

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

IN THE MATTER OF)
)
SANITARY AND IMPROVEMENT)
DISTRICT NO. 299 OF SARPY)
COUNTY, NEBRASKA)

DOC. 0113

PAGE 1846

PETITION

2013 DE-14 PM 4:17

FILED
SARPY COUNTY
DISTRICT COURT

COMES NOW the undersigned Petitioner and alleges as follows:

I.

The undersigned is the owner of all of the real estate described on Exhibit "A" attached hereto and by this reference made a part of this petition.

II.

The undersigned petitioner has, on this date, filed with the Clerk of the District Court of Sarpy County, Nebraska duly executed Articles of Association forming the Sanitary and Improvement District described in the caption hereof, which District embraces the foregoing described real estate.

III.

Your petitioner alleges that all of the provisions of Section 31-727 to 31-793 R.R.S. Neb. 1943, as amended, have been fully complied with and that said District should be found and decreed to be a Sanitary and Improvement District under Sections 31-727 to 31-793, as amended, of the Revised Statutes of the State of Nebraska.

WHEREFORE, your petitioner prays:

1. That the Court find that all of the owners of the real estate described herein and embraced within said District have duly executed this petition.

2. That the court find and decree that the Sanitary and Improvement District described in the caption hereof, the same being Sanitary and Improvement District No. 299 of Sarpy County, Nebraska has been duly organized and constitutes a Sanitary and Improvement District under Sections 31-727 to 31-793 R.R.S., Neb. 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



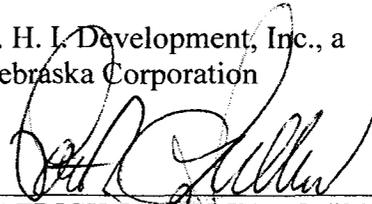
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EXECUTED this 4th day of December 2013

B. H. I. Development, Inc., a
Nebraska Corporation

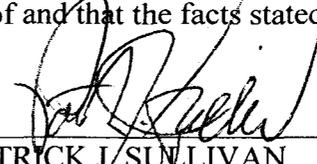
By:



PATRICK J. SULLIVAN, #20303
Adams & Sullivan, P.C., L.L.O.
1246 Golden Gate Drive, Suite 1
Papillion, NE 68046-2843
Telephone: (402) 339-9550
Facsimile: (402) 339-0401
Email: sullivan@adamsandsullivan.com
Its Attorney

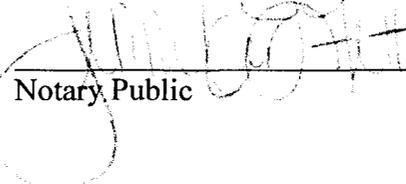
STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

PATRICK J. SULLIVAN, being first duly sworn upon oath, deposes and states that he is one of the duly authorized attorney for the foregoing petitioner; that he has read the foregoing petition, knows the contents thereof and that the facts stated therein are true as he verily believes.

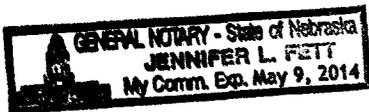


PATRICK J. SULLIVAN

SUBSCRIBED and sworn to before me this 4th day of December 2013.



Notary Public



S.I.D. BOUNDARY

LEGAL DESCRIPTION

That part of the Southwest Quarter and the Northwest Quarter of Section 29, Township 14 North, Range 11 East of the 6th P.M., Sorpy County, Nebraska, described as follows:

Commencing at the northwest corner of the Southwest Quarter of Section 29, Township 14 North, Range 11 East of the 6th P.M., Sorpy County, Nebraska,

Thence North 87°19'57" East (bearings referenced to Nebraska state plane NAD83) for 50.00 feet along the north line of said Southwest Quarter to the TRUE POINT OF BEGINNING;

Thence continuing North 87°19'57" East for 186.70 along the north line of said Southwest Quarter;

Thence North 02°43'26" West for 38.50 feet;

Thence North 87°19'57" East for 316.97 feet 38.50 feet north of and parallel with the north line of said Southwest Quarter;

Thence along a curve to the left (having a radius of 1161.50 feet and a long chord bearing North 81°05'52" East for 252.28 feet) for an arc length of 252.78 feet;

Thence along a curve to the right (having a radius of 1541.00 feet and a long chord bearing North 87°19'57" East for 665.47 feet) for an arc length of 670.75 feet;

Thence along a curve to the left (having a radius of 1161.50 feet and a long chord bearing South 86°25'58" East for 252.28 feet) for an arc length of 252.78 feet;

Thence North 87°19'57" East for 61.48 feet 38.50 feet north of and parallel with the north line of said Southwest Quarter;

Thence South 02°40'03" East for 38.50 feet to the north line of said Southwest Quarter;

Thence South 02°40'03" East for 38.50 feet;

Thence North 87°19'57" East for 814.23 feet 38.50 feet south of and parallel with the north line of said Southwest Quarter;

Thence South 02°47'00" East for 721.29 feet 38.50 feet west of and parallel with the east line of said Southwest Quarter;

Thence South 87°19'57" West for 282.62 feet;

Thence North 47°40'03" West for 131.26 feet;

Thence South 42°19'57" West for 1236.78 feet;

Thence North 47°40'03" West for 375.76 feet;

Thence along a curve to the left (having a radius of 170.00 feet and a long chord bearing North 70°10'03" West for 130.11 feet) for an arc length of 133.52 feet;

Thence South 87°19'57" West for 599.80 feet;

Thence North 02°40'03" West for 91.50 feet;

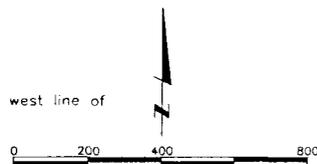
Thence North 42°19'57" East for 12.02 feet;

Thence South 83°37'02" West for 77.16 feet;

Thence South 87°19'57" West for 242.42 feet;

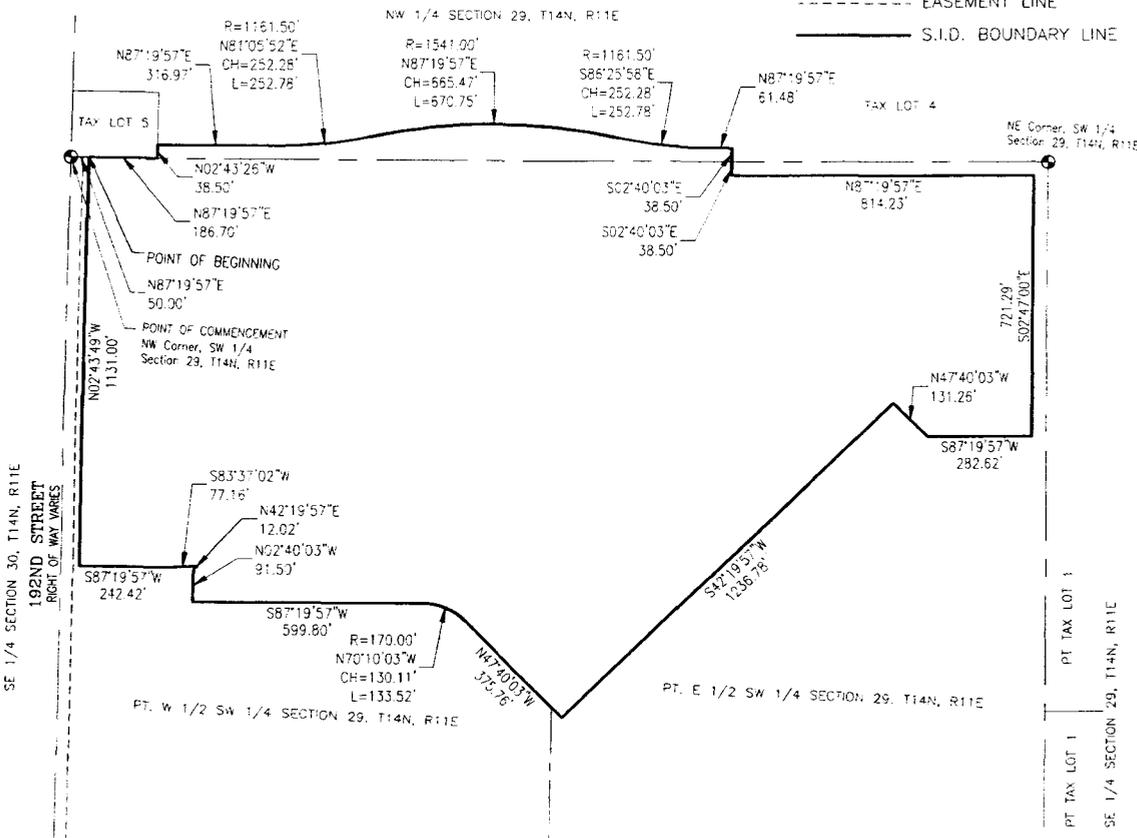
Thence North 02°43'49" West for 1131.00 feet 50.00 feet east of and parallel with the west line of said Southwest Quarter to the Point of Beginning;

Contains 67.130 acres



LEGEND

- SECTION LINE
- ⊕ SECTION CORNER
- - - - - EASEMENT LINE
- S.I.D. BOUNDARY LINE



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

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0113-1846

**ARTICLES OF ASSOCIATION
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 299
OF SARPY COUNTY, NEBRASKA**

The undersigned, does 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 Reissued Revised Statutes of the State of Nebraska, 1943, as amended, and do hereby adopt the following Articles of Association.

