

ORDINANCE NO. 2165

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA CREATING STREET IMPROVEMENT PROJECT NOS. 2022-1, 2022-2, 2022-3, 2022-4, 2022-5, 2022-6, 2022-7, 2022-8, AND 2022-9 DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR PAVING, GRADING, CURBING, GUTTERING, AND OTHER NECESSARY AND INCIDENTAL WORK; 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 SPECIALLY BENEFITED THEREBY AND THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET OR ELECTRONIC FORM; AND RELATED MATTERS

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

Section 1. The Mayor and Council of the City of Crete, Nebraska (the “City”) hereby find and determine as follows:

(a) Pursuant to Section 18-2001 to 18-2004, inclusive, Reissue Revised Statutes of Nebraska, as amended (the “Act”), the City is authorized to grade, curb, gutter, and pave any unpaved street or alley that intersects a paved street for a distance of not to exceed one block on either side of such paved street.

(b) It is necessary, desirable, advisable, and in the best interest of the City to grade, curb, gutter, and pave the following:

(1) 23rd Street for a distance of not to exceed one block west of its intersection with Main Avenue under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-1 of the City (the “**Project 2022-1**”);

(2) 18th Street for a distance of one block east of its intersection with Main Avenue and extending through the intersection of Linden Avenue for a distance of less than two blocks, under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-2 of the City (the “**Project 2022-2**”);

(3) Linden Avenue for a distance of not to exceed one block south of its intersection with 19th Street under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-3 of the City (the “**Project 2022-3**”);

(4) Kingwood Avenue for a distance of not to exceed one block north of its intersection with 21st Street under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-4 of the City (the “**Project 2022-4**”);

(5) 21st Street for a distance of not to exceed one block east of its intersection with Main Avenue under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-5 of the City (the “**Project 2022-5**”);

(6) Oak Avenue for a distance of not to exceed one block north of its intersection with 17th Street under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-6 of the City (the “**Project 2022-6**”);

(7) Oak Avenue for a distance of not to exceed one block north of its intersection with 22nd Street under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-7 of the City (the “**Project 2022-7**”);

(8) 18th Street for a distance of not to exceed one block west of its intersection with Norman Avenue under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-8 of the City (the “**Project 2022-8**”); and

(9) 23rd Street for a distance of not to exceed one block west of its intersection with Norman Avenue under and pursuant to the Act, such work to be known as Street Improvement Project No. 2022-9 of the City (the “**Project 2022-9**”; and Project 2022-1, Project 2022-2, Project 2022-3, Project 2022-4, Project 2022-5, Project 2022-6, Project 2022-7, Project 2022-8 and Project 2022-9 shall be collectively known as the “**Projects**”).

Section 2. The Projects are hereby authorized to be constructed pursuant to the Act and shall include the grading, curbing, guttering, and paving portions of 18th Street, 21st Street, 23rd Street, Linden Avenue, Oak Avenue and Kingwood Avenue, as described in Section 1 above, including all incidental drainage improvements.

Section 3. The property to be included in the Projects consists of the area for each respective Project, which are subject to special assessment, are described as follows:

Project 2022-1: The outer boundaries of Project 2022-1 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 4 through 9 in Block 35, and Lots 1 through 3 and 10 through 12 in Block 52.

Project 2022-2: The outer boundaries of Project 2022-2 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 4 through 9 in Block 84, and Lots 1 through 6 and 31 through 36 in Block 90.

Project 2022-3: The outer boundaries of Project 2022-3 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 7 through 12 in Block 83, and Lots 1 through 6 in Block 84.

Project 2022-4: The outer boundaries of Project 2022-4 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 1 through 6 in Block 59 and Lots 3 through 8 in Block 60.

Project 2022-5: The outer boundaries of Project 2022-5 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 4 through 9 in Block 58 and Lots 1 through 3 and 10 through 12 in Block 69.

Project 2022-6: The outer boundaries of Project 2022-6 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 1 through 7 in Block 87, and Lots 13 through 18 in Block 88.

Project 2022-7: The outer boundaries of Project 2022-7 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 7 through 12 in Block 53, and Lots 3 through 10 in Block 54.

Project 2022-8: The outer boundaries of Project 2022-8 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 6 through 9 in Block 86, and Lots 1 through 8 and Lots 16 through 18 in Block 88.

Project 2022-9: The outer boundaries of Project 2022-9 consist of a boundary line which surrounds and encompasses all of the following lots in the City of Crete, Saline County, Nebraska: Lots 4 through 9 in Block 34 and Lots 1 through 3 and 10 through 12 in Block 53.

Section 4. The City's special engineer, JEO Consulting Group, Lincoln, Nebraska (the "Engineer"), has been engaged to prepare detailed plans and specifications for the Projects. Prior to the letting of bids for the construction of the Projects, the Engineer shall submit the plans and specifications for and an estimate of the costs of the Projects to the Mayor and Council for approval.

Section 5. The City shall advertise for bids for the construction of the improvements to be made in the Projects in accordance with all applicable provisions of law. Upon acceptance of any bid therefor, the Mayor and Clerk are authorized to enter into a contract on behalf of the City for such work, and such contract shall be executed by the Mayor and attested by the Clerk. The City Council shall have and hereby reserves the right to reject any and all bids received.

Section 5. The costs of the Projects shall be paid for 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 Projects, 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 Projects in proportion to the benefits derived from such improvements.

Section 7. 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 8. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance, are to the extent of such conflict or conflicts hereby repealed.

Section 9. This Ordinance shall be published 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 in pamphlet or electronic form as provided by law.

Dated as of this 7th day of March, 2023.

CITY OF CRETE, NEBRASKA

ATTEST:

By: _____
Clerk

By: _____
Mayor

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