

## CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 130 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.

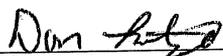
3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects 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.

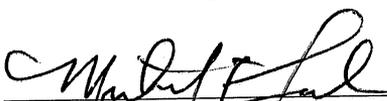
4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review 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 September 2009.

  
\_\_\_\_\_  
Don Latzel, Chairperson

  
\_\_\_\_\_  
Michael Sandine, Clerk

SANITARY IMPROVEMENT DISTRICT NO. 130  
OF  
SARPY COUNTY, NEBRASKA  
BOARD OF TRUSTEES MEETING  
September 3, 2009

MINUTES

PRESENT: Don Latzel, Mick Sandine, Nora Sandine, Randy Iwanski, and John Scott.

ABSENT: None

LOCATION: 5618 Merrill Mission Road, Papillion, NE 68133

TIME: 7:30 p.m.

Notice was given in advance thereof by publication in the Papillion Times, a designated method for giving notice on August 27, 2009, 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 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 68046.

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 Chairperson stated the first order of business to come before the Board was the approval of payment of clerk fees for the District for last year, not to exceed \$1,200.00 annually.

Trustee Randy Iwanski introduced the following resolution and moved for its adoption:

BE IT FURTHER RESOLVED that the Board of Trustees is hereby authorized to issue payment, in the amount of \$400.00 to the Clerk for services provided the District by such individual.

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

AYE: Don Latzel, Nora Sandine, Randy Iwanski and John Scott  
Abstaining from the vote was Mick Sandine  
The following voted NAY: None.

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

The Clerk then presented the following statements and recommended the issuance of warrants in payment thereof:

<b>Papillion Times</b>	<b>\$ 39.60</b>
<b>Michael F. Sandine</b>	<b>\$ 369.40</b>
<b>Adams &amp; Sullivan, P.C. Trust Account</b>	<b>\$ 61.20</b>
<b>Adams &amp; Sullivan, P.C.</b>	<b>\$1,047.79</b>

Trustee Mick Sandine introduced the following resolutions and moved their adoption:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 130 of Sarpy County, Nebraska, that the Chairperson and Clerk be and they hereby are authorized and directed to execute and deliver **Warrant No. G-09-014 through Warrant No. G-09-017** of the District, dated the date of this meeting, to the following payees in the following amounts, said warrants to be drawn on the **General Fund** of the District and 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 September 3, 2012, 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-09-014 for \$39.60 payable to Papillion Times**  
**Warrant No. G-09-015 for \$369.40 payable to Michael F. Sandine**  
**Warrant No. G-09-016 for \$61.20 payable to Adams & Sullivan, P.C.**  
**Trust Account**  
**Warrant No. G-09-017 for \$1,047.79 payable to Adams & Sullivan, P.C.**

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 130 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 benefited 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. 130 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. 130 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 Dodge 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 or 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 Don Latzel. On roll call, the following voted for the passage and adoption of said resolution:

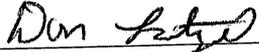
AYE: Chairman: Don Latzel, Mick Sandine, Nora Sandine, Randy Iwanski and John Scott

The following voted NAY: None.

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

Attest:

  
Mick Sandine, Clerk

  
Don Latzel, 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 **Papillion Times**, a legal newspaper 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, August 27, 2009**

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

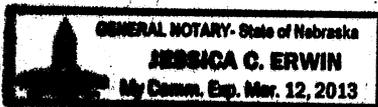
Shon Barenklau  
Publisher

OR *Kirk Hoffman*  
Kirk Hoffman  
Business Manager

Today's Date 10-27-2009

Signed in my presence and sworn to before me:

Notary Public



Printer's Fee \$ 39.60

Customer Number: P01511

Order Number: 12003766

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

## NOTICE OF BUDGET HEARING AND BUDGET SUMMARY OF SANITARY & IMPROVEMENT DISTRICT NO. 130 IN SARPY COUNTY, NEBRASKA

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-512, that the governing body will meet on the 3<sup>rd</sup> day of September 2009, at 7:30 p.m. at 5618 Merrill Mission Road, Papillion, Nebraska 68133 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to, the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

Michael Sandine, Clerk

2007-2008 Actual Disbursements & Transfers	\$ 4,166.03
2008-2009 Actual Disbursements & Transfers	\$ 2,454.16
2009-2010 Proposed Budget of Disbursements & Transfers	\$ 4,564.25
2009-2010 Necessary Cash Reserve	\$14,798.31
2009-2010 Total Resources Available	\$19,362.56
Total 2009-2010 Personal & Real Property Tax Requirement	\$ 3,713.66
Unused Budget Authority Created for Next Year	\$ 1.48

### Breakdown of Property Tax:

Personal & Real Property Tax Required for Bonds	\$ -0-
Personal & Real Property Tax Required for All Other Purposes	\$ 3,713.66

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 3<sup>rd</sup> day of September 2009, at 7:15 p.m. at 5618 Merrill Mission Road, Papillion, Nebraska 68133 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the setting of the final tax request at a different amount than the prior year tax request.

