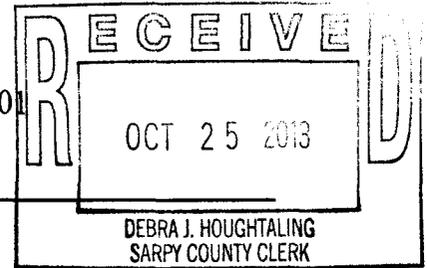


SANITARY AND IMPROVEMENT DISTRICT NO. 101  
OF SARPY COUNTY, NEBRASKA



Minutes of the Meeting of the Board of Trustees  
September 25, 2013

A meeting of the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska was convened in open public session at 7:00 p.m. on the 25<sup>th</sup> day of September, 2013, at the La Platte Community Church, 16412 Main Street, La Platte, Nebraska.

Present at the meeting were: Doug Hill, Chip Frazier, Bill Nosek and Don Story, Trustees of the District; Andrew W. Simpson, one of the District's attorneys; Jim Olmsted of Olmsted & Perry Consulting Engineers; Rene Nelson and Joy Nelson of Urban Utilities; and three residents.

Notice of the meeting was given in advance thereof by publication in *The Bellevue Leader* on September 4, 2013, September 11, 2013 and September 18, 2013, copies of the Proof of Publication being attached to these Minutes. Advance notice was also given to the Board of Trustees and a copy of their acknowledgment of the receipt of such notice is attached to these minutes. Notice was also given to the County Clerk of Sarpy County, Nebraska per the attached certificate of the Clerk of the District. Availability of the agenda was communicated in the advance notices and in the notices to the Board of Trustees and the County Clerk.

The Clerk then certified that notices of this meeting had been given to the County Clerk of Sarpy County, Nebraska, at least seven days prior to the time set by the Board of Trustees for this meeting, said Certificate being attached to these minutes and made a part hereof by this reference.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

The Chairman then stated that one copy of the reproducible written material to be discussed at this meeting was available for examination or copying and that a current copy of the Open Meetings Act was posted in the meeting room.

The District's Attorney stated that the first item of business was the consideration and approval of the election results. The District's Attorney presented a "Certificate of Results of Election" from the Sarpy County Election Commissioner for approval. After consideration, Trustee Bill Nosek offered the following resolution:

BE IT RESOLVED that the "Certificate of Results of Election", dated September 16, 2013 from the Sarpy County Election Commissioner, a copy of which is attached to these Minutes, be and hereby is approved.

Trustee Don Story seconded the motion, and upon roll call vote, all Trustees present at the meeting voted in favor thereof and the same was declared adopted.

The District's Attorney stated that the next item of business was the nomination and election of a Chairman and Clerk. Trustee Don Story nominated Bill Nosek as Clerk and Doug Hill as Chairman, and proposed the following resolution:

BE IT RESOLVED that Doug Hill be elected as Chairman of the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska.

BE IT FURTHER RESOLVED that Bill Nosek be elected as Clerk of the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska.”

Trustee Chip Frazier seconded the motion and upon roll call vote, all Trustees present at the meeting voted in favor thereof, and the same was declared adopted.

Trustee Don Story made a motion to approve the minutes of the last meeting and Trustee Bill Nosek seconded the motion. Upon motion made and duly seconded and vote taken in open session convened, the motion carried.

The District's Clerk then presented the Treasurer's Report as of August 31, 2013. The balance in the District's General Fund was approximately \$142,651.49; the balance in the District's General Fund Investment account was approximately \$0.00; the cash balance in the District's Bond Fund account was approximately \$670,126.12; the balance in the District's Bond Fund Investment account was approximately \$0.00; and the Service Fee Fund balance was approximately \$72,867.07.

The Chairman stated that the next item of business was payment of existing bills.

