

ORDINANCE NO. 127

AN ORDINANCE CREATING PAVING AND IMPROVEMENT DISTRICT NUMBER 22, DESIGNATING THE STREETS AND PROPERTIES TO BE INCLUDED IN SAID DISTRICT AND TO BE IMPROVED BY GRADING, REGRADING, CURBING, RE-CURBING, GUTTERING, REGUTTERING, PAVING, WIDENING, RESURFACING, RE-AND OTHERWISE IMPROVING SUCH STREETS; THE PROPERTY TO BE BENEFITTED THEREBY AND PROVIDING THE METHOD OF ASSESSMENT FOR PAYMENT OF THE COST THEREOF AND SPECIFYING THE TIME AND CONDITIONS WHEN SUCH ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA:

SECTION 1. DISTRICT CREATED. That for the purpose of grading, regrading, curbing, recurbing, guttering, reguttering, paving, widening, resurfacing, and otherwise improving the streets located within the district hereinafter described, there is hereby created the following described paving and improvement district:

Paving and Improvement District Number 22.

A portion of Avenue G (Formerly known as C Street and Second Avenue) and a portion of Twelfth Street (Formerly known as Park Avenue and First Street).

SECTION 2. STREETS ORDERED TO BE IMPROVED. That the streets to be improved shall be:

In Paving and Improvement District Number 22, Avenue G (Formerly known as C Street and Second Avenue) from the North curb line of Eighth Street (Formerly known as First Street) to the North curb line of Twelfth Street (Formerly known as Park Avenue and First Street); and Twelfth Street (Formerly known as Park Avenue and First Street) from the West curb line of Avenue G (Formerly known as C Street and Second Avenue) to the East curb line of J Street (Formerly known as Fifth Avenue), being the East corporate limit of the City of Gothenburg, Dawson County, Nebraska.

SECTION 3. TERRITORY EMBRACED IN PAVING DISTRICT NUMBER 22.

All streets and all adjoining, abutting and adjacent properties lying and contained within the following described boundaries shall comprise and be included in Paving and Improvement District No. 22 as herein-after setforth.

Commencing at a point being the center of the South line of Block Six (6), Original Town, now City of Gothenburg, Dawson County, Nebraska, thence Northeasterly to a point being the center of the South line of Block Thirty (30), First Addition to the City of Gothenburg,

Dawson County, Nebraska; thence Northeasterly to the Northwesterly corner of Lot Ten (10), Block Thirty (30), First Addition to Gothenburg, Dawson County, Nebraska; thence Northwesterly to the Southwest corner of Lot Two (2), Block Twenty-four (24), Ehmen's Subdivision in the City of Gothenburg, Dawson County, Nebraska; thence North to a point being the center of the East line of the alley extending North and South through Block Nineteen (19) of Ehmen's Subdivision in the City of Gothenburg, Dawson County, Nebraska, being the Northwest corner of Lot Four (4) in said Block Nineteen (19); thence East to the Northeast corner of Lot Four (4) in said Block Nineteen (19) of Ehmen's Subdivision to the City of Gothenburg, Dawson County, Nebraska; thence East to the Northwest corner of Lot Thirteen (13), Block Forty-three (43), Hyde Park Addition to the City of Gothenburg, Dawson County, Nebraska, thence East to the Northeast corner of Lot Twenty-four (24), Block Forty-four (44), Hyde Park Addition to the City of Gothenburg, Dawson County, Nebraska, thence Easterly to a point being the center of the West line of the vacated tract originally known as Block Forty-five (45), Hyde Park Addition to the City of Gothenburg, Dawson County, Nebraska, thence East to a point being the center of the East line of the tract now vacated but originally platted as Block Forty-five (45), Hyde Park Addition to the City of Gothenburg, Dawson County, Nebraska; thence East fifty feet to the corporate limits of the said City of Gothenburg; thence South along the corporate limits of the said City of Gothenburg to the South curb line of Twelfth Street, also known as Park Avenue and First Street; thence Southwesterly to the Northeasterly corner of Lot One (1), Block Sixty (60), Bergstrom's Addition to the City of Gothenburg, Dawson County, Nebraska; thence Southwesterly to the Southeasterly corner of Lot One (1) of said Block Sixty (60) of Bergstroms Addition; thence Northwesterly to the Southwesterly corner of Lot Twelve (12) of Block Sixty (60) of said Bergstroms Addition; thence Southwesterly to the Southeasterly corner of Lot Twelve (12), Block Thirty-three (33), First Addition to the City of Gothenburg, Dawson County, Nebraska; thence Northwesterly to the Southwesterly corner of Lot Seven (7), in said Block Thirty-three (33), First Addition to the City of Gothenburg, Dawson County, Nebraska; thence Southwesterly to the Southeasterly corner of Lot One (1), Block

