TO: The County Clerk of Sarpy County, Nebraska
The City Clerk of Papillion, Sarpy County, Nebraska

NOTICE

Please take notice that on June 7, 2013, a Petition was filed with the Sarpy County District Court indexed as in the matter of Sanitary and Improvement District No. 292 of Sarpy County, Nebraska, Doc. CI13, Page 883, the purpose of which was the formation of a Sanitary and Improvement District in accordance with Sections 31-727 to 31-793, Reissue Rev. Stat. of Nebraska, 1943, and that a Decree in response to such Petition was entered in the Sarpy County District Court under the date of June 11, 2013. Copies of the Petition, Articles of Association and Decree are attached hereto and incorporated herein by this reference.

SANITARY AND IMPROVEMENT DISTRICT
NO. 292 OF SARPY COUNTY, NEBRASKA

By Doris J Nicholson
DORIS J. NICHOLSON, Clerk

RECEIVED
AUG 20 2013
DEBRA J. HOUGHTALING
SARPY COUNTY CLERK

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF	)	DOC. C13	NO. 883
	)		
SANITARY AND IMPROVEMENT DISTRICT NO. 292 OF SARPY COUNTY, NEBRASKA	)	PETITION	

FILED
SARPY COUNTY
DISTRICT COURT
2013 JUN -7 PM 3: 22
Carol Kamler
CLERK DISTRICT COURT

COPY

Come now Petitioner and states:

1. The undersigned is the owner of all the real estate more particularly described as set out in Exhibit "A" hereto attached; and no part of such real property is located within the limits of any municipal corporation or used for industrial purposes.

2. The undersigned has this date filed in the office of the Clerk of the District Court of Sarpy County, Nebraska, Articles of Association heretofore duly made and signed by them for the formation and organization of the proposed district more particularly described as set out in Exhibit "B" hereto attached.

3. All of the provisions of Sections 31-727 to 31-793, Reissued Revised Statutes of Nebraska, 1943, as amended, and all other applicable provisions of law have been completely and fully complied with; and the proposed district should be declared to be a sanitary and improvement district under such Sections.

WHEREFORE, Petitioners pray:

1. That the Court find that the owner of the real property described in Exhibit "A" and embraced within the limits of proposed Sanitary and Improvement District No. 292 of Sarpy County, Nebraska, has executed proper Articles of Association for its formation and organization described in Exhibit "B" and has caused this Petition to be filed on its behalf; and

2. That the Court further find, declare, and decree that Sanitary and Improvement District No. 292 of Sarpy County, Nebraska, has been duly and lawfully formed and organized as a public corporation of Nebraska and constitutes a sanitary and improvement district under Sections 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, entitled to exercise all powers, privileges, and rights thereto granted by law and that the persons designated as Trustees by its Articles of Association constitute its initial Board of Trustees to serve until their successors are elected and qualified.

DATED: June 7th, 2013.

LAKE VIEW 126, LLC, a Nebraska limited liability company, Petitioner

By _____

John Q. Bachman (#15622)
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114 (402) 397-5500

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

JOHN Q. BACHMAN, being first duly sworn, on his oath deposes and says that he is one of the attorneys for Petitioner, LAKE VIEW 126, LLC, a Nebraska limited liability company; that he is duly authorized to file the foregoing Petition on behalf of the Petitioner; that he has read and knows its contents; and that the statements therein made are true as he verily believes.

_____

SUBSCRIBED AND SWORN to before me this 7th day of June, 2013.

