

CITY COUNCIL PROCEEDINGS

November 30, 2022

The City Council of the City of David City, Nebraska, met in open public session at 7:00 p.m. in the meeting room of the City Office at 490 "E" Street, David City, Nebraska. The Public had been advised of the meeting by publication of notice in The Banner Press on November 17, 2022, and an affidavit of the publisher is on file in the office of the City Clerk. The Mayor and members of the City Council acknowledged advance notice of the meeting by signing the Agenda which is a part of these minutes. The advance notice to the Public, Mayor, and Council members conveyed the availability of the agenda, which was kept continuously current in the office of the City Clerk and was available for public inspection on the City's website. No new items were added to the agenda during the twenty-four hours immediately prior to the opening of the Council meeting.

Present for the meeting were: Mayor Alan Zavodny, Council members Pat Meysenburg, Tom Kobus, Bruce Meysenburg, Jessica Miller, Kevin Woita, City Attorney David Levy, and Interim City Administrator/City Clerk-Treasurer Tami Comte. Council member John Vandenberg was absent.

Also present for the meeting were: City Council member-elect Keith Marvin, Special Projects Coordinator Dana Trowbridge, Deputy City Clerk Lori Matchett, Banner-Press Correspondent Hannah Schrod, Sheriff Tom Dion, Joe Sather with JEO Consulting, Ryan Ruth with First State Insurance, David McPhillips, Larry McPhillips, Ruth Thoendel, Mark & Willow Holoubek, Jerry Kosch, Randy Isham, Jan Sypal, Gordon Harms, David Oborny, Kim Dietrich, Hank Kobza, David & Michelle Streeter, Chuck Oborny, Lane Sabata, Jennifer Divis, and Ryan Meister.

The meeting opened with the Pledge of Allegiance.

Mayor Alan Zavodny informed the public of the "Open Meetings Act" posted on the west wall of the meeting room and asked those present to please silence their cell phones. He also reminded the public that if they speak tonight in front of the Council that they must state their name and address for the record.

Council member Pat Meysenburg made a motion to approve the minutes of the November 9, 2022 City Council meeting as presented. Council Member Tom Kobus seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

Council member Tom Kobus made a motion to Approve the Qualifications of JEO for the implementation of ArcGIS Online using grant funds received by the water department. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1



Engineering | Surveying | Architecture | Planning



STATEMENT OF QUALIFICATIONS FOR

GIS MAPPING FOR PUBLIC WATER SYSTEM

**CITY OF DAVID CITY
NOVEMBER 22, 2022**

**JEO CONSULTING
GROUP, INC.**

1937 North Chestnut Street
Wahoo, NE 68066

jeo.com



Joe Sather, LS
Project Manager

o: 402.443.4661 | **m:** 402.770.1696 | **e:** jsather@jeo.com



November 22, 2022

City of David City
Ms. Tami Comte, City Clerk/Treasurer
490 E Street
David City, NE 68632

RE: Qualifications for GIS Mapping for Public Water System | City of David City

Dear Ms. Comte and Selection Committee Members:

Thank you for providing JEO Consulting Group, Inc. (JEO) with the opportunity to submit our qualifications for the public water system mapping project. Through prior work with the city, we have an understanding of how you are currently using GIS to assist in operating and maintaining your water system and would like to continue our partnership with David City. Our proposed team can hit the ground running to meet the timely delivery of this project. We have prepared a brief response with our qualifications. A few important attributes are highlighted below.

COMPREHENSIVE TEAM WITH PROVEN RESULTS: JEO has technical expertise and experience in all aspects of the project. These aspects include project management, survey-grade GIS data collection, database development, water system mapping review coordination, GIS interface training, and funding compliance. This expertise will provide David City with a GIS mapping system that allows you to locate all water system features efficiently and effectively, making emergency situations easier to work through and day-to-day operations smoother.

ROAD MAP: JEO will work alongside David City to ensure our data collection can help achieve any long-term visions for the city's asset management program. We want to leverage our knowledge, expertise, and experience to provide you with a GIS mapping system that will provide efficient and effective water system maps and a system that will be expandable for additional asset management in the future.

FUNDING PACKAGE: JEO has successfully worked with a variety of funding programs, including the public water system (PWS) security grant funds and the state revolving fund (SRF) programs. Our engineers and funding specialists will help guide you through the process.

With the entire team's expertise, JEO will provide accurate mapping that helps the city staff locate features quickly. It will also help to operate and maintain your water system properly and plan for future improvements. Thank you for taking the time to review our qualifications. We appreciate your consideration and ask that you select the JEO team for this important project. If you have any questions, please contact me at 402.770.1696 or jsather@jeo.com.

Sincerely,

A handwritten signature in blue ink that reads "Joseph A. Sather".

JOSEPH A. SATHER, LS

Survey Project Manager

JEO Consulting Group, Inc.

QUALIFICATIONS OF THE FIRM

Since 1937, JEO Consulting Group, Inc. has provided engineering consulting services, unsurpassed in skill, creativity, and cost-efficiency. From modest beginnings, JEO has grown into a highly skilled and respected consulting firm, serving individuals and communities throughout the Midwest. JEO has 13 offices located in Nebraska, Iowa, and Kansas. The JEO team of **professional engineers, architects, planners, surveyors, community engagement specialists, and finance experts** all work in concert with skilled technicians and support personnel to exceed our clients' expectations.

JEO provides clients with quality service, delivered on time and within budget. **We keep our promises, deliver solutions dependably, and communicate clearly.** As a result, we serve many of the same clients year after year.

The JEO philosophy is simple: **If you're not satisfied, neither are we.** We work to attain your thorough satisfaction with unparalleled skill, unbridled enthusiasm, and effective communication.



Aquatics & Recreation



Architecture



Community Engagement



Civil/Site Engineering



Construction Inspection



Electrical



Environmental



Funding



Traffic and Transportation



Surveying/GIS



Water Resources



Water/Wastewater

GEOGRAPHIC INFORMATION SYSTEMS EXPERIENCE

We offer clients a variety of geographic information system (GIS) services, from hard copy printed maps to mobile-ready, cloud-hosted solutions.

Government officials are all too familiar with the hurdles involved in managing and maintaining the large amounts of data necessary to make a community run effectively and efficiently. The implementation of a community-wide GIS can simplify this arduous task.

The goal of a GIS developed by JEO is for your community to have a comprehensive view of your daily operations and resources. This could entail looking up a scanned plan-set of your latest road improvement project or looking for areas of potential cross connections between storm and sanitary sewer systems. The analytical possibilities of a GIS are endless.

JEO's GIS professionals can provide your community with GIS services that can take you from the initial planning stages through database design, data creation and/or conversion, implementation, and training.

Many of your departments and services can directly benefit from GIS. These include:

- Sanitary Sewer System
- Water Supply System
- Storm Sewer System
- Street Network
- Building Permitting/Inspection
- Watershed Management
- Construction Management
- Facilities Management
- Emergency Management
- Environmental Protection

With the services that JEO can provide, integrated data can be available at your fingertips. JEO can provide you with the tools and training to take your community to a higher level of efficiency.



DATA SERVICES

GIS Data Collection
Data Conversion
Database Design
Data Maintenance
Geoprocessing
Metadata
QA/QC Plans



SOLUTIONS

Custom Mapping
GPS Survey
ArcGIS Online
ArcReader
Analysis and Modeling
Map Book Production
Project Data Integration/Survey Data Integration



PROJECT EXPERIENCE

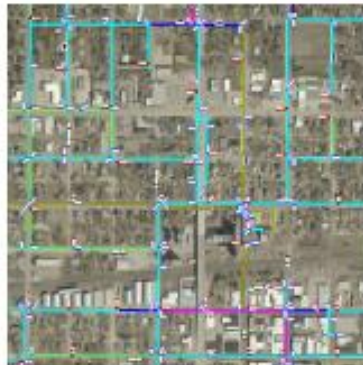
In the last five years, JEO has collected over **29,500** water system features as part of GIS mapping systems, for nearly 50 communities.



WATER SYSTEM AND UTILITY MAPPING WITH GIS

ORD, NE

Jeramie Van Leer
 p. 308.728.5791



GIS WATER SYSTEM AND SANITARY SEWER MAPPING

SCHUYLER, NE

Larry Wennekamp
 p. 402.352.5444



FIRE HYDRANT APPLICATION

SOUTH SIOUX CITY, NE

Chief Terry Johnson
 p. 402.494.7555

JEO partnered with the City of Ord to develop a GIS mapping system. JEO produced map books and wall maps for the water and sanitary sewer systems. All geospatial data, including MXD, geodatabase, and layer files, were delivered for future use by the city. JEO also provided ArcGIS training to utility staff.

Project Components for the Water System

Features Collected	Quantity
Water Valves	498
Curb Stops	1,256
Fire Hydrants	198
Water Meters	67
Wells	5

Schuyler Department of Utilities consulted with JEO to develop a multi-phased GIS project. All data was overlaid onto existing high-resolution aerial imagery provided by the city to develop map books at 1"=100' scale of both the water and sanitary sewer systems. In addition to providing hard copy map books, all maps and data were provided to the city in ArcGIS/ArcReader format as final deliverables.

Project Components for the Water System

Features Collected	Quantity
Water Valves	680
Curb Stops	1,790
Fire Hydrants	266
Water Meters	73
Wells	6

The South Sioux City Fire Department worked with JEO to develop an ArcGIS Online-based solution to better manage their fire hydrants. JEO delivered a custom ArcGIS Online mapping application that allows staff to enter static and residual pressures and calculates each hydrant's total test flow rate. This solution enables the Fire Department to quickly identify which hydrants have ideal fire flows and where they are located, thereby increasing preparedness. This solution also assists with coordination between the Fire Department and city water operators by helping track maintenance issues.

JOE SATHER LS

Project Manager



✉ jsather@jeo.com

☎ 402.443.4661

📍 1937 N. Chestnut Street
Wahoo, NE 68066

📅 Industry Tenure: 17 years

Joe is a GIS specialist/surveyor at JEO with 17 years of experience in GIS. During his time at JEO, Joe has been successful in standardizing GIS data collection methods for field survey crews. This ability to collect high accuracy GPS data, that follows strict GIS database rules, has proven to be integral to the success of previous utility inventory projects. As a surveyor, Joe is also well-versed in advanced drafting techniques, using Autodesk's Civil 3D primarily. Joe also has experience with Microsoft Access database application development.

PROJECT EXPERIENCE

- **Water System Mapping with GIS**

Battle Creek, Nebraska
Campbell, Nebraska
Chambers, Nebraska
Clarkson, Nebraska
Dakota City, Nebraska
Fairmont, Nebraska
Homer, Nebraska
Howells, Nebraska
Lawrence, Nebraska
Milford, Nebraska
Pender, Nebraska
Pierce, Nebraska
Roseland, Nebraska
St. Paul, Nebraska
Syracuse, Nebraska

- **Water and Sewer System GIS Mapping**

Bancroft, Nebraska
Red Cloud, Nebraska
Schuyler Department of Utilities, Nebraska
Superior, Nebraska
Tobias, Nebraska
Wood River, Nebraska

- **GIS Mapping Services**

Waverly, Nebraska

- **Water System Mapping Update**

Ashland, Nebraska

EDUCATION

B.S., Geography
University of Nebraska
A.A.S., Land Surveying/Civil
Engineering Technology
Southeast Community College

REGISTRATION

Registered Land Surveyors

- Nebraska (735)
- Wisconsin (3191-8)

AFFILIATIONS

- Nebraska GIS/LIS Association,
Board Member (2014-2019)
- Professional Surveyors Association
of Nebraska, GIS Committee
Member
- National Society of Professional
Surveyors





ETHAN JOY


PE, LEED AP

Project Engineer



 ejoy@jeo.com

 402.241.7409

 1909 Dakota Avenue
South Sioux City, NE 68776

 Industry Tenure: 21 years

Ethan has over 21 years of experience designing and managing projects for municipalities, state agencies, and private clients. Ethan is an experienced designer with a strong technical background. He currently is also the quality assurance manager for the entire water infrastructure group at JEO. Ethan has a wide range of experience in the study, design, and construction of municipal utilities, including water transmission and distribution mains, water and wastewater treatment facilities, sanitary sewers, lift stations, pump stations, water supply wells, and elevated water storage tanks.

PROJECT EXPERIENCE

- **Water System Mapping with GIS**
Homer, Nebraska
South Sioux City, Nebraska
Dakota City, Nebraska
Jackson, Nebraska
- **Other Water/Wastewater Projects**
Water Treatment Plant Upgrade, David City, NE
Water Treatment Facility Improvements, Dakota City, NE
Water Treatment Plant, Jackson, NE
Water Distribution Modeling and Evaluation, Carroll, IA
Water System Improvements, Manson, IA
Well Replacement, Dakota City, NE
Well Replacement, South Sioux City, NE
Water System Improvements, Farnhamville, IA
Water System Improvements, Lidderdale, IA
Water Distribution Modeling and Evaluation, Carroll, IA
Western Hills to Indian Hills Pressure Zone, Sioux City, IA
East 18th Street Watermain Improvements, South Sioux City, NE
14th Street and Old Cheney Road Water Main, Lincoln, NE

EDUCATION

B.S., Biological Systems Engineering
University of Nebraska

REGISTRATION

- Professional Engineer
- Nebraska (E-12024)
 - Kansas (27788)
 - Iowa (18282)
 - South Dakota (13284)
 - Wisconsin (387986)
 - Minnesota (46671)

LEED Accredited Professional

AFFILIATIONS

- Nebraska Water Environment Association





GET IN TOUCH



402.770.1696



jsather@jeo.com



1937 North Chestnut Street
Wahoo, Nebraska 68066



JEO CONSULTING GROUP

November 22, 2022 | 2:00 PM

A Statement of Qualifications for
**GIS Mapping for Public
Water System**

PREPARED FOR
David City, Nebraska

10838 Old Mill Road, Suite A
Omaha, NE 68154
(402) 718-9528
www.rjn.com





November 22, 2022

Ms. Tami Comte
City Clerk - Treasurer
490 E Street
David City, NE 68632
(402) 367-3135

Subject: GIS Mapping for Public Water System

Ms. Comte:

RJN offers complete turnkey GIS services for ArcGIS Online, including database development, training, and support services, as well as expertise with data integration for third-party modeling and maintenance management applications. This letter of interest highlights the strength of RJN's team and local leadership, our experience in developing precision GIS tools, and completing similar projects. Guided by the leadership of Randall Brodner, PE, who is supported by one of RJN's most experienced lead engineers, Karol Giokas, PE, and QA/QC Lead Dennis Gilbertson, GISP, RJN will advance David City's GIS Mapping for Public Water System Project to completion on time and within budget.

GIS Tool Proficiency

Our GIS specialists are proficient with all applicable software suites and will leverage the appropriate technologies to deliver an accurate ArcGIS Online tool to David City.

- ArcGIS Online
- ArcGIS Pro
- ArcGIS for Desktop
- ArcGIS Solutions
- ArcGIS Field Maps
- Esri Survey123

DATA MANAGEMENT AND MIGRATION

We will review the quality of existing GIS data using a variety of methods to verify quality, check for data completeness, and identify critical data gaps, including Esri-based tools to evaluate topology, feature attribute values, connectivity, and network flow direction. The connectivity verifications ensure there are no orphaned nodes or disconnected pipe systems.

Sarpy County, Nebraska, GIS Department's Chris Nelsen said that working with RJN was one of the best GIS data migrating experiences he has had. "This [Whitted Creek Sanitary Basin GIS Gap Analysis and Update] has been one of the best projects I've worked on. Normally, migrating data into our system takes a bit of work, but RJN followed our schema very well and went above and beyond."

Feature Attribute Values

It is critical that the quality of feature attribute values is verified. One way to control the values of a feature attribute is with domains—a list of valid values that can be selected from a drop-down list. Domains work very well when there is a finite list of valid values, but there are many instances where a domain cannot be used.

For attribute fields without a domain to control the data, valid value quality checks can be performed by analyzing:

- **Elevation Ranges**—Values that represent elevation can be checked to ensure they fall within the proper range for that area. This validation method can also be enhanced by incorporating a detailed ground surface model developed from the best available topographic data.

- **Values Based on Feature Type**—Pipes have a variety of shapes and, depending on the shape of the pipe, specific dimension fields should be populated. If the shape is circular, the diameter field should be populated. If the pipe is oval, the height and width fields should be populated.
- **Unit of Measurement Check for Dimensions**—The standard unit of measurement (i.e., inches or feet) varies between the features. Values representing a dimension will be checked and validated.

Flow Direction

Similar to the topology verification, pipe flow directions should also be verified. The linear features of a pipe network can be placed in a geometric network schema and checked to ensure that the flow direction is towards each system's outlet. Linear features that do not exhibit the correct flow direction are flagged for investigation.

We can also use tools available in risk and hydraulic modeling applications that present results graphically in the GIS to verify data quality, including:

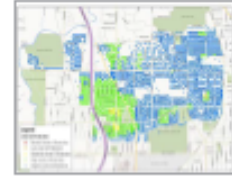
- Geometry checks (overlapping nodes, missed connections, pipe split candidates)
- Object checks (orphan nodes, orphan links)
- Tracing (trace upstream, trace downstream)
- Engineering validation (invalid pump curve)
- Network reviews (short pipes, incorrect slopes)

Random Sampling

In addition to the automated verifications, features are randomly sampled and manually checked. RJN has built a set of tools that allow our GIS analysts to specify a sampling percentage and pull that random sample into a set of QA/QC feature classes. Each feature in the sample is then reviewed to ensure the data associated with that feature is correct based on as-built plans, aerial imagery, survey information, and field reconnaissance/condition inspection information.

MAPPING SERVICES

To enable David City to proactively manage its system assets and make sound decisions, all assets must be accurately mapped and assessed. This requires updating and revising maps as existing data is verified and new data is compiled. Using proven procedures, RJN will help develop processes that can be used to accurately record as-builts.



RJN has innovative solutions that enable GIS tools to be utilized by non-GIS professionals. RJN's proprietary Clarity® Data Management Hub makes GIS accessible through a data-driven, intuitive graphical user interface and seamlessly integrates with ArcGIS Online.

STAFF TRAINING

Lead Engineer Karol Giokas, PE, can provide staff training as needed. She has executed successful training programs for a broad spectrum of staff with varying degrees of experience, including office and field staff, regarding GIS and GPS data collection and post-processing of collected data.

MOBILE DATA COLLECTION

Data collection is one of RJN's core services. Our in-house teams of field technicians, led by Staff Engineer Ayman Abdelalhalheem, can deploy to sites to capture asset data on-demand, delivering precision data that can be relied upon for program management, modeling, and asset management.



Tailored applications ensure quality for your GIS

RJN uses sophisticated, GPS-enabled data collectors to capture comprehensive asset condition data. These data collectors wirelessly transmit data across cellular networks in near-real time and also include high-definition cameras for holistically documenting all site attributes and conditions. Esri's Survey123 application is leveraged to facilitate accurate data collection using logic and built-in quality checks.

REFERENCES

- Chris Nelsen - Sarpy County, Nebraska
(402) 593-4349 | cnelsen@sarpy.com
- Epiphany Ramos - City of Bellevue
(402) 293-3136 | epiphany.ramos@bellevue.net
- Cyrus McMains, PE - Yorkville-Bristol Sanitary District, Illinois | (630) 530-7657 | cyrus@ybsd.org
- Jason Craft, PE - City of Clinton, Iowa
(563) 244-3423 | jasoncraft@cityofclintoniowa.us

PAST RECORD OF PERFORMANCE

RJN has successfully delivered projects utilizing ArcGIS Online and encompassing data management and migration, asset management, mapping, and staff training. Our project team has done everything from constructing a GIS from scratch to updating existing systems to perform as a precision asset management tool.

Whitted Creek Sanitary Basin GIS Gap Analysis and Update | *Sarpy County/Bellevue, Nebraska*

Desktop review and gap analysis for the City's GIS. As-built records were used to fill in data gaps and make edits to the system's overall connectivity. As-builts and record drawings were digitized and integrated into the GIS record. As-builts were organized and cataloged by area, were accessible by clicking a button to open the document.

Sanitary Sewer Interceptor GIS Gap Analysis | *Omaha, Nebraska*

Integration of as-built drawings and manhole inspection and CCTV attribute and condition data into GIS layers. Surface manhole inspections were conducted to capture condition and attribute data. Training on the use of Arc Reader was also provided.

Multi-Year Condition Assessments and GIS Mapping | *Clinton, Iowa*

Structure inspections and GPS survey program for all storm, sanitary, and combined structures to develop an accurate GIS asset inventory. A hydraulic model was constructed from the GIS data to simulate separation scenarios within Basin 6 to identify the best approach to meet the consent decree's requirements. Services included structure and stormwater intake structure inspections (1,650), sub-centimeter manhole locates (1,900), incorporation of as-builts into the City's GIS (880), renumbering structures within the GIS, and the implementation of ArcGIS Online.

GIS Update | *Carbondale, Illinois*

In-house staff augmentation to Carbondale's engineering staff to compile, organize, homogenize, and migrate the City's disparate GIS data sources into Esri® Local Government Information Model (LGIM) and deploy solutions to ArcGIS Online and Survey123. This resulted in a unified data repository for the City's sewer and water GIS files with categorized feature datasets.

