

Gothenburg, Nebraska.

July 26, 1957.

The Mayor and Council of the City of Gothenburg, Nebraska, met in the  
City Hall in said City on the 26 day of July,  
1957, at 8 o'clock P.M. in Special session.

On roll call the following were present:

Mayor: W. O. Clark; Clerk: Nellie Ballmer;  
Councilmen: C. L. Leaver, William E. Ballmer, O. R. Schelbourn  
J. F. Pover. Absent: None.

A quorum being present and the meeting being duly convened, the following proceedings were had and done:

Councilman C. L. Leaver introduced the following ordinance:

ORDINANCE NO. 171

AN ORDINANCE AUTHORIZING THE ISSUANCE OF INTERSECTION PAVING BONDS OF THE CITY OF GOTHENBURG, NEBRASKA, OF THE PRINCIPAL AMOUNT OF NINETY THOUSAND DOLLARS (\$90,000.00) TO PAY THE COST OF IMPROVING THE INTERSECTIONS AND AREAS FORMED BY THE CROSSING OF STREETS, AVENUES AND ALLEYS IN PAVING AND IMPROVEMENT DISTRICTS NOS. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 AND 23 IN SAID CITY, PRESCRIBING THE FORM OF SAID BONDS AND PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME.

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

Section 1. The Mayor and Council of the City of Gothenburg, Nebraska, hereby find and determine: That pursuant to ordinances heretofore duly enacted, Paving and Improvement Districts Nos. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 were created in said City and paving and other street improvements have been completed and have been accepted by the City; that the cost of paving and improving the intersections and areas formed by the crossing of streets, avenues and alleys in said Districts was as follows:

|                 |           |            |
|-----------------|-----------|------------|
| District No. 8  | Group I   | \$3,097.00 |
| District No. 9  | Group I   | 41,973.34  |
|                 | Group III | 106.80     |
| District No. 10 | Group I   | 3,688.96   |
| District No. 11 | Group I   | 3,929.54   |
| District No. 12 | Group I   | 10,950.13  |
| District No. 13 | Group I   | 2,844.79   |
| District No. 14 | Group I   | 7,591.06   |
| District No. 15 | Group I   | 9,212.47   |
|                 | Group III | 60.30      |
| District No. 16 | Group I   | 12,978.70  |
|                 | Group III | 211.21     |
| District No. 17 | Group I   | 3,658.54   |
| District No. 18 | Group I   | 1,428.17   |
| District No. 19 | Group I   | 569.82     |
| District No. 20 | Group I   | 1,097.48   |
| District No. 21 | Group I   | 5,079.57   |
| District No. 23 | Group I   | 2,736.89   |

that warrants were issued during the progress of the work and upon said warrants additional interest has accumulated, together with other miscellaneous expenses; that the reasonable value of the labor and material furnished in making said improvements is the sums hereinabove set out as the cost thereof; that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of Intersection Paving Bonds of the City to pay for paving and improving the intersections and areas aforesaid do exist and have been done as required by law.

Section 2. To pay the cost of paving and improving as aforesaid the intersections and areas formed by the crossing of streets, avenues and alleys in said Districts, there shall be and there are hereby ordered issued Intersection Paving Bonds of the City of Gothenburg, Nebraska, of the principal amount of Ninety Thousand Dollars (\$90,000.00) consisting of ninety bonds for \$1,000.00 each, dated August 1, 1957, numbered from 1 to 90 inclusive, bearing interest at the rate of two and one-half per centum (2 1/2%) per annum from date of issuance until maturity, payable August 1, 1958, and semi-annually thereafter on the first days of February and August in each year; and the principal of said bonds shall become due and payable as follows:

|            |         |         |     |                |
|------------|---------|---------|-----|----------------|
| Bonds Nos. | 1 - 8   | \$8,000 | due | August 1, 1958 |
|            | 9 - 16  | 8,000   | due | August 1, 1959 |
|            | 17 - 24 | 8,000   | due | August 1, 1960 |
|            | 25 - 32 | 8,000   | due | August 1, 1961 |
|            | 33 - 41 | 9,000   | due | August 1, 1962 |
|            | 42 - 50 | 9,000   | due | August 1, 1963 |
|            | 51 - 60 | 10,000  | due | August 1, 1964 |
|            | 61 - 70 | 10,000  | due | August 1, 1965 |
|            | 71 - 80 | 10,000  | due | August 1, 1966 |
|            | 81 - 90 | 10,000  | due | August 1, 1967 |

provided, however, the City reserves the right and option of redeeming any or all of Bonds Nos. 42 to 90 inclusive on August 1, 1962, or at anytime thereafter in the inverse order of their serial numbers, bond or bonds bearing a higher serial number being redeemed before the redemption of any bond or bonds bearing a lower serial number.

Section 3. Said bonds shall be executed on behalf of the City by being signed by the Mayor and attested by the City Clerk and shall have the City seal impressed on each bond. Attached to each bond shall be negotiable coupons for the interest to become due thereon. Said coupons shall be executed on behalf of the City by being signed by the Mayor and City Clerk either by affixing their own

proper signatures to each coupon or by causing their facsimile signatures to be affixed thereto; and the Mayor and Clerk shall, by the execution of each bond, be deemed to have adopted as and for their own proper signatures their facsimile signatures affixed to the coupons attached thereto.

