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FILED SARPY CO. NE
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STATEMENT OF FORMATION

1995 JUN 17 AM 11:55 SANITARY AND IMPROVEMENT DISTRICT NO. 138

OF

Carl S. Hibbels
REGISTER OF DEEDS

SARPY COUNTY, NEBRASKA

This Statement is filed pursuant to §31-727.01 R.R.S. Nebraska.

1. The District No. is No. 138 of Sarpy County, Nebraska.

2. The outer boundaries of Sanitary and Improvement District No. 138 of Sarpy County, Nebraska, are:

Lot 9A together with the East 10 acres of Lot 9C in the Southeast one-quarter of Section 22, and a replat of all of Lots 1 through 17 and 25 through 28, part of Lots 18 through 24, Avery Commercial Industrial Plaza located in the Southwest one-quarter of Section 23, the Northwest one-quarter of Section 26, and the Northeast one-quarter of Section 27, and the replat of Lots 141 through 148, Avery Hills, located in the Northeast one-quarter of Section 27, all in T 14 N, R 13 E of the 6th P.M., Sarpy County, Nebraska, being more particularly described as follows: Beginning at the Northeast corner of said Lot 9A, thence $103^{\circ}58'55''$ East (assumed bearing) 953.32 feet along the East line of Lot 9A, thence North $88^{\circ}57'34''$ East 531.58 feet to the Westerly R.O.W. line of the Union Pacific Railroad, thence along said R.O.W. on the following three (3) described courses; (1) south $12^{\circ}42'12''$ West 879.82 feet. (2) thence along a curve to the right having a radius of 2815.52 feet, an arc length of 603.48 feet, and a long cord bearing South $18^{\circ}50'38''$ West for 602.33 feet, (3) thence South $28^{\circ}59'03''$ West 127.03 feet, thence North $78^{\circ}41'12''$ West 226.82 feet, thence North $01^{\circ}05'22''$ West 442.15 feet, thence South $89^{\circ}37'27''$ West 337.33 feet, thence North $32^{\circ}53'55''$ West 183.76 feet to the Easterly R.O.W. line of 10th Street, thence along said R.O.W. on a curve to the left having a radius of 125.00 feet, an arc length of 126.37 feet, and a long cord bearing North $28^{\circ}08'23''$ East for 121.06 feet, thence continuing along said R.O.W. North $00^{\circ}49'22''$ West 375.97 feet to the South R.O.W. line of existing Thurston Avenue, thence along said R.O.W. line South $89^{\circ}10'40''$ West 468.05 feet, thence North $00^{\circ}59'06''$ West 1357.70 feet, thence North $89^{\circ}08'53''$ East 1001.58 feet to the point of beginning. Described

tract contains 52.45 acres, more or less.

3. The purposes for which the District is formed shall be installing gas and electric service lines and conduits, installing a sewer system, installing a water system, installing a system of sidewalks public roads, streets and highways, to contract for water for fire protection and for resale to residents of the District, to contract for gas and for electricity for street lighting for the public streets and highways within the District, and to inquire, improve and operate public parks, playgrounds and recreational facilities; and, where permitted by law, to contract with other Sanitary and Improvement Districts to acquire, build, improve and operate public parks, play grounds and recreational facilities. The District may also contract for public protection and security services.

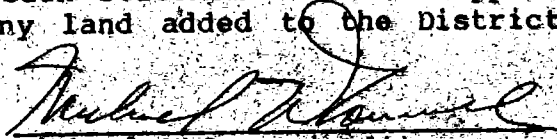
4. The Sanitary and Improvement District shall have the power to levy an unlimited property tax to pay its debt and its expense of operation and maintenance.

5. The Sanitary and Improvement District is required to levy special assessments on property in the District to the full extent of special benefits arising by reason of improvements installed by the District.

6. The annual Budget of the District will be filed with the County Clerk when prepared, and said budget will show the anticipated revenues and expenses, mill levy, and indebtedness of the District.

7. There is no current mill levy of the District, but the amount of the current mill levy may be obtained from the County Clerk.

8. A copy of the annual financial audit of the District will be filed with the Clerk of the District and the Auditor of Public Accounts, and such statement will be supplemented and refiled to include any land added to the District after the original filing.


Michael McCormack, Attorney
for Sanitary and Improvement
District No. 138 of Sarpy
County, Nebraska