4
TOTAL AREA= 12,632,500 SQ. FT. (290 ACRES)
TIME OF CONCENTRATION= 50 MINUTES
PEAK DISCHARGE RATE
10 YR STORM FREQUENCY= 281 CFS
25 YR STORM FREQUENCY= 378 CFS
50 YR STORM FREQUENCY= 479 CFS
100 YR STORM FREQUENCY= 479 CFS

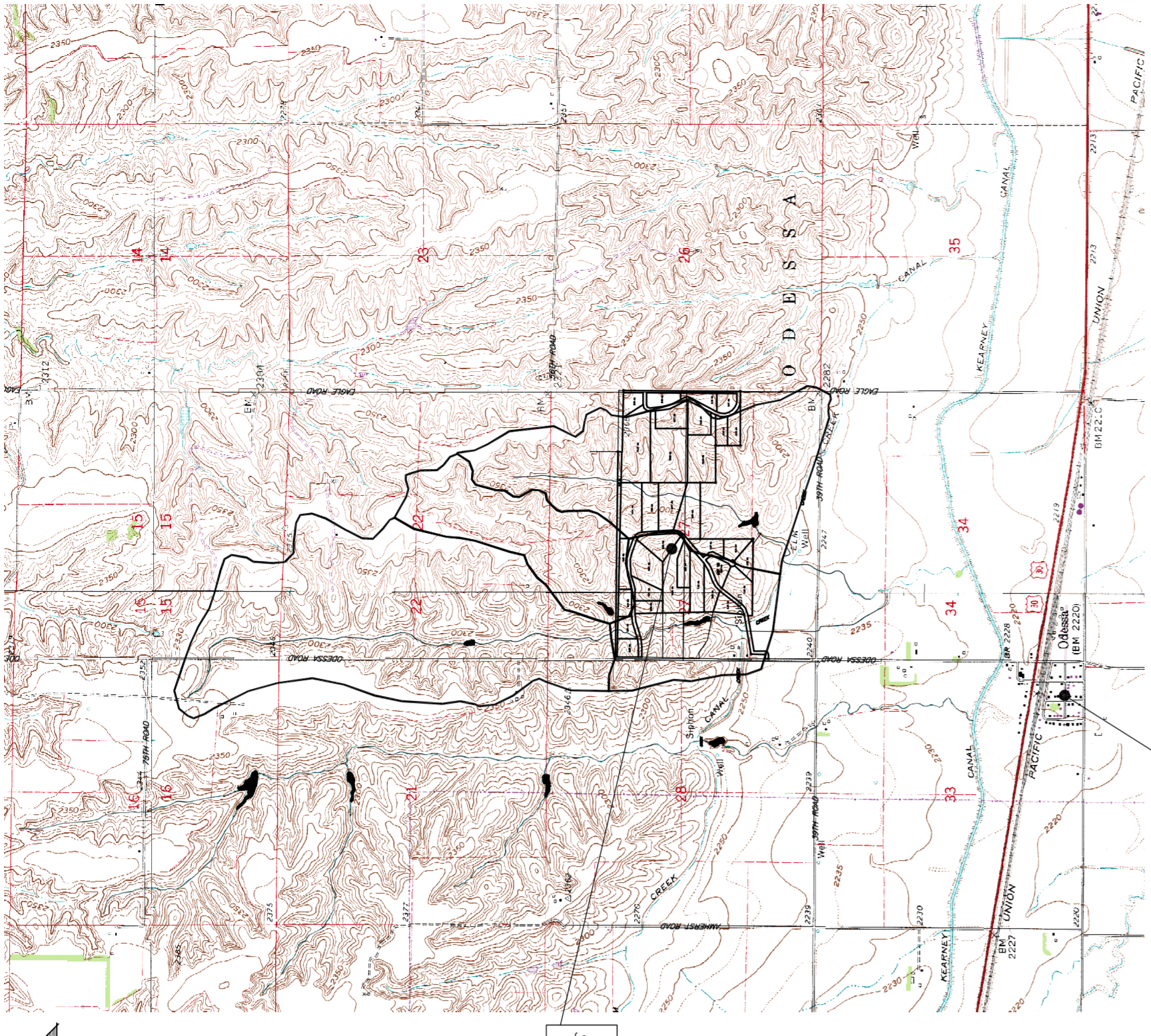
PROPOSED 30" WD DRAINAGE WAY
W/ 6.1 VH SIDE-SLOPES
25 YEAR STORM FREQUENCY = 378 CFS
DEPTH OF FLOW = 2.5 FT
DRAINAGE WAY FLOW VELOCITY = 3.5 FPS

PROPOSED (3) 36" CMP CULVERTS
@ 2.5% SLOPE
CULVERT CAPACITY = 125 CFS/ CULVERT

**PROPOSED
EAGLE HILL ESTATES
DRAINAGE STUDY**
SCALE: 1"= 1000'



UTILITY INFORMATION
CONTACT ALL UTILITY COMPANIES FOR EXACT
LOCATIONS PRIOR TO ANY CONSTRUCTION OR
EXCAVATION AT 1-800-331-5666, OR 811.
ALSO ONLINE AT WWW.NE-DIGGERS.COM
CALL 1-800-331-5666 or 811
PRIOR TO CONSTRUCTION



CITY OF ODESSA, NEBRASKA

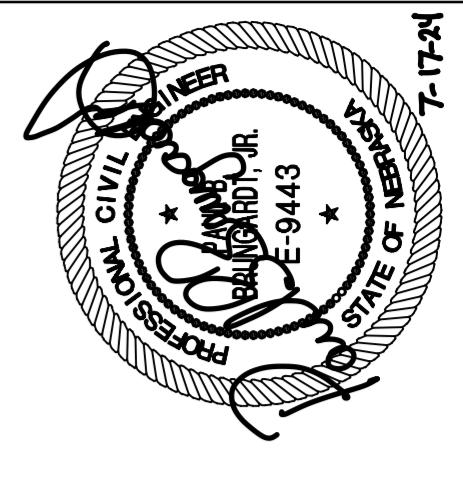
PROPOSED
EAGLE HILL ESTATES
DEVELOPMENT

SITE INFORMATION

RESIDENTIAL DEVELOPMENT EAGLE HILL ESTATES DEVELOPMENT	
ZONING DISTRICT AGR AGRICULTURAL RESIDENTIAL DISTRICT	9,945,619.2± SF (228.32± ACRES)
TOTAL LOT SIZE	130,680 SF (3.0 ACRES)
MIN. LOT SIZE	25 FEET MIN. ABUTTING ANY STREET OR ROAD
MIN. LOT WIDTH	
BUILDING SETBACKS FRONT YARD REAR YARD SIDE YARD	50', 15', or 50', if abutting an improved county road, state or federal highway

ALL QUANTITIES PROVIDED ARE APPROXIMATE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE ALL NECESSARY QUANTITIES FOR BID.

DRAINAGE STORM WATER CALCULATIONS WERE PERFORMED USING NEBRASKA DEPARTMENT OF TRANSPORTATION "DRAINAGE DESIGN AND EROSION CONTROL MANUAL".
PEAK RUNOFF METHODS FOR BOTH EXISTING AND PROPOSED CONDITIONS WERE DONE FOR THE DRAINAGE BASINS UPSTREAM AND THROUGH THE PROPOSED DEVELOPMENT.
THE 25 YEAR STORM FREQUENCY WAS USED TO SIZE ALL PROPOSED DRAINAGE STRUCTURES IN THE PROPOSED DEVELOPMENT.
A DEDICATED 30 FT WIDE DRAINAGE WAY WITH 6:1 VH SIDE-SLOPES WILL BE MAINTAINED THROUGH THE PROPOSED DEVELOPMENT AT THE EXISTING DRAINAGEWAYS.
BOTH THE 50 YEAR AND 100 YEAR STORM FREQUENCIES WERE ANALYZED TO DETERMINE THE VOLUME OF RETAINED WATER AT THE UPSTREAM POINT OF THE PROPOSED DRAINAGE STRUCTURES.
DUE TO THE NATURE OF THE RURAL RESIDENTIAL LOTS, EXISTING DRAINAGEWAYS ARE NOT MAINTAINED UNDER PROPOSED CONDITIONS. THIS WATER AND HAS SIGNIFICANT IMPACT ON THE STORM WATER RUNOFF AS A WHOLE.
INDIVIDUAL SITE GRADING TO CONSIST WITH LEVELING AREA WHERE PROPOSED STRUCTURES ARE TO BE PLACED AND DRAINAGE FOR EACH INDIVIDUAL LOT TO FLOW EITHER TO PUBLIC DITCH ALONG ROADWAY OR TO EXISTING DRAINAGE WAY EXTENDING THROUGH DEVELOPMENT.



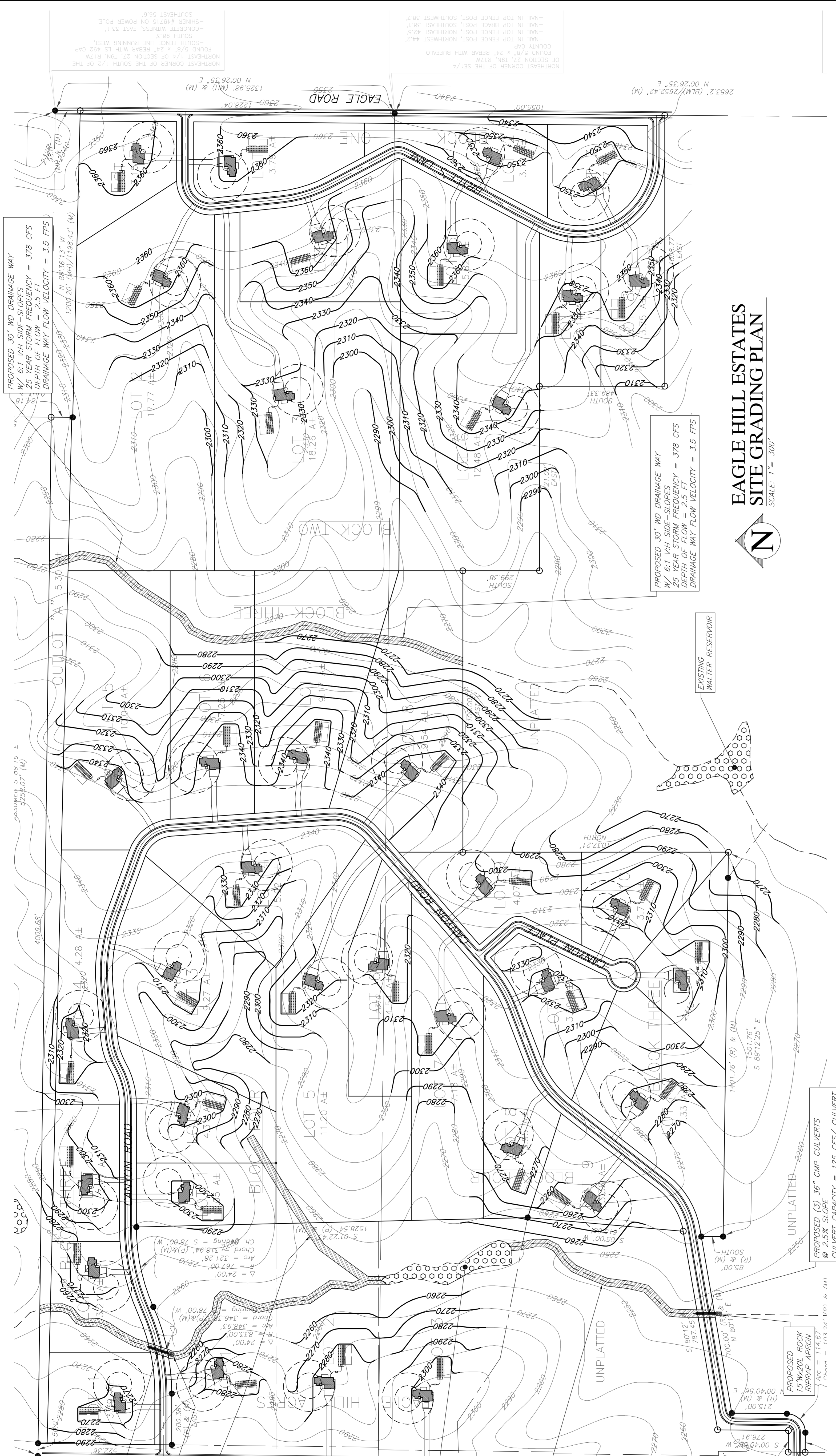
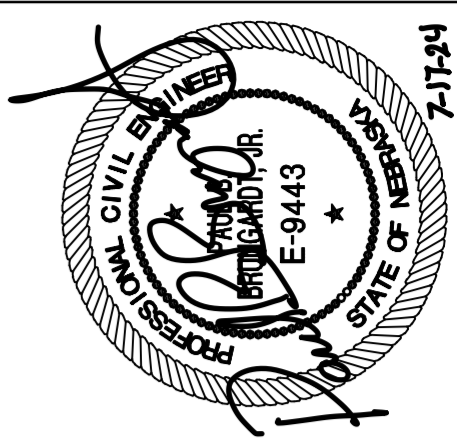
UTILITY INFORMATION
 CONTACT ALL UTILITY COMPANIES FOR EXACT LOCATIONS PRIOR TO ANY CONSTRUCTION OR EXCAVATION AT 1-800-331-5666, OR 811. ALSO ONLINE AT WWW.NE-DIGGERS.COM CALL 1-800-331-5666 or 811 PRIOR TO CONSTRUCTION

