

MINUTES OF MEETING  
OF  
SANITARY AND IMPROVEMENT DISTRICT NO. 297  
OF SARPY COUNTY, NEBRASKA

A meeting of the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, was convened in open and public session at 10:00 a.m. on the 27th day of May, 2015, at 774 Olson Drive, Papillion, Nebraska.

Present were: John C. Allen, Jeanne D. Knox, Gerald L. Torczon, Doris J. Nicholson and Jeffery Torczon.

Absent: None.

Notice of the meeting was given in advance thereof by publication in the Bellevue Leader on May 13 and 20, 2015, a copy of the proof of publication being attached to these minutes. Notice of this meeting was simultaneously given to all members of the Board of Trustees, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the published notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public. The agenda was at all times available at the office for the District at 10250 Regency Circle, Suite 300, Omaha, Nebraska 68114.

The meeting was called to order by the undersigned presiding as Chairman. Upon roll call, all of the Trustees were present.

The Chairman publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

The Clerk first certified that notice of this meeting concerning the project entitled Park Improvements Phase I (Southern Pines) had been posted in three (3) conspicuous places within the District with the Clerk causing to be filed a Certificate to that effect with a copy of the notice attached thereto, such notice being attached to the minutes of these proceedings and by this reference made a part hereof.

The Clerk next stated that no petition opposing the proposed Resolution of Advisability and Necessity had been filed by the property owners within the District or by any other person or entity and that no person appeared at the meeting or made any objections to the proposed Resolution of Advisability and Necessity with such being the same resolution adopted in form at the meeting of the Board of Trustees held on May 8, 2015, which resolution is set forth in its entirety in the proof of publication attached hereto and by this reference incorporated herein. After discussion of the Board, the following resolution was duly moved and seconded and upon a roll call vote the Trustees, John C. Allen, Jeanne D. Knox, Gerald L. Torczon, Doris J. Nicholson and Jeffery Torczon, voted "Aye" with none voting "Nay" thereby passing and adopting the following resolution:

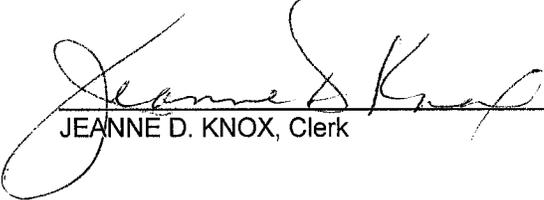
RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, that the Resolution of Necessity and Advisability for the construction of the project entitled Park Improvements Phase I (Southern Pines) be ratified and approved as proposed.

FURTHER RESOLVED, that the Chairman and Clerk be, and hereby are, authorized and directed to take such steps as are necessary to implement this resolution, including the execution of such agreement for and on behalf of the District.

**[THE BALANCE OF THIS PAGE LEFT INTENTIONALLY BLANK –  
SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

The Clerk next reviewed the Agenda which had been available for public inspection in accordance with the law prior to this meeting of the Board of Trustees and reported that all matters considered by the Board at this meeting appeared on the Agenda.

Jeanne D. Knox, as Clerk for Sanitary and Improvement District No. 297 of Sarpy County, Nebraska (the "District") does hereby certify that the above proceedings are a true and accurate statement of the proceedings had by the District at its May 27, 2015 meeting.



Jeanne D. Knox

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JEANNE D. KNOX, Clerk

## AGENDA

Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, Agenda for meeting of May 27, 2015:

1. Adopt the resolution of necessity for Park Improvements Phase I (Southern Pines).
2. Discuss miscellaneous District matters.
3. Adjournment.

## CERTIFICATE

The undersigned hereby certify that they are the Chairman and Clerk of Sanitary and Improvement District Number 297 of Sarpy County, Nebraska, (the "District") and hereby further certify as follows:

1. Annexed to this certificate is a true and correct transcript of the proceedings of the Board of Trustees of the District relating to a meeting of said District held on the date and at the time reflected in the meeting minutes contained in said foregoing transcript (the "Meeting"). All of the proceedings of the District and of the Board of Trustees thereof which are set out in the annexed and foregoing transcript have been fully recorded in the journal of proceedings of the District and the undersigned District Clerk has carefully compared the annexed and foregoing transcript with said journal and with the records and files of the District which are in such Clerk's official custody and said transcript is a full, true and complete copy of said journal, records and files which are set out therein.

2. Advance notice for the Meeting was given by publication as set forth in the affidavit of publication contained in the foregoing transcript and was mailed to the Clerk of the municipality or county within whose zoning jurisdiction the District is located at least seven days prior to the date of the Meeting. Advance notice for the Meeting, including notice of agenda subjects, was given to all members of the Board of Trustees. All news media requesting notification of meetings of said body were provided with advance notice of the times and places of such meetings and the subjects to be discussed.

