

**CITY OF GOTHENBURG, NEBRASKA**

**RESOLUTION- 2003-1**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOTHENBURG,  
NEBRASKA, APPROVING AN AMENDMENT TO A REDEVELOPMENT PLAN AS  
CONTAINED IN A REDEVELOPMENT CONTRACT AND MAKING FINDINGS WITH  
REGARD TO SUCH PLAN.**

WHEREAS, the City of Gothenburg, Nebraska a municipal corporation has determined it to 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 of 1943, as amended (the "Act"), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

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

WHEREAS, The Community Redevelopment Authority of the City of Gothenburg, Nebraska (the "Authority"), has prepared a Redevelopment Plan as contained in a Redevelopment Contract [Pony Express Greenhouse, L.L.C., Contract dated May 30, 2002] pursuant to Section 18-2111 of the Act: and

WHEREAS, the Gothenburg Planning Commission reviewed the Redevelopment Plan pursuant to the Act and, pursuant to Section 18-2114 of the Act, recommended approval of the Redevelopment plan to the City; and

WHEREAS, following consideration of the recommendations of the Planning Commission to the City, the Mayor and City Council held a public hearing on April 30, 2002, pursuant to notice as required by law; and

WHEREAS, the Mayor and Council approved said plan on April 30, 2002; and

WHEREAS, there has been presented for approval a specific Redevelopment Project and Redevelopment Plan amendment as to the legal description of the project,

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

1. The Project legal description of the Redevelopment Plan as contained in the Redevelopment Contract in the form attached to this Resolution as Exhibit B is hereby amended to the legal description attached hereto as Exhibit A.

2. The Mayor and City Council specifically find, as follows:

(a) The project described in the redevelopment contract and plan, as amended hereby, attached thereto, would not be economically feasible without the use of tax-increment financing;

(b) The project would not occur in the Redevelopment Area without the use of tax-increment financing; and

(c) The costs and benefits of the Project , including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long term best interests of the community impacted by the project.

(d) The plan provides for the establishment of an agricultural processing facility within the meaning of Section 17-405.01 (3) R.R.S. 1997, by reason of value added to agricultural products by processing, sorting, grading, cleaning and packaging and by other means.

3. Approval of the Redevelopment Plan is hereby ratified and reaffirmed and the Authority is hereby directed to implement the Redevelopment Plan in accordance with the Act.

4. Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the redevelopment project specified in the plan, namely:

The real estate described on attached exhibit "A"

as surveyed, platted and recorded, now being a part of the City of Gothenburg, all in Dawson County, Nebraska, shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be January 1, 2003.

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation 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 portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated 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 on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. 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 such redevelopment project shall be paid into the funds of the respective public bodies.

5. The Mayor is directed to execute and deliver to the County Treasurer and Assessor, the Notice of Allocation of Taxes which is attached hereto and marked as exhibit C.

6. The Bond mentioned in section 18-2151 R.R.S. 1997, is not required.

Passed and approved this 7<sup>th</sup> day of January, 2003.

CITY OF GOTHENBURG, DAWSON  
COUNTY, NEBRASKA

BY  
Mayor

Garry Franzen

ATTEST:

Donnie J. Halverson  
City Clerk

Exhibit A  
Legal Description of Project

A tract of land in the SW1/4 of Section 27, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., and within Dawson County, Nebraska and more particularly described as follows:  
Referring to the Southwest Corner of Section 27, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., Dawson County, Nebraska,  
Thence East, (an assumed bearing) and along the South line of the SW1/4 of said Section 27, a distance of 70.00 feet to the Point of Beginning;  
Thence N 0°14'56" E, and along the State of Nebraska Highway 47 Right of Way line, a distance of 1,282.00 feet;  
Thence East, and parallel to the South line of the SW1/4 of said Section 27, a distance of 788.18 feet;  
Thence S 0°12'42" W, a distance of 930.03 feet;  
Thence S 89°47'18" E, a distance of 100.00 feet;  
Thence S 0°12'42" W, a distance of 351.60 feet to a point on the South line of the SW1/4 of said Section 27;  
Thence West, and along the South line of the SW1/4 of said Section 27, a distance of 888.99 feet to the place of beginning  
as surveyed, platted and recorded, now being a part of the City of Gothenburg, all in Dawson County, Nebraska

