

FILED
SARPY COUNTY
DISTRICT COURT
IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA
2016 MR 11 AM 9:35

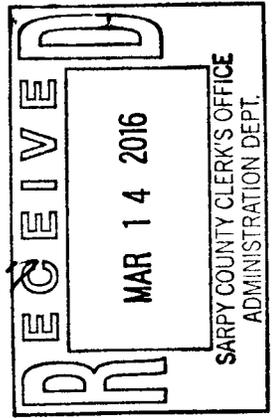
IN THE MATTER OF)

DOC. *CF16*

PAGE *36*

SANITARY AND IMPROVEMENT)
DISTRICT NO. 313 OF SARPY)
COUNTY, NEBRASKA)
David Kerner
CLERK DISTRICT COURT)

DECREE



THIS MATTER coming on for hearing upon the duly executed Petition of the owner of all of the land included within said Sanitary and Improvement District No. 313 of Sarpy County, Nebraska, as more particularly described on Exhibit "A" attached hereto and by this reference made a part of this Decree, and upon the Articles of Association of said District duly executed by the owner of all of the land included within said District, and upon the evidence:

The Court finds:

1. That the owner of all of the real estate included within said District has executed and filed herein Articles of Association and the Petition with this Court as required by Sections 31-727 to 31-793 R.R.S., 1943, as amended.

2. That there are no owners of real estate within said District who are unknown or who are non-residents or who have failed to execute and file said Articles of Association and Petition and therefore issuance of summons or process should be dispensed with.

3. That the formation of such District will be conducive to public health, convenience and welfare of present and future owners of all of said real estate included within said District.

4. That none of said real estate is located within any municipal corporation.

5. That the five Trustees nominated in said Articles of Association are suitable persons, are the designated representative Trustees of the owner of real estate located in said District and should be declared to be the Board of Trustees of said District to serve until their successors are duly elected and qualified.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Sanitary and Improvement District No. 313 of Sarpy County, Nebraska has been duly organized according to law and is hereby declared to be a public corporation of the State of Nebraska under Sections 31-727 to 31-793 1943, as amended, that the real estate included in said District is as heretofore described herein.

2. That the five Trustees nominated in the Articles of Association of said



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District are hereby ordered to be the Board of Trustees of said District to serve until their successors are duly elected and qualified.

3. That within twenty (20) days hereafter the Clerk of this Court shall transmit to the Secretary of State of Nebraska a certified copy of the record of these proceedings for filing herein as provided by law, and a certified copy of the record of those proceedings together with a plat of the real estate included in said District shall also be filed in the office of the County Clerk wherein said land is located.

Entered and Decreed this 11 day of March 2016.

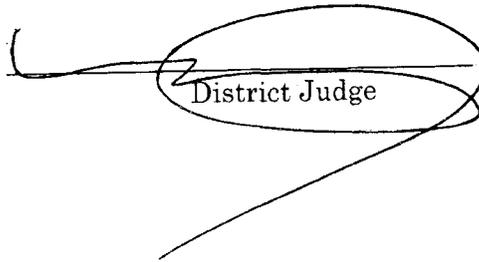

District Judge

EXHIBIT "A"

