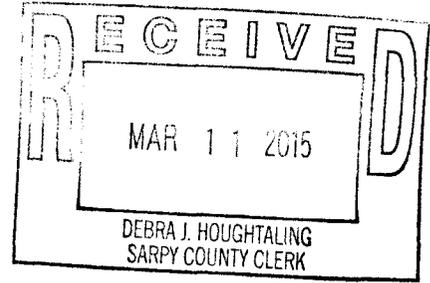


**AFFIDAVIT OF PUBLICATION**

STATE OF NEBRASKA }  
 } SS.  
County of Sarpy }



Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Anne Lee deposes and says that she 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, January 14, 2015 Gretna Breeze

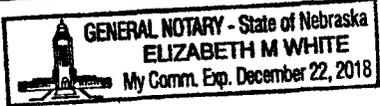
And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

*[Signature]*

Shon Barenklau OR Anne Lee  
Publisher Business Manager

Today's Date 1-14-2015  
Signed in my presence and sworn to before me:

*[Signature]*  
Notary Public



Printer's Fee \$ 11.16  
Customer Number: 31901  
Order Number: 0001826702

**HILLMAN, FORMAN,  
CHILDERS & McCORMACK  
ATTORNEYS AT LAW  
SUITE 650  
7171 MERCY ROAD  
OMAHA, NEBRASKA 68106**

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

**NOTICE IS HEREBY GIVEN** that a meeting of the Board of Trustees of Sanitary and Improvement District No. 230 of Sarpy County, Nebraska, will be held at 7:00 p.m. on Tuesday, January 20, 2015, at Biaggi's Restaurant, 13650 California Street, Omaha, Nebraska, which meeting will be open to the public.

An agenda for such meeting, kept continuously current, is available for public inspection at 7171 Mercy Road, Suite 650, Omaha, Nebraska 68106, and includes payment of bills of the District.

James Welniak  
Clerk of the District  
1826702; 1/14

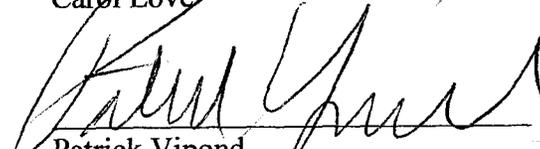
**ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING**

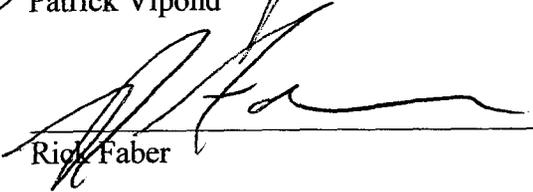
The undersigned Trustees of Sanitary and Improvement District No. 230 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said District and the agenda for such meeting held at 7:00 o'clock p.m. on Tuesday, January 20, 2015, at Biaggi's Restaurant, 13650 California Street, Omaha, Nebraska.

  
\_\_\_\_\_  
Walt Dworak

  
\_\_\_\_\_  
James Welniak

  
\_\_\_\_\_  
Carol Love

  
\_\_\_\_\_  
Patrick Vipond

  
\_\_\_\_\_  
Rick Faber

## CERTIFICATE

The undersigned hereby certify that they are the Chairman and Clerk of Sanitary and Improvement District Number 230 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 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 10 day of Feb, 2015.

Walter D. Quord  
Chairman

Jane Welstead  
Clerk

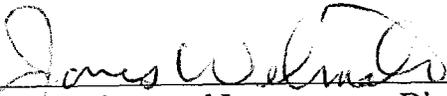
**SANITARY AND IMPROVEMENT DISTRICT NO. 230  
OF SARPY COUNTY, NEBRASKA**

Agenda for Trustees' meeting to be held January 20, 2015, at 7:00 p.m. at Biaggi's Restaurant, 13650 California Street, Omaha, Nebraska, which meeting will be open to the public.

1. Announcement in Compliance with Open Meetings Act
2. Approval of Minutes of December 29, 2014 Meeting
3. Report on Status of Sale of Lot 24B
4. Attorney's Report
  - A. Designation of "No-Parking" Zone on Cinnamon Drive
  - B. Extension of MUD Connection Fee Recovery Period
5. Engineer's Report
  - A. Crack Sealing
  - B. Drainage Issues
    1. Clogged Drainage Tube
    2. Collapsed Drainage Tubes
    3. Erosion by Drainage Tubes
    4. Condition of Palisades Silt Basin
6. General District Affairs

**CERTIFICATE**

The undersigned Clerk of the above-designated District certifies that the foregoing agenda was prepared and available for public inspection at the address shown in the notice of the meeting prior to the commencement of the meeting and no items were added to the agenda after the commencement of the meeting.