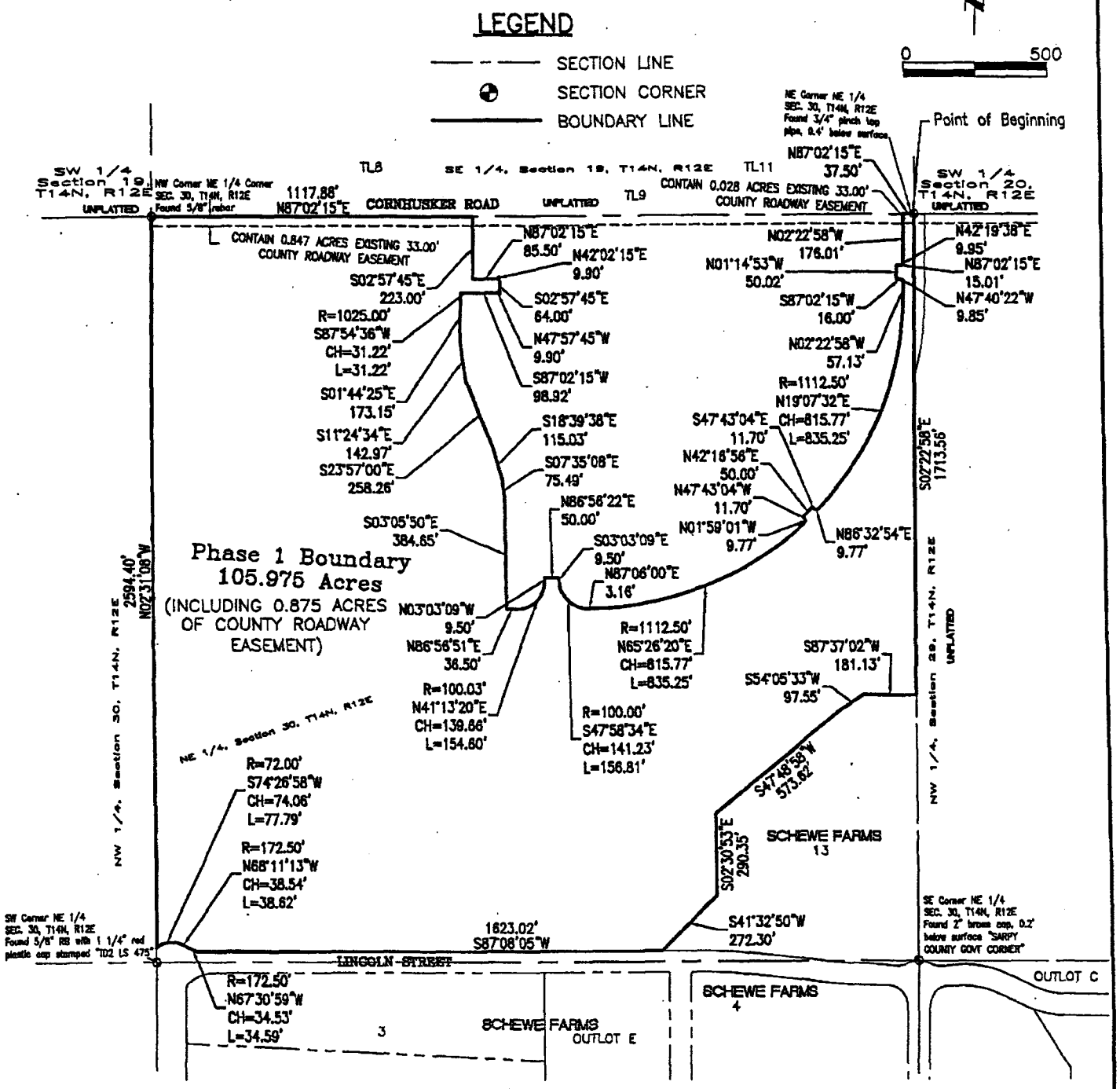
GENERAL NOTARY - State of Nebraska
KAREN T. RODIS
My Comm. Exp. Oct. 30, 2014

_____
Notary Public

EXHIBIT DRAWING

LEGAL DESCRIPTION

That part of the Northeast Quarter of Section 30, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



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drawn by	designed by	reviewed by	project - task number	date	book and page	revisions
EAM		MRT	0112044.01-003	5-17-2013		

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EXHIBIT "A"

Legal Description

That part of the Northeast Quarter of Section 30, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, described as follows:

Beginning at the northeast corner of the Northeast Quarter of said Section 30;

Thence South 02°22'58" East (bearings referenced to the Final Plat of SCHEWE FARMS) for 1713.56 feet along the east line of the Northeast Quarter of said Section 30 to the northeast corner of Lot 13, SCHEWE FARMS, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska;

Thence along the north and west lines of said Lot 13 the following five (5) courses;

1. Thence South 87°37'02" West for 181.13 feet;
2. Thence South 54°05'33" West for 97.55 feet;
3. Thence South 47°48'58" West for 573.62 feet;
4. Thence South 02°30'53" East for 290.35 feet;
5. Thence South 41°32'50" West for 272.30 feet to the north right of way line of Lincoln Street;

Thence along said north right of way line of Lincoln Street the following four (4) courses;

