

FILED
SARPY COUNTY
DISTRICT COURT

2013 FEB - 1 AM 11:18

Carol Hansen
CLERK DISTRICT COURT

CERTIFICATE

I, the undersigned, hereby certify that on the 1st day of February, 2013, the Clerk of the District Court of Sarpy County, Nebraska, sent a notice to the County Clerk of Sarpy County, Nebraska, that a Petition had been filed in this office praying that Sanitary and Improvement District No. 278 of Sarpy County, Nebraska, be declared a Sanitary and Improvement District. Said Petition was filed on January 31, 2013. All of said District lies within Sarpy County, Nebraska, and all of it is within the zoning jurisdiction of Sarpy, Nebraska.

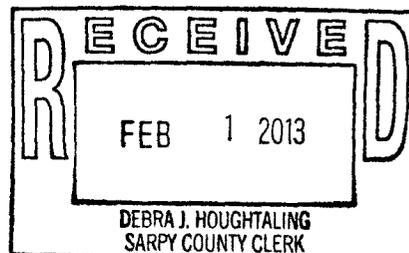
EXECUTED this 1 day of February, 2013.

(SEAL)

Clerk of the District Court of
Sarpy County, Nebraska

By: *Paula Anthony*
Title: *Chief Deputy Clerk*

00503492.DOCX



FILED
SARPY COUNTY
DISTRICT COURT
2013 JAN 31 PM 3:54
Christina Johnson
CLERK DISTRICT COURT

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF SANITARY AND) DOC. CI 13 NO. 174
)
IMPROVEMENT DISTRICT NO. 278)
)
OF SARPY COUNTY, NEBRASKA) DECREE

THIS MATTER coming on for hearing on the 31st day of January, 2013, upon the petition of the owners of all the land included within said Sanitary and Improvement District No. 278 of Sarpy County, Nebraska, which is described in Exhibit "A", attached hereto and incorporated herein, 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. The owners of all of the real estate included within said District have duly executed and filed herein Articles of Association of said District and filed the Petition to this Court as required by Sections 31-727 through 31-793 R.R.S., 1943, as amended.
2. There are no owners or mortgagees 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 said Petition, and therefore, issuance of summons or process should be dispensed with.
3. The formation of such District will be conducive to public health, convenience, and welfare of present and future owners and occupants of all of said real estate included within said District.
4. None of said real estate is located within any municipal corporation.



5. The five trustees nominated in said Articles of Association are suitable persons, are designated representatives of the sole owner 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:

1. Sanitary and Improvement District No. 278 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 R.R.S. 1943, as amended; the real estate included in said District is as heretofore described herein.

