

#215



NOTICE

TO: County Clerk of Sarpy County, Nebraska  
City Clerk of Bellevue, Nebraska

Pursuant to Section 31-728 Nebraska Statutes, Notice is hereby given to inform you that a Petition has been filed on 5-4-00, 2000, for the formation of Sanitary and Improvement District No. 215 of Sarpy County, Nebraska, in the Clerk of the District Court's Office at Sarpy County, Nebraska.

This case has been designated as Docket 0100, Number 662

CLERK OF THE DISTRICT COURT  
OF SARPY COUNTY, NEBRASKA

By Paul Krajcek Deputy  
Date May 4, 2000

CLERK DISTRICT COURT  
SARPY COUNTY, NEBRASKA

# COPY

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF )  
)  
SANITARY AND IMPROVEMENT )  
DISTRICT NO. 215 OF SARPY )  
COUNTY, NEBRASKA )

DOC. C100

PAGE

662

DECREE

SARPY COUNTY DISTRICT COURT  
2007-4 AM10-4  
CLERK DISTRICT COURT

THIS MATTER coming on for hearing upon the duly executed Petition of the owners of all of the land included within said Sanitary and Improvement District No. 215 of Sarpy County, Nebraska, as more particularly described on Exhibit "A" attached hereto and by this reference made a part of this Decree, and upon the Articles of Association of said District duly executed by the owners of all of the land included within said District, and upon the evidence:

The Court finds:

1. That the owners of all of the real estate included within said District have executed and filed herein Articles of Association and the Petition with this Court as required by Sections 31-727 to 31-793 R.R.S., 1943, as amended.
2. That there are no owners of real estate within said District who are unknown or who are non-residents or who have failed to execute and file said Articles of Association and Petition and therefore issuance of summons or process should be dispensed with.
3. That the formation of such District will be conducive to public health, convenience and welfare of present and future owners of all of said real estate included within said District.
4. That none of said real estate is located within any municipal corporation.
5. That the five Trustees nominated in said Articles of Association are suitable persons, are owners of real estate located in said District and should be declared to be the Board of Trustees of said District to serve until their successors are duly elected and qualified.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Sanitary and Improvement District No. 215 of Sarpy County, Nebraska has been duly organized according to law and is hereby declared to be a public corporation of the State of Nebraska under Sections 31-727 to 31-793 1943, as amended, that the real estate included in said District is as heretofore described herein.

2. That the five Trustees nominated in the Articles of Association of said District are hereby ordered to be the Board of Trustees of said District to serve until their successors are duly elected and qualified.

3. That within twenty (20) days hereafter the Clerk of this Court shall transmit to the Secretary of State of Nebraska a certified copy of the record of these proceedings for filing herein as provided by law, and a certified copy of the record of those proceedings together with a plat of the real estate included in said District shall also be filed in the office of the County Clerk wherein said land is located.

Entered and Decreed this 4<sup>th</sup> day of May, 2000.

J. A. Thompson

District Judge

**COPY**



**LEGAL DESCRIPTION  
DISTRICT BOUNDARY  
SARPY COUNTY SID NO. 215**

A tract of land located in part of Tax Lot 6, a tax lot located in the NE 1/4 of Section 16; and also together with part of Tax Lots 6D, 9, 10 and 11, Tax Lots located in said NE 1/4 of Section 16; and also together with all of Tax Lot 12, a tax lot located in said NE 1/4 of Section 16; and also together with the included street right of way of Schneekloth Road and 25th Street; all located in Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of the East 1/2 of the SW 1/4 of said NE 1/4 of Section 16; thence  $N00^{\circ}12'16"E$  ( assumed bearing) along the West line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 1322.81 feet to the Northwest corner of said Tax Lot 6, said point also being on the East line of Tax Lot 13, a tax lot located in said NE 1/4 of Section 16, said point also being the Northwest corner of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16; thence  $S89^{\circ}34'05"E$  along the Northerly line of said Tax Lot 6, said line also being said East line of Tax Lot 13, said line also being the North line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 643.03 feet; thence  $N00^{\circ}04'56"E$  along said East line of Tax Lot 13, said line also being the West line of said Tax Lot 11 and said Tax Lot 6, a distance of 414.53 feet; thence  $N62^{\circ}14'47"E$ , a distance of 273.93 feet; thence Southeasterly, on a curve to the left with a radius of 365.00 feet, a distance of 31.84 feet, said curve having a long chord which bears  $S30^{\circ}15'09"E$ , a distance of 31.83 feet; thence  $N57^{\circ}14'54"E$ , a distance of 158.58 feet to a point on the West line of Tax Lot 8A, a tax lot located in said NE 1/4 of Section 16, said point also being on the East line of said Tax Lot 10; thence Southeasterly along said East line of Tax lot 10, said line also being said West line of Tax Lot 8A, on a curve to the left with a radius of 213.03 feet, a distance of 222.00 feet, said curve having a long chord which bears  $S60^{\circ}03'49"E$ , a distance of 212.09 feet to the Southeast corner of said Tax Lot 10; thence Easterly along the Southerly line of said Tax Lot 8A, on the following described courses; thence  $S00^{\circ}04'56"W$ , a distance of 145.00 feet; thence  $S89^{\circ}55'04"E$ , a distance of 20.00 feet; thence  $N00^{\circ}04'56"E$ , a distance of 145.00 feet; thence  $S89^{\circ}55'04"E$ , a distance of 310.00 feet to a point on the West line of Lot 258, Tregaron, a subdivision located in said NE 1/4 of Section 16; thence  $S00^{\circ}04'56"w$  along the West line of said Lot 258, Tregaron, a distance of 147.50 feet to the Southwest corner of said Lot 258, Tregaron; thence  $S89^{\circ}55'04"E$  along the Southerly line of said Lot 258, Tregaron, a distance of 8.61 feet; thence Northeasterly along said Southerly line of Lot 258, Tregaron, on a curve to the left with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears  $N81^{\circ}47'00"E$ , a distance of 86.60 feet; thence Easterly along said Southerly line of Lot 258, Tregaron, on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears  $N81^{\circ}47'00"E$ , a distance of 86.60 feet; thence

