RESOLUTION NO. 1754

A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING ADDITIONS AND IMPROVEMENTS TO THE CITY'S STORM WATER SEWER SYSTEM; CREATING STORM WATER SEWER DISTRICT NO. 2022-1 OF THE CITY; MAKING REFERENCE TO AND APPROVING PLANS AND SPECIFICATIONS; APPROVING THE ENGINEERS' ESTIMATE OF COSTS; PROVIDING FOR THE ISSUANCE OF BONDS, WARRANTS AND NOTES, DETERMINING IMPROVEMENTS TO BE GENERAL PUBLIC IMPROVEMENTS NOT OF SPECIAL BENEFIT TO PROPERTY WITHIN SAID DISTRICT AND PROVIDING FOR THE EFFECTIVENESS OF THIS RESOLUTION

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

Section 1. The Mayor and City Council hereby find and determine that it is necessary and advisable to construct additions and improvements to the City's Storm Water sewer system consisting of the following:

> Storm sewer improvements related to construction of Oak Street and Evergreen Street within the district; excavation and improvement of storm water retention pond within the district

Section 2. For purposes of constructing said additions and improvements, there is hereby ordered created Storm Water Sewer District No. 2022-1, which shall include certain property within the City fully described as follows:

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.

Section 3. Reference is hereby made to the plans and specifications (the "Plans") for said additions and improvements which have been prepared by Olsson and Associates, engineers for the City, and which, together with the estimate of total cost for said additions and improvements have been filed with the City Clerk prior to the proposing of this resolution.

Section 4. The engineer's estimate of total cost for the proposed Storm Water sewer system additions and improvements for said District is $1,025,000, which amount does not include interest cost, cost of issuance or other expenses of the City.

Section 5. It is hereby found and determined that such improvements are of general benefit to the City and that no special assessments shall be levied against the property in the District. Temporary financing may be provided through the issuance of bond anticipation notes as provided by Section 10-137, R.R.S. Neb., as amended. Said additions and improvements shall be financed on a permanent basis by the issuance of the City's general obligation storm sewer bonds issued pursuant to Section 17-925, R.R.S. Neb., as amended.

Section 6. This resolution of necessity shall be in force and effect from and after its adoption as provided by law.

PASSED AND APPROVED this 20th day of March, 2023.

/s/ Larry Evans
Mayor

/s/ Abbey Jordan
City Clerk

[SEAL]