

RESOLUTION NO. 4-A

WHEREAS, the Mayor and Council of the City of Gothenburg, Dawson County, Nebraska, did on the 29th day of May, 1955, duly pass and approve Ordinance No. 123 creating pavement and improvement districts numbered 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 in said City for the purpose of paving and improving the streets as follows:

- (A) Paving and Improvement District No. 8.
A portion of Grand Avenue, a portion of Avenue F (Formerly known as First Street) and a portion of Twenty-first Street (Formerly known as Power Street) within said City.
- (B) Paving and Improvement District No. 9.
A portion of Avenue G (Formerly known as C Street and Second Avenue) and a portion of Thirteenth Street (Formerly known as First Avenue, Second Street and Marden Street) within said City.
- (C) Paving and Improvement District No. 10.
A portion of Eighteenth Street (Formerly known as Beattie Street) within said City.
- (D) Paving and Improvement District No. 11.
A portion of Seventeenth Street (Formerly known as Stansell Boulevard) within said City.
- (E) Paving and Improvement District No. 12.
A portion of Sixteenth Street (Formerly known as Hunter Street and Fourth Avenue) and a portion of Avenue D (Formerly known as West Street) within said City.
- (F) Paving and Improvement District No. 13.
A portion of Fifteenth Street (Formerly known as Third Avenue and Green Street) within said City.
- (G) Paving and Improvement District No. 14.
A portion of Fourteenth Street (Formerly known as Second Avenue and Hull Street) and a portion of Avenue C (Formerly known as Lake Street), within said City.
- (H) Paving and Improvement District No. 15.
A portion of Sixteenth Street (Formerly known as Fourth Avenue and Hunter Street) and a portion of Avenue C (Formerly known as Lake Street) within said City.
- (I) Paving and Improvement District No. 16.
A portion of Avenue A (Formerly known as Kearney Street), a portion of Twelfth Street (Formerly known as First Street) and a portion of Tenth Street (Formerly known as Third Street) within said City.

(J) Paving and Improvement District No. 17.

A portion of Avenue C (Formerly known as Lake Street) and a portion of Ninth Street (Formerly known as Second Street) within said City.

(K) Paving and Improvement District No. 18.

A portion of Twelfth Street (Formerly known as Park Avenue and First Street) within said City.

Which ordinance was duly published one time in the Gothenburg Times on June 2, 1955, and

WHEREAS, Notice of Creation of said Paving and Improvement District Numbered 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 was published twice in the Gothenburg Times on June 9, 1955 and June 16, 1955, and

WHEREAS, a petition remonstrating against the establishment of said Paving and Improvement Districts in so far as the same effected the paving and improving C Street as included in said District or Districts was timely and duly filed with the City Clerk on June 29th, 1955, and no further remonstrances were filed against the establishment of said District or Districts on or before 20 days after June 9, 1955, and

WHEREAS, the Mayor and Council have before them a list of the resident owners of the property directly abutting on said Avenue C as the same is to be improved and the property directly abutting upon Paving and Improvement Districts No. 14, 15 and 17, they being the Districts which in part comprise that portion of Avenue C within the City of Gothenburg, Nebraska, which is to be improved, as of May 29, 1955, the date of the passing of said ordinance, and

WHEREAS, the Mayor and Council have considered said petition objecting to the establishment of said Paving and Improvement Districts as the same effect that portion of Avenue C contained within the said paving improvement districts and have made the following findings in connection therewith, to-wit:

That on the date of the passage of said ordinance by the Mayor and Council there were 56 resident owners of property directly abutting on that portion of Avenue C to be improved in the paving districts set forth in Ordinance 123; that in Paving and Improvement District No. 14 there were 15 resident owners of property directly abutting on Avenue C within said

District; that in Paving and Improvement District No. 15 there were 11 resident owners of property directly abutting on Avenue C within said Paving and Improvement District No. 15; that there were 16 resident owners of property directly abutting on that portion of Avenue C within said Paving and Improvement District No. 17. That there were 37 resident owners of property directly abutting on the streets included within the confines of Paving and Improvement District No. 14; that there were 38 resident owners of property directly abutting upon the street within the confines of Paving and Improvement District No. 15; that there were 13 resident owners of property directly abutting upon the streets within the confines of Paving and Improvement District No. 17; that there was a total of 87 resident owners of property directly abutting upon the streets in all of the Paving and Improvement Districts No. 14, 15 and 17.

That the remonstrance petition as filed herein lists the names of 11 resident owners of property directly abutting on Avenue C within the area of Paving and Improvement District No. 14; that said remonstrance petition lists the names of 12 resident owners of property directly abutting upon Avenue C within the area of Paving and Improvement District No. 15; and there were 4 resident owners of property directly abutting upon Avenue C within the area of Paving and Improvement District No. 17.

That the entire remonstrance petition bears the names of 27 resident owners of property directly abutting upon Avenue C within the confines of Paving and Improvement Districts 14, 15 and 17, and

That the 11 persons whose names appear on the remonstrance petition in District 14; the 12 persons whose names appear on the remonstrance petition in Paving and Improvement District No. 15 and the 7 persons whose names appear on the remonstrance petition with property situated in Paving and Improvement District 17 do not constitute a majority of the resident owners of property in any one of said districts nor do they in the aggregate constitute a majority of the resident property owners of property directly abutting on the streets within all of the said districts numbered 14, 15 and 17 nor do they constitute a majority of the resident owners of property directly abutting on Avenue C as the same constitutes a portion of any one of the paving and improvement districts No. 14, 15 and 17 nor do they in the aggregate constitute a majority of all of the resident owners of property

directly abutting upon Avenue C as the same appears in all of the Districts No. 14, 15 and 17.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA, that the petition filed on June 29th 1955, remonstrating against the establishment of Paving and Improvement Districts as the same effect that area of Avenue C within the corporate boundaries of the City of Gothenburg between 8th Street and 17th Street or within any of the several districts as set forth in Paving and Improvement Districts No. 14, 15 and 17, did not carry sufficient names of resident owners of property directly abutting on Avenue C between 8th Street and 17th Street nor does said petition carry sufficient names of resident owners of property directly abutting on Avenue C as the same appears within the confines of the Paving and Improvement Districts No. 14, 15 and 17, nor does said petition carry sufficient names of resident owners of property directly abutting on Avenue C in the aggregate in so far as the area included within the several districts is concerned, to constitute a majority thereof on the date of passage of Ordinance No. 123 establishing said Districts, and that said ordinance creating said District shall remain in full force and effect and shall not be repealed.

Resolution duly adopted this 30th day of Aug, 1955.

Attest:

Adeline Ballman
City Clerk

W. J. Clark
Mayor