

RESOLUTION NO. 2024-8

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
GOTHENBURG, NEBRASKA, APPROVING THE CITY OF GOTHENBURG
REDEVELOPMENT PLAN FOR THE GOTHENBURG INDUSTRIAL PARK;
APPROVAL OF A REDEVELOPMENT PROJECT OF THE CITY OF
GOTHENBURG; AND APPROVAL OF RELATED ACTIONS**

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

Recitals:

a. The Mayor and Council of the City of Gothenburg, Nebraska (the “**City**”), upon the recommendation of the City Planning Commission (the “**Planning Commission**”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), has previously declared an area, including an area legally described on the attached Exhibit “A” (the “**Redevelopment Area**”), to be blighted and substandard and in need of redevelopment; and

b. Pursuant to and in furtherance of the Act, the City of Gothenburg Redevelopment Plan for the Gothenburg Industrial Park (the “**Redevelopment Plan**”) has been prepared and submitted to the Community Redevelopment Authority of Gothenburg, Nebraska, (the “**Authority**”) by JWC GBURG, LLC, (the “**Redeveloper**”), a copy of which is on file in the office of the Gothenburg City Clerk, and is incorporated herein by this reference, for the purpose of redeveloping the Redevelopment Area; and

c. The Planning Commission conducted a public hearing on the Redevelopment Plan, in compliance with notice requirements of the Act, reviewed the Redevelopment Plan and recommended its approval by the Mayor and Council of the City;

d. Pursuant to Section 18-2113 of the Act, the Authority conducted a cost benefit analysis of the redevelopment project set forth in the Redevelopment Plan (the “**Redevelopment Project**”), reviewed the Redevelopment Plan, and recommended approval of the Redevelopment Plan by the Mayor and Council of the City;

e. The City, in compliance with all public notice requirements imposed by the Act, published and mailed notices of a public hearing regarding the consideration of the approval of the Redevelopment Plan pursuant to the Act, and has on the date of this Resolution held a public hearing on the proposal to approve the Redevelopment Plan and received extensive public comment thereon; and

f. The City Council has reviewed the Redevelopment Plan and determined that the proposed land uses and building requirements described in it 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.

Resolved that:

1. The Redevelopment Plan is 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 with the legislative declarations and determinations set forth in the Act. Section 18-2102 of the Act establishes the legislative declarations and determinations for the Act. The Redevelopment Plan clearly demonstrates that the criteria declarations have been satisfied. The Redevelopment Area (the "Site") constitutes an economically and socially undesirable land use in its current state. The Site has remained undeveloped and lacks infrastructure to attract industry and constitutes a barrier to growth of the City. The Site is not designed for proper utilization. The substantial cost to acquire and prepare the Site for development to make it useful for improved industrial purposes is significant. Given the foregoing, the conditions of the Site are beyond the remedy and control of normal regulatory processes and police power and due to the high cost of development and cannot be dealt with effectively by the ordinary operations of private enterprise.

The City Council further finds and documents that: the Redevelopment Project described in the Redevelopment Plan would not be economically feasible without the use of funds from tax-increment financing and would not occur in the Redevelopment Area without the use of funds from tax-increment financing; the costs and benefits of the redevelopment 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 City and have been found to be in the long-term best interest of the community impacted by the redevelopment project. The Cost Benefit Analysis incorporated into the Redevelopment Plan and adopted by the Authority provides significant documentation of the benefit to the City. Documentation of the fact that the Redevelopment Project is not financially feasible and would not occur at the Site, without tax increment financing, is provided by the acknowledgement of the Redeveloper that tax increment financing is a necessary element of the capital stack to make the project financially feasible. The City Council acknowledges receipt of the recommendations of the Authority and the Planning Commission with respect to the Redevelopment Plan.

2. The Redevelopment Plan is approved in the form filed with the Gothenburg City Clerk.

3. In accordance with Section 18-2147 of the Act, the City provides that any ad valorem tax on real property in the City of Gothenburg, Nebraska, more fully described on Exhibit A, attached hereto, for the benefit of any public body be divided for a period of 15 years

after the effective date as provided in Section 18-2147 of the Act, which effective date shall be determined in a Redevelopment Contract entered into between the Redeveloper and the Authority. Said tax 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, shall be 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. 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 Area shall be paid into the funds of the respective public bodies.

4. The Mayor and Clerk are authorized and directed to execute such documents and take such further actions as are necessary to carry out the purposes and intent of this Resolution and the Redevelopment Plan.

5. This Resolution shall become effective immediately upon its adoption.

PASSED and APPROVED on May 7, 2024.



City of Gothenburg, Nebraska

Mayor

ATTEST:

Mindy Bussinger
City Clerk (Seal)

EXHIBIT "A"
LEGAL DESCRIPTION OF REDEVELOPMENT PROJECT AREA

A tract of land located between the Union Pacific Railroad right-of-way and the North Channel of the Platte River being a part of the Southwest Quarter of Section 14, a part Section 23, and a part of the Northwest Quarter and a part of the Southwest Quarter of Section 24, all in Township 11 North, Range 25 West of the Sixth Principal Meridian, City of Gothenburg, Dawson County, Nebraska and more particularly described as follows:

Commencing at the Northwest corner of said Section 23;

thence N 00°33'14" E on the West line of said Section 14, and all bearings contained herein are relative thereto, a distance of 123.24 feet to the Northerly line of Gothenburg Industrial Parkway as shown on and dedicated by Gothenburg Industrial Park Third, an addition to the City of Gothenburg, Dawson County, Nebraska and the POINT OF BEGINNING;

thence continuing N 00°33'14" E on said West line of Section 14 a distance of 1125.61 feet to the Southerly right-of-way line of the Union Pacific Railroad;

thence S 59°59'38" E on said Southerly right-of-way line being 200.00 feet Southerly from the center of the North main track, measured at right angles, a distance of 2393.22 feet to the North line of the Northwest Quarter of said Section 23;

thence N 88°34'21" E continuing on said Southerly right-of-way line and on said North line of the Northwest Quarter a distance of 95.88 feet;

thence S 59°59'38" E continuing on said Southerly right-of-way line parallel with and 150.00 feet Southerly from the center of the North main track, measured at right angles, a distance of 3610.88 feet to the East line of the Northeast Quarter of said Section 23;

thence S 00°23'42" W continuing on said Southerly right-of-way line and on said East line of the Northeast Quarter a distance of 57.51 feet;

thence S 59°59'38" E continuing on said Southerly right-of-way line being 200.00 feet Southerly from the center of the North main track, measured at right angles, a distance of 3033.30 feet to the East line of said Southwest Quarter of Section 24;

thence S 00°38'27" W on said East line of the Southwest Quarter a distance of 1564.73 feet to the Geographical Centerline of the opposing present banks of the North Channel of the Platte River;

thence N 36°11'12" W on said Geographical Centerline a distance of 227.64 feet;

thence N 14°47'23" W continuing on said Geographical Centerline a distance of 218.14 feet;

thence N 31°26'28" W continuing on said Geographical Centerline a distance of 250.95 feet;

thence N 58°23'22" W continuing on said Geographical Centerline a distance of 396.25 feet;

thence N 79°46'27" W continuing on said Geographical Centerline a distance of 328.70 feet;

thence S 81°10'09" W continuing on said Geographical Centerline a distance of 287.39 feet;

thence S 86°40'23" W continuing on said Geographical Centerline a distance of 485.75 feet;

thence N 80°23'33" W continuing on said Geographical Centerline a distance of 200.38 feet;

thence N 51°11'29" W continuing on said Geographical Centerline a distance of 382.95 feet;

thence N 61°23'03" W continuing on said Geographical Centerline a distance of 286.96 feet;

thence N 68°36'47" W continuing on said Geographical Centerline a distance of 256.46 feet;

thence N 69°45'43" W continuing on said Geographical Centerline a distance of 296.37 feet;

thence N 58°38'23" W continuing on said Geographical Centerline a distance of 384.47 feet;

thence N 55°12'55" W continuing on said Geographical Centerline a distance of 348.57 feet;

thence N 63°39'59" W continuing on said Geographical Centerline a distance of 211.35 feet;

thence N 73°22'55" W continuing on said Geographical Centerline a distance of 418.35 feet;
thence N 77°21'39" W continuing on said Geographical Centerline a distance of 216.61 feet;
thence N 67°01'06" W continuing on said Geographical Centerline a distance of 234.27 feet;
thence N 86°59'44" W continuing on said Geographical Centerline a distance of 148.87 feet;
thence N 71°28'52" W continuing on said Geographical Centerline a distance of 258.73 feet;
thence N 86°22'36" W continuing on said Geographical Centerline a distance of 274.96 feet;
thence N 75°20'51" W continuing on said Geographical Centerline a distance of 332.79 feet;
thence N 59°57'36" W continuing on said Geographical Centerline a distance of 201.63 feet;
thence N 41°37'00" W continuing on said Geographical Centerline a distance of 280.39 feet;
thence N 18°46'04" W continuing on said Geographical Centerline a distance of 213.15 feet;
thence N 22°07'48" W continuing on said Geographical Centerline a distance of 220.34 feet;
thence N 37°58'51" W continuing on said Geographical Centerline a distance of 152.00 feet;
thence N 67°08'15" W continuing on said Geographical Centerline a distance of 185.21 feet;
thence N 86°48'29" W continuing on said Geographical Centerline a distance of 150.68 feet;
thence N 88°19'13" W continuing on said Geographical Centerline a distance of 210.74 feet;
thence S 57°15'29" W continuing on said Geographical Centerline a distance of 348.53 feet;
thence S 53°20'05" W continuing on said Geographical Centerline a distance of 55.96 feet to the Southeast corner of Lot 2, Block Two, of said Gothenburg Industrial Park Third;
thence N 00°42'02" E on the East line of said Lot 2 a distance of 1084.03 feet to the Southerly line of Bacon Drive as shown on and dedicated by said Gothenburg Industrial Park Third;
thence S 59°59'39" E on said Southerly line a distance of 661.01 feet to the Southerly extension of the Easterly line of Lot 2, Block One of said Gothenburg Industrial Park Third;
thence N 30°00'21" E on said Southerly extension and on said Easterly line of Lot 2, Block One and on it's Northerly extension a distance of 632.00 feet to said Northerly line of Gothenburg Industrial Parkway;
thence N 59°59'39" W on said Northerly line a distance of 1042.73 feet;
thence continuing on said Northerly line and on a tangent curve to the Left having a Central Angle of 29°59'00", a radius of 1033.00 feet, an arc length of 540.58 feet, and a Chord Bearing N 74°59'09" W a distance of 534.43 feet;
thence N 89°58'40" W continuing on said Northerly line a distance of 283.97 feet to the Point of Beginning.