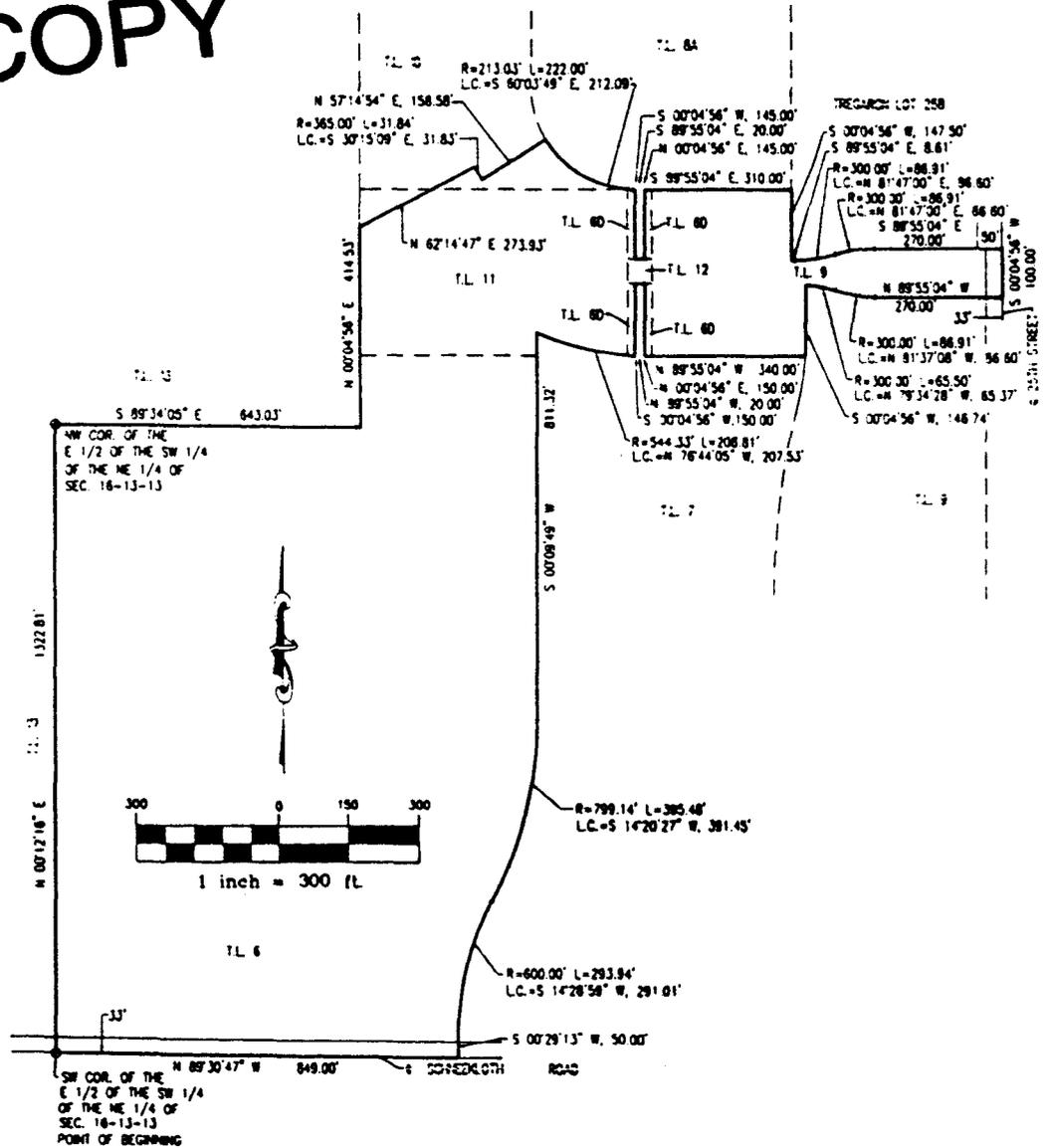
SARPY COUNTY DISTRICT COURT

2000 HV -4 AM 8:45

CLERK DISTRICT COURT

DISTRICT BOUNDARY  
SARPY COUNTY S.I.D. NO. 215  
(See Attached Legal Description)