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

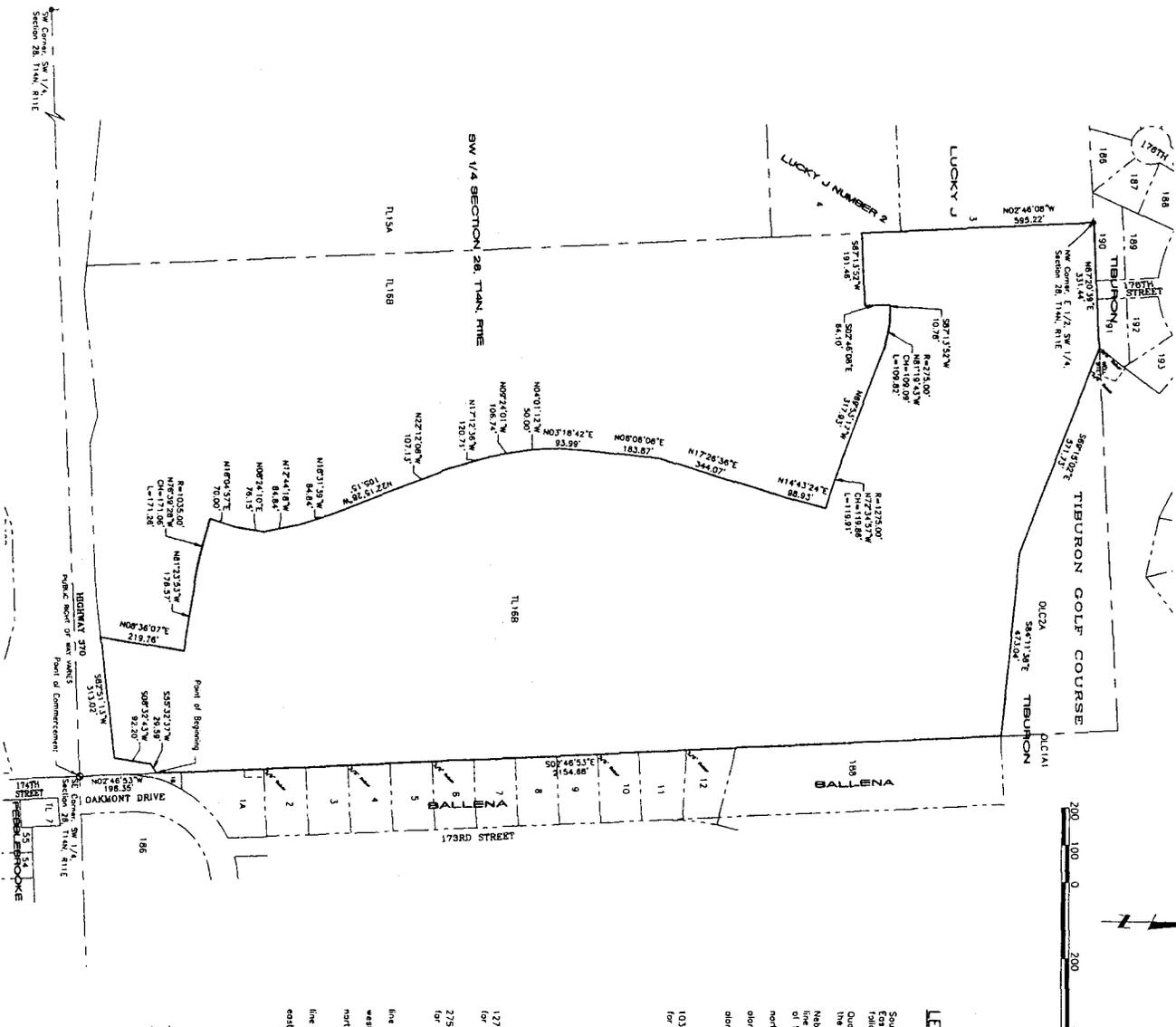
3. Within twenty (20) days hereafter, the Clerk of this Court shall transmit to the Secretary of State of Nebraska a certified copy of the record of these proceedings for filing therein as provided by law. A certified copy of the record of these proceedings, together with a plat of the real estate included in said District, shall also be filed in the office of the County Clerk of Sarpy County, Nebraska.

ENTERED this 31st day of January, 2013.

BY THE COURT:



District Court Judge



LEGAL DESCRIPTION

That part of Lot 168 in the East Half of the South Half of Section 28, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Commencing at the Southeast corner of the Southeast Quarter of Section 28, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska;

Thence North 02°45'53" West (bearing referenced to the true meridian) 198.35 feet along the east side of Highway 570 and the TRUE POINT OF BEGINNING;

Thence South 55°12'37" West for 25.59 feet along said north right of way line;

Thence North 41°17' West for 92.20 feet continuing along said north right of way line;

Thence South 82°51'17" West for 313.02 feet continuing along said right of way line East for 219.78 feet;

Thence North 08°35'07" East for 171.28 feet;

Thence along a curve to the right (having a radius of 1035.00 feet and a long chord bearing North 76°39'26" West for 171.08 feet) for an arc length of 171.28 feet;

