

**CITY OF WAYNE, NEBRASKA**

**ORDINANCE NO. 2010-7**

**AN ORDINANCE OF THE CITY OF WAYNE, NEBRASKA, CREATING A STREET (SIDEWALK) IMPROVEMENT DISTRICT WITHIN THE CITY OF WAYNE TO BE KNOWN AS STREET (SIDEWALK) IMPROVEMENT DISTRICT NO. 2010-3 DEFINING THE BOUNDARIES OF SAID DISTRICT AND PROPERTY CONTAINED THEREIN; AND, PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN.**

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

Section 1. The Mayor and City Council of the City of Wayne, Wayne County, Nebraska, hereby find and determine that it is in the best interests of the City that the sidewalks on the north side and the south side of 3<sup>rd</sup> Street from the centerline of Pearl Street east to the to the centerline of Logan Street, in the City of Wayne, Nebraska, be improved as hereinafter described; and that it is in the best interests of the City of Wayne to create a Street (Sidewalk) improvement district for the construction of the said improvements.

Section 2. There is hereby created within the City of Wayne, Nebraska, a Street (Sidewalk) improvement district to be known and designated as Street (Sidewalk) Improvement District No. 2010-3, the outer boundaries of which shall contain the following property:

Said District shall consist of all of the property contained in the following described boundaries:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 11, ORIGINAL TOWN AS PLATTED IN THE CITY OF WAYNE, WAYNE COUNTY, NEBRASKA; THENCE EASTERLY TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 12 OF SAID ORIGINAL TOWN; THENCE CONTINUING EASTERLY ON THE SOUTH LINE OF LOTS 1 AND 17 OF SAID BLOCK 12 TO THE SOUTHEAST CORNER OF SAID LOT 17; THENCE CONTINUING EASTERLY TO THE SOUTHWEST CORNER LOT 2, BLOCK 13 OF SAID ORIGINAL TOWN; THENCE CONTINUING EASTERLY ON THE SOUTH LINE OF LOTS 2 AND 18 OF SAID BLOCK 13 TO THE SOUTHEAST CORNER OF SAID LOT 18; THENCE CONTINUING EASTERLY TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 14 OF SAID ORIGINAL TOWN; THENCE NORTHERLY ON THE WEST LINE OF LOT 1 OF SAID BLOCK 14 TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE CONTINUING NORTHERLY TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 3 OF SAID ORIGINAL TOWN; THENCE CONTINUING NORTHERLY ON THE WEST LINE OF SAID LOT 6 TO THE NORTHWEST CORNER OF SAID LOT 6; THENCE WESTERLY TO THE NORTHEASTERLY CORNER OF LOT 13, BLOCK 4 OF SAID ORIGINAL TOWN; THENCE CONTINUING WESTERLY ON THE NORTH LINE OF LOTS 13 AND 11 OF SAID BLOCK 4 TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE WESTERLY TO THE NORTHEAST CORNER OF LOT 5, BLOCK 5 OF SAID ORIGINAL TOWN; THENCE CONTINUING WESTERLY ON THE NORTH LINE OF LOTS 5 AND 3 OF SAID BLOCK 5 TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE

CONTINUING WESTERLY TO THE NORTHEAST CORNER OF LOT 4, BLOCK 6 OF SAID ORIGINAL TOWN; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 4 TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE CONTINUING SOUTHERLY TO THE NORTHEAST CORNER OF LOT 12 OF SAID BLOCK 11; THENCE CONTINUING SOUTHERLY ON THE EAST LINE OF SAID LOT 12 TO THE POINT OF BEGINNING.

Within said District the following sidewalks on the described street shall be improved by removal of existing sidewalks, grading and construction of concrete pedestrian sidewalks and other necessary appurtenant improvements:

Sidewalks on the north side and the south side of 3<sup>rd</sup> Street from the centerline of Pearl Street east to the centerline of Logan Street

Section 3. All of said improvements shall be constructed to the established grades as fixed by ordinances of the City of Wayne, and shall be constructed in accordance with plans and specifications to be prepared by JEO Consulting Group, special engineers for the project, which plans shall be approved by the Mayor and City Council. The improvements shall be made at public cost, but special assessments shall be levied to reimburse the City for the cost of the improvements as provided by law.

Section 4. Notice of the creation of said Street (Sidewalk) Improvement District No. 2010-3 shall be published in The Wayne Herald newspaper, a legal newspaper published in and of general circulation within the City of Wayne, 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.

PASSED AND APPROVED this 20<sup>th</sup> day of April, 2010.

THE CITY OF WAYNE, NEBRASKA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk