

2068-16

“RESOLUTION OF NECESSITY

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

“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 sanitary sewer system of the City, consisting of the repairing of a sanitary sewer main in Avenue I of the City and all other necessary appurtenances thereto; and find that said improvements will constitute a general public improvement in said City, which may properly be financed by the issuance of general obligation bonds of said City.

“Section 2. That said sanitary sewer improvements outlined above shall be constructed in accordance with the plans and specifications prepared by the special engineers for the City. Reference is hereby made to said plans and specifications, which plans, specifications and estimate of cost have heretofore been filed with the City Clerk and are hereby approved and adopted.

“Section 3. That said sanitary sewers to be constructed shall be constructed of a concrete cement pipe, vitrified clay pipe, cast iron pipe, or such other material as may be deemed suitable and specified by the engineers. The size, location and terminal points of said main shall be as follows:

A 15” sanitary sewer main beginning at the centerline of 8<sup>th</sup> Street and the centerline of Avenue “I”, in the City of Gothenburg, Dawson County, Nebraska; thence northwesterly on the centerline of said 8<sup>th</sup> Street, a distance of 190 feet; thence northeasterly parallel with the centerline of said Avenue “I”, a distance of 1510 feet to the centerline of Washington Street; thence southeasterly on the centerline of said Washington Street, a distance of 380 feet; thence southwesterly parallel with the centerline of said Avenue “I”, a distance of 1510 feet to the centerline of said 8<sup>th</sup> Street; thence northwesterly on the centerline of said 8<sup>th</sup> Street a distance of 190 feet to the point of beginning.

“Section 4. 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. 33, the outer boundaries of which coincide with and are the same as the corporate limits of the City.

“Section 5. That to pay the cost of the improvements herein provided for, the Mayor and Council will, after such improvements have been completed and accepted by the City, cause to be issued the negotiable bonds of the City to be called ‘Sewer Bonds’. All of the said improvements are declared to be general public improvements and not local improvements and for the benefit of all the property in the City. All of said improvements are found and declared to be necessary and proper to furnish a sanitary

furnish a sanitary sewer system for said City.

“Section 6. That the engineers’ estimate of the cost of such improvements is \$160,000.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

(S E A L)”

Council Member \_\_\_\_\_ moved that the foregoing resolution be proposed and that notice thereof be published as required by law and Council Member \_\_\_\_\_ seconded the motion and after consideration the roll was called and the following Council Members voted in favor of the passage of said motion: \_\_\_\_\_

\_\_\_\_\_. The following voted against the same: \_\_\_\_\_.

Council Member \_\_\_\_\_ then introduced the following resolution and moved its adoption. Council Member \_\_\_\_\_ seconded the motion for the adoption of the foregoing resolution and on roll call the following Council Members voted in favor of said motion: \_\_\_\_\_

\_\_\_\_\_. The following voted against the same: \_\_\_\_\_. The Mayor declared the motion carried and the resolution adopted. A true, correct and complete copy of said resolution is as follows:

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

1. That the Mayor and Council will meet at the regular meeting place in said City at \_\_\_\_\_  
o'clock \_\_\_\_M. on the 5<sup>th</sup> day of August, 2008, for the purpose of considering objections to the passage  
of a Resolution of Necessity proposed for passage at a meeting of the Mayor and Council of said City  
held on the 15<sup>th</sup> day of July, 2008, and making of the proposed improvements, at which meeting said  
Resolution of Necessity may be amended and passed, or passed as proposed.

2. The Clerk be and is hereby 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 published in and of general circulation published in said City, which publication shall contain  
the entire wording 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.

PASSED AND APPROVED this 15<sup>th</sup> day of July, 2008.

ATTEST:

By \_\_\_\_\_

Mayor

\_\_\_\_\_  
City Clerk

(S E A L)

I, the undersigned, City Clerk for 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 July 15, 2008; 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 agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; 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; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

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City Clerk

(SEAL)