1. Thence South 87°08'05" West for 1623.02 feet;
2. Thence along a curve to the right (having a radius of 172.50 feet and a long chord bearing North 67°30'59" West for 34.53 feet) for an arc length of 34.59 feet;
3. Thence along a curve to the left (having a radius of 172.50 feet and a long chord bearing North 68°11'13" West for 38.54 feet) for an arc length of 38.62 feet;
4. Thence along a curve to the left (having a radius of 72.00 feet and a long chord bearing South 74°26'58" West for 74.06 feet) for an arc length of 77.79 feet to the west line of the Northeast Quarter of said Section 30;

Thence North 02°31'08" West for 2594.40 feet to the northwest corner of the Northeast Quarter of said Section 30;

Thence North 87°02'15" East for 1117.88 feet along the north line of the Northeast Quarter of said Section 30;

Thence South 02°57'45" East for 223.00 feet;

Thence North 87°02'15" East for 85.50 feet;

Thence North 42°02'15" East for 9.90 feet;

Thence South 02°57'45" East for 64.00 feet;

Thence North 47°57'45" West for 9.90 feet;

Thence South 87°02'15" West for 98.92 feet;

Thence along a curve to the right (having a radius of 1025.00 feet and a long chord bearing South 87°54'36" West for 31.22 feet) for an arc length of 31.22 feet;

Thence South 01°44'25" East for 173.15 feet;

Thence South 11°24'34" East for 142.97 feet;

Thence South 23°57'00" East for 258.26 feet;

Thence South 18°39'38" East for 115.03 feet;

Thence South 07°35'08" East for 75.49 feet;

Thence South 03°05'50" East for 384.65 feet;

Thence North 86°56'51" East for 36.50 feet;

Thence along a curve to the left (having a radius of 100.03 feet and a long chord bearing

North 41°13'20" East for 139.66 feet) for an arc length of 154.60 feet;

Thence North 03°03'09" West for 9.50 feet;

Thence North 86°56'22" East for 50.00 feet;

Thence South 03°03'09" East for 9.50 feet;

Thence along a curve to the left (having a radius of 100.00 feet and a long chord bearing South 47°58'34" East for 141.23 feet) for an arc length of 156.81 feet;

Thence North 87°06'00" East for 3.16 feet;

Thence along a curve to the left (having a radius of 1112.50 feet and a long chord bearing North 65°26'20" East for 815.77 feet) for an arc length of 835.25 feet;

Thence North 01°59'01" West for 9.77 feet;

Thence North 47°43'04" West for 11.70 feet;

Thence North 42°16'56" East for 50.00 feet;

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Thence North 87°02'15" East for 15.01 feet;

Thence North 42°19'38" East for 9.95 feet;

Thence North 02°22'58" West for 176.01 feet to the north line of the Northeast Quarter of said Section 30;

Thence North 87°02'15" East for 37.50 feet to the Point of Beginning.

Contains 105.975 acres including 0.875 acres of County Roadway Easement.

5-20-2013
LAMP, RYNEARSON & ASSOCIATES, INC.
L/ENG/0112044/Survey/TEXT/Phase Lines.docx

ARTICLES OF ASSOCIATION

OF

SANITARY AND IMPROVEMENT DISTRICT NO. 292
OF SARPY COUNTY, NEBRASKA

KNOW ALL MEN BY THESE PRESENTS: THAT, the undersigned, being the owner having an interest in real property within the limits thereof, hereby associates itself for the formation of a sanitary and improvement district under the provisions of Sections 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, and all other applicable provisions of law and do hereby adopt these Articles of Association, to-wit:

ARTICLE I.
Name

The name of the District is "Sanitary and Improvement District No. 292 of Sarpy County, Nebraska."

ARTICLE II.
Existence

The existence of the District is perpetual.

ARTICLE III.
Limits

The limits of the District are described as follows:

See Exhibit "A" attached hereto.