COPY



E&A CONSULTING GROUP, INC.  
12001 "O" STREET  
OMAHA, NE 68137  
(402) 895-4700 FAX (402) 895-3599

92051.5  
4-18-00

**LEGAL DESCRIPTION  
DISTRICT BOUNDARY  
SARPY COUNTY SID NO. 215**

A tract of land located in part of Tax Lot 6, a tax lot located in the NE 1/4 of Section 16; and also together with part of Tax Lots 6D, 9, 10 and 11, Tax Lots located in said NE 1/4 of Section 16; and also together with all of Tax Lot 12, a tax lot located in said NE 1/4 of Section 16; and also together with the included street right of way of Schneckloth Road and 25th Street; all located in Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of the East 1/2 of the SW 1/4 of said NE 1/4 of Section 16; thence  $N00^{\circ}12'16"E$  ( assumed bearing) along the West line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 1322.81 feet to the Northwest corner of said Tax Lot 6, said point also being on the East line of Tax Lot 13, a tax lot located in said NE 1/4 of Section 16, said point also being the Northwest corner of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16; thence  $S89^{\circ}34'05"E$  along the Northerly line of said Tax Lot 6, said line also being said East line of Tax Lot 13, said line also being the North line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 643.03 feet; thence  $N00^{\circ}04'56"E$  along said East line of Tax Lot 13, said line also being the West line of said Tax Lot 11 and said Tax Lot 6, a distance of 414.53 feet; thence  $N62^{\circ}14'47"E$ , a distance of 273.93 feet; thence Southeasterly, on a curve to the left with a radius of 365.00 feet, a distance of 31.84 feet, said curve having a long chord which bears  $S30^{\circ}15'09"E$ , a distance of 31.83 feet; thence  $N57^{\circ}14'54"E$ , a distance of 158.58 feet to a point on the West line of Tax Lot 8A, a tax lot located in said NE 1/4 of Section 16, said point also being on the East line of said Tax Lot 10; thence Southeasterly along said East line of Tax lot 10, said line also being said West line of Tax Lot 8A, on a curve to the left with a radius of 213.03 feet, a distance of 222.00 feet, said curve having a long chord which bears  $S60^{\circ}03'49"E$ , a distance of 212.09 feet to the Southeast corner of said Tax Lot 10; thence Easterly along the Southerly line of said Tax Lot 8A, on the following described courses; thence  $S00^{\circ}04'56"W$ , a distance of 145.00 feet; thence  $S89^{\circ}55'04"E$ , a distance of 20.00 feet; thence  $N00^{\circ}04'56"E$ , a distance of 145.00 feet; thence  $S89^{\circ}55'04"E$ , a distance of 310.00 feet to a point on the West line of Lot 258, Tregaron, a subdivision located in said NE 1/4 of Section 16; thence  $S00^{\circ}04'56"w$  along the West line of said Lot 258, Tregaron, a distance of 147.50 feet to the Southwest corner of said Lot 258, Tregaron; thence  $S89^{\circ}55'04"E$  along the Southerly line of said Lot 258, Tregaron, a distance of 8.61 feet; thence Northeasterly along said Southerly line of Lot 258, Tregaron, on a curve to the left with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears  $N81^{\circ}47'00"E$ , a distance of 86.60 feet; thence Easterly along said Southerly line of Lot 258, Tregaron, on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears  $N81^{\circ}47'00"E$ , a distance of 86.60 feet; thence

S89°55'04"E along said Southerly line of Lot 258, Tregaron, and the Easterly extension thereof, a distance of 270.00 feet to a point on the East line of said NE 1/4 of Section 16; thence S00°04'56"W along said East line of the NE 1/4 of Section 16, a distance of 100.00 feet; thence N89°55'04"W, a distance of 270.00 feet; thence Northwesterly on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears N81°37'08"W, a distance of 86.60 feet; thence Northwesterly, on a curve to the left with a radius of 300.00 feet, a distance of 65.50 feet, said curve having a long chord which bears N79°34'28"W, a distance of 65.37 feet; thence S00°04'56"W, a distance of 146.74 feet to the Northeast corner of Tax Lot 7, a tax lot located in said NE 1/4 of Section 16; thence Westerly along the Northerly line of said Tax Lot 7 on the following described courses; thence N89°55'04"W, a distance of 340.00 feet; thence N00°04'56"E, a distance of 150.00 feet; thence N89°55'04"W, a distance of 20.00 feet; thence S00°04'56"W, a distance of 150.00 feet; thence Northwesterly, on a curve to the right with a radius of 544.33 feet, a distance of 208.81 feet, said curve having a long chord which bears N76°44'05"W, a distance of 207.53 feet to the Northwest corner of said Tax Lot 7; thence S00°09'49"W along the Westerly line of said Tax Lot 7, a distance of 811.32 feet; thence Southwesterly along said Westerly line of Tax Lot 7, on a curve to the right with a radius of 799.14 feet, a distance of 395.48 feet, said curve having a long chord which bears S14°20'27"W, a distance of 391.45 feet; thence Southerly along said Westerly line of Tax Lot 7, on a curve to the left with a radius of 600.00 feet, a distance of 293.94 feet, said curve having a long chord which bears S14°28'59"W, a distance of 291.01 feet to the Southwest corner of said Tax Lot 7; thence S00°29'13"W, a distance of 50.00 feet to a point on the South line of said NE 1/4 of Section 16; thence N89°30'47"W along said South line of the NE 1/4 of Section 16, a distance of 849.00 feet to the point of beginning.

Said tract of land contains an area of 39.007 acres, more or less.

#92051.5<sub>sw</sub>  
4/28/00

E & A CONSULTING GROUP, INC.  
12001 "Q" STREET  
OMAHA, NE 68137

ARTICLES OF ASSOCIATION  
OF  
SANITARY AND IMPROVEMENT DISTRICT NO. 215  
OF SARPY COUNTY, NEBRASKA

We, the undersigned, do hereby associate ourselves together for the purpose of forming a Sanitary and Improvement District under the provisions of Sections 31-727 to 31-793, inclusive, of the Reissued Revised Statutes of the State of Nebraska, 1943, as amended, and do hereby adopt the following Articles of Association.

COPY

**ARTICLE I**

The name of this District shall be Sanitary and Improvement District No. 215 of Sarpy County, Nebraska.

**ARTICLE II**

This District shall have perpetual existence.

**ARTICLE III**

The limits of this District and the area embraced therein shall be described on Exhibit "A" attached hereto and by this reference made a part hereof.

**ARTICLE IV**

The undersigned subscribers are the owners of all of the property in said proposed District and each of the undersigned has set out immediately opposite their respective names their several places of residence or business addresses.

**ARTICLE V**

The description of the several tracts of land situated in the District owned by the undersigned subscribers is hereinafter set out opposite the name of each undersigned.

**ARTICLE VI**

There are no owners of property within the District who have not joined in the execution of these Articles of Association nor are there any unknown owners of real estate embraced within the District.

**ARTICLE VII**

The purpose of this District shall be acquiring, installing, repairing, maintaining, renewing, operating and replacing electrical service lines and conduits, a sewer system, a water system, a system of sidewalks, public roads, streets and highways, to contract for fire protection and for resale to the residents of the District, to contract for gas and electricity, to contract for street lighting for the public streets and highways within the District and to acquire, improve, and

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SARPY COUNTY DISTRICT COURT

operate public parks, playgrounds and recreational facilities and to install and maintain a civil defense warning system. The District shall have all of the powers and authorities as are permitted by law, to achieve the purposes herein above set forth, including, but not in limitation of the foregoing, the power and authority to contract with corporations, utilities companies, or municipalities for water for fire protection and for resale to the residents of the District, and for electricity and gas, for street lighting of the public streets and highways within the District and for the disposal of sewage in the use of existing sewage improvement facilities and for the operation and maintenance of electrical service lines and conduits and to enter into contracts with other governmental authorities and subdivisions per the terms and powers granted by the "Interlocal Cooperation Act" of the State of Nebraska.