3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects were contained in said agenda for at least 24 hours prior to the Meeting and each agenda item was sufficiently descriptive to give the public reasonable notice of the matters to be considered at the Meeting.

4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such Meeting was being held. At least one copy of all resolutions and other reproducible written materials, for which actions are shown in said proceedings, was made available for examination and copying by members of the public at the Meeting.

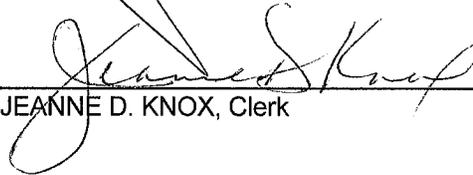
5. The minutes of the Meeting were in written form and available for public inspection within ten (10) working days after the Meeting or prior to the next convened meeting, whichever occurred earlier, at the office of the District; within thirty (30) days after the date of the Meeting, a copy of the minutes of the Meeting was sent to the Clerk of the municipality or county within whose zoning jurisdiction the District is located.

6. No litigation is now pending or threatened to restrain or enjoin the District from the issuance and delivery of any warrants or other obligations issued by the District or the levy and collection of tax or other revenues or relating to any of the improvements for which any such warrants or other obligations were or are issued nor in any manner questioning the proceedings and authority under which any such warrants or other obligations were or are issued or affecting the validity thereof; neither the corporate existence or boundaries of the District nor the title of its present officers to their respective offices is being contested; no authority or proceedings for the issuance of any warrants or other obligations by the District have been repealed, revoked or rescinded as of the date hereof. All actions taken by the Board of Trustees referred to in said transcript were taken at a public meeting while open to the attendance of the public.

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this 27th day of May, 2015.

A handwritten signature in black ink, appearing to be 'John C. Allen', written over a horizontal line.

JOHN C. ALLEN, Chairman

A handwritten signature in black ink, appearing to be 'Jeanne D. Knox', written over a horizontal line.

JEANNE D. KNOX, Clerk

ACKNOWLEDGMENT OF RECEIPT

OF

NOTICE OF MEETING

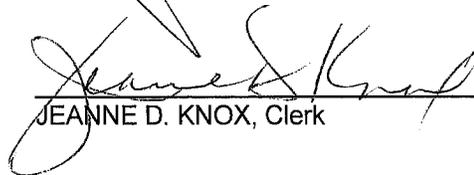
The undersigned Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said District and the agenda for such meeting held at 10:00 a.m. on May 27, 2015, at 774 Olson Drive, Papillion, Nebraska.

Dated this 27th day of May, 2015.



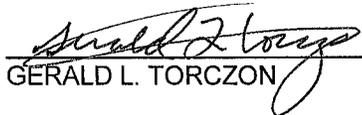
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JOHN C. ALLEN, Chairman



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JEANNE D. KNOX, Clerk



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GERALD L. TORCZON



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DORIS J. NICHOLSON



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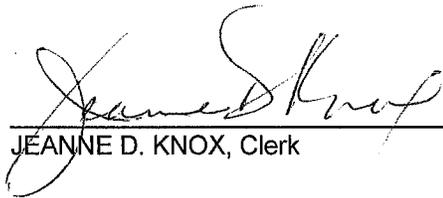
JEFFERY TORCZON

CERTIFICATE

TO WHOM IT MAY CONCERN:

The undersigned, Jeanne D. Knox, being the Clerk of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, does hereby certify that she did send a Notice of Meeting to Sarpy County, Nebraska more than seven (7) days prior to the date of this meeting.

Dated this 27th day of May, 2015.

  
\_\_\_\_\_  
JEANNE D. KNOX, Clerk

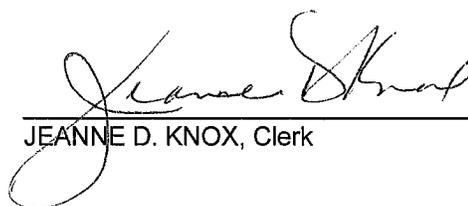
CERTIFICATE

TO WHOM IT MAY CONCERN:

The undersigned, Jeanne D. Knox, being the Clerk of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, does hereby certify that the Minutes of the meeting of the Board of Trustees of said District were written and available for public inspection at the following address:

10250 Regency Circle, Suite 300,  
Omaha, Nebraska

Dated this 27th day of May, 2015.

