

ORDINANCE NO. 326

AN ORDINANCE OF THE CITY OF GOTHENBURG, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NOS. 81, 82, 83, 84 AND 85; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING AND GUTTERING OR SUCH OTHER WORK AS IS NECESSARY AND INCIDENTAL THERETO; PROVIDING FOR PLANS, SPECIFICATIONS, ESTIMATES OF COST AND SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH WORK AND OTHER EXPENSES INCIDENTAL THERETO; PROVIDING FOR ASSESSMENT OF THE COST OF SAID IMPROVEMENTS AGAINST THE PROPERTY IN SAID DISTRICTS ESPECIALLY BENEFITED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS AND DISTRICT AND INTERSECTION IMPROVEMENT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; PROVIDING FOR REPEALING OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. Street Improvement District Nos. 81, 82, 83, 84 and 85 of the City of Gothenburg, Nebraska are hereby created.

Section 2. Said Street Improvement District Nos. 81, 82, 83, 84 and 85 shall include and encompass the designated portions of the following streets in the City of Gothenburg, Nebraska, and the limits, boundaries and improvements are defined and established as follows:

STREET IMPROVEMENT DISTRICT NO. 81

THE STREET TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING AND INCIDENTAL WORK CONNECTED THEREWITH IS:

20th Street from the West line of Lake Avenue to the West line of Avenue B.

THE ABUTTING PROPERTY TO BE INCLUDED IN THE DISTRICT IS LOCATED WITHIN THE FOLLOWING BOUNDARIES:

Commencing at the Southwest corner of the intersection of 20th Street and Avenue B; thence North to a point perpendicular to and 300 feet North of the North line of 20th Street; thence East and parallel to the North line of 20th Street to the West line of Lake Avenue; thence South along the West line of Lake Avenue to a point 300 feet South of the South line of 20th Street; thence West and parallel to the South line of 20th Street to the West line of Avenue B; thence North along the West line of Avenue B to the point of beginning.

STREET IMPROVEMENT DISTRICT NO. 82

THE STREETS TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING AND INCIDENTAL WORK CONNECTED THEREWITH ARE:

22nd Street from the East line of Avenue J to the East line of Avenue M;

Avenue J from the South line of 22nd Street to the North line of 23rd Street;

23rd Street from the East line of Avenue J to the West line of Avenue L; and

Avenue L from the North line of 22nd Street to the North line of 23rd Street.

THE ABUTTING PROPERTY TO BE INCLUDED IN THE DISTRICT IS LOCATED WITHIN THE FOLLOWING BOUNDARIES:

Commencing at the Northwest corner of Avenue J and 22nd Street; thence westerly along the North line of 22nd Street 197.5 feet; thence northerly and parallel to the West line of Avenue J to the South line of 23rd Street; thence easterly along the South line of 23rd Street to the West line of Avenue J; thence northerly along the West line of Avenue J extended to a point 145 feet North of the North line of 23rd Street; thence easterly and northeasterly on an arc and parallel to the North line of 23rd Street to the East line of Avenue L; thence southeasterly along the East line of Avenue L to the South line of 23rd Street; thence northeasterly along the South line of 23rd Street to the Northeast corner of Lot 38, Country Acres Addition; thence southeasterly along the East line of said Lot 38 to the North line of Lot 37, Country Acres Addition; thence northeasterly along the North line of said Lot 37 to the East line of said Lot 37; then southeasterly along the East line of said Lot 37 to the Southeast corner thereof; thence across Countryside Lane to the Northeast corner of Lot 33, Country Acres Addition; thence southeasterly along the East line of said Lot 33 to the Southeast corner thereof; thence East-Northeasterly along the North lines of Lots 27, 28 and 29 extended to a point on the East line of Section 10, Township 11 North, Range 25 West of the 6th P.M. in Dawson County, Nebraska; thence southerly along the East line of said Section 10, to a point 139.98 feet South of the South line of 22nd Street extended; thence westerly to a point on the West line of Avenue J, said point being 139.4 feet South of the South line of 22nd Street; thence northerly along the West line of Avenue J to the point of beginning.

STREET IMPROVEMENT DISTRICT NO. 83

THE STREET TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING AND INCIDENTAL WORK CONNECTED THEREWITH IS:

Avenue J from the South line of Washington Street to the South line of 12th Street.

THE ABUTTING PROPERTY TO BE INCLUDED IN THE DISTRICT IS LOCATED WITHIN THE FOLLOWING BOUNDARIES:

Commencing at the Southwest corner of Washington Street and Avenue J; thence West along the South line of Washington Street 150 feet; thence northerly and parallel to the West line of Avenue J to the South line of 12th Street; thence East along the South line of 12th Street to a point 300 feet East of the East line of Avenue J, said point being 300 feet measured perpendicular to the East line of Avenue J; thence southerly and parallel to the East line of Avenue J to the South line of Washington Street; thence westerly along the South line of Washington Street to the point of beginning.