Multi-Year CMOM Program Assistance | *Yorkville-Bristol Sanitary District, Illinois*

Ongoing program including the development and implementation of an ArcGIS Online tool to manage asset and condition data to support and inform the District's maintenance and operations efforts. Ten percent of the collection system has been assessed each year, with data being updated in ArcGIS Online, which seamlessly integrated with RJN's proprietary Clarity® Data Management Hub.

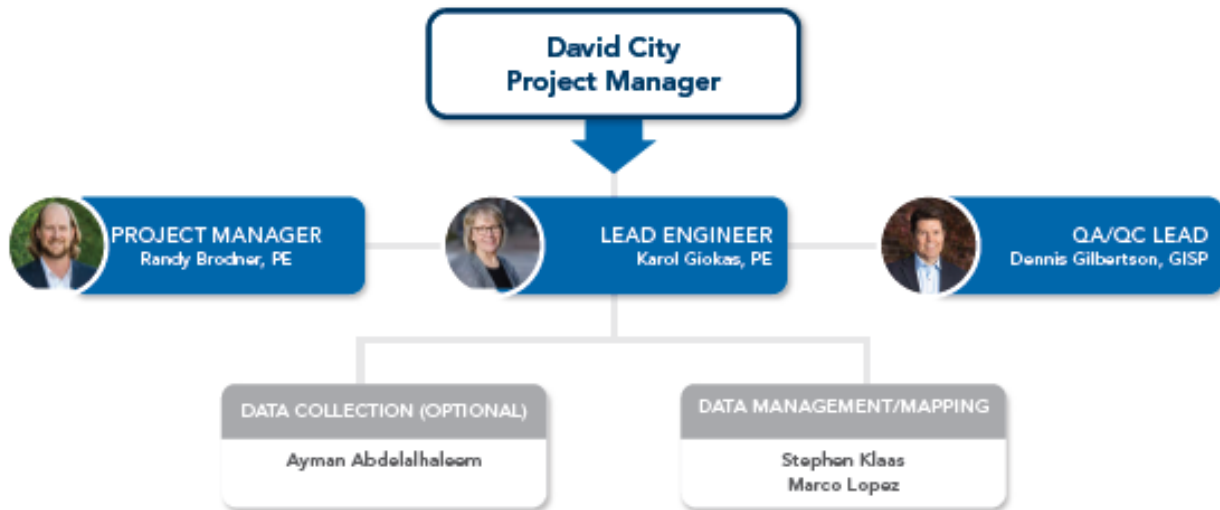
CAPACITY AND CAPABILITY

We are dedicated to committing the resources necessary to complete David City's GIS Mapping for Public Water System Project. Project Manager Randall Brodner, PE, and Lead Engineer Karol Giokas, PE, have completed every facet of GIS programs, from initial GIS construction to gap analysis to as-built conversions. Karol is supported by a local team of GIS and field professionals, a regional team from the Chicagoland area, and a nationwide roster of 170 professionals.

PROXIMITY AND FAMILIARITY

Our firm has been serving the Midwest's engineering needs for more than 45 years. Our Omaha-based project manager, as well as our proposed project team, is familiar with the infrastructure landscape and the unique challenges utility owners serving Nebraska's communities face.

ORGANIZATION CHART



Key Project Team Members



Randall Brodner, PE brings experience with municipal sewer and water engineering evaluations, design, and construction oversight. With his background in municipal assessment and improvement projects, he has a deep understanding of the importance of GIS to inform and guide the decision-making process. Randall will bring these insights to bear for the City of David City's GIS.



Karol Giokas, PE is one of RJN's most senior engineers. She has a depth of experience and understanding that will ensure a precision ArcGIS Online application is delivered to David City. Her understanding of infrastructure data needs and how GIS is paramount to system maintenance and planning will guide every decision she makes.



Dennis Gilbertson, GISP is a certified Geographic Information System Professional, with 25 years of industry experience. He will leverage his knowledge of Esri ArcGIS applications, including ArcGIS Online, and best practices to provide an additional layer of technical insight and review to RJN's David City deliverables.



Stephen Klaas specializes in GIS services that augment infrastructure mapping and expand asset attribute data for municipal and utility clients. Since receiving his Bachelor's degree in Geography from Southern Illinois University, he has consistently used his ArcGIS expertise to customize spatial data management and analysis, develop geodatabase processes and maintenance protocols, and expand upon map visualizations.



Marco Lopez specializes in GIS services to support infrastructure studies and improvement programs including mapping and GIS system updates. He has extensive knowledge of geodatabase (mapping, layers, and features) based in ArcGIS, and troubleshooting integration to provide technical GIS support on a wide variety of assessment, management, and design projects.



Ayman Abdelalhaleem is an expert in executing and managing quality data collection activities for system assets. He will ensure that the most appropriate technologies and techniques are utilized to ensure collected data reflects real-world asset conditions and conveys a complete picture of system infrastructure.

Randall Brodner, PE

Project Manager



Years of Experience: 15

Education

BS—Civil Engineering (Purdue University, 2006)

Registrations

PE—Nebraska #E-19220

Certifications

OSHA 10-Hour Safety Certification
30-003173555

4-Hour Work Zone Traffic Control

Confined Space Entry

Mr. Brodner has a deep understanding of the interplay between informed municipal planning/maintenance and precision GIS tools. Randall will manage all project operations and serve as the liaison to David City, ensuring RJN's deliverables exceed expectation.

RELATED PROJECT EXPERIENCE

Emergency Repair Assistance, Omaha, Nebraska—Project Manager. Rehabilitation design services for 2,550 LF of 8-inch concrete and vitrified clay sewer pipe using CIPP and open-cut construction. Manhole rehabilitation design (7) services were also provided. Repairs and as-builts were incorporated into the GIS

Annual Interceptor Manhole Inspections, Omaha, Nebraska—Project Director. Large-diameter sewer system inspection using sewer lamping to prioritize further inspection by multi-sensor inspection technology. Findings were updated in the GIS

Corrosion Assessment Program, Tulsa, Oklahoma—Project Manager. Multi-year large diameter interceptor corrosion assessment, rehabilitation design, and construction phase engineering. All findings were updated in the GIS

Karol Giokas, PE

Lead Engineer



Years of Experience: 28

Education

MS—Mechanical Engineering (Villanova University, 1990)

BS—Mechanical Engineering (Washington University, 1980)

Registrations

PE—Iowa #P20182

Certifications

NASSCO PACP/MACP/LACP
U-114-06019889

4-Hour Work Zone Traffic Control

Defensive Driving for Non-Commercial Vehicles

Confined Space Entry and Rescue

Ms. Giokas has led multiple GIS conversion, development, and upgrade projects. In addition, she played a key leadership role with RJN's adopting of innovative tools and technologies for field investigation data collection, analysis, and asset management modeling to enhance municipal infrastructure evaluation and planning.

RELATED PROJECT EXPERIENCE

Whitted Creek Sanitary Basin GIS Gap Analysis and Update, Sarpy County/Bellevue, Nebraska—Senior Project Engineer. Desktop review and gap analysis for the City's GIS. As-built records were used to fill in data gaps and make edits to the system's overall connectivity. As-builts were organized and cataloged by area, were accessible by clicking a button to open the document.

Basin #6 GIS Sewer Inventory, Clinton, Iowa—Project Manager. Structure inspections and GPS survey program for all storm, sanitary, and combined structures to develop an accurate GIS asset inventory. Services included incorporating as-builts into the City's GIS (880), renumbering structures within the GIS, and the implementation of ArcGIS Online.

Storm Sewer Data Management and GIS Integration, RedZone Robotics, Arlington Heights, Illinois—Project Manager. Multi-year data management program to locate, verify, map, update, and integrate stormwater asset data into the GIS. Services included program management, data integration (633,255 LF), mapping updates (2,195), GPS locates and manhole inspections (676), database migration to ArcSDE, and upgrades to the local government model.

Dennis Gilbertson, Jr., GISP

QA/QC Lead



Years of Experience: 25

Education

BS—Geography (University of Wisconsin
La Crosse, 1996)

Certifications

Geographic Information System
Professional 8193

Software

ArcGIS Online for Organizations
AirWatch Mobile Device Management
ArcGIS for Server 10.2
ArcGIS Pro (Beta Release)
ESRI ArcGIS Desktop 10.4
ESRI Explorer for ArcGIS, ESRI Collector
for ArcGIS
ESRI Maps for Office
ESRI Model Builder
Trimble Mapping Grade GPS Devices
Trimble Pathfinder Office
Trimble TerraSync

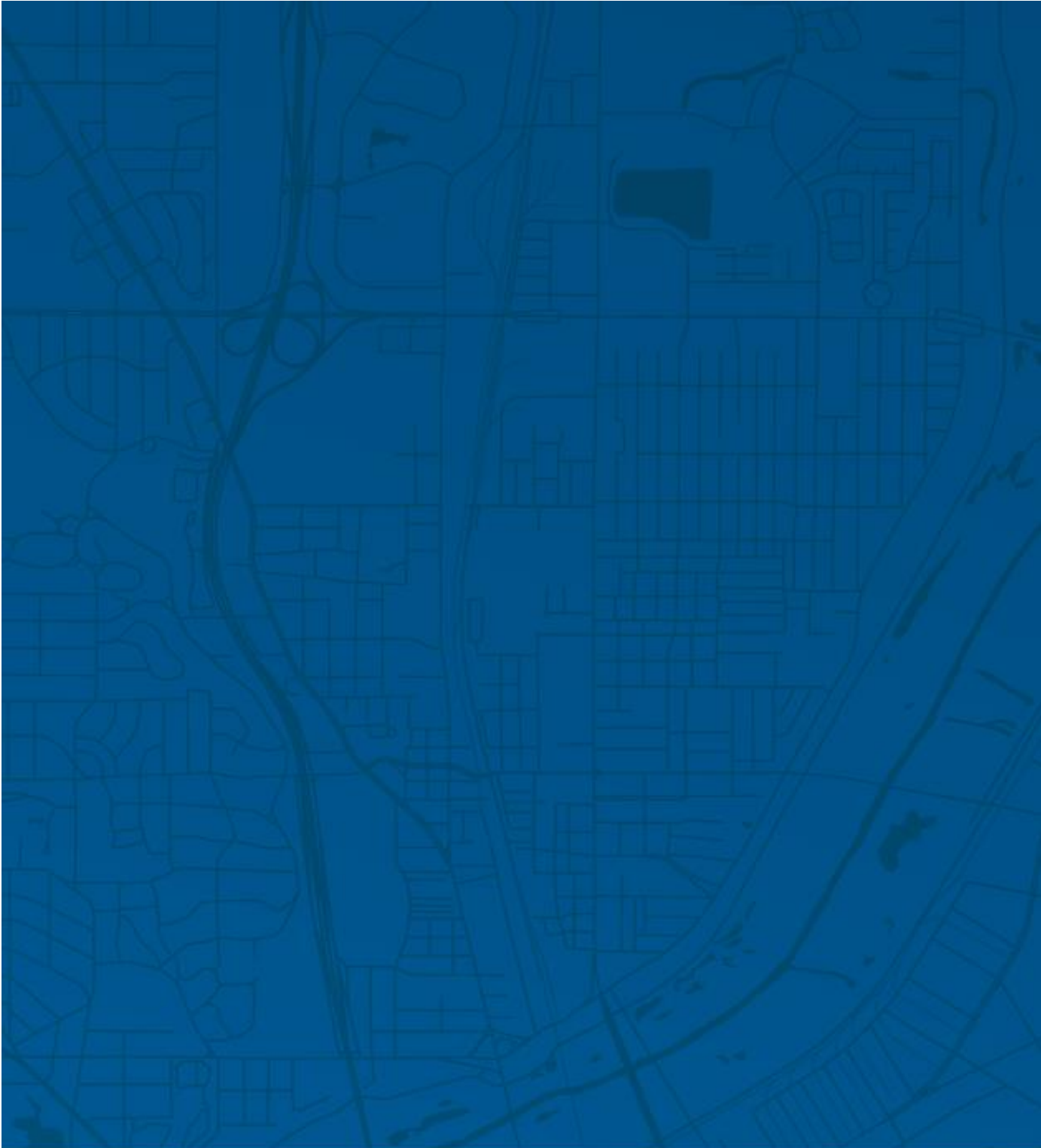
Mr. Gilbertson has 25 years of experience in Geographic Information Systems (GIS) and the experience to build a GIS from the ground up while successfully implementing its use enterprise-wide. He has worked extensively with municipal GIS applications, constructing and integrating asset information to monitor maintenance solutions and inventories.

RELATED PROJECT EXPERIENCE

Whitted Creek Sanitary Basin GIS Gap Analysis and Update, Sarpy County/Bellevue, Nebraska—GIS Director. Desktop review and gap analysis for the City's GIS. As-built records were used to fill in data gaps and make edits to the system's overall connectivity. As-built and record drawings were digitized and integrated into the GIS record.

Multi-Year CMOM Program Assistance, Yorkville-Bristol Sanitary District, Illinois—GIS Director. Ongoing program including the development and implementation of an ArcGIS Online tool to manage asset and condition data to support and inform the District's maintenance and operations efforts. Ten percent of the collection system has been assessed each year, with data being updated in ArcGIS Online, which seamlessly integrated with RJN's proprietary Clarity® Data Management Hub.

GIS Data Conversion and Asset Mapping, Utilities, Inc.—GIS Director. GIS conversions to upgrade, unify, and standardize the maps, GIS layers, and mobile resources for three Indiana utilities and twenty-four Illinois water/sewer utilities operated by Utilities, Inc., under the USI-adopted standard model. The conversion involved digitizing paper-based maps for water and sewer connections (25,920 customers), performing quality checks, standardizing field verification processes, and creating map books. Services included data integration of assets (25,920 meters, 1,521,551 LF gravity sewer, 716,180 LF water main); GIS data analysis and conversion; and USI Field User Guide Development & Standardization.





City of David City, Nebraska
Statement of Qualifications for

GIS MAPPING FOR PUBLIC WATER SYSTEM

November 22, 2022





November 22, 2022

David City, Nebraska
ATTN: Tami Comte
557 North 4th Street
David City, Nebraska 68632

RE: Statement of Qualifications for GIS Mapping for Public Water System.

Dear Ms. Comte and City Council Members:

Congratulations on your successful Public Water Supply (PWS) Security grant application and award. A single, cloud-based geographic information system (GIS) system will help your staff with operational planning and asset management, so David City continues to grow and prosper. Our team has worked with many municipalities to implement similar GIS systems, and we are the best partner to assist David City with the implementation of ArcGIS Online (ArcGIS).

HISTORICAL KNOWLEDGE AND ACCESS TO EXISTING DATA.

The City of David City and our team at Olsson have a long history of working together. Olsson has worked on dozens of water projects in the community, which means we have access to the water and utility data that was used to create your existing GIS system. Because of our historical knowledge and access to your spatial data, we can deliver project efficiencies that no other team can provide. **For example, our team can input a lot of data directly into ArcGIS (as opposed to transferring everything from gWorks). This will save the city time and resources while improving the quality of your data.** We discuss this process in more detail on page 4 of this proposal.

GIS EXPERTISE.

At Olsson, we have a variety of experts in-house, including dedicated GIS professionals, registered land surveyors, and professional water and wastewater engineers who are familiar with your existing system. Not only do we have the technical expertise to help you build and manage a robust online system, but **we can also provide training including how to create and use custom mapping applications and dashboards within ArcGIS. Our team will make sure that you get the most out of your ArcGIS subscription.**

COST-SAVINGS AND VALUE ENGINEERING.

Our team will input David City's existing data into your new ArcGIS system at no charge. This means the city can leverage all PWS funds to pay for ArcGIS (licensing and ongoing subscription fees) and additional equipment (e.g., tablets). In addition, we will continue to partner with David City to keep your GIS maps for water and other utilities data up to date, so you can enjoy the benefits of an all-encompassing mapping solution.

We look forward to speaking with you about our team and approach to this engineering projects. Should you have any questions, please contact Jason or Dave as noted below.

Sincerely,


Jason Witzke
Olsson Project Manager
816.442.60643


Dave Ziska
City Engineer and Olsson Client Liaison
308.390.3218



In 2021, 93 Percent of Olsson's Work Came From Repeat Clients – A Testament to Who We Are and What We Do.

WE ARE OLSSON,

a nationally recognized, employee-owned engineering and design firm with a rich history of success.

We're here to improve communities by making them more sustainable, better connected, and more efficient. Simply put, we work to leave the world better than we found it.

We offer comprehensive design solutions for infrastructure projects, and we specialize in those involving multiple services and disciplines. What we do improves communities, which is why we pay meticulous attention to every detail of your project. From start to finish.

ENGINEERING

Civil Engineering / Electrical Engineering / Mechanical Engineering / Structural Engineering

FIELD SERVICES

Construction Management / Drilling / Geotechnical / Materials Testing / Nondestructive Testing / Special Inspections / Surveying

TECHNOLOGY

Geographic Information Systems / Intelligent Transportation Systems / Project Visualization / Systems Engineering / Traffic Management Systems / Utility & Industrial Automation

PLANNING & DESIGN

Community Planning / Landscape Architecture / Master Planning / Program Management / Site Design / Transportation Planning

ENVIRONMENTAL

Air Quality / Environmental Planning & Permitting / Hydrogeology / Remediation

FNR

olsson

Tami Comte (tcomte@davidcityne.onmicrosoft.com) is signed in

TOP 500
DESIGN FIRMS
2022

#74

QUALIFICATIONS

Olsson provides comprehensive geographic information system (GIS) and remote sensing solutions to collect, manage, and analyze spatial data; **creating useful information to help you make more informed decisions.** Our experienced professionals develop and create objective, secure, high-quality, and timely analyses and reports to support the following tasks:

- Map and inventory Infrastructure
- Maintain accurate records in case of emergencies or natural disasters
- Map natural resources and other environmental data
- Plan for community growth and/or economic development
- Perform wetland delineations
- Analyze site suitability for upcoming projects
- Conduct hydraulic and hydrologic modeling



GIS CAPABILITIES AND EXPERTISE

Olsson has maintained a dedicated GIS team since 2002. The members of this team work solely on internal and external mapping and GIS projects. As you will read about on page 7, they are experts at using publicly available GIS spatial data and imagery, field-survey data, and UAV (drone) data to create maps and analyze data. In addition, they specialize in the Environmental Systems Research Institute's (ESRI's) suite of GIS tools and products including ArcGIS Online (ArcGIS). Because of their familiarity with ESRI, they are able to customize clients' ArcGIS systems for specific asset management capabilities and reporting functions. This team also trains and supports clients as they learn how to create, organize, query, and process GIS data for their own communities.

OUR APPROACH TO DAVID CITY'S GIS MAPPING.

SYSTEM PROCUREMENT

You already know that developing and maintaining a GIS system requires the best tools. We have the knowledge and expertise to help you procure the software and appropriate tools such as a tablet computer and/or GNSS receiver. We understand that you want to purchase an ArcGIS subscription, which will allow your staff to access and edit GIS data from a secure, cloud-based web platform. The members of our team will help the city subscribe to and configure the software for your needs.

GIS DEPLOYMENT

We already have the GPS location and spatial data for your water system, so we will load the data directly into ArcGIS as opposed to transferring data from one system to another. Not only will this save the city time and resources, but it will also ensure that the data is 100 percent accurate and available to you almost immediately. If there is missing data or the GIS team has questions about existing data, our team can resolve these issues internally. Again, this will streamline deployment of your ArcGIS system.

Please note that our team can import data in any format (e.g., line drawings, CAD files, etc.) and from any system into ArcGIS. It may be necessary to import or transfer some data from your existing gWorks system into ArcGIS; however, we will not charge the City of David City for this task.

END-USER TRAINING AND POST-IMPLEMENTATION SUPPORT

Once the software is up and running with your data, our team will provide hands-on training for select staff members. We recommend an initial training to introduce end-users to the software and tools, and then a follow-up session to address questions that have come up since the initial training. At the conclusion of the training your staff will be able to navigate, manipulate, and update the software. Because we are the city engineer and involved in multiple projects throughout the community, you will be able to ask questions and get GIS support at any time.

FUTURE SERVICES

Once deployed, your GIS system can be used to manage a range of projects. In the future, David City, may take advantage of the following GIS services offered by our team at Olsson:

- Data collection for additional utility systems
- Establish GIS workflows for specific user types
- Customize the look and feel of ArcGIS dashboards
- Develop unique reports with targeted information specifically for the City of David City
- Integrate GIS maps with external data available on the internet (e.g., as-builts, right-of-way documents, etc.)



Screenshot from Johnson County's ArcGIS system.

PROJECT EXPERIENCE IMPLEMENTING ArcGIS ONLINE

Our team has experience providing GIS services and deploying ArcGIS for a variety of projects. We have partnered with clients ranging from small municipalities to large, national telecommunications companies. On the following page, we provide a brief synopsis of projects similar in size and scope to your proposed GIS project. Select references are provided below.

