

RESOLUTION NO. 07-12

A RESOLUTION FOR THE CITY OF LEXINGTON, NEBRASKA, MAKING A DETERMINATION OF A BLIGHTED AND SUBSTANDARD AREA IN THE CITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Lexington, Nebraska, (the "City") by its Ordinance passed and approved, created the Community Redevelopment Authority of the City of Lexington, Nebraska (the "Authority") pursuant to Sections 18-2101 through 18-2153, Reissue Revised Statutes of Nebraska, as amended (the "Act");

WHEREAS, the City has adopted and has in place a Comprehensive Plan, which includes a general plan for development of the City, within the meaning of Section 18-2110 of the Act;

WHEREAS, the City has received the recommendation of the Lexington Planning Commission after review pursuant to Section 18-2109 of the Act; and

WHEREAS, the Notice of Public Hearing has been published two (2) consecutive weeks in the legal newspaper for the City, the second publication being at least ten (10) days prior to the Public Hearing held February 27, 2007 before the Lexington City Council, and copies of said notice have been sent by first class mail to the president or chairperson of the governing body of Dawson County, Dawson County School District #1, Central Community College, Educational Service Unit #13, and the Central Platte Natural Resources District; and

WHEREAS, after public hearing, it is hereby determined that the area described in "Exhibit A" as attached is substandard and blighted as defined by Section 18-2103 of the Act, and is in need of redevelopment.

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

1. RESOLVED, that the area described in "Exhibit A" as attached, is hereby found and declared to be a blighted and substandard area as defined by Section 18-2103, R.R.S. 1943, subsections (10) and (11), in that said area meets the criteria described in subsection (10) and meets one or more of the factors set forth in (i) through (iv) of subsection (11)(b) and that said area is in need of redevelopment.
2. 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.

3. That it is hereby found and determined that said area is an eligible site for a redevelopment project under the provisions of Chapter 18, Article 21, Nebraska Revised Statutes of 1943 as amended.
4. That any Resolution passed and approved prior to the passage, approval and publication of the Resolution which is in conflict with the terms and provisions of this Resolution is hereby repealed. This Resolution shall take effect and be in full force and effect from and after its passage, approval and publication as required by law. The provisions of this Resolution are separable, and invalidity of any phrase, clause or part of this Resolution shall not affect the validity or effectiveness of the remainder of this Resolution.

PASSED AND APPROVED, this 27th day of February, 2007.

CITY OF LEXINGTON, NEBRASKA



Mayor

John H. Fyfe

Pamela D. Berke

Deputy City Clerk

EXHIBIT A

LEGAL DESCRIPTION—REDEVELOPMENT AREA #5—CITY OF LEXINGTON

Beginning at the intersection of the center line of the Union Pacific Railroad Right-of-Way and the west extended line of the Plum Creek Parkway, thence south along said west line and continuing along the west line of the Plum Creek Parkway to its intersection with the south line of Ash Street, thence west along said south line to its intersection with the west line of Washington Street, thence north along said west line to its intersection with the south line of Oak Street, thence west along said south line to its intersection with the east line of Adams Street, thence south along said east line to its intersection with the northern line of the Dawson County Drainage Canal, thence northwesterly along said northern line to its intersection with the east line of West Acres 2nd Addition (also known as Hayden Lane), thence north along said east line to its intersection with the south line of Spruce Street (also the Corporate Limit Line), thence north along an extended line of the east line of West Acres 2nd Addition, crossing Spruce Street and continuing north along the west line of Lot 18 Block “F” of the Price’s Addition, thence continuing north along the west line of Lot 11 of said block and Addition, crossing Elm Street and continuing north along said extended west line to the north line of Prices Addition, thence east along said north line to its intersection with the west line of C.L. Ervins Subdivision, thence north along said west line to its intersection with the south line of the Union Pacific Railroad Right-of-Way, thence southeasterly along said south line to its intersection with the west line of Madison Street, thence north along the extended west line to its intersection with the center line of the Union Pacific Railroad Right-of-Way, thence southeasterly along said center line to its intersection with the west extended line of the Plum Creek Parkway, also known as the point of beginning, all located within or adjacent to the City of Lexington, Dawson County, Nebraska.