

**RESOLUTION OF NECESSITY
2017 ROAD AND STORM WATER MANAGEMENT
RECONSTRUCTION PROJECT**

BE IT RESOLVED that the Board of Trustees of Sanitary and Improvement District No. 5 of Cass County, Nebraska, find and determine that it is advisable and necessary for the District to reconstruct various roads within the District's boundaries which have failed and to make improvements in the drainage of storm water therefrom through storm water management as generally described in the plans filed with the Clerk of the District and all located within the boundaries of the District which boundaries are located in Sections 32, 33 and 34, T13N, R13E of the 6th P.M., Cass County, Nebraska, and Sections 4 and 5, T12N, R13E of the 6TH P.M.

BE IT FURTHER RESOLVED, that the Board of Trustees find and determine that it is advisable and necessary to reconstruct improvements to reconstruct failed pavement sections due to improper storm water drainage so as to allow for proper drainage and prevent the repeat of future premature pavement failure; to reconstruct failed pavement base as a necessary part of the pavement reconstruction; and to reconstruct failed curb and gutter drainage systems.

BE IT FURTHER RESOLVED, that Board of Trustees of Sanitary and Improvement District No. 5 of Cass County, Nebraska, find and determine that it is advisable and necessary for the District to acquire by purchase, condemnation, or otherwise, any and all necessary temporary construction easements and permanent easements relating to the construction of the improvements.

BE IT FURTHER RESOLVED, that the following is a description of the work to be performed for the construction of said improvements:

I. PHASE I PAVEMENT RECONSTRUCTION. The following is a general description of the pavement reconstruction work to be performed in Buccaneer Bay subdivision:

1. On Buccaneer Boulevard from the intersection at Treasure Island Road to the

intersection at Shoreline Circle, remove failed pavement and reconstruct the road base as necessary with suitable material; reconstruct pavement and create a pavement crown with the construction of a wedge course and overlay; construct combination curb and gutter; reconstruct the road shoulder as necessary; and seed and fertilize as necessary the disturbed surface areas;

2. On Buccaneer Boulevard commencing at a point approximately 175 feet west of the clubhouse, to a point lying approximately 525 feet west of said clubhouse, remove failed pavement; reconstruct the road base as necessary with suitable material; reconstruct pavement and create a pavement crown with the construction of a wedge course and overlay; construct combination curb and gutter; reconstruct existing drainage ditch; reconstruct shoulder as necessary; and fertilize, seed and mat as necessary the disturbed surface areas;

3. From 3501 Buccaneer Boulevard to the water tower, in various locations remove and reconstruct failed 2' combination concrete curb and gutter; remove and reconstruct failed pavement as necessary; reconstruct road base as necessary with suitable material; fertilize and sod as necessary the disturbed surface areas;

4. On Treasure Island Road, from Buccaneer Boulevard to the railroad tracks, remove and reconstruct failed pavement as necessary; construct combination concrete curb and gutter; reconstruct pavement and create a pavement crown with the construction of a wedge course; reconstruct pavement shoulder as necessary; seed and fertilize as necessary the disturbed surface areas;

5. On Fountain Circle, remove and reconstruct failed combination concrete curb and gutter; remove and reconstruct failed pavement and create a pavement crown; reconstruct 7" PC concrete integral curb; fertilize and sod as necessary the disturbed surface areas;

6. On Lakeview Circle, remove and reconstruct failed combination concrete

curb and gutter; remove and reconstruct failed pavement and create a pavement crown with milling; reconstruct 7" PC concrete with integral curb; fertilize and sod as necessary the disturbed surface areas;

7. On Bay Circle, remove and reconstruct 2' combination concrete curb and gutter; remove failed pavement and reconstruct 7" PC concrete with integral curb; reconstruct existing drainage swales; fertilize and sod as necessary the disturbed surface areas;

8. On Watersedge Circle, remove and reconstruct failed combination concrete curb and gutter; remove and reconstruct failed pavement and create a pavement crown; reconstruct 7" PC concrete with integral curb; fertilize and sod as necessary the disturbed surface areas;

9. On Lakeside Circle, remove and reconstruct failed combination concrete curb and gutter; remove and reconstruct failed pavement and create a pavement crown; reconstruct 7" PC concrete with integral curb; fertilize and sod as necessary the disturbed surface areas;

10. On Shoreline Circle, remove and reconstruct failed combination concrete curb and gutter; remove and reconstruct failed pavement and create a pavement crown; reconstruct 7" PC concrete with integral curb; fertilize and sod as necessary the disturbed surface areas;

