

Wayne, Nebraska
June 1, 2010

A special meeting of the Community Development Agency (the “**Agency**”) of the City of Wayne, Nebraska (the “**City**”) was held on Tuesday, June 1, 2010, at 5:30 p.m., at Wayne City Hall, 306 North Pearl Street, Wayne, Nebraska, the same being open to the public and preceded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska, as amended, as set forth on **Exhibit A** attached hereto stating (a) the time, date and place of the meeting, (b) that the meeting would be open to the attendance of the public and (c) that an agenda for the meeting, kept continuously current, was available for public inspection at the offices of the City Clerk at Wayne City Hall, 306 North Pearl Street, Wayne, Nebraska. Each member of the Agency was also given advance notice of the meeting as acknowledged on **Exhibit B** attached hereto. Additionally, reasonable efforts were made to provide advance notice of the time, date and place of the meeting to all news media requesting the same.

The Chair, Ken Chamberlain, presided, and the Clerk, Betty McGuire, recorded the proceedings. The meeting was called to order and on roll call the Mayor and the following Agency members were present: Jim Van Delden, Jon Haase, Dale Alexander, Lois Shelton, and Kaki Ley; the following Agency Members were absent: Brian Frevert, Doug Sturm, and Kathy Berry. A quorum being present and the meeting duly commenced, the following proceedings were had and done while the meeting was open to the attendance of the public. The Mayor publicly announced the location of a current copy of the Open Meetings Act posted in the meeting room for access by the public.

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(Omitted Proceedings)

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Agency Member Shelton introduced CDA Resolution No. 2010-1 titled as follows and moved its passage and approval by the Agency:

CDA RESOLUTION NO. 2010-1

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN AMENDMENT FOR THE WESTERN RIDGE SINGLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS

Agency Member Ley seconded the motion. On roll call vote, the following Agency Members voted in favor of the motion: Van Delden, Haase, Alexander, Shelton, and Ley; the following Agency Members voted against the motion: none; and the following Agency Members were absent or did not vote: none. The passage of CDA Resolution No. 2010-1 having been agreed upon by a majority of the Agency, the Mayor declared CDA Resolution No. 2010-1 passed and, in the presence of the Agency, signed and approved CDA Resolution No. 2010-1, and the Clerk attested to its passage by affixing her signature thereto. A true and complete copy of CDA Resolution No. 2010-1 is attached hereto as **Exhibit C**.

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(Other Proceedings)

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There being no further business to come before the Agency at the meeting, on motion duly made, seconded and carried by unanimous vote, the meeting was adjourned.

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WAYNE, NEBRASKA**

By: _____
Clerk

EXHIBIT A

**AFFIDAVIT OF PUBLICATION
OF NOTICE OF MEETING**

EXHIBIT B

**ACKNOWLEDGEMENT OF RECEIPT OF
ADVANCE NOTICE OF MEETING**

**ACKNOWLEDGMENT OF RECEIPT OF
ADVANCE NOTICE OF MEETING**

We, the undersigned, the Mayor and each Member of the Community Development Agency (the “Agency”) of the City of Wayne, Nebraska (the “City”), hereby acknowledge having received advance notice of the special meeting of the Agency and the agenda for the same held on Tuesday, June 1, 2010, at 5:30 p.m., at Wayne City Hall, 306 North Pearl Street, Wayne, Nebraska.

DATED: June 1, 2010.

Mayor

Member

EXHIBIT C

RESOLUTION NO. _____

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WAYNE, NEBRASKA**

CDA RESOLUTION NO. 2010-1

A RESOLUTION RECOMMENDING APPROVAL OF A REDEVELOPMENT PLAN AMENDMENT FOR THE WESTERN RIDGE SINGLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT PROJECT IN THE CITY OF WAYNE, NEBRASKA; AND APPROVAL OF RELATED ACTIONS.

WHEREAS, the Mayor and Council of the City of Wayne, Nebraska (the “**City**”), upon the recommendation of the Planning Commission of the City of Wayne, Nebraska (the “**Planning Commission**”), and in compliance with all public notice requirements imposed by the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), duly declared the redevelopment area legally described on **Exhibit A** attached hereto (the “**Redevelopment Area**”) to be blighted and substandard and in need of redevelopment; and

WHEREAS, pursuant to and in furtherance of the Act, a Redevelopment Plan Amendment (the “**Plan Amendment**”), has been prepared by the Agency in the form attached hereto as **Exhibit B**, for the purpose of redeveloping that portion of the Redevelopment Area legally described on **Exhibit C** (the “**Project Area**”); and

WHEREAS, pursuant to the Redevelopment Plan Amendment, the Agency would agree to pledge incremental ad valorem real property taxes for payment on the principal and interest on that TAX INCREMENT REVENUE BOND OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA (Western Ridge II Subdivision Project) SERIES 2009 A which indebtedness was incurred to pay for certain infrastructure installed by the City (the “**Project**”), in accordance with and as permitted by the Act; and

WHEREAS, the Agency has made certain findings and pursuant thereto has determined that it is in the best interests of the Agency and the City to enter to adopt the Redevelopment Plan Amendment and to carry out the transactions contemplated thereby.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WAYNE, NEBRASKA AS FOLLOWS:

Section 1. The Agency has determined that the proposed land uses and building requirements in the Project Area are designed with the general purposes of accomplishing, and in conformance with the general plan of the City, 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.

Section 2. The Agency has conducted a cost benefit analysis for the Project in accordance with

the Act, and has found and hereby finds that the Project would not have been economically feasible without the use of tax increment financing, the Project would not have occurred in the Project Area without the use of tax increment financing and 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 and have been found to be in the long term best interests of the community impacted by the Project.

Section 3. The Agency hereby recommends that the Mayor and City Council approve the Redevelopment Plan Amendment attached hereto as Exhibit B.

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 this Resolution.

Section 5. All prior resolutions of the Agency in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 6. This resolution shall be in full force and effect from and after its passage and approval.

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PASSED AND APPROVED this 1st day of June, 2010.

**COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WAYNE NEBRASKA**

ATTEST:

By: _____
Chair

By: _____
Clerk

EXHIBIT A

LEGAL DESCRIPTION OF BLIGHTED AND SUBSTANDARD AREA

Lots One through 48, inclusive, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska.

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EXHIBIT B

**REDEVELOPMENT PLAN
Amendment No. 2**

**WESTERN RIDGE SINGLE FAMILY RESIDENTIAL
PLANNED UNIT DEVELOPMENT PROJECT**

This plan amendment is to pledge Lot 15, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska, with an effective date of January 1, 2011, for division of taxes pursuant to §18-2147 to the payment of 2009 Bonds previously issued by the Community Development Agency.

EXHIBIT C

LEGAL DESCRIPTION OF PROJECT AREA

Lot 15, Western Ridge II Addition to the City of Wayne, Wayne County, Nebraska.

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