ARTICLE I

The name of this District shall be Sanitary and Improvement District No. 299 of Sarpy County, Nebraska.

ARTICLE II

This District shall have perpetual existence.

ARTICLE III

The limits of this District and the area embraced therein shall be described on Exhibit "A" attached hereto and by this reference made a part hereof.

ARTICLE IV

The undersigned subscriber is the owner of property in said proposed District and has set out immediately opposite its name and business address.

ARTICLE V

The description of the land situated in the District owned by the undersigned is described on Exhibit "A" attached hereto.

ARTICLE VI

There are no owners of property within the District who have not joined in the execution of these Articles of Association nor are there any unknown owners of real estate embraced within the District.

FILED
SARPY COUNTY
DISTRICT COURT
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Doris [Signature]
CLERK OF DISTRICT COURT

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ARTICLE VII

The purpose of this District shall be acquiring, installing, repairing, maintaining, renewing, operating and replacing electrical service lines and conduits, a sewer system, a water system, a system of sidewalks, public roads, streets and highways, to contract for water for fire protection, and for resale to the residents of the District, contracting for police protection and security services, contracting for access to the facilities and use of the services of the library system of one or more neighboring cities or villages, to contract for gas and electricity, to contract for street lighting for the public streets and highways within the District, to acquire, improve, and operate public parks, playgrounds and recreational facilities and to install and maintain an emergency management warning system. The District shall have all of the powers and authorities as are permitted by law, to achieve the purposes herein above set forth, including, but not in limitation of the foregoing, the power and authority to contract with corporations, utilities companies, or municipalities for water for fire protection and for resale to the residents of the District, and for electricity and gas, for street lighting of the public streets and highways within the District and for the disposal of sewage in the use of existing sewage improvement facilities and for the operation and maintenance of electrical service lines and conduits and to enter into contracts with other governmental authorities and subdivisions per the terms and powers granted by the "Interlocal Cooperation Act" of the State of Nebraska.

ARTICLE VIII

The undersigned, being the owner of real estate within the District is willing to obligate itself to pay the tax or taxes which may be levied against all of 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, or water system, or both a sewer and water system, the cost of contracting for water for fire protection and resale to the residents of the District, the cost of grading, changing grade, paving, repairing, graveling, regravelling, widening or narrowing sidewalks and roads, resurfacing or relaying existing paving, or otherwise improving any public roads, streets, or highways within the District and the cost of electricity for street lighting for the public streets and highways within the District, and the cost of installing gas and electric service

lines and conduits, the cost of acquiring, improving and operating public parks, playgrounds and recreational facilities, and the cost of installing and maintaining a civil defense warning system, as provided by law and all other costs and expenses incurred by the District as provided by law.

ARTICLE IX

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

ARTICLE X

The following named persons are proposed as designated representative Trustees to serve on behalf of B. H. I Development, Inc., a Nebraska Corporation, and owner of the property within the District 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 Nicholson
John Torczon
Jeff Torzon
Neil Smith

All of the foregoing Trustees will serve as the designated representatives of B. H. I. Development, Inc., a Nebraska Corporation, and property owner within the District.

IN WITNESS WHEREOF, the undersigned, the owner of real estate embraced within said District has executed these Articles of Association this 7th day of December 2013.

