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**RESOLUTION 95- 25**

RESOLUTION OF THE CITY OF GOTHENBURG, NEBRASKA, APPROVING AN AMENDMENT TO A REDEVELOPMENT PLAN FOR THE CITY AND AGREEING TO THE PLEDGE OF TAXES IN A REDEVELOPMENT AREA FOR THE BENEFIT OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF GOTHENBURG.

WHEREAS, the City of Gothenburg, Nebraska, a municipal corporation and city of the second class, has determined it be desirable to 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, the Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

WHEREAS, the City has previously declared an area of the City to be substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the City has previously approved a Redevelopment Plan for a portion of such blighted and substandard area, as described on the attached Exhibit A-1; and

WHEREAS, the Community Redevelopment Authority of the City of Gothenburg, Nebraska (the "Authority"), has prepared an amendment to the Redevelopment Plan pursuant to Section 18-2111 of the Act, incorporating the blighted and substandard area described on the attached Exhibit A-2 into the Plan, which includes a specific Redevelopment Project described on the attached Exhibit B, and has recommended the amended Redevelopment Plan to the Planning Commission of the City; and

WHEREAS, the Planning Commission of the City reviewed the amended Redevelopment Plan pursuant to the Act and submitted its recommendations, if any, to the City, pursuant to Section 18-2114 of the Act;

WHEREAS, the City has approved a Redevelopment Contract for the Redevelopment Project described on the attached Exhibit B, including a pledge of incremental ad valorem tax revenues with respect to such Project; and

WHEREAS, following consideration of the recommendations of the Authority to the Planning Commission, the recommendations of the Planning Commission, if any, and following the public hearing with respect to the Redevelopment Plan, the City has before it for consideration of approval the amended Redevelopment Plan.

NOW, THEREFORE, be it resolved by the City Council of the City of Gothenburg, Nebraska:

1. The Redevelopment Plan of the City previously approved for the area described on the attached Exhibit A-1, is amended to include the area described on the attached Exhibit A-2, including the Redevelopment Project legally described on the attached Exhibit B, and such Plan as amended is hereby determined to be feasible and in conformity with the general plan for the development of the City of Gothenburg as a whole and the Redevelopment Plan, including the Redevelopment Project identified on the attached Exhibit B, is in conformity with the legislative declarations and determinations set forth in the Act;

2. Approval of the Redevelopment Plan, (including the Fifth Amended Redevelopment Plan and all prior Plan amendments) is hereby ratified and reaffirmed, as amended by this Resolution, and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act;

3. The City hereby ratified and reaffirms, pursuant to Section 18-2147 of the Act, that ad valorem taxes levied upon real property in the Redevelopment Project included or authorized in the Plan which is legally described on the attached Exhibit B shall be divided, for a period not to exceed 15 years after the effective date of this provision, which effective date shall be December 15, 1996, as follows:


a. That proportion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon each Redevelopment Project Valuation (as defined in the Act shall be paid into the funds of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That proportion of the ad valorem tax on real property in the Redevelopment Project in excess of such amount, if any, shall be allocated to, is pledged to, and when collected, paid into a special fund of the Authority to pay the principal of, the interest on, and any premiums due in connection with the bonds, loans notes or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, the Redevelopment Project and in carrying out the purposes of the Act. When such bonds, loans, notes, advances of money, or indebtedness, including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in the Redevelopment Project shall be paid into the funds of the respective public bodies.

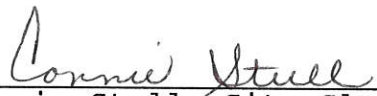
c. The Mayor and City Clerk are authorized and directed to execute and file with the Treasurer and Assessor of Dawson County, Nebraska, and Allocation Agreement and Notice of Pledge of Taxes with respect to the Redevelopment Project substantially in the form attached hereto as Exhibit C, with appropriate insertions.


Passed and approved this 7th day of November, 1995.

CITY OF GOTHENBURG, DAWSON COUNTY,  
NEBRASKA

BY   
Richard L. Blase, Mayor

ATTEST:

  
\_\_\_\_\_  
Connie Stull, City Clerk

  
\_\_\_\_\_  
Ken Christensen, Council Member

\_\_\_\_\_  
Gary Norseen, Council Member

  
\_\_\_\_\_  
Larry Franzen, Council Member

  
\_\_\_\_\_  
Joyce Hudson, Council Member

EXHIBIT A-1

Redevelopment Plan

Tract 1

Fractional Block 2, Hiles and Reynolds Addition:

A tract of land in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 9, Township 11 North, Range 25 West of the 6th P.M., and within the Corporate Limits of the City of Gothenburg, Dawson County, Nebraska, and more particularly described as follows:

Beginning at a point 40 feet West and 21.5 feet South of the Southwest corner of Block 59, Vails Villa Addition to the City of Gothenburg;

Thence Northerly, and along the centerline of a vacated street and parallel to the West Line of Block 59, Vails Villa Addition to the City of Gothenburg; a distance of 437.00 feet;

