

ORDINANCE NO. 4782

AN ORDINANCE CREATING WATER EXTENSION DISTRICT NO. 2024-1; DEFINING THE BOUNDARIES AND LIMITS THEREOF; PROVIDING FOR THE CONSTRUCTION OF WATER MAINS AND OTHER NECESSARY AND INCIDENTAL WORK; PROVIDING FOR ASSESSMENT OF THE COSTS OF SUCH IMPROVEMENTS AGAINST THE PROPERTY ESPECIALLY BENEFITED THEREBY AND THE LEVY OF GENERAL TAXES; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS

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

Section 1. The Mayor and Council hereby deem it necessary and advisable to extend municipal water service to territory beyond the existing water system and, for such purpose, Water Extension District No. 2024-1 (the “**District**”) of the City of Hastings, Nebraska (the “**City**”) is hereby created pursuant to Sections 19-2402 to 19-2407, inclusive, Reissue Revised Statutes of Nebraska, as amended.

Section 2. The limits, boundaries and improvements in the District are defined and established as follows:

WATER EXTENSION DISTRICT NO. 2024-1

The property to be included in the district and subject to special assessment consists of the area described 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. AND PART OF THE ELM AVENUE RIGHT OF WAY IN HANNON SUBDIVISION, SECTION FIVE (5), TOWNSHIP SEVEN (7) NORTH, RANGE NINE (9) WEST 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 ALSO BEING ON THE EAST LINE OF SAID OUTLOT A, ELM 26 FIRST SUBDIVISION, A DISTANCE OF 146.23 FEET TO THE SOUTHEAST CORNER OF OUTLOT A, ELM 26 FIRST SUBDIVISION ALSO BEING THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE OF ELM AVENUE AND THE NORTH RIGHT OF WAY LINE OF 23RD STREET; THENCE S89°54'46"E A DISTANCE OF 66.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ELM AVENUE; THENCE S00°35'19"W ON SAID EAST RIGHT OF WAY LINE OF ELM AVENUE A DISTANCE OF 60.00 FEET; THENCE N89°54'46"W A DISTANCE OF 66.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 460,242.81 SQUARE FEET OR 10.57 ACRES MORE OR LESS.

The improvements to be constructed are:

Extension of the existing 16" ductile water main from the east side of Elm Avenue, west on 23rd Street for approximately 215 feet, then reduce to 10" ductile water main to Hudson Way and south onto 22nd Street to the west edge of Elm Meadows First Subdivision.

The District and the improvements to be constructed therein are all within the corporate limits of the City or within the extraterritorial zoning jurisdiction of the City.

Section 3. The City's Consultant will prepare detailed plans and specifications for the improvements to be constructed in the District and an estimate of costs for the same, all of which will be filed with the Clerk.

Section 4. 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 5. 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 may issue bonds in the manner and form provided by law and shall assess the costs of such improvements to the property in the District in proportion to the benefits derived from such improvements.

Section 6. 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 7. All ordinances, resolutions or orders, or parts thereof in conflict with the provisions of this Ordinance are to be extent of such conflict hereby repealed.

Section 8. This Ordinance shall be published 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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CITY OF HASTINGS, NEBRASKA

ATTEST:

By: Kimberly Jacobitz
Clerk

By: [Signature]
Mayor

[SEAL]



