

FILED SARPY COUNTY NEBRASKA
INSTRUMENT NUMBER

2010-10125

04/23/2010 12:40:33 PM

Lloyd J. Dowding

REGISTER OF DEEDS

COUNTER a S.E. a
VERIFY a
PROOF J
FEES \$ 82.00
CHECK #
CHG COP - 32.00 CASH
REFUND CREDIT
SHORT NCR



**THIS PAGE ADDED
FOR RECORDING
INFORMATION.**

**DOCUMENT STARTS ON
NEXT PAGE.**

LLOYD J. DOWDING

SARPY COUNTY REGISTER OF DEEDS

Steven J. Stastny, Deputy

1210 GOLDEN GATE DRIVE, STE 1109

PAPILLION, NE 68046-2895

402-593-5773

R+R

CITY OF PAPILLION

David P. Black, Mayor

Beth McCarty, City Clerk

122 East Third Street

Papillion, Nebraska 68046

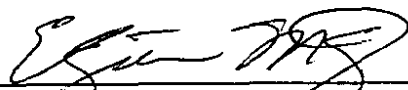
A

CERTIFICATE OF THE CITY CLERK
CITY OF PAPIILLION

STATE OF NEBRASKA)
)ss.
COUNTY OF SARPY)

I, Elizabeth McCarty, City Clerk of the City of Papillion a municipal corporation, within and for the County of Sarpy, State of Nebraska, do hereby certify that the foregoing is a true and correct copy of the original Resolution No. R10-0055 - Schedule of Assessments that was passed and approved by the Papillion Board of Equalization at their meeting on April 6, 2010.

WITNESS my hand and seal on this 21st day of April, 2010.



Elizabeth McCarty, City Clerk for
the City of Papillion



B

RESOLUTION NO. R10-0055

BE IT RESOLVED by the Mayor and City Council sitting as a Board of Equalization, as follows:

1. The Mayor and City Council hereby find and determine that the City of Papillion incurred fair and reasonable costs and expenditures for code enforcement actions against the following described real estate:

PARCEL 1

901 Renee Ave; Legal Desc: LOT 198 PARK HILLS III
Snow removal – Service date: 3/3/09
Mowing & weed removal – Service date: 5/12/09 – Balance \$300.00

PARCEL 3

1103 Laramie Cir; Legal Desc: LOT 155 OVERLAND HILLS III
Compost clean up – Service date: 6/15/09
Yard clean up – Service date: 9/30/09 – Balance \$390.00

PARCEL 4

801 Bailey Dr; Legal Desc: LOT 82 WESTERN HILLS
Mowing – Service date: 6/12/09
Mowing – Service date: 7/23/09
Mowing – Service date: 11/24/09 – Balance \$500.00

PARCEL 5

908 Gayle St; Legal Desc: LOT 12 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 6

916 Gayle St; Legal Desc: LOT 16 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 7

914 Crest Dr; Legal Desc: LOT 25 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

C

PARCEL 8

920 Crest Dr; Legal Desc: LOT 26 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 9

923 Arlene Cir; Legal Desc: LOT 31 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 10

912 Arlene Cir; Legal Desc: LOT 39 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 11

919 Gayle; Legal Desc: LOT 45 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 12

925 Crest Dr; Legal Desc: LOT 62 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 13

981 Patricia Dr; Legal Desc: LOT 73 VILLAS AT CREEKSIDE (1.504 AC)
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 14

Legal Desc: LOT 72 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 15

2608 Alexandra Rd; Legal Desc: LOT 84 EAGLE VIEW
Water usage – Service date 1/31/10 – Balance \$308.52


D

2. That the Mayor and City Council, with assistance of the Building Inspector, have determined what part of the cost of code enforcement should be specially assessed to the property and the Building Inspector has prepared a proposed Schedule of Assessment against said parcels being specially benefitted thereby.
3. That a copy of the proposed Schedule of Assessments was filed on 2nd day of April, 2010, in the office of the City Clerk of the City of Papillion, Nebraska.
4. That the Mayor and City Council by resolution adopted on the 16th day of March, 2010, provided that the Council sit as a Board of Equalization on the 6th day of April, 2010, at 6:45 p.m., and due notice was given of the time and place of said meeting by publication for two consecutive weeks in the Papillion Times, a newspaper of general circulation in the City of Papillion, Nebraska, and by mailing a copy of said notice to each record owner of property proposed to be specially assessed.
5. That there be and hereby is levied against the herein described parcels of real estate assessments in the amount as set out in the Schedule of Assessments, marked at Exhibit "A"; attached hereto and made a part of this Resolution, and that this levy shall be certified by the City Treasurer and to the County Treasurer of Sarpy County, Nebraska, for entry on the tax books and shall be collected by the County Treasurer of Sarpy County, Nebraska, in the same manner as general taxes.
6. That all of the above special assessments shall become due fifty (50) days after the date hereof, and may be paid within said time without interest, but if not so paid, shall bear interest at 8% per annum from date due until delinquent. Payments which are not paid by the delinquent date shall bear interest at the rate of 14% per annum from date of delinquency until paid.
7. Delinquent installments shall draw interest at the rate specified in Section 45-104.01 as such rate may from time to time be adjusted by the legislature after delinquency until paid.
8. **IT IS FURTHER RESOLVED** that city staff may remove from the schedule of assessments any of those properties which have paid the assessments prior to April 6, 2010, at 5:00 p.m.

