SANITARY AND IMPROVEMENT DISTRICT NO. 52
OF SARPY COUNTY, NEBRASKA

Minutes of Meeting of Board of Trustees
August 4, 2015

A meeting of the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska, was convened in open and public session beginning at 4:00 p.m. on the 4th day of August, 2015 at the offices of Werner Enterprises, I-80 and Highway 50, Omaha, Nebraska. Present were: James A Mullen, Robert E. Synowicki, Jr., Gregory L. Werner, Daniel R. Young and Steven C. Wickersham.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on July 22, 2015, a copy of the Affidavit of Publication being attached to these Minutes. Notice of the meeting was simultaneously given to all members of the Board of Trustees, and their Acknowledgements of Receipt of Notice are attached to these Minutes. Notice has also been given to the County Clerk. Availability of the agenda was communicated in the published Notice and in the Notice to the Trustees of the meeting. A copy of the agenda is attached to these Minutes. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public.

The following proceedings were had:

The meeting was called to order by Chairman, James A. Mullen.

The Chairman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

The Chairman announced that the first matter for consideration was the approval of the Minutes from the meeting held on March 16, 2015. After a review and discussion of the Minutes, the minutes were unanimously approved.

The Chairman announced that the next matter for consideration was the request from an entity by the name of Access/AT&T/Teleport Communications America LLC seeking permission from SID 52 to utilize certain right-of-way in South 144th Street for the installation of fiber optic cable in that area. Zachary Friedman, a representative of AT&T, appeared at the meeting and explained the facilities that are being requested by Teleport Communications for the installation of its fiber optic cable along a portion of 144th Street within the boundaries of SID 52 of Sarpy County, Nebraska. Mr. Friedman explained the facilities requested by Teleport Communications and provided copies of the plans that had been prepared in connection with the installation of a new fiber optic cable in South 144th Street. Mr. Friedman informed the Board that SID No. 52 would have no responsibility to contribute to the construction costs of the installation of the fiber optic cable.

The Chairman asked Thomas J. Guilfoyle, attorney for the District, to prepare a proposed right-of-entry agreement. Mr. Guilfoyle presented for its consideration a Fiber Optic Cable Agreement whereby SID 52 of Sarpy County agreed to grant to Teleport the right to utilize an area marked on Exhibit "A," attached to the agreement which shows the location of the proposed fiber optic cable installation.

Upon motion duly made, seconded and by roll call vote as follows:

Trustee	Vote
James A. Mullen	Yes
Gregory L. Werner	Yes
Robert E. Synowicki, Jr.	Yes
Steven C. Wickersham	Yes
Daniel R. Young	Yes

The following resolution was unanimously adopted:

> RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska do and the same hereby authorize Teleport Communications America LLC to utilize the area set forth on Exhibit "A," to the proposed Fiber Optic Cable Agreement and grants it permission to construct a fiber optic cable in the area so indicated on Exhibit "A."

BE IT FURTHER RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 52 do and the same hereby does authorize the Chairman of the District to execute a Fiber Optic Cable Agreement substantially in the form of that presented by Mr. Guilfoyle and to submit the proposed agreement to Teleport for its review and consideration.

The Chairman announced that the next matter for consideration was the consideration of the paving maintenance within the District. Steve Wickersham noted there were a couple of specific areas and other members of the Board commented as well. After a thorough discussion, Thomas J. Guilfoyle, attorney for the District, was directed to contact Lamp Rynearson & Associates, engineers for the District, to undertake a review of the street paving within the District and determine what areas of the District paving needed repair and joint sealing. The Board will consider the estimate of the project and the engineer's recommendation at its next meeting.

The Chairman announced that the next matter for discussion was the upcoming budget. No action was taken at this time, but the Board discussed the fact that they may want to reduce the mill levy for the District. The matter will be taken up at the September budget meeting.

