



NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA

City Council agendas are also available on the Internet at www.siox-city.org.

You are hereby notified a meeting of the City Council of the City of Sioux City, Iowa, will be held April 29, 2013, 4:00 p.m., local time, in the City Council Chambers, 5th Floor, City Hall, 405 6th Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council.

This is a formal meeting during which the Council may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Council for speakers:

1. Anyone may address the Council on any agenda item.
 2. Speakers should approach the microphone one at a time and be recognized by the Mayor.
 3. Speakers should give their name, spell their name, give their address, and then their statement.
 4. Everyone should have an opportunity to speak. Therefore, please limit your remarks to **three minutes on any one item**.
 5. At the beginning of the discussion on any item, the mayor may request statements in favor of an action be heard first followed by statements in opposition to the action.
 6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under 'Citizen Concerns'.
 7. For the benefit of all in attendance, please turn off all cellular phones and other communication devices while in the City Council Chambers.
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1. Call of the roll ~ Silent prayer and Pledge of Allegiance to the Flag ~ Proclamations
2. [Resolution inviting proposals for the sale and sublease of land in the Combined Central Sioux City -CBD Urban Renewal Area, announcing the intent to accept the proposal of Sioux City Entertainment, Inc., fixing the date for receipt of proposals, and for public hearing and providing for notice thereof.](#)
3. CITIZEN CONCERNS
4. COUNCIL CONCERNS
5. ADJOURNMENT

City Council agendas are also available at www.siox-city.org.

The City of Sioux City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aids for effective communication in programs and services of the City of Sioux City are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 405 6th Street, Room 204, (712) 279-6259. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

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☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 29, 2013 **ACTION ITEM #** 2

Robert Padmore, City Finance Director

FROM: Nicole M. Jensen-Harris, City Attorney
Jeff Hanson, Community Development Operations Manager

SUBJECT: Resolution inviting proposals for the sale and sublease of land in the Combined Central Sioux City –CBD Urban Renewal Area, announcing the intent to accept the proposal of Sioux City Entertainment, Inc., fixing the date for receipt of proposals, and for public hearing and providing for notice thereof.

Reviewed By:	Department Director	Finance Department	☒ City Attorney	☒ City Manager
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RECOMMENDATION:

Staff respectfully requests City Council approval of the above resolution.

DISCUSSION:

Background

In November 2012 the Iowa Racing and Gaming Commission ("IRGC") accepted proposals from various potential casino operators requesting consideration for the award of a license to build and operate a land based casino facility within Woodbury County, Iowa. Three potential operators submitted a total of four proposals to the IRGC. These entities were: Ho Chunk, Inc., Penn National Gaming Corporation, and Sioux City Entertainment, Inc. Three of the proposals submitted to the IRGC were for sites within the city limits of Sioux City, Iowa and one proposal was for a site located in Woodbury County, Iowa.

The City of Sioux City entered into Letters of Understanding with all three potential operators for the purpose of announcing the City's intent to work toward a development agreement with the operator selected by the IRGC for the construction and operation of a land based casino facility. These Letters of Understanding were non-binding documents as final determination of development terms must be acted upon by the City Council through the approval of a development agreement between the parties.

On April 18, 2013 after hearing proposals, meeting with developers and touring the proposed sites, the IRGC announced its decision to select the proposal set forth by Sioux City Entertainment, Inc. The IRGC awarded a license to Sioux City Entertainment, Inc. for the construction and operation of a land based gambling facility within the City of Sioux City, Iowa.

The Sioux City Entertainment, Inc. proposal selected by the IRGC is for a site location in downtown Sioux City within the City's Combined Central Sioux City - CBD Urban Renewal Area. As of April 25, 2013, an additional Letter of Understanding has now been negotiated

between City staff and Sioux City Entertainment, Inc. for purposes of clarifying proposed concepts between the parties. This additional Letter of Understanding is set forth for the purpose of setting out the development proposal of Sioux City Entertainment, Inc. and to initiate the urban renewal process required under state law to invite proposals for the sale and potential lease of land in the Combined Central Sioux City – CBD Urban Renewal Area. Additionally, this step announces the City's intent to select the proposal of Sioux City Entertainment, Inc. and to schedule a public hearing regarding this proposal on June 3, 2013. Additionally, at the time of the public hearing on June 3, 2013, City Staff will bring forward a final negotiated development agreement for the Council's consideration.

Proposed Agreement as Contained in the April 25, 2013 Letter of Understanding

The City will:

- 1) The City will provide financial assistance to the project in the amount of \$22 million, financed through the sale of abated Tax Increment Bonds at a rate not to exceed four percent and for a term not to exceed twenty years.
- 2) The City will assist in securing a surface level parking lot in the area south of the proposed casino which is currently privately owned by MidAmerican, or in securing for SCE a sublease for these purposes of the land currently leased by MidAmerican to the City.
- 3) The City will work with SCE to confirm that a parking lot on the MidAmerican parcel with modest disruption of surface soils may be constructed.
- 4) Upon receipt of all necessary approvals, the City will transfer ownership of all necessary City-owned land, vacate all necessary streets and convey necessary streets and rights of way to allow construction and operation of the proposed casino. SCE will submit a required site plan for approval. Additionally, SCE will submit all proper applications for plat approval and requests for right of way vacation.

Sioux City Entertainment, Inc. (SCE) will:

- 1) SCE will construct and operate the Project on the Site. It is anticipated that the Project will have at a minimum: three restaurants, two bars, a retail store, and a live music club/event lawn with a minimum capacity of 500. Upon opening, the Project is anticipated to employ no fewer than 500 employees.
- 2) SCE will derive its rights to the "Hard Rock Casino" and "Hard Rock Hotel" names from a third-party owner of those trademarks under a license agreement. Under that license agreement, SCE will obtain a commitment from the trademark licensor that, for the life of the Development Agreement, the licensor will not license the Hard Rock name to any casino within a 100-mile radius of the Project nor within a 20-mile radius around the city center of Omaha, Nebraska.
- 3) SCE will agree to a minimum real property assessment agreement in the amount of \$51 million for a term of 20 years. The minimum assessment agreement is based on the ability of the City of Sioux City to issue bonds at an interest rate of four percent or lower for a twenty year term.
- 4) SCE will agree to a monthly payment 1.75 percent of adjusted gross gaming revenues (as defined by the State of Iowa) to the City of Sioux City.
- 5) SCE will agree to a revenue guaranty for the life of the Development Agreement (except for the partial-year period starting with the opening of the Project to the end of that calendar year). Under the terms of the agreement, SCE will guaranty an annual payment of \$2.1 million composed of the following components:
 - (a) The 1.75% payment on adjusted gross gaming revenues as defined by the State of Iowa.
 - (b) The pass through from the State of Iowa of .5% of adjusted gross gaming revenues.
 - (c) An amount not to exceed \$100,000, representing the incremental growth of sales tax due to the operation of the facility. This credit will only apply to sales made within the proper-

ty. Credit will apply in the year following collection, as reported to the State of Iowa Department of Revenue. No credit will be given for the cost of goods purchased for use in the casino.

(d) An amount not to exceed \$75,000 representing incremental growth of hotel/motel tax due to increased revenue from the casino from receipts collected in the year prior to the casino opening. This credit will only apply to actual hotel/motel taxes collected. Credit will apply in the year following collection, as reported to the State of Iowa Department of Revenue.

(e) Under the guaranty arrangement, SCE would agree to pay to the City any shortfall, to the extent that items (a) through (d) above totaled less than \$2.1 million for any particular year.

(f) The revenue guaranty commitment is made by SCE based on its understanding of current relevant market and economic conditions, and, starting with the 11th year of the revenue guaranty, the guaranty would be terminated upon the occurrence of any of the following three factors:

- (i) New casino competition were to emerge within an area to be defined and agreed upon in the Development Agreement;
- (ii) the gaming floor exemption to the Iowa Smokefree Air Act is appealed; or
- (iii) the Iowa gaming tax is increased, by twenty percent (20%) or more, from the rate in effect as of today

6) Prior to approval of a financial assistance package/development agreement by the City Council of the City of Sioux City, SCE will provide the City with financial statements from SCE and provide lender commitments which reflect the ability of SCE and its officers to meet the terms of the financial assistance/development agreement.

7) SCE will request vacation of all of Pearl Street between 3rd Street and 4th Street. SCE will include as part of its site plan, curb cuts on 3rd Street and 4th Street which shall allow for a through-way from 3rd Street to 4th Street with a similar alignment as existing today for Pearl Street. The through-way would be designed in a manner so as to address SCE's reasonable concerns as to patron safety and patron experience. The requirement for a through-way may be revisited by the City and SCE upon expansion of the casino facility at a future date.

FINANCIAL IMPACT:

The City's financial obligations under this agreement are detailed above. A development agreement with Sioux City Entertainment, Inc. will be brought to the Council for consideration on June 3, 2013. In addition to the economic benefits to the community from the related economic activity and the presence of up to 500 jobs, the minimum assessment agreement provides sufficient revenue over the term of the agreement to pay all debt issued by the City. In addition, the shared gaming fee revenue (SCE and State) as outlined above will provide a minimum \$2.135 million of additional revenue to the City.

RELATIONSHIP TO STRATEGIC PLAN:

MUNICIPAL RESPONSIBILITIES

- Economic Opportunity

STRATEGIC FOCUS AREAS

- o Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution inviting proposals for the sale and lease of land
April 25, 2013 Letter of Understanding with Exhibits A through D
Site Map of Proposed Facility

RESOLUTION NO. 2013-_____
with attachments

RESOLUTION INVITING PROPOSALS FOR THE SALE AND SUBLEASE OF LAND IN THE COMBINED CENTRAL SIOUX CITY –CBD URBAN RENEWAL AREA, ANNOUNCING THE INTENT TO ACCEPT THE PROPOSAL OF SIOUX CITY ENTERTAINMENT, INC., FIXING THE DATE FOR RECEIPT OF PROPOSALS, AND FOR PUBLIC HEARING AND PROVIDING FOR NOTICE THEREOF.

WHEREAS, in furtherance of the objectives of Chapter 403 of the Code of Iowa, the City of Sioux City, Iowa, has undertaken a program of redevelopment of blighted areas in the City, and in this connection has instituted the Combined Central Sioux City –CBD Urban Renewal Project; and

WHEREAS, Sioux City Entertainment, Inc. has submitted to the City a proposal to purchase a portion of the project area described as follows under the headings “City Owned Parcels” and “City Owned Parcels Subject to Vacation”; and

WHEREAS, the proposal submitted by Sioux City Entertainment, Inc. also requests the potential to sublease certain property currently leased by the City of Sioux City, Iowa from MidAmerican Energy Company, pursuant to Resolution No. 2010-0503 passed and approved July 12, 2010, and described as follows under the heading “MidAmerican Lease Property”:

CITY OWNED PARCELS

PARCEL ID NO.1
CITY OF SIOUX CITY
(PART OF PARCEL NO. 894729479003)

ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 86, IN SIOUX CITY EAST ADDITION, AND THAT PART OF ELM STREET ABUTTING THEREON, NORTH OF MILL STREET AND EAST OF A LINE BEGINNING AT A POINT ON THE NORTH LINE OF MILL STREET 12.2 FEET EAST OF THE EAST LINE OF THE EAST WALL OF THE PERRY CREEK CONDUIT; THENCE NORTHEASTERLY 50 FEET TO A POINT 15.8 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY 32 FEET TO A POINT 15.4 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY 30 FEET TO A POINT 15.3 FEET EAST OF THE EAST LINE OF THE SAID WALL; THENCE NORTHEASTERLY 30 FEET TO A POINT 14.9 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD, 15 FEET EAST OF THE EAST LINE OF SAID EAST WALL, (WHICH SAID LINE IS DESCRIBED IN DEED FROM W. A. KLINGER INVESTMENT COMPANY TO CITY OF SIOUX CITY, IOWA FILED MARCH 6, 1961 AND RECORDED IN BOOK 969, PAGE 257); AND SOUTHWEST OF THE RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S TRACKS MAIN LINE; SUBJECT TO THE RIGHT TO A RAILROAD SWITCH TRACK FROM THE MAIN LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY COMMENCING ON THE EAST LINE OF THE PREMISES AND EXTENDING SOUTH ACROSS MILL STREET IN BLOCK 85 IN SIOUX CITY EAST ADDITION, FOR THE USE OF THE OWNERS OF SAID BLOCK 85, BUT WITH A LIKE RIGHT IN THE OWNERS OF THIS TRACT TO USE SAID SWITCH TRACK ON SAID MILL STREET AND NORTH THEREOF, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. ALL THOSE PARTS OF LOTS 1, 2, 3 AND 4 IN BLOCK 85, SIOUX CITY EAST ADDITION, VACATED THIRD STREET, ABANDONED CHANNEL OF PERRY CREEK, LOT 1 IN BLOCK 47, SIOUX CITY, PARK STREET AND ELM STREET (NOW KNOWN AS

WESLEY AVENUE), GOVERNMENT LOT 4 IN SECTION 29, AND GOVERNMENT LOT 1, SECTION 28, IN TOWNSHIP 89, NORTH, RANGE 47, WEST OF THE FIFTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 85, SIOUX CITY EAST ADDITION, WHICH POINT IS ALSO ON THE NORTH LINE OF THIRD STREET; THENCE WEST ALONG THE SOUTH LINE OF BLOCK 85 FOR 166 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 15°55' FOR 38 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON THE LAST DESCRIBED LINE FOR 40 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 17°18' FOR 156.35 FEET TO A POINT WHICH IS ON A CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 83 °7' FOR A 50 FOOT CHORD DISTANCE ON SAID CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 6°40' FOR A 50 FOOT CHORD DISTANCE ON SAID CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 7°15' FOR A CHORD DISTANCE OF 41.9 FEET TO A POINT ON SAID CURVED LINE, WHICH POINT IS ALSO ON THE NORTH LINE OF SAID BLOCK 85; THENCE EAST ALONG THE NORTH LINE OF SAID BLOCK 85 FOR 150.55 FEET TO A POINT WHICH IS 8 FEET WESTERLY MEASURED AT RIGHT ANGLES FROM THE CENTER LINE OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY; THENCE SOUTHEASTERLY FOR A DISTANCE OF 141.0 FEET TO THE PLACE OF BEGINNING, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. ALL THAT PART OF THE 16 FOOT WIDE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY LYING BETWEEN TAX LOTS "B" AND "C" AND TAX LOTS "A" AND "J" AND THAT PART OF VACATED ELM STREET ADJACENT TO SAID LOTS, ALL BEING A PART OF THE "AUDITORS PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION, BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS" ALL IN SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: THAT PORTION OF SAID RIGHT-OF-WAY ADJACENT TO TAX LOTS "B" AND "C" LYING BETWEEN THIRD STREET AND MILL STREET. BEGINNING AT THE NORTHEAST CORNER OF SAID TAX LOT "B", WHICH IS AT THE INTERSECTION OF THE SOUTH LINE OF MILL STREET AND THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE BEARING EAST ALONG THE SAID SOUTH LINE OF MILL STREET FOR 16.76 FEET TO THE NORTHWEST CORNER OF SAID TAX LOT "C", THENCE SOUTH 17°13'42" EAST FOR 137.77 FEET TO THE SOUTHWEST CORNER OF SAID TAX LOT "C", WHICH IS AT THE INTERSECTION OF THE NORTH LINE OF THIRD STREET AND THE EASTERLY LINE OF THE SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 74°12'30" WEST ALONG THE NORTHERLY LINE OF THIRD STREET FOR 16 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT "B" THENCE NORTH 17°13'42" WEST FOR 142.33 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINING 2240 SQUARE FEET MORE OR LESS. THAT PORTION OF SAID RIGHT OF WAY ADJACENT TO TAX LOTS "A" AND "J" AND THAT PART OF VACATED ELM STREET ADJACENT TO SAID LOTS, ALL LYING NORTH OF MILL STREET. BEGINNING AT THE SOUTHWEST CORNER OF SAID TAX LOT "A", WHICH IS AT THE INTERSECTION OF THE NORTH LINE OF MILL STREET AND THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY, THENCE BEARING WEST ALONG THE SAID NORTH LINE OF MILL STREET FOR 16.76 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT "J"; THENCE NORTH 17°13'42" WEST ALONG THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY FOR 145.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY OF WESLEY WAY, SAID POINT BEING 15 FEET EAST OF THE EAST LINE OF THE EAST WALL OF THE PERRY CREEK CONDUIT. SAID LINE BEING DESCRIBED IN A DEED FROM W. A. KLINGER INVESTMENT COMPANY TO THE CITY OF SIOUX CITY, IOWA, FILED MARCH 6, 1961 AND RECORDED IN BOOK 969, PAGE 257; THENCE NORTH 47°28'27" EAST FOR 17.70 FEET TO THE INTERSECTION OF THE SAID SOUTHEASTERLY RIGHT OF WAY OF WESLEY WAY WITH THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE SOUTH

17°13'42" EAST FOR 158.30 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 2433 SQUARE FEET MORE OR LESS.

AND

PARCEL I: ALL THAT PART OF BLOCK 47, SIOUX CITY, WOODBURY COUNTY, IOWA, BEING A PART OF LOTS 1, 2, 3, 6 AND 7, (ALSO KNOWN AS TAX LOTS "E", "R" AND "S"), PART OF VACATED ALLEY IN SAID BLOCK AND PART OF ABANDONED CHANNEL OF PERRY CREEK DESCRIBED AS FOLLOWS: COMMENCING ON THE SOUTH LINE OF THIRD STREET AND THE WEST LINE OF WATER STREET AT THE NORTHEAST CORNER OF BLOCK 31, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA; THENCE WEST ALONG THE SOUTH LINE OF THIRD STREET AND SAID LINE EXTENDED FOR 191.0 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE WITH AN ANGLE TO THE LEFT OF 15°55' FOR A DISTANCE OF 43.0 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 17° 18' FOR A DISTANCE OF 43.2 FEET TO A POINT ON A LINE, WHICH IS 100 FEET EASTERLY OF AND PARALLEL TO THE WEST LINE OF SAID BLOCK 47, (THE LAST 2 COURSES ARE ALONG THE SOUTH LINE OF THIRD STREET AS ESTABLISHED BY CITY ORDINANCE #PI2350, DATED JUNE 19, 1936, AND RECORDED IN ORDINANCE BOOK H AT PAGE 128); THENCE SOUTH ALONG THE LINE WHICH IS 100 FEET EASTERLY OF THE WEST LINE OF SAID BLOCK 47 FOR A DISTANCE OF 295.35 FEET TO THE SOUTH LINE OF SAID BLOCK; THENCE EASTERLY ALONG SAID LINE AND SAID LINE EXTENDED FOR A DISTANCE OF 155.0 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE WITH AN ANGLE TO THE LEFT OF 88°10' FOR A DISTANCE OF 70.06 FEET ALONG SAID CENTERLINE; THENCE WITH AN ANGLE TO THE LEFT OF 9°01' FOR A DISTANCE OF 96.76 FEET ALONG SAID CENTERLINE; THENCE WITH AN ANGLE TO THE LEFT OF 6°10' FOR A DISTANCE OF 2.35 FEET ALONG SAID CENTERLINE TO A POINT ON THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31 SIOUX CITY EAST ADDITION, PROJECTED WEST, AT A POINT 148.85 FEET WEST OF THE WEST LINE OF WATER STREET, THENCE WITH AN ANGLE TO THE LEFT OF 10°04' FOR A DISTANCE OF 164.4 FEET ALONG SAID CENTERLINE OF PERRY CREEK TO THE PLACE OF BEGINNING.