Michael Sandine, Clerk

2008-2009 Property Tax Request	\$ 3,624.53
2008 Tax Rate	\$ .001050
Property Tax Rate (2008-2009 Request/2009 Valuation)	\$ .001050
2009-2010 Proposed Property Tax Request	\$ 3,713.66
Proposed 2009 Tax Rate	\$ .001087

2009 Certified Valuation \$3,417,666

12003766; 8/27

ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING

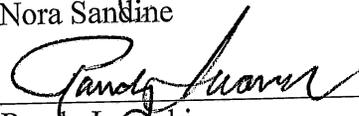
The undersigned Trustees of Sanitary and Improvement District No. 130 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said district and the agenda for such meeting held at 7:30 p.m. on September 3, 2009, at 5618 Merrill Mission Road, Papillion, Nebraska.

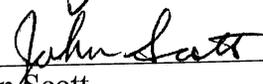
Dated this 3<sup>rd</sup> day of September 2009.

  
\_\_\_\_\_  
Don Latzel

  
\_\_\_\_\_  
Michael Sandine

  
\_\_\_\_\_  
Nora Sandine

  
\_\_\_\_\_  
Randy Iwanski

  
\_\_\_\_\_  
John Scott

**WARRANT OF SANITARY AND IMPROVEMENT DISTRICT NO. 130 OF SARPY COUNTY, NEBRASKA**  
**TO: TREASURER OF SARPY COUNTY, NEBRASKA**  
(Ex. Office Treasurer of the District)  
 PAY TO Adams & Sullivan, P.C.  
 One Thousand Forty-Seven & 79/100  
 OR SUBSEQUENT REGISTERED OWNER HEREOF  
 DOLLARS \$ 1,047.79  
 ISSUE DATE September 3, NO. G-09-017  
20 09  
 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 THEREON SHALL BE MADE UPON PRESENTATION OF THIS WARRANT TO THE PAYING AGENT. THE REGISTERED OWNER SHALL MAINTAIN RECORDS OF THE OWNERSHIP OF THIS WARRANT AND TRANSFER THE OWNERSHIP OF THIS WARRANT TO THE REGISTERED OWNER ONLY UPON PRESENTATION HEREOF TO THE REGISTERAR, ACCOMPANIED BY AN ASSIGNMENT IN FORM SATISFACTORY TO THE REGISTERAR, DULY EXECUTED BY THE REGISTERED OWNER OR DULY AUTHORIZED AGENT.  
 THIS WARRANT SHALL BECOME DUE ON September 3, 20 12 UNLESS REDEMPTED PRIOR TO SAID DATE, NOTICE OF REDEMPTION PRIOR TO MATURITY SHALL BE THE PAYING AGENT AND REGISTERAR FOR THIS WARRANT IS:  
**GREAT WESTERN BANK**  
 9290 West Dodge Road, Suite 202, Omaha, NE 68114-3320  
 CHAIRMAN  
 CLERK  
 IN PAYMENT OF \_\_\_\_\_

**WARRANT OF SANITARY AND IMPROVEMENT DISTRICT NO. 130 OF SARPY COUNTY, NEBRASKA**  
**TO: TREASURER OF SARPY COUNTY, NEBRASKA**  
(Ex. Office Treasurer of the District)  
 PAY TO Reption Times  
 Thirty-Nine & 60/100  
 OR SUBSEQUENT REGISTERED OWNER HEREOF  
 DOLLARS \$ 39.60  
 ISSUE DATE September 3, NO. G-09-014  
20 09  
 AND CHARGE TO THE GENERAL ACCOUNT OF THE DISTRICT.  
 IF THIS WARRANT IS REGISTERED BY THE COUNTY TREASURER, THE FOLLOWING PROVISIONS SHALL APPLY:  
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**TO: TREASURER OF SARPY COUNTY, NEBRASKA**  
(Ex. Office Treasurer of the District)  
 PAY TO Michael F. Sandhø  
 Three Hundred Sixty-nine & 40/100  
 OR SUBSEQUENT REGISTERED OWNER HEREOF  
 DOLLARS \$ 369.40  
 ISSUE DATE September 3, NO. G-09-015  
20 09  
 AND CHARGE TO THE GENERAL ACCOUNT OF THE DISTRICT.  
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**WARRANT OF SANITARY AND IMPROVEMENT DISTRICT NO. 130 OF SARPY COUNTY, NEBRASKA**  
**TO: TREASURER OF SARPY COUNTY, NEBRASKA**  
(Ex. Office Treasurer of the District)  
 PAY TO Adams & Sullivan, P.C. Trust Account  
 Sixty-One & 20/100  
 OR SUBSEQUENT REGISTERED OWNER HEREOF  
 DOLLARS \$ 61.20  
 ISSUE DATE September 3, NO. G-09-016  
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(Ex. Office Treasurer of the District)  
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 Sixty-One & 20/100  
 OR SUBSEQUENT REGISTERED OWNER HEREOF  
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 ISSUE DATE September 3, NO. G-09-016  
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 CLERK  
 IN PAYMENT OF \_\_\_\_\_



