CITY OF MINDEN, NEBRASKA

ORDINANCE NO. 1268

AN ORDINANCE OF THE CITY OF MINDEN, NEBRASKA, CREATING A CERTAIN STREET IMPROVEMENT DISTRICT WITHIN THE CITY OF MINDEN TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2022-1; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN CONSISTING OF GRADING, AND CONSTRUCTION OF PORTLAND CEMENT PAVING OR ASPHALTIC PAVING, SUBGRADE PREPARATION, EXCAVATION, STORM SEWER PIPE AND RELATED STORM SEWER STRUCTURES AND DRAINAGE IMPROVEMENTS SEEDING AND SUCH OTHER IMPROVEMENTS, ACCESSORIES AND APPURTENANCES AS MAY BE NECESSARY AND INCIDENTAL THERETO.

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BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MINDEN, NEBRASKA AS FOLLOWS:

Section 1. The Mayor and City Council of the City of Minden, Kearney County, Nebraska, hereby find and determine that it is in the best interests of the City that Oak Street from Industrial Street south to 1st Street; Evergreen Street from its eastern terminal point to Oak Street; and Birch Street from its eastern terminal point to Oak Street, all in the City of Minden, be improved as hereinafter described; and that it is in the best interests of the City of Minden to create a street improvement district for the construction of the said improvements.

Section 2. There is hereby created within the City of Minden, Nebraska, a street improvement district to be known and designated as Street Improvement District No. 2022-1, which shall contain the following property:

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION TWELVE (12), TOWNSHIP SIX (6) NORTH, RANGE FIFTEEN (15) WEST OF THE 6TH P.M., KEARNEY COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE ON AN ASSUMED BEARING OF S89°12'17”W A DISTANCE OF 914.10 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF C.R.A. ADDITION TO THE CITY OF MINDEN, KEARNEY COUNTY, NEBRASKAS; THENCE CONTINUING S89°12'17”W A DISTANCE OF 402.85 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4); THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (1/4), SOUTHWEST QUARTER (1/4), N00°45'37”W A DISTANCE OF 1127.01 FEET TO A POINT ON THE SOUTH LINE OF MINDEN WEST ESTATES THIRD SUBDIVISION; THENCE N86°44'28”E ALONG SAID SOUTH LINE MINDEN WEST THIRD ESTATES A DISTANCE OF 922.91 FEET; THENCE ON SAID SOUTH LINE MINDEN WEST THIRD N89°06'09”E A DISTANCE OF 388.30 FEET TO POINT ON WEST LINE OF A TRACT OF LAND SURVEYED BY BRIAN L LANGENBERG, LS 546, DATED SEPTEMBER 27, 2004; THENCE S53°52'45”W ON THE WEST LINE OF SAID SURVEYED TRACT, A DISTANCE OF 245.62; THENCE S34°12'27”W ON THE WEST LINE OF SAID SURVEYED TRACT, A DISTANCE

OF 997.72 FEET; THENCE S00°49'22”E ON THE WEST LINE OF SAID SURVEYED TRACT, A DISTANCE OF 55.15 FEET TO THE NORTHEAST CORNER OF LOT 1, OF SAID C.R.A. ADDITION; THENCE S89°20'12”W ALONG THE NORTH LINE OF SAID LOT 1, C.R.A. ADDITION A DISTANCE OF 41.55 FEET; THENCE S44°323'48”W ALONG THE NORTHWESTERLY LINE OF SAID LOT 1, C.R.A. ADDITION, A DISTANCE OF 94.00 FEET; THENCE S16°031'30”W ALONG THE WEST LINE OF SAID LOT 1 C.R.A ADDITION, A DISTANCE OF 90.91 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 922592 SQUARE FEET OR 21.180 ACRES MORE OR LESS OF WHICH 3.713 ACRES ARE NEW DEDICATED ROAD RIGHT-OF-WAY.

Within Street Improvement District No. 2022-1, the City Council hereby finds and determines that it is in the best interests of the City that Oak Street from Industrial Street south to 1st Street; Evergreen Street from its eastern terminal point to Oak Street; and Birch Street from its eastern terminal point to Oak Street, all in the City of Minden, shall be and is hereby ordered improved by construction of improvements therein consisting of grading, and construction of Portland Cement paving or asphaltic paving, subgrade preparation, excavation, storm sewer pipe and related storm sewer structures and drainage improvements, seeding, and such other improvements, accessories and appurtenances as may be necessary and incidental thereto.

Section 3. All of said improvements shall be constructed to the established grades as fixed by ordinances of the City of Minden, and shall be constructed in accordance with plans and specifications to be prepared by the City’s Engineers and approved by the Mayor and City Council. Said improvements shall be made at public cost.

Section 4. Notice of the creation of said Street Improvement District No. 2022-1 shall be published in the Minden Courier, a legal newspaper of general circulation within the City of Minden, for three weeks after the publication of this Ordinance.

Section 5. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

Section 6. This Ordinance shall be published and take effect as provided by law.

PASSED AND APPROVED this 21st day of March, 2022.

/s/ Ted Griess
Mayor

ATTEST:

/s/ Abbey Jordan
City Clerk

(SEAL)