

**Law Offices**

**FULLENKAMP, DOYLE & JOBEUN**  
**11440 WEST CENTER ROAD**  
**OMAHA, NE 68144**

**334-0700**  
**Fax: 334-0815**

---

November 20, 2009

Mr. Rich James  
Sarpy County Treasurer  
1210 Golden Gate Drive  
Papillion, NE 68046

Re: SID #257 - Special Assessments

Dear Mr. James:

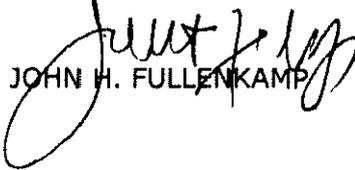
Enclosed please find the following relative to the levy of special assessments by Sanitary and Improvement District No. 257 of Sarpy County, Nebraska:

- 1) Certificate of the Clerk of the District certifying the levy of special assessments.
- 2) Complete Statements of Cost.
- 3) Schedule of amounts assessed to each parcel of land within the District.
- 4) Assessment Plat.

Please note that the property referred to on the Assessment Schedule as Dowd is not located within the boundaries of the District and therefore cannot be assessed. However, Mr. Dowd has agreed to pay his share of the improvement costs that benefit his property. As stated in the letter from the District's engineer, that amount is \$68,068.75 less a credit of \$30,619.00 or \$37,449.75.

Should you have any questions, please feel free to contact the undersigned.

Very truly yours,

  
JOHN H. FULLENKAMP

kkk  
Enc.

cc: Sarpy County Clerk/Enc.  
Neil L. Smith/HearthStone Homes, Inc.  
Boyer Young Equities V, LLC

CERTIFICATE

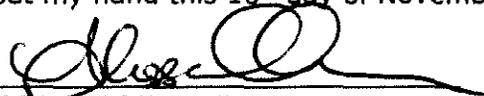
TO THE COUNTY CLERK AND COUNTY TREASURER OF SARPY COUNTY, NEBRASKA

I, the undersigned, Alissa Olson, hereby certify that I am the Clerk of Sanitary and Improvement District No. 257 of Sarpy County, Nebraska and make this Certificate in accordance with the meeting of the Board of Trustees of said District, sitting as a Board of Adjustment and Equalization on November 10, 2009.

I hereby certify that the following resolutions which are attached hereto and incorporated herein by this reference and marked as Exhibits "A", "B" & "C" were unanimously adopted by a quorum of the Board of Trustees of Sanitary and Improvement District No. 257 of Sarpy County, Nebraska on November 10, 2009.

I further certify that the attached resolutions have been spread upon the minutes of this District and that the attached are a full, true and complete copy thereof.

IN WITNESS WHEREOF, I have set my hand this 10<sup>th</sup> day of November, 2009.

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

ALISSA OLSON, CLERK  
SANITARY AND IMPROVEMENT DISTRICT  
NO. 257 OF SARPY COUNTY, NEBRASKA

EXHIBIT "A"

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 257 of Sarpy County, Nebraska as follows: This Board does hereby find and determine that the following named improvements within or for the benefit of the District have been completed, to-wit: Sanitary Sewer, Paving & Storm Sewer Section IV and Water Distribution Section IV; that none of the property within the District was damaged by said improvements; that the Schedule of Proposed Assessments for said improvements as prepared by the District's engineers is a correct statement of special benefits arising by reason of said improvements; that the lots and parcels of ground in the District have been specially benefitted by said improvements in the amount shown on said schedule being \$71,683.71 for Sanitary Sewer, Paving & Storm Sewer Section IV and 21,022.79 for Water Distribution Section IV, and that special benefits to the lots and parcels of ground in the District by reason of said improvements do not exceed such amounts, that there are no other special assessments to the lots and parcels of ground in the District by reason of said improvements, that the amounts shown on the Schedule of Proposed Assessments do not exceed the special benefits to said lots and parcels of ground by reason of said improvements.

