

RESOLUTION 1995 - 5

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

## BLIGHTED AND SUBSTANDARD REPORT

Area affected by report: This report concerns two tracts of property as shown on attached Exhibit A. The first tract is the Farmland Service Coop, Inc., fertilizer plant area, with the second tract being a fractional Block 36 and Block 37 of First Addition, a strip of property 350 feet in width and west of the centerline of Cottonwood Road down to the South line of Section 15, Township 11 North, Range 25, West of the 6th P.M., Dawson County, Nebraska, and a portion of ground recently annexed to the City in the Southeast Quarter of Section 15, Township 11 North, Range 25 West of the 6th P.M. Dawson County, Nebraska.

Tract 1 qualifications: Tract 1 consists of an industrial area currently used by Farmland Service Coop for fertilizer and grain storage area. This area contains a predominance of non-residential buildings which, by reason of age and obsolescence together with their layout results in inadequate provision for open spaces and sanitation allows for the accumulation of rain water, run off, pooling of chemicals, and provides an attractive nuisance, inducing juvenile delinquency which is detrimental to the public safety, morals and welfare, meeting definition of a substandard area.

In addition, the property fails to provide adequate street layout, non-existent or faulty lot layout in relation to the usefulness of the property, obsolete platting which substantially impairs and arrests the sound growth of the community and constitutes an economic and social liability and is detrimental to the public health, safety, morals and welfare in its present condition.

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

The area described as Tract 1 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.

Qualification for Tract 2: Tract 2 consists of a mix of residential, commercial and vacant property. The property meets the definition of substandard by reason of a predominance of residential buildings in various states of dilapidation, deterioration and obsolescence. Of the 18 permanent residential structures contained in the area, all but three are older than 40 years of age; the property lies next to a grain elevator which emits substantial particles causing respiratory problems; the area lacks sufficient open spaces, and there is a predominance of unsanitary conditions including scrap piles which endanger life or property by fire and other causes and is conducive to ill health

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 7<sup>th</sup> day of February, 1995.

CITY OF GOTHENBURG,  
DAWSON COUNTY, NEBRASKA

BY Richard L. Blase  
Richard L. Blase

ATTEST:

Connie Stull  
Connie Stull, City Clerk

APPROVED AS TO FORM:

Michael L. Bacon  
Michael L. Bacon, City Attorney

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.

and transmission of disease and juvenile delinquency, and is specifically detrimental to public health, safety, morals and welfare.

The property meets the definition of a blighted area for a number of reasons including the deteriorating structures described above, and defective and inadequate street layout. The property is hindered with one dead end road known as Cottonwood Drive and all east-west travel is prohibited. The real estate involved in Tract 2 contains a substantial number of lots of varying sizes and ownership. The roads are unpaved and no storm sewers are provided in the area. In addition, the area is crossed by the Cozad Irrigation Canal, which at seasons end contains stagnate water.

The lack of adequate street and lot layouts substantially impairs and arrests the sound growth of the community and constitutes an economic and social liability, and is detrimental to public health, safety, moral and welfare in its present condition.

In addition, the average age of the residential units in the area exceeds 40 years. In fact, of the 18 residential units in the area, only three are less than 40 years of age.

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

The area described as Tract 2 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.

EXHIBIT A

Tract 1

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