



19981

19

14-1

Introduce: 1-6-14

ORDINANCE NO. 19981

1 AN ORDINANCE creating a business improvement district under the authority of the  
2 Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.) to be known as the West  
3 Haymarket/Downtown Maintenance Business Improvement District for the purpose of providing  
4 specified maintenance, repair and reconstruction of certain public facilities and improvements  
5 within the area generally located along the west line of Outlot C, West Haymarket Addition from  
6 approximately K Street on the south, north to N Street and continuing north along the center line  
7 of Pinnacle Arena Drive to approximately 9th and 10th Streets, thence south to R Street, thence  
8 west to 7th Street, thence south to O Street, thence east to 8th Street, thence south to the alley  
9 south of N Street, thence west to the east line of Outlot C, West Haymarket Addition; providing  
10 for special assessments to be imposed within the district based upon the benefits conferred; and  
11 providing maximum limits upon such assessments.

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

13 Section 1. Resolution of Intention to Create. That a resolution entitled Resolution of  
14 Intention to Create a Business Improvement District ("Resolution of Intent") to be known as the  
15 "West Haymarket/Downtown Maintenance Business Improvement District" within the area  
16 described above, was adopted by the Lincoln City Council on December 9, 2013, as Resolution  
17 No. A-87691.

18 Section 2. Notice of Public Hearing. That on December 19, 2013 notice that the City  
19 Council on January 13, 2014 would hold a public hearing on an ordinance to create the West  
20 Haymarket/Downtown Maintenance Business Improvement District was properly made by  
21 publication of the adopted Resolution of Intent in a newspaper of general circulation in the City

Return to:  
Teresa @ City Clerk

1 of Lincoln, and by mailing a complete copy of Resolution of Intent to each owner of taxable  
2 property within the proposed district as shown on the latest tax roles of the County Treasurer.

3 Section 3. Public Hearing. That the public hearing on the ordinance to create the West  
4 Haymarket/Downtown Maintenance Business Improvement District was held by the City  
5 Council on January 13, 2014, during the regular City Council meeting commencing at 3:00 p.m.  
6 in the City Council Chambers on the first floor of the County-City Building, 555 South 10th,  
7 Lincoln, Nebraska; that at such public hearing, the City Council heard all protests and received  
8 evidence for and against the creation of the proposed West Haymarket/Downtown Maintenance  
9 Business Improvement District; that the City Council has ruled upon all written protests to the  
10 creation of such district which were received prior to the close of the hearing, and hereby finds  
11 that protest was not made by the record owners representing over 50% of the assessable units in  
12 the proposed district.

13 Section 4. District Boundaries. That the boundaries of the West Haymarket/Downtown  
14 Maintenance Business Improvement District shall generally extend along the west line of Outlot  
15 C, West Haymarket Addition from approximately K Street on the south, north to N Street and  
16 continuing north along the center line of Pinnacle Arena Drive to approximately 9th and 10th  
17 Streets, thence south to R Street, thence west to 7th Street, thence south to O Street, thence east  
18 to 8th Street, thence south to the alley south of N Street, thence west to the east line of Outlot C,  
19 West Haymarket Addition. The properties included within the district are those properties lying  
20 within the exterior boundaries of the district. Commonly owned properties that are intersected  
21 by a boundary line establishing the district shall be considered as entirely within the district  
22 unless otherwise determined by the City Council when sitting as a Board of Equalization. The  
23 district boundaries and the properties included therein are more particularly shown and legally  
24 described on the map and list of properties attached hereto marked as Attachment "A" and  
25 incorporated herein by this reference.

1           Section 5. Creation of District; Improvements. That the West Haymarket/Downtown  
2 Maintenance Business Improvement District is hereby created and established. The  
3 maintenance, repair and reconstruction of public improvements and facilities ("Maintenance  
4 Work") to be performed in such business improvement district shall consist of:

5           a. Litter pick up from the sidewalks, planting areas, and beautification areas  
6 within the public right-of-way;

7           b. Care and maintenance of all ornamental/small trees, shrubbery, and other  
8 plantings, but not including major street trees, which maintenance shall include watering,  
9 fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;

10          c. Maintenance of public sidewalks, which maintenance shall include  
11 periodic cleaning and sweeping of sidewalks to remove litter, dirt, liquid spills, food residue, and  
12 stains and bird droppings [such cleaning shall be by washing down where water is available];

13          d. Snow removal from sidewalks located at intersections and handicapped  
14 ramps in high traffic areas.