Village of Mead, Nebraska

June Moline | Village Clerk/Treasurer
402.624.2495
meadclerk1@hotmail.com

Johnson County, Kansas

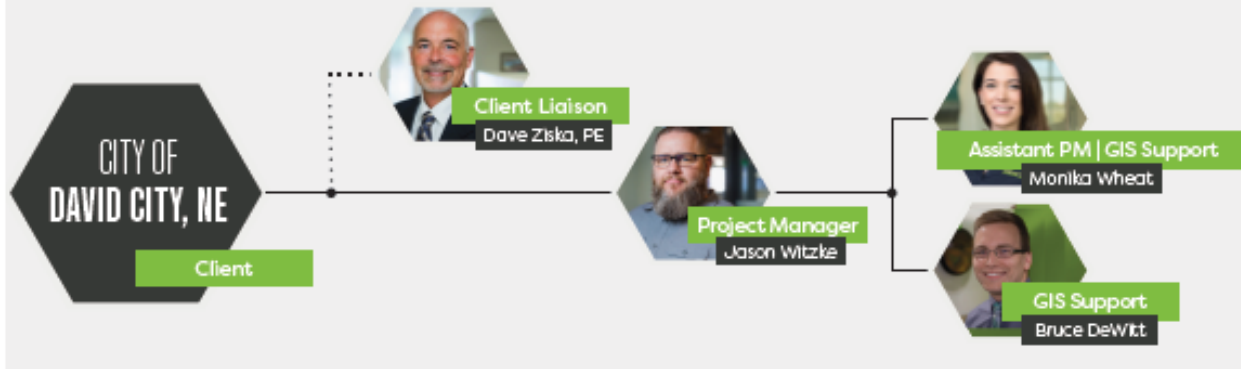
Sarah Smith, PE | Stormwater
Management Program Leader
913.715.8330
Sarah.Smith@jocogov.org



Relevant Project Experience

Project	Location/ Owner	Description
GIS Mapping of Water and Sewer Utilities	Mead, Nebraska	<p>To prepare for a future sanitary sewer study, the Village of Mead partnered with Olsson to map all water and sewer utilities in GIS. Our team used existing system maps, maintenance history (main breaks/ sewer backups, and repair history), and record drawings of the existing infrastructure, to develop a draft map. We also performed field survey to confirm and update the draft with exact locations of the following: fire hydrants and valves, water curb stops, sanitary sewer manholes.</p> <p>As part of the project, the city will implement ArcGIS, so staff can view and edit the final GIS map.</p>
GIS Mapping and Support Services	Falls City, Nebraska	<p>The City of Falls City partnered with our team at Olsson to implement a comprehensive GIS system to manage all municipal resources within the community. We started with a pilot project that involved mapping the existing sanitary sewer system. Not only did we record GPS data, but we also collected digital photographs of assets. Our team entered this data into the GIS system.</p> <p>Following the pilot project, we updated the city's plat map and electrical system. At the time, documentation for these two systems existed only in AutoCAD, so our team updated the CAD maps and prepared the data to be loaded into the GIS system. We also trained key city staff.</p>
GIS Services	Hickman, Nebraska	<p>Our team has been working in the City of Hickman since the 1960s, so it's no surprise that city staff turned to Olsson for help updating the city's GIS data. In 2002, our team moved the city's AutoCAD maps to a proprietary GIS system. Years later, city staff wanted to include exact locations and depths of water and sewer utilities. Our surveyors collected and entered data for all sanitary sewer manholes, fire hydrants, water system valves, meter pits, and wells. We also helped the city procure and implement new ArcGIS software as part of the project.</p> <p>Hickman's population has nearly doubled in recent years, and staff are using the GIS system to help them keep up with the infrastructure demands of a growing community.</p>
City and County GIS Services	Seward, Nebraska	<p>The City of Seward partnered with Olsson to develop a city-wide GIS map delivered via ArcGIS. At the start of the project, the city had different types of data and documentation in multiple formats (e.g., paper plots, line drawings, CAD files, etc.). This created inefficiencies in city processes and reporting. Our team wanted the new GIS system to be as robust and useful as possible, so we interviewed staff representatives to solicit input about the data and information that should be stored in the new system.</p> <p>Once we had a good understanding of how the city wanted to use its GIS system, we created a preliminary GIS base map of Seward's utilities. Following this step, our in-house field surveyors located all water, sanitary sewer, storm sewer, and electrical assets, and our GIS specialists refined the base map. The final map was deployed in ArcGIS. The city continues to use its GIS system to track assets and plan for projects across all departments.</p>

PROJECT TEAM AND KEY PERSONNEL



Project Manager
Jason Witzke



Client Liaison
Dave Ziska, PE

Jason is a certified Geographic Information Systems Professional (GISP) and serves as the GIS senior specialist on Olsson's corporate Information Technology team. He and his team support Olsson staff with procuring spatial and elevation data and orthophotography. The team also develops web mapping applications and dashboards. Jason is well-versed in Esri GIS software programs including ArcGIS Desktop, ArcGIS Pro, ArcGIS Online, and ArcGIS Enterprise. Jason will be the project manager and main point of contact for your upcoming GIS project.

Dave is a veteran project manager and professional engineer in Olsson's Grand Island office. He has more than 20 years of experience working with municipalities in various capacities and has served as the city engineer for David City for the past two years. Dave will leverage his existing relationships and familiarity with city staff and processes to serve as the client liaison on this project. He will be available to attend on-site meetings, consult with city staff, and provide guidance to the Olsson team.



Assistant PM | GIS Support
Monika Wheat



GIS Support
Bruce DeWitt

Monika has a master's degree in geospatial sciences from the University of Southern California. She specializes in GIS projects for asset management but also has experience with GIS mapping for renewable energy, endangered species conservation, and environmental restoration projects. Monika has worked with municipal clients across the Midwest. She will assist Jason and the team with the ArcGIS implementation.

Bruce has a master's degree in geographic information science and works on GIS projects across various service and market sectors. He is proficient in web-GIS development, cartography, and data analysis and management. Having worked as part of Olsson's Water Resources team before transferring to the GIS group, Bruce knows how to communicate technical concepts to different audiences. He will support the team with ArcGIS implementation and end-user training.

Jason Witzke, GISP

PROJECT MANAGER

EXPERIENCE SUMMARY

Jason is a certified Geographic Information Systems Professional (GISP) and serves as the GIS senior specialist on Olsson's corporate Information Technology team. Jason and his team support Olsson staff with procuring spatial and elevation data and orthophotography. The team also develops web mapping applications and dashboards. Jason is well-versed in Esri GIS software programs including ArcGIS Desktop, ArcGIS Pro, ArcGIS Online, and ArcGIS Enterprise. Jason will be the project manager and main point of contact for your upcoming GIS project.

RELEVANT EXPERIENCE

- City of Norfolk, Omaha Ave. Lift Station and Sewer Improvements GIS; Norfolk, NE
- Johnson County, Stormwater Management Program GIS Mapping; Shawnee Mission, KS
- Lower Loup Natural Resources District (NRD); Sargent Area Flooding and Drainage Study and Exhibits; Sargent, NE
- City of Grand Island, Old Potash Hwy. Roadway Improvements GIS; Grand Island, NE
- City of Grand Island, Regional Landfill Survey and GIS; Grand Island, NE



EDUCATION

- B.S., Geography, Northwest Missouri State University

PROFESSIONAL REGISTRATIONS

- Geographic Information Systems Professional (GISP)

CERTIFICATIONS/TRAINING

- Esri ArcGIS Desktop
- Esri ArcGIS Pro
- Esri ArcGIS Online
- Esri ArcGIS Enterprise
- AutoDesk Civil 3D



Monika Wheat, PE

ASSISTANT PM | GIS SUPPORT

EXPERIENCE SUMMARY

Monika has a master's degree in geospatial sciences from the University of Southern California. She specializes in GIS projects for asset management but also has experience with GIS mapping for renewable energy, endangered species conservation, and environmental restoration projects. Monika has worked with municipal clients across the Midwest. She will assist Jason and the team with the ArcGIS implementation.

RELEVANT EXPERIENCE

- City of Bixby, Wastewater Facility Plan GIS; Bixby, OK
- City of Lincoln, Water Resources Recovery Facility Engineering Support (2017); Lincoln, NE
- City of Omaha, Complete Streets Design Guidelines Phase 2 Trees and Lighting; Omaha, NE
- Oklahoma Department of Wildlife Conservation, GIS Consulting Services and Training; Statewide, OK
- Oklahoma Turnpike Authority GIS System Development Phases II and III; Statewide, OK

EDUCATION

- B.S., Natural Resource Ecology and Management, Oklahoma State University
- M.S., Geographic Information Systems, University of Southern California

CERTIFICATIONS

- UAV Pilot

Council member Jessica Miller made a motion to approve the quote from NMC Cat in the amount of \$8,442 to borescope cylinders of two 3516 engines. Council Member Kevin Woita seconded the motion. The motion carried.
Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1



Steve Altstadt
Power Systems PSSR
Cell: 402-763-7208
Email: stevealtstadt@nmcpower.com



Desk: 402-891-7639
Fax: 402-891-7730

Customer:	David City	QUOTE NUMBER	SA2320	Date:	8-Nov-22
Contact:	John Smaus	402-367-3138	power01@windstream.net		

We are pleased to submit the following estimate for your consideration.

Make CATERPILLAR	Model 3516	Serial No.
------------------	------------	------------

RE: Borescope Cylinders of Two 3516 Engines

NMC proposes pulling the injectors and borescoping each cylinder to check for damage or a potential issue. Once finished, NMC will reinstall the existing fuel injectors with new seals and hold down bolt.

Borescope Cylinders	\$ 8,442.00

GRAND TOTAL: \$8,442.00

This estimate is based on visual inspection, it is only an estimate. Additional repair work resulting in incremental charges will not be performed without prior customer approval. All repairs are subject to State and Federal taxes, plus freight charges for non stock parts. Applicable taxes not included. Labor rates quoted are for normal business hours Monday through Friday.

ACCEPTED BY _____	THIS ESTIMATE IS VALID UNTIL	8-Dec-22
TITLE _____		
DATE: _____	P.O. NO. _____	

Steve Altstadt
NMC POWER SYSTEMS

GENERAL BUSINESS

Council member Tom Kobus made a motion to approve Certificate of Payment #5 in the amount of \$543,937.23 for M.E. Collins for the Municipal Paving Improvements. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John
Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

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CERTIFICATE OF PAYMENT: 5



Date of Issuance: November 10, 2022

Project: Municipal Paving Improvements, David City, Nebraska - 2022

Project No.: 021-07066

Contractor: M.E. Collins Contracting Co., Inc.

DETAILED ESTIMATE		
Description	Unit Price	Extension
See Attached.		
PLEASE REMIT PAYMENT TO: M.E. Collins Contracting Co., Inc.		

Value of Work Completed This Request: \$572,874.70

Original Contract Cost: \$1,848,434.00
 Approved Change Orders:
 No. 1 \$0.00
 No. 2 \$47,250.00
 No. 3 \$0.00
 Total Contract Cost: \$1,895,684.00

Value of completed work and materials stored to date \$1,043,922.50
 Less retainage percentage 10% \$104,392.25
 Net amount due including this estimate \$939,530.25
 Less: Estimates previously approved:

No. 1 <u>\$9,064.80</u>	No. 3 <u>\$116,932.09</u>	No. 5 <u>\$0.00</u>
No. 2 <u>\$189,875.93</u>	No. 4 <u>\$79,720.20</u>	No. 6 <u>\$0.00</u>

Total Previous Estimates: \$395,593.02

NET AMOUNT DUE THIS ESTIMATE: \$543,937.23

The undersigned hereby certifies, based upon periodic observations as set forth in scope of work and the data included in all applicable payment applications that, to the best of its knowledge, information and belief: (1) the work has progressed as indicated in the applicable payment applications; (2) the work performed and materials delivered by Contractor are in conformance with the plans and specifications; and (3) the Contractor, in accordance with the contract, is entitled to payment as indicated above.

This certification does not constitute a warranty or guarantee of any type. Client shall hold its Contractor solely responsible for the quality and completion of the Project, including construction in accordance with the construction documents. Any duty or obligation of Olsson hereunder is for the sole benefit of the Client and not for any third party, including the Contractor or any Subcontractor.

cc: City of David City - Owner
 M.E. Collins Contracting Co., Inc.
 Project File

OLSSON

By: 



PROGRESS ESTIMATE

Date: 8-Nov-22

Project: MUNICIPAL PAVING IMRP DAVID CI

Collins Project No: 222630

To: City of David City

Contractor Estimate No.: 5

Attn: Olsson - Dave Zioka

Original Contract Amount: \$ 1,848,434.00

Item	Description	Contract Qty	Qty To Date	Unit Price	Amount
1	MOBILIZATION/DEMObILIZATION	1 LS	0.50	\$ 92,857.00	\$ 46,428.50
2	BUILD 8" CONCRETE PAVEMENT W/INTI	12166 SY	5,250.00	\$ 73.00	\$ 383,250.00
3	BUILD 6" CONCRETE DRIVEWAY	801 SY	0.00	\$ 71.00	\$ -
4	BUILD 4" CONCRETE DRIVEWAY	1370 SY	0.00	\$ 57.00	\$ -
5	BUILD CONCRETE OUTFALL	104 SY	0.00	\$ 67.00	\$ -
6	DETECTABLE WARNING PANEL	180 SF	0.00	\$ 51.00	\$ -
7	BUILD 3" CRUSHED ROCK DRIVEWAY	34.4 TON	0.00	\$ 61.00	\$ -
8	BUILD AREA INLET	8 EA	7.00	\$ 3,933.00	\$ 27,531.00
9	BUILD CURB INLET	8 EA	0.00	\$ 5,892.00	\$ -
10	BUILD STORM SEWER MANHOLE	11 EA	11.00	\$ 6,639.00	\$ 73,029.00
11	BUILD CONCRETE COLLAR	1 EA	0.00	\$ 3,976.00	\$ -
12	BUILD 18" FES	2 EA	1.00	\$ 1,234.00	\$ 1,234.00
13	BUILD 24" RE FES	13 EA	14.00	\$ 1,423.00	\$ 19,922.00
14	BUILD STORM SEWER TAP	1 EA	0.00	\$ 4,104.00	\$ -
15	INSTALL 15" STORM SEWER PIPE	459 LF	459.00	\$ 64.00	\$ 29,376.00
16	INSTALL 18" STORM SEWER PIPE	2293 LF	2,150.00	\$ 67.00	\$ 144,050.00
17	INSTALL 24" RE STORM SEWER PIPE	190 LF	206.00	\$ 133.00	\$ 27,398.00
18	BUILD FIRE HYDRANT ASSEMBLY	2 EA	0.00	\$ 7,799.00	\$ -
19	RECONSTRUCT 1" WATER SERVICES	1 EA	0.00	\$ 285.00	\$ -
20	12" WATER MAIN LOWERING	1 EA	0.00	\$ 7,892.00	\$ -
21	4" WATER MAIN LOWERING	1 EA	0.00	\$ 3,479.00	\$ -
22	ADJUST FIRE HYDRANT TO GRADE	2 EA	0.00	\$ 1,122.00	\$ -
23	ADJUST VALVE TO GRADE	7 EA	3.00	\$ 432.00	\$ 1,296.00
24	ADJUST CURB STOP TO GRADE	5 EA	0.00	\$ 484.00	\$ -
25	ADJUST MANHOLE TO GRADE - TYPE 1	5 EA	3.00	\$ 315.00	\$ 945.00
26	ADJUST MANHOLE TO GRADE - TYPE 2	2 EA	1.00	\$ 420.00	\$ 420.00
27	REMOVE PAVEMENT	7663 SY	7,000.00	\$ 11.00	\$ 77,000.00
28	REMOVE DRIVEWAY	664 SY	500.00	\$ 21.00	\$ 10,500.00
29	REMOVE SIDEWALK	70 SY	20.00	\$ 21.00	\$ 420.00
30	REMOVE STORM SEWER PIPE	1155 LF	1,155.00	\$ 12.00	\$ 13,860.00

31 REMOVE FES	2 EA	2.00	\$ 308.00	\$ 616.00
32 REMOVE & SALVAGE FIRE HYDRANT	2 EA	0.00	\$ 1,283.00	\$ -
33 REMOVE FENCE	442 LF	442.00	\$ 8.00	\$ 3,536.00
34 REMOVE TREE	3 EA	5.00	\$ 2,731.00	\$ 13,655.00
35 REMOVE & RESET MAILBOX	15 EA	0.00	\$ 525.00	\$ -
36 SEEDING	10140 SY	0.00	\$ 1.70	\$ -
37 INLET SEDIMENT FILTER	9 EA	0.00	\$ 281.00	\$ -
38 EROSION CONTROL MAT, CLASS 1D	2468 SY	0.00	\$ 2.20	\$ -
39 BUILD FABRIC SILT FENCE	731 LF	0.00	\$ 8.00	\$ -
40 GENERAL CLEARING & GRUBBING	1 LS	1.00	\$ 7,159.00	\$ 7,159.00
41 EARTHWORK	1 LS	1.00	\$ 36,347.00	\$ 36,347.00
42 OVER-EXCAVATION	5900 CY	5,900.00	\$ 5.00	\$ 29,500.00
43 IMPORT	4100 CY	4,100.00	\$ 12.00	\$ 49,200.00
C/O 3 Water Main Taps	3.00 EA	3.00	15,750.00	\$ 47,250.00

<i>Previous Requested Amounts:</i>	TOTAL EARNED TO DATE:	\$ 1,043,922.50
Estimate #1: \$9,064.80	Retainage 10%	\$ (104,392.25)
Estimate #2: \$189,875.93	Other Deductions	\$ -
Estimate #3: \$116,932.09	NET ESTIMATE TO DATE:	\$ 939,530.25
Estimate #4: \$79,720.20	Less Previous Requests:	\$ 395,593.02
Estimate #5: \$543,593.02	TOTAL DUE THIS ESTIMATE:	\$ 543,937.23

Estimate Prepared by :

Amy Nisley

8-Nov-22

Council member Tom Kobus made a motion to approve Progress Estimates #14 in the amount of \$4,745.70 for Garver, LLC for the updated Airport Layout Plan. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea

Yea: 5, Nay: 0, Absent: 1


PROGRESS ESTIMATE

**NEBRASKA DEPARTMENT OF TRANSPORTATION
 DIVISION OF AERONAUTICS**


Sponsor: <u>City of David City</u>	Estimate No. <u>14</u>	Date: <u>11/2/2022</u>
<u>557 N. 4th Street</u>	AIP No.: <u>3-31-0025-014-2021</u>	
<u>David City, NE 68632</u>	Garver Project No.: <u>20A14400</u>	
Contractor: <u>Garver, LLC</u>	<u>David City Municipal Airport</u>	
<u>4701 Northshore Drive</u>	Date of Contract: <u>4/28/2021</u>	
<u>North Little Rock, AR 72118</u>		

	ITEM NO.	DESCRIPTION	ESTIMATED QUANTITIES TO DATE	UNIT	UNIT PRICE	AMOUNT
AIP Eligible	1	Project Initiation & Admin	100%	LS	\$7,536.18	\$7,536.18
	2	Inventory of Existing Conditions	95%	LS	\$52,047.61	\$49,445.23
	3	Aviation Activity Forecasts	100%	LS	\$23,496.81	\$23,496.81
	4	Facility Requirements	100%	LS	\$13,572.76	\$13,572.76
	5	Airport Alternatives	100%	LS	\$39,469.11	\$39,469.11
	6	Airport Layout Plan Development	64%	LS	\$51,237.11	\$32,791.75
	7	Implementation Plan	89%	LS	\$8,105.63	\$7,214.01
	8	Aeronautical Survey	100%	LS	\$90,909.00	\$90,909.00
	9	Closeout	0%	LS	\$9,131.92	\$0.00
					AIP Eligible Total	\$264,434.85
Non-Eligible	10	Revised Airport Alternatives	100%	LS	\$7,609.33	\$7,609.33
					Non-Eligible Total	\$7,609.33

As Project Engineer, I hereby certify that the quantities shown above have been completed from measurements made by me or my predecessors and that the work has been performed according to plans and specifications.


 Project Engineer 11/9/2022
 Date

Approved for payment as per Project Engineer's certification 
 NDOT Project Engineer 11/15/2022
 Date

APPROVED: 
 Airport Sponsor 11/15/2022
 Date

Grand Total	\$272,044.18
Less Previous Estimates	\$264,434.85
Due Contractor This Estimate	\$4,745.70



4701 Northshore Drive
 North Little Rock, AR 72118
 TEL 501.376.3633
 FAX 501.372.8042
www.GarverUSA.com

INVOICE

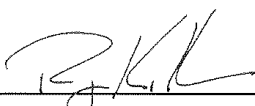
Tami Comte
 City of David City, NE
 557 N. 4th Street
 David City, Nebraska 68632

November 2, 2022
 Project No: 20A14400
 Invoice No: 20A14400-14

Project: 93Y ALP Update

Professional Engineering Services through October 28, 2022

	Percent Complete	Contract Amount	Total Billed to Date	Previous Billings	Current Billing
Lump Sum Services					
Project Initiation and Administration	100%	\$7,536.18	\$7,536.18	\$7,536.18	\$0.00
Inventory of Existing Conditions	95%	\$52,047.61	\$49,445.23	\$47,883.80	\$1,561.43
Aviation Activity Forecasts	100%	\$23,496.81	\$23,496.81	\$23,496.81	\$0.00
Facility Requirements	100%	\$13,572.76	\$13,572.76	\$13,572.76	\$0.00
Airport Alternatives	100%	\$39,469.11	\$39,469.11	\$39,469.11	\$0.00
Airport Layout Plan Development	64%	\$51,237.11	\$32,791.75	\$30,742.27	\$2,049.48
Implementation Plan	89%	\$8,105.63	\$7,214.01	\$6,079.22	\$1,134.79
Aeronautical Survey	100%	\$90,909.00	\$90,909.00	\$90,909.00	\$0.00
Closeout	0%	\$9,131.92	\$0.00	\$0.00	\$0.00
Revised Airport Alternatives	100%	\$7,609.33	\$7,609.33	\$7,609.33	\$0.00
Totals		\$303,115.46	\$272,044.18	\$267,298.48	\$4,745.70
			Total Amount This Invoice		\$4,745.70

Authorized by: 
 Roger Knobloch, PE
 Project Manager

Council member Bruce Meysenburg made a motion to approve the contract with Midwest Right-Of-Way to obtain easements along "O" Street. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Nay, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 4, Nay: 1, Absent: 1

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MIDWEST

Right of Way Services, Inc.

www.midwestrow.com

November 11, 2022

David C. Levy
Baird Holm LLP
1700 Farnam Street
Suite 1500
Omaha, NE 68102-2068

RE: Proposal for Right of Way Services
City of David City, Nebraska
"O" Street - Street Improvement District

Dear Mr. Levy:

Midwest Right of Way Services, Inc. is pleased to provide this proposal for right of way services for the above-referenced project in Butler County, Nebraska.

CONSULTANT AND KEY PERSONNEL

Consultant- Midwest Right of Way Services
13425 "A" Street
Omaha, Nebraska 68144
(402) 955-2900

Key Personnel- John E. Borgmeyer, Vice President
Maria Rodriguez, Project Manager

PROJECT UNDERSTANDING

This project involves the acquisition of temporary and permanent easements from thirty (30) property owners for the "O" Street Repaving and Street Improvement District in David City, Nebraska. The projects construction is currently underway and the City will require the easements for continued repaving and construction of "O" Street, drainage areas, and appurtenances therein.

PROJECT MANAGEMENT

This task will involve coordination of all project elements so that work is initiated as it should be, appropriate progress is made, and schedules are met. Coordination and scheduling of the acquisition process will be the responsibility of the project manager.

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TITLE RESEARCH

A last deed of record search will be performed on the properties to determine fee ownership. Midwest Right of Way will work with the City of David City to obtain the last deed of record for each property in order to prepare the necessary right of way documents.

APPRAISAL REPORT

This task involves preparation of one (1) appraisal project report which will provide values for the properties to be acquired. Steve Medill of Capital Appraisal Company will prepare the appraisal for this project. Mr. Medill is approved by the State of Nebraska Department of Transportation to provide appraisal reports for right of way projects.

ACQUISITION

Midwest Right of Way Services' acquisition agents will make every effort to understand the project's objective before meeting with the property owners. During our initial meeting with the owners our agent will prepare all documents, present and explain the offer, answer all acquisition-related questions. We will secure signatures from all interested parties through negotiations. Our acquisition agents will obtain tenant information from property owners and proceed to obtain signed a leasehold contract, if applicable. We will negotiate in good faith and keep records of all contacts made.

If necessary, a recommendation for a negotiated settlement will be made to the City of David City. When an agreement is reached, we will obtain the necessary signatures of all interested parties. Our goal will be to acquire the necessary property through amicable negotiations. If condemnation is required, we will work with the City of David City and its attorney to file the necessary documents and be available to assist with condemnation preparation or court testimony.

ECONOMIC EQUITY AND INCLUSION PROGRAM

Midwest Right of Way Services, Inc. is a participant in the City of Omaha Economic Equity and Inclusion Program.

SMALL EMERGING BUSINESS TIER II

Midwest Right of Way Services, Inc. is certified by the City of Omaha as a Small Emerging Business Tier II.

VETERAN-OWNED BUSINESS

Midwest Right of Way Services is a veteran-owned business.

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TEAM MEMBERS

Jack Borgmeyer, SR/WA, R/W-RAC, is President of Midwest Right of Way Services, Inc. He is qualified to complete all aspects of the right of way process. He has over 35 years of experience relating to real estate and right of way. His experience includes right of way title searches, land and easement acquisition, relocation, condemnation testimony, and project management.

John Borgmeyer, RWA-GN, Right of Way Agent, is the Chief Operations Officer for Midwest Right of Way Services, Inc. He has performed acquisition negotiations for state, local and federally funded projects in Nebraska, Iowa and Kansas, and relocation assistance for local and federally funded projects in Nebraska. His experience includes roadway, airport, drainage, and sewer projects.

Stacey A. Kroeger, SR/WA, R/W-RAC, Right of Way Agent, has worked for Midwest Right of Way Services since February 2001. She has performed acquisition negotiations and relocation assistance since May 2005. Her experience includes right of way title searches, acquisition negotiations, and relocation assistance for state, local, and federally funded projects.

Maria Rodriguez, Right of Way Agent, has worked for Midwest Right of Way Services since October 2013. She performed several years of acquisition negotiations and relocation assistance in Phoenix, Arizona. Her experience includes right of way title searches, acquisition negotiations, and relocation assistance for state, local, and federally funded projects. Maria speaks and writes the Spanish language fluently.

Denny Bliss, Right of Way Agent, has worked for Midwest Right of Way Services since July 2011. He has performed acquisition negotiations for state, local and federally funded projects. His experience includes preparation and review of legal descriptions, review of land title reports, as well as the ability to read, interpret, and draw engineering plans. He has experience with airport, roadway, drainage, sewer, and utility projects. He is also an experienced CADD technician.

Jim Abbott, Right of Way Agent, has worked for Midwest Right of Way Services since January of 2017. He has performed acquisition negotiations for sewer, roadway, water main, transmission line, and construction liaison projects in Omaha, Lincoln, Sarpy County and Douglas County in Nebraska and roadway projects in Iowa. His experience includes twenty years of real estate management of commercial and investment properties in the Midwest working for a management company throughout Nebraska, Iowa, and South Dakota.

Chris Wayne, SR/WA, Right of Way Agent, is the newest member of the Midwest Right of Way Services team starting in May of 2020. His experience includes over 30 years of urban planning and redevelopment experience working for the City of Omaha. Chris has extensive knowledge in the real estate, right of way acquisition, and relocation assistance service field.

Molly Frederickson, Administrative Assistant, is the newest member of our team beginning in January 2019. She provides administrative support and document preparation for Midwest Right of Way's acquisition and relocation agents. She has experience as a document specialist for a local law firm and has experience as an escrow assistant for a real estate title company.

David C. Levy
 Baird Holm LLP
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PAYMENT FOR SERVICES

Midwest Right of Way Services proposes the right of way services detailed above for the following hourly fees:

	<u>Hourly Service Rates</u>
Project Manager	\$ 150.00
Right of Way Agent/Relocation Agent	\$ 125.00
Document Preparation and Administrative Services	\$ 75.00
Mileage at Standard IRS Rate	\$ 0.625 per mile

The maximum fees for each task will be as follows:

Task		Maximum Fee
Project Management	30 owner @ \$150.00 each	\$ 4,500.00
Appraisal Report – Project Report	\$10,500.00 @ 1 report	\$ 10,500.00
Acquisition Negotiations	30 owners @ \$1,875.00 each	\$ 56,250.00
Document Prep. & Admin. Fees	45 hours @ \$75.00 each	\$ 3,375.00
Total Maximum Fee		\$ 74,625.00

Condemnation court testimony and consultation will be billed at our standard hourly rate plus expenses, if needed. Invoices will be sent on an approximate monthly basis for services rendered.

If the above-described items are satisfactory to you, please sign and date the original and duplicate original of this letter in the space provided. Keep one executed copy of this letter for your files and return the duplicate copy to us for our files. Receipt of this letter contract will be considered our formal notice to proceed with the work.

Sincerely,

MIDWEST RIGHT OF WAY SERVICES, INC.



John E. Borgmeyer
 Vice President

ACCEPTANCE OF PROPOSAL AND AUTHORIZATION TO PROCEED

 Authorized Representative: David City, Nebraska

Date: _____

Interim City Administrator/City Clerk Tami Comte stated that the employee's had a meeting and they elected a new Employee Work Committee and they met regarding the health insurance and voted to ask the Council to twenty to one to go with the Jones Group for the Agent of Record and they voted fourteen to two to go with Medica for the health insurance plan.

Ryan Ruth with First State Insurance introduced himself and stated that he had not had an opportunity to meet with the employee's and asked if he could have an opportunity to meet with them before the Council votes on the health insurance.

Council member Tom Kobus made a motion to table the employee's health insurance for 2023. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

Council member Jessica Miller made a motion to schedule a joint meeting with the Butler County Board of Supervisor's for 7 p.m. on December 21, 2022. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

Council member Bruce Meysenburg made a motion to approve Change Order No. 3 in the amount of \$9,100 for M. E. Collins for water line adjustments and re-install fencing. Council Member Kevin Woita seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

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CHANGE ORDER

No. 3



Date of Issuance: September 7, 2022 Effective Date: September 7, 2022

Project: Municipal Paving Improvements, David City, Nebraska	Owner: City of David City	Owner's Contract No.:
Contract: Municipal Paving Improvements Base Bid		Date of Contract: <u>06/22/2022</u>
Contractor: M.E. Collins Contracting Co., Inc.		Engineer's Project No.: <u>021-07066</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description: City requested additional pricing to adjust water line from new development to meet NDEQ Standards. Also to Re-install fence that was removed from homeowner's properties on current project.
 Attachments: (List documents supporting change): See attached.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>1,848,434.00</u>	Original Contract Times: Substantial Completion (days or date): <u>December 31, 2022</u> Ready for Final Payment (days or date): <u>April 30, 2023</u>
Increase from previously approved Change Orders No. <u>0</u> to No. <u>2</u> : \$ <u>47,250.00</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>0</u> to No. <u>2</u> : Substantial Completion (days or date): <u>N/A</u> Ready for Final Payment (days or date): <u>N/A</u>
Contract Price prior to this Change Order: \$ <u>1,895,684.00</u>	Contract Times prior to this Change Order: Substantial Completion (days or date): <u>December 31, 2022</u> Ready for Final Payment (days or date): <u>April 30, 2023</u>
Increase of this Change Order: \$ <u>9,100.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion (days or date): <u>N/A</u> Ready for Final Payment (days or date): <u>N/A</u>
Contract Price incorporating this Change Order: \$ <u>1,904,784.00</u>	Contract Times with all approved Change Orders: Substantial Completion (days or date): <u>December 31, 2022</u> Ready for Final Payment (days or date): <u>April 30, 2023</u>

RECOMMENDED: Olsson

ACCEPTED: City of David City

ACCEPTED: M.E. Collins Contracting Co., Inc.

By:  Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By:  Contractor (Authorized Signature)
Title: <u>Project Manager</u>	Title: _____	Title: <u>CEO</u>
Date: <u>10/25/2022</u>	Date: _____	Date: <u>11/7/2022</u>
Approved by Funding Agency (if applicable):		
By: _____	Title: _____	Date: _____



980 E. 25TH ST.
P.O. BOX 83
WAHOO, NE 68066

(402) 443-3663
FAX: (402) 443-5013

October 24, 2022

Olsson Associates
Attn: Dave Ziska
201 E. Second Street
Grand Island, NE 68801
O 308.384.8750

Project: David City "O" Street Improvements

Dave,

David City is requesting additional pricing to adjust water line for new development to meet NDEQ Standards. Also to Re-install fence that was removed from homeowner's properties on project listed above. Pricing is as follows:

1. Water Restraints (4 estimated)	\$875.00 (EA)	\$3,500.00
2. Re-Install Fencing	\$5,600.00 (LS)	\$5,600.00
	TOTAL:	\$9,100.00

Notes:

Estimated to use 4 restraints to divert main to meet NDEQ Standards from existing Manhole.

Feel free contact M.E.C.C. if you have any questions.

Respectfully,

Joel Schommer, Vice President
M.E. Collins Contracting Co., INC

File: 222630





Change Order No. 3
 CONTRACTOR: M. E. Collins Contracting Co. Inc. Olsson No. 021-07066 Date: October 25, 2022

Item No.	Description	Unit	Quantity	Unit Price	Total Cost
Additional Quantities					
					\$0.00
New Bid Items					
C03-1	Water Restraints	EA	4	\$875.00	\$3,500.00
C03-2	Re-Install Fencing	LS	1	\$5,600.00	\$5,600.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Total Change Order Items					\$9,100.00

Council member Bruce Meysenburg made a motion to suspend the statutory rule requiring an Ordinance to be read on three separate days. Council Member Pat Meysenburg seconded the motion. The motion carried.
 Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
 Yea: 5, Nay: 0, Absent 1

Mayor Alan Zavodny declared the public hearing open at 7:13 to consider amending the Official Zoning Map by changing the zoning classification from R-2 -Two-Family Residential to R-4 – High Density Residential for the following real estate as requested by Bob Wright:

Point of beginning is the intersection of the centerlines of 10th Street and “D” Street; thence northerly along the centerline of 10th Street to the intersection of the centerline of 10th Street and the centerline of “E” Street; thence easterly along the centerline of “E” Street to the intersection with the centerline of 11th Street; thence southerly along the centerline of 11th Street to the intersection with the centerline of “D” Street; thence, westerly along the centerline to the point of beginning.

Hearing no opposition, Mayor Alan Zavodny declared the public hearing closed at 7:15 p.m.

Council member Bruce Meysenburg made a motion to Ordinance No.1408 amending the Official Zoning Map by changing the zoning classification from R-2 -Two-Family Residential to R-4 - High Density Residential for the following real estate as requested by Bob Wright:* Point of beginning is the intersection of the centerlines of 10th Street and "D" Street; thence northerly along the centerline of 10th Street to the intersection of the centerline of 10th Street and the centerline of "E" Street; thence easterly along the centerline of "E" Street to the intersection with the centerline of 11th Street; thence southerly along the centerline of 11th Street to the intersection with the centerline of "D" Street; thence, westerly along the centerline to the point of beginning. Council Member Pat Meysenburg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent:1

ORDINANCE NO. 1408

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING CLASSIFICATION OF REAL ESTATE DESCRIBED BELOW FROM R-2 TWO-FAMILY RESIDENTIAL TO R-4 HIGH DENSITY RESIDENTIAL, FOR THE FOLLOWING REAL ESTATE DESCRIBED AS POINT OF BEGINNING IS THE INTERSECTION OF THE CENTERLINES OF 10TH STREET AND “D” STREET; THENCE NORTHERLY ALONG THE CENTERLINE OF 10TH STREET TO THE INTERSECTION OF THE CENTERLINE OF 10TH STREET AND THE CENTERLINE OF “E” STREET; THENCE EASTERLY ALONG THE CENTERLINE OF “E” STREET TO THE INTERSECTION WITH THE CENTERLINE OF 11TH STREET; THENCE SOUTHERLY ALONG THE CENTERLINE OF 11TH STREET TO THE INTERSECTION WITH THE CENTERLINE OF “D” STREET, THENCE, WESTERLY ALONG THE CENTERLINE TO THE POINT OF BEGINNING; REPEALING ANY ORDINANCES IN CONFLICT HERewith; DESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT, AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

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

Section 1. That the Official Zoning Map be amended as follows:

To amend the zoning classification of real estate from R-2 Two-Family Residential to R-4 High Density Residential for the following real estate: Point of beginning is the intersection of the centerlines of 10th Street and “D” Street; thence northerly along the centerline of 10th Street to

the intersection of the centerline of 10th Street and the centerline of "E" Street; thence easterly along the centerline of "E" Street to the intersection with the centerline of 11th Street; thence southerly along the centerline of 11th Street to the intersection with the centerline of "D" Street; thence, westerly along the centerline to the point of beginning;



Section 2. That any ordinance or section of any ordinance passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby appealed.

Section 3. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Passed and adopted this 30th day of November, 2022.

Mayor Alan Zavodny

City Clerk Tami Comte

Mayor Zavodny stated that going into the annexation public hearings there would be a time limit of three minutes per person, per public hearing. Mayor Zavodny stated that the public would not be allowed to yield their time to another person.

Mayor Alan Zavodny declared the public hearing open at 7:17 p.m. to consider annexing the Newsom and Schmid properties located at 3653 M Road, Part of the East half of Section 13, Part of the Southeast Quarter of Section 12, Part of the Northeast quarter of Section 24, All in Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE WEST HALF OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34"W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34"W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°56'25"E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S30°24'38"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2826.36 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE S00°27'41"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 2859.50 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE S88°30'36"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2641.34 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS.

Ruth Thoendel, Mark & Willow Holoubek, David McPhillips, Larry McPhillips, Jerry Kosch, Randy Isham, Jan Sypal, Gordon Harms, David Oborny and Kim Dietrich all introduced themselves and spoke in opposition to all of the annexations.

Mayor Alan Zavodny declared the public hearing closed at 7:47 p.m.

Council member Bruce Meysenburg introduced Ordinance No. 1409 and Mayor Zavodny read Ordinance No. 1409 by title.

Council member Bruce Meysenburg made a motion to pass and adopt Ordinance No.1409 annexing the Newsom and Schmid properties located at 3653 M Road, Part of the East half of Section 13, Part of the Southeast Quarter of Section 12, Part of the Northeast quarter of Section 24, All in Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, as legally described below on 1st reading only, to wit, PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34"W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34"W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°56'25"E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S30°24'38"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2762.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°26'22"W ON SAID EAST LINE, A DISTANCE OF 270.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE

S00°27'47"W ON THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2611.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUING S00°27'47"W ON THE SOUTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE S88°30'33"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2608.32 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1409

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;
- (e) The City has adopted a redevelopment plan for the territory being annexed pursuant to the Nebraska Community Development Law (Nebraska Revised Statutes sections 18-2101, et seq.) authorizing the division of taxes pursuant to section 18-2147 of the Nebraska Revised Statutes to support development and construction of an agricultural processing facility, and as such, Nebraska Revised Statutes section 17-405.01(2) authorizes the City to annex the territory described herein regardless of whether it is urban or suburban in character;

- (f) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and
- (g) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

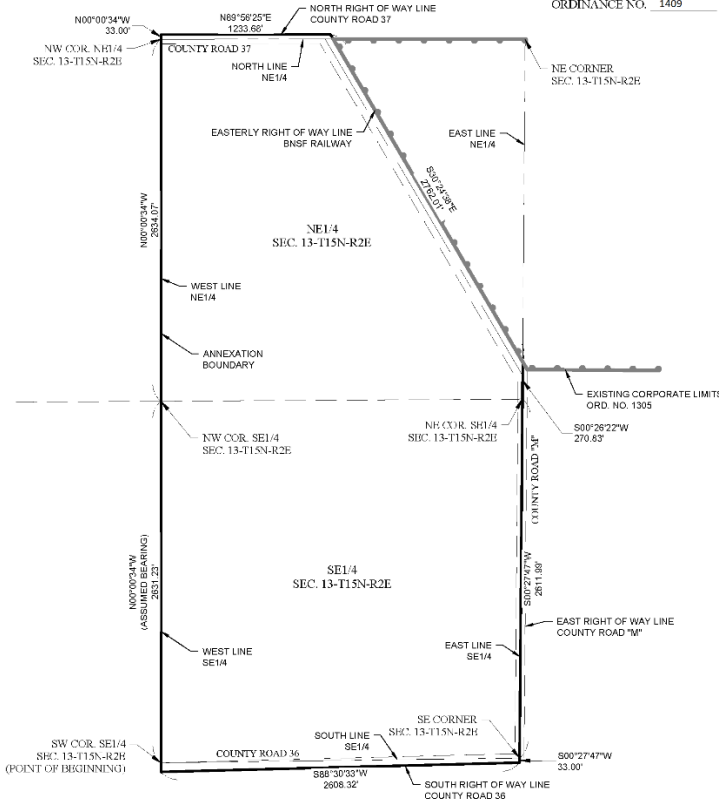
EXHIBIT "A"

ANNEX 1 – Ordinance No. 1409

PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2631.23 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE N00°00'34"W ON THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 2634.07 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE N00°00'34"W ON THE NORTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 37; THENCE N89°56'25"E ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1233.68 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S30°24'38"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2762.01 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE S00°26'22"W ON SAID EAST LINE, A DISTANCE OF 270.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°27'47"W ON THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2611.99 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13; THENCE CONTINUING S00°27'47"W ON THE SOUTHERLY EXTENSION OF SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 36; THENCE S88°30'33"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2608.32 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 13; THENCE N00°00'34"W ON SAID SOUTHERLY EXTENSION, A DISTANCE OF 66.02 FEET TO THE POINT OF BEGINNING, CONTAINING 283.02 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. 1409

ANNEX 1 (agp annex)



ANNEXATION DESCRIPTION:

PART OF THE EAST HALF OF SECTION 13, PART OF THE SOUTHEAST QUARTER OF SECTION 12, PART OF THE NORTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 13, THENCE N00°00'34\"/>