11. On Fairway Drive from 3328 Fairway Circle to 3507 Fairway Drive, construct combination concrete curb and gutter; remove and reconstruct failed pavement; reconstruct 6" PC concrete driveway; reconstruct road shoulder as necessary; fertilize and seed and sod as necessary the disturbed surface areas;

12. On Ridgeway Road, remove and reconstruct failed combination concrete curb and gutter; remove and reconstruct failed pavement; seed and fertilize as necessary the disturbed surface areas;

13. On Spyglass Court, remove and reconstruct failed combination concrete curb

and gutter; remove and reconstruct 75 square yards of failed pavement; seed and fertilize as necessary the disturbed surface areas;

14. On Sterling Court, remove and reconstruct failed combination concrete curb and gutter; remove and reconstruct failed pavement; fertilize and sod as necessary the disturbed surface areas;

15. On Davey Jones Drive, remove and reconstruct failed combination curb and gutter; reconstruct failed pavement as necessary; and replace road base as necessary with suitable material;

16. On Wedgewood Court, remove and reconstruct failed pavement as necessary; and replace road base as necessary with suitable material;

17. other related construction work.

II. Phase II STORM WATER IMPROVEMENTS FOR ROAD DRAINAGE.

The following is a general description of the pavement reconstruction work to be performed in Buccaneer Bay subdivision:

1. On Buccaneer Boulevard, construct a 12" HDPE storm sewer pipe and grate inlets located as follows: Commencing at the southwest corner of lot 21, block 27, Buccaneer Bay, as surveyed, platted and recorded in Cass county, Nebraska; thence $S18^{\circ}36'16''W$, a distance of 9.65 feet to the center of a grate inlet and the point of beginning; thence $N86^{\circ}46'47''E$, a distance of 230.82 feet to the center of a manhole. Fertilize and sod as necessary the disturbed areas.

2. On Buccaneer Boulevard, construct an 18" HDPE storm sewer pipe and grate inlets located as follows: commencing at the northwest corner of lot 33, block 27, Buccaneer Bay, as surveyed, platted and recorded in Cass county, Nebraska; thence $N78^{\circ}48'32''W$, a distance of 7.12 feet the point of beginning and located thereafter as follows: thence $N24^{\circ}30'25''W$, a distance

of 41.97 feet; thence N26°31'39"W, a distance of 131.42 feet; thence N37°03'53"W, a distance of 109.09 feet; thence N43°15'51"W, a distance of 69.21 feet; thence N49°22'09"W, a distance of 67.20 feet to the point of terminus. Fertilize and sod as necessary the disturbed areas.

3. On Buccaneer Boulevard, reconstruct the southerly end of the 84" CMP beneath Buccaneer Boulevard in the ravine west of the clubhouse, including re-attachment of an existing section of 84" CMP existing culvert; re-grade ravine as necessary to make CMP re-connection; re-grade erosion rills as necessary to re-establish natural grade, construct Flexamat and construct surface restoration. Fertilize, seed and mat as necessary the disturbed areas;

4. On Buccaneer Boulevard, construct a 12" HDPE storm sewer pipe and grate inlets located as follows: commencing at southeast corner of Lot 4C, Buccaneer Bay Replat 3, thence S73°46'21"E a distance of 18.99 feet to the Point of Beginning and thereafter as follows: thence N66°30'53"E a distance of 35.00 feet to a point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

5. On Buccaneer Boulevard, construct a 12" HDPE storm sewer pipe and grate inlets located as follows: commencing at the southeast corner of Lot 4C, Buccaneer Bay Replat 3, thence S26°12'15"E a distance of 49.11 feet the Point of Beginning and thereafter as follows: thence N66°50'45"E a distance of 49.85 feet to a point of terminus. Clear and grubbing as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

6. On Buccaneer Boulevard, construct a 12" and 15" HDPE storm sewer pipe together with grate inlets, manholes, flared end section and velocity dissipation structure located as follows: commencing at the northwest corner of lot 4, block 4, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence N78°23'28"E along the north line of said lot 4, a distance of 1.61 feet; thence N11°36'32"W, a distance of 14.66 feet to the Point of Beginning and

thereafter as follows: thence N 78°10'07"E, a distance of 71.38 feet; thence S11°36'41"E, a distance of 135.65 feet; thence S16°07'03"W, a distance of 216.00 feet; thence continuing S16°07'03"W a distance of 12.00 feet to the terminus. Fertilize and sod as necessary the disturbed areas.