**ADAMS &  
SULLIVAN, P.C.**

**Adams & Sullivan, P.C.  
1246 Golden Gate Drive  
Papillion, NE 68046**

Date: 9/01/2009

Mick Sandine  
16702 S. 57th Street  
Papillion, NE 68133

Regarding: SID 130, Annual  
Invoice No: 02741

**Services Rendered**

<u>Date</u>	<u>Description</u>		<u>Total Fees</u>
9/01/2009	Legal representation for the District during the fiscal year		\$1,000.00

**Expenses**

<u>Start Date</u>	<u>Description</u>	<u>Quantity</u>	<u>Charges</u>
9/01/2009	Filing Fee charges with Register of Deeds for Annual Statement of the District	1.00	\$5.50
9/01/2009	Sarpy County Election Office costs for 2008 Election of Trustees	1.00	\$42.29
		<b>Total Expenses</b>	<b>\$47.79</b>

Total New Charges	\$1,047.79
Previous Balance	\$0.00
Balance Due	<u><u>\$1,047.79</u></u>

**SARPY COUNTY ELECTION OFFICE**

1261 GOLDEN GATE DRIVE STE. 6E

PAPILLION NE 68046-2837

402-593-2170

FAX 593-5770

**\$ PAID**  
12/12/08 #7069

KAY FORSLUND  
COMMISSIONER

EDWARD F GILBERT  
CHIEF DEPUTY

December 1, 2008

RE: ELECTION EXPENSES FOR SANITARY AND IMPROVEMENT  
DISTRICT #130 HELD ON SEPTEMBER 9, 2008 IN SARPY COUNTY  
NEBRASKA.

Conducting Election per LB 587 and LB 652:	\$ 25.00
All supplies; including all mailings, property owners list, ballots, results and all postage. This also includes employee time and poll workers	\$17.29
Total Cost:	\$42.29

Please submit payment to the Sarpy County Election Commissioner within 60 days following the receipt of this billing, in accordance with LB 587 and LB 652. Payment of the total amount billed shall be in currency and made by the attorney for the Sanitary and Improvement District, according to LB 652 amended.

Sincerely,



Kay Forslund  
Election Commissioner

KF:sjs

Page : 1 of 1 08/25/2009 08:43:04

Order Number : 12003766  
PO Number :  
Customer : P01511 ADAMS & SULLIVAN  
Contact :  
Address1 : 1246 GOLDEN GATE DR #1  
Address2 :  
City St Zip : PAPILLION NE 68046  
Phone : (402) 339-9550  
Fax : (402) 339-0401  
Credit Card :  
Printed By : Jessica Erwin  
Entered By : Jessica Erwin

Keywords : Budget/Summary  
Notes :  
Zones :

Ad Number : 12106510  
Ad Key :  
Salesperson : 21 - 21 - Papillion Legals  
Publication : Papillion Times  
Section : Legals  
Sub Section : Legals  
Category : Papillion Legals  
Dates Run : 08/26/2009-08/26/2009  
Days : 1  
Size : 2 x 5.00, 48 lines  
Words : 2  
Ad Rate : Open  
Ad Price : 39.60  
Amount Paid : 0.00  
Amount Due : 39.60

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12003766; 8/27

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

NOTICE OF BUDGET HEARING  
 AND BUDGET SUMMARY  
 OF SANITARY & IMPROVEMENT DISTRICT NO. 130  
 IN SARPY COUNTY, NEBRASKA

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-201 to 13-212, that the governing body will meet on the 3<sup>rd</sup> day of September 2009, at 7:30 p.m. at 5618 Merrill Mission Road, Papillion, Nebraska 68133 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

Michael Sandine, Clerk

2007-2008 Actual Disbursements & Transfers	\$ 4,166.03
2008-2009 Actual Disbursements & Transfers	\$ 2,454.16
2009-2010 Proposed Budget of Disbursements & Transfers	\$ 4,564.25
2009-2010 Necessary Cash Reserve	\$14,798.31
2009-2010 Total Resources Available	\$19,362.56
Total 2009-2010 Personal & Real Property Tax Requirement	\$ 3,713.66
Unused Budget Authority Created for Next Year	\$ 1.48

Breakdown of Property Tax:

Personal & Real Property Tax Required for Bonds	\$ -0-
Personal & Real Property Tax Required for All Other Purposes	\$ 3,713.66

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 3<sup>rd</sup> day of September 2009, at 7:15 p.m. at 5618 Merrill Mission Road, Papillion, Nebraska 68133 for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the setting the final tax request at a different amount than the prior year tax request.

Michael Sandine, Clerk

2008-2009 Property Tax Request	\$ 3,624.53
2008 Tax Rate	\$ .001050
Property Tax Rate (2008-2009 Request/2009 Valuation)	\$ .001050
2009-2010 Proposed Property Tax Request	\$ 3,713.66
Proposed 2009 Tax Rate	\$ .001087

2009 Certified Valuation \$3,417,666

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