

COMMUNITY DEVELOPMENT AGENCY

RESOLUTION NO. 2008-

**RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF WAYNE, NEBRASKA, RECOMENDING APPROVAL OF A
REDEVELOPMENT CONTRACT.**

WHEREAS, this Community Redevelopment Agency of the CITY OF WAYNE, Nebraska ("Agency"), has pursuant to Section 18-2119 of the Nebraska Community Development Law (the "Act"), solicited proposals for redevelopment of an area within the City limits of the CITY OF WAYNE; and

WHEREAS, the Agency has considered all of the redevelopment proposals and financial and legal ability of the prospective redevelopers to carry out their proposals;

WHEREAS, the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to accept the redevelopment contract proposal submitted in the form of the proposed redevelopment contract attached hereto;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Agency recommends the adoption and approval of the Redevelopment Plan contained in the Redevelopment Contract attached to this Resolution with Windom Ridge, LLC.
2. The Agency has conducted a cost benefit analysis of the project, provided in "Redevelopment Plan" attached to the Redevelopment Contract, and finds no adverse impact on the City, employers or taxing entities affected by the project.

PASSED AND APPROVED this 16th day of September, 2008.

COMMUNITY DEVELOPMENT

AGENCY OF THE CITY OF WAYNE,

NEBRASKA.

By _____

Chairperson

ATTEST:

Secretary

Attachment A

(Attach copy of Redevelopment Contract here)

RESOLUTION NO. 2008-85

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF WAYNE, NEBRASKA, APPROVING A REDEVELOPMENT PLAN AS CONTAINED IN A REDEVELOPMENT CONTRACT; MAKING FINDINGS WITH REGARD TO SUCH PLAN AND APPROVING OTHER ACTION THEREON.

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 Nebraska Community Development Law, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1943, 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 substandard and blighted and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Development Agency of the City of Wayne, Nebraska, (the Agency) has prepared 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 thereto 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 directed 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 January 1, 2009 as to the following described real estate, to wit:

Lots 10 & 11, Block 2, John Lake's Addition to the City of Wayne, Wayne County, Nebraska.

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 Chairman and Clerk are authorized and directed to execute and deliver, from time to time, to the County Clerk, Treasurer and Assessor, the Notice of Allocation of Taxes with the appropriate description of real estate, as established pursuant to the Redevelopment Contract and Redevelopment Plan.

PASSED AND APPROVED this 16th day of September, 2008.

THE CITY OF WAYNE, NEBRASKA

By _____

Mayor

ATTEST:

City Clerk

Exhibit A

(Attach a copy of Redevelopment Contract here)

WAYNE PLANNING AND ZONING COMMISSION

RESOLUTION NO. _____

A RESOLUTION OF THE WAYNE PLANNING AND ZONING COMMISSION, MAKING RECOMMENDATIONS WITH RESPECT TO A REDEVELOPMENT PLAN FOR AN AREA IN THE CITY OF WAYNE PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT ACT.

WHEREAS, the Mayor and City Council of the City of Wayne, Nebraska, (the "City") by its Ordinance, created the Community Development Agency of the City of Wayne, Nebraska (the "Agency") 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, Windom Ridge, LLC, submitted a proposed Redevelopment Plan as contained in the Redevelopment Contract (a copy of which is identified as "Redevelopment Contract" attached hereto as Attachment A) to this Planning Commission of the City of Wayne for recommendations with respect to the proposed Redevelopment Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE WAYNE PLANNING AND ZONING COMMISSION, AS FOLLOWS:

RESOLVED, that the Planning Commission hereby makes the following findings with respect to the Redevelopment Plan:

1. The Planning Commission has reviewed the Redevelopment Plan as to its conformity with the general plan for the development of the City as a whole; and
2. The Planning Commission confirms that the area described in the Redevelopment Plan and the Redevelopment Contract is blighted and substandard as defined in the Nebraska Community Development Law.
3. The Planning Commission finds that the Redevelopment Contract and Redevelopment Plan, if implemented will help eliminate blight and substandard conditions in the area affected by the Plan.

4. The Planning Commission recommends the adoption and approval of the Redevelopment Plan, as contained in the Redevelopment Contract attached hereto as Attachment A, with such amendments, additions and deletions as are deemed necessary by the Agency.

PASSED AND APPROVED by the Wayne Planning and Zoning Commission this _____ day of September, 2008.

WAYNE PLANNING

AND ZONING COMMISSION

Commission Member

Attachment "A"

Notice of public hearing.

Notice is hereby given that the City Council of the City of Wayne will hold a public hearing on a redevelopment plan for the real estate described in this notice, pursuant to the Nebraska Community Development Law.

The hearing will be held in the Council Chambers at City Hall in Wayne, Nebraska, on the _____ day of September, 2008, at the hour of ____:00 p.m.

The property affected by this notice is described as follows:

Lots 10 & 11 Block 2 John Lake's Addition to the City of Wayne, Wayne County, Nebraska.

A copy of the proposed plan is on file in the office of the City Clerk.

All interested parties shall be afforded at such public hearing a reasonable opportunity to express their views respecting the proposed redevelopment plan.

City Clerk

Please publish 2 times and provide proof of publication to the City of Wayne..

NOTICE MUST BE 7 DAYS APART AND HEARING MUST BE AT LEAST 10 DAYS AFTER LAST

PUBLICATION!!!!!!!!!!!!!!

[This letter to be used only for notice of hearing on the redevelopment plan]

[Date]

[Address]

Dear _____:

Enclosed, please find a copy of a published notice of public hearing under the Nebraska Community Development Law. The hearing will be held on the ____ day of September, 2008, at the hour of ____:00 p.m., in the City Council Chambers in the city hall in Wayne.

The purpose of the hearing is to receive comments on a proposed redevelopment plan for purposes of the Community Development Law. A map of the area affected is enclosed with this letter.

This notice is provided to your organization pursuant to law.

Yours truly,

[Title of signatory]

This notice must be mailed first class postage prepaid, or by certified mail, **at least 10 days prior to the hearing to:**

1. All registered neighborhood associations whose area of representation is located in whole or in part within a one mile radius of the area to be redevelop the period
2. The chairperson of the county board.
3. The president of the school district.
4. The president of the community college.
5. The chairman or president of the educational service unit.
6. The president or chairperson of the natural resource district.

The mailed notice must include a map of sufficient size to show the area to be redeveloped.

