

CITY OF LA VISTA
LA VISTA COMMUNITY DEVELOPMENT AGENCY REPORT
JANUARY 7, 2025 AGENDA

Subject:	Type:	Submitted By:
REDEVELOPMENT PLAN FOR THE 84 TH STREET REDEVELOPMENT AREA – AMENDMENT NO. 4	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled with respect to the proposed Redevelopment Plan for the 84th Street Redevelopment Area - Amendment No. 4 (“Amendment No. 4”). A proposed resolution is presented for the La Vista Community Development Agency (“Agency”) to recommend Amendment No. 4 to the City Council for approval.

FISCAL IMPACT

Funds are budgeted for public improvements and expenditures in the 84th Street Redevelopment Area, and such budgeted amounts, public improvements and expenditures are not modified by this Amendment No. 4.

RECOMMENDATION

Approval, subject to City Council adoption of a proposed amendment to the Comprehensive Development Plan to incorporate Amendment No. 4 into the Comprehensive Plan.

BACKGROUND

The Mayor and City Council in 2012 after satisfying all applicable requirements declared the 84th Street Redevelopment Area as a substandard and blighted area in need of redevelopment (“Redevelopment Area”) and created the La Vista Community Development Agency (“Agency”), governed by the Mayor and City Council and providing for actions of the Agency to be taken at City Council meetings. To eliminate and prevent recurrence of the substandard and blighted area and with Planning Commission recommendations, the Agency recommended, and the City Council subsequently approved, the *Redevelopment Plan for the 84th Street Redevelopment Area* (“Initial Redevelopment Plan”), Amendment No. 1, Amendment No. 2, and Amendment No. 3 in 2013, 2016, 2020 and 2024 respectively, (the Initial Redevelopment Plan, as amended by Amendment No. 1, Amendment No. 2 and Amendment No. 3 is referred to in this council report as “Redevelopment Plan”), which among other things included and further refined a mixed use redevelopment project and a public improvement redevelopment project within the Redevelopment Area. The Comprehensive Development Plan (“Comprehensive Plan”), which is the general plan for development of the City as a whole, also was amended with the recommendation of the Planning Commission in 2013, 2016, 2020 and 2024 to incorporate the Initial Redevelopment Plan, Amendment No. 1, Amendment No. 2, and Amendment No. 3, and accordingly the Initial Redevelopment Plan, Amendment No. 1, Amendment No. 2, and Amendment No. 3 each was in conformity with the Comprehensive Development Plan and general plan for development of the City as a whole.

An additional proposed amendment to the Redevelopment Plan, titled “Redevelopment Plan for the 84th Street Redevelopment Area – Amendment No. 4” (“Amendment No. 4”) is presented at this meeting to provide further specificity with respect to additional private improvements to be constructed within La Vista City Centre, Replat 6 as part of the Subsequent Phases of the Mixed Use Redevelopment Project, for operation and use as a hotel. A proposed amendment to the Comprehensive Plan also is presented at this meeting that would incorporate Amendment No. 4 into the Comprehensive Plan (“Comprehensive Plan Amendment”). Replat 6 will be considered for approval later in the agenda.

The Planning Commission after notice and public hearing on December 19, 2024 reviewed and voted unanimously to recommend to the Agency and governing body of the City Amendment No. 4 as in conformity, and conformity of the Redevelopment Plan as amended by Amendment No. 4, with the Comprehensive Plan, subject to, among other things, City Council adoption of an amendment to the Comprehensive Plan to incorporate Amendment No. 4 into the Comprehensive Plan. The Planning Commission, after notice and public hearing on December 19, 2024 also voted unanimously to recommend City Council approval of the Comprehensive Plan Amendment to incorporate Amendment No. 4, subject to, among other things, City Council adoption of Amendment No. 4. Such recommendations of the Planning Commission are on file with the Agency and City Council pursuant to a Certificate of the Chairman of the Planning Commission.

A proposed resolution is presented for the Agency to recommend Amendment No. 4 to the City Council for approval.

RESOLUTION NO. _____

A RESOLUTION OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY ADOPTING AND RECOMMENDING AMENDMENT NO. 4 TO THE REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA PURSUANT TO NEBRASKA STATUTES, SECTIONS 18-2101 THROUGH 18-2157.

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 find, determine, declare and approve as follows:

- I. **FINDINGS.** The Mayor and City Council hereby find and determine as follows:
 - A. The La Vista Comprehensive Plan, Updated December 2018, as amended October 15, 2024 ("Comprehensive Development Plan" or "Comprehensive Plan") is the general plan for the development of the City as a whole as amended.
 - B. The Mayor and City Council in 2012 after satisfying all applicable requirements declared the 84th Street Redevelopment Area as a substandard and blighted area in need of redevelopment ("Redevelopment Area").
 - C. To eliminate and prevent recurrence of the substandard and blighted area and upon public hearings and recommendations of the Agency and Planning Commission, the City, following public hearings, approved a Redevelopment Plan "84th Street Redevelopment Area" in 2013 ("2013 Redevelopment Plan"), Amendment No. 1 to the Redevelopment Plan in 2016, Amendment No. 2 in 2020, and Amendment No. 3 in 2024 (such 2013 Redevelopment Plan, as amended by Amendment No. 1, Amendment 2 and Amendment No. 3, is referred to herein as "Redevelopment Plan"), which among other things included and further refined a mixed-use redevelopment project and a public improvement redevelopment project within the Redevelopment Area.
 - D. Following public hearings and recommendations of the Planning Commission, the Comprehensive Development Plan at each point described in "C" above was contemporaneously amended to incorporate the 2013 Redevelopment Plan, Amendment No. 1, Amendment No. 2 and Amendment No. 3, and accordingly the 2013 Redevelopment Plan, Amendment No. 1, Amendment No. 2, Amendment No. 3, and the Redevelopment Plan as amended, each was in conformity with the Comprehensive Development Plan and general plan for development of the City as a whole.
 - E. Proposed "Redevelopment Plan for the 84th Street Redevelopment Area – Amendment No. 4" is presented at this meeting as prepared or caused to be prepared by the Agency ("Amendment No. 4"), to provide further specification with respect to certain improvements and applicable provisions of the Mixed Use Redevelopment Project or Public Improvement Redevelopment Project within the Redevelopment Area. Amendment No. 4 shall supersede and control over any provisions of the Redevelopment Plan to the extent any provision of such Redevelopment Plan is inconsistent with Amendment No. 4, and all provisions of such Redevelopment Plan are deemed revised, modified, and amended to be consistent with the provisions of Amendment No. 4. Terms

and conditions of the Redevelopment Plan shall continue in effect except as modified by Amendment No. 4.