AND

PARCEL II: ALL THAT PART OF LOTS 10, 11, AND 12, (ALSO KNOWN AS TAX LOTS "P", "O" AND "N"), IN BLOCK 31, SIOUX CITY EAST ADDITION, AND PART OF THE NORTH HALF OF THE VACATED ALLEY IN SAID BLOCK LYING WEST OF THE RIGHT OF WAY OF THE CHICAGO, ST. PAUL AND PACIFIC RAILWAY CO IN SAID BLOCK; ALSO ALL OF TAX LOT "Q" AND PART OF THE ABANDONED PERRY CREEK CHANNEL DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THIRD STREET, PROJECTED WEST, WHICH IS 191 FEET WEST OF THE WEST LINE OF WATER STREET; THENCE EAST ALONG SAID LINE FOR 10.2 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD, AT A POINT 8.0 FEET NORMALLY DISTANT AT RIGHT ANGLES FROM THE CENTERLINE THEREOF; THENCE WITH AN ANGLE TO THE RIGHT OF 72°50' FOR A DISTANCE OF 50.0 FEET ALONG THE CHORD OF AN IRREGULAR CURVE, SAID CURVE BEING THE WESTERLY RIGHT OF WAY LINE; THENCE WITH AN ANGLE TO THE LEFT OF 3°05' FOR A DISTANCE OF 50.0 FEET ALONG A SIMILAR CHORD; THENCE WITH AN ANGLE TO THE LEFT OF 4°51' FOR A DISTANCE OF 50.0 FEET ALONG A SIMILAR CHORD; THENCE WITH AN ANGLE TO THE LEFT OF 5°05' FOR A DISTANCE OF 22.5 FEET ALONG A SIMILAR CHORD TO A POINT ON THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31, PROJECTED WEST, AT A DISTANCE OF 115.46 FEET FROM THE WEST LINE OF WATER STREET; THENCE WEST ALONG THE SAID ALLEY CENTERLINE FOR A DIS-

TANCE OF 33.39 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE WITH AN ANGLE TO THE RIGHT OF 75°20' FOR A DISTANCE OF 164.4 FEET ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING.

AND

PARCEL III: THE WESTERLY 8 FEET OF THE 16 FOOT WIDE PROPERTY OF THE FORMER CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ACROSS LOTS 10, 11 AND 12 (TAX LOTS P, O AND N) AND THE N 1/2 OF THE VACATED ALLEY, ALL IN BLOCK 31 OF SIOUX CITY EAST ADDITION TO SIOUX CITY. EXCEPTING FROM PARCELS II AND III THE FOLLOWING DESCRIBED PROPERTY. ALL THAT PART OF LOTS 10 AND 11, ALSO KNOWN AS TAX LOTS "Q" AND "O" AND PART OF THE VACATED ALLEY, ALL IN BLOCK 31, SIOUX CITY EAST ADDITION, SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET; THENCE SOUTH 0°00' 00" WEST FOR 74.35 FEET TO THE CENTERLINE OF THE FORMER CHICAGO, ST. PAUL AND PACIFIC RAILWAY COMPANY RIGHT OF WAY AND THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE ON AN IRREGULAR CURVE WITH CHORDS AS FOLLOWS, SOUTH 20°32'32" EAST FOR 18.19 FEET, SOUTH 25°23'42" EAST FOR 49.28 FEET AND SOUTH 30°53'48" EAST FOR 25.91 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK; THENCE NORTH 89°49'17" WEST ALONG SAID ALLEY CENTERLINE FOR 40.82 FEET; THENCE NORTH 0°00'00" EAST FOR 83.65 FEET TO THE POINT OF BEGINNING.

AND

PARCEL IV: ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 47, SIOUX CITY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE EAST ON THE NORTH LINE OF SAID LOT, 81 FEET 6 INCHES; THENCE NORTHEASTERLY ALONG A LINE WHICH INTERSECTS THE SOUTH LINE OF THIRD STREET, SIOUX CITY EAST ADDITION, AT THE CENTER OF PERRY CREEK 21 FEET 6 INCHES; THENCE SOUTH ON A LINE PARALLEL WITH AND 100 FEET DISTANT FROM THE WEST LINE OF SAID LOTS 2 AND 3 TO THE SOUTH LINE OF SAID LOT 3; THENCE WEST ON THE SOUTH LINE OF SAID LOT 3, 100 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 3 AND 2 TO THE PLACE OF BEGINNING; AND ALL OF LOTS 4 AND 5 IN BLOCK 47, SIOUX CITY, AND ALL THAT PART OF THE WEST 100 FEET OF THE EAST AND WEST ALLEY IN SAID BLOCK 47, LYING BETWEEN SAID LOT 3 AND SAID LOTS 4 AND 5, ALL IN THE COUNTY OF WOODBURY AND STATE OF IOWA; AND ALL THAT PART OF VACATED THIRD STREET ABUTTING TAX LOT D OF AUDITOR'S PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION; BLOCKS 46, 47 AND PART OF LOTS 13 AND 14 BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS; SAID PART OF VACATED THIRD STREET LYING WEST OF THE EAST LINE OF THE WEST 100 FEET OF LOT 1, BLOCK 47, SIOUX CITY AND SOUTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE SOUTH LINE OF THIRD STREET EXTENDED WEST FROM EAST OF WATER STREET 191 FEET WEST OF THE WEST LINE OF WATER STREET, THENCE AT AN ANGLE TO THE LEFT OF 15°55' FOR A DISTANCE OF 43 FEET, THENCE WITH AN ANGLE TO THE RIGHT OF 17°18' FOR A DISTANCE OF 143.8 FEET TO WESLEY WAY, IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA.

AND

PARCEL V: ALL THAT PART OF LOTS 11 AND 12, ALSO KNOWN AS TAX LOTS "O" AND "N", BLOCK 31, SIOUX CITY EAST ADDITION, ALL IN SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°00'00" WEST FOR 74.35 FEET TO THE CENTERLINE OF THE FORMER CHICAGO, ST. PAUL AND PACIFIC RAILWAY COMPANY RIGHT OF WAY; THENCE NORTHWESTERLY ALONG SAID CENTERLINE ON AN IRREGULAR CURVE WITH CHORDS AS FOLLOWS, NORTH 20°32'32" WEST FOR 31.26 FEET AND NORTH 17°27'38" WEST FOR 47.27 FEET TO THE NORTH LINE OF SAID BLOCK; THENCE NORTH 90°00'00" EAST FOR 25.15 FEET TO THE POINT OF BEGINNING.

AND

PARCEL VI: ALL THAT PART OF LOT 8, ALSO KNOWN AS A PART OF TAX LOT G, AND PART OF THE VACATED ALLEY, ALL IN BLOCK 31, SIOUX CITY EAST ADDITION DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET; THENCE SOUTH 0°00'00" WEST FOR 158.00 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31 AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°00'00" WEST FOR 140.12 FEET; THENCE NORTH 55°06'12" WEST FOR 13.05 FEET TO A LINE DESCRIBED AS BEING THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE NORTH 10°41'47" EAST ALONG SAID LINE FOR 34.10 FEET; THENCE NORTH 1°32'55" EAST ALONG SAID CREEK CENTERLINE FOR 96.76 FEET; THENCE NORTH 0°15'43" WEST ALONG SAID CREEK CENTERLINE FOR 2.42 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK; THENCE SOUTH 89°49' 17" EAST FOR 1.77 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 593 SQUARE FEET.

AND

ALL THAT PART OF BLOCKS 42 AND 46, AND A PORTION OF VACATED ELM STREET, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID BLOCK 46, 25 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 7 IN SAID BLOCK 46; THENCE NORTH ALONG THE EAST LINE OF SAID BLOCK 46, 258 FEET, 2 1/2 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 89°20', 72 FEET, 6 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 13°45', 23 FEET; THENCE TO THE LEFT AT AN ANGLE OF 20°00', 22 FEET; THENCE TO THE LEFT AT AN ANGLE OF 12°17', 51 FEET, 5 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 5°24', 140 FEET, 6 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 15°34', 97 FEET TO THE SOUTH LINE OF LOT 13 IN SAID BLOCK 42; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 13, 11 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 42; THENCE EAST 89 FEET, 6 INCHES TO A POINT ON THE EAST LINE OF VACATED ELM STREET 27 FEET, 4 INCHES NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID BLOCK 46, THENCE EAST PARALLEL WITH AND 25 FEET DISTANT AT RIGHT ANGLES NORTH OF SAID SOUTH LINE OF BLOCK 46, 177 FEET, 6 INCHES TO THE PLACE OF BEGINNING, AND THE SOUTH 25 FEET OF LOTS 4, 5, 6 AND 7 IN BLOCK 46, ALL IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; EXCEPTING THEREFROM THAT PART CONVEYED TO HYMAN RIVIN AND DA-

VID RIVIN BY WARRANTY DEED FILED DECEMBER 2, 1957, AND RECORDED IN BOOK 870, PAGE 116, AND EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED DATED MARCH 21, 1979, AND FILED OF RECORD APRIL 17, 1979 IN ROLL 88, IMAGE 859, ALL IN THE OFFICE OF THE RECORDER OF WOODBURY COUNTY, IOWA.

ENTIRE AREA DESCRIBED ABOVE, CONTAINS 3.49 ACRES PLUS OR MINUS.

PARCEL ID NO.2
CITY OF SIOUX CITY
(PARCEL NO. 894728352004)

THAT PART OF VACATED MILL STREET LYING BETWEEN THE WEST LINE OF WATER STREET AND THE EASTERLY RIGHT OF WAY LINE OF PERRY CREEK, AND THAT PART OF THE VACATED NORTH-SOUTH ALLEY IN BLOCK 85, LYING BETWEEN THE SOUTH LINE OF MILL STREET AND THE NORTH LINE OF THIRD STREET, ALL IN AUDITOR'S PLAT OF BLOCKS 31,85,86, SIOUX CITY EAST ADDITION AND BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS, IN WOODBURY COUNTY, IOWA CONTAINING 0.59 ACRES PLUS OR MINUS.

PARCEL ID NO.3
CITY OF SIOUX CITY, IOWA, A MUNICIPAL CORPORATION
(PARCEL NO. 894728351001)

ALL THAT PART OF GOVERNMENT LOT 1 SECTION 28 DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE INTERSECTION OF THE SOUTHERLY LINE OF WEST THIRD STREET AND THE EASTERLY LINE OF OLD ELM STREET, AS ORIGINALLY PLATTED IN SIOUX CITY; THENCE N 56°18.9' W, 14.0 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING; THENCE S 34°19.5' W, 120.19 FEET TO THE NORTHERLY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE N 17°13.7' W, 46.0 FEET ALONG SAID NORTHERLY LINE; THENCE N 34°19.5' E, 56.0 FEET; THENCE EASTERLY 56.16 FEET ALONG A 36.0 FOOT RADIUS CURVE CONCAVE SOUTHERLY, HAVING A CHORD BEARING N 79°38.4' E, 50.64 FEET TO THE POINT OF BEGINNING, ALL IN T89N, R47W, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. SAID PARCEL CONTAINS 0.08 ACRES.

PARCEL ID NO.4
CITY OF SIOUX CITY
(PARCEL NO. 894728309016)

ALL THAT PART OF VACATED 4TH STREET LYING WEST OF WATER STREET, EAST OF WESLEY WAY, ADJACENT TO LOT A OF "AUDITOR'S PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION, AND BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS, AND ADJACENT TO BLOCK 87, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA CONTAINING 0.38 ACRES PLUS OR MINUS.

PARCEL ID NO.5
CITY OF SIOUX CITY
(PARCEL NO. 894728309015)

ALL OF BLOCK 87, SIOUX CITY EAST ADDITION, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; AND ALL THAT VACATED PART OF THE WESLEY WAY AND FIFTH STREET INTERSECTION BEING THAT PART OF BLOCK 87, SIOUX CITY EAST ADDITION AND THAT PART OF TAX LOT 3 OF THE AUDITOR'S PLAT OF BLOCKS 44, 45 AND 39, SIOUX CITY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTH-EAST CORNER OF THE SAID BLOCK 87; THENCE WEST ALONG THE NORTH LINE OF THE SAID BLOCK 87 FOR A DISTANCE OF 58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST ALONG THE NORTH LINE OF THE SAID BLOCK 87, EXTENDED WEST, FOR A DISTANCE OF 37.6 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 55°32' FOR A DISTANCE OF 72.5 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 90°00' FOR A DISTANCE OF 38.4 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 92°37' FOR A DISTANCE OF 18.8 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 16°11' FOR A DISTANCE OF 22 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 19°24' FOR A DISTANCE OF 52.4 FEET TO THE POINT OF BEGINNING; AND ALSO THE VACATED PART OF THE NORTH-SOUTH ALLEY LYING WEST OF AND CONTIGUOUS TO THE SOUTH 47 FEET OF THE NORTH 158 FEET OF BLOCK 87, SIOUX CITY EAST ADDITION, IN THE COUNTY OF WOODBURY AND STATE OF IOWA.; AND ALL THAT PART OF BLOCK 45 AND OF THE VACATED ELM STREET LYING NORTHWESTERLY THEREOF, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID BLOCK 45 EXTENDED NORTHWESTERLY, WHICH IS 12 FEET NORTHWESTERLY FROM THE SOUTHWESTERLY CORNER OF SAID BLOCK 45, THENCE NORTHEASTERLY PARALLEL TO AND 12 FEET DISTANT FROM THE WESTERLY LINE OF SAID BLOCK 45, 126 FEET; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHERLY LINE OF SAID BLOCK 45 TO A POINT WHICH IS 69 FEET WEST FROM THE EAST LINE OF BLOCK 87, SIOUX CITY EAST ADDITION, THENCE DUE SOUTH PARALLEL TO AND 69 FEET DISTANT FROM THE SAID EAST LINE OF SAID BLOCK 87, SIOUX CITY EAST ADDITION, TO A POINT ON THE PROJECTED SOUTH LINE OF SAID BLOCK 87, (WHICH POINT IS 69 FEET WEST FROM THE SOUTHEAST CORNER OF SAID BLOCK 87, SIOUX CITY EAST ADDITION); THENCE WEST ON THE SAID PROJECTED SOUTH LINE OF SAID BLOCK 87, SIOUX CITY EAST ADDITION, 25.6 FEET TO THE POINT OF INTERSECTION OF SAID PROJECTED SOUTH LINE OF BLOCK 87, SIOUX CITY EAST ADDITION, WITH THE SOUTH LINE OF BLOCK 45, SIOUX CITY; THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID BLOCK 45, SIOUX CITY, TO THE PLACE OF BEGINNING CONTAINING 0.93 ACRES PLUS OR MINUS.

**CITY OWNED PARCELS
(RIGHT OF WAY SUBJECT TO VACATION)**

TRACT 1

A TRACT OF LAND IN SIOUX CITY, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF BLOCK 87, SIOUX CITY EAST ADDITION; THENCE N88°26'44"W ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 95.59 FEET TO THE POINT OF BEGINNING; THENCE S35°27'59"W ON THE EAST RIGHT OF WAY LINE OF WESLEY PARKWAY, A DISTANCE OF 72.50 FEET; THENCE S54°32'01"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 38.40 FEET; THENCE S34°36'02"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 36.37 FEET; THENCE S34°49'36"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 16.00 FEET; THENCE S34°26'47"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 126.90 FEET; THENCE S10°19'50"W, A DISTANCE OF 87.91 FEET; THENCE ON A 36.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S80°05'16"W, AND CHORD LENGTH IS 51.25 FEET) ON SAID EAST RIGHT OF WAY LINE, A DISTANCE ON AN ARC OF 57.02 FEET; THENCE S35°28'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 56.00 FEET; THENCE

S52°32'01"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 17.19 FEET; THENCE S37°02'24"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 13.80 FEET; THENCE S31°59'25"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET; THENCE S29°31'06"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET; THENCE S24°27'46"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 32.00 FEET; THENCE S22°57'24"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 24.38 FEET; THENCE ON A 61.50 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N02°01'12"E, AND CHORD LENGTH IS 57.31 FEET), A DISTANCE ON AN ARC OF 59.62 FEET; THENCE ON A 1608.69 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N32°25'46"E, AND CHORD LENGTH IS 148.17 FEET), A DISTANCE ON AN ARC OF 148.22 FEET; THENCE N32°25'46"E, A DISTANCE OF 176.46 FEET; THENCE N15°35'52"E, A DISTANCE OF 74.52 FEET; THENCE N83°58'03"E, A DISTANCE OF 36.30 FEET; THENCE N01°33'16"E, A DISTANCE OF 89.12 FEET; THENCE S88°26'44"E ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 51.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES, MORE OR LESS.

