

NOTICE

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

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

Pursuant to § 31-728 Nebraska Revised Statutes of Nebraska you are hereby notified that S.I.D # 293 of Sarpy County, Nebraska has been formed.

(Photo copy of legal description attached)

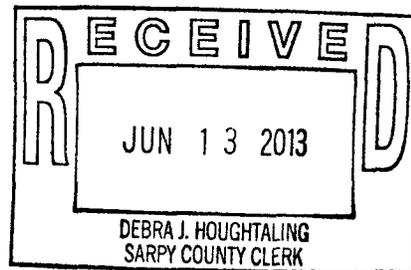
The above S.I.D number is docketed in the Sarpy County District Court in Docket: CI 13 Page: 884.

Carol Kremer

Carol Kremer
Clerk of District Court
Sarpy County, Nebraska

Debra J. Houghtaling

(AMH)



Ashbury Farm

CI 13-894
FILED
SARPY COUNTY
DISTRICT COURT
2013 JUN -7 PM 3:19
Danae Jensen
CLERK DISTRICT COURT

ARTICLES OF ASSOCIATION
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 293
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. 293 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:

<u>NAME</u>	<u>ADDRESS</u>
B.H.I. Development, Inc.	11205 S. 150 th Street, Suite 100 Omaha, NE 68138



✓

✓
A

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, regravelling, 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 B.H.I. Development, Inc., 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.

B.H.I. DEVELOPMENT, INC., a Nebraska
corporation,

By



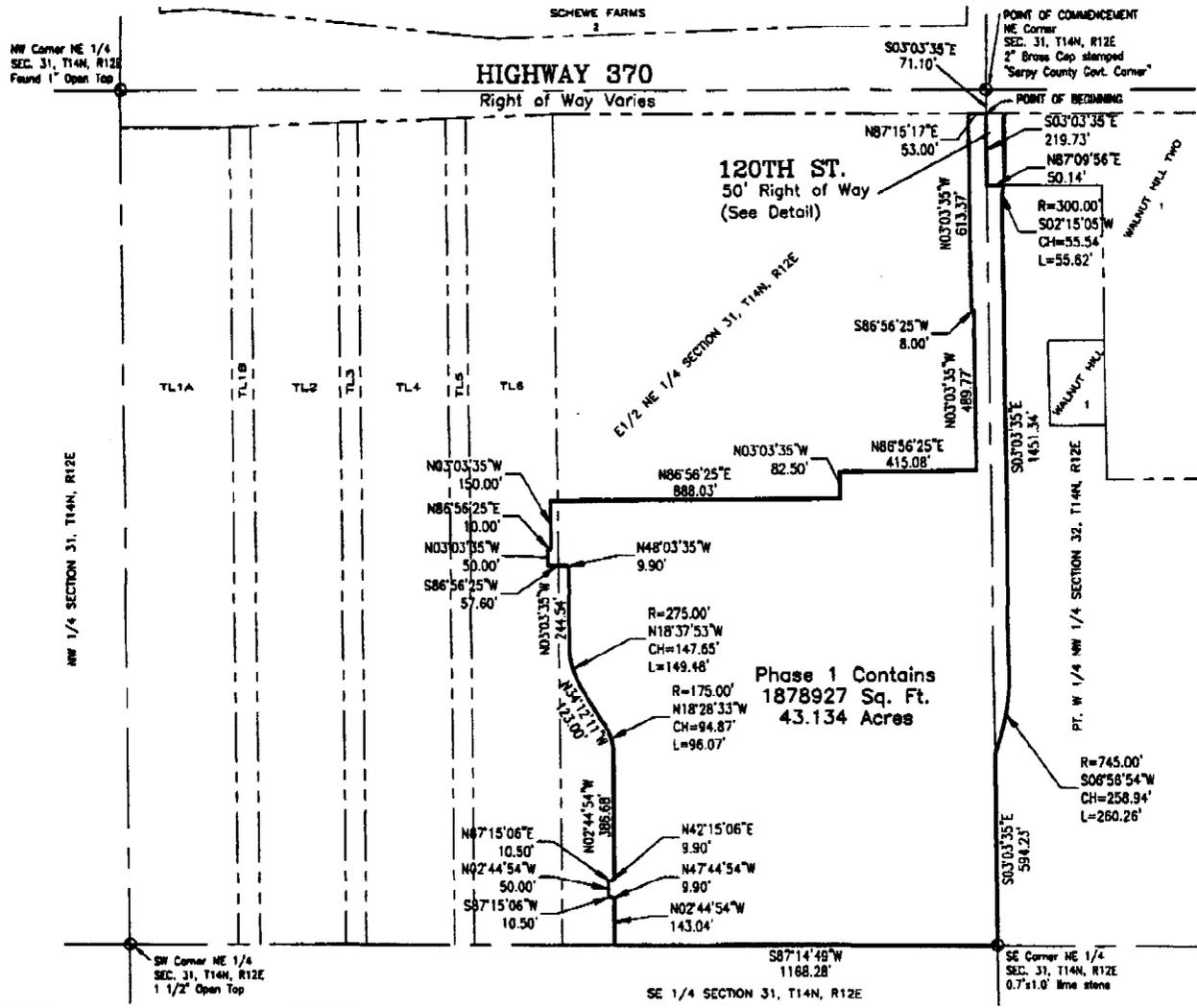
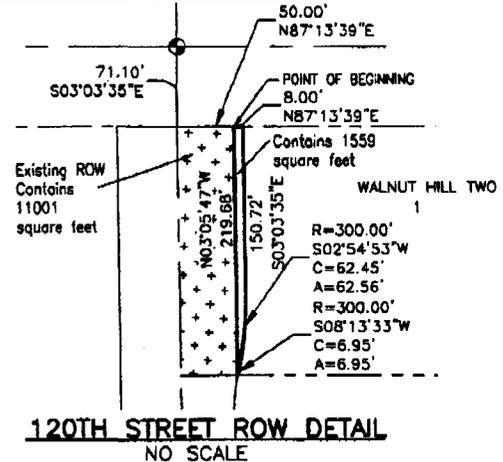
Gerald L. Torczon, President