7. On Treasure Island Road, construct a 15" and 18" HDPE storm sewer pipe together with grate inlets and manholes located as follows: commencing at the Southwest corner of Lot 1A, Block 27, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence S81°13'08"E on the south line of said Lot 1A a distance of 46.96 feet; thence S08°46'52"W a distance of 13.84 feet to a grate inlet and a Point of Beginning and thereafter as follows: thence S32°33'28"E a distance of 36.08 feet; thence S07°27'39"W a distance of 103.79 feet; thence S33°53'14"W a distance of 95.00 feet; thence S77°50'30"W a distance of 50.65 feet to its terminus. Fertilize and sod as necessary the disturbed areas.

8. On Becker Court, construct a 12" storm sewer pipe, manhole, flared end section and velocity dissipater located as follows: commencing at the Southeast corner of Lot 3, Block 18, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence N04°51'30"W on the east line of said Lot 3 a distance of 10.00 feet; thence N85°08'30"W a distance of 5.09 feet to a Point of Beginning and thereafter as follows: thence N12°01'27"W a distance of 67.00 feet; thence continuing N12°01'27"W a distance of 12.00 feet to the point or terminus. Clearing and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

9. On Rainey Circle, construct a 12" storm sewer pipe, manhole, flared end section and velocity dissipater located as follows: commencing at the Northeast corner of Lot 15, Block 3, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence

S21°51'19"W on the easterly line of said Lot 15 a distance of 6.39 feet; thence N68°08'41"W a distance of 31.32 feet to a Point of Beginning and thereafter as follows;; thence S60°35'34"W along a 12" HDPE storm sewer pipe a distance of 23.50 feet to a flared end; thence continuing S60°35'34"W a distance of 12.00 feet to the end of a gabion basket velocity dissipater. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

10. On Fairway Drive, construct a 12" storm sewer pipe, manholes, flared end section and velocity dissipater located as follows: commencing at the northeast corner of lot 6, block 30, Buccaneer Bay, as surveyed, platted and recorded in Cass county, Nebraska; thence S87°31'55"E, a distance of 42.64 feet to the point of beginning and as located thereafter: thence S80°30'28"W, a distance of 33.41 feet; thence N32°15'40"W, a distance of 57.60 feet; thence continuing N32°15'40"W a distance of 12.00 feet to the point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

11. On Fairway Drive, construct a 12" storm sewer pipe, manholes, flared end section and velocity dissipater located as follows: Commencing at the northeast corner of lot 1-R, block 3, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence southeasterly along the south right-of-way line of Fairway Drive being curved to the left and having a radius of 681.25 feet and a central angle of 3°27'06", an arc distance of 41.04 feet (chord=41.03', chord bearing=S60°54'59"E); thence S62°30'01"E along said south right-of-way line, a distance of 2.46 feet; thence N27°29'59"E, a distance of 38.23 feet to the point of beginning: thence N60°33'45"W, a distance of 44.91 feet; thence N26°46'54"E, a distance of 35.47 feet; thence continuing N26°46'54"E a distance of 12.00 feet to the point of terminus. Clear and grub as

necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

12. On Fairway Drive, construct a 12" storm sewer pipe, manholes, flared end section and velocity dissipater located as follows: Commencing at the northeast corner of lot 1-R, block 3, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence northwesterly along the south right-of-way line of Fairway Drive being curved to the right and having a radius of 681.25 feet and a central angle of $3^{\circ}27'06''$, an arc distance of 49.80 feet (chord=49.79, chord bearing= $N57^{\circ}20'38''w$); thence $N34^{\circ}34'34''E$ a distance of 8.17 feet to the point of beginning and as located thereafter: thence $N27^{\circ}29'59''E$, a distance of 38.23 feet to the point of beginning; thence $S62^{\circ}00'25''W$, a distance of 44.94 feet; thence $S27^{\circ}38'37''E$, a distance of 35.47 feet; thence continuing $N26^{\circ}46'54''E$ a distance of 79.00 feet to the point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

13. On Cypress Court, construct a 15" storm sewer pipe, manhole, flared end section and velocity dissipater located as follows: commencing at the Southeasterly corner of Lot 17, Block 5, (said corner being the common easterly corner between Lots 17 and 18), Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence $N43^{\circ}47'09''W$ on the easterly line of said Lot 17 a distance of 11.12 feet; thence $N46^{\circ}12'51''E$ a distance of 16.21 feet to a Point of Beginning and thereafter as follows: thence $N29^{\circ}32'28''E$ a distance of 25.26 feet; thence continuing $N29^{\circ}32'28''E$ a distance of 12.00 feet to the point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