TRACT 2

VACATED ALLEY WAY ADJACENT TO BLOCK 87, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA AS BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 87; THENCE N88°28'59"W (ASSUMED BEARING), ON THE SOUTH LINE OF SAID BLOCK 87 A DISTANCE OF 54.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°28'59"W, ON SAID SOUTH LINE A DISTANCE OF 15.00 FEET; THENCE N01°32'52"E, A DISTANCE OF 148.68 FEET; THENCE N55°10'24"W, A DISTANCE OF 76.32 FEET TO THE EAST RIGHT OF WAY LINE OF WESLEY WAY; THENCE N34°49'36"E, ON SAID EAST LINE A DISTANCE OF 16.00 FEET; THENCE S55°10'24"E, A DISTANCE OF 83.77 FEET TO THE WEST LINE OF SAID BLOCK 87; THENCE S01°32'52"W, ON SAID WEST LINE A DISTANCE OF 158.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

TRACT 3

THAT PART OF PEARL STREET LYING BETWEEN THE EAST LINE OF BLOCK 19 AND THE WEST LINE OF BLOCK 20, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, AND THE SOUTH LINE OF 4TH STREET AND THE NORTH LINE OF 3RD STREET. THE EAST WEST ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LYING BETWEEN THE EAST LINE OF WATER STREET AND THE WEST LINE OF PEARL STREET. THE SOUTH 150 FEET OF THE NORTH SOUTH ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LYING BETWEEN THE NORTH LINE OF 3RD STREET AND THE SOUTH LINE OF THE EAST WEST ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA. AND THAT PART OF WATER STREET AND 3RD STREET AS BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°43'57"W (ASSUMED BEARING), ON THE NORTH LINE OF 3RD STREET A DISTANCE OF 79.69 FEET TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 85, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°38'03"W, ON SAID NORTH LINE OF 3RD STREET A DISTANCE OF 150.00 FEET; THENCE N01°27'02"E, A DISTANCE OF 125.54 FEET TO THE SOUTH LINE OF VACATED MILL STREET; THENCE S88°49'44"E, ON SAID SOUTH LINE A DISTANCE OF 3.66'; THENCE S01°51'20"W, A DISTANCE OF 117.16 FEET; THENCE S86°43'35"E, A DISTANCE OF 98.43 FEET; THENCE N74°59'10"E, A DISTANCE OF 28.16 FEET; THENCE N36°33'00"E, A DISTANCE OF 37.87 FEET TO THE WEST LINE OF WATER STREET; THENCE N01°27'02"E, ON SAID WEST LINE OF WATER STREET A DISTANCE OF 193.20 FEET TO THE SOUTH LINE OF 4TH STREET; THENCE N01°32'52"E, ON THE WEST LINE OF WATER

STREET A DISTANCE OF 74.64 FEET; THENCE ON A 73.64 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S43°23'20"E, AND CHORD LENGTH IS 103.97 FEET) TO SAID SOUTH LINE OF 4TH STREET; THENCE S89°16'12"E, ON SAID SOUTH LINE OF 4TH STREET A DISTANCE OF 6.51 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 19; THENCE S01°29'50"W, ON THE WEST LINE OF SAID BLOCK 19 A DISTANCE OF 317.96 FEET TO THE POINT OF BEGINNING, TRACT 1 CONTAINING 1.41 ACRES, MORE OR LESS.

TRACT 4

COMMENCING AT THE NORTHEAST CORNER OF LOT 5, BLOCK 85, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°49'44"W(ASSUMED BEARING), ON THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 166.00 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID BLOCK 85 AND THE POINT OF BEGINNING; THENCE S01°27'02"W, ON THE EAST LINE OF SAID LOT 4 A DISTANCE OF 125.49 FEET TO THE NORTH LINE OF 3RD STREET; THENCE S75°14'56"W, ON SAID NORTH LINE OF 3RD STREET A DISTANCE OF 22.24 FEET; TO THE EASTERLY RIGHT OF WAY LINE THE VACATED CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILWAY COMPANY; THENCE N16°01'26"W, ON SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 39.89 FEET; THENCE N20°53'59"E, A DISTANCE OF 33.35 FEET; THENCE N03°34'34"E, A DISTANCE OF 65.15 FEET TO THE NORTH LINE OF SAID BLOCK 4; THENCE S88°49'44"E, ON SAID NORTH LINE OF LOT 4 A DISTANCE OF 19.92 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

MIDAMERICAN LEASE PROPERTY

All of Lots 1 through 6 inclusive, and the West one-half of the vacated East-West alley in Block 30 East Sioux City, and all of vacated Water Street lying south of the south line of Third Street and north of the north line of Second Street, and

All that part of Lots 8, 9, 10, 11 and 12 in Block 31 Sioux City East Addition, lying east of the East line of the right of way of the main line of the track through said premises of the Chicago, Milwaukee and St. Paul Railway. Said parts of said lots being also described as Tax Lots F, N, O and P in Auditor's Plat, recorded in Plat Book 14 on Page 22 all in Woodbury County, State of Iowa, and all portions of the East and West alley in Block 31, Sioux City East Addition in the County of Woodbury and State of Iowa, lying West of Water Street and East of the right-of-way of the Chicago Milwaukee, St. Paul and Pacific Railroad Co, between Tax Lots P and F, subject to all side tracks and easements for side tracks located across the above described property which lead across Third Street to property on the North side of Third Street, and subject to any other easements of record, EXCEPT;

EXCEPT: All that part of Lots 11 and 12 also known as Tax Lots "O" and "N", Block 31, Sioux City East Addition all in Sioux City, Woodbury County, Iowa described as follows: Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet to the point of beginning; thence South 00°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right-of-Way; thence Northwesterly along said centerline on an irregular curve with chords as follows, North 20°32'32" West for 31.26 feet, and North 17°27'38" West for 47.27 feet to the North line of said Block; thence North 90°00'00" East for 25.15 feet to the point of beginning.

All that part of Lots 10 and 11, also known as Tax Lots "Q" and "O" and part of the vacated alley, all in Block 31, Sioux City East Addition, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet; thence South 00°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right of Way and the Point of Beginning; thence southeasterly along said centerline on an irregular curve with chords as follows, South 20°32'32" East for 18.19 feet, South 25°23'42" East for 49.28 feet and South 30°53'48" East for 25.91 feet to the centerline of the vacated alley in said block; thence North 89°49'17" West along said alley centerline for 40.82 feet; thence North 00°00'00" East for 83.65 feet to the Point of Beginning, AND

The South half (S 1/2) of the East-West alley in Block 31, Sioux City East Addition, lying West of the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Railroad, AND

That part of Lots 8, 9, 10, 11 and 12 in Block 31, Sioux City East Addition, lying south and west of the center of the main line track except a part of the southwest corner taken for a right of way of the Chicago and Northwestern Railway switch track. The said fractional lots are described as follows: Commencing at the southeast corner of Block 31, Sioux City East Addition; thence north along the West line of Water Street 36 feet to the south right of way line of the main line of the Chicago, Milwaukee and St. Paul Railroad; thence northwesterly along said right of way line to the South line of Third Street; thence West to the centerline of what was formerly Perry Creek; thence in a southerly direction following said center line to the North line of Second Street; thence east to the place of beginning; together with the East half of the former bed of Perry Creek in said Block 31; except a portion of the southwest corner hereinafter described. The said right of way line of the Chicago, Milwaukee and St. Paul Railway is parallel with and 8 feet distant from the center of the said main line, the said center line is more particularly located as follows: commencing at a point on the West line of Water Street 45.9 feet north of the North line of Second Street; thence 50 feet northwesterly with an angle to the left of 49 degrees and 25 minutes from the said west line of Water Street; thence continuing along said center line with a deflection to the right of 6 degrees and 36 minutes for each 50 feet station to a point on the South line of Third Street 172 feet west of Water Street. The right of way line of the Chicago and Northwestern Railway switch track across the southwest corner of said lot is described as follows: Said line intersects the North line of Second Street 120 feet west from the West line of Water Street, and extends northwesterly with an angle to the right from the North line of Second Street or 34 degrees and 45 minutes said right of way line is parallel with and 12 feet distant from the center line of said switch track. EXCEPT:

EXCEPT:

All that part of Lots 10, 11, and 12, in Block Thirty-One (31), Sioux City East Addition, Woodbury County, Iowa, lying south and west of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad; more particularly described as follows: Beginning at a point where the West line of said right-of-way joins the North line of the East and West alley in Block Thirty-One (31), thence northwesterly along the west line of said right-of-way to the south line of Third Street; thence westerly along the South line of Third Street to the center line of what was formerly Perry Creek; thence in a southerly direction following said center line to the north line of the east and west alley in Block Thirty-One (31); thence easterly along the North line of the said alley to the point of beginning, together with the east half of the bed of Perry Creek adjacent there to, and

EXCEPT:

All that part of Lot 8, also known as part of Tax Lot G, and part of the vacated alley, all in Block 31, Sioux City East Addition described as follows: Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line being the

South line of Third Street, for 147.25 feet; thence South 00°00'00" West for 158.00 feet to the centerline of the vacated alley in said Block 31 and the point of beginning; thence continuing South 0°00'00" West for 140.12 feet thence North 55°06'12" West for 13.05 feet to a line described as being the centerline of the abandoned Channel of Perry Creek; thence North 10°41'47" East along said line for 34.10 feet; thence North 01°32'55" East along said creek centerline for 96.76 feet; thence North 00°15'43" West along said creek centerline for 2.42 feet to the centerline of the vacated alley in said Block; thence south 89°49'17" East for 1.77 feet to the point of beginning.

All that part of the 16 foot wide property of the former Chicago, Milwaukee, St. Paul Pacific Railroad Company across Block 31 in Sioux City East Addition to Sioux City described as follows:

The 16 foot wide property across Lots 8 and 9 (Tax Lots F and G), and the South Half (S 1/2) of the vacated alley, ALSO

The easterly 8 feet of the 16 foot wide property across Lots 10, 11 and 12 (Tax Lots P, O, and N), and the North Half (N 1/2) of the vacated alley; EXCEPT

EXCEPT:

All that part of Lots 11 and 12 also known as Tax Lots "O" and "N", Block 31, Sioux City East Addition all in Sioux City, Woodbury County, Iowa described as follows:

Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet to the point of beginning; thence South 0°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right of Way; thence Northwesterly along said centerline on an irregular curve with chords as follows, North 20°32'32" West for 31.26 feet and North 17°27'38" West for 47.27 feet to the North line of said Block; thence North 90°00'00" East for 25.15 feet to the point of beginning;

a copy of which proposal is attached hereto and on file in the office of the City Clerk; and

WHEREAS, Section 403.8 of the Code of Iowa authorizes the City to invite proposals from and make available all pertinent information to all parties interested in obtaining property in an urban renewal area under such reasonable competitive bidding procedures as it shall prescribe; and

WHEREAS, the City Council believes that it is in the public interest to sell said property and sublease said property and that proposals for the purchase and sublease be sought from parties who had not expressed their interest prior to this offering; and

WHEREAS, the City wishes to announce its intent to accept the proposal of Sioux City Entertainment, Inc. in the absence of any more favorable offer in response to the invitation made herein; and

WHEREAS, further information should be made available to any other interested parties; and

WHEREAS, any additional proposals should be submitted to the Real Estate Office, Room 304, City Hall, 405 Sixth Street, Sioux City, Iowa, by 1:00 p.m., local time, June 3, 2013; and

WHEREAS, a Notice of Invitation for Proposals and of Intention to Accept Proposal, and of a Public Hearing, a copy of which is attached hereto and by this reference incorporated herein, should be approved as to form and content and its publication authorized and directed.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the Public Notice attached hereto is hereby approved as to form and content and its publication is hereby authorized and directed.

BE IT FURTHER RESOLVED that the City hereby announces and fixes a public hearing on said proposal on June 3, 2013, at the regularly scheduled council meeting and fixes the date of June 3, 2013 at 1:00 p.m., local time, as the last day upon which proposals can be received by the City.

PASSED AND APPROVED: April 29, 2013

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

**PUBLIC NOTICE OF INVITATION FOR PROPOSALS AND OF INTENT TO
ACCEPT PROPOSAL AND OF PUBLIC HEARING**

NOTICE is hereby given that there is now on file in the office of the City Clerk located at the Customer Service Center on First Floor of City Hall, 405 6th Street, Sioux City, Iowa, a resolution under and by virtue of which the City of Sioux City, Iowa, invites proposals for the purchase and sublease of certain land in the Combined Central Sioux City –CBD Urban Renewal Project Area; and under and by virtue of which the City has expressed an intent to accept the proposal as submitted by Sioux City Entertainment, Inc., a copy of which is on file in the office of the City Clerk. Said Invitation for Proposals and said proposal concerns the following described real property:

CITY OWNED PARCELS

**PARCEL ID NO.1
CITY OF SIOUX CITY
(PART OF PARCEL NO. 894729479003)**

ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 86, IN SIOUX CITY EAST ADDITION, AND THAT PART OF ELM STREET ABUTTING THEREON, NORTH OF MILL STREET AND EAST OF A LINE BEGINNING AT A POINT ON THE NORTH LINE OF MILL STREET 12.2 FEET EAST OF THE EAST LINE OF THE EAST WALL OF THE PERRY CREEK CONDUIT; THENCE NORTHEASTERLY 50 FEET TO A POINT 15.8 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY 32 FEET TO A POINT 15.4 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY 30 FEET TO A POINT 15.3 FEET EAST OF THE EAST LINE OF THE SAID WALL; THENCE NORTHEASTERLY 30 FEET TO A POINT 14.9 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD, 15 FEET EAST OF THE EAST LINE OF SAID EAST WALL, (WHICH SAID LINE IS DESCRIBED IN DEED FROM W. A. KLINGER INVESTMENT COMPANY TO CITY OF SIOUX CITY, IOWA FILED MARCH 6, 1961 AND RECORDED IN BOOK 969, PAGE 257); AND SOUTHWEST OF THE RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S TRACKS MAIN LINE; SUBJECT TO THE RIGHT TO A RAILROAD SWITCH TRACK FROM THE MAIN LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY COMMENCING ON THE EAST LINE OF THE PREMISES AND EXTENDING SOUTH ACROSS MILL STREET IN BLOCK 85 IN SIOUX CITY EAST ADDITION, FOR THE USE OF THE OWNERS OF SAID BLOCK 85, BUT WITH A LIKE RIGHT IN THE OWNERS OF THIS TRACT TO USE SAID SWITCH TRACK ON SAID MILL STREET AND NORTH THEREOF, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. ALL THOSE PARTS OF LOTS 1, 2, 3 AND 4 IN BLOCK 85, SIOUX CITY EAST ADDITION, VACATED THIRD STREET, ABANDONED CHANNEL OF PERRY CREEK, LOT 1 IN BLOCK 47, SIOUX CITY, PARK STREET AND ELM STREET (NOW KNOWN AS WESLEY AVENUE), GOVERNMENT LOT 4 IN SECTION 29, AND GOVERNMENT LOT 1, SECTION 28, IN TOWNSHIP 89, NORTH, RANGE 47, WEST OF THE FIFTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 85, SIOUX CITY EAST ADDITION, WHICH POINT IS ALSO ON THE NORTH LINE OF THIRD STREET; THENCE WEST ALONG THE SOUTH LINE OF BLOCK 85 FOR 166 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 15°55' FOR 38 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON THE LAST DESCRIBED LINE FOR 40 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 17°18' FOR 156.35 FEET TO A POINT WHICH IS ON A CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 83 °7' FOR A 50 FOOT CHORD DISTANCE ON SAID CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 6°40' FOR A 50 FOOT CHORD DISTANCE ON SAID CURVED LINE;

THENCE WITH AN ANGLE TO THE RIGHT OF 7°15' FOR A CHORD DISTANCE OF 41.9 FEET TO A POINT ON SAID CURVED LINE, WHICH POINT IS ALSO ON THE NORTH LINE OF SAID BLOCK 85; THENCE EAST ALONG THE NORTH LINE OF SAID BLOCK 85 FOR 150.55 FEET TO A POINT WHICH IS 8 FEET WESTERLY MEASURED AT RIGHT ANGLES FROM THE CENTER LINE OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY; THENCE SOUTHEASTERLY FOR A DISTANCE OF 141.0 FEET TO THE PLACE OF BEGINNING, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. ALL THAT PART OF THE 16 FOOT WIDE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY LYING BETWEEN TAX LOTS "B" AND "C" AND TAX LOTS "A" AND "J" AND THAT PART OF VACATED ELM STREET ADJACENT TO SAID LOTS, ALL BEING A PART OF THE "AUDITORS PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION, BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS" ALL IN SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: THAT PORTION OF SAID RIGHT-OF-WAY ADJACENT TO TAX LOTS "B" AND "C" LYING BETWEEN THIRD STREET AND MILL STREET. BEGINNING AT THE NORTHEAST CORNER OF SAID TAX LOT "B", WHICH IS AT THE INTERSECTION OF THE SOUTH LINE OF MILL STREET AND THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE BEARING EAST ALONG THE SAID SOUTH LINE OF MILL STREET FOR 16.76 FEET TO THE NORTHWEST CORNER OF SAID TAX LOT "C", THENCE SOUTH 17°13'42" EAST FOR 137.77 FEET TO THE SOUTHWEST CORNER OF SAID TAX LOT "C", WHICH IS AT THE INTERSECTION OF THE NORTH LINE OF THIRD STREET AND THE EASTERLY LINE OF THE SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 74°12'30" WEST ALONG THE NORTHERLY LINE OF THIRD STREET FOR 16 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT "B" THENCE NORTH 17°13'42" WEST FOR 142.33 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINING 2240 SQUARE FEET MORE OR LESS. THAT PORTION OF SAID RIGHT OF WAY ADJACENT TO TAX LOTS "A" AND "J" AND THAT PART OF VACATED ELM STREET ADJACENT TO SAID LOTS, ALL LYING NORTH OF MILL STREET. BEGINNING AT THE SOUTHWEST CORNER OF SAID TAX LOT "A", WHICH IS AT THE INTERSECTION OF THE NORTH LINE OF MILL STREET AND THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY, THENCE BEARING WEST ALONG THE SAID NORTH LINE OF MILL STREET FOR 16.76 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT "J"; THENCE NORTH 17°13'42" WEST ALONG THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY FOR 145.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY OF WESLEY WAY, SAID POINT BEING 15 FEET EAST OF THE EAST LINE OF THE EAST WALL OF THE PERRY CREEK CONDUIT. SAID LINE BEING DESCRIBED IN A DEED FROM W. A. KLINGER INVESTMENT COMPANY TO THE CITY OF SIOUX CITY, IOWA, FILED MARCH 6, 1961 AND RECORDED IN BOOK 969, PAGE 257; THENCE NORTH 47°28'27" EAST FOR 17.70 FEET TO THE INTERSECTION OF THE SAID SOUTHEASTERLY RIGHT OF WAY OF WESLEY WAY WITH THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 17°13'42" EAST FOR 158.30 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 2433 SQUARE FEET MORE OR LESS.

