

IN THE DISTRICT COURT OF DODGE COUNTY, NEBRASKA

RECEIVED
2020 JUN -9 AM 11:12

IN THE MATTER OF SANITARY AND)
IMPROVEMENT DISTRICT NO. 9)
OF DODGE COUNTY, NEBRASKA)

CASE NO. _____

DODGE COUNTY, NEBRASKA
CREDIT CITY, COUNTY CLERK

DECREE

FILED
2020 JUN -9 PM 3:11
DODGE COUNTY, NEBRASKA
LINDA J. NELSON, CLERK
DISTRICT COURT

THIS MATTER coming on for hearing on the 8th day of June, 2020, upon the petition of the owners of all the land included within said Sanitary and Improvement District No. 9 of Dodge County, Nebraska, which is described in Exhibit "A", attached hereto and incorporated herein, and upon the Articles of Association of said District duly executed by the owners of all of the land included within said District, and upon the evidence:

THE COURT FINDS:

1. The owners of all of the real estate included within said District have duly executed and filed herein Articles of Association of said District and filed the Petition to this Court as required by Neb. Rev. Stat. §§ 31-727 to 31-793, as amended.
2. There are no owners or mortgagees of real estate within said District who are unknown or who are non-residents or who have failed to execute and file said Articles of Association and said Petition, and therefore, issuance of summons or process should be dispensed with.
3. The formation of such District will be conducive to public health, convenience, and welfare of present and future owners and occupants of all of said real estate included within said District.
4. None of said real estate is located within any municipal corporation.
5. The five trustees nominated in said Articles of Association are suitable persons, are designated representatives of the sole owner of real estate located in said District, and should be declared to be the Board of Trustees of said District to serve until their successors are duly elected and qualified.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. Sanitary and Improvement District No. 9 of Dodge County, Nebraska, has been duly organized according to law and is hereby declared to be a public corporation of the State of



STATE OF NEBRASKA)
COUNTY OF DODGE) SS
I, Linda J. Nelson, Clerk of District Court of said County, do hereby certify the foregoing to be a full, true and correct copy of the original record thereof, now on file and of record of said court.
WITNESS my hand and seal of said Court at Fremont, Nebraska this _____ day of _____, 2020.
Linda J. Nelson
Clerk of District Court
Deputy Clerk of District Court

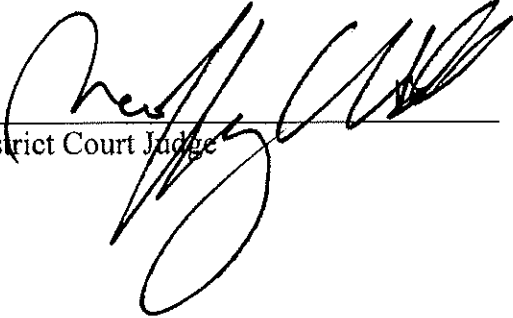
Nebraska under Neb. Rev. Stat. §§ 31-727 to 31-793, as amended; the real estate included in said District is as heretofore described herein.

2. The five trustees nominated in the Articles of Association of said District are hereby declared to be the Board of Trustees of said District to serve until their successors are duly elected and qualified.

3. Within twenty (20) days hereafter, the Clerk of this Court shall transmit to the Secretary of State of Nebraska a certified copy of the record of these proceedings for filing therein as provided by law. A certified copy of the record of these proceedings, together with a plat of the real estate included in said District, shall also be filed in the office of the County Clerk of Dodge County, Nebraska.

ENTERED this 8th day of June, 2020.

BY THE COURT:



District Court Judge

BOUNDARY EXHIBIT

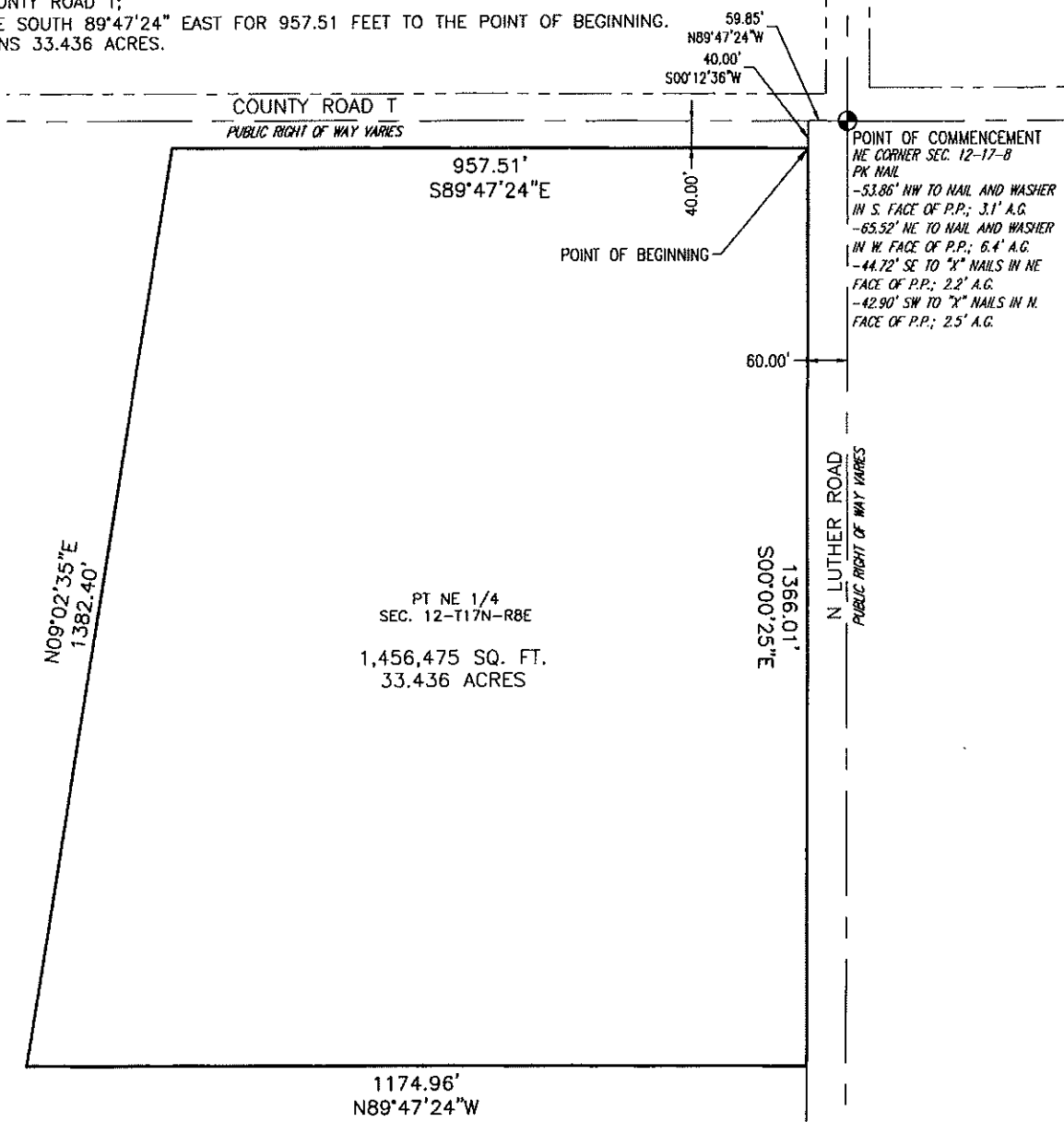
LEGAL DESCRIPTION

PART OF NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, LYING EAST OF THE ABANDONED CHICAGO AND NORTHWESTERN RAILWAY COMPANY RIGHT-OF-WAY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 12:
 THENCE NORTH 89°47'24" WEST FOR 59.85 FEET ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 12;
 THENCE SOUTH 00°12'36" WEST FOR 40.00 FEET TO THE TRUE POINT OF BEGINNING;
 THENCE SOUTH 00°00'25" EAST FOR 1366.01 FEET ON THE WEST RIGHT OF WAY LINE OF N LUTHER ROAD;
 THENCE NORTH 89°47'24" WEST FOR 1174.96 FEET;
 THENCE NORTH 09°02'35" EAST FOR 1382.40 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD T;
 THENCE SOUTH 89°47'24" EAST FOR 957.51 FEET TO THE POINT OF BEGINNING.
 CONTAINS 33.436 ACRES.



LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- SECTION CORNER



POINT OF COMMENCEMENT
 NE CORNER SEC. 12-17-8
 PK NAIL
 -53.86' NW TO NAIL AND WASHER
 IN S. FACE OF P.P.; 3.1' A.G.
 -65.52' NE TO NAIL AND WASHER
 IN W. FACE OF P.P.; 6.4' A.G.
 -44.72' SE TO "X" NAILS IN NE
 FACE OF P.P.; 2.2' A.G.
 -42.90' SW TO "X" NAILS IN N.
 FACE OF P.P.; 2.5' A.G.