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 _____ DATE _____

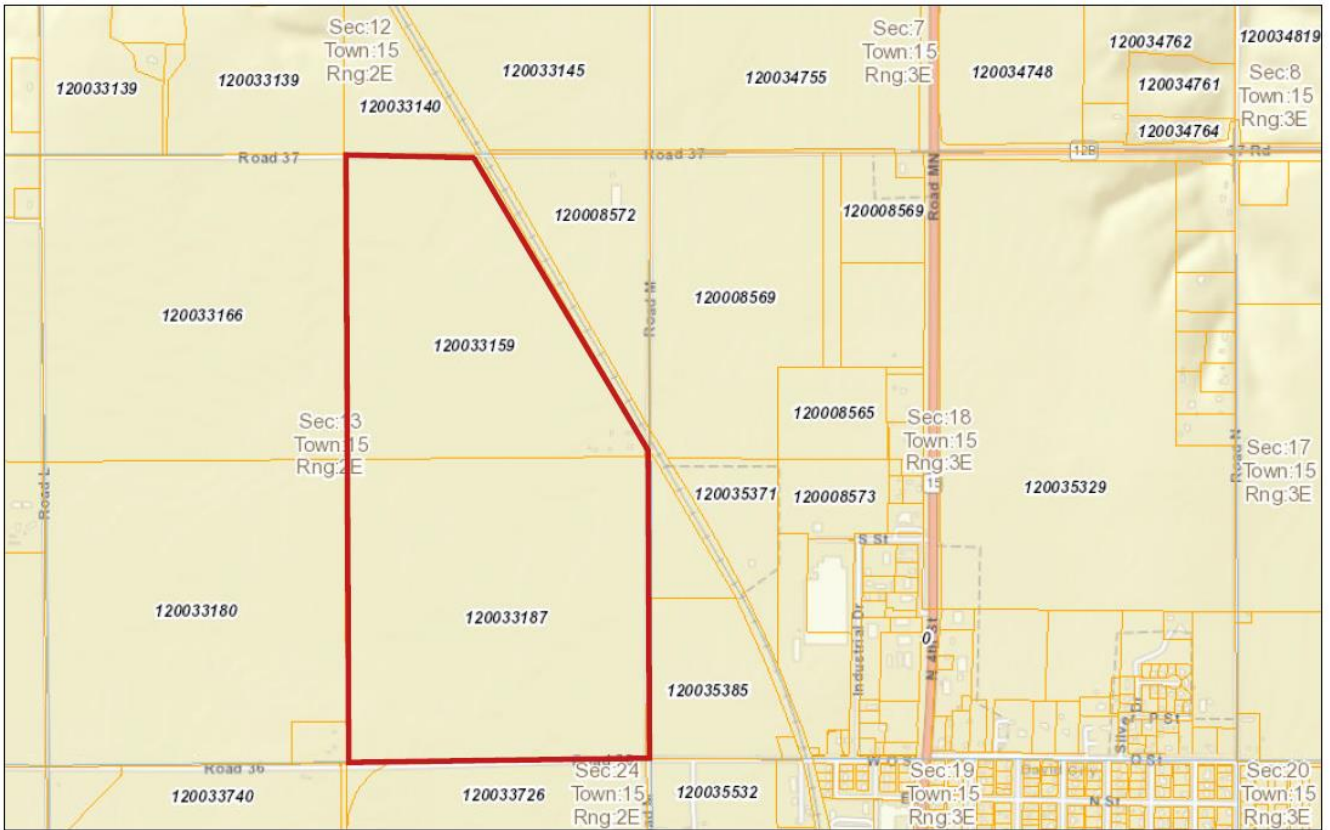


NOTE: ALL BEARINGS ARE ASSUMED.

PART OF E/2 SEC. 13
 PART SE1/4 SEC. 12, PART NE1/4
 SEC. 24-T15N-R2E
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

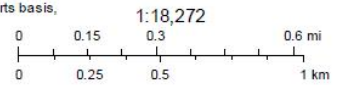
PROJECT NO. R2020312
 DATE 8/21/2022
 DRAWN BY BJF
 FILE NAME Agp_annex.dwg
 CLIENT BUTLER CO. 03
 FIELD NUMBER BJF408
 PROJECT LOCATION



November 15, 2022
09:18 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

-  Parcels
-  Sections



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Butler County
gWorks

Mayor Alan Zavodny declared the public hearing open at 7:49 p.m. to consider annexing part of the Alan and Rhonda Zavodny property located in the south half of the southeast quarter of Section 12, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S89°56'25"W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 1396.92 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY; THENCE N30°24'47"W ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 765.41 FEET; THENCE N89°56'25"E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1790.10 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE CONTINUING N89°56'25"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE S00°29'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 660.50 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7, THENCE WEST ON SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING

24.66 ACRES, MORE OR LESS.

There was a question asked regarding if the legal description of the property was correct.

Mayor Alan Zavodny closed the public hearing at 7:56 p.m.

Council member Tom Kobus introduced Ordinance No. 1410 and Mayor Alan Zavodny read Ordinance No. 1410 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No.1410 on 1st reading only annexing part of the Alan and Rhonda Zavodny property located in the south half of the southeast quarter of Section 12, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 12; THENCE S89°56'25"W (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12, A DISTANCE OF 1396.92 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN AND SANTA FE RAILWAY; THENCE N30°24'47"W ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 765.41 FEET; THENCE N89°56'25"E, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1790.10 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE CONTINUING N89°56'25"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE S00°29'44"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 660.50 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 7, THENCE WEST ON SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 24.66 ACRES, MORE OR LESS.. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

Mayor Alan Zavodny declared the public hearing open at 7:58 p.m. to consider annexing the McLaughlin, Holoubek, Callaway Rolloffs, LLC and Kobza and part of Burlington Northern railroad properties located in part of the SW quarter of Section 18, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1342.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE NORTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 685 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE N00°14'57"W ON SAID WEST LINE, A DISTANCE OF 1960.68 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE S89°52'10"W ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1133.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S00°12'02"W ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS. DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS.

Henry Kobza, and Mark & Willow Holoubek introduced themselves and spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 8:03 p.m.

Council member Bruce Meysenburg introduced Ordinance No. 1411 and Mayor Alan Zavodny read Ordinance No. 1411 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No. 1411 on 1st reading only annexing the McLaughlin, Holoubek, Callaway Rolloffs, LLC and Kobza and part of Burlington Northern railroad properties located in part of the SW quarter of Section 18, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1342.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE NORTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 685 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE N00°14'57"W ON SAID WEST LINE, A DISTANCE OF 1960.68 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE S89°52'10"W ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1133.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S00°12'02"W ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS. DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1411

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and

contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");

- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;
- (e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and
- (f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

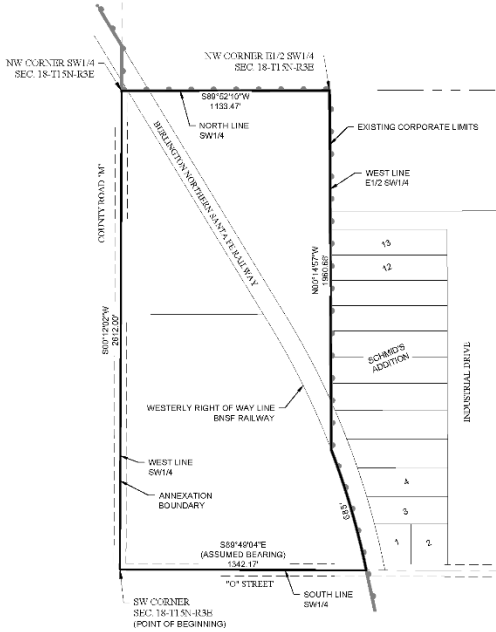
EXHIBIT "A"

ANNEX 3 – Ordinance No. 1411

PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE S89°49'04"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1342.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE NORTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 685 FEET, MORE OR LESS TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE N00°14'57"W ON SAID WEST LINE, A DISTANCE OF 1960.68 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER; THENCE S89°52'10"W ON THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1133.47 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE S00°12'02"W ON THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2612.00 FEET TO THE POINT OF BEGINNING, CONTAINING 70.2 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
ORDINANCE NO. 1411

ANNEX 3



ANNEXATION DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE S89°49'04\"/>

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 _____ DATE _____

VELOCITY SKETCH
 BUTLER COUNTY
 NEBRASKA
 R3E

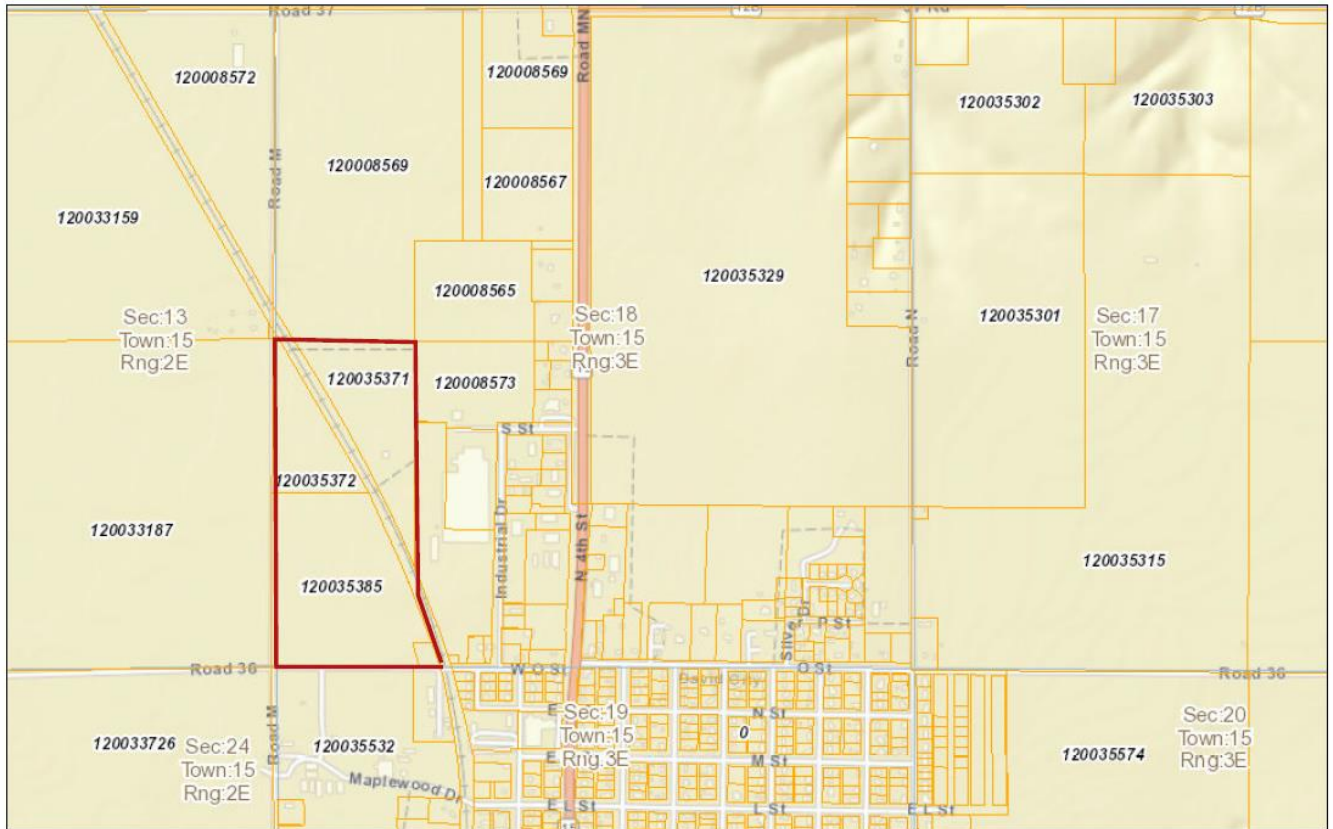


TOWN: T15N
 RANGE: R3E
 SECTION: 16
 PLAT NO: 1411
 FILED IN: BUTLER COUNTY, NEBRASKA
 DATE: _____
 BY: _____

PART OF THE SW1/4
 SEC. 16-T15N-R3E
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

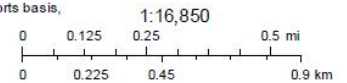
PLAT PREPARED BY: BUREAU OF SURVEYING AND MAPPING, BUTLER COUNTY, NEBRASKA



November 15, 2022
09:29 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

-  Parcels
-  Sections



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC. (c) OpenStreetMap contributors, and the GIS User Community

Butler County
gWorks.

Mayor Alan Zavodny declared the public hearing open at 8:04 p.m. to consider annexing the Butler County Ag Society, AC Storage, LLC, and Butler County Noxious Weed properties located in part of the Northwest quarter of Section 19, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°02'09"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT

2; THENCE N87°52'00"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 986, A DISTANCE OF 466.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'24"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS.

Willow Holoubek and David McPhillips introduced themselves and spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 8:09 p.m.

Council member Pat Meysenburg introduced Ordinance No. 1412 and Mayor Alan Zavodny read Ordinance No. 1412 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No. 1412 on 1st reading only annexing the Butler County Ag Society, AC Storage, LLC, and Butler County Noxious Weed properties located in part of the Northwest quarter of Section 19, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°02'09"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N87°52'00"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 986, A DISTANCE OF 466.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'24"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS.. Council Member Pat Meysenburg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1412

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;
- (e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and
- (f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

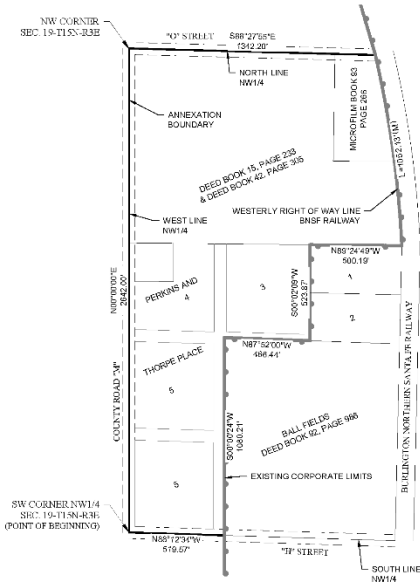
EXHIBIT "A"

ANNEX 4 – Ordinance No. 1412

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2642.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 19; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°02'09"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N87°52'00"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 986, A DISTANCE OF 466.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'24"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1080.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
ORDINANCE NO. 1412

ANNEX 4



ANNEXATION DESCRIPTION:

PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS, BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 18; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2942.00 FEET TO THE NORTHWEST CORNER OF SAID SECTION 18; THENCE S88°27'55"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1342.20 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON-NORTH DAKOTA RAILWAY; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1052.13 FEET TO THE NORTHEAST CORNER OF LOT 1, PERKINS AND THORPE PLACE; THENCE N89°24'49"W ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 500.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE S00°00'00"W ON THE WEST LINE OF LOTS 1 AND 2 OF SAID PERKINS AND THORPE PLACE, A DISTANCE OF 523.87 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N87°52'08"W ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED BOOK 92, PAGE 895, A DISTANCE OF 488.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"W ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 1081.21 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N88°12'34"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 519.57 FEET TO THE POINT OF BEGINNING, CONTAINING 58.9 ACRES, MORE OR LESS.

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 _____ DATE _____

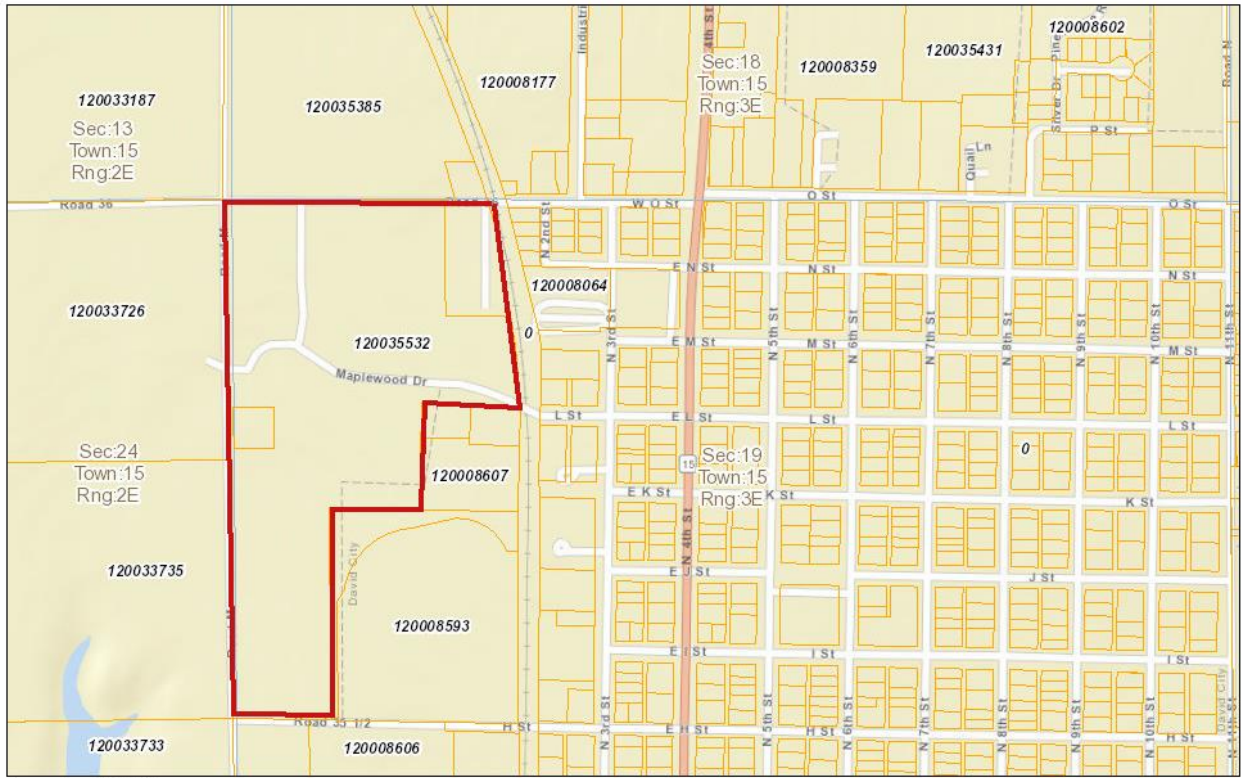
VELOCITY SURVEILLANCE
 BUTLER COUNTY
 NEBRASKA
 K&B



PART OF THE NW1/4
 SEC. 18-T15N-38E
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

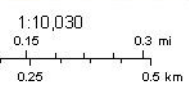
PLAT NO. 221761
 DATE 02/03/2022
 PROJECT # 2024
 FILE # 102
 FILED BY **anna@k&b**
 FILED BY BUTLER CO. SO
 FILED BY **BJF**
 COUNTY FILE # 102



November 15, 2022
13:50 PM

Parcels
 Sections

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Butler County
gisworks

Mayor Alan Zavodny declared the public hearing open at 8:12 p.m. to consider annexing part of the Mark & Willow Holoubek property and all of the Russ & Loretta Daro property located in part of the east half of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE S00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1783.48 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S89°44'12"E ON SAID NORTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.39 ACRES MORE OR LESS.

Mark & Willow Holoubek and David McPhillips introduced themselves and spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 8:20 p.m.