AND

PARCEL I: ALL THAT PART OF BLOCK 47, SIOUX CITY, WOODBURY COUNTY, IOWA, BEING A PART OF LOTS 1, 2, 3, 6 AND 7, (ALSO KNOWN AS TAX LOTS "E", "R" AND "S"), PART OF VACATED ALLEY IN SAID BLOCK AND PART OF ABANDONED CHANNEL OF PERRY CREEK DESCRIBED AS FOLLOWS: COMMENCING ON THE SOUTH LINE OF THIRD STREET AND THE WEST LINE OF WATER STREET AT THE NORTHEAST CORNER OF BLOCK 31, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA; THENCE WEST ALONG THE SOUTH LINE OF THIRD STREET AND SAID LINE EXTENDED FOR

191.0 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE WITH AN ANGLE TO THE LEFT OF 15°55' FOR A DISTANCE OF 43.0 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 17° 18' FOR A DISTANCE OF 43.2 FEET TO A POINT ON A LINE, WHICH IS 100 FEET EASTERLY OF AND PARALLEL TO THE WEST LINE OF SAID BLOCK 47, (THE LAST 2 COURSES ARE ALONG THE SOUTH LINE OF THIRD STREET AS ESTABLISHED BY CITY ORDINANCE #PI2350, DATED JUNE 19, 1936, AND RECORDED IN ORDINANCE BOOK H AT PAGE 128); THENCE SOUTH ALONG THE LINE WHICH IS 100 FEET EASTERLY OF THE WEST LINE OF SAID BLOCK 47 FOR A DISTANCE OF 295.35 FEET TO THE SOUTH LINE OF SAID BLOCK; THENCE EASTERLY ALONG SAID LINE AND SAID LINE EXTENDED FOR A DISTANCE OF 155.0 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE WITH AN ANGLE TO THE LEFT OF 88°10' FOR A DISTANCE OF 70.06 FEET ALONG SAID CENTERLINE; THENCE WITH AN ANGLE TO THE LEFT OF 9°01' FOR A DISTANCE OF 96.76 FEET ALONG SAID CENTERLINE; THENCE WITH AN ANGLE TO THE LEFT OF 6°10' FOR A DISTANCE OF 2.35 FEET ALONG SAID CENTERLINE TO A POINT ON THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31 SIOUX CITY EAST ADDITION, PROJECTED WEST, AT A POINT 148.85 FEET WEST OF THE WEST LINE OF WATER STREET, THENCE WITH AN ANGLE TO THE LEFT OF 10°04' FOR A DISTANCE OF 164.4 FEET ALONG SAID CENTERLINE OF PERRY CREEK TO THE PLACE OF BEGINNING.

AND

PARCEL II: ALL THAT PART OF LOTS 10, 11, AND 12, (ALSO KNOWN AS TAX LOTS "P", "O" AND "N"), IN BLOCK 31, SIOUX CITY EAST ADDITION, AND PART OF THE NORTH HALF OF THE VACATED ALLEY IN SAID BLOCK LYING WEST OF THE RIGHT OF WAY OF THE CHICAGO, ST. PAUL AND PACIFIC RAILWAY CO IN SAID BLOCK; ALSO ALL OF TAX LOT "Q" AND PART OF THE ABANDONED PERRY CREEK CHANNEL DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THIRD STREET, PROJECTED WEST, WHICH IS 191 FEET WEST OF THE WEST LINE OF WATER STREET; THENCE EAST ALONG SAID LINE FOR 10.2 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD, AT A POINT 8.0 FEET NORMALLY DISTANT AT RIGHT ANGLES FROM THE CENTERLINE THEREOF; THENCE WITH AN ANGLE TO THE RIGHT OF 72°50' FOR A DISTANCE OF 50.0 FEET ALONG THE CHORD OF AN IRREGULAR CURVE, SAID CURVE BEING THE WESTERLY RIGHT OF WAY LINE; THENCE WITH AN ANGLE TO THE LEFT OF 3°05' FOR A DISTANCE OF 50.0 FEET ALONG A SIMILAR CHORD; THENCE WITH AN ANGLE TO THE LEFT OF 4°51' FOR A DISTANCE OF 50.0 FEET ALONG A SIMILAR CHORD; THENCE WITH AN ANGLE TO THE LEFT OF 5°05' FOR A DISTANCE OF 22.5 FEET ALONG A SIMILAR CHORD TO A POINT ON THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31, PROJECTED WEST, AT A DISTANCE OF 115.46 FEET FROM THE WEST LINE OF WATER STREET; THENCE WEST ALONG THE SAID ALLEY CENTERLINE FOR A DISTANCE OF 33.39 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE WITH AN ANGLE TO THE RIGHT OF 75°20' FOR A DISTANCE OF 164.4 FEET ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING.

AND

PARCEL III: THE WESTERLY 8 FEET OF THE 16 FOOT WIDE PROPERTY OF THE FORMER CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ACROSS LOTS 10, 11 AND 12 (TAX LOTS P, O AND N) AND THE N 1/2 OF THE VACATED ALLEY, ALL IN BLOCK 31 OF SIOUX CITY EAST ADDITION TO SIOUX CITY. EXCEPTING FROM PARCELS II AND III THE FOLLOWING DESCRIBED PROPERTY. ALL THAT PART OF LOTS 10 AND 11, ALSO KNOWN AS TAX LOTS "Q" AND "O" AND PART OF THE VACATED AL-

LEY, ALL IN BLOCK 31, SIOUX CITY EAST ADDITION, SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET; THENCE SOUTH 0°00' 00" WEST FOR 74.35 FEET TO THE CENTERLINE OF THE FORMER CHICAGO, ST. PAUL AND PACIFIC RAILWAY COMPANY RIGHT OF WAY AND THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE ON AN IRREGULAR CURVE WITH CHORDS AS FOLLOWS, SOUTH 20°32'32" EAST FOR 18.19 FEET, SOUTH 25°23'42" EAST FOR 49.28 FEET AND SOUTH 30°53'48" EAST FOR 25.91 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK; THENCE NORTH 89°49'17" WEST ALONG SAID ALLEY CENTERLINE FOR 40.82 FEET; THENCE NORTH 0°00'00" EAST FOR 83.65 FEET TO THE POINT OF BEGINNING.

AND

PARCEL IV: ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 47, SIOUX CITY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE EAST ON THE NORTH LINE OF SAID LOT, 81 FEET 6 INCHES; THENCE NORTHEASTERLY ALONG A LINE WHICH INTERSECTS THE SOUTH LINE OF THIRD STREET, SIOUX CITY EAST ADDITION, AT THE CENTER OF PERRY CREEK 21 FEET 6 INCHES; THENCE SOUTH ON A LINE PARALLEL WITH AND 100 FEET DISTANT FROM THE WEST LINE OF SAID LOTS 2 AND 3 TO THE SOUTH LINE OF SAID LOT 3; THENCE WEST ON THE SOUTH LINE OF SAID LOT 3, 100 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 3 AND 2 TO THE PLACE OF BEGINNING; AND ALL OF LOTS 4 AND 5 IN BLOCK 47, SIOUX CITY, AND ALL THAT PART OF THE WEST 100 FEET OF THE EAST AND WEST ALLEY IN SAID BLOCK 47, LYING BETWEEN SAID LOT 3 AND SAID LOTS 4 AND 5, ALL IN THE COUNTY OF WOODBURY AND STATE OF IOWA; AND ALL THAT PART OF VACATED THIRD STREET ABUTTING TAX LOT D OF AUDITOR'S PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION; BLOCKS 46, 47 AND PART OF LOTS 13 AND 14 BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS; SAID PART OF VACATED THIRD STREET LYING WEST OF THE EAST LINE OF THE WEST 100 FEET OF LOT 1, BLOCK 47, SIOUX CITY AND SOUTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE SOUTH LINE OF THIRD STREET EXTENDED WEST FROM EAST OF WATER STREET 191 FEET WEST OF THE WEST LINE OF WATER STREET, THENCE AT AN ANGLE TO THE LEFT OF 15°55' FOR A DISTANCE OF 43 FEET, THENCE WITH AN ANGLE TO THE RIGHT OF 17°18' FOR A DISTANCE OF 143.8 FEET TO WESLEY WAY, IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA.

AND

PARCEL V: ALL THAT PART OF LOTS 11 AND 12, ALSO KNOWN AS TAX LOTS "O" AND "N", BLOCK 31, SIOUX CITY EAST ADDITION, ALL IN SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°00'00" WEST FOR 74.35 FEET TO THE CENTERLINE OF THE FORMER CHICAGO, ST. PAUL AND PACIFIC RAILWAY COMPANY RIGHT OF WAY; THENCE NORTHWESTERLY ALONG SAID CENTERLINE ON AN IRREGULAR CURVE WITH

CHORDS AS FOLLOWS, NORTH 20°32'32" WEST FOR 31.26 FEET AND NORTH 17°27'38" WEST FOR 47.27 FEET TO THE NORTH LINE OF SAID BLOCK; THENCE NORTH 90°00'00" EAST FOR 25.15 FEET TO THE POINT OF BEGINNING.

AND

PARCEL VI: ALL THAT PART OF LOT 8, ALSO KNOWN AS A PART OF TAX LOT G, AND PART OF THE VACATED ALLEY, ALL IN BLOCK 31, SIOUX CITY EAST ADDITION DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET; THENCE SOUTH 0°00'00" WEST FOR 158.00 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31 AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°00'00" WEST FOR 140.12 FEET; THENCE NORTH 55°06'12" WEST FOR 13.05 FEET TO A LINE DESCRIBED AS BEING THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE NORTH 10°41'47" EAST ALONG SAID LINE FOR 34.10 FEET; THENCE NORTH 1 °32'55" EAST ALONG SAID CREEK CENTERLINE FOR 96.76 FEET; THENCE NORTH 0°15'43" WEST ALONG SAID CREEK CENTERLINE FOR 2.42 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK; THENCE SOUTH 89°49' 17" EAST FOR 1.77 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 593 SQUARE FEET.

AND

ALL THAT PART OF BLOCKS 42 AND 46, AND A PORTION OF VACATED ELM STREET, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID BLOCK 46, 25 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 7 IN SAID BLOCK 46; THENCE NORTH ALONG THE EAST LINE OF SAID BLOCK 46, 258 FEET, 2 1/2 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 89°20', 72 FEET, 6 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 13°45', 23 FEET; THENCE TO THE LEFT AT AN ANGLE OF 20°00', 22 FEET; THENCE TO THE LEFT AT AN ANGLE OF 12°17', 51 FEET, 5 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 5°24', 140 FEET, 6 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 15°34', 97 FEET TO THE SOUTH LINE OF LOT 13 IN SAID BLOCK 42; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 13, 11 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 42; THENCE EAST 89 FEET, 6 INCHES TO A POINT ON THE EAST LINE OF VACATED ELM STREET 27 FEET, 4 INCHES NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID BLOCK 46, THENCE EAST PARALLEL WITH AND 25 FEET DISTANT AT RIGHT ANGLES NORTH OF SAID SOUTH LINE OF BLOCK 46, 177 FEET, 6 INCHES TO THE PLACE OF BEGINNING, AND THE SOUTH 25 FEET OF LOTS 4, 5, 6 AND 7 IN BLOCK 46, ALL IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; EXCEPTING THEREFROM THAT PART CONVEYED TO HYMAN RIVIN AND DAVID RIVIN BY WARRANTY DEED FILED DECEMBER 2, 1957, AND RECORDED IN BOOK 870, PAGE 116, AND EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED DATED MARCH 21, 1979, AND FILED OF RECORD APRIL 17, 1979 IN ROLL 88, IMAGE 859, ALL IN THE OFFICE OF THE RECORDER OF WOODBURY COUNTY, IOWA.

ENTIRE AREA DESCRIBED ABOVE, CONTAINS 3.49 ACRES PLUS OR MINUS.

PARCEL ID NO.2
CITY OF SIOUX CITY
(PARCEL NO. 894728352004)

THAT PART OF VACATED MILL STREET LYING BETWEEN THE WEST LINE OF WATER STREET AND THE EASTERLY RIGHT OF WAY LINE OF PERRY CREEK, AND THAT PART OF THE VACATED NORTH-SOUTH ALLEY IN BLOCK 85, LYING BETWEEN THE SOUTH LINE OF MILL STREET AND THE NORTH LINE OF THIRD STREET, ALL IN AUDITOR'S PLAT OF BLOCKS 31,85,86, SIOUX CITY EAST ADDITION AND BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS, IN WOODBURY COUNTY, IOWA CONTAINING 0.59 ACRES PLUS OR MINUS.

PARCEL ID NO.3

CITY OF SIOUX CITY, IOWA, A MUNICIPAL CORPORATION
(PARCEL NO. 894728351001)

ALL THAT PART OF GOVERNMENT LOT 1 SECTION 28 DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE INTERSECTION OF THE SOUTHERLY LINE OF WEST THIRD STREET AND THE EASTERLY LINE OF OLD ELM STREET, AS ORIGINALLY PLATTED IN SIOUX CITY; THENCE N 56°18.9' W, 14.0 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING; THENCE S 34°19.5' W, 120.19 FEET TO THE NORTHERLY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE N 17°13.7' W, 46.0 FEET ALONG SAID NORTHERLY LINE; THENCE N 34°19.5' E, 56.0 FEET; THENCE EASTERLY 56.16 FEET ALONG A 36.0 FOOT RADIUS CURVE CONCAVE SOUTHERLY, HAVING A CHORD BEARING N 79°38.4' E, 50.64 FEET TO THE POINT OF BEGINNING, ALL IN T89N, R47W, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. SAID PARCEL CONTAINS 0.08 ACRES.

PARCEL ID NO.4

CITY OF SIOUX CITY
(PARCEL NO. 894728309016)

ALL THAT PART OF VACATED 4TH STREET LYING WEST OF WATER STREET, EAST OF WESLEY WAY, ADJACENT TO LOT A OF "AUDITOR'S PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION, AND BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS, AND ADJACENT TO BLOCK 87, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA CONTAINING 0.38 ACRES PLUS OR MINUS.

PARCEL ID NO.5

CITY OF SIOUX CITY
(PARCEL NO. 894728309015)

ALL OF BLOCK 87, SIOUX CITY EAST ADDITION, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; AND ALL THAT VACATED PART OF THE WESLEY WAY AND FIFTH STREET INTERSECTION BEING THAT PART OF BLOCK 87, SIOUX CITY EAST ADDITION AND THAT PART OF TAX LOT 3 OF THE AUDITOR'S PLAT OF BLOCKS 44, 45 AND 39, SIOUX CITY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SAID BLOCK 87; THENCE WEST ALONG THE NORTH LINE OF THE SAID BLOCK 87 FOR A DISTANCE OF 58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST ALONG THE NORTH LINE OF THE SAID BLOCK 87, EXTENDED WEST, FOR A DISTANCE OF 37.6 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 55°32' FOR A DISTANCE OF 72.5 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 90°00' FOR A DISTANCE OF 38.4 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 92°37' FOR A DISTANCE OF 18.8 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 16°11' FOR

A DISTANCE OF 22 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 19°24' FOR A DISTANCE OF 52.4 FEET TO THE POINT OF BEGINNING; AND ALSO THE VACATED PART OF THE NORTH-SOUTH ALLEY LYING WEST OF AND CONTIGUOUS TO THE SOUTH 47 FEET OF THE NORTH 158 FEET OF BLOCK 87, SIOUX CITY EAST ADDITION, IN THE COUNTY OF WOODBURY AND STATE OF IOWA.; AND ALL THAT PART OF BLOCK 45 AND OF THE VACATED ELM STREET LYING NORTHWESTERLY THEREOF, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID BLOCK 45 EXTENDED NORTHWESTERLY, WHICH IS 12 FEET NORTHWESTERLY FROM THE SOUTHWESTERLY CORNER OF SAID BLOCK 45, THENCE NORTHEASTERLY PARALLEL TO AND 12 FEET DISTANT FROM THE WESTERLY LINE OF SAID BLOCK 45, 126 FEET; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHERLY LINE OF SAID BLOCK 45 TO A POINT WHICH IS 69 FEET WEST FROM THE EAST LINE OF BLOCK 87, SIOUX CITY EAST ADDITION, THENCE DUE SOUTH PARALLEL TO AND 69 FEET DISTANT FROM THE SAID EAST LINE OF SAID BLOCK 87, SIOUX CITY EAST ADDITION, TO A POINT ON THE PROJECTED SOUTH LINE OF SAID BLOCK 87, (WHICH POINT IS 69 FEET WEST FROM THE SOUTHEAST CORNER OF SAID BLOCK 87, SIOUX CITY EAST ADDITION); THENCE WEST ON THE SAID PROJECTED SOUTH LINE OF SAID BLOCK 87, SIOUX CITY EAST ADDITION, 25.6 FEET TO THE POINT OF INTERSECTION OF SAID PROJECTED SOUTH LINE OF BLOCK 87, SIOUX CITY EAST ADDITION, WITH THE SOUTH LINE OF BLOCK 45, SIOUX CITY; THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID BLOCK 45, SIOUX CITY, TO THE PLACE OF BEGINNING CONTAINING 0.93 ACRES PLUS OR MINUS.

**CITY OWNED PARCELS
(RIGHT OF WAY SUBJECT TO VACATION)**

TRACT 1

A TRACT OF LAND IN SIOUX CITY, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF BLOCK 87, SIOUX CITY EAST ADDITION; THENCE N88°26'44"W ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 95.59 FEET TO THE POINT OF BEGINNING; THENCE S35°27'59"W ON THE EAST RIGHT OF WAY LINE OF WESLEY PARKWAY, A DISTANCE OF 72.50 FEET; THENCE S54°32'01"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 38.40 FEET; THENCE S34°36'02"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 36.37 FEET; THENCE S34°49'36"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 16.00 FEET; THENCE S34°26'47"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 126.90 FEET; THENCE S10°19'50"W, A DISTANCE OF 87.91 FEET; THENCE ON A 36.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S80°05'16"W, AND CHORD LENGTH IS 51.25 FEET) ON SAID EAST RIGHT OF WAY LINE, A DISTANCE ON AN ARC OF 57.02 FEET; THENCE S35°28'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 56.00 FEET; THENCE S52°32'01"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 17.19 FEET; THENCE S37°02'24"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 13.80 FEET; THENCE S31°59'25"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET; THENCE S29°31'06"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET; THENCE S24°27'46"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 32.00 FEET; THENCE S22°57'24"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 24.38 FEET; THENCE ON A 61.50 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N02°01'12"E, AND CHORD LENGTH IS 57.31 FEET), A DISTANCE ON AN ARC OF 59.62 FEET; THENCE ON A 1608.69 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N32°25'46"E, AND CHORD LENGTH IS 148.17 FEET), A DISTANCE ON AN ARC OF 148.22 FEET; THENCE N32°25'46"E, A DISTANCE OF 176.46 FEET; THENCE N15°35'52"E, A DISTANCE OF 74.52 FEET; THENCE N83°58'03"E, A DISTANCE OF 36.30 FEET; THENCE N01°33'16"E,

A DISTANCE OF 89.12 FEET; THENCE S88°26'44"E ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 51.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES, MORE OR LESS.