15           Section 6. Annual Budget and Limitations. That the West Haymarket/Downtown  
16 Maintenance Business Improvement District shall become effective on the date of adoption of  
17 this Ordinance. The estimated total annual costs and expenses for the Maintenance Work to be  
18 performed within such district during the remainder of the September 1, 2013 through August  
19 31, 2014 fiscal year are \$55,726.00 (first partial fiscal year estimate); provided that the  
20 maximum amount of the first partial fiscal year's annual assessment for the district shall not  
21 exceed the total costs and expenses thereof or \$55,800.00 whichever is less. In each succeeding  
22 fiscal year the City Council shall estimate the total annual costs and expenses for the  
23 Maintenance Work, and after public hearing, shall approve an annual budget for the  
24 Maintenance Work. The Maintenance Work annual assessment for such succeeding fiscal year  
25 shall not exceed the actual costs and expenses thereof.

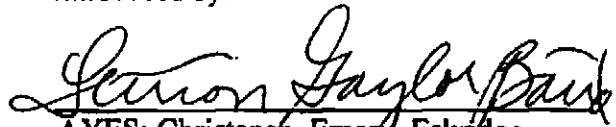
26           Section 7. Method of Assessment. That the costs and expenses for the Maintenance  
27 Work proposed to be performed within this business improvement district will be raised through  
28 special assessments based upon the special benefits to the property as fairly and equitably  
29 equalized by the City Council sitting as a board of equalization. The assessments will be levied  
30 annually on a front foot basis.

1 Section 8. Contributions. That based on the recommendation of the West  
2 Haymarket/Downtown Business Area Improvement Board, all owners of property exempt from  
3 ad valorem taxes within the district shall be invited to contribute annually to the City of Lincoln  
4 to support the Maintenance Work. Any contributions shall be allocated to reduce assessment  
5 rates in the district.

6 Section 9. Enforcement. That the special assessments provided herein shall be a lien on  
7 the property assessed superior and prior to all other liens except general taxes and other special  
8 assessments which shall be of equal priority. Liens for special assessments may be foreclosed  
9 and are subject to interest at the statutory rate when payment of the assessment is delinquent as  
10 provided by law. No special assessment made hereunder shall be void for any irregularity,  
11 defect, error, or informality in procedure, in levy or equalization thereof.

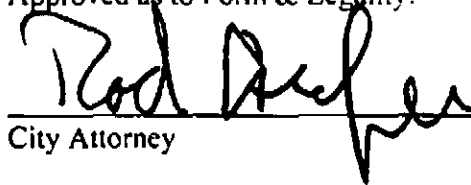
12 Section 10. Effective Date. That this ordinance shall take effect and be in force from and  
13 after its passage and publication according to law.

Introduced by:



AYES: Christensen, Emery, Eskridge,  
Fellers, Gaylor Baird; NAYS: None;  
ABSENT: Camp, Cook.


Approved as to Form & Legality:

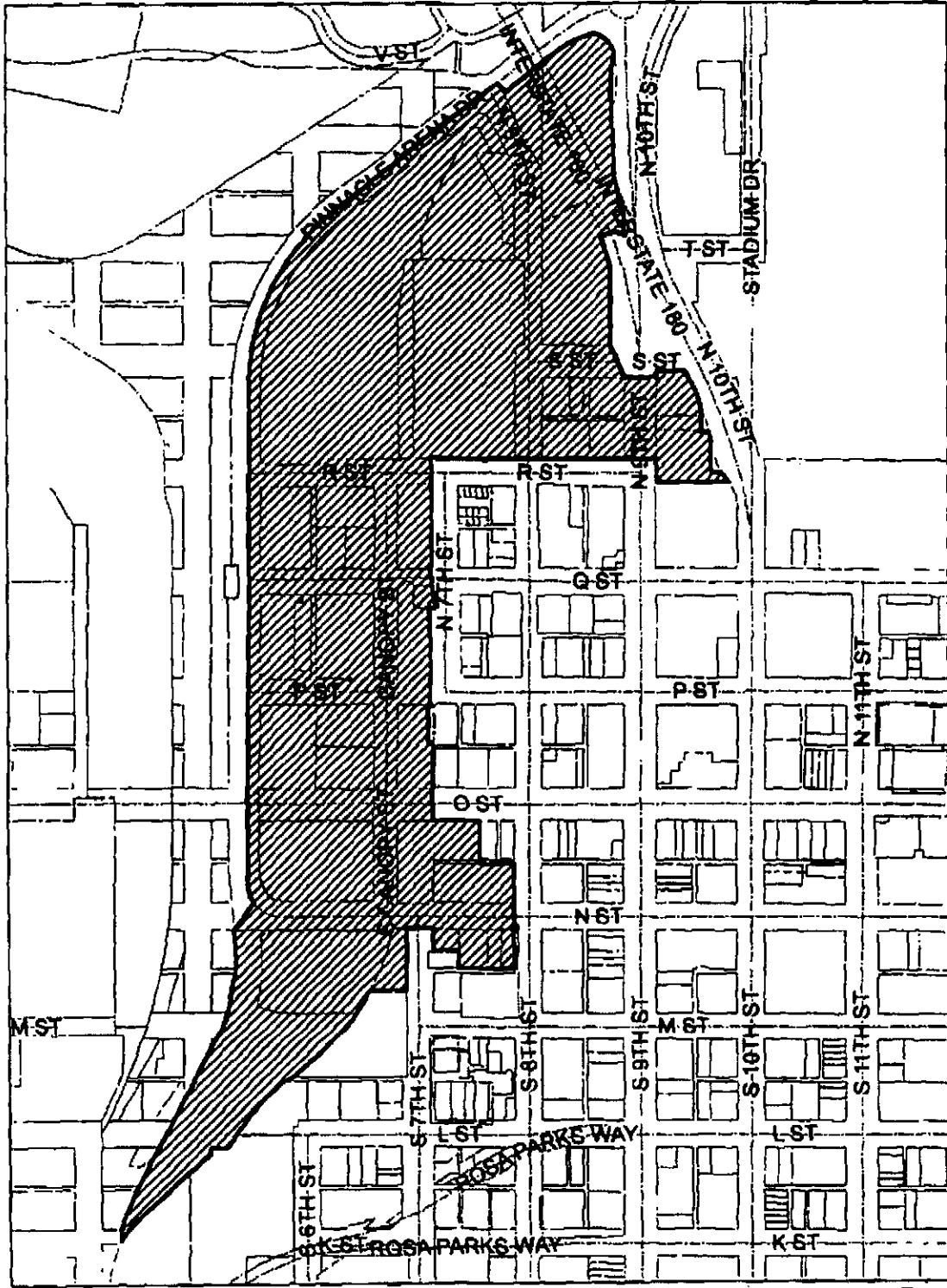
  
City Attorney

**PASSED**

**JAN 27 2014**

**BY CITY COUNCIL**

Approved this 30<sup>th</sup> day of Jan, 2014:  
  
