

**CITY COUNCIL OF
LEXINGTON, NEBRASKA**

RESOLUTION NO. 2022 - 03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA,
APPROVING THE AMENDMENT OF REDEVELOPMENT AREA #1 OF THE CITY OF
LEXINGTON, NEBRASKA, AND DECLARING OR RE-DECLARING SAID AREA TO BE
BLIGHTED AND SUBSTANDARD, PURSUANT TO THE NEBRASKA COMMUNITY
DEVELOPMENT LAW.**

WHEREAS, on January 14, 2003, pursuant to Resolution No. 03-01, the City Council of the City of Lexington, Nebraska (the “City”) declared an area of the City of Lexington, Nebraska to be blighted and substandard and in need of redevelopment, which area is identified as Redevelopment Area #1;

WHEREAS, the City desires to add one (1) parcel to Redevelopment Area #1 (the “New Parcel”), which is identified and legally described on Exhibit “A” attached hereto;

WHEREAS, the City desires to remove fifteen (15) parcels from Redevelopment Area #1 (the “Subject Parcels”), which are identified and legally described on Exhibit “B” attached hereto;

WHEREAS, the Lexington Planning Commission recommended that the City Council approve the amendment of Redevelopment Area #1 to add the New Parcel and to remove the Subject Parcels, as depicted on the map attached hereto as Exhibit “C” (the “Amendment”), pursuant to the Community Development Law, Neb. Rev. Stat. § 18-2101 et seq., as amended (the “Act”);

WHEREAS, the Lexington Planning Commission also recommended that the City Council declare or re-declare Redevelopment Area #1, as amended by the Amendment (the “Revised Redevelopment Area #1”), blighted and substandard and in need of redevelopment, as defined in and pursuant to the Act;

WHEREAS, Hanna:Keelan Associates, P.C. (“Hanna:Keelan”) prepared a Blight/Substandard Determination Study in December, 2002 for Redevelopment Area #1 (the “2002 Study”). A copy of the 2002 Study is on file with the City Clerk;

WHEREAS, Hanna:Keelan has prepared an analysis dated December 29, 2021 (the “2021 Analysis”) on whether the Revised Redevelopment Area #1 would remain blighted and substandard, as documented in the 2002 Study. A copy of the 2021 Analysis is on file with the City Clerk;

WHEREAS, the Notice of Public Hearing relating to the question of whether the Amendment to Redevelopment Area #1 should be approved, and the question of whether the Revised Redevelopment Area #1 should be declared or re-declared blighted and substandard and in need of redevelopment, was provided in conformity with Sections 18-2109 and 18-2115.01 of the Act; and

WHEREAS, the City Council has reviewed the Planning Commission’s recommendations after review pursuant to Section 18-2109 of the Act and has duly considered all statements made and material submitted related to the submitted questions.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

1. That the Amendment to Redevelopment Area #1 is hereby approved pursuant to the Act.
2. That the Revised Redevelopment Area #1 is hereby declared or re-declared to be blighted and substandard and in need of redevelopment.
3. That the conditions set forth in the 2021 Analysis demonstrate sufficient evidence that the Revised Redevelopment Area #1 would remain a blighted and substandard area within the meaning of the Act.
4. 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 Act, and the elimination of said substandard and blighted condition under the authority of the Act is hereby found to be a public purpose declared to be in the public interest.
5. That it is hereby found and determined that said area is an eligible site for a redevelopment project under the provisions of the Act.
6. That any Resolution passed and approved prior to the passage, approval and publication of this Resolution which is in conflict with the terms and provision of this Resolution is/are hereby repealed.

PASSED AND APPROVED, this 8th day of February, 2022.

CITY OF LEXINGTON, NEBRASKA

Mayor

ATTEST:

City Clerk

EXHIBIT "A"
NEW PARCEL

	Parcel ID:	Legal Description:
1	240220067	Block 1, Beans 2 nd Subdivision, being a part of the Southwest Quarter (SW ¹ / ₄) of Section 8, Township 9 North, Range 21 West of the 6 th P.M., City of Lexington, Dawson County, Nebraska