Thence North 18°04'57" East for 70.00 feet;

Thence North 02°44'18" West for 84.84 feet;

Thence North 18°31'39" West for 84.84 feet;

Thence North 22°15'28" West for 105.15 feet;

Thence North 22°12'08" West for 107.13 feet;

Thence North 02°44'18" West for 84.84 feet;

Thence North 08°24'03" West for 108.74 feet;

Thence North 04°01'12" West for 50.00 feet;

Thence North 03°18'42" East for 93.89 feet;

Thence North 09°05'08" East for 183.87 feet;

Thence North 14°43'24" East for 89.93 feet;

Thence along a curve to the right (having a radius of 1275.00 feet and a long chord bearing North 72°34'57" West for 118.86 feet) for an arc length of 118.87 feet;

Thence North 68°53'17" West for 173.93 feet;

Thence North 02°44'18" West for 84.84 feet;

Thence South 87°13'52" West for 107.78 feet;

Thence South 02°46'09" East for 64.10 feet;

Thence South 84°15'52" West for 84.84 feet to the west line of the East Half of said Southwest Quarter;

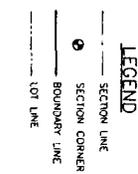
Thence North 02°46'08" West for 585.22 feet along said west line to the northeast corner of said East Half;

Thence said East Half East for 314.44 feet along the north line of said East Half;

Thence South 68°15'07" East for 571.73 feet;

Thence South 68°15'07" East for 2154.88 feet along said line to the Point of Beginning;

Containing 1905348 square feet or 43.741 acres.



LAND SURVEYOR'S CERTIFICATION

I hereby certify that this plat, map, survey or report survey was made by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Nebraska.

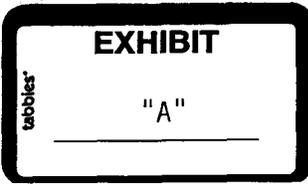


LAMP RYNEARSON & ASSOCIATES 14710 West Dodge Road, Suite 100 402.496.2498 | P
 Omaha, Nebraska 68154-2027 402.496.2730 | F
 www.LRA-Inc.com

Pt. Tax Lot 168 in the E 1/2 of the SW 1/4 of Sec. 28, T14N, R11E
 Sarpy County, Nebraska

Drawn by C.M.	Reviewed by W.E.K.	Designed by W.E.K.	Checked by W.E.K.
Surveyed 02/15/2018-04	Reviewed 02/15/2018-04	Designed 02/15/2018-04	Checked 02/15/2018-04

Job Number-Block 010701801-003	Book-Page 07018, 1-12	Date 8-31-12	Sheet 1 of 1
SID BOUNDARY			



