

**ORDINANCE NO. 629**

AN ORDINANCE OF THE CITY OF GOTHENBURG, NEBRASKA, CREATING WATER SERVICE DISTRICT NO. 3; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR CONSTRUCTION OF A WATER MAIN AND 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; PROVIDING FOR THE ISSUANCE OF DISTRICT BONDS; PROVIDING FOR REPEALING OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT AND ORDERING THE PUBLICATION OF THE ORDINANCE.

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

Section 1. Water Service District No. 3 of the City of Gothenburg, Nebraska is hereby created.

Section 2. Said Water Service District No. 3 shall include and encompass the designated portions of the following areas in the City of Gothenburg, Nebraska, and the limits, boundaries and improvements are defined and established as follows:

**WATER SERVICE DISTRICT NO. 3**

THE WATER MAIN TO BE CONSTRUCTED AND INCIDENTAL WORK CONNECTED THEREWITH IS:

Extension of the water main form the existing water main adjacent to the county road on the West line of the Southeast Quarter (SE1/4), Section Fifteen (15), Township Eleven (11) North, Range 25 West of the 6th P.M., Dawson County, Nebraska, beginning

at a point between 150 feet and 537 feet North of the South line of said section and extending not more than 1922 feet East of the West line of said section.

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

A tract of land in the Southeast Quarter (SE1/4), Section Fifteen (15), Township Eleven (11) North Range Twenty-Five (25) West, of the Sixth Principal Meridian, Dawson County, Nebraska. More particularly described as follows:

Commencing at the South Quarter Corner of said Section, thence N 00°17'57" E (bearing assumed and all other bearings are relative thereto) a distance of 150.00 feet along the West Line of said SE1/4 to the Point of Beginning;

Thence N 90°00'00" E a distance of 1922.00 feet along a line 150.0 North of and parallel to the South Line of said SE1/4;

Thence N 00°17'57" E a distance of 840.0 feet along a line parallel to the West Line of said SE1/4;

Thence N 90°00'00" W a distance of 1563.59 feet along a line 990 feet North of and parallel to the South Line of said SE1/4 to the Southerly Right-of-Way Line of the Cozad Canal;

Thence S 49°55'49" W a distance of 470.41 feet along said Southerly Right-of-Way Line to the West Line of said SE 1/4;

Thence S 00°17'57" W a distance of 537.19 feet along said West Line to the Point of Beginning.

Section 3. The City's special engineer has made detailed plans and specifications for said improvements and an estimate of the cost thereof, which have been approved by the City Council. The Mayor and City Clerk are authorized to enter into a contract on behalf of the City for such work upon compliance with and in accordance with advertising, bidding and contracting procedures prescribed in Nebraska Revised Statutes Section 17-568.01 1991, as amended. 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, but special assessments on any properties determined by the City Council to be especially benefitted thereby, proportionate to benefits, shall be levied to reimburse the City to the extent provided by law.

Section 5. The District created hereby is separate and distinct, and if the District is objected to by owners of record title representing more than 50% of the front footage of the property directly abutting on the water main to be constructed, the work will not be constructed in the District.

Section 6. For the purpose of paying for the construction of the water main and other necessary improvements incidental thereto, the Mayor and City Council of the City may issue district improvement warrants or bond anticipation notes of Water Service District No. 3 of the City of Gothenburg, Nebraska in form and manner provided by law.

Section 7. To effect the final payment and retirement of said warrants or bond anticipation notes, and to pay for the cost of constructing the water main and other necessary improvements incidental thereto, the Mayor and City Council shall issue bonds in the form and manner provided by law.


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 for two consecutive weeks, 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 of the District created by the terms of this ordinance, which notice shall provide, among other things, that if owners of record title representing more than 50% of the front footage of the property directly abutting on the water main in said District shall file with the City Clerk within twenty (20) days after the first publication of said notice, writing objections to the creation of said District, the improvements in such District shall not be made as provided in this ordinance.

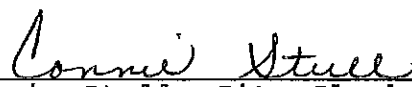
Section 10. All provisions of any prior ordinance of the City of conflict herewith are hereby repealed.

Passed and approved this 27th day of June, 1995.


CITY OF GOTHENBURG,  
DAWSON COUNTY, NEBRASKA

BY   
Richard L. Blase, Mayor

ATTEST:

  
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Connie Stull, City Clerk

APPROVED AS TO FORM:

  
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Michael L. Bacon  
City Attorney