

## CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 311 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.

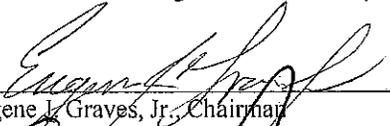
3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects 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.

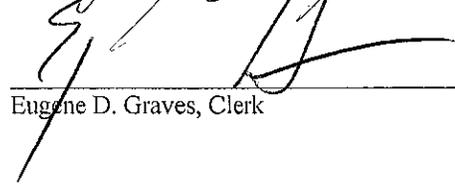
4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review 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 3<sup>rd</sup> day of November, 2016.

  
Eugene J. Graves, Jr., Chairman

  
Eugene D. Graves, Clerk

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES  
OF SANITARY AND IMPROVEMENT DISTRICT NO. 311 OF  
SARPY COUNTY, NEBRASKA HELD AT 10:00 A.M. ON  
NOVEMBER 3, 2016 AT 11627 VIRGINIA PLAZA #103, LA VISTA,  
NEBRASKA**

The meeting of the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska was convened in open and public session at 10:00 a.m. on November 3, 2016, at 11627 Virginia Plaza #103, La Vista, Nebraska, 68128.

Present at the meeting were Trustees Eugene J. Graves, Jr., Eugene D. Graves, Susan Sawyer Malnack, Mary E. Graves and Sherri Hinkel. Also present were Larry A. Jobeun of Fullenkamp, Doyle & Jobeun, attorneys on behalf of the District; Eric Galley and Chad LaMontagne of Olsson Associates, consulting engineers on behalf of the District; and Adam Flanagan of Kuehl Capital Corporation, municipal advisors on behalf of the District. No Trustee was absent.

A copy of the current Nebraska Open Meetings Act was then presented and the location of the Act made available to all in attendance these proceedings, in accordance with State Law.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on October 19 and 26, 2016, a copy of the Proof of Publication being attached to these minutes. Notice of the meeting was simultaneously given to all members of the Board of Trustees and a copy of their Acknowledgement of Receipt of Notice is attached to these minutes. Availability of the agenda was communicated in the published notice and in the notice of 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 Clerk then certified that notice of this meeting had been given to the Sarpy County Clerk and the City of Springfield City Clerk at least seven (7) days prior to the time set by the Board of Trustees for this meeting and filed his Certificate to that effect, said Certificate being attached to these minutes and made part hereof by this reference.

The Chairman then presented the proof of publication for the resolution of necessity for the Municipal Water Line Relocation, the same having been published in The Papillion Times on October 19 and 26, 2016, as required by law. Then, Trustees Eugene J. Graves, Jr., Susan Sawyer Malnack, Eugene D. Graves, Sherri Hinkel and Mary E. Graves, then voted "aye" and passed and adopted the proposed Resolution of Advisability and Necessity, being the same

Resolution adopted in form at the meeting of the Board of Trustees held on October 13, 2016, which Resolution is set forth in full in the Proof of Publication attached hereto; the Trustees then passed the following resolution:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 Sarpy County, Nebraska that the Resolution of Necessity for construction of the Sanitary, Storm, Paving & Water – Phase I, be and hereby is approved as proposed at the meeting of the Board of Trustees held on June 16, 2016.

The Chairman next presented the First Amendment to the Subdivision Agreement to be entered into by and between the District, the Association, the Developer and the City of Springfield. The Chairman and Trustee Malnack were then authorized to sign the same on behalf of the District and further instructed to retain a copy of the same in the District's file with the attorney's office.

The Chair then presented the following statements for payment from the Construction Fund Account of the District and the Clerk was directed to attach a copy of said statements to these minutes:

a. Neuvrith Construction for completion of a portion of the Sanitary Outfall Sewer construction and in accordance with Pay App. No. 1.	\$23,000.40
b. Fullenkamp, Doyle & Jobeun for legal services rendered in connection with Item a. hereinabove (5%).	\$1,150.02
c. Kuehl Capital Corporation for municipal advisory services on Construction Fund Warrants issued at this meeting (2.5%).	\$ 603.76
d. First National Capital Markets for underwriting services on Construction Fund Warrants issued at this meeting (2.0%).	\$ 495.08
<b>Total:</b>	<b>\$25,249.26</b>

Then, upon a motion duly made, seconded and upon a roll call vote of "aye" by the Trustees Eugene J. Graves, Jr., Susan Sawyer Malnack, Eugene D. Graves and Sherrie Hinkel, the following Resolutions were unanimously adopted:

RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska that the Chairman and Clerk be and

they hereby are authorized and directed to execute and deliver Warrants No. 63 through 68, of the District, dated the date of this meeting, to the following payees, for the following services and in the following amounts, said warrants to draw interest at the rate of 7% per annum, said warrants to be payable from the Construction Fund Account of the District (interest payable annually) and to be redeemed no later than five (5) years of the date of hereof, being November 3, 2021 (the "**Construction Fund Warrants**"), subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska after notice is given as required by law, to-wit:

- a) Warrant No. 63 and 64 for \$10,000.00 and Warrant No. 65 for \$3,000.40, all made payable to Neuvirth Construction Inc. for completion of a portion of the Sanitary Outfall Sewer construction and in accordance with Pay Est. No. 1. CF
- b) Warrant No. 66 for \$1,150.02 made payable to Fullenkamp, Doyle & Jobeun for legal services rendered in connection with item a) hereinabove. CF
- c) Warrant No. 67 for \$603.76 made payable to Kuehl Capital Corporation for municipal advisor services relating to Construction Fund Warrants issued at this meeting (2.5%). CF
- d) Warrants No. 68 for \$495.08 made payable to First National Capital Markets for underwriting fee on Construction Fund Warrants issued at this meeting (2.0%). CF

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska, that the District hereby finds and determines and covenants, warrants and agrees as follows in connection with the issuance of the Construction Fund Warrants: (i) the improvements being financed by the Construction Fund Warrants are for essential governmental functions of the District and are designed to serve members of the general public on an equal basis; (ii) all said improvements have from the time of their first acquisition and construction been owned, are owned and are to be owned by the District or another political subdivision; (iii) to the extent special assessments have been or are to be levied for any of said improvements, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by said improvements in the District; (iv) the development of the land in the District is for residential or commercial use and the development of the land in the District for sale and occupation by the general public has proceeded and is proceeding with reasonable speed; (v) other than any incidental use of said improvements by a developer during the initial period of development of said improvements, there have been, are and will be no persons with rights to use such improvements other than as members of the general public; (vi) none of the proceeds of said Construction Fund Warrants have been or will be loaned to any private person or entity; and

(vii) and the District does not reasonably expect to sell or otherwise dispose of said improvements, in whole or in part, prior to the last maturity of the Construction Fund Warrants.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska that the District hereby covenants and agrees as follows in connection with the issuance of the Construction Fund Warrants: (i) it will comply with all applicable provisions of the Code, including Sections 103 and 141 through 150, necessary to maintain the exclusion from gross income for federal income tax purposes of the interest on the Construction Fund Warrants and (ii) it will not use or permit the use of any proceeds of the Construction Fund Warrants or any other funds of the District nor take or permit any other action, or fail to take any action, if any such action or failure to take action would adversely affect the exclusion from gross income of the interest on the Construction Fund Warrants. In addition, the District will adopt such other resolutions and take such other actions as may be necessary to comply with the Code and with all other applicable future laws, regulations, published rulings and judicial decisions, in order to ensure that the interest on the Construction Fund Warrants will remain excluded from federal gross income, to the extent any such actions can be taken by the District.

The District covenants and agrees that (i) it will comply with all requirements of Section 148 of the Code to the extent applicable to the Construction Fund Warrants, (ii) it will use the proceeds of the Construction Fund Warrants as soon as practicable and with all reasonable dispatch for the purposes for which the Construction Fund Warrants are issued, and (iii) it will not invest or directly or indirectly use or permit the use of any proceeds of the Construction Fund Warrants or any other funds of the District in any manner, or take or omit to take any action, that would cause the Construction Fund Warrants to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

The District covenants and agrees that it will pay or provide for the payment from time to time of all amounts required to be rebated to the United States pursuant to Section 148(f) of the Code and any Regulations applicable to the Construction Fund Warrants from time to time. This covenant shall survive payment in full of the Construction Fund Warrants. The District specifically covenants to pay or cause to be paid to the United States, the required amounts of rebatable arbitrage at the times and in the amounts as determined by reference to the Code and the Regulations. Pursuant to the "small issuer exception" set forth below, the District does not believe the Construction Fund Warrants will be subject to rebate.

The District covenants and agrees that (to the extent within its power or direction) it will not use any portion of the proceeds of the Construction Fund Warrants, including any investment income earned on such proceeds, directly or indirectly, in a manner that would cause any Construction Fund Warrant to be a "private activity bond".

The District makes the following representations in connection with the exception for small governmental units from the arbitrage rebate requirements under Section 148(f)(4)(D) of the Code:

(i) the District is a governmental unit under Nebraska law with general taxing powers;

(ii) none of the Construction Fund Warrants is a private activity bond as defined in Section 141 of the Code;

(iii) ninety-five percent or more of the net proceeds of the Construction Fund Warrants are to be used for local governmental activities of the District;

(iv) the aggregate face amount of all tax-exempt obligations (other than "private activity bonds," but including any tax-exempt lease-purchase agreements) to be issued by the District during the current calendar year is not reasonably expected to exceed \$5,000,000; and

(v) the District (including all subordinate entities thereof) will not issue in excess of \$5,000,000 of tax-exempt indebtedness (other than "private activity bonds" and certain refunding bonds, but including any tax-exempt lease-purchase agreements) during the current calendar year without first obtaining an opinion of nationally recognized counsel in the area of municipal finance that the excludability of the interest on the Construction Fund Warrants from gross income for federal tax purposes will not be adversely affected thereby.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska that the District hereby designates the Construction Fund Warrants as its "qualified tax exempt obligations" under Section 265(b)(3)(B)(i)(III) of the Code.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska that this and the preceding Resolutions are hereby adopted as the Certificate with Respect to Arbitrage of the District pertaining to the Construction Fund Warrants and the District hereby further certifies, as of the date of the registration of the Construction Fund Warrants with Sarpy County, Nebraska as follows:

1. The District reasonably anticipates that a portion of the monies in its Bond Fund will be expended for payment of principal of and interest on its bonds and/or construction fund warrants of the District within 12 months after receipt of such monies. The District hereby establishes a reserve fund within its Bond Fund in connection with the issuance

of the Construction Fund Warrants in the amount equal to the least of (i) 10% of the stated principal amount of the Construction Fund Warrants, (ii) the maximum annual debt service due on the Construction Fund Warrants during any fiscal year, or (iii) 125% of the average annual debt service for the Construction Fund Warrants over the term of such warrants. That amount that is currently held in the District's Bond Fund which exceeds the amount to be expended for payment of principal and interest on the bonds and/or construction fund warrants of the District within 12 months after receipt of such monies, plus that amount arrived at pursuant to the immediately preceding sentence, will not be invested in any securities or any other investment obligations which bear a yield, as computed in accordance with the actuarial method, in excess of the yield on the Construction Fund Warrants.

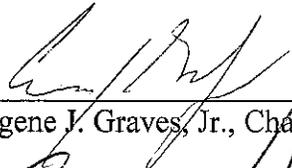
2. To the best of their knowledge, information, and belief, the above expectations are reasonable.
3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its debt.
4. This Certificate is being passed, executed and delivered pursuant to Section 1.148-2 (b) (2) of the Income Tax Regulations under the Code (the "**Regulations**").

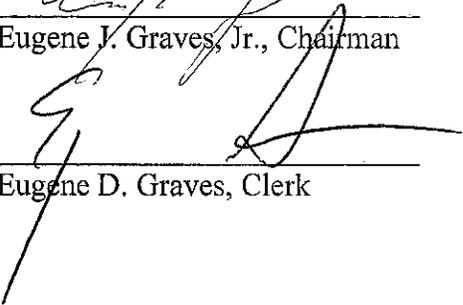
BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska that the District hereby authorizes and directs the Chair or Clerk to file or cause to be filed, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986, as amended (the "**Code**"), pertaining to the Construction Fund Warrants.

*[Remainder of page intentionally left blank]*

**MINUTES SIGNATURE PAGE FROM THE MEETING OF  
SANITARY AND IMPROVEMENT DISTRICT NO. 311 OF  
SARPY COUNTY, NEBRASKA, HELD ON NOVEMBER 3,  
2016**

There being no further business to come before the meeting, the meeting was adjourned.