PROPOSED (3) 36" CMP CULVERT @ 2.5% SLOPE
 CULVERT CAPACITY = 125 CFS/ CULVERT

PROPOSED 15" WAZOL ROCK RIPRAP APPROX.

PROPOSED 30" WD DRAINAGE WAY
 W/ 6:1 V-H SIDE-SLOPES
 25 YEAR STORM FREQUENCY = 345 CFS
 DEPTH OF FLOW = 2.5 FT
 DRAINAGE WAY FLOW VELOCITY = 3.4 FPS

PROPOSED 30" WD DRAINAGE WAY
 W/ 6:1 V-H SIDE-SLOPES
 25 YEAR STORM FREQUENCY = 345 CFS
 DEPTH OF FLOW = 2.5 FT
 DRAINAGE WAY FLOW VELOCITY = 3.4 FPS



EAGLE HILL ESTATES SITE GRADING PLAN
 SCALE: 1" = 300'



PROPOSED 30" WD DRAINAGE WAY
 W/ 6:1 V-H SIDE-SLOPES
 25 YEAR STORM FREQUENCY = 378 CFS
 DEPTH OF FLOW = 2.5 FT
 DRAINAGE WAY FLOW VELOCITY = 3.5 FPS

PROPOSED 30" WD DRAINAGE WAY
 W/ 6:1 V-H SIDE-SLOPES
 25 YEAR STORM FREQUENCY = 378 CFS
 DEPTH OF FLOW = 2.5 FT
 DRAINAGE WAY FLOW VELOCITY = 3.5 FPS

PROPOSED (3) 36" CMP CULVERTS @ 2.5% SLOPE
 CULVERT CAPACITY = 125 CFS/ CULVERT

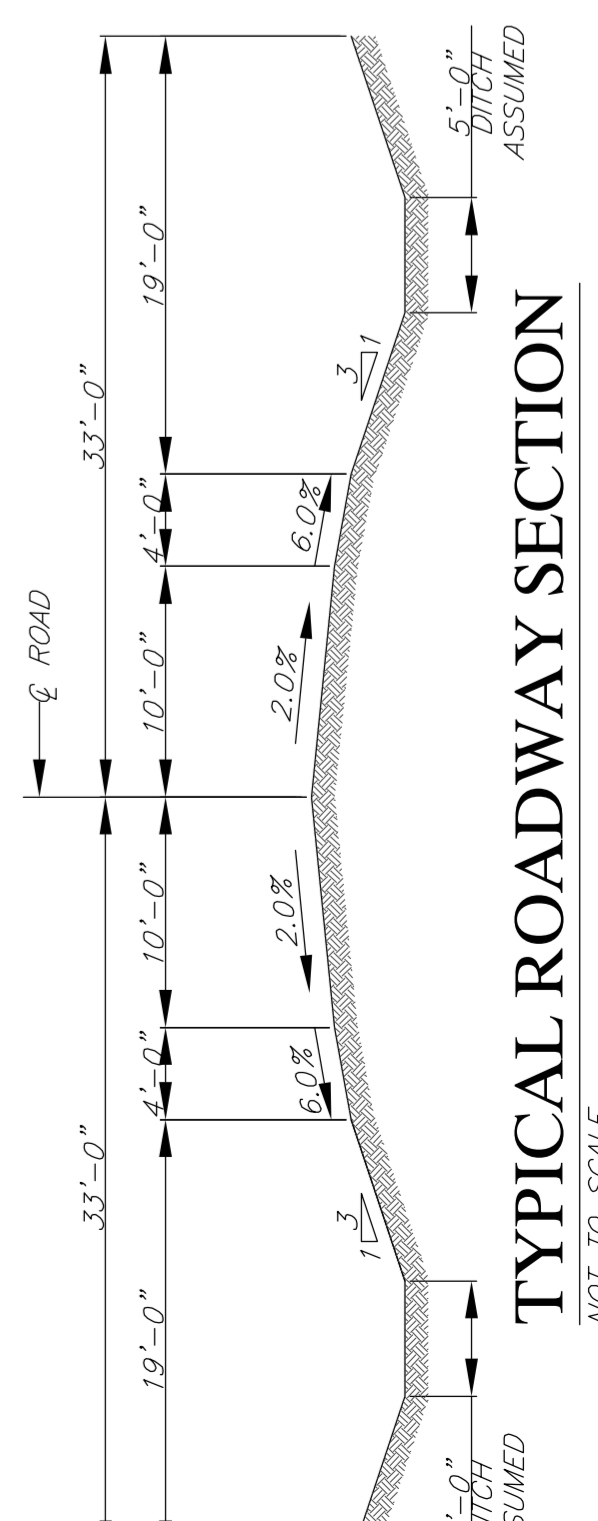
PROPOSED 15" WAZOL ROCK RIPRAP APPROX.

GENERAL NOTES:
 UTILITIES ARE SHOWN AS A CONVENIENCE FOR THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES AND LOCATIONS OF ALL UNDERGROUND UTILITIES. THESE PLANS, UNDERGROUND UTILITIES, WHETHER INDICATED OR NOT, WILL BE LOCATED BY THE UTILITY COMPANIES AT THE CONTRACTOR'S REQUEST. NO EXCAVATION WILL BE PERMITTED IN THE AREA OF THE UNDERGROUND UTILITIES UNTIL ALL FACILITIES HAVE BEEN LOCATED AND IDENTIFIED TO THE SATISFACTION OF ALL PARTIES AND THEN ONLY WITH EXTREME CARE TO AVOID ANY POSSIBILITY OF DAMAGE TO THE UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ANY UNDERGROUND UTILITY DAMAGED BY CONSTRUCTION OPERATIONS.
 VERIFY ALL EXISTING CONDITIONS. ANY DISCREPANCY BETWEEN EXISTING CONDITIONS AND THOSE SHOWN ON THE DRAWINGS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.
 FIELD VERIFY ALL DIMENSIONS.

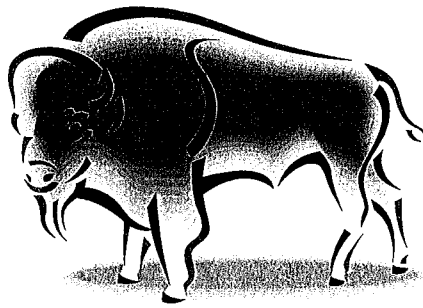
GRADING:
 FILL MATERIAL SHALL CONSIST OF CLEAN, INORGANIC SILT (M), LEAN CLAY (CL), OR SANDY CLAY (SC). EXISTING STREETS TO BE MAINTAINED SHALL BE MAINTAINED TO ORIGINAL GRADE. ALL OTHER EXISTING STREETS SHALL BE PLACED TO A MINIMUM OF 8 INCHES OR LESS IN THICKNESS AND COMPACTED TO A MINIMUM 95 PERCENT OF THE MATERIAL'S STANDARD PROCTOR MAXIMUM DRY DENSITY AS PER ASTM D698-91. MOISTURE CONTENT AT THE TIME OF COMPACTION SHOULD BE CONTROLLED TO BE BETWEEN -3 AND +3 PERCENT OF OPTIMUM.
 TOPSOIL SHALL BE REMOVED TO A MINIMUM DEPTH OF 4 INCHES. TOPSOIL SHALL BE STORED IN A CLEAN AREA THAT DOES NOT STRIP MORE AREA THAN IS REQUIRED FOR WORKING SPACE. THE CONTRACTOR SHALL REDISTRIBUTE TOPSOIL OVER COMPLETED AREAS THAT DO NOT RECEIVE PAVEMENT AS SOON AS POSSIBLE.

THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL EROSION CONTROL. EROSION CONTROL SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EXISTING STREETS TO BE MAINTAINED SHALL BE MAINTAINED TO ORIGINAL GRADE. ALL OTHER EXISTING STREETS SHALL BE PLACED TO A MINIMUM OF 8 INCHES OR LESS IN THICKNESS AND COMPACTED TO A MINIMUM 95 PERCENT OF THE MATERIAL'S STANDARD PROCTOR MAXIMUM DRY DENSITY AS PER ASTM D698-91. MOISTURE CONTENT AT THE TIME OF COMPACTION SHOULD BE CONTROLLED TO BE BETWEEN -3 AND +3 PERCENT OF OPTIMUM.
 ALL DISTURBED AREAS NOT RECEIVING PAVEMENT SHALL BE FERTILIZED, SEED, AND MULCHED. IF THE CONTRACTOR IS REQUIRED TO CONSTRUCT EROSION CONTROL MEASURES, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MULCHING AND SEEDING THESE AREAS AT NO ADDITIONAL COST TO THE OWNER.
 ELEVATIONS INDICATED ARE FINISHED GRADES EXCLUDING LANDSCAPING. SUBTRACT PAVEMENT AND SUB GRADE THICKNESS TO DETERMINE SUB GRADE ELEVATIONS. THE CONTRACTOR SHALL VERIFY THE PAVEMENT TYPE AND THICKNESS.

