

RESOLUTION NO. 2009-02

A RESOLUTION OF THE CITY OF GOTHENBURG, NEBRASKA ACCEPTING IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 100 AND 117 AND STREET IMPROVEMENT PROJECT NOS. 115, 116 AND 118; FINDING THE COSTS OF IMPROVEMENTS THEREIN AND ESTABLISHING THE TIME AND PLACE TO SIT AS A BOARD OF EQUALIZATION AND ASSESSMENT TO EQUALIZE AND LEVY SPECIAL ASSESSMENTS IN STREET IMPROVEMENT DISTRICT NOS. 100 AND 117 AND STREET IMPROVEMENT PROJECT NOS. 115, 116 AND 118; AND RELATED MATTERS

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

Section 1. The Mayor and Council of the City of Gothenburg, Nebraska (the "City") hereby find and determines as follows:

(a) Pursuant to (1) Ordinance Nos. 819 and 836, the City has duly created Street Improvement District Nos. 100 and 117, respectively (collectively, the "Districts"), of the City and (2) 832, 833 and 839 the City has duly created Street Improvement Project Nos. 115, 116 and 118, respectively (collectively, the "Projects"), of the City, and the City has contracted for the construction of certain improvements in each of the Districts and in each of the Projects (collectively, the "Improvements").

(b) Miller & Associates Consulting Engineers, P.C., Kearney, Nebraska, special engineers (the "Engineers"), have filed with the Clerk its Certificate stating that (1) the construction of the Improvements in each of the Districts and in each of the Projects has been completed in accordance with the plans and specifications for such work, and (2) recommending that the Improvements be accepted and approved by the Mayor and Council.

(c) The Engineers have prepared and filed with the Clerk on or before the date of this resolution a map of the property in each of the Districts and in each of the Projects and a tentative schedule of assessments in each of the Districts and in each of the Projects which shall be open for public inspection, upon request, at the office of the City.

Section 2. The Improvements have been completed and are hereby accepted and approved by the Mayor and Council. All actions taken by the City's officers, employees and agents in obtaining and completing the Improvements are hereby adopted, ratified and approved.

Section 3. The Council finds and determines that the cost of constructing the Improvements in each of the Districts and in each of the Projects, including (a) the cost of improvements of intersections and areas formed by the crossing of streets, avenues and alleys, and (b) the cost of the improvements opposite abutting property (being all said improvements exclusive of intersections and areas formed by the crossing of streets, avenues and alleys), is as follows:

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<u>STREET IMPROVEMENT DISTRICT/PROJECT NO.</u>	<u>INTERSECTIONS</u>	<u>GENERAL BENEFIT</u>	<u>SPECIAL BENEFIT</u>	<u>TOTAL</u>
100	\$10,301.17	\$42,426.06	\$189,592.90	\$242,320.13
115	10,958.06	347.56	74,608.30	85,913.92
116	8,008.41	289.64	83,116.62	91,414.67
117	24,892.00	0.00	92,202.22	117,094.22
118	4,537.43	0.00	23,012.68	27,550.10

Section 4. The Council shall hold a meeting on Tuesday, January 5, 2010 at 7:00 p.m. in the Council Chambers, City Hall, 409 Ninth Street in the City for the purpose of sitting as a Board of Equalization and Assessment to equalize and levy special assessments on the lots and parcels of land abutting on or adjacent to the Improvements constructed in each of the Districts and in each of the Projects. The Clerk's publication of notice of the time of holding such meeting and the purpose for which it is held in the *Gothenburg Times*, a legal newspaper of general circulation in the City, on December 2, 2009, not less than four (4) weeks before the date of such meeting, is hereby ratified and confirmed. The Clerk is directed to mail a copy of such notice to all interested parties as required by law.

Section 5. If any section or other part of this Resolution is for any reason held invalid, the invalidity thereof shall not affect the validity of any other provision of this Resolution.

Section 6. This Resolution shall take effect and be in full force from and after its due passage and approval as provided by law.

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CITY OF GOTHENBURG, NEBRASKA

ATTEST:

By: Conner L. Halverson
Clerk

By: Justin E. Halverson
Mayor

[SEAL]