LEGAL DESCRIPTION

Part of Tax Lot 6, TOGETHER WITH, part of the East Half all in the Northeast Quarter of Section 31, AND ALSO TOGETHER WITH, that part of the West Quarter of the Northwest Quarter of Section 32, all in Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska the entire parcel is described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)

LEGEND

- SECTION LINE
- ⊙ SECTION CORNER
- BOUNDARY LINE
- + + + EXISTING RIGHT OF WAY



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

drawn by EAM	designed by	reviewed by MRT	project - task number 0112043.01-003	date 5-22-2013	book and page	revisions
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Phase I Legal

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Commencing at a 2" Brass Cap stamped "Sarpy County Govt. Corner" at the northeast corner of the Northeast Quarter of said Section 31;

Thence South 03°03'35" East (bearings referenced to Nebraska State Plane NAD83-2008) for 71.10 feet along the east line of the Northeast Quarter of said Section 31 to the south right of way of the State of Nebraska Highway 370 and the TRUE POINT OF BEGINNING;

Thence South 03°03'35" East for 219.73 feet continuing along said east line to the present day south right of way line of 120th Street;

Thence North 87°09'58" East for 50.14 feet along said south right of way line;

Thence along a curve to the left (having a radius of 300.00 feet and a long chord bearing South 02°15'05" West for 55.54 feet) for an arc length of 55.62 feet;

Thence South 03°03'35" East for 1451.35 feet;

Thence along a curve to the right (having a radius of 745.00 feet and a long chord bearing South 06°56'54" West for 258.94 feet) for an arc length of 260.26 feet to the east line of the Northeast Quarter of said Section 31;

Thence South 03°03'35" East for 594.23 feet to the southeast corner of the Northeast Quarter of said Section 31;

Thence South 87°14'49" West for 1168.28 feet along the south line of the Northeast Quarter of said Section 31;

Thence North 02°44'54" West for 143.04 feet;

Thence North 47°44'54" West for 9.90 feet;

Thence South 87°15'06" West for 10.50 feet;

Thence North 02°44'54" West for 50.00 feet;

Thence North 87°15'06" East for 10.50 feet;

Thence North 42°15'06" East for 9.90 feet;

Thence North 02°44'54" West for 386.68 feet;

Thence along a curve to the left (having a radius of 175.00 feet and a long chord bearing North 18°28'33" West for 94.87 feet) for an arc length of 96.07 feet;

Thence North 34°12'11" West for 123.00 feet;

Thence along a curve to the right (having a radius of 275.00 feet and a long chord bearing North 18°37'53" West for 147.65 feet) for an arc length of 149.48 feet;

Thence North 03°03'35" West for 244.54 feet;

Thence North 48°03'35" West for 9.90 feet;

Thence South 86°56'25" West for 57.60 feet;

Thence North 03°03'35" West for 50.00 feet;

Thence North 86°56'25" East for 10.00 feet;

Thence North 03°03'35" West for 150.00 feet;

Thence North 86°56'25" East for 888.03 feet;

Thence North 03°03'35" West for 82.50 feet;

Thence North 86°56'25" East for 415.08 feet;

Thence North 03°03'35" West for 489.77 feet;
Thence South 86°56'25" West for 8.00 feet;
Thence North 03°03'35" West for 613.37 feet to the south right of way line of the State of
Nebraska Highway 370;
Thence North 87°15'17" East for 53.00 feet to the Point of Beginning.

