

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
AUGUST 6, 2013 AGENDA**

Subject:	Type:	Submitted By:
84 TH STREET REDEVELOPMENT AREA – DECLARE NECESSITY OF ACQUIRING PROPERTY	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared for the Community Development Agency to declare the necessity of acquiring property within the 84th Street Redevelopment Area.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

On February 7, 2012, the City Council adopted Ordinance No. 1167 creating the La Vista Community Development Agency, governed by the Mayor and City Council and providing for actions of the Agency to be taken at City Council meetings.

Also on February 7, 2012, the City Council acting as the La Vista Community Development Agency adopted Resolution No. 12-012 which authorized the Mayor, on behalf of the Agency, to have a Redevelopment Plan prepared and submitted for review, hearings, recommendations and approvals in accordance with Nebraska Community Development Law.

On July 16, 2013, the City Council held a public hearing, after a recommendation from the Planning Commission, and the City Council and Community Development Agency adopted Resolutions No. 13-064 and 13-065 approving the Redevelopment Plan for the 84th Street Redevelopment Area. The City Council also held a public hearing and approved Ordinance No. 1195 to incorporate the Redevelopment Plan as an amendment to the Comprehensive Plan.

A resolution has now been prepared for the Community Development Agency to declare the necessity of acquiring property within the 84th Street Redevelopment Area.

RESOLUTION NO. _____

A RESOLUTION OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY DECLARING THE NECESSITY OF ACQUIRING PORTIONS OF THE 84TH STREET REDEVELOPMENT AREA

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council, as the governing body of the La Vista Community Development Agency, ("Agency") do hereby approve the following:

1. The acquisition of certain private property is hereby declared proper and necessary for the Initial Redevelopment Project described in the Redevelopment Plan for the 84th Street Redevelopment Area or for its purposes under the provisions of Neb. Rev. Stat. Sections 18-2101 through 18-2144. Said property necessary for such purposes is described as follows:
Description of Property: As described or depicted in Exhibit A incorporated herein by this reference ("Property").
2. The Agency is authorized and directed to negotiate through the City Administrator of the City of La Vista or her designees, or any combination thereof, with owners of, or any others having any interests in, the above-described Property for the acquisition of said Property, or any interests therein, for the aforesaid purposes and on satisfactory terms and conditions by the Agency. Upon failure to agree by negotiations with the owners of, or any others having any interests in, any of the above-described Property for the acquisition thereof by the Agency, the Agency through the City Administrator or her designees, subject to satisfactory financing and City approval, shall be authorized to acquire for the Agency any such Property, or any interests therein, not obtained by negotiation by proceedings in accordance with the laws of the State of Nebraska under the power of eminent domain.
3. Acquisition of any of the Property or any interest therein by the Agency shall be subject to approval of the governing body of the Agency in accordance with applicable law.
4. The City Administrator or her designees shall be authorized to take such further actions on behalf of the Agency as necessary or appropriate to carry out the actions approved herein, including without limitation, providing such notices to owners or others appearing to have an interest in or to any of the Property.

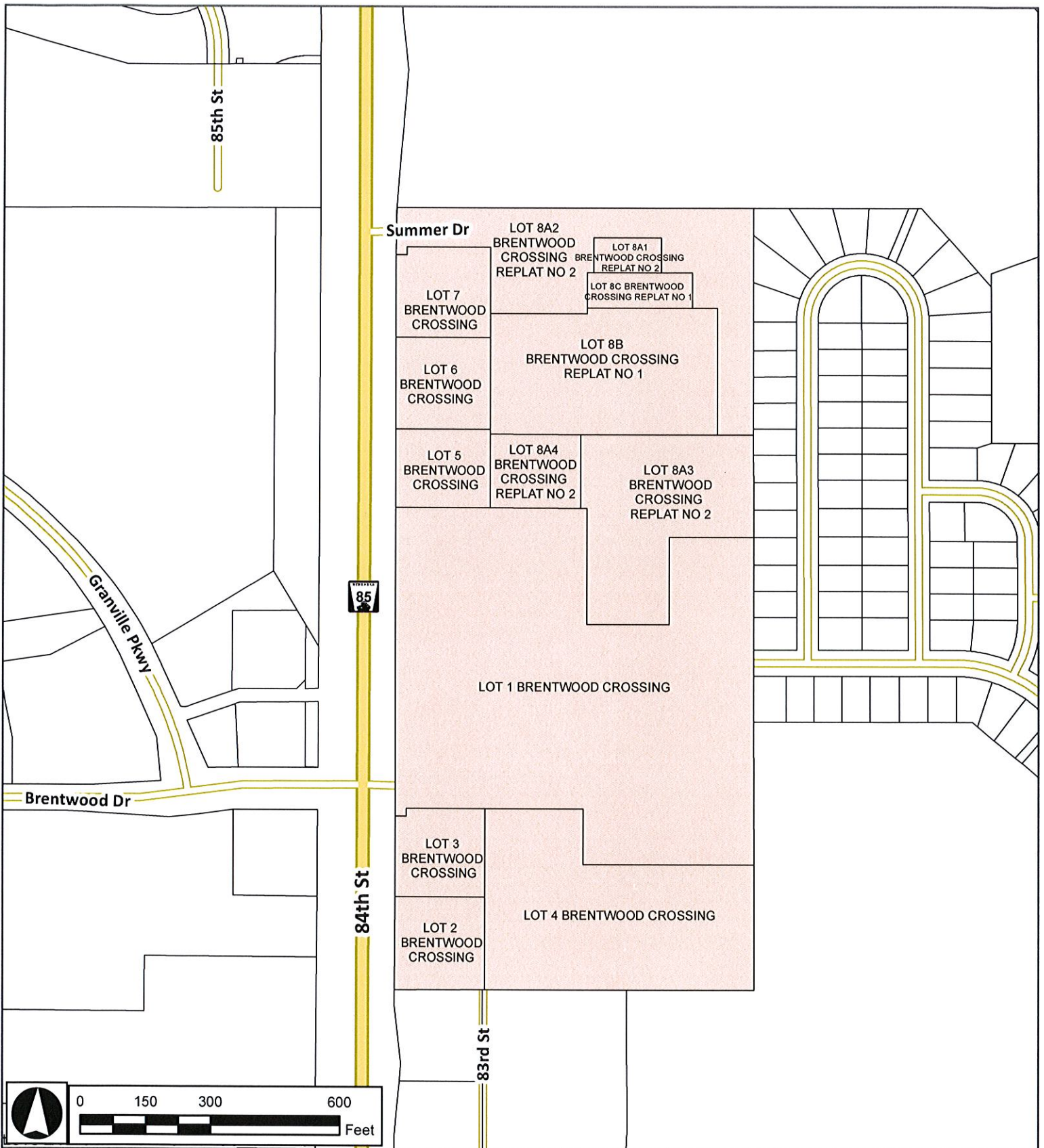
PASSED AND APPROVED THIS ____ DAY OF _____, 2013.

LA VISTA COMMUNITY DEVELOPMENT AGENCY

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



Legend


 Property to be Acquired

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EXHIBIT A – PAGE 2 of 2
PROPERTY TO BE ACQUIRED

; and including, without limitation, all areas within the development known as Brentwood Crossing and the following lots:

Lots 1 through 7, inclusive, Brentwood Crossing, a subdivision in Sarpy County, Nebraska;

Together with Lots 8B and 8C, Brentwood Crossing Replat No. 1, a subdivision in Sarpy County, Nebraska;

Together with Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, a subdivision in Sarpy County, Nebraska