

**RESOLUTION 2004- 10**

WHEREAS the City Council of the City of Gothenburg, Dawson County, Nebraska, from time to time deems it appropriate to sell and dispose of excess personal property; and

WHEREAS, the City Council of the City of Gothenburg, Dawson County, Nebraska deems it appropriate to sell certain excess property.

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

Section 1. The City of Gothenburg hereby deems the following described personal property to be excess property not needed by the City of Gothenburg, to-wit:

Penstock pipe from Lake Helen Dam to terminus at the tailrace

Section 2. The City of Gothenburg further finds that the value of above described real property is less than \$5000.00.

Section 3: The above described personal property shall be sold by Sealed Bid, which bid must be delivered to the office of the City Clerk on or before the 15<sup>th</sup> day of June, 2004 accompanied by a certified check payable to the City of Gothenburg in the amount of 20% of the bid. Possession shall occur on or before 30, July, 2004. The successful bidder shall be responsible for removal of the penstock and clean up of all debris created by the removal. Removal shall occur within 45 days from notification of the successful bid.

Section 4. Following the passage of this Resolution, the clerk shall post notice of the proposed sale in three prominent places within the City for a period of not less than 7 days prior to the sale of the property. The notice shall give general description of the property offered for sale and state the terms and conditions of sale.

Section 5. The property shall be sold "as is" without warranties of any kind expressed or implied. Notice of the successful bid shall bind the successful bidder to completion of the removal and clean up as set forth in this resolution.

Section 6. 20% of bid shall be required by good funds with the bid and the remaining 80% of shall be required by good funds upon possession of said personal property.

Passed and approved this 1<sup>st</sup> day of June, 2004.

CITY OF GOTHENBURG,  
DAWSON COUNTY, NEBRASKA

BY Larry Franzen  
Larry Franzen, Mayor

ATTEST:

Connie L. Waleymple  
Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon  
Michael L. Bacon, City Attorney