AND ALSO TOGETHER WITH

That part of Lot 1, WALNUT HILL TWO, a subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska, described as follows:

Beginning at the northwest corner of said Lot 1;
Thence North 87°13'39" East for 8.00 feet along the north line of said Lot 1;
Thence South 03°03'35" East for 150.72 feet;
Thence along a curve to the right (having a radius of 300.00 feet and a long chord bearing South 02°54'53" West for 62.45 feet) for an arc length of 62.56 feet;
Thence along a curve to the left (having a radius of 300.00 feet and a long chord bearing South 08°13'33" West for 6.95 feet) for an arc length of 6.95 feet to the southwestern most corner of said Lot 1;
Thence North 03°05'47" West for 219.68 feet along the west line of said Lot 1 to the Point of Beginning.
Both parcels together contain 43.170 acres.

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF)
)
SANITARY AND IMPROVEMENT)
DISTRICT NO. 293 OF SARPY)
COUNTY, NEBRASKA)

DOC. CI 13

NO. 884

PETITION

Carol Johnson
CLERK DISTRICT COURT

2013 JUN -7 PM 3:19

FILED
SARPY COUNTY
DISTRICT COURT

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. 293 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

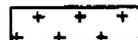


AV

LEGAL DESCRIPTION

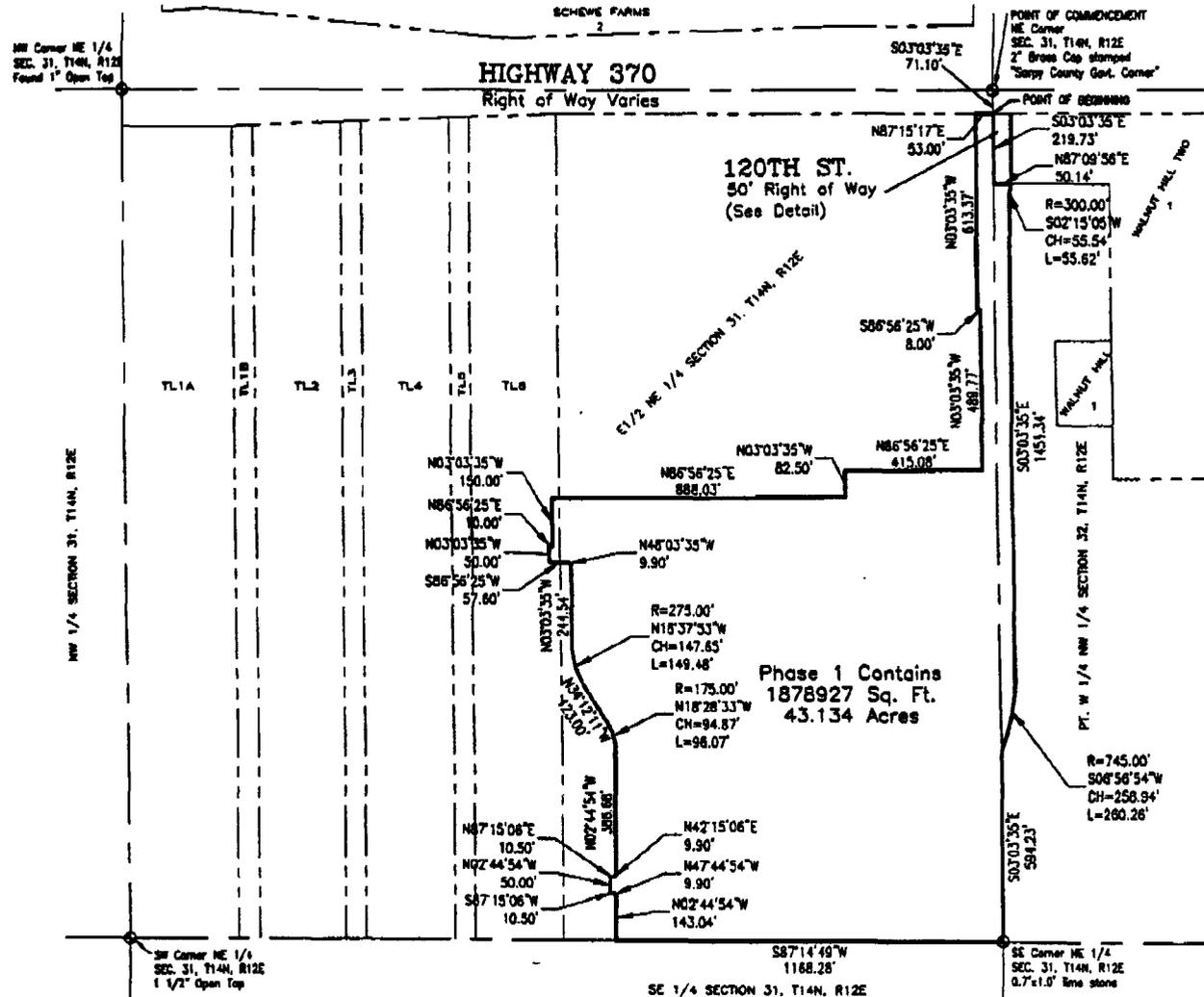
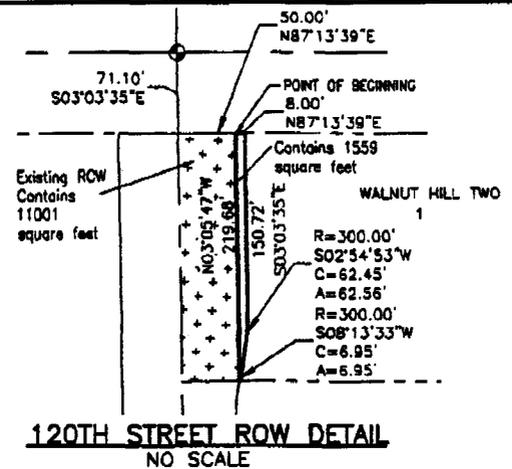
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LEGEND

