

## CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 79 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.

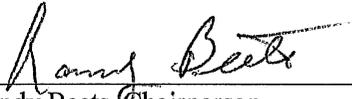
3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects 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, for 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 within ten (10) working days after the Meeting or prior to the next convened meeting, whichever occurred earlier, at the office of the District; within thirty (30) days after the date of the Meeting, 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 3<sup>rd</sup> day of March  
2010.

  
\_\_\_\_\_  
Randy Beets, Chairperson

  
\_\_\_\_\_  
Shawn Brechbill, Clerk

SANITARY AND IMPROVEMENT DISTRICT NO. 79  
OF  
SARPY COUNTY, NEBRASKA  
BOARD OF TRUSTEES MEETING  
March 3, 2010

MINUTES

PRESENT: Randy Beets, Shawn Brechbill, Joe Druskis, William E. Dillon and Mark Nelson

ABSENT: None

LOCATION: 20001 Crest View Drive, Springfield, NE 68059

TIME: 6:00 p.m.

Notice was given in advance thereof by publication in The Papillion Times, the designated method for giving notice on February 25, 2010, a copy of the Proof of Publication being attached to these minutes. Notice of this meeting was given to all members of the Board of Trustees, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the posted notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The agenda was at all times available at the office for the District at 1246 Golden Gate Drive, Suite 1, Papillion, Nebraska.

The Clerk 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 Clerk then advised the Board that checks totaling \$3,776.98 had been received from homeowners in the District and deposited with the Sarpy County Treasurer in the District's Service Use Fund.

The Clerk then presented the following statements and recommended the issuance of general fund warrants in payment thereof.

<b>Omaha World-Herald</b>	<b>\$ 10.31</b>
<b>The Harry A. Koch Co.</b>	<b>\$ 560.00</b>
<b>O'Donnell, Ficenec, Wills &amp; Ferdig, LLP</b>	<b>\$ 4,771.30</b>

Trustee William E. Dillon introduced the following resolution and moved its adoption:

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 79 of Sarpy County, Nebraska, that the Chairperson and Clerk be and they hereby are authorized and directed to execute and deliver Warrant Nos. **G-10-410 through G-10-412** to be drawn on the General Fund of the District, dated the date of this meeting, to the following payees in the following amounts, said warrants to draw interest at the rate of Seven percent (7 %) per annum (interest to be payable in February of

each year) and to be redeemed no later than **March 3, 2013**, 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:

**Warrant No. G-10-410 for \$10.31 payable to Omaha World-Herald**  
**Warrant No. G-10-411 for \$560.00 payable to The Harry A. Koch Co.**  
**Warrant No. G-10-412 for \$4,771.30 payable to O'Donnell, Ficenec, Wills & Ferdig, LLP**

Motion seconded by Trustee Mark Nelson. On roll call, the following voted for the passage and adoption of said resolution:

AYE: Randy Beets, Shawn Brechbill, Mark Nelson, Joe Druskis and William E. Dillon  
The following voted NAY: None.

Thereupon, the Chairperson declared said motion carried and said resolution passed and adopted.

Trustee Mark Nelson introduced the following resolutions and moved their adoption:

BE IT FURTHER RESOLVED BY THE BOARD OF TRUSTEES OF SANITARY AND IMPROVEMENT DISTRICT NO. 79 of Sarpy County, Nebraska, that both they and the District hereby find and determine and covenant, and warrants 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 rights 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; (e) the development of the land in the District for sale and occupation by the general public 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. 79 of Sarpy County, Nebraska, that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current federal law to maintain the tax-exempt status (as to taxpayers generally) of interest in 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 \$5,000,000 during the calendar year in which the above warrants are to be issued.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 79 of Sarpy County, Nebraska, that this and the preceding resolutions are hereby adopted as the Certificate With Respect to Arbitrage of the District pertaining to the above warrants and the District and the Chairman and Clerk of the District hereby further certify, as of the date of the registration of the above warrants with the County Treasurer of Sarpy County, Nebraska, as follows:

1. No separate reserve or replacement fund has been or will be established with respect to the above warrants. The District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above warrants in excess of the lesser of: (a) 10% of the net principal proceeds of the above warrants, (b) the maximum annual debt service due on the above warrants or (c) 125% of annual debt service due on the above warrants will be expended for payment of principal of an interest on the above warrants within thirteen months after receipt of such monies. That amount which is currently held in the District's Bond Fund which exceeds the amount which is to be expended for payment of principal and interest on the above warrants within thirteen months after receipt of such monies, plus that amount arrived at pursuant to the immediately preceding sentence, will not be invested in any securities or any other investment obligations which bear a yield, as computed in accordance with the actuarial method, in excess of the yield on the above warrants.

2. To the best of their knowledge, information and belief, the above expectations are reasonable.

3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its bonds.