TRACT 2

VACATED ALLEY WAY ADJACENT TO BLOCK 87, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA AS BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 87; THENCE N88°28'59"W (ASSUMED BEARING), ON THE SOUTH LINE OF SAID BLOCK 87 A DISTANCE OF 54.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°28'59"W, ON SAID SOUTH LINE A DISTANCE OF 15.00 FEET; THENCE N01°32'52"E, A DISTANCE OF 148.68 FEET; THENCE N55°10'24"W, A DISTANCE OF 76.32 FEET TO THE EAST RIGHT OF WAY LINE OF WESLEY WAY; THENCE N34°49'36"E, ON SAID EAST LINE A DISTANCE OF 16.00 FEET; THENCE S55°10'24"E, A DISTANCE OF 83.77 FEET TO THE WEST LINE OF SAID BLOCK 87; THENCE S01°32'52"W, ON SAID WEST LINE A DISTANCE OF 158.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

TRACT 3

THAT PART OF PEARL STREET LYING BETWEEN THE EAST LINE OF BLOCK 19 AND THE WEST LINE OF BLOCK 20, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, AND THE SOUTH LINE OF 4TH STREET AND THE NORTH LINE OF 3RD STREET. THE EAST WEST ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LYING BETWEEN THE EAST LINE OF WATER STREET AND THE WEST LINE OF PEARL STREET. THE SOUTH 150 FEET OF THE NORTH SOUTH ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LYING BETWEEN THE NORTH LINE OF 3RD STREET AND THE SOUTH LINE OF THE EAST WEST ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA. AND THAT PART OF WATER STREET AND 3RD STREET AS BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°43'57"W (ASSUMED BEARING), ON THE NORTH LINE OF 3RD STREET A DISTANCE OF 79.69 FEET TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 85, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°38'03"W, ON SAID NORTH LINE OF 3RD STREET A DISTANCE OF 150.00 FEET; THENCE N01°27'02"E, A DISTANCE OF 125.54 FEET TO THE SOUTH LINE OF VACATED MILL STREET; THENCE S88°49'44"E, ON SAID SOUTH LINE A DISTANCE OF 3.66'; THENCE S01°51'20"W, A DISTANCE OF 117.16 FEET; THENCE S86°43'35"E, A DISTANCE OF 98.43 FEET; THENCE N74°59'10"E, A DISTANCE OF 28.16 FEET; THENCE N36°33'00"E, A DISTANCE OF 37.87 FEET TO THE WEST LINE OF WATER STREET; THENCE N01°27'02"E, ON SAID WEST LINE OF WATER STREET A DISTANCE OF 193.20 FEET TO THE SOUTH LINE OF 4TH STREET; THENCE N01°32'52"E, ON THE WEST LINE OF WATER STREET A DISTANCE OF 74.64 FEET; THENCE ON A 73.64 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S43°23'20"E, AND CHORD LENGTH IS 103.97 FEET) TO SAID SOUTH LINE OF 4TH STREET; THENCE S89°16'12"E, ON SAID SOUTH LINE OF 4TH STREET A DISTANCE OF 6.51 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 19; THENCE S01°29'50"W, ON THE WEST LINE OF SAID BLOCK 19 A DISTANCE OF 317.96 FEET TO THE POINT OF BEGINNING, TRACT 1 CONTAINING 1.41 ACRES, MORE OR LESS.

TRACT 4

COMMENCING AT THE NORTHEAST CORNER OF LOT 5, BLOCK 85, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°49'44"W (ASSUMED BEARING), ON THE NORTH LINE OF SAID LOT 5, A DISTANCE

OF 166.00 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID BLOCK 85 AND THE POINT OF BEGINNING; THENCE S01°27'02"W, ON THE EAST LINE OF SAID LOT 4 A DISTANCE OF 125.49 FEET TO THE NORTH LINE OF 3RD STREET; THENCE S75°14'56"W, ON SAID NORTH LINE OF 3RD STREET A DISTANCE OF 22.24 FEET; TO THE EASTERLY RIGHT OF WAY LINE THE VACATED CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILWAY COMPANY; THENCE N16°01'26"W, ON SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 39.89 FEET; THENCE N20°53'59"E, A DISTANCE OF 33.35 FEET; THENCE N03°34'34"E, A DISTANCE OF 65.15 FEET TO THE NORTH LINE OF SAID BLOCK 4; THENCE S88°49'44"E, ON SAID NORTH LINE OF LOT 4 A DISTANCE OF 19.92 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

MIDAMERICAN LEASE PROPERTY

All of Lots 1 through 6 inclusive, and the West one-half of the vacated East-West alley in Block 30 East Sioux City, and all of vacated Water Street lying south of the south line of Third Street and north of the north line of Second Street, and

All that part of Lots 8, 9, 10, 11 and 12 in Block 31 Sioux City East Addition, lying east of the East line of the right of way of the main line of the track through said premises of the Chicago, Milwaukee and St. Paul Railway. Said parts of said lots being also described as Tax Lots F, N, O and P in Auditor's Plat, recorded in Plat Book 14 on Page 22 all in Woodbury County, State of Iowa, and all portions of the East and West alley in Block 31, Sioux City East Addition in the County of Woodbury and State of Iowa, lying West of Water Street and East of the right-of-way of the Chicago Milwaukee, St. Paul and Pacific Railroad Co, between Tax Lots P and F, subject to all side tracks and easements for side tracks located across the above described property which lead across Third Street to property on the North side of Third Street, and subject to any other easements of record, EXCEPT;

EXCEPT: All that part of Lots 11 and 12 also known as Tax Lots "O" and "N", Block 31, Sioux City East Addition all in Sioux City, Woodbury County, Iowa described as follows: Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet to the point of beginning; thence South 00°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right-of-Way; thence Northwesterly along said centerline on an irregular curve with chords as follows, North 20°32'32" West for 31.26 feet, and North 17°27'38" West for 47.27 feet to the North line of said Block; thence North 90°00'00" East for 25.15 feet to the point of beginning.

All that part of Lots 10 and 11, also known as Tax Lots "Q" and "O" and part of the vacated alley, all in Block 31, Sioux City East Addition, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet; thence South 00°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right of Way and the Point of Beginning; thence southeasterly along said centerline on an irregular curve with chords as follows, South 20°32'32" East for 18.19 feet, South 25°23'42" East for 49.28 feet and South 30°53'48" East for 25.91 feet to the centerline of the vacated alley in said block; thence North 89°49'17" West along said alley centerline for 40.82 feet; thence North 00°00'00" East for 83.65 feet to the Point of Beginning, AND

The South half (S 1/2) of the East-West alley in Block 31, Sioux City East Addition, lying West of

the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Railroad, AND

That part of Lots 8, 9, 10, 11 and 12 in Block 31, Sioux City East Addition, lying south and west of the center of the main line track except a part of the southwest corner taken for a right of way of the Chicago and Northwestern Railway switch track. The said fractional lots are described as follows: Commencing at the southeast corner of Block 31, Sioux City East Addition; thence north along the West line of Water Street 36 feet to the south right of way line of the main line of the Chicago, Milwaukee and St. Paul Railroad; thence northwesterly along said right of way line to the South line of Third Street; thence West to the centerline of what was formerly Perry Creek; thence in a southerly direction following said center line to the North line of Second Street; thence east to the place of beginning; together with the East half of the former bed of Perry Creek in said Block 31; except a portion of the southwest corner hereinafter described. The said right of way line of the Chicago, Milwaukee and St. Paul Railway is parallel with and 8 feet distant from the center of the said main line, the said center line is more particularly located as follows: commencing at a point on the West line of Water Street 45.9 feet north of the North line of Second Street; thence 50 feet northwesterly with an angle to the left of 49 degrees and 25 minutes from the said west line of Water Street; thence continuing along said center line with a deflection to the right of 6 degrees and 36 minutes for each 50 feet station to a point on the South line of Third Street 172 feet west of Water Street. The right of way line of the Chicago and Northwestern Railway switch track across the southwest corner of said lot is described as follows: Said line intersects the North line of Second Street 120 feet west from the West line of Water Street, and extends northwesterly with an angle to the right from the North line of Second Street of 34 degrees and 45 minutes said right of way line is parallel with and 12 feet distant from the center line of said switch track. EXCEPT:

EXCEPT:

All that part of Lots 10, 11, and 12, in Block Thirty-One (31), Sioux City East Addition, Woodbury County, Iowa, lying south and west of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad; more particularly described as follows: Beginning at a point where the West line of said right-of-way joins the North line of the East and West alley in Block Thirty-One (31), thence northwesterly along the west line of said right-of-way to the south line of Third Street; thence westerly along the South line of Third Street to the center line of what was formerly Perry Creek; thence in a southerly direction following said center line to the north line of the east and west alley in Block Thirty-One (31); thence easterly along the North line of the said alley to the point of beginning, together with the east half of the bed of Perry Creek adjacent there to, and

EXCEPT:

All that part of Lot 8, also known as part of Tax Lot G, and part of the vacated alley, all in Block 31, Sioux City East Addition described as follows: Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line being the South line of Third Street, for 147.25 feet; thence South 00°00'00" West for 158.00 feet to the centerline of the vacated alley in said Block 31 and the point of beginning; thence continuing South 0°00'00" West for 140.12 feet thence North 55°06'12" West for 13.05 feet to a line described as being the centerline of the abandoned Channel of Perry Creek; thence North 10° 41'47" East along said line for 34.10 feet; thence North 01°32'55" East along said creek centerline for 96.76 feet; thence North 00°15'43" West along said creek centerline for 2.42 feet to the centerline of the vacated alley in said Block; thence south 89° 49'17" East for 1.77 feet to the point of beginning.

All that part of the 16 foot wide property of the former Chicago, Milwaukee, St. Paul Pacific Railroad Company across Block 31 in Sioux City East Addition to Sioux City described as follows:

The 16 foot wide property across Lots 8 and 9 (Tax Lots F and G), and the South Half (S 1/2) of the vacated alley, ALSO

The easterly 8 feet of the 16 foot wide property across Lots 10, 11 and 12 (Tax Lots P, O, and N), and the North Half (N 1/2) of the vacated alley; EXCEPT

EXCEPT:

All that part of Lots 11 and 12 also known as Tax Lots "O" and "N", Block 31, Sioux City East Addition all in Sioux City, Woodbury County, Iowa described as follows:

Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet to the point of beginning; thence South 0°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right of Way; thence Northwesterly along said centerline on an irregular curve with chords as follows, North 20°32'32" West for 31.26 feet and North 17°27'38" West for 47.27 feet to the North line of said Block; thence North 90° 00' 00" East for 25.15 feet to the point of beginning.

Full information as to the form and content of bid documents, requirements to be met by bidders, and as to bidding procedures is available at the Real Estate Office, Room 304, City Hall, 405 Sixth Street, Sioux City, Iowa.

Any person interested in purchasing and subleasing said real estate should submit a completed proposal to the Real Estate Office, Room 304, City Hall, 405 Sixth Street, Sioux City, Iowa no later than 1:00 p.m., local time, on June 3, 2013.

The right is reserved by the City to accept or reject any or all proposals, and to waive formalities in any procedures set forth herein. Documents to be completed may be obtained from the Real Estate Office without charge.

A public hearing will be held concerning any qualified proposals received and concerning the acceptance of the proposal as submitted by Sioux City Entertainment, Inc. for the purchase and sublease of said property. Said public hearing will be at the regularly scheduled city council meeting in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on June 3, 2013, at 4:00 p.m., local time, or as soon thereafter as the matter can be reached for hearing.

Published by order of the City Council of Sioux City, Iowa.

CITY OF SIOUX CITY, IOWA

BY: LISA L. MCCARDLE
CITY CLERK

Published in the Sioux City Journal May 4, 2013



April 25, 2013

William W. Warner
President
Sioux City Entertainment, Inc.
3883 Howard Hughes Parkway
Suite 800
Las Vegas, NV 89169

RE: Updated Letter of Understanding/Hard Rock Casino Sioux City

Dear Mr. Warner:

This updated LOU (this "April 2013 LOU") will serve to update and refine certain concepts that were discussed in previous letters of understanding between the City of Sioux City (the "City") and Sioux City Entertainment, Inc. ("SCE") relating to SCE's plans to develop a casino operating under the name "Hard Rock Casino Sioux City" (the "Project") in downtown Sioux City, Iowa. Namely, these previous letters are a Letter of Understanding dated October 4, 2012 (the "October 4 LOU") and a Supplemental Letter of Understanding dated October 23, 2012 (the "October 23 Supplemental LOU").

Both SCE and the City acknowledge and agree that none of the October 4 LOU, the October 23 Supplemental LOU nor this April 2013 LOU are legally binding documents. The goal of this April 2013 LOU, like the previous letters of understanding, is to ensure that both parties are proceeding according to a mutually-agreed set of expectations to avoid any miscommunication and maintain a development process free from delays. SCE and the City are currently negotiating towards a development agreement (the "Development Agreement"). The Development Agreement, if duly adopted by the City Council of Sioux City, will provide the legally binding expression of the matters discussed in this letter.

The land comprising the site (the "Site") for the Project is described on Exhibit "A" to this letter.

To assist with SCE with its development of the Project, the City of Sioux City commits the following business assistance:

- 1) The City will provide financial assistance to the project in the amount of \$22 million, financed through the sale of abated Tax Increment Bonds at a rate not to exceed four percent and for a term not to exceed twenty years.

2) The City will assist in securing a surface level parking lot in the area south of the proposed casino which is currently privately owned by MidAmerican, or in securing for SCE a sublease for these purposes of the land currently leased by MidAmerican to the City and described on Exhibit "D" to this letter.

3) The City will work with SCE to confirm that a parking lot on the MidAmerican parcel with modest disruption of surface soils may be constructed.

4) Upon receipt of all necessary approvals, the City will transfer ownership of all necessary City-owned land, vacate all necessary streets and convey necessary streets and rights of way to allow construction and operation of the proposed casino. The proposed necessary City-owned land is described in Exhibit "B" attached to this letter. Additionally, the proposed necessary streets and rights of way are described in Exhibit "C" attached to this letter. SCE will submit a required site plan for approval. Additionally, SCE will submit all proper applications for plat approval and requests for right of way vacation.

SCE agrees to the following commitments in return for the City commitments outlined above:

1) SCE will construct and operate the Project on the Site. It is anticipated that the Project will have at a minimum: three restaurants, two bars, a retail store, and a live music club/event lawn with a minimum capacity of 500. Upon opening, the Project is anticipated to employ no fewer than 500 employees.

2) SCE will derive its rights to the "Hard Rock Casino" and "Hard Rock Hotel" names from a third-party owner of those trademarks under a license agreement. Under that license agreement, SCE will obtain a commitment from the trademark licensor that, for the life of the Development Agreement, the licensor will not license the Hard Rock name to any casino within a 100-mile radius of the Project nor within a 20-mile radius around the city center of Omaha, Nebraska.

3) SCE will agree to a minimum real property assessment agreement in the amount of \$51 million for a term of 20 years. The minimum assessment agreement is based on the ability of the City of Sioux City to issue bonds at an interest rate of four percent or lower for a twenty year term.

4) SCE will agree to a monthly payment 1.75 percent of adjusted gross gaming revenues (as defined by the State of Iowa) to the City of Sioux City.

5) SCE will agree to a revenue guaranty for the life of the Development Agreement (except for the partial-year period starting with the opening of the Project to the end of that calendar year). Under the terms of the agreement, SCE will guaranty an annual payment of \$2.1 million composed of the following components:

(a) The 1.75% payment on adjusted gross gaming revenues as defined by the State of Iowa.

(b) The pass through from the State of Iowa of .5% of adjusted gross gaming revenues.

(c) An amount not to exceed \$100,000, representing the incremental growth of sales tax due to the operation of the facility. This credit will only apply to sales made within the property. Credit will apply in the year following collection, as reported to the State of Iowa Department of Revenue. No credit will be given for the cost of goods purchased for use in the casino.

(d) An amount not to exceed \$75,000 representing incremental growth of hotel/motel tax due to increased revenue from the casino from receipts collected in the year prior to the casino opening. This credit will only apply to actual hotel/motel taxes collected. Credit will apply in the year following collection, as reported to the State of Iowa Department of Revenue.

(e) Under the guaranty arrangement, SCE would agree to the City any shortfall, to the extent that items (a) through (d) above totaled less than \$2.1 million for any particular year.

(f) The revenue guaranty commitment is made by SCE based on its understanding of current relevant market and economic conditions, and, starting with the 11th year of the revenue guaranty, the guaranty would be terminated upon the occurrence of any of the following three factors:

- (i) New casino competition were to emerge within an area to be defined and agreed upon in the Development Agreement;
- (ii) the gaming floor exemption to the Iowa Smokefree Air Act is appealed; or
- (iii) the Iowa gaming tax is increased, by twenty percent (20%) or more, from the rate in effect as of today

6) Prior to approval of a financial assistance package/development agreement by the City Council of the City of Sioux City, SCE will provide the City with financial statements from SCE and provide lender commitments which reflect the ability of SCE and its officers to meet the terms of the financial assistance/development agreement.

7) As noted in Exhibit C, SCE will request vacation of all of Pearl Street between 3rd Street and 4th Street. SCE will include as part of its site plan, curb cuts on 3rd Street and 4th Street which shall allow for a through-way from 3rd Street to 4th Street with a similar alignment as existing today for Pearl Street. The through-way would be designed in a manner so as to address SCE's reasonable concerns as to patron safety and patron experience. The requirement for a through-way may be revisited by the City and SCE upon expansion of the casino facility at a future date.

Both parties recognize that all commitments made in this April 2013 LOU, as well as the previous letters of understanding, are nonbinding and done so for the express purpose of allowing preliminary steps and work on this Project to proceed under a shared understanding of the parameters of the project. The City's assistance offer is contingent upon execution of all necessary documents and final approval of these documents by the Sioux City City Council.

CITY OF SIOUX CITY

SIOUX CITY ENTERTAINMENT, INC.