ARTICLE IV.
Owner

The undersigned developer is the owner of property in said proposed District and its name and business address is set forth herein, as follows:

NAME	ADDRESS
Lake View 126, LLC	11205 S. 150th Street, Suite 100 Omaha, NE 68138

EXHIBIT "B"

ARTICLE V.
Purposes and Powers

The purposes for which the District is organized are, in general, to acquire, build, improve, install, maintain, remove, renew, repair, replace, or otherwise conduct or operate electric service lines and conduits, a system of sanitary and storm sewers, a water system, a civil defense warning system, a system of sidewalks, public highways, roads, and streets, public waterways, docks or wharfs, and related appurtenances, dikes and levees for flood protection, and public parks, playgrounds and other recreational facilities, to contract with any one or more corporations, municipalities, or persons for electricity for illumination of public highways, roads, and streets, for gas, for police protection and security services, for water for fire protection and resale to or use by residents within the district, and for disposal of or use of facilities for disposal or refuse, sewage, or other wastes, to contract with other governmental authorities and subdivisions in accordance with the provisions of the Interlocal Cooperation Act (Sections 23-2001 to 23-2007, Reissue Revised Statutes of Nebraska, 1943) as now in effect or as may be hereafter amended, and to perform any one or more other functions now or hereafter permitted under the provisions of Section 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, or any other applicable provisions of law; and, for the effectuation of its purposes, the powers of the district include without limitation all powers now or hereafter granted to under said provisions and all other powers now or hereafter granted to public corporations under the law of Nebraska appropriate, convenient, or necessary to said purposes.

ARTICLE VI.
Liabilities of Owners

The undersigned, being the owner of real estate within the District, is willing to obligate itself to pay the tax or taxes hereafter levied against such property and the special assessment or assessments against real property benefitted hereafter assessed against them and also to pay the expenses necessary for installing a sewer, or water system, or both a sewer and water system, the cost of water for fire protection, the cost of grading, changing grade, paving, repairing, graveling, regraveling, widening, or narrowing sidewalks and roads, resurfacing or relaying existing pavement, or otherwise improving any public roads, streets, or highways within the District, the cost of constructing public waterways, docks or wharfs, and related appurtenances, the cost of constructing or contracting for the construction of dikes and levees for flood protection for the District, the cost of contracting for water for fire protection and for resale to residents of the District, the cost of contracting for police protection and security services, and the cost of electricity for street lighting for the public streets and highways within the district, the cost of civil defense warning system, the cost of installing gas and electric service lines and conduits, the cost of acquiring, improving and operating public parks, playgrounds, and recreation facilities, and, where permitted by this section, the cost of contracting for building, acquiring, improving, and operating public parks, playgrounds, and recreational facilities, as provided by the law of Nebraska.

ARTICLE VII.
Board of Trustees

The following named persons are proposed as designated representative Trustees to serve on behalf of Lake View 126, LLC, owner of the property within the District and as described on Exhibit "A" attached hereto, as a Board of Trustees of the District until their successors are elected and qualified:

Gerald L. Torczon
Doris J. Nicholson
John R. Torczon
Joadele Ressler
Jerome Pieper

ARTICLE VIII.
Adoption and Amendment

These Articles of Association take effect from and after their execution by the undersigned and the determination by the District Court of Sarpy County, Nebraska, of the District to be a public corporation of Nebraska; and thereafter the Board of Trustees has authority from time to time, with or without approval of the District Court of Sarpy County, Nebraska, as provided by the law of Nebraska, to alter, amend, or revoke all or any part of these Articles of Association.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Association on June 7, 2013.

