

RESOLUTION NO. 2014-13

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF  
GOTHENBURG, NEBRASKA APPROVING A REDEVELOPMENT PLAN; AND  
RELATED MATTERS**

**WHEREAS**, the City of Gothenburg, Nebraska, a municipal corporation and city of the second class (the “**City**”), has determined it to be desirable to undertake and carry out urban redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment; and

**WHEREAS**, the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

**WHEREAS**, the City has previously declared the area legally described in **Attachment 1** attached hereto (the “**Redevelopment Project Area**”) to be blighted and substandard 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 or caused to be prepared a Redevelopment Plan, (the “**Redevelopment Plan**”), in the form attached hereto as **Attachment 2**, for the redevelopment of the Redevelopment Project Area; and

**WHEREAS**, the Authority and the Planning Commission of the City (the “**Planning Commission**”) have both reviewed the Redevelopment Plan and recommended its approval by the Mayor and Council of the City; and

**WHEREAS**, the City published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to Section 18-2115 of the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan; and

**WHEREAS**, the City has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described therein are designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency in economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provisions for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations, or conditions of blight.

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

**Section 1.** The Redevelopment Plan is hereby determined to be feasible and in conformity with the general plan for the development of the City as a whole, and the Redevelopment Plan is in conformity

## ATTACHMENT 1

### LEGAL DESCRIPTION

The property affected by this notice is described as follows:

All that part of the W1/2 of Section 24, Township 11 North, Range 25, West of the 6th P.M., in Dawson County, Nebraska, situated and lying South of the Union Pacific Railroad Company right-of-way, and lying North of the North channel of the North Platte River, subject to all easements of record and public highways.

All that portion of the W ½ of Section 23, Twp. 11 N, Range 25 West of the 6th PM, lying between the right of way of the Union Pacific Railroad and the center meander line of the North Channel of the Platte River, in Dawson County, Nebraska; EXCEPT a tract in the E1/2NW1/4 conveyed to the Union Pacific Railroad Company in a deed dated May 8, 1998 and recorded May 19, 1998, at Book 159, Page 1, and

All of the Southwest Quarter (SW1/4) of Section 14, Township 11 North, Range 25 West of the 6th P.M., lying South of the Union Pacific Railroad Right-of-Way, Dawson County, Nebraska, and

That part of Section 23, Township 11 North, Range 25 West of the 6th PM, Dawson County, Nebraska, described as follows:

Beginning at the intersection of the East line of Said Section 23 with the South line of the Right-of-Way of the Union Pacific Railroad Company, thence Northwest along the South line of said right-of-way 50.90 chains; thence South parallel with the East line of said Section 23 a distance of 33.10 chains to the North Bank of the North Channel of the Platte River; thence Southeast along the North Bank of said channel to its intersection with the East line of said Section 23; thence North 28.72 chains to the place of beginning; EXCEPT a 3.8 acre tract in the N1/2 of said Section 23 conveyed to the Union Pacific Railroad in a deed dated and recorded August 24, 1998 in Book 159, Page 552, and

A Tract of land located in Part of the Southeast Quarter (SE1/4) of Section 15, Township 11 North, Range 25 West of the 6th P.M., Dawson County, Nebraska, and Part of a tract recorded as Inst. # 2002-3091 in the office of the Register of Deeds of said Dawson County, more particularly described as follows:

Referring to the Southeast Corner of said Section 15; thence S89°50'10" W (an assumed bearing with all other bearings shown hereon relative thereto) along the South line of said Section 15 a distance of 140.00 Feet to the East line of said recorded tract; thence N0°21'36" E along said East line a distance of 20.00 Feet to the point of beginning; thence continuing N 0°21'36" E along said East line a distance of 120.00 Feet; thence N89°50'10" W a distance of 2484.76 Feet to the West line of said recorded tract; thence S0°24'39" W along said West line a distance of 140.00 Feet to the south line of said recorded tract; thence N89°50'10" E along said South line a distance of 636.78 Feet; thence N0°21'36" E a distance of 20.00 Feet; thence N89°50'10" E a distance of 1844.46 Feet to the point of beginning, and

an easement across Lot 8 of Gothenburg Industrial Park Second Addition and all being a part of the City of Gothenburg, Dawson County, Nebraska.

**ATTACHMENT 2**  
**FORM OF REDEVELOPMENT PLAN**

with the legislative declarations and determinations set forth in the Act; and it is hereby found and determined, based on the analysis conducted by the Authority, that (a) the redevelopment project described in the Redevelopment Plan would not be economically feasible without the Project Area without the use of tax-increment financing, and (c) the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the City, and the demand for public and private services have been analyzed by the City and have been found to be in the long-term best interest of the community impacted by the redevelopment project.

**Section 2.** The Redevelopment Plan is hereby approved in substantially the form attached hereto, with such immaterial changes, additions, or deletions thereto as may be determined to be necessary by the Authority in its sole and absolute discretion.

**Section 3.** In accordance with Section 18-2147 of the Act, the City hereby provides that any ad valorem tax on real property in the Project Area for the benefit of any public body be divided as follows for a period of 15 years after the effective date of this provision as provided in Section 18-2147 of the Act, which effective date shall be set forth in a Redevelopment Contract or Redevelopment Contract Amendment providing for implementation of the Project described in the Redevelopment Plan. Said taxes shall be divided 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 the 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 Project Area in excess of such amount (the Redevelopment Project Valuation), 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 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 the Project Area shall be paid into the funds of the respective public bodies.

**Section 4.** The City Clerk/ Treasurer is authorized and directed to purchase up to \$1,440,000 in tax increment revenue bonds from the Community Redevelopment Authority with economic development funds for purposes of supporting community development. Additionally, pursuant to Neb. Rev. Stat. §18-2140 the City Clerk/Treasurer is directed to transfer from the economic development funds for purposes of supporting community development up to the sum of \$250,000.00 to the Community Redevelopment Authority to be utilized for the purchase of real estate described in the Redevelopment Plan.

**PASSED AND APPROVED** this 7th day of october, 2014.

**CITY OF GOTHENBURG, NEBRASKA**

ATTEST:

By: Connie L. Malysmpke  
Clerk

By: James E. Hudson  
Mayor