L:\Engineering\0119078 Fremont Housing\SURVEY\DRAWINGS\9078-SP-BRD.dwg, 5/18/2020 2:36:45 PM, ELISE A. MOLLAK, LAMP RYNEARSON

LAMP RYNEARSON

14710 W. DODGE RD, STE. 100
 OMAHA, NE 68154
 402.496.2498
 LampRynearson.com

DESIGNER / DRAFTER
 TODD WHITFIELD-ELISE MOLLAK
 ENGINEER

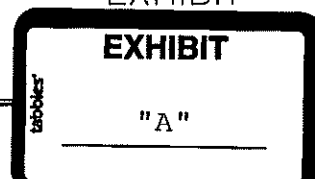
PROJECT NUMBER
 0119078.01-408

DATE
 5-18-2020

SURFACE LOCATION

BOOK AND PAGE
 18078, 1-8

BOUNDARY EXHIBIT



CERTIFICATE OF SERVICE

I, the undersigned, certify that on June 8, 2020, I served a copy of the foregoing document upon the following persons at the addresses given, by mailing by United States Mail, postage prepaid, or via E-mail:

Richard L Anderson
randerson@crokerlaw.com



Date: June 8, 2020

BY THE COURT: Linda Nelson
CLERK

RECEIVED

2020 JUN -9 AM 11:12

DODGE COUNTY, NEBRASKA
FRED MYTTY, COUNTY CLERK

**ARTICLES OF ASSOCIATION
OF
SANITARY AND IMPROVEMENT DISTRICT NO. 9
OF
DODGE COUNTY, NEBRASKA**

We, the undersigned, do hereby associate ourselves together for the purpose of forming a Sanitary and Improvement District under the provisions of Neb. Rev. Stat. §§ 31-727 to 31-793, as amended, and do hereby adopt the following Articles of Association:

ARTICLE FIRST

The name of this District shall be Sanitary and Improvement District No. 9 of Dodge County, Nebraska.

ARTICLE SECOND

This District shall have perpetual existence.

ARTICLE THIRD

The limits of this District and the area embraced therein shall be as described and drawn on Exhibit "A" which is attached hereto and incorporated herein by reference.

ARTICLE FOURTH

The undersigned subscribers are tenants-in-common owners of all of the land in said proposed District. The names and addresses of those joining in the formation and organization of the District are as follows:

FWFH, LLC
Attention: Ward F. Hoppe, Managing Member
5631 South 48th Street, Suite 220
Lincoln, Nebraska 68516

FOZC, LLC
Attention: Ward F. Hoppe, Managing Member
5631 South 48th Street, Suite 220
Lincoln, Nebraska 68516

There are no parties holding a lien against the real property to be included in the District.

2020 JUN -8 PM 2:25
FILED
DODGE COUNTY, NEBRASKA
LINDA J. NELSON
CLERK OF DISTRICT COURT



000097452D05



STATE OF NEBRASKA)
COUNTY OF DODGE)
I, Linda J. Nelson, Clerk of District Court of said County, do hereby certify the foregoing to be a full, true and correct copy of the original record thereof, now on file and of record of said court.
WITNESS my hand and seal of said Court at Fremont, Nebraska, this _____ day of _____, 2020.
Linda J. Nelson
Clerk of District Court
Deputy Clerk of District Court

ARTICLE FIFTH

There are no known or unknown owners of real property who will be benefited by the District and who have not joined in its organization or who are nonresidents of Nebraska.

ARTICLE SIXTH

The purposes of the District shall be to acquire, install, repair, maintain, renew, reconstruct, and replace a sanitary and storm sewer system, disposal plants, a water system, a system of sidewalks, public roads, streets, highways, public waterways, docks or wharfs and related appurtenances; to provide for collection and disposal of drainage, waste, and sewage in a satisfactory manner; to install an emergency management warning system; to contract for water for fire protection and for resale to residents of the District, to contract for police protection and security services, to contract for solid waste collection services, to contract for access to the facilities and use of the services of the library system of one or more neighboring cities or villages, and to contract for gas and for electricity for street lighting for the public streets and highways within the District; to construct electric service lines and conduits, and gas mains, or to contract for the installation and operation thereof; to acquire, build, improve and operate, or, where permitted by law, to contract with other sanitary and improvement districts to acquire, build, improve, and operate public parks, playgrounds and recreational facilities for the joint use of the residents of the contracting districts; and to construct and to contract for the construction of dikes and levees for flood protection for the District. In lieu of establishing its own water system, the District may contract with any utilities district, municipality or corporation for the installation of a water system and to provide water service for fire protection and for use of the residents of the District. The District may contract with the city or county within whose zoning jurisdiction it is located for intersection and traffic control improvements, which improvements serve or benefit the district and which may be within or without the corporate boundaries of the district and for any of the purposes for which it is formed. The District may also enter into agreements with other public agencies in order to accomplish the purposes of, and pursuant to, the provisions of the Nebraska Interlocal Cooperation Act; and do any and all other activities or functions allowed by the Reissued, Revised Statutes of Nebraska as the same may be amended from time to time.

