

## CERTIFICATE

The undersigned hereby certify that they are the Chairperson and Clerk of Sanitary and Improvement District Number 97 of Sarpy County, Nebraska, (the "District") and hereby further certify as follows:

1. Annexed to this certificate is a true and correct transcript of the proceedings of the Board of Trustees of the District relating to a meeting of said District held on the date and at the time reflected in the meeting minutes contained in said foregoing transcript (the "Meeting"). All of the proceedings of the District and of the Board of Trustees thereof which are set out in the annexed and foregoing transcript have been fully recorded in the journal of proceedings of the District and the undersigned District Clerk has carefully compared the annexed and foregoing transcript with said journal and with the records and files of the District which are in such Clerk's official custody and said transcript is a full, true and complete copy of said journal, records and files which are set out therein.

2. Advance notice for the Meeting was given by publication as set forth in the affidavit of publication contained in the foregoing transcript and was mailed to the Clerk of the municipality or county within whose zoning jurisdiction the District is located at least seven days prior to the date of the Meeting. Advance notice for the Meeting, including notice of agenda subjects, was given to all members of the Board of Trustees. All news media requesting notification of meetings of said body were provided with advance notice of the times and places of such meetings and the subjects to be discussed.

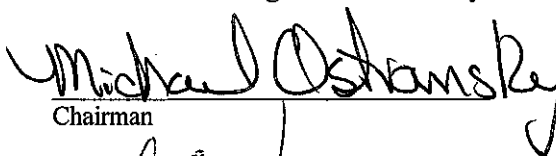
3. All of the subjects addressed at the Meeting were contained in the agenda for the Meeting, which agenda was kept continually current and readily available for public inspection at the address listed in the meeting notice for the Meeting and a copy of which is attached to this Certificate; such subjects were contained in said agenda for at least 24 hours prior to the Meeting and each agenda item was sufficiently descriptive to give the public reasonable notice of the matters to be considered at the Meeting.

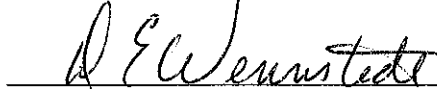
4. A current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during the Meeting in the room in which such Meeting was held and all in attendance at the Meeting were informed that such copy of the Nebraska Open Meetings Act was available for review and were informed of the location of such copy in the room in which such Meeting was being held. At least one copy of all resolutions and other reproducible written materials, for which actions are shown in said proceedings, was made available for examination and copying by members of the public at the Meeting.

5. The minutes of the Meeting were in written form and available for public inspection within ten (10) working days after the Meeting or prior to the next convened meeting, whichever occurred earlier, at the office of the District; within thirty (30) days after the date of the Meeting, a copy of the minutes of the Meeting was sent to the Clerk of the municipality or county within whose zoning jurisdiction the District is located.

6. No litigation is now pending or threatened to restrain or enjoin the District from the issuance and delivery of any warrants or other obligations issued by the District or the levy and collection of tax or other revenues or relating to any of the improvements for which any such warrants or other obligations were or are issued nor in any manner questioning the proceedings and authority under which any such warrants or other obligations were or are issued or affecting the validity thereof; neither the corporate existence or boundaries of the District nor the title of its present officers to their respective offices is being contested; no authority or proceedings for the issuance of any warrants or other obligations by the District have been repealed, revoked or rescinded as of the date hereof. All actions taken by the Board of Trustees referred to in said transcript were taken at a public meeting while open to the attendance of the public.

IN WITNESS WHEREOF, we have hereunto affixed our official signatures this 21<sup>st</sup> day of January, 2014.

  
Chairman

  
Clerk

**MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF SANITARY AND IMPROVEMENT DISTRICT NO. 97 OF SARPY COUNTY, NEBRASKA HELD AT 5:00 P.M. ON JANUARY 21, 2014 AT 8335 PLATTEVIEW ROAD, PAPILLION, NEBRASKA**

The meeting of the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska was convened in open and public session at 5:00 p.m. on January 21, 2014, at the Sarpy County Sheriff's Station, Papillion, Nebraska, 68046.

Present at the meeting were Trustees Aaron Raszler, David Barry, David Wennstedt, Jeff Warinski and Michael Ostransky. Also present were Rene and Joy Nelson of Urban Utilities, Mark Westergard with E&A consulting, and the District's attorney Brian Doyle; Rob Wood of Kuehl Capital Corporation, the District's fiscal agent. No Trustee was absent.

The Chairman then publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy in the room where the meeting was being held.

Notice of the meeting was given in advance thereof by publication in The Papillion Times on January 14, 2014, a copy of the Proof of Publication being attached to these minutes. Notice of the meeting was simultaneously given to all members of the Board of Trustees and a copy of their Acknowledgment of Receipt of Notice is attached to these minutes. Notice of the meeting was simultaneously given to all members of the Board of Trustees and a copy of their Acknowledgment of Receipt of Notice is attached to these minutes. Availability of the agenda was communicated in the publicized notice and in the notice to the Trustees of this meeting. All proceedings of the Board were taken while the convened meeting was open to the attendance of the public.

The Clerk then certified that notice of this meeting had been given to the Sarpy County Clerk at least seven days prior to the time set by the Board of Trustees for this meeting and filed the Certificate to that effect, said Certificate being attached to these minutes and made a part hereof by this reference.

The Board then heard the monthly report of Urban Utilities ("UU"). UU reported nothing out of the ordinary with regards to the water and waste water system. A disconnect notice for water service was sent and has since been resolved.

The Chairman then presented the following statements for payment from the General Fund Account of the District:

a.)	E & A Consulting Group for engineering fees relating to general maintenance of the District (#12297).	\$1,351.43
b.)	Awerkamp et. al. for accounting fees through the end of the year 2013.	\$2,450.00
c.)	Urban Utilities, Inc. for WWTP January maintenance, Postal Service charges, copies, misc. repairs, pipe fittings, air plug and Gauge, etc. (#7067).	\$3,789.19
d.)	Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for January (#7068).	\$1,230.24
e.)	Midwest Laboratories, Inc. for water testing (#709473).	\$ 93.48
f.)	Tri-State Pumping, LLC for sludge removal and hauling (No. 1384, 1297).	\$1,100.00

Upon motion made by Trustee Wennstedt and seconded by Trustee Barry, the Board voted five (5) "ayes" and zero (0) "nay" to approve the payments from the General Fund Account of the District. The Clerk was then directed to attach copies of the invoices to these minutes.

The Chairman then presented the following statements for payment from the Construction Fund Account of the District:

a.)	E & A Consulting Group for construction observation and staking re: Roads Project (No. 123134).	\$6,069.08
b.)	L.G. Roloff Construction Co., Inc. for completion of the Section III Repaving Project repairs in accordance with Eng. Est. No. 5 – Final.	\$78,372.69
c.)	Fullenkamp, Doyle & Jobeun for legal services rendered in connection with Item B hereinabove.	\$3,918.63
d.)	Kuehl Capital Corporation for placement of Construction Fund Warrants issued at this meeting (2.5%).	\$2,209.01

Upon motion made by Trustee Raszler and seconded by Trustee Wennstedt, the Board voted five (5) "ayes" and zero (0) "nay" to approve the payment from the Construction Fund Account. The Clerk was then directed to attach copies of the invoices to these minutes.

After discussion the Resolution contained herein below and by this reference incorporated herein was duly introduced, seconded and upon a roll call vote of "aye" by the Trustees Michael Ostransky, Dave Barry, Judy Jacobsen, David Wennstedt and Aaron Raszler, was adopted; the following resolutions were then passed:

BE IT RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that the Chairman and Clerk be and hereby are authorized and directed to execute and deliver Warrants No. 4048 through 4074 of the District, dated the date of this meeting, to the payees, for the following services and in the following amounts, said warrants to draw interest at the rate of 7% per annum, Warrants No. 4048 through 4054 to be payable from the General Fund Account of the District, to be redeemed no later than three (3) years of the date hereof, being January 21, 2017, and Warrants No. 4055 through 4074 to be payable from the Construction Fund Account of the District, to be redeemed no later than five (5) years of the date hereof, being January 21, 2019, subject to extension of said maturity date by order of the District Court of Sarpy County, Nebraska after notice is given as required by law, to-wit:

- a.) Warrant No. 4048 for \$1,351.43 made payable to E & A Consulting for engineer services (GF)
- b.) Warrant No. 4049 for \$2,450.00 made payable to Awerkamp et. al. for accounting services relating to audit and preparation of financial statements.
- c.) Warrant No. 4050 for \$3,000.00 and Warrant No. 4051 for \$789.19, both made payable to Urban Utilities for January maintenance, etc.
- d.) Warrant No. 4052 for \$1,230.00 made payable to Urban Utilities for January meter reading services, etc.
- e.) Warrant No. 4053 for \$93.48 made payable to Midwest Laboratories, Inc. for water testing.
- f.) Warrant No. 4054 for \$1,100.00 made payable to Tri-State Pumping, LLC for sludge removal/hauling.
- g.) Warrant No. 4055 for \$5,000.00 and Warrant No. 4056 for \$1,069.08, both made payable to E & A Consulting Group for

engineering services relating to the roads project of the District.

h.) Warrants No. 4057 through 4071 for \$5,000.00 each and Warrant No. 4072 for \$3,372.69, all made payable to L.G. Roloff Construction for completion of Section III of the roads resurfacing project – final.

i.) Warrant No. 4073 for \$3,918.63 made payable to Fullenkamp, Doyle & Jobeun for legal services rendered in connection with completion of Section III of the roads project (Pay Est. 6).

j.) Warrant No. 4074 for \$2,209.01 made payable to Kuehl Capital Corporation for placement and processing of CF warrants issued at this meeting (2.5%).