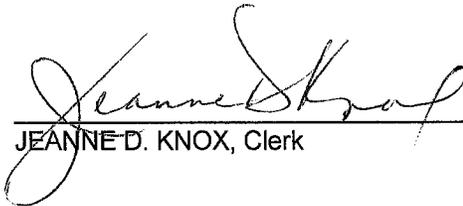
  
\_\_\_\_\_  
JEANNE D. KNOX, Clerk

CERTIFICATE

TO WHOM IT MAY CONCERN:

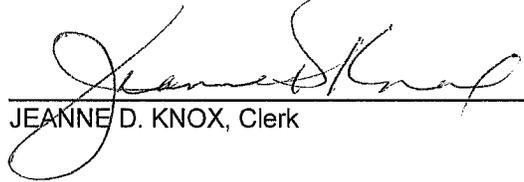
The undersigned, Jeanne D. Knox, being the Clerk of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, does hereby certify that a copy of the attached Agenda was prepared and available for public inspection at the address shown on the Notice of Meeting, attached to these proceedings, prior to the commencement of the meeting. I further certify that no items were added to the Agenda after the commencement of the meeting.

DATED: May 27, 2015.

  
\_\_\_\_\_  
JEANNE D. KNOX, Clerk

CERTIFICATE

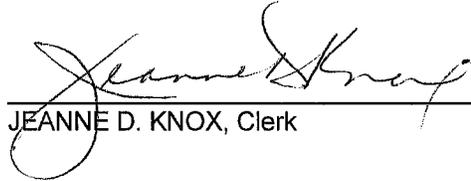
I, the undersigned, certify that I am the acting Clerk of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, and that the following is a true and correct transcript of the records and proceedings of such District through May 27, 2015.

  
\_\_\_\_\_  
JEANNE D. KNOX, Clerk

CERTIFICATE

TO WHOM IT MAY CONCERN:

The undersigned, Jeanne D. Knox, being the Clerk of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, does hereby certify that the minutes of the meeting of the Board of Trustees of such District were forwarded to the County of Sarpy, Nebraska, on the 3<sup>rd</sup> day of JUNE, 2015.

  
\_\_\_\_\_  
JEANNE D. KNOX, Clerk

MAILED 5-20-15

TO: Sarpy County, Nebraska

NOTICE OF MEETING  
Sanitary and Improvement  
District No. 297  
Of Sarpy County, Nebraska

Notice is hereby given to whom it may concern that the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, will meet at 774 Olson Drive, Papillion, Nebraska, on May 27, 2015, at 10:00 a.m., meeting open to the public for which an Agenda, kept continuously current, is available for public inspection during normal business hours at Regency Center, 10250 Regency Circle, Suite 300, Omaha, Nebraska 68114.

DATED: May 20, 2015.

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

By: JEANNE D. KNOX, Clerk

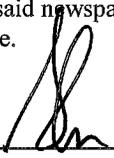
**AFFIDAVIT OF PUBLICATION**

STATE OF NEBRASKA }  
 } SS.  
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Ron Petak deposes and says that he is the Executive Editor of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, May 13, 2015 Bellevue Leader  
Thereafter, Wednesday, May 20, 2015 Bellevue Leader

And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

 OR   
\_\_\_\_\_

Shon Barenklau OR Ron Petak  
Publisher Executive Editor

PANSING HOGAN  
ERNST & BACHMAN LLP  
Attorneys at Law  
10250 Regency Circle, Suite 300  
Omaha, NE 68114

**NOTICE**

Sanitary and Improvement District No. 297  
of Sarpy County, Nebraska

Notice is hereby given that a meeting of the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, will be held at 10:00 a.m. on May 27, 2015, at 774 Olson Drive, Papillion, Nebraska, which meeting will be open to the public. An agenda for such meeting, kept continuously current, is available for public inspection during normal business hours at the office of the Chairman of the Board at the office of counsel for the District, 10250 Regency Circle, Suite 300, Omaha, Nebraska, which Agenda the Board may modify at such meeting and includes the payment of bills of the District and the consideration and passing or amending and passing of the following resolutions, to-wit:

Today's Date 5-20-15  
Signed in my presence and sworn to before me:

  
\_\_\_\_\_  
Notary Public

Printer's Fee \$ 84.70  
Customer Number: 10362  
Order Number: 0001858816

RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, find and determine that it is advisable and necessary for the District to perform certain construction improvements entitled Park Improvements Phase I (Southern Pines).

This work shall consist of the construction of the following:

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Park improvements within the boundaries of the District, including clearing and grubbing, grading, play ground equipment, PCC parking and trails, PCC sidewalks, benches, trash receptacles, and landscaping, and all work that may be considered incidental thereto in various locations within the existing park.

FURTHER RESOLVED, that such project be constructed and all work incidental or necessary thereto done in accordance with the plans and specifications prepared by Lamp, Ryneanson & Associates, Inc., engineers employed by the District for such purpose, which were filed with the Board of Trustees of the District prior to the first publication of this resolution. The total cost of such project is \$278,600.00 - BASE BID; and \$24,900.00 - ALTERNATE BID 1.

