

\$53.50

HICKMAN
CHECKED

FILED

Dennis Galt
REGISTER OF DEEDS

2002 DEC 19 P 4:49

INST NO 2002

091869

HICKMAN COUNTY, NE

Hickman, Nebraska
February 28, 2002

The Mayor and Council of the City of Hickman, Nebraska (the "City") met in special session at the Community Center on the 28th day of February, 2002, at 7:30 p.m., in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice thereof by posting the same in three public places in the City, as evidenced by Attachment #1, said form of notice being the designated method for giving notice. Advance notice of the meeting was also given to the Mayor and City Council Members and a copy of their acknowledgment of receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council members. All proceedings hereafter shown were taken while the meeting was open to attendance of the public.

The Mayor, Dennis Heckman, presided, and the City Clerk, Nancy Votta, recorded the proceedings. The following Council Members were present: Alan Zinnecker,
Richard Harms, Doug Hanson, Jack Scott, Jim Plouzek
Absent: Chris Logston. A quorum being present and the meeting duly convened, the following proceedings were had and done.

The Mayor stated that one of the purposes of the meeting was to consider the creation of a street improvement district and to transact such other business as may properly come before the Council.

Council Member Plouzek introduced an ordinance entitled:

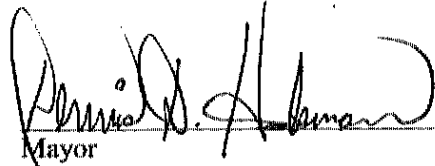
ORDINANCE NO. 2002-2

AN ORDINANCE OF THE CITY OF HICKMAN, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 2002-1; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING AND GUTTERING, 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

City of Hickman
PO Box 127
Hickman, NE 68372

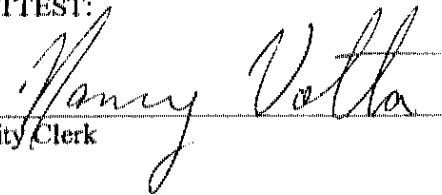
SAID DISTRICT ESPECIALLY BENEFITED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF DISTRICT IMPROVEMENT WARRANTS AND DISTRICT AND INTERSECTION IMPROVEMENT BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Ordinance No. 2002-2 was read by title the first time.



Mayor

ATTEST:



City Clerk

Hickman, Nebraska
March 12, 2002

The Mayor and Council of the City of Hickman, Nebraska (the "City") met in special session at the Community Center on the 12th day of March, 2002, at 7:30 p.m., in a publicly convened session, the same being open to the public and having been preceded by advance publicized notice thereof by posting the same in three public places in the City, as evidenced by Attachment #1, said form of notice being the designated method for giving notice. Advance notice of the meeting was also given to the Mayor and City Council Members and a copy of their acknowledgment of receipt of such notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council members. All proceedings hereafter shown were taken while the meeting was open to attendance of the public.

The Mayor, Dennis Heckman, presided, and the City Clerk, Nancy Votta, recorded the proceedings. The following Council Members were present: Alan Zinnecker,
Richard Harms, Doug Hanson, Jim Plouzek, Jack Scott

Absent: Chris Logston. A quorum being present and the meeting duly convened, the following proceedings were had and done.

The Mayor stated that one of the purposes of the meeting was to consider the remaining steps for the passage and adoption of Ordinance No. 2002-2 ^{creating} Street Improvement District No. 2002-1 of the City, and to transact such other business as may properly come before the Council.

Ordinance No. 2002-2 was read the second time by title.

Council Member Plouzek moved that the statutory rule requiring that ordinances be read by title on three different days be dispensed with so that the third reading of Ordinance No. 2002-2 might be waived and Ordinance No. 2002-2 moved for final passage at this meeting, which motion was seconded by Council Member Zinnecker. The yeas and nays were called and the vote was as follows: "YEA": Harms, Zinnecker, Hanson, Plouzek

"NAY": Scott. Absent or not voting: Logston.

The motion to suspend the statutory rule, having been agreed upon by three-fourths (3/4) of the Members of the City Council present and acting, was by the Mayor declared passed and adopted.

Following the reading of the title of said ordinance, Council Member Plouzek then moved that said ordinance be passed, which motion was seconded by Council Member Hanson. The Mayor then stated, "The question is, shall Ordinance No. 2002-2 be passed and adopted?" The yeas and nays were called, the vote being as follows: "YEA": Harms, Zinnecker, Hanson, Plouzek

_____. "NAY": Scott
_____. Absent or not voting: Logston.

The passage and adoption of said ordinance having been agreed upon by a majority of all of the Members elected to the City Council, the Mayor declared the ordinance passed and adopted and, in the presence of the City Council, signed and approved said ordinance and the City Clerk attested its passage and approval and affixed his signature and the seal of the City thereto.

The following is a true and complete copy of Ordinance No. 2002-2:

ORDINANCE NO. 2002-2

AN ORDINANCE OF THE CITY OF HICKMAN, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 2002-1; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING AND GUTTERING, 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 FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM AND THE TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HICKMAN,
NEBRASKA:

Section 1. Street Improvement District No. 2002-1 ("District No. 2002-1") of the City of Hickman, Nebraska (the "City") is hereby created pursuant to Sections 17-509, *et seq.*, Reissue Revised Statutes of Nebraska, as amended.