AS NEEDED, THE CONTRACTOR SHALL INSTALL SILT FENCES TO PROTECT ADJACENT PROPERTIES. THE CONTRACTOR SHALL PERIODICALLY REMOVE ACCUMULATED SEDIMENT FROM BEHIND SILT FENCES. SILT REMOVED SHALL BE SPREAD OUT TO DRY ON THE SITE. SILT FENCES SHALL BE KEPT IN GOOD CONDITION DURING THE PROJECT TIMESPAN.
 IF NEEDED THE CONTRACTOR SHALL INSTALL A TEMPORARY 10'-0" WIDE X 50'-0" LONG X 6" THICK CRUSHED ROCK ACCESS/EJECT TO THE SITE TO REDUCE TRACKING OF SEDIMENT ONTO PUBLIC ROADWAYS.
 AS NEEDED, THE CONTRACTOR SHALL INSTALL TEMPORARY EARTH DIKES, ADDITIONAL SILT FENCING, AND/OR DISK THE SOIL PARALLEL TO THE PROJECT SITE SOIL TO ENTER ADJACENT PROPERTIES, CITY RIGHT OF WAY AND THE CITY STORM SEWER SYSTEMS.
 THE CONTRACTOR SHALL CONTROL DUST BY APPLYING WATER OR MULCH.
 EROSION CONTROL DEVICES SHALL NOT BE REMOVED UNTIL THE SITE HAS BEEN PAVED AND GRASS GROWTH IS 95% ESTABLISHED.



TYPICAL ROADWAY SECTION
 NOT TO SCALE



BUFFALO COUNTY HIGHWAY DEPARTMENT

John Maul-Highway Supt.
9730 Antelope Avenue
Kearney, NE 68847

Blake Power-Assistant
(308) 236-1237
Fax: (308) 233-3082

May 5, 2026

Buffalo County Board of Commissioners
PO Box 1270
Kearney, NE 68848

Re: Eagle Hill Estates First Subdivision Petition for Road Top Maintenance

Commissioners:

I recently made an onsite inspection of the above mentioned subdivision petitioned for road top maintenance and my findings are as follows:

The roadway conforms to Buffalo County's subdivision RL-2 standards with adequate roadway width, gravel and ditches. Seeding of the ditches for erosion control will be done by the developer once we receive adequate rainfall.

Signs have been ordered and will be installed by county forces at the expense of the developer.

Respectfully,

A handwritten signature in black ink that reads "John Maul". The signature is written in a cursive style with a long, sweeping underline.

John Maul
Highway Supt.

Space above reserved for Register of Deeds

EXHIBIT "E"

SUBDIVISION AGREEMENT
EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION

In the County of Buffalo, Nebraska

The undersigned, Carmody Farms, LLC, a Nebraska Limited Liability Company, by and through Brent M. Carmody, Managing Member and Pinnacle Bank, Trustee and Beneficiary, by and through Randy Jackson, Vice President, hereinafter referred to as "Subdivider" whether one or more, as owners of, and a party having a lien upon, the following described tract of land, to-wit "subject property":

LEGAL DESCRIPTION

A tract of land being part of the South Half of the Northeast Quarter (S1/2 NE1/4) and part of the North Half of the Southeast Quarter (N1/2 SE1/4) of Section Twenty-seven (27), Township Nine (9) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Beginning at the Southeast Corner of the Northeast 1/4 of said Section 27 and assuming the East line of said Northeast 1/4 as bearing N 00°26'35" E and all bearings contained herein are relative thereto; thence N 00°26'35" E on the aforesaid East line a distance of 1,228.04 feet to the southeast corner of a tract of land described in a Quitclaim Deed recorded on Document #2021-03199 and filed in the Buffalo County Register of Deeds; thence N 88°36'13" W on the south line of said tract of land a distance of

1,198.43 feet to the southwest corner of said tract; thence N 00°22'10" E on the west line of said tract a distance of 3.83 feet; thence N 88°37'40" W a distance of 599.56 feet; thence SOUTH a distance of 1,841.04 feet; thence EAST a distance of 721.02 feet; thence SOUTH a distance of 489.33 feet; thence EAST a distance of 1,058.77 feet to a point on the East line of the Southeast 1/4 of said Section 27; thence N 00°26'35" E on the aforesaid East line a distance of 1,055.00 feet to the place of beginning.

AND IS SUBJECT TO ANY EXISTING EASEMENTS OR RIGHT OF WAY BY RECORD.

Have presented at proposed, or recently approved, plat of the same to the Buffalo County Board of County Commissioners, i.e. "County" for acceptance as provided by law an accurate map and plat of such proposed subdivision, to be known as EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION, designating the land to be laid out and particularly describing the lots, easements, and streets belonging to such subdivision, with the lots designated by number, easements by dimensions, and streets by name, and proposes to cause the plat of such subdivision to be considered for acceptance and/or approved by the County.

In consideration of the acceptance of the plat of said EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION, the Subdivider hereby consents and agrees with the County of Buffalo, Nebraska, as follows:

1. Surface Maintenance of Roads.

- A.** For a period of five (5) years commencing from date of the County's acceptance of dedication of streets and/or roads in the foregoing subdivision, the Subdivider shall grade and furnish gravel for all dedicated streets within this subdivision. During these five (5) years, the County shall be responsible for snow clearing of the dedicated streets as the same can be performed by the county as part of a county wide plan for snow clearing of public roads.
- B.** After this five-year period, the Subdivider shall be responsible for an additional five (5) years to keep the road graveled and supply the same on the dedicated roads and/or streets within the subdivision. For these five (5) years, the County shall be responsible for no more than once a month monthly maintenance grading of gravel as the same can be performed by the county as part of a county wide plan for grading of public roads.
- C.** That should the Subdivider not adequately gravel, grade, or adequately maintain shoulders of the subdivision street(s) while the Subdivider is responsible for such activities under the terms of this maintenance agreement, then the Buffalo County Highway Superintendent shall notify Subdivider of the inadequate graveling, grading, and/or shoulder maintenance. If the inadequacy is not remedied within ten (10) days, the Superintendent shall proceed to take procedures to obtain and place gravel, by whatever means feasible and Subdivider shall be

liable for such costs incurred by Buffalo County.

D. The failure of Buffalo County to take full steps to remedy the situation in any one instance shall not constitute a waiver of future actions by Buffalo County.

E. Waiver: In the event that County needs to create a rural road improvement district to pay for gravel and/or grading within the subdivision as provided in this subsection, the Subdivider and lienholder, as part of the subdivision acceptance process for all lands within the accepted subdivision, waives the right to protest formulation of a rural road improvement district for the streets within a subdivision for this maintenance purpose all as allowed in current Nebraska Law Sec 39-1638. This provision does not limit creation of a rural road improvement district for any other purpose within the subdivision. The obligation to pay for graveling, gravel grading, and/or shoulder maintenance shall attach to all lots in the subdivision proportionately based upon street frontage of the dedicated street(s)/road(s), and shall run with the land. The minimum charge for county work shall be five hundred dollars (\$500.00) for mobilization fee and an hourly rate thereafter at the rate of \$150.00 per hour per hour or fraction thereof plus costs of gravel purchased and delivery fees.

2. After five years after date of approval of this subdivision the Subdivider shall have no responsibility concerning future surface maintenance of dedicated subdivision road(s)/street(s). Buffalo County's will assume

surface maintenance of the dedicated public ways.

3. "Surface Maintenance" as defined by Buffalo County's Subdivision Resolution, at time of signing of this agreement, is defined as:

Sec. 2.36 SURFACE MAINTENANCE Buffalo County's maintenance of the surface of streets within a subdivision consisting of no more than: once monthly grading and annual application of gravel. It does not include, and is not limited to the following: placement, design, and maintenance of culverts, bridges, or other drainage devices; design of streets; borrow or fill operations to build or repair street; and street shoulder maintenance.

4. **Driveway Access.** Vehicular access from the lots within this subdivision shall only be permitted onto (or through a named street-vehicles are to enter through a dedicated street, not directly on an existing county road, if possible).
5. **Warranty.** The undersigned owner, as Subdivider, warrants that it is the owner in fee simple of the land described and proposed to be known as (Name of subdivision), and that an abstract of title or other sufficient proof of ownership has been submitted to County of Buffalo.
6. **Successors and Assigns.** This agreement as part of the subdivision process, shall be filed with the Register of Deeds of Buffalo County, Nebraska, at the cost of the subdivider. This agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors, assigns, heirs, devisees, and legatees. Where the term "Subdivider" is used in this agreement, the subsequent owners of any lots in the subdivision shall be responsible to perform any of the

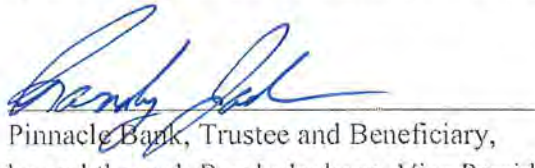
Conditions of this agreement if the Subdivider has not performed such conditions.

Dated May 18th, 2026.

By:



Carmody Farms, LLC, a Nebraska Limited Liability Company,
by and through Brent M. Carmody, Managing Member



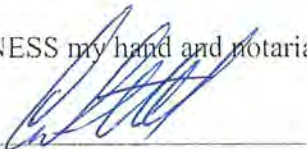
Pinnacle Bank, Trustee and Beneficiary,
by and through Randy Jackson, Vice President

STATE OF NEBRASKA)

COUNTY OF Buffalo)^{SS}

On May 18, 2026, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Brent M. Carmody, Managing Member of Carmody Farms, LLC., known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of the corporation.

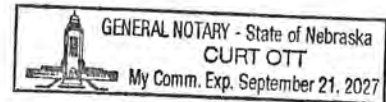
WITNESS my hand and notarial seal the date above written.



Notary Public

My commission expires: 9-21-27

(SEAL)



STATE OF NEBRASKA)

COUNTY OF Buffalo)^{SS}

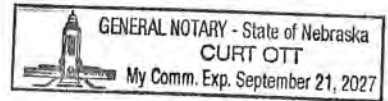
On May 18, 2026, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Randy Jackson, Vice President of Pinnacle Bank, Trustee and Beneficiary, known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of the corporation.

WITNESS my hand and notarial seal the date above written.

Notary Public

My commission expires: 9-21-27

(S E A L)



COUNTY OF BUFFALO, NEBRASKA

By: _____
Chairperson of the Buffalo County
Board of County Commissioners

Attest: _____

_____, County Clerk

STATE OF NEBRASKA)

) ss

COUNTY OF BUFFALO)

Before me, a notary public, qualified in said County personally came _____, Chairperson of the Buffalo County Board of County Commissioners for the County of Buffalo, Nebraska, known to me to be such officer and the identical person who signed the foregoing Subdivision Agreement and acknowledged that the foregoing signature was her/his voluntary act and deed pursuant to Subdivision Acceptance Resolution 20-_____, and that the County's seal was thereto affixed by proper authority.

