COUNTER C.E. P
VERIFY PROOF

FEES \$ 164-50
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REFUND CREDIT
SHORT NCR

FILED SARPY COUNTY NEBRASKA INSTRUMENT NUMBER

2010-20091

08/05/2010 11:23:22 AM

floyl J. Douding

REGISTER OF DEEDS



CERTIFICATE OF THE CITY CLERK CITY OF PAPILLION

STATE OF NEBRASKA)
)ss.
COUNTY OF SARPY)

I, Elizabeth McCarty, City Clerk of the City of Papillion a municipal corporation, within and for the County of Sarpy, State of Nebraska, do hereby certify that the foregoing is a true and correct copy of the original RES. R10-0128 — First Amendment to the Stockmans Hollow subdivision agreement that was passed and approved by the Papillion City Council at their meeting on August 3, 2010.

WITNESS my hand and seal on this 4th day of August, 2010.



Elizabeth McCarty, City Clerk for the City of Papillion

City of Papillion City Clerk 122 E. Thurd St. Papillion, NE 68046

RESOLUTION NO. R10-0128

BE IT RESOLVED by the Mayor and City Council of the City of Papillion that:

The First Amendment to the Stockmans Hollow Subdivision Agreement is hereby approved contingent upon approval of:

- Stockmans Hollow Replat Change of Zone, Ordinance #1576
- Stockmans Hollow Replat 3 Final Plat, Resolution #R10-0127

PASSED AND APPROVED THIS 3rd DAY OF August, 2010.

CITY OF PAPILLION, NEBRASKA

David P. Black, Mayor

Attest:

Elizabeth McCarty, City Clerk

(SEAL)



FIRST AMENDMENT TO THE SUBDIVISION AGREEMENT

THIS FIRST AMENDMENT TO THE SUBDIVISION AGREEMENT made this 3 day of 100 5 , 2010, (Effective Date), by and between Boyer Young Equities VII, LLC (hereinafter referred to as "Developer") as developer of Lots 1 through 207, inclusive and Lot 209, Stockmans Hollow, Tuscany Place LLC as developer of Lot 208 Stockmans Hollow, and , Sanitary and Improvement District No. 286 of Sarpy County, Nebraska, a Nebraska political subdivision, (hereinafter referred to as "District"), and the City of Papillion, a municipal corporation (hereinafter referred to as "City").

WITNESSETH;

WHEREAS, the Developer, the District and City entered into a Subdivision Agreement ("Subdivision Agreement") dated June 19, 2007, with respect to the area to be developed (Lots 1 through 207, inclusive, and Lot 209, Stockmans Hollow and Tuscany Place, LLC, a Nebraska limited liability company, as owner of Lot 208, Stockmans Hollow; and

WHEREAS, Developer desires to replat and develop Lot 206, Stockmans Hollow, into Lots 1 through 49, inclusive, Stockmans Hollow Replat Three; and

WHEREAS, the parties hereto desire to modify the Subdivision Agreement to allow for the replatting and development of the Property as set forth herein.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual promises and covenants hereinafter contained, the parties hereto agree as follows:

- 1. <u>Definitions</u>: Unless otherwise defined in this First Amendment, all capitalized terms used in this First Amendment shall have the same meaning set forth for such terms in the Subdivision Agreement.
- 2. <u>Amendments to Subdivision Agreement</u>: The following provisions of the Subdivision Agreement shall be modified with respect to the development of the Property as follows:
 - A. <u>Recitals</u>: The first paragraph of the Recitals shall be amended as follows:

Exhibit "A" is hereby amended to reflect the final plat of the Property as shown on **Exhibit "A-1"** attached hereto (Lots 1 through 49, inclusive, Stockmans Hollow Replat Three.



- B. <u>Exhibit "B"</u> is hereby amended to reflect the modifications to the storm sewer and paving plans for the development of the Property as shown on <u>Exhibit "B-1"</u>.
- C. <u>Exhibit "C"</u> is hereby amended tor reflect the modifications to the sanitary sewer and water plans for the development of the Property as shown on <u>Exhibit "C-1"</u> attached hereto.
- D. **Exhibit "D"** to the Subdivision Agreement is hereby repealed in its entirety and the attached **Exhibit "D-1"** is hereby submitted in its place with respect to the Summary of Estimated Construction Costs.
- E. <u>Exhibit "F"</u> is hereby repealed in its entirety and the attached <u>Exhibit "F-1"</u> is hereby substituted in its place with respect to sediment and/or detention.
- F. Article III, Section F is hereby amended as follows: Capital Facilities Charges to the City of Papillion in the amount of \$73,500, less a credit for charges paid in the amount of \$62,414.40, for a net charge of \$11,085.60. Not less than 50% of gross capital facility charges paid to the City of Papillion shall be specially assessed against properties served. Capital Facilities Charges shall be paid prior to issuance of any building permits.