Thence Westerly, deflecting 90° left from the last described course, a distance of 130.73 feet;

Thence Southerly, deflecting 90° left from the last described course, a distance of 155.70 feet;

Thence Westerly, deflecting 90° right from the last described course, a distance of 345.26 feet;

Thence Southerly, deflecting 90°07'33" left from the last described course and along the East line of a street, a distance of 270.94 feet, to a point on the Northerly right-of-way line of U. S. Highway 30;

Thence Southeasterly, and along the Northerly right-of-way line of U. S. Highway 30, a distance of 9.16 feet;

Thence Easterly, and along a line 21.5 feet South of an parallel to the South line of Block 59, Vails Villa Addition to the City of Gothenburg extended West a distance of 467.82 feet to the place of beginning, together with vacated street on the south thereof.

Tract 2

Fractional Block 36 and all of Block 37 First Addition to the City of Gothenburg, Dawson County, Nebraska.

All of that property lying within 350 feet of, and West of the centerline of the County Road, also designated Cottonwood Drive, lying South of the South line of fractional Block 36, First Addition to the City of Gothenburg, Dawson County, Nebraska, and extending southerly from said South line of said fractional Block 36 to the south line of Section 15, Township 11 North, Range 25 West of the 6th P.M. Dawson County, Nebraska; and the South 990 feet of the Southeast Quarter, and the South 244.2 of the North 330 feet of the West 246 feet of the Southwest Quarter of the Southeast Quarter of Section 15, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska.

Exhibit A-2

Amended Redevelopment Area

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.

EXHIBIT B

Redevelopment Project

Lots 1, 2, 3, 4 and 5, Gothenburg Improvement  
Company 2nd Addition to Gothenburg, Dawson  
County, Nebraska



EXHIBIT C

Allocation Agreement and Notice of Pledge of Taxes

TO: County Assessor of Dawson County, Nebraska  
and County Treasurer of Dawson County, Nebraska

The City of Gothenburg, Nebraska and the Community Redevelopment Authority of the City of Gothenburg, Nebraska, hereby agree and give notice as follows:

Pursuant to the provisions of Neb. Rev. Stat. § 18-2147 and § 18-2150, notice is hereby given that the Redevelopment Plan adopted by the Community Redevelopment Authority of the City of Gothenburg, Nebraska, as amended on October 31, 1995, contained a provision that ad valorem tax levied upon real property described below be divided for a period of 15 years from the effective date of the provision as provided in Section 18-2147:

*Park* Lots 1, 2, 3, 4 and 5, Gothenburg ~~Improvement~~ *Industrial*  
~~Company~~ 2nd Addition to Gothenburg, Dawson  
County, Nebraska

Notice is hereby given of the pledge of such taxes to the payment of bonds, loans, note, advances of money or indebtedness incurred pursuant to the Authority's Resolution dated October 31, 1995. Pursuant to Section 18-2147, ad valorem taxes levied on such real property in excess of taxes levied on the Redevelopment Project valuation shall be paid into a special fund of the Authority created pursuant to such Resolution. The effective date of this provision shall be December 15, 1996.

Dated: \_\_\_\_\_, 1995

CITY OF GOTHENBURG, NEBRASKA

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Mayor

COMMUNITY REDEVELOPMENT AUTHORITY  
OF THE CITY OF GOTHENBURG, NEBRASKA

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chair

FIFTH AMENDED  
REDEVELOPMENT PLAN  
CITY OF GOTHENBURG, NEBRASKA

This redevelopment plan is for the area declared blighted and substandard by the Gothenburg City Council on October 3, 1995, and affects, in part, prior adopted redevelopment plans.

The designated area is in need of redevelopment. The prior redevelopment plans of the City of Gothenburg, as amended from time to time set forth proper remedies for the blighted and substandard area. Prior adopted plans for blighted and substandard areas within the City properly define local objectives as to land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements.

1. The boundaries of the redevelopment area are set forth in the substandard and blight resolution dated October 3, 1995 approved by the Gothenburg City Council.

2. The land use for the all areas in the redevelopment area in Section 15, Township 11 North, Range 25 West of the 6th P.M., is I-2, (Industrial Use). The land use for all other areas in the redevelopment area is set forth on the City zoning map.

3. The standards for population densities, land coverage and building intensities are governed by the Zoning ordinance of the City of Gothenburg, which is incorporated herein by this reference.

4. This plan proposes no change in zoning, street layouts, street levels, grades, or building codes and ordinances, although such changes are contemplated as projects are developed.

5. A site plan of the area is attached hereto.

6. The plan contemplates additional rail road spurs, streets, sewer and water extensions and electrical service will be required after development. However, the kind, size and quantity is subject to expansion on a case by case basis.

This plan incorporates by reference the previous redevelopment plans adopted by the City of Gothenburg, Nebraska, as amended from time to time. Projects appropriate for redevelopment of the blighted and substandard area are grain elevators and grain processing facilities, fertilizer plants, services and infrastructure for such projects and other projects described in previous plans adopted by the City of Gothenburg.