- F. The Agency, in recommending and adopting the 2013 Redevelopment Plan, designated the substandard and blighted 84th Street Redevelopment Area as appropriate for one or more renewal projects (redevelopment projects pursuant to applicable State Statutes as amended), which designation the Agency ratified and affirmed in Amendment No. 1, Amendment No. 2 and Amendment No. 3, and hereby ratifies and affirms in connection with recommendation and adoption of Amendment No. 4. Accordingly, the 84th Street Redevelopment Area is a community redevelopment area, and all works and undertakings in such Area pursuant to Amendment No. 4, the Redevelopment Plan, Mixed Use Redevelopment Project, Public Improvement Redevelopment Project, or Neb. Rev. Stat. Sections 18-2101 through 18-2157 ("Community Development Law") constitute one or more redevelopment projects. Furthermore, the Agency, in recommending and adopting Amendment No. 1, designated the 84th Street Redevelopment Area, which does not exceed 600 acres, as eligible for imposition of an occupation tax, which designation the Agency ratified and affirmed in connection with recommendation and adoption of Amendment No. 2 and Amendment No. 3 and hereby ratifies and affirms in connection with recommendation and adoption of Amendment No. 4 and may be carried out from time to time in one or more actions, enhanced employment area(s), and occupation taxes as determined and approved by the City.
- G. City Staff proposes by separate action of the Mayor and City Council on behalf of the City an amendment to the Comprehensive Development Plan to incorporate Amendment No. 4, as finally approved, into the City's Comprehensive Development Plan ("Proposed Comprehensive Plan Amendment").
- H. The proposed modification of the Redevelopment Plan as represented in Amendment No. 4 and Redevelopment Plan as amended:
 - 1. Is for one or more community redevelopment areas, or redevelopment projects, which conforms to the general plan for the development of the City as a whole, as set forth in the City's Comprehensive Development Plan, subject to City Council approval of the Proposed Comprehensive Plan Amendment, and is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements, and
 - 2. Is sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in each redevelopment project area, and
 - 3. Includes among other things:
 - a. The boundaries of each redevelopment project area, with a map showing the existing uses and condition of the real property therein,
 - b. A land-use plan showing proposed uses of each area,

- c. Information regarding standards of population densities, land coverage and building intensities in each area after redevelopment,
 - d. A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinance.
 - e. A site plan of each area,
 - f. A statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in each area after redevelopment, and
 - g. A proposal for the designation of an enhanced employment area as provided in Amendment No. 2. No additional or different designation of enhanced employment area or determination is made in connection with Amendment No. 4.
- I. The Agency submitted said Amendment No. 4 to the Planning Commission of the City of La Vista for review and recommendations as to its conformity with the general plan for development of the City as a whole as set forth in the Comprehensive Development Plan of the City, subject to adoption of the Proposed Comprehensive Plan Amendment. The Planning Commission, after required notice, held a public hearing on proposed Amendment No. 4. The Planning Commission after said hearing reviewed proposed Amendment No. 4 and, taking into consideration all relevant factors including the Proposed Comprehensive Plan Amendment and any public comments at the public hearing, made findings and written recommendations with respect to proposed Amendment No. 4, including that proposed Amendment No. 4 (and the Redevelopment Plan as amended by Amendment No. 4) is in conformity with the general plan for the development of the City as a whole as set forth in the Comprehensive Development Plan of the City, subject to various conditions including City Council adoption of the Proposed Comprehensive Plan Amendment; and the Planning Commission recommended Amendment No. 4 for approval. The findings and written recommendations were submitted and presented to the Agency, as well as to the City Council with proposed Amendment No. 4, as on file with the City Clerk. The Planning Commission also considered and recommended the Proposed Comprehensive Plan Amendment for approval.
- J. The Agency, before recommending Amendment No. 4 to the City Council for approval, considered, and in making such recommendation determined, the following in connection with the additions, subtractions, and modifications made by said amendment, and the Redevelopment Plan as amended by Amendment No. 4: Whether the proposed land uses and building requirements in each redevelopment project area are designed with the general purpose of accomplishing, in conformance with the City's general plan as set forth in the City's Comprehensive Development Plan (subject to City Council adoption of the Proposed Comprehensive Plan Amendment), a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and 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 provision 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 insanitary or unsafe dwelling accommodations or conditions of blight. Factors considered include, without limitation, the following:

1. Proposed public improvements, including without limitation public street, intersection, and offstreet parking improvements, will make adequate provision for traffic and vehicular parking.
2. Buildings and other improvements will be designed and constructed in accordance with applicable fire and safety codes, which will promote safety from fire, panic, and other dangers.
3. Planned public and private recreational, entertainment, and community areas and facilities, and placement of buildings of the Mixed Use Redevelopment Project will be designed to provide for light and air, and promote healthful and convenient distribution of population.
4. The type of mixed use redevelopment and its proximity to Nebraska State Highway 85 (84th Street), Harrison Street, Giles Road, and connectivity to other major streets and I-80 is anticipated to facilitate commuting and traffic flow, and enhance the opportunity for further development and use of public transportation for residents and visitors to and from the area and other parts of the metro area. The Mixed Use Redevelopment Project also will include adequate water, sewerage, and other public utilities. The projects will be located in close proximity to area schools, and all La Vista residents will be able to enjoy improvements in the vicinity of the former La Vista Falls golf course and other recreational areas.
5. The proposed projects provide and promote sound design and arrangement of public and private facilities and improvements that will benefit all La Vista residents.
6. Expenditures of public funds and proposed works and improvements will be wise and efficient in eliminating and preventing recurrence of substandard, blighted, insanitary and unsafe accommodations, conditions, facilities, and areas.

Provisions of Amendment Nos. 1 and 2 involving the Mixed Use Redevelopment Project included the division of taxes as provided in Neb. Rev. Stat. Section 18-2147 ("TIF") and a cost-benefit analysis was conducted, as updated in connection with Amendment No. 2, based on all phases of such Project and a Maximum Redevelopment Loan Amount constituting the cumulative limit on all Redevelopment Loan Amounts for all phases of the Mixed Use Redevelopment Project and redevelopment of the entire Mixed Use Redevelopment Project Area, using a cost-benefit model developed for use by local projects and considering and analyzing applicable factors, including factors specified in Neb. Rev. Stat. Section 18-2113(2):

1. Tax shifts resulting from the division of taxes as provided in Neb. Rev. Stat. Section 18-2147,
2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of such provisions of the redevelopment project,

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project,
4. Impacts on other employers and employees within the City and the immediate area that are located outside the boundaries of the area of the redevelopment project,
5. Impacts on the student populations of the school districts within the City, and
6. Any other impacts determined by the Agency to be relevant to the consideration of costs and benefits arising from provisions of the redevelopment project.

