

JOHN M. NEFF, CITY ATTORNEY
CITY OF LEXINGTON, NEBRASKA

ORDINANCE NO. 1112

AN ORDINANCE AUTHORIZING THE CITY OF LEXINGTON, NEBRASKA, TO AVAIL ITSELF OF FEDERAL FUNDS FOR THE CONSTRUCTION OF A VIADUCT AND APPROACHES THERETO COMMENCING NORTH OF THE INTERSECTION OF BRIDGE STREET AND MAPLE STREET AND EXTENDING NORTH AND NORTHEASTERLY CROSSING OVER THE RAILROAD TRACKS AND U. S. HIGHWAY NUMBER 30 TO AND ENDING AT THE INTERSECTION OF JACKSON AND 5TH STREETS.

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. The President of the Council and Council of the City of Lexington hereby find and determine: That it is necessary and for the best interest of the City and for public safety to construct a viaduct and approaches thereto commencing North of the intersection of Bridge Street and Maple Street and extending North and Northeasterly crossing over the Railroad Tracks and U. S. Highway Number 30 to and ending at the intersection of Jackson and 5th Streets.

Section 2. That the City shall avail itself of Federal funds to construct said viaduct and approaches thereto and enter into a contract with the Department of Roads to construct such viaduct and approaches, the cost of said construction to be paid out of funds furnished by the Federal Government.

Section 3. That detailed plans and specifications for the construction of said viaduct and the map showing the exact location that such viaduct is to occupy, prepared by the Department of Roads of the State of Nebraska, and filed with the City Clerk on January 10, 1967, be and hereby are approved and that such plans and specifications and maps shall be kept on file in the office of the City Clerk and be open to public inspection.

Section 4. The City shall assume and pay all property taken for said viaduct and approaches and pay all consequential damages to property owners resulting from the construction of the viaduct and approaches thereto.

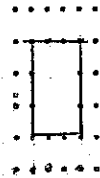
Section 5. That the City acquire all property necessary for the construction of the viaduct and approaches thereto and ascertain the consequential damages to the property owners in the manner set forth in Section

76-701 to 76-724, Reissue Revised Statutes of Nebraska, 1943, and amendments thereto.

Section 6. That a special election is hereby called and shall be held on February 21, 1967, at which election the following proposition shall be submitted to the electors of the City, to-wit:

"Shall the City of Lexington issue its negotiable bonds for such amount as may be necessary to pay for the right-of-way for a viaduct commencing North of the intersection of Bridge Street and Maple Street and extending North and Northeasterly crossing over the Railroad Tracks and U. S. Highway Number 30 to and ending at the intersection of Jackson and 5th Streets, and

"Shall the City of Lexington levy annually a tax on all taxable property in the City except intangible property sufficient in rate and amount to pay said bonds and interest thereon as the same severally become due?"



YES



NO

Those in favor of the bonds and tax shall place an X in the square preceding the word YES and those opposed to said bonds and tax shall place an X in the square preceding the word NO."


The polls will be open from eight A. M. until eight P. M. on said day and electors shall vote in the Ward and election district in which they respectively reside. The polling places shall be the same as the polling places for the general election in each Ward.

Section 7. Notice of the calling of the election shall be given by publication in the Lexington Clipper, a legal newspaper printed and of general circulation in the City of Lexington, three successive weeks prior to the election.

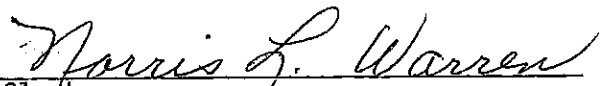
Section 8. The City Clerk shall cause ballots to be printed and furnish the same to the election boards which ballots shall set out the proposition at length followed by the word YES preceded by a square and the word NO preceded by a square. Electors voting in favor of the proposition shall mark an X in the square preceding the word YES and those

voting against said proposition shall mark an X in the square preceding the word No.

PASSED AND APPROVED this 16th day of January, 1967.



President of the Council



City Clerk

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