



1303 389 MISC



11723 98 389-392

Nebr Doc Stamp Tax
Date
\$
By

RICHARD N. TAKECHI  
REGISTER OF DEEDS  
DOUGLAS COUNTY, NE

99 AUG -9 AM 8:18

RECEIVED

11723 B

FEE 20.00 (FB) 01-60000

BKP 95-16-11 CRO COMP

DEL SCAN OK FV

AFTER RECORDING RETURN TO:

JAMES F. KASHER  
CROKER, HUCK, KASHER, DeWITT,  
ANDERSON & GONDERINGER, P.C.  
2120 SO. 72 STREET, SUITE 1250  
OMAHA, NE 68124-2356

**STATEMENT OF FORMATION  
SANITARY AND IMPROVEMENT DISTRICT NO. 446  
OF DOUGLAS COUNTY, NEBRASKA**

LOUISE N. SCOLARO, being first duly sworn, states that she is the Clerk of Sanitary and Improvement District No. 446 of Douglas County, Nebraska, and makes the following statement regarding same:

1. District Number: 446.
2. Outer boundaries: The same as are described on Exhibit "A" attached hereto and by this reference incorporated herein.
3. The purposes of the District are: to acquire, install, repair, maintain, renew, reconstruct, and replace a sanitary and storm sewer system, disposal plants, a water system, a system of sidewalks, public roads, streets, highways, public waterways, docks or wharfs and related appurtenances; to provide for collection and disposal of drainage, waste, and sewage in a satisfactory manner; to install an emergency management warning system; to contract for water for fire protection and for resale to residents of the District, to contract for police protection and security services, and to contract for gas and for electricity for street lighting for the public streets and highways within the District; to construct electric service lines and conduits, and gas mains, or to contract for the installation and operation thereof; to acquire, build, improve and operate, or, where permitted by law, to contract with other sanitary and improvement districts to acquire, build, improve, and operate public parks, playgrounds and recreational facilities for the joint use of the residents of the contracting districts; and to construct and to contract for the construction of dikes and levees for flood protection for the District. In lieu of establishing its own water system, the District may contract with any utilities district, municipality or corporation for the installation of a water system and to provide water service for fire

protection and for use of the residents of the District. The District may contract with the city or county within whose zoning jurisdiction it is located for intersection and traffic control improvements, which improvements serve or benefit the district and which may be within or without the corporate boundaries of the district and for any of the purposes for which it is formed. The District may also enter into agreements with other public agencies in order to accomplish the purposes of, and pursuant to, the provisions of the Nebraska Interlocal Cooperation Act; and do any and all other activities or functions allowed by the Reissued, Revised Statutes of Nebraska as the same may be amended from time to time.

4. The District has power to levy an unlimited property tax to pay its debt and its expenses of operation and maintenance, subject to limitations imposed by statute.


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, tax levy, and indebtedness of the District.

7. The actual current tax levy of the District may be obtained from the Douglas County Clerk.

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.

DATED: July 15, 1999.

  
Louise N. Scolaro, Clerk  
SID No. 446 of Douglas County, Nebraska

LEGAL DESCRIPTION

That part of the South Half of Section 35, Township 16 North, Range 11 East of the 6<sup>th</sup> P.M., Douglas County, Nebraska, described as follows:

Beginning at the southeast corner of the Southwest Quarter of the Southeast Quarter of Section 35;

Thence South 87°16'53" West (bearings referenced to the Nebraska State Plane System, NAD 1883) for 1316.60 feet to the southwest corner of the said Southwest Quarter of the Southeast Quarter of Section 35;

Thence South 87°17'38" West for 79.49 feet along the south line of the East Half of the Southwest Quarter of Section 35;

Thence North 02°42'22" West for 132.58 feet;

Thence North 07°58'00" East for 68.28 feet;

Thence North 02°58'51" West for 134.12 feet;

Thence South 82°19'50" West for 10.95 feet;

Thence North 07°40'10" West for 50.00 feet;

Thence North 02°58'51" West for 347.90 feet;

Thence South 86°08'06" East for 103.12 feet;

