

**RESOLUTION NO. 2013-113**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WAYNE,  
NEBRASKA APPROVING A REDEVELOPMENT PLAN; AND RELATED MATTERS**

**WHEREAS**, the City of Wayne, Nebraska, a municipal corporation has determined it to be desirable to 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**, the Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised of 2012, as amended (the “**Act**”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects; and

**WHEREAS**, the City has previously declared an area of the City to be blighted and substandard and in need of redevelopment pursuant to the Act; and

**WHEREAS**, the Community Development Agency of the City of Wayne, Nebraska (the “**Agency**”) received a Redevelopment Plan as contained in a Redevelopment Contract, pursuant to Section 18-2111 of the Act.

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

1. The Redevelopment Plan, as contained in the Redevelopment Contract in the form attached to this Resolution as Exhibit A, is hereby determined to be feasible and in conformity with the general plan for the development of the City of Wayne as a whole, and the Redevelopment Plan is in conformity with the legislative declarations and determinations set forth in the Act;

2. The Mayor and City Council specifically find, as follows:

(a) The project described in the redevelopment contract and plan attached hereto would not be economically feasible without the use of tax-increment financing;

(b) The project would not occur in the Redevelopment Area without the use of tax-increment financing; and

(c) The costs and benefits of the Project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the governing body and have been found to be in the long-term best interests of the community impacted by the project.

3. Approval of the Redevelopment Plan is hereby approved, ratified and affirmed, and the Agency is hereby authorized to execute the Redevelopment Contract and implement the Redevelopment Plan in accordance with the Act, with such amendments and revisions as are appropriate.

4. Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property described herein, shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be established in the bond resolution related to the project redevelopment contract as to the following described real estate, to wit:

The East 60 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska.

The West 90 feet of Lots 1, 2, 3, 4, 5, and 6, Block 5, College Hill Addition to Wayne, also referred to as College Hill First Addition to Wayne, Wayne County, Nebraska.

The vacated portion of North Pearl Street lying North of West 13<sup>th</sup> Street and abutting on Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, and terminating at the northern edge of Blocks 5 and 6, College Hill Addition to Wayne, Wayne County, Nebraska, being 80 feet by 180 feet.

Said tax shall be divided, as follows:

a. That portion 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 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 portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated 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 on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Agency for financing or refinancing, in whole or in part, a redevelopment 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 such redevelopment project shall be paid into the funds of the respective public bodies.

5. The Mayor and Clerk are authorized and directed to execute and deliver to the County Treasurer and Assessor, the Notice to Divide Tax with the appropriate description of real estate, as established pursuant to the bond resolution related to the Redevelopment Contract and Redevelopment Plan.

**PASSED AND APPROVED** this 5<sup>th</sup> day of November, 2013.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
City Clerk

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF BLIGHTED AND SUBSTANDARD AREA**

Beginning at the southeast corner of Lot 20, Block 22, College Hill First Addition; thence continuing north along the west alley right of way of Block 22 and Block 19 to the southeast corner of Lot 12, Block 9, College Hill First Addition; thence continuing east along the north right of way of 12<sup>th</sup> Street to the southeast corner of Lot 13, Block 9, College Hill First Addition; thence continuing north along the west right of way of Pearl Street to the northeast corner of Lot 4, Block 9, College Hill First Addition; thence continuing east across Pearl Street and the north boundary of Lot 9, Block 10, College Hill First Addition to the northeast corner of Lot 9, Block 10, College Hill First Addition; thence continuing north along the west right of way of the alley of Block 10 to the northeast corner of Lot 1, Block 10, College Hill First Addition; thence continuing west along the north boundary of Lot 1, Block 10, College Hill Addition to the northeast corner of Lot 24, Block 9, College Hill First Addition; thence continuing north along the east boundary of Block 6 to the northeast corner of Block 6 College Hill First Addition; thence continuing east along the north boundary of Block 5 College Hill First Addition to the northeast corner of Block 5 College Hill First Addition; thence continuing south along the east boundary of Blocks 5, 10, and 18 College Hill First Addition (west right of way of Highway 15/Main Street) to the northeast corner of Block 23 College Hill First Addition; thence continuing west along the north boundary of Lot 40, Block 23, College Hill First Addition to the northwest corner of Lot 40, Block 23, College Hill Addition; thence continuing south along the east right of way of the alley of Block 23 College Hill Addition to the southwest corner of Lot 21, Block 23, College Hill First Addition; thence continuing west along the south boundary of Lot 20, Block 23, and Lot 21, Block 22, of College Hill First Addition until reaching the point of beginning at the southeast corner of Lot 20, Block 22, College Hill First Addition.

The study area identified on the above map includes portions of the following properties:

College Hill First Addition Block 5 and 80'X180' vacated North Pearl Street and abutting Blocks 5 and 6, plus to the centerline of adjoining 13<sup>th</sup> Street.

College Hill First Addition Block 10, including Lots 9 through 24, entire alley right of way, and to the centerline of adjoining 12<sup>th</sup> and Pearl Streets.

College Hill First Addition Block 19, including Lots 13 through 24, entire alley right of way, and to the centerline of adjoining Pearl 11<sup>th</sup>, and 12<sup>th</sup> Streets.

College Hill First Addition Block 18, entire alley right of way, and to the centerline of adjoining Pearl, 11<sup>th</sup>, and 12<sup>th</sup> Streets.

College Hill First Addition Block 22, including Lots 1 through 20, entire alley right of way, and center line of adjoining Pearl and 11<sup>th</sup> Street.

College Hill First Addition Block 23, including Lots 21 through 40, entire alley right of way, and to the centerline of adjoining 11<sup>th</sup> and Pearl Streets.

**EXHIBIT B**

**FORM OF REDEVELOPMENT PLAN  
(Redevelopment Contract)**