

Thereupon Council Member Horner moved the adoption of a resolution entitled:

RESOLUTION NO. 01-19

AN RESOLUTION OF THE CITY OF FRIEND, NEBRASKA CREATING STREET IMPROVEMENT PROJECT NOS. 2001-1, 2001-2 AND 2001-3; 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 PROJECTS ESPECIALLY BENEFITED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF PAVING WARRANTS AND PAVING BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; AND PROVIDING FOR THE TIME WHEN THIS RESOLUTION SHALL TAKE EFFECT.

Council Member Fricke then seconded said motion and the Mayor then stated, "The question is, shall Resolution No. 01-19 be passed and adopted?" The yeas and nays were called, the vote being as follows: "YEA": Horner, Tuttle, Fricke

"NAY": none. Absent or not voting:

Bulwan absent. The passage and adoption of Resolution No. 01-19

having been agreed upon by a majority of all of the Members elected to the City Council, the Mayor declared Resolution No. 01-19 passed and adopted and, in the presence of the City Council, signed and approved Resolution No. 01-19 and the City Clerk attested its passage and approval and affixed her signature and the seal of the City thereto.

The following is a true and complete copy of Resolution No. 01-19 :

RESOLUTION NO. 01-19

AN RESOLUTION OF THE CITY OF FRIEND, NEBRASKA CREATING STREET IMPROVEMENT PROJECT NOS. 2001-1, 2001-2 AND 2001-3; 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 PROJECTS ESPECIALLY BENEFITED THEREBY IN PROPORTION TO SAID BENEFITS; PROVIDING FOR THE ISSUANCE OF PAVING WARRANTS AND PAVING BONDS AND FOR THE LEVY OF SPECIAL ASSESSMENTS AND GENERAL TAXES TO PAY FOR SAID IMPROVEMENTS; AND PROVIDING FOR THE TIME WHEN THIS RESOLUTION SHALL TAKE EFFECT.

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

Section 1. The Mayor and City Council hereby find and determined that: (a) Vine Street from Second Street to Third Street is not paved; (b) paving Vine Street from Second Street to Third Street would make one continuous paved street; (c) the portion of Vine Street to be so improved does not exceed two blocks including intersections or thirteen hundred twenty-five feet, whichever is less; and (d) it is necessary, desirable, advisable and in the best interest of the City that Vine Street be paved from Second Street to Third Street in accordance with the provisions of Sections 18-2001 to 18-2004, inclusive, Reissue Revised Statutes of Nebraska, as amended (the "Gap Act").

Section 2. Street Improvement Project No. 2001-1 ("Project No. 2001-1") of the City of Friend, Nebraska (the "City") is hereby created pursuant to the Gap Act and 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 PROJECT NO. 2001-1

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

at Vine Street from Second Street to Third Street

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

Beginning at the northwest corner of Lot 4, Block 5, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence east to the northeast corner of Lot 2, Block 6, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence south to the south east corner of Lot 9, Block 6, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence west to the southwest corner of Lot 7, Block 5, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence north to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT AND ARE SUBJECT TO ASSESSMENT:

- Lots 1,2,3,4,7,8,9, and 10, Block 5, Ainsworth First Addition, City of Friend, Saline County, Nebraska;
- Lots 1,2,3,4,5,6,7,8 and 9, Block 6, Ainsworth First Addition, City of Friend, Saline County, Nebraska;

Section 3. The Mayor and City Council hereby find and determined that: (a) Floyd Street from First Street to Second is not paved; (b) Floyd Street intersects First Street which is a paved street; (c) the portion of Floyd Street to be so improved does not exceed one block; and (d) it is necessary, desirable, advisable and in the best interest of the City

that Floyd Street be paved from First Street to Second Street in accordance with the provisions of the Gap Act.

Section 4. Street Improvement Project No. 2001-2 ("Project No. 2001-2") of the City of Friend, Nebraska (the "City") is hereby created pursuant to the Gap Act and 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 PROJECT NO. 2001-2

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

copy Floyd Street from First Street to Second Street

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

A tract of land located in to the City of Friend, Saline County, Nebraska, described as follows:

Beginning at the northwest corner of Lot 3, Block 2, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence easterly to the northeast corner of Lot 5, Block 1, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence southerly to the southeast corner of Lot 10, Block 1, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence westerly to the southwest corner of Lot 8, Block 2, Ainsworth First Addition, City of Friend, Saline County, Nebraska; thence northerly to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT AND ARE SUBJECT TO ASSESSMENT:

- Lots 5,6,7,8,9 and 10, Block 1, Ainsworth First Addition, City of Friend, Saline County, Nebraska;
- Lots 1,2,3,7,8,9 and 10, Block 2, Ainsworth First Addition, City of Friend, Saline County, Nebraska;

Section 5. The Mayor and City Council hereby find and determined that: (a) Sixth Street from Cherry Street to Spring Street is not paved; (b) paving Sixth Street from Cherry Street to Spring Street would make one continuous paved street; (c) the portion of Sixth Street to be so improved does not exceed two blocks including intersections or thirteen hundred twenty-five feet, whichever is less; and (d) it is necessary, desirable, advisable and in the best interest of the City that Sixth Street be paved from Cherry Street to Spring Street in accordance with the provisions of the Gap Act.

Section 6. Street Improvement Project No. 2001-3 ("Project No. 2001-3") of the City of Friend, Nebraska (the "City") is hereby created pursuant to the Gap Act and 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 PROJECT NO. 2001-3

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

✓ ✓ ✓ ✓ ✓ ✓ ✓ Sixth Street from Cherry Street to Spring Street

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

A tract of land located in the City of Friend, Saline County, Nebraska, described as follows:

Beginning at the northwest corner of Lot 22, L.E. Southwick's Addition, City of Friend, Saline County, Nebraska; thence easterly to the northeast corner of Lot 17, L.E. Southwick's Addition, City of Friend, Saline County, Nebraska; thence southerly to the southeast corner of Lot 28, L.E. Southwick's Addition, City of Friend, Saline County, Nebraska; thence westerly to the southwest corner of Lot 45, L.E. Southwick's Addition, City of Friend, Saline County, Nebraska; thence northerly to the point of beginning.

THE FOLLOWING PARCELS OF LAND ARE INCLUDED IN SAID DISTRICT AND ARE SUBJECT TO ASSESSMENT:

Lots 117,18,19,20,21,22,26,27,28,45,46 and 47, L.E. Southwick's Addition, City of Friend, Saline County, Nebraska

Section 7. The City's special engineers, Kirkham Michaels Consulting Engineers Omaha Nebraska, shall make detailed plans and specifications for said improvements in Project Nos. 2001-1, 2001-2 and 2001-3 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 8. The work and improvements in each District shall be made at public cost, but special assessments on the properties especially benefitted thereby shall be levied to reimburse the City to the extent provided by law.

Section 9. 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 10. 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 11. This resolution shall take effect and be in full force from and after its passage and approval as provided by law.

PASSED AND ADOPTED THIS 20TH DAY OF DECEMBER, 2001



Mayor *James W. Venable*

Ann G. Betka

City Clerk