E

PASSED AND APPROVED this 6th day of April, 2010.

ATTEST:


Elizabeth McCarty, City Clerk
(Seal)


David P. Black, Mayor



F

CERTIFICATE OF THE CITY CLERK
CITY OF PAPILLION

STATE OF NEBRASKA)
)ss.
COUNTY OF SARPY)

I, Elizabeth McCarty, City Clerk of the City of Papillion a municipal corporation, within and for the County of Sarpy, State of Nebraska, do hereby certify that the foregoing is a true and correct copy of the original Board of Equalization Minutes that was passed and approved by the Papillion City Council at their regularly scheduled meeting on April 20, 2010.

WITNESS my hand and seal on this 21st day of April, 2010.


Elizabeth McCarty, City Clerk for
the City of Papillion



G

MINUTE RECORD

PAPILLION BOARD OF EQUALIZATION MINUTES

TUESDAY, APRIL 6, 2010 @ 6:45 P.M.

The Board of Equalization of the City of Papillion met in open and public session at the Papillion City Hall on April 6, 2010 at 6:45 PM. City Clerk Elizabeth McCarty called the roll. Present were Councilmembers Troy Florance, Tom Mumgaard, James Glover, Bob Stubbe, Steve Engberg and Mayor David P. Black. Councilmembers Brian Liesveld, Gene Jaworski and Lu Ann Kluch were absent. Also present were City Administrator Dan Hoins, Assistant City Administrator Christine Myers, City Attorney Michael Schirber, Public Works Director Marty Leming, Planning Director Mark Stursma, Fire Chief Bill Bowes, Manager of Engineering Services Jeff Thompson, Police Chief Len Houloose, Director of Golf Maintenance Tom James, Recreation Director Lori Hansen, Finance Director Nancy Purscell and Chief Building Official Todd Aerni.

Mayor Black led those present in the Pledge of Allegiance.

Affidavit of Publication: Notice of the meeting was given in advance thereof by publication in the Papillion Times, a legal newspaper, on the 18th day of March, 2010, and on the 25th day of March, 2010, a copy of proof of the publication being attached to these minutes is available in the office of the City Clerk. Notice of the meeting was simultaneously given to the Mayor and members of the City Council, and was mailed to all property owners, proposed to be assessed, an affidavit of the mailing of such Notice being attached to these minutes. Availability of the agenda was communicated in the published notice and in the mailed notice. All proceedings of the Mayor and City Council were taken while the convened meeting was open to the attendance of the public.

Public Announcement that a current copy of the open meeting act is posted in the City Council Chambers.

AGENDA ITEMS: (1) Approval of the agenda as presented. Motion to approve the Agenda by Councilmember Stubbe, second by Councilmember Engberg. Upon roll call vote, Florance, Mumgaard, Glover, Stubbe and Engberg all voted yes. Voting no: none. Absent: Liesveld, Jaworski and Kluch. Motion carried.

H

C1. RES. R10-0055 – PUBLIC HEARING AND VOTE - a resolution to consider special assessments upon parcels of real estate for unpaid code enforcement and water usage expenditures. Mayor Black opened the public hearing. No one came forward for the public testimony and the public hearing was closed.

Motion by Councilmember Stubbe, second by Councilmember Engberg to approve RES. R10-0055, which reads:

RESOLUTION NO. R10-0055

BE IT RESOLVED by the Mayor and City Council sitting as a Board of Equalization, as follows:

1. The Mayor and City Council hereby find and determine that the City of Papillion incurred fair and reasonable costs and expenditures for code enforcement actions against the following described real estate:

PARCEL 1

901 Renee Ave; Legal Desc: LOT 198 PARK HILLS III
Snow removal – Service date: 3/3/09
Mowing & weed removal – Service date: 5/12/09 – Balance \$300.00

PARCEL 3

1103 Laramie Cir; Legal Desc: LOT 155 OVERLAND HILLS III
Compost clean up – Service date: 6/15/09
Yard clean up – Service date: 9/30/09 – Balance \$390.00