Thirty-one (31), First Addition to the City of Gothenburg, Dawson County, Nebraska, thence Northwesterly to the Southeasterly corner of Lot Four (4), Block Thirty-one (31), First Addition to the City of Gothenburg, Dawson County, Nebraska, thence Southwesterly to the Southeasterly corner of Lot Nine (9), Block Seven (7), Original Town of Gothenburg, Dawson County, Nebraska, said point being the center of the South line of said Block Seven (7), Original Town of Gothenburg, Dawson County, Nebraska; thence Westerly to the place of beginning.

SECTION 4. That the improvements in said Paving and Improvement District shall be located on and conform to such grade and lines as shall hereinafter be established and the plans and specifications for such improvements and the estimate of the cost of the construction thereof, shall be prepared by the City Engineer, or the Engineer employed for this purpose, and the Mayor and Council of the City of Gothenburg, Nebraska, are hereby authorized to contract for and to construct said improvements in this paving and improvement district in accordance with said plans and specifications.

SECTION 5. That the cost of such grading, regrading, curbing, recurbing, guttering, reguttering, paving, widening, resurfacing and otherwise improving such streets in said paving and improvement district, except intersections, shall be assessed against each lot or parcel of property within said paving district in proportion to the benefits accruing to said property. That such assessments shall be proportioned to benefits by the Mayor and Council sitting as a Board of Adjustment and Equalization, and that each such property shall be especially benefited by said improvement.

SECTION 6. That the cost of grading, regrading, curbing, recurbing, guttering, reguttering, paving, widening, resurfacing and otherwise improving such streets in said paving and improvement district at the street and alley intersections shall be paid by the City of Gothenburg, Nebraska, either by the issuance of warrants or intersection paving bonds.

SECTION 7. That this ordinance shall be in full force and effect from and after its passage and publication as provided by law. That if the majority of the resident owners of the property directly abutting on all streets to be improved within said paving and improvement district created by this ordinance, shall file with the City Clerk within twenty

(20) days after the first publication of the Notice of the Creation of said District, written objections to the creation thereof, in which case said ordinance shall be repealed.

Passed and approved this 6<sup>th</sup> day of March, 1956.

CITY OF GOTHENBURG, NEBRASKA

BY W. W. Olesch  
Mayor

ATTEST:

Nellie Ballmer  
City Clerk

Said Ordinance was fully and distinctly read and on motion was designated as Ordinance No. 127 of said City.

Thereupon Councilman Clarence Dewar moved that the statutory rule requiring the reading of ordinances on three different days be dispensed with, which motion was duly seconded by Councilman Ernie Thiesberg. The roll was called on the adoption of said motion, and the following Councilmen voted in favor of said motion: Dewar, Thiesberg, W. Kirkpatrick  
W. Ballmer. The following voted against the same: None.

The motion to suspend the statutory rule having been concurred in by three-fourths of all members elected to the Council was by the Mayor declared passed and adopted.

Thereupon said Ordinance No. 127 was read by title a second time and then read at large and put upon final passage. The Mayor stated that the question is: "Shall said Ordinance No. 127 be passed and adopted?" The yeas and nays were called, the following Councilmen voted "Yea":

Clarence Dewar, Ernie Thiesberg, Wayne Ridgataid and William Ballmer. The following voted "Nay": None.

The passage and adoption of said Ordinance having been concurred in by a majority of all members elected to the Council was by the Mayor declared passed and adopted and the Mayor, in the presence of the Council, signed and approved said ordinance and the Clerk attested the passage and approval of the same and affixed her signature and the seal of the City thereto.

It was moved by Councilman Clarence Deam and seconded by Councilman E. Truesburg that Notice of the Creation of Paving and Improvement District Numbered 22 be given to all persons as required by law by publication in the Gothenburg Times of Gothenburg, Nebraska, on March 8, 1956 and March 15, 1956, in the following form.