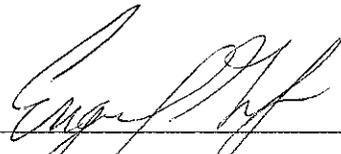
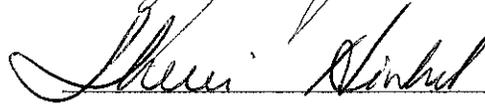
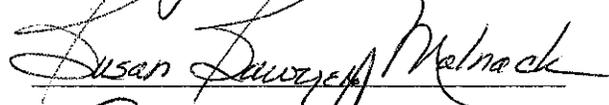
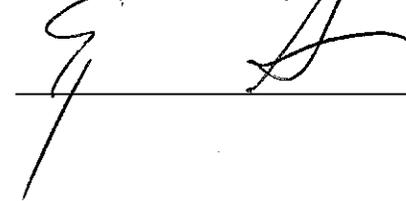
  
\_\_\_\_\_  
Eugene J. Graves, Jr., Chairman

  
\_\_\_\_\_  
Eugene D. Graves, Clerk

**ACKNOWLEDGMENT OF  
RECEIPT OF NOTICE OF MEETING**

The undersigned Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska do hereby acknowledge receipt of advance notice of the initial meeting of the Board of Trustees of said District and that the agenda for such meeting, held at 10:00 a.m. on November 3, 2016, at 11627 Virginia Plaza, #103, La Vista, Nebraska, is kept continuously current at the office of the District's counsel.

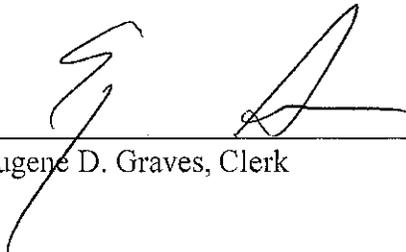
DATED this 3<sup>rd</sup> day of November, 2016.

  
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**CERTIFICATE**

The undersigned being Clerk of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska ("Springfield Pines") hereby certifies that Notice of meeting of the Board of Trustees of said District held on November 3, 2016, was delivered to the Sarpy County Clerk via facsimile and/or electronic mail transmittal at least seven (7) days prior to the date of said meeting.

The undersigned further certifies that the agenda for the meeting of the Board of Trustees of said District was prepared and available for public inspection at the address designated in the notice of meeting given in advance thereof by publication in The Papillion Times on October 19 and 26, 2016, and that no items were added to the agenda after the commencement of the meeting; and further, that the minutes for the meeting were available for public inspection within ten (10) days of the date of said meeting and that a copy of the minutes of this meeting were sent to the City of Springfield City Clerk and the Sarpy County Clerk, Papillion, Nebraska within thirty (30) days from the date of this meeting.

  
\_\_\_\_\_  
Eugene D. Graves, Clerk

# AFFIDAVIT OF PUBLICATION

STATE OF NEBRASKA }  
 } SS.  
County of Sarpy }

Being duly sworn, upon oath, Michael Harrington deposes and says that he is the Accounting Manager 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

Wednesday, October 19, 2016  
Thereafter, Wednesday, October 26, 2016

Papillion Times  
Papillion Times

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

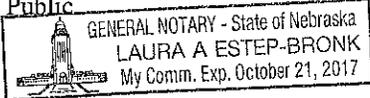


Michael Harrington OR Ron Petak  
Accounting Manager Executive Editor

Today's Date 10/26/16  
Signed in my presence and sworn to before me:



Notary Public



Printer's Fee \$ 113.96  
Customer Number: 40972  
Order Number: 0001984798

FULLENKAMP, DOYLE & JOBEUN  
11440 WEST CENTER ROAD  
OMAHA, NEBRASKA 68144

### NOTICE OF MEETING

SANITARY AND IMPROVEMENT  
DISTRICT NO. 311  
OF SARPY COUNTY, NEBRASKA

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County will be held at **11627 Virginia Plaza, #103, La Vista, Nebraska, 68128, on November 3, 2016 at 10:00 a.m.**, which meeting will be open to the public. An Agenda for such meeting, kept continuously current, is available for public inspection at 11440 West Center Road, Omaha, Nebraska and includes the payment of bills of the District and the consideration and passing or amending and passing the following Resolution, to-wit:

BE IT RESOLVED that the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska find and determine that it is advisable and necessary to construct the Municipal Water Main Relocation, which improvements shall be constructed as follows:

#### WATER MAIN RELOCATION

The work to be performed in this improvement shall consist of the removal and replacement of water main pipe and other necessary appurtenances, easements, and other items of work incidental and necessary for a completed project.

All of the improvements are to be located in dedicated public right-of-way, dedicated public easements or Outlots dedicated for storm sewer and drainage purposes. Said easements to be recorded as separate documents from the Final Plat of Springfield Pines. All lot references refer to the Final Plat of Springfield Pines that is awaiting City Council approval and being recorded.