PAUL ECKERT, City Manager

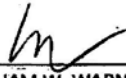

WILLIAM W. WARNER, President

Exhibit "A" Legal Description of Site
Exhibit "B" Legal Description of City Owned Land (with included map)
Exhibit "C" Legal Description of City Right of Way (with included map)
Exhibit "D" Legal Description of Sublease Site
Exhibit "E" Site Plan

Exhibit A

Legal Description of Site

SIoux CITY ENTERTAINMENT ADDITION:

A TRACT OF LAND IN SIOUX CITY, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 20, SIOUX CITY EAST ADDITION; THENCE S01°36'48"W ON THE EAST LINE OF SAID BLOCK 20, A DISTANCE OF 317.14 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 20; THENCE N88°30'37"W ON THE NORTH RIGHT OF WAY LINE OF THIRD STREET, A DISTANCE OF 316.42 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 20; THENCE N88°30'37"W, A DISTANCE OF 80.00 FEET TO THE SOUTHEAST CORNER OF BLOCK 19; SIOUX CITY EAST ADDITION; THENCE N88°42'10"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 149.99 FEET; THENCE N88°33'08"W, A DISTANCE OF 16.00 FEET; THENCE N88°43'08"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 149.99 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 19; THENCE N88°43'57"W, A DISTANCE OF 79.69 FEET; THENCE N88°38'03"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET; THENCE CONTINUING N88°38'03"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 16.00 FEET; THENCE S75°14'56"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 77.62 FEET; THENCE N87°26'27"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 156.35 FEET; THENCE ON A 435.66 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N01°49'57"E, AND CHORD LENGTH IS 143.00 FEET) ON THE EAST RIGHT OF WAY LINE OF WESLEY PARKWAY, A DISTANCE ON AN ARC OF 143.65 FEET; THENCE N16°25'50"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 68.48 FEET; THENCE N22°57'24"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 25.62 FEET; THENCE ON A 61.50 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N02°01'12"E, AND CHORD LENGTH IS 57.31 FEET) ON SAID EAST RIGHT OF WAY LINE, A DISTANCE ON AN ARC OF 59.62 FEET; THENCE ON A 1608.69 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N32°25'46"E, AND CHORD LENGTH IS 148.17 FEET) ON SAID EAST RIGHT OF WAY LINE, A DISTANCE ON AN ARC OF 148.22 FEET; THENCE N32°25'46"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 176.46 FEET; THENCE N15°35'52"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 74.52 FEET; THENCE N83°58'03"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 36.30 FEET; THENCE N01°33'16"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 89.12 FEET; THENCE S88°26'44"E ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 51.85 FEET; THENCE CONTINUING S88°26'44"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 95.59 FEET; THENCE S01°32'44"W ON THE WEST RIGHT OF WAY LINE OF WATER STREET, A DISTANCE OF 323.73 FEET; THENCE ON A 73.50 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S43°25'37"E, AND CHORD LENGTH IS 103.90 FEET), A DISTANCE ON AN ARC OF 115.38 FEET; THENCE S88°23'59"E ON THE SOUTH RIGHT OF WAY LINE OF FOURTH STREET, A DISTANCE OF 6.51 FEET TO THE NORTHWEST CORNER OF SAID

Exhibit A

Legal Description of Site

BLOCK 19; THENCE S88°30'20"E ON THE SOUTH RIGHT OF WAY LINE OF FOURTH STREET, A DISTANCE OF 316.17 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 19; THENCE S87°58'48"E ON THE SOUTH RIGHT OF WAY LINE OF FOURTH STREET, A DISTANCE OF 80.00 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 20; THENCE S88°41'31"E ON THE SOUTH RIGHT OF WAY LINE OF FOURTH STREET, A DISTANCE OF 316.88 FEET TO THE POINT OF BEGINNING, CONTAINING 10.78 ACRES, MORE OR LESS.

AND ALSO,

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 31; THENCE N88°38'03"W, A DISTANCE OF 147.25 FEET TO THE POINT OF BEGINNING; THENCE S01°25'30"W, A DISTANCE OF 298.55 FEET; THENCE N53°43'24"W, A DISTANCE OF 12.52 FEET; THENCE S11°18'53"W, A DISTANCE OF 35.44 FEET; THENCE N79°49'20"W, A DISTANCE OF 255.01 FEET; THENCE N09°33'51"E, A DISTANCE OF 281.35 FEET TO THE SOUTH RIGHT OF WAY LINE OF THIRD STREET; THENCE S87°26'27"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 143.95 FEET; THENCE N75°34'22"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 43.14 FEET; THENCE S88°38'03"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 43.14 FEET TO THE POINT OF BEGINNING, CONTAINING 1.71 ACRES, MORE OR LESS.

AND ALSO,

ALL THAT PART OF BLOCKS 42 AND 46, AND A PORTION OF VACATED ELM STREET, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID BLOCK 46, 25 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 7 IN SAID BLOCK 46; THENCE NORTH ALONG THE EAST LINE OF SAID BLOCK 46, 258 FEET, 2 1/2 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 89°20', 72 FEET, 6 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 13°45', 23 FEET; THENCE TO THE LEFT AT AN ANGLE OF 20°00', 22 FEET; THENCE TO THE LEFT AT AN ANGLE OF 12°17', 51 FEET, 5 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 5°24', 140 FEET, 6 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 15°34', 97 FEET TO THE SOUTH LINE OF LOT 13 IN SAID BLOCK 42; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 13, 11 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 42; THENCE EAST 89 FEET, 6 INCHES TO A POINT ON THE EAST LINE OF VACATED ELM STREET 27 FEET, 4 INCHES NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID BLOCK 46, THENCE EAST PARALLEL WITH AND 25 FEET DISTANT AT RIGHT ANGLES NORTH OF SAID SOUTH LINE OF BLOCK 46, 177 FEET, 6 INCHES TO THE PLACE OF BEGINNING, AND THE SOUTH 25 FEET OF LOTS 4, 5, 6 AND 7 IN BLOCK 46, ALL IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; EXCEPTING THEREFROM THAT PART CONVEYED TO HYMAN RIVIN AND DAVID RIVIN BY WARRANTY DEED FILED DECEMBER 2, 1957, AND RECORDED IN

Exhibit A

Legal Description of Site

BOOK 870, PAGE 116, AND EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED DATED MARCH 21, 1979, AND FILED OF RECORD APRIL 17, 1979 IN ROLL 88, IMAGE 859, ALL IN THE OFFICE OF THE RECORDER OF WOODBURY COUNTY, IOWA, CONTAINING 0.89 ACRES, MORE OR LESS.

Exhibit B

Legal Description of City Owned Land

PARCEL ID NO.1

CITY OF SIOUX CITY

(PART OF PARCEL NO. 894729479003)

ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 86, IN SIOUX CITY EAST ADDITION, AND THAT PART OF ELM STREET ABUTTING THEREON, NORTH OF MILL STREET AND EAST OF A LINE BEGINNING AT A POINT ON THE NORTH LINE OF MILL STREET 12.2 FEET EAST OF THE EAST LINE OF THE EAST WALL OF THE PERRY CREEK CONDUIT; THENCE NORTHEASTERLY 50 FEET TO A POINT 15.8 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY 32 FEET TO A POINT 15.4 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY 30 FEET TO A POINT 15.3 FEET EAST OF THE EAST LINE OF THE SAID WALL; THENCE NORTHEASTERLY 30 FEET TO A POINT 14.9 FEET EAST OF THE EAST LINE OF SAID WALL; THENCE NORTHEASTERLY TO A POINT ON THE SOUTHWEST RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD, 15 FEET EAST OF THE EAST LINE OF SAID EAST WALL, (WHICH SAID LINE IS DESCRIBED IN DEED FROM W. A. KLINGER INVESTMENT COMPANY TO CITY OF SIOUX CITY, IOWA FILED MARCH 6, 1961 AND RECORDED IN BOOK 969, PAGE 257); AND SOUTHWEST OF THE RIGHT-OF-WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S TRACKS MAIN LINE; SUBJECT TO THE RIGHT TO A RAILROAD SWITCH TRACK FROM THE MAIN LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY COMMENCING ON THE EAST LINE OF THE PREMISES AND EXTENDING SOUTH ACROSS MILL STREET IN BLOCK 85 IN SIOUX CITY EAST ADDITION, FOR THE USE OF THE OWNERS OF SAID BLOCK 85, BUT WITH A LIKE RIGHT IN THE OWNERS OF THIS TRACT TO USE SAID SWITCH TRACK ON SAID MILL STREET AND NORTH THEREOF, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. ALL THOSE PARTS OF LOTS 1, 2, 3 AND 4 IN BLOCK 85, SIOUX CITY EAST ADDITION, VACATED THIRD STREET, ABANDONED CHANNEL OF PERRY CREEK, LOT 1 IN BLOCK 47, SIOUX CITY, PARK STREET AND ELM STREET (NOW KNOWN AS WESLEY AVENUE), GOVERNMENT LOT 4 IN SECTION 29, AND GOVERNMENT LOT 1, SECTION 28, IN TOWNSHIP 89, NORTH, RANGE 47, WEST OF THE FIFTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 85, SIOUX CITY EAST ADDITION, WHICH POINT IS ALSO ON THE NORTH LINE OF THIRD STREET; THENCE WEST ALONG THE SOUTH LINE OF BLOCK 85 FOR 166 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 15°55' FOR 38 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ON THE LAST DESCRIBED LINE FOR 40 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 17°18' FOR 156.35 FEET TO A POINT WHICH IS ON A CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 83°7' FOR A 50 FOOT CHORD DISTANCE ON SAID CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 6°40' FOR A 50 FOOT CHORD DISTANCE ON SAID CURVED LINE; THENCE WITH AN ANGLE TO THE RIGHT OF 7°15' FOR A CHORD DISTANCE OF 41.9 FEET TO A POINT ON SAID CURVED LINE, WHICH POINT IS ALSO ON THE NORTH LINE OF SAID BLOCK 85; THENCE EAST ALONG THE NORTH LINE OF SAID BLOCK 85 FOR 150.55 FEET TO A POINT WHICH IS 8 FEET WESTERLY MEASURED AT RIGHT ANGLES FROM THE CENTER LINE OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY; THENCE SOUTHEASTERLY FOR A DISTANCE OF 141.0 FEET TO THE PLACE OF BEGINNING, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. ALL THAT PART OF THE 16 FOOT WIDE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY LYING BETWEEN TAX LOTS "B" AND "C" AND TAX LOTS "A" AND "J" AND THAT PART OF VACATED ELM STREET ADJACENT TO SAID LOTS, ALL BEING A PART OF THE "AUDITORS PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION, BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS" ALL IN SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: THAT PORTION OF SAID RIGHT-OF-WAY ADJACENT TO TAX LOTS "B" AND "C" LYING BETWEEN THIRD STREET AND MILL STREET. BEGINNING AT THE NORTHEAST CORNER OF SAID TAX LOT "B", WHICH IS AT THE INTERSECTION

Exhibit B

Legal Description of City Owned Land

OF THE SOUTH LINE OF MILL STREET AND THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE BEARING EAST ALONG THE SAID SOUTH LINE OF MILL STREET FOR 16.76 FEET TO THE NORTHWEST CORNER OF SAID TAX LOT "C", THENCE SOUTH 17°13'42" EAST FOR 137.77 FEET TO THE SOUTHWEST CORNER OF SAID TAX LOT "C", WHICH IS AT THE INTERSECTION OF THE NORTH LINE OF THIRD STREET AND THE EASTERLY LINE OF THE SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 74°12'30" WEST ALONG THE NORTHERLY LINE OF THIRD STREET FOR 16 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT "B" THENCE NORTH 17°13'42" WEST FOR 142.33 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINING 2240 SQUARE FEET MORE OR LESS. THAT PORTION OF SAID RIGHT OF WAY ADJACENT TO TAX LOTS "A" AND "J" AND THAT PART OF VACATED ELM STREET ADJACENT TO SAID LOTS, ALL LYING NORTH OF MILL STREET. BEGINNING AT THE SOUTHWEST CORNER OF SAID TAX LOT "A", WHICH IS AT THE INTERSECTION OF THE NORTH LINE OF MILL STREET AND THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY, THENCE BEARING WEST ALONG THE SAID NORTH LINE OF MILL STREET FOR 16.76 FEET TO THE SOUTHEAST CORNER OF SAID TAX LOT "J"; THENCE NORTH 17°13'42" WEST ALONG THE WESTERLY LINE OF SAID RAILROAD RIGHT OF WAY FOR 145.77 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY OF WESLEY WAY, SAID POINT BEING 15 FEET EAST OF THE EAST LINE OF THE EAST WALL OF THE PERRY CREEK CONDUIT. SAID LINE BEING DESCRIBED IN A DEED FROM W. A. KLINGER INVESTMENT COMPANY TO THE CITY OF SIOUX CITY, IOWA, FILED MARCH 6, 1961 AND RECORDED IN BOOK 969, PAGE 257; THENCE NORTH 47°28'27" EAST FOR 17.70 FEET TO THE INTERSECTION OF THE SAID SOUTHEASTERLY RIGHT OF WAY OF WESLEY WAY WITH THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY; THENCE SOUTH 17°13'42" EAST FOR 158.30 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 2433 SQUARE FEET MORE OR LESS.

AND

PARCEL I: ALL THAT PART OF BLOCK 47, SIOUX CITY, WOODBURY COUNTY, IOWA, BEING A PART OF LOTS 1, 2, 3, 6 AND 7, (ALSO KNOWN AS TAX LOTS "E", "R" AND "S"), PART OF VACATED ALLEY IN SAID BLOCK AND PART OF ABANDONED CHANNEL OF PERRY CREEK DESCRIBED AS FOLLOWS: COMMENCING ON THE SOUTH LINE OF THIRD STREET AND THE WEST LINE OF WATER STREET AT THE NORTHEAST CORNER OF BLOCK 31, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA; THENCE WEST ALONG THE SOUTH LINE OF THIRD STREET AND SAID LINE EXTENDED FOR 191.0 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK AND THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE WITH AN ANGLE TO THE LEFT OF 15°55' FOR A DISTANCE OF 43.0 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 17° 18' FOR A DISTANCE OF 43.2 FEET TO A POINT ON A LINE, WHICH IS 100 FEET EASTERLY OF AND PARALLEL TO THE WEST LINE OF SAID BLOCK 47, (THE LAST 2 COURSES ARE ALONG THE SOUTH LINE OF THIRD STREET AS ESTABLISHED BY CITY ORDINANCE #PI2350, DATED JUNE 19, 1936, AND RECORDED IN ORDINANCE BOOK H AT PAGE 128); THENCE SOUTH ALONG THE LINE WHICH IS 100 FEET EASTERLY OF THE WEST LINE OF SAID BLOCK 47 FOR A DISTANCE OF 295.35 FEET TO THE SOUTH LINE OF SAID BLOCK; THENCE EASTERLY ALONG SAID LINE AND SAID LINE EXTENDED FOR A DISTANCE OF 155.0 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE WITH AN ANGLE TO THE LEFT OF 88°10' FOR A DISTANCE OF 70.06 FEET ALONG SAID CENTERLINE; THENCE WITH AN ANGLE TO THE LEFT OF 9°01' FOR A DISTANCE OF 96.76 FEET ALONG SAID CENTERLINE; THENCE WITH AN ANGLE TO THE LEFT OF 6°10' FOR A DISTANCE OF 2.35 FEET ALONG SAID CENTERLINE TO A POINT ON THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31 SIOUX CITY EAST ADDITION, PROJECTED WEST, AT A POINT 148.85 FEET WEST OF THE WEST LINE OF WATER STREET, THENCE WITH AN ANGLE TO THE LEFT OF 10°04' FOR A DISTANCE OF 164.4 FEET ALONG SAID CENTERLINE OF PERRY CREEK TO THE PLACE OF BEGINNING.

AND

PARCEL II: ALL THAT PART OF LOTS 10, 11, AND 12, (ALSO KNOWN AS TAX LOTS "P", "O" AND "N"),

Exhibit B

Legal Description of City Owned Land

IN BLOCK 31, SIOUX CITY EAST ADDITION, AND PART OF THE NORTH HALF OF THE VACATED ALLEY IN SAID BLOCK LYING WEST OF THE RIGHT OF WAY OF THE CHICAGO, ST. PAUL AND PACIFIC RAILWAY CO IN SAID BLOCK; ALSO ALL OF TAX LOT "Q" AND PART OF THE ABANDONED PERRY CREEK CHANNEL DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THIRD STREET, PROJECTED WEST, WHICH IS 191 FEET WEST OF THE WEST LINE OF WATER STREET; THENCE EAST ALONG SAID LINE FOR 10.2 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID RAILROAD, AT A POINT 8.0 FEET NORMALLY DISTANT AT RIGHT ANGLES FROM THE CENTERLINE THEREOF; THENCE WITH AN ANGLE TO THE RIGHT OF 72°50' FOR A DISTANCE OF 50.0 FEET ALONG THE CHORD OF AN IRREGULAR CURVE, SAID CURVE BEING THE WESTERLY RIGHT OF WAY LINE; THENCE WITH AN ANGLE TO THE LEFT OF 3°05' FOR A DISTANCE OF 50.0 FEET ALONG A SIMILAR CHORD; THENCE WITH AN ANGLE TO THE LEFT OF 4°51' FOR A DISTANCE OF 50.0 FEET ALONG A SIMILAR CHORD; THENCE WITH AN ANGLE TO THE LEFT OF 5°05' FOR A DISTANCE OF 22.5 FEET ALONG A SIMILAR CHORD TO A POINT ON THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31, PROJECTED WEST, AT A DISTANCE OF 115.46 FEET FROM THE WEST LINE OF WATER STREET; THENCE WEST ALONG THE SAID ALLEY CENTERLINE FOR A DISTANCE OF 33.39 FEET TO THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE WITH AN ANGLE TO THE RIGHT OF 75°20' FOR A DISTANCE OF 164.4 FEET ALONG SAID CENTERLINE TO THE PLACE OF BEGINNING.

AND

PARCEL III: THE WESTERLY 8 FEET OF THE 16 FOOT WIDE PROPERTY OF THE FORMER CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY ACROSS LOTS 10, 11 AND 12 (TAX LOTS P, Q AND N) AND THE N 1/2 OF THE VACATED ALLEY, ALL IN BLOCK 31 OF SIOUX CITY EAST ADDITION TO SIOUX CITY. EXCEPTING FROM PARCELS II AND III THE FOLLOWING DESCRIBED PROPERTY. ALL THAT PART OF LOTS 10 AND 11, ALSO KNOWN AS TAX LOTS "Q" AND "O" AND PART OF THE VACATED ALLEY, ALL IN BLOCK 31, SIOUX CITY EAST ADDITION, SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET; THENCE SOUTH 0°00' 00" WEST FOR 74.35 FEET TO THE CENTERLINE OF THE FORMER CHICAGO, ST. PAUL AND PACIFIC RAILWAY COMPANY RIGHT OF WAY AND THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE ON AN IRREGULAR CURVE WITH CHORDS AS FOLLOWS, SOUTH 20°32'32" EAST FOR 18.19 FEET, SOUTH 25°23'42" EAST FOR 49.28 FEET AND SOUTH 30°53'48" EAST FOR 25.91 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK; THENCE NORTH 89°49'17" WEST ALONG SAID ALLEY CENTERLINE FOR 40.82 FEET; THENCE NORTH 0°00'00" EAST FOR 83.65 FEET TO THE POINT OF BEGINNING.