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN PART OF THE NE1/4 OF THE SE1/4, PART OF THE SE1/4 OF THE SE1/4 AND PART OF THE SW1/4 OF THE SE1/4 OF SECTION 17, ALL LOCATED IN TOWNSHIP 14, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF SECTION 17; THENCE N02°13'51"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SE1/4 OF SECTION 17, A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GILES ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N02°13'51"W ALONG SAID WEST LINE OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING THE EAST LINE OF WHITETAIL CREEK, A SUBDIVISION LOCATED IN SAID SECTION 17, AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 1296.16 FEET TO THE NORTHWEST CORNER OF SAID SW1/4 OF THE SE1/4 OF SECTION 17, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID NW1/4 OF THE SE1/4 OF SECTION 17; THENCE N87°39'33"E ALONG THE NORTH LINE OF SAID SW1/4 OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING THE SOUTH LINE OF SAID NW1/4 OF THE SE1/4 OF SECTION 17, A DISTANCE OF 1313.86 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 OF THE SE1/4 OF SECTION 17, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID NW1/4 OF THE SE1/4 OF SECTION 17, AND ALSO BEING THE SOUTHWEST CORNER OF SAID NE1/4 OF SECTION 17, AND ALSO BEING NORTHEAST CORNER OF THE SE1/4 OF THE SE1/4 OF SECTION 17; THENCE N02°29'20"W ALONG THE WEST LINE OF SAID NE1/4 OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING THE EAST LINE OF SAID NW1/4 OF THE SE1/4 OF SECTION 17, A DISTANCE OF 1341.17 FEET TO THE NORTHWEST CORNER OF SAID NE1/4 OF THE SE1/4 OF SECTION 17, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID NW1/4 OF THE SE1/4 OF SECTION 17; THENCE N87°02'22"E ALONG SAID NORTH LINE OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING SAID SOUTH LINE OF THE NE1/4 OF SECTION 17, SAID LINE ALSO BEING THE SOUTH LINE OF SUNRIDGE, A SUBDIVISION LOCATED IN SAID SECTION 17, AND THE WESTERLY EXTENSION, THERE OF, A DISTANCE OF 1281.55 FEET TO A POINT ON WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET ON THE FOLLOWING SIX (6) COURSES: (1) THENCE S02°29'27"E, A DISTANCE OF 653.10 FEET; (2) THENCE SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 1393.39 FEET, A DISTANCE OF 1424.44 FEET, SAID CURVE ALSO HAVING A LONG CHORD WHICH BEARS S26°47'43"W, A DISTANCE OF 1363.22 FEET; (3) THENCE SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 4341.14 FEET, A DISTANCE OF 988.17 FEET, SAID CURVE ALSO HAVING A LONG CHORD WHICH BEARS S62°36'10"W, A DISTANCE OF 986.04 FEET; (4) THENCE S69°07'26"W, A DISTANCE OF 41.70 FEET; (5) THENCE SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 380.62 FEET, A DISTANCE OF 479.39 FEET, SAID CURVE ALSO HAVING A LONG CHORD WHICH BEARS S33°02'29"W, A DISTANCE OF 448.33 FEET; (6) THENCE S03°02'27"E, A DISTANCE OF 2.22 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET AND SAID NORTH RIGHT-OF-WAY LINE OF GILES ROAD; THENCE S86°58'52"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF GILES ROAD, A DISTANCE OF 740.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 3,716,122 SQUARE FEET OR 85.310 ACRES MORE OR LESS.

SEE SHEET 1 OF 2 FOR EXHIBIT



E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services
10909 MB Valley Road, Suite 100 Omaha, NE 68154 Phone: 402.895.4700

Drawn by: JRS | Chkd by: _____ Date: 09/30/2015
Job No.: P2015.497.001 Sheet: 1 of 2 Revised: 01/22/16

DISTRICT BOUNDARY

SANITARY & IMPROVEMENT

DISTRICT NO. 313

SARPY COUNTY, NEBRASKA

NOTICE

TO: County Clerk of Sarpy County, Nebraska
Election Commissioner, Sarpy County, Nebraska
~~City Clerk, Sarpy County, Nebraska~~

Pursuant to Section 31-728 Nebraska Statutes, Notice is hereby given to inform you that a Petition has been filed on March 9, 2016, for the formation of Sanitary and Improvement District No. 313 of Sarpy County, Nebraska, in the Clerk of the District Court's Office at Sarpy County, Nebraska.

This case has been designated as Docket CI 16, Number 367.

CLERK OF THE DISTRICT COURT
OF SARPY COUNTY, NEBRASKA

By *Carol Kerner*

Date 3-9-16

FILED
SARPY COUNTY
DISTRICT COURT
2016 MR - 9 PM 2: 57
Carol Kerner
CLERK DISTRICT COURT



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ARTICLES OF ASSOCIATION
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 313
OF SARPY COUNTY, NEBRASKA

CI 16-367

2016 MAR -9 PM 2:59
CLERK DISTRICT COURT

FILED
SARPY COUNTY
DISTRICT COURT

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. 313 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.

