



**RESOLUTION NO. 1598**  
**Declaring Portions of the City Blighted and Substandard**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MINDEN, 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 Minden, Nebraska, a municipal corporation and City of second 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 1943, 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 and implementation of urban redevelopment projects; and

WHEREAS, the City in accordance with the laws of the State of Nebraska applicable to cities of the second 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; 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, on March 18<sup>th</sup>, 2013 at 6:15 PM, a Meeting of the Mayor and City Council of the City of Minden, Nebraska, was held in the Council Chambers of the City of Minden, in order to conduct a public hearing, after notice as required by Sections 18-2109 and 18-2115, R.R.S. 1943, 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, shall find and determine that the area is a substandard and 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 City of Minden, Kearney County, Nebraska, that the following area, described in Attachment "A", located in the City of Minden, Kearney County, Nebraska, is hereby declared to be a substandard area in need of redevelopment pursuant to the Community Development Law, in that conditions which now exist in said area meet the criteria set forth in Neb. Stat. § 18-2103 (10) and 17-405.01 (2) as described and set forth in the Blight and Substandard Determination Study received by the City; and

**BE IT FURTHER RESOLVED** that the above described area is hereby declared to be a blighted area in need of redevelopment pursuant to the Community Development Law, in that conditions which now exist in said area which meet one or more of the factors set forth in Neb. Rev. Stat § 18-2103 (11)(a) and at least one of the factors set forth in (i) through (iv) of Neb. Rev. Stat § 18-2103 (11)(b), and 17-405.01 (2) as described and set forth in the Blight and Substandard Determination Study received by the City; and

**BE IT FURTHER RESOLVED** that such substandard and blighted condition is beyond the remedy and control solely by regulatory process and the 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, and the elimination of said substandard and blighted condition under the authority of the Community Development Law is hereby found to be a public purpose and declared to be in the public interest; and

**BE IT FURTHER RESOLVED** that it is hereby found and determined that such substandard and blighted area is in need of redevelopment and is an eligible site for a development project under the provisions of the Community Development Law.

Councilmember Evans moved for the adoption of the foregoing Resolution.  
Councilmember Thompson seconded the motion.

On roll call the following voted Aye: Council Members Evans, Griess and Thompson.  
The following voted Nay: None. Abstention: Sumstine. The following were absent and not voting: none.

The passage of said Resolution having been consented to by a majority of the members of the City Council, the Mayor declared the Resolution passed and adopted, 1<sup>st</sup> day of April, 2013.



CITY OF MINDEN  
KEARNEY COUNTY, NEBRASKA

BY: /s/ Roger L. Jones  
Roger L. Jones, Mayor

ATTEST:

/s/ Matthew Cederburg  
Matthew Cederburg, City Administrator/Finance Director

APPROVED AS TO FORM:

/s/ Thomas G. Lieske  
Thomas G. Lieske, City Attorney

ATTACHMENT "A"

[Attach copy of Blight and Substandard Determination Study here]  
A copy is on file in the office of the City Clerk's Office.