

NOTICE OF MEETING
SANITARY AND IMPROVEMENT DISTRICT NO. 5
OF CASS COUNTY, NEBRASKA
ADOPTED JULY 25, 2000

WHEREAS, Sanitary and Improvement District No. 5 of Cass County, Nebraska, is a duly organized and existing Sanitary and Improvement District within the State of Nebraska created pursuant to the provisions of Sections 31-727 through 31-770, Neb. Rev. Stat. 1943, as amended;

WHEREAS, under Section 31-732, Neb. Rev. Stat. 1943, as amended, said District through its Board of Trustees is authorized to exercise as a corporation all powers necessary to carry out the purposes of said District, including under Section 31-733 Neb. Rev. Stat. 1943, as amended, having authority to pass all necessary orders, rules, and regulations for the necessary conduct of its business and to carry into effect the objects for which such District was formed;

WHEREAS, SID No. 5 delivers water to customers at the water mains installed by SID No. 5 in public streets or on private property when a proper easement is obtained and the water mains are owned by SID No. 5 and are under its exclusive control.

WHEREAS, SID No. 5 collects sanitary sewage from customers at the sewer mains installed by SID No. 5 on public streets or on private property when a proper easement is obtained. SID No. 5 conveys the collected sewage through its sewer mains, lift stations, and force mains to its sewage treatment plant for treatment. The sewer mains, manholes, lift stations, force mains, and treatment plant are under SID No. 5's exclusive control.

NOW THEREFORE, BE IT RESOLVED AND ORDAINED by the Board of Trustees of Sanitary and Improvement District No. 5 of Cass County, Nebraska, as follows:

1. All service pipes, connections, appurtenances, and fixtures from SID's water main in the street to and into an individual owner's premises are installed by and paid for by the owner, are the owner's property, and the owner is responsible for their maintenance and care. All owners shall protect and safeguard water service pipes and fixtures and, at their own expense, must keep service pipes and related appurtenances from the SID's water main to their premises in good working order. SID No. 5 shall not be responsible for service pipes, appurtenances, or fixtures and will not be liable for any breaks, failures, or service interruptions.
2. Whenever it comes to the knowledge of SID No. 5 that a private owner's water service pipe, corporation tap, curb stop and box, or valve, etc., is broken or in a dangerous or unsafe condition, the SID will notify that owner to have the service or appurtenance immediately repaired and put in a safe and operable condition. SID No. 5 may turn off the water service until it is repaired and put in a safe and operable condition. In the event that SID No. 5 is required to shut that service off, the expense shall be borne by the owner of the property. In addition, any expense to repair damage to SID No. 5's streets, curbs, storm sewers, sanitary sewers, or other SID - owned facilities that were caused by a broken water service pipe shall also be borne by the owner of the property. SID No. 5 may turn off the water service until such expenses are paid.
3. All sanitary sewer service lines, connections, cleanouts, appurtenances, and fixtures from the SID's sewer main to and into an individual owner's premises are installed by and paid for by the owner, are the owner's property, and the owner is responsible for their maintenance and care. All owners shall protect and safeguard sewer service pipes and fixtures, and all owners, at their own expense, must keep service

pipes and related appurtenances in good working order. SID No. 5 is not responsible for service pipes, appurtenances, or fixtures and will not be liable for any breaks, failures, or service interruptions.

4. Whenever it comes to the knowledge of SID No. 5 that a private owner's sanitary sewer service pipe, connection, cleanout, appurtenances, or fixtures are broken or in a dangerous, unsafe, or unsanitary condition, the SID will notify the owner to have the service or appurtenance immediately repaired and put in a safe and operable condition. In the event that SID No. 5 is required to repair that service due to unsafe or unsanitary reasons, the expense of doing so shall be borne by the owner of the property. In addition, any expense to repair damage to SID No. 5's streets, curbs, storm sewers, water system, or other SID - owned facilities that were caused by a broken sewer service pipe shall also be borne by the owner of the property. SID No. 5 may terminate sewer service until such expenses are paid.

5. The utility superintendent of the SID or any duly authorized agent of the Board Trustees shall have authority to inspect the water and/or sewer system of any property located within the District to determine compliance with these Rules and Regulations.

6. The Clerk of the District shall cause a one-page Notice of the enactment of these rules and regulations to be filed at the Register of Deeds' Office of Cass County, Nebraska, on the properties located within the District to provide notice of the existence of these Rules.

Any owner of property which might become subject to these Rules and Regulations regarding ownership and responsibility of individual service lines and sanitary sewer services lines in SID No. 5 of Cass County, Nebraska may appear and make objections to the proposed resolution. The proposed resolution may be amended and passed or may be passed as proposed.

If a petition opposing this resolution, signed by property owners representing a majority of front footage which may become subject to these Rules and Regulations regarding ownership and responsibility of individual service lines and sanitary sewer services lines in S.ID No. 5 of Cass County, Nebraska be filed with the clerk of the District within three (3) days before the date of the meeting for the hearing on said resolutions, this resolution shall not be passed.

Robert Moore, Chairman
Thomas Kappas, Clerk
Board of Trustees, SID No. 5