Thence South 69°13'36" East for 222.52 feet;

Thence North 13°57'50" East for 127.56 feet;

Thence South 76°02'10" East for 39.29 feet;

Thence North 13°57'50" East for 170.00 feet;

Thence North 76°02'10" West for 24.80 feet;

Thence North 10°51'16" East for 121.08 feet;

Thence along a curve to the right (having a radius of 615.00 feet and a long chord bearing North 78°57'22" West for 4.06 feet) for an arc length of 4.06 feet;

Thence North 11°13'59" East for 170.00 feet;

Thence South 82°31'53" East for 58.43 feet;

Thence North 89°56'22" East for 58.43 feet;

Thence North 82°24'37" East for 61.77 feet;

Thence North 68°08'23" East for 51.70 feet;

Thence North 77°11'59" East for 312.54 feet;

Thence North 12°48'01" West for 120.39 feet;

Thence along a curve to the right (having a radius of 595.00 feet and a long chord bearing North 06°43'26" East for 397.70 feet) for an arc length of 405.50 feet;

Thence along a curve to the left (having a radius of 170.00 feet and a long chord bearing North 15°58'02" West for 228.45 feet) for an arc length of 250.51 feet;

Thence North 58°10'56" West for 39.84 feet;

Thence along a curve to the right (having a radius of 525.00 feet and a long chord bearing North 30°25'59" West for 488.88 feet) for an arc length of 508.53 feet;

OUTER BOUNDARY  
SID 446 OF DOUGLAS COUNTY

EXHIBIT "A"

LEGAL DESCRIPTION (Continued)

Thence North 02°41'01" West for 195.00 feet to the north line of the Southeast Quarter of Section 35;

Thence North 87°18'59" East for 1654.58 feet to the northwest corner of the East Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 35 and the west line of the Papillion Creek Watershed Site 16;

Thence South 02°38'48" East for 600.27 feet along the west line of the said East Half of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 35 and the west line of said Watershed Site 16;

Thence South 87°21'12" West for 805.34 feet;

Thence along a curve to the left (having a radius of 475.00 feet and a long chord bearing South 76°22'16" West for 180.98 feet) for an arc length of 182.09 feet;

Thence along a curve to the left (having a radius of 187.50 feet and a long chord bearing South 38°46'43" West for 167.97 feet) for an arc length of 174.17 feet;

Thence along a curve to the left (having a radius of 87.50 feet and a long chord bearing South 01°24'55" East for 41.10 feet) for an arc length of 41.49 feet;

Thence along a curve to the left (having a radius of 128.06 feet and a long chord bearing South 29°08'07" East for 62.55 feet) for an arc length of 63.19 feet;

Thence North 34°07'47" East for 54.95 feet;

Thence South 56°56'54" East for 138.49 feet;

Thence along a curve to the right (having a radius of 619.00 feet and a long chord bearing South 33°58'32" West for 20.68 feet) for an arc length of 20.68 feet;

Thence South 55°04'02" East for 96.62 feet;

Thence South 37°51'05" West for 15.45 feet;

Thence South 52°20'18" East for 136.48 feet;

Thence along a curve to the right (having a radius of 619.00 feet and a long chord bearing South 39°06'59" West for 31.43 feet) for an arc length of 31.43 feet;

Thence South 49°25'43" East for 95.60 feet;

Thence South 40°21'05" West for 21.27 feet;

Thence South 47°44'45" East for 134.00 feet;

Thence South 42°15'15" West for 26.12 feet;

Thence South 47°44'45" East for 96.00 feet;

Thence South 42°15'15" West for 13.85 feet;

Thence South 47°44'45" East for 156.00 feet to a point in the line between the northwest corner of the Northeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 35 and the northwest corner of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 35 and the west line of said Watershed Site 16;

Thence South 42°15'15" West for 715.15 feet along said line to the said northwest corner of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter Section 35;

Thence South 02°45'55" East for 660.41 feet to the Point of Beginning.

Contains 82.45 acres including 1.33 acres of existing county roadway easement.

EXHIBIT "A"

NE } SE  
 NW }  
 SE }  
 SW }  
  
 SE SW