

Hemp 2287

90-432

Introduce: 12-10-90

ORDINANCE NO. 15801

01 An Ordinance creating Neighborhood Improvement Paving District No. 56
02 for certain streets in the University Place area; defining the limits
03 thereof, establishing the width of the roadway to be paved and the width
04 of the grading to be done; providing for curbing and guttering, and for
05 the payment of costs thereof; designating the property to be benefited;
06 providing for the acquisition of easements and additional right-of-way, if
07 necessary, and repealing all ordinances or parts of ordinances in conflict
08 herewith.

09 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

10 Section 1. Neighborhood Improvement Paving District: Purpose and
11 Intent. The City Council finds it is in the interests of public health,
12 safety, and well-being of the entire community to create Neighborhood
13 Improvement Paving Districts for the purpose of constructing residential
14 street paving in certain designated residential areas of the City, which
15 by reason of age, lack of residential street paving and other public
16 improvements and the general socio-economic conditions of residents, may
17 become deteriorated, undesirable for continued residential dwelling purposes
18 and which, by reason of this neighborhood deterioration, detract from the
19 value and attractiveness of surrounding areas and endanger the health,
20 safety and welfare of the entire community.

21 Section 2. Council designation of Streets in University Place Area for
22 Neighborhood Improvement Paving District. The City Council finds
23 that certain streets in the University Place area designated for a
24 Neighborhood Assistance program meet the criteria for a Neighborhood

2 01 Improvement Paving District as part of a Community Development Plan which
02 was developed in cooperation with the Federal government and approved and
03 funded by the Federal government in accordance with Neb. Rev. Stat.
04 § 15-1302 (1974).

05 Section 3. That Neighborhood Improvement Paving District No. ____ of
06 the City of Lincoln, Nebraska, be and the same is hereby created for the
07 benefit of the community as a part of this program, and that said paving
08 district shall include all that portion of 44th Street from the south curb
09 line of Cleveland Avenue to the north curb line of Madison Avenue, all in
10 said City, and the following described real estate benefited, to-wit:
11 Lots 1 through 3 and Lots 10 through 12, Block 14, Pitcher and Baldwin's 2nd
12 Addition to the University Place, and Lots 4 through 9, Block 45, University
13 Place, located in the Northwest Quarter of Section 17, Township 10 North,
14 Range 7 East of the Sixth Principal Meridian in the City of Lincoln, Lancaster
15 County, Nebraska

16 The roadway to be paved in said district shall be twenty-six (26) feet in
17 width; grading to be from lot line to lot line, and the cost of grading,
18 curbing, guttering, and paving the same, including the cost of grading,
19 curbing, guttering, and paving the intersections and returns, and all expenses
20 incidental to all of said improvements shall be assessed against the property
21 benefited in said district in proportion to the benefits, not exceeding the
22 cost thereof, provided that assessments levied against low income (defined as
23 those at or below 50% of city median income based on family size)
24 owner-occupied residentially zoned properties shall be 100% subsidized and
25 paid with Community Development Block Grant Funds. No real property zoned for
26 commercial or industrial purposes shall be eligible for any subsidy under the
27 provisions of this section. In the event that easements or additional
28 right-of-way must be acquired for the completion of this district, such
29 property rights may be acquired by negotiation and purchase or by
30 condemnation, if necessary as provided by law.

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.01- Section 4. That all ordinances or parts of ordinances in conflict
02 herewith be and the same are hereby repealed.

03 Section 5. This ordinance shall take effect and be in force from and
04 after its passage and publication according to law, but construction shall
05 not be commenced until ordered by resolution by the City Council.

Introduced by

Joe Beth Gutgsell

Approved as to Form:

AYES: Gutgsell, Haar, Hempel, Johanns,
Minnick, Seng, Wilson;
NAYS: None.

William J. Herda
City Attorney

Approved as to Description:

Staff Review Completed:

Ruth Polivani
City Engineer

[Signature]
Administrative Assistant

Preliminary Cost Estimate: \$32,000

SMBI851

APPROVED

JAN 11 1991

Bill Harris
MAYOR

PASSED

JAN 07 1991

BY CITY COUNCIL

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C E R T I F I C A T E

I, Paul A. Malzer, City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of ORDINANCE NO. 15801

as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held JANUARY 7, 1991 as the original appears of record in my office, and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska, this 21ST day of JANUARY, 19 91.

Paul A. Malzer

City Clerk


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CODE *PIBAZ*
UWIPL
CHECKED
ENTERED
EDITED

LANCASTER COURT I.N.E.B.
Dan Galt
REGISTER OF DEEDS
91 JAN 25 AM 9:51
ENTERED ON
NUMERICAL INDEX
AND FOR RECORD AS:

26⁰⁰

City Clerk

INST. NO. 91 '2287