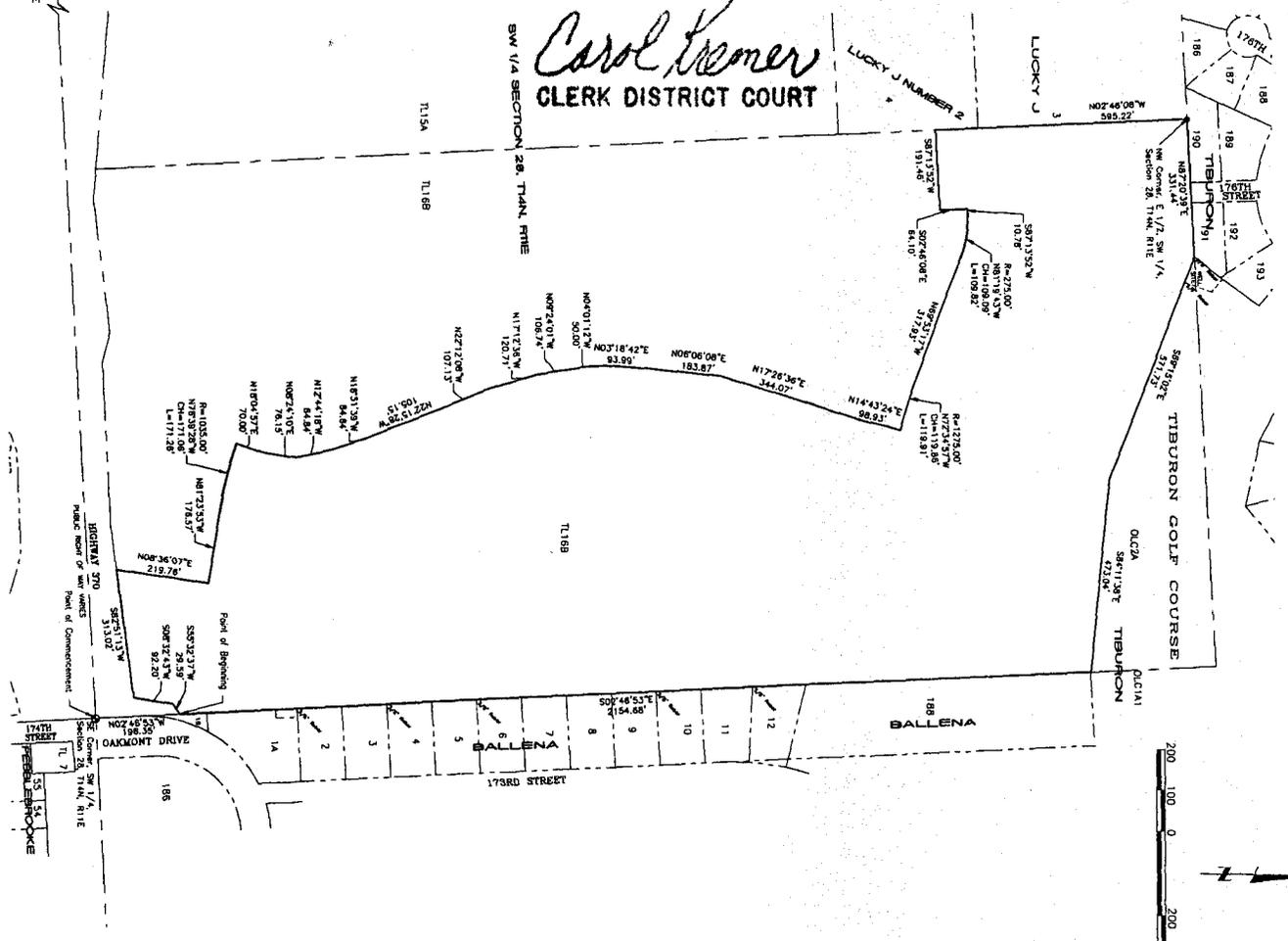
CI 13-174

LOCATED IN:
NE 1/4, SW 1/4 SEC. 28, T14N R11E
SE 1/4, SW 1/4 SEC. 28, T14N R11E

FILED
SARPY COUNTY
DISTRICT COURT

2013 JAN 31 PM 3:15

Carol Kemer
CLERK DISTRICT COURT



LEGEND
SECTION LINE
BOUNDARY LINE
LOT LINE

LEGAL DESCRIPTION

Part of Tax Lot 16B in the East Half of the Southwest Quarter of Section 28, Township 14 North, Range 11 East, the 6th P.M., Sarpy County, Nebraska, described as follows:
 Commencing at the Southeast corner of the Southwest Quarter of Section 28, Township 14 North, Range 11 East of Nebraska state plane NAD83 for 1983.5 feet along the east line of said Southwest Quarter to the north right of way line of Tiburon Golf Course; thence South 87°22'37" West for 28.59 feet along said north right of way line;
 Thence South 87°22'37" West for 92.20 feet continuing along said north right of way line;
 Thence South 82°21'37" West for 313.02 feet continuing along said right of way line;
 Thence North 07°30'07" East for 219.76 feet;
 Thence North 07°30'07" East for 178.57 feet;
 Thence North 07°30'07" East for 1035.00 feet and a long chord bearing North 16°33'28" West for 171.08 feet for an arc length of 171.26 feet;
 Thence North 87°24'10" East for 76.13 feet;
 Thence North 87°24'10" East for 70.00 feet;
 Thence North 87°24'10" East for 76.13 feet;
 Thence North 16°31'39" West for 84.84 feet;
 Thence North 27°15'28" West for 105.15 feet;
 Thence North 27°12'08" West for 107.13 feet;
 Thence North 27°12'08" West for 120.71 feet;
 Thence North 27°12'08" West for 107.13 feet;
 Thence North 04°01'12" West for 50.00 feet;
 Thence North 05°18'42" East for 93.99 feet;
 Thence North 09°05'06" East for 183.87 feet;
 Thence North 17°35'36" East for 344.07 feet;
 Thence North 04°01'12" West for 50.00 feet;
 Thence North 05°18'42" East for 93.99 feet;
 Thence North 09°05'06" East for 183.87 feet;
 Thence North 17°35'36" East for 344.07 feet;
 Thence along a curve to the right (bearing) radius of 1275.00 feet and a long chord bearing North 72°34'57" West for 119.88 feet for an arc length of 119.81 feet;
 Thence North 69°31'17" West for 517.53 feet;
 Thence along a curve to the left (bearing) radius of 275.00 feet and a long chord bearing North 10°09'09" West for 109.09 feet for an arc length of 109.92 feet;
 Thence South 87°13'52" West for 10.78 feet;
