

No.	Gen.	Num.	Page	
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Register of Deeds				

From, Chg. and Return to:
City of Crete
P. O. Box 86
Crete, NE 68333
Fee: \$51.50 Chg.

STATE OF NEBRASKA } ss
SALINE COUNTY }
Entered in numerical index and filed on
record, the 13 day of April
2006 at 9:00 o'clock A. M. and recorded
in Book 64 of Misc. Page 611-613

Linda Kostanek
County Clerk *Pam Siebroad, Deputy*

ORDINANCE NO. 1648

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA CREATING WATER IMPROVEMENT DISTRICT NO. 2006-1; DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR THE CONSTRUCTION OF WATER MAINS AND OTHER NECESSARY AND INCIDENTAL WORK; APPROVING PLANS, SPECIFICATIONS, AND ESTIMATES OF COST; PROVIDING FOR THE SECURING OF BIDS; PROVIDING FOR THE PAYMENT OF SUCH IMPROVEMENTS AND OTHER INCIDENTAL EXPENSES BY THE ISSUANCE OF WARRANTS, BOND ANTICIPATION NOTES AND BONDS; PROVIDING FOR ASSESSMENT OF THE COSTS OF SUCH IMPROVEMENTS AGAINST THE PROPERTY ESPECIALLY BENEFITED THEREBY AND THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND RELATED MATTERS

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

Section 1. Water Improvement District No. 2006-1 (the "District") of the City of Crete, Nebraska (the "City") is hereby created pursuant to Sections 16-667 to 16-672.02, inclusive, Reissue Revised Statutes of Nebraska, as amended.

Section 2. The limits, boundaries and improvements in the District are defined and established as follows:

WATER IMPROVEMENT DISTRICT NO. 2006-1

THE IMPROVEMENTS TO BE CONSTRUCTED ARE:

A six-inch PVC water main, fire hydrants, valves, fittings, service lines and related work on Kingwood Avenue, from Nineteenth Street to Twenty-First Street, Nineteenth Street from Kingwood Avenue to Ivy Avenue; Ivy Avenue from Nineteenth Street to Railroad Street and Railroad Street from Ivy Avenue to Hawthorne Avenue

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

Beginning at the southeast corner of Lot 7, Block 59, Original Town of Crete, Saline County, Nebraska, said point also being on the northerly right-of-way line of 21st Street; thence easterly on said northerly line of 21st Street to the southwest corner of Lot 2, Block 60, Original Town of Crete; thence southerly to the northwest corner of the S 1/2 of Lot 1, Block 67, Original Town of Crete; thence easterly on the north line of the S 1/2 of Lot 1, Block 67, Original Town of Crete, to the northeast corner of the S 1/2 of Lot 1, Block 67, Original Town of Crete; thence southeasterly to the southwest corner of Block 66, Original Town of Crete; thence easterly to a point on the west line of Block 65, Original Town of Crete, said point being 264 feet south of the northwest corner of Block 65, Original Town of Crete; thence southerly to a point, said point being at the intersection of a line 68 feet southeasterly of and parallel with the south line of Block 77, Original Town of Crete, and the southerly extension of the west line of Block 65, Original Town of Crete; thence southwesterly 68 feet southeast of and parallel with the south lines of Block 77, 81, 82, and 91, Original Town of Crete to a point, said point

being at the intersection of a line 68 feet southeasterly of parallel with south line of the Block 91, Original Town of Crete, and the southerly extension of the westerly north-south alley line as located in Block 91, Original Town of Crete; thence northerly to the southeast corner of Lot 7, Block 59, Original Town of Crete, said point being the point of beginning.

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

Lots 1 through 6, Block 68, Original Town of Crete
 Lots 1 through 6, Block 76, Original Town of Crete
 Lots 1 through 6, Block 83, Original Town of Crete
 Lots 1 through 4, Block 91, Original Town of Crete
 Lots 1 through 24, Block 82, Original Town of Crete
 Lots 1 through 15, Block 81, Original Town of Crete
 All of Block 77, Original Town of Crete
 Lots 2 through 11, Block 67, Original Town of Crete
 S 1/2 Lot 1, Block 67, Original Town of Crete

Section 3. The City's special engineer, Gilmore & Associates, Inc., Columbus, Nebraska, has prepared detailed plans and specifications for the improvements to be constructed in the District together with an estimate of costs for the same in the amount of \$120,000, all of which have been filed with the Clerk and are hereby approved.

Section 4. The City shall advertise for bids for the construction of the improvements to be made in the District in accordance with the applicable provisions of law. Upon acceptance of any such bid, the Mayor and Clerk are hereby authorized to enter into a contract for on behalf of the City for the completion of such work. The Mayor and Council hereby reserve the right to reject any and all bids received.

Section 5. The improvements to be constructed in the District 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 the costs of the improvements to be made in the District, the Mayor and Council may issue warrants or bond anticipation notes of the City in the form and manner provided by law. To effect the final payment and retirement of such warrants and bond anticipation notes, or to pay for any of the improvements authorized herein, the Mayor and Council shall issue bonds in the manner and form provided by law and shall assess the costs of such improvements to the property in the District in proportion to the benefits derived from such improvements.

Section 7. Within 10 days following the passage of this Ordinance, the Clerk shall publish once in *The Crete News*, a newspaper of general circulation in the City, notice of the creation of the District in the form attached hereto as **Attachment 1** (the "Notice"). Within 20 calendar days following the date of the passage of this Ordinance, the Clerk shall mail a copy of this Ordinance and a copy of Section 16-667.01, Reissue Revised Statutes of Nebraska, as amended, to the owners of the record title of any property abutting upon the streets, avenues, or alleys or parts thereof that are within the District to the last known-address of such owners as shown on the current tax rolls of Saline County, Nebraska.

Section 8. If the owners of record title representing more than 50% of the front footage of the property abutting any streets, avenues or alleys which are within the District shall file with the Clerk within 30 days after the first publication of the Notice written objections to the creation of the District, the improvements proposed to be constructed therein shall not be made.

Section 9. If any section or other part of this Ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other provision of this Ordinance.

Section 10. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance are to be extent of such conflict hereby repealed.

Section 11. This ordinance shall be published in pamphlet form in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval and publication as provided by law.

CITY OF CRETE, NEBRASKA

ATTEST:

By: Gary L. Yank
Clerk

By: Judith Henning
Mayor

[SEAL]