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska, that both they and the District hereby find and determine and covenant, warrant and agree as follows: the improvements and/or facilities being financed or refinanced by the above Warrants are for essential governmental functions and are designed to serve members of the general public on an equal basis; all said improvements have from the time of their first acquisition and construction been owned, are owned and are to be owned by the District or another political subdivision; to the extent special assessments have been or are to be levied for any of said improvements, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by said improvements in the District; the development of the land in the District is for residential or commercial use and the development of the land in the District for sale and occupation by the general public has proceeded and is proceeding with reasonable speed; other than any incidental use of said improvements by a developer during the initial period of development of said improvements, there have been, are and will be no persons with rights to use such improvements other than as members of the general public; none of the proceeds of said Bonds or any refinanced indebtedness have been or will be loaned to any private person or entity; the District hereby authorizes and directs the Chairperson or Clerk to file or cause to be filed, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986, as amended, pertaining to the above Warrants; and the District does not reasonably expect to sell or otherwise dispose of said improvements and/or facilities, in whole or in part, prior to the last maturity of the above Warrants.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that the District hereby covenants, warrants and agrees as follows: (a) to take all actions necessary under current federal law to maintain the tax exempt status (as to taxpayers generally) of interest on the above Warrants; and (b) to the extent that it may lawfully do so, the District hereby designates the above Warrants as its "qualified tax exempt obligations" under Section 265(b)(3)(B)(i)(III) of the Internal Revenue Code of 1986 as amended and covenants and warrants that the District does not reasonable expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than \$5,000,000 during the calendar year in which the above Warrants are to be issued.

BE IT FURTHER RESOLVED by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that this and the preceding Resolutions are hereby adopted as the Certificate with Respect to Arbitrage of the District pertaining to the above Warrants and the District and the Chairman and Clerk of the District hereby further certify, as of the date of the registration of the above Warrants with the County of Sarpy County, Nebraska, as follows:

1. No separate reserve or replacement fund has been or will be established with respect to the above Warrants. The District reasonably anticipates that monies in its Bond Fund reasonably attributable to the above Warrants in excess of the less of: (a) 10% of the net principal proceeds of the above Warrants, (b) the maximum annual debt service due on the above Warrants, or (c) 125% of average annual debt service due on the above Warrants will be expended for payment of principal of and interest on the above Warrants within 13 months after receipt of such monies. That amount which is currently held in the District's Bond Fund which exceeds the amount which is to be expended for payment of principal and interest on the above Warrants within 13 months after receipt of such monies, plus that amount arrived at pursuant to the immediately preceding sentence, will not be invested in any securities or any other investment obligations which bear a yield, as computed in accordance with the actuarial method, in excess of the yield on the above Warrants.

2. To the best of their knowledge, information and belief, the above exceptions are reasonable.

3. The District has not been notified of any listing of it by the Internal Revenue Service as an issuer that may not certify its Bonds.

4. This Certificate is being passed, executed and delivered pursuant to Sections 1.148-2 (b) (2) of the Income Tax Regulations under the Internal Revenue Code of 1986, as amended, and under the Internal Revenue Code of 1976.

The Chairman then presented a proposed Bond Resolution authorizing the issuance of \$2,350,000.00 principle amount of bonds of the District. After discussion, the Resolution attached to these minutes, identified as "Bond Resolution" and by this reference made a part hereof as if fully incorporated herein, was duly moved, seconded and upon a roll call vote of "aye" by the Trustees was adopted. Said Bond Resolution having been consented to by a unanimous vote of the Board of Trustees was by the Clerk declared passed and adopted. The attorney for the District was then instructed to proceed with securing a hearing date of the issuance of said bonds and approval of the District Court for the same. The following resolutions were then unanimously adopted:

**BE IT RESOLVED** that the Official Statement dated January 21, 2014 pertaining to the issuance and sale of the Bonds is hereby approved in substantially the form attached hereto, the Official Statement as of its date is hereby deemed final within the meaning of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, and the distribution of the Official Statement by Kuehl Capital Corporation as underwriter of the Bonds is hereby approved.

**BE IT FURTHER RESOLVED** by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska that the Bond Issue, consisting of eighteen (18) pages and attached hereto as Exhibit "A", be and hereby is approved as of this 21<sup>st</sup> day of January, 2014.

The Chairman next presented the Paying Agent Agreement between the District and Bankers Trust Company, wherein Bankers Trust Company will provide services as Paying Agent and Registrar for the issuance of the \$2,350,000.00 principle amount of bonds of the District. Following discussion, motion was duly made, seconded and upon a roll call vote of "aye" by the Trustees, the following resolution was adopted:

**RESOLVED** that Bankers Trust Company has been appointed as Paying Agent and Registrar for the payment of principle and interest on the 2014 Bonds of this District issued February 15, 2014, which appointment is hereby confirmed and ratified, and the County Treasurer of Sarpy County, Nebraska, as ex-officio treasurer of this District is hereby authorized and directed to pay, from time to time, to said Paying Agent, from funds of the District, such amounts of money as such Paying Agent shall certify in writing to the County Treasurer as shall be needed for payment of principle and interest on bonds of the District, such certificate of the Paying Agent to show the amounts needed for payment of principle or interest, the date upon which amount is due, and the date when due transfer shall be made to the Paying Agent by the County Treasurer for each transfer of funds requested by the Paying Agent.

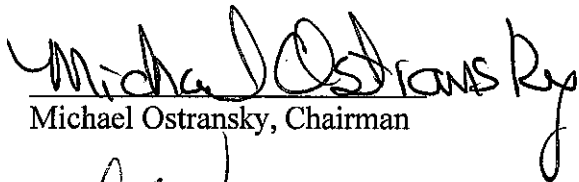
**BE IT FURTHER RESOLVED** that the Chairman and Clerk of this District shall certify this Resolution to said County Treasurer who may deem this Resolution to be a continuing and authorization to make transfers to such Paying Agent, until and unless the County Treasurer is notified of termination of such authority.

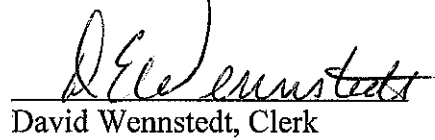
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**SIGNATURE PAGE FOR THE MINUTES OF SANITARY  
AND IMPROVEMENT DISTRICT NO. 97 OF SARPY  
COUNTY, NEBRASKA, MEETING HELD ON JANUARY  
21, 2014**

There being no further business to come before the meeting, a motion was duly made,  
seconded and unanimously adopted to adjourn the meeting.


  
Michael Ostransky, Chairman


  
David Wennstedt, Clerk

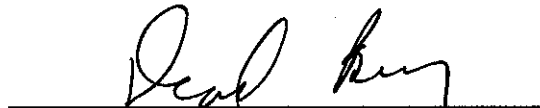
**ACKNOWLEDGMENT OF RECEIPT  
AND NOTICE OF MEETING**

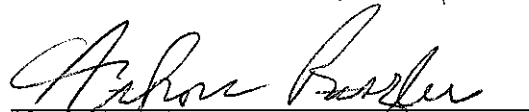
The undersigned Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska do hereby acknowledge receipt of advance notice of a meeting of the Board of Trustees of said District held at 5:00 p.m. on January 21, 2014, at the Sarpy County Sheriff's Office, 8335 Platteview Road, Papillion, Nebraska.


DATED this 21<sup>st</sup> day of January, 2014.

  
\_\_\_\_\_  
Michael Ostransky, Chairman

  
\_\_\_\_\_  
David Wennstedt, Clerk

  
\_\_\_\_\_  
David Barry

  
\_\_\_\_\_  
Aaron Raszler

  
\_\_\_\_\_  
Jeff Warinski

**CERTIFICATE**

The undersigned being Clerk of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska hereby certifies that Notice of a Meeting of the Board of Trustees of said District held on January 21, 2014, was mailed to the Sarpy County Clerk at least seven days prior to the date of said meeting.

The undersigned further certifies that the agenda for the meeting of the Board of Trustees of said District was prepared and available for public inspection at the address designated in the notice of meeting published in The Papillion Times on January 15, 2014, and that no items were added to the agenda after the commencement of the meeting; and further, that the minutes for the meeting were available for public inspection within ten (10) days of the date of said meeting and that a copy of the minutes of this meeting were sent to the Sarpy County Clerk within thirty days from the date of this meeting.

  
\_\_\_\_\_  
Clerk

# S.I.D. #97 Sewer/Water Report

Urban Utilities, Inc.  
 7105 Sun Lake Drive  
 Plattsmouth, NE 68048  
 402-296-5409  
 Urban\_Uilities\_Inc@jagwireless.net

January 01, 2014

## Accounting Highlights:

1. A total of ( 184 ) meters were read and customers were billed on January 1, 2014 for the month of December 2013. The total amount billed for Sewer & Water was \$7,691.21 including fees and sales tax.
2. December 2013 Sales Tax Report was prepared and payment remitted on behalf of S.I.D. #97 to the Nebraska Department of Revenue in the amount of \$390.93.

Following is a breakdown of water usage in groups for the month of December 2013:

Gallons Used	# of Accounts	Usage	% of Use
Over 50,000	0 Accounts	0	0.00
40,001-50,000	0 Accounts	0	0.00
30,001-40,000	0 Accounts	0	0.00
20,001-30,000	0 Accounts	0	0.00
10,001-20,000	17 Accounts	214,220	21.15
8,001-10,000	18 Accounts	155,350	15.34
6,001- 8,000	31 Accounts	217,480	21.47
4,001- 6,000	55 Accounts	275,280	27.17
Zero - 4,000	63 Accounts	150,710	14.87
<b>Total Meters</b>	<b>184 Accounts</b>	<b>1,013,040</b>	<b>100.00</b>

Below is a recap of billings for current and last fiscal years:

Billing Date:	Water 2013/14	Sewer 2013/14	Water 2012/13	Sewer 2012/13	
July 2013	8,980.79	4,640.15	July 2012	11,663.48	4,346.25
August 2013	7,348.14	4,640.15	August 2012	8,132.40	4,346.25
September 2013	5,917.62	4,640.15	September 2012	7,641.60	4,346.25
October 2013	3,641.79	4,640.15	October 2012	3,952.27	4,346.25
November 2013	2,591.17	4,640.15	November 2012	2,938.69	4,346.25
December 2013	2,650.09	4,640.15	December 2012	2,878.69	5,641.85
January 2014			January 2013		
February 2014			February 2013		
March 2014			March 2013		
April 2014			April 2013		
May 2014			May 2013		
June 2014			June 2013		
<b>Year to Date Ttls</b>	<b>\$31,129.60</b>	<b>27,840.90</b>		<b>\$37,207.13</b>	<b>27,373.10</b>

**Wastewater:** Defective -UPS system removed from service.

The Total Effluent passed through the plant was:  
Sludge Hauling: 8,526- gallons

905,430 gal.

