

RESOLUTION NO. 2017-61

**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 and city of the first class (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 Area”) to be blighted and substandard and in need of redevelopment pursuant to the Act; and

WHEREAS, the Community Redevelopment Authority of the City of Wayne, Nebraska (the “Authority”) has received a Redevelopment Plan (the “Redevelopment Plan”) prepared by the Authority, in the form attached hereto as **Exhibit B**, for the redevelopment of the Redevelopment Area; and

WHEREAS, the Authority and the Planning Commission of the City (the “Planning Commission”) have both reviewed the Redevelopment Plan and recommended its approval by the Mayor and 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.

WHEREAS, the City Council previously passed a motion modifying the Redevelopment Plan on the 20th day of June, 2017.

WHEREAS, the City Council wishes to rescind the motion modifying the redevelopment plan and approve the Redevelopment Plan as presented;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF WAYNE, NEBRASKA:

Section 1. The motion adopted by the City Council on June 20, 2017 modifying the Redevelopment Plan is hereby rescinded.

Section 2. The Redevelopment plan, as presented, is 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 Authority, that (a) the redevelopment project described in the Redevelopment Plan would not be economically feasible and would not occur within 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. The City acknowledges receipt of the recommendations of the Authority and the Planning Commission with respect to the Redevelopment Plan.

Section 3. The Redevelopment Plan is hereby approved in substantially the form attached hereto.

Section 4. In accordance with Section 18-2147 of the Act, the City hereby provides that any ad valorem tax on the real estate described in the Redevelopment Plan for the benefit of any public body be divided for a period of 15 years after the effective date as provided in Section 18-2147 of the Act, which effective date shall be determined in a Redevelopment Contract and amendments entered into between the Redeveloper and the Authority. 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 Authority 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 Authority 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 Authority 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 5. 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 6th day of July, 2017.

CITY OF WAYNE, NEBRASKA

ATTEST:

By: _____
Mayor

By: _____
Clerk

[S E A L]

EXHIBIT A

LEGAL DESCRIPTION OF REDEVELOPMENT PROJECT AREA

All lots and lands in Bencoter Addition Planned Unit Development Replat 2 and Bencoter Addition Planned Unit Development Replat 3 to the City of Wayne, Wayne County, Nebraska, together with Tomar Drive, Mando Drive, Fourth Street and Rugby Drive adjoining such lots.

EXHIBIT B

FORM OF REDEVELOPMENT PLAN