Such cost-benefit analysis, as previously updated, constitutes the current cost-benefit analysis for the Mixed Use Redevelopment Project and, because it is based on all phases of the Mixed Use Redevelopment Project and redevelopment of the entire Mixed Use Redevelopment Project Area, and a Maximum Redevelopment Loan Amount to which all Individual Mixed Use Redevelopment Projects comprising the Mixed Use Redevelopment Project are subject, constitutes the cost-benefit analysis for each phase or Individual Mixed Use Redevelopment Project.

No changes to the Maximum Redevelopment Loan Amount or otherwise are proposed with respect to TIF for the Mixed Use Redevelopment Project as previously authorized and approved. Consequently, updates to the current Cost-Benefit Analysis are not proposed or required in connection with this Amendment, and such Cost-Benefit Analysis shall continue as and be deemed to constitute the cost-benefit analysis for the Mixed Use Redevelopment Project, as amended by this Amendment, and, because it is based on all phases of the Mixed Use Redevelopment Project and a Maximum Redevelopment Loan Amount, as amended by the Second Amendment to Redevelopment Agreement incorporated into the Redevelopment Plan, to which all Individual Mixed Use Redevelopment Projects comprising the Mixed Use Redevelopment Project are subject, shall be and be deemed to continue to constitute the cost-benefit analysis for each Individual Mixed Use Redevelopment Project.

- K. All applicable requirements of the Agency with respect to proposed Amendment No. 4, including any notice or hearing requirements, have been satisfied.

II. RECOMMENDATION OF AMENDMENT NO. 4. Based on the foregoing and all other relevant factors, including any public comment at the public hearing, the Agency adopts and recommends Amendment No. 4 to the City Council for approval, subject to City Council adoption of the Proposed Comprehensive Plan Amendment, and further subject to satisfaction of all applicable requirements as the Mayor or City Administrator or his or her designee determines necessary or appropriate to carry out provisions of Amendment No. 4. This recommendation includes the following:

- A. The recommendation of the Planning Commission concerning Amendment No. 4; and
- B. Ratification and approval of the following statements in connection with prior approvals of the Redevelopment Plan as amended:

1. The proposed method and estimated cost of the acquisition and preparation for redevelopment of the redevelopment project area(s), and estimated proceeds or revenue from its disposal to redevelopers;
 2. The proposed method of financing portions of the redevelopment projects; and
 3. A feasible method proposed for the relocation of families to be displaced from the redevelopment project areas, if any. No relocation of families is expected.
- C. By recommending Amendment No. 4, the Agency ratifies and affirms its agreement with the City Council in connection with prior approvals of the Redevelopment Plan for the imposition of one or more occupation taxes for one or more enhanced employment areas within the 84th Street Redevelopment Area as the City Council from time to time determines in its sole discretion.

III. FURTHER ACTIONS. The Mayor or City Administrator or his or her designee, in addition to any other person specified in Amendment No. 4, the Redevelopment Plan, as amended, any redevelopment contract, applicable law, or otherwise, is hereby authorized to take such further actions on behalf of the Agency as he or she determines necessary or appropriate to implement Amendment No. 4 or the Redevelopment Plan as amended, or to carry out the actions approved in this Resolution.

PASSED AND APPROVED THIS 7TH DAY OF JANUARY 2025.

LA VISTA COMMUNITY DEVELOPMENT
AGENCY

Douglas Kindig, Mayor

ATTEST:

Rachel D. Carl, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JANUARY 7, 2025 AGENDA**

Subject:	Type:	Submitted By:
REDEVELOPMENT PLAN FOR THE 84 TH STREET REDEVELOPMENT AREA – AMENDMENT NO. 4	◆ RESOLUTION ORDINANCE RECEIVE/FILE	CHRISTOPHER SOLBERG DEPUTY COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled with respect the proposed Redevelopment Plan for the 84th Street Redevelopment Area - Amendment No. 4 (“Amendment No. 4”). A proposed resolution is presented for the City Council to approve Amendment No. 4.

FISCAL IMPACT

Funds are budgeted for public improvements and expenditures in the 84th Street Redevelopment Area, and such budgeted amounts, public improvements and expenditures are not modified by this Amendment No. 4.

RECOMMENDATION

Approval, subject to City Council adoption of a proposed amendment to the Comprehensive Development Plan to incorporate Amendment No. 4 into the Comprehensive Plan.

BACKGROUND

The Mayor and City Council in 2012 after satisfying all applicable requirements declared the 84th Street Redevelopment Area as a substandard and blighted area in need of redevelopment (“Redevelopment Area”) and created the La Vista Community Development Agency (“Agency”), governed by the Mayor and City Council and providing for actions of the Agency to be taken at City Council meetings. To eliminate and prevent recurrence of the substandard and blighted area and with Planning Commission recommendations, the Agency recommended, and the City Council subsequently approved, the *Redevelopment Plan for the 84th Street Redevelopment Area* (“Initial Redevelopment Plan”), Amendment No. 1, Amendment No. 2, and Amendment No. 3 in 2013, 2016, 2020, and 2024 respectively, (the Initial Redevelopment Plan, as amended by Amendment No. 1, Amendment No. 2 and Amendment No. 3 are referred to in this council report as “Redevelopment Plan”), which among other things included and further refined a mixed use redevelopment project and a public improvement redevelopment project within the Redevelopment Area. The Comprehensive Development Plan (“Comprehensive Plan”), which is the general plan for development of the City as a whole, also was amended with the recommendation of the Planning Commission in 2013, 2016, 2020, and 2024 to incorporate the Initial Redevelopment Plan, Amendment No. 1, Amendment No. 2, and Amendment No. 3; accordingly the Initial Redevelopment Plan, Amendment No. 1, Amendment No. 2, and Amendment No. 3 each was in conformity with the Comprehensive Development Plan and general plan for development of the City as a whole.

An additional proposed amendment to the Redevelopment Plan, titled “Redevelopment Plan for the 84th Street Redevelopment Area – Amendment No. 4” (“Amendment No. 4”) is presented at this meeting to provide further specificity with respect to additional private improvements to be constructed within La Vista City Centre, Replat 6 as part of the Subsequent Phases of the Mixed Use Redevelopment Project, for operation and use as a hotel. A proposed amendment to the Comprehensive Plan also is presented at this meeting that would incorporate Amendment No. 4 into the Comprehensive Plan (“Comprehensive Plan Amendment”). Replat 6 will be considered for approval later in the agenda.

