



lots to maintain them.

The Chairman stated the next order of business was a discussion regarding the SID 162/SID 216 joint-park. Trustee Gregath reported that one of the park signs is missing. The Trustees agreed not to replace the missing sign at this time.

The Chairman stated the next order of business was to consider proposing a Resolution of Necessity to purchase Lot 391 of Millard Park South for the purpose of providing a safe path for access to the school crossing which is being installed across Giles Road at for an estimated purchase price of \$25,950.00. After a full and complete discussion, the following Resolutions were proposed by Trustee Gregath and seconded by Trustee Storz, to-wit:

RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, hereby offers and proposes a Resolution of Necessity to purchase Lot 391, in Millard Park South as surveyed, platted and recorded in Sarpy County, Nebraska, for an estimated purchase price of \$25,950.00.

BE IT FURTHER RESOLVED, that said proposed Resolution of Necessity is hereby set for consideration at the Board of Trustees meeting to be held at such place, date and time as the attorney for the District in his sole and absolute discretion shall determine, and that notice of the time and place of the meeting shall be published in the Papillion Times, Papillion, Nebraska on two (2) consecutive weeks, which publication shall contain the entire wording of the Resolution of Necessity and shall be posted in three (3) conspicuous places within the boundaries of the District.

On the foregoing Resolutions, the following Trustees voted "aye": Trustees Gregath, Robert Storz, and W. L. Morrison, Jr. Voting "nay" thereon were the following: None. It was then declared that said Resolutions were duly carried and adopted.

Mr. Franzen referred to an estimate in the amount of \$19,966.80 for the construction of the sidewalk and related drainage improvements which are needed for the Giles Road school crossing. Mr. Franzen indicated that the necessary pipe is a special order item and needs to be ordered as soon as possible in order to have the construction of the sidewalk completed prior to school starting. After a full and complete discussion, the following Resolution was proposed by Trustee Gregath and seconded by Trustee Storz, to-wit:

RESOLVED, that the Chairman and Clerk are hereby authorized and directed to execute a temporary construction easement with the owner of Lot 391 to begin construction of

the sidewalk and related drainage improvements for the Giles Road school crossing.

RESOLVED FURTHER, that the Board of Trustees of SID 216 hereby approve the estimate in the amount of \$19,966.80 for the installation of the sidewalk and related drainage improvements for the Giles Road school crossing subject to the written approval from Sarpy County for said design and plan for the sidewalk.

RESOLVED FURTHER, in the event Sarpy County does not approve the design of the sidewalk and related drainage improvements for the safety approach for the Giles Road school crossing, SID 216 will reimburse the contractor for any materials which were special ordered for this project.

On the foregoing Resolutions, the following Trustees voted "aye": Trustees Gregath, Robert Storz, and W. L. Morrison, Jr. Voting "nay" thereon were the following: None. It was then declared that said Resolutions were duly carried and adopted.

The following are reporting items for the Trustees' information and required no action: Certificate To County Treasurer And Request For Funds Of The Sanitary And Improvement District No. 216 Of Sarpy County, Nebraska General Obligation Bonds Series 2008 and General Ledger Balances from the Sarpy County Treasurer as of May, 2011.

There being no further business to come before the meeting, the same was thereupon adjourned.

  
\_\_\_\_\_  
W.L. MORRISON, JR., Chairman

  
\_\_\_\_\_  
ROBERT STORZ, Trustee

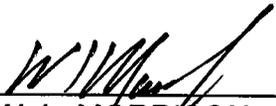
  
\_\_\_\_\_  
KRISTY J. GREGATH, Clerk

\_\_\_\_\_  
ABSENT  
\_\_\_\_\_  
ANDREA STORZ, Trustee

ACKNOWLEDGMENT OF RECEIPT  
OF  
NOTICE OF MEETING

THE UNDERSIGNED Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of meeting of the Board of Trustees of said District, and the Agenda for such meeting held at 4:00 p.m. on the 16th day of June, 2011, at 13917 Gold Circle, Omaha, Nebraska.

DATED this 16th day of June, 2011.