LAKE VIEW 126, LLC, a Nebraska limited liability company,

By _____
Gerald L. Torczon, Manager

EXHIBIT DRAWING

LEGAL DESCRIPTION

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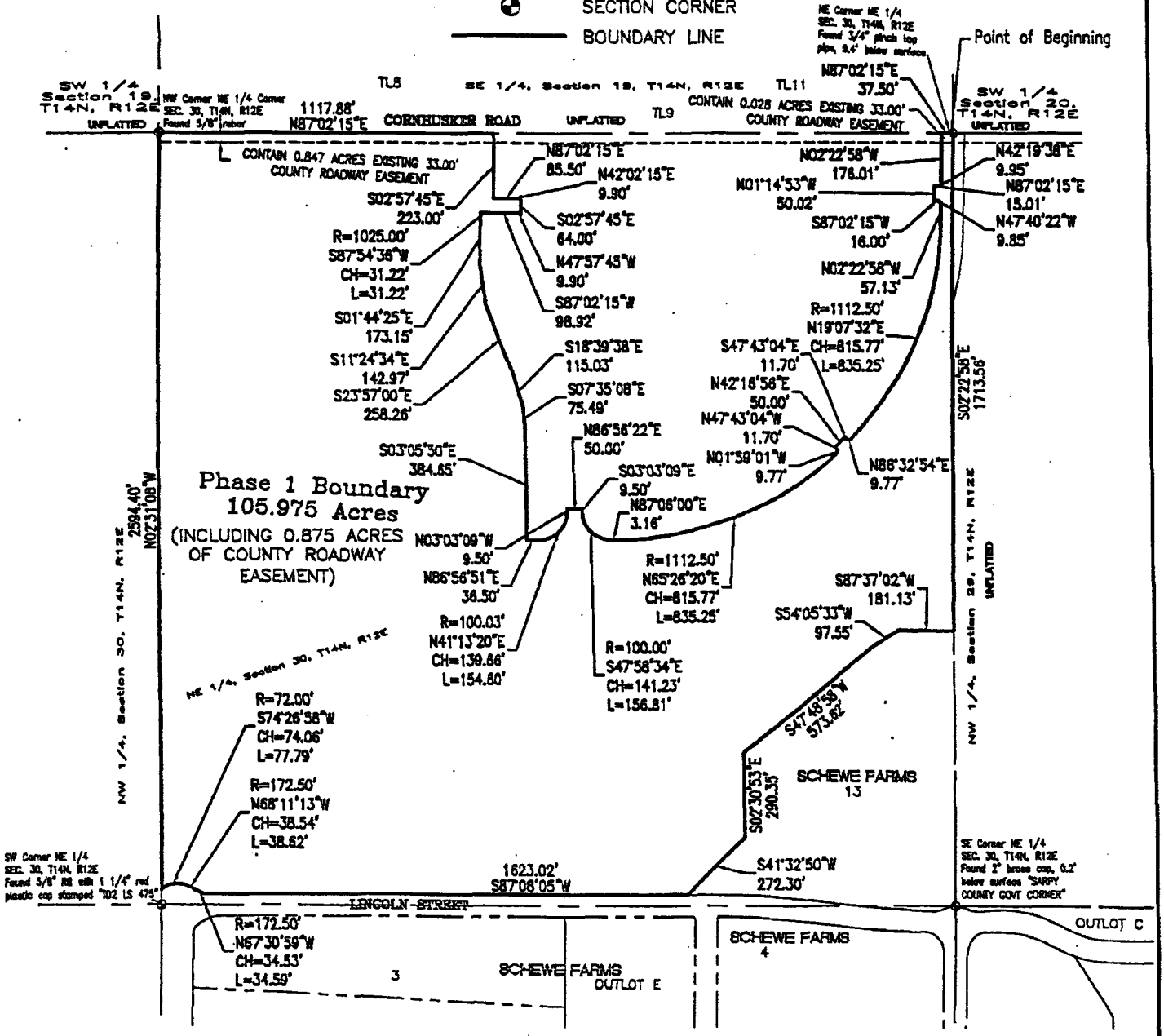

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OF

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IN WITNESS WHEREOF, the undersigned has executed these Articles of Association on June 7, 2013.