4. The Certificate is being passed, executed and delivered pursuant to Sections 1.148-2(b)(2) of the Income Tax Regulations under the Internal Revenue Code of 1986, as amended.

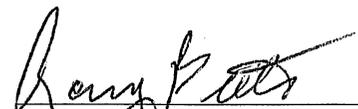
Motion seconded by Trustee William E. Dillon. On roll call, the following voted for the passage and adoption of said resolution:

AYE: Randy Beets, Shawn Brechbill, William E. Dillon, Joe Druskis and Mark Nelson  
The following voted NAY: None.

Thereupon, the Chairperson declared said motion carried and said resolution passed and adopted.

There being no further business the meeting was adjourned.

  
Shawn Brechbill, Clerk

  
Randy Beets, Chairperson

**AFFIDAVIT OF PUBLICATION**

STATE OF NEBRASKA }  
 } SS.  
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Kirk Hoffman deposes and says that he is the Business Manager 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:

Thursday, February 25, 2010 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.

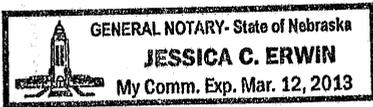
Shon Barenklau OR Kirk Hoffman  
Publisher Business Manager

ADAMS & SULLIVAN, P.C.  
ATTORNEYS AT LAW  
1246 GOLDEN GATE DRIVE, SUITE 1  
PAPILLION, NE 68046

NOTICE OF MEETING  
SANITARY AND IMPROVEMENT  
DISTRICT NO. 79  
OF SARPY COUNTY, NEBRASKA

Today's Date 02-24-2010  
Signed in my presence and sworn to before me:

Notary Public



Notice is hereby given that a meeting for the Board of Trustees of Sanitary and Improvement District No. 79 of Sarpy County, Nebraska, will be held at 6:00 p.m. on March 3, 2010 at 20001 Crest View Drive, Springfield, NE 68059 which meeting will be open to the public.

An Agenda for such meeting, kept continuously current, is available for public inspection at 1246 Golden Gate Drive, Suite 1, Papillion, Nebraska which includes payment of the bills of the District.  
Shawn Brechbill  
Clerk of the District  
1195569; 2/25

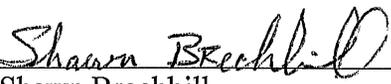
Printer's Fee \$ 10.31  
Customer Number: 153912  
Order Number: 0001195569

ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING

The undersigned Trustees of Sanitary and Improvement District No. 79 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said district and the agenda for such meeting held at 6:00 p.m. on March 3, 2010 at 20001 Crest View Drive, Springfield, Nebraska.

Dated this 3<sup>rd</sup> day of March 2010.

  
\_\_\_\_\_  
Randy Beets

  
\_\_\_\_\_  
Shawn Brechbill

\_\_\_\_\_  
Joe Druskis

  
\_\_\_\_\_  
William E. Dillon

  
\_\_\_\_\_  
Mark Nelson

WARRANT OF SANITARY AND IMPROVEMENT DISTRICT NO. 79 OF SARPY COUNTY, NEBRASKA

TO: TREASURER OF SARPY COUNTY, NEBRASKA

(Ex Officio Treasurer of the District)

ISSUE DATE March 3 NO. G-10-410, 20 10

PAY TO Omaha World-Herald OR SUBSEQUENT REGISTERED OWNER HEREOF  
Ten & 3/100 DOLLARS (\$ 10.31)

AND CHARGE TO THE GENERAL ACCOUNT OF THE DISTRICT.  
IF THIS WARRANT IS REGISTERED BY THE COUNTY TREASURER, THE FOLLOWING PROVISIONS SHALL APPLY:

THIS WARRANT SHALL DRAW INTEREST AT THE RATE OF 7% PER CENTUM PER ANNUM FROM DATE OF REGISTRATION UNTIL PAID, PAYABLE UPON REDEMPTION HEREOF. PAYMENT OF PRINCIPAL AND ACCRUED INTEREST THEN DUE SHALL BE MADE UPON PRESENTATION OF THIS WARRANT TO THE PAYING AGENT. THE REGISTRAR SHALL MAINTAIN RECORDS OF THE OWNERSHIP AND TRANSFER HEREOF AND THE DISTRICT, THE COUNTY TREASURER AND THE PAYING AGENT AND REGISTRAR MAY TREAT THE REGISTERED OWNER AS SHOWN BY SUCH RECORDS AS THE ABSOLUTE OWNER FOR ALL PURPOSES. THE OWNERSHIP OF THIS WARRANT MAY BE TRANSFERRED ONLY UPON PRESENTATION HEREOF TO THE REGISTRAR, ACCOMPANIED BY AN ASSIGNMENT IN FORM SATISFACTORY TO THE REGISTRAR, DULY EXECUTED BY THE REGISTERED OWNER OR DULY AUTHORIZED AGENT.