EXHIBIT "B"

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 257 of Sarpy County, Nebraska that there be and hereby are levied against each of the lots and parcels of ground set out in the attached schedule the amount set out opposite said lots and parcels of ground in said schedule. Said assessments shall become delinquent in ten equal installments as follows:

1/10th on November 10, 2010  
1/10th on November 10, 2011  
1/10th on November 10, 2012  
1/10th on November 10, 2013  
1/10th on November 10, 2014  
1/10th on November 10, 2015  
1/10th on November 10, 2016  
1/10th on November 10, 2017  
1/10th on November 10, 2018  
1/10th on November 10, 2019

Said assessments shall become due fifty days after date to-wit: December 31, 2009 and may be paid within said time without interest, but if not paid by December 31, 2009, each installment shall draw interest at the rate of 7.5 percent per annum from and after date until delinquent and from and after date that each installment becomes delinquent at the rate of 9.5 percent per annum until paid.

BE IT FURTHER RESOLVED that the Clerk of the District shall certify a copy of this levy to the County Clerk and County Treasurer of Sarpy County, Nebraska, not less than eleven days nor more than twenty days from the date hereof, for spreading the same on the tax records of the County and special assessments shall be collected by the County Treasurer as provided by law.

EXHIBIT "C"

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 257 of Sarpy County, Nebraska that under the provisions of §31-739 R.R.S. Neb. 1943, as amended, and all other applicable provisions of law, the Board of Trustees does hereby undertake to pay as general obligations of the entire District such parts of the cost of the completed and accepted improvements above described as have not been levied as a special assessment upon lots or parcels of ground within the District.



**E&A CONSULTING GROUP, INC.**  
**ENGINEERING • PLANNING • FIELD SERVICES**

330 NORTH 117TH STREET  
OMAHA, NE 68154-2509

[www.eacg.com](http://www.eacg.com)

PHONE: (402) 895-4700  
FAX: (402) 895-3599

Chairman and Board of Trustees  
SID 257, Sarpy County, NE  
Mr. John Fullenkamp, Attorney  
11440 West Center Road  
Omaha, NE 68144

RE: Meridian Park Assessments for 165th Avenue Improvements  
Dowd Assessment Amount  
E&A #2004 045.01 (Assessments)

**Boardmembers:**

We have calculated the amount of assessments owed by Dowd for the paving and water system constructed within the 165th Avenue right-of-way by the SID. The total amount owed for these improvements by Dowd is \$68,068.75. Dowd made the initial down payment to MUD for the water system in the amount of \$30,619.00 which should be credited from the total amount owed. Therefore the amount due to the SID by Dowd is \$37,449.75.

If you have questions, please call.

Sincerely,  
E&A CONSULTING GROUP

A handwritten signature in black ink, appearing to read 'Jeffrey D. Elliott', written over a white background.

Jeffrey D. Elliott, P.E.  
Project Manager



E&A CONSULTING GROUP, INC.  
ENGINEERING • PLANNING • FIELD SERVICES

330 NORTH 117TH STREET  
OMAHA, NE 68154-2509

www.eacg.com

PHONE: (402) 895-4700  
FAX: (402) 895-3599

September 16, 2009

Chairman and Board of Trustees  
SID 257, Sarpy County, NE  
Mr. John Fullenkamp, Attorney  
11440 West Center Road  
Omaha, NE 68144

RE: Statement of Costs - Sanitary Concrete Pavement & Storm Sewer System - Section I'  
Meridian Park  
E&A #2004 045.01 (Assessments)

Boardmembers:

We are submitting the following Statement of Costs in connection with the construction of a sanitary concrete paving & storm sewer system and work necessary or incidental thereto as constructed in SID 257, Sarpy County, Nebraska, to-wit:

To Construction Costs	\$109,553.50
To Engineering, Design, Print Charges, Supervision, Resident Inspection, Final Quantities, Testing & Admin. Fee	\$43,229.22
To Legal, Publication, Financing, Interest and Miscellaneous Costs	\$21,611.87
<b>TOTAL PROJECT COST</b>	<b>\$174,394.59</b>

The total cost based on the Assessment Plat and Schedule was divided as follows:

To Be Paid by Special Assessment	\$71,683.71
To Be Paid by Dowd	\$50,503.46
To Be Paid by SID at Large	\$52,207.42
<b>TOTAL PROJECT COST</b>	<b>\$174,394.59</b>

