

RESOLUTION 1995 - 23

WHEREAS, it is desirable and in the public interest that the City of Gothenburg, Nebraska, a municipal corporation and City of second class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statute of 1942, as amended, known as the Community Development Law, is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with the laws of the State of Nebraska applicable to cities of the second class has duly prepared and approved a general plan for the development of the City know as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943, and

WHEREAS, this Council has received and duly considered evidence relating to the present condition of the areas as shown and described on Attachment "A"; and

WHEREAS, Section 18-2109, R.R.S. 1943, as amended, required that, prior to the preparation by the City of an urban redevelopment plan for a redevelopment project, this Council as governing body of the City, by resolution, find and determine that the area is a substandard or blighted area as defined in said urban Renewal and Redevelopment law, and in need of redevelopment; and

WHEREAS, the evidence demonstrates that said area as shown and described on Attachment "A" constitutes a substandard and blighted

area as defined in said Community Development Law, which area is in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA:

1. That it is hereby found and determined that the area shown and described on Attachment "A", constitutes a substandard and blighted area as defined by Section 18-2109. R.R.S. 1943, as amended, and that said area is in need of redevelopment.

2. That it is hereby found and determined that a substandard and blighted condition exists as set forth and discussed in Attachment "B", "Substandard and Blight Report."

3. That such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided by the Community Development Law. The elimination of said substandard and blighted condition under the authority of the Community Development Law is found to be a public purpose and in the public interest.

4. That it is hereby found and determined that said area is an eligible site for an urban redevelopment project under the provisions of Chapter 18, Article 21, Nebraska Revised Statutes of 1943, as amended.

Passed and approved this 3rd day of October, 1995.

CITY OF GOTHENBURG,  
DAWSON COUNTY, NEBRASKA

BY   
Richard L. Blase, Mayor

ATTEST:

Connie Stull  
Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon  
Michael L. Bacon, City Attorney

Attachment A

A tract of land in the Southeast 1/4 of Section 15, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska, more particularly described as follows:

A strip of land bounded:

on the west by the center section line of said section 15;  
on the north by the south line of 7th Street in the city of  
Gothenburg, Nebraska, extended to the east to meet  
the south line of the Union Pacific Railroad right  
of way;

on the east by the west line of the Cozad canal right of way;  
and on the south by a line 400 feet south of and parallel to  
the south line of 7th Street in the city of Gothenburg,  
Nebraska, extended to the east to meet the south line of  
the Union Pacific Railroad right of way;

and

A Tract of land in the Southeast Quarter (SE1/4), Section Fifteen (15), Township Eleven (11) North, Range Twenty-Five (25) West, of the Sixth P.M., Dawson County, Nebraska. More particularly described as follows:

Commencing at the South Quarter Corner of said Section 15, thence N 90°00'00" E (bearing assumed and all other bearings are relative thereto) a distance of 1165.00 feet along the South Line of said SE 1/4;

Thence N 00°17'57" E a distance of 990.00 feet along a line parallel to the West line of said SE 1/4 to the Point of Beginning;

Thence N 00°17'57" E a distance of 419.10 feet along said parallel line;

Thence N 38°31'42" E a distance of 487.64 feet to a point on a line parallel to and 120 feet southerly from the Southerly Right-of-Way Line of the Union Pacific Railroad;

Thence N 59°48'27" W a distance of 109.10 feet along said Southerly parallel line to the Easterly Right-of-Way Line of the Cozad Canal;

Thence Southerly along said Canal Right-of-Way on a 545.04 radius curve to the right, the long chord of which bears S 46°16'08" W and is 96.82 feet in length, an arc distance of 96.95 feet;

Thence S 51°21'53" W a distance of 278.21 feet along said Easterly Canal Right-of-Way Line;

Thence S 49°55'49" W a distance of 955.25 feet along said Easterly Canal Right-of-Way to a point on a line 990.00 feet North of and parallel to the South Line of said SE 1/4;

Thence S 90°00'00" E a distance of 806.59 feet along said parallel line to the Point of Beginning.

## Attachment B

### BLIGHTED AND SUBSTANDARD REPORT

Area affected by report: This report concerns a tract of property as shown on attached Exhibit A. The tract is a portion of the property annexed to the City by ordinance #633. The tract is split by the Cozad irrigation canal.

Qualifications: The property consists of a piece of land that contains a run down farm homestead and undeveloped land adjacent thereto. This area contains a predominance of deteriorated residential and commercial buildings that are all more than 40 years of age, and which, by reason of age deterioration, dilapidation and obsolescence and other factors, results in inadequate provision for open spaces and sanitation. The area contains refuse that serves as breeding grounds for vermin and allows for the spread of disease and ill health and provides an attractive nuisance to juvenile delinquents and criminals. These factors induce juvenile delinquency, crime, ill health and the transmission of disease which is detrimental to the public health, safety, morals and welfare, meeting definition of a substandard area.

Of the 4 main structures on the premises, only one can be rehabilitated for its intended use. The remaining structures do not appear to be subject to rehabilitation through normal means. The only residence in the area is uninhabitable, and has uninsulated electrical feeds coming from the power pole to the residence. There are broken windows in the house and an open well pit in the yard. Debris is stored in open sheds.

In addition, the property fails to provide adequate street layout, non-existent or faulty lot layout in relation to the usefulness of the property, non-existent platting which substantially impairs and arrests the sound growth of the community and constitutes an economic and social liability.

The roads in the area are unpaved and no storm sewers are provided in the area. In addition, the area is crossed by the Cozad Irrigation Canal, which at season's end contains stagnate water.

A portion of the land lying east of the Cozad irrigation canal is severed by virtue of the canal's existence, from any useful access for future development. This area has no streets, sewer, water or other utility available to it. It is bounded on the north by the main line of the Union Pacific Railroad. Traffic on this line is at 125 trains per day and is scheduled to have an increase in traffic. This traffic effectively cuts off access from the north.

The property is further impaired by a decreasing population based on the last two decennial censuses.

The area described clearly meets the definition of substandard and blighted as provided in Section 18-2103 of the Nebraska Revised Statutes and it is recommended that the Council so declare that area blighted and substandard and in need of redevelopment.

Dated October 3, 1995

Exhibit A

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