The Chairman then presented the following statements for consideration:

**Construction Fund:**

<i>Warrant No. 2763(C) – Olmsted &amp; Perry Consulting Engineers Inc.</i>	\$720.00
2013 Drainage and Guardrail Improvement	
Invoice No. 06-12025-01	

**General Fund:**

<i>Warrant No. 2764 – Omaha Public Power District</i>	\$604.87
Statement dated September 5, 2013	
<i>Warrant No. 2765 – Olmsted &amp; Perry Consulting Engineers Inc.</i>	\$1,847.16
Invoice No. 03-13025	
<i>Warrant No. 2766 – Farnham &amp; Simpson, P.C., L.L.O.</i>	\$3,368.10
Legal Services, 8/29/13 to 9/25/13	
Statement No. 2009	
<i>Warrant No. 2767 – Platteview Turf Inc.</i>	\$320.00
Phragmites Removal around Betty Lake	
Invoice No. 267	

*Warrant No. 2768* – Josh Tedder Construction Inc. \$200.00  
Mow Dike  
Invoice No. 1103

**Service Fee Fund:**

*Warrant No. 291* – Midwest Laboratories, Inc. \$186.12  
Invoice No. 696727  
*Warrant No. 292* – Urban Utilities, Inc. \$4,340.16  
Invoice No. 6988  
*Warrant No. 293* – Josh Tedder Construction Inc. \$8,000.00  
Invoice No. 1098

Trustee Chip Frazier made a motion to pay all the bills and Trustee Bill Nosek seconded the Motion. Upon motion made and duly seconded and vote taken in open session convened, and vote being in favor, none opposed. The following resolution was adopted:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that the Chairman and Clerk be and they hereby are authorized and directed to execute and deliver Warrant No. 2763(C) of the District, drawn on the Construction Fund of the District and to draw interest at the rate of 7% per annum to be redeemed no later than September 25, 2018, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after said notice is given as required by law; Warrant Nos. 2764 through 2768 of the District, drawn on the General Fund of the District and to draw interest at the rate of 7% per annum to be redeemed no later than September 25, 2016, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after said notice is given as required by law; and Warrant Nos. 291 through 293 of the District, drawn on the Service Fee Fund of the District and to draw interest at the rate of 7% per annum to be redeemed no later than September 25, 2016, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska, after said notice is given as required by law, to-wit:

- A. *Warrant No. 2763(C)* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$720.00
- B. *Warrant No. 2764* payable to Omaha Public Power District in the amount of \$604.87
- C. *Warrant No. 2765* payable to Olmsted & Perry Consulting Engineers Inc. in the amount of \$1,847.16
- D. *Warrant No. 2766* payable to Farnham & Simpson, P.C., L.L.O. in the amount of \$3,368.10
- E. *Warrant No. 2767* payable to Platteview Turf Inc. in the amount of \$320.00

- F. *Warrant No. 2768* payable to Josh Tedder Construction Inc. in the amount of \$200.00
- G. *Warrant No. 291* payable to Midwest Laboratories, Inc. in the amount of \$186.12
- H. *Warrant No. 292* payable to Urban Utilities, Inc. in the amount of \$4,340.16
- I. *Warrant No. 293* payable to Josh Tedder Construction Inc. in the amount of \$8,000.00

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that both they and the District hereby find and determine and covenant, warrant and agree as follows: the improvements and/or facilities being financed or refinanced by the above Warrants are for essential governmental functions and are designed to serve members of the general public on an equal basis; all said improvements have from the time of their first acquisition and construction been owned, are owned and are to be owned by the District or another political subdivision; to the extent special assessments have been or are to be levied for any of said improvements, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefitted by said improvements in the District; the development of the land in the District is for residential or commercial use and the development of the land in the District for sale and occupation by the general public has proceeded and is proceeding with reasonable speed; other than any incidental use of said improvements by a developer during the initial period of development of said improvements, there have been, are and will be no persons with rights to use such improvements other than as members of the general public; none of the proceeds of said Bonds or any refinanced indebtedness have been or will be loaned to any private person or entity; the District hereby authorizes and directs the Chairperson or Clerk to file or cause to be filed, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986, as amended, pertaining to the above Warrants; and the District does not reasonably expect to sell or otherwise dispose of said improvements and/or facilities, in whole or in part, prior to the last maturity of the above Warrants.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 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 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)(ii) of the Internal Revenue Code of 1986 as amended and covenant 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 \$5,000,000.00 during a calendar year in which the Warrants are issued.

1. No separate reserves or replacement fund has been or will be established with respect to the above Warrants. The District reasonably anticipates that the monies in its bond fund reasonably attributable to the above Warrants in excess of the lessor of: (a) 10% of the net principle proceeds of the above Warrants, or (b) the maximum annual debar service due on the above Warrants, or (c) 125% of the average annual debt service due on the above Warrants will be expended for payment and principle of and interest on the above amount arrived at pursuant to invested in any securities or any other of 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 Services as an issuer that may not certify its bonds.
4. This Certificate is being passed, executed and delivered pursuant to Section 1.102-13, 1.103-14 and 103-15 of the Income Tax Regulations under the Internal Revenue Code of 1954, as amended, and under the Internal Revenue Code of 1986.

Rene Nelson advised that he had provided the Trustees with copies of the most recent sewer reports. There were no questions about the sewer report, however Bill Nosek had some questions about the sewer use fees. Joy Nelson advised that she would be forwarding the seriously delinquent sewer use fees to Mr. Farnham's office for levying as liens against the property.

Doug Hill advised that Josh Tedder had completed the phragmites seed head removal and had done so in a more effective and efficient manner than last year because of last years' experience.

Mr. Olmsted then gave a general explanation of the work necessary to repair the roads within the District. He stated that because there were three separate bids, each being under the amount required for public bids, there was no need for a Resolution of Necessity. Mr. Olmsted's office is obtaining proposals from Swain Enterprises and Navarro Construction. Mr. Nosek had a question about the need for striping on the roads. There was then a general discussion concerning a large hole on Dyson Hollow Road. Mr. Frazier was concerned about this hole undermining the original road and becoming a safety hazard. After further discussion about this matter the Trustees instructed Mr. Olmsted to take all necessary actions to treat this hole as an emergency and get it fixed as soon as possible. Mr. Nosek commented that if concrete is used for the repairs on Dyson Hollow that rebars be used to reinforce the concrete. Mr. Olmsted then advised the Board that the remaining repairs would be done in a 30-45 day time frame.

There was then a general discussion concerning the Resolution of Necessity for the 2013 Drainage and Guardrail Improvements Project. Mr. Nosek did not believe that the guardrail portion of the project was necessary and made a motion to table consideration of the Resolution of Necessity for this project. Don Story seconded the motion. After a vote, all Trustees except Mr. Frazier voted to table consideration of the resolution. Mr. Frazier opposed tabling the motion stating that he believed the guardrails were necessary.

There was then discussion by Mr. Olmsted and Mr. Simpson that tabling the resolution for the 2013 Drainage and Guardrail Improvements Project would require the District to propose and publish a new Resolution of Necessity. The Board, after considering this, decided to strike the motion tabling such Resolution of Necessity. Mr. Nosek made a motion to strike the previous motion which tabled the Resolution, seconded by Mr. Story, and all Trustees approved this motion.

There was then further discussion concerning amending the proposed Resolution of Necessity for the 2013 Drainage and Guardrail Improvements Project to remove the \$40,000.00 provision for new guardrail. Mr. Simpson advised the Board that he did not think removing an item from the Resolution of Necessity would cause a need for republication since there would be no increased cost for which residents of the District could be assessed. Mr. Nosek then made a motion, seconded by Mr. Story, to amend the Resolution of Necessity for the 2013 Drainage and Guardrail Improvements Project to provide that the guardrail improvements would be deleted and proposed the following Resolution:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that the Resolution of Necessity for 2013 Drainage and Guardrail Improvements Project be and hereby is amended to delete the guardrail improvements from the project.

After a vote all Trustees voted in favor thereof except Mr. Frazier who again opposed the motion as he felt the guardrails were necessary.