THIS WARRANT SHALL BECOME DUE ON March 3, 20 10 (UNLESS REDEEMED PRIOR TO SAID DATE). NOTICE OF REDEMPTION PRIOR TO MATURITY SHALL BE MAILED TO THE REGISTERED OWNER AT LEAST 7 DAYS PRIOR TO REDEMPTION DATE.  
THE PAYING AGENT AND REGISTRAR FOR THIS WARRANT IS:

GREAT WESTERN BANK

9290 West Dodge Road, Suite 202, Omaha, NE 68114-3320

CHAIRMAN

IN PAYMENT OF \_\_\_\_\_

CLERK

WARRANT OF SANITARY AND IMPROVEMENT DISTRICT NO. 79 OF SARPY COUNTY, NEBRASKA

TO: TREASURER OF SARPY COUNTY, NEBRASKA

(Ex Officio Treasurer of the District)

ISSUE DATE March 3 NO. G-10-411, 20 10

PAY TO The Harry A. Koch Co. OR SUBSEQUENT REGISTERED OWNER HEREOF  
Five Hundred Sixty & 00/100 DOLLARS (\$ 560.00)

AND CHARGE TO THE GENERAL ACCOUNT OF THE DISTRICT.  
IF THIS WARRANT IS REGISTERED BY THE COUNTY TREASURER, THE FOLLOWING PROVISIONS SHALL APPLY:

THIS WARRANT SHALL DRAW INTEREST AT THE RATE OF 7% PER CENTUM PER ANNUM FROM DATE OF REGISTRATION UNTIL PAID, PAYABLE UPON REDEMPTION HEREOF. PAYMENT OF PRINCIPAL AND ACCRUED INTEREST THEN DUE SHALL BE MADE UPON PRESENTATION OF THIS WARRANT TO THE PAYING AGENT. THE REGISTRAR SHALL MAINTAIN RECORDS OF THE OWNERSHIP AND TRANSFER HEREOF AND THE DISTRICT, THE COUNTY TREASURER AND THE PAYING AGENT AND REGISTRAR MAY TREAT THE REGISTERED OWNER AS SHOWN BY SUCH RECORDS AS THE ABSOLUTE OWNER FOR ALL PURPOSES. THE OWNERSHIP OF THIS WARRANT MAY BE TRANSFERRED ONLY UPON PRESENTATION HEREOF TO THE REGISTRAR, ACCOMPANIED BY AN ASSIGNMENT IN FORM SATISFACTORY TO THE REGISTRAR, DULY EXECUTED BY THE REGISTERED OWNER OR DULY AUTHORIZED AGENT.

THIS WARRANT SHALL BECOME DUE ON March 3, 20 13 (UNLESS REDEEMED PRIOR TO SAID DATE). NOTICE OF REDEMPTION PRIOR TO MATURITY SHALL BE MAILED TO THE REGISTERED OWNER AT LEAST 7 DAYS PRIOR TO REDEMPTION DATE.  
THE PAYING AGENT AND REGISTRAR FOR THIS WARRANT IS:

GREAT WESTERN BANK

9290 West Dodge Road, Suite 202, Omaha, NE 68114-3320

CHAIRMAN

IN PAYMENT OF \_\_\_\_\_

CLERK

WARRANT OF SANITARY AND IMPROVEMENT DISTRICT NO. 79 OF SARPY COUNTY, NEBRASKA

TO: TREASURER OF SARPY COUNTY, NEBRASKA

(Ex Officio Treasurer of the District)

ISSUE DATE March 3 NO. G-10-412, 20 10

PAY TO O'Donnell, Franc, Wills & Ferdig, LLP OR SUBSEQUENT REGISTERED OWNER HEREOF  
Four Thousand Seven Hundred Seventy-One & 30/100 DOLLARS (\$ 4771.30)

AND CHARGE TO THE GENERAL ACCOUNT OF THE DISTRICT.  
IF THIS WARRANT IS REGISTERED BY THE COUNTY TREASURER, THE FOLLOWING PROVISIONS SHALL APPLY:

THIS WARRANT SHALL DRAW INTEREST AT THE RATE OF 7% PER CENTUM PER ANNUM FROM DATE OF REGISTRATION UNTIL PAID, PAYABLE UPON REDEMPTION HEREOF. PAYMENT OF PRINCIPAL AND ACCRUED INTEREST THEN DUE SHALL BE MADE UPON PRESENTATION OF THIS WARRANT TO THE PAYING AGENT. THE REGISTRAR SHALL MAINTAIN RECORDS OF THE OWNERSHIP AND TRANSFER HEREOF AND THE DISTRICT, THE COUNTY TREASURER AND THE PAYING AGENT AND REGISTRAR MAY TREAT THE REGISTERED OWNER AS SHOWN BY SUCH RECORDS AS THE ABSOLUTE OWNER FOR ALL PURPOSES. THE OWNERSHIP OF THIS WARRANT MAY BE TRANSFERRED ONLY UPON PRESENTATION HEREOF TO THE REGISTRAR, ACCOMPANIED BY AN ASSIGNMENT IN FORM SATISFACTORY TO THE REGISTRAR, DULY EXECUTED BY THE REGISTERED OWNER OR DULY AUTHORIZED AGENT.