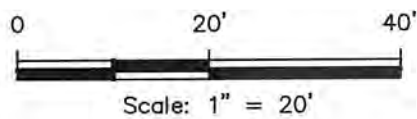
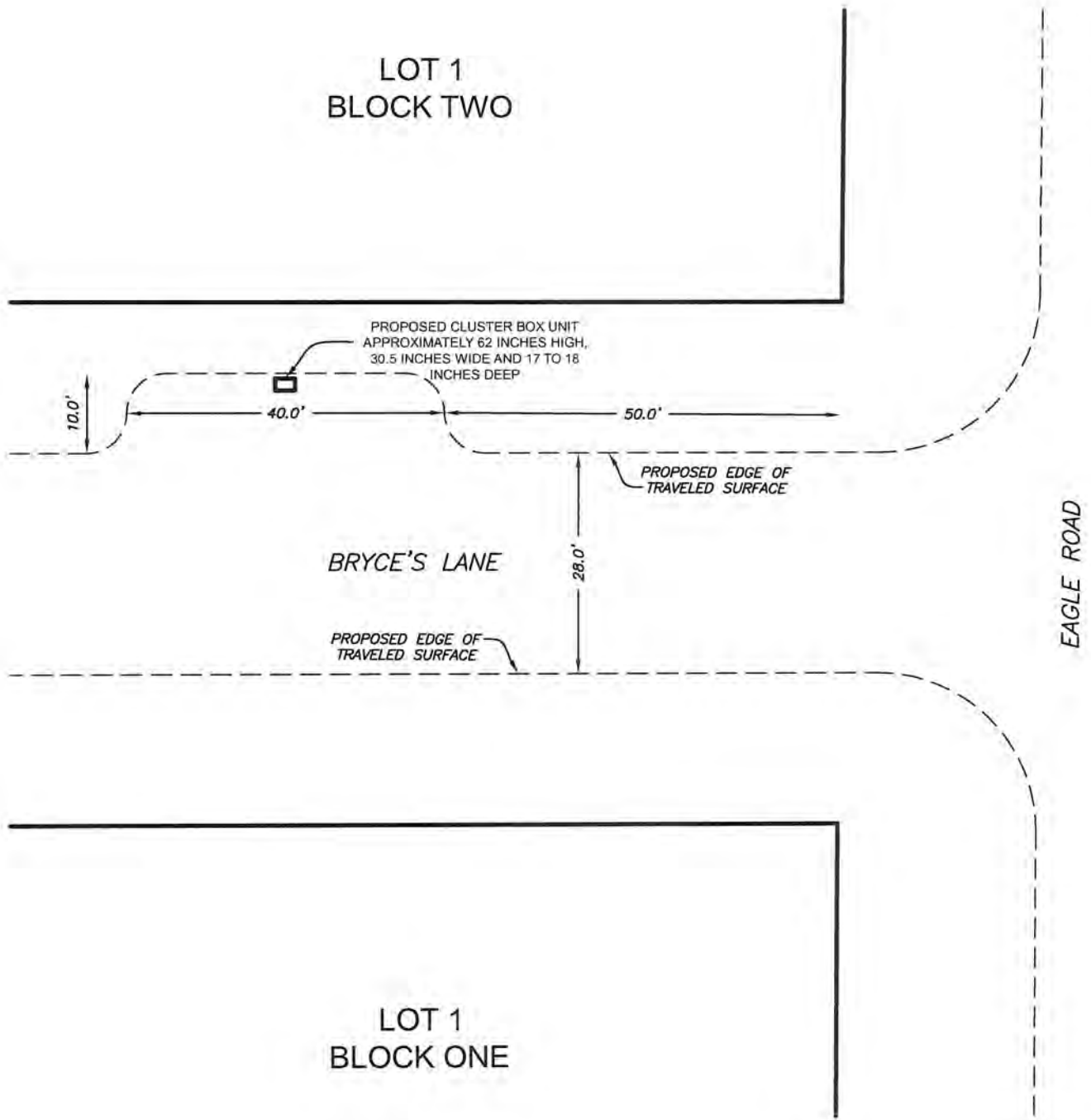
WITNESS my hand and notarial seal on _____, 20 ____.

(S E A L)

Notary Public

My commission expires: _____

EAGLE HILL ESTATES FIRST SUBDIVISION ADDITION
PROPOSED US POSTAL CLUSTER BOX UNIT



TRENTON D. SNOW, LLC
A Land Surveying Company



1309 Central Avenue
P.O. Box 1772
Kearney, NE 68848

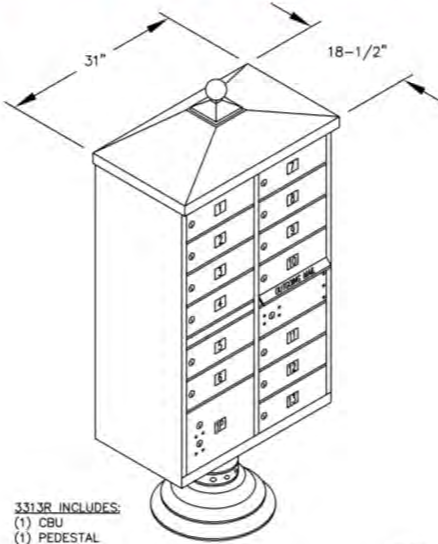
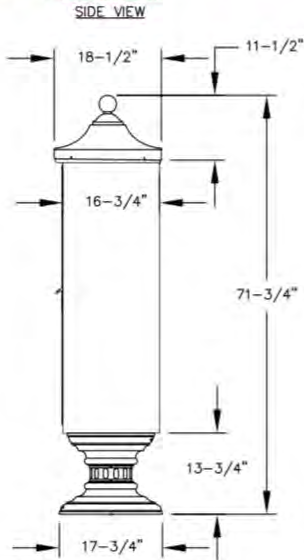
Office: (308) 234-1764
Fax: (308) 234-1765
Cellular: (308) 293-1085

www.nebraskasurveys.com



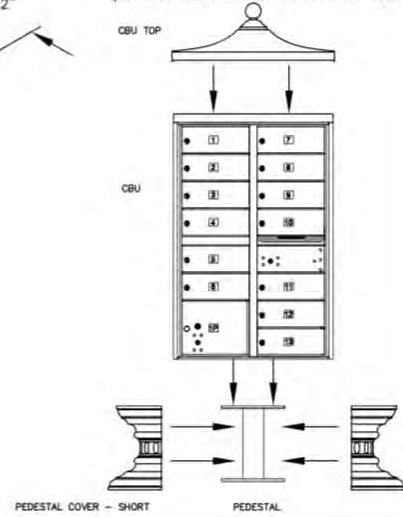
1-800-MAILBOX
SIDE VIEW

Visit us at: www.mailboxes.com



- 3313R INCLUDES:
 (1) CBU
 (1) PEDESTAL
 (1) CBU TOP
 (1) PEDESTAL COVER - SHORT

TYPICAL ASSEMBLY:
(See Installation Instructions for more detail)



MODEL #3313R
REGENCY DECORATIVE
CLUSTER BOX UNIT

AVAILABLE COLORS:
SANDSTONE, BRONZE, GREEN, BLACK OR WHITE
USPS ACCESS OR PRIVATE ACCESS

DRAWN: 8/2020

Established in 1936, Salsbury Industries is the industry leader in manufacturing and distributing quality mailboxes.



People Committed to Quality Since 1936™

18300 CENTRAL AVENUE
CARSON, CA 90746-4008

PHONE: (800) 624-5269

FAX: (800) 624-5299

email: engineering@mailboxes.com

RESOLUTION 2024-34

WHEREAS, at the July 18, 2024, the Buffalo County Planning & Zoning Commission, after public hearing, gave a favorable recommendation to proposed “Eagle Hill Estates”, a subdivision of land, together with various suggestions and recommendations, all as stated in the minutes of that meeting of the Commission that have been forwarded to this Board, and reviewed by this Board, and

WHEREAS, on August 13, 2024, this Board, after public hearing, considered approval of the preliminary plat for “Eagle Hill Estates”, and

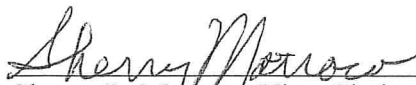
WHEREAS, the plan of development appears to be compliant with Buffalo County’s Subdivision Resolution, with no relaxations or additional requirements, other than the requirements set forth in the drainage study and grading plan, presented with the application.

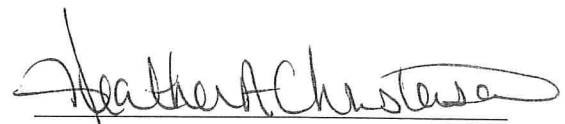
NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that Buffalo County, on a preliminary basis, approves the proposed “Eagle Hill Estates”, a subdivision located in Part of the South Half and the North Half and Part of the South Half, situated in Section Twenty-Seven (27), Township Nine (9) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

FURTHER RESOLVED that is not approval of a Final Plat and a copy of this Resolution is not to be filed against the foregoing real estate.

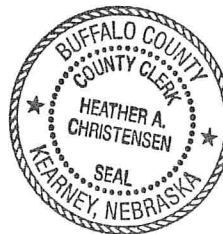
PASSED AND APPROVED THIS 13TH DAY OF AUGUST, 2024.

ATTEST:


Sherry L. Morrow, Vice-Chairperson
Buffalo County Board of Commissioners

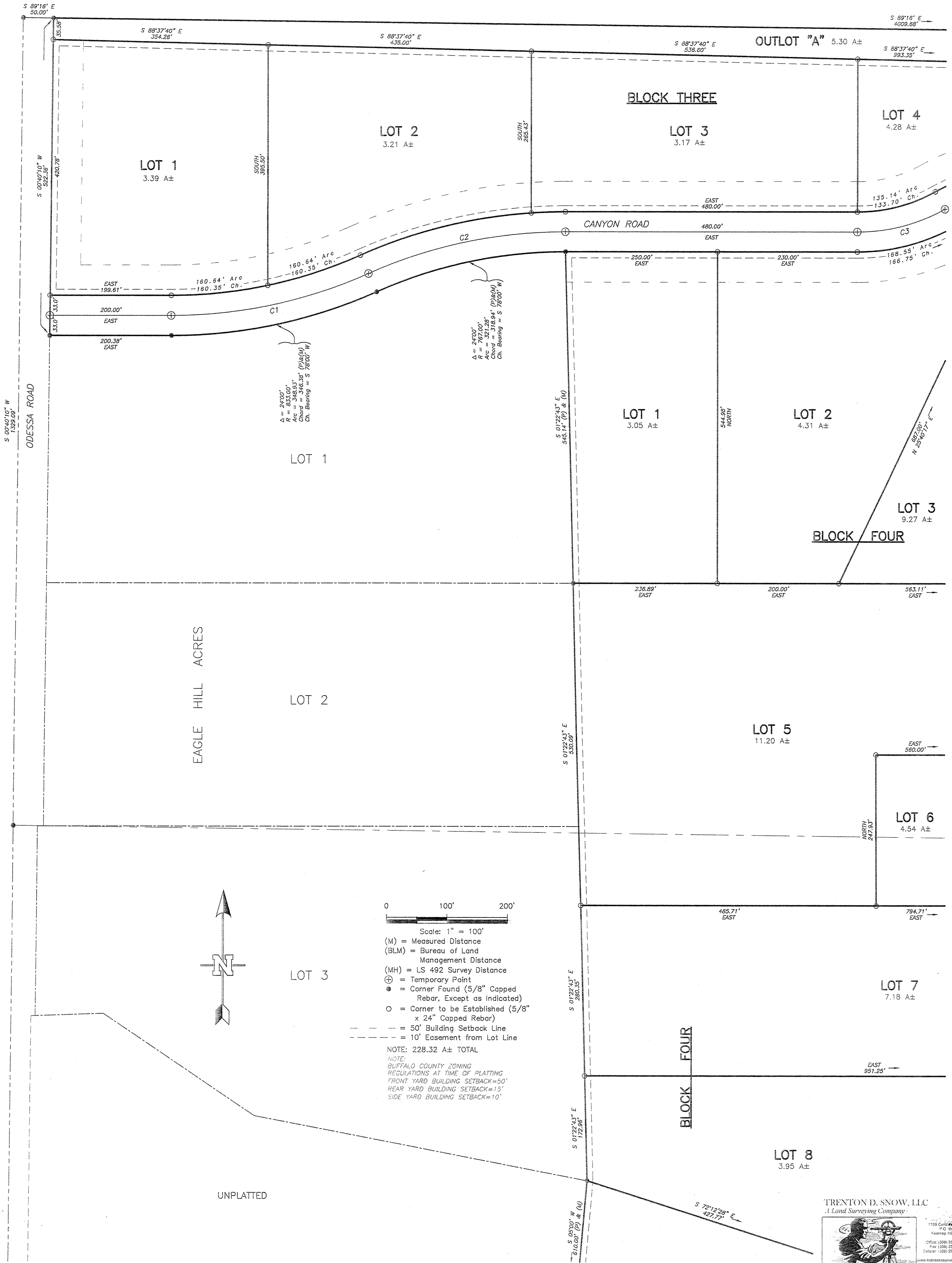

Heather A. Christensen
Buffalo County Clerk

(SEAL)