AND

PARCEL IV: ALL THAT PART OF LOTS 1, 2 AND 3 IN BLOCK 47, SIOUX CITY, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE EAST ON THE NORTH LINE OF SAID LOT, 81 FEET 6 INCHES; THENCE NORTHEASTERLY ALONG A LINE WHICH INTERSECTS THE SOUTH LINE OF THIRD STREET, SIOUX CITY EAST ADDITION, AT THE CENTER OF PERRY CREEK 21 FEET 6 INCHES; THENCE SOUTH ON A LINE PARALLEL WITH AND 100 FEET DISTANT FROM THE WEST LINE OF SAID LOTS 2 AND 3 TO THE SOUTH LINE OF SAID LOT 3; THENCE WEST ON THE SOUTH LINE OF SAID LOT 3, 100 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID LOTS 3 AND 2 TO THE PLACE OF BEGINNING; AND ALL OF LOTS 4 AND 5 IN BLOCK 47, SIOUX CITY, AND ALL THAT PART OF THE WEST 100 FEET OF THE EAST AND WEST ALLEY IN SAID BLOCK 47, LYING BETWEEN SAID LOT 3 AND SAID LOTS 4 AND 5, ALL IN THE COUNTY OF WOODBURY AND STATE OF IOWA; AND ALL THAT PART OF VACATED THIRD STREET ABUTTING TAX LOT D OF AUDITOR'S PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION; BLOCKS 46, 47 AND PART OF LOTS 13 AND 14 BLOCK 42, SIOUX

Exhibit B

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CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS; SAID PART OF VACATED THIRD STREET LYING WEST OF THE EAST LINE OF THE WEST 100 FEET OF LOT 1, BLOCK 47, SIOUX CITY AND SOUTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE SOUTH LINE OF THIRD STREET EXTENDED WEST FROM EAST OF WATER STREET 191 FEET WEST OF THE WEST LINE OF WATER STREET, THENCE AT AN ANGLE TO THE LEFT OF 15°55' FOR A DISTANCE OF 43 FEET, THENCE WITH AN ANGLE TO THE RIGHT OF 17°18' FOR A DISTANCE OF 143.8 FEET TO WESLEY WAY, IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA.

AND

PARCEL V: ALL THAT PART OF LOTS 11 AND 12, ALSO KNOWN AS TAX LOTS "O" AND "N", BLOCK 31, SIOUX CITY EAST ADDITION, ALL IN SIOUX CITY, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°00'00" WEST FOR 74.35 FEET TO THE CENTERLINE OF THE FORMER CHICAGO, ST. PAUL AND PACIFIC RAILWAY COMPANY RIGHT OF WAY; THENCE NORTHWESTERLY ALONG SAID CENTERLINE ON AN IRREGULAR CURVE WITH CHORDS AS FOLLOWS, NORTH 20°32'32" WEST FOR 31.26 FEET AND NORTH 17°27'38" WEST FOR 47.27 FEET TO THE NORTH LINE OF SAID BLOCK; THENCE NORTH 90°00'00" EAST FOR 25.15 FEET TO THE POINT OF BEGINNING.

AND

PARCEL VI: ALL THAT PART OF LOT 8, ALSO KNOWN AS A PART OF TAX LOT G, AND PART OF THE VACATED ALLEY, ALL IN BLOCK 31, SIOUX CITY EAST ADDITION DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 31; THENCE SOUTH 90°00'00" WEST ALONG THE NORTH LINE OF SAID BLOCK, SAID LINE ALSO BEING THE SOUTH LINE OF THIRD STREET, FOR 147.25 FEET; THENCE SOUTH 0°00'00" WEST FOR 158.00 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK 31 AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°00'00" WEST FOR 140.12 FEET; THENCE NORTH 55°06'12" WEST FOR 13.05 FEET TO A LINE DESCRIBED AS BEING THE CENTERLINE OF THE ABANDONED CHANNEL OF PERRY CREEK; THENCE NORTH 10°41'47" EAST ALONG SAID LINE FOR 34.10 FEET; THENCE NORTH 1°32'55" EAST ALONG SAID CREEK CENTERLINE FOR 96.76 FEET; THENCE NORTH 0°15'43" WEST ALONG SAID CREEK CENTERLINE FOR 2.42 FEET TO THE CENTERLINE OF THE VACATED ALLEY IN SAID BLOCK; THENCE SOUTH 89°49' 17" EAST FOR 1.77 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PARCEL CONTAINS 593 SQUARE FEET.

AND

ALL THAT PART OF BLOCKS 42 AND 46, AND A PORTION OF VACATED ELM STREET, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID BLOCK 46, 25 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 7 IN SAID BLOCK 46; THENCE NORTH ALONG THE EAST LINE OF SAID BLOCK 46, 258 FEET, 2 1/2 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 89°20', 72 FEET, 6 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 13°45', 23 FEET; THENCE TO THE LEFT AT AN ANGLE OF 20°00', 22 FEET; THENCE TO THE LEFT AT AN ANGLE OF 12°17', 51 FEET, 5 INCHES, THENCE TO THE LEFT AT AN ANGLE OF 5°24', 140 FEET, 6 INCHES; THENCE TO THE LEFT AT AN ANGLE OF 15°34', 97 FEET TO THE SOUTH LINE OF LOT 13 IN SAID BLOCK 42; THENCE SOUTHEASTERLY ALONG THE SOUTH LINE OF SAID LOT 13, 11 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 42; THENCE EAST 89 FEET, 6 INCHES TO A POINT ON THE EAST LINE OF VACATED ELM STREET 27 FEET, 4 INCHES NORTHEASTERLY FROM THE SOUTHWEST CORNER OF SAID BLOCK 46, THENCE EAST PARALLEL WITH AND 25 FEET DISTANT AT RIGHT ANGLES NORTH OF SAID SOUTH LINE OF BLOCK 46, 177 FEET, 6 INCHES TO THE PLACE OF BEGINNING, AND THE SOUTH 25 FEET OF LOTS 4, 5, 6 AND 7 IN BLOCK 46, ALL IN SIOUX CITY, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; EXCEPTING THEREFROM THAT PART CONVEYED TO HYMAN RIVIN AND DAVID RIVIN BY WARRANTY DEED FILED DECEMBER 2, 1957, AND RECORDED IN BOOK 870, PAGE 116, AND

Exhibit B

Legal Description of City Owned Land

EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF IOWA BY WARRANTY DEED DATED MARCH 21, 1979, AND FILED OF RECORD APRIL 17, 1979 IN ROLL 88, IMAGE 859, ALL IN THE OFFICE OF THE RECORDER OF WOODBURY COUNTY, IOWA.

ENTIRE AREA DESCRIBED ABOVE, CONTAINS 3.49 ACRES PLUS OR MINUS.

PARCEL ID NO.2

CITY OF SIOUX CITY

(PARCEL NO. 894728352004)

THAT PART OF VACATED MILL STREET LYING BETWEEN THE WEST LINE OF WATER STREET AND THE EASTERLY RIGHT OF WAY LINE OF PERRY CREEK, AND THAT PART OF THE VACATED NORTH-SOUTH ALLEY IN BLOCK 85, LYING BETWEEN THE SOUTH LINE OF MILL STREET AND THE NORTH LINE OF THIRD STREET, ALL IN AUDITOR'S PLAT OF BLOCKS 31,85,86, SIOUX CITY EAST ADDITION AND BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS, IN WOODBURY COUNTY, IOWA CONTAINING 0.59 ACRES PLUS OR MINUS.

PARCEL ID NO.3

CITY OF SIOUX CITY, IOWA, A MUNICIPAL CORPORATION

(PARCEL NO. 894728351001)

ALL THAT PART OF GOVERNMENT LOT 1 SECTION 28 DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE INTERSECTION OF THE SOUTHERLY LINE OF WEST THIRD STREET AND THE EASTERLY LINE OF OLD ELM STREET, AS ORIGINALLY PLATTED IN SIOUX CITY; THENCE N 56°18.9' W, 14.0 FEET ALONG SAID SOUTHERLY LINE TO THE POINT OF BEGINNING; THENCE S 34°19.5' W, 120.19 FEET TO THE NORTHERLY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD; THENCE N 17°13.7' W, 46.0 FEET ALONG SAID NORTHERLY LINE; THENCE N 34°19.5' E, 56.0 FEET; THENCE EASTERLY 56.16 FEET ALONG A 36.0 FOOT RADIUS CURVE CONCAVE SOUTHERLY, HAVING A CHORD BEARING N 79°38.4' E, 50.64 FEET TO THE POINT OF BEGINNING, ALL IN T89N, R47W, IN THE COUNTY OF WOODBURY AND STATE OF IOWA. SAID PARCEL CONTAINS 0.08 ACRES.

PARCEL ID NO.4

CITY OF SIOUX CITY

(PARCEL NO. 894728309016)

ALL THAT PART OF VACATED 4TH STREET LYING WEST OF WATER STREET, EAST OF WESLEY WAY, ADJACENT TO LOT A OF "AUDITOR'S PLAT OF BLOCKS 31, 85 AND 86, SIOUX CITY EAST ADDITION, AND BLOCKS 46, 47 AND PART OF LOTS 13 AND 14, BLOCK 42, SIOUX CITY, TOGETHER WITH VACATED PORTIONS OF STREETS AND ALLEYS ADJOINING SAID BLOCKS, AND ADJACENT TO BLOCK 87, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA CONTAINING 0.38 ACRES PLUS OR MINUS.

PARCEL ID NO.5

CITY OF SIOUX CITY

(PARCEL NO. 894728309015)

Exhibit B

Legal Description of City Owned Land

ALL OF BLOCK 87, SIOUX CITY EAST ADDITION, IN THE COUNTY OF WOODBURY AND STATE OF IOWA; AND ALL THAT VACATED PART OF THE WESLEY WAY AND FIFTH STREET INTERSECTION BEING THAT PART OF BLOCK 87, SIOUX CITY EAST ADDITION AND THAT PART OF TAX LOT 3 OF THE AUDITOR'S PLAT OF BLOCKS 44, 45 AND 39, SIOUX CITY BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SAID BLOCK 87; THENCE WEST ALONG THE NORTH LINE OF THE SAID BLOCK 87 FOR A DISTANCE OF 58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST ALONG THE NORTH LINE OF THE SAID BLOCK 87, EXTENDED WEST, FOR A DISTANCE OF 37.6 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 55°32' FOR A DISTANCE OF 72.5 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 90°00' FOR A DISTANCE OF 38.4 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 92°37' FOR A DISTANCE OF 18.8 FEET; THENCE WITH AN ANGLE TO THE LEFT OF 16°11' FOR A DISTANCE OF 22 FEET; THENCE WITH AN ANGLE TO THE RIGHT OF 19°24' FOR A DISTANCE OF 52.4 FEET TO THE POINT OF BEGINNING; AND ALSO THE VACATED PART OF THE NORTH-SOUTH ALLEY LYING WEST OF AND CONTIGUOUS TO THE SOUTH 47 FEET OF THE NORTH 158 FEET OF BLOCK 87, SIOUX CITY EAST ADDITION, IN THE COUNTY OF WOODBURY AND STATE OF IOWA.; AND ALL THAT PART OF BLOCK 45 AND OF THE VACATED ELM STREET LYING NORTHWESTERLY THEREOF, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID BLOCK 45 EXTENDED NORTHWESTERLY, WHICH IS 12 FEET NORTHWESTERLY FROM THE SOUTHWESTERLY CORNER OF SAID BLOCK 45, THENCE NORTHEASTERLY PARALLEL TO AND 12 FEET DISTANT FROM THE WESTERLY LINE OF SAID BLOCK 45, 126 FEET; THENCE SOUTHEASTERLY PARALLEL TO THE SOUTHERLY LINE OF SAID BLOCK 45 TO A POINT WHICH IS 69 FEET WEST FROM THE EAST LINE OF BLOCK 87, SIOUX CITY EAST ADDITION, THENCE DUE SOUTH PARALLEL TO AND 69 FEET DISTANT FROM THE SAID EAST LINE OF SAID BLOCK 87, SIOUX CITY EAST ADDITION, TO A POINT ON THE PROJECTED SOUTH LINE OF SAID BLOCK 87, (WHICH POINT IS 69 FEET WEST FROM THE SOUTHEAST CORNER OF SAID BLOCK 87, SIOUX CITY EAST ADDITION); THENCE WEST ON THE SAID PROJECTED SOUTH LINE OF SAID BLOCK 87, SIOUX CITY EAST ADDITION, 25.6 FEET TO THE POINT OF INTERSECTION OF SAID PROJECTED SOUTH LINE OF BLOCK 87, SIOUX CITY EAST ADDITION, WITH THE SOUTH LINE OF BLOCK 45, SIOUX CITY; THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID BLOCK 45, SIOUX CITY, TO THE PLACE OF BEGINNING CONTAINING 0.93 ACRES PLUS OR MINUS.

EXHIBIT B

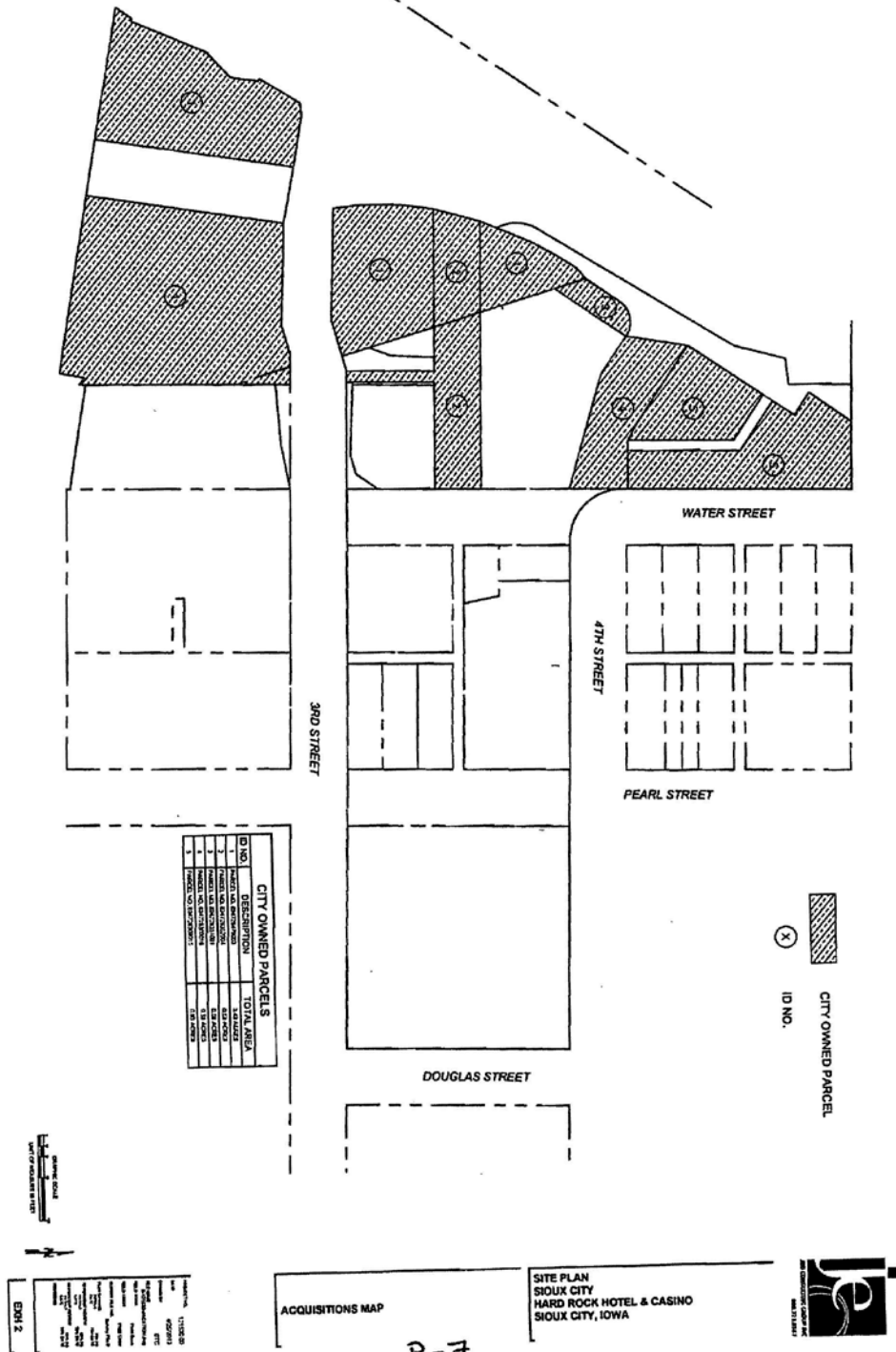


Exhibit C

Legal Description of City Right of Way

RIGHT OF WAY TO BE VACATED

TRACT 1

A TRACT OF LAND IN SIOUX CITY, SIOUX CITY EAST ADDITION, WOODBURY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 87, SIOUX CITY EAST ADDITION; THENCE N88°26'44"W ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 95.59 FEET TO THE POINT OF BEGINNING; THENCE S35°27'59"W ON THE EAST RIGHT OF WAY LINE OF WESLEY PARKWAY, A DISTANCE OF 72.50 FEET; THENCE S54°32'01"E ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 38.40 FEET; THENCE S34°36'02"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 36.37 FEET; THENCE S34°49'36"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 16.00 FEET; THENCE S34°26'47"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 126.90 FEET; THENCE S10°19'50"W, A DISTANCE OF 87.91 FEET; THENCE ON A 36.00 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S80°05'16"W, AND CHORD LENGTH IS 51.25 FEET) ON SAID EAST RIGHT OF WAY LINE, A DISTANCE ON AN ARC OF 57.02 FEET; THENCE S35°28'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 56.00 FEET; THENCE S52°32'01"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 17.19 FEET; THENCE S37°02'24"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 13.80 FEET; THENCE S31°59'25"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET; THENCE S29°31'06"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 30.00 FEET; THENCE S24°27'46"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 32.00 FEET; THENCE S22°57'24"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 24.38 FEET; THENCE ON A 61.50 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N02°01'12"E, AND CHORD LENGTH IS 57.31 FEET), A DISTANCE ON AN ARC OF 59.62 FEET; THENCE ON A 1608.69 FOOT RADIUS CURVE TO THE RIGHT, (CHORD BEARING IS N32°25'46"E, AND CHORD LENGTH IS 148.17 FEET), A DISTANCE ON AN ARC OF 148.22 FEET; THENCE N32°25'46"E, A DISTANCE OF 176.46 FEET; THENCE N15°35'52"E, A DISTANCE OF 74.52 FEET; THENCE N83°58'03"E, A DISTANCE OF 36.30 FEET; THENCE N01°33'16"E, A DISTANCE OF 89.12 FEET; THENCE S88°26'44"E ON THE SOUTH RIGHT OF WAY LINE OF FIFTH STREET, A DISTANCE OF 51.85 FEET TO THE POINT OF BEGINNING, CONTAINING 0.44 ACRES, MORE OR LESS.

TRACT 2

VACATED ALLEY WAY ADJACENT TO BLOCK 87, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA AS BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID BLOCK 87; THENCE N88°28'59"W (ASSUMED BEARING), ON THE SOUTH LINE OF SAID BLOCK 87 A DISTANCE OF 54.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N88°28'59"W, ON SAID SOUTH LINE A DISTANCE OF 15.00 FEET; THENCE N01°32'52"E, A DISTANCE OF 148.68 FEET; THENCE N55°10'24"W, A DISTANCE OF 76.32 FEET TO THE EAST RIGHT OF WAY LINE OF WESLEY WAY; THENCE N34°49'36"E, ON SAID EAST LINE A DISTANCE OF 16.00 FEET; THENCE S55°10'24"E, A DISTANCE OF 83.77 FEET TO THE WEST LINE OF SAID BLOCK 87; THENCE S01°32'52"W, ON SAID WEST LINE A DISTANCE OF 158.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

TRACT 3

THAT PART OF PEARL STREET LYING BETWEEN THE EAST LINE OF BLOCK 19 AND THE WEST LINE OF BLOCK 20, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, AND THE SOUTH LINE OF 4TH STREET AND THE NORTH LINE OF 3RD STREET.

