

Following the reading of the title of said ordinance, Trustee Hobelman then moved that said ordinance be passed, which motion was seconded by Trustee McConnell. The Chairman then stated, "The question is, shall Ordinance No. 68 be passed and adopted?" The yeas and nays were called, the vote being as follows: "YEA": Hobelman, McConnell, TeKolste, TenHulzen & Mulder "NAY": None. Absent and not voting: None. The passage and adoption of said ordinance having been agreed upon by a majority of the Trustees elected to the Board of Trustees, the Chairman declared the ordinance passed and adopted and, in the presence of the Board of Trustees, signed and approved said ordinance and the Village Clerk attested its passage and approval and affixed his signature and the seal of the Village thereto.

The following is a true and complete copy of Ordinance No. 68:

ORDINANCE NO. 68

AN ORDINANCE OF THE VILLAGE OF FIRTH, NEBRASKA, CREATING STREET IMPROVEMENT DISTRICT NOS. 1989-1, 1989-2, AND 1989-3; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR PAVING, RESURFACING, GRADING, CURBING AND GUTTERING, DRAINAGE AND STORM SEWER OR SUCH OTHER WORK AS IS NECESSARY AND 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 ASSESSMENT OF THE COST OF SAID IMPROVEMENTS AGAINST THE PROPERTY IN SAID DISTRICT ESPECIALLY BENEFITED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS AND DISTRICT AND INTERSECTION IMPROVEMENT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; AND PROVIDING THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. Street Improvement District Nos. 1989-1, 1989-2, and 1989-3 of the Village of Firth, Nebraska are hereby created pursuant to Sections 17-509, et seq., Reissue Revised Statutes of Nebraska, 1943 as amended.

Section 2. Said Street Improvement District No. 1989-1 shall include and encompass the designated portions of the following streets and alleys in the Village of Firth, Nebraska and the limits, boundaries and improvements are defined and established as follows:

STREET IMPROVEMENT DISTRICT NO. 1989-1

THE STREETS AND ALLEYS TO BE IMPROVED BY PAVING, RESURFACING, GRADING, CURBING AND GUTTERING, DRAINAGE AND STORM SEWER, AND INCIDENTAL WORK CONNECTED THEREWITH ARE:

The north-south alley of Block 33, Original Town, from Third to Fourth Street.

THE PROPERTY TO BE INCLUDED IN THE DISTRICT CONSISTS OF THE AREA DESCRIBED AS FOLLOWS:

Commencing at the intersection of the centerlines of Third Street and Nemaha Street, thence westerly, along the centerline of Third Street, to the centerline of Main Street; thence northwesterly, along the centerline of Main Street, to the centerline of Allen Street; thence northerly, along the centerline of Fourth Street, to the centerline of Nemaha Street, thence southerly, along the centerline of Nemaha Street, to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, Block 33, Original Town.

Section 3. Said Street Improvement District No. 1989-2 shall include and encompass the designated portions of the following streets in the Village of Firth, Nebraska and the limits, boundaries and improvements are defined and established as follows:

STREET IMPROVEMENT DISTRICT NO. 1989-2

THE STREETS TO BE IMPROVED BY PAVING, RESURFACING, GRADING, CURBING AND GUTTERING, DRAINAGE AND STORM SEWER, AND INCIDENTAL WORK CONNECTED THEREWITH ARE:

Russell Circle

THE PROPERTY TO BE INCLUDED IN THE DISTRICT CONSISTS OF THE AREA DESCRIBED AS FOLLOWS:

Commencing at the intersection of the centerlines of Eighth Street and Russell Circle, said point being the point of beginning; thence westerly, along the centerline of Eighth Street, to the intersection of the centerline of Eighth Street and the southerly extension of the west line of Tekolste Addition; thence northerly, along the west line of said addition, to the northwest corner of said addition, thence easterly along the north line of said addition, to the northeast corner of said addition; thence southerly, along the east line of said addition, to the centerline of Eighth Street; thence westerly, along the centerline of Eighth Street, to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Tekolste Addition.