3. Miscellaneous:

- A. <u>Counterparts</u>: This First Amendment may be executed in counterparts each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.
- b. **No Other Amendment**: Except as specifically set forth herein, the Subdivision Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, this First Amendment is effective on the day and year first above written.

CITY OF PAPILLION, a Nebraska Municipal Corporation

Mayor

ATTEST:

City Clerk

	SANITARY AND IMPROVEMENT DISTRICT NO. 286 OF SARPY COUNTY, NEBRASKA By New L. Smith, Chairman
	Date: 6/16/10
STATE OF NEBRASKA)) ss.	
COUNTY OF SARPY)	
Neil L. Smith, Chairman of Sanitary and Nebraska, known to me to be the identic	in and for said county and state, personally came I Improvement District No. 286 of Sarpy County, al person who executed the above instrument and be his voluntary act and deed on behalf of such
WITNESS my hand and not	arial seal this 10^{+r} day of <u>June</u> , 2010
	Nicole & Brown Notary Public
APPROVED AS TO FORM:	GENERAL NOTARY - State of Nebraska NICOLE L. BROWN My Comai, Exp. Nov. 30, 2013
John Fullenkamp Aktorney for Sanitary and Improvement District No. 286 of Sarpy County, Nebrask	 <a< td=""></a<>
STATE OF NEBRASKA)) ss. COUNTY OF SARPY)	
ŕ	
John H. Fullenkamp, attorney for Sanit County, Nebraska, known to me to be	, in and for said county and state, personally came tary and Improvement District No. 286 of Sarpy e the identical person who executed the above ion thereof to be his voluntary act and deed.
WITNESS my hand and not	carial seal this <u>10th</u> day of <u>June</u> , 2010
	Notary Public

GENERAL NOTARY - State of Nebraska NICOLE L. BROWN My Comm. Exp. Nov. 30, 2013

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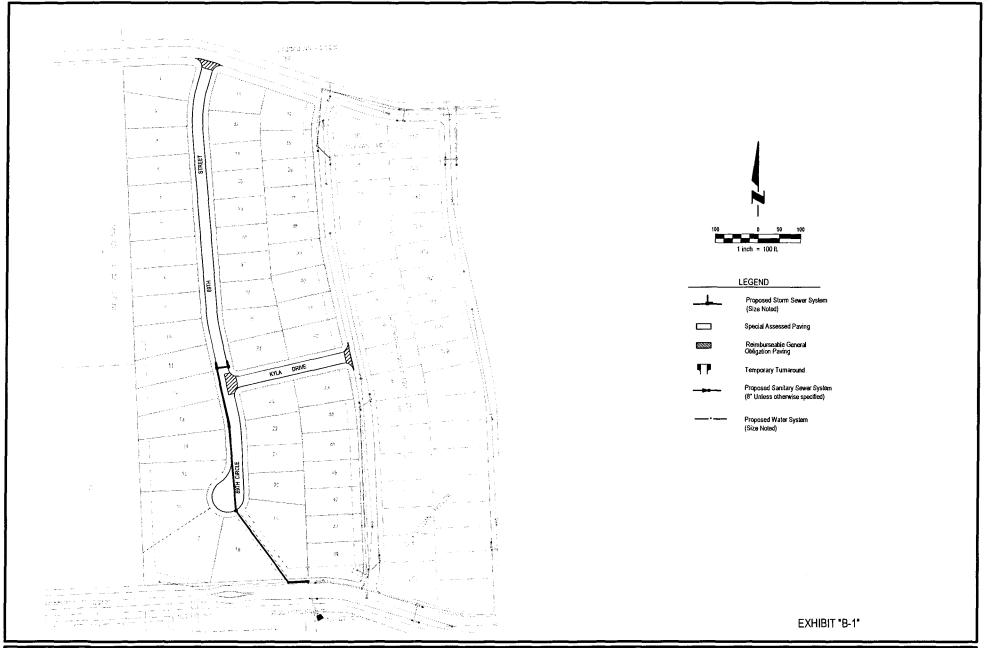
	BOYER YOUNG EQUITIES YES, LLC
	Its: MANIGING MENBER
	Dated: 6/11/10
STATE OF NEBRASKA)) ss.	,
COUNTY OF SARPY)	
Timothy Young of Boyer	ic, in and for said county and state, personally came Young Equities VII, LLC, known to me to be the bove instrument and acknowledged the execution I on behalf of such company.
WITNESS my hand and no	otarial seal this 11th day of June, 2010
	Notary Public
	GENERAL NOTARY - State of Nebraska NICOLE L. BROWN My Comm. Exp. Nov. 30, 2013