Mayor



Proposed West Haymarket (WHM) Maintenance BID

 Proposed WHM Maintenance BID

 Proposed WHM Maintenance Row



## MAINTENANCE BID PARCELS

| PID           | OWNER  | SITUS                          | Front Feet | Special Assessment |
|---------------|--|--------------------------------|------------|--------------------|
| 1023451004000 | BLOCK 21 LLC   |                                | 8          | \$ 30.43           |
| 1023451005000 | BOARD OF REGENTS (142)                               | 401 N 9 ST, LINCOLN, NE        | 142        | \$ 540.21          |
| 1023451006000 | BOARD OF REGENTS (8)                                 |                                | 8          | \$ 30.43           |
| 1023340003000 | CANOPY STREET CONDOMINIUM BASE ACCOUNT (259)         | 600 Q ST, LINCOLN, NE          | 259        | \$ 985.32          |
| 1023348003000 | CITY OF LINCOLN                                      | 235 N 7 ST, LINCOLN, NE        | 74         | \$ 281.52          |
| 1023451001000 | CITY OF LINCOLN                                      | 800 R ST, LINCOLN, NE          | 142        | \$ 540.21          |
| 1023339003000 | CITY OF LINCOLN & WEST HAYMARKET JOINT PUBLIC AGENCY |                                | 335        | \$ 1,274.45        |
| 1023344001000 | CITY OF LINCOLN & WEST HAYMARKET JOINT PUBLIC AGENCY | 700 N ST, LINCOLN, NE          | 428        | \$ 1,628.25        |
| 1026106004000 | CITY OF LINCOLN DBA LINCOLN ELECTRIC SYSTEM          | 133 S 8 ST, LINCOLN, NE        | 300        | \$ 1,141.29        |
| 1023403008000 | EIGHTH & T LLC                                       |                                | 40         | \$ 152.17          |
| 1023349001000 | HOBSON PLACE CONDOMINIUM BASE ACCOUNT (259)          | 600 Q ST, UNIT #3, LINCOLN, NE | 259        | \$ 985.32          |
| 1026152001000 | JACOBSON LAND & CATTLE CO                            | 215 S 7 ST, LINCOLN, NE        | 55         | \$ 209.24          |
| 1023411003000 | JOURNAL-STAR PRINTING CO                             | 900 R ST, LINCOLN, NE          | 156        | \$ 593.47          |
| 1023411002000 | KINPORT CORPORATION                                  | 901 S ST, LINCOLN, NE          | 148        | \$ 563.04          |
| 1023411004000 | KINPORT CORPORATION                                  | 900 R ST, LINCOLN, NE          | 52         | \$ 197.82          |
| 1023348001000 | LINCOLN DEPOT LTD PARTNERSHIP                        |                                | 300        | \$ 1,141.29        |
| 1023348002000 | LINCOLN DEPOT LTD PARTNERSHIP                        | 201 N 7 ST, LINCOLN, NE        | 500        | \$ 1,902.16        |
| 1026113001000 | MIDWEST STEEL WORKS INC                              | 749 N ST, LINCOLN, NE          | 30         | \$ 114.13          |
| 1026113002000 | MIDWEST STEEL WORKS INC                              | 737 N ST, LINCOLN, NE          | 50         | \$ 190.22          |
| 1026113005000 | MIDWEST STEEL WORKS INC                              | 703 N ST, LINCOLN, NE          | 90         | \$ 342.39          |
| 1026113003000 | MIDWEST STEEL WORKS INC                              | 703 N ST, LINCOLN, NE          | 105        | \$ 399.45          |
| 1023410001000 | NEBRASKA PRESS ADVERTISING                           | 845 S ST, LINCOLN, NE          | 265        | \$ 1,008.14        |