LAKE VIEW 126, LLC, a Nebraska limited liability company,

By _____
Gerald L. Torczon, Manager

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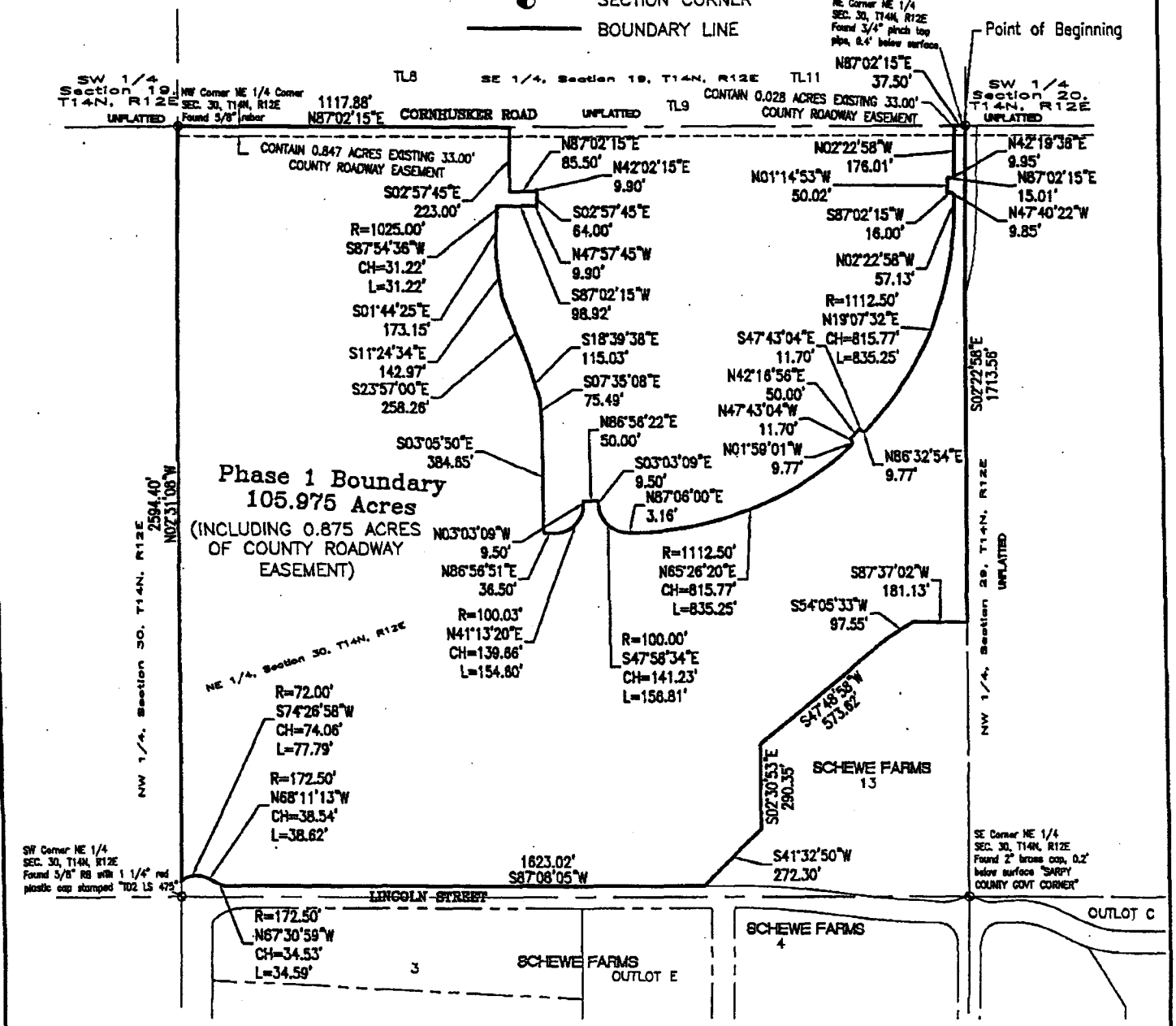

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Thence South 23°57'00" East for 258.26 feet;

Thence South 18°39'38" East for 115.03 feet;

Thence South 07°35'08" East for 75.49 feet;

Thence South 03°05'50" East for 384.65 feet;

Thence North 86°56'51" East for 36.50 feet;

Thence along a curve to the left (having a radius of 100.03 feet and a long chord bearing

North 41°13'20" East for 139.66 feet) for an arc length of 154.60 feet;

Thence North 03°03'09" West for 9.50 feet;

Thence North 86°56'22" East for 50.00 feet;

Thence South 03°03'09" East for 9.50 feet;

Thence along a curve to the left (having a radius of 100.00 feet and a long chord bearing South 47°58'34" East for 141.23 feet) for an arc length of 156.81 feet;

Thence North 87°06'00" East for 3.16 feet;

Thence along a curve to the left (having a radius of 1112.50 feet and a long chord bearing North 65°26'20" East for 815.77 feet) for an arc length of 835.25 feet;

Thence North 01°59'01" West for 9.77 feet;

Thence North 47°43'04" West for 11.70 feet;

Thence North 42°16'56" East for 50.00 feet;

Thence South 47°43'04" East for 11.70 feet;

Thence along a curve to the left (having a radius of 1112.50 feet and a long chord bearing North 19°07'32" East for 815.77 feet) for an arc length of 835.25 feet;

Thence North 02°22'58" West for 57.13 feet;

Thence North 47°40'22" West for 9.85 feet;

Thence South 87°02'15" West for 16.00 feet;

Thence North 01°14'53" West for 50.02 feet;

Thence North 87°02'15" East for 15.01 feet;

Thence North 42°19'38" East for 9.95 feet;

Thence North 02°22'58" West for 176.01 feet to the north line of the Northeast Quarter of said Section 30;

Thence North 87°02'15" East for 37.50 feet to the Point of Beginning.

