

ORDINANCE NO. 05-681

AN ORDINANCE OF THE CITY OF FRIEND, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 2005-1; 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 IMPROVEMENTS 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 FRIEND, NEBRASKA:

Section 1. Street Improvement District No. 2005-1 (“District No. 2005-1”) of the City of Friend, Nebraska (“the City”) is hereby created pursuant to Sections 17-509, et seq., Reissue Revised Statutes of Nebraska, as amended.

Section 2. District No. 2005-1 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. 2005-1

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

10th Street from the centerline of Chestnut Street to the centerline of Cherry Street.

THE LIMITS & BOUNDARIES OF STREET IMPROVEMENT DISTRICT NO. 2005-1 DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF LOT 33, BURLEY & McLEAN’S SOUTH SIDE RESIDENCE TRACTS TO THE CITY OF FRIEND, SALINE COUNTY, NEBRASKA; THENCE WEST, AND ON THE SOUTH LINE OF SAID LOT 33, EXTENDED WEST, 40.00 FEET TO THE CENTERLINE OF CHESTNUT STREET;

THENCE NORTH, AND ON THE CENTERLINE OF SAID CHESTNUT STREET, 360.00 FEET TO A POINT ON THE NORTH LINE OF LOT 28, EXTENDED WEST; THENCE EAST, AND ON THE NORTH LINE OF LOTS 28, 29, AND 30 EXTENDED WEST AND EAST, 523.00 FEET TO A POINT ON THE CENTERLINE OF CHERRY STREET; THENCE SOUTH, AND ON THE CENTERLINE OF SAID CHERRY STREET, 360.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 31, EXTENDED EAST; THENCE WEST, AND ON THE SOUTH LINE OF LOTS 31, 32, & 33 EXTENDED EAST, 483.00 FEET TO THE POINT OF BEGINNING.

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

Lots 28 through 33, Burley & McLean's Southside Residence Tracts, within the City of Friend, Saline County, Nebraska.

Section 3. The City's special engineers, Kirkham Michael Consulting Engineers, Omaha, Nebraska, shall make detailed plans and specifications for said improvements in District No. 2005-1 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 therefore, 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 a 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 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 Friend Sentinel, 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 owner 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 and be in full force from and after its passage, approval and publication as provided by law.

Passed and approved this 1st day of February 2005.

THE CITY OF FRIEND, NEBRASKA

By: Roger C. Horame
Mayor



Rebbie Gilmer
City Clerk

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By: Roger C. Horner
Mayor



Attest:
Hebbie Gilmer
City Clerk