The Chairman stated the next item of business was consideration and adoption of the Resolution of Necessity for 2013 Drainage and Guardrail Improvements, as amended to delete the guardrail improvements. The District's Engineer then gave a brief overview of the project. There was also a general discussion of the project among the Trustees and Mr. Olmsted.

The Chairman then announced that the last publication of the notice of this meeting was more than five days prior to the time set by the Board of Trustees for public hearing, as set forth in the Proof of Publication. The Chairman further announced that notice had been posted in three conspicuous places within the District and filed the Clerk's Certificate to that effect, said Certificate being attached to these minutes and made a part hereof by this reference.

The Chairman then stated that no petition opposing the Resolution of Necessity had been filed by any of the property owners within the District nor by any other persons, and no person appeared at the meeting or made any objections to the proposed Resolution of Necessity.

The Trustees, Doug Hill, Don Story and Bill Nosek then voted "aye", Trustee Chip Frazier voted "nay" and passed and adopted the proposed Resolution of Advisability and Necessity, the same being the Resolution adopted in form and proposed at the meeting of the Board of Trustees held on September 25, 2013, which Resolution is set forth in full in the Proof of Publication attached hereto; the Trustees then passed the following resolution:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that the Resolution of Necessity for

2013 Drainage and Guardrail Improvements be and hereby is approved as proposed at the meeting of the Board of Trustees held on September 25, 2013.

After a vote, Doug Hill, Don Story and Bill Nosek voted in favor of the Resolution and Chip Frazier voted against.

The Chairman stated the next item of business was consideration and adoption of the Resolution of Necessity for 2013 Treatment Plant Improvements. Mr. Olmsted reviewed the scope of the work and there was a general discussion about the necessity and composition of the splitter box and the splitter box mechanism. It was noted that Type 3 cement would be used in the project and that this type of cement is resistant to the corrosive effects of the sewage and would last longer than the old splitter box. Mr. Frazier had questions about the timing of the project and was advised by Mr. Olmsted that bids would be accepted sometime this winter to begin construction in early spring.

The Chairman then announced that the last publication of the notice of this meeting was more than five days prior to the time set by the Board of Trustees for public hearing, as set forth in the Proof of Publication. The Chairman further announced that notice had been posted in three conspicuous places within the District and filed the Clerk's Certificate to that effect, said Certificate being attached to these minutes and made a part hereof by this reference.

The Chairman then stated that no petition opposing the Resolution of Necessity had been filed by any of the property owners within the District nor by any other persons, and no person appeared at the meeting or made any objections to the proposed Resolution of Necessity.

The Trustees, Doug Hill, Chip Frazier, Don Story and Bill Nosek, then unanimously voted "aye" and passed and adopted the proposed Resolution of Advisability and Necessity, the same being the Resolution adopted in form and proposed at the meeting of the Board of Trustees held on August 28, 2013, which Resolution is set forth in full in the Proof of Publication attached hereto; the Trustees then passed the following resolution:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, that the Resolution of Necessity for 2013 Treatment Plant Improvements be and hereby is approved as proposed at the meeting of the Board of Trustees held on August 28, 2013.

After a vote, all Trustees voted in favor thereof.

Tom Howard and his wife, Sandy, were present and live at 2212 Annabelle. Tom and his wife advised the Board that recently they were experiencing issues and smells in the bedroom of their home. Upon investigation they found that there was an abandoned 500 gallon septic tank partially underneath their bedroom. Tom advised he had several plumbers come out, excavated the site and had the septic tank filled with 400 pounds of lime and sand and crushed it with a backhoe. Tom provided the Board with a copy of the Judds Brothers Construction diagram showing what Judds Brothers did when they connected the SID sewer to the residence located at 2212 Annabelle. At that time when the sewer project was underway Tom and his wife were not the owners of the property, the Arthurs were. During Tom's excavation of this septic tank he found a "fern coat". Tom's position is this fern coat is evidence that the Judds Brothers, while

installing the new sewer line, were fully aware of this septic tank and chose to just basically lay pipe around the septic tank as opposed to removing it. His position is that the Judds Brothers made a mistake in doing so.