PROPOSED EAGLE HILL ESTATES

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTH 1/2 AND PART OF
THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA



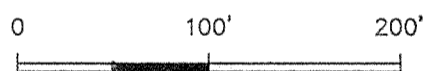
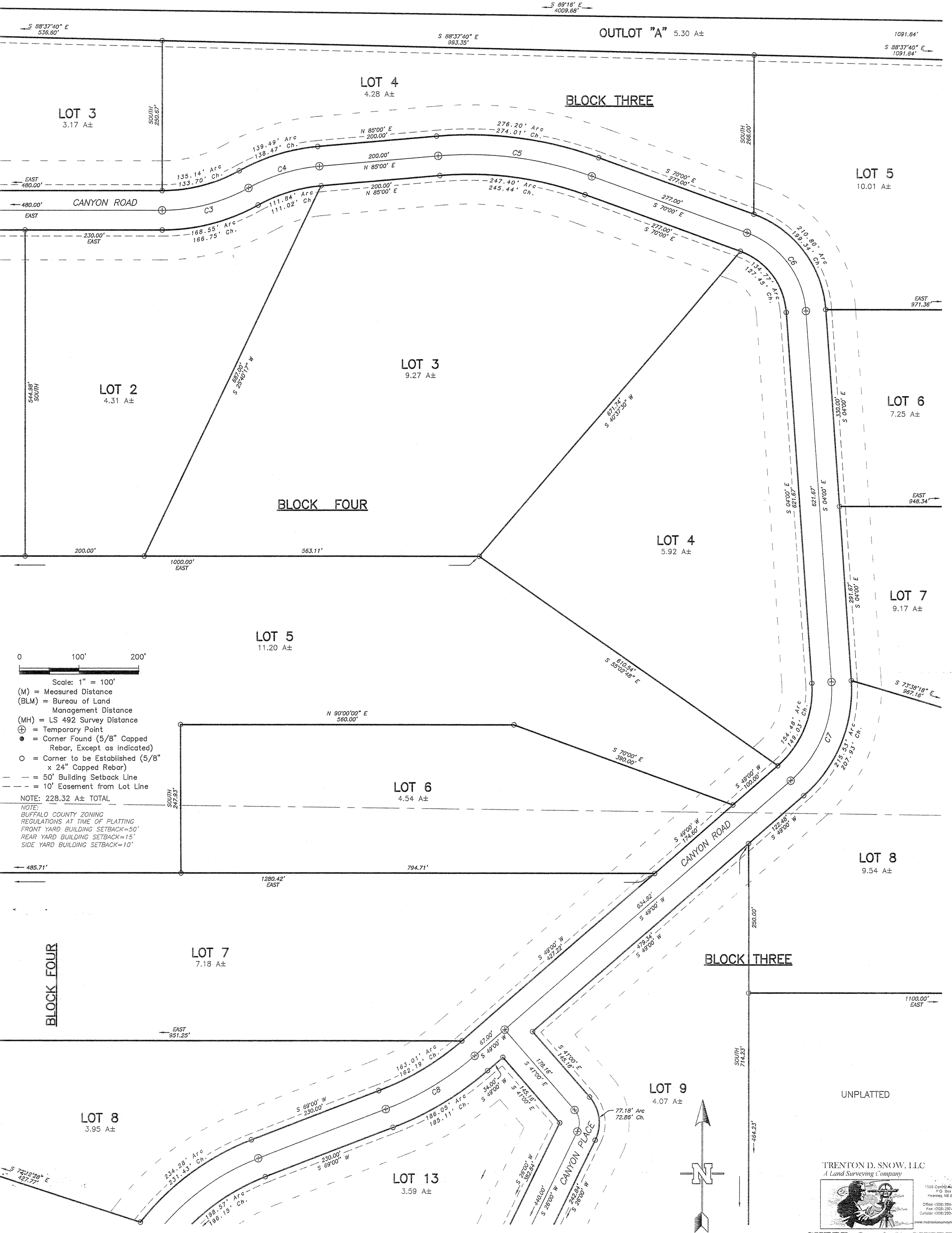
24-0034-0905, Sheet 2 of 7

TRENTON D. SNOW, LLC
A Land Surveying Company

1100 Grandview
P.O. Box 1172
Kearney, NE 68640
Office: (402) 234-1164
Fax: (402) 237-7679
Cellular: (308) 293-1085
www.nebraskasurveyors.com

PROPOSED EAGLE HILL ESTATES

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTH 1/2 AND PART OF
THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA



- Scale: 1" = 100'
- (M) = Measured Distance
 - (BLM) = Bureau of Land Management Distance
 - (MH) = LS 492 Survey Distance
 - ⊕ = Temporary Point
 - = Corner Found (5/8" Capped Rebar, Except as Indicated)
 - = Corner to be Established (5/8" x 24" Capped Rebar)
 - - - = 50' Building Setback Line
 - - - = 10' Easement from Lot Line

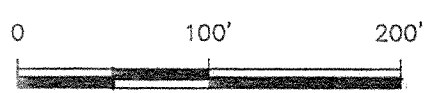
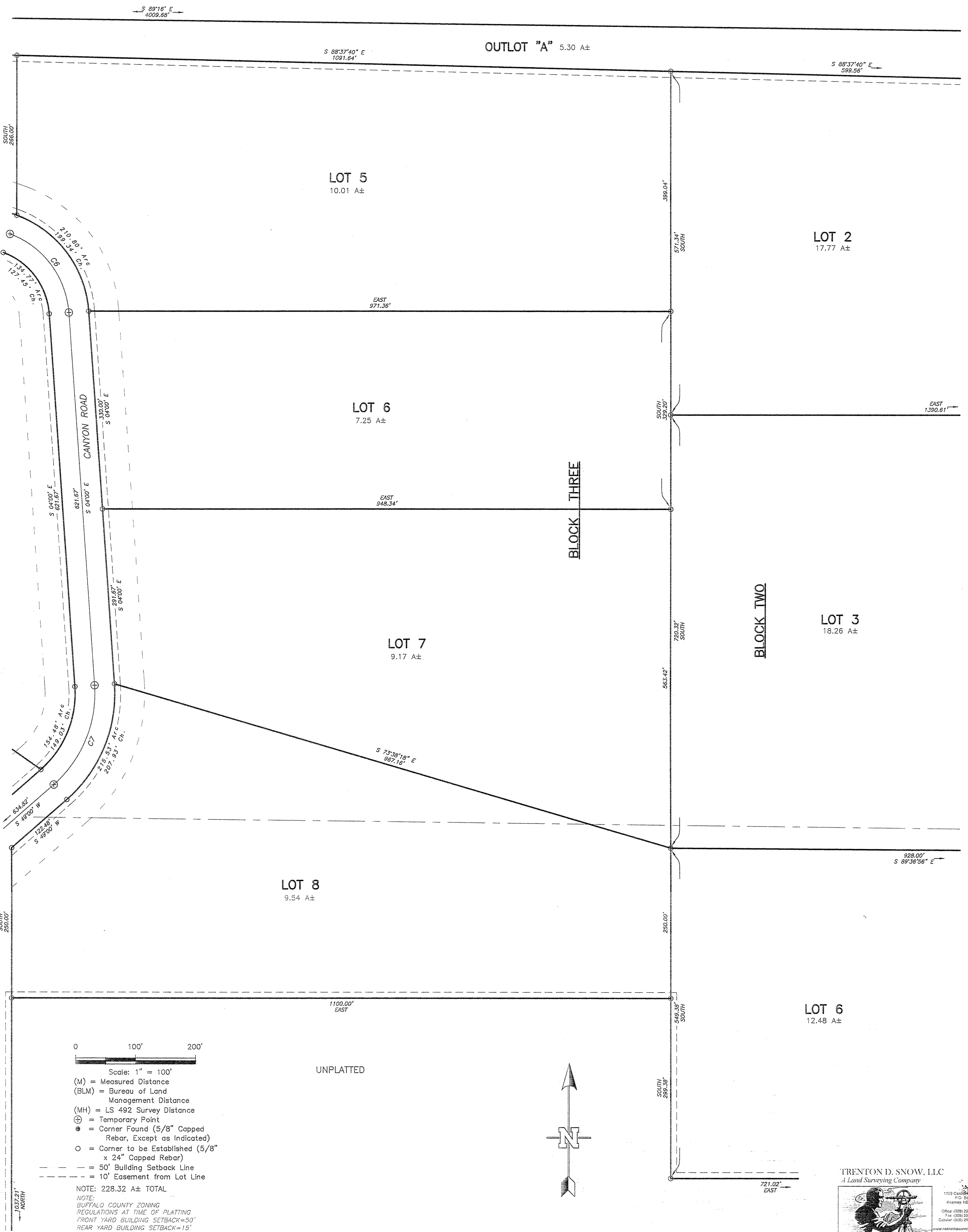
NOTE: 228.32 A± TOTAL
 NOTES:
 BUFFALO COUNTY ZONING REGULATIONS AT TIME OF PLATTING
 FRONT YARD BUILDING SETBACK=50'
 REAR YARD BUILDING SETBACK=15'
 SIDE YARD BUILDING SETBACK=10'

TRENTON D. SNOW, LLC
 A Land Surveying Company

1309 Central Avenue
 P.O. Box 1772
 Kearney, NE 68546
 Office: (402) 284-1754
 Fax: (402) 287-7695
 Cellular: (402) 289-1686
 www.nebraskasurveyors.com

PROPOSED
EAGLE HILL ESTATES

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTH 1/2 AND PART OF
THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA



- Scale: 1" = 100'
- (M) = Measured Distance
 - (BLM) = Bureau of Land Management Distance
 - (MH) = LS 492 Survey Distance
 - ⊕ = Temporary Point
 - = Corner Found (5/8" Capped Rebar, Except as Indicated)
 - = Corner to be Established (5/8" x 24" Capped Rebar)
 - - - = 50' Building Setback Line
 - - - - = 10' Easement from Lot Line