The Planning Commission after notice and public hearing on December 19, 2024 reviewed and voted unanimously to recommend to the Agency and governing body of the City Amendment No. 4 as in conformity, and conformity of the Redevelopment Plan as amended by Amendment No. 4, with the Comprehensive Plan, subject to, among other things, City Council adoption of an amendment to the Comprehensive Plan to incorporate Amendment No. 4 into the Comprehensive Plan. The Planning Commission after notice and public hearing on December 19, 2024 also voted unanimously to recommend City Council approval of the Comprehensive Plan Amendment to incorporate Amendment No. 4, subject to, among other things, City Council adoption of Amendment No. 4. Such recommendations of the Planning Commission are on file with the Agency and City Council pursuant to a Certificate of the Chairman of the Planning Commission.

A proposed resolution is presented for the City Council to approve Amendment No. 4

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AMENDMENT NO. 4 TO THE REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA IN ACCORDANCE WITH NEBRASKA STATUTES, SECTIONS 18-2101 THROUGH 18-2157

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of La Vista, Nebraska does hereby find, determine, declare and approve as follows:

I. FINDINGS. The City Council of the City of La Vista finds and determines as follows:

- A. The findings and actions of the Agency as set forth in the resolution recommending Amendment No. 4 to the Redevelopment Plan for the 84th Street Redevelopment Area ("Amendment No. 4") to the City Council for approval ("Agency Resolution"), incorporated herein by reference, are ratified, affirmed, adopted and approved. Unless otherwise expressly provided, terms used in this Resolution shall have the meaning ascribed by the Agency Resolution.
- B. All applicable requirements with respect to the actions taken or approved in this Resolution, including notice and hearing requirements, have been satisfied.
- C. Proposed Amendment No. 4 (and the Redevelopment Plan as amended) is a workable program for utilizing appropriate private and public resources, powers, and actions to redevelop, eliminate, and prevent recurrence or spread of the substandard and blighted area.
- D. In exercising its powers under Neb. Rev. Stat. Sections 18-2101 through 18-2157 ("Community Development Law") with respect to the matters approved in this Resolution, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the City, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the providing of necessary public improvements, the City Council has given consideration to the following objective:

The City Council, to the greatest extent it deems to be feasible in carrying out the provisions of the Community Development Law, shall afford maximum opportunity, consistent with the sound needs of the City as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises.

Proposed Amendment No. 4 (and the Redevelopment Plan as amended), (i) is feasible - as provided in analysis and reporting of Hunden Strategic Partners incorporated by reference in connection with City Council approval of Amendment No. 1 and Amendment No. 2 to the Redevelopment Plan ("Hunden Analysis"), which analysis and reporting were ratified, affirmed and approved in connection with Amendment No. 3, and are hereby ratified, affirmed and approved - and in conformity with the general plan for the development of the City as a whole, as set

forth in the Comprehensive Development Plan of the City, subject to adoption of the Proposed Comprehensive Plan Amendment described in the Agency Resolution, and (ii) in conformity with the legislative declarations and determinations set forth in the Community Development Law, including without limitation, the determination of the City Council of the necessity of eliminating and preventing recurrence of the substandard and blighted Area and related liabilities and harmful effects to the City as a matter of public uses, purposes, policy, interest, concern, powers, and authority for which public action shall be taken and public money shall be expended in accordance with such Amendment No. 4 (and Redevelopment Plan as amended).

- E. As documented in analysis and reporting of such Hunden Analysis on behalf of the City or Agency in connection with Amendment No. 1 and Amendment No. 2 to the Redevelopment Plan (and Redevelopment Plan as amended), and specifically provisions of the Redevelopment Plan as amended involving the Mixed Use Redevelopment Project and related redevelopment plan provisions using funds authorized by Neb. Rev. Stat. Section 18-2147 ("TIF"), that the following conditions were satisfied:
1. Such provisions of the Mixed Use Redevelopment Project would not be economically feasible without the use of TIF,
 2. Such provisions of the Mixed Use Redevelopment Project would not occur in the community redevelopment area without use of TIF, and
 3. The costs and benefits of such provisions of the Mixed Use Redevelopment Project, including costs and benefits to other affected political subdivisions, the economy of the community and demand for public and private services have been analyzed by the City Council and found to be in the long-term best interest of the community impacted by the redevelopment project.

Amendment No. 4 does not add, subtract or modify amounts or uses of funds previously authorized under Neb. Rev. Stat. Section 18-2147 with respect to the Mixed Use Redevelopment Project and related Redevelopment Plan provisions; and by approving Amendment No. 4, the City Council hereby ratifies and affirms prior findings and documentation in connection with Redevelopment Plan as amended with respect to the Mixed Use Redevelopment Project, related Redevelopment Plan provisions and three items enumerated above.

- F. The Redevelopment Plan as amended included designation of an initial enhanced employment area and determined that new investment within such enhanced employment area would result in new employees and new investment satisfying applicable requirements of Neb. Rev. Stat. Section 18-2116(2). No additional or different designation of enhanced employment area or determination is made in connection with Amendment No. 4.

II. APPROVAL OF REDEVELOPMENT PLAN AMENDMENT NO. 4. Based on the foregoing and all relevant factors, including any public comment at the public hearing, the City Council of the City of La Vista hereby approves proposed Amendment No. 4, subject to adoption of the Proposed Comprehensive Plan Amendment, and further subject to satisfaction of all

applicable requirements as the Mayor, City Administrator or his or her designee determines necessary or appropriate to carry out provisions of Amendment No. 4.

III. FURTHER ACTIONS. The Mayor or City Administrator, or his or her designee, in addition to any other person specified in Amendment No. 4, the Redevelopment Plan as amended, or any redevelopment contract or otherwise, is hereby authorized to take such further actions as are necessary or appropriate to implement Amendment No. 4, the Redevelopment Plan as amended, or carry out the actions approved in this Resolution on behalf of the City.

