

RESOLUTION NO. 2013-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA, MAKING FINDINGS AND DECLARING PORTIONS OF THE CITY TO BE BLIGHTED AND SUBSTANDARD PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT; ORDERING PUBLICATION OF NOTICE AND OTHER MATTERS.

WHEREAS, it is desirable and in the public interest that the City of Wayne, Nebraska, a Municipal Corporation and City of the First Class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 19423 as amended, known as the Community Development Law, is the Urban Renewal and Redevelopment Law for the State of Nebraska and prescribes the requirements and procedures for the planning implementation of urban redevelopment projects; and

WHEREAS, the City, in accordance with the Laws of the State of Nebraska applicable to Cities of the First Class, has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943 as amended; and

WHEREAS, the Planning and Zoning Commission of the City has recommended that the area described in Attachment "A" be declared blighted and substandard and in need of redevelopment; and

WHEREAS, this Council has held a public hearing, after notice as required by Sections 18-2109 and 18-2115, R.R.S. 1943, as amended, and has received and duly considered evidence relating to the present condition of the areas as shown and described on Attachment "A"; and

WHEREAS, Section 18-2109 R.R.S. 1943, as amended, required that prior to the preparation by the City of a redevelopment plan for a redevelopment project, this Council as governing body of the City, by Resolution, finds and determines that the area is a substandard and a blighted area as defined in said Urban Renewal and Redevelopment Law and in need of redevelopment; and

WHEREAS, the evidence demonstrates that said area, as shown and described on Attachment "A", constitutes a substandard and blighted area as defined in said Community Development Law, which area is in need of redevelopment;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, as follows:

1. That it is hereby found and determined that the area shown and described on Attachment "A" constitutes a substandard and blighted area as defined by Section 18-2103, R.R.S., 1943, as amended, and that said area is in need of redevelopment.
2. That it is hereby found and determined that a substandard and blighted condition exists as set forth and discussed in Attachment "A", "Blight and Substandard Area Determination Study."
3. That such substandard and blighted condition is beyond the remedy and control solely by regulatory process and 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.
4. That it is hereby found and determined that said area is an eligible site for an urban redevelopment project under the provisions of Chapter 18, Article 21, Revised Statutes of 1943, as amended.
5. That the City Clerk is directed to publish notice, according to law, inviting proposals from developers for the redevelopment of the area described on Attachment "A".
6. That the City Clerk shall refer all such proposals to the Planning and Zoning Commission of the City for their recommendation, on receipt of such proposals and publish notice of hearing thereon, as is required by the Community Development Law.

PASSED AND APPROVED this 6th day of August, 2013.

THE CITY OF WAYNE, NEBRASKA,

By: _____

Mayor

ATTEST:

City Clerk

EXHIBIT “A”

The study area identified on the above map includes portions of the following properties: Tax Lot 17-18-63 PT SE 1/4NW1/4 Wayne Tracts 18-26-4, Tax Lot 65 PT S1/2NW1/4 Wayne Tracts 12-26-4, and Fletcher & Feeders Subdivision Block 2 (tax lot 427800). The public street areas and street right-of-ways included are South Windom Street and Fairgrounds Avenue. The area which contains five grain bins is excluded from the area.