NOTE: 228.32 A± TOTAL

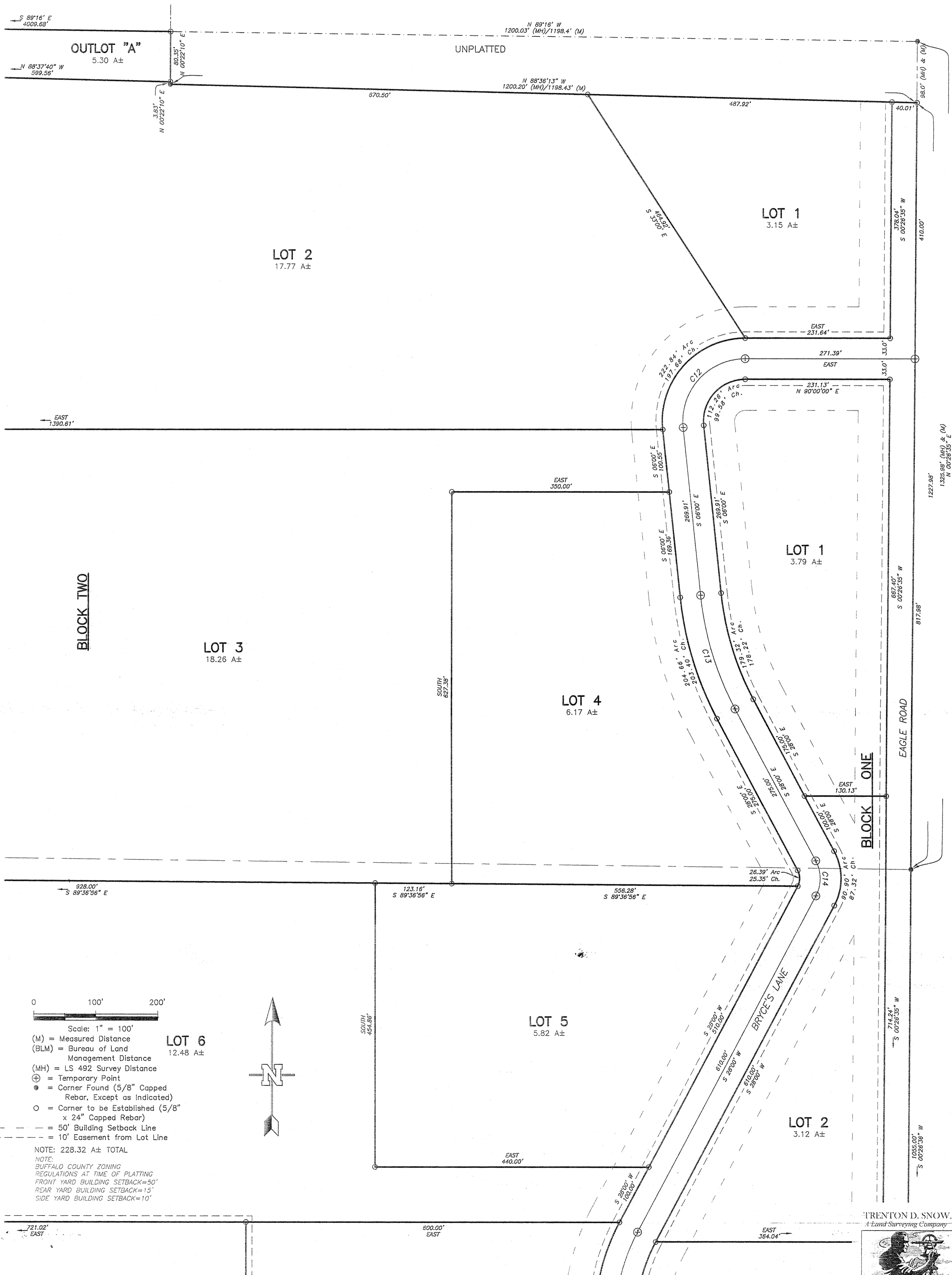
NOTE:
BUFFALO COUNTY ZONING
REGULATIONS AT TIME OF PLATTING
FRONT YARD BUILDING SETBACK=50'
REAR YARD BUILDING SETBACK=15'
SIDE YARD BUILDING SETBACK=10'

TRENTON D. SNOW, LLC
A Land Surveying Company

1309 Center
P.O. Box 3772
Kearney, NE 68646
Office: (402) 234-1764
Fax: (402) 237-7079
Cellular: (402) 295-1665
www.nebraskasurveyors.com

PROPOSED EAGLE HILL ESTATES

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTH 1/2 AND PART OF
THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA



0 100' 200'

Scale: 1" = 100'

(M) = Measured Distance
(BLM) = Bureau of Land Management Distance
(MH) = LS 492 Survey Distance
⊕ = Temporary Point
⊙ = Corner Found (5/8" Capped Rebar, Except as Indicated)
○ = Corner to be Established (5/8" x 24" Capped Rebar)
--- = 50' Building Setback Line
- - - = 10' Easement from Lot Line

NOTE: 228.32 A± TOTAL

NOTE:
BUFFALO COUNTY ZONING REGULATIONS AT TIME OF PLATING
FRONT YARD BUILDING SETBACK=50'
REAR YARD BUILDING SETBACK=15'
SIDE YARD BUILDING SETBACK=10'

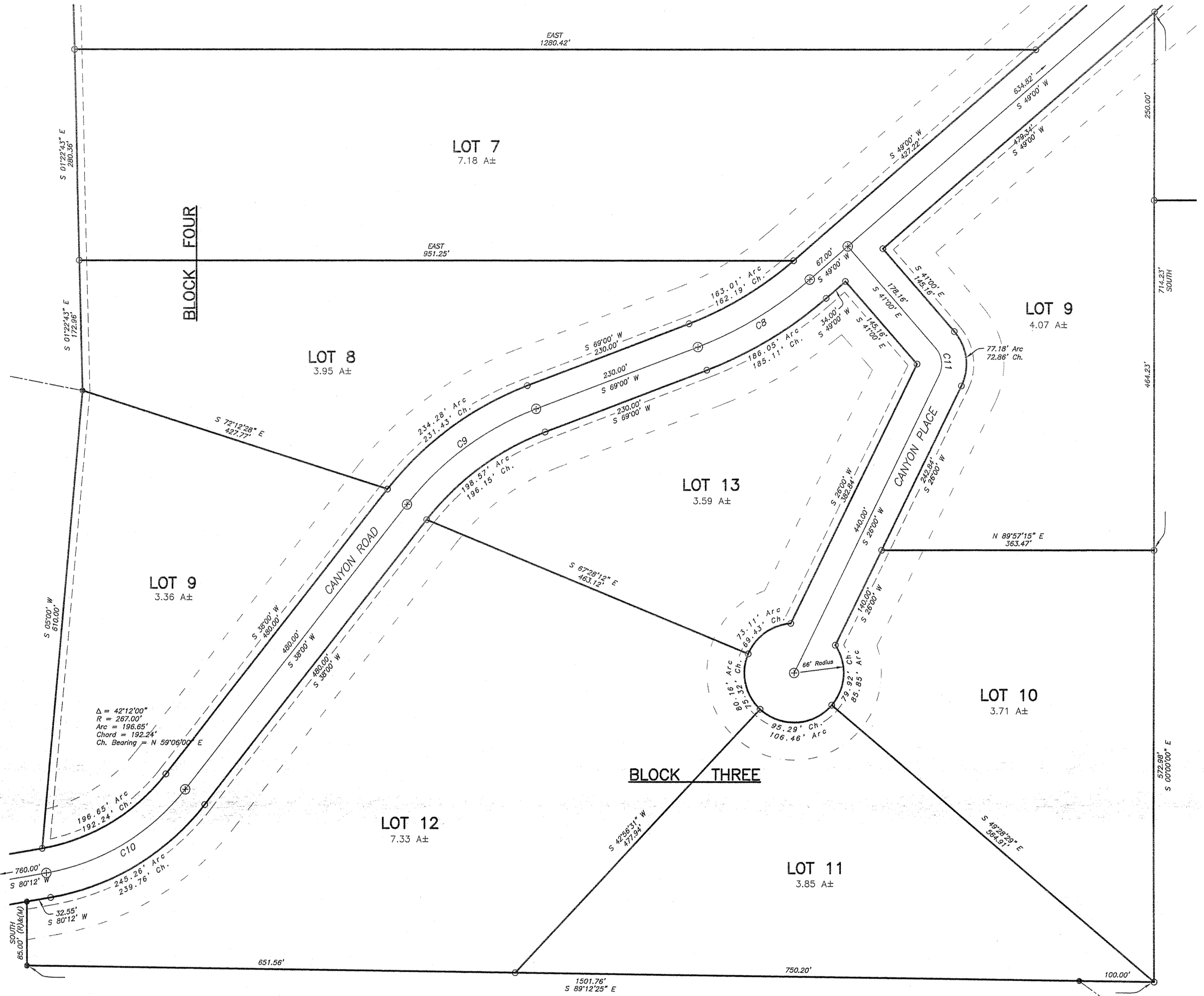
TRENTON D. SNOW, LLC
A Land Surveying Company

1209 Central Avenue
P.O. Box 1772
Kearney, NE 68849
Office: (402) 234-1764
Fax: (402) 237-7679
Cellular: (402) 295-1656
www.nebraskasurveyors.com

24-0034-0985 Sheet 5 of 7

PROPOSED EAGLE HILL ESTATES

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTH 1/2 AND PART OF
THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST
OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA

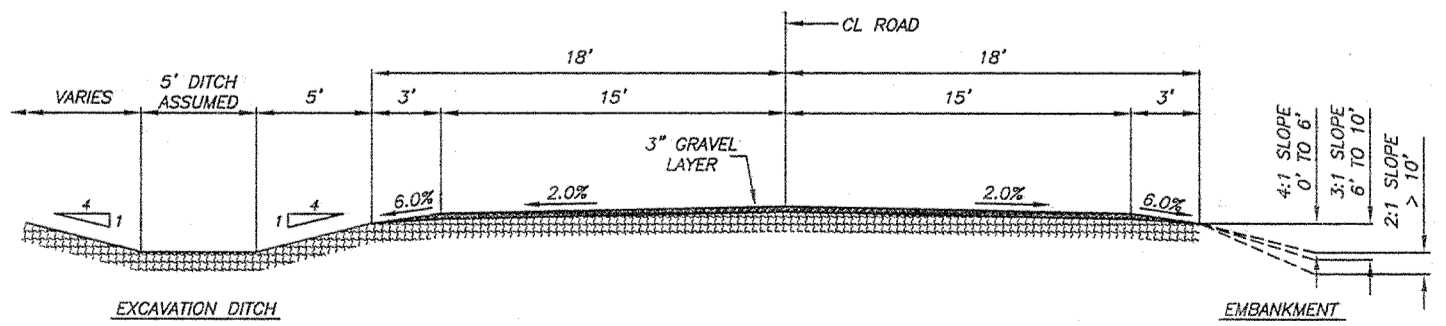


$\Delta = 42^{\circ}12'00''$
 $R = 267.00'$
 $Arc = 196.65'$
 $Chord = 192.24'$
 $Ch. Bearing = N 59^{\circ}09'00'' E$