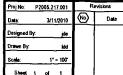
		TUSCANY PLACE, LLC
		By formal shirt
		Its: Managing Nember
		Dated: July 14 2010
STATE OF NEBRASKA)) ss.	·
COUNTY OF SARPY)	
who executed the above voluntary act and deed on	f of Tuscany linstrument an behalf of such	•
WITNESS my	hand and not	arial seal this 4 day of 34, 2010
GENERAL NOTARY-ST	ate of Nebraska McCARTY	Dotary Public

GENERAL NOTARY-State of Nebraska
ELIZABETH MCCARTY
My Comm. Exp. April 28, 2013

			
LC - 5 8270748" E 9939		STOCKMANS HOLLOW	REPLAT THREE
8 / 21000000 morrow		LOTS 1 THRU 49 INCLUSIVE	
PETERS 2017 STORY STATE		BEING A REPLATTING OF ALL OF LOT 208, STOCKMANS HOLLOW, A SUBDIMS LOCATED IN PART OF THE EAST 1/2 OF THE NW 1/4 OF SECTION 24, TOWNSH	
182 24 18 26 18 28 18 28 E 1.12	100	NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.	
10 10 10 10 10 10 10 10 10 10 10 10 10 1		1 inch = 100 R	
7	SARPY COUNTY TREASURER'S CERTIFICATE	DEDICATION	
105.17 10	THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBE	DESCRIBED IN THE CERTIFICATION OF SURVEY AND EMBRACED WITHIN THE PLAT HAVE CAUSED SAID LAND TO	SURVEYORS CERTIFICATE
	SURVEYOR'S CERTIFICATE AND EMBRACED IN THIS PLAT A SHOWN BY THE RECORDS OF THIS OFFICE.		I HEREBY CERTIFY THAT I HAVE MADE A GROUND SURVEY OF THE SUBDIVISION DESCRIBED HEREIN AND THAT TEMPORARY MONUMENTS HAVE BEEN PLACED ON THE BOUNDARY OF THE
8 30 3 1200 1 3 1 1	STORING THE RECORDS OF THIS OFFICE.	OD HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF OUR PROPERTY AS SHOWN ON THE PLAT, AND WE HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE THE STREETS, AVENUES AND CIRCLES AND WE DO	WITHIN PLAT AND THAT A BOND HAS BEEN FURNISHED TO THE CITY OF PAPILLION TO ENSURE PLACING OF PERMANENT MONUMENTS AND STAKES AT ALL CORNERS OF ALL LOTS, STREETS,
3 5 8 120 MV 8 37 3 PERIMWENT AT MIDE SANTAN SENER 70.5	SARPY COUNTY TREASURER DATE	HEREBY GRANT EASEMENTS AS SHOWN ON THIS PLAT, WE DO FURTHER GRANT A PERPETUAL EASEMENT TO	ANGLE POINTS AND ENDS OF ALL CURVES IN STOCKMANS HOLLOW REPLAT THREE (THE LOTS NUMBERED AS SHOWN) BEING A REPLATTING OF ALL OF LOT 206, STOCKMANS HOLLOW, A
150.78 8 29 8 120.00 EASEARCH CREATER TO SAFEY COUNTY	SAN-Y COUNTY THEASURER DATE	GRANTED A FRANCHISE TO PROVIDE A CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED. THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES, WIRES, CABLES	SUBDIVISION LOCATED IN PART OF THE EAST 1/2 OF THE MY 1/4 OF SECTION 24, TOWNSHIP 1/4 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.
		CONDUTES AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE	SAID TRACTS OF LAND CONTAIN AN AREA OF 13,003 ACRES, MORE OR LESS.
13.00 LC. S 08'50'23' E 75.07	APPROVAL BY PAPILLION CITY COUNCIL	TRANSAISSION OF SICHALS AND SOUNDS OF ALL KINGS INCLUDING SIGNALS PROVIDED BY A CABLE TELEVISION SYSTEM, AND THE RECEPTION ON, OVER, THROUGH, UNDER AND AGRICS A FIVE-FOOT (5) WIDE	
2	THIS SUBDIVISION OF STOCKMANS HOLLOW REPLAT THRE	STRIP OF LAND ABUTTING ALL FRONT AND SIDE BOUNDARY LOT LINES, AN EIGHT-FOOT (8) WIDE STRIP OF	
	CITY COUNCIL OF THE CITY OF PAPILLION, NEBRASKA.	LAND ABUTING THE ROAM DUMBARY LINES OF ALL INTERPORTURES, AND A SULTEMPORTURES IN FIRE OF LAND ABUTING THE ROAM BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM EXTERIOR LOTS IS HEREIN DEFINED AS THOSE LOTS FORMING THE OUTER PERMITTED OF THE ABOVE-DESCRIBED ADDITION. SAID	ERIC SCHABEN L.S. 608 DATE
8 1 2 0 8 8 E 1200 40 18 1 20 120		SIXTEEN-FOOT (16) WIDE EASEMENT WILL BE REDUCED TO AN EIGHT-FOOT (8) WIDE STRIP WHEN THE	
\$ \$\\\ \bar{\bar{\bar{\bar{\bar{\bar{\bar{	MAYOR DATE	ADJACENT LAND IS SURVEYED. PLATTED AND RECORDED, AND WE FURTHER GRANT A PERPETUAL EASEMENT TO THE CITY OF PAPILLION AND BLACK HILLS ENERGY, THEIR SUCCESSORS AND ASSISMS, TO ERECT, INSTALL	REVIEW OF SARPY COUNTY SURVEYOR
		OPERATE, MAINTAIN, REPAIR AND RENEW PIPELINES, HYDRANTS AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON, THROUGH, UNIDER AND ACROSS A	THIS PLAT OF STOCKMANS HOLLOW REPLAT THREE WAS
	CITY CLERK	FIVE-FOOT (5) WIDE STAIP OF LAND ABUTTING ALL STREETS, NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS,	REVIEWED BY THE OFFICE OF THE SARPY COUNTY SURVEYOR.
10 20 The Wall Wall 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.	
		IN WITNESS WHEREOF, WE DO SET OUR HAND THISDAY OF	SARPY COUNTY SURVEYOR DATE
tours (SOI)	ZONING MINIMUM SETBACK REQUIREMENTS		
S S S S S S S S S S S S S S S S S S S	LOTS 1-49 R-3 FRONT YARD 25 FE		
100 100 12 8	STREET SIDE YARD 15 FE INTERIOR SIDE YARD 10 FE	By BOYER YOUNG DEVELOPMENT	APPROVAL OF PAPILLION PLANNING COMMISSION
18 18 18 18 18 18 18 18 18 18 18 18 18 1	REAR YARD 20 FE		THIS SUBDIVISION OF STOCKMANS HOLLOW REPLAT THREE WAS APPROVED BY THE PAPILLION PLANNING COMMISSION
13 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		TIMOTHY W. YOUNG, PRESIDENT	ALPHOVED BY THE FOR ILLEGAT PORTHUM COMMITTEEN
200 11 100	NOTES:		CHAIRMAN, PAPELION PLANNING COMMISSION DATE
	1. ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED	ACKNOWLEDGEMENT OF NOTARY	OFFICIALITY ELLOT FORTING COMMISSION
204 SPT NR UNITED THE STATE OF	2. DIRECT VEHICULAR ACCESS WILL NOT BE ALLOW	STATE OF NEBRASKA) ED TO PETERS COUNTY OF SARPY)	
SID. 284 MAD TO THE CITY OF PARTICAL	PARKWAY FROM ANY LOT ABUTTING SAID PETERS	PARKWAY AND WILL	APPROVAL OF PAPILLION CITY ENGINEER
2 100 100 100 100 100 100 100 100 100 10	NOT BE ALLOWED TO CENTENNIAL ROAD FROM AN CENTENNIAL ROAD.	LOT ABUTTING SAID NOTARY PUBLIC IN AND FOR SAID COUNTY PERSONALLY CAME TMOTHY W YOUNG PRESIDENT. BOYER YOUNG COUNTES VILLIC. WHO IS PERSONALLY KNOWN TO BE THE IDENTICAL PERSON.	THIS SUBDIVISION OF STOCKMANS HOLLOW REPLAT THREE WAS
0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	3. ALL LOT LINES ARE RADIAL TO CURVED STREETS	WHOSE NAME IS AFFIXED TO THE DEDICATION ON THIS PLAT AND ACKNOWLEDGED THE SAME TO BE	APPROVED BY THE PAPILLION CITY ENGINEER
	NONRADIAL (N.R.).	WITNESS SHOWN AS WITNESS MY HAND AND NOTAFIAL SEAL THE DAY AND YEAR U.ST ABOVE WRITTEN	
	4. ALL DIMENSIONS AND ANGLES SHOWN WITH PAR		PAPILLION CITY ENGINEER DATE
200 - 200 -	THE LOCATION OF EASEMENTS.		
(19 m) 4 (19	5. THE CHAMFERS FOR SIDEWALKS ON CORNER LO	S ARE SET AT FIVE NOTARY PUBLIC	
1947 1947 195 1 19	FEET (5') RADII FROM THE INTERSECTION OF RIGHT ANGLES SHOWN WHEN RIGHT-OF-WAY LINES HAVE		APPROVAL OF SARPY COUNTY REGISTER OF DEEDS
S 67'18'20' W, 395.75 R= 369.77 L= 107.41 LC = N 84'27'27' W, 107.03 S 17'20'03' W, 8.96			RECORDED ON THIS DAY OF
30AD		CENTER-LINE CURVE TABLE CURVE RADIUS LENGTH TANGENT DELTA	
COLD OF THE CONTRACT COMPANY OF THE COLD O		1 300.00 107.61 54.39 2013306 2 300.00 42.93 21.50 811154	SARPY COUNTY REGISTER OF DEEDS DATE
SEWEN AND DRAWANDEWN FASTBERN GRANTED TO SAMP COUNT SILD, MA AND TO THE CITY OF PAULISM	EVILIDIT NA 48	3 300.00 53.53 26.84 10"1326"	
1	EXHIBIT "A-1"		
Prg No		STOCKMANG HOLLOW BEDLAT TUBES	E&A CONSULTING GROUP, INC.
Orawn By LDD 1 0406/2019		STOCKMANS HOLLOW REPLAT THREE	ENGINEERING • PLANNING • FIELD SERVICES
Checked By JDE 2 05/05/2010 FINAL PLAT		LOTS 1 THRU 49 INCLUSIVE	ENGINEERING • PLANNING • FIELD SERVICES