PASSED AND APPROVED THIS 7TH DAY OF JANUARY 2025.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Rachel D. Carl, CMC
City Clerk

RESOLUTION NO 24-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA - AMENDMENT NO. 4 TO THE LA VISTA COMMUNITY DEVELOPMENT AGENCY AND GOVERNING BODY OF THE CITY

NOW THEREFORE BE IT RESOLVED, that

1. Proposed Amendment No. 4 to the Redevelopment Plan "84th Street Redevelopment Area," as previously amended, ("Redevelopment Plan Amendment No. 4") is provided by the La Vista Community Development Agency ("Agency") as presented at this meeting for review and recommendations of the Planning Commission as to its conformity and conformity of the Redevelopment Plan as amended by Redevelopment Plan Amendment No. 4 with the general plan for the development of the City as a whole, as provided in the La Vista Comprehensive Plan. An amendment to the City of La Vista Comprehensive Plan, as previously amended, ("Comprehensive Plan"), is presented at this meeting as a separate agenda item to incorporate Redevelopment Plan Amendment No. 4 into the Comprehensive Plan ("Comprehensive Plan Amendment").
2. The Planning Commission, after notice and hearing, reviewed Redevelopment Plan Amendment No. 4 and recommends to the Agency and governing body of the City of La Vista such Redevelopment Plan Amendment No. 4 as in conformity, and conformity of the Redevelopment Plan as amended by such Redevelopment Plan Amendment No. 4, with the La Vista Comprehensive Plan, subject to (i) exhibits satisfactory to the City Engineer, (ii) such modifications or conditions, if any, as the City Administrator or City Administrator's designee determines necessary or appropriate, (iii) making or performance of any required findings, actions or analysis under the Community Development Law or other applicable law to the satisfaction of the City Administrator or City Administrator's designee, (iv) City Council adoption of an amendment to the Comprehensive Plan to incorporate Redevelopment Plan Amendment No. 4 into the Comprehensive Plan, and (v) such further actions or approvals as the City Administrator or City Administrator's designee determines necessary or appropriate.

PASSED AND APPROVED THIS 19th DAY OF DECEMBER, 2024.

CITY OF LA VISTA PLANNING COMMISSION


Chairman

CERTIFICATE
CITY OF LA VISTA
PLANNING COMMISSION

The undersigned Chairman of the City of La Vista Planning Commission hereby certifies as follows:

The Planning Commission at its duly called, noticed and convened meeting on December 19, 2024 at which a quorum was present received from the La Vista Community Development Agency ("Agency") proposed Amendment No. 4 to the Redevelopment Plan "84th Street Redevelopment Area" as previously amended ("Redevelopment Plan Amendment No. 4") for review and recommendations as to its conformity and conformity of the Redevelopment Plan as amended by Redevelopment Plan Amendment No. 4 with the general plan for the development of the City as a whole, as provided in the La Vista Comprehensive Plan. The Planning Commission, after notice and hearing, reviewed Redevelopment Plan Amendment No. 4 and approved a Resolution recommending to the Agency and governing body of the City of La Vista Redevelopment Plan Amendment No. 4 presented at the meeting as in conformity, and conformity of the Redevelopment Plan as amended by such Redevelopment Plan Amendment No. 4, with the La Vista Comprehensive Plan, subject to (i) exhibits satisfactory to the City Engineer, (ii) such modifications or conditions, if any, as the City Administrator or City Administrator's designee determines necessary or appropriate, (iii) making or performance of any required findings, actions or analysis under the Community Development Law or other applicable law to the satisfaction of the City Administrator or City Administrator's designee, (iv) City Council adoption of an amendment to the Comprehensive Plan to incorporate Redevelopment Plan Amendment No. 4 into the Comprehensive Plan, and (v) such further actions or approvals as the City Administrator or City Administrator's designee determines necessary or appropriate. Motion to approve said Resolution was made by Planning Commission Member Harold Sargus, which motion was seconded by Planning Commission Member Gayle Malmquist. After consideration, the roll was called and the following members voted in favor of the passage and adoption of said Resolution: Kathleen Alexander, Josh Frey, Amanda Brewer, Michael Circo, John Gahan, Michael Krzywicki, Debora Dogba, Gayle Malmquist, and Harold Sargus.

The following members voted against the same: None. The following members were absent or did not vote: Patrick Coghlan. The passage of said Resolution having been consented to by a majority of the members of the Planning Commission, the Chairman declared the Resolution duly passed and adopted.

The Planning Commission, after notice and hearing, also considered and approved a Resolution recommending that the City Council amend the La Vista Comprehensive Plan to incorporate Redevelopment Plan Amendment No. 4 into the Comprehensive Plan ("Comprehensive Plan Amendment"), in form and content presented at this meeting, subject to (i) exhibits satisfactory to the City Engineer, (ii) such modifications or conditions, if any, as the City Administrator or City Administrator's designee determines necessary or appropriate, (iii) making or performance of any required findings, actions or analysis under the Community Development Law or other applicable law to the satisfaction of the City Administrator or City Administrator's designee, (iv) Agency recommendation and City Council adoption of Redevelopment Plan Amendment No. 4, and (v) such further actions or approvals as the City Administrator or City Administrator's designee determines necessary or appropriate. Motion to approve said Resolution was made by Planning Commission Member Josh Frey, which motion was seconded by Planning Commission Member Harold Sargus. After consideration, the roll was called and the following members voted in favor of the passage and adoption of said Resolution: Kathleen Alexander, Josh Frey, Amanda Brewer, Michael Circo, John Gahan, Michael Krzywicki, Debora Dogba, Gayle Malmquist, and Harold Sargus. The following members voted against the same: None. The following members were absent or did not vote: Patrick Coghlan. The passage of said Resolution having been consented to by a majority of the members of the Planning Commission, the Chairman declared the Resolution duly passed and adopted.

On this date, this Certificate and recommendations are hereby filed with the Agency and City Council.

DATED this 19th day of December, 2024.

CITY OF LA VISTA PLANNING COMMISSION


Chairman

REDEVELOPMENT PLAN

"84th Street Redevelopment Area"

LA VISTA CITY CENTRE

Amendment #4



Presented to La Vista City Council

January 7, 2025

Redevelopment Plan for the 84th Street Redevelopment Area Amendment No. 4

The Redevelopment Plan for the 84th Street Redevelopment Area (“Redevelopment Area”) originally adopted on July 16, 2013 by the City Council of the City of La Vista, Nebraska and subsequently amended by Amendment No. 1 in 2016, Amendment No. 2 in 2020 and Amendment No. 3 in 2024, (such Redevelopment Plan for the 84th Street Redevelopment Area, as amended by Amendment No. 1, Amendment No. 2 and Amendment No. 3, is referred to herein as “Redevelopment Plan”) is hereby further amended by this Amendment No. 4 to provide further specifications with respect to certain improvements and applicable provisions of the Mixed Use Redevelopment Project or the Public Improvement Redevelopment Project within the Redevelopment Area, and related redevelopment plan provisions (“Amendment”).