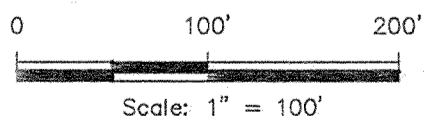
CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	800.00'	24'00"00"	335.10'	332.66'	S 78'00"00" W
C2	800.00'	24'00"00"	335.10'	332.66'	N 78'00"00" E
C3	300.00'	29'00"00"	151.84'	150.23'	N 75'30"00" E
C4	300.00'	24'00"00"	125.66'	124.75'	N 73'00"00" E
C5	600.00'	25'00"00"	261.80'	259.73'	N 82'30"00" W
C6	150.00'	66'00"00"	172.79'	163.39'	N 37'00"00" W
C7	200.00'	53'00"00"	185.00'	178.48'	N 22'30"00" E
C8	500.00'	20'00"00"	174.53'	173.65'	N 59'00"00" E
C9	400.00'	31'00"00"	216.42'	213.79'	N 53'30"00" E
C10	300.00'	42'12"00"	220.96'	216.00'	N 59'06"00" E
C11	33.00'	67'00"00"	38.59'	38.43'	S 07'30"00" E
C12	100.00'	96'00"00"	167.55'	148.63'	S 42'00"00" W
C13	500.00'	22'00"00"	191.99'	190.81'	S 17'00"00" E
C14	60.00'	56'00"00"	58.64'	56.34'	S 00'00"00" E
C15	300.00'	118'00"00"	617.85'	514.30'	N 31'00"00" W

UNPLATTED



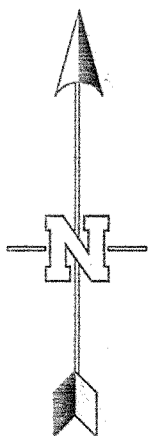
TYP. ROADWAY SECTION
NO SCALE



Scale: 1" = 100'

- (M) = Measured Distance
- (BLM) = Bureau of Land Management Distance
- (MH) = LS 492 Survey Distance
- ⊕ = Temporary Point
- = Corner Found (5/8" Capped Rebar, Except as Indicated)
- = Corner to be Established (5/8" x 24" Capped Rebar)
- = 50' Building Setback Line
- - - - = 10' Easement from Lot Line

NOTE: 228.32 A± TOTAL
NOTE:
BUFFALO COUNTY ZONING REGULATIONS AT TIME OF PLATTING
FRONT YARD BUILDING SETBACK=50'
REAR YARD BUILDING SETBACK=15'
SIDE YARD BUILDING SETBACK=10'



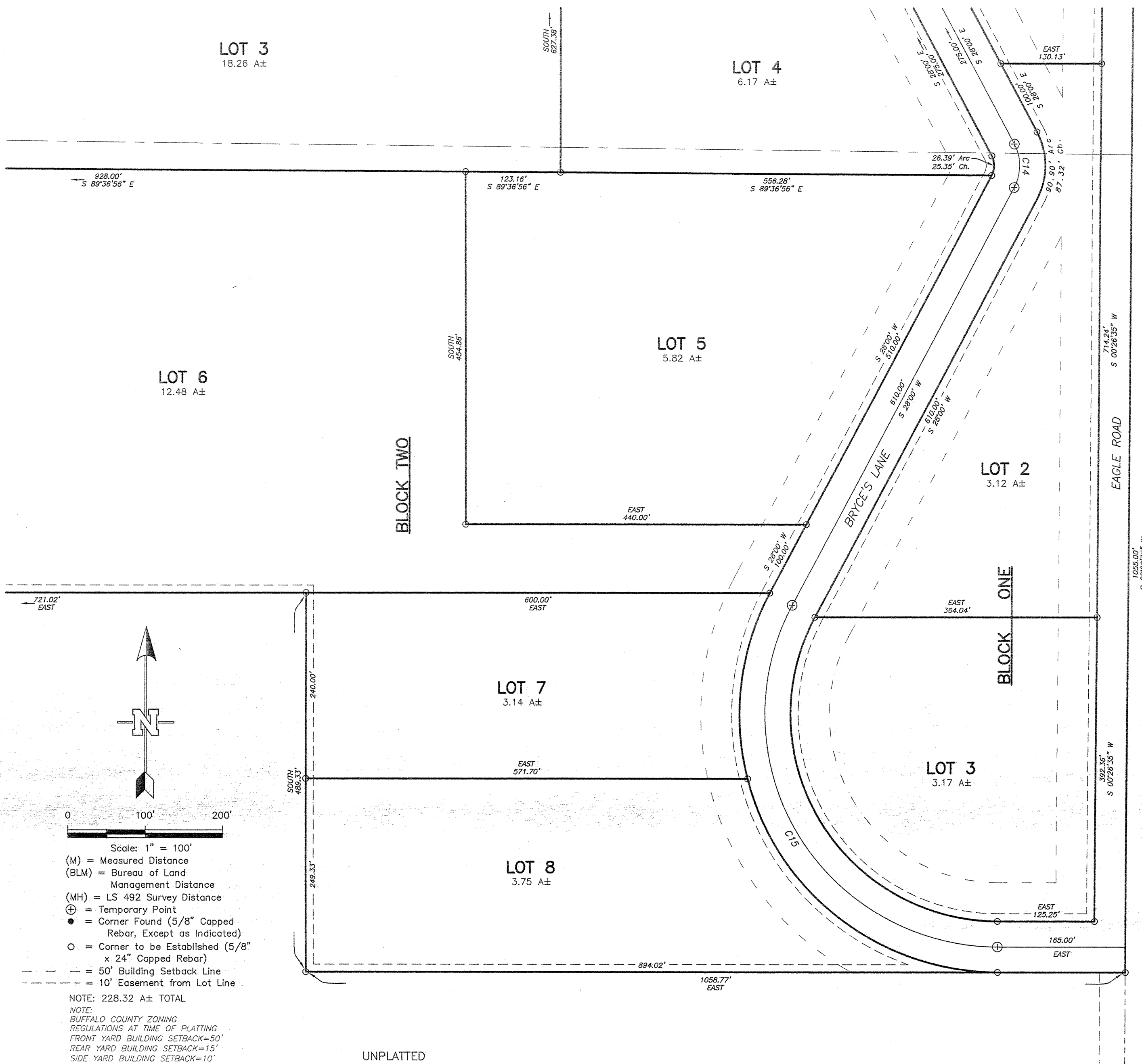
TRENTON D. SNOW, LLC
A Land Surveying Company



1305 Central
P.O. Box 1170
Kearney, NE 68647
Office (402) 254-1700
Fax (402) 254-1679
Cellular (308) 295-1665
www.nebraskasurveyors.com

PROPOSED
EAGLE HILL ESTATES

A SUBDIVISION BEING PART OF THE SOUTH 1/2 OF THE NORTH 1/2 AND PART OF
 THE SOUTH 1/2 OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 17 WEST
 OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA



BUFFALO COUNTY PLANNING AND ZONING COMMISSION APPROVAL

The undersigned, _____ (print name), Chairperson or Vice-Chairperson of the Buffalo County Planning and Zoning Commission do hereby certify that the foregoing plat of "EAGLE HILL ESTATES", a subdivision being part of the South 1/2 of the North 1/2 and part of the South 1/2 of Section 27, Township 9 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska was submitted to Buffalo County Planning and Zoning Commission for public meeting and review and that the recommendation by the Buffalo County Planning and Zoning Commission was made to the

Buffalo County Board of Supervisors on the _____ day of _____, 2_____.

 (signature)

 (print name)

Chairperson or Vice-Chairperson

TRENTON D. SNOW, LLC
 A Land Surveying Company



1309 Central Avenue
 P.O. Box 1772
 Kearney, NE 68946
 Office: (402) 238-4164
 Fax: (402) 237-7575
 Cellular: (402) 238-1089
 www.nebraskasurveyors.com

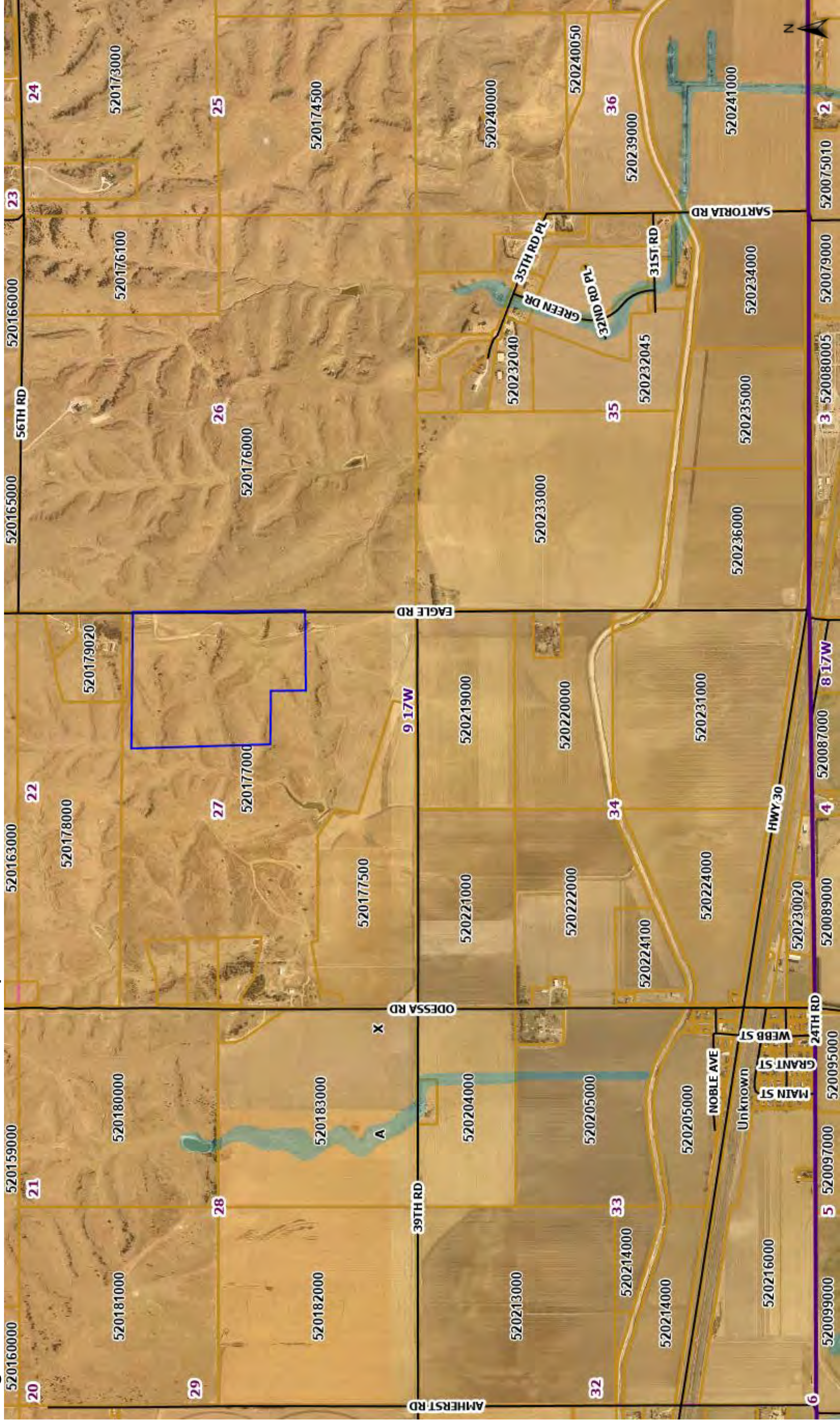


Buffalo County, NE

Eagle Hill Estates First - Aerial/Floodplain

Created by: null

- Parcels
- Parcel Numbers
- Roads
- Townships
- Sections
- Floodplain
 - A
 - AE
 - AH
 - AO
 - X