#### **ARTICLE VIII**

The undersigned owners and all owners of real estate within the District are willing and obligate themselves to pay the tax or taxes which may be levied against all of the property in the District and special assessments against the real property benefitted which may be assessed against them, to pay the expenses that may be necessary to install a sewer, or water system, or both a sewer and water system, the cost of contracting for fire protection and resale to the residents of the District, the cost of grading, changing grade, paving, repairing, graveling, regravelling, widening or narrowing sidewalks and roads, resurfacing or relaying existing paving, or otherwise improving any public roads, streets, or highways within the District and the cost of electricity for street lighting for the public streets and highways within the District, and the cost of installing gas and electric service lines and conduits, the cost of acquiring, improving and operating public parks, playgrounds and recreational facilities, and the cost of installing and maintaining a civil defense warning system, as provided by law and all other costs and expenses incurred by the District as provided by law.

#### **ARTICLE IX**

The powers of this District shall be all powers granted by Sections 31-727 to 31-793 R.R.S. Neb. 1943, as amended, and all powers granted to corporations by the laws of the State of Nebraska and all amendments thereto.

#### **ARTICLE X**

The following named persons are proposed as Trustees to serve as a Board of Trustees of the District until their successors are elected and qualified:

Bruce Bahe  
James M. Ecker  
Kathryn A. Pflaum  
Neil Smith  
Rick Geiler

All of the foregoing Trustees are owners of real estate located in said District.

IN WITNESS WHEREOF, the undersigned, all being owners of real estate embraced within said District have executed these Articles of Association this 4<sup>th</sup> day of May, 2000.

NAME	ADDRESS	DESCRIPTION OF PROPERTY
HearthStone Homes, Inc.	8425 Madison, Omaha, NE 68127	Exhibit "B"
James M. Ecker	3004 So. 31 <sup>st</sup> St., Omaha, NE	Exhibit "C"
Bruce Bahe	16106 Monroe, Omaha, NE	Exhibit "C"
Rick Geiler	21900 No. 162 <sup>nd</sup> , Greenwood, NE	Exhibit "C"
Neil Smith	17516 "V" St., Omaha NE	Exhibit "C"
Kathryn A. Pflaum	7069 No. 113 <sup>th</sup> Ct., Omaha, NE	Exhibit "C"

HearthStone Homes, Inc.

By [Signature]  
President

[Signature]  
Bruce Bahe

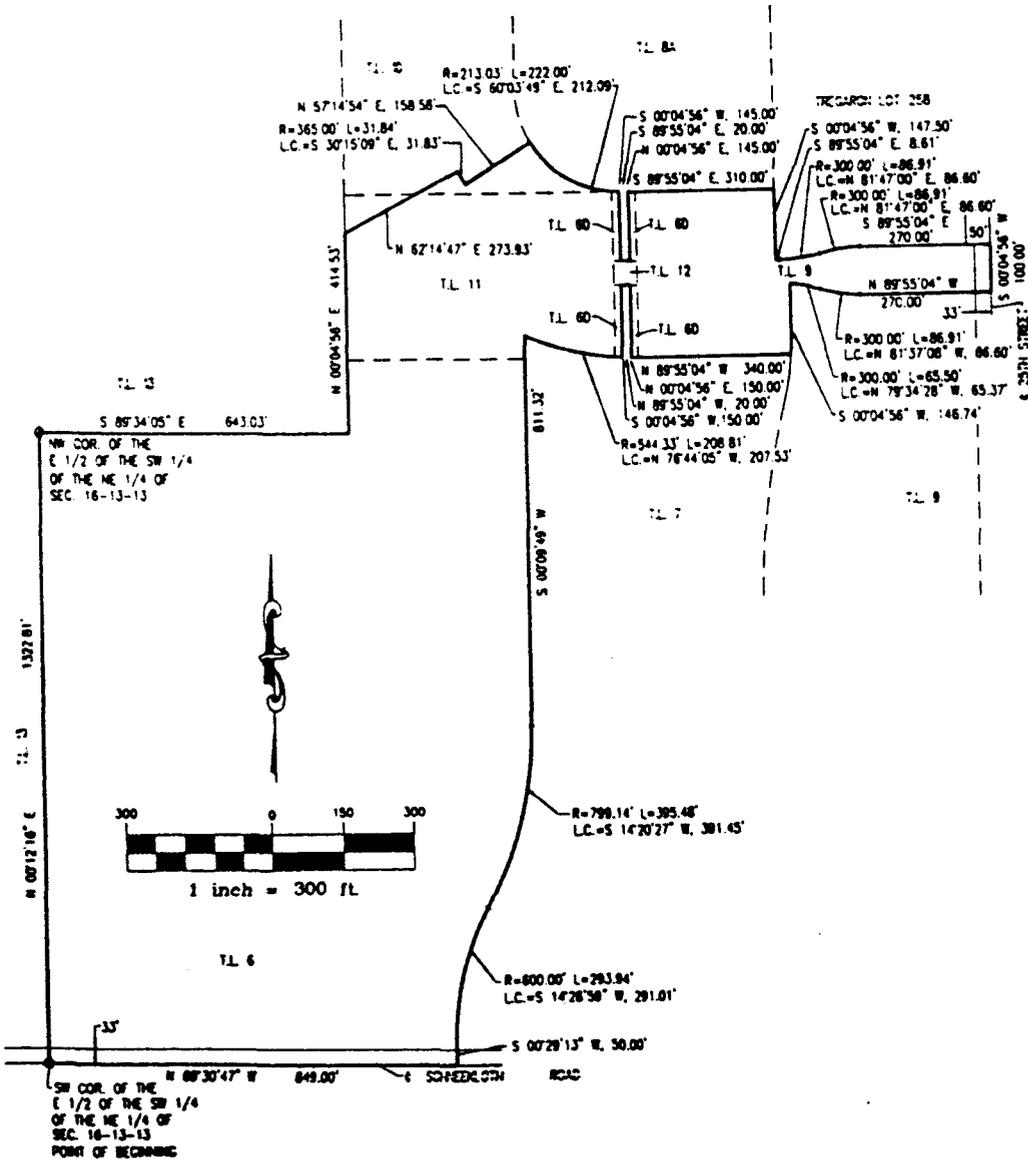
[Signature]  
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James M. Ecker