A. Construct 6" Water Main in the following locations:

1. **12" PVC Water Main Pipe** - beginning near the southeast corner of the unplatted future school site within Springfield Pines, then east along the north right-of-way line of Main Street to the southwest corner of Lot 128, Springfield Pines.

2. **12" PVC Water Main Pipe** - beginning near the southeast corner of Lot 120,

Springfield Pines, then north along the west right-of-way line of 132nd Street to near the southeast corner of Lot 112, Springfield Pines.

3. **12" PVC Water Main Pipe** - beginning at the southeast corner of Lot 112, Springfield Pines, then north along the west right-of-way line of 132nd Street to the northeast corner of Lot 110, Springfield Pines.

4. **12" PVC Water Main Pipe** - beginning at the northeast corner of Lot 110, Springfield Pines, then north along the west right-of-way line of 132nd Street to the southeast corner of Lot 81, Springfield Pines.

5. **12" PVC Water Main Pipe** - beginning at the southeast corner of Lot 81, Springfield Pines, then north along the west right-of-way line of 132nd Street to the southeast corner of Lot 77, Springfield Pines.

6. **12" PVC Water Main Pipe** - beginning at the southeast corner of Lot 77, Springfield Pines, then north along the west right-of-way line of 132nd Street to near the northeast corner of Lot 77, Springfield Pines.

The outer boundaries of the area which may become subject to special assessments for said improvements are proposed to be the same as the outer boundaries of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska.

Said improvements have been reviewed by Olsson Associates, engineers for the District and said engineers have filed with the Clerk of the District, prior to the first publication of this Resolution, an estimate of the total costs of the above improvements, including engineering fees, legal fees, fiscal fees, interest and other miscellaneous costs, which estimate is in the sum of \$375,000.00.

To pay the cost of said improvement the Board of Trustees shall have the power to issue negotiable bonds of the District after such improvements have been completed and accepted; said bonds to be called "Sanitary and Improvement District Bonds" and shall be payable and bear interest as provided by the Statutes of the State of Nebraska.

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

If a petition opposing this Resolution, signed by property owners representing a majority of the front footage which may become subject to assessment for the cost of the improvements as set forth herein, is filed with the Clerk of the District within three (3) days before the date of the hearing on this Resolution, this Resolution shall not be passed.

SANITARY AND IMPROVEMENT  
DISTRICT NO. 311  
OF SARPY COUNTY, NEBRASKA

By: Eugene J. Graves, Jr., Chairman  
Eugene D. Graves, Clerk  
1984798; 10/19, 10/26

FULLENKAMP, DOYLE & JOBEUN  
11440 WEST CENTER ROAD  
OMAHA, NEBRASKA 68144

NOTICE OF MEETING

SANITARY AND IMPROVEMENT DISTRICT  
NO. 311 OF SARPY COUNTY, NEBRASKA

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County will be held at 11627 Virginia Plaza, #103, La Vista, Nebraska, 68128, on **November 3, 2016** at 10:00 a.m., which meeting will be open to the public. An Agenda for such meeting, kept continuously current, is available for public inspection at 11440 West Center Road, Omaha, Nebraska and includes the payment of bills of the District and the consideration and passing or amending and passing the following Resolution, to-wit:

BE IT RESOLVED that the Board of Trustees of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska find and determine that it is advisable and necessary to construct the Municipal Water Main Relocation, which improvements shall be constructed as follows:

WATER MAIN RELOCATION

The work to be performed in this improvement shall consist of the removal and replacement of water main pipe and other necessary appurtenances, easements, and other items of work incidental and necessary for a completed project.

All of the improvements are to be located in dedicated public right-of-way, dedicated public easements or Outlots dedicated for storm sewer and drainage purposes. Said easements to be recorded as separate documents from the Final Plat of Springfield Pines. All lot references refer to the Final Plat of Springfield Pines that is awaiting City Council approval and being recorded.

A. Construct 6" Water Main in the following locations:

1. **12" PVC Water Main Pipe** – beginning near the southeast corner of the unplatted future school site within Springfield Pines, then east along the north right-of-way line of Main Street to the southwest corner of Lot 128, Springfield Pines.
2. **12" PVC Water Main Pipe** – beginning near the southeast corner of Lot 120, Springfield Pines, then north along the west right-of-way line of 132<sup>nd</sup> Street to near the southeast corner of Lot 112, Springfield Pines.
3. **12" PVC Water Main Pipe** – beginning at the southeast corner of Lot 112, Springfield Pines, then north along the west right-of-way line of 132<sup>nd</sup> Street to the northeast corner of Lot 110, Springfield Pines.
4. **12" PVC Water Main Pipe** – beginning at the northeast corner of Lot 110, Springfield Pines, then north along the west right-of-way line of 132<sup>nd</sup> Street to the southeast corner of Lot 81, Springfield Pines.