LOTS 1 THRU 49 INCLUSIVE PAPILLION, NEBRASKA





STREETS AND STORM SEWER

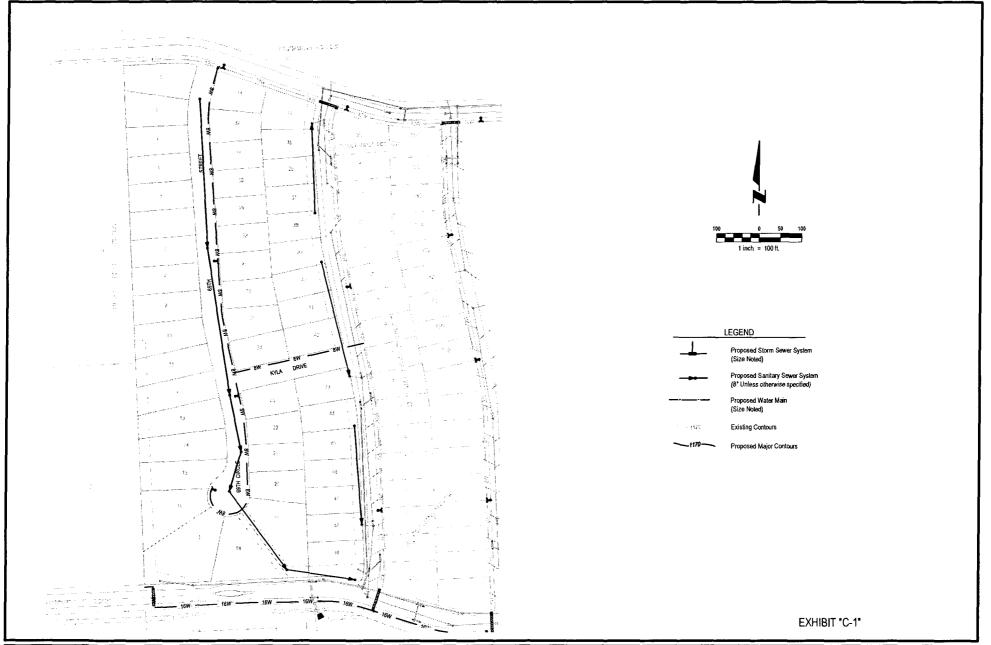
STOCKMANS HOLLOW REPLAT THREE PAPILLION, NEBRASKA