ARTICLE SEVENTH

The undersigned subscribers and owners of real estate so forming this District for such purposes, are willing and obligate themselves to pay the tax or taxes which may be levied against all the property in the District and special assessments against the real property benefited which may be assessed against them, to pay the expenses that may be necessary to install a sewer system or water system, or both, within the district, as provided by law; to pay the expenses that may be necessary to construct a system of sidewalks; and to pay the expenses that may be necessary for obtaining water for fire protection and for resale to residents of the District, and the cost of grading, changing grade, paving, repairing, graveling, regravelling, widening or narrowing sidewalks and roads, resurfacing or relaying existing pavement, or otherwise improving any

public roads, streets or highways within the District, including protecting existing sidewalks, streets, highways, and roads from floods or erosion which has moved within fifteen feet from the edge of such sidewalks, streets, highways, or roads, regardless of whether such flooding or erosion is of natural or artificial origin; the cost of constructing or contracting for the construction of dikes and levees for flood protection for the District, public waterways, docks or wharfs and related appurtenances; the cost of gas and electricity for street lighting for the public streets and highways within the District; the cost of collection and disposal of drainage, waste and sewage or contracting for collection and disposal of same; the cost of constructing and installing an emergency management warning system, gas mains and electric service lines and conduits; the cost of contracting for fire protection, police protection and security services; the cost of contracting for access to the facilities and use of the services of the library system of one or more neighboring cities or villages; the cost of acquiring, improving, and operating public parks, playgrounds and recreational facilities, as provided by law; the cost of contracting for building, acquiring, improving and operating public parks, playgrounds and recreational facilities as provided by law; the costs of intersection and traffic control improvements, which improvements serve or benefit the district and which may be within or without the corporate boundaries of the district; the cost or expenses incurred pursuant to any agreement under the Nebraska Interlocal Cooperation Act; and the cost to do all other things incidental thereto and connected therewith which are not forbidden by the laws of the State of Nebraska or by these Articles of Association, all as provided by law.

ARTICLE EIGHTH

The powers of this District shall be all powers granted by Neb. Rev. Stat. Sections 31-727 to 31-793, inclusive, as amended, and all powers granted to corporations by the laws of the State of Nebraska, as the same may be amended from time to time.

ARTICLE NINTH

The following named persons are proposed as designated representative Trustees to serve on behalf of FWFH, LLC, a Nebraska limited liability company, and FOZC, LLC, a Nebraska limited liability company, owners of the property within the District as described on Exhibit "A" attached hereto, as a Board of Trustees of the District until their successors are elected and qualified:

Carly Davis
Jacob Hoppe
Ward F. Hoppe
Andrew Jacob
Justin Johnson

All of the foregoing Trustees will serve as the designated representatives of FWFH, LLC, a Nebraska limited liability company, and FOZC, LLC, a Nebraska limited liability company, property owners within the District.

IN WITNESS WHEREOF, the undersigned, all being owners of real estate embraced within said District, have executed these Articles of Association this 4 day of June, 2020.

FWFH, LLC, a Nebraska limited liability company,
5631 South 48th Street, Suite 220
Lincoln, Nebraska 68516

By: Ward F. Hoppe
Ward F. Hoppe, Manager

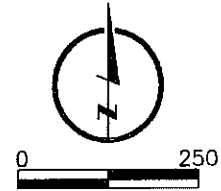
FOZC, LLC, a Nebraska limited liability company,
5631 South 48th Street, Suite 220
Lincoln, Nebraska 68516