**Water:**

Water pumped:	1,066,000 gals.	Water Pumped/Mtr. Variance:	52,960 gals.
Water Meters:	1,013,040 gals.	Water returned Variance	160,570 gals.

- Well Samples – (0)
- Locates- (0)
- Meter Maint – (0)
- Final Reads – (0)
- Water turn on/off –(0)

**Test Results:**

- Water – Total Coliform = Absent / Absent
- Wastewater - All effluent parameters were less than permit.

**Water Complaints:**

- None

**Pending Projects:**

Well house/Water System: None

WWTP/Collection System: Evaluating

- Process Air Blower – evaluating for future estimate.

Ref. Lab #: 507833  
Report Number  
13-360-2069

13611 B Street • Omaha, Nebraska 68144-3693 • (402) 334-7770 • FAX (402) 334-9121  
www.midwestlabs.com



Mail to:  
HAWAIIAN VILLAGE SID 97  
JOHN FULLENKAMP  
11440 W CENTER RD  
OMAHA NE 68144-

REPORT OF ANALYSIS  
For: (18236) HAWAIIAN VILLAGE SID 97  
(402)334-0700  
MONTHLY WASTEWATER

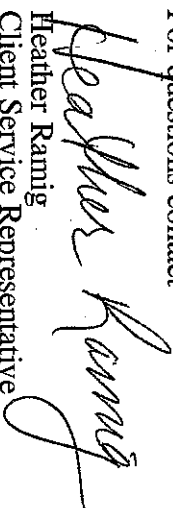
Date Reported: 12/26/13  
Date Received: 12/18/13  
Date Sampled: 12/18/13  
Time Sampled: 0730

Lab number: 2216183 Sample ID: MONTHLY EFFLUENT-DEC

Analysis	Level	Found	Units	Detection	Limit	Method	Analyst- Date	Verified- Date
Ammoniacal Nitrogen		0.66	mg/L		0.10	SM 4500-NH3 C	lkd-12/24	jfd-12/26
Carbonaceous BOD		n.d.	mg/L		2	SM 5210B	krs-12/19	jfd-12/26
Lab CBOD Setup Date/Time		19dec13/1425	NA		NA	NA	krs-12/19	jfd-12/26
Sampling Date/Time		18dec13/0730	NA		NA	NA	krs-12/19	jfd-12/26
Total suspended solids		n.d.	mg/L		4	SM 2540 D	jsa-12/20	jfd-12/26
pH Grab		7.01	S.U.			EPA 150.1	jfb-12/18	jfd-12/26

Notes:  
n.d. - Not Detected.  
cc: Account(s) 13398 URBAN UTILITIES

For questions contact

  
Heather Rammig  
Client Service Representative  
heather.rammig@midwestlabs.com (402)829-9891

ORDER NUMBER:  
**507833**



13611 B Street • Omaha, Nebraska 68144-3693 • (402) 334-7770 • FAX (402) 334-9121  
www.midwestlabs.com

PAGE NUMBER:  
**1**

ACCOUNT NO: 18236  
HAWAIIAN VILLAGE SID 97  
JOHN FULLENKAMP  
11440 W CENTER RD  
OMAHA, NE 68144

SAMPLE DESCRIPTION  
MONTHLY WASTEWATER

PO NUMBER:

COPY TO: 13398  
URBAN UTILITIES  
RENE NELSON  
7105 SUNLAKE DRIVE  
PLATTSMOUTH, NE  
68048-

Automatic Order Submittal Form

PLACED BY: annu on Nov 06, 2013

SAMPLE ID	DATE/TIME SAMPLED	MIX	TESTS REQUESTED	# COMBT	COMMENTS
2216183 3	12/18/13 7:30 AM	WA	AMMONIACAL N,CBOD, TSS,pH-Grab	3	

(1) 2216183-2216183

Sampled by: [Signature]

Relinquished by: [Signature]

Temp on Arrival: [Signature]

Day/Time: [Signature]

Cooler arrived intact?

Received by: [Signature]

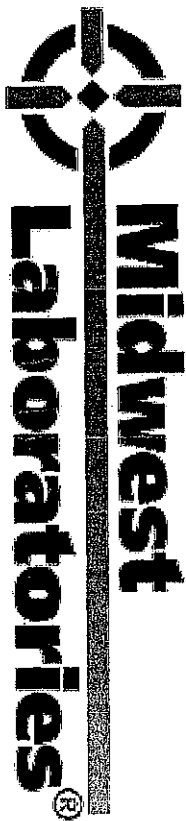
Relinquished by: [Signature]

Date/Time: [Signature]

Date/Time: [Signature]

Received in Lab by: [Signature]

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13611 B Street Omaha, NE 68144

P: (402) 334-7770

F: (402) 334-9121

www.midwestlabs.com

# Regulatory

This sheet **MUST** be filled out before samples can be processed. To ensure that holding times are met, it is your responsibility that a completed form comes attached to the Chain of Custody.

Is this sample for regulatory/permit reporting?

Yes

No



(1) 2216183-2216183  
add

What city/state was your sample collected in?

Paillion, NE

Which agency/state are you reporting to?

NDEQ

What type of sample? (Circle One)

- Drinking Water
- Ground Water
- Wastewater
- Solid Waste
- Hazardous Waste
- UST
- Storm Water
- Process Water





**SAMPLE ACCEPTANCE CHECKLIST**

Document Number: RC CHKLST 001  
 Revision Number: 1 Effective Date: 2/12/13  
 Page 1 of 1 Approval: DFJ



(1) **2216183-2216183**  
add

Lab Number: \_\_\_\_\_

Thermometer Used: Therm Fisher IR 14

Cooler Intact: Yes No  
 Received on Ice: Yes No  
 Hand Delivered: Yes No

Sample Temperature (°C): 3.4

Date & Initials of person accepting samples: mw 12/18

Comments:

	Yes	No	N/A
Chain of Custody present?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chain of Custody complete?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sample ID(s):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sample Location(s):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Client Contact:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Analysis Requested:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sampler name on COC?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Date & Time of collection:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sample labels match COC?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Written in indelible ink?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labels indicate proper preservation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chain of Custody relinquished with signature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Samples arrived within hold time?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sufficient volume?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate containers used?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Filtered volume received for dissolved tests?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Headspace in VOA vials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Trip Blank present?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Temperature Blank present?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Client Notification/Resolution: Date/Time Contacted: \_\_\_\_\_

Person Contacted: \_\_\_\_\_ Contacted By: \_\_\_\_\_

Comments/Resolution: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# INVOICE

To: John Fullenkamp  
11440 W Center Rd Ste C  
Omaha, Ne 68144

*Do Not Pay*

December, 2013

Maintenance Fee Monthly: \$25.00.

Pinnbank for Business Fee: \$5.00

Standard Processing Fee: \$32.76 (156 items at .21/item)

Photo Copy Fee: \$1.92 (24 copies at .08/item)

Total Amount Due: \$64.68

---

Pinnacle Bank  
1016 Douglas on the Mall  
Omaha, NE 68102

**E & A Consulting Group, Inc.**  
**Engineering Answers**  
**330 North 117th Street**  
**Omaha, NE 68154-2509**  
**402-895-4700**

Sarpy County SID #97  
c/o Mr. Brian Doyle, Attorney  
11440 West Center Road  
Omaha, NE 68144

December 18, 2013  
Project No: P1993.096.000  
Invoice No: 122975

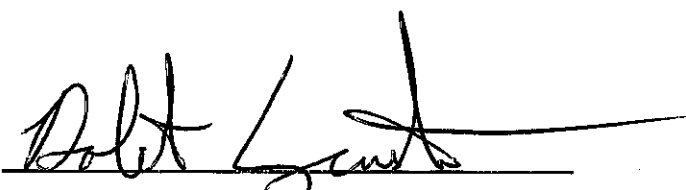
Project P1993.096.000 Hawaiian Village  
Professional Services from November 04, 2013 to December 08, 2013

Phase	113	District Maintenance for 2013			
Task	352	Meetings			
<b>Professional Personnel</b>					
Engineer X			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
			6.00	158.00	948.00
	Totals		6.00		948.00
	<b>Total Labor</b>				<b>948.00</b>
					<b>Total this Task</b>
					<b>\$948.00</b>

Task	440	Repairs/Maintenance			
<b>Professional Personnel</b>					
Administrative Assistant II			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
			.15	62.00	9.30
	Totals		.15		9.30
	<b>Total Labor</b>				<b>9.30</b>
					<b>Total this Task</b>
					<b>\$9.30</b>

Task	570	Surveying			
<b>Professional Personnel</b>					
Reg. Land Surveyor III			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
			2.00	115.00	230.00
Survey Tech. II			2.50	60.00	150.00
	Totals		4.50		380.00
	<b>Total Labor</b>				<b>380.00</b>
					<b>Total this Task</b>
					<b>\$380.00</b>

Task	999	Expenses			
<b>Unit Billing</b>					
Mileage					14.13
	<b>Total Units</b>				<b>14.13</b>
					<b>Total this Task</b>
					<b>\$14.13</b>
					<b>Total this Phase</b>
					<b>\$1,351.43</b>
					<b>Total this Invoice</b>
					<b>\$1,351.43</b>

Approved:   
Robert Czerwinski

*AWERKAMP, GOODNIGHT, SCHWALLER & NELSON, P.C.*  
*CERTIFIED PUBLIC ACCOUNTANTS*  
17007 Marcy Street - Suite 1  
Omaha, Nebraska 68118-3122  
Telephone (402) 334-9011 or (402) 334-9111  
Fax (402) 334-9112

January 2, 2014

SID #97  
Fullenkamp, Doyle & Jobeun  
11440 W. Center Road  
Omaha, NE 68144

---

***For Professional Services:***

Completion of the audit of the financial statements as of June 30, 2013, including preparation of workpapers, updating depreciation schedules and preparation of bond yield calculation, as requested.