| 1023410012000 | NEBRASKA PRESS ADVERTISING                           |                                | 8          | \$ 30.43           |
| 1023350002000 | PROJECT OSCAR LLC                                    |                                | 366        | \$ 1,392.38        |
| 1023410002000 | SAWMILL BUILDING PARTNERSHIP                         |                                | 25         | \$ 95.11           |
| 1023410003000 | SAWMILL BUILDING PARTNERSHIP                         | 821 S ST, LINCOLN, NE          | 50         | \$ 190.22          |
| 1023410004000 | SAWMILL BUILDING PARTNERSHIP                         | 440 N 8 ST, LINCOLN, NE        | 239        | \$ 909.23          |
| 1023410011000 | SAWMILL BUILDING PARTNERSHIP                         |                                | 8          | \$ 30.43           |
| 1023445001000 | STAR CITY/FEDERAL LLC                                | 850 S ST, LINCOLN, NE          | 695        | \$ 2,644.00        |
| 1023435008000 | STAR PARKING LLC                                     |                                | 300        | \$ 1,141.29        |
| 1023445005000 | STAR PARKING LLC                                     |                                | 195        | \$ 741.84          |
| 1023340002000 | TDP PHASE ONE LLC (518)                              | 601 R ST, LINCOLN, NE          | 518        | \$ 1,970.64        |
| 1023341001000 | TDP PHASE ONE LLC (563)                              | 300 CANOPY ST, LINCOLN, NE     | 563        | \$ 2,141.83        |
| 1023409002000 | UNITED STATES OF AMERICA                             | 700 R ST, LINCOLN, NE          | 952        | \$ 3,621.71        |
| 1023339002000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 57         | \$ 216.85          |
| 1023340001000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   | 555 R ST, LINCOLN, NE          | 670        | \$ 2,548.89        |
| 1023342001000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 625        | \$ 2,377.70        |
| 1023342002000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   | 550 P ST, LINCOLN, NE          | 58         | \$ 220.65          |
| 1023342003000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 742        | \$ 2,822.80        |
| 1023343004000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   | 660 N ST, LINCOLN, NE          | 961        | \$ 3,655.95        |
| 1023343005000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 240        | \$ 913.04          |
| 1023347001000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   | 525 N ST, LINCOLN, NE          | 425        | \$ 1,616.83        |
| 1023347002000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 157        | \$ 597.28          |
| 1023350001000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   | 277 PINNACLE ARENA DR,         | 508        | \$ 1,932.59        |
| 1023350003000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 151        | \$ 574.45          |
| 1026113008000 | WEST HAYMARKET JOINT PUBLIC AGENCY                   |                                | 46         | \$ 175.00          |
| 1023339001000 | WEST HAYMARKET JOINT PUBLIC AGENCY & CITY OF LINCOLN | 400 PINNACLE ARENA DR,         | 2343       | \$ 8,913.51        |
|               |  | 3,804315                       | 14648      | \$ 55,725.61       |