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Neil Smith

**DISTRICT BOUNDARY  
SARPY COUNTY S.I.D. NO. 215  
(See Attached Legal Description)**



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Exhibit "A" pg. 1

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DISTRICT BOUNDARY  
SARPY COUNTY SID NO. 215**

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OMAHA, NE 68137

A tract of land located in part of Tax Lot 6, a tax lot located in the NE 1/4 of Section 16; and also together with part of Tax Lots 8D, 9, 10 and 11, Tax Lots located in said NE 1/4 of Section 16; and also together with all of Tax Lot 12, a tax lot located in said NE 1/4 of Section 16; and also together with the included street right of way of Schneekloth Road and 25th Street; all located in Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of the East 1/2 of the SW 1/4 of said NE 1/4 of Section 16; thence N00°12'16"E (assumed bearing) along the West line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 1322.81 feet to the Northwest corner of said Tax Lot 6, said point also being on the East line of Tax Lot 13, a tax lot located in said NE 1/4 of Section 16, said point also being the Northwest corner of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16; thence S89°34'05"E along the Northerly line of said Tax Lot 6, said line also being said East line of Tax Lot 13, said line also being the North line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 643.03 feet; thence N00°04'56"E along said East line of Tax Lot 13, said line also being the West line of said Tax Lot 11 and said Tax Lot 6, a distance of 414.53 feet; thence N62°14'47"E, a distance of 273.93 feet; thence Southeasterly, on a curve to the left with a radius of 365.00 feet, a distance of 31.84 feet; said curve having a long chord which bears S30°15'09"E, a distance of 31.83 feet; thence N57°14'54"E, a distance of 158.58 feet to a point on the West line of Tax Lot 8A, a tax lot located in said NE 1/4 of Section 16, said point also being on the East line of said Tax Lot 10; thence Southeasterly along said East line of Tax lot 10, said line also being said West line of Tax Lot 8A, on a curve to the left with a radius of 213.03 feet, a distance of 222.00 feet, said curve having a long chord which bears S60°03'49"E, a distance of 212.09 feet to the Southeast corner of said Tax Lot 10; thence Easterly along the Southerly line of said Tax Lot 8A, on the following described courses; thence S00°04'56"W, a distance of 145.00 feet; thence S89°55'04"E, a distance of 20.00 feet; thence N00°04'56"E, a distance of 145.00 feet; thence S89°55'04"E, a distance of 310.00 feet to a point on the West line of Lot 258, Tregaron, a subdivision located in said NE 1/4 of Section 16; thence S00°04'56"W along the West line of said Lot 258, Tregaron, a distance of 147.50 feet to the Southwest corner of said Lot 258, Tregaron; thence S89°55'04"E along the Southerly line of said Lot 258, Tregaron, a distance of 8.61 feet; thence Northeasterly along said Southerly line of Lot 258, Tregaron, on a curve to the left with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears N81°47'00"E, a distance of 86.60 feet; thence Easterly along said Southerly line of Lot 258, Tregaron, on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears N81°47'00"E, a distance of 86.60 feet; thence S89°55'04"E along said Southerly line of Lot 258, Tregaron, and the Easterly extension thereof, a distance of 270.00 feet to a point on the East line of said NE 1/4 of Section 16; thence S00°04'56"W along said East line of the NE 1/4 of Section 16, a distance of 100.00 feet; thence N89°55'04"W, a distance of 270.00 feet; thence Northwesterly on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears N81°37'08"W, a distance of 86.60 feet; thence Northwesterly, on a curve to the left with a radius of 300.00 feet, a distance of 65.50 feet, said curve having a long chord which bears N79°34'28"W, a distance of 65.37 feet; thence S00°04'56"W, a distance of 146.74 feet to the Northeast corner of Tax Lot 7, a tax lot located in said NE 1/4 of Section 16; thence Westerly along the Northerly line of said Tax Lot 7 on the following described courses; thence N89°55'04"W, a distance of 340.00 feet; thence N00°04'56"E, a distance of 150.00 feet; thence N89°55'04"W, a distance of 20.00 feet; thence S00°04'56"W, a distance of 150.00 feet; thence Northwesterly, on a curve to the right with a radius of 544.33 feet, a distance of 208.81 feet, said curve having a long chord which bears N76°44'05"W, a distance of 207.53 feet to the Northwest corner of said Tax Lot 7; thence S00°09'49"W along the Westerly line of said Tax Lot 7, a distance of 811.32 feet; thence Southwesterly along said Westerly line of Tax Lot 7, on a curve to the right with a radius of 799.14 feet, a distance of 395.48 feet, said curve having a long chord which bears S14°20'27"W, a distance of 391.45 feet; thence Southerly along said Westerly line of Tax Lot 7, on a curve to the left with a radius of 600.00 feet, a distance of 293.94 feet, said curve having a long chord which bears S14°28'59"W, a distance of 291.01 feet to the Southwest corner of said Tax Lot 7; thence S00°29'13"W, a distance of 50.00 feet to a point on the South line of said NE 1/4 of Section 16; thence N89°30'47"W along said South line of the NE 1/4 of Section 16, a distance of 849.00 feet to the point of beginning. EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

A tract of land located in part of Tax Lot 6, a tax lot located in the NE 1/4 of Section 16, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the East 1/2 of the SW 1/4 of said NE 1/4 of Section 16, thence N00°12'16"E (assumed bearing) along the West line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 303.77 feet to the point of beginning; thence continuing N00°12'16"E along said West line of the East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 139.07 feet; thence S68°42'16"E, a distance of 94.13 feet; thence S21°17'44"W, a distance of 86.80 feet; thence S33°40'32"W, a distance of 51.38 feet; thence N89°47'44"W, a distance of 35.45 feet to the point of beginning.