E&A CONSULTING GROUP, INC.

ENGINEERING • PLANNING • FIELD SERVICES

330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 895-4700 FAX: (402) 895-3599 www.eacg.com



		_			
Proj No: P2	006.217.001	Revisions			
Date:	3/11/2010	(%)	Date		
Designed By:	jde	1	04/06/2010		
Drawn By:	ldd				
Scale:	1* = 100*				
			•		

SANITARY AND WATER

STOCKMANS HOLLOW REPLAT THREE PAPILLION, NEBRASKA



E&A CONSULTING GROUP, INC.

ENGINEERING . PLANNING . FIELD SERVICES

330 NORTH 117TH STREET OMAHA, NE 68154 PHONE: (402) 895-4700 FAX: (402) 895-3599 www.eacg.com



EXHIBIT "D-1"

SUMMARY OF COSTS ESTIMATES - SOURCE & USE OF FUNDS

PROJECT NAME:

STOCKMAN'S HOLLOW

PROJECT LOCATION:

66TH STREET AND SOUTH OF GILES ROAD

PREPARATION DATE:

April 8, 2010

INFORMATION FROM:

E&A Consulting Group

Proposed Improvement	ConstructionCost	Total Cost	Special Assessment	General Obligation	Private	Other	Total
SANITARY SEWER							
Interior	\$557,900	\$859,400	\$821,100	\$38,300		\$0	\$859,400
Outfall	\$173,373	\$204,348	\$ 0	\$0		\$204,348	\$204,348
PAVING & STORM SEWER	\$1,351,100	\$1,940,334	\$1,120,710	\$819,624		\$0	\$1,940,334
PAVING							
Major (66th Street)							
Phase I	\$534,201	\$888,711	\$16,141	\$622,570		\$250,000	\$888,711
Phase II	\$325,000	\$455,000	\$30,000	\$275,200		\$149,800	\$455,000
GILES ROAD CONTRIBUTION	\$130,185	\$130,185	\$0	\$130,185		\$0	\$130,185
PARKS							
Acquisition	\$91,820	\$109,296	\$0	\$109,296		\$0	\$109,296
Improvements	\$165,092	\$250,093	\$0	\$250,093		\$0	\$250,093
WATER	·		·				
Total	\$727,610	\$1,050,000	\$732,950	\$317,050			\$1,050,000
Capital Facility Charges	\$520,201	\$643,067	\$316,822	\$326,245		\$0	\$643,067
POWER							
Single-Family	\$190,500	\$331,680	\$331,680	\$0		\$0	\$331,680
Multi Family	\$207,200	\$279,720	\$279,720	\$0		\$0	\$279,720
Decorative Street Lights OTHER		\$33,750		\$33,750		\$0	\$33,750
7074	4.07.400	07.470.504	00.040.400	******			<u></u>
TOTAL	\$4,974,182	\$7,175,584	\$3,649,123	\$2,922,313	\$0	\$604,148	\$7,175,584
VALUATION:	254	Single Family@	\$166.366.00	=		\$42,256,964.00	
77 10141	198	Mult-Family@	\$120,000.00	=		\$23,760,000.00	
	250	Mult-Family@	\$50,000.00	=		\$12,500,000.00	
	200		400,000.00	_			
						\$78,516,964.00	
			Debt Ratio	=		3.72%	