 Thence South 02°46'08" East for 64.10 feet;
 Thence North 02°46'08" West for 595.32 feet along said west line to the northwest corner of said East Half;
 Thence North 67°20'39" East for 331.44 feet along the north line of said East Half;
 Thence South 67°15'02" East for 571.73 feet;
 Thence South 64°11'38" East for 473.04 feet to the east line of said East Half;
 Thence North 64°11'38" East for 2154.68 feet along said east line to the Point of Beginning;
 Contains 1305348 square feet or 43.741 acres.

LAND SURVEYOR'S CERTIFICATION

I hereby certify that this plat, map, survey or report was made by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Nebraska.



LAMP RYNEARSON & ASSOCIATES

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027
www.LRA-Inc.com

Drawn by EJM	Checked by MKS	Reviewed by [Signature]
402.496.2498 P	402.496.2730 F	

Pt. Tax Lot 16B in the E 1/2 of the SW 1/4 of Sec. 28, T14N, R11E
Sarpy County, Nebraska

SID BOUNDARY

Job number-plate
010701801-003
book page
07018, 1-12
date
8-31-12
sheet
1 of 1

FILED
SARPY COUNTY
DISTRICT COURT

2013 JAN 31 PM 3:15

Carl Hemeny
CLERK DISTRICT COURT

13-174

**ARTICLES OF ASSOCIATION
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 278
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 Reissue Revised Statutes of Nebraska, 1943, as amended, and do hereby adopt the following Articles of Association:

ARTICLE FIRST

The name of this District shall be Sanitary and Improvement District No. 278 of Sarpy County, Nebraska.

ARTICLE SECOND

This District shall have perpetual existence.

ARTICLE THIRD

The limits of this District and the area embraced therein shall be as described in Exhibit "A", which is attached hereto and incorporated herein by reference.

ARTICLE FOURTH

The undersigned subscriber is the owner of all of the land in said proposed District. Its name and business address are:

JMF, L.L.C.
11550 I Street, Suite 200
Omaha, Nebraska 68137

In addition, Pinnacle Bank, of Gretna, Nebraska and Jerry M. Slusky, Esq. (as Trustee of the Master Deed of Trust dated February 2, 2011 and filed February 3, 2011 as Instrument No. 2011-03653) hold deeds of trust against the real property described on Exhibit "A" and are the only parties holding a lien against the real property to be included in the District.