  
\_\_\_\_\_  
Clerk, Sanitary and Improvement District  
No. 230 of Sarpy County, Nebraska

**SANITARY AND IMPROVEMENT DISTRICT NO. 230  
OF SARPY COUNTY, NEBRASKA**

**Minutes of Meeting of Board of Trustees  
January 20, 2015**

A meeting of the Board of Trustees of Sanitary and Improvement District No. 230 of Sarpy County, Nebraska was convened in open and public session on January 20, 2015 at 7:00 p.m. at Biaggi's Restaurant, 13650 California Street, Omaha, Nebraska.

Present were: Chairman Walt Dworak, Clerk James Welniak and Trustees Carol Love, Patrick Vipond and Rick Faber.

Absent: None.

Also present: Engineer Jim Olmsted of Olmsted & Perry, Attorney Larry Forman of Hillman, Forman, Childers & McCormack and five guests.

Notice of the meeting was given in advance thereof by publication in the Gretna Breeze on January 14, 2015, and the attorney presented proof of publication of said notice, a copy of said proof being attached to these minutes. Advance notice was also given to the members of the Board of Trustees and a copy of their acknowledgment of 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 notice and in the notice given to the Board of Trustees and to the County Clerk. All proceedings hereafter shown were taken while the meeting was open to the attendance of the public

The Chairman stated that the first item of business on the agenda was an announcement in compliance with the Nebraska Open Meetings Act. He stated that in compliance with the Act, a current copy of the Nebraska Open Meetings Act was available for review on the table at which the Board Members were seated.

The Chairman stated that the next item of business on the agenda was approval of the minutes of the December 29, 2014 meeting. After brief discussion, the minutes were approved as submitted.

The Chairman stated that the next item of business on the agenda was a report on the status of the sale of Lot 24B. The Attorney stated that the closing is currently scheduled for Thursday, January 22 but he stated that he is still awaiting receipt of the title insurance commitment and closing

documents from the Title Company for review. He stated that after the sale price of \$120,000.00 is reduced to cover documentary revenue, the real estate commission and other closing expenses, he would anticipate net proceeds would be in the amount of approximately \$112,000.00.

The Chairman stated the next item of business on the agenda was the Attorney's report. Larry Forman reported as follows:

A. Designation of "No-Parking" on Cinnamon Drive. Mr. Forman distributed to the Trustees copies of his letter of January 14, 2015 to Sarpy County Public Works Administrator Dennis Wilson, a copy of which is attached to these minutes requesting, Mr. Wilson's assistance with the Sarpy County Board of Commissioners in designating as a "no-parking" area that portion of Cinnamon Drive abutting Lots 17R, 23, 24A and the east portion of 18R. If the request is approved, the District will need to place "no-parking" signs designating the boundaries of the "no-parking" area so the restriction can be enforced by the Sarpy County Sheriff.

B. Extension of MUD Connection Fee Recovery Period. Mr. Forman distributed to the Trustees copies of an email he is proposing to submit to Keri Kasun at MUD, a copy of which is attached to these minutes, asking that MUD extend the period of time during which the SID can recover connection fees from parties connecting into the water main pioneered by the SID by an additional ten years from 2023 to 2033. After brief discussion, the Trustees approved the email and authorized the Attorney to proceed with submittal of the email to Ms. Kasun.

The Chairman stated that the next item of business on the agenda was the Engineer's report. Engineer Jim Olmsted reported as follows:

A. Crack Sealing. The District is still on the work schedule of Miktom it now appears that the crack sealing work will not be performed until May. By that time, the District's annual street sweeping work will have been completed, clearing the way for performance of more effective crack sealing work.

B. Drainage Issues. Regarding the clogged drainage tube, collapsed drainage tubes, and erosion in the vicinity of certain drainage tubes, that work will be scheduled for performance in late April or early May. That work will also benefit from prior completion of the street sweeping work. Regarding the condition of the Palisades silt basin, Mr. Olmsted stated that he has been in touch with the Engineers for the Palisades subdivision and will be discussing that situation with officials of the school located adjacent to the silt basin.

The Chairman stated the next item of business on the agenda was general District affairs. Jim Love, President of the Cinnamon Acres Homeowners Association, reported that the annual meeting of the Association is scheduled for March 7 at the school at 169<sup>th</sup> and "Q".

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

Walter D. Inwood  
CHAIRMAN

ATTEST:

James Welwood  
CLERK

LAW OFFICES  
**HILLMAN, FORMAN,  
CHILDERS & McCORMACK**  
7171 Mercy Road • Suite 650  
Omaha, Nebraska 68106-2669  
(402) 397-8051 • Fax: (402) 397-2868  
e-mail: hillmanforman@hfncm.com

EUGENE L. HILLMAN\*  
LARRY R. FORMAN  
EMMETT D. CHILDERS  
PATRICIA McCORMACK  
\*ALSO ADMITTED IN COLORADO

OF COUNSEL  
WILLIAM J. ELDER\*  
DENNIS J. MULLIN  

---

JOHN R. McCORMACK  
(1910 - 1999)

January 14, 2015

Mr. Dennis Wilson  
Sarpy County Public Works Administrator  
15100 South 84<sup>th</sup> Street  
Papillion, NE 68046

RE: SID 230 (Cinnamon Acres) - Parking Restriction on Portion of Cinnamon Drive

Dear Mr. Wilson:

We are the attorneys for Sanitary and Improvement District No. 230 of Sarpy County, Nebraska, the District serving the Cinnamon Acres and Cinnamon Estates subdivisions situated north and east of the intersection of 168<sup>th</sup> and Cornhusker Road.