Preliminary Statement

Before adopting the Redevelopment Plan for the 84th Street Redevelopment Area, the entire Redevelopment Area in 2012 was declared by City Council Resolution No. 12-011, in accordance with all applicable statutory requirements, substandard and blighted and in need of redevelopment. The substandard and blighted Redevelopment Area is a threat to the stability and vitality of the City.

The Redevelopment Plan for the 84th Street Redevelopment Area was adopted in 2013. Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area, and related Redevelopment Agreement and Subdivision Agreement, were adopted in 2016 (the “2016 Redevelopment Agreement” and “2016 Subdivision Agreement”), among other things, to provide for a Mixed Use Redevelopment Project and a Public Improvement Redevelopment Project in the Redevelopment Area and eliminating and preventing recurrence of the substandard and blighted area. The 2016 Redevelopment Agreement subsequently was amended by a First Amendment in 2017, Second Amendment in 2021 and Third Amendment in 2024 (the 2016 Redevelopment Agreement, as amended by such First Amendment, Second Amendment and Third Amendment, is referred to herein as “Redevelopment Agreement”). The 2016 Subdivision Agreement subsequently was amended by a First Amendment in 2019, Second Amendment in 2021 and Third Amendment in 2024 (the 2016 Subdivision Agreement, as amended by such First Amendment, Second Amendment and Third Amendment, is referred to herein as “Subdivision Agreement”). Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area incorporated the Second Amendment to the Subdivision Agreement and Second Amendment to the Redevelopment Agreement. Amendment No. 3 to the Redevelopment Plan for the 84th Street Redevelopment Area incorporated the Third Amendment to the Subdivision Agreement and Third Amendment to the Redevelopment Agreement.

The CDA, in initially recommending and adopting the Redevelopment Plan for the 84th Street Redevelopment Area, designated the substandard and blighted Redevelopment Area as appropriate for one or more renewal/redevelopment projects, which designation the CDA ratified and affirmed in recommending and adopting Amendment No. 1, Amendment No. 2 and Amendment No. 3 to such Redevelopment Plan for the 84th Street Redevelopment Area, and hereby ratifies and affirms in connection with recommendation and adoption of this Amendment.

Accordingly, the Redevelopment Area is a community redevelopment area. All works or undertakings pursuant to this Amendment or the Redevelopment Plan, Mixed Use Redevelopment Project, or Public Improvement Redevelopment Project, as amended, or otherwise in accordance with the Community Development Law constitute redevelopment projects under Neb. Rev. Stat. Section 18-2103. The CDA, in recommending and adopting Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area, also designated the 84th Street Redevelopment Area, which does not exceed 600 acres, as eligible for imposition of an occupation tax, which designation the CDA ratified and affirmed in recommending and adopting Amendment No. 2 and Amendment No. 3 to the Redevelopment Plan for the 84th Street Redevelopment Area, and hereby ratifies and affirms in connection with recommendation and adoption of this Amendment, and may be carried out from time to time in one or more actions, enhanced employment area(s), and occupation taxes as determined and approved by the City.

CDA and City desire to further amend the Redevelopment Plan to provide further specifications with respect to certain improvements and applicable provisions of the Mixed Use Redevelopment Project or the Public Improvement Redevelopment Project within the Redevelopment Area, and related redevelopment plan provisions. The Redevelopment Plan, Mixed Use Redevelopment Project, Public Improvement Redevelopment Project and related redevelopment plan provisions are revised as provided in this Amendment. In addition to, and not in limitation of, any other finding or determination of the CDA or City, the CDA and City by recommending and adopting this Amendment find and determine that public and private actions, improvements, works, and resources as provided in this Amendment are in the public interest and necessary to eliminate and prevent recurrence of the substandard and blighted area. The projects provided in this Amendment have the potential to be catalysts for other projects to eliminate and prevent recurrence of the substandard and blighted Redevelopment Area, and to enhance or provide new residential, employment, shopping, recreational, restaurant, tourism, and entertainment options and amenities of and to the City and its residents, and additional tax revenues to the City.

Section 1. City Centre Mixed Use Redevelopment Project.

A Fourth Amendment to the Redevelopment Agreement (“Fourth Amendment to Redevelopment Agreement”) is presented with this Amendment or on file with the City Clerk. Such Fourth Amendment to Redevelopment Agreement, substantially in form and content set forth in Exhibit 1 to this Amendment, subject to any additions, subtractions, or modifications as the City Administrator or her designee determines necessary or advisable, and the Redevelopment Agreement as amended by the Fourth Amendment to Redevelopment Agreement, are incorporated into this Amendment by reference (the Redevelopment Agreement as amended by the Fourth Amendment to Redevelopment Agreement is referred to in this Amendment as the “Amended Redevelopment Agreement”), and the Mixed Use Redevelopment Project and all Redevelopment Plan provisions are amended in accordance with such Fourth Amendment to Redevelopment Agreement and Amended Redevelopment Agreement.

Not in limitation of the foregoing, the Redevelopment Plan, among other things, provided for Mixed Use Improvements pursuant to the Mixed Use Redevelopment Project constructed and

paid for by Redeveloper, including use of tax increment financing (“TIF”) for Eligible Expenses. The CDA or its designee conducted a Cost-Benefit Analysis for the Mixed Use Redevelopment Project, as updated in connection with the Second Amendment to the 2016 Redevelopment Agreement, whose Redevelopment Plan for the 84th Street Redevelopment Area as amended by Amendment Nos. 1 and 2 included the use of funds authorized by Neb. Rev. Stat. Section 18-2147 based on all phases of such Project and a Maximum Redevelopment Loan Amount constituting the cumulative limit on all Redevelopment Loan Amounts for all phases of the Mixed Use Redevelopment Project and redevelopment of the entire Mixed Use Redevelopment Project Area, using a model satisfactory to the City Administrator or her designee on behalf of the CDA for use by local projects and considering and analyzing applicable factors, including factors specified in Neb. Rev. Stat. Section 18-2113(2). Such Cost-Benefit Analysis, as previously updated, constitutes the current cost-benefit analysis for the Mixed Use Redevelopment Project and, because it is based on all phases of the Mixed Use Redevelopment Project and redevelopment of the entire Mixed Use Redevelopment Project Area, and a Maximum Redevelopment Loan Amount to which all Individual Mixed Use Redevelopment Projects comprising the Mixed Use Redevelopment Project are subject, constitutes the cost-benefit analysis for each phase or Individual Mixed Use Redevelopment Project. In conducting the Cost-Benefit Analysis, a cost-benefit model developed for use by local projects considered and analyzed the following factors:

- (a) Tax shifts resulting from the division of taxes as provided in Neb. Rev. Stat. Section 18-2147;
- (b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of such provisions of the redevelopment project;
- (c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;
- (d) Impacts on other employers and employees within the City and the immediate areas that are located outside the boundaries of the area of the redevelopment project;
- (e) Impacts on the student populations of the school districts within the City; and
- (f) Any other impacts determined by the CDA to be relevant to the consideration of costs and benefits arising from the redevelopment project.

No changes to the Maximum Redevelopment Loan Amount or otherwise are proposed with respect to TIF for the Mixed Use Redevelopment Project as previously authorized and approved. Consequently, updates to the current Cost-Benefit Analysis are not proposed or required in connection with this Amendment, and such Cost-Benefit Analysis shall continue as and be deemed to constitute the cost-benefit analysis for the Mixed Use Redevelopment Project, as amended by this Amendment, and, because it is based on all phases of the Mixed Use Redevelopment Project and a Maximum Redevelopment Loan Amount, as amended by the

Second Amendment to Redevelopment Agreement incorporated into the Redevelopment Plan, to which all Individual Mixed Use Redevelopment Projects comprising the Mixed Use Redevelopment Project are subject, shall be and be deemed to continue to constitute the cost-benefit analysis for each Individual Mixed Use Redevelopment Project. The City Administrator or her designee on behalf of the CDA shall be authorized to conduct or have conducted any additional cost-benefit or other analysis from time to time as such City Administrator or designee determines in her or his discretion necessary or appropriate in connection with TIF or the Mixed Use Redevelopment Project.

Section 2. Public Improvement Redevelopment Project.

The Fourth Amendment to Subdivision Agreement (“Fourth Amendment to Subdivision Agreement”) is presented with this Amendment or on file with the City Clerk. Such Fourth Amendment to Subdivision Agreement, substantially in form and content set forth in Exhibit 2 to this Amendment, subject to any additions, subtractions, or modifications as the City Administrator or her designee determines necessary or advisable, and the Subdivision Agreement as amended by the Fourth Amendment to Subdivision Agreement, are incorporated into this Amendment by reference (the Subdivision Agreement as amended by the Fourth Amendment to Subdivision Agreement is referred to herein as “Amended Subdivision Agreement”), and the Public Improvement Redevelopment Project and all related Redevelopment Plan provisions are amended in accordance with such Fourth Amendment to Subdivision Agreement and Amended Subdivision Agreement.

Section 3. Other

A. This Amendment shall be conditional on execution and recording of the Fourth Amendment to Redevelopment Agreement and Fourth Amendment to Subdivision Agreement substantially in form and content set forth in exhibits to this Amendment, subject to any additions, subtractions, or modifications as the City Administrator or her designee determines necessary or advisable.

B. All improvements and all acquisitions and conveyances of all real property and interests therein of the City or CDA as the City, CDA, City Administrator, or City Engineer from time to time determines necessary or appropriate to carry out this Amendment or the Redevelopment Plan, as amended by this Amendment, or otherwise for public purposes in or benefiting the 84th Street Redevelopment Area, are authorized and approved.

C. At the option of the City or CDA, parcels or improvements described in this Amendment may be financed (including, without limitation, financing pursuant to Neb. Rev. Stat. Section 18-2147), developed, or constructed together with, or separately from, one or more other parcels or improvements under the Redevelopment Plan as amended by this Amendment; and any of which done separately may be treated as a separate redevelopment project and plan of the Mixed Use Redevelopment Project or Public Improvement Redevelopment Project that shall be carried out in accordance with the Redevelopment Plan as amended by this Amendment and any applicable redevelopment contract, subdivision agreement, or other agreements, documents, or instruments. To the extent that a redevelopment plan authorizes the division of ad valorem

taxes levied upon only a portion of the real property included in such redevelopment plan, any improvements funded by such division of taxes shall be related to, determined, and carried out in accordance with the redevelopment plan that authorizes such division of taxes.

D. Notwithstanding anything in this Amendment or the Redevelopment Plan as amended by this Amendment to the contrary, the City, in addition to authority under the Community Development Law, has independent statutory powers and authority to finance, fund, or pay for improvements or work pursuant to other provisions of the Nebraska Statutes, including without limitation redevelopment and public infrastructure projects, work or improvements pursuant to Neb. Rev. Stat. Sections 19-3301 et seq, 66-4,101, and 77-27,142, and various provisions of Chapters 13, 16, 18, or 19. The City intends and shall be authorized to exercise its statutory powers and authority, independently or in conjunction with any powers or authority of the City under the Community Development Law, to the fullest extent as it determines necessary or appropriate to finance, construct or pay for facilities, improvements, works, costs, or expenses, or to facilitate, assist, perform, or otherwise carry out this Amendment, the Redevelopment Plan as amended by this Amendment, or otherwise for public purposes in or benefiting the 84th Street Redevelopment Area. The CDA also shall be authorized to exercise all applicable statutory powers and authority to carry out this Amendment, the Redevelopment Plan as amended by this Amendment, or otherwise for public purposes in or benefiting the 84th Street Redevelopment Area. CDA's role, if any, in financing or paying any costs or expenses shall be as approved by the CDA, subject to such review and approval of the City as may be specified from time to time by the City Council, if any. Not in limitation of the foregoing or any powers pursuant to applicable law, City or CDA shall be authorized to issue bonds stating or pledging occupation taxes described in Neb. Rev. Stat. Section 18-2142.02, or any other revenues or sources, as an available source of payment, and to pay or reimburse any prior or future costs or expenses of City or CDA pursuant to the Redevelopment Plan as amended by this Amendment, or any subsequent amendment, on such terms and conditions as the City or CDA determines satisfactory in accordance with applicable laws. Any such bond is authorized by the City or CDA to facilitate, aid in financing, finance, or fund the redevelopment projects, improvements, works, costs, or expenses under the Redevelopment Plan as amended by this Amendment.

E. The general plan for development of the City as a whole is the City's Comprehensive Plan. The Comprehensive Plan incorporates the Redevelopment Plan, and in conjunction with this Amendment is amended to incorporate this Amendment. Accordingly, CDA in recommending this Amendment finds and determines that this Amendment, and the Redevelopment Plan as amended by this Amendment, is in conformity with the general plan for development of the City as a whole as set forth in the City's Comprehensive Plan.

F. CDA approval and recommendation of this Amendment to the City, and City approval of this Amendment and any City Comprehensive Plan amendment incorporating this Amendment, among other things, shall constitute and be deemed to be:

1. Findings and determinations that this Amendment, and the Redevelopment Plan as amended by this Amendment, is sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment,

improvements, and rehabilitation as may be proposed to be carried out in the community redevelopment area, zoning and planning changes, if any, land uses, maximum densities, and building requirements; and its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements, and the proposed land uses and building requirements in the redevelopment project areas; and

2. Following the hearings required under Neb. Rev. Stat. Section 18-2115, findings and documentation in writing by the governing body of the City that this Amendment, and the Redevelopment Plan as amended by this Amendment, is feasible and in conformity with the general plan for development of the City as a whole as set forth in the City's Comprehensive Plan, as amended by incorporation of this Amendment, and in conformity with the legislative declarations and determinations set forth in the Community Development Law.

G. The Mixed Use Redevelopment Project and related Redevelopment Plan provisions, as previously approved, provide for use of funds authorized by Neb. Rev. Stat. Section 18-2147 and include findings and documentation in writing by the governing body of the City that:

1. Such Mixed Use Redevelopment Project in the Redevelopment Plan as amended by this Amendment would not be economically feasible without the use of tax-increment financing,
2. Such Mixed Use Redevelopment Project would not occur in the community redevelopment area without the use of tax-increment financing, and
3. The costs and benefits of such Mixed Use Redevelopment 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 by the governing body and have been found to be in the long-term best interest of the community impacted by such redevelopment project.

This Amendment does not add, subtract or modify use of funds previously authorized under Neb. Rev. Stat. Section 18-2147 with respect to the Mixed Use Redevelopment Project and related Redevelopment Plan provisions; and by approving this Amendment, the governing body of the City hereby ratifies and affirms the findings and documentation previously provided with respect to the Mixed Use Redevelopment Project, related Redevelopment Plan provisions and three enumerated items of this subsection G above.

H. The City or CDA from time to time shall be authorized, but not required, to issue, sell, purchase, or undertake all types of warrants, notes, bonds, refunding bonds, certificates, debentures, indebtedness or other obligations secured or payable by or from all permitted receipts, funds or sources, and to exercise or take all rights, authority, powers, discretion and actions, on such terms or conditions as it determines necessary or appropriate, to carry out this Amendment, or the Redevelopment Plan as amended by this Amendment, or otherwise for public purposes in or benefiting the Redevelopment Area, including without limitation, issuing, selling, purchasing, or undertaking any warrants, notes, bonds, refunding bonds, certificates,

debentures, indebtedness or other obligations, or exercising any rights, authority, powers, or discretion, or taking any action, pursuant to applicable provisions of the Community Development Law, Neb. Rev. Stat. Section 18-2142.02, 19-3301 et seq, 66-4,101, or 77-27,142, Chapter 13, 16, 18, or 19 or any other provisions of Nebraska Statutes, or any other applicable laws, regulations, or guidance.

I. Notwithstanding anything in this Amendment or the Redevelopment Plan as amended by this Amendment to the contrary, any past, present, or future cost, expense, or requirement of this Amendment or the Redevelopment Plan as amended by this Amendment, at the election of the City or CDA, may be financed, funded, paid, reimbursed, or carried out by the City or CDA based on any authority and utilizing any taxes, funds, receipts, proceeds, sources, resources, authority, or structures whatsoever now or hereafter of or available to the City or CDA under the Community Development Law or any other applicable laws or regulations.

J. Each right, authority, power, or discretion of City or CDA pursuant to this Amendment, the Redevelopment Plan as amended by this Amendment, or under applicable laws, regulations, or other guidance, unless otherwise expressly provided therein to the contrary, shall be considered full, complete, independent, additional and supplemental to, and shall not be considered amendatory to or limited by, any other right, authority, power, or discretion. All such laws, regulations, or other guidance, and all grants of rights, authority, powers, and discretion to the City or CDA, shall be liberally construed, and the City and CDA each shall have all incidental rights and powers necessary or appropriate to carry into effect this Amendment, the Redevelopment Plan as amended by this Amendment, laws, regulations, other guidance, rights, authority, powers, or discretion.

K. Recitals and preliminary statements at the beginning of this Amendment and all documents, instruments, and exhibits referenced in this Amendment are hereby incorporated into and made part of this Amendment by reference. Except as otherwise expressly provided, any drawings, plans, works, boundaries, improvements, and requirements of the Mixed Use Redevelopment Project or Public Improvement Redevelopment Project, as amended by this Amendment, are preliminary and conceptual, the final form and content of which shall be subject to any additions, subtractions, or modifications as the City Administrator, City Engineer, or her or his designee determines necessary or appropriate, and final approval of the City or CDA as the case may be.

L. This Amendment supersedes and controls over any provisions of the Redevelopment Plan to the extent contrary to or inconsistent with this Amendment, and all provisions of such Redevelopment Plan shall be deemed revised, modified, and amended to be consistent with the provisions of this Amendment. Except as modified by this Amendment, terms and conditions of the Redevelopment Plan shall continue in effect.

M. In addition to any express provisions of this Amendment or the Redevelopment Plan as amended by this Amendment, City and CDA in implementing or carrying out this Amendment or the Redevelopment Plan as amended by this Amendment each shall have and in its discretion shall be authorized to exercise all powers and authority granted by applicable Nebraska law, including without limitation, all powers and authority under Chapters 13, 16, 18, 19, 66, and 77 of Nebraska Statutes.

N. Terms and conditions of this Amendment and the Redevelopment Plan as amended by this Amendment or otherwise from time to time shall be construed and interpreted in accordance with Nebraska Statutes, as amended from time to time, and any such terms or conditions shall be deemed amended for any changes in any such statutes to the extent required by legislation enacting the changes. In the event any clause or provision of this Amendment or the Redevelopment Plan, as amended, is held to be illegal, invalid or unenforceable by a court of competent jurisdiction, or by other governmental authority with jurisdiction thereof, the remaining portion of this Amendment or the Redevelopment Plan, as amended, shall not be affected thereby.

O. Headings are for convenience only and shall not be used in construing meaning of provisions of this Amendment.

P. Unless the context otherwise requires or this Amendment otherwise provides (i) terms used in this Amendment shall have the meanings as provided in the Redevelopment Plan, and (ii) references to "Redevelopment Plan" in the Redevelopment Plan for the 84th Street Redevelopment Area, Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area, Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area, or Amendment No. 3 to the Redevelopment Plan for the 84th Street Redevelopment Area shall be deemed modified to mean the Redevelopment Plan for the 84th Street Redevelopment Area, as amended by Amendment No. 1 to the Redevelopment Plan for the 84th Street Redevelopment Area, Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area, Amendment No. 3 to the Redevelopment Plan for the 84th Street Redevelopment Area and this Amendment.