

**RESOLUTION NO. 2015-17**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA APPROVING AN AMENDED REDEVELOPMENT PLAN AND RELATED MATTERS.**

**WHEREAS**, the city of Lexington, Nebraska, a municipal corporation (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 **Exhibit A** attached hereto (the “**Redevelopment Project Area**”) to be blighted and substandard and in need of redevelopment pursuant to the Act; and

**WHEREAS**, the Community Development Agency of Lexington, Nebraska (the “**Community Development Agency**”) has prepared an Amended Redevelopment Plan (the “**Redevelopment Plan**”), in the form attached hereto as **Exhibit B**, for the redevelopment of the Redevelopment Project Area; and

**WHEREAS**, the Community Development Agency and the Planning Commission of the City (the “**Planning Commission**”) have both reviewed the Redevelopment Plan and recommended its approval by the Mayor and City 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 CITY COUNCIL OF THE CITY OF LEXINGTON, 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 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 Community Development Agency, 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 (b) 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 Agency 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 is January 1, 2001. 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, paid into a special fund of the Agency 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 Agency 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 Agency 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 Mayor and Clerk are hereby 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.

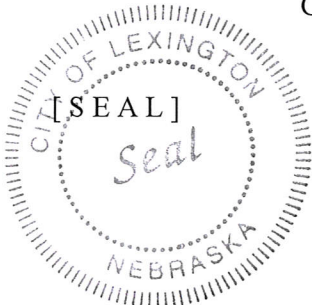
**PASSED AND APPROVED** this 27<sup>th</sup> day of October, 2015.

**CITY OF LEXINGTON, NEBRASKA**

ATTEST:

By: *Pamela Baruth*  
Clerk

By: *John H. Feyer*  
Mayor



**Exhibit A**  
**Redevelopment Project Area**

Lot 1, Holiday Plaza Subdivision as surveyed, platted and recorded, now being a part of the City of Lexington, all in Dawson County, Nebraska; and

Lot 2, Holiday Plaza Subdivision as surveyed, platted and recorded, now being a part of the City of Lexington, all in Dawson County, Nebraska; and

Lot 3, Holiday Plaza Subdivision as surveyed, platted and recorded, now being a part of the City of Lexington, all in Dawson County, Nebraska; and

The south 30 feet of a tract of land in the Northeast Quarter of the Southwest Quarter of Section 17, Township 9 North, Range 21 West of the 6<sup>th</sup> P.M. and within the City of Lexington, Dawson County, Nebraska, more particularly described as follows: Referring to the center-south sixteenth corner of said Section 17; thence N 00°34'13" E (an assumed bearing and all bearings shown herein are relative thereto) on the East line of the Southwest Quarter of said Section 17, a distance of 1000.00 feet; thence westerly on the South line of a tract of land previously surveyed by Gary Donnelson, LS 292, filed in the Office of the Dawson County Surveyor of Lexington, Nebraska, a distance of 85.01 feet to the point of beginning; thence continuing on the aforementioned South line, a distance of 414.74 feet; thence N 00°43'12" W on the West line of said surveyed tract, a distance of 174.79 feet; thence S 89°22'16" E, a distance of 414.70 feet; thence S 00°34'13" W on the westerly right-of-way line of State Highway No. 283 and parallel to the East line of said Southwest Quarter, a distance of 169.63 feet to the Place of Beginning. Said tract contains 1.64 acres, more or less.

**Exhibit B**  
**Amended Redevelopment Plan**