

9:15
FILED FOR RECORD 10-5-72 AT 9:15 A.M. IN BOOK 15 OF *Misc*
PAGE 643 REGISTER OF DEEDS, CASS CO., NEBR.
COMPAREL *Betty Philpot* *Dec. # 51*
ORDINANCE NO. 72-11

AN ORDINANCE OF THE VILLAGE OF EAGLE, NEBRASKA, CREATING IMPROVEMENT DISTRICT NO. 4 AND IMPROVEMENT DISTRICT NO. 5 DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR SANITARY SEWER LINES, LATERALS, EXTENSIONS AND SUCH OTHER WORK AS IS NECESSARY AND INCIDENTAL THERETO; AND PROVIDING FOR INSTALLING WATER MAINS AND SUCH OTHER WORK AS MAY BE INCIDENTAL THERETO; PROVIDING FOR PLANS, SPECIFICATIONS, ESTIMATES OF COST, AND SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH WORK AND OTHER EXPENSES INCIDENTAL THERETO; PROVIDING FOR THE ASSESSMENT OF THE COST OF SAID IMPROVEMENTS AGAINST THE PROPERTY OF SAID DISTRICTS ESPECIALLY BENEFITED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF WARRANTS AND PUBLIC IMPROVEMENT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; PROVIDING FOR REPEALING OF ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING THE TIME THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF EAGLE, NEBRASKA:

Section 1. Improvement District No. 4 of the Village of Eagle, Nebraska is hereby created.

Section 2. Said Improvement District No. 4 shall include and encompass the following described property located in the Village of Eagle, Nebraska and the outer boundaries of said District shall be as follows:

Beginning at the center of the intersection of 6th and A Streets, running thence west a distance of 165± feet, running thence south a distance of 370± feet, running thence east a distance of 330± feet, running thence north a distance of 370± feet to the center line of A Street, running thence west a distance of 165± feet to the point of beginning.

The work and improvements in said District and the limits and boundaries shall be as follows:

WATER MAINS TO BE CONSTRUCTED:

A 6" cast iron pipe complete with all hydrants, fittings and accessories shall be constructed commencing at an existing main in "B" Street, thence north in 6th Street to the intersection of 6th and "A" Streets.

SANITARY SEWER LINES TO BE CONSTRUCTED:

A six inch vitrified clay pipe sewer line complete with all manholes and accessories shall be constructed commencing at an existing line in "B" Street, thence north in 6th Street to the intersection of 6th and "A" Streets.

Section 3. Improvement District No. 5 of the Village of Eagle, Nebraska is hereby created.

Section 4. Said improvement District No. 5 shall include and encompass the following described property located in the Village of

Eagle, Nebraska and the outer boundaries of said District shall be as follows:

Commencing at the Southeast corner of Lot Six (L6), Block Seventeen (B17), Original Town, running thence west a distance of 132.0± feet, running thence south a distance of 528± feet, running thence west a distance of 330± feet, running thence south a distance of 495± feet said point being on the south line of Section Twenty (S20), Township Ten North (T10N), Range Nine East (R9E) of the 6th P.M., running thence east along the south line of said Section Twenty (S20) a distance of 165± feet to the Southeast corner said point also being the Southwest corner of Section Twenty One (S21), Township Ten North (T10N), Range Nine East (R9E) of the 6th P.M., running thence east along the south line of Section Twenty One (S21) a distance of 165± feet, running thence north a distance of 693± feet, running thence west a distance of 198± feet, running thence north a distance of 132± feet, running thence west a distance of 132± feet, running thence north a distance of 198± feet, running thence west a distance of 198± feet to the point of beginning.

The work and improvements in said District and the limits and boundaries shall be as follows:

WATER MAINS TO BE CONSTRUCTED:

A 6" cast iron pipe complete with all hydrants, fitting and accessories shall be constructed commencing at an existing main in 2nd and "E" Streets, thence south in 2nd Street to the intersection of 2nd and "F" Street, thence east in "F" Street to the intersection of 1st and "F" Streets, thence south in 1st Street to the intersection of 1st and "H" Streets.

Section 5. The engineers of the Village shall make detailed plans and specifications for said improvements and an estimate of the cost thereof, and shall submit the same to the Board of Trustees. Upon approval of the same by the Village Board, bids for construction of said work shall be provided by advertisement. In advertising for bids, the amount of the engineer's estimate of cost thereof shall be published therewith. On acceptance of any bid therefor, the Chairman and Village Clerk are authorized to enter into a contract on behalf of the Village for such work, and such contract shall be executed by said Chairman and attested by said Village Clerk. The Board of Trustees shall have and hereby reserves the right to reject any and all bids received.

Section 6. The work and improvements shall be made at public cost, but special assessments on the properties specifically benefited thereby shall be levied to reimburse the Village to the extent provided by law. Property included within the boundaries and limits of said Districts as hereinbefore described and defined is hereby declared to be especially benefited by said work and improvements and special assessments against the same shall be made as hereinafter prescribed.

Section 7. For the purpose of paying for the sanitary sewer lines, laterals, extensions and installing water mains and other necessary improvements incidental thereto, the Chairman and Board of Trustees of the Village may issue temporary warrants of Improvement Districts No. 4 and No. 5 of the Village of Eagle, Nebraska in the form and manner provided by law.

Section 8. To effect the final payment and retirement of said warrants and to pay for the cost of sanitary sewer lines, laterals and extensions and installing water mains and other necessary improvements incidental thereto, the Chairman and Village Board shall issue bonds in the form and manner provided by law, and shall assess the costs of said work to the property in said Districts in proportion to the benefits derived therefrom.

Section 9. Notice of the creation of said Districts shall be published in the Platteville Journal, a legal newspaper of general circulation in said Village for two weeks after the publication of said Ordinance.

If any of the sections of this Ordinance shall be voided for any reason, all other sections of this Ordinance shall be valid as long as any section shall exist.

PASSED AND APPROVED This 5th day of December, 1972.

Joy M. Rodaway
Chairman, Board of Trustees

ATTEST:

Constance Halpin
Village Clerk



It was moved by Trustee *Hung* and seconded by Trustee *Trunkensolz* that the Notice of Creation of Improvement District No. 4 and District No. 5 be approved as read and published in said Village on

Eagle Post Office
Village Bulletin Board
Eagle Gift Shop

The Chairman stated the motion and instructed the Clerk to call the roll. Roll call resulted as follows:

YEAS: *Trunkensolz, Hung, Myers, Rodaway*
NAYS: _____

The result of the vote being 4 Yeas and 0 Nays, the Chairman declared the motion carried and ordered the Notice published.

There being no further business to come before the Village Board, the meeting was adjourned.

Constance Thalken
Village Clerk