NAME

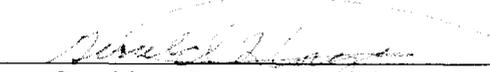
ADDRESS

B. H. I. Development, Inc., a
Nebraska Corporation

11205 S. 150th Street, Suite 100
Omaha, NE 68138

B. H. I. Developmnet, Inc., a
Nebraska Corporation,

By



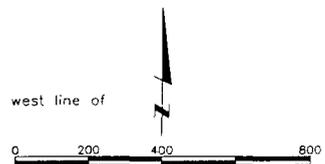
Gerald L. Torczon, President

Exhibit A

S.I.D. BOUNDARY

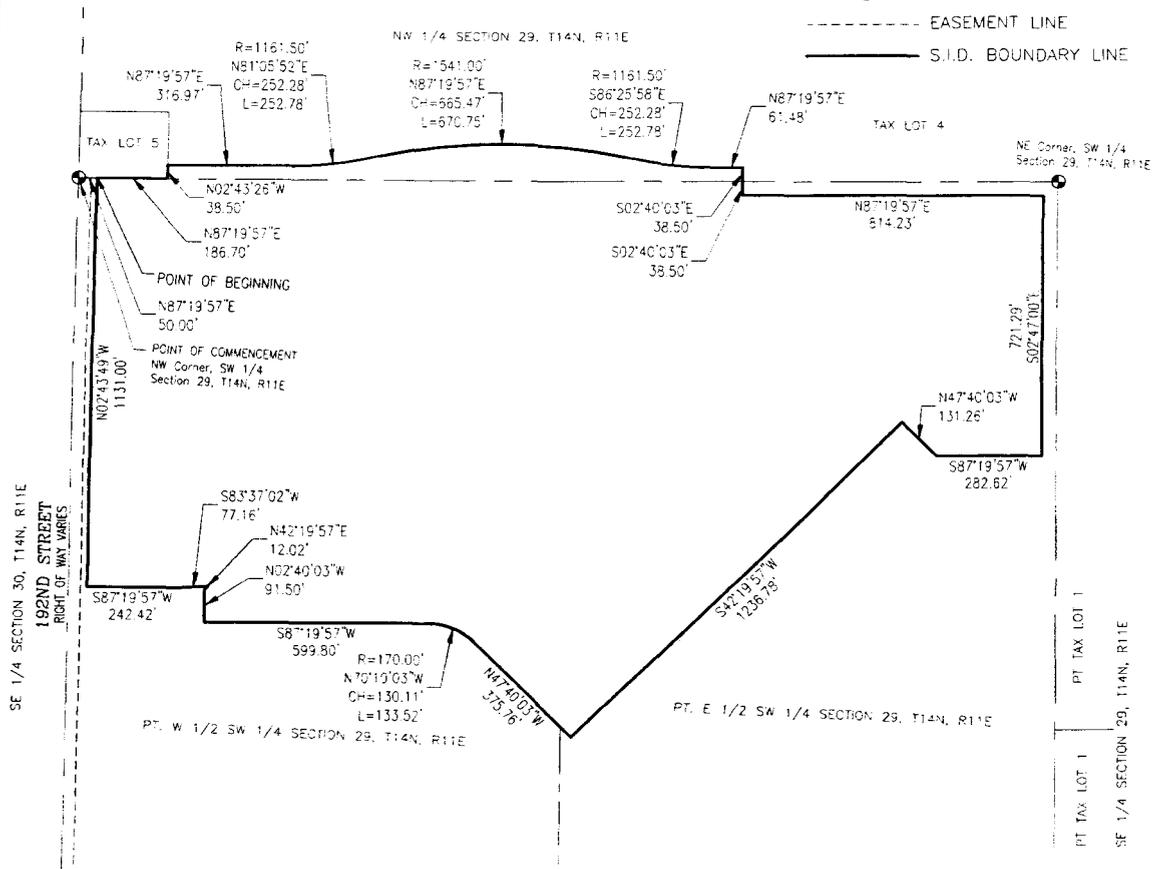
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- SECTION LINE
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& ASSOCIATES**

14710 West Dodge Road, Suite 100 402.496.2498 | P
 Omaha, Nebraska 68154-2027 402.496.2730 | F
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NOTICE

TO: Sarpy County Clerk,
Election Commissioners Office
Gretna City Clerk

Pursuant to § 31-728 Nebraska Revised Statutes of Nebraska you are hereby notified that S.I.D # 299 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: 1846.



Carol Kremer
Clerk of District Court
Sarpy County, Nebraska

(kp)



Carol Kremer
CLERK DISTRICT COURT

2013 DE - 6 AM 11:33

FILED
SARPY COUNTY
DISTRICT COURT

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 DATED DECEMBER 4, 2013; PLAT DATED DECEMBER 4, 2013;
ARTICLES OF ASSOCIATION OF SANITARY AND IMPROVEMENT DISTRICT NO. 299
OF SARPY COUNTY, NEBRASKA DATED DECEMBER 4, 2013; NOTICE DATED
DECEMBER 6, 2013

entered in a cause in said court wherein:

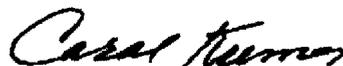
IN THE MATTER OF APPLICATION OF SANITARY AND IMPROVEMENT
DISTRICT NO. 299 OF SARPY COUNTY, NEBRASKA, Plaintiff

and:

_____, Defendant

Case ID CI 13 1846, 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 6th day of December, A.D. 2013.



CAROL KREMER
CLERK OF THE DISTRICT COURT