Contains 105.975 acres including 0.875 acres of County Roadway Easement.

5-20-2013
LAMP, RYNEARSON & ASSOCIATES, INC.
L/ENG/0112044/Survey/TEXT/Phase Lines.docx

NE Sec of State John A Gale - CORP AP
1001229082 Pgs: 24
SANITARY AND IMPROVEMENT DISTR
Filed: 06/18/2013 04:16 PM

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

CI
DOC. 13

NO. 883

FILED
SARPY COUNTY
DISTRICT COURT
2013 JUN 11 PM 4:02
CLERK DISTRICT COURT

IN THE MATTER OF	)	
	)	
SANITARY AND IMPROVEMENT	)	
DISTRICT NO. 292 OF SARPY	)	
COUNTY, NEBRASKA	)	DECREE

This matter having come on for hearing upon the Petition filed on behalf of the owner having an interest in real property within the limits of proposed Sanitary and Improvement District No. 292 of Sarpy County, Nebraska, the boundaries to which are more particularly described in Exhibit "A" thereto attached and by this reference herein incorporated, together with Articles of Association executed by the owner, as more particularly described in Exhibit "B" attached to the Petition and by this reference herein incorporated, the Court, being fully advised in the premises and having considered the evidence, finds generally that the allegations of the Petition are true and that the prayer thereof should be granted and finds specifically:

1. That the owner of all of the real estate included within the limits of such district has duly authorized the execution of the Petition on its behalf and has duly executed and filed in the office of the Clerk of the Court Articles of Association as required by Section 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, and all other applicable provisions of law; and that, there being no known or unknown owners of real property nor residents nor nonresidents of Nebraska who will be benefitted by the formation of such district and who have not joined in its organization and the execution of such Articles of Association, issuance and service of summons, notice, or other process may and should be dispensed with as unnecessary;

2. That the Court has personal jurisdiction of the Petitioner in this matter and also jurisdiction of its subject matter pursuant to the provisions of Sections 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, and all other applicable provisions of law;

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3. That the formation and organization of such district is and will be conducive to the public convenience, health, and welfare of all of the present and future owners having an interest in real property within its limits and all residents or other occupants within its limits;

4. That no part of the real property within the limits of such district is located within the limits of any municipal corporation or used for industrial purposes; and

5. That the five persons designated in the Articles of Association as initial Trustees are suitable persons, are the designated representative Trustees of the owner of real property within the limits of such district, and may and should be declared to constitute the Board of Trustees of such district to serve until their successors are elected and qualified.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. That the Sanitary and Improvement District No. 292 of Sarpy County, Nebraska, having been duly formed and organized as provided by law, be, and it hereby is, declared to be a public corporation of Nebraska under the provisions of Sections 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, as amended, and all other applicable provisions of law and under the Articles of Association and with the real property within its limits as in this Decree above-described and to be entitled to exercise all of the powers, privileges, and rights thereto granted by law;

2. That the five (5) Trustees nominated be, and they hereby are, approved, confirmed and declared to be and constitute the Board of Trustees of such district to serve until their successors are elected and qualified; and

3. That the Clerk of the Court be, and he hereby is, directed within twenty (20) days hereafter to transmit to the Secretary of State of Nebraska, for filing in the office thereof as provided by law, a certified copy of the record hereto relating and to provide, for filing in the office of the County Clerk of Sarpy County, Nebraska, together with a plat of the real property within the limits of said district, an additional certified copy of said record.

DATED: June 11, 2013.

BY THE COURT:

District Judge

PREPARED AND SUBMITTED BY:

John Q. Bachman (#15622)
PANSING HOGAN ERNST & BACHMAN LLP
10250 Regency Circle, Suite 300
Omaha, NE 68114 (402) 397-5500
Attorneys for the Petitioners

FILED
SARPY COUNTY
DISTRICT COURT
2013 JUN -7 PM 4:12
CLERK DISTRICT COURT

NOTICE

TO: Sarpy County Clerk,
Election Commissioners Office &
Papillion City Clerk

Pursuant to § 31-728 Nebraska Revised Statutes of Nebraska you are hereby notified that **S.I.D # 292** of Sarpy County, Nebraska has been formed.

(Photo copy of legal description attached)

The above S.I.D number is docketed in the Sarpy County District Court in Docket: **CI 13** Page: **883**.

Carol Kremer
Clerk of District Court
Sarpy County, Nebraska

Deputy
(AMH)

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