\$2,450.00

*KEEP THIS SECTION FOR YOUR RECORDS*

---

*RETURN THIS SECTION WITH YOUR PAYMENT*

*Please make checks payable to: AGS&N, P.C.*

*AWERKAMP, GOODNIGHT, SCHWALLER & NELSON, P.C.*  
*CERTIFIED PUBLIC ACCOUNTANTS*

***TOTAL FROM ABOVE***      \$ 2,450.00

***AMOUNT ENCLOSED***      \$ \_\_\_\_\_

SID #97  
Fullenkamp, Doyle & Jobeun  
11440 W. Center Road  
Omaha, NE 68144

# Urban Utilities, Inc.

7105 Sun Lake Drive  
 Plattsmouth, NE 68048  
 402-296-5409  
 Email: Urban\_Utilities\_Inc@jagwireless.net

## Invoice

Date	Invoice #
1/15/2014	7067

**Billed To:**

Fullenkamp, Doyle & Jobeun  
 11440 West Center Road  
 Omaha, NE 68144

**Shipped To:**

S.I.D. #97  
 Hawaiian Village  
 Operations & Maintenance

Qty	Description	Rate	Amount
1	#5600 -- SID #97 Contractor Services for the Month of January 2014	3,179.00	3,179.00T
1	#1500 -- HD Supply -- (2) 3/4" IPear Water Meters and (2) Readers for SID stock	265.00	265.00T
1	#5030 -- US Postal Service -- Express Postage for Routine Monthly Coliform Water Sample	6.50	6.50T
1	#5660 -- OCB Plumbing -- Test Backflow Device at WWTP as required by Health and Human Services .	45.00	45.00T
1	#5660 -- Home Depot -- Pipe & Fittings for influent to plant from Wet Well (existing fittings leaking)	96.15	96.15T
	Sales Tax	5.50%	197.54
<b>Terms: Net 10 Days</b>		<b>Invoice Total</b>	<b>\$3,789.19</b>

# Urban Utilities, Inc.

7105 Sun Lake Drive  
Plattsmouth, NE 68048  
402-296-5409

Email: [Urban\\_Utilities\\_Inc@jagwireless.net](mailto:Urban_Utilities_Inc@jagwireless.net)

## Invoice

Date	Invoice #
1/15/2014	7068

**Billed To:**

Fullenkamp, Doyle & Jobeun  
11440 West Center Road  
Omaha, NE 68144

**Shipped To:**

S.I.D. #97  
Hawaiian Village  
Sewer/Water Billing & Acctg

Qty	Description	Rate	Amount
1	#5000 -- SID #97 Water & Meter Reading Contract for the Month of January 2014	795.55	795.55T
1	#5100 -- Prepare and Remit on Behalf of SID #97 to the Nebraska Department of Revenue the Sales Tax Report for the Month of December 2013	390.93	390.93
	Sales Tax	5.50%	43.76
<b>Terms: Net 10 Days</b>		<b>Invoice Total</b>	<b>\$1,230.24</b>



13611 B Street • Omaha, Nebraska 68144-3693 • (402) 334-7770 • FAX (402) 334-9121  
www.midwestlabs.com

HAWAIIAN VILLAGE SID 97  
JOHN FULLENKAMP  
11440 W CENTER RD  
OMAHA NE 68144-

ACCOUNT No	INVOICE No	DATE
18236	709473	Jan 03, 2014

## ACCOUNT SUMMARY

Description	Amount
<b>Current Invoice:</b>	\$93.48
<b>Prior Balance:</b>	\$41.67
<b>Total Due:</b>	\$135.15

(Please pay this amount)

UPS has increased the fee for their UPS ARS (Authorized Return Service) shipping labels. Effective December 1, 2013, the new fees are \$10.00 for UPS (ARS) Ground, \$33 for UPS (ARS) Second Day, and \$50 for UPS (ARS) Next Day Air. All past due invoices are subject to a 1% late fee.

DETACH BELOW AND RETURN WITH PAYMENT

HAWAIIAN VILLAGE SID 97  
JOHN FULLENKAMP  
11440 W CENTER RD  
OMAHA NE 68144-

PLEASE MAKE CHECKS PAYABLE TO:  
MIDWEST LABORATORIES, INC.  
13611 B STREET  
OMAHA, NE 68144

ACCOUNT No	DATE DUE		
18236	Feb 3, 2014		
INVOICE No	CURRENT	TOTAL DUE	AMOUNT PAID
709473	\$93.48	\$135.15	

Please Change/Add accounting email address

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# Midwest Laboratories, Inc.<sup>®</sup>

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**Fed Id # 47-0564465**

**HAWAIIAN VILLAGE SID 97  
JOHN FULLENKAMP  
11440 W CENTER RD  
OMAHA NE 68144-**

ACCOUNT	INVOICE	DATE
18236	709473	Jan 03, 14

## INVOICE

LAB ID	YOUR ID OR PO	ITEM	CHARGE
13-360-2069 (2216183)	MONTHLY WASTEWATER	1 Ammoniacal Nitrogen	22.00
		1 Total suspended solids	12.00
		1 pH Grab	10.00
		1 Carbonaceous BOD	27.50
		<b>TOTAL COST FOR 13-360-2069:</b>	<b>71.50</b>
509592 (108090)	Shipping Charges for items ordered on 2013-12-04	1 Shipping Charges	12.73
		State Sales tax for NEBRASKA:	0.70
		<b>TOTAL COST FOR 509592 (108090):</b>	<b>13.43</b>
O#509592 (509592)	Regular Mon. Supplies	1 Supplies from Dec 03, 2013 (BOTTLE - NALGENE 1-LITER,BOTTLE-PLASTIC 500 ML,BOTTLE-PLASTIC 250 ML,Cooler TK6 (10 x 8 x 10),COOL-PACK (1 LB),SULFURIC ACID AMPULES)	8.10
		State Sales tax for NEBRASKA:	0.45
		<b>TOTAL COST FOR O#509592:</b>	<b>8.55</b>

DUE DATE	INVOICE TOTAL
Feb 03, 2014	\$93.48



**TRI-STATE PUMPING L.L.C.**

1297

7705 96th Street  
 Nehawka, NE 68413  
 402-873-7434

CUSTOMER'S ORDER NO.

DATE

NAME *Hawaiton Village*12-17-13  
PHONE NUMBERADDRESS *SID # 97*

( )

*Sirpy Co.*

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	<i>Pumped sludge holding tanks</i>		
	<i>- 3 loads @ \$220 per load</i>		
	<i>- Hauled to Papio sewer plant</i>		
			TAX
Received by			TOTAL <i>660<sup>00</sup></i>

*Thank you!*  
*Bake*

**THANK YOU**



**E & A Consulting Group, Inc.**  
**Engineering Answers**  
**330 North 117th Street**  
**Omaha, NE 68154-2509**  
**402-895-4700**

Sarpy County SID #97  
 c/o Mr. Brian Doyle, Attorney  
 11440 West Center Road  
 Omaha, NE 68144

December 31, 2013  
 Project No: P1993.096.008  
 Invoice No: 123134

Project P1993.096.008 Hawaiian Village - Construction Observation & Staking

**Phase I (Molukai) - Hourly NTE \$47,890**  
**Phase II (Kauai) - Hourly NTE \$33,720**  
**Phase III (Sacs) - Hourly NTE \$36,790**  
**Total NTE \$118,400**

**Professional Services from November 11, 2013 to December 15, 2013**

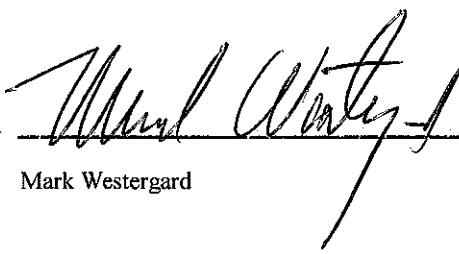
Phase	001	Construction Administration			
Task	093	Weekly Reports			
<b>Professional Personnel</b>					
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		Administrative Assistant II	.50	62.00	31.00
		Totals	.50		31.00
		<b>Total Labor</b>			<b>31.00</b>
				<b>Total this Task</b>	<b>\$31.00</b>
Task	100	Contract Administration			
<b>Professional Personnel</b>					
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		Administrative Assistant II	.50	62.00	31.00
		Engineer X	24.25	158.00	3,831.50
		Totals	24.75		3,862.50
		<b>Total Labor</b>			<b>3,862.50</b>
				<b>Total this Task</b>	<b>\$3,862.50</b>
Task	391	Paving - Construction Observation			
<b>Professional Personnel</b>					
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		Administrative Assistant II	2.25	62.00	139.50
		Const. Depart. Manager I	10.00	90.00	900.00
		Totals	12.25		1,039.50
		<b>Total Labor</b>			<b>1,039.50</b>
				<b>Total this Task</b>	<b>\$1,039.50</b>
Task	999	Expenses			
<b>Professional Personnel</b>					
			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>

Project	P1993.096.008	Hawaiian Village - Construction Ph Servi	Invoice	123134
Eng. Technician V		1.00	93.00	93.00
Totals		1.00		93.00
<b>Total Labor</b>				<b>93.00</b>
<b>Unit Billing</b>				
Mileage			300.58	
<b>Total Units</b>			<b>300.58</b>	<b>300.58</b>
			<b>Total this Task</b>	<b>\$393.58</b>
			<b>Total this Phase</b>	<b>\$5,326.58</b>

---

Phase	002	Surveying Services - Construction Stakin		
Task	092	Construction Staking		
<b>Professional Personnel</b>				
		<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Survey Party		5.50	135.00	742.50
Totals		5.50		742.50
<b>Total Labor</b>				<b>742.50</b>
			<b>Total this Task</b>	<b>\$742.50</b>
			<b>Total this Phase</b>	<b>\$742.50</b>
			<b>Total this Invoice</b>	<b>\$6,069.08</b>

<b>Billings to Date</b>			
	<b>Current</b>	<b>Prior</b>	<b>Total</b>
Labor	5,768.50	109,488.75	115,257.25
Unit	300.58	2,823.32	3,123.90
<b>Totals</b>	<b>6,069.08</b>	<b>112,312.07</b>	<b>118,381.15</b>

Approved: 

Mark Westergard



Engineering Answers

E & A CONSULTING GROUP, INC.

