

RESOLUTION NO. 96-1

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF FRIEND, NEBRASKA as follows:

Section 1. The Mayor and City Council have heretofore designated a time and place for considering levying assessments upon certain real estate located within the City of Friend, either specifically benefitted by the improvements under the Business Improvement District created by Ordinance no. 505, passed on July 5, 1994, or the voluntary participation of the affected property owners, and to pay the cost of constructing the same, that notice of the time and place of the holding of this meeting for said purpose has been duly given as provided by statute, that publication in the Friend Sentinel, a legal newspaper published in this City in accordance with law, said publications being made in the issue of said newspaper published on December 21, 28, 1995 and January 4, 1996; the Mayor and members of the City Council have each personally inspected said improvements and the real estate on and adjacent thereto; the Mayor and the Council, have, at this session heard all persons who desire to be heard in reference to the valuation of each lot to be assessed from the special benefits or damages thereto and have considered the advice of the engineers in charge of the construction and improvements.

Section 2. The Mayor and City Council further find and determine that the cost of the Sidewalk Improvements pursuant to the Business Improvement District are the voluntary participation of the owners of the affected real estate herein, total \$56,472.01. The Mayor and Council further find and determine that no lot or parcel of land affected by the improvements has been damaged by the construction of said improvement, and that the amount of benefits specially accruing to each lot and parcel of land in the affected area by reason of the construction of said improvements at least equals the amount to be assessed against each lot or parcel of land to pay the cost of said improvements.

Section 3. The Mayor and City Council acknowledge that certain property owners within the affected area have paid all or a portion of the cost to be assessed against their respective properties, and the amounts levied against the real estate described herein reflect any partial payments made by the affected property owner. The property owners who have elected to pay said assessment in full are not listed herein.

Section 4. There is hereby levied and assessed upon the several lots and parcels of land either within the Business Improvement District, or upon the lots and parcels of land of the property owners who have voluntarily participated in said improvements, special assessments to pay the cost of constructing said improvements in the amount of dollars and cents as set out as follows which are made a part hereof:

Owner: American Legion Post No. 183
Desc: The South 12' of Lot 131 and the North 8' of Lot 130, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$502.88

Owner: Brothers Equipment Inc

Desc: Lot 134, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$578.78

Owner: James D. Beehn and Charlotte Beehn
Desc: Lot 135, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$793.13

Owner: Michael and Linda Marquardt
Desc: Lots 136 and 137, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$1,586.25

Owner: C. D. Potter and Helen L. Potter
Desc: Lot 138, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$578.78

Owner: Margaret J. Milton
Desc: Lot 139, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$488.47

Owner: Donald W. Bean
Desc: Lots 140 and 141, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$1,173.22

Owner: Sharon K. Ach
Desc: Lot 148, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$725.63

Owner: Eugene and Enola Martin
Desc: Lot 150 and the North 3' of Lot 151, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$614.25

Owner: Ronald and Janet Styskal and Thomas and Kathryn Ahern
Desc: The South 22' of Lot 151 and all of Lot 152, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$3,511.69

Owner: Robert and Kathryn Minderman
Desc: Lots 154 and the West 115' of Lot 153, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$4,156.88

Owner: Vivian Johnson
Desc: Lots 155 and 156, Original Town, City of Friend, Saline County, Nebraska.
Amount: \$1,324.35

Owner: Wayne and Doris Yokel
Desc: West 116' of Lot 228 Original Town, City of Friend, Saline County, Nebraska.
Amount: \$2,349.00

Owner: Duane and Sandra Matthies
Desc: The West 12' of the North half of Lot 217, Original Town

Desc: Lot 240 Original Town, City of Friend, Saline County, Nebraska.
Amount: \$5,540.63

Owner: Duane and Sandra Matthies

Desc: Lot 218 Original Town, City of Friend, Saline County, Nebraska.
Amount: \$615.94

The assessment upon each lot and parcel of land is not in excess of the benefit thereto specifically accruing from the construction of the improvements and the special assessments have been apportioned among the several lots and parcels of land subject to assessments in proportion to the special benefits accruing to said lots and parcels of land of and respectively from such improvements.

Section 5. Such special assessments shall be a lien on the property on which they are levied from the date of passage of this resolution and shall be certified by the City Clerk/Treasurer to the County Treasurer of the City for collection. The City Clerk/Treasurer shall also at the time provided by law cause such assessments or proportion thereof then remaining unpaid to be certified to the County Clerk of the County for entry upon the property tax list; all assessments shall be due and payable to the City Treasurer until the first day of November after the date of levy, or until the delivery of the tax list for the current year to the County Treasurer, after which time the same shall be payable to the County Treasurer.

Section 6. Said special assessments above provided shall bear interest from and after the date of passage of this resolution at the rate of 4% per annum for the improvements in the district and otherwise affected area until delinquent; such assessments shall become delinquent in three equal annual installments with the first falling due on November 20, 1996, and subsequent installments following due and each year thereafter on November 20th of each subsequent year until paid in full. Delinquent installments shall bear interest at the rate of 14% per annum until paid and shall be collected in the usual manner for the collection of taxes.

BE IT FURTHER RESOLVED, that a certified copy of the Assessment schedule be filed by the City Clerk/Treasurer with the County Clerk of Saline, County, Nebraska, and that a certified copy of this resolution shall be filed by the City Clerk/Treasurer with the County Treasurer of Saline County, Nebraska, as provided by law.

Councilperson Smith moved the adoption of said Resolution.

Councilperson Himmelberg seconded the motion.

Upon vote the following Councilpersons voted AYE: Smith
Tuttle, Gill Himmelberg, NAY: None
ABSENT: None.

The Mayor declared the Resolution adopted.

