

ORDINANCE NO. 4781

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA CREATING STREET IMPROVEMENT DISTRICT NO. 2024-1; 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 FORM; AND RELATED MATTERS

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

Section 1. Street Improvement District No. 2024-1 (the “**District**”) of the City of Hastings, Nebraska (the “**City**”) is hereby created pursuant to Sections 16-619 to 16-623, inclusive, Reissue Revised Statutes of Nebraska, as amended.

Section 2. The District shall include and encompass the designated portions of the following streets in the Elm Meadows First Subdivision, and the improvements in the District are defined and established as follows:

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

New 6” thick, 32 foot wide concrete paving with curb and gutter for 23rd Street from Elm Avenue to Hudson Way then south on Hudson Way onto 22nd Street to the west edge of Elm Meadows First Subdivision.

Section 3. The outer boundaries of the District are defined as follows:

A TRACT OF LAND BEING ALL OF LOTS 1-12 AND OUTLOT B, BLOCK 2 AND LOTS 1-6, BLOCK 1, AND OUTLOT C, BLOCK 4, ALL IN ELM MEADOWS FIRST SUBDIVISION, LOT 1 AND OUTLOT A OF ELM 26 FIRST SUBDIVISION AND AN UNPLATTED TRACT ALL LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTH HALF (NE1/4 N1/2) OF FRACTIONAL SECTION SIX (6), TOWNSHIP SEVEN (7) NORTH, RANGE NINE (9) WEST OF THE 6TH P.M., IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE S00°35'18"W, ON THE EAST LINE OF LOT 1, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 149.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION; THENCE N89°46'36"W, ON THE SOUTH LINE OF LOTS 1 & 2, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 167.00 FEET TO THE SOUTHWEST CORNER OF LOT 2, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION; THENCE S00°37'56"W, ON THE EAST LINE OF LOTS 4, 5 & 6, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A

DISTANCE OF 175.00 FEET TO THE SOUTHEAST CORNER OF LOT 6, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION; THENCE N89°43'37"W, ON THE SOUTH LINE OF LOT 6, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 133.48 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION; THENCE S00°31'06"W, ON THE EAST LINE OF LOT 7, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 245.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION; THENCE S00°25'01"W, ON THE EAST LINE OF LOT 9, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 104.32 FEET TO THE SOUTHWEST CORNER OF LOT 2, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION; THENCE S00°35'19"W, CONTINUING ON SAID EAST LINE OF LOT 9, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 150.54 FEET TO THE SOUTHEAST CORNER OF LOT 9, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION; THENCE N89°55'19"W, ON THE SOUTH LINE OF SAID LOT 9 AND OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 336.00 FEET TO THE SOUTHWEST CORNER OF OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION; THENCE N13°02'13"W, ON THE WEST LINE OF SAID OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 392.52 FEET TO THE NORTHWEST CORNER OF OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION ALSO BEING A POINT ON THE SOUTH RIGHT OF WAY LINE OF 22ND STREET; THENCE N13°02'13"W A DISTANCE OF 60.75 FEET TO THE SOUTHWEST CORNER OF OUTLOT A, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID 22ND STREET; THENCE N04°01'11"W, ON A WESTERLY LINE OF SAID OUTLOT A, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 160.00 FEET TO A SOUTHERLY CORNER OF SAID OUTLOT A, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION; THENCE N85°58'49"E, ON THE NORTH LINE OF LOT 5 & 6, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 210.00 FEET TO THE NORTHEAST CORNER OF LOT 5, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION; THENCE N09°34'32"E, ON THE WEST LINE OF LOTS 1-3, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 235.00 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 1, ELM MEADOWS FIRST SUBDIVISION; THENCE N75°56'28"E A DISTANCE OF 151.13 FEET TO THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF HUDSON WAY AND THE NORTH RIGHT OF WAY LINE OF 23RD STREET; THENCE N00°12'05"E, ON SAID WEST RIGHT OF WAY LINE OF HUDSON WAY, A DISTANCE OF 56.15 FEET; THENCE CONTINUING ON SAID NORTHWESTERLY RIGHT OF WAY LINE OF HUDSON WAY AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 275.00 FEET, A DELTA ANGLE OF 041°45'34", A CHORD BEARING OF N21°26'18"E, A CHORD DISTANCE OF 196.02 FEET; AN ARC LENGTH OF 200.43 FEET; THENCE S49°15'38"E A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF HUDSON WAY ALSO BEING ON THE WESTERLY LINE OF LOT 1, ELM 26 FIRST SUBDIVISION; THENCE N42°40'19"E, CONTINUING ON SAID WESTERLY LINE OF LOT 1, ELM 26 FIRST SUBDIVISION, A DISTANCE OF 17.45 FEET TO THE NORTHWEST CORNER OF LOT 1, ELM 26 FIRST SUBDIVISION; THENCE S57°13'11"E, ON THE NORTH LINE OF LOT 1 AND OUTLOT A, ELM 26 FIRST SUBDIVISION, A DISTANCE OF 132.23 FEET TO A NORTH CORNER OF OUTLOT A, ELM 26 FIRST SUBDIVISION; THENCE S89°19'40"E, ON THE NORTH LINE OF SAID OUTLOT A, ELM 26 FIRST SUBDIVISION, A DISTANCE OF 132.16 FEET TO THE NORTHEAST CORNER OF OUTLOT A, ELM 26 FIRST SUBDIVISION ALSO BEING ON THE WEST RIGHT OF WAY LINE OF ELM AVENUE; THENCE S00°35'19"W, ON SAID WEST RIGHT OF WAY LINE OF ELM AVENUE, A DISTANCE OF 206.23 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 456,282.66 SQUARE FEET OR 10.47 ACRES MORE OR LESS.

Section 4. The City's Consultant will prepare detailed plans, specifications and an estimate of costs, all of which will be filed with the Clerk.

Section 5. The improvements to be constructed in the District shall be made 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 improvements to be made in the District, 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 each District in proportion to the benefits derived from such improvements.

Section 7. After the passage and publication of this Ordinance, the Clerk shall publish in the Hastings Tribune, a newspaper of general circulation in the City, at least once each week for not less than three consecutive weeks, as provided by law, notice of the creation of the District in the form attached hereto (the “**Notice**”).

Section 8. If the owners of record title representing more than 50% of the front footage of the property abutting or adjoining any streets, avenues or alleys which are within the District shall file with the Clerk within 20 days after the first publication of the Notice written objections to the creation of the District, the improvements proposed to be constructed therein shall not be made.

Section 9. 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 10. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 11. This Ordinance shall be published in pamphlet form 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 as provided by law.

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PASSED AND APPROVED this 12th day of November 2024.

CITY OF HASTINGS, NEBRASKA

ATTEST:

By: Kimberly J. Jacobitz
Clerk

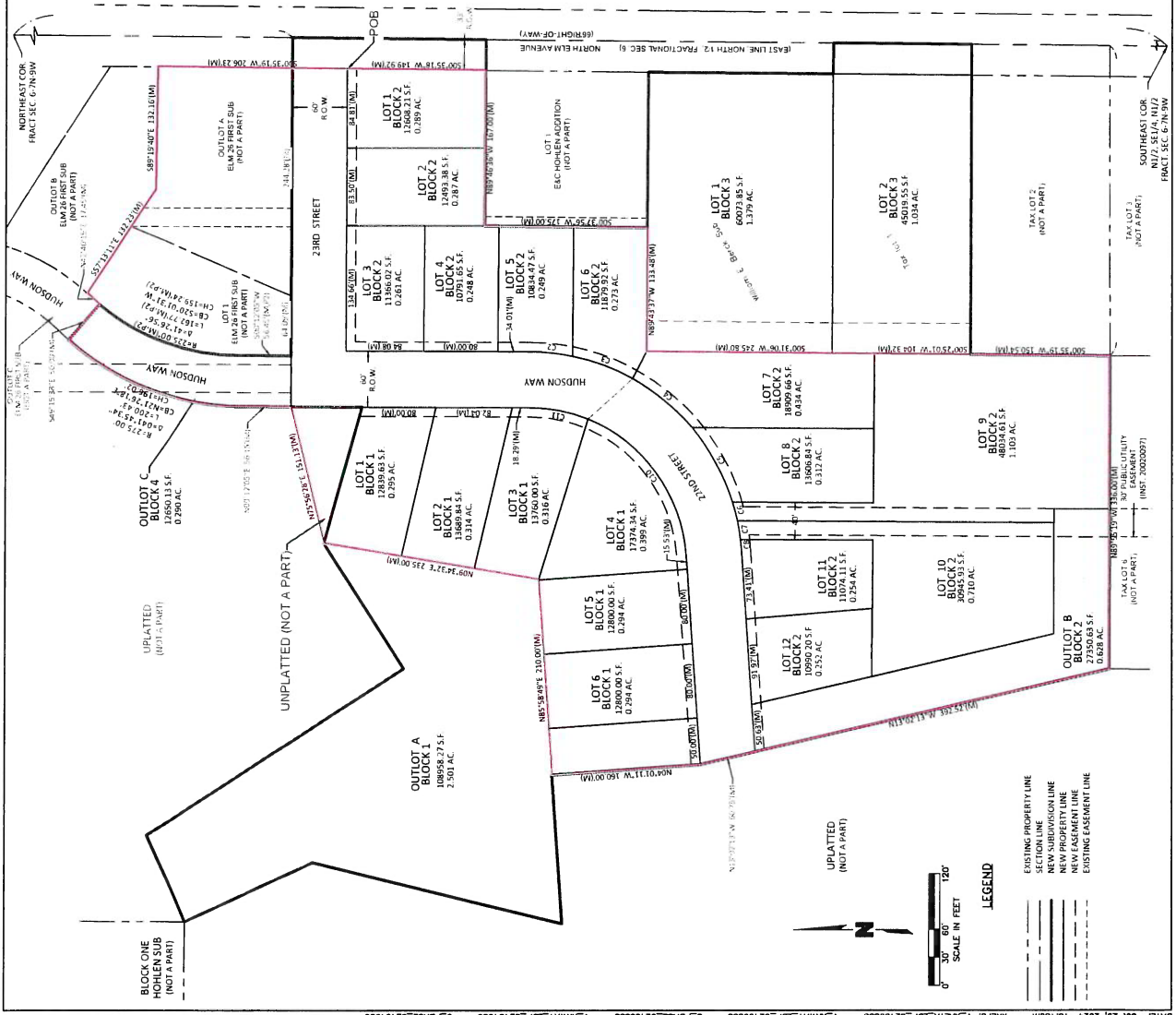
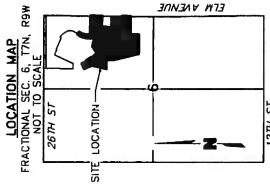
By: _____
Mayor

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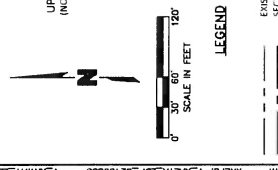
STREET IMPROVEMENT DISTRICT 2024-1 ELM MEADOWS FIRST SUBDIVISION

Olsson
Engineering - Nebraska COA #CA-0838
201 East 2nd Street
Grand Island NE 68801 TEL: 308.384.8750
www.olson.com



LEGAL DESCRIPTION, PAVING DISTRICT
 A TRACT OF LAND BEING ALL OF LOTS 1, 2 AND OUTLOT B, BLOCK 7 AND LOTS 1, 4, BLOCK 1, AND OUTLOT C, BLOCK 4, ALL IN ELM MEADOWS FIRST SUBDIVISION, LOT 1 AND OUTLOT A OF ELM 26 FIRST SUBDIVISION AND AN UNPLATTED TRACT ALL LOCATED IN PART OF THE NORTH EAST QUARTER OF THE NORTH HALF (NE 1/4) OF FRACTIONAL SECTION 06 (S6), TOWNSHIP SEVEN (7) NORTH, RANGE NINE (9) WEST OF THE SIXTH (6) RANGE OF THE EAST HALF OF HENNING COUNTY, NEBRASKA AND MORE PARTICULAR, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 1, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, SAID POINT ALSO BEING THE POINT OF BEGINNING, THENCE S60°55'15"W, ON THE EAST LINE OF LOT 1, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 128.62 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, THENCE N69°46'36"W, ON THE SOUTH LINE OF LOT 1, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 87.00 FEET TO THE SOUTHWEST CORNER OF LOT 2, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, THENCE S89°42'39"W, ON THE WEST LINE OF LOT 2, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 15.46 FEET TO THE SOUTHEAST CORNER OF LOT 3, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, THENCE N89°42'37"W, ON THE SOUTH LINE OF LOT 3, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 13.48 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION, THENCE S80°22'02"W, ON THE EAST LINE OF LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 128.62 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION, THENCE S60°55'15"W, CONTINUING ON SAID EAST LINE OF LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 150.24 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION, THENCE S80°22'02"W, ON THE EAST LINE OF LOT 1, BLOCK 3, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 386.00 FEET TO THE SOUTHWEST CORNER OF OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, THENCE N13°02'17"W, ON THE WEST LINE OF SAID OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, A DISTANCE OF 182.25 FEET TO THE NORTHWEST CORNER OF OUTLOT B, BLOCK 2, ELM MEADOWS FIRST SUBDIVISION, THENCE S89°42'37"W, ON THE NORTH LINE OF SAID OUTLOT A, ELM 26 FIRST SUBDIVISION, A DISTANCE OF 152.21 FEET TO A NORTH CORNER OF OUTLOT A, ELM 26 FIRST SUBDIVISION, THENCE S89°42'37"W, ON THE NORTH LINE OF SAID OUTLOT A, ELM 26 FIRST SUBDIVISION, A DISTANCE OF 300.28 FEET TO THE WEST RIGHT OF WAY LINE OF ELM AVENUE, THENCE S00°28'19"W, ON SAID WEST RIGHT OF WAY LINE OF ELM AVENUE, A DISTANCE OF 206.23 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 496,262.56 SQUARE FEET OR 10.47 ACRES MORE OR LESS.



REVISION NO.	DATE	REVISIONS DESCRIPTION

STREET IMPROVEMENT DISTRICT 2024-1

ELM MEADOWS FIRST SUBDIVISION

HASTINGS, NEBRASKA

SHEET 3 OF 4

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