Section 4. Said bonds and coupons shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
COUNTY OF DAWSON  
CITY OF GOTHENBURG

No. \_\_\_\_\_ INTERSECTION PAVING BOND \$1,000.00

KNOW ALL MEN BY THESE PRESENTS: That the City of Gothenburg, in the County of Dawson, State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to bearer the sum of One Thousand Dollars (\$1,000.00) in lawful money of the United States of America on the first day of August, 1954, with interest thereon from the date hereof until maturity at the rate of two and one-half per centum (2 1/2%) per annum, payable August 1, 1958, and semi-annually thereafter on the first days of February and August in each year upon presentation and surrender of the interest coupons hereto attached as they severally become due. Both the principal hereof and the interest hereon are payable at the office of the Treasurer of Dawson County at Lexington, Nebraska. For the prompt payment of this bond, principal and interest as the same become due, the full faith, credit and resources of said City are hereby irrevocably pledged.

(Insert on Bonds Nos. 42 to 90 inclusive) The City, however, reserves the right and option of paying this bond on August 1, 1962, or at anytime thereafter; provided bonds called for payment prior to their maturity shall be called in the inverse order of their serial numbers, bond or bonds bearing a higher serial number being redeemed before the redemption of any bond or bonds bearing a lower serial number.

This bond is one of an issue of ninety bonds, numbered 1 to 90 inclusive, for \$1,000.00 each, of even date and like tenor herewith except as to date of maturity, which are issued by said City for the purpose of paying the cost of paving and improving the intersections and areas formed by the crossing of streets, avenues and alleys in Paving and Improvement Districts Nos. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 23 in said City in strict compliance with Section 17-520, Revised Statutes of Nebraska, Reissue of 1954, and has been authorized by an ordinance legally passed and approved and by proceedings duly had by the Mayor and Council of said City.

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 said City, including this bond, does not exceed any limitation imposed by law. The City agrees that it will cause to be levied and collected annually a tax on all the taxable property in said City, sufficient in amount to pay the interest on this bond as the same becomes due and to create a sinking fund to pay the principal hereof when the same becomes due.

IN WITNESS WHEREOF, the Mayor and Council have caused this bond to be executed on behalf of the City of Gothenburg by being signed by its Mayor and attested by its Clerk and by causing the official seal of the City to be affixed hereto and have caused the interest coupons hereto attached to be executed on behalf of the City by having affixed thereto the facsimile signatures of its Mayor and Clerk. The Mayor and Clerk, do, by the execution of this bond, adopt as and for their own proper signatures their respective facsimile signatures affixed to said coupons.

Dated this first day of August, 1957.

CITY OF GOTHENBURG, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
(Do not sign)  
City Clerk

(SEAL)

(FORM OF COUPON)

No. \_\_\_\_\_ \$ \_\_\_\_\_

On the first day of February (August), 19\_\_\_\_, (On Bonds Nos. 42 to 90 inclusive, insert the following clause: "unless the bond to which this coupon is attached has theretofore been called for payment and payment made or provided for,") the City of Gothenburg, Nebraska, will pay to bearer \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) at the office of the Treasurer of Dawson County in Lexington, Nebraska, for interest due on that date on its Intersection Paving Bond dated August 1, 1957. Bond No. \_\_\_\_\_.

\_\_\_\_\_  
(Facsimile Signature)  
City Clerk

\_\_\_\_\_  
(Facsimile Signature)  
Mayor

Section 5. After being executed by the Mayor and Clerk, said bonds shall be delivered to the City Treasurer who shall be responsible therefor under his official bond. The Treasurer shall cause said bonds to be registered in the office of the Auditor of Public Accounts of the State of Nebraska and in the office of the County Clerk of Dawson County. The City Clerk is directed to make and certify in duplicate transcripts of the proceedings of the City precedent to the issuance of said bonds, one of which transcripts shall be filed with the Auditor of Public Accounts of the State of Nebraska and the other shall be delivered to the purchaser of said bonds.

Section 6. The Mayor and Council shall cause to be levied and collected annually a tax on all the taxable property in said City, in addition to all other taxes, sufficient in amount to pay the interest on said bonds as and when the same becomes due and to create a sinking fund to pay the principal thereof as the same becomes due.

Section 7. Said bonds having been sold to the purchaser at not less than par, the Treasurer is authorized to deliver said bonds to the purchaser upon receipt of full payment for same.

PASSED AND APPROVED this 26 day of July, 1957.

W. Olson  
Mayor

Neill Ballman  
City Clerk

(SEAL)

Said ordinance was fully and distinctly read and on motion was designated as Ordinance No. 141 of said City.

Thereupon Councilman William Ballman moved that the statutory rule requiring the reading of ordinances on three different days be dispensed with, which motion was seconded by Councilman C.R. Dickerson. The roll was called on the adoption of said motion and the following Councilmen voted in favor of said motion: C. L. D. Leman, William E. Ballman, C.R. Dickerson.

J. M. Pover. 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. 141 was read by title a second time and was then read at large and put upon final passage. The Mayor stated that the question is: "Shall said Ordinance No. 141 be passed and adopted?" The yeas

and nays were called and the following Councilmen voted "Yea": C. L. D. Leman, William E. Ballman, C.R. Dickerson, J. M. Pover. 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 his signature and the seal of the City thereto.

Councilman C. L. Leman then introduced the following ordinance