

Nebraska



Western Surety Company



OFFICIAL BOND

KNOW ALL MEN BY THESE PRESENTS:

BOND No. OFF. 54356212

That we, Gerald L. Torczon, as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Nebraska, as Surety, are held and firmly bound, jointly and severally, unto the Sanitary Improvement District #290 Sarpy County, State of Nebraska, in the penal sum of Five Thousand and No/100 DOLLARS (\$ 5,000.00).
 (NOT VALID IF FILLED IN FOR MORE THAN \$50,000.00)

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the above bounden Principal has been elected or appointed Trustee Chairman in and for Sanitary Improvement District #290 Sarpy County, State of Nebraska.

Now, if the said Principal shall faithfully discharge all the duties of his said office as required by law, then this bond to be void, otherwise to remain in full force and effect until the 12th day of February, 2012.

When the stated term of this bond shall be reduced to a shorter term by reason of the death, resignation or removal from office of the Principal for a cause not imposing liability on this bond, the Surety shall refund to the obligee the unearned portion of the premium so paid for the term of this bond, subject to a reasonable minimum premium charge.

Dated this 18th day of February, 2010.

Countersigned [Signature] Principal
 WESTERN SURETY COMPANY
 By Michael M. Gree Nebraska Resident Agent By Stephen T. Latt President

PRINCIPAL'S OATH OF OFFICE

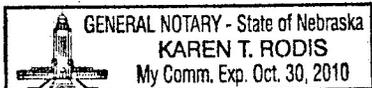
STATE OF NEBRASKA
 County of Sarpy } ss
 I, Gerald L. Torczon

do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or for purpose of evasion; and that I will faithfully and impartially perform the duties of the office of Chairman of SID #290 of Sarpy County, NE according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God.

[Signature] Principal
 Subscribed and sworn to by the above named Gerald L. Torczon before me
 this 20th day of April, 2010

WITNESS my hand and Official Seal

[Signature]
 Notary Public Clerk
 Deputy



Western Surety Company
 1-605-336-0850

290

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



NOTICE

Please take notice that on January 22, 2010, a Petition was filed with the Sarpy County District Court indexed as in the matter of Sanitary and Improvement District No. 290 of Sarpy County, Nebraska, Doc. CI10, Page 126, 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 February 1, 2010. Copies of the Petition, Articles of Association and Decree are attached hereto and incorporated herein by this reference.

SANITARY AND IMPROVEMENT DISTRICT
NO. 290 OF SARPY COUNTY, NEBRASKA

By *Roger W. Langpaul*
Roger W. Langpaul, Clerk

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF)
)
SANITARY AND IMPROVEMENT DISTRICT)
NO. 290 OF SARPY COUNTY, NEBRASKA)

DOC. CI10

NO. 126

PETITION

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. 290 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. 290 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: January 22, 2010.



000164614D59

FILED
SARPY COUNTY
DISTRICT COURT
10 JAN 22 AM 11:53
Clerk of District Court

SCHEWE FARMS, INC., a Nebraska corporation and
WESTERN SPRINGS LAND CORPORATION, a
Nebraska corporation (Developer), Petitioner

By John Q. Bachman
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, SCHEWE FARMS, INC., a Nebraska corporation and WESTERN SPRINGS LAND CORPORATION, a Nebraska corporation; 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.

John Q. Bachman

SUBSCRIBED AND SWORN to before me this 22nd day of January, 2010.



Karen T. Rodis
Notary Public

LEGAL DESCRIPTION

The Southeast Quarter of Section 30, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, TOGETHER WITH Part of the Northeast Quarter of Section 30, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, AND ALSO TOGETHER WITH the West Half of the Southwest Quarter of Section 29, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, EXCEPT that part taken for Highway Right of Way, the entire parcel described as follows:

Commencing at a 2" Brass Cap "Sarpy County Govt Corner" at the Southwest corner of the Southeast Quarter of said Section 30;