Section 2. District No. 2002-1 shall include and encompass the designated portions of the following streets in the City and the limits, boundaries and improvements are defined and established as follows:

STREET IMPROVEMENT DISTRICT NO. 2002-1

THE STREET TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING, DRAINAGE AND STORM SEWER, AND INCIDENTAL WORK CONNECTED THEREWITH IS:

Locust Street from First Street to Third Street

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

Commencing at the Northeast Corner of Lot 11, Block 26 as platted in Hickman, Lancaster County, Nebraska; thence northerly to the Southeast Corner of Lot 7, Block 23, Hickman, Nebraska; thence continuing northerly on the East Line of Lots 7 thru 12 of said Block 23 to the Northeast Corner of said Lot 12; thence continuing northerly to the Southeast Corner of Lot 7, Block 19, Hickman; thence continuing northerly on the East Line of Lots 7 thru 12 of said Block 19 to the Northeast Corner of said Lot 12; thence continuing northerly to the Southeast Corner of Lot 4, Block 16, Hickman; thence westerly on the South Line of said Lot 4, to the Southwest Corner of said Lot 4; thence continuing westerly to the Southeast Corner of Lot 3, Block 15, Hickman; thence continuing westerly on the South Line of said Lot 3, to the Southwest Corner of said Lot 3; thence southerly to the Northwest Corner of Lot 1, Block 20; Hickman; thence continuing southerly on the West Line of Lots 1 thru 6 of said Block 20 to the Southwest Corner of said Lot 6; thence continuing southerly to the Northwest Corner of Lot 1, Block 22, Hickman; thence continuing southerly on the West Line of Lots 1 thru 3 of said Block 22 and its southerly extension to a point on the westerly extension of the North Line of Lot 11 of said Block 26; thence easterly on the westerly extension of the North Line of said Lot 11 to the Northwest Corner of said Lot 11; thence continuing easterly on the North Line of said Lot 11 to the point of beginning.

THE FOLLOWING PARCELS OF LAND, OR PORTIONS THEREOF, ARE INCLUDED IN SAID DISTRICT AND ARE SUBJECT TO ASSESSMENT:

Lots 7, 8, 9, 10, 11 and 12, Block 19, Original City of Hickman, Lancaster County, Nebraska
Lots 1, 2, 3, 4, 5 and 6, Block 20, Original City of Hickman, Lancaster County, Nebraska
Lots 1, 2, 3, 4, 5 and 6, Block 22, Original City of Hickman, Lancaster County, Nebraska
Lots 7, 8, 9, 10, 11 and 12, Block 23, Original City of Hickman, Lancaster County, Nebraska

Portions of the Missouri Pacific Railroad right of way within the above-described boundaries

Section 3. The City's special engineers, JEO Consulting Group, Wahoo, Nebraska, shall make detailed plans and specifications for said improvements in District No. 2002-1 and an estimate of the cost thereof, and shall submit the same to the City Council. Upon approval of the same by the City Council, bids for construction of said work shall be provided by advertisement. On acceptance of any bid therefor, the Mayor and City Clerk are authorized to enter into a contract on behalf of the City for such work, and such contract shall be executed by said Mayor and attested by said City Clerk. The City Council shall have and hereby reserves the right to reject any and all bids received.

Section 4. The work and improvements in each District shall be made at public cost, but special assessments on the properties especially benefitted thereby shall be levied to reimburse the City to the extent provided by law.

Section 5. For the purpose of paying for the paving, grading, curbing and guttering, sidewalks, drainage and storm sewer, or such other necessary improvements incidental thereto, the Mayor and City Council may issue district improvement warrants or bond anticipation notes of the City in the form and manner provided by law.

Section 6. To effect the final payment and retirement of said warrants and bond anticipation notes, and to pay for the cost of paving, grading, curbing and guttering, sidewalks, drainage and storm sewer, or other necessary improvements incidental thereto, the Mayor and City Council shall issue bonds in the form and manner provided by law.

Section 7. After the passage and publication of this ordinance as in Section 8 provided, there shall be published at least once each week for not less than twenty (20) days, as provided by law, in The Voice, a newspaper of general circulation in the City, a notice with respect to each District 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 (50%) of the front footage of the property directly abutting on the street, streets, alley or alleys to be improved in said District shall file with the City Clerk within twenty

(20) days after the first publication of said Notice, written objections to the creation of such District, the improvements in such District shall not be made as provided in this ordinance.

Section 8. This ordinance shall be published in pamphlet form, and in the form and manner provided by law, and shall take effect and be in full force from and after its passage, approval and publication as provided by law.

PASSED AND ADOPTED THIS 12th DAY OF MARCH, 2002


Mayor

ATTEST:


City Clerk

State of Nebraska)

County of Lancaster) ss.

City of Hickman)

I, Nancy Votta, City Clerk of the City of Hickman, Nebraska, do hereby certify that the attached and foregoing Ordinance No. 2002-02 was passed at the regular meeting of the Hickman City Council, Hickman, Nebraska, on March 12, 2002 and that the foregoing is a true copy of said Ordinance No. 2002-02.

Nancy Votta
City Clerk