5. **12" PVC Water Main Pipe** – beginning at the southeast corner of Lot 81, Springfield Pines, then north along the west right-of-way line of 132<sup>nd</sup> Street to the southeast corner of Lot 77, Springfield Pines.
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The outer boundaries of the area which may become subject to special assessments for said improvements are proposed to be the same as the outer boundaries of Sanitary and Improvement District No. 311 of Sarpy County, Nebraska.

Said improvements have been reviewed by Olsson Associates, engineers for the District and said engineers have filed with the Clerk of the District, prior to the first publication of this Resolution, an estimate of the total costs of the above improvements, including engineering fees, legal fees, fiscal fees, interest and other miscellaneous costs, which estimate is in the sum of \$375,000.00.

To pay the cost of said improvement the Board of Trustees shall have the power to issue negotiable bonds of the District after such improvements have been completed and accepted; said bonds to be called "Sanitary and Improvement District Bonds" and shall be payable and bear interest as provided by the Statutes of the State of Nebraska.

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

If a petition opposing this Resolution, signed by property owners representing a majority of the front footage which may become subject to assessment for the cost of the improvements as set forth herein, is filed with the Clerk of the District within three (3) days before the date of the hearing on this Resolution, this Resolution shall not be passed.

SANITARY AND IMPROVEMENT DISTRICT  
NO. 311 OF SARPY COUNTY, NEBRASKA

Publication Dates:  
October 19<sup>th</sup>  
October 26<sup>th</sup>  
(Papillion Times)

By: Eugene J. Graves, Jr., Chairman  
Eugene D. Graves, Clerk



October 31, 2016

S.I.D. No. 311 (Springfield Pines)  
c/o Fullenkamp, Doyle, & Jobeun  
Attn: Brianna Johnson  
11440 W. Center Road  
Omaha, NE 68144

Sent Via: Email

RE: Contractor Payment Application  
Sanitary Sewer Outfall – Section I  
Olsson Project No. A15-1428

Enclosed is Pay Application #1 for the work performed by Neuvirth Construction, we have verified the quantities, and observed the construction to be in general conformance with the plans and specifications. Work. We recommend S.I.D. No. 311 (Springfield Pines) make payment to Neuvirth Construction in the amount of **\$23,000.40** for said work.

If you have any questions or require additional information, please let me know.

Sincerely,

A handwritten signature in black ink that reads "Mark Zlomke". The signature is written in a cursive, flowing style.

Mark Zlomke  
Construction Manager

Enclosure: Pay Application w/ back-up  
CC: Neuvirth Construction  
File

F:\Projects\015-1428\60-Construction\Pay Certificates\Sanitary Outfall\Pay App #1\3. Pay Certificate Letter.doc

# APPLICATION AND CERTIFICATION FOR PAYMENT

SHEET 702

PAGE 1

**TO ENGINEER:**

Olsson Associates  
 2111 S. 67th Street Suite 200  
 Omaha, NE 68106

PROJECT: Springfield Pines (SID 311) APPLICATION NO: 1

Sanitary Sewer Outfall

**FROM CONTRACTOR:**  
 Neuvirth Construction  
 7386 County Road P35  
 Blair, NE 68008

PERIOD TO: \_\_\_\_\_

PROJECT NOS: 015-1428

CONTRACT FOR: Springfield Pines - Sanitary Sewer Outfall Section I

CONTRACT DATE 8/8/2016

Distribution to:

<input checked="" type="checkbox"/>	ENGINEER
<input checked="" type="checkbox"/>	OWNER
<input checked="" type="checkbox"/>	SID Board
<input type="checkbox"/>	
<input type="checkbox"/>	

## CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.

The undersigned CONTRACTOR certifies that to the best of the CONTRACTOR's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the CONTRACTOR for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM \$ 227,659.00
2. Net change by Change Orders \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 227,659.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on 703) \$ 25,556.00

CONTRACTOR:

By:  Date: 10-31-16

5. RETAINAGE:

- a. 10 % of Completed Work \$ 2,555.60  
(Column D + E on 703)
  - b. % of Stored Material \$ \_\_\_\_\_  
(Column F on 703)
- Total Retainage (Lines 5a + 5b or

