

A meeting of the Mayor and Council of the City of Gothenburg, Nebraska, was held at the City Hall in said City on the 16<sup>th</sup> day of December, 1997, at \_\_\_\_\_ 7:00 o'clock P.M.

Present were: Mayor: Blase and Council Members Hudson, Shackleton and Norseen. Absent: Christensen

Notice of the meeting was given in advance hereof by publication in The Gothenburg Times, a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Council Member Hudson introduced Ordinance No. 690 entitled:

ORDINANCE NO-690

AN ORDINANCE OF THE CITY OF GOTHENBURG NEBRASKA, CREATING WATER SERVICE DISTRICT NO. 6 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 ASSESSMENT OF THE COST OF SAID IMPROVEMENTS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS OR BOND ANTICIPATION NOTES AND DISTRICT BONDS; PROVIDING FOR REPEALING OF ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT AND ORDERING THE PUBLICATION OF THE ORDINANCE.

and moved that the statutory rule requiring reading on three different days be suspended. Council Member Norseen seconded the motion. The following Council Members voted AYE; Norseen,

Hudson and Shackleton.

The following voted NAY: None

The motion to suspend the rules was adopted by three-fourths of the council and the statutory rule was declared suspended for consideration of said Ordinance.

Said Ordinance was then read by title and thereafter Council Member Norseen moved for final passage of the Ordinance, which motion was seconded by Council Member Shackleton. The Mayor then stated the question was "Shall Ordinance No. 690 be passed and adopted?" Upon roll call vote, the following Council Members voted YEA! Hudson, Norseen and Shackleton.

The following voted NAY: None. The passage and adoption of said ordinance having been concurred in by a majority of all members of the Council the Mayor declared the ordinance adopted and the Mayor in the presence of the Council signed and approved the ordinance and the Clerk attested the passage and approval of the same and affixed her signature thereto and ordered the Ordinance to be published as provided therein. A true, correct and complete copy of said ordinance is as follows:

ORDINANCE NO. 690

AN ORDINANCE OF THE CITY OF GOTHENBURG, NEBRASKA, CREATING WATER SERVICE DISTRICT NO. 6, 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 IMPROVEMENT WARRANTS OR BOND ANTICIPATION NOTES AND DISTRICT BONDS; PROVIDING FOR REPEALING OF ALL 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, NEBRASKA:

Section 1. Water Service District No. 6 of the City of  
Gothenburg, Nebraska is hereby created.

Section 2. Said Water Service District No. 6 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. 6

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

An eight (8) to ten (10) inch diameter water main to be  
constructed within or adjacent to State of Nebraska  
Highway No 47 right-of-way commencing at a point  
approximately 730 feet south of the North line of the SW  
1/4 of Section 15, T11N, R25W and proceeding south  
approximately 1150 feet to a point approximately on the  
West Line of Gothenburg Improvement Company Third  
Addition, formerly Rosewood Subdivision. located  
approximately 85 feet south of the Northeast corner of  
said Third Addition; and

A six (6) inch to ten (10) inch diameter watermain to be  
constructed within Gothenburg Improvement Company (G.I.C.)  
Third Addition, formerly Rosewood Subdivision, right-of-  
way and easements, commencing at a point approximately on  
the East Line of said Third Addition and proceeding West  
to a point approximately on the West Line of said Third  
Addition, all within the City of Gothenburg, Nebraska.

Section 2 and the limits, boundaries, and  
improvements are defined and established as follows:

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

Gothenburg Improvement Company Third Addition, formerly  
Rosewood Subdivision, and the S1/2NE1/4SE 1/4, Gov. Lot 3,  
and Gov. Lot 4 of Section 16 lying South of the present  
North Channel of the Platte River; Gov. Lot 1 of Section  
15 lying South of the North Right-of-Way Line of the Cozad

Canal; and Gov. Lot 2 of Section 22 lying South of the present North Channel of the Platte River; all located in Township 11 North, Range 25 West and lying North of the Northerly right-of-way line of Interstate Highway No. I-80.

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. 6 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 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.

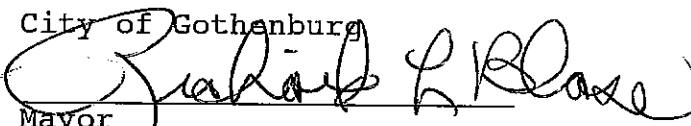
Section 8. This ordinance shall be published one time in The Gothenburg Times, a legal newspaper published and of general circulation in the City of Gothenburg, Nebraska. and shall take effect and be in full force from and after its passage, approval and publication as provided by law.

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 to the District created by the terms of this ordinance, which notice shall provide, among other things,

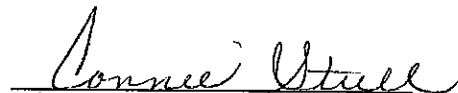
that if owners of record title representing more than 50% of the front footage of the property directly abutting on the water main in said District shall file with the City Clerk within twenty (20) days after the first publication of said notice, writing objections to the creation of said District, the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

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

PASSED AND APPROVED this 16<sup>th</sup> day of December, 1997.

City of Gothenburg  
  
Mayor

ATTEST:

  
City Clerk