14. On Spyglass Court, construct a 15" storm sewer pipe, manhole, flared end

section and velocity dissipater located as follows: commencing at the Northeasterly corner of Lot 25, Block 5, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence S35°59'13"E on the easterly right-of-way line of Spyglass Court (said line also being the westerly line of Lot 4G, Buccaneer Bay); a distance of 13.95 feet; thence N54°00'47"E a distance of 49.11 feet to a Point of Beginning and thereafter as follows: thence S46°26'44"E a distance of 25.89 feet; thence continuing S46°26'44"E a distance of 12.00 feet to the point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

15. On Spyglass Court, construct a 15" storm sewer pipe, manhole, flared end section and velocity dissipater located as follows: Commencing at the southeast corner of lot 20, block 6, Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence S54°00'47"W on the westerly right-of-way line of Spyglass Court, a distance of 52.92 feet; thence N35°59'13"W a distance of 15.58 feet to the point of beginning and located thereafter: thence N85°49'13"W a distance of 19.22 feet; thence continuing N85°49'13"W a distance of 12.00 feet to the point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas.

16. On Windward Drive, construct a 15" storm sewer pipe, manholes, flared end section and velocity dissipater located as follows: Commencing at the southernmost corner of lot 54, block 31 Buccaneer Bay, as surveyed, platted and recorded in Cass County, Nebraska; thence S04°48'53"W, a distance of 52.92 feet to the point of beginning and located as thereafter: thence N15°09'05"E a distance of 29.39 feet; thence S19°08'07"W, a distance of 18.69 feet; thence N88°10'46"W, a distance of 28.84; thence N17°49'51"W, a distance of 57.77 feet; thence N59°09'53"E,; thence N63°33'48"E, a distance of 278.83 feet; thence continuing N63°33'48"E a

distance of 15.00 feet to the point of terminus. Clear and grub as necessary to complete the work. Import earthwork, fertilize, seed and mat as necessary the disturbed areas

17. On Cape Horn Court, construct a 12” storm sewer pipe, manholes and flared end section as follows: Commencing at the southeast corner of lot 14, block 22, Buccaneer Bay, as surveyed, platted and recorded in Cass county, Nebraska; thence S61°38’29”W, a distance of 15.46 feet to the point of beginning; thence N04°17’30”E, a distance of 208.18 feet to the point of terminus. Fertilize and sod as necessary all disturbed areas; and

18. other related construction work.

Plans and Specifications have been prepared by Ehrhart Griffin & Associates, Inc., engineers for the District for the 2017 Road and Storm Water Management Reconstruction Project. The engineers have filed with the Clerk of the District, prior to the first publication of this resolution, an estimate of the total costs of the improvement, including engineering fees, legal fees, fiscal fees, interest, and other miscellaneous costs, which estimate is in the sum of \$2,095,582.40.

All improvements are located within Buccaneer Bay, Cass County, Nebraska, located in Sections 32, 33 and 34, T13N, R13E of the 6th P.M., Cass County, Nebraska, and Sections 4 and 5, T12N, R13E of the 6TH P.M.

To pay the cost of the improvements, the Board of Trustees shall have the power to issue negotiable warrants drawn on the District’s construction fund during construction and/or to issue negotiable bonds of the District after the improvements have been completed and accepted, with the bonds to be called “Sanitary and Improvement District Bonds,” and shall be payable and bear interest as provided by the statutes of the State of Nebraska.

The Board of Trustees hereby determine that said costs do not specially benefit abutting lots and therefore the cost of the improvements shall not be specially assessed to such lots, but instead

the costs shall be paid through the collection of bond fund levy taxes levied each year on all properties located in the District. Said construction fund constitutes a sinking fund for the payment of interest and principal of the warrants and/or bonds.

Owners of property within the District may appear at the meeting and make objections to the proposed improvements, after which the resolution may be amended and adopted or adopted as proposed. If a petition opposing this Resolution, signed by property owners representing a majority of the frontage footage which may be subject to taxes to pay the cost of the project as described above, is filed with the Clerk of the District within three (3) days before the date of the hearing on this Resolution, this Resolution shall not be passed.

BE IT FURTHER RESOLVED, that a Notice to Bidders be published as required by law for the purpose of letting the contract for the project.

SANITARY AND IMPROVEMENT DISTRICT NO. 5 OF CASS COUNTY, NEBRASKA
PASSED AND APPROVED this 27TH day of September 2017.

By: _____

David L. Martin, Chairperson

ATTEST:

James Grotrian, Clerk

INSTRUCTIONS TO PUBLISHER: **Please publish on September 14 and 21, 2017.**