PARCEL 4

801 Bailey Dr; Legal Desc: LOT 82 WESTERN HILLS
Mowing – Service date: 6/12/09
Mowing – Service date: 7/23/09
Mowing – Service date: 11/24/09 – Balance \$500.00

PARCEL 5

908 Gayle St; Legal Desc: LOT 12 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

I

PARCEL 6

916 Gayle St; Legal Desc: LOT 16 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 7

914 Crest Dr; Legal Desc: LOT 25 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 8

920 Crest Dr; Legal Desc: LOT 26 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 9

923 Arlene Cir; Legal Desc: LOT 31 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 10

912 Arlene Cir; Legal Desc: LOT 39 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 11

919 Gayle; Legal Desc: LOT 45 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 12

925 Crest Dr; Legal Desc: LOT 62 VILLAS AT CREEKSIDE
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 13

981 Patricia Dr; Legal Desc: LOT 73 VILLAS AT CREEKSIDE (1.504 AC)
Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

J

PARCEL 14

Legal Desc: LOT 72 VILLAS AT CREEKSIDE

Fire hydrant obstruction clean up – Service date 7/2/09 – Balance \$100.00

PARCEL 15

2608 Alexandra Rd; Legal Desc: LOT 84 EAGLE VIEW

Water usage – Service date 1/31/10 – Balance \$308.52

2. That the Mayor and City Council, with assistance of the Building Inspector, have determined what part of the cost of code enforcement should be specially assessed to the property and the Building Inspector has prepared a proposed Schedule of Assessment against said parcels being specially benefitted thereby.
3. That a copy of the proposed Schedule of Assessments was filed on 2nd day of April, 2010, in the office of the City Clerk of the City of Papillion, Nebraska.
4. That the Mayor and City Council by resolution adopted on the 16th day of March, 2010, provided that the Council sit as a Board of Equalization on the 6th day of April, 2010, at 6:45 p.m., and due notice was given of the time and place of said meeting by publication for two consecutive weeks in the Papillion Times, a newspaper of general circulation in the City of Papillion, Nebraska, and by mailing a copy of said notice to each record owner of property proposed to be specially assessed.
5. That there be and hereby is levied against the herein described parcels of real estate assessments in the amount as set out in the Schedule of Assessments, marked at Exhibit "A"; attached hereto and made a part of this Resolution, and that this levy shall be certified by the City Treasurer and to the County Treasurer of Sarpy County, Nebraska, for entry on the tax books and shall be collected by the County Treasurer of Sarpy County, Nebraska, in the same manner as general taxes.
6. That all of the above special assessments shall become due fifty (50) days after the date hereof, and may be paid within said time without interest, but if not so paid, shall bear interest at 8% per annum from date due until delinquent. Payments which are not paid by the delinquent date shall bear interest at the rate of 14% per annum from date of delinquency until paid.
7. Delinquent installments shall draw interest at the rate specified in Section 45-104.01 as such rate may from time to time be adjusted by the legislature after delinquency until paid.

K

8. IT IS FURTHER RESOLVED that city staff may remove from the schedule of assessments any of those properties which have paid the assessments prior to April 6, 2010, at 5:00 p.m.

Upon roll call vote, Florance, Mumgaard, Glover, Stubbe and Engberg all voted yes. Voting no: none. Absent: Liesveld, Jaworski and Kluch. Motion carried.

ADJOURNMENT:

Motion to adjourn by Councilmember Engberg, second by Councilmember Florance. Upon roll call vote, Florance, Mumgaard, Glover, Stubbe and Engberg all voted yes. Voting no: none. Absent: Liesveld, Jaworski and Kluch. Motion carried Meeting adjourned at 6:50 PM.

CITY OF PAPILLION



DAVID P. BLACK, MAYOR

Attest:



Elizabeth McCarty, City Clerk

(SEAL)



L

AFFIDAVIT OF MAILING

STATE OF NEBRASKA)
) ss
COUNTY OF SARPY)

Elizabeth McCarty, City Clerk for the City of Papillion, being first duly sworn upon oath, deposes and states as follows:

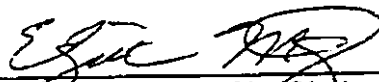
1. I am the City Clerk for the City of Papillion.
2. On the 17th day of March, 2010, I mailed a copy of the attached Notice of Hearing to the following property owners:

	<u>Address</u>	<u>Legal Description</u>
a.	Randall & Peggy Hoover 803 Matthies Drive Papillion, NE 68046	803 Matthies Drive Lot 79, Park Hills Add.
b.	Wesley T. Smith 1001 Blujay Drive Mansfield, TX 76063	901 Renee Avenue Lot 198, Park Hills III
c.	East Construction 911 Killamey Drive Papillion, NE 68046	801 Bailey Drive Lot 82, Western Hills
d.	Anthony Caruse 1103 Laramie Circle Papillion, NE 68046	1103 Laramie Circle Lot 155, Overland Hills III
e.	Peachtree Properties 5120 S. 50 th Street Omaha, NE 68117	908 Gayle Street, Lot 12, Villas at Creekside 916 Gayle Street, Lot 16, Villas at Creekside 914 Crest Drive, Lot 25, Villas at Creekside 920 Crest Drive, Lot 26, Villas at Creekside 923 Arlene Circle Lot 31, Villas at Creekside 912 Arlene Circle Lot 39, Villas at Creekside 919 Gayle Street Lot 45, Villas at Creekside 925 Crest Drive Lot 62, Villas at Creekside Lot 73, Villas at Creekside 981 Patricia Drive Lot 72 Villas at Creekside
f.	James B. Nutter & Company P.O. Box 10346 Kansas City, MO 64171	302 Matthies Drive Lot 12, Vista Valley

M

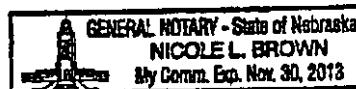
g. Curt Baucke
2608 Alexandra Road
Papillion, NE 68133

2608 Alexandra Road Lot 84, Eagle View


Elizabeth McCarty, City Clerk

Subscribed and sworn to before me this 17th day of March, 2010.


Notary Public



AFFIDAVIT OF PUBLICATION

2010-10125 N

STATE OF NEBRASKA

}
} SS.
}

County of Sarpy

I, Shon Barenklau, being duly sworn, upon oath, Shon Barenklau deposes and says that he is the Publisher of the Papillion Times, Gretna Breeze and Springfield Monitor, all newspapers of general circulation in Sarpy County, Nebraska, and published therein; that said newspaper has been established for more than one year last past; that it has a bona-fide paid subscription list of more than three hundred; that to this personal knowledge, the advertisement, a copy of which is hereto attached, was inserted in the said newspaper once each week, the first insertion having been on:

Thursday, March 18, 2010
hereafter, Thursday, March 25, 2010

Papillion Times
Papillion Times

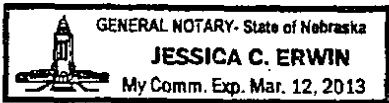
and that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge.

Kirk Hoffman
Shon Barenklau OR Kirk Hoffman
Publisher Business Manager

Subscribed and sworn to before me on this 03-24-2010
dated in my presence and sworn to before me:

Jessica C Erwin

Notary Public



Printer's Fee \$ 85.47
Advertiser Number: 152363
Advertiser Number: 0001203668

CITY OF PAPILLION
122 East Third Street
Papillion, NE 68046

LEGAL NOTICE

Public notice is hereby given that the Chief Building Official and Finance Director of the City of Papillion has filed with the City a statement of costs incurred by the City for mowing, snow removal, fire hydrant obstruction, yard clean up, and water usage against real estate located within the City of Papillion and that the Mayor and City Council of the City of Papillion have prepared a proposed Schedule of Assessments against said properties deemed specially benefited by said expenditures. Notice is further given that the Mayor and City Council will sit as a Board of Equalization at City Hall, 122 East Third Street, Papillion, Nebraska 68046, on the 6th day of April, 2010, at 6:45 p.m. at which meeting the Mayor and City Council will hear and consider appeals from said assessments for mowing, snow removal, fire hydrant obstruction, yard clean up, or water usage against the parcels of real estate, and at which time and place all persons interested shall have the opportunity to be heard.

Address	Legal Description
803 Matthies Dr	LOT 79 PARK HILLS ADD SECOND PLATT
901 Renee Ave	LOT 198 PARK HILLS III
801 Bailey Dr	LOT 82 WESTERN HILLS
1103 Laramie Cir	LOT 155 OVERLAND HILLS III
908 Gayle St	LOT 12 VILLAS AT CREEKSIDE
916 Gayle St	LOT 16 VILLAS AT CREEKSIDE
914 Crest Dr	LOT 25 VILLAS AT CREEKSIDE
920 Crest Dr	LOT 26 VILLAS AT CREEKSIDE
923 Arlene Cir	LOT 31 VILLAS AT CREEKSIDE
912 Arlene Cir	LOT 39 VILLAS AT CREEKSIDE
918 Gayle St	LOT 45 VILLAS AT CREEKSIDE
925 Crest Dr	LOT 62 VILLAS AT CREEKSIDE
981 Patricia Dr	LOT 72 VILLAS AT CREEKSIDE (1.504 AC)
902 Matthies Dr	LOT 12 VISTA VALLEY
801 Bailey Dr	LOT 82 WESTERN HILLS
2608 Alexandra Rd	LOT 84 EAGLE VIEW

By order of the Mayor and City Council, City of Papillion, Nebraska
Elizabeth McCarty
City Clerk
1203668 3/18 3/25