Section 4. Said Street Improvement District No. 1989-3 shall include and encompass the designated portions of the following streets in the Village of Firth, Nebraska, and the limits, boundaries and improvements are defined and established as follows:

STREET IMPROVEMENT DISTRICT NO. 1989-3

THE STREETS TO BE IMPROVED BY PAVING, RESURFACING, GRADING, CURBING AND GUTTERING, DRAINAGE AND STORM SEWER, AND INCIDENTAL WORK CONNECTED THEREWITH ARE:

Third Street from May Street east to the east line of the alley adjacent to the east line of Block 31, Original Town.

THE PROPERTY TO BE INCLUDED IN THE DISTRICT CONSISTS OF THE AREA DESCRIBED AS FOLLOWS:

Commencing at the intersection of the centerline of Third Street and May Street; said point being the point of beginning; thence northerly, a distance of 200 feet, along the centerline of May Street; thence easterly, parallel to the centerline of Third Street, to the east line of the alley which is located adjacent to the east line of Block 31, Original Town; thence southerly, a distance of 400 feet, along the east line of said alley, thence westerly, parallel to the centerline of Third Street, to the centerline of May Street; thence northerly, along the centerline of May Street, to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT:

Lots 7, 8, 9, ,10, 11, 12, Block 31, Original Town.

Lots 10, 11, 12, Block 38, Original Town.

Vacated north 25 feet of Third Street.

Vacated south 25 feet of Third Street.

Section 5. The Village's special engineers, Olsson Associates, Lincoln, Nebraska, 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 Board of Trustees, bids for construction of said work shall be provided by advertisement. 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 the 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 especially benefited thereby may be levied to reimburse the Village to the extent provided by law.

Section 7. For the purpose of paying for the paving, resurfacing, grading, curbing and guttering, drainage and storm sewer, or such other necessary improvements incidental thereto, the Chairman and Board of Trustees may issue district improvement warrants or bond anticipation notes of Street Improvement District Nos. 1988-1, 1988-2, 1988-3, 1988-4 and 1988-5 of the Village of Firth, 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 paving, resurfacing, grading, curbing and guttering, drainage and storm sewer, or other necessary improvements incidental thereto, the Chairman and Board of Trustees shall issue bonds in the form and manner provided by law.

Section 9. The Districts created hereby are separate and distinct, and if any District is objected to by owners of record title representing more than fifty percent of the front footage of the property directly abutting on the street, streets, alley or alleys to be improved and the work not constructed under the District, such objections shall not affect the validity of the creation of any remaining Districts.

Section 10. After the passage and publication of this ordinance as in Section 13 provided, there shall be published, as provided by law, in the The Voice, a weekly newspaper of general circulation in the Village of Firth, Nebraska, a notice with respect to the Districts created by the terms of this ordinance, which notice shall provide, among other things, that if owners of record title representing more than fifty percent of the front footage of the property directly abutting on the street, streets, alley or alleys to be improved in any of said Districts shall file with the Village Clerk within twenty (20) days after the first publication of said Notice, written objections to the creation of their respective District, the improvements in such District shall not be made as provided in this ordinance.

Section 11. This ordinance shall be published one time in The Voice, a legal weekly newspaper of general circulation in the Village of Firth.

Section 12. This Ordinance shall take effect and be in full force thirty (30) days after its enactment and publication unless referendum petitions shall be filed within said 30 days with the Village Clerk pursuant to the provisions of Sections 18-2501 to

18-2537, inclusive, Reissue Revised Statutes of Nebraska, 1943, as amended, in which case the effectiveness of this Ordinance shall be suspended.

PASSED AND APPROVED this 3rd day of January, 1989.

Richard J. Selinger
Chairman

ATTEST:

Roland M. Bensch
Village Clerk

(SEAL)

Motion for adjournment and meeting adjourned.

Richard J. Selinger
Chairman

ATTEST:

Roland M. Bensch
Village Clerk

(SEAL)

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INST. NO. 89 21289

LWW/Ordin1

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