I am writing to request your assistance with the Sarpy County Board of Commissioners in designating as a "no-parking" area that portion of Cinnamon Drive abutting Lots 17R, 23, 24A and the east portion of 18R, all as shown on the plat attached hereto. At the present time, parking occurs on both sides of the roadway, but since the segment of roadway is on a curve, subject to a significant grade change, and since traffic tends to negotiate the roadway segment at a fairly significant speed, the SID would like to be proactive in responding to the concerns expressed by the Cinnamon Acres Homeowners Association by eliminating parking in this area on both sides of the street.

In order to facilitate the "no-parking" designation, the SID's Board of Trustees, at a meeting held on December 29, 2014, unanimously adopted the following resolution:

**WHEREAS**, the Board of Trustees of Sanitary and Improvement District No. 230 of Sarpy County, Nebraska has determined that in the interest of public safety and because of the interplay of a number of factors including topography, roadway configuration, and applicable speed restrictions, the District should approach the Sarpy County Board of Commissioners to designate the portions of Cinnamon Drive abutting Lots 17R, 23, 24A and the east portion of 18R in Cinnamon Acres as a "no-parking" zone and to authorize the District to place "no-parking" signs indicating the

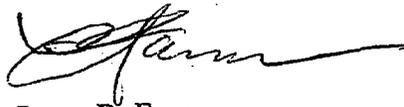
Mr. Dennis Wilson  
January 14, 2015  
Page 2

boundaries of the "no-parking" area to facilitate enforcement of the said limitation by the Sarpy County Sheriff.

It is my understanding that if you inspect the area in question and determine that this request is meritorious, it can be submitted to the County Board for approval, allowing us to install and enforce appropriate signage.

Please contact me at your convenience to advise what we can do to expedite the "no-parking" process.

Very truly yours,



Larry R. Forman

LRF:sr  
Encl.



Keri,

On behalf of the Trustees of SID 230, I would like to thank you for your email of October 27. We regret you were unable to attend the October 28 Trustees meeting but we were appreciative of the opportunity to discuss the pioneer main refund issues with Dave DeBoer who did a fine job in your absence.

As you are aware, the Trustees are very concerned about the rate at which the District has been recovering connection fees. It would serve no useful purpose to revisit the entire history of the project or the mindsets of the parties involved in it and, to the extent there were any problems with communications back and forth between the District and MUD, none of those misunderstandings are in any way attributable to you.

That being said, we are confronted with a good deal of unrest within the District by residents who recognize that 54% of the amount recoverable has not yet been received and who hear the clock ticking on the recovery period which will expire a short nine years down the road in 2023.

In order to address this situation, we would ask your assistance in extending the recovery period by an additional 10 years to the year 2033. We understand from Mr. DeBoer that recovery periods have been extended in other cases which we assume have involved some of the factors with which we are confronted. In that regard, we understand that the District may need to reduce interest to some extent for connections made during the extension period. I am confident we can come to an understanding in that regard for the mutual benefit of all parties involved but I would hope you would agree with us that the challenges of the past decade have combined to create the situation with which we are now confronted and would hope we could proceed in a manner which will minimize the adverse financial implications of the 2003 agreement on the residents of SID 230 whose agreement to pioneer placement of the water main in 168<sup>th</sup> Street has hopefully provided significant benefits to MUD.

I would welcome the opportunity to discuss this matter with you more fully at your convenience.

LRF

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**From:** Kasun, Keri [mailto:Keri\_Kasun@mudnebr.com]  
**Sent:** Monday, October 27, 2014 4:37 PM  
**To:** larryforman@hfncm.com  
**Subject:** Cinnamon Acres

Larry,

Thank you for being patient as I inquired about the recoverable pioneering costs for Cinnamon Acres. We reviewed the reports that you've been sent in the past and determine the necessity for a more reader-friendly version which I've attached for your review.

As per the report, 46% of the pioneering costs have been recovered to date. Previously, we spoke of the housing market down-turn and the affect that had on your recoverable costs. It's possible the 46% could've been obtained sooner if not for the downturn, however, reaching that benchmark at 11 years is still quite good.

Our accounting department will continue to send you the reports in this new format. Also, they ask if you would like the report emailed to you instead of mailed they'd be happy to oblige.

Please let me know if you have further questions.

Thank you,