Total in Column I of 703) \$ 23,000.40

6. TOTAL EARNED LESS RETAINAGE

(Line 4 Less Line 5 Total)  
 \$ 0.00  
 PAYMENT (Line 6 from prior Certificate) \$ 23,000.40  
 8. CURRENT PAYMENT DUE \$ 204,658.60  
 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)

## CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED ..... \$ 23,000.40

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By:  Date: 10/31/16

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by GC	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	

**Project:** Springfield Pines  
**Contractor:** Newirth Construction

**Project #:** 015-1428  
**Date:** 10/27/2016  
**Pay App #1**  
**Date Through:** 10/27/2016

ITEM NO.	DESCRIPTION OF WORK	Pay Unit	Total Est. Qty	Unit Price	SCHEDULED VALUE (D * E)	G	H	WORK COMPLETED		K	L	M	N	O	P
								Total From previous pay appl.	Qty this Period						
1	CONSTRUCT 8 INCH CONCRETE PAVEMENT (TYPE 165)	SF	300	\$ 13.00	\$ 3,900.00										
2	CONSTRUCT SANITARY SEWER MANHOLE TAP	EA	1	\$ 1,150.00	\$ 1,150.00										
3	CONSTRUCT 6" I.D. SANITARY MANHOLE	VEF	5	\$ 975.00	\$ 4,875.00										
4	CONSTRUCT 27" CHAIN LINK FENCE	LF	166	\$ 30.50	\$ 5,063.00										
5	CONSTRUCT 77' CHAIN LINK FENCE GATE	EA	1	\$ 1,610.00	\$ 1,610.00										
6	4 INCH FORGE WAIN	LF	3,244	\$ 23.00	\$ 74,612.00										
7	4 INCH X 30 DEGREE BEND	EA	4	\$ 475.00	\$ 1,900.00										
8	4 INCH X 45 DEGREE BEND	EA	4	\$ 458.00	\$ 1,832.00										
9	4 INCH X 1/2 DEGREE BEND	EA	1	\$ 453.00	\$ 453.00										
10	4 INCH COMBINATION AIR VALVE	EA	1	\$ 2,770.00	\$ 2,770.00										
11	FURNISH AND INSTALL LIFT STATION AND ACCESSORIES	IS	1	\$ 11,290.00	\$ 11,290.00										
12	ELECTRICAL CONNECTION w/BACKUP POWER	IS	1	\$ 64,500.00	\$ 64,500.00										
13	FURNISH AND INSTALL 4 INCH GATE VALVE WITH BOX	EA	1	\$ 875.00	\$ 875.00										
14	CONSTRUCT 8" PVC SANITARY SEWER PIPE	LF	33	\$ 47.00	\$ 1,551.00										
<b>CONTRACT TOTALS</b>															
<b>CO TOTALS</b>						\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>BID ITEMS + CO TOTALS</b>						\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

Original Contract	\$ 227,650.00
Total Contract to Date	\$ 227,650.00
Total Work Completed to Date	\$ 227,650.00
Total Materials Stored to Date	\$ 25,556.00
Total Value completed & Stored to Date	\$ 25,556.00
Retainage	\$ 2,555.60
Net Total Due Less Retainage	\$ 23,000.40
Total Previous	\$ -
Net Amount Due This Estimate	\$ 23,000.40

- Pay App No. 1
- Pay App No. 2
- Pay App No. 3
- Pay App No. 4
- Pay App No. 5
- Pay App No. 6
- Pay App No. 7

Footnotes:

**Contractor's Application For Payment No. 1**

To (Owner):	SID 311 SPRINGFIELD PINES	Application Period:	10/17/2016	10/27/2016	Application Date:	10/27/2016
Contractor:	Neavirth Construction Inc	PROJECT NAME:	SPRINGFIELD PINES SAN OUTFALL SID 311			
Address:	7386 county road P35 Blair No. 68008	Invoice Number:	2116 1			
Project Number:	2116	Via (Engineer):	OLSSON & ASSOC			
		Engineer's Project No.:	A15-1428			

**Change Order Summary**

Number	Approved Change Orders	Additions/Deductions	Description
1	\$	-	
2	\$	-	
3	\$	-	
4	\$	-	
5	\$	-	
6	\$	-	
7	\$	-	
8	\$	-	
9	\$	-	
10	\$	-	
TOTALS	\$	-	
NET CHANGE BY	\$	-	
CHANGE ORDERS	\$	-	