Council member Pat Meysenburg introduced Ordinance No. 1413 and Mayor Alan Zavodny read Ordinance No. 1413 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No. 1413 on 1st reading only annexing part of the Mark & Willow Holoubek property and all of the Russ & Loretta Daro property located in part of the east half of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE S00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1783.48 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S89°44'12"E ON SAID NORTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.39 ACRES MORE OR LESS.. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Nay, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 4, Nay: 1, Absent: 1

ORDINANCE NO. 1413

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;

(e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and

(f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

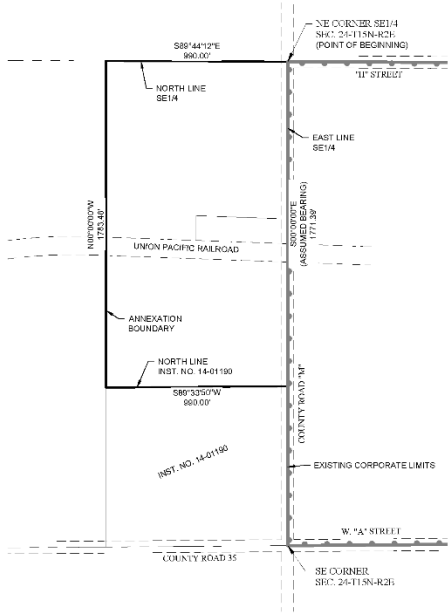
EXHIBIT "A"

ANNEX 5A – Ordinance No. 1413

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24; THENCE S00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1771.39 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE N00°00'00"W, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 1783.48 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE S89°44'12"E ON SAID NORTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 40.39 ACRES MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. 1413

ANNEX 5A



ANNEXATION DESCRIPTION:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M. BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 24, THENCE S00°00'00\"/>

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INVESTIGATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 DATE _____

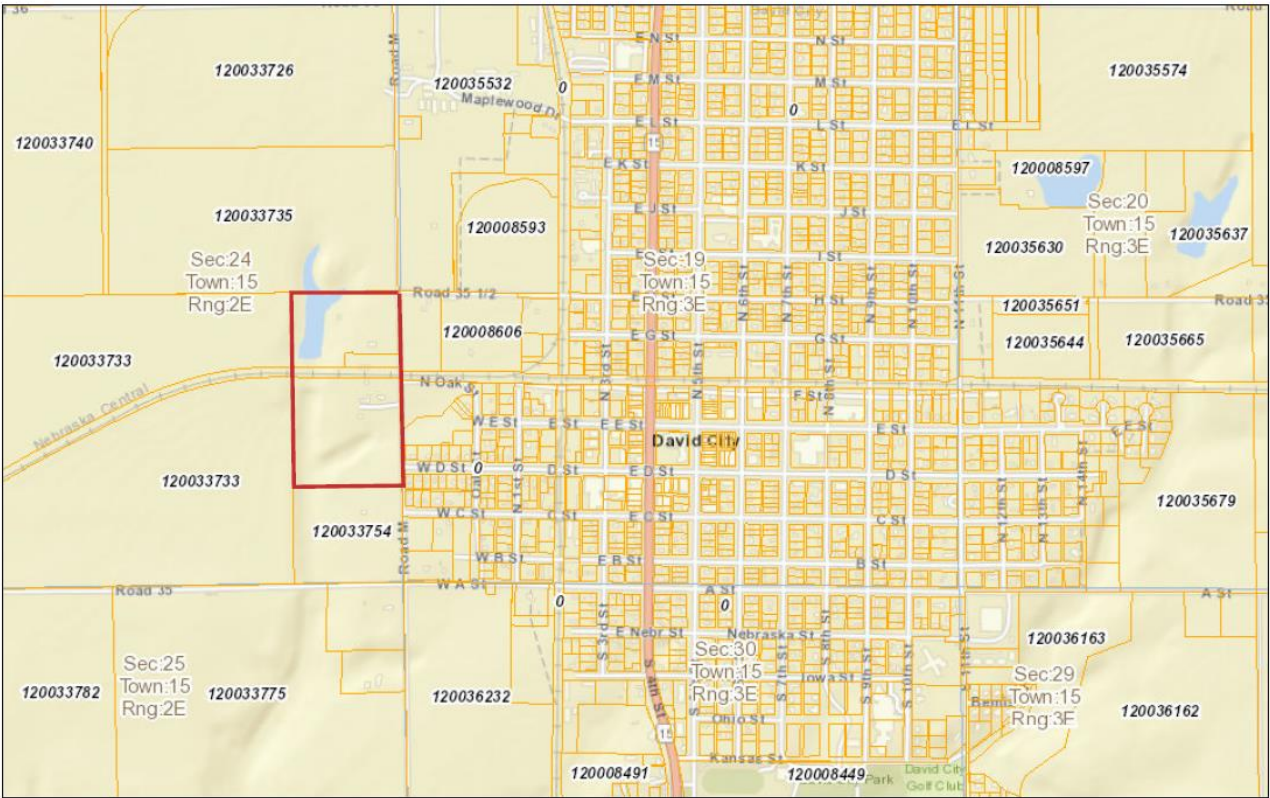
PART OF THE SE 1/4
 SEC. 24-T15N-R2E
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

VELOCITY SCHEDULE
 BUTLER COUNTY
 NEBRASKA
 R2E



PLAT NO. 221761
 DATE 06/02/22
 PREPARED BY BJJ
 FILE NO. 2022-0044
 DRAWN BY BJJ
 CHECKED BY BJJ
 BUTLER CO. NO. 02
 FILE NO. BJJ
 COUNTY FILE NO. BJJ

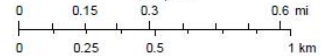


November 15, 2022
09:35 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Parcels
- Sections

1:18,384



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Butler County
gWorks.

Mayor Alan Zavodny declared the public hearing open at 8:24 p.m. to consider annexing the Amy Slama (J.M. & Delores Lanspa) property located in part of the SE quarter of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 870.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 870.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N89°33'50"E ON SAID SOUTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.78 ACRES, MORE OR LESS.

Hearing no public comment, Mayor Zavodny declared the public hearing closed at 8:25 p.m.

Council member Pat Meysenburg introduced Ordinance No. 1414 and Mayor Alan Zavodny read Ordinance No. 1414 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No. 1414 on 1st reading only annexing the Amy Slama (J.M. & Delores Lanspa) property located in part of the SE quarter of the SE quarter of Section 24, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 870.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 870.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N89°33'50"E ON SAID SOUTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.78 ACRES, MORE OR LESS.. Council Member Pat Meysenburg seconded the motion. The motion carried. Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1414

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

(a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");

(b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;

(c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;

(d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity

to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;

(e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and

(f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

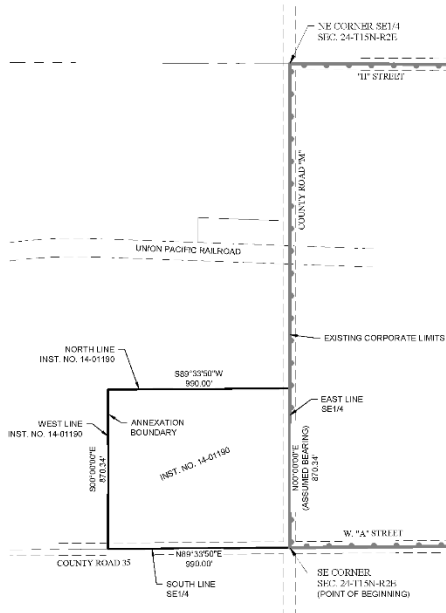
EXHIBIT "A"

ANNEX 5B – Ordinance No. 1414

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 870.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°33'50"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 990.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 990.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 870.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE N89°33'50"E ON SAID SOUTH LINE, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.78 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. 1414

ANNEX 5B



ANNEXATION DESCRIPTION:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 14 NORTH, RANGE 2 EAST OF THE SIXTH, P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 24; THENCE N00°00'00"E (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 24, A DISTANCE OF 670.34 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 14-01190; THENCE S89°53'56"W ON THE NORTH LINE OF SAID TRACT, A DISTANCE OF 660.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, PARALLEL WITH AND 660.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 670.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE S45°53'56"E ON SAID SOUTH LINE, A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING, CONTAINING 19.75 ACRES, MORE OR LESS.

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORDED DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 DATE _____

PART OF THE SE1/4 SE1/4
 SEC. 24-T14N-R2E
 BUTLER COUNTY, NEBRASKA

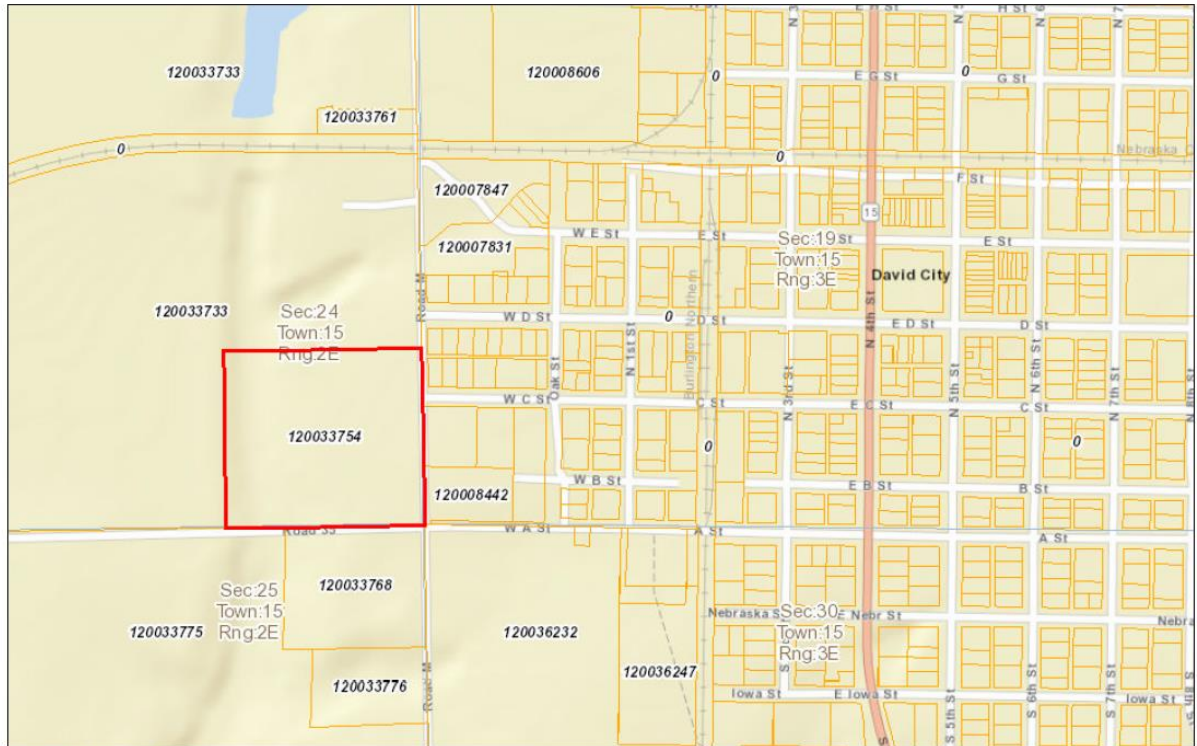
ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

VELOCITY SCHEDULE

BUTLER COUNTY
 NEBRASKA
 R2E



PROJECT NO. 221761
 DATE 02/07/2022
 DRAWING NO. A044
 FILED BY **Surveying**
 FILED BY BUTLER CO. SD
 FILED BY BJP
 COUNTY FILED



November 15, 2022 09:36 AM
 DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.
 Scale: 1:9,486
 Legend:
 [Yellow Box] Parcels
 [Blue Box] Sections
 Scale bar: 0 to 0.3 mi / 0 to 0.5 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Mayor Alan Zavodny declared the public hearing open at 8:27 p.m. to consider annexing the Aquinas High School, City of David City, Greg & Lori Sabata, Wendy Reznicek (Breanne Evasic) Richard Dietrich, David & Michelle Streeter, Joel Bongers properties located in part of the south half of the SW quarter of Section 29, part of SE quarter of the SW quarter and the SE quarter of Section 30, part of the East half of the West half of Section 31, all of the West half of Section 32, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE EAST HALF OF THE WEST HALF AND ALL OF THE EAST HALF OF SECTION 31, ALL OF THE WEST HALF OF SECTION 32, ALL IN TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5 AND PART OF THE NORTH HALF OF THE NORTH HALF OF SECTION 6, ALL IN TOWNSHIP 14 NORTH RAGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N01°21'15"W (ASSUMED BEARING) ON THE EAST LINE OF THE WEST HALF OF SAID SECTION 32, A DISTANCE OF 5325.90 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE N00°15'38"E ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 34; THENCE N89°44'22"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 2684.45 FEET; THENCE N89°31'03"W CONTINUING ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1320.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE N00°51'36"W ON SAID EAST LINE, A DISTANCE OF 1599.03 FEET TO THE SOUTH LINE OF THE NORTH 1000 FEET OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE N89°42'59"W ON SAID SOUTH LINE, A DISTANCE OF 1236.54 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 15; THENCE N89°42'59"W ON THE WESTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 169.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING 4 COURSES: S00°52'19"E, 338.00 FEET; S09°47'51"E, 202.41 FEET; N89°07'41"E, 5.00 FEET;

S01°07'39"E, 12.62 FEET TO THE SOUTHEAST CORNER OF ZEGERS 1ST ADDITION; THENCE WESTERLY AND SOUTHERLY ON THE SOUTHERLY LINE OF ZEGERS 1ST ADDITION THE FOLLOWING 3 COURSES: S89°26'54"W, 301.32 FEET; S00°18'49"W, 213.19 FEET; S89°56'26"W, 245.30 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S06°42'01"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 863.20 FEET TO THE NORTH LINE OF SAID SECTION 31; THENCE SOUTHERLY ON A CURVE TO THE RIGHT CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1698.86 FEET; THENCE S25°40'34"W CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 356.29 FEET TO THE SOUTHWEST CORNER OF LOT 1 AS SHOWN IN BOOK OF PLATS AT PAGE 122 (A/K/A PLAT #28) IN THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE S89°32'28"E ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 957.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE S01°49'31"E ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 3403.79 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 33; THENCE S89°43'55"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 5369.75 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE N00°18'30"E ON SAID EAST LINE, A DISTANCE OF 33.00 FEET; TO THE POINT OF BEGINNING, CONTAINING 755.56 ACRES, MORE OR LESS.

David & Michelle Streeter, Kim Dietrich, Larry McPhillips, Mark & Willow Holoubek, Randy Isham and Jerry Kosch introduced themselves and all spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 8:41 p.m.

Council member Pat Meysenburg introduced Ordinance No. 1415 and Mayor Alan Zavodny read Ordinance No. 1415 by title.

Council member Jessica Miller made a motion to adopt Ordinance No. 1415 on 1st reading only annexing the Aquinas High School, City of David City, properties located in part of the south half of the SW quarter of Section 29, part of SE quarter of the SW quarter and the SE quarter of Section 30, part of the East half of the West half of Section 31, all of the West half of Section 32, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, excluding Greg & Lori Sabata, Wendy Reznicek (Breanne Evasic), Richard Dietrich, David & Michelle Streeter, Joel Bongers properties as described below, to wit, PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE EAST HALF OF THE WEST HALF AND ALL OF THE EAST HALF OF SECTION 31, ALL OF THE WEST HALF OF SECTION 32, ALL IN TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5 AND PART OF THE NORTH HALF OF THE NORTH HALF OF SECTION 6, ALL IN TOWNSHIP 14 NORTH RAGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N01°21'15"W (ASSUMED BEARING) ON THE EAST LINE OF THE WEST HALF OF SAID SECTION 32, A DISTANCE OF 5325.90 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE N00°15'38"E ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 34; THENCE N89°44'22"W ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 2684.45 FEET; THENCE N89°31'03"W CONTINUING ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1320.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 30; THENCE N00°51'36"W ON SAID EAST LINE, A DISTANCE OF 1599.03 FEET TO THE SOUTH LINE OF THE NORTH 1000 FEET OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE N89°42'59"W ON SAID SOUTH LINE, A DISTANCE OF 1236.54 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 15; THENCE N89°42'59"W ON THE WESTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 169.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING 4 COURSES: S00°52'19"E, 338.00 FEET; S09°47'51"E, 202.41 FEET; N89°07'41"E, 5.00 FEET; S01°07'39"E, 12.62 FEET TO THE SOUTHEAST CORNER OF ZEGERS 1ST ADDITION; THENCE WESTERLY AND SOUTHERLY ON THE SOUTHERLY LINE OF ZEGERS 1ST ADDITION THE FOLLOWING 3 COURSES: S89°26'54"W, 301.32 FEET; S00°18'49"W, 213.19 FEET; S89°56'26"W, 245.30 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY; THENCE S06°42'01"E ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 863.20 FEET TO THE NORTH LINE OF SAID SECTION 31; THENCE SOUTHERLY ON A CURVE TO THE RIGHT CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 1698.86 FEET; THENCE S25°40'34"W CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 356.29 FEET TO THE SOUTHWEST CORNER OF LOT 1 AS SHOWN IN BOOK OF PLATS AT PAGE 122 (A/K/A PLAT #28) IN THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE S89°32'28"E ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 957.93 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE S01°49'31"E ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 3403.79 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 33; THENCE S89°43'55"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 5369.75 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE N00°18'30"E ON SAID EAST LINE, A DISTANCE OF 33.00 FEET; TO

THE POINT OF BEGINNING, CONTAINING 755.56 ACRES, MORE OR LESS. Council Member Kevin Woita seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea

Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1415 - Updated

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;
- (e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and
- (f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Mayor Alan Zavodny

City Clerk Tami Comte

EXHIBIT "A"

ANNEX 6 – Ordinance No. 1415 - (12-05-2022)

PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE NORTHWEST QUARTER AND PART OF THE EAST HALF OF SECTION 31, PART OF THE WEST HALF OF SECTION 32, ALL IN TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, ALL IN TOWNSHIP 14 NORTH RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N01°21'15"W (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 1331.48 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE N89°45'27"W ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1333.36 FEET TO THE EASTERLY LINE OF A TRACT OF LAND DESCRIBED IN FILMBOOK 08-871; THENCE N34°22'45"W ON SAID EASTERLY LINE, A DISTANCE OF 2439.79 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M.; THENCE N01°57'25"W ON SAID EAST LINE, A DISTANCE OF 1987.43 FEET TO THE NORTHEAST CORNER OF SAID SECTION 31; THENCE N00°38'10"W ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 34; THENCE N89°31'03"W CONTINUING ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1320.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 30 TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M.; THENCE N00°51'36"W ON SAID EAST LINE, A DISTANCE OF 1599.03 FEET TO THE SOUTH LINE OF THE NORTH 1000 FEET OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE N89°42'59"W ON SAID SOUTH LINE, A DISTANCE OF 1236.54 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 15; THENCE N89°42'59"W ON THE WESTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 169.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING 10 COURSES: S00°52'19"E, 338.00 FEET; S09°47'51"E, 202.41 FEET; N89°07'41"E, 5.00 FEET; S01°05'11"E, 424.70 FEET; S31°54'27"E, 70.17 FEET; S00°26'21"E, 605.47 FEET; S23°40'48"E, 67.15 FEET; S01°46'33"E 150.82 FEET; S09°31'10"W, 101.98 FEET; S02°02'01"E, 2357.08 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE S89°44'34"E ON SAID SOUTH LINE, A DISTANCE OF 76.60 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE S89°38'52"E ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1883.02 FEET TO THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED AS TRACT 1 ON A SURVEY BY TIMOTHY J. ROBINSON LS-625 DATED 3/13/2006; THENCE S34°22'45"E ON SAID WESTERLY LINE, A DISTANCE OF 1422.81 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 32; THENCE S01°57'26"E ON SAID WEST LINE, A DISTANCE OF 160.45 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE S01°26'32"E ON THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1332.50 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE S01°26'32"E ON

THE WEST LINE OF SECTION 5, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 33; THENCE S89°41'30"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2639.51 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE N00°18'30"E ON SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 342.79 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. 1415

ANNEX 6 (12-5-2022)



ANNEXATION DESCRIPTION:

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PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE NORTHWEST QUARTER AND PART OF THE EAST HALF OF SECTION 31, PART OF THE WEST HALF OF SECTION 32. ALL IN TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., AND PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 5, ALL IN TOWNSHIP 14 NORTH RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE N01°21'15"W (ASSUMED BEARING) ON THE EAST LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 1331.48 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER; THENCE N89°45'27"W ON THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1333.36 FEET TO THE EASTERLY LINE OF A TRACT OF LAND DESCRIBED IN FILMBOOK 08-871; THENCE N34°22'45"W ON SAID EASTERLY LINE, A DISTANCE OF 2439.79 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M.; THENCE N01°57'25"W ON SAID EAST LINE, A DISTANCE OF 1987.43 FEET TO THE NORTHEAST CORNER OF SAID SECTION 31; THENCE N00°38'10"W ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 34; THENCE N89°31'03"W CONTINUING ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 1320.98 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 30 TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M.; THENCE N00°51'36"W ON SAID EAST LINE, A DISTANCE OF 1589.03 FEET TO THE SOUTH LINE OF THE NORTH 1000' FEET OF SAID WEST HALF OF THE SOUTHEAST QUARTER; THENCE N89°42'59"W ON SAID SOUTH LINE, A DISTANCE OF 1236.54 FEET TO THE EAST RIGHT OF WAY LINE OF HIGHWAY 15; THENCE N89°42'59"W ON THE WESTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 189.46 FEET TO THE WESTERLY RIGHT OF WAY LINE OF HIGHWAY 15; THENCE S00°52'19"E, 5.00 FEET; S01°09'11"E, 424.70 FEET; S31°54'27"W, 70.17 FEET; S00°28'21"E, 605.47 FEET; S23°40'48"E, 67.15 FEET; S01°46'33"E, 150.82 FEET; S00°31'10"W, 101.98 FEET; S89°44'34"E, 78.60 FEET; S02°02'01"E, 2357.08 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31; THENCE S89°44'34"E ON SAID SOUTH LINE, A DISTANCE OF 76.80 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 31; THENCE S89°39'32"E ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1883.02 FEET TO THE WESTERLY LINE OF A TRACT OF LAND DESCRIBED AS TRACT 1 ON A SURVEY BY TIMOTHY J. ROBINSON LS-625 DATED 3/13/2008; THENCE S34°22'45"E ON SAID WESTERLY LINE, A DISTANCE OF 1422.81 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 32; THENCE S01°57'20"E ON SAID WEST LINE, A DISTANCE OF 160.45 FEET TO THE NORTHWEST CORNER OF SAID SECTION 32; THENCE S01°57'20"E ON SAID WEST LINE, A DISTANCE OF 160.45 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE S01°26'32"E ON THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER, A DISTANCE OF 1332.50 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 32; THENCE S01°26'32"E ON THE WEST LINE OF SECTION 5, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SIXTH P.M., A DISTANCE OF 33.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD 33; THENCE S89°41'30"E ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2639.51 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 5; THENCE N00°18'30"E ON SAID EAST LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 342.79 ACRES, MORE OR LESS.