Thence North 02°30'53" West (bearings referenced to Nebraska State Plane NAD83-2008) for 229.07 feet along the west line of said Southeast Quarter of Section 30 to a 5/8" rebar with 1 1/4" red plastic cap stamped "TD2 LS 475" at the north right of way line of State of Nebraska Highway 370 and the TRUE POINT OF BEGINNING;

Thence North 02°30'53" West for 2414.94 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped "TD2 LS 475" at the southwest corner of the Northeast Quarter of said Section 30;

Thence North 02°31'08" West for 52.11 feet along the west line of the Northeast Quarter of said Section 30;

Thence along a curve to the right (having a radius of 72.00 feet and a long chord bearing North 74°26'58" East for 74.06 feet) for an arc length of 77.79 feet;

Thence along a curve to the right (having a radius of 172.50 feet and a long chord bearing South 68°11'13" East for 38.54 feet) for an arc length of 38.62 feet;

Thence along a curve to the left (having a radius of 172.50 feet and a long chord bearing South 67°30'59" East for 34.53 feet) for an arc length of 34.59 feet;

Thence North 87°08'05" East for 1623.02 feet;

Thence North 41°32'50" East for 272.30 feet;

Thence North 02°30'53" West for 290.35 feet;

Thence North 47°48'58" East for 573.62 feet;

Thence North 54°05'33" East for 97.55 feet;

Thence North 87°37'02" East for 181.13 feet to the east line of the Northeast Quarter of said Section 30;

Thence South 02°22'58" East for 937.51 feet to a 2" brass cap "Sarpy County Govt Corner" at the northwest corner of the Southwest Quarter of said Section 29;

Thence North 87°14'31" East for 1330.68 feet to the northeast corner of the West Half of the Southwest Quarter of said Section 29;

Thence South 02°26'48" East for 2444.39 feet along the east line of said West Half of the Southwest Quarter of Section 29 to the north right of way line of State of Nebraska Highway 370, said point lies North 02°26'48" West for 207.04 feet from the southeast corner of said West Half of the Southwest Quarter of Section 29;

Thence along the north right of way line of State of Nebraska Highway 370 for the following ten (10) courses;

1) Thence North 78°37'49" West for 238.98 feet;

2) Thence South 78°14'30" West for 167.41 feet;

3) Thence South 80°48'52" West for 429.45 feet;

4) Thence North 03°39'29" West for 115.00 feet;

5) Thence South 86°15'20" West for 507.15 feet to 5/8" rebar stamped "TD2 LS 475" at the east line of the Southeast Quarter of said Section 30, said point lies North 02°23'05" West for 296.50 feet from the southeast corner of the Southeast Quarter of said Section 30;

6) Thence South 23°08'29" West for 111.57 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped "TD2 LS 475";

7) Thence South 86°50'27" West for 450.05 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped "TD2 LS 475";

8) Thence South 85°14'52" West for 998.58 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped

EXHIBIT "A"

"TD2 LS 475";