EXHIBIT "B"
SUBJECT PARCELS

	Parcel ID:	Legal Description:
1	240213319	Part of Lot 1, Block 1, Fertitta Addition located in Section 17 and Section 20, Township 9 North, Range 21 West of the 6 th P.M., except the North 210 feet of the West 265 feet thereof, City of Lexington, Dawson County, Nebraska
2	240213262	The North 210 feet of the West 265 feet of Lot 1, Block 1, Fertitta Addition to the City of Lexington, Dawson County, Nebraska
3	240216223	All of Lot 1, Kirkpatrick's Third Addition being a tract of land in the South Half of the Southeast Quarter (S½SE¼) of Section 17, Township 9 North, Range 21 West of the 6 th P.M., City of Lexington, Dawson County, Nebraska
4	240206851	Lot 2, Holiday Plaza Subdivision, formerly a tract in the North Half of the Southwest Quarter (N½SW¼), Section 18, Township 9 North, Range 21 West of the 6 th P.M., City of Lexington, Dawson County, Nebraska, EXCEPT that part of said Lot 2 dedicated to the public as Commerce Road in the Final Plat of Commerce First Addition, City of Lexington, Dawson County, Nebraska
5	240206843	Lot 1, Holiday Plaza Subdivision, City of Lexington, Dawson County, Nebraska, EXCEPT that part platted as Commerce Road in the Final Plat of Commerce First Addition, City of Lexington, Dawson County, Nebraska
6	240215061	Lot 1, Commerce First Addition, an addition to the City of Lexington, Dawson County, Nebraska, together with the 30 foot ingress/egress easement as contained in the Final Plat and Dedication of Commerce First Addition, recorded November 7, 2018 as Instrument 2018-3140 in the records of the Register of Deeds of Dawson County, Nebraska
7	240218444	A tract of land located in the Southeast Quarter of the Northwest Quarter (SE¼NW¼) of Section 17, Township 9, North, Range 21 West of the 6 th P.M., City of Lexington, Dawson County, Nebraska, described as follows: Commencing at a point on the East line of the West Half of said Section 17, 1400 feet North of the Southeast Corner of the North Half of the Southwest Quarter of Section 17, Township 9 North, Range 21, thence North and along the said East line, a distance of 400 feet; thence West 500 feet parallel to said South line of the North Half of the Southwest Quarter, thence South to the Northwest Corner of a tract of land described in Book 110, Page 694 of the Deed Records of Dawson County, Nebraska; thence East 500 feet to the place of beginning; EXCEPT a tract of land conveyed to the State of Nebraska for road purposes at Book 98, Page 10; AND EXCEPT a tract of land conveyed to the State of Nebraska for road purposes at Book 111, Page 164; AND EXCEPT a tract of land conveyed to the State of Nebraska for road purposes at Book 141, Page 71 and Book 141, Page 73
8	240220046	Lot 1 of Orscheln's Administrative Replat of Block 2, Beans 2 nd Subdivision to the City of Lexington, Dawson County, Nebraska, recorded as Instrument No. 2020-3186, in Plat Cabinet No. 3, at Index No. 19, in records of Register of Deeds of Dawson County, Nebraska
9	240184726	All of Tract 1 and the Northern 80.0 feet of Tract 2 of the Wal-Mart Subdivision located in the Southwest Quarter (SW¼) of Section 8, Township 9 North, Range 21 West of the 6 th P.M., located in the City of Lexington, Dawson County, Nebraska, more particularly described as follows: Considering the East line of the Southwest Quarter (SW¼) of said Section 8 to bear N 0°00'00" E and all other bearings used herein relative thereto; Commencing at the Southeast corner of the

		Southwest Quarter (SW ¹ / ₄) of said Section 8; thence along the East line of said Southwest Quarter N 0°00'00" E 1593.60 feet; thence S 89°08'00" W 70.01 feet to the POINT OF BEGINNING, said point being on the West right-of-way line of U.S. Highway 283; thence S 0°00'00" W 430.00 feet; then N 89°08'00" E 660.10 to a point on the West right-of-way line of U.S. Highway 283; thence along the said right-of-way line N 0°00'05" E 430.00 feet to the POINT OF BEGINNING, EXCEPT that tract of land deeded to the State of Nebraska by Warranty Deed recorded in Book 140, Page 10 and EXCEPT a tract reserved to and retained by GRANTORS, described as follows: The East 185 feet of the South 280 feet of the North 325 feet of the above described real estate
10	240215432	The East 185 feet of the South 280 feet of the North 325 feet of Tract 1, EXCEPT the East 15 feet of said Tract 1 deeded to the State of Nebraska by Warranty Deed recorded in Book 140, Page 10, Wal-Mart Subdivision according to the recorded Plat thereof, City of Lexington, Dawson County, Nebraska, and described by metes and bounds as follows: Commencing at the Northeast corner of said Tract 1, Wal-Mart Subdivision (as platted); thence S 89°08'00" W, 15.0 feet along the North line of said Tract 1 (as platted) to the West right-of-way of Plum Creek Parkway (U.S. Highway 283) as defined in Book 140, Page 10; thence S 0°00'00" W, 45.01 feet along said West right-of-way to the POINT OF BEGINNING; thence continuing South 0°00'00" W, 280.00 feet along said West right-of-way; thence S 89°08'00" W, 185.00 feet; thence N 0°00'00" E, 280.00 feet; thence N 89°08'00" E, 185.00 feet to the POINT OF BEGINNING
11	240213351	Lots 3, 4, 5 and 7, Cattlemen's Addition to the City of Lexington, Dawson County, Nebraska; and all Grantor's rights and interest in the Easement for Use of Public Right-of-Way recorded August 16, 2002 as Instrument 2002-3427 in the office of the Register of Deeds in Dawson County, Nebraska
12	240213378	Lot 1, Cattlemen's Addition to the City of Lexington, Dawson County, Nebraska; and all Grantor's rights and interest in the Easement for Use of Public Right-of-Way recorded August 16, 2002 as Instrument 2002-3427 in the office of the Register of Deeds in Dawson County, Nebraska
13	240213386	Lot 2, Cattlemen's Addition to the City of Lexington, Dawson County, Nebraska; and all Grantor's rights and interest in the Easement for Use of Public Right-of-Way recorded August 16, 2002 as Instrument 2002-3427 in the office of the Register of Deeds in Dawson County, Nebraska
14	240218884	The East 160 feet of Lot 6, Cattlemen's Addition to the City of Lexington, Dawson County, Nebraska; and all Grantor's rights and interest in the Easement for Use of Public Right-of-Way recorded August 16, 2002 as Instrument 2002-3427 in the office of the Register of Deeds in Dawson County, Nebraska
15	240213394	All of Lot 6, EXCEPT the East 160 feet thereof, Cattlemen's Addition to the City of Lexington, Dawson County, Nebraska; and all Grantor's rights and interest in the Easement for Use of Public Right-of-Way recorded August 16, 2002 as Instrument 2002-3427 in the office of the Register of Deeds in Dawson County, Nebraska

EXHIBIT "C"
MAP OF AMENDMENT TO REDEVELOPMENT AREA #1

HANNA:KEELAN ASSOCIATES, P.C.



CONTEXT MAP

REDEVELOPMENT AREA #1, PROPOSED, REVISED
LEXINGTON, NEBRASKA