**West Haymarket/Downtown  
Maintenance Business Improvement District**

|   |   |
|---|---|
| HOBSON PLACE CONDOMINIUM, UNIT 602          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 603          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 604          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 605          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 606          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 607          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 608          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 610          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 612          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 703          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 705          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 707          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 708          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 710          | ✓ |
| HOBSON PLACE CONDOMINIUM, UNIT 712          | ✓ |
| HOBSON PLACE CONDOMINIUM, AMENDED, UNIT 511 | ✓ |
| HOBSON PLACE CONDOMINIUM, AMENDED, UNIT 611 | ✓ |
| HOBSON PLACE CONDOMINIUM, AMENDED, UNIT 711 | ✓ |
| HOBSON PLACE CONDOMINIUM, AMENDED, UNIT 509 | ✓ |
| HOBSON PLACE CONDOMINIUM, AMENDED, UNIT 609 | ✓ |
| HOBSON PLACE CONDOMINIUM, AMENDED, UNIT 709 | ✓ |
| WEST HAYMARKET 1ST ADDITION, LOTS 1-3       | ✓ |

HOFLO

WESTHAY1



**West Haymarket/Downtown  
Maintenance Business Improvement District**

|   |   |   |
|---|---|---|
| WESHAY2                                       | WEST HAYMARKET 2ND ADDITION, LOT 1-2  | ✓ |
| LINCOLN<br>Block 1<br>HULLSBB                 | LINCOLN ORIGINAL, BLOCK 8, LOT 2, SW PT, & LOT 3 EX NE PT, & LOT 4, & LOT 5 EX NW PT, & LOTS 6-7 EX NW PT, & LOTS 8-10, & CJ HULLS SUBDIVISION OF LOTS 11 & 12, BLOCK 8, LOTS 1-7 EX E PTS, & VAC T ST, N-S & E-W ALLEYS, N 7TH ST ADJ, & PT VAC U ST | ✓ |
| LINCOLN                                       | LINCOLN ORIGINAL, BLOCK 20, LOT 1 AND LOT 12 & VAC N-S ALLEY ADJ & VAC E-W ALLEY ADJ & LOT 20 & E72.72' VAC 7TH ST ADJ & VAC S ST ADJ   | ✓ |
| DIME  | LINCOLN ORIGINAL, BLOCK 19, LOT 1 AND LOT 12, & W33' VAC 8TH ST ADJ & S10' VAC T ST ADJ & VAC E-W ALLEY ADJ   | ✓ |
| LINCOLN                                       | DINGES & MCGAHEYS SUBDIVISION OF LOTS 1-2, BLOCK 21, LOTS A - G   | ✓ |
| Block 1<br>HULLSB7<br>NOLI                    | LINCOLN ORIGINAL, BLOCK 21, LOTS 3-6  | ✓ |
| COSH1   | LINCOLN ORIGINAL, BLOCK 22, LOTS 9 -10 & VAC E-W ALLEY ADJ  | ✓ |
| ARTHUR<br>LINCOLN<br>LL13-14B52<br>LL17-18B52 | HULLS (C J) SUBDIVISION OF L1-2 B7 LINCOLN, LOT 2 - 7, E PT, & NORTH LINCOLN ADD BLOCK 14 94.83 SF TRI TRACT IN PT LOTS 4 & 5 (DESC IN #2011-5872), & PT VAC 8TH ST (DESC IN #2011-25973)   | ✓ |
| LINCOLN                                       | CORNHUSKER SHADOWS 1ST ADDITION, LOT 1  | ✓ |
| LL5-6B71<br>JACOBSON                          | CORNHUSKER SHADOWS 1ST ADDITION, LOT 2, EX PT IN N (EX DESC #2012-54620)  | ✓ |
|   | ARTS AND HUMANITIES BLOCK ADDITION, THE, LOTS 1-2 AND VAC E-W ALLEY ADJ   | ✓ |
|   | LINCOLN ORIGINAL, BLOCK 52, LOT 15 - 16, & LINCOLN LAND COMPANY'S SUB (OF BLOCK 52 LOTS 13 & 14 ORIGINAL PLAT) LOTS 1 THRU 7 & LINCOLN LAND COMPANY'S SUB (OF BLOCK 52 LOTS 17 & 18 ORIGINAL PLAT) LOTS 1 THRU 7                                      | ✓ |
|   | LINCOLN ORIGINAL, BLOCK 71, LOTS 1-4 & E1/2 VAC ALLEY ADJ TO LOT 4 & VAC 8TH STREET, N STREET & M STREET ADJ AS DESCRIBED IN INST. NO. 2000-14374 EX 325SF 8TH & N STREETS (EX DESC INST# 2012-53777)   | ✓ |
|   | LINCOLN LAND COMPANYS SUBDIVISION OF L5-6 B71 LINCOLN, LOT 1-4  | ✓ |
|   | JACOBSON ADDITION, LOT 1  | ✓ |

# CERTIFICATE

I, Teresa J. Meier, City Clerk of the City of Lincoln, Nebraska, do certify that the above and foregoing is a true and correct copy of the ORDINANCE #19981 - CREATING A MAINTENANCE BUSINESS IMPROVEMENT DISTRICT FOR THE MAINTENANCE, REPAIR AND RECONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND IMPROVEMENTS WITHIN THE AREA GENERALLY LOCATED ALONG THE WEST LINE OF OUTLOT C, WEST HAYMARKET ADDITION FROM APPROXIMATELY K STREET ON THE SOUTH, NORTH TO N STREET AND CONTINUING NORTH ALONG THE CENTER LINE OF PINNACLE ARENA DRIVE TO APPROXIMATELY 9TH AND 10TH STREETS, THENCE SOUTH TO R STREET, THENCE WEST TO 7TH STREET, THENCE SOUTH TO O STREET, THENCE EAST TO 8TH STREET, THENCE SOUTH TO THE ALLEY SOUTH OF N STREET, THENCE WEST TO THE EAST LINE OF OUTLOT C, WEST HAYMARKET ADDITION, TO BE KNOWN AS THE WEST HAYMARKET/DOWNTOWN MAINTENANCE BUSINESS IMPROVEMENT DISTRICT (WHM MAINTENANCE BID) AND PROVIDING FOR SPECIAL ASSESSMENTS TO BE IMPOSED WITHIN THE DISTRICT, passed by the Lincoln City Council, on January 27, 2014, 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 & affixed the seal of the City of Lincoln, Nebraska, this 26<sup>th</sup> day of April, 2017.

*Teresa J. Meier*  
City Clerk