The Chairman announced that the next matter for consideration was the ratification of warrants drawn on the General Fund Account of the District and payable to Omaha Public Power District. The Chairman announced that at a prior meeting the Chairman and Clerk were authorized to issue warrants payable to Omaha Public Power District for street lights as they became due to avoid problems caused by payment delays occasioned by delays in meetings. Such warrants are to be ratified at the meeting following their issuance. Warrants were issued as follows:

Warrant No.	Payee	Amount
2770	OPPD (issued 4-2-15)	307.44
2771	OPPD (issued 5-4-15)	306.97

2772	OPPD (issued 6-1-15)	306.66
2773	OPPD (issued 7-2-15)	306.72

The Chairman announced that the next matter for discussion was the consideration of bills to be paid from the General Fund of the District. The Clerk presented statements from Lamp Rynearson & Associates, Inc. in the total amount of $640.11 for engineering services; an invoice from the World Herald Media Group in the amount of $11.07 for publication expense; invoice from Commercial Seeding Contractors in the amount of $210.00 for right-of-way mowing; an invoice from Clean Sweep Commercial, Inc. in the amount of $425.00 for street sweeping; a statement from Skyline Sign Company in the amount of $312.46 for street sign repairs; statements from Utilities Service Group in the total amount of $2,587.50 for sanitary sewer maintenance; invoices from Cornerstone Insurance Group in the total amount of $2,284.00 for Chairman and Clerk's bonds and directors and officers insurance; an invoice from Erickson | Sederstrom, PC in the total amount of $2,190.08 for legal fees and costs; and an invoice from Omaha Public Power District in the amount of $306.73 for street lighting; upon motion duly made, seconded and by roll call vote as follows:

Trustee	Vote
James A. Mullen	Yes
Gregory L. Werner	Yes
Robert E. Synowicki, Jr.	Yes
Steven C. Wickersham	Yes
Daniel R. Young	Yes

the following resolution was adopted:

RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver Warrant Nos. 2770 through 2782 of the District, dated the date of this meeting, to the following payees and in the following amounts, said Warrants to be drawn on the General Fund of the District and to draw interest at the rate of 7% per annum (interest to be paid when due) and to be redeemed no later than August 4, 2018, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after notice is given as required by law, to wit:

A. General Fund Warrant No. 2770 in the amount of $307.44, payable to Omaha Public Power District;

B. General Fund Warrant No. 2771 in the amount of $306.97, payable to Omaha Public Power District;

C. General Fund Warrant No. 2772 in the amount of $306.66, payable to Omaha Public Power District;

D. General Fund Warrant No. 2773 in the amount of $306.72, payable to Omaha Public Power District;

E. General Fund Warrant No. 2774 in the amount of $640.11, payable to Lamp Rynearson & Associates, Inc.;

F. General Fund Warrant No. 2775 in the amount of $11.07, payable to World Herald Media Group;

G. General Fund Warrant No. 2776 in the amount of $210.00 payable to Commercial Seeding Contractors;

H. General Fund Warrant No. 2777 in the amount of $425.00 payable to Clean Sweep Commercial, Inc.;

I. General Fund Warrant No. 2778 in the amount of $312.46 payable to Skyline Sign Company;

J. General Fund Warrant No. 2779 in the amount of $2,587.50 payable to Utilities Service Group;

K. General Fund Warrant No. 2780 in the amount of $2,284.00, payable to Cornerstone Insurance Group ;

L. General Fund Warrant No. 2781 in the amount of $2,190.08, payable to Erickson | Sederstrom PC; and

M. General Fund Warrant No. 2782 in the amount of $306.73, payable to Omaha Public Power District;

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska that both they and the District hereby find and determine and covenant, and warrant and agree that (a)

the facilities for which the above Warrants are issued are designed to serve members of the general public on an equal basis; (b) there are no persons with right to use said facilities other than as members of the general public; (c) ownership and operation of said facilities is with the District or another political subdivision; (d) none of the proceeds of the Warrants will be loaned to any person and to the extent that special assessments have been or are to be levied for any said facilities, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by such facilities in the District; and (e) the District hereby authorizes and directs the Chairman or Clerk to file, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986 pertaining to the above Warrants.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under the current federal law to maintain the tax exempt status (as to taxpayers generally) of interest on the above Warrants; and (b) to the extent that it may lawfully do so, the District hereby designates the above Warrants as its "qualified tax exempt obligations" under Section 265(b)(3)(B)(i)(III) of the Internal Revenue Code of 1986 as amended and covenants and warrants that the District does not reasonably expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than $10,000,000 during the calendar year in which the above Warrants are to be issued.

