

RESOLUTION NO. 2022 - 17

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA DECLARING A CERTAIN AREAS TO BE BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT PURSUANT TO THE COMMUNITY DEVELOPMENT LAW, CHAPTER 18, ARTICLE 21, REISSUE REVISED STATUTES OF NEBRASKA, AS AMENDED

Recitals

a. It is necessary, desirable, advisable, and in the best interests of the City of Lexington, Nebraska (the “**City**”), to undertake and carry out redevelopment projects in certain areas of the City that are determined to be blighted and substandard and in need of redevelopment; and

b. 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

c. Section 18-2109 of the Act requires that, prior to the preparation by the Community Development Agency of the City of a redevelopment plan for a redevelopment project, the Mayor and Council shall, by resolution, declare the area to be blighted and substandard; and

d. On August 9, 2022, at 5:30 p.m., the Mayor and Council of the City held a public hearing (the “**Public Hearing**”) in the Council Room at the Lexington City Hall, 406 East 7th Street in the City, to determine whether that certain area more fully described below (the “**Redevelopment Area**”) should be declared blighted and substandard and in need of redevelopment as required by the Act; and

e. Notice of the Public Hearing was published in *The Lexington Clipper-Herald*, a legal newspaper of general circulation in the City, on July 16, 2022, and July 23, 2022, which notice described the time, date, place and purpose of the Public Hearing and advised where a copy of a substandard and blighted study was available for public inspection and the legal description of the Redevelopment Area; the last publication of such notice being at least ten days prior to the time of the Public Hearing; and

f. On or before July 15, 2022, such date being at least 10 days prior to the time of the Public Hearing, the City mailed notice of the Public Hearing by United States Certified Mail, return receipt requested, sufficient postage affixed, to all registered neighborhood associations whose area of representation is located in whole or in part within a one-mile radius of the Redevelopment Area and to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resources district with real property in the Redevelopment Area, which notice included the time, date, place, and purpose of the Public Hearing and advised where a copy of a substandard and blighted study was available for public inspection; and

g. The Public Hearing was conducted and all interested parties were afforded a reasonable opportunity to express their views respecting the declaration of the Redevelopment Area as blighted and substandard and in need of redevelopment, and the Mayor and Council reviewed and discussed a Redevelopment Area Substandard/Blight Survey (the “**Study**”) prepared by The Hanna: Keelan Associates, P.C. a copy of which is attached hereto as **Exhibit “A”**; and

h. The Mayor and Council submitted the question of whether the Redevelopment Area was blighted and substandard and in need of redevelopment to the Planning Commission of the City for its review and recommendation and on August 3, 2022, and the Mayor and Council reviewed and discussed the recommendations received from the Planning Commission; and

i. The Mayor and Council desire to determine whether the Redevelopment Area is blighted and substandard and in need of redevelopment in accordance with the Act.

Resolved that:

1. The Redevelopment Area is hereby declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in Section 18-2103(31) of the Act, as described and set forth in the Study. The Redevelopment Area is more particularly described as follows on **Exhibit “B”**.

2. The Redevelopment Area is hereby further declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exist in the Redevelopment Area meeting the criteria set forth in the Act, including, without limitation, (a) one or more of the factors set forth in Section 18-2103(3)(a) of the Act and (b) at least one of the factors set forth in (i) through (iv) of Section 18-2103(3)(b) of the Act, as described and set forth in the Study.

3. The blighted and substandard conditions existing in the Redevelopment Area are beyond remedy and control solely through the 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 Act, and the elimination of the blighted and substandard conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

4. The Redevelopment Area is in need of redevelopment and is or will be an eligible site for a redevelopment project under the provisions of the Act at the time of the adoption of any redevelopment plan with respect thereto.

5. This Resolution shall be published and shall take effect as provided by law.

DATED: August 9, 2022.

CITY OF LEXINGTON, NEBRASKA

ATTEST:

By: _____
Clerk

By: _____
Mayor

[S E A L]

Exhibit A
[Attach copy of Study]

Exhibit "B"

All real estate identified by the parcel numbers below in the office of the Dawson County, Nebraska, Assessor's office, to wit:

Redevelopment Area #6 - Parcel IDs.

240007395	240132750	240133110
240007484	240132769	240133145
240007654	240132793	240133153
240007662	240132823	240133196
240007743	240132831	240133218
240007824	240132858	240133242
240008286	240132882	240133250
240008367	240132890	240133293
240008456	240132920	240138546
240008634	240132939	240138589
240132285	240132963	240139224
240132610	240132971	240151704
240132645	240133013	240167570
240132653	240133021	240178459
240132661	240133072	240178548
240132742	240133102	