Planning • Engineering • Environmental & Field Services

330 North 117th Street  
Omaha, NE 68154-2509

www.eacg.com

Phone: 402.895.4700  
Fax: 402.895.3599

December 20, 2013

Board of Trustees  
Sanitary and Improvement District No. 97 Sarpy Co.  
% Mr. Brian Doyle, Atty  
11440 West Center Road  
Omaha, NE 68144

RE: Pay Estimate No. 5-Final - Hawaiian Village  
Street Repavement - Section III  
L.G. Roloff Construction Co., Inc.  
E & A #1993.096.008-Bid as .007

Board Members:

We certify that to the best of our knowledge, the above-referenced project has been completed by L. G. Roloff Construction Co., Inc. in accordance with the plans and specifications, and contains the following items and quantities at the unit prices set forth in their contract with SID 97:

<u>BID</u> <u>ITEM</u> <u>NO</u>	<u>DESCRIPTION</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT</u> <u>PRICE</u>	<u>AMOUNT</u>
<u>PHASE III</u>					
1	Remove Existing Pavement	13,984	SY	6.00	83,904.00
2	Remove, Set, Remove & Re-Set Mailboxes	83	EA	236.60	19,603.80
3	Earthwork (Subgrade Adjustment as Excavation)	4,820	CY	8.41	38,054.20
4	Adjust Manhole to Grade	13	EA	379.00	4,927.00
5	Sprinkler System Repair (Allowance per Instance)	65	EA	733.00	40,315.00
6	Barricades and Signing per Plan	2,362	B/D	1.38	3,259.56
7	Construct 7' P.C. Concrete Pavement per Plan	11,543	SY	36.79	424,650.90
8	Construct 5' P.C. Concrete Driveway/Sidewalk	2,457	SY	31.56	77,642.92
9	Sod	2,898	SY	6.16	17,639.36
10	Adjust Existing Drain Inlet to Grade	30	EA	287.04	8,611.20
11	Adjust Valve Box to Grade	6	EA	140.00	840.00
<u>EXTRAS</u>					
A.	SEEDING AND MATTING	1218	SY	1.75	2,131.50
B.	ADJUST HYDRANT TO GRADE	1	LS	1,225.00	1,225.00
C.	PLACE SCREEN ON GRATE INLETS	1	LS	1,207.50	1,207.50
D.	INSTALL DRAIN INLET AND DRAIN	1	LS	2,795.83	2,795.83
E.	Type "A" Storm Inlet w/ Saddle Creek Grate & Frame	2.00	EA	2,295.47	4,590.94

TOTAL AMOUNT EARNED TO DATE	732,504.71
AMOUNT PAID CONTRACTOR, PREVIOUS EST.	654,132.03
0% RETAINED	\$0.00
AMOUNT DUE CONTRACTOR, EST. #5-Final	\$78,372.69

We recommend the above work be approved and accepted by the owner and final payment be made to L.G. Roloff Construction Co., Inc.

Very truly yours

E & A CONSULTING GROUP

Randall L. Pierce  
Construction Engineer

cc: L.G. Roloff Construction Co., Inc.

CHANGE ORDER 1

PROJECT: HAWAIIAN VILLAGE STREET REPAVEMENT SECTION I, PROJECT 1993.096.007  
 OWNER: SANITARY AND IMPROVEMENT DISTRICT NO. 97, SARPY CO.  
 CONTRACTOR: L.G. ROLOFF CONSTRUCTION CO., INC.  
 DATE: December 20, 2013

The following additions and deductions to the approximate quantities in the construction contract for the above referenced project are necessary to adjust the work to final "as-built" quantities, which quantities are included in the Final Estimate:

ADDITIONS TO APPROXIMATE QUANTITIES

BID NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
2	Remove, Set, Remove & Re-Set Mailboxes	18	EA	238.60	4,294.80
3	Earthwork (Subgrade Adjustment as Excavation)	420	CY	8.41	3,532.20
5	Sprinkler System Repair (Allowance per Instance)	35	EA	733.00	25,655.00
8	Construct 5" P.C. Concrete Driveway/Sidewalk	7	SY	31.56	220.92
10	Adjust Existing Drain Inlet to Grade	25	EA	287.04	7,176.00
11	Adjust Valve Box to Grade	4	EA	140.00	560.00
A.	SEEDING AND MATTING	1,218	SY	1.75	2,131.50
B.	ADJUST HYDRANT TO GRADE	1	LS	1,225.00	1,225.00
C.	PLACE SCREEN ON GRATE INLETS	1	LS	1,207.50	1,207.50
D.	INSTALL DRAIN INLET AND DRAIN	1	LS	2,795.83	2,795.83
E.	Type 'A' Storm Inlet w/ Saddle Creek Grate & Frame	2	EA	2,295.47	4,590.94
<b>TOTAL ADDITIONS</b>					<b>\$53,389.69</b>

DEDUCTIONS TO APPROXIMATE QUANTITIES

BID NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Remove Existing Pavement	246	SY	6.00	1,476.00
4	Adjust Manhole to Grade	3	EA	379.00	1,137.00
6	Barricades and Signing per Plan	338	B/D	1.38	466.44
7	Construct 7" P.C. Concrete Pavement per Plan	1,057	SY	36.79	38,897.10
9	Sod	3,004	SY	6.16	18,504.64

**TOTAL DEDUCTIONS** \$60,481.18  
**ORIGINAL CONTRACT** \$739,596.20  
**AMOUNT TO BE DEDUCTED** -\$7,091.49  
**REVISED CONTRACT** \$732,504.71

The contract amount is revised to \$732,504.71. The time of completion in the contract is not changed.

Recommended for approval by:

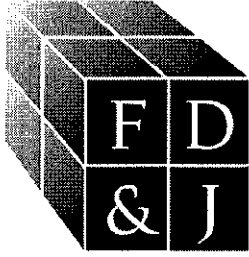
E&A CONSULTING GROUP, INC.

  
 Randall L. Pierce, P.E.  
 Construction Engineer

ACCEPTED BY: \_\_\_\_\_  
 L.G. ROLOFF CONSTRUCTION CO., INC.

APPROVED BY: \_\_\_\_\_  
 CHAIR, SID NO. 97, SARPY COUNTY, NE

ATTESTED BY: \_\_\_\_\_  
 CLERK, SID NO. 97, SARPY COUNTY, NE



FULLENKAMP  
DOYLE &  
JOBEUN

JOHN H. FULLENKAMP  
ROBERT C. DOYLE  
LARRY A. JOBEUN  
BRIAN C. DOYLE  
MARK B. JOHNSON

---

January 21, 2014

Chairman and Board of Trustees  
Sanitary and Improvement District  
No. 97 of Sarpy County, Nebraska

**Statement of Services Rendered**

Legal services re: completion of the 2013 Street Repaving Project and in accordance with Pay Estimate No. 5 for Section III – Final, received of the engineer and regarding the same.

**LEGAL FEES:**

\$3,918.63

**EXPENSES:**

Filing Fees, Publications, Copying,  
& Postage

\$ -0-

**TOTAL AMOUNT DUE:**

\$3,918.63

*Brian C. Doyle*  
Attorney for the District

## BOND RESOLUTION

BE IT RESOLVED, by the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County, Nebraska, (the "District") as follows:

Section 1. The Board of Trustees finds and determines that:

Such District was duly organized under the provisions of Section 31-727 to 31-770 R.R.S. Nebraska 1943, as amended; that the Board of Trustees of the District has previously adopted Resolutions of Necessity for the installation of certain improvements, that all of such improvements have been installed and the work completed, has been and is hereby accepted by the Board of Trustees of the District, and special assessments have been levied as provided by law to pay the costs of such improvements, and the District has outstanding construction fund warrants used to pay the cost of such improvements, in the total principal amount of \$2,212,033.80 and \$46,422.92 in accrued interest as of February 19, 2014.

The Chairman and Board of Trustees further find that after applying the money collected from special assessments and all other funds available for the improvements it is now necessary and appropriate for the District to issue bonds in the principal amount of \$2,350,000 to provide funds to redeem outstanding construction fund warrants in the principal and interest amount of approximately \$2,258,456.72 (the "Outstanding Construction Fund Warrants").

Section 2. All conditions, acts and things required by law to exist or to be done precedent to the issuance of Sanitary and Improvement District bonds to pay for the above improvements and to issue bonds do exist and have been done in due form and time as required by law, and Sanitary and Improvement District No. 97 of Sarpy County, Nebraska is empowered to issue bonds in the amount of \$2,350,000 to pay the costs of improvements.