  
\_\_\_\_\_  
W. L. MORRISON, JR., Chairman

  
\_\_\_\_\_  
KRISTY J. GREGATH, Clerk

  
\_\_\_\_\_  
ROBERT STORZ, Trustee

  
\_\_\_\_\_  
ANDREA STORZ, Trustee

## CERTIFICATE

The undersigned hereby certify that they are the Chairman and Clerk of Sanitary and Improvement District Number 216 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 given 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 16th day of June, 2011.

  
Chairman

  
Clerk

CERTIFICATE

I, THE UNDERSIGNED, hereby certify that I am the attorney for Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, and the foregoing is a true and correct copy and transcript of the records and proceedings of said District through June 16, 2011.

I further certify that I will transmit a copy of the Minutes of Meeting of Board of Trustees of Sanitary and Improvement District No. 216, held on June 16, 2011 to the Sarpy County Clerk of Papillion, Nebraska, within thirty (30) days after the date of said meeting.



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Ronald W. Hunter,  
attorney for the District

CERTIFICATE

I, THE UNDERSIGNED, attorney for Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, hereby certify that notice of the meeting held on June 16, 2011 was sent to the Sarpy County Clerk of Papillion, Nebraska, at least seven (7) days prior to the date of said meeting.

DATED this 16th day of June, 2011.



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Ronald W. Hunter,  
attorney for the District

**AFFIDAVIT OF PUBLICATION**

STATE OF NEBRASKA }  
 } SS.  
County of Sarpy }

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

Wednesday, June 8, 2011 Papillion Times

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



Shon Barenklau OR Kirk Hoffman  
Publisher Business Manager

RONALD W. HUNTER  
Attorney at Law  
11605 Arbor Street, Suite 104  
Omaha, NE 68144

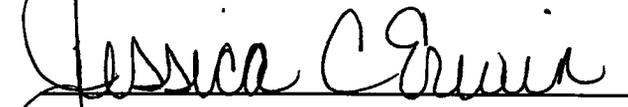
**NOTICE OF MEETING**  
Sanitary and Improvement District  
No. 216 of Sarpy County, Nebraska

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska, will be held at 4:00 p.m. on Thursday, June 16, 2011, located at 13917 Gold Circle, Omaha, Nebraska, which meeting will be open to the public.

An Agenda for such meeting, kept continuously current, is available for public inspection at the office of the Chairman of the Board of the District at 11605 Arbor St., Suite 104, Omaha, Nebraska, and includes payment of bills of the District.  
Kristy J. Gregath  
Clerk of the District  
1386899: 6/8

Today's Date 06-07-2011

Signed in my presence and sworn to before me:



Notary Public



Printer's Fee \$ 10.73  
Customer Number: 154004  
Order Number: 0001386899

## AGENDA

Meeting of the Board of Trustees of Sanitary and Improvement District No. 216 of Sarpy County, Nebraska:

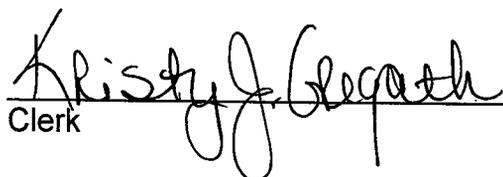
W. L. Morrison, Jr., Chairman  
Kristy J. Gregath, Clerk  
Robert Storz, Trustee  
Andrea Storz, Trustee

