

ORDINANCE NO. 820

AN ORDINANCE OF THE VILLAGE OF HEMINGFORD, NEBRASKA, CREATING STREET IMPROVEMENT DISTRICT NO. 2023-01 WITHIN THE VILLAGE; DEFINING THE BOUNDARIES OF SAID DISTRICT AND THE PROPERTY CONTAINED THEREIN; AND PROVIDING FOR THE CONSTRUCTION OF IMPROVEMENTS THEREIN CONSISTING OF GRADING AND/OR REGRADING, RECURBING AND REREGUTTERING OR CONSTRUCTION OF CURB AND GUTTER, AS MAY BE REQUIRED, PAVING, REPAVING, EARTHWORK, STORM DRAINAGE IMPROVEMENTS, PEDESTRIAN WALKWAYS AND SUCH OTHER APPURTENANCES AS MAY BE INCIDENTAL THERETO.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF HEMINGFORD, NEBRASKA AS FOLLOWS:

Section 1. The Chairperson and Board of Trustees (the “**Board**”) of the Village of Hemingford, Nebraska (the “**Village**”), hereby find and determine that it is in the best interests of the Village (a) to construct and improve certain streets and other improvements within the Village, as hereinafter described and (b) to create a street improvement district for the construction of the hereinafter-described Improvements.

Section 2. Pursuant to Sections 17-509 to 17-524 inclusive, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), the Village is authorized to grade and/or regrade, recurb and regutter or construct curb and gutter as may be required, pave, repave, construct storm drainage improvements, pedestrian walkways, and such other appurtenances as may be incidental thereto and to issue its bonds or warrants to finance the costs of constructing such improvements.

Section 3. There is hereby created within the Village a street improvement district to be known and designated as Street Improvement District No. 2023-01 (the “**District**”), the outer boundaries of which are attached as **Exhibit A** below.

Within the District, the following streets shall be improved by construction of improvements therein consisting of grading and/or regrading, recurb and reguttering or construction of curb and gutter, as may be required, paving, repaving, earthwork, storm drainage improvements, pedestrian walkways and such other appurtenances as may be incidental thereto (collectively, the “**Improvements**”):

Cheyenne Ave from Fremont St to Sheridan St including the intersection at Sheridan St;

Cheyenne Ave from Kearney St to Miles St including intersection at Ord St;

Kearney St from Sidney Ave to Cheyenne Ave including intersection at Sidney Ave and Ogallala Ave;

Custer St from Donald Ave to Cheyenne Ave including intersections at Sidney Ave, Ogallala Ave, and Cheyenne Ave;

Ogallala Ave from Fremont St to Kearney St including intersections at Kearney St, Custer St, and Sheridan St; and

Sheridan St from ½ block west of Ogallala Ave to Cheyenne Ave including intersection at Ogallala Ave and Cheyenne Ave.

Section 4. All of said Improvements shall be constructed to the established grades as fixed by ordinances of the Village, and shall be constructed in accordance with plans and specifications to be prepared by the special engineers of the Village and approved by the Board.

Section 5. The Board hereby finds and determines that the Improvements in the District consist of public improvements of general benefit to the Village as a whole, that no property within the District will be specially benefited by the Improvements, that none of the Improvements are to be funded or reimbursed by a levy of special assessments and that the Improvements shall be funded at public cost as provided in the Act.

Section 6. 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 7. This Ordinance shall be published in pamphlet form as provided by law. This Ordinance shall take effect immediately upon its publication in pamphlet form.

PASSED AND APPROVED October 17, 2023.


Chairperson

ATTEST:


Village Clerk