Jim Olmsted stated that he had the reports from Judds Brothers and they showed exactly what work was done. Namely, two septic tanks were removed from the property. Jim advised that the previous owner was told to mark the septic tanks located on his property just like every other owner of lots in the District. Any septic tanks marked were removed by Judds Brothers and in this case two tanks were removed. Jim's opinion was that for one reason or another the previous owner did not mark this tank and this would be a third tank that Judds Brothers was not aware of and therefore would not have a duty to remove.

The Board had a general discussion with Tom and his wife regarding the removal of septic tanks in the District and the SID history associated therewith. The Board came to the conclusion that it is most likely the case that this was a third septic tank that Judds Brothers would have had no knowledge of in the event the previous owner did not mark it. Tom Howard admitted he had no evidence to show otherwise. The Board and Mr. Olmsted agreed that Judds Brothers were paid for the work to remove the septic tanks and therefore if it would have been marked they would have removed the same. The Board advised Mr. Howard that the cost was actually borne by the previous homeowner in that each homeowner is assessed differently for the work done during the sewer project. The Board advised Mr. Howard that depending on the amount of septic tanks on the property the homeowner was assessed accordingly.

The Board informally came to the general conclusion that there is no evidence to show that the SID or the SID contractor, Judds Brothers, would have had any knowledge of this septic tank. The discussion ended with the Howards agreeing to go back to the previous homeowner and ask them generally if they were aware of this third septic tank. In addition, Jim Olmsted was going to review the amount of the assessments charged to the previous homeowner to determine whether or not they were charged for two or three septic tanks.

Don Story then presented the Board with a Petition for Annexation signed by he and his wife, requesting that Outlot 4, Chris Lake Replat II be annexed into the District. There was a general discussion about whether or not the outlot could be served by the District's sewer system. Mr. Story advised the Board that pursuant to the Chris Lake covenants, which apply to this lot, no buildings were allowed on the outlot and he would not be allowed to connect to the sewer.

The District's attorney then advised the Board that he had reviewed the Petition for Annexation and that he had confirmed that the Storys were the owners of all of the property within the area to be annexed to the District. The District's attorney further advised the Board that if it approved the Petition for Annexation, the change in the District's boundaries to include the additional area would have to be certified by the Clerk of the District to the Sarpy County Clerk. There was then a general discussion of the annexation of this lot into the District and Trustee Doug Hill offered the following Resolution:

**BE IT RESOLVED** that the District wishes to annex Outlot 4, Chris Lake Replat II, a subdivision in Sarpy County, Nebraska.

**BE IT FURTHER RESOLVED** that a Petition for Annexation has been presented to the Board and signed by all of the owners of all of the property within the area

to be annexed, requesting that such property be annexed to Sanitary and Improvement District No. 101, of Sarpy County, Nebraska.

BE IT FURTHER RESOLVED that the Petition for Annexation presented to the Board be and hereby is approved and Outlot 4, Chris Lake Replat II, a subdivision in Sarpy County, Nebraska, shall be annexed to the District upon certification of the annexation to the Sarpy County Clerk, as hereinafter set forth.

BE IT FURTHER RESOLVED that the Clerk of the District is hereby authorized and directed to certify the change in the boundaries of the District to include the additional area to be annexed to the District, to the Sarpy County Clerk, and after such certification Sanitary and Improvement District No. 101 of Sarpy County, Nebraska shall include the area thus annexed; a copy of such certification shall be attached to these minutes.

After discussion the above Resolution was seconded by Chip Frazier and upon a roll call vote of "aye" by the Trustees was unanimously adopted. Trustee Don Story abstained from the vote.

There was then a general discussion about port-a-potties and outhouses that are still being used within the District in violation of the SID sewer ordinance. Mr. Nosek will compile information on the location and contact information relative to these matters and provide them to the attorney's office so that they can send out cease and desist letters.

There was also a general discussion concerning the need to evaluate the District's supply of sandbags and whether or not it would be necessary to purchase more sandbags.

There were no future agenda items.

It was determined that the next Board meeting would be at 7:00 PM on October 23, 2013.

There being no further business appearing, and upon motion duly made by Bill Nosek, seconded by Don Story and unanimously carried, the meeting was adjourned.

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Doug Hill, Chairman

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William R. Nosek, Clerk

to be annexed, requesting that such property be annexed to Sanitary and Improvement District No. 101, of Sarpy County, Nebraska.

BE IT FURTHER RESOLVED that the Petition for Annexation presented to the Board be and hereby is approved and Outlot 4, Chris Lake Replat II, a subdivision in Sarpy County, Nebraska, shall be annexed to the District upon certification of the annexation to the Sarpy County Clerk, as hereinafter set forth.

BE IT FURTHER RESOLVED that the Clerk of the District is hereby authorized and directed to certify the change in the boundaries of the District to include the additional area to be annexed to the District, to the Sarpy County Clerk, and after such certification Sanitary and Improvement District No. 101 of Sarpy County, Nebraska shall include the area thus annexed; a copy of such certification shall be attached to these minutes.

After discussion the above Resolution was seconded by Chip Frazier and upon a roll call vote of "aye" by the Trustees was unanimously adopted. Trustee Don Story abstained from the vote.

There was then a general discussion about port-a-potties and outhouses that are still being used within the District in violation of the SID sewer ordinance. Mr. Nosek will compile information on the location and contact information relative to these matters and provide them to the attorney's office so that they can send out cease and desist letters.

There was also a general discussion concerning the need to evaluate the District's supply of sandbags and whether or not it would be necessary to purchase more sandbags.

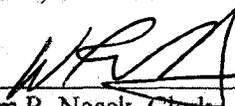
There were no future agenda items.

It was determined that the next Board meeting would be at 7:00 PM on October 23, 2013.

There being no further business appearing, and upon motion duly made by Bill Nosek, seconded by Don Story and unanimously carried, the meeting was adjourned.



Doug Hill, Chairman



William R. Nosek, Clerk

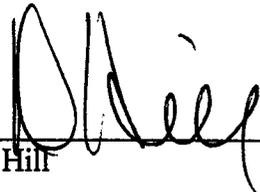




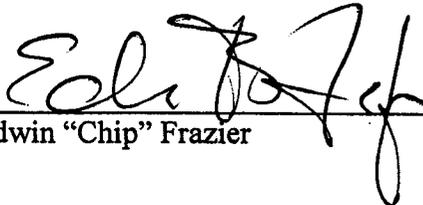
**ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING**

The undersigned Trustees of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, do 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 7:00 p.m. on Wednesday, September 25, 2013, at La Platte Community Church, 16412 Main Street, Sarpy County, La Platte, Nebraska.

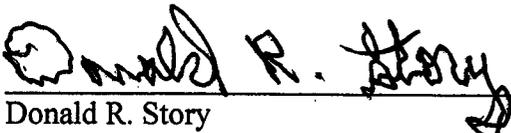
DATED this 25<sup>th</sup> day of September, 2013.

  
\_\_\_\_\_  
Doug Hill

  
\_\_\_\_\_  
William R. Nosek

  
\_\_\_\_\_  
Edwin "Chip" Frazier

\_\_\_\_\_  
Lou Riedmann

  
\_\_\_\_\_  
Donald R. Story

## CERTIFICATE

The undersigned being Clerk of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, hereby certifies that notice of a meeting of the Board of Trustees of said District held on September 25, 2013, was mailed to the County Clerk of Sarpy County, Nebraska at least seven days prior to the date of said meeting.

