

2003 MAR 31 P 1:57

LANCASTER COUNTY, NE

INST NO 2003

028917

5250
BLOCK

CODE

HICKMAN

CHECKED

ENTERED

FILED

Ord. 2003-2

Hickman, Nebraska
March 11, 2003

The Mayor and Council of the City of Hickman, Nebraska (the "City") met in general session at the Community Center on the 11th day of March, 2003, 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, Jim Hrouda, presided, and the City Clerk, Nancy Votta, recorded the proceedings.

The following Council Members were present: Dick Ernest,
Dave Dykmann, Doug Hanson, Kim Hoelsing, Chris Logston, Richard Harms

Absent: none. 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 Doug Hanson introduced an ordinance entitled:

ORDINANCE NO. 2003-2

AN ORDINANCE OF THE CITY OF HICKMAN, NEBRASKA
CREATING STREET IMPROVEMENT DISTRICT NO. 2003-1;
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
P O 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.

Council Member Richard Harms moved that the statutory rule requiring that ordinances be read by title on three different days be dispensed with so that Ordinance No. 2003-2 might be introduced, read by title and then moved for final passage on the same day, without the same being read in full, which motion was seconded by Council Member Chris Logston. The yeas and nays were called and the vote was as follows: "YEA": Ernest, Dykmann, Hanson, Harms, Hoelsing, Logston

“NAY”: none, Absent or not voting: none

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 Richard Harms then moved that said ordinance be passed, which motion was seconded by Council Member Dave Dykmann. The Mayor then stated, "The question is, shall Ordinance No. 2003-2 be passed and adopted?" The yeas and nays were called, the vote being as follows: "YEA": Logston, Hanson, Ernest, Dykmann, Hoelsing, Harms

Absent or not voting: none

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. 2003-2:

ORDINANCE NO. 2003-2

AN ORDINANCE OF THE CITY OF HICKMAN, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 2003-1; 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. the Mayor and City Council of the City of the City of Hickman, Nebraska (the "City") hereby find and determine as follows:

(a) There have been presented to the Mayor and City Council of the City, petitions for the creation of Street Improvement District No. 2003-1 ("District No. 2003-1") of the City of Hickman, Nebraska (the "City") which 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. 2003-1

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

(b) The Mayor and City Council fixed Tuesday, March 11, 2003 at 7:30 p.m. at the Community Center in the City as the time and place for the hearing on the sufficiency of the petition as required by Section 17-513, Reissue Revised Statutes of Nebraska, as amended, notice of which was published in The Voice, a newspaper published and of general circulation in the City on Feb 20, 2003 and Feb 27, 2003.

(c) Copies of the notice of hearing on the sufficiency of petitions were mailed to all nonresident property owners within District No. 2003-1 within five (5) days of the first publication thereof as required by Section 13-310, Reissue Revised Statutes of Nebraska, as amended.

(d) The hearing on the sufficiency of the petitions for the creation of District 2003-1 was held by the Mayor and City Council at the time and place stated in the notice of hearing, and at such hearing, all persons desiring to address the Mayor and City Council were given the opportunity to speak.

(e) District No. 2003-1 contains 1200 feet of front footage of property directly abutting upon the streets, alleys, public ways or public grounds in District No. 2003-1, of which 100 feet are owned by the City and of which the owners of record title of 735 feet of front footage have executed and filed with the City petitions for the creation of District No. 2003-1

(f) The owners of record title representing more than sixty percent (60%) of the front footage of the property directly abutting upon the streets, alleys, public ways or public grounds in District No. 2003-1 have filed petitions with the City in accordance with the provisions of Section 17-510, Reissue Revised Statutes of Nebraska, as amended.

(g) All conditions, acts and things required by law to exist or to be done precedent to the creation of District No. 2003-1 of the City do exist and have been done in due form and time as required by law.

PRESENT -
33-8-7

Section 2. District No. 2003-1 is hereby created pursuant to Sections 17-510, *et seq.*, Reissue Revised Statutes of Nebraska, as amended.

Section 3. District No. 2003-1 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 set forth in Section 1(a) above.

Section 4. The City's special engineers, JEO Consulting Group, Wahoo, Nebraska, shall make detailed plans and specifications for said improvements in District No. 2003-1 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 5. The work and improvements in District No. 2003-1 shall be made at public cost, but special assessments on the properties especially benefited thereby shall be levied to reimburse the City to the extent provided by law.

Section 6. For the purpose of paying for the paving, grading, curbing and guttering, 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 7. 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, 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 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.

Section 9. All provisions of any ordinance adopted prior thereto from the City and in conflict herewith are hereby repealed.

PASSED AND ADOPTED THIS 11th DAY OF MARCH, 2003

Mayor

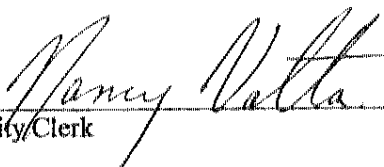
ATTEST:

City Clerk

STATE OF NEBRASKA)
)
COUNTY OF LANCASTER) ss.
)
CITY OF HICKMAN)

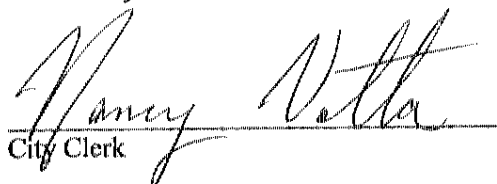
PROOF OF PUBLICATION

Nancy Votta, being first duly sworn under oath says that she is the Clerk of the City of Hickman, Nebraska (the "City") and that the attached and foregoing copy of Ordinance No. 2003-2, providing for the creation of Street Improvement District No. 2003-1 of the City, is a true and correct copy of said Ordinance as passed by the Mayor and City Council at the meeting of March 11, 2003, and that said Ordinance was published in pamphlet form on the 20 day of March, 2003.

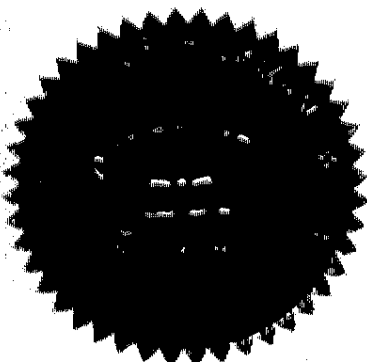


City Clerk

Filed in my office



City Clerk



ACKNOWLEDGMENT OF RECEIPT OF NOTICE OF MEETING

We, the undersigned, constituting all the Members of the City Council of the City of Hickman, Nebraska, hereby acknowledge receipt of advance notice of a meeting of said governing body and the agenda for such meeting held at 7:30 p.m. on Tuesday, March 11, 2003 at the Community Center in said City.


Dated this 11th day of March, 2003.



Mayor



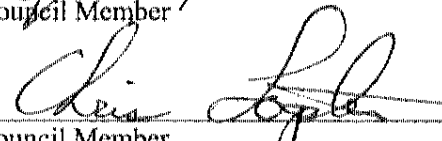
City Clerk




Council Member



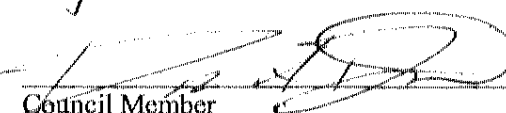
Council Member




Council Member



Council Member



Council Member



Council Member