Section 3. For the purposes specified in Section 1 there are hereby ordered issued fully registered bonds of the District in the total principal amount of Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000) which shall be designated as "General Obligation Bonds, Series 2014", (hereinafter referred to as "Series 2014 Bonds" or the "Bonds") and shall bear interest at the rates per annum and mature on February 15th in each of the years and in the principal amounts as follows:



**\$2,350,000**  
**Series 2014**

<b><u>Maturity Date</u></b> <b><u>February 15</u></b>	<b><u>Principal</u></b> <b><u>Amount</u></b>	<b><u>Interest</u></b> <b><u>Rate</u></b>
2015	60,000	1.20%
2016	55,000	1.35%
2017	60,000	1.65%
2018	60,000	2.00%
2019	65,000	2.40%
2020	65,000	2.80%
2021	65,000	3.15%
2022	70,000	3.45%
2023	70,000	3.70%
2024	70,000	3.85%
2025	75,000	4.00%
2026	80,000	4.15%
2027	165,000	4.30%
2028	170,000	4.45%
2029	180,000	4.55%
2030	190,000	4.65%
2031	195,000	4.75%
2032	205,000	4.85%
2033	220,000	4.90%
2034	230,000	4.95%

Bonds maturing on or after February 15, 2020 are subject to redemption in whole or in part, prior to maturity at the option of the District at any time on or after February 15, 2019 at the principal amount thereof plus accrued interest to the date set for redemption, with no redemption premium. The District may select the maturity of the Bonds to be redeemed in its sole discretion. If less than all of the Series 2014 Bonds of any maturity are to be redeemed, the Paying Agent and Registrar shall determine, in its sole discretion, in any manner deemed by it to be fair and equitable, the particular bonds or portion of bonds of such maturity of the Series 2014 Bonds to be redeemed. Any bond shall be subject to redemption in part in the principal amount of \$5,000 or any integral multiple thereof.

The Series 2014 Bonds shall be issued in the form of fully registered bonds, in the denomination of \$5,000 or any integral multiple thereof, and may contain such variations, omissions and insertions as are incidental to such differences of series, denomination and form. The bonds initially issued shall be dated February 15, 2014 and bonds issued upon exchanges and transfer of bonds shall be dated so that no gain or loss of interest shall result from such transfer. Each bond shall bear interest from the date thereof and bonds shall be numbered 1 upward, in order of their issuance. Interest on the bonds shall be payable semi-annually on February 15 and August 15 of each year, commencing August 15, 2014. The principal of said bonds shall be payable upon presentation and surrender thereof at the principal corporate trust office of Bankers Trust Company, Des Moines, Iowa, which is hereby designated as Paying Agent and Registrar for the bonds (the "Paying Agent and Registrar"). Interest on said bonds will be paid on each interest payment date by check or draft mailed by the Paying Agent and Registrar to the person in whose name the ownership of each bond is registered on the books of the Paying Agent and Registrar at the close of business on the first day of the month in which occurs an interest payment date. The principal and interest on said bonds are payable in lawful money of the United States of America.

Section 4. The Series 2014 Bonds shall be executed on behalf of the District with the manual or facsimile signatures of the Chairman and Clerk of the District in office on February 19, 2014. In case any officer whose signature shall appear on the bonds ceases to be such officer before the delivery of such bonds, such signature shall, nevertheless, be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery.

Each bond shall have endorsed thereof a certificate of authentication substantially in the form hereinafter set forth, duly executed by the Paying Agent and Registrar. No bonds shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been duly executed by the Paying Agent and Registrar and such executed certificate upon any such bond shall be conclusive evidence that such bond has been authenticated and delivered in accordance with this Bond Resolution.

At the request of the original purchaser of the Series 2014 Bonds, the District hereby provides and directs that the Series 2014 Bonds may be issued initially in "book-entry-only" form under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection, said officers are authorized to execute and deliver a Letter of Representation in the form required by the Depository, for and on behalf of the District which shall thereafter govern matters with respect to registration transfer, payment and redemption of the Series 2014 Bonds. Upon the issuance of the Series 2014 Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The District and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds the Series 2014 Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Series 2014 Bond from a Bond Participant while the Series 2014 Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Series 2014 Bonds.

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Series 2014 Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the bonds. The Paying Agent and Registrar shall make payments with respect to the Series 2014 Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Series 2014 Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Series 2014 Bond.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Series 2014 Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the District, for a substitute depository willing and

able upon reasonable and customary terms to maintain custody of the Series 2014 Bonds or (ii) to make available Series 2014 Bonds registered in whatever the name or names the Beneficial Owners transferring or exchanging such Series 2014 Bonds shall designate.

(c) If the District determines that it is desirable that certificates representing the Series 2014 Bonds be delivered to the ultimate Beneficial Owners of the Series 2014 Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Series 2014 Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Series 2014 Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this resolution to the contrary, so long as any Series 2014 Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Series 2014 Bond and all notices with respect to such Series 2014 Bonds shall be made and given, respectively, to the Depository as provided in the Letter of Representation.

(e) Registered ownership of the Series 2014 Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Series 2014 Bonds may be delivered in physical form to the following:

- (i) any successor securities depository or its nominee;
- (ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section and the terms of the Paying Agent and Registrar's Agreement.

(f) In the event of any partial redemption of a Series 2014 Bond unless and until such partially redeemed Series 2014 Bonds has been replaced in accordance with the provisions of Section 5 of this Resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Series 2014 Bond as is then outstanding and all of the Series 2014 Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the District shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of bond certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Series 2014 Bonds upon transfer or partial redemption, the District agrees to order printed an additional supply of bond certificates and to direct their execution by facsimile or manual signatures of its then duly qualified and acting Chairman and Clerk. In case any officer whose signature or facsimile thereof shall appear on any Series 2014 Bond ceases to be such officer before the delivery of such Series 2014 Bond (including bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Series 2014 Bond.

Section 5. The District and the Paying Agent and Registrar may treat the registered owner of any bond as the absolute owner of such bond for the purpose of making payment thereof and for all other purposes and neither the District nor the Paying Agent and Registrar shall be bound by any notice or knowledge to the contrary, whether such bonds shall be overdue or not. All payments of or on account of interest to any registered owner of any bond and all payments of or on account of principal to the

registered owner of any bond shall be valid and effectual and shall be a discharge of the District and the Paying Agent and Registrar, in respect of the liability upon the bond or claim for interest, as the case may be, to the extent of the sum or sums paid.

The District will cause books for the registration and transfer of the bonds to be kept at the principal office of the Paying Agent and Registrar at all times while any of such bonds shall be outstanding. Any bond may be transferred pursuant to its provisions at the principal office of the Paying Agent and Registrar by surrender of such bond for cancellation, accompanied by a written instrument of transfer in a form satisfactory to such Paying Agent and Registrar duly executed by the registered owner in person or by his duly authorized agent, and thereupon the Paying Agent and Registrar will authenticate and deliver at the office of the Paying Agent and Registrar (or send by registered mail to the owner thereof at such owner's expense), in the name of the transferee or transferees, a new bond of the same series, interest rate, principal amount and maturity, dated so there shall result no gain or loss of interest as a result of such transfer. To the extent of denominations authorized for bonds by the terms of this Bond Resolution, one bond may be transferred for several other bonds of this issue, series, interest rate and maturity, and for a like aggregate principal amount and several such bonds of this issue may be transferred for one or several such bonds, respectively, of this issue, series, interest rate and maturity and for a like aggregate principal amount.

As a condition of any registration or transfer, the Paying Agent and Registrar may at its option require the payment of a sum sufficient to reimburse it or the District for any tax or other governmental charge that may be imposed thereon. The Paying Agent and Registrar may charge reasonable fees for a transfer provided, however, the District shall not pay any such fees.

The Paying Agent and Registrar shall not be required (a) to issue, transfer or exchange bonds from the close of business on the first day of the month in which occurs an interest payment date to such interest payment date; (b) to issue, register or transfer any bonds for a period of 15 days immediately preceding any selection of bonds for redemption or for a period of 15 days thereafter; or (c) to register, transfer or exchange any bonds which have been designated for redemption within a period of 30 days immediately preceding the date fixed for redemption.

Section 6. Notice of redemption of any bonds or a portion thereof shall be given by first class mail to the registered owner of such bond, addressed to his or her registered address and placed in the mail not less than 30 nor more than 60 days prior to the date fixed for redemption. Such notice shall specify the numbers of the bonds called for redemption, the redemption date and the place where the redemption amount will be payable, and in the case of bonds to be redeemed in part only, such notice shall specify the respective portion of the principal amount thereof to be redeemed. If funds sufficient for such redemption shall be held by the Paying Agent and Registrar on the date fixed for redemption and such notice shall have been given, the bonds or the portion thereof thus called for redemption shall not bear interest after the date fixed for redemption.

If less than all of the bonds of any maturity are to be redeemed, the Paying Agent and Registrar shall determine, in its sole discretion in any manner deemed by it to be fair and equitable, the particular bonds or portions of such maturity so to be redeemed. Any bond shall be subject to redemption in part in a principal amount equal to \$5,000 or any integral multiple thereof.

Section 7. The District agrees that it will collect all special assessments levied against the property within the District and will cause the same to be set aside and constitute a sinking fund for the payment of the interest on and principal of bonds and construction warrants of the District now or hereafter issued and outstanding. The District further agrees that it will cause to be levied annually upon all the taxable property in the District, a tax which, together with such sinking fund, will be sufficient to

meet the payment of interest on and principal of these bonds and other bonds issued by the District, as such interest and principal become due.

The Clerk shall make and certify in duplicate a complete transcript and statement of all proceedings had and done by the District precedent to the issuance of said bonds, which shall be delivered to the bond purchaser. The Clerk shall cause the information filing required by Section 10-140, R.R.S. Neb. 1943, as amended, with respect to the bonds to be filed with the Auditor of Public Accounts, as provided by law.

**Section 8.** Bankers Trust Company, Des Moines, Iowa, is hereby appointed as Paying Agent and Registrar for the Series 2014 Bonds. The Chairman and Clerk of this District are hereby authorized to execute and deliver an agreement with said Paying Agent and Registrar, setting forth the respective duties of the parties in such form as the Chairman and Clerk shall determine. The District agrees to pay the fees and expenses of said Paying Agent and Registrar, on or before any interest or principal payment date or any date upon which the Series 2014 Bonds are to be redeemed. The District shall transfer to the Paying Agent and Registrar funds sufficient to pay the principal and interest due on such payment or redemption date and the Chairman and Clerk then serving are hereby authorized and directed, without further authorization or direction, to make such transfers of funds and draw warrants upon the County Treasurer, as Treasurer of the District, in such amounts and at such times as shall be necessary to provide to the Paying Agent and Registrar funds sufficient for such purpose.