Sincerely,  
E&A CONSULTING GROUP

Jeffrey D. Elliott, P.E.  
Project Manager

ATTCHMENT TO STATEMENT OF COST

SANITARY CONCRETE PAVING & STORM SEWER SYSTEM - SECTION IV

CONSTRUCTION COST = \$109,553.50  
 TOTAL PROJECT COST = \$174,394.59

**G.O (CONSTRUCTION COST)**

2.	EARTHWORK (EXCAVATION)	211.00	C.Y.	1.48	312.28
3.	CONSTRUCT 7" PCC PAVEMENT W/ INT CURB	634.00	S.Y.	28.13	17,834.42
4.	CONSTRUCT STREET NAME SIGN & POST	1.00	EACH	178.00	178.00
5.	REMOVE EXIST. END OF ROAD MARKER	6.00	EACH	1.00	6.00
8.	SEEDING (TEMP)	2.00	AC.	426.00	852.00
9.	CONSTRUCT STAMPED COLORED CONCRETE MEDIAN	44.00	S.Y.	58.00	2,552.00

**EXTRAS**

A.	18" RCP	80.00	L.F.	60.00	4,800.00
B.	18" FLARED END SECTION	2.00	EACH	850.00	1,700.00
C.	REPLACE SOD	341.00	S.F.	3.95	1,346.95
D.	REMOVE & REPLACE UNDERGROUND SPRINKLER	1.00	EACH	809.00	809.00
E.	GRADE DITCH IN ROW	1.00	EACH	420.00	420.00
F.	CONSTRUCT FLUME	1.00	EACH	750.00	750.00
G.	ADJUST GAS VALVES TO GRADE	2.00	EACH	165.00	330.00
H.	TYPE "A" SEEDING IN GILES ROAD ROW	6150.00	S.F.	0.07	430.50
I.	EROSION BLANKET IN GILES ROAD ROW	330.00	S.Y.	1.44	475.20

TOTAL G.O. (CONSTRUCTION COST) 32,796.35

PERCENT OF G.O. =  $\frac{32,796.35}{109,553.50} = 29.94\%$

TOTAL G.O. = \$174,394.59 X 29.94% \$52,207.42

**MERIDIAN MARKETPLACE ASSESSMENT**

2.	EARTHWORK (EXCAVATION)	338.00	C.Y.	1.48	500.24
3.	CONSTRUCT 7" PCC PAVEMENT W/ INT CURB	1013.00	S.Y.	28.13	28,495.69
4.	CONSTRUCT STREET NAME SIGN & POST	1.00	EACH	178.00	178.00
9.	CONSTRUCT STAMPED COLORED CONCRETE MEDIAN	44.00	S.Y.	58.00	2,552.00

TOTAL CONSTRUCTION COST 31,725.93

PERCENT OF CONSTRUCTION =  $\frac{31,725.93}{109,553.50} = 28.96\%$

TOTAL MERIDIAN MARKETPLACE COST = \$174,394.59 X 28.96% \$50,503.46

TOTAL SPECIAL ASSESSMENT = \$71,683.71



E&A CONSULTING GROUP, INC.  
ENGINEERING • PLANNING • FIELD SERVICES

330 NORTH 117TH STREET  
OMAHA, NE 68154-2509

www.eacg.com

PHONE: (402) 895-4700  
FAX: (402) 895-3599

September 16, 2009

Chairman and Board of Trustees  
SID 257, Sarpy County, NE  
Mr. John Fullenkamp, Attorney  
11440 West Center Road  
Omaha, NE 68144

RE: Statement of Costs - Water Distribution System  
Meridian Park  
E&A #2004 045.01 (Assessments)

Boardmembers:

We are submitting the following Statement of Costs in connection with the construction of a water distribution system and work necessary or incidental thereto as constructed in SID 257, Sarpy County, Nebraska, to-wit:

To Construction Costs	\$30,619.00
To Engineering, Design, Print Charges, Supervision, Resident Inspection, Final Quantities, Testing & Admin. Fee	\$7,418.39
To Legal, Publication, Financing, Interest and Miscellaneous Costs	\$550.69
TOTAL PROJECT COST	\$38,588.08
LESS REFUND	\$0.00
NET PROJECT COST	\$38,588.08

The total cost based on the Assessment Plat and Schedule was divided as follows:

To Be Paid by Special Assessment	\$21,022.79
To Be Paid by Dowd	\$17,565.30
To Be Paid by SID at Large	\$0.00
TOTAL PROJECT COST	\$38,588.08

