

CITY OF GOTHENBURG, NEBRASKA

RESOLUTION - 2003-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA, MAKING FINDINGS AND DECLARING PORTIONS OF THE CITY TO BE BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT; AND OTHER MATTERS.

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 known as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943; and

WHEREAS, the planning and zoning commission of the City has recommended that the area described in Attachment "A" be declared blighted and substandard and in need of redevelopment; and

WHEREAS, this Council has held a public hearing, after notice as required by Sections 18-2109 and 18-2115, R.R.S 1943 and 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 a 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 and 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 MAYOR AND 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 18-2103, 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 "A", "Blight and Substandard Study".

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 16th day of September, 2003.

CITY OF GOTHENBURG,
DAWSON COUNTY, NEBRASKA

BY Garry Franzen
Mayor

ATTEST:

Connie G. Walynple
City Clerk

APPROVED AS TO FORM:

City Attorney

ATTACHMENT "A"

Blight and Substandard Study

PURPOSE OF STUDY:

The purpose of this Study is to determine if the area described in attached exhibit "A" meets the definition of blighted and substandard as set forth in Section 18-2103 of the Nebraska Community Development Law.

Those definitions are:

Substandard areas shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals, or welfare;

Blighted area shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) that the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;

METHODOLOGY:

The real property on exhibit "A" was physically examined and photographs were taken to document examples of the condition of the property for this report. The condition of the property was then compared to the requirements set forth in Section 18-2103.

CONDITION OF THE PROPERTY:

1. Conditions of Structures: The property under consideration consists of at least 22 structures, which includes 12 residences. Two residences are vacant. All major structures appear to be at least 40 years of age, with the newest being 2 brick residences owned by the Housing Authority of the city of Gothenburg. To be sure, 3 or 4 of the houses are well maintained.

However, five of the residences have significant deterioration. Defects include very poor roofing on houses and out buildings. One garage has unpainted siding, with shingles and roof sheathing missing in many areas. One vacant house has a large window with gaps between the glass and the frame. Another is missing the back steps entirely. Many houses need new siding or new painting. Chipped and broken siding is apparent on 40% of the homes.

At least 9 of the 12 outbuildings are in a considerable state of disrepair. Defects range from minor (needing painting) to major (needing complete removal). One garage has many holes in the roof and no door. Many outbuildings have major problems with siding, doors and roofs. A number of outbuildings are the collection point for debris piles. One vacant house has a pile of old lumber on the side and a pile of tree branches in the front yard.

The property considered also contains a portion of the metal penstock drainage pipe from lake Helen. The City confirms that the structure is rusted out on the bottom and is leaking along its entirety.

2. Debris: As noted, there are a number of debris piles, (shown in attached pictures).

3. Improper Subdivision: The property contains 3 tracts of land that are not subdivided, with an un-platted road. This faulty lot layout is a significant impediment to development of the area. The existing lot sizes are not conducive to development.

4. Streets and Accessibility: There is a un-paved roadway running north from 20th street to the concrete pile.

CONCLUSION:

The subject property meets the definition of blighted and substandard as set forth in the Community Development Law. A predominance of the structures on the property (over 60%) are in a state of significant deterioration. The average age of the structures is over 40 years. Sanitation is poor, largely due to debris piles and leaking penstock in the area. This is a condition that certainly contributes to ill health.

Dated September 2, 2003.

Exhibit "A"
To Blight and Substandard Study

TRACT A:

A tract of land located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section 10, Township 11 North, Range 25 West, of the 6th P.M., City of Gothenburg, Dawson County, Nebraska and part of Block 22, Lake View Addition to said City and Tract 2, Lake Helen Property as recorded in Book 147, Page 241 and a tract recorded in Book 147, Page 814, both in the office of the Register of Deeds, Dawson County, Nebraska, more particularly described as follows:

Beginning at the Southwest Corner of Lot 2, Block 22, Lake View Addition to the City of Gothenburg, Dawson County, Nebraska; thence N 00°38'38" W along the West line of said Lot a distance of 230.00 feet to the Northwest corner of said Lot; thence S 89°09'07" W along the North line of said lot extended westerly a distance of 84.90 feet; thence S 00°38'38" E parallel with said West line a distance of 228.70 feet to the Northerly Right-of-Way of 20th Street as platted in said City, thence N 90°00'00" E along said Right-of-Way a distance of 84.91 feet to the Point of Beginning

TRACT B:

A tract of land located in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section 10, Township 11 North, Range 25 West, of the 6th P.M., City of Gothenburg, Dawson County, Nebraska and part of Block 22, Lake View Addition to said City and Tract 2, Lake Helen Property as recorded in Book 147, Page 241 and a tract recorded in Book 147, Page 814, both in the office of the Register of Deeds, Dawson County, Nebraska, more particularly described as follows:

Referring to the Southwest Corner of Lot 2, Block 22, Lake View Addition to the City of Gothenburg, Dawson County, Nebraska; thence S 90°00'00" W along the Northerly Right-of-Way line of 20th Street as platted in said City a distance of 84.91 feet to the Point of Beginning; thence continuing S 90°00'00" W along said Northerly Right-of-Way extended a distance of 171.02 feet; thence N 00°38'38" W parallel with the West line of Lot 2, Block 22, Lake View Addition to the City of Gothenburg, Dawson County, Nebraska a distance of 225.98 feet; thence N 89°09'07" E along the North line of said Lot extended Westerly a distance of 171.01 feet; thence S 00°38'38" E parallel with said West line a distance of 228.70 feet to the Point of Beginning;
and

Lot 2, Block 22

Lots 1 through 13, Block 27

The North 69.3 feet of Lots 1 through 9, Block 26

The North 67 feet of Lots 1 through 9, Block 25

Lots 1 through 9, Block 24
Lots 1 through 9, Block 23 all in Lakeview Addition to the City of Gothenburg,
Dawson County, Nebraska.



