To pay the cost of such project, the Board of Trustees shall have the power to issue negotiable bonds after the purchase has been completed and accepted; the warrants or bonds shall be called "Sanitary and Improvement Bonds" and shall be payable and bear interest as provided by the statutes of the State of Nebraska. The Board of Trustees shall have the power to assess, to the extent of special benefits, the cost of such portion of such improvements as may be local improvements against properties found specially benefitted thereby.

The outer boundaries of the area which may be assessed to the extent it may be specially benefitted by such improvements is the same as the outer boundaries of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska.

All special assessments which may be levied upon properties specially benefitted by such improvements shall, when collected, be set aside and constitute a sinking fund for the payment of the interest and principal of such bonds. The District shall also cause to be levied annually a tax upon the assessment value of all of the taxable property in the District, except intangible property which, together with such sinking fund derived from special assessments, shall be sufficient to meet payments of interest and principal on such bonds as the same become due; and such tax shall be known as the "Sanitary and Improvement District Tax", and shall be payable annually in money.

SANITARY AND IMPROVEMENT  
DISTRICT NO. 297  
OF SARPY COUNTY, NEBRASKA

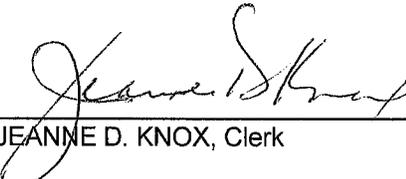
By: JEANNE D. KNOX, Clerk

1858816; 5/13, 5/20

CERTIFICATE

The undersigned, JEANNE D. KNOX, being the Clerk of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, does hereby certify that three (3) copies of the Notice attached hereto were on this date posted within the District and further in the area which may be subject to special assessments by reason of matters involved in such Notice.

Dated this 14th day of May, 2015.

  
JEANNE D. KNOX, Clerk

PANSING HOGAN  
ERNST & BACHMAN LLP  
Attorneys at Law  
10250 Regency Circle, Suite 300  
Omaha, NE 68114

**NOTICE**

Sanitary and Improvement District No. 297  
of Sarpy County, Nebraska

Notice is hereby given that a meeting of the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, will be held at 10:00 a.m. on May 27, 2015, at 774 Olson Drive, Papillion, Nebraska, which meeting will be open to the public. An agenda for such meeting, kept continuously current, is available for public inspection during normal business hours at the office of the Chairman of the Board, at the office of counsel for the District, 10250 Regency Circle, Suite 300, Omaha, Nebraska, which Agenda the Board may modify at such meeting and includes the payment of bills of the District and the consideration and passing or amending and passing of the following resolutions, to-wit:

RESOLVED, that the Board of Trustees of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska, find and determine that it is advisable and necessary for the District to perform certain construction improvements entitled Park Improvements Phase I (Southern Pines).

This work shall consist of the construction of the following:

Park improvements within the boundaries of the District, including clearing and grubbing, grading, play ground equipment, PCC parking and trails, PCC sidewalks, benches, trash receptacles, and landscaping, and all work that may be considered incidental thereto in various locations within the existing park.

FURTHER RESOLVED, that such project be constructed and all work incidental or necessary thereto done in accordance with the plans and specifications prepared by Lamp, Rynearson & Associates, Inc., engineers employed by the District for such purpose, which were filed with the Board of Trustees of the District prior to the first publication of this resolution. The total cost of such project is \$278,600.00 - BASE BID; and \$24,900.00 - ALTERNATE BID 1.

To pay the cost of such project, the Board of Trustees shall have the power to issue negotiable bonds after the purchase has been completed and accepted; the warrants or bonds shall be called "Sanitary and Improvement Bonds" and shall be payable and bear interest as provided by the statutes of the State of Nebraska. The Board of Trustees shall have the power to assess, to the extent of special benefits, the cost of such portion of such improvements as may be local improvements against properties found specially benefitted thereby.

The outer boundaries of the area which may be assessed to the extent it may be specially benefitted by such improvements is the same as the outer boundaries of Sanitary and Improvement District No. 297 of Sarpy County, Nebraska.

All special assessments which may be levied upon properties specially benefitted by such improvements shall, when collected, be set aside and constitute a sinking fund for the payment of the interest and principal of such bonds. The District shall also cause to be levied annually a tax upon the assessment value of all of the taxable property in the District, except intangible property which, together with such sinking fund derived from special assessments, shall be sufficient to meet payments of interest and principal on such bonds as the same become due; and such tax shall be known as the "Sanitary and Improvement District Tax", and shall be payable annually in money.

SANITARY AND IMPROVEMENT  
DISTRICT NO. 297  
OF SARPY COUNTY, NEBRASKA  
By: JEANNE D. KNOX, Clerk  
1858816; 5/13, 5/20