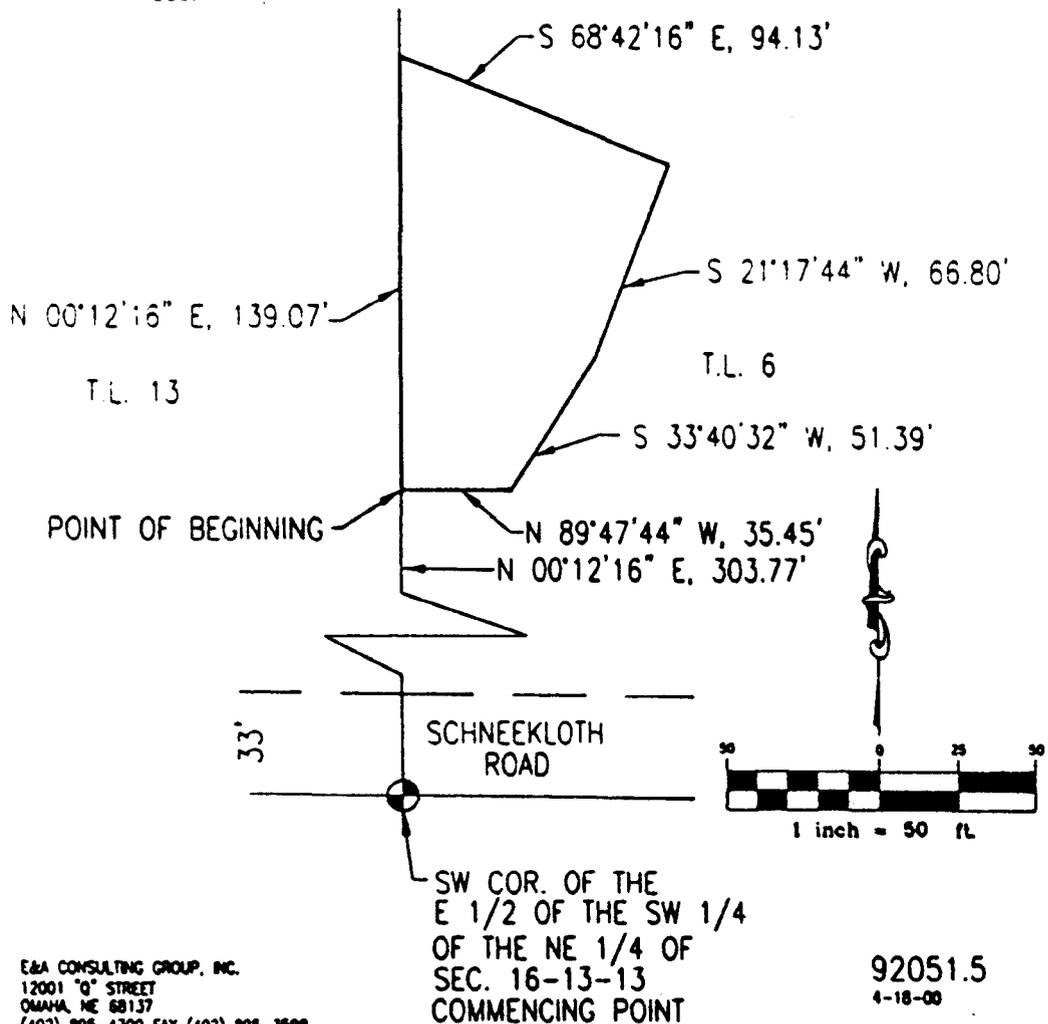
Exhibit "B"

**LEGAL DESCRIPTION  
TRUSTEE'S TRACT  
PROPOSED LOT 110, PIPERS GLEN  
SARPY COUNTY SID NO. 215**

A tract of land located in part of Tax Lot 6, a tax lot located in the NE 1/4 of Section 16, Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Commencing at the Southwest corner of the East 1/2 of the SW 1/4 of said NE 1/4 of Section 16; thence N00°12'16"E (assumed bearing) along the West line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 303.77 feet to the point of beginning; thence continuing N00°12'16"E along said West line of the East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 139.07 feet; thence S68°42'16"E, a distance of 94.13 feet; thence S21°17'44"W, a distance of 66.80 feet; thence S33°40'32"W, a distance of 51.39 feet; thence N89°47'44"W, a distance of 35.45 feet; thence N00°12'16"E, a distance of 303.77 feet to the point of beginning.

Said tract of land contains an area of 8,340 square feet or 0.191 acres, more or less.



IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF

DOC. *CT00*

PAGE *662*

SANITARY AND IMPROVEMENT  
DISTRICT NO. 215 OF SARPY  
COUNTY, NEBRASKA

PETITION

**COPY**

2001-11-14 AM 10:14  
CLERK DISTRICT COURT

COMES NOW the undersigned Petitioners and allege as follows:

I.

The undersigned are the owners of all of the real estate described on Exhibit "A" attached hereto and by this reference made a part of this petition.

II.

The undersigned petitioners have, on this date, filed with the Clerk of the District Court of Sarpy County, Nebraska duly executed Articles of Association forming the Sanitary and Improvement District described in the caption hereof, which District embraces the foregoing described real estate.

III.

Your petitioners allege that all of the provisions of Section 31-727 to 31-793 R.R.S. Neb. 1999, as amended, have been fully complied with and that said District should be found and decreed to be a Sanitary and Improvement District under Sections 31-727 to 31-793 R.R. S., as amended, of the Revised Statutes of the State of Nebraska.

WHEREFORE, your petitioners pray:

1. That the Court find that all of the owners of the real estate described herein and embraced within said District have duly executed this petition.
2. That the court find and decree that the Sanitary and Improvement District described in the caption hereof, the same being Sanitary and Improvement District No. 215 of Sarpy County, Nebraska has been duly organized and constitutes a Sanitary and Improvement District under Sections 31-727 to 31-793 R.R.S., Neb. 2153, as amended, and is entitled, therefore, to all rights, powers and privileges granted by law to such districts and that the five persons nominated as Trustees in the Articles of Association be declared to be the Board of Trustees of said District.