**Contractor's Certification**  
 The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By:  Date: 10-27-16

1. ORIGINAL CONTRACT PRICE (a. Overage Not by Change Order)	\$	227,659.00
2. Net change by Change Orders	\$	0.00
3. CURRENT CONTRACT PRICE (Line 1+Line 2)	\$	2,939.79
4. TOTAL COMPLETED AND STORED TO DATE (Column G+J on Progress Estimate)	\$	230,598.79
5. RETAINAGE:	\$	25,556.00
a. 0.10 X Work Completed	\$	2,555.60
b. 0.10 X Stored Materials	\$	0.00
c. Retainage (Line 5a + Line 5b)	\$	2,555.60
d. Previous retainage	\$	0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 + Line 5c-Line 5d)	\$	23,000.40
7. LESS PREVIOUS PAYMENTS	\$	0.00
8. AMOUNT DUE THIS APPLICATION	\$	23,000.40
9. BALANCE TO FINISH	\$	0.00
10. FINAL APPLICATION FOR RETAINAGE (Column O on Progress Estimate)	\$	205,042.79
	\$	0.00

Payment of: \$ \_\_\_\_\_ (Line 8 or other - attach explanation of other amount)

is recommended by: \_\_\_\_\_ (Engineer) \_\_\_\_\_ (Date)

Payment of: \$ \_\_\_\_\_ (Line 8 or other - attach explanation of other amount)

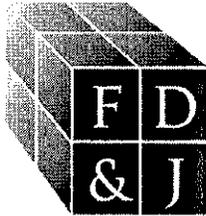
is approved by: \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

Approved by: \_\_\_\_\_ (Owner) \_\_\_\_\_ (Date)

Funding Agency (if applicable) \_\_\_\_\_ (Date)

Labor & Equipment \$ 14,193.82    Materials \$ 8,230.44    Tax \$ 576.14





FULLENKAMP,  
DOYLE &  
JOBEUN, LLP

JOHN H. FULLENKAMP  
LARRY A. JOBEUN  
BRIAN C. DOYLE  
MARK B. JOHNSON

November 3, 2016

Chairman and Board of Trustees  
Sanitary and Improvement District  
No. 311 of Sarpy County, Nebraska

**Statement of Services Rendered**

For Legal Services rendered in connection with the payment Pay Est. No. 1 to  
Neuvirth Construction for completion of a portion of the Sanitary Sewer Outfall  
– Section I improvements (5%).

LEGAL FEES:	\$1,150.02
EXPENSES:	\$ -0-
Filing Fees, Publications, Copying, & Postage	
<b>TOTAL AMOUNT DUE:</b>	<b><u>\$1,150.02</u></b>

*/s/ Larry A. Jobeun*  
Attorney for the District

## AGENDA

Sanitary and Improvement District No. 311 of Sarpy County, Nebraska (Springfield Pines); meeting to be held at 10:00 a.m. on November 3, 2016, at 11627 Virginia Plaza, #103, La Vista, Nebraska.

1. Present Nebraska Open Meetings Act.

Roll call: Trustees

✓ Eugene J. Graves, Jr.

✓ Eugene D. Graves

✓ Susan Sawyer Malnack

✓ Mary E. Graves

✓ Sherri Hinkel

✓ 2. Vote on and approve the Resolution of Necessity for the Municipal Water Line Relocation project as presented, in form, at the October 13, 2016 meeting of the District.

✓ 3. Present the First Amendment to Subdivision Agreement by and between the District, the Association, the Developer and the City of Springfield; vote on and approve the same; Chair and Clerk to execute on behalf of the District.

✓ 4. Present statements, vote on and approve payment from the Construction Fund Account of the District for the following:

- |  |             |
|--|-------------|
| a. Neuvrith Construction for completion of a portion of the Sanitary Outfall Sewer construction and in accordance with Pay App. No. 1. | \$23,000.40 |
| b. Fullenkamp, Doyle & Jobeun for legal services rendered in connection with Item a. hereinabove (5%).                                 | \$1,150.02  |
| c. Kuehl Capital Corporation for municipal advisory services on Construction Fund Warrants issued at this meeting (2.5%).              | \$ 603.76   |
| d. First National Capital Markets for underwriting services on Construction Fund Warrants issued at this meeting (2.0%).               | \$ 495.08   |

5. Any and all business before the Board as deemed necessary; meeting adjourned.