Exhibit C

Legal Description of City Right of Way

THE EAST WEST ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LYING BETWEEN THE EAST LINE OF WATER STREET AND THE WEST LINE OF PEARL STREET.
THE SOUTH 150 FEET OF THE NORTH SOUTH ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, LYING BETWEEN THE NORTH LINE OF 3RD STREET AND THE SOUTH LINE OF THE EAST WEST ALLEY IN BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA.

AND THAT PART OF WATER STREET AND 3RD STREET AS BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 19, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°43'57"W (ASSUMED BEARING), ON THE NORTH LINE OF 3RD STREET A DISTANCE OF 79.69 FEET TO THE SOUTHEAST CORNER OF LOT 5, BLOCK 85, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°38'03"W, ON SAID NORTH LINE OF 3RD STREET A DISTANCE OF 150.00 FEET; THENCE N01°27'02"E, A DISTANCE OF 125.54 FEET TO THE SOUTH LINE OF VACATED MILL STREET; THENCE S88°49'44"E, ON SAID SOUTH LINE A DISTANCE OF 3.66'; THENCE S01°51'20"W, A DISTANCE OF 117.16 FEET; THENCE S86°43'35"E, A DISTANCE OF 98.43 FEET; THENCE N74°59'10"E, A DISTANCE OF 28.16 FEET; THENCE N36°33'00"E, A DISTANCE OF 37.87 FEET TO THE WEST LINE OF WATER STREET; THENCE N01°27'02"E, ON SAID WEST LINE OF WATER STREET A DISTANCE OF 193.20 FEET TO THE SOUTH LINE OF 4TH STREET; THENCE N01°32'52"E, ON THE WEST LINE OF WATER STREET A DISTANCE OF 74.64 FEET; THENCE ON A 73.64 FOOT RADIUS CURVE TO THE LEFT, (CHORD BEARING IS S43°23'20"E, AND CHORD LENGTH IS 103.97 FEET) TO SAID SOUTH LINE OF 4TH STREET; THENCE S89°16'12"E, ON SAID SOUTH LINE OF 4TH STREET A DISTANCE OF 6.51 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 19; THENCE S01°29'50"W, ON THE WEST LINE OF SAID BLOCK 19 A DISTANCE OF 317.96 FEET TO THE POINT OF BEGINNING, TRACT 1 CONTAINING 1.41 ACRES, MORE OR LESS.

TRACT 4

COMMENCING AT THE NORTHEAST CORNER OF LOT 5, BLOCK 85, SIOUX CITY EAST ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA; THENCE N88°49'44"W (ASSUMED BEARING), ON THE NORTH LINE OF SAID LOT 5, A DISTANCE OF 166.00 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID BLOCK 85 AND THE POINT OF BEGINNING; THENCE S01°27'02"W, ON THE EAST LINE OF SAID LOT 4 A DISTANCE OF 125.49 FEET TO THE NORTH LINE OF 3RD STREET; THENCE S75°14'56"W, ON SAID NORTH LINE OF 3RD STREET A DISTANCE OF 22.24 FEET; TO THE EASTERLY RIGHT OF WAY LINE THE VACATED CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILWAY COMPANY; THENCE N16°01'26"W, ON SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 39.89 FEET; THENCE N20°53'59"E, A DISTANCE OF 33.35 FEET; THENCE N03°34'34"E, A DISTANCE OF 65.15 FEET TO THE NORTH LINE OF SAID BLOCK 4; THENCE S88°49'44"E, ON SAID NORTH LINE OF LOT 4 A DISTANCE OF 19.92 FEET TO THE POINT OF BEGINNING, CONTAINING 0.08 ACRES, MORE OR LESS.

Exhibit D

Legal Description of Sublease Site

MIDAMERICAN (KIRK PARKING LOT)
LEGAL DESCRIPTION

All of Lots 1 through 6 inclusive, and the West one-half of the vacated East-West alley in Block 30 East Sioux City, and all of vacated Water Street lying south of the south line of Third Street and north of the north line of Second Street, and

All that part of Lots 8, 9, 10, 11 and 12 in Block 31 Sioux City East Addition, lying east of the East line of the right of way of the main line of the track through said premises of the Chicago, Milwaukee and St. Paul Railway. Said parts of said lots being also described as Tax Lots F, N, O and P in Auditor's Plat, recorded in Plat Book 14 on Page 22 all in Woodbury County, State of Iowa, and all portions of the East and West alley in Block 31, Sioux City East Addition in the County of Woodbury and State of Iowa, lying West of Water Street and East of the right-of-way of the Chicago Milwaukee, St. Paul and Pacific Railroad Co, between Tax Lots P and F, subject to all side tracks and easements for side tracks located across the above described property which lead across Third Street to property on the North side of Third Street, and subject to any other easements of record, EXCEPT;

EXCEPT: All that part of Lots 11 and 12 also known as Tax Lots "O" and "N", Block 31, Sioux City East Addition all in Sioux City, Woodbury County, Iowa described as follows: Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet to the point of beginning; thence South 00°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right-of-Way; thence Northwesterly along said centerline on an irregular curve with chords as follows, North 20°32'32" West for 31.26 feet, and North 17°27'38" West for 47.27 feet to the North line of said Block; thence North 90°00'00" East for 25.15 feet to the point of beginning.

All that part of Lots 10 and 11, also known as Tax Lots "Q" and "O" and part of the vacated alley, all in Block 31, Sioux City East Addition, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet; thence South 00°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right of Way and the Point of Beginning; thence southeasterly along said centerline on an irregular curve with chords as follows, South 20°32'32" East for 18.19 feet, South 25°23'42" East for 49.28 feet and South 30°53'48" East for 25.91 feet to the centerline of the vacated alley in said block; thence North 89°49'17" West along said alley centerline for 40.82 feet; thence North 00°00'00" East for 83.65 feet to the Point of Beginning, AND

The South half (S 1/2) of the East-West alley in Block 31, Sioux City East Addition, lying West of the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Railroad, AND

That part of Lots 8, 9, 10, 11 and 12 in Block 31, Sioux City East Addition, lying south and west of the center of the main line track except a part of the southwest corner taken for a right of way of the Chicago and Northwestern Railway switch track. The said fractional lots are described as follows: Commencing at the southeast corner of Block 31, Sioux City East

Exhibit D

Legal Description of Sublease Site

Addition; thence north along the West line of Water Street 36 feet to the south right of way line of the main line of the Chicago, Milwaukee and St. Paul Railroad; thence northwesterly along said right of way line to the South line of Third Street; thence West to the centerline of what was formerly Perry Creek; thence in a southerly direction following said center line to the North line of Second Street; thence east to the place of beginning; together with the East half of the former bed of Perry Creek in said Block 31; except a portion of the southwest corner hereinafter described. The said right of way line of the Chicago, Milwaukee and St. Paul Railway is parallel with and 8 feet distant from the center of the said main line, the said center line is more particularly located as follows: commencing at a point on the West line of Water Street 45.9 feet north of the North line of Second Street; thence 50 feet northwesterly with an angle to the left of 49 degrees and 25 minutes from the said west line of Water Street; thence continuing along said center line with a deflection to the right of 6 degrees and 36 minutes for each 50 feet station to a point on the South line of Third Street 172 feet west of Water Street. The right of way line of the Chicago and Northwestern Railway switch track across the southwest corner of said lot is described as follows: Said line intersects the North line of Second Street 120 feet west from the West line of Water Street, and extends northwesterly with an angle to the right from the North line of Second Street of 34 degrees and 45 minutes said right of way line is parallel with and 12 feet distant from the center line of said switch track.

EXCEPT:

EXCEPT:

All that part of Lots 10, 11, and 12, in Block Thirty-One (31), Sioux City East Addition, Woodbury County, Iowa, lying south and west of the right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad; more particularly described as follows: Beginning at a point where the West line of said right-of-way joins the North line of the East and West alley in Block Thirty-One (31), thence northwesterly along the west line of said right-of-way to the south line of Third Street; thence westerly along the South line of Third Street to the center line of what was formerly Perry Creek; thence in a southerly direction following said center line to the north line of the east and west alley in Block Thirty-One (31); thence easterly along the North line of the said alley to the point of beginning, together with the east half of the bed of Perry Creek adjacent there to, and

EXCEPT:

All that part of Lot 8, also known as part of Tax Lot G, and part of the vacated alley, all in Block 31, Sioux City East Addition described as follows: Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line being the South line of Third Street, for 147.25 feet; thence South 00°00'00" West for 158.00 feet to the centerline of the vacated alley in said Block 31 and the point of beginning; thence continuing South 0°00'00" West for 140.12 feet thence North 55°06'12" West for 13.05 feet to a line described as being the centerline of the abandoned Channel of Perry Creek; thence North 10°41'47" East along said line for 34.10 feet; thence North 01°32'55" East along said creek centerline for 96.76 feet; thence North 00°15'43" West along said creek centerline for 2.42 feet to the centerline of the vacated alley in said Block; thence south 89°49'17" East for 1.77 feet to the point of beginning.

All that part of the 16 foot wide property of the former Chicago, Milwaukee, St. Paul Pacific Railroad Company across Block 31 in Sioux City East Addition to Sioux City described as follows:

Exhibit D

Legal Description of Sublease Site

The 16 foot wide property across Lots 8 and-9 (Tax Lots F and G), and the South Half (S 1/2) of the vacated alley, ALSO

The easterly 8 feet of the 16 foot wide property across Lots 10, 11 and 12 (Tax Lots P, O, and N), and the North Half (N 1/2) of the vacated alley; EXCEPT

EXCEPT:

All that part of Lots 11 and 12 also known as Tax Lots "O" and "N", Block 31, Sioux City East Addition all in Sioux City, Woodbury County, Iowa described as follows:

Commencing at the Northeast corner of said Block 31; thence South 90°00'00" West along the North line of said Block, said line also being the South line of Third Street, for 147.25 feet to the point of beginning; thence South 0°00'00" West for 74.35 feet to the centerline of the former Chicago, St. Paul and Pacific Railway Company Right of Way; thence Northwesterly along said centerline on an irregular curve with chords as follows, North 20°32'32" West for 31.26 feet and North 17°27'38" West for 47.27 feet to the North line of said Block; thence North 90°00'00" East for 25.15 feet to the point of beginning

PROPOSED DEVELOPMENT SUMMARY TABLE			
NAME OF SITE	TOTAL AREA		TOTAL DEVELOPABLE AREA
	ACRES	SQ. FT.	
14001	1.00	10,890	1.00
14002	1.00	10,890	1.00
14003	1.00	10,890	1.00
14004	1.00	10,890	1.00
14005	1.00	10,890	1.00
14006	1.00	10,890	1.00
14007	1.00	10,890	1.00
14008	1.00	10,890	1.00
14009	1.00	10,890	1.00
14010	1.00	10,890	1.00
14011	1.00	10,890	1.00
14012	1.00	10,890	1.00
14013	1.00	10,890	1.00
14014	1.00	10,890	1.00
14015	1.00	10,890	1.00
14016	1.00	10,890	1.00
14017	1.00	10,890	1.00
14018	1.00	10,890	1.00
14019	1.00	10,890	1.00
14020	1.00	10,890	1.00
14021	1.00	10,890	1.00
14022	1.00	10,890	1.00
14023	1.00	10,890	1.00
14024	1.00	10,890	1.00
14025	1.00	10,890	1.00
14026	1.00	10,890	1.00
14027	1.00	10,890	1.00
14028	1.00	10,890	1.00
14029	1.00	10,890	1.00
14030	1.00	10,890	1.00
14031	1.00	10,890	1.00
14032	1.00	10,890	1.00
14033	1.00	10,890	1.00
14034	1.00	10,890	1.00
14035	1.00	10,890	1.00
14036	1.00	10,890	1.00
14037	1.00	10,890	1.00
14038	1.00	10,890	1.00
14039	1.00	10,890	1.00
14040	1.00	10,890	1.00
14041	1.00	10,890	1.00
14042	1.00	10,890	1.00
14043	1.00	10,890	1.00
14044	1.00	10,890	1.00
14045	1.00	10,890	1.00
14046	1.00	10,890	1.00
14047	1.00	10,890	1.00
14048	1.00	10,890	1.00
14049	1.00	10,890	1.00
14050	1.00	10,890	1.00
14051	1.00	10,890	1.00
14052	1.00	10,890	1.00
14053	1.00	10,890	1.00
14054	1.00	10,890	1.00
14055	1.00	10,890	1.00
14056	1.00	10,890	1.00
14057	1.00	10,890	1.00
14058	1.00	10,890	1.00
14059	1.00	10,890	1.00
14060	1.00	10,890	1.00
14061	1.00	10,890	1.00
14062	1.00	10,890	1.00
14063	1.00	10,890	1.00
14064	1.00	10,890	1.00
14065	1.00	10,890	1.00
14066	1.00	10,890	1.00
14067	1.00	10,890	1.00
14068	1.00	10,890	1.00
14069	1.00	10,890	1.00
14070	1.00	10,890	1.00
14071	1.00	10,890	1.00
14072	1.00	10,890	1.00
14073	1.00	10,890	1.00
14074	1.00	10,890	1.00
14075	1.00	10,890	1.00
14076	1.00	10,890	1.00
14077	1.00	10,890	1.00
14078	1.00	10,890	1.00
14079	1.00	10,890	1.00
14080	1.00	10,890	1

11

1. **STATE OF CALIFORNIA**, the State of California, County of San Diego, ss. I, James E. Smith, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original as the same appears from the records of said County.

2. **WITNESSES MY HAND AND SEAL** this 10th day of February, 1998.

3. **ATTEST:** My commission expires 10/10/00.

4. **NOTARY PUBLIC** in and for the State of California.

5. My commission expires 10/10/00.

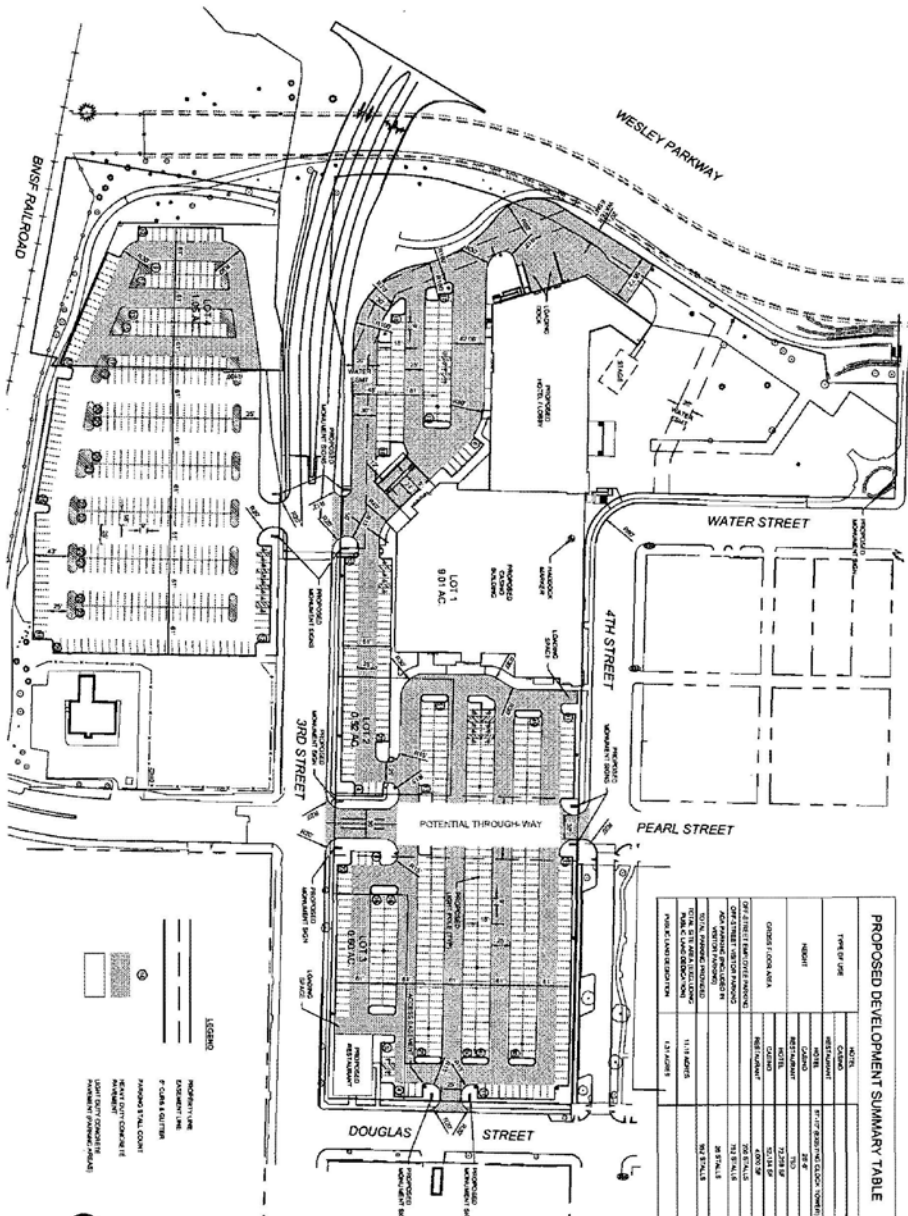
[illegible]

SITE PLAN

E-1

**SITE PLAN
SIOUX CITY
HARD ROCK HOTEL & CASINO
SIOUX CITY, IOWA**





PROPOSED DEVELOPMENT SUMMARY TABLE			
TYPE OF USE	ACRES	SQ. FT.	EST. COST (\$ MIL.)
HOTEL	1.00	1,000,000	1.00
PARKING	1.00	1,000,000	0.10
LANDSCAPING	1.00	1,000,000	0.05
TOTAL	3.00	3,000,000	1.15
TOTAL DEVELOPMENT SUMMARY			
TOTAL DEVELOPMENT SUMMARY	3.00	3,000,000	1.15
TOTAL DEVELOPMENT SUMMARY	3.00	3,000,000	1.15
TOTAL DEVELOPMENT SUMMARY	3.00	3,000,000	1.15

NOTES

1. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
2. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
3. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
4. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.
5. THE SITE PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION.

SITE PLAN SIOUX CITY HARD ROCK HOTEL & CASINO SIOUX CITY, IOWA

SITE PLAN

DATE: 11/11/00
BY: J. L. HARRIS
CHECKED: J. L. HARRIS
APPROVED: J. L. HARRIS
SCALE: 1" = 100' (AS SHOWN ON PLAN)
SHEET NO. 3 OF 6