

A meeting of the Mayor and Council of the City of Gothenburg, Nebraska, was held at the City Hall in said City on the 5th day of November, 1996, at 7 o'clock p.m. Present were: Mayor: Richard Blase; Council Members: Larry Franzen, Joyce Hudson, Gary Norseen
Kenneth Christensen.

Absent: none.
Notice of the meeting was given in advance thereof by publication in The Gothenburg Times, a designated method for giving notice, as show 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.

The Mayor stated that the purpose of the meeting was to fully consider objections to the passage of the Resolution of Necessity for sanitary sewer improvements in Sanitary Sewer District No. 29 of the City of Gothenburg, Nebraska, as proposed at a meeting of the Mayor and Council held on the 1st day of October, 1996, and spread at length on the minutes of that meeting and to consider objections to the making of the improvements as provided for in such resolution.

The Clerk reported that no protests to the proposed improvements or to the Resolution of Necessity were filed in his office prior to the time set for such filing.

Council Member Christensen then introduced the following resolution: 1996-29

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

The Mayor and Council hereby find and determine: That there was proposed at a meeting of the Mayor and Council of the City of Gothenburg, Nebraska, on the 17th day of September, 1996, a Resolution of Necessity for the construction of improvements to the existing sewage collection system of the City, which improvements shall consist of a 12 inch diameter sanitary

sewer main to be constructed within Ave I extended right-of-way within the City of Gothenburg, Nebraska, together with such other necessary appurtenances thereto as may be required; that notice of pendency of said Resolution was published as provided by law; that the Mayor and Council of the City of Gothenburg, Nebraska, having considered the proposed Resolution of Necessity and there being no written objections thereto, that said Resolution of Necessity so presented and proposed be adopted as proposed.

It was moved by Council Member Christensen and seconded by Council Member Norseen that the foregoing Resolution be adopted. Upon roll call, the following Council Members voted in favor of the adoption of said Resolution:
Hudson, Franzen, Norseen, Christensen

The following voted against the same: none.

The Mayor thereupon declared the motion carried and said Resolution duly passed and adopted.

The following Resolution was then presented and read by the Clerk:

RESOLUTION ORDERING CONSTRUCTION

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

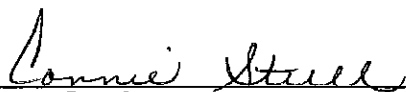
That pursuant to a Resolution of Necessity proposed at a meeting of the Mayor and Council on October 1, 1996, and finally adopted on this date, it is hereby ordered upon motion of this Council without petition of property owners, that the improvements, all as set out in said Resolution of Necessity as finally passed and which Resolution of Necessity is by reference made a part hereof, be constructed.

It was moved by Council Member Christesnsen and seconded by Council Member Norseen that the above Resolution be adopted as read. Upon roll call, the following Council Members voted in favor of the adoption of said Resolution:
Hudson, Franzen, Norseen, Christensen

The following voted against the same: none.

The Mayor thereupon declared the motion carried and said resolution duly passed and adopted.

I, the undersigned, City Clerk of the City of Gothenburg, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on Nov 5, 1996, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.



City Clerk

(S E A L)

NOTICE OF PROPOSED RESOLUTION OF NECESSITY

NOTICE is hereby given that at a meeting of the Mayor and Council of the City of Gothenburg, Nebraska, held on the 1st day of October, , 1996, there was introduced and placed on file the Resolution of Necessity, hereinafter set forth, which Resolution will be considered for passage by the Mayor and council at a meeting to be held at the regular meeting place in said City on the 15th day of ~~October~~ Nov, 1996, at 7 o'clock p.m., at which time and place the Mayor and Council will hear objections to the passage of said Resolution and to the making of the proposed improvements. Thereafter the Resolution may be amended and passed or passed as proposed. Said Resolution is as follows:

"RESOLUTION OF NECESSITY"

"BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA, as follows:

"Section 1. That the Mayor and Council deem and hereby declare it advisable and necessary to pass this Resolution and to construct improvements to the existing sewage collection system of the City, which improvements shall consist of a 12 inch diameter sanitary sewer main to be constructed within Ave I extended right-of-way within the City of Gothenburg, Nebraska, together with such other necessary appurtenances thereto as may be required, and the Mayor and Council further find that said improvements shall be made at public cost, but special assessments on any properties determined by the City Council to be especially benefited thereby, proportionate to benefits, shall be levied to reimburse the City to the extent provided by law.