By: Ward F. Hoppe
Ward F. Hoppe, Manager

BOUNDARY EXHIBIT

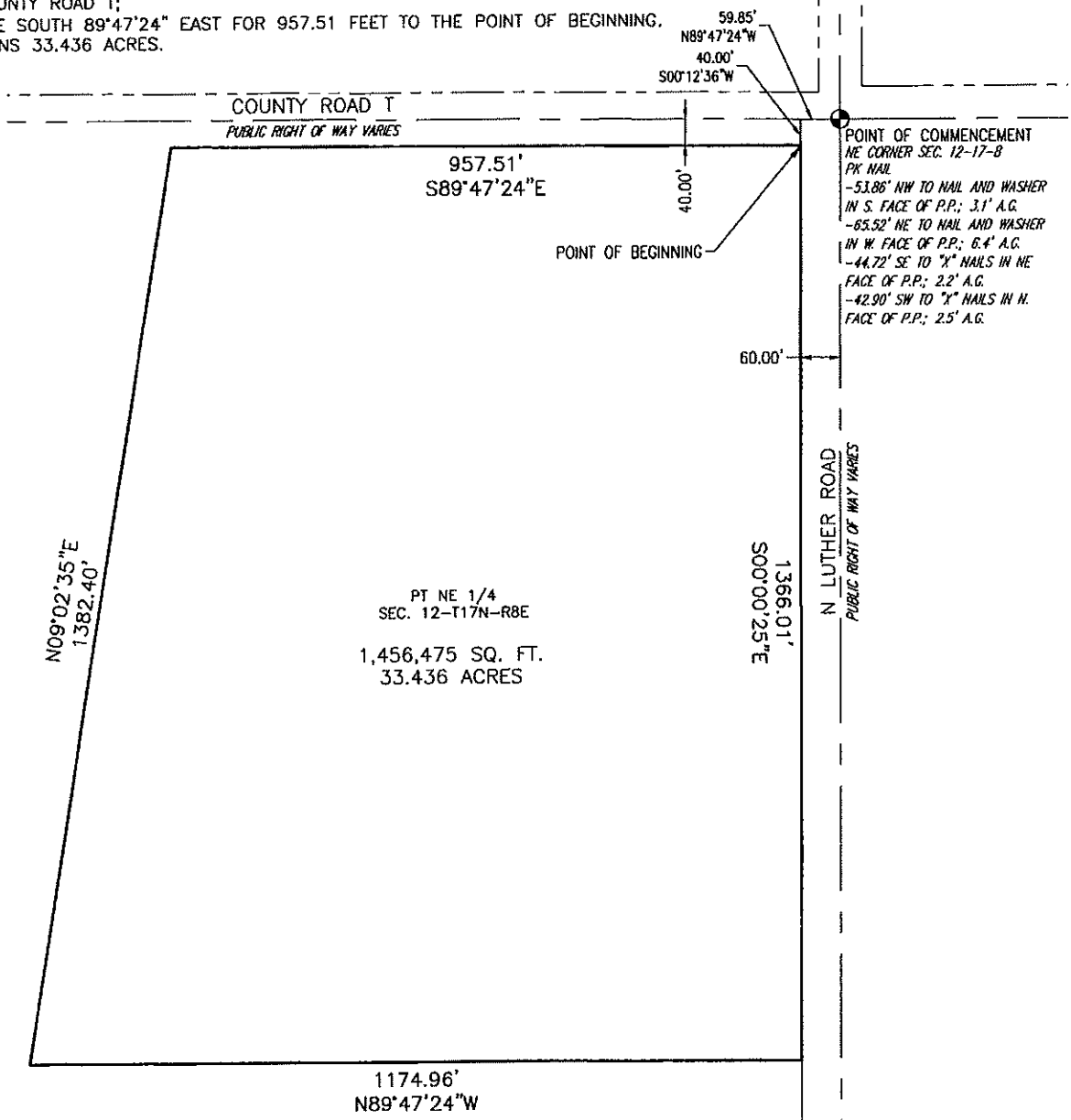
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LEGEND

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- LOT LINE
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- SECTION CORNER



L:\Engineering\0119078 Framont Housing\SURVEY\DRAWINGS\19078-SD-BND.dwg, 5/18/2020 2:38:46 PM, ELISE A. MOLLAK, LAMP RYNEARSON

	14710 W. DODGE RD, STE. 100 OMAHA, NE 68154 402.498.2498 LampRynearson.com	DESIGNER / DRAFTER TODD WHITFIELD-ELISE MOLLAK ENGINEER	<h2 style="margin: 0;">BOUNDARY EXHIBIT</h2> <div style="border: 2px solid black; padding: 5px; display: inline-block;"> <h3 style="margin: 0;">EXHIBIT</h3> <p style="margin: 0; font-size: 1.5em;">"A"</p> </div>
	PROJECT NUMBER 0119078.01-408 DATE 5-18-2020 SURFACE LOCATION	BOOK AND PAGE 19078, 1-6	

NOTICE

Notice is hereby given pursuant to Nebraska Revised Statutes section 31-728 that a Petition to form Sanitary and Improvement District No. 9 of Dodge County, Nebraska was filed in the District Court of Dodge County, Nebraska, and assigned Case No. CI 20-291.



Linda Nelson, Clerk of the District
Court of Dodge County, Nebraska

FILED

2020 JUN -8 PM 3:57

DODGE COUNTY, NE
LINDA NELSON
DISTRICT COURT CLERK



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