-  SECTION LINE
-  SECTION CORNER
-  BOUNDARY LINE
-  EXISTING RIGHT OF WAY



SCHEWES FARMS
2





**LAMP RYNEARSON
& ASSOCIATES**

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

402.496.2498 | P
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drawn by EAM	designed by MRT	reviewed by MRT	project - task number 0112043.01-003	date 5-22-2013	book and page	revisions
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Phase I Legal

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ARTICLES OF ASSOCIATION

OF

SANITARY AND IMPROVEMENT DISTRICT NO. 293
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. 293 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

B.H.I. Development, Inc.

ADDRESS

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.

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ARTICLE VII.
Board of Trustees

The following named persons are proposed as designated representative Trustees to serve on behalf of B.H.I. Development, Inc., 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:

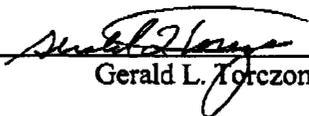
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These Articles of Association take effect from and after their execution by the undersigned and the determination by the District Court of Sarpy County, Nebraska, of the District to be a public corporation of Nebraska; and thereafter the Board of Trustees 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
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corporation,

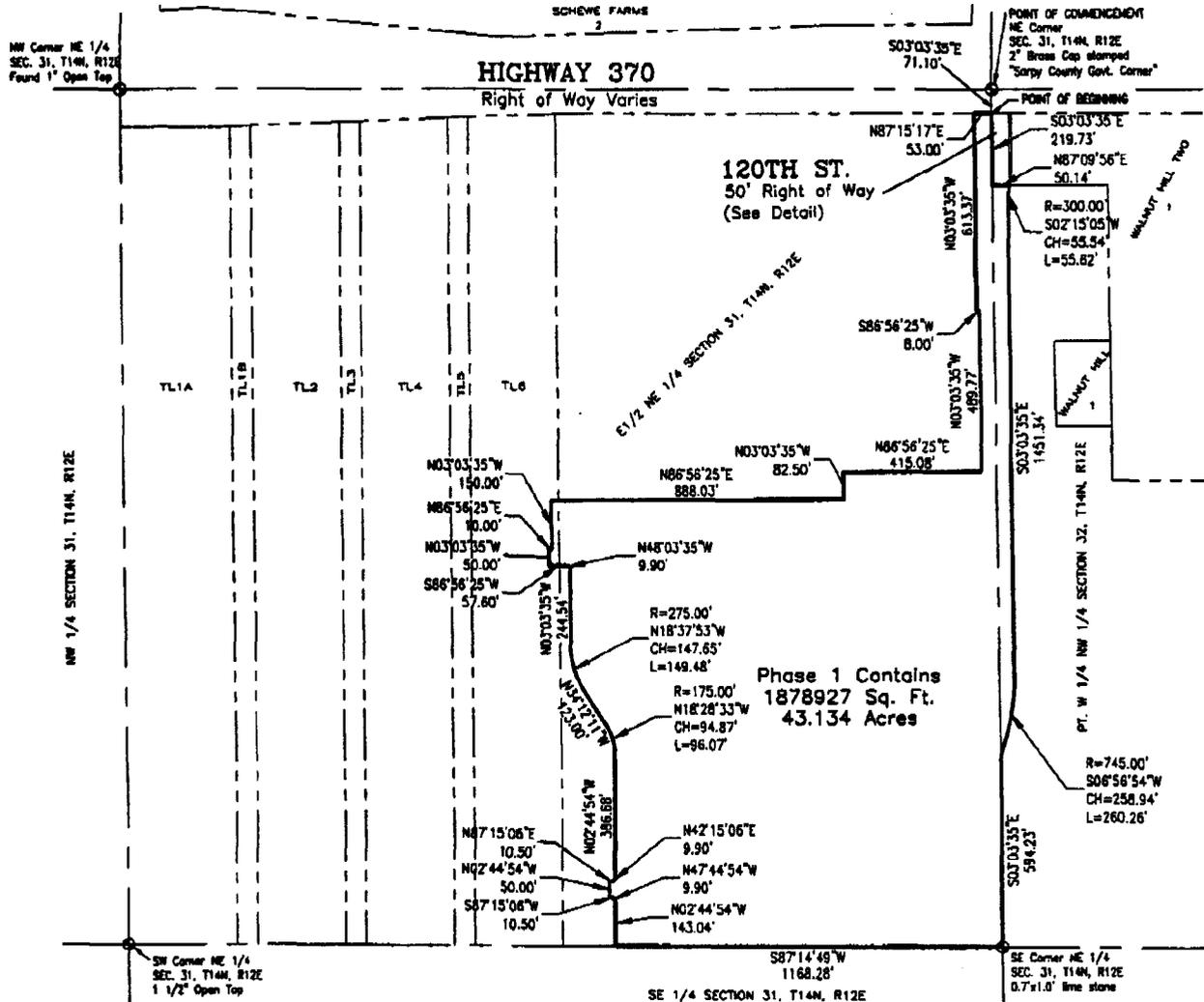
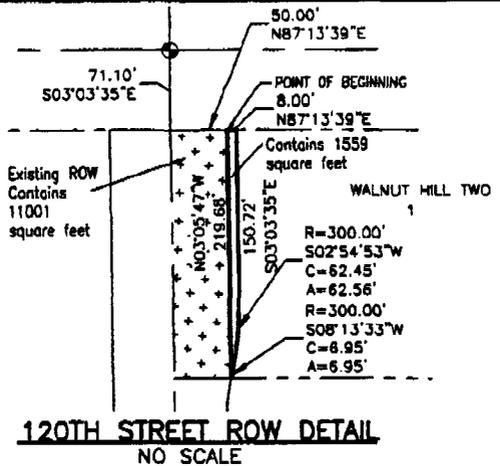
By 
Gerald L. Torczon, President

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Thence North 87°13'39" East for 8.00 feet along the north line of said Lot 1;
Thence South 03°03'35" East for 150.72 feet;
Thence along a curve to the right (having a radius of 300.00 feet and a long chord bearing South 02°54'53" West for 62.45 feet) for an arc length of 62.56 feet;
Thence along a curve to the left (having a radius of 300.00 feet and a long chord bearing South 08°13'33" West for 6.95 feet) for an arc length of 6.95 feet to the southwestern most corner of said Lot 1;
Thence North 03°05'47" West for 219.68 feet along the west line of said Lot 1 to the Point of Beginning.
Both parcels together contain 43.170 acres.

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:

NOTICE (6-7-2013), DECREE (6-11-2013), ARTICLES OF ASSOCIATION (6-7-2013), PLAT (6-7-2013), PETITION (6-7-2013).

entered in a cause in said court wherein:

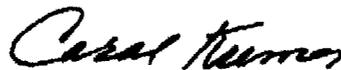
IN THE MATTER OF SANITARY AND IMPROVEMENT DISTRICT NO. 293 OF SARPY COUNTY, NEBRASKA, Plaintiff

and:

_____, Defendant

Case ID CI 13 884, 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 11th day of June, A.D. 2013.



CAROL KREMER
CLERK OF THE DISTRICT COURT