EXECUTED this 4<sup>th</sup> day of May, 2000.

HearthStone Homes, Inc., Bruce Bahe,  
James M. Ecker, Neil Smith, Rick Geiler and  
Kathryn A. Pfaum

By [Signature]  
John H. Fullenkamp, #11404  
Fullenkamp, Doyle & Jobeun  
11440 West Center Road  
Omaha, NE 68144

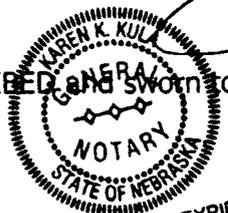
Their Attorney

STATE OF NEBRASKA     )  
  ) ss.  
COUNTY OF DOUGLAS    )

JOHN H. FULLENKAMP, being first duly sworn upon oath, deposes and states that he is one of the duly authorized attorneys for the foregoing petitioners; that he has read the foregoing petition, knows the contents thereof and that the facts stated therein are true as he verily believes.

[Signature]  
JOHN H. FULLENKAMP

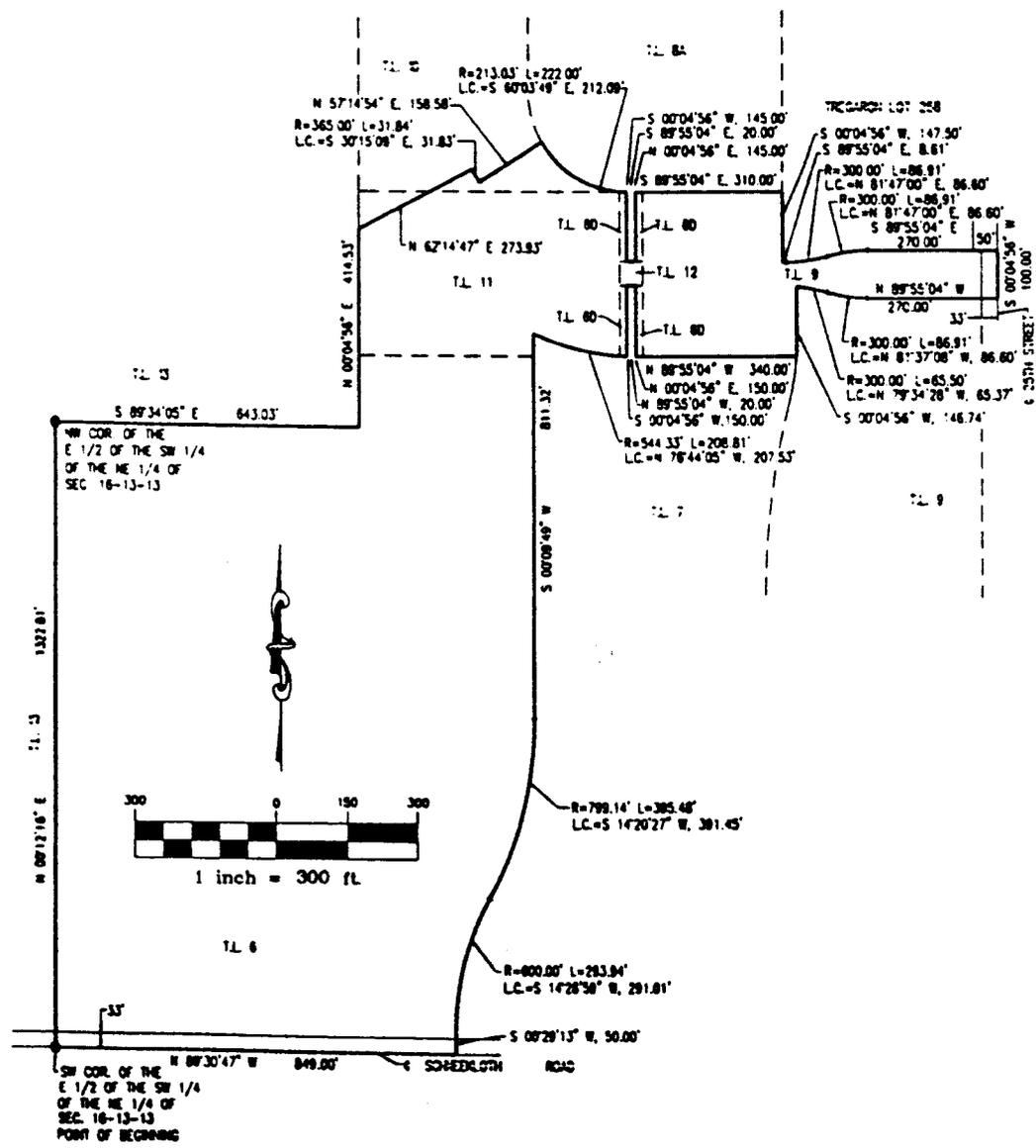
SUBSCRIBED and sworn to before me this 4<sup>th</sup> day of May, 2000.