ARTICLE FIFTH

There are no known or unknown owners of real property who will be benefited by the District and who have not joined in its organization or who are nonresidents of Nebraska.

ARTICLE SIXTH

The purposes of the District shall be to acquire, install, repair, maintain, renew, reconstruct, and replace a sanitary and storm sewer system, disposal plants, a water system, a system of sidewalks, public roads, streets, highways, public waterways, docks or wharfs and related appurtenances; to provide for collection and disposal of drainage, waste, and sewage in a satisfactory manner; to install an emergency management warning system; to contract for water for fire protection and for resale to residents of the District, to contract for police protection and security services, to contract for access to the facilities and use of the services of the library system of one or more neighboring cities or villages, and to contract for gas and for electricity for street lighting for the public streets and highways within the District; to construct electric service lines and conduits, and gas mains, or to contract for the installation and operation thereof; to acquire, build, improve and operate, or, where permitted by law, to contract with other sanitary and improvement districts to acquire, build, improve, and operate public parks, playgrounds and recreational facilities for the joint use of the residents of the contracting districts; and to construct and to contract for the construction of dikes and levees for flood protection for the District. In lieu of establishing its own water system, the District may contract with any utilities district, municipality or corporation for the installation of a water system and to provide water service for fire protection and for use of the residents of the District. The District may contract with the city or county within whose zoning jurisdiction it is located for intersection and traffic control improvements, which improvements serve or benefit the district and which may be within or without the corporate boundaries of the district and for any of the purposes for which it is formed. The District may also enter into agreements with other public agencies in order to accomplish the purposes of, and pursuant to, the provisions of the Nebraska Interlocal Cooperation Act; and do any and all other activities or functions allowed by the Reissued, Revised Statutes of Nebraska as the same may be amended from time to time.

ARTICLE SEVENTH

The undersigned subscribers and owners of real estate so forming this District for such purposes, are willing and obligate themselves to pay the tax or taxes which may be levied against all the property in the District and special assessments against the real property benefited which may be assessed against them, to pay the expenses that may be necessary to install a sewer system or water system, or both, within the district, as provided by law; to pay the expenses that may be necessary to construct a system of sidewalks; and to pay the expenses that may be necessary for obtaining water for fire

protection and for resale to residents of the District, and the cost of grading, changing grade, paving, repairing, graveling, regravelling, widening or narrowing sidewalks and roads, resurfacing or relaying existing pavement, or otherwise improving any public roads, streets or highways within the District, including protecting existing sidewalks, streets, highways, and roads from floods or erosion which has moved within fifteen feet from the edge of such sidewalks, streets, highways, or roads, regardless of whether such flooding or erosion is of natural or artificial origin; the cost of constructing or contracting for the construction of dikes and levees for flood protection for the District, public waterways, docks or wharfs and related appurtenances; the cost of gas and electricity for street lighting for the public streets and highways within the District; the cost of collection and disposal of drainage, waste and sewage or contracting for collection and disposal of same; the cost of constructing and installing an emergency management warning system, gas mains and electric service lines and conduits; the cost of contracting for fire protection, police protection and security services; the cost of contracting for access to the facilities and use of the services of the library system of one or more neighboring cities or villages; the cost of acquiring, improving, and operating public parks, playgrounds and recreational facilities, as provided by law; the cost of contracting for building, acquiring, improving and operating public parks, playgrounds and recreational facilities as provided by law; the costs of intersection and traffic control improvements, which improvements serve or benefit the district and which may be within or without the corporate boundaries of the district; the cost or expenses incurred pursuant to any agreement under the Nebraska Interlocal Cooperation Act; and the cost to do all other things incidental thereto and connected therewith which are not forbidden by the laws of the State of Nebraska or by these Articles of Association, all as provided by law.