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 fire protection and for resale to the residents of the District,

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to contract for gas and electricity, to contract for street lighting for the public streets and highways within the District and to acquire, improve, and operate public parks, playgrounds and recreational facilities and to install and maintain a civil defense 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 benefitted 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 MWSD, L.L.C., a Nebraska limited liability company, 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:

Tom Falcone
Dan Miller
Bill Miller
Sarah Christiansen
Juanda Falcone

All of the foregoing Trustees will serve as the designated representatives of MWSD, L.L.C., a Nebraska limited liability company, 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 9th day of March, 2016.

NAME

ADDRESS

MWSD, L.L.C.
A Nebraska Limited Company

410 So. 185th Street
Omaha, NE 68022

By



Tom Falcone, Member

EXHIBIT "A"

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SEE SHEET 1 OF 2 FOR EXHIBIT



E & A CONSULTING GROUP, INC.

Engineering • Planning • Environmental & Field Services
10909 Mill Valley Road, Suite 100 Omaha, NE 68154 Phone: 402.895.4700

Drawn by: JRS	Chkd by:	Date: 09/30/2015
Job No.: P2015.497.001	Sheet: 1 of 2	Revised: 01/22/16

DISTRICT BOUNDARY
SANITARY & IMPROVEMENT
DISTRICT NO. 313
SARPY COUNTY, NEBRASKA

EXHIBIT "A"

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Drawn by: JRS Chkd by: Date: 09/30/2015
Job No.: P2015.497.001 Sheet: 1 of 2 Revised: 01/22/16

DISTRICT BOUNDARY
SANITARY & IMPROVEMENT
DISTRICT NO. 313
SARPY COUNTY, NEBRASKA

FILED
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IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

2016 MAR -9 PM 2:52

IN THE MATTER OF

DOC. *CI16* PAGE *367*

SANITARY AND IMPROVEMENT
DISTRICT NO. 313 OF SARPY
COUNTY, NEBRASKA
Carol Brown
CLERK DISTRICT COURT

PETITION

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. 313 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 1st day of March, 2016.

MWSD, LLC, A Nebraska Limited Liability Company

By *[Signature]*

Brian C. Doyle #23001
Fullenkamp, Doyle & Jobeun
11440 West Center Road
Omaha, NE 68144
(402) 334-0700

Its Attorney

STATE OF NEBRASKA)
) ss.
COUNTY OF SARPY)

Brian C. Doyle, being first duly sworn upon oath, deposes and states that he is one of the duly authorized attorneys 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.

[Signature]
Brian C. Doyle

SUBSCRIBED and sworn to before me this 1st day of March, 2016.

[Signature]
Notary Public

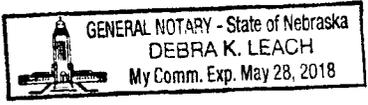
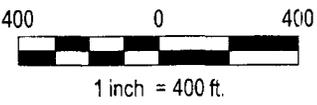
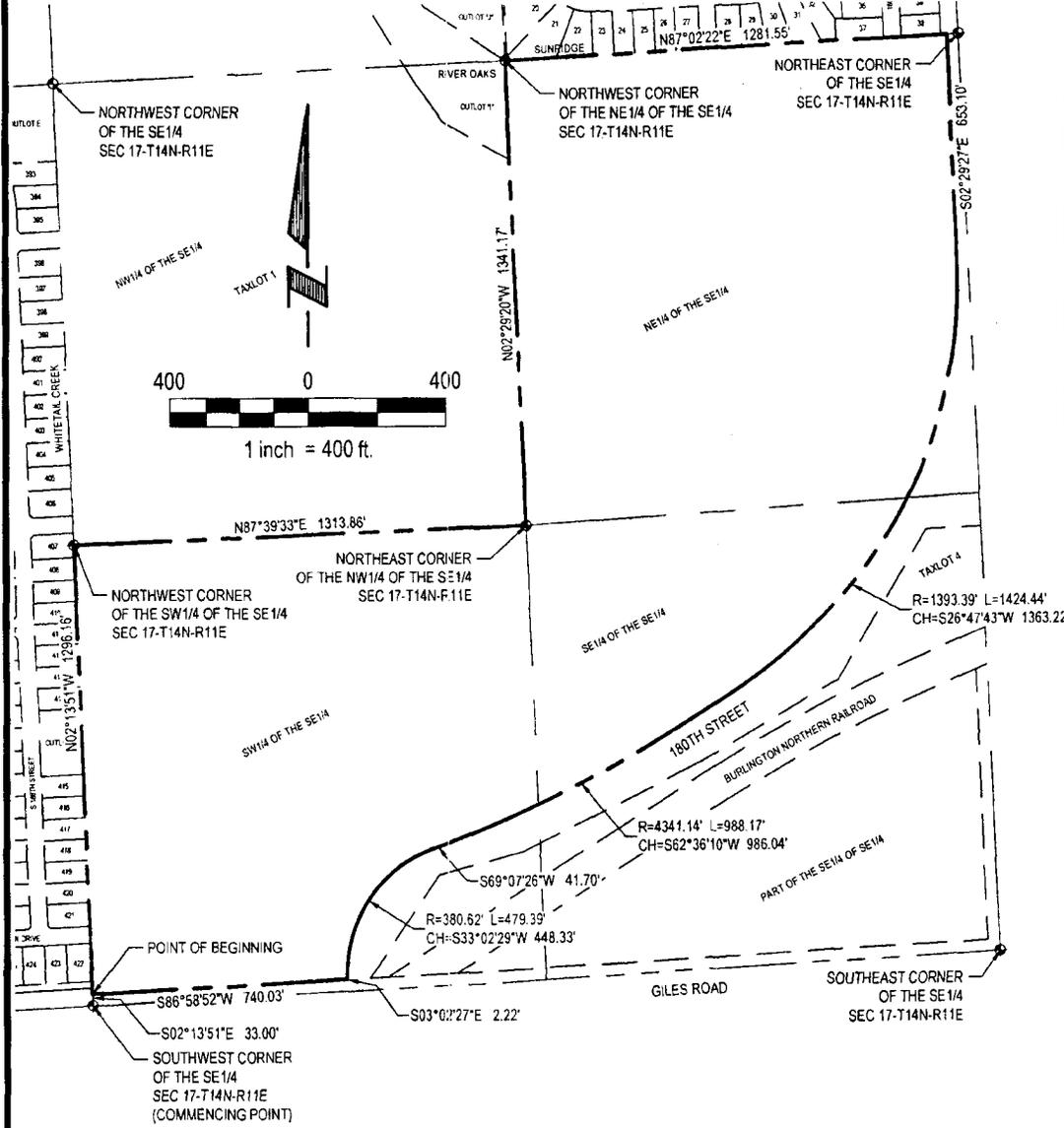


EXHIBIT "A"



SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION

	E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10909 Mill Valley Road, Suite 100 Omaha, NE 68154 Phone: 402.895.4700		DISTRICT BOUNDARY SANITARY & IMPROVEMENT DISTRICT NO. 313 SARPY COUNTY, NEBRASKA
	Drawn by: JRS Job No.: P2015.497.001	Chkd by: Sheet: 1 of 2	

Exhibit "A"

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LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN PART OF THE NE1/4 OF THE SE1/4, PART OF THE SE1/4 OF THE SE1/4 AND PART OF THE SW1/4 OF THE SE1/4 OF SECTION 17, ALL LOCATED IN TOWNSHIP 14, RANGE 11 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SE1/4 OF SECTION 17; THENCE N02°13'51"W (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SE1/4 OF SECTION 17, A DISTANCE OF 33.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GILES ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING N02°13'51"W ALONG SAID WEST LINE OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING THE EAST LINE OF WHITETAIL CREEK, A SUBDIVISION LOCATED IN SAID SECTION 17, AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 1296.16 FEET TO THE NORTHWEST CORNER OF SAID SW1/4 OF THE SE1/4 OF SECTION 17, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID NW1/4 OF THE SE1/4 OF SECTION 17; THENCE N87°39'33"E ALONG THE NORTH LINE OF SAID SW1/4 OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING THE SOUTH LINE OF SAID NW1/4 OF THE SE1/4 OF SECTION 17, A DISTANCE OF 1313.86 FEET TO THE NORTHEAST CORNER OF SAID SW1/4 OF THE SE1/4 OF SECTION 17, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID NW1/4 OF THE SE1/4 OF SECTION 17, AND ALSO BEING THE SOUTHWEST CORNER OF SAID NE1/4 OF SE1/4 OF SECTION 17, AND ALSO BEING NORTHEAST CORNER OF THE SE1/4 OF THE SE1/4 OF SECTION 17; THENCE N02°29'20"W ALONG THE WEST LINE OF SAID NE1/4 OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING THE EAST LINE OF SAID NW1/4 OF THE SE1/4 OF SECTION 17, A DISTANCE OF 1341.17 FEET TO THE NORTHWEST CORNER OF SAID NE1/4 OF THE SE1/4 OF SECTION 17, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID NW1/4 OF THE SE1/4 OF SECTION 17; THENCE N87°02'22"E ALONG SAID NORTH LINE OF THE SE1/4 OF SECTION 17, SAID LINE ALSO BEING SAID SOUTH LINE OF THE NE1/4 OF SECTION 17, SAID LINE ALSO BEING THE SOUTH LINE OF SUNRIDGE, A SUBDIVISION LOCATED IN SAID SECTION 17, AND THE WESTERLY EXTENSION, THERE OF, A DISTANCE OF 1281.55 FEET TO A POINT ON WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET ON THE FOLLOWING SIX (6) COURSES: (1) THENCE S02°29'27"E, A DISTANCE OF 653.10 FEET; (2) THENCE SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 1393.39 FEET, A DISTANCE OF 1424.44 FEET, SAID CURVE ALSO HAVING A LONG CHORD WHICH BEARS S26°47'43"W, A DISTANCE OF 1363.22 FEET; (3) THENCE SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 4341.14 FEET, A DISTANCE OF 988.17 FEET, SAID CURVE ALSO HAVING A LONG CHORD WHICH BEARS S62°36'10"W, A DISTANCE OF 986.04 FEET; (4) THENCE S69°07'26"W, A DISTANCE OF 41.70 FEET; (5) THENCE SOUTHWESTERLY ON A CURVE WITH A RADIUS OF 380.62 FEET, A DISTANCE OF 479.39 FEET, SAID CURVE ALSO HAVING A LONG CHORD WHICH BEARS S33°02'29"W, A DISTANCE OF 448.33 FEET; (6) THENCE S03°02'27"E, A DISTANCE OF 2.22 FEET TO THE POINT OF INTERSECTION OF SAID WESTERLY RIGHT-OF-WAY LINE OF 180TH STREET AND SAID NORTH RIGHT-OF-WAY LINE OF GILES ROAD; THENCE S86°58'52"W ALONG SAID NORTH RIGHT-OF-WAY LINE OF GILES ROAD, A DISTANCE OF 740.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 3,716,122 SQUARE FEET OR 85.310 ACRES MORE OR LESS.

SEE SHEET 1 OF 2 FOR EXHIBIT

	E & A CONSULTING GROUP, INC. Engineering • Planning • Environmental & Field Services 10509 Mill Valley Road, Suite 100 Omaha, NE 68154 Phone: 402.865.4700		DISTRICT BOUNDARY SANITARY & IMPROVEMENT DISTRICT NO. 313 SARPY COUNTY, NEBRASKA
	Drawn by: JRS Chkd by:	Date: 09/30/2015	
Job No.: P2015 497.001		Sheet: 1 of 2	Revised: 01/22/16

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:

DECREE (3-11-2016), NOTICE (3-9-2016), ARTICLES OF ASSOCIATION (3-9-2016), PLAT (3-9-2016), AND PETITION (3-9-2016).

entered in a cause in said court wherein:

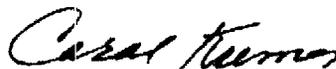
IN THE MATTER OF SANITARY & IMPROVEMENT DISTRICT NO. 313 OF SARPY COUNTY, NEBRASKA, Plaintiff

and:

_____, Defendant

Case ID CI 16 367, 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 March, A.D. 2016.



CAROL KREMER
CLERK OF THE DISTRICT COURT