

**COMMUNITY DEVELOPMENT AGENCY
LEXINGTON NEBRASKA
September 20, 2021**

A Regular Meeting of the Community Development Agency was held Monday, September 20, 2021, at Lexington City Hall, located at 406 East 7th Street, Lexington, Nebraska at 5:30 p.m. Members present were John Fagot, Seth McFarland, Gail Hall, Steve Smith, and Jason Fagot. Kory Cetak and Chris Denker were absent. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, City Attorney Brian Copley, Finance Director Barb Hodges and Secretary Pamela Baruth. The press was represented by the Clipper-Herald.

NOTICE: Notice of the meeting was given in advance notice, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the Agenda were available for public inspection.

CALL TO ORDER: The Meeting was called to order by Steve Smith who informed the public that the Open Meetings Act is posted in the Council Chambers at the Lexington City Hall, located at 406 E. 7th Street, Lexington, Nebraska.

MINUTES – REGULAR MEETING 8-16-2021: Minutes of the Regular meeting held Monday, August 16, 2021, were presented for consideration. Moved by John Fagot, seconded by Jason Fagot, to approve the minutes as presented. Roll call. Voting “aye” were Hall, McFarland, Jason Fagot, John Fagot, Smith. Motion carried.

RESOLUTION: Resolution No. 2021-09 was presented. Following discussion, moved by McFarland, seconded by Jason Fagot, to approve Resolution No. 2021-09. Roll call. Voting “aye” were Hall, John Fagot, Jason Fagot, McFarland, Smith. Motion carried.

RESOLUTION NO. 2021-09

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF
LEXINGTON, NEBRASKA AUTHORIZING THE CHAIRMAN TO CONVEY REAL
ESTATE TO PURCHASERS PURSUANT TO CERTAIN RESTRICTIONS;**

WHEREAS, the Community Development Agency of Lexington, Nebraska (the “Agency”), created pursuant to Nebraska Community Development Law (the “Act”), has the authority to convey real estate in accordance with said Act; and

WHEREAS, the Agency owns the real estate described in Exhibit “A” attached hereto and incorporated herein as if set forth verbatim (collectively known as the “Real Estate”); and

WHEREAS, the Agency deems it to be in the public interest and in furtherance of the purposes of the Act to convey the Real Estate to purchasers pursuant to certain restrictions;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE COMMUNITY
DEVELOPMENT AGENCY OF LEXINGTON, NEBRASKA:**

Section 1. The Chairman of the Agency is hereby authorized and directed on behalf

of said Agency to convey the Real Estate to purchasers pursuant to the conditions in Section 2 and to execute any and all documents necessary to effectuate the conveyance of said Real Estate.

Section 2. That purchasers may purchase the individual lots comprising said Real Estate for \$5,000.00 each. The purchasers must further agree to construct residential dwellings on said lots with construction to commence within six (6) months of acquisition.

PASSED AND APPROVED this 20th day of September, 2021.

RESTRICTIVE COVENANTS: Peplitsch reviewed draft restrictive covenants for lots owned by the CDA in the St. Ann's Second Addition. He noted these covenants are similar to other residential developments in the community. Following discussion, moved by John Fagot, seconded by McFarland, to approve the restrictive covenants for St. Ann's Second Addition as presented. Roll call. Voting "aye" were Hall, Jason Fagot, McFarland, John Fagot, Smith. Motion carried.

DEVELOPMENT AGREEMENT: Peplitsch reviewed a development agreement with the City of Lexington and Peque Roofing Inc. He explained the agreement would be for the construction of four residential homes on lots purchased in the Northwest Third Addition, at a reduced price based upon volume of construction. Following discussion, moved by Hall, seconded by Jason Fagot, to approve the development agreement with the City of Lexington and Peque Roofing, Inc. as presented. Roll call. Voting "aye" were John Fagot, McFarland, Jason Fagot, Hall, Smith. Motion carried.

ROUNDTABLE DISCUSSION: Peplitsch gave an update on current projects and upcoming agenda items.

ADJOURNMENT: There being no further business to discuss, Smith declared the meeting adjourned.

Respectfully submitted,
Pamela Baruth
CDA Secretary