STREET IMPROVEMENT DISTRICT NO. 84

THE STREET TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING AND INCIDENTAL WORK CONNECTED THEREWITH IS:

Avenue H from the North line of U. S. Highway No. 30 to the South line of 11th Street.

THE ABUTTING PROPERTY TO BE INCLUDED IN THE DISTRICT IS LOCATED WITHIN THE FOLLOWING BOUNDARIES:

Commencing at the Northwest corner of the intersection of U. S. Highway No. 30 and Avenue H; thence westerly along the North line of U. S. Highway No. 30 to a point 150 feet West of the West line of Avenue H; thence northerly and parallel to the West line of Avenue H to the South line of 11th Street; thence easterly along the South line of 11th Street to a point 150 feet East of the East line of Avenue H; thence southerly and parallel to the East line of Avenue H to the North line of U. S. Highway No. 30; thence westerly along the North line of U. S. Highway No. 30 to the point of beginning.

STREET IMPROVEMENT DISTRICT NO. 85

THE STREET TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING AND INCIDENTAL WORK CONNECTED THEREWITH IS:

17th Street from the West line of Avenue B to the East line of Avenue A.

THE ABUTTING PROPERTY TO BE INCLUDED IN THE DISTRICT IS LOCATED WITHIN THE FOLLOWING BOUNDARIES:

Beginning at the Southwest corner of Lot 7, Block 4, Jackson and Bothwell's Addition; thence North along the East line of Avenue A 150 feet; thence East and parallel to the North line of 17th Street to the West line of Avenue B; thence South along the West line of Avenue B to a point 142.5 feet South of the South line of 17th Street; thence West-erly and parallel to the South line of 17th Street to the East line of Avenue A; thence North along the East line of Avenue A to the point of beginning.

Section 3. The City's special engineer shall make detailed plans and specifications for said improvements and an estimate of the cost thereof, and shall submit the same to the City Council. Upon approval of the same by the City Council, bids for construction of said work shall be provided by advertisement. On acceptance of any bid therefor, the Mayor and City Clerk are authorized to enter into a contract on behalf of the City for such work, and such contract shall be executed by said Mayor and attested by said City Clerk. The City Council shall have and hereby reserves the right to reject any and all bids received.

Section 4. The work and improvements shall be made at public cost, by special assessments on the properties especially benefited thereby, proportionate to benefits, shall be levied to reimburse the City to the extent provided by law. Property included within the boundaries and Limits of said Districts, as hereinbefore described and defined, is hereby declared to be especially benefited by said work and improvements and special assessments against the same shall be made as hereinafter provided.

Section 5. The Districts created hereby are separate and distinct, and if any District is objected to by a sufficient percentage of the resident owners of the property directly abutting upon said street or streets to be improved and the work not constructed under the District, such objections shall not affect the validity of the creation of any remaining Districts.

Section 6. For the purpose of paying for the paving, grading, curbing and guttering or other necessary improvements incidental thereto,

the Mayor and City Council of the City may issue district improvement warrants of Street Improvement District Nos. 81, 82, 83, 84 and 85 of the City of Gothenburg, Nebraska in the form and manner provided by law.

Section 7. To effect the final payment and retirement of said warrants and to pay for the cost of paving, grading, curbing and guttering or other necessary improvements incidental thereto, the Mayor and City Council shall issue bonds in the form and manner provided by law, and shall assess the costs of said work to the property in said Districts in proportion to the benefits derived therefrom.

Section 8. This ordinance shall be published one time in The Gothenburg Times, a legal newspaper published and of general circulation in the City of Gothenburg, Nebraska, and shall take effect and be in full force from and after its passage, approval and publication as provided by law.

Section 9. After the passage, approval and publication of this ordinance as in Section 8 provided, there shall be published, as provided by law, in The Gothenburg Times, a legal newspaper published and of general circulation in the City of Gothenburg, Nebraska, a notice with respect to the Districts created by the terms of this ordinance, which notice shall provide, among other things, that if a majority of the resident owners of the property directly abutting on the street or streets to be improved in any of said Districts shall file with the City Clerk within twenty (20) days after the first publication of said notice, written objections to the creation of their respective District, the improvements in such District shall not be made as provided in this ordinance.

Section 10. All provisions of any prior ordinance of the City in conflict herewith are hereby repealed.

PASSED AND APPROVED this 20th day of September, 1977.

ATTEST:

Marilyn J. Falkner
City Clerk

Alford J. Gault
Acting Mayor

(S E A L)