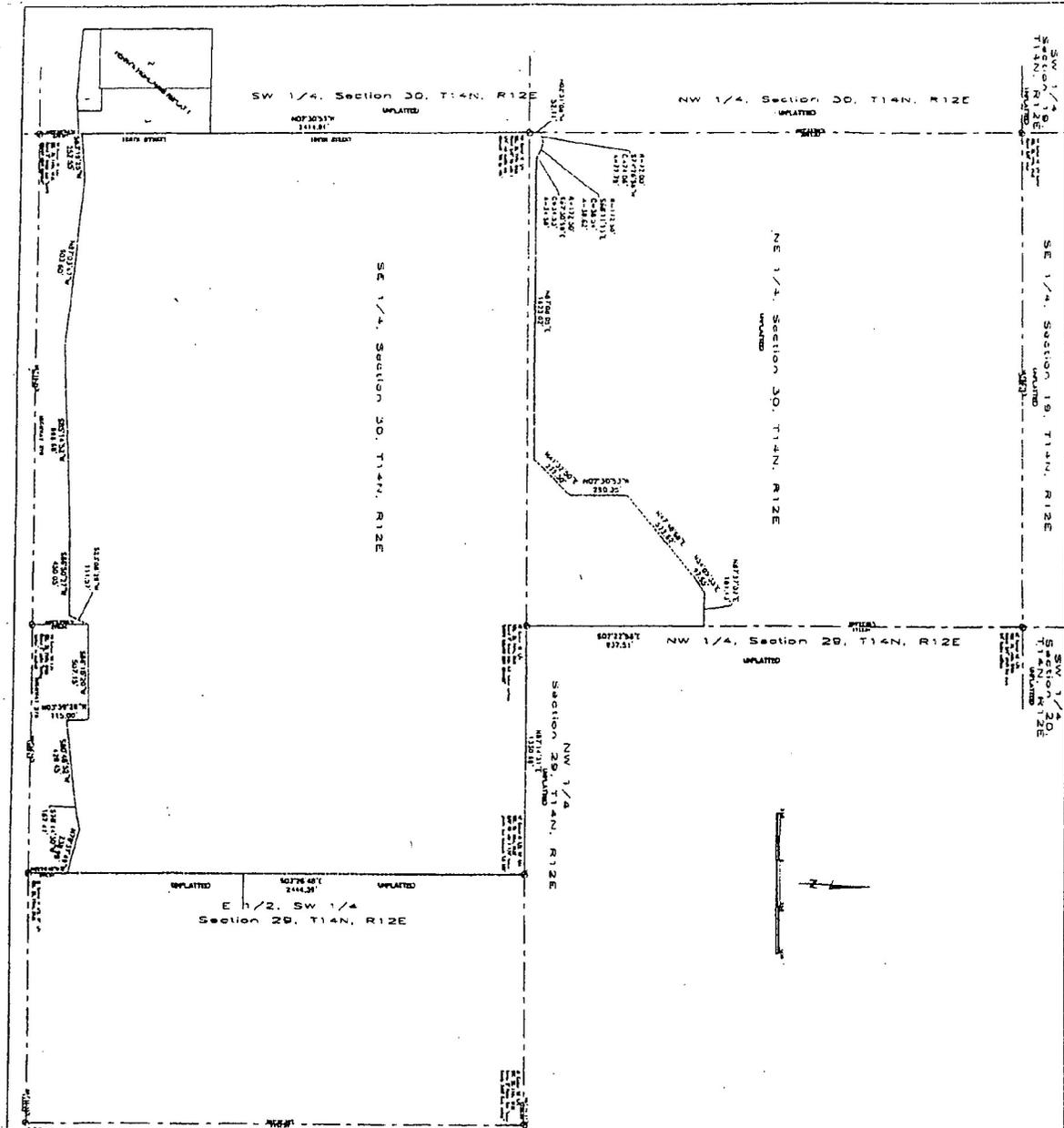
9) Thence North $87^{\circ}03'47''$ West for 903.60 feet to a $5/8''$ rebar with $1\ 1/4''$ red plastic cap stamped

"TD2 LS 475";

10) Thence South $83^{\circ}19'25''$ West for 252.55 feet to Point of Beginning.

Contains 237.340 acres as field measured.

Note: All property corners are monumented with a $5/8''$ rebar with $1\ 1/4''$ yellow plastic cap stamped LS 692 unless otherwise stated.



LEGAL DESCRIPTION

SW 1/4 Section 19, T14N, R12E
 NW 1/4 Section 20, T14N, R12E
 SE 1/4 Section 30, T14N, R12E
 NE 1/4 Section 30, T14N, R12E
 E 1/2 SW 1/4 Section 20, T14N, R12E

UNPLATTED

MAY 1987

10776.46' 244.28'



<p>10776.46' 244.28'</p>	<p>BOUNDARY EXHIBIT</p>	<p>Lamp, Rynerson & Associates, Inc. 1410 West 14th Street, Suite 102 Omaha, Nebraska 68114-2027</p> <p>WWW.LRA.INC.COM (PH) 402.496.2499 (FAX) 402.496.2310</p>	<p>SCHEWE FARMS CITY OF PAPILLION, SARPY COUNTY, NEBRASKA</p>
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ARTICLES OF ASSOCIATION
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 290
OF SARPY COUNTY, NEBRASKA