[Signature]  
Notary Public

MY COMMISSION EXPIRES:  
JULY 26, 2001

**DISTRICT BOUNDARY  
SARPY COUNTY S.I.D. NO. 215  
(See Attached Legal Description)**



E&A CONSULTING GROUP, INC.  
12001 "D" STREET  
OMAHA, NE 68137  
(402) 895-4700 FAX (402) 895-3599

92051.5  
4-18-00

**LEGAL DESCRIPTION  
DISTRICT BOUNDARY  
SARPY COUNTY SID NO. 215**

A tract of land located in part of Tax Lot 6, a tax lot located in the NE 1/4 of Section 16; and also together with part of Tax Lots 6D, 9, 10 and 11, Tax Lots located in said NE 1/4 of Section 16; and also together with all of Tax Lot 12, a tax lot located in said NE 1/4 of Section 16; and also together with the included street right of way of Schneckloth Road and 25th Street; all located in Township 13 North, Range 13 East of the 6th P.M., Sarpy County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of the East 1/2 of the SW 1/4 of said NE 1/4 of Section 16; thence  $N00^{\circ}12'16''E$  ( assumed bearing) along the West line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 1322.81 feet to the Northwest corner of said Tax Lot 6, said point also being on the East line of Tax Lot 13, a tax lot located in said NE 1/4 of Section 16, said point also being the Northwest corner of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16; thence  $S89^{\circ}34'05''E$  along the Northerly line of said Tax Lot 6, said line also being said East line of Tax Lot 13, said line also being the North line of said East 1/2 of the SW 1/4 of the NE 1/4 of Section 16, a distance of 643.03 feet; thence  $N00^{\circ}04'56''E$  along said East line of Tax Lot 13, said line also being the West line of said Tax Lot 11 and said Tax Lot 6, a distance of 414.53 feet; thence  $N62^{\circ}14'47''E$ , a distance of 273.93 feet; thence Southeasterly, on a curve to the left with a radius of 365.00 feet, a distance of 31.84 feet, said curve having a long chord which bears  $S30^{\circ}15'09''E$ , a distance of 31.83 feet; thence  $N57^{\circ}14'54''E$ , a distance of 158.58 feet to a point on the West line of Tax Lot 8A, a tax lot located in said NE 1/4 of Section 16, said point also being on the East line of said Tax Lot 10; thence Southeasterly along said East line of Tax lot 10, said line also being said West line of Tax Lot 8A, on a curve to the left with a radius of 213.03 feet, a distance of 222.00 feet, said curve having a long chord which bears  $S60^{\circ}03'49''E$ , a distance of 212.09 feet to the Southeast corner of said Tax Lot 10; thence Easterly along the Southerly line of said Tax Lot 8A, on the following described courses; thence  $S00^{\circ}04'56''W$ , a distance of 145.00 feet; thence  $S89^{\circ}55'04''E$ , a distance of 20.00 feet; thence  $N00^{\circ}04'56''E$ , a distance of 145.00 feet; thence  $S89^{\circ}55'04''E$ , a distance of 310.00 feet to a point on the West line of Lot 258, Tregaron, a subdivision located in said NE 1/4 of Section 16; thence  $S00^{\circ}04'56''w$  along the West line of said Lot 258, Tregaron, a distance of 147.50 feet to the Southwest corner of said Lot 258, Tregaron; thence  $S89^{\circ}55'04''E$  along the Southerly line of said Lot 258, Tregaron, a distance of 8.61 feet; thence Northeasterly along said Southerly line of Lot 258, Tregaron, on a curve to the left with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears  $N81^{\circ}47'00''E$ , a distance of 86.60 feet; thence Easterly along said Southerly line of Lot 258, Tregaron, on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears  $N81^{\circ}47'00''E$ , a distance of 86.60 feet; thence

S89°55'04"E along said Southerly line of Lot 258, Tregaron, and the Easterly extension thereof, a distance of 270.00 feet to a point on the East line of said NE 1/4 of Section 16; thence S00°04'56"W along said East line of the NE 1/4 of Section 16, a distance of 100.00 feet; thence N89°55'04"W, a distance of 270.00 feet; thence Northwesterly on a curve to the right with a radius of 300.00 feet, a distance of 86.91 feet, said curve having a long chord which bears N81°37'08"W, a distance of 86.60 feet; thence Northwesterly, on a curve to the left with a radius of 300.00 feet, a distance of 65.50 feet, said curve having a long chord which bears N79°34'28"W, a distance of 65.37 feet; thence S00°04'56"W, a distance of 146.74 feet to the Northeast corner of Tax Lot 7, a tax lot located in said NE 1/4 of Section 16; thence Westerly along the Northerly line of said Tax Lot 7 on the following described courses; thence N89°55'04"W, a distance of 340.00 feet; thence N00°04'56"E, a distance of 150.00 feet; thence N89°55'04"W, a distance of 20.00 feet; thence S00°04'56"W, a distance of 150.00 feet; thence Northwesterly, on a curve to the right with a radius of 544.33 feet, a distance of 208.81 feet, said curve having a long chord which bears N76°44'05"W, a distance of 207.53 feet to the Northwest corner of said Tax Lot 7; thence S00°09'49"W along the Westerly line of said Tax Lot 7, a distance of 811.32 feet; thence Southwesterly along said Westerly line of Tax Lot 7, on a curve to the right with a radius of 799.14 feet, a distance of 395.48 feet, said curve having a long chord which bears S14°20'27"W, a distance of 391.45 feet; thence Southerly along said Westerly line of Tax Lot 7, on a curve to the left with a radius of 600.00 feet, a distance of 293.94 feet, said curve having a long chord which bears S14°28'59"W, a distance of 291.01 feet to the Southwest corner of said Tax Lot 7; thence S00°29'13"W, a distance of 50.00 feet to a point on the South line of said NE 1/4 of Section 16; thence N89°30'47"W along said South line of the NE 1/4 of Section 16, a distance of 849.00 feet to the point of beginning.

Said tract of land contains an area of 39.007 acres, more or less.

#92051.5sw  
4/28/00

E & A CONSULTING GROUP, INC.  
12001 "Q" STREET  
OMAHA, NE 68137

STATE OF NEBRASKA, }  
COUNTY OF SARPY, } ss.

I, CHARLENE MARCHAND, Clerk of the District Court, in and for Sarpy County in the Second Judicial District of Nebraska, do hereby certify that the above and foregoing is a true copy of PETITION; ARTICLES OF ASSOCIATION; PLAT; DECREE AND NOTICE

entered in a cause in said court wherein

IN THE MATTER OF SANITARY AND IMPROVEMENT DISTRICT NO. 215

~~XXXXXXXXXXXXXXXXXXXX~~ OF SARPY COUNTY NEBRASKA  
plaintiff and

~~XXXXXXXX~~, Docket CI00 Page 662, as the same appear fully upon the records of said Court now in my charge remaining as Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at Papillion, this 5 day of May A.D. ~~19~~ 2000

\_\_\_\_\_  
CLERK

*Paula Krajcek*

\_\_\_\_\_  
DEPUTY CLERK