

ORDINANCE NO. 1220

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 1994-1; DEFINING THE SAME AND THE LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING AND GUTTERING, SIDEWALKS, DRAINAGE AND STORM SEWER 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 CRETE, NEBRASKA:

Section 1. Street Improvement District No. 1994-1 of the City of Crete, Nebraska is hereby created pursuant to Sections 17-509, et seq., Reissue Revised Statutes of Nebraska, 1943, as amended.

Section 2. Said Street Improvement District No. 1994-1 shall include and encompass the designated portions of the following streets in the City of Crete, Nebraska and the limits, boundaries and improvements are defined and established as follows:

STREET IMPROVEMENT DISTRICT NO. 1994-1

THE STREETS TO BE IMPROVED BY PAVING, GRADING, CURBING AND GUTTERING, SIDEWALKS, DRAINAGE AND STORM SEWER, AND INCIDENTAL WORK CONNECTED THEREWITH ARE:

Arizona Avenue, from the north right-of-way line of Nebraska Highway 33 north approximately 245 feet.

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

Beginning at a point on the north right-of-way line of State Highway 33, which is 829.1 feet south of the N 1/4 corner of Section 33, T8N, R4E, and on the east line of the NE 1/4, said point being along the north right-of-way line of Nebraska Highway 33; thence easterly along the north right-of-way line of Nebraska Highway 33 to the west right-of-way line of the Burlington Northern Railroad; thence northeasterly along the west right-of-way line of said railroad tracks, a distance of 270.9 feet; thence west on a line perpendicular to the west line of the NE 1/4 of said section, a distance of 512.7 feet; thence south parallel with the west line of the NE 1/4 to the north right-of-way line of Highway 33; thence easterly along the north right-of-way line of Highway 33, to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT:

Part of a tract in the NE 1/4, NW 1/4 of Section 33, T8N, R4E - Beginning at a point on the north right-of-way line of State Highway 33, which is 829.1 feet south of the N 1/4 corner of Section 33, T8N, R4E and on the east line of the NE 1/4; thence at a deflection angle of 80°46' right along the north right-of-way line of said State Highway 33, 277 feet, to a point; thence at a deflection angle of 98°55' right, 586.6 feet, to a point on the approximate south right-of-way line of Burlington Northern Railroad tracks; thence northeasterly along said approximate south right-of-way line 277 feet to a point on the east line of the NW 1/4 of Section 33; thence south along the east line of the NW 1/4 of Section 33; thence south along the east line of the NW 1/4; 568.5 feet, to the point of beginning, containing 3.58 acres.

A tract of land situated in the NE 1/4, Section 33, T8N, R4E: Referring to the N 1/4 corner of said Section 33; thence south along the west line of the NE 1/4 of said section a distance of 588.4 feet, to the point of beginning; thence continuing south along the last described line, a distance of 241.2 feet, to a point on the north right-of-way line of State Highway 33; thence northeasterly along the north right-of-way line of said highway, a distance of 66.7 feet, to a point on the west right-of-way line of Burlington Northern Railroad tracks; thence northeasterly along the right-of-way line of said railroad tracks, a distance of 270.9 feet; thence west on a line perpendicular to the west line of the NE 1/4 of said section, a distance of 205.7 feet, to the point of beginning.

Section 3. The City's special engineers, Gilmore & Associates Inc., Columbus, Nebraska, shall make detailed plans and specifications for said improvements 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 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 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 Street Improvement District No. 1994-1 of the City of Crete, Nebraska 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, as provided by law, in The Crete News, a newspaper of general circulation in the City of Crete, Nebraska, a notice with respect to the 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 of the front footage of the property directly abutting on the street, streets, alley or alleys to be improved in said Districts 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.

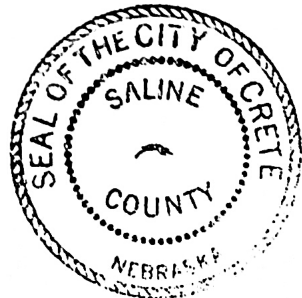
Section 8. This ordinance shall be published in pamphlet form, and in the form and manner provided by law, and shall take effect and be in full force from and after its passage, approval and publication as provided by law.

PASSED AND ADOPTED THIS 4th DAY OF JANUARY, 1994.

Herbysa Cressman
Mayor

ATTEST:

Gary L. Yank
City Clerk



CERTIFICATE OF PASSAGE

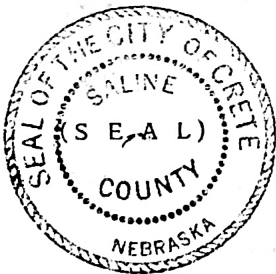
STATE OF NEBRASKA)
)
COUNTY OF SALINE) ss.
)
CITY OF CRETE)

I, Gary L. Yank, City Clerk of the City of Crete, Saline County, Nebraska, hereby certify that the annexed ordinance, purporting to be Ordinance No. 1220 of said city, was passed as such by the Mayor and City Council of the City of Crete, Saline County, Nebraska, pursuant to the rules and regulations prescribed by general law and by said city for the passage of ordinances, and was duly approved by the Mayor of said city, said passage and approval having been made on the 4th day of January, 1994.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal this 7th day of January, A.D., 1994.

Gary L. Yank

City Clerk



From, Chg. and Return to:
City of Crete
P. O. Box 86
Crete, NE 68333
Fee: \$25.50 Chg.

STATE OF NEBRASKA } ss
SALINE COUNTY }

Entered in numerical index and filed
for record, the 10 day of January
1994 at 9 o'clock A.M. and record-
ed in Book 52 of Misc. Page 17-21

Marion R. Bipe

County Clerk

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JK