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23-4-25 436

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Introduce: 8-21-89

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ORDINANCE NO. 15291

01 AN ORDINANCE creating the Downtown Core Management and Enhancement
 02 District, under the authority of the Business Improvement District Act, (Neb.
 03 Rev. Stat. §§ 29-4015, et seq.), providing for the development of public
 04 activities and the promotion of public events, including the management and
 05 promotion and advocacy of retail trade activities or other promotional activi-
 06 ties in the district area; enhancement of the enforcement of parking regula-
 07 tions and the provision of security within the district area; the improvement
 08 of parking availability; the provision of physical improvements for decoration
 09 and security purposes; the maintenance, repair, and reconstruction of improve-
 10 ments of other facilities authorized by the Business Improvement District Act
 11 not otherwise subject to maintenance, repair, or reconstruction under or
 12 within another business improvement district; any other projects or undertak-
 13 ings for the benefit of the public facilities in the district area; the
 14 employment of or contracting for personnel, including administrators, to
 15 provide for any service as may be necessary or proper to carry out the purposes
 16 of the Business Improvement District Act within an area in the downtown core
 17 generally encompassing property between 10th Street and Centennial Mall, and
 18 between "Q" and "M" Streets; providing for payment of the costs of such
 19 activities and improvements; designating the real property to be specifically
 20 benefited by such activities and improvements, and including the same within
 21 said district; authorizing the levy of special assessments against such
 22 specially benefited property; defining the method of such special assessments;
 23 and providing for an effective date.

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

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01 Section 1. Public Hearing; Protests to Creation. That a resolu-
02 tion entitled "Resolution of Intention to Establish a Downtown Core Management
03 and Enhancement District" under the authority of Neb. Rev. Stat. §§ 19-4015,
04 et seq. was adopted by the City Council on August 14, 1989, which resolution
05 is numbered Resolution No. A-72953; that notice of such intention was properly
06 made by publication and mailing to the owners of taxable property within the
07 proposed district; that a public hearing on the creation of said district was
08 held by the City Council on August 28, 1989, during the regular City Council
09 meeting beginning at 1:30 p.m. in the City Council Chambers on the first floor
10 of the County-City Building, 555 South 10th Street, Lincoln, Nebraska 68508;
11 that at such public hearing, the City Council heard all protests and received
12 the evidence for or against the proposed business improvement district; that
13 the City Council has ruled upon all written protests to the creation of such
14 district which were received prior to the close of the hearing, and that
15 protest was not made by the record owners of over 50 percent of the assessable
16 units in the proposed district.

17 Section 2. Creation and Purpose of District; Public Facilities
18 and Improvements Included. That the Downtown Core Management and Enhancement
19 District is hereby established and created under the authority of the Business
20 Improvement District Act for the purpose of:

- 21 a) Developing public activities and promotion of public events,
22 including the management and promotion and advocacy of retail
23 trade activities or other promotional activities in the district
24 area;
- 25 b) Enhancing the enforcement of parking regulations and providing
26 security within the district;

- 01 c) Improving parking availability, and maintaining and operating
02 parking garages and other facilities for the parking of vehicles;
03 d) Providing physical improvements for decoration and security
04 purposes;
05 e) Maintenance, repair, and reconstruction of improvements or
06 facilities authorized by the Business Improvement District Act
07 not otherwise subject to maintenance, repair or reconstruction
08 under or within another business improvement district;
09 f) Any other project or undertaking for the betterment of the
10 public facilities in the district area; and
11 g) Employing or contract personnel, including administrative, to
12 provide for any service as may be necessary or proper to carry
13 out the purposes of the Business Improvement District Act.

14 Section 3. Boundaries of the District; Property Included Within
15 the District. The Downtown Core Management and Enhancement District shall be
16 generally bounded by 10th Street and Centennial Mall, and by "Q" and "M"
17 Streets. The specific boundaries of said district are more particularly shown
18 on the map which is attached hereto marked as Attachment "A" and made a part
19 hereof by reference.

20 The real property proposed to be included within the district is
21 described as follows:

22 The south half of Blocks 36, 37, and 38, all of Blocks 39, 40, 41, 57,
23 58, 64, 65, and 66, the north half of Block 67, Lots 20 and 21, Block
24 42, all of Block 55 except Lots 7 through 12, and Lots 7 through 15,
25 Block 59, all located in the Original Plat of Lincoln, including all
26 those portions of vacated streets and alleys abutting thereon; all of
27 University Square Addition; all of Centrum Block Addition; the north
28 half of Cornhusker Square; and Lots 7 through 9, and the south 50.0
29 feet of Lot 6, Little and Alexander's Subdivision of Lot 63, S.W.
30 Little's Subdivision; all located in the City of Lincoln, Lancaster
31 County, Nebraska,

01 including streets and alleys abutting thereon. Where properties are located on
02 the outer edge of such district, the boundary of the district shall extend to
03 the centerline of any street or alley abutting thereon.

04 Section 4. Method of Assessment. The costs and expenses of the
05 activities and improvements contemplated within the above-described district
06 shall be levied as special assessments, fairly and equitably based upon the
07 special benefits to the property within the district. Such assessments shall be
08 levied annually as a percentage of assessed valuation of the benefitted property
09 within the district. The first estimated special assessment levy is proposed to
10 be not more than \$.257 per \$100 of assessed valuation.

11 Failure to pay any special assessment or installment when due shall
12 subject the assessed property to the payment of such interest and to such
13 collection procedures as are authorized by law.

14 Section 5. Effective Date. That this ordinance shall take effect
15 and be in force from and after its passage and publication according to law.

Introduced by:

Jo Ann Gutgsell

Approved as to Form & Legality: AYES: Gutgsell, Haar, Hempel, Johanns,
Minnick, Seng, Wilson;
NAYS: None.

William F. Gardner
City Attorney

Staff Review Completed:

[Signature]
Administrative Assistant

PASSED

SEP - 5 1989

BY CITY COUNCIL

APPROVED

SEP 8, 1989

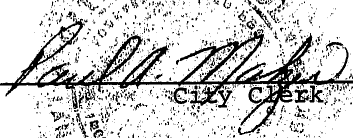
Lynnda Wilson
MAYOR

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. 15291

as passed and approved by the City Council of the City of Lincoln, Nebraska, at its meeting held September 5, 1989 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 26th day of September, 19 89.



City Clerk



BLOCK

CODE

~~CHECKED~~

~~INDEXED~~

~~FILED~~

CITY OF LINCOLN
LANCASTER COUNTY, NEBR.

Dan Jalks
REGISTER OF DEEDS

89 OCT 17 AM 8:06

ENTERED ON
SERIAL INDEX
FILED FOR RECORD AS:

INST. NO. 89 30007

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Letter to [unclear]