Exhibit B  
(Attach a copy of Redevelopment Contract here)

Exhibit C

(Attach a copy of Notice of Allocation of Taxes here)

## NOTICE OF ALLOCATION OF TAXES

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

Pursuant to the provisions of Section 18-2147 and Section 18-2150, R.R.S. 1997, notice is hereby given that the Redevelopment Plan adopted by the City of Gothenburg, Nebraska, on April 30, 2002 contained a provision that ad valorem tax levied upon real property described as:

A tract of land in the SW1/4 of Section 27, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., and within Dawson County, Nebraska and more particularly described as follows:  
Referring to the Southwest Corner of Section 27, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., Dawson County, Nebraska,  
Thence East, (an assumed bearing) and along the South line of the SW1/4 of said Section 27, a distance of 70.00 feet to the Point of Beginning;  
Thence N 0°14'56" E, and along the State of Nebraska Highway 47 Right of Way line, a distance of 1,282.00 feet;  
Thence East, and parallel to the South line of the SW1/4 of said Section 27, a distance of 788.18 feet;  
Thence S 0°12'42" W, a distance of 930.03 feet;  
Thence S 89°47'18" E, a distance of 100.00 feet;  
Thence S 0°12'42" W, a distance of 351.60 feet to a point on the South line of the SW1/4 of said Section 27;  
Thence West, and along the South line of the SW1/4 of said Section 27, a distance of 888.99 feet to the place of beginning  
as surveyed, platted and recorded, now being a part of the City of Gothenburg, all in Dawson County, Nebraska, be divided as provided in Section 18-2147, for a period of 15 years from January 1, 2003.

Notice is hereby given of the pledge of such taxes to the payment of Principal of, premium, if any and interest on the Authority's Community Development Revenue Bond (Pony Express Greenhouse, Project), Series 2002, issued pursuant to the Authority's Resolution, pursuant to Section 18-2147.

The Paying Agent and Registrar on the Bond is the City Clerk/ Treasurer of the City of Gothenburg, Dawson County, Nebraska. The taxes, and any delinquent interest on such taxes, pledged for payment of the bond are to be paid to the Paying Agent upon receipt of such monies by the Treasurer of Dawson County.

Dated: April 30, 2002.

CITY OF GOTHENBURG, NEBRASKA

Conner L. Daley  
City Clerk

BY Lacey Franzen  
Mayor

COMMUNITY REDEVELOPMENT  
AUTHORITY OF THE  
CITY OF GOTHENBURG, NEBRASKA

E. Dean Kugler  
Secretary

BY M. M. M. M.  
Chair



**CERTIFICATE OF COUNTY TREASURER AND COUNTY ASSESSOR**

The undersigned County Treasurer and County Assessor of the County of Dawson, Nebraska, hereby acknowledge receipt of Notice of the Pledge of Taxes by the Community Redevelopment Authority of the City of Gothenburg, Nebraska, for its Community Redevelopment Revenue Bonds, Series 2002 (Pony Express Greenhouse Project ), on the real property described as:

A tract of land in the SW1/4 of Section 27, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., and within Dawson County, Nebraska and more particularly described as follows:

Referring to the Southwest Corner of Section 27, Township 11 North, Range 25 West of the 6<sup>th</sup> P.M., Dawson County, Nebraska,  
Thence East, (an assumed bearing) and along the South line of the SW1/4 of said Section 27, a distance of 70.00 feet to the Point of Beginning;  
Thence N 0°14'56" E, and along the State of Nebraska Highway 47 Right of Way line, a distance of 1,282.00 feet;  
Thence East, and parallel to the South line of the SW1/4 of said Section 27, a distance of 788.18 feet;  
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Thence S 0°12'42" W, a distance of 351.60 feet to a point on the South line of the SW1/4 of said Section 27;  
Thence West, and along the South line of the SW1/4 of said Section 27, a distance of 888.99 feet to the place of beginning,

as surveyed, platted and recorded, now being a part of the City of Gothenburg, all in Dawson County, Nebraska.

Dated: \_\_\_\_\_  
County Treasurer

I hereby certify pursuant to Neb. Rev. Stat. Section 18-2143 that the Redevelopment Project Valuation (value as of January 1, 2002) on such project is \$\_\_\_\_\_.

Dated: \_\_\_\_\_  
County Assessor