ARTICLE EIGHTH

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

ARTICLE NINTH

The following named persons, all of whom are designated representatives of the owners of real estate located in the proposed District, are proposed to serve as the Board of Trustees of the District until their successors are elected and qualified:

Paul S. McCune
Michelle Zimmerman
Susan McCune
Stacey Holt
Jason McCune.

IN WITNESS WHEREOF, the undersigned, all being owners of real estate embraced within said District, have executed these Articles of Association this 30 day of January, 2013.

JMF, L.L.C.

By: 

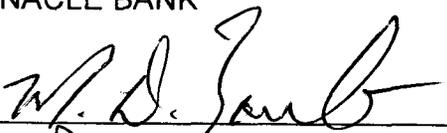
Title: Manager

ACKNOWLEDGMENT AND WAIVER

Pinnacle Bank, of Gretna, Nebraska, hereby acknowledges receipt of notice of the intended formation of a Sanitary and Improvement District under the laws of the State of Nebraska with respect to the real property described on Exhibit "A" attached hereto and does further waive any objection to the formation of said District and the imposition of taxes and special assessments against said real property by the proposed Sanitary and Improvement District in the manner and for the purposes mentioned hereinabove and as provided under the laws of the State of Nebraska.

Dated this 30th day of Jan., 2013.

PINNACLE BANK

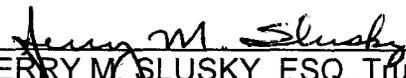
By: 

Title: Pres.

ACKNOWLEDGMENT AND WAIVER

Jerry M. Slusky, Esq., Trustee of the Master Deed of Trust dated February 2, 2011 and filed February 3, 2011 as Instrument No. 2011-03653, hereby acknowledges receipt of notice of the intended formation of a Sanitary and Improvement District under the laws of the State of Nebraska with respect to the real property described on Exhibit "A" attached hereto and does further waive any objection to the formation of said District and the imposition of taxes and special assessments against said real property by the proposed Sanitary and Improvement District in the manner and for the purposes mentioned hereinabove and as provided under the laws of the State of Nebraska.

Dated this 30th day of JANUARY, 2013.



JERRY M. SLUSKY, ESQ., Trustee of
the Master Deed of Trust dated 2/2/11
and filed 2/3/11 as Instrument No.
2011-03653

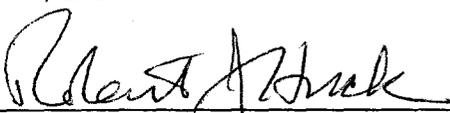
2. That the Court find and decree that Sanitary and Improvement District No. 278 of Sarpy County, Nebraska, has been duly organized and constitutes a Sanitary and Improvement District under Sections 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, and is entitled, therefore, 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 31 day of January, 2013.

Petitioner:

JMF, L.L.C.

By:


Robert J. Huck #11953
CROKER, HUCK, KASHER, DeWITT,
ANDERSON & GONDERINGER, L.L.C.
2120 South 72nd Street, #1200
Omaha, Nebraska 68124
(402) 391-6777
Attorneys for Petitioner

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

I, Carol Kremer, 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 FOR DECLARATION OF FORMATION OF SANITARY AND IMPROVEMENT DISTRICT; ARTICLES OF ASSOCIATION OF SANITARY AND IMPROVEMENT DISTRICT NO. 278 OF SARPY COUNTY, NEBRASKA; PLAT; DECREE AND CERTIFICATE

entered in a cause in said court wherein:

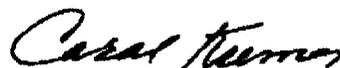
IN THE MATTER OF SANITARY AND IMPROVEMENT DISTRICT NO. 278 OF SARPY COUNTY, NEBRASKA, Plaintiff

and:

_____, Defendant

Case ID CI 13 174, 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 1st day of February, A.D. 2013.



CAROL KREMER
CLERK OF THE DISTRICT COURT