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

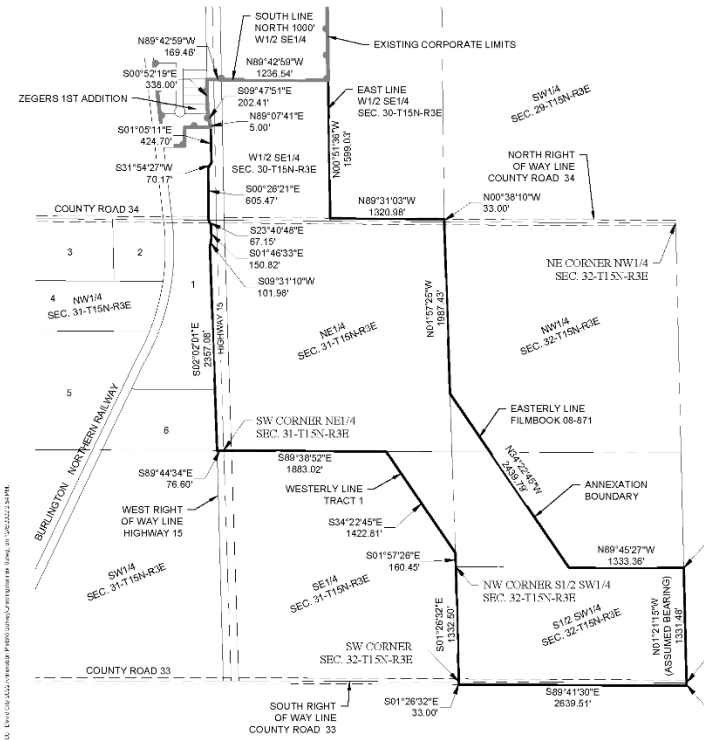
THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

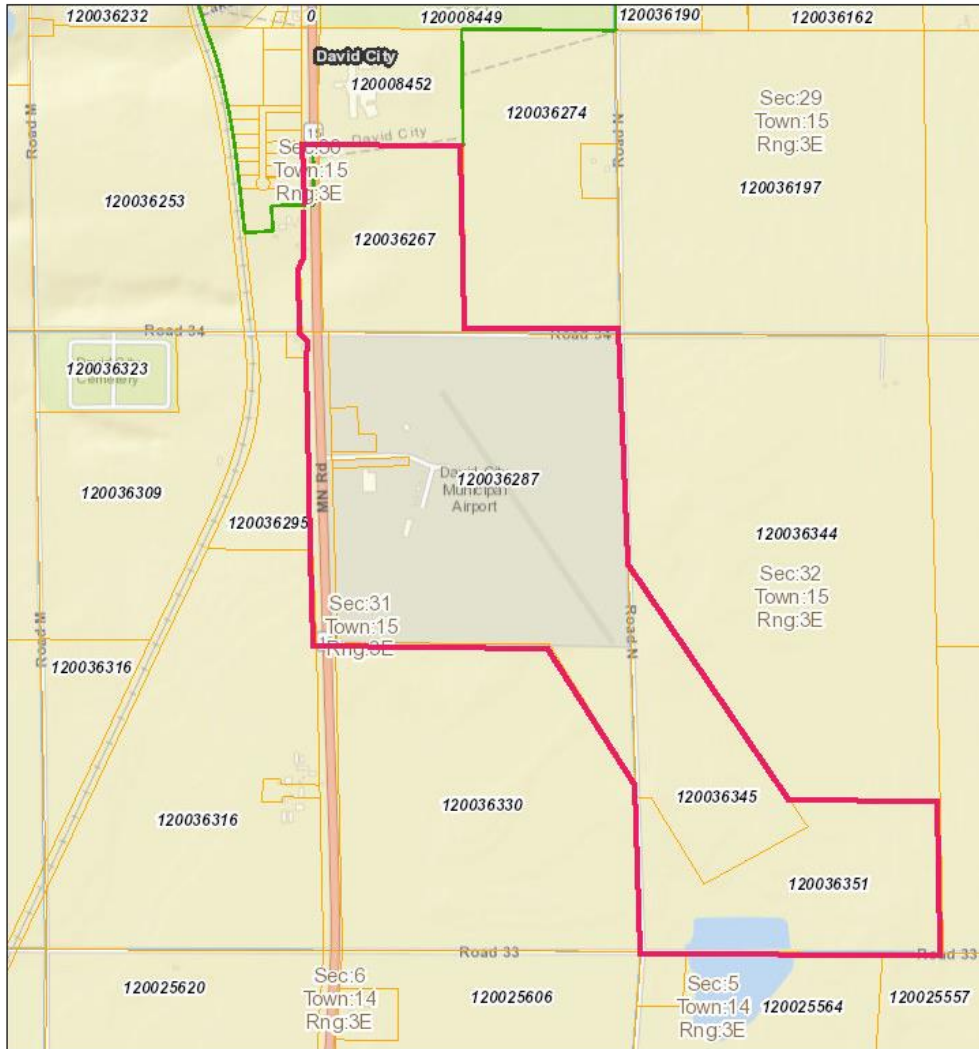
BRIAN J. FORAL, LS 588 _____ DATE _____



S12 SEC. 30, S1/2 SW1/4 SEC. 29
 NW1/4 & E1/2 SEC. 31, W1/2 SEC. 32
 T15N-R3E & N1/2 SEC. 5
 T14N-R3E OF THE SIXTH P.M.
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

PROJECT NO. 221781
 DATE 12/05/2022
 DRAWN BY AMH
 FILE NO. 22046-6-03
 FIELD BOOK BUTLER CO. 93
 PLOT OF CORNERS BJF
 SURVEY FILE NO. _____

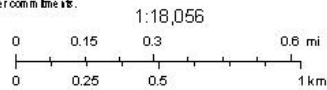


December 6, 2022

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on an as-shown basis, and should not be relied upon for making financial, survey, legal or other commitments.

Legend

- City Names
- Corporate Limits
- Parcels
- Sections



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCA, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Butler County
gWorks

Mayor Zavodny declared the public hearing open at 8:45 p.m. to consider annexing the Lane Sabata, Charles & Patricia Oborny, and John Trawicke, and City of David City properties located in part of the SW quarter of the NW quarter and part of the NW quarter of the SW quarter, all in Section 20, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER

COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°34'38"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES: S89°52'40"E, 384.90 FEET; S01°22'00"E, 144.13 FEET; S89°04'33"E, 170.00 FEET; S02°09'54"W, 49.50 FEET; S89°46'57"E, 694.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE S00°34'36"E, A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE S00°34'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°39'36"E ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 25.44 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE S00°42'29"E ON THE EAST LINE OF SAID TRACT, A DISTANCE OF 753.45 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE CONTINUING S00°42'29"E THE SOUTHERN EXTENSION OF SAID EAST LINE, A DISTANCE OF 100.05 FEET TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°58'07"W ON SAID SOUTH RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 1275.29 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE N00°38'15"W ON SAID WEST LINE, A DISTANCE OF 100.04 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S88°58'07"E ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 310.02 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180; THENCE N00°42'36"W ON SAID EAST LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 741.80 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE N89°39'36"W ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 44.72 ACRES, MORE OR LESS.

Kim Dietrich, Chuck Oborny, Jan Sypal and Lane Sabata introduced themselves and spoke in opposition to the annexation.

Mayor Zavodny declared the public hearing closed at 8:51 p.m. Mayor Zavodny reopened the public hearing at 8:51 p.m.

Council member Jessica Miller asked Planning Commission member Keith Marvin why this annexation was being done.

Planning Commission member Keith Marvin introduced himself and stated that the Planning Commission wanted to clean up the corporate limits.

Mark Holoubek introduced himself and spoke in opposition to the annexation.

Mayor Zavodny declared the public hearing closed at 9:00 p.m.

Council member Pat Meysenburg introduced Ordinance No. 1416 and Mayor Alan Zavodny read Ordinance No. 1416 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No. 1416 on 1st reading only annexing the Charles & Patricia Oborny, and John Trawicke, and City of David City properties located in part of the SW quarter of the NW quarter and part of the NW quarter of the SW quarter, all in Section 20, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, excluding the Lane Sabata property, described as follows, to wit, PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°34'38"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES: S89°52'40"E, 384.90 FEET; S01°22'00"E, 144.13 FEET; S89°04'33"E, 170.00 FEET; S02°09'54"W, 49.50 FEET; S89°46'57"E, 694.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE S00°34'36"E, A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE S00°34'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°39'36"E ON THE SOUTH LINE OF SAID NORTHWEST

QUARTER, A DISTANCE OF 25.44 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE S00°42'29"E ON THE EAST LINE OF SAID TRACT, A DISTANCE OF 753.45 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE CONTINUING S00°42'29"E THE SOUTHERN EXTENSION OF SAID EAST LINE, A DISTANCE OF 100.05 FEET TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD; THENCE N88°58'07"W ON SAID SOUTH RAILROAD RIGHT OF WAY LINE, A DISTANCE OF 1275.29 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE N00°38'15"W ON SAID WEST LINE, A DISTANCE OF 100.04 FEET TO THE NORTH RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S88°58'07"E ON SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 310.02 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180; THENCE N00°42'36"W ON SAID EAST LINE AND ITS SOUTHERLY EXTENSION, A DISTANCE OF 741.80 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE N89°39'36"W ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 44.72 ACRES, MORE OR LESS. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Nay, John Vandenberg: Absent, Kevin Woita: Nay
Yea: 3, Nay: 2, Absent: 1

ORDINANCE NO. 1416 - UPDATED

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;
- (e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and

- (f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Mayor Alan Zavodny

City Clerk Tami Comte

EXHIBIT "A"

ANNEX 7 – Ordinance No. 1416 (12-05-2022)

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE $N00^{\circ}34'38''W$ (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES: $S89^{\circ}52'40''E$, 384.90 FEET; $S01^{\circ}22'00''E$, 144.13 FEET; $S89^{\circ}04'33''E$, 170.00 FEET; $S02^{\circ}09'54''W$, 49.50 FEET; $S89^{\circ}46'57''E$, 694.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE $S00^{\circ}34'36''E$, A DISTANCE OF 423.60 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE $S00^{\circ}34'36''E$ ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE $N89^{\circ}39'36''W$ ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 61.40 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE $S89^{\circ}42'36''E$ ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 149.52 FEET; THENCE $N89^{\circ}39'36''W$, PARALLEL WITH AND 149.5 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 878.05 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180 THENCE $N00^{\circ}42'36''W$ ON SAID EAST LINE, A DISTANCE OF 149.53 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE $N89^{\circ}39'36''W$ ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 28.25 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. 1416

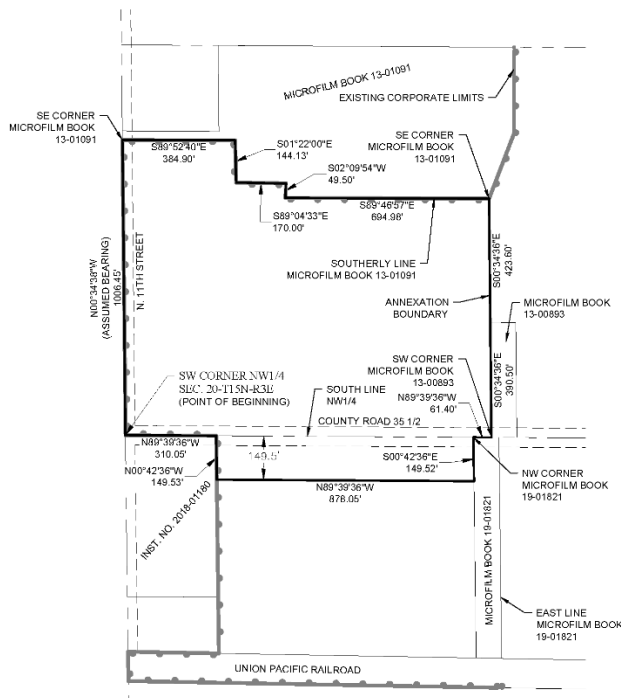
ANNEX 7 (12-05-2022)



PART OF THE SW1/4 NW1/4
 CORNER OF THE SW1/4 NW1/4
 SECTION 20, TOWNSHIP 15 NORTH,
 RANGE 3 EAST OF THE SIXTH P.M.,
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 OF THE CITY OF DAVID CITY,
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

PROJ. NO. 221761
 DATE 12/5/2022
 DRAWN BY AVH
 FILE NO. 2022-07-07
 FILED UNDER BUTLER CO. 93
 REC. 12/27/22
 SURVEY FILE NO. BJJ



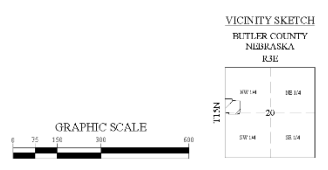
ANNEXATION DESCRIPTION:
 PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, ALL IN SECTION 20, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 20; THENCE N00°34'38"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1006.45 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-01091; THENCE EASTERLY ON THE SOUTHERLY LINE OF SAID TRACT THE FOLLOWING FIVE COURSES: S89°52'40"E, 384.90 FEET; S01°22'00"E, 144.13 FEET; S89°04'33"E, 170.00 FEET; S02°09'54"W, 49.50 FEET; S89°46'57"E, 684.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE S00°34'36"E, A DISTANCE OF 423.80 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 13-00893; THENCE S00°34'36"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 390.50 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°39'36"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 81.40 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN MICROFILM BOOK 19-01821; THENCE S89°42'38"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 149.52 FEET; THENCE N89°39'36"W PARALLEL WITH AND 149.5 FEET DISTANT FROM SAID SOUTH LINE, A DISTANCE OF 878.05 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NO. 2018-01180 THENCE N00°42'36"W ON SAID EAST LINE, A DISTANCE OF 149.53 FEET TO SAID SOUTH LINE OF THE NORTHWEST QUARTER; THENCE N89°39'36"W ON SAID SOUTH LINE, A DISTANCE OF 310.05 FEET TO THE POINT OF BEGINNING, CONTAINING 28.25 ACRES, MORE OR LESS.

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:
 THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

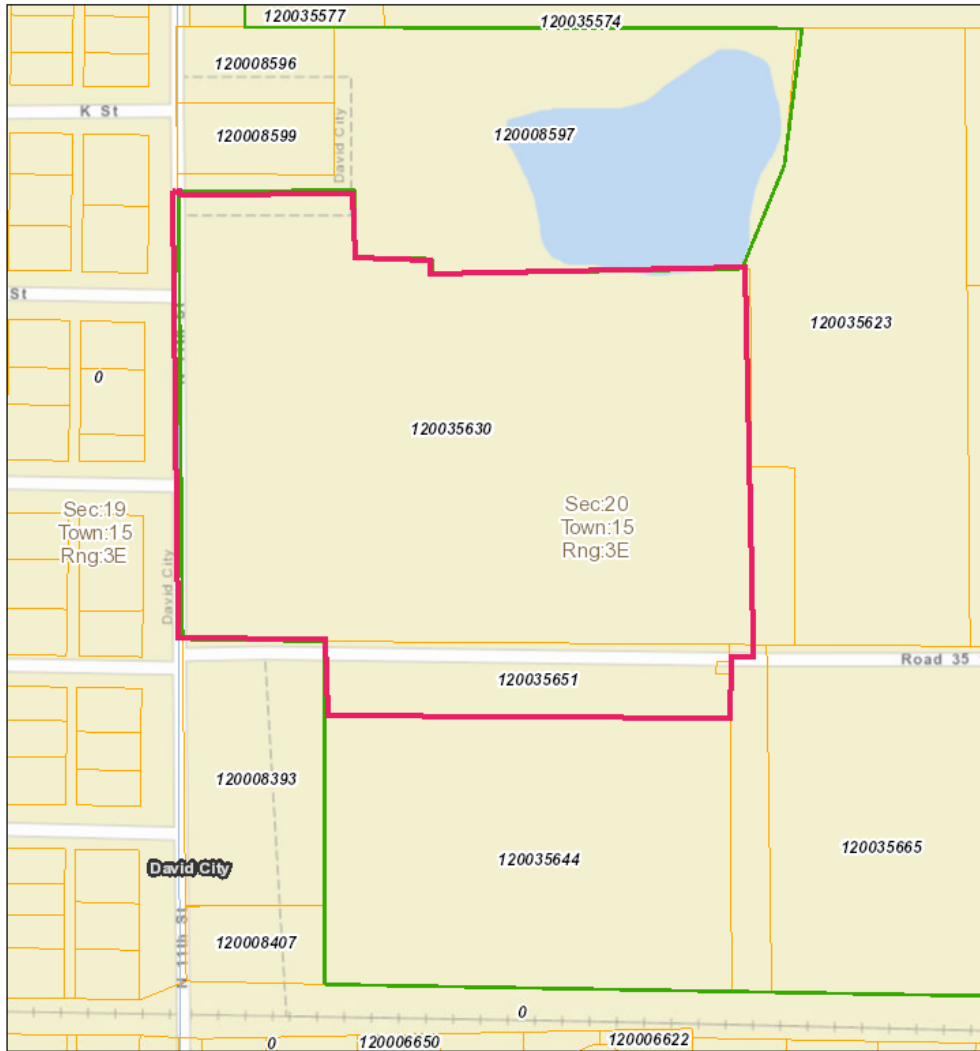
MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:
 I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 _____ DATE _____



* 2022/05/27 09:16:41 C:\Users\bjforal\OneDrive\Documents\2022-07-07\221761.dwg

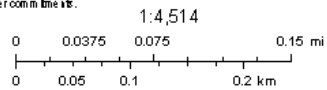


December 6, 2022

DISCLAIMER: This map is not intended for conveyance, nor is it a legal survey. The information is presented on an asbest available basis, and should not be relied upon for making financial, survey, legal or other commitments.

Legend

- City Names
-  Corporate Limits
-  Parcels
-  Sections



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCA, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Butler County
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Mayor Alan Zavodny declared the public hearing open at 9:03 p.m. to consider annexing the St Mary's Catholic Church, John & Maureen Coufal and State of Nebraska properties located in part of the SW quarter of the NW quarter of Section 29, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE

SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 495.44 FEET TO THE SOUTHWEST CORNER OF HILDY ESTATES FIRST ADDITION TO THE CITY OF DAVID CITY; THENCE S88°46'34"E ON THE SOUTH LINE OF SAID HILDY ESTATES FIRST ADDITION, A DISTANCE OF 490.11 FEET TO THE SOUTHEAST CORNER OF SAID HILDY ESTATES FIRST ADDITION; THENCE CONTINUING S88°46'34"E, A DISTANCE OF 259.61 FEET; THENCE S00°00'00"E, A DISTANCE OF 165.00 FEET; THENCE S88°46'34"E, A DISTANCE OF 400.00 FEET; THENCE S00°00'00"E, A DISTANCE OF 330.44 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°46'34"W ON SAID SOUTH LINE, A DISTANCE OF 1149.72 FEET TO THE POINT OF BEGINNING, CONTAINING 11.56 ACRES, MORE OR LESS.

Willow Holoubek introduced herself and spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 9:05 p.m.

Council member Kevin Woita introduced Ordinance No. 1417 and Mayor Alan Zavodny read Ordinance No. 1417 by title.

