FILED SARPY CO. NE.
INSTRUMENT NUMBER
2003: 52315
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REGISTER OF DEEDS

SANITARY AND IMPROVEMENT DISTRICT STATEMENT SARPY COUNTY, NEBRASKA

STATE OF NEBRASKA

, ) 5S.

COUNTY OF SARPY

Mark A. Boyer, being first duly sworn, states that he is the Clerk of Sanitary and Improvement District No. 243 of Sarpy County, Nebraska and makes the following statement regarding same:

- 1. District Number: 243
- 2. Outer Boundaries: See Exhibit "A" attached hereto and by this reference made a part hereof.
- 3. 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, a civil defense warning system, to contract for water for fire protection and for resale to the residents of the District, and to contract for gas and electricity, for street lighting for the public streets and highways within the District and to acquire, improve and operate public parks, playgrounds and recreational facilities. 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, utility 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 sewer improvement facilities and for the operation and maintenance of electrical service lines and conduits.
- 4. The District has the power to levy an unlimited property tax to pay its debts and its expenses of operation and maintenance.
- 5. The District is required by statute to levy special assessments on property in the District to the full extent of special benefits arising by reason of improvements installed by it.
- 6. In all years when a budget is required by law, the District's annual budget is filed with the County Clerk, which budget shows anticipated revenue and expenses, levy, and indebtedness of the District.
  - 7. The actual current levy of the District may be obtained from the County Clerk.

RAK FULLENKAMP, DOYLE & JOBEUN 11440 WEST CENTER ROAD OMAHA, NE 68144-4182 Karun

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8. A copy of the District's annual financial audit is on file with the Clerk of the District and the State Auditor of Public Accounts.

CLERK

SUBSCRIBED and sworn to before me this barrier Auditor Public

ENERA Natary Public

MY COMMISSION EXPIRES:

JULY 26, 2005

2003-52315B

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 8, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER OF SECTION 8, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, THENCE SOC'00'28"E (ASSUMED BEARING) ALONG THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 8 FOR 1584.24 FEET; THENCE S89'59'32"W 631.59 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, AN ARC LENGTH OF 106.86 FEET, WITH A LONG CHORD BEARING N81'00'14"W FOR 106.42 FEET; THENCE N71"59"59"W 52.25 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 260.00 FEET, AND ARC LENGTH OF 88.98 FEET, WITH A LONG CHORD BEARING N81"48"13"W FOR 88.54 FEET; THENCE S88'23'33"W 395.28 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 260.00 FEET, AN ARC LENGTH OF 220.83 FEET, WITH A LONG CHORD BEARING S64'03'37"W FOR 214.25 FEET; THENCE 539'43'42"W 21.53 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 26.58 FEET, WITH A LONG CHORD BEARING \$38"9"19"E FOR 26.58 FEET; THENCE \$48"18"58"W 234.22 FEET; THENCE S17'56'48"E 57.76 FEET; THENCE S19'03'44"E 53.69 FEET; THENCE S27'30'42"E 46.27 FEET; THENCE S57'49'56"W 165.00 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET, AN ARC LENGTH OF 28.27 FEET, WITH A LONG CHORD BEARING N30'22'05"W FOR 28.27 FEET; THENCE S72'03'12"W 124.76 FEET; THENCE S89"37'45"W 604.20 FEET; THENCE S00"06'25"W 20.21 FEET, THENCE N89"53'35"W 170.00 FEET; THENCE S00"06'25"W 546.22 FEET TO THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE \$89'37'45"W 50.00 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE NOO'06'25"E 1319.26 FEET ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE N89'37'42"E 33.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF 48th STREET: THENCE NOO'06'25"E 1319.26 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE N89'37'39"E 17.00 FEET ALONG SAID NORTH LINE; THENCE SOO'06'25"W 455.02 FEET; THENCE N89'37'39"E 176.37 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 149.41 FEET WITH A LONG CHORD BEARING S65'54'49"E FOR 144.91 FEET; THENCE N89'37'39"E 237.65 FEET; THENCE S00'22'21"E 300.38 FEET; THENCE S02'28'55"E 81.32 FEET; THENCE SO8'26'22"E 83.86 FEET; THENCE S14'33'46"E 83.86 FEET; THENCE S20'41'11"E 83.86 FEET; THENCE \$26'48'36"E 83.86 FEET; THENCE \$32'56'00"E 83.86 FEET; THENCE \$39'03'25"E 83.86 FEET; THENCE S43'56'41"E 75.22 FEET; THENCE S48'46'17"E 73.58 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET, AN ARC LENGTH OF 39.63 FEET WITH A LONG CHORD BEARING S61"17"08"E FOR 39.61 FEET; THENCE S57'56'47"E 208.75 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 19.45 FEET, WITH A LONG CHORD BEARING S56'15'28"E FOR 19.45 FEET; THENCE N39'43'42"E 17.79 FEET: THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 340.00 FEET. AN ARC LENGTH OF 165.14 FEET, WITH A LONG CHORD BEARING N53'38'33"E FOR 163.52 FEET; THENCE N25'41'51"E 243.45 FEET; THENCE N06'34'53"E 130.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 125.03 FEET WITH A LONG CHORD BEARING N86'59'10"E FOR 124.47 FEET; THENCE N22'43'48"W 139.96 FEET; THENCE N10'03'21"W 129.72 FEET; THENCE N08'30'30"E 93.52 FEET; THENCE N10'24'59"E 85.00 FEET; THENCE N10'25'10"E 85.60 FEET; THENCE N18'29'46"E 110.13 FEET; THENCE N27'41'14"E 83.33 FEET; THENCE N27'46'43"E 160.00 FEET; THENCE N27'02'22"E 69.34 FEET; THENCE NOB'36'22"E 66.34 FEET; ATHENCE NOO'22'21"W 170.00 FEET TO THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 8; THENCE N89'37'39"E 990.20 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING. DESCRIBED TRACT CONTAINS 72.69 ACRES, MORE OR LESS.



Hill-Farrell Associates, Inc. Architects, Engineers, Land Surveyors
1008 Lincoln Rd., Bellevue, NE 68005 402-291-6100

Exhibit "A"

FILED SARPY CO. NE. INSTRUMENT NUMBER ~2*003*-56672

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## CONSENT AND ACKNOWLEDGMENT OF FORMATION OF SANITARY AND IMPROVEMENT DISTRICT

COMES NOW, the American National Bank under a Deed of Trust filed against the real property legally described on the attached Exhibit "A" and hereby consents to the formation of Sanitary and Improvement District No. 243 of Sarpy County, Nebraska (Clearwater Falls), agrees to be bound by all of the terms and conditions of the Articles of Association of the District, and further agrees that its interest in and to the property shall be subject to and subordinate to any real estate taxes or special assessments levied by the District.

DATED this 15 day of September, 2003

American National Bank

STATE OF NEBRASKA

) ss.

COUNTY OF Douglas

Before me, the undersigned Notary Public in and for said County and appeared Edward Kelleher, to me known the Vice President of the American National Bank and the identical person who executed the above instrument and acknowledged his execution thereof to be his voluntary act and deed and the voluntary act and deed of said bank.

WITNESS my hand and Notarial Seal this 15 day of September,

2003

GENERAL NOTARY-State of Notice PATRICIA B. RICHARD My Comm. Exp. Jan. 18, 2005

**Notary Public** 

RAR.

FULLENKAMP, DOYLE & JOBEUN 11440 WEST CENTER ROAD OMAHA, NEBRASKA 68144-4482

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J003-56672A

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