**Section 9.** The Series 2014 Bonds shall be in substantially the following form, with such modifications as shall be necessary or advisable to comply with the terms of this Bond Resolution.

**UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
SANITARY AND IMPROVEMENT DISTRICT NO. 97  
OF SARPY COUNTY, NEBRASKA  
GENERAL OBLIGATION BOND**

**SERIES 2014**

R- \_\_\_\_\_ \$ \_\_\_\_\_

Interest Rate \_\_\_\_\_%                      Maturity Date                      Date of Original Issue  
February 15,                      February 15, 2014

Registered Owner: Cede & Co.                      Cusip:

Principal Amount:                      Dollars:

***KNOW ALL MEN BY THESE PRESENTS:*** That Sanitary and Improvement District No. 97 of Sarpy County, Nebraska, being organized and existing under Chapter 31, Article 7, Reissue Revised Statutes of Nebraska, 1943, as amended, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, on the maturity date specified above (unless sooner redeemed), the principal sum specified above upon surrender of this bond, and to pay interest on said sum from date hereof to maturity or earlier redemption at the rate per annum specified above, payable August 15, 2014 and semi-annually on the 15th day of August and February of each year. Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of and premium, if any, on this bond is payable upon presentation and surrender hereof at the principal corporate trust office of the Bankers Trust Company, Des Moines, Iowa, as Paying Agent and Registrar. Interest on this bond will be paid on each interest payment date by check or draft mailed to the person in whose name this bond is registered on the books of the Paying Agent and Registrar at the close of business on the first day of the month in which occurs an interest payment date. Interest in default shall be paid to the registered owner hereof as of any special record date designated by the Paying Agent and Registrar. The principal of and premium, if any, and interest on this bond are payable in lawful money of the United States of America; and for the prompt payment of such principal and interest, as the same become due, the full faith, credit and resources of said District are hereby irrevocably pledged.

Bonds maturing on or after February 15, 2020 are subject to redemption in whole or in part, prior to maturity at the option of the District at any time on or after February 15, 2019 at par and accrued interest to the date set for redemption, with no redemption premium.

If less than all of the bonds of any maturity of this issue are to be redeemed, the Paying Agent and Registrar shall determine, in its sole discretion, in any manner deemed by it to be fair and equitable, the particular bonds or portions of bonds of such maturity to be redeemed. Any bond shall be subject to redemption in part in the principal amount of \$5,000 or any integral multiple thereof.

Notice of redemption of this bond or any portion hereof shall be given by first class mail to the registered owner addressed to his or her last registered address and placed in the mail not less than 30 days no more than 60 days prior to the date fixed for redemption. If funds sufficient for such redemption shall be held by the Paying Agent and Registrar on the date fixed for redemption and such notice shall have been given, this bond or the portion thus called for redemption shall not bear interest after the date fixed for redemption.

This bond is one of an issue of bonds, all originally dated February 15, 2014 and of like tenor herewith except as to amount, date of maturity, and rate of interest, in the total principal amount of Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000) issued by said District for the purpose of paying a portion of the cost of construction of certain improvements in and for the District, and warrants issued in connection therewith in strict compliance with the provisions of Sections 31-727 to 31-770, Reissue Revised Statutes of Nebraska, 1943, as amended and the statutes applicable thereof; and the issuance of said bonds has been duly authorized by proceedings duly had and a Bond Resolution duly passed and adopted by the Chairman and Board of Trustees of said District, and approved by the District Court of Sarpy County, Nebraska in an action brought for that purpose.

Special assessments have been levied upon the properties within the District, which special assessments are valid liens against the respective lots and parcels of land upon which they have been levied. The District agrees that it will collect said special assessments and that the same shall be set aside and constitute a sinking fund for the payment of the interest on and principal of this bond and other bonds

and construction warrants of the District now or hereafter issued; and that the District will cause to be levied annually upon all taxable property in said District a tax which, together with such sinking fund derived from the special assessments, will be sufficient to meet the payments of interest on and principal of this bond and other bonds of the District now or hereafter outstanding, as such principal and interest become due.

This bond is transferable by the registered owner or his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond (or bonds) in the same principal amount (or in any multiple of \$5,000) and with the same interest rate and maturity will be issued to the transferee as provided in the Bond Resolution. The District and Paying Agent and Registrar and any other person may treat this person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all other purposes, and shall not be affected by any notice to the contrary whether this bond be overdue or not.

This bond shall not be valid and binding on the District until authenticated by the Paying Agent and Registrar in the space hereinbelow indicated.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK, REFERRED TO HEREINAFTER AS "DTC" TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE REGISTRAR, DTC, OR A NOMINEE, TRANSFEREE, OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE



ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST  
HEREIN.

***IT IS HEREBY CERTIFIED AND WARRANTED*** that all conditions, acts and things required  
by law to exist or to be done precedent to and in the issuance of this bond, did exist, did happen, and were  
done and performed in regular and due form and time as required by law, and that the indebtedness of the  
District including this bond, does not exceed any limitation imposed by law.

***IN WITNESS WHEREOF***, Sanitary and Improvement District No. 97 of Sarpy County,  
Nebraska, has caused this bond to be executed on its behalf with the manual or facsimile signatures of its  
Chairman and Clerk, all as of the date specified above.

SANITARY AND IMPROVEMENT DISTRICT  
NO. 97 OF SARPY COUNTY, NEBRASKA

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Chairman

*ATTEST:*

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Clerk

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds of the issue designated therein and issued under the provisions of the resolution authorizing said issue.

**Bankers Trust Company  
Des Moines, Iowa**

By: \_\_\_\_\_  
Authorized Signature

**ASSIGNMENT**

For value received \_\_\_\_\_ hereby sells, assigns and transfers unto \_\_\_\_\_ the within mentioned bond and hereby irrevocably constitutes and appoints \_\_\_\_\_ Attorney, to transfer the same on the books of registration in the office of the within-mentioned Trustee with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Registered Owner

\_\_\_\_\_  
Registered Owner

Witness: \_\_\_\_\_

**NOTE:** The signature of this assignment must correspond with the name as written on the face of the within-mentioned Bond in every particular, without alteration, enlargement or any change whatsoever.

Section 10. Said bonds shall be and are hereby sold to D.A. Davidson & Co., at a price equal to 98.00% of the principal amount thereof, plus accrued interest to date of delivery, which purchase price shall be paid to the County Treasurer of Sarpy County, Nebraska and applied as provided in Section 11.

Section 11. All accrued interest received from the sale of the Series 2014 Bonds shall be applied to pay the first interest falling due on said Series 2014 Bonds. All of the net proceeds of the Series 2014 Bonds shall be paid into the Bond Fund of the District. \$47,250.00 of said proceeds shall be applied to pay a portion of the cost of issuance of the Series 2014 Bonds including the payment of a municipal advisor fee to Kuehl Capital Corporation in the amount of \$47,000.00. \$2,255,750.00 of said proceeds, along with cash from the District's Bond Fund, shall be immediately applied to the redemption of the Outstanding Construction Fund Warrants.

Section 12. Upon receipt by the Paying Agent and Registrar of evidence satisfactory to it that the purchase price for the Series 2014 Bonds has been paid to the Sarpy County Treasurer, said Paying Agent and Registrar shall deliver the Series 2014 Bonds to the purchaser named in Section 10 hereof.

Section 13. Sanitary and Improvement District No. 97 of Sarpy County, Nebraska, hereby covenants to the purchasers and holders of the Series 2014 Bonds that it will make no use of the proceeds of the Series 2014 Bonds which would cause the Series 2014 Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and further covenants to comply with said Sections 103 and 148 and all applicable regulations thereunder throughout the term of said bond issue. The District hereby covenants and agrees as follows: (1) to take all actions necessary under current federal law to maintain the tax-exempt status (as to taxpayers generally) of interest on the Series 2014 Bonds; and (b) to the extent that it may lawfully do so, the District hereby designates the Series 2014 Bonds as its "qualified tax-exempt obligations" under Section 265(b)(3)(B)(i)(III) of the Internal Revenue Code of 1986 as amended and covenants and warrants that the District does not reasonably expect to issue warrants or bonds or other obligations aggregating in the principal amount of more than \$5,000,000 during the calendar year in which the Series 2014 Bonds are issued.

Section 14. Sanitary and Improvement District No. 97 of Sarpy County, Nebraska, hereby covenants and agrees as follows: that the facilities for which the Series 2014 Bonds are issued are for essential governmental functions and are designated to serve members of the general public on an equal basis; that there are no persons with rights to use said facilities other than as members of the general public; that ownership and operation of said facilities is with the District or another political subdivision; that none of the proceeds of the Series 2014 Bonds will be loaned to any person and to the extent that special assessments have been or are levied for any of said facilities, such special assessments have been or are to be levied under Nebraska law as a matter of general application to all property specially benefited by such facilities in the District; that the development of the land in the District is for residential or commercial use; that the development of the land in the District for sale and occupation by the general public is proceeding with reasonable speed; and that the District hereby authorizes and directs the Chairman or Clerk to file, when due, an information reporting form pursuant to Section 149(e) of the Internal Revenue Code of 1986 pertaining to the Series 2014 Bonds.

Section 15.

- a) The District does hereby covenant and agree and enters into the written undertaking set forth in this Section 15 (the "Undertaking") for the benefit of the holders and beneficial owners of the Bonds required by Section (d)(2) of Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (17 C.F.R. § 240.15c2-12) (the "Rule").

Capitalized terms used in this Undertaking and not otherwise defined in this Undertaking shall have the meanings assigned such terms in subsection (f) hereof. It being the intention of the District that there be full and complete compliance with the Rule, this Undertaking shall be construed in accordance with the written interpretative guidance and no-action letters published from time to time by the Securities and Exchange Commission and its staff with respect to the Rule.