There being no further business to come before the meeting, upon motion duly made, seconded and by roll call vote as follows:

Trustee	Vote
James A. Mullen	Yes
Gregory L. Werner	Yes
Robert E. Synowicki, Jr.	Yes
Steven C. Wickersham	Yes
Daniel R. Young	Yes

the meeting was adjourned.

Robert E. Synowicki, Jr.

CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 52 of Sarpy County, Nebraska, ("The District") and hereby further certify as follows:

1. Annexed to this certificate is a true and correct transcript of the proceedings of the Board of Trustees of the District relating to a meeting of said District held on the date and at the time reflected in the meeting minutes contained in said foregoing transcript (the "Meeting"). All of the proceedings of the District and of the Board of Trustees thereof which are set out in the annexed and foregoing transcript have been fully recorded in the journal of proceedings of the District and the undersigned District Clerk has carefully compared the annexed and foregoing transcript with said journal and with the records and files of the District which are in such Clerk's official custody and said transcript is a full, true and complete copy of said journal, records and files which are set out therein.

2. Advance notice for the Meeting was given by publication as set forth in the affidavit of publication contained in the foregoing transcript and was mailed to the Clerk of the municipality or county within whose zoning jurisdiction the District is located at least seven days prior to the date of the Meeting. Advance notice for the meeting, including notice of agenda subjects, was given to all members of the Board of Trustees. All news media requesting notification of meetings of said body were provided with advance notice of the times and places of such meetings and the subjects to be discussed.

3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects were contained in said agenda for at least 24 hours prior to the Meeting and each agenda item was sufficiently descriptive to give the public reasonable notice of the matters to be considered at the Meeting.

4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such Meeting was being held. At least one copy of all resolutions and other reproducible written materials, which actions are shown in said proceedings, was made available for examination and copying by members of the public at the Meeting.

5. The minutes of the Meeting were in written form and available for public inspection after the Meeting at the office of the District; a copy of the Minutes of the Meeting was sent to the Clerk of the municipality or county within whose zoning jurisdiction the District is located.

6. No litigation is now pending or threatened to restrain or enjoin the District from the issuance and delivery of any warrants or other obligations issued by the District or the levy and collection of tax or other revenues or relating to any of the improvements for which any such warrants or other obligations were or are issued nor in any manner questioning the proceedings and authority under which any such warrants or other obligations were or are issued or affecting the validity thereof; neither the corporate existence or boundaries of the District nor the title of its present officers to their respective offices is being contested; no authority or proceedings for the issuance of any warrants or other obligations by the District have been repealed, revoked or rescinded as of the date hereof. All actions taken by the Board of Trustees referred to in said transcript were taken at a public meeting while open to the attendance of the public.

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this _____ day of August, 2015.

Chairperson

Clerk

AGENDA

Sanitary and Improvement District No. 52 of
Sarpy County, Nebraska
August 4, 2015

1. Meeting called to Order – Announcement to be made by Chairman as follows:

   "A current copy of the Nebraska Open Meetings Act is available for review by anyone in attendance. [indicate where the copy is located]."

2. Review of the Minutes of March 16, 2015

3. Items to Discuss

   a. Fiber optics installation request

   b. Consider paving maintenance and repairs

   c. Upcoming budget

4. Ratification of General Fund Warrants:

Warrant No.	Payee	Amount
2770	OPPD (issued 4-2-15)	307.44
2771	OPPD (issued 5-4-15)	306.97
2772	OPPD (issued 6-1-15)	306.66
2773	OPPD (issued 7-2-15)	306.72

5. Payment of General Fund Bills:

Warrant No.	Payee	Amount
2774	Lamp Rynearson & Associates, Inc.	640.11
2775	World Herald Media Group (Papillion Times)	11.07
2776	Commercial Seeding Contractors	210.00
2777	Clean Sweep Commercial, Inc.	425.00
2778	Skyline Sign Company	312.46

2779	Utilities Service Group	2,587.50
2780	Cornerstone Insurance Group	2,284.00
2781	Erickson | Sederstrom PC	2,190.08
2782	Omaha Public Power District	306.73

6. New business, if any.

7. Adjournment.

ACKNOWLEDGEMENT OF RECEIPT OF NOTICE OF MEETING

The undersigned Trustee hereby acknowledges receipt of Notice of the meeting of the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska, to be held on August 4, 2015, at the offices of Werner Enterprises, I-80 and Highway 50, Omaha, Nebraska at 4:00 P.M.

Robert E. Synowicki, Jr.

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Gregory L. Werner

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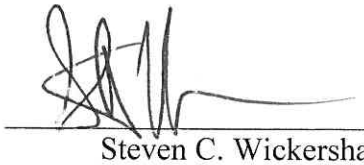

Steven C. Wickersham

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Daniel R. Young

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James A. Mullen

AFFIDAVIT OF PUBLICATION

TE OF NEBRASKA }
} SS.
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Ron Petak deposes and says that he is the Executive Editor of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, July 22, 2015 Papillion Times

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Ron Petak

Shon Barenklau OR Ron Petak
Publisher Executive Editor

Today's Date 7-22-2015
S[illegible]ed in my presence and sworn to before me:

Notary Public

GENERAL NOTARY - State of Nebraska
ELIZABETH M WHITE
My Comm. Exp. December 22, 2018

Printer's Fee $ 11.07
Customer Number: 1150
Order Number: 0001877649

ERICKSON | SEDERSTROM, P.C.
Attorneys
10330 Regency Parkway Drive
Omaha, Nebraska

NOTICE

NOTICE is hereby given that a meeting of the Board of Trustees of Sanitary and Improvement District No. 52 of Sarpy County, Nebraska will be held at 4:00 P.M. on the 4th day of August, 2015, at the offices of Werner Enterprises, 14507 Frontier Road (I-80 and Highway 50), Omaha, Nebraska, which meeting shall be open to the public.

An agenda for such meeting is kept continuously current and is available for public inspection at the office of counsel for the District at 10330 Regency Parkway Drive, Omaha, Nebraska, and includes the consideration of the payment of bills and general business of the District.

ROBERT E. SYNOWICKI, JR.,
Clerk

1877649; 7/22

Deb Arkfeld

From: Tom Guilfoyle
Sent: Tuesday, July 21, 2015 11:58 AM
To: 'sids@sarpy.com'
Subject: SID 52 - Notice of August 4, 2015 meeting (Our File No. 38907)
Attachments: SID 52 - Notice of August 4, 2015 meeting.pdf

Dear Sir or Madam:

Please see attached Notice of Meeting to be held August 4, 2015 in the above-captioned SID. Please acknowledge receipt of the Notice by replying to this e-mail.

Thank you for your assistance.

Tom

Thomas J. Guilfoyle
Erickson | Sederstrom, P.C.
10330 Regency Parkway Drive, Suite 100
Omaha, NE 68114
(402) 397-2200
Direct Line: (402) 390-7124
Fax: (402) 390-7137
guilfoyle@eslaw.com

IRS Circular 230 Required Notice--IRS regulations require that we inform you as follows: To the extent this communication (including any attachments) addresses any federal tax matter, it was not written to be (and may not be) relied upon to (i) avoid penalties under the Internal Revenue Code or (ii) promote, market or recommend to another party any transaction or tax-related matter so addressed.

This message is intended only for the named recipient. If you are not the intended recipient, you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

ERICKSON | SEDERSTROM, P.C.
Attorneys
10330 Regency Parkway Drive
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ROBERT E. SYNOWICKI, JR., Clerk