

RESOLUTION NO. 2010-1

A RESOLUTION OF THE CITY OF GOTHENBURG, NEBRASKA LEVYING SPECIAL ASSESSMENTS IN STREET IMPROVEMENT DISTRICT NOS. 100 AND 117 IN STREET IMPROVEMENT PROJECT NOS. 115, 116 AND 118; AND RELATED MATTERS

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

(a) The Council has previously designated the time and place for considering and levying assessments upon the property specially benefited by the improvements in Street Improvement District Nos. 100 and 117 (collectively, the "Districts") and in Street Improvement Project Nos. 115, 116 and 118 (collectively, the "Projects") to pay the cost of constructing the same.

(b) Notice of the time and place of holding the meeting for such purpose was duly given as provided by statute by publication in the *Gothenburg Times*, a legal newspaper of general circulation in the City in accordance with law, such publication being made at least four weeks before the date of this meeting.

(c) The Mayor and each member of the Council have personally inspected such street improvements and the real estate abutting on and adjacent hereto.

(d) The Mayor and council have at this session heard all persons who desire to be heard in reference to the valuation of each lot to be assessed and the special benefits or damages hereto and have considered the advice of the engineers in charge of the construction and improvements.

Section 2. The Mayor and Council further finds and determines that the costs of the street improvements constructed in each of the Districts and in each of the Projects are as follows:

<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

The Council further finds and determines that no lot or parcel of land in any of the Districts or in any of the Projects has been damaged by the construction of such improvements, and that the amount of benefits specially accruing to each lot and parcel of land in each District and in each Project by reason of the construction of such street improvements exceeds the amount assessed against each lot or parcel of land to pay the cost of such improvements.

Section 3. There is hereby levied and assessed upon the several lots and parcels of land in each District and in each Project special assessments to pay the cost of constructing said improvements in the amount in dollars and cents set out in **Attachment 1** hereto, and which are made a part hereof by reference. The assessment upon each lot and parcel of land is not in excess of benefits hereto specially

accruing from the construction of such improvements, and the special assessments have been apportioned among the several lots and parcels of land subject to assessments in proportion to the special benefits accruing to such lots and parcels of land respectively from such improvements.

Section 4. Such special assessments shall be a lien on the property on which they are levied from the date of passage of this resolution and shall be certified by the Clerk to the City Treasurer for collection. The Clerk shall also at the time provided by law cause such assessments or the portion thereof then remaining unpaid to be certified to the County Clerk of Dawson County for entry upon the proper tax list. Such assessments shall be payable to the City Treasurer.

Section 5. Such special assessments levied herein shall become due in fifty (50) days after the date of the passage of this Resolution and may be paid within that time without interest, but if not paid, to bear interest thereafter at the rate of 5.5 percent (.00%) per annum until delinquent; such assessments shall become delinquent in equal annual installments over a fifteen (15) year period. Delinquent installments shall bear interest at the rate provided by law until paid and shall be collected in the usual manner for the collection of taxes. The Clerk shall file a certified copy of the assessment schedule with the City Treasurer and with the County Clerk of Dawson County, Nebraska, as provided by law.

Section 6. If any section or other part of this Resolution is for any reason held invalid, the invalidity thyselself shall not affect the validity of any other provision of this Resolution.

Section 7. 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. Malinowski
Clerk

By: James E. Hudson
Mayor

[SEAL]