The undersigned further certifies that the agenda for the meeting of the Board of Trustees of said District was prepared and available for public inspection at the address designated in the notice of meeting published in *The Bellevue Leader* on September 4, 2013, September 11, 2013 and September 18, 2013, and that no items were added to the agenda after the commencement of the meeting; and further, that the minutes for the meeting were available for public inspection within ten (10) days of the date of said meeting and that a copy of the minutes of this meeting were sent to the County Clerk of Sarpy County, Nebraska within thirty days from the date of this meeting.

  
\_\_\_\_\_  
Clerk

CERTIFICATE OF RESULTS OF ELECTION SID #101

We, the undersigned, have been appointed by the Election Commissioner of Sarpy County, Nebraska, to count and record the results of the election for the purpose of electing Trustees of Sanitary and Improvement District Number 101 of Sarpy County, Nebraska, held on the 10<sup>th</sup> day of September, 2013.

All Property Owners Ballot

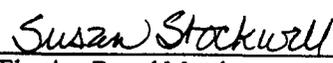
Elect Five  
Votes Cast

Candidates as they appeared on the Ballot

Chip Frazier 2514 Annabelle Dr Bellevue	191
Louis M Riedmann 17309 Gate Dr Bellevue	181
William R Nosek 1911 Hanson Dr Bellevue	174
Doug Hill 2815 Crystal Dr Bellevue	151
Donald R Story 17120 Chalet Dr Bellevue	141
Kenneth V Flegle, Jr 3008 Annabelle Dr Bellevue	88
Bradley E Heath 2803 Annabelle Dr Bellevue	80
Mark Kavelae	1
Gene Francois	1
Ron Strickler	1

Dated this 16<sup>th</sup> day of September, 2013.

  
Election Board Member

  
Election Board Member

I, Wayne Bena, Election Commissioner of Sarpy County, Nebraska certify that the above votes were cast for the Office of Trustee by the Legal Property Owners within the said Sanitary and Improvement District.

  
Wayne Bena, Election Commissioner

Ballots Mailed 431  
Ballots Voted 237

## CERTIFICATE

The undersigned, William R. Nosek, being the duly-elected, acting and qualified Clerk of Sanitary and Improvement District No. 101 of Sarpy County, Nebraska, does hereby certify that on September 25, 2013 the Board of Trustees of such District passed the following resolution:

RESOLVED that the District wishes to annex Outlot 4, Chris Lake Replat II.

BE IT FURTHER RESOLVED that a Petition for Annexation has been presented to the Board and signed by all of the owners of all of the property within the area to be annexed, requesting that such property be annexed to Sanitary and Improvement District No. 101, of Sarpy County, Nebraska.

BE IT FURTHER RESOLVED that the Petition for Annexation presented to the Board be and hereby is approved and Outlot 4, Chris Lake Replat II shall be annexed to the District upon certification of the annexation to the Sarpy County Clerk, as hereinafter set forth.

BE IT FURTHER RESOLVED that the Clerk of the District is hereby authorized and directed to certify the change in the boundaries of the District to include the additional area to be annexed to the District, to the Sarpy County Clerk, and after such certification Sanitary and Improvement District No. 101 of Sarpy County, Nebraska shall include the area thus annexed; a copy of such certification shall be attached to these minutes.

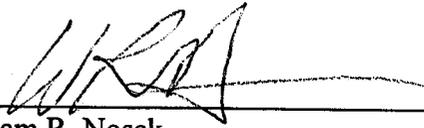
which resolution was passed by a majority vote.

The undersigned hereby certifies that, in accordance with the resolution set forth above, the boundaries of Sanitary and Improvement District No. 101 shall be changed by the addition of the following real property:

Outlot 4, Chris Lake Replat II, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

and that from and after the date this Certificate is filed with the Clerk of Sarpy County, Nebraska, Sanitary and Improvement District No. 101 of Sarpy County, Nebraska shall include the above-described real property.

Dated this 25<sup>th</sup> day of September, 2013.

A handwritten signature in black ink, appearing to read 'WRN', is written over a horizontal line.

William R. Nosek  
Clerk, Sanitary and Improvement District No. 101 of  
Sarpy County, Nebraska