Sincerely,  
E&A CONSULTING GROUP

Jeffrey D. Elliott, P.E.  
Project Manager

ATTCHMENT TO STATEMENT OF COST

WATER SYSTEM - SECTION IV

CONSTRUCTION COST =	\$30,619.00
TOTAL PROJECT COST =	\$38,588.08
REFUND =	\$0.00

TOTAL G.O. =	\$0.00
--------------	--------

SPECIAL ASSESSMENT =	\$38,588.08
----------------------	-------------

**MERIDIAN MARKETPLACE ASSESSMENT:**

TOTAL CONSTRUCTION COST	\$30,619.00
-------------------------	-------------

MERIDIAN MARKETPLACE PERCENT	45.52%
------------------------------	--------

TOTAL COST FOR MERIDIAN MARKETPLACE

\$38,588.08 X	45.52%	<b>\$17,565.30</b>
---------------	--------	--------------------

<b>SPECIAL ASSESSMENT</b>	<b>\$21,022.79</b>
---------------------------	--------------------

E&A CONSULTING GROUP  
 330 NO. 117TH STREET  
 OMAHA, NE 68154

ASSESSMENT SCHEDULE  
 SAN. & IMPROVEMENT DIST. NO. 257, (MERIDIAN PARK)  
 SARPY COUNTY, NEBRASKA

<u>ASSESSMENT NO./OWNER</u>	<u>LEGAL DESCRIPTION</u>	<u>SANITARY PAVING</u>	<u>WATER</u>	<u>TOTAL ASSEMENT</u>
1 Boyer Young Equities V, LLC	LOT 1 MERIDIAN PORTICO	\$13,885.13	\$4,072.11	\$17,957.25
2 Boyer Young Equities V, LLC	LOT 2 MERIDIAN PORTICO	\$12,702.35	\$3,725.24	\$16,427.59
3 Boyer Young Equities V, LLC	LOT 3 MERIDIAN PORTICO	\$13,720.28	\$4,023.78	\$17,744.02
4 Boyer Young Equities V, LLC	LOT 4 MERIDIAN PORTICO	\$7,741.84	\$2,270.46	\$10,012.30
5 Boyer Young Equities V, LLC	LOT 5 MERIDIAN PORTICO	\$8,880.90	\$2,545.88	\$11,226.78
6 Boyer Young Equities V, LLC	LOT 6 MERIDIAN PORTICO	\$5,333.27	\$1,584.10	\$6,897.38
7 Boyer Young Equities V, LLC	LOT 7 MERIDIAN PORTICO	\$8,473.04	\$1,898.36	\$8,371.40
8 Boyer Young Equities V, LLC	LOT 8 MERIDIAN PORTICO	\$3,148.91	\$922.90	\$4,069.82
9 DOWD	MERIDIAN MARKETPLACE	\$50,503.48	\$17,585.30	\$68,088.75
TOTALS		\$122,187.17	\$38,588.08	\$160,775.25



Title Holder: Boyer Young Equities V LLC  
9719 Giles Road  
LA Vista, NE 68128



*First American  
Title Insurance Company*

Not within the boundaries of  
**SID # 257**

Lots 1-11, Meridian Marketplace, a Subdivision in Sarpy County  
Nebraska.

State of Nebraska )  
                          )SS  
County of Sarpy)

First American Title Insurance Company hereby certifies that the records in the office of the Register of Deeds of Sarpy County, Nebraska have been carefully examined, and that the following is a list of the apparent owners of record, of the real property so designated above, and being located (not within) the boundaries of Sanitary and Improvement District #257.

This certificate does not guarantee the title or the legality of any of the recorded instruments that might affect the title. Further, the liability assumed by First American Title Insurance Company does not exceed the amount paid for this certificate.

Witness our hand this 25th day of September, 2009 at 8:00 a.m.

First American Title Insurance Company

By: *Kan D. Jaulke*  
Registered Abstractor

Title Holders: Lots 1-7, 9-11  
Duane Dowd  
220 North 89<sup>th</sup> Street STE 201  
Omaha, NE 68114

Lot 8  
First National Bank of Omaha  
1620 Dodge Street Stop 3085  
Omaha, NE 68197