"Section 2. That the improvements described in Section 1 shall be constructed in accordance with the plans and specifications prepared by the engineer for the City. Reference is hereby made to said plans and specifications, which plans, specifications and estimate of cost for the project have heretofore been filed with the City Clerk and are hereby approved and adopted. The size, location and terminal points for said sanitary sewer main shall be as follows:

A twelve (12) inch diameter sanitary sewer main to be constructed within Ave I extended right-of-way commencing at a point approximately on the south line of N1/2 SW1/4 Sec 15, T11N, R25W and proceeding to a point approximately on the _____ line of East 4th Street, all within the City of Gothenburg, Nebraska.

Said sewer mains shall be constructed of cement concrete pipe, vitrified clay pipe, or such other material deemed suitable by the engineer for the City. In advertising for bids for such work, such notice to bidders shall state the kind of materials to be bid upon, including types specified in this resolution.

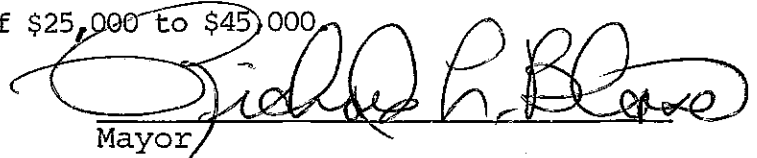
"Section 3. That for the purpose of the construction of the proposed improvements there is hereby created in the City a sewer district to be known and designated as Sanitary Sewer District No. 29 the outer boundaries of which shall include the following described property, to-wit:


A tract of land consisting of the North Half of the Southwest Quarter (N 1/2 SW 1/4) of Section 15, Township 11 North, Range 25 West of the Sixth Principal Meridian, within the City of Gothenburg, Dawson County, Nebraska lying East of the Westerly line of Avenue G extended, West of the Easterly line of Avenue J extended and south of the Southerly line of Fifth Street extended. Excepted from the above described tract is a parcel of land owned by the Nebraska Department of Roads and commonly referred to as the State Maintenance Yard.

"Section 4. That to pay the cost of the sewer improvements herein provided for, the Mayor and Council will, after said improvements have been completed and accepted by the City, cause to be issued the negotiable bonds of the City to be called 'Sewer Bonds.' Such bonds shall be issued only in an amount sufficient to pay the costs of the project after taking into account all other funds which may become available to the City.

"Section 5. That the engineer's estimate of cost for such improvements in the range of \$25,000 to \$45,000.

ATTEST:


Mayor



City Clerk

(S E A L)"

Publish 10-16^{4h} and 10-23, 1996.

1p1006

The Gothenburg Times

Proof of Publication

State of Nebraska,

Dawson County,

ss.

Marg Viergutz, being duly sworn on oath deposes and says that he is the Publisher of The Gothenburg Times, a weekly newspaper, which is printed and published at Gothenburg, in the County of Dawson, and State of Nebraska, and that said Gothenburg Times has a bona fide circulation of over three hundred copies weekly, and said newspaper has been published for more than fifty-two successive weeks prior to the publication of the notice annexed hereto, and each of said issues has been published in an office maintained at said place of publication.

That the annexed notice has been published in One Issue of said newspaper, the publication thereof having been made on the 16th day of Oct., 1996.

Marg Viergutz

Subscribed and sworn to before me this

16th day of Oct., 1996.

Joyce Kolbo

Publication Fee \$ 58.91



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"Section 5. That the engineer's estimate of cost for such improvements in the range of \$25,000 to \$45,000.

RICHARD L. BLASE

Mayor
ATTEST:
CONNIE STULL
City Clerk
(SEAL) (140)