Council member Pat Meysenburg made a motion to adopt Ordinance No. 1417 on 1st reading only annexing the St Mary's Catholic Church, John & Maureen Coufal and State of Nebraska properties located in part of the SW quarter of the NW quarter of Section 29, Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 495.44 FEET TO THE SOUTHWEST CORNER OF HILDY ESTATES FIRST ADDITION TO THE CITY OF DAVID CITY; THENCE S88°46'34"E ON THE SOUTH LINE OF SAID HILDY ESTATES FIRST ADDITION, A DISTANCE OF 490.11 FEET TO THE SOUTHEAST CORNER OF SAID HILDY ESTATES FIRST ADDITION; THENCE CONTINUING S88°46'34"E, A DISTANCE OF 259.61 FEET; THENCE S00°00'00"E, A DISTANCE OF 165.00 FEET; THENCE S88°46'34"E, A DISTANCE OF 400.00 FEET; THENCE S00°00'00"E, A DISTANCE OF 330.44 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°46'34"W ON SAID SOUTH LINE, A DISTANCE OF 1149.72 FEET TO THE POINT OF BEGINNING, CONTAINING 11.56 ACRES, MORE OR LESS.. Council Member Bruce Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Nay, John Vandenberg: Absent, Kevin Woita: Nay
Yea: 3, Nay: 2, Absent: 1

ORDINANCE NO. 1417

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

(a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");

(b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;

(c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;

(d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;

(e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and

(f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

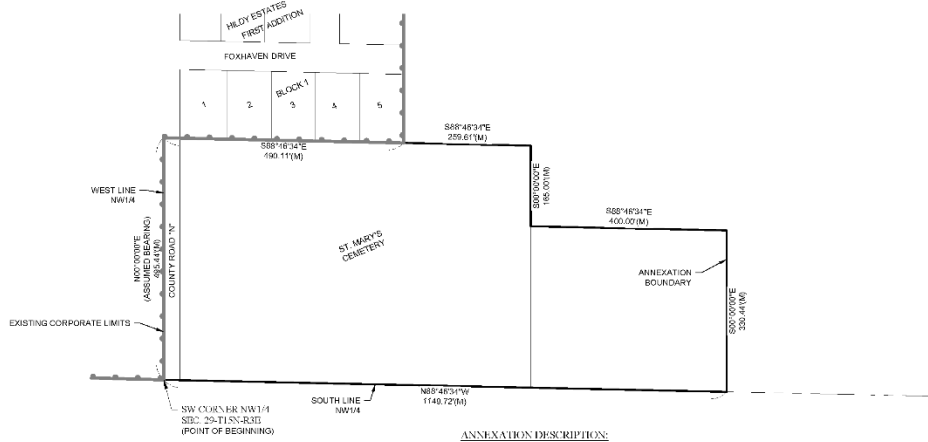
EXHIBIT "A"

ANNEX 9 – Ordinance 1417

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE N00°00'00"E (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 495.44 FEET TO THE SOUTHWEST CORNER OF HILDY ESTATES FIRST ADDITION TO THE CITY OF DAVID CITY; THENCE S88°46'34"E ON THE SOUTH LINE OF SAID HILDY ESTATES FIRST ADDITION, A DISTANCE OF 490.11 FEET TO THE SOUTHEAST CORNER OF SAID HILDY ESTATES FIRST ADDITION; THENCE CONTINUING S88°46'34"E, A DISTANCE OF 259.61 FEET; THENCE S00°00'00"E, A DISTANCE OF 165.00 FEET; THENCE S88°46'34"E, A DISTANCE OF 400.00 FEET; THENCE S00°00'00"E, A DISTANCE OF 330.44 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°46'34"W ON SAID SOUTH LINE, A DISTANCE OF 1149.72 FEET TO THE POINT OF BEGINNING, CONTAINING 11.56 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
ORDINANCE NO. 1417

ANNEX 9



ANNEXATION DESCRIPTION:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 26; THENCE N00°00'00\"/>

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA:

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

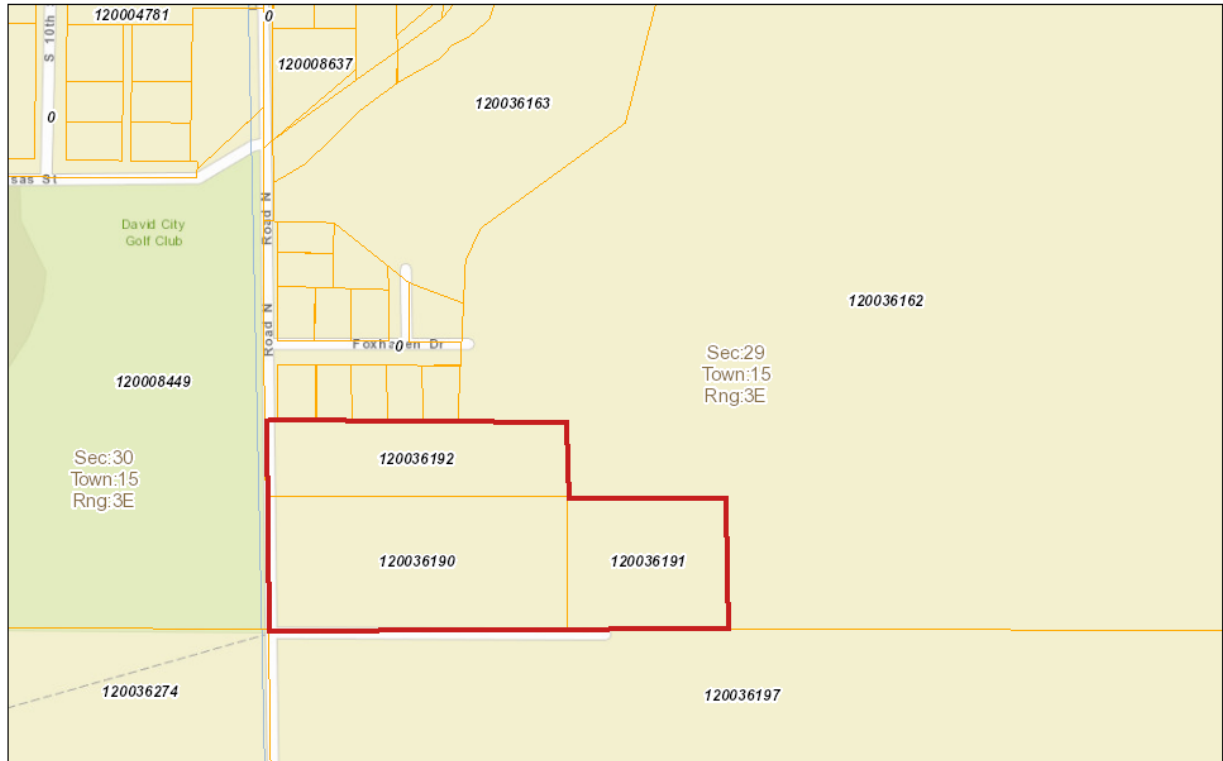
BRIAN J. FORAL, LS 568 _____ DATE _____

VICINITY SKETCH
 BUTLER COUNTY
 NEBRASKA
 R3E



TOWN: 15
 RANGE: 3E
 SECTION: 26
 COUNTY: BUTLER
 STATE: NEB
 DATE: 12/15/22
 SURVEYOR: B. FORAL
 1 OF 1

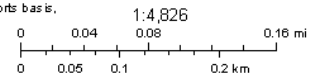
BUTLER COUNTY, NEBRASKA, RECORDS & CLERK'S OFFICE, 1000 W. 15TH STREET, BUTLER, NEBRASKA 68502



November 15, 2022
13:48 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Parcels
- Sections



Butler County
gWorks

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Mayor Alan Zavodny declared the public hearing open at 9:07 p.m. to consider annexing the Victor & Ruth Thoendel, part of H-KO Farms LLC, David Oborny, Charles Oborny, Russell & Jodene Andel, Jason & Scott Harms (Gordon & Sheralyn Harms), Jorge Garcia & Erika Navarro Galladro, Ryan & Jean Meister, State of Nebraska and Andrew & Jennifer Divis properties located in part of the East half of Section 18, part of the West half of Section 17, part of the SW quarter of the SW quarter of Section 8, and part of the SE quarter of the SE quarter of Section 7, all in Township 15 North, Range 3 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE EAST HALF OF SECTION 18, PART OF THE WEST HALF OF SECTION 17, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, ALL IN TOWNSHIP 15, NORTH, RANGE 3 EAST OF THE SIXTH P.M., BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 1, SIFFRING SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE S00°03'34"E (ASSUMED BEARING) ON THE WEST LINE OF SAID SIFFRING SUBDIVISION, A DISTANCE OF 2456.48 FEET TO THE SOUTHWEST CORNER OF LOT 11 OF SAID SIFFRING SUBDIVISION; THENCE CONTINUING S00°03'34"E ON THE SOUTHERLY EXTENSION OF SAID WEST LINE, A DISTANCE OF 1446.99 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE S89°44'04"E ON SAID NORTH LINE, A DISTANCE OF 135.73 FEET TO THE NORTHWEST CORNER OF LOT 1, DAVID CITY LAND AND LOT COMPANY'S SUBURBAN LOTS; THENCE S00°08'47"E ON THE WEST LINE OF SAID LOT 1, A DISTANCE OF 961.89 FEET TO THE NORTH LINE OF THE SOUTH 300 FEET OF SAID LOT 1 AND THE EXISTING CORPORATE LIMITS FOR THE CITY OF DAVID CITY; THENCE S89°45'32"E ON SAID NORTH LINE, A DISTANCE OF 374.68 FEET TO THE EAST LINE

OF SAID SECTION 18; THENCE CONTINUING S89°45'32"E, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "N"; THENCE N00°05'59"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 4877.04 FEET TO THE SOUTH RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE N13°33'41"E, A DISTANCE OF 133.26 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE SPUR 12B; THENCE NORTHERLY AND WESTERLY ON SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING 5 COURSES: N08°20'04"W, 206.79 FEET; N89°40'59"W, 66.00 FEET; S06°48'57"W, 165.50 FEET; S78°56'07"W, 196.73 FEET; N89°02'38"W, A DISTANCE OF 264.04 FEET; THENCE S00°03'34"E, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING, CONTAINING 59.98 ACRES, MORE OR LESS.

Ruth Thoendel, Gordon Harms, Jennifer Divis, David Oborny, Ryan Meister, Kim Dietrich and Mark Holoubek all introduced themselves and spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 9:21 p.m.

Council member Pat Meysenburg introduced Ordinance No. 1418 and Mayor Zavodny read Ordinance No. 1418 by title.

Council member Bruce Meysenburg made a motion to adopt Ordinance No. 1418 annexing none on 1st reading only. Council Member Pat Meysenburg seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1418

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and

any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;

- (e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and
- (f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

EXHIBIT "A"

ANNEX 8 – Ordinance No. 1418

None

Mayor Alan Zavodny declared the public hearing open at 9:24 p.m. to consider annexing the Richard & Beverly Bennett and Don Saalfeld properties located in part of the NE quarter of

the NE quarter of Section 25, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described as follows:

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°33'50"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01108; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.98 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE N00°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS.

Kim Dietrich introduced herself and spoke in opposition to the annexation.

Mayor Alan Zavodny declared the public hearing closed at 9:26 p.m.

Council member Kevin Woita introduced Ordinance No. 1419 and Mayor Alan Zavodny read Ordinance No. 1419 by title.

Council member Pat Meysenburg made a motion to adopt Ordinance No. 1419 on 1st reading only annexing the Richard & Beverly Bennett and Don Saalfeld properties located in part of the NE quarter of the NE quarter of Section 25, Township 15 North, Range 2 East of the 6th P.M., Butler County, Nebraska, described below, to wit, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°33'50"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01108; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.98 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE N00°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS..

Council Member Tom Kobus seconded the motion. The motion carried.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1

ORDINANCE NO. 1419

AN ORDINANCE TO EXTEND THE BOUNDARIES AND INCLUDE WITHIN THE CORPORATE LIMITS OF, AND TO ANNEX TO, THE CITY OF DAVID CITY, NEBRASKA, BUTLER COUNTY, NEBRASKA CERTAIN PROPERTY AS DESCRIBED; TO PROVIDE BENEFITS THERETO; TO PROVIDE FOR SEVERABILITY; TO CONFIRM ZONING CLASSIFICATION; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE THEREOF; AND TO AUTHORIZE PUBLICATION IN PAMPHLET FORM.

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

SECTION 1. It is hereby found and determined by the Mayor and City Council that:

- (a) The tract of real estate described in Exhibit "A" attached hereto and incorporated herein by reference as if fully set forth is urban and suburban in character and contiguous and adjacent to the corporate limits of said City of David City, Nebraska (the "City");
- (b) Police, fire, and snow removal benefits will be immediately available thereto, and City water service will be available as provided by law;
- (c) The Comprehensive Plan designation and zoning classification of such territory as shown in the Comprehensive Plan and on the official zoning map of the City, is hereby confirmed and consistent with the requirements for annexation;
- (d) The territory to be annexed is developed with industrial, commercial or residential development or is in the regular and orderly path of development of the City for such uses, and any such land that may be of agricultural use currently is urban in character due to its proximity to the City and the City's planned future land use of such territory as set forth in the Comprehensive Plan and zoning map of the City;
- (e) Annexing the territory will promote growth, increase the City's population and tax base, and preserve the City's future growth areas; and
- (f) There is a unity of interest in the use of such territory with the use of lots, lands, streets, and highways in the City, and the community convenience and welfare and the interest of said City will be enhanced through incorporating such territory within the corporate limits of said City.

SECTION 2: That the boundaries of the City of David City, Nebraska, be and hereby are, extended to include within the corporate limits of said City the contiguous and adjacent territory described in Exhibit "A".

SECTION 3: That a certified copy of this Ordinance, together with the map of the territory, be filed on record in the Offices of the County Clerk of Butler County, Nebraska.

SECTION 4: That said territory is hereby annexed to the City of David City, Nebraska with all rights and obligations appurtenant thereto and arising by virtue of inclusion in the corporate limits of the City of David City, Nebraska.

SECTION 5: Upon this Ordinance taking effect, the police, fire snow removal and other municipal services of said City shall be furnished to the territory herein annexed, and water service will be available as provided by law.

SECTION 6: If any section, subsection, sentence, clause or phrase of this Ordinance or the annexation of the territory by this Ordinance is for any reason held to be unconstitutional or involved, such decision shall not affect the validity of the annexation of other tracts of land, streets or highways by this Ordinance, since it is the express intent of the Mayor and City Council to enact each section, subsection, clause or phrase separately and to annex each tract of land separately.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED and APPROVED this _____ day of December, 2022.

Passed on 1st reading only
Mayor Alan Zavodny

Passed on 1st reading only
City Clerk Tami Comte

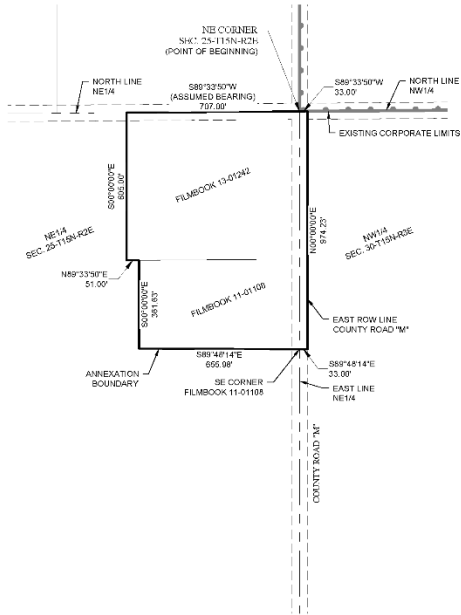
EXHIBIT "A"

ANNEX 5C – Ordinance No. 1419

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N89°33'50"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 51.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01108; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.98 FEET TO THE SOUTHEAST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD "M"; THENCE N00°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS.

ANNEXATION PLAT
CITY OF DAVID CITY, BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. 1419

ANNEX 5C



ANNEXATION DESCRIPTION:

PART OF THE NORTH-EAST QUARTER OF THE NORTH-EAST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 2 EAST OF THE SIXTH P.M., AND PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SIXTH P.M., ALL IN BUTLER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH-EAST CORNER OF SAID SECTION 25; THENCE S89°33'50"W (ASSUMED BEARING) ON THE NORTH LINE OF THE NORTH-EAST QUARTER OF SAID SECTION 25, A DISTANCE OF 707.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 13-01242; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 605.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N85°33'00"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 91.00 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN FILMBOOK 11-01100; THENCE S00°00'00"E ON THE WEST LINE OF SAID TRACT, A DISTANCE OF 361.63 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE S89°48'14"E ON THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 655.88 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE EAST LINE OF SAID NORTH-EAST QUARTER; THENCE CONTINUING S89°48'14"E ON THE EASTERLY EXTENSION OF SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 'M'; THENCE N02°00'00"E ON SAID EAST RIGHT OF WAY LINE, PARALLEL WITH AND 33.00 FEET DISTANT FROM SAID EAST LINE OF THE NORTH-EAST QUARTER, A DISTANCE OF 974.23 FEET TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 30; THENCE S89°33'50"W ON SAID NORTH LINE, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 16.05 ACRES, MORE OR LESS.

APPROVAL OF THE CITY COUNCIL OF DAVID CITY, NEBRASKA

THIS ANNEXATION PLAT WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, THIS _____ DAY OF _____, 2022.

MAYOR _____ DATE _____

SURVEYOR'S STATEMENT:

I, BRIAN J. FORAL, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE PLAT OF THE PROPERTY DESCRIBED IN THE ATTACHED ANNEXATION DESCRIPTION. THE INFORMATION PERTAINING TO THE PERIMETER OF THIS ANNEXATION IS BASED ON RECORD DEEDS AND SURVEYS.

BRIAN J. FORAL, LS 588 DATE _____

NE 1/4 NE 1/4 SEC. 25-15N-R2E
 NW 1/4 NW 1/4 SEC. 30-15N-R3E
 BUTLER COUNTY, NEBRASKA

ANNEXATION PLAT
 CITY OF DAVID CITY
 BUTLER COUNTY, NEBRASKA
 ORDINANCE NO. _____

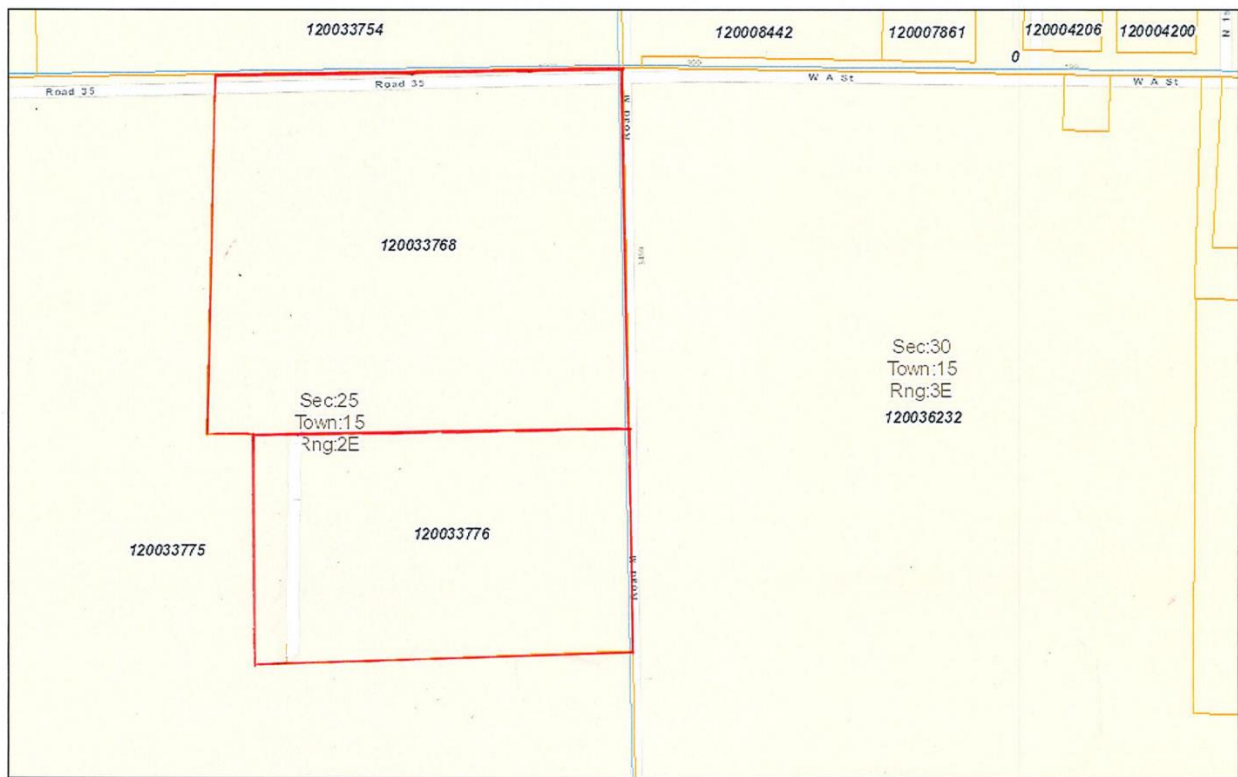
VENUEY SEAL
 BUTLER COUNTY
 NEBRASKA
 K26



TITLE: 221761
 DATE: 06/27/2022
 DRAWN BY: A094
 PLOT BY: brian.j.foral
 FILED BY: BUTLER CO. SO
 COUNTY: BUTLER
 COUNTY: BUTLER



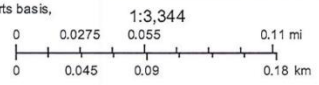
ANNEX 5C



November 16, 2022
08:23 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Parcels
- Sections



Butler County
gWorks

Mayor Zavodny stated that the next item on the agenda was discussion concerning wellhead protection.

Mayor Zavodny stated that there has been a lot of confusion regarding the article in the Examiner and he would like to encourage the Council to have City Attorney David Levy look at the current Wellhead Ordinance and give us some suggested options to make it a little more stout and maybe have some very clear definitions as to what is wellhead and what is not wellhead and what are the City's rights regarding wellhead protection. Mayor Zavodny stated that with the annexation, if they pass on 3rd and Final, that it might be a good time to look at the wellhead ordinance.

Council member Pat Meysenburg made a motion to adjourn. Council Member Bruce Meysenburg seconded the motion. The motion carried and Mayor Zavodny declared the meeting adjourned at 9:30 p.m.

Tom Kobus: Yea, Bruce Meysenburg: Yea, Pat Meysenburg: Yea, Jessica Miller: Yea, John Vandenberg: Absent, Kevin Woita: Yea
Yea: 5, Nay: 0, Absent: 1



CERTIFICATION OF MINUTES
November 30, 2022

I, Tami Comte, duly qualified and acting City Clerk for the City of David City, Nebraska, do hereby certify with regard to all proceedings of November 30, 2022; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that the minutes of the meeting of the City Council of the City of David City, Nebraska, were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided with advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

Tami Comte, City Clerk