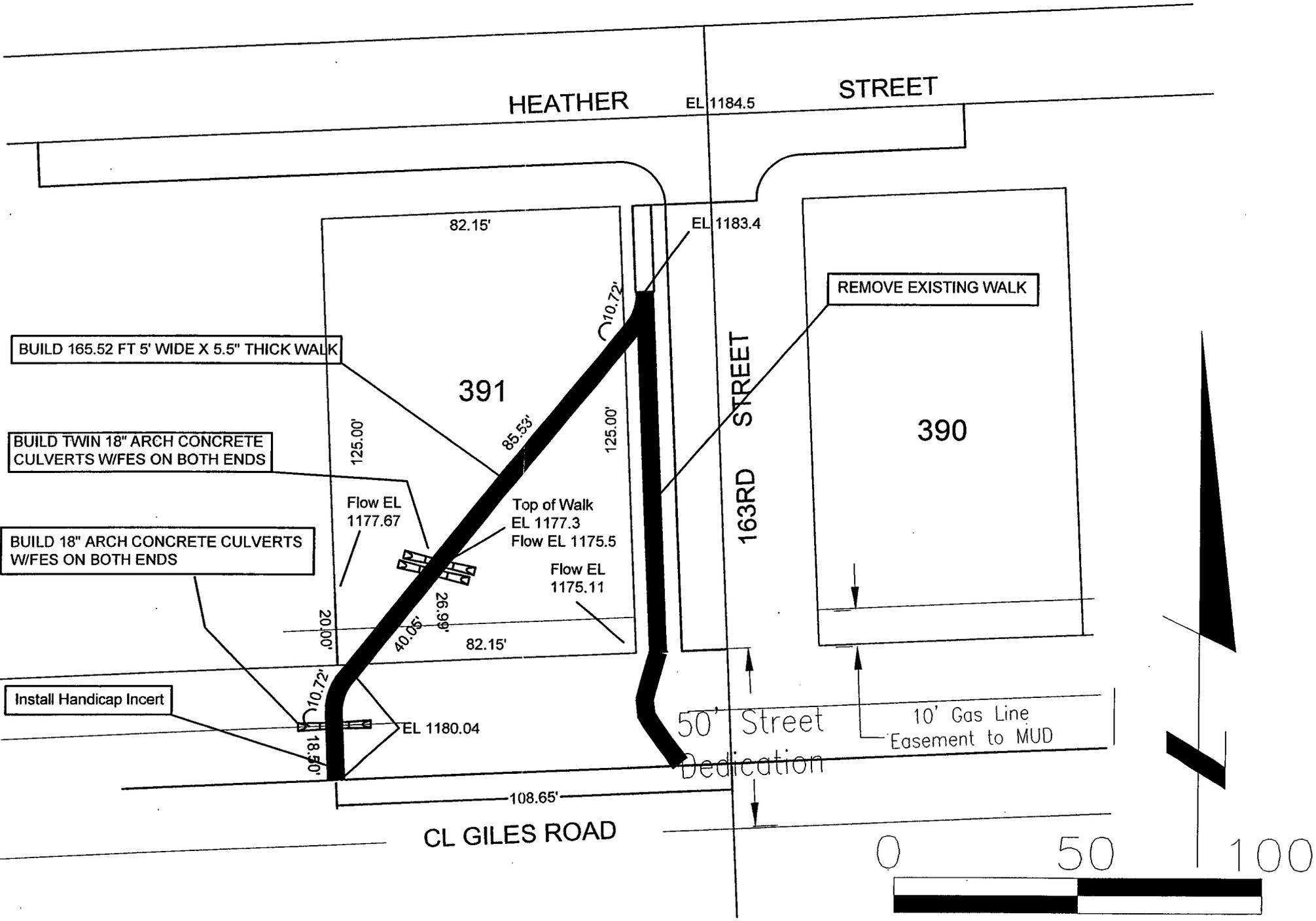
Agenda for the meeting held at 4:00 p.m. on June 16, 2011 at 13917 Gold Circle, Omaha, Nebraska.

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1. Call meeting to order and call the roll.
2. The Chairman to state to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and indicate the location of such copy in the room where the meeting is being held.
3. Discussion regarding property owner questions or concerns.
4. Update from Norris Franzen, Construction Consultant.
5. Discussion regarding SID 162/SID 216 joint-park.
6. Consider proposing a Resolution of Necessity to purchase Lot 391 of Millard Park South.
7. The following are reporting items for the Trustees' information and required no action: Certificate To County Treasurer And Request For Funds Of The Sanitary And Improvement District No. 216 Of Sarpy County, Nebraska General Obligation Bonds Series 2008 and General Ledger Balances from the Sarpy County Treasurer as of May, 2011.
8. Adjourned.

THE UNDERSIGNED hereby certifies that the foregoing Agenda was prepared and available for public inspection at the address shown on the published notice of meeting prior to the commencement of said meeting, and that no items were added to the Agenda after the commencement of the meeting.