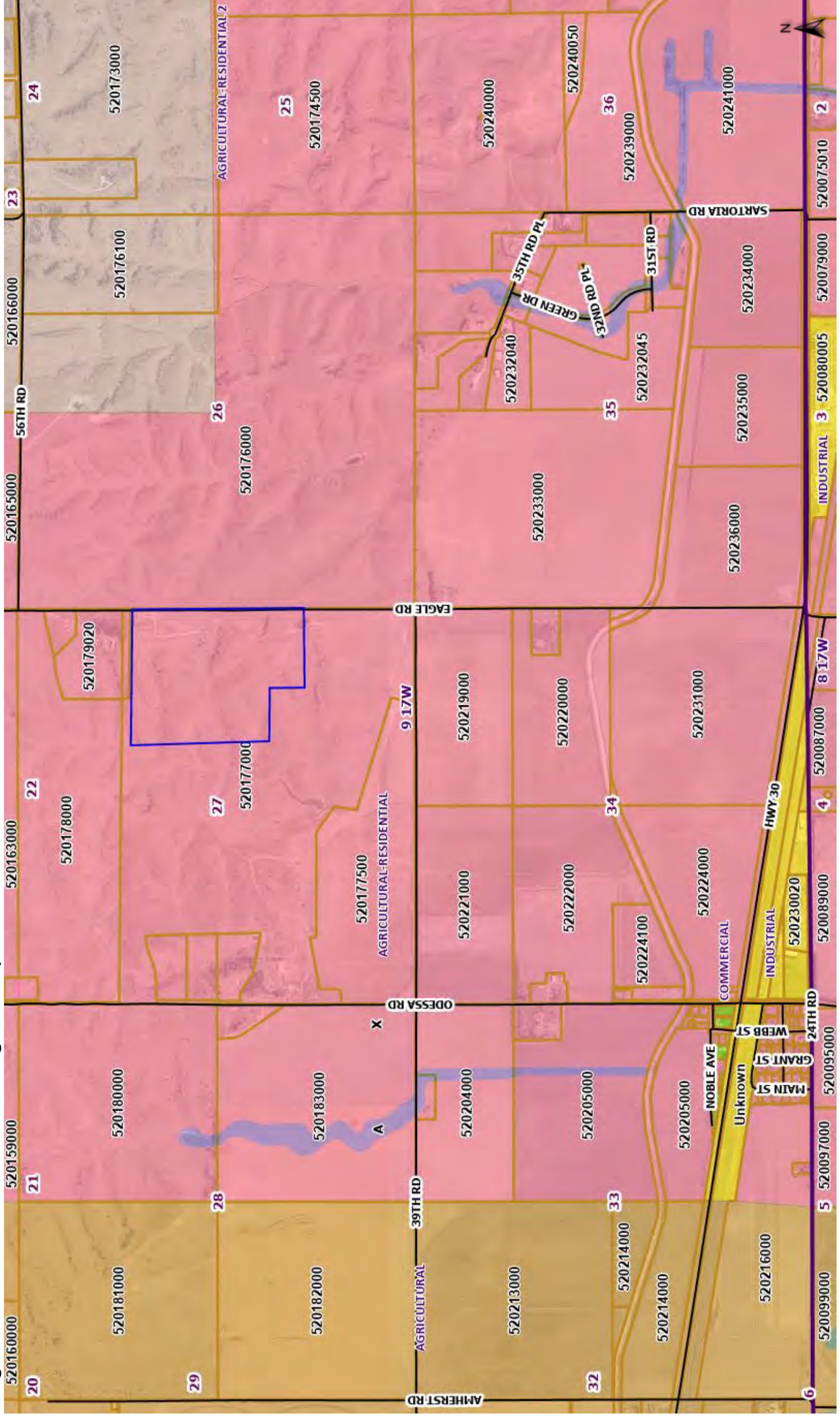




Buffalo County, NE

Eagle Hill Estates First - Zoning/Floodplain

Created by: null



Zoning Agenda

Item #5

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into by and between **Schneider Geospatial, LLC**, a Delaware Limited Liability Company, whose place of business is 8901 Otis Avenue, Suite 300, Indianapolis, IN 46216 (“PROFESSIONAL”) and **Buffalo County, Nebraska**, whose place of business is: 1512 Central Avenue, PO Box 1270, Kearney, NE 68848-1270 (“CLIENT”).

1 Services.

PROFESSIONAL shall provide CLIENT with the following services (“Services”):

Schneider Geospatial – Permitting & Licensing Platform

A. Overview

PROFESSIONAL will provide CLIENT with subscription access to its cloud-based Permitting & Licensing platform (the “Platform”), a modern GovTech SaaS solution designed to digitize, automate, and streamline regulatory workflows. The Platform includes configurable online applications, GIS-enabled citizen engagement tools, staff review dashboards, document generation, inspection management, payment integration, and reporting capabilities.

B. Subscription Package

Planning & Zoning

Includes:

- Up to two (2) permit / license templates from PROFESSIONAL’s standard library
 - Zoning Permit and Flood Plain Permit
- Citizen portal for online application, submission, payment, and status tracking
- Staff dashboard for review, routing, and approval
- PROFESSIONAL’s standard document / PDF templates
- Inspection scheduling functionality (includes access to PROFESSIONAL’s Inspection app)
- Document upload capability
- PROFESSIONAL’s preferred payment processor integration
- Department reporting capabilities

Implementation Services Included (per Department selected):

- Up to 30 hours of implementation and configuration services
- Administrative setup and role configuration
- Branding and email notification configuration
- Two (1 hour) virtual training sessions

Unused implementation hours expire twelve (12) months from project initiation unless otherwise specified.

C. Client Responsibilities

Client agrees to:

- Designate a primary project contact
 - Participate in configuration review sessions
 - Provide timely feedback and approvals
-

Other Fixed Fee phases of this project may be developed during the course of this agreement. Once the estimates are accepted, an Authorization to Proceed will have to be signed and submitted before work will begin.

2 Payment for Services.

CLIENT shall compensate PROFESSIONAL for the Services as follows:

A. Product/Service

a. One-time Setup Cost:	\$9,000
Setup items:	
Core Setup:	Included
Planning & Zoning Permit Module:	Included
b. Annual Hosting:	\$9,000
Hosting items:	
Planning & Zoning Permit Module:	Included

B. Payment Schedule

Year 1	July 1, 2026 – June 30, 2028:	\$18,000
	(Setup: \$9,000, Hosting: \$9,000)	
Year 2	July 1, 2028 – June 30, 2029:	\$9,450
Year 3	July 1, 2029 – June 30, 2030:	\$9,923

C. Project Schedule

a. Portal Development

- i. PROFESSIONAL requires the following information and technical assistance from CLIENT to access data sources defined in the Scope of Services.
 1. Database connection information
 2. Server name or IP address
 3. Database name
 4. User login information for read access
 5. Data dictionary or schema, as available
- ii. Network paths to all file data sources
- iii. Installation of PROFESSIONAL's Remote Support application on a computer with network access to CLIENT's data sources and files.
- iv. All information must be provided by CLIENT to the PROFESSIONAL at least twenty-one (21) days prior to the start of the Initial Hosting Term, defined below, to ensure that all data will be available on the portal at the start of the Initial Hosting Term.

b. Portal Hosting and Maintenance

- i. The Initial Hosting Term shall be defined in the Scope of Service or Payment Schedule above.
- ii. The Initial Hosting Term shall begin at the date above regardless of project delays resulting from CLIENT's failure to provide PROFESSIONAL with information required to access project data sources according to the project schedule. Any project delays on the part of the PROFESSIONAL will result in the initial hosting term starting the first day of the first month following the completion of the portal's development and release from PROFESSIONAL to CLIENT.

Invoicing will be done on an annual basis at the beginning of the term unless otherwise specified.

If the CLIENT cancels the agreement before end of initial multi-year term, any waived discounts and promotional fees will be included in the final invoice.

Balances due thirty (30) days after the due date for non-government clients and sixty (60) days after the due date for government clients shall be assessed an interest rate of 1½% per month (18% per year). CLIENT agrees to pay for any and all costs of collection including, but not limited to interest, lien costs, court costs, expert fees, attorney's fees and other

fees or costs involved in or arising out of collecting any unpaid or past due balances, including late fees or penalties. If payment is not received within thirty (30) days of the due date, PROFESSIONAL reserves the right, after giving seven (7) days written notice to CLIENT, to suspend services to CLIENT or to terminate this Agreement.

3 Terms of Service. Each party's rights and responsibilities under this Agreement are conditioned upon and subject to the Terms of Service which can be found at <http://schneiderGIS.com/termservice>. By executing this Agreement, CLIENT acknowledges that it has read the above-described Terms of Service and agrees that such Terms of Service are incorporated herein and made a part of this Agreement. PROFESSIONAL reserves the right to update or modify the Terms of Service upon ten (10) days prior notice to CLIENT. Such notice may be provided by PROFESSIONAL to CLIENT by e-mail.

4 Term, Termination and Renewal. The initial term of this Agreement shall be defined in the Scope of Services or Payment Schedule above. If the services provided are for an annual rate and extend for multiple years, PROFESSIONAL will prorate the first year of the agreement to match the fiscal year for the CLIENT, followed by consecutive, twelve (12) month periods. This Agreement shall automatically renew for successive terms which consist of a twelve (12) month period, subject to earlier termination as set forth in this Agreement or upon written notification by either party thirty (30) days prior to the end of a term. If, for any reason, this Agreement is terminated prior to the end of a term, any waived or discounted fees or specified promotional items provided by PROFESSIONAL shall be invoiced by PROFESSIONAL and paid by CLIENT. PROFESSIONAL reserves the right to update the pricing applicable to this Agreement after the initial term for any renewal terms and/or any subsequent terms occurring after the initial term of the Agreement; PROFESSIONAL shall provide prior written notice to CLIENT of any pricing adjustments applicable to any such renewal and/or subsequent terms.

5 Additional Data Hosting. PROFESSIONAL's website hosting services allow for storage of up to three hundred (300) Gigabytes of data and files to include as content for CLIENT's website hosted in PROFESSIONAL's web data server environment. Additional storage and transfer requirements may be negotiated, at PROFESSIONAL's discretion, if CLIENT decides to add additional content to the website – such as orthophotos, scanned documents, etc.

6 Assignment. PROFESSIONAL has the right to assign or transfer any rights under or interest in this Agreement upon fifteen (15) days' written or electronic notice to CLIENT. Nothing in this Paragraph shall prevent PROFESSIONAL from employing consultants or subcontractors to assist in the performance of the Services.

7 Rights and Benefits. Nothing in this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than CLIENT and PROFESSIONAL. CLIENT and PROFESSIONAL expressly state there are no third-party beneficiaries to this Agreement.

8 Successors. This Agreement is binding on the partners, successors, executors, administrators and assigns of both parties.

9 Applicable Law. The terms and conditions of this Agreement are subject to the laws of the State of Indiana.

IN WITNESS WHEREOF, the Parties have executed this Agreement by affixing their signatures below.

Pricing is valid through May 31, 2026.

PROFESSIONAL:
Schneider Geospatial, LLC

CLIENT:
Buffalo County, Nebraska

By: _____

By: _____

Print: Jeff Corns, GISP

Print: _____

Title: President & CEO

Title: _____

Date: _____

Date: _____