

ORDINANCE NO. 846

AN ORDINANCE DECLARING: THAT THE ACQUISITION OF REAL PROPERTY DESCRIBED HEREIN BY THE COMMUNITY REDEVELOPMENT AUTHORITY, NOT WITHIN A BLIGHTED AND SUBSTANDARD AREA IS ESSENTIAL TO THE PROPER REDEVELOPMENT OF SUBSTANDARD OR BLIGHTED AREAS OF THE CITY AND THAT THE SAME SHALL CONSTITUTE A REDEVELOPMENT PROJECT; THAT THE COMMUNITY REDEVELOPMENT AUTHORITY IS A PUBLIC AGENCY FOR PURPOSES OF NEB. REV. STAT. 17-503; CONVEYING REAL ESTATE LOCATED IN THE CITY OF GOTHENBURG, DAWSON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT "A" TO THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF GOTHENBURG, NEBRASKA; FINDING THAT THE TRANSFER OF THE REAL ESTATE IS FOR THE REMOVAL OF SUBSTANDARD AND BLIGHTED CONDITIONS; REPEALING ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, Dawson COUNTY, NEBRASKA, AS FOLLOWS:

Section 1. The real property described on Exhibit A, hereto, which property is not within a substandard and blighted area is hereby declared to essential to the proper redevelopment of substandard and blighted areas of the City of Gothenburg and the acquisition and disposal of such real property by the Community Redevelopment Authority shall constitute a redevelopment project pursuant to §18-2123 R.R.S.2007.

Section 2. The Community Redevelopment Authority of the City of Gothenburg, Nebraska is hereby found to be a "public agency" as defined in section 17-503(1)(b) Neb. Rev. Stat.

Section 3. The City of Gothenburg is the owner of real estate located in the City of Gothenburg, Dawson County, Nebraska, more particularly described in the attached Exhibit "A". Said real estate is deemed to be surplus and is held with out plan of future use by the City.

Section 4. Pursuant to Sections 18-2138 and 18-2139 Neb. Rev. Stat., the City of Gothenburg, Nebraska, by this Ordinance intends to convey said real estate to the Community Redevelopment Authority of the City of Gothenburg, Nebraska, for disposition pursuant to Community Development Law.

Section 5. The Mayor of the City of Gothenburg is directed to execute deed of conveyance in the form attached hereto as Exhibit "B" and deliver the same to the Community Redevelopment Authority of the City of Gothenburg conveying the following described property, to wit"

See the attached Exhibit "A", incorporated by this reference.

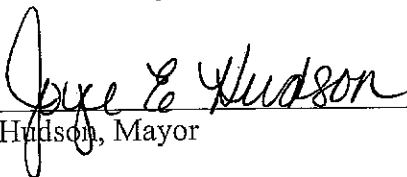
Section 6. The City Council finds that the transfer of the property in this Ordinance is necessary in rehabilitation of blighted and substandard areas within the City of Gothenburg, and that it is appropriate that the Community Redevelopment Authority obtain title to the real estate conveyed hereby.

Section 7. This ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Section 8. This ordinance shall take effect from and after its passage, approval and publication as required by law.

Passed and approved this 21st day of April, 2009.

City of Gothenburg

  
\_\_\_\_\_  
Joyce Hudson, Mayor

ATTEST:

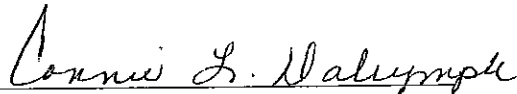
  
\_\_\_\_\_  
Connie Dalrymple, City Clerk

Exhibit "A"

LEGAL DESCRIPTION

Fractional Lot Four (4) in Block Fifty-four (54) in the First Addition to the Village, now City of Gothenburg, Dawson County, Nebraska, as platted and of record

All that portion of Lots One (1), Two (2) and Three (3) in Block Fifty-four (54) in the First Addition to the Village, now City of Gothenburg, Dawson County, Nebraska, as platted and of record which lie between the east right-of-way line of the Nebraska Public Power Tailrace and a line described as follows: commencing at a point on the North line of Lot Three (3); Thirty-two (32) feet West of the North East corner of Lot Three (3), thence running South diagonally across Lots Three (3), Two (2) and One (1) to a point on the South line of Lot one (1), Thirty-three and eight tenths (33.8) feet West of the Southeast corner of said Lot One (1) in Block Fifty-four (54) in the First Addition to the Original Town, now City of Gothenburg, Nebraska.

Lots Eleven (11) and Twelve (12), Block Fifty-four (54) in the First Addition to the Village, now City of Gothenburg, Dawson County, Nebraska, as platted and of record, excepting, however, a right of way Forty (40) feet East of Section line between Sections Fifteen and Sixteen or the West Forty (40) feet of Lots Eleven (11) and Twelve (12), Block Fifty-four (54), for right-of-way for the Gothenburg Canal Tail Race,

All that portion of Avenue D abutting Lot Twelve (12), Block Fifty-four (54) in the First Addition to the Village, now City of Gothenburg, Dawson County, Nebraska, as platted and of record which was abandoned by virtue of Ordinance 788 of the City of Gothenburg and recorded as instrument 2004-2756, all in the City of Gothenburg, Dawson County, Nebraska.

Exhibit "B"

MUNICIPAL DEED OF CONVEYANCE

The City of Gothenburg, Dawson County, Nebraska, GRANTOR, a city of the second class, in the State of Nebraska, does by these presents grant, bargain and convey to the Community Redevelopment Authority of the City of Gothenburg, Dawson County, Nebraska, GRANTEE, pursuant to Ordinance No. 846 and Sections 17-503 and 18-2138 R.R.S.2007, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

See attached Exhibit "A"

SUBJECT TO A RESERVATION OF EASEMENT IN THE GRANTOR FOR AN UNDERGROUND UTILITY LINES AND PIPES.

GRANTOR covenants with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances; EXCEPT EASEMENTS AND RESTRICTIONS OF RECORD;
- (2) has legal power and lawful Agency to convey the same:

EXECUTED: April 22, 2009

City of Gothenburg, Dawson County, Nebraska

\_\_\_\_\_  
Mayor

*Jose E. Hudson*

Attest:

Connie L. Dalrymple  
City Clerk

ACKNOWLEDGMENT

STATE OF NEBRASKA     )  
                                  ) SS  
COUNTY OF Dawson     )

The foregoing instrument was acknowledged before me on April 22, 2009, by Joyce Hudson, Mayor and Connie Dalrymple, City Clerk of the city of Gothenburg, Dawson County, Nebraska, on behalf of the city.



Theresa L. Demoret  
Notary Public

Exhibit "A" to Municipal Deed

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