KNOW ALL MEN BY THESE PRESENTS: THAT, the undersigned, being the owners having an interest in real property within the limits thereof, hereby associate themselves 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. 290 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 developers are the owners of property in said proposed District and their names and business addresses are set forth herein, as follows:

<u>NAME</u>	<u>ADDRESS</u>
Schewe Farms, Inc.	1753 South 49 th Street West Des Moines, IA 50265
Western Springs Land Corporation	11205 South 150 th Street, Suite 100 Omaha, NE 68138

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

EXHIBIT "B"

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 Schewe Farms, Inc. and Western Springs Land Corporation, owners 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:

Roger W. Langpaul
Gerald L. Torczon
Leslie A. Slovak
Doris J. Nicholson
Margaret K. Langpaul

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 January 21, 2010.

SCHEWE FARMS, INC., a Nebraska corporation

By Margaret K. Langpaul
Margaret K. Langpaul, President

WESTERN SPRINGS LAND CORPORATION, a
Nebraska corporation,

By Gerald L. Torczon
Gerald L. Torczon, President

LEGAL DESCRIPTION

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ARTICLES OF ASSOCIATION
OF

CI 10-126

SANITARY AND IMPROVEMENT DISTRICT NO. 290
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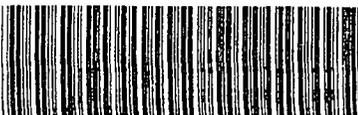
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SARPY COUNTY
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3) Thence South 80°48'52" West for 429.45 feet;

4) Thence North 03°39'29" West for 115.00 feet;

5) Thence South 86°15'20" West for 507.15 feet to 5/8" rebar stamped "TD2 LS 475" at the east line of the Southeast Quarter of said Section 30, said point lies North 02°23'05" West for 296.50 feet from the southeast corner of the Southeast Quarter of said Section 30;

6) Thence South 23°08'29" West for 111.57 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped "TD2 LS 475";

7) Thence South 86°50'27" West for 450.05 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped "TD2 LS 475";

8) Thence South 85°14'52" West for 998.58 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped

EXHIBIT "A"

"TD2 LS 475";

9) Thence North $87^{\circ}03'47''$ West for 903.60 feet to a 5/8" rebar with 1 1/4" red plastic cap stamped

"TD2 LS 475";

10) Thence South $83^{\circ}19'25''$ West for 252.55 feet to Point of Beginning.

Contains 237.340 acres as field measured.

Note: All property corners are monumented with a 5/8" rebar with 1 1/4" yellow plastic cap stamped LS 692 unless otherwise stated.

FILED
SARPY COUNTY
DISTRICT COURT
IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA
2010 FEB -1 PM 4:03

IN THE MATTER OF

DOC. 0110

NO. 126

SANITARY AND IMPROVEMENT DISTRICT
NO. 290 OF SARPY COUNTY, NEBRASKA)
DISTRICT COURT

DECREE

This matter having come on for hearing upon the Petition filed on behalf of the owners having an interest in real property within the limits of proposed Sanitary, and Improvement District No. 290 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 owners, 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 owners of all of the real estate included within the limits of such district have duly authorized the execution of the Petition on their behalf and have 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;

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



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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:

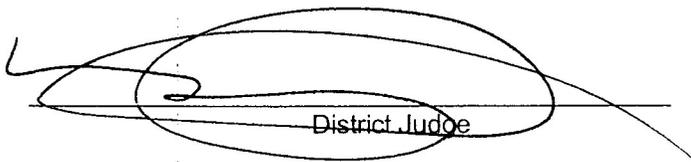
1. That the Sanitary and Improvement District No. 290 of Sarpy County, Nebraska, having been duly formed and organized as provided by law, be, and it hereby is, declared to be a public corporation of Nebraska under the provisions of Sections 31-727 to 31-793, Reissue Revised Statutes of Nebraska, 1943, 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: July 1, 2010.

BY THE COURT:


District Judge

PREPARED AND SUBMITTED BY:

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