  
Clerk



# Dazen, Inc.

## Norris Franzen

Real-estate & Development Consultant

15514 Copper Corral Drive

Plattsmouth, NE 680485002

[dazen@windstream.net](mailto:dazen@windstream.net) Ph.402.319.0327

**Estimate** **MPSE201105**

**Date:** Jun 03, 2011

**Amount:** \$19,966.80

Client:

SID 216 Sarpy County

Ron W. Hunter, Attorney at Law

11605 Arbor Street Suite 104

Omaha, NE 68144

School Crossing Giles Road

Date	Task	Quantity	Unit	Rate	Amount
Jun 03, 2011	Remove Existing Walk and Site Prep	8.00	HRS	255.00	\$2,040.00
Jun 03, 2011	18" Arch Pipe Flared Ends	6.00	EA	550.00	\$3,300.00
Jun 03, 2011	18" Arch Pipe	24.00	LF	25.00	\$600.00
Jun 03, 2011	Install Pipe and Grade Site	16.00	HRS	255.00	\$4,080.00
Jun 03, 2011	Handicap Inserts	1.00	EA	400.00	\$400.00
Jun 03, 2011	Concrete	16.00	CY	98.50	\$1,576.00
Jun 03, 2011	Form and Build Concrete Walk Erosion Control, Seed, Fabric and Misc. Supplies	165.52	LF	40.00	\$6,620.80
Jun 03, 2011		1.00	LS	1350.00	\$1,350.00

The above estimate is from Scholl Excavation to build the sidewalk across Lot 391 in Millard Park South for the Giles road School Crossing.

**Total Amount this Estimate**

**\$19,966.80**

## **Kristi Weispfenning**

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**From:** "Andrea Storz" <hehi1963@yahoo.com>  
**Date:** Monday, June 13, 2011 12:28 PM  
**To:** "Kristi Weispfenning" <rwhre@hunterlaw.omhcoxmail.com>  
**Cc:** <bmorrison@npdland.com>; <kgrahath@npdland.com>; "Norris Franzen" <dazen@windstream.net>; <hehi1963@yahoo.com>  
**Subject:** Re: Millard park south

Took a field trip over to the park and saw none of the benches out of place. Suspect that possibly the bench in question is normally positioned just east of the gazebo which, of course, belongs to SID 162 and not SID 216.

Did note however one of the SID's signs has been ripped out and rests on the ground just north and west of the "jungle gym". Looks like it belongs just south of the overhead light south and east the gazebo. Also, have a sizable shrub in storm drain on south side of park just west of handicap ramp.

Hope to see everyone Thursday!

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**From:** Kristi Weispfenning <rwhre@hunterlaw.omhcoxmail.com>  
**To:** Bill Morrison <bmorrison@npdland.com>; Kristy Gregath <kgregath@npdland.com>; Norris Franzen <dazen@windstream.net>; Robert and Andrea Storz <hehi1963@yahoo.com>  
**Sent:** Mon, June 13, 2011 10:31:37 AM  
**Subject:** Fw: Millard park south

here are some pictures for you to look at from the mowing contractor in Millard Park.

**From:** Ryan T. Costanzo  
**Sent:** Saturday, June 11, 2011 11:31 AM  
**To:** Rick Hansen ; Kristi  
**Subject:** Millard park south

Can some one contact attorneys for millard park south bench in trees

-- Sent from my Palm Pre

Ryan T. Costanzo  
Kristi Weispfenning  
Legal Assistant to Ronald W. Hunter

Office hours Monday through Friday 9:30 a.m. to 5:00 p.m.  
(402) 397-6965  
after hours (402) 213-0971

NOTE: This e-mail and any attachments thereto are intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify me at (402) 397-6965 and permanently delete the original and any copies of any e-mail and any printout thereof.

CERTIFICATE TO COUNTY TREASURER AND REQUEST FOR  
FUNDS OF THE SANITARY AND IMPROVEMENT DISTRICT NO. 216  
OF SARPY COUNTY, NEBRASKA  
GENERAL OBLIGATION BONDS SERIES 2008

**COPY**

TO: County Treasurer of Sarpy County, Nebraska

The undersigned Paying Agent for bonds of the above stated General Obligation Bonds, SID #216, hereby certifies that funds of said District are needed for payment of interest and principal on bonds of said District as follows: Issued 5/15/2008

PRINCIPAL DUE:	\$40,000.00
INTEREST DUE:	<u>\$62,822.50</u>
TOTAL DUE:	\$102,822.50

**DUE DATE OF THE ABOVE IS: MAY 16, 2011**

Please remit your payment via wire or ACH to Great Western Bank as follows:

Great Western Bank  
ATTN: Trust Department  
Watertown, SD  
ABA #091408734  
Credit Account #63-6704 for the Trust Department

GREAT WESTERN BANK  
Paying Agent

DATE: April 28, 2011

BY: \_\_\_\_\_  
Beth Riege  
Vice President  
and Trust Operations Officer

6/6/2011  
10:03:27

\*\*\*\* COUNTY TREASURER GENERAL LEDGER \*\*\*\*  
DETAIL REVENUE LISTING PER FUND  
FOR: MAY 2011

PAGE: 1

FUND: 8116	SID #216 GENERAL	M-T-D	Y-T-D
10100	- BEGINNING CASH ON HAND	178,755.86	172,459.57
15100	- BEGINNING INVESTMENT ON HAND	0.00	0.00
BEGINNING BALANCE:		178,755.86	172,459.57
TAX RECEIPT COLLECTIONS:			
30135	- 2009 PERS PROP TAX	0.00	31.46
30136	- 2010 PERSONAL PROPERTY TAX	0.00	56.57
30334	- 2008 REAL ESTATE TAX	0.00	421.32
30335	- 2009 REAL ESTATE TAX	0.00	113,195.82
30336	- 2010 REAL ESTATE TAXES	54.65	124,148.56
TAX RECEIPT TOTALS:		54.65	237,853.73
34401	- HOMESTEAD EXEMP ALLOCATION	833.60	3,846.44
34403	- REAL ESTATE TAX CREDIT	0.00	8,056.10
34601	- MOTOR VEHICLE PRO RATE	0.00	505.42
54001	- MISCELLANEOUS REVENUE	0.00	5.00
OTHER RECEIPT TOTALS:		833.60	12,412.96
60000	- DISBURSEMENTS	-18,485.97	-256,812.14
60001	- PROPERTY TAX COMMISSION	-1.09	-4,757.07
10000	ENDING CASH ON HAND	161,157.05	161,157.05
15100	ENDING INVESTMENT ON HAND	0.00	0.00
GRAND TOTALS		161,157.05	161,157.05

6/6/2011  
10:04:15

\*\*\*\* COUNTY TREASURER GENERAL LEDGER \*\*\*\*  
DETAIL REVENUE LISTING PER FUND  
FOR: MAY 2011

PAGE: 1

FUND: 8816	SID #216 BOND	M-T-D	Y-T-D
10100	- BEGINNING CASH ON HAND	429,154.54	134,884.03
15100	- BEGINNING INVESTMENT ON HAND	224,895.00	454,651.18
BEGINNING BALANCE:		654,049.54	589,535.21
TAX RECEIPT COLLECTIONS:			
30135	- 2009 PERS PROP TAX	0.00	47.19
30136	- 2010 PERSONAL PROPERTY TAX	0.00	84.86
30334	- 2008 REAL ESTATE TAX	0.00	631.99
30335	- 2009 REAL ESTATE TAX	0.00	169,793.70
30336	- 2010 REAL ESTATE TAXES	81.98	186,223.63
TAX RECEIPT TOTALS:		81.98	356,781.37
31701	- SPECIAL ASSESSMENTS	0.00	93,330.23
34401	- HOMESTEAD EXEMP ALLOCATION	1,250.41	5,769.70
34403	- REAL ESTATE TAX CREDIT	0.00	12,084.22
34601	- MOTOR VEHICLE PRO RATE	0.00	758.14
51001	- INTEREST ON INVESTMENTS	0.00	561.15
OTHER RECEIPT TOTALS:		1,250.41	112,503.44
60000	- DISBURSEMENTS	-103,072.50	-497,510.00
60001	- PROPERTY TAX COMMISSION	-1.64	-7,135.63
60002	- SPECIAL ASSESSMENT COMM	0.00	-1,866.60
15100	- INVESTMENTS	299,938.75	70,182.57
10000	ENDING CASH ON HAND	27,474.04	27,474.04
15100	ENDING INVESTMENT ON HAND	524,833.75	-75,043.75
GRAND TOTALS		552,307.79	-47,569.71