- b) The District represents and warrants that the aggregate amount of its outstanding construction fund warrants, its outstanding general fund warrants and its outstanding bonds does not exceed \$10,000,000.
- c) The District undertakes to provide Financial Information about the District to the MSRB, via Bankers Trust Company, as Dissemination Agent pursuant to a Dissemination Agent Agreement between the District and Bankers Trust Company (the "Dissemination Agent"), in an electronic format accompanied by identifying information as prescribed by the MSRB, to the extent that the District customarily prepares such Financial Information and makes it publicly available. The District shall provide any information or notice required by this Undertaking to the Dissemination Agent. The Dissemination Agent will not be responsible for compiling any of the information required to be provided by this Undertaking.
- d) The District designates as the person from whom its Financial Information and Material Event Notices can be obtained: Ms. Melissa Stover, Bankers Trust Company, as Dissemination Agent, 453 7<sup>th</sup> Street, Des Moines, Iowa, 50309, Telephone: (515) 245-5269.
- e) If a Material Event occurs while any Bonds are Outstanding, the District shall provide a Material Event Notice in a timely manner, not in excess of 10 business days after the occurrence of the event, to the MSRB. Each Material Event Notice shall be so captioned and shall prominently state the date and title of the Bonds.
- f) The following are the definitions of the capitalized terms used in this Undertaking and not otherwise defined in this Undertaking:
  - (1) "*Financial Information*" means the financial information or operating data with respect to the District, which is customarily prepared by the District and is publicly available. The District customarily prepares and makes publicly available its Audited Financial Statements. In connection with its issues of warrants and bonds, the District from time to time prepares and makes publicly available its offering documents containing, among other things, financial information and operating data about the District.
  - (2) "*Audited Financial Statements*" means the District's annual financial statements, prepared in accordance with GAAP for governmental units as prescribed by GASB, which financial statements shall have been audited by such auditor as shall then be required or permitted by the laws of the State of Nebraska.
  - (3) "*Material Event*" means any of the following events with respect to the Bonds:
    - (i) Principal and interest payment delinquencies;
    - (ii) Non-payment related defaults, if material;
    - (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;

- (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) Substitution of credit or liquidity providers, or their failure to perform;
- (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the Bonds;
- (vii) Modifications to rights of Bondholders, if material;
- (viii) Bond calls, if material, and tender offers;
- (ix) Defeasances;
- (x) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (xi) Rating changes;
- (xii) Bankruptcy, insolvency, receivership or similar event of District;
- (xiii) The consummation of a merger, consolidation or acquisition involving the District or the sale of all or substantially all of the assets of the District other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (xiv) Appointment of a successor or additional paying agent or the change of name of a paying agent, if material

(4) "*Material Event Notice*" means an electronic notice of a Material Event.

(5) "*MSRB*" means the Municipal Securities Rulemaking Board. As of July 1, 2009, the MSRB is the sole repository to which the District must electronically submit Financial Information, Audited Financial Statements, if any, and Material Event Notices pursuant to this Undertaking. Reference is made to Commission Release No. 34-59062, December 8, 2008 (the "Release") relating to the MSRB's Electronic Municipal Market Access ("EMMA") system for municipal securities disclosure that became effective on July 1, 2009. To the extent applicable to its Undertakings, the District shall comply with the Release and with EMMA.

g) The continuing obligation hereunder of the District to provide Financial Information, Audited Financial Statements, if any, and Material Event Notices shall terminate immediately once the Bonds no longer are Outstanding. This Undertaking, or any provision hereof, shall be null and void in the event that the District obtains an opinion of nationally recognized bond counsel to the effect that those portions of the Rule which require this Undertaking, or any such provision, are invalid, have been repealed retroactively or otherwise do not apply to the Bonds, provided that

the District shall have provided notice of such delivery and the cancellation of this Undertaking to the MSRB.

- h) This Undertaking may be amended, without the consent of the Bondholders, but only upon the District obtaining an opinion of nationally recognized bond counsel to the effect that such amendment, and giving effect thereto, will not adversely affect the compliance of this Undertaking with the Rule, provided that the District shall have provided notice of such delivery and of the amendment to the MSRB. Any such amendment shall satisfy, unless otherwise permitted by the Rule, the following conditions:
- (1) The amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the District or type of business conducted;
  - (2) This Undertaking, as amended, would have complied with the requirements of the Rule at the time of the primary offering, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
  - (3) The amendment does not materially impair the interests of Bondholders, as determined either by parties unaffiliated with the District (such as nationally recognized bond counsel), or by approving vote of Bondholders pursuant to the terms of this Undertaking at the time of the amendment.
- i) The initial Financial Information after the amendment shall explain, in narrative form, the reasons for the amendment and the effect of the change, if any, in the type of operating data or financial information being provided.
- j) Any failure by the District to perform in accordance with this Undertaking shall not constitute an event of default with respect to the Bonds. If the District fails to comply herewith, any Bondholder or beneficial owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the District to comply with its obligations hereunder.

Section 16. The Attorney for the District is hereby directed to file this Resolution in the District Court of Sarpy County, Nebraska and request approval of the issuance of the Bonds, as provided by law.

This Resolution shall be in full force and effect from and after its adoption.



ADOPTED this 21<sup>st</sup> day of January 2014.

SANITARY AND IMPROVEMENT DISTRICT NO. 97  
OF SARPY COUNTY, NEBRASKA

By: Michael Ostransky  
Chairperson

ATTEST:

D. G. W. Winters  
Clerk

**AFFIDAVIT OF PUBLICATION**

STATE OF NEBRASKA }

} SS.

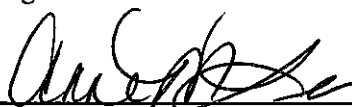
County of Sarpy }

Being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher or Anne Lee deposes and says that he is the Business Manager of the **Bellevue Leader, Papillion Times, Gretna Breeze and Springfield Monitor**, legal newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was printed in the said newspaper once each week, the first insertion having been on:

Wednesday, January 15, 2014

Papillion Times

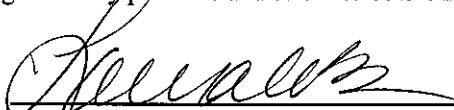
And that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

  
\_\_\_\_\_

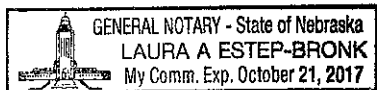
Shon Barenklau OR Anne Lee  
Publisher Business Manager

Today's Date 01-14-2014

Signed in my presence and sworn to before me:

  
\_\_\_\_\_

Notary Public



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

NOTICE OF MEETING

SANITARY AND IMPROVEMENT  
DISTRICT  
NO. 97 OF SARPY COUNTY,  
NEBRASKA

NOTICE IS HEREBY GIVEN that a meeting of the Board of Trustees of Sanitary and Improvement District No. 97 of Sarpy County will be held at Sarpy County Sheriff's Office, 8335 Platteview Road, Papillion, Nebraska, 68046, on January 21, 2014, at 5:00 p.m., which meeting will be open to the public. An Agenda for such meeting, kept continuously current, is available for public inspection at 11440 West Center Road, Omaha, Nebraska and includes the payment of bills of the District.

Michael Ostransky, Chairman  
1716375; 1/15

Printer's Fee \$ 10.66  
Customer Number: 40972  
Order Number: 0001716375

## AGENDA

Sanitary and Improvement District No. 97 of Sarpy County, Nebraska; Meeting to be held at 5:00 p.m. on January 21, 2014, at Sarpy County Sheriff's Station, Papillion, Nebraska.

1. Present Nebraska Open Meetings Act.

*Feb 7, 9:00 AM*

2. Discussions re:

- ~~a)~~ Monthly Report(s) – Urban Utilities;
- ~~b)~~ Monthly Report(s) – Midwest Laboratories, Inc.;
- ~~c)~~ Monthly Statement(s) – Pinnacle Bank;
- ~~d)~~ Set up automatic cash transfer schedule from SFF to the General Fund of the District (Wennstedt);
- ~~e)~~ Status of Stite's mailbox lawsuit (attorney);
- ~~f)~~ Molokai concrete damage/repair – negotiations with insurance company;
- ~~g)~~ Miscellaneous matters.

3. Present statements, vote on and approve payment from the General Fund Account of the District for the following:

- |     |   |            |
|-----|---|------------|
| a.) | E & A Consulting Group for engineering fees relating to general maintenance of the District (#12297).   | \$1,351.43 |
| b.) | Awerkamp et. al. for accounting fees through the end of the year 2013.  | \$2,450.00 |
| c.) | Urban Utilities, Inc. for WWTP January maintenance, Postal Service charges, copies, misc. repairs, pipe fittings, air plug and Gauge, etc. (#7067). | \$3,789.19 |
| d.) | Urban Utilities, Inc. for meter reading/invoicing, NE Dept. of Revenue form prep., etc. for January (#7068).  | \$1,230.24 |
| e.) | Midwest Laboratories, Inc. for water testing (#709473).   | \$ 93.48   |
| f.) | Tri-State Pumping, LLC for sludge removal and hauling (No. 1384, 1297).   | \$1,100.00 |

4. Present statements, vote on and approve payment from the Construction Fund Account of the District for the following:

- |     |   |             |
|-----|---|-------------|
| a.) | E & A Consulting Group for construction observation and staking re: Roads Project (No. 123134). | \$6,069.08  |
| b.) | L.G. Roloff Construction Co., Inc. for completion of the  | \$78,372.69 |

Section III Repaving Project repairs in accordance with  
Eng. Est. No. 5 – Final.

- |     |   |            |
|-----|---|------------|
| c.) | Fullenkamp, Doyle & Jobeun for legal services rendered<br>in connection with Item B hereinabove.        | \$3,918.63 |
| d.) | Kuehl Capital Corporation for placement of Construction Fund<br>Warrants issued at this meeting (2.5%). | \$2,209.01 |
5. Present Bond Issue in the amount of \$2,350,000.00 and related documents; vote on and approve the same; set hearing with District Court and proper publications.
  6. Meeting adjourned.