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THE PAYING AGENT AND REGISTRAR FOR THIS WARRANT IS:

GREAT WESTERN BANK

AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA }  
 } SS.  
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Kirk Hoffman deposes and says that he is the Business Manager 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:

Thursday, February 25, 2010 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.

  
\_\_\_\_\_  
Shon Barenklau OR Kirk Hoffman  
Publisher Business Manager

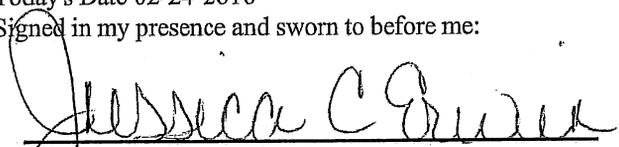
ADAMS & SULLIVAN, P.C.  
ATTORNEYS AT LAW  
1246 GOLDEN GATE DRIVE, SUITE 1  
PAPILLION, NE 68046

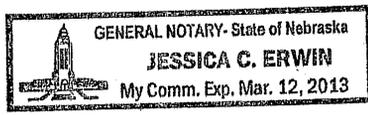
NOTICE OF MEETING  
SANITARY AND IMPROVEMENT  
DISTRICT NO. 79  
OF SARPY COUNTY, NEBRASKA

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An Agenda for such meeting, kept continuously current, is available for public inspection at 1246 Golden Gate Drive, Suite 1, Papillion, Nebraska which includes payment of the bills of the District.

Shawn Brechbill  
Clerk of the District  
1195569; 2/25

Today's Date 02-24-2010  
Signed in my presence and sworn to before me:  
  
\_\_\_\_\_  
Notary Public



Printer's Fee \$ 10.31  
Customer Number: 153912  
Order Number: 0001195569



**The Harry A. Koch Co.**  
**Insurance & Financial Benefits**

① First Insurance Group

P.O. Box 3875  
 Omaha, NE 68103-0875  
 Phone: 402-861-7000  
 Fax: 402-861-7111

----- INVOICE -----

SID #79  
 C/O Jennifer Fett  
 1246 Golden Gate Dr  
 Papillion, NE 68046

Invoice Date 02/10/10  
 Invoice No. 53907  
 Bill-To Code SID22485  
 Client Code SID22485  
 Inv Order No. 100\*64499

**Named Insured:** Sanitary Improvement Dist #79

**Amount Remitted:** \$

Please return this portion with your payment.

**Make checks payable to:** The Harry A. Koch Co.

Effective Date	Policy Period	Coverage Description	Transaction Amount
02/13/10	02/13/10 to 02/13/11	The Cincinnati Insurance Co Policy No. CAP5189798 *Renewal - Commercial Package	560.00
		Invoice Number: 53907      Amount Due:	560.00

\*Premiums Due and Payable on Effective Date

# O'Donnell, Ficenec, Wills & Ferdig, LLP

Certified Public Accountants

4815 South 107th Avenue

Omaha NE 68127-1904

Gerald A. Wills, C.P.A.  
Ronald W. Ferdig, C.P.A.  
Lawrence A. Wolfe, C.P.A.  
Richard P. Edgar, C.P.A.  
Steven M. Povich, C.P.A.  
John Keblesh, C.P.A.

402-592-3800  
Fax: 402-592-7747  
www.ofwf.com

Gregory A. Harr, C.P.A.  
Dwain E. Wulf, C.P.A.  
Daniel R. Holt, C.P.A.  
Daniel A. Dudley, C.P.A.  
Geoffrey F. Schnathorst, C.P.A.  
Catherine T. Kellogg, C.P.A.

SID No. 79  
1246 Golden Gate Drive  
Papillion, NE 68046

Statement Date 2/18/2010  
Client No. 60213.0

Date	Description	Charge	Credit	Balance
	Balance Forward			4,771.30
			Current Balance	\$ 4,771.30

0 - 30	31 - 60	61 - 90	91 - 120	Over 120	Balance
0.00	4,771.30	0.00	0.00	0.00	\$ 4,771.30

Interest will be charged on any amounts outstanding 90 days or older at the rate of 1.25% per month. If you wish to pay by credit card, please call 592-3800 and ask for Sue.