

RESOLUTION NO. 95-07

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. The Mayor and Council hereby find and determine that it is necessary that funds be provided for the purpose of constructing a new swimming pool facility and related aquatic park improvements; that a proposition to issue bonds for such purpose should be submitted to the electors of the City of Lexington at a special election to be held on August 8, 1995, under the authority of Section 16-695, R.R.S. Neb. 1943; that the question of a bond issue for such purpose has not been submitted to the electors of the City within six months prior to August 8, 1995.

Section 2. The Mayor and Council further find and determine that it is necessary that funds be provided for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling an existing building or buildings for the purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities, and providing furnishings and equipment for such public buildings, either directly or through the Lexington Community Facilities Agency; that a proposition to issue bonds for such purpose should be submitted to the electors of the City of Lexington at a special election to be held on August 8, 1995, under the authority of section 16-6100, R.R.S. Neb. 1943; that the question of a bond issue for such purpose has not been submitted to the electors of the City within six months prior to August 8, 1995.

Section 3. A special election is hereby called and shall be held in the City of Lexington, Nebraska, on August 8, 1995, at which special election there shall be submitted to the qualified electors of the City of Lexington, the following propositions:

Proposition No. 1

Shall the City of Lexington, Nebraska issue its negotiable bonds in the principal amount not to exceed One Million Six Hundred Thousand Dollars (\$1,600,000) for the purpose of constructing a new swimming poll facility and related aquatic park improvements, said bonds to bear interest at such rate or rates and to become due at such time or times, as may be determined by the Mayor and Council; and "Shall the City cause to be levied and collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the interest and principal of said bonds as the same become due?"

FOR said bonds and tax

AGAINST said bonds and tax

Proposition No. 2

Shall the City of Lexington, Nebraska, issue its negotiable bonds in the principal amount not to exceed Two Million Nine Hundred Thousand Dollars (\$2,900,000) for the purpose of purchasing an existing building or buildings, including related site, acquiring a site or sites including leasehold interests, constructing on such site or sites a public building or buildings and remodeling existing buildings for the purpose of providing indoor athletic facilities, public auditorium facilities, including related parking facilities (either directly by the City or through the Lexington Community Facilities Agency), and providing furnishings and equipment for such public buildings; and "Shall the City cause to be levied and collected annually a special levy of taxes against all the taxable property in the City sufficient in rate and amount to pay the interest and principal of said bonds as the same become due?"

FOR said bonds and tax

AGAINST said bonds and tax

The ballots to be voted upon and cast at said election shall have printed thereon the foregoing propositions, followed by the words: "FOR said bonds and tax" and "AGAINST" said bonds and tax" following the propositions.

Qualified electors voting in favor of each proposition shall blacken completely the oval opposite the words "FOR said bonds and tax" following said proposition, and qualified electors voting against each proposition shall blacken completely the oval opposite the words "AGAINST said bonds and tax" following said proposition.

Section 4. The City Clerk is hereby directed to cause special notice of said election to be given by publication three successive weeks (four weekly publications) prior to such election in the Lexington Clipper-Herald, a newspaper published and printed and of general circulation in the City.

Section 5. The City Clerk is further directed to certify a copy of this resolution to the County Clerk of Dawson County, Nebraska, (not less than 50 days prior to election), who shall conduct the election as provided by law. General notice of election shall be published in the Lexington Clipper-Herald, as designated by the Mayor and Council, and posted by the County Clerk not less than 40 days prior to election. The City does hereby agree to reimburse said County Clerk for the expense of conducting the election.

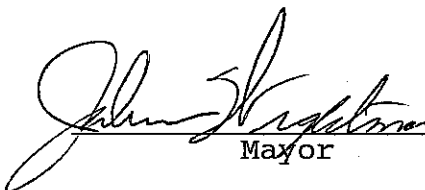
Section 6. The form of Notice to be published and the form of ballot to be submitted to the County Clerk for use at said election are hereby approved as presented to the Mayor and Council and a copy of said form of notice and said form of ballot are hereby ordered attached to these Minutes and made a part of this Resolution. The City Clerk is hereby authorized and directed in conjunction with the County Clerk conducting the election, to arrange for the printing of the necessary ballots and publication of the sample ballot and to do all other things and take all other action appropriate or necessary in order to cause said propositions to be submitted to the qualified electors of the City as above provided.

Section 7. The polling places for such election shall be those polling places designated by the County Clerk of Dawson County for such election.

Section 8. The Mayor and Council of the City of Lexington hereby declare that it is their intention to issue bonds pursuant to Proposition No. 2 only if the qualified electors of Dawson County School District 001 (including affiliates, if appropriate) shall have also approved the issuance of bonds by such school district to pay a portion of the costs of the facilities which are proposed to be financed pursuant to such Proposition No. 2.

Section 9. The Special Election previously called by Resolution adopted April 25, 1995 to be held June 20, 1995 is hereby canceled due to the failure in publication of election notice.

PASSED AND ADOPTED this 12th day of June, 1995.


Mayor


City Clerk

