

ORDINANCE 1136

AN ORDINANCE PROVIDING FOR THE CREATION OF VEHICLE OFFSTREET PARKING DISTRICT NO. 1 OF THE CITY OF ASHLAND, NEBRASKA; MAKING DETERMINATIONS WITH RESPECT TO THE PUBLIC HEALTH, WELFARE, CONVENIENCE AND NECESISTY OF SUCH DISTRICT; DETERMINING THE OUTER BOUNDARIES OF SUCH DISTRICT; SETTING FORTH THE CITY'S ENGINEER'S ESTIMATE OF THE SUM OF MONEY TO BE EXPENDED; DETERMINING UPON THE PLEDGE OF REVENUES FOR THE PAYMENT OF BONDS; PROVIDING FOR THE PUBLICATION AND EFFECT OF THIS ORDINANCE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHLAND, NEBRASKA, as follows:

Section 1. The Mayor and Council hereby find and determine as follows:

(a) that notice requesting applications for ownership and operation of off-street parking facilities has been published as required by Section 19-3311, R.R.S. Neb. 2012; that no applications have been received by the City; and that the City is now authorized under the terms of such section to commence and conduct a program for the acquisition and construction of off-street parking facilities;

(b) that by resolution passed and approved on February 2, 2017, the Mayor and Council have proposed the creation of Vehicle Off-Street Parking District No. 1 of the City of Ashland, Nebraska; that notice of the creation of such district and the hearing thereon has been published one time each week for not less than 3 weeks in the Ashland Gazette, a weekly newspaper of general circulation published in the City of Ashland, Nebraska; that on April 6, 2017, the time set by the Mayor and Council for hearing and set forth in the published notice, the Mayor and Council held a public hearing on the creation of such district; and that all persons desiring to be heard at such hearing were heard;

(c) that no written objections have been filed within the twenty days after first publication of such notice or at any time prior to such hearing;

(d) that after hearing all persons desiring to be heard and considering all matters deemed appropriate, it is necessary and advisable for the Mayor and Council to proceed with the creation of Vehicle Off-Street Parking District No. 1 of the City of Ashland, Nebraska under Sections 19-3301 to 19-3327, R.R.S. Neb. 2012, as amended, (the "Act"); and

(e) that, after considering any and all evidence presented at the hearing, the public health, welfare, convenience and necessity require the creation of Vehicle

Off-Street Parking District No. 1 of the City of Ashland, Nebraska, and the acquisition and construction of facilities therein.

Section 2. There is hereby ordered created Vehicle Off-Street Parking District No. 1 of the City of Ashland, Nebraska. The boundaries of Vehicle Off-Street Parking District No. 1 of the City of Ashland, Nebraska, shall be the same as the corporate boundaries of the City. Said boundaries are hereby determined to include all those properties within the City of Ashland which might be specially benefited by off-street parking improvements within said district. The costs of off-street parking facilities to be acquired and constructed and the costs of operating and maintaining such facilities shall be paid for from general taxes, special property taxes on property within Vehicle Off-Street Parking District No. 1 of Ashland, Nebraska, and general property taxes, with financing being provided by issuance of the City's general obligation bonds, all as provided for in the Act and with such revenues, as determined appropriate at the time of issuance, to be pledged for the payment of any such bonds. In addition to the levy of such taxes and pledge of revenues, a portion of the cost of acquisition, including construction, maintenance, repair, and reconstruction may be paid for by special assessments in accordance with the terms of Section 19-3314, R.R.S. Neb. 2012.

Section 3. The engineer's estimate of the sum of money expected to be expended for the proposed construction and improvements of off-street parking facilities within said district is \$232,890. Additional improvements not covered by such estimate may be constructed and additional expense incurred, from time to time, as provided for in Section 19-3327, R.R.S. Neb. 2012.

Section 4. This Ordinance shall be published in full and shall be in force and take effect from and after its passage and approval as provided by law.

PASSED AND APPROVED this 6<sup>th</sup> day of April, 2017.

CITY OF ASHLAND  
SAUNDERS COUNTY, NEBRASKA

BY: *Richard Grauerholz*  
Richard Grauerholz, Mayor

ATTEST:

*Kathleen Sliva*  
Kathleen Sliva, City Clerk

