

A meeting of the Mayor and Council of the City of Gothenburg, Nebraska, was held at the City Hall in said City on the 18th day of February, 1997 at seven o'clock p.m. Present were: Mayor Richard Blase, Council Members Robert Shackleton, Joyce Hudson, Kenneth Christensen. Absent - Gary Norseen. Notice of the meeting was given in advance thereof 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 and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. 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 following Resolution of Necessity is hereby proposed for passage:

RESOLUTION OF NECESSITY

1997-7

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 an eight inch (8") to twelve (12") inch diameter sanitary sewer main to be constructed within Avenue I extended and, in and adjacent to East 4th Street 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 Avenue I extended right-of-way commencing at a point approximately on the south line of N 1/2 SW 1/4 Section 15, Township 11 North, Range 25 West and proceeding to a point approximately on the north line of 4th Street, together with

An eight (8) inch diameter sanitary sewer main to be constructed within or adjacent to 4th Street right-of-way commencing at a point approximately on the center line of Avenue I extended and proceeding west to a point approximately on the east line of Avenue G extended and proceeding to a point approximately on the west line of Avenue J extended, all within the City of Gothenburg, Nebraska.

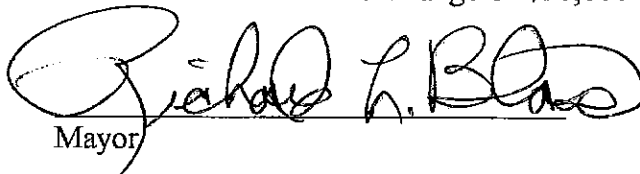
Said sewer mains shall be constructed of cement concrete pipe, vitrified clay pipe, or such other material deemed suitable by the engineer for the City. In advertising for bids for such work, such notice to bidders shall state the kind of materials to be bid upon, including types specified in the resolution.

"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. 30 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, Range 25 West of the Sixth Principle 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 5th 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 construction costs are in the range of \$50,000 to \$100,000.


Mayor

ATTEST


City Clerk

Council Member Christensen moved that the foregoing resolution be proposed and that notice thereof be published as required by law. Council Member Hudson seconded the motion. After consideration the roll was called thereon and the following Council Members voted in favor of the passage of said motion: Shackleton, Hudson, Christensen. The following voted against the same: none.

Council Member Christensen then introduced the following resolution and moved its adoption:

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

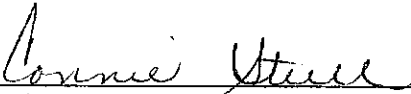
1. The Mayor and Council of the City of Gothenburg, Nebraska will meet at the City Hall in said City at seven o'clock p.m. on the 18th day of march, 1997, for the purpose of considering objections to the passage of the Resolution of Necessity proposed for passage at a meeting of the Mayor and Council of the City of Gothenburg held on the 18th day of February, 1997, and the making of the proposed improvements, at which meeting said Resolution of Necessity may be amended and passed or passed as proposed.

2. The City Clerk be and hereby is instructed to cause notice of the pendency of said Resolution of Necessity and the time and place at which said Resolution will be considered for passage and objections heard thereto to be published in two consecutive weekly publications of The Gothenburg Times, a legal newspaper of general circulation published in said city, which publication shall contain the entire working of the foregoing resolution and the last publication shall not be less than five days nor more than two weeks prior to the time set for such consideration. At said meeting the Council will hear objections to the passage of said resolution and to the making of the proposed improvements, after which the resolution may be passed as proposed or amended and passed as amended.

Council Member Hudson seconded the motion for the adoption of the foregoing resolution. The Mayor stated the motion and instructed the Clerk to call the roll. Upon roll call, the following voted AYE: Shackleton, Hudson, Christensen. Nays - none. The Mayor then declared the motion carried and resolution duly passed and adopted and thereupon instructed the Clerk to cause the notice to be published as provided therein.

I, the undersigned, City Clerk of the City of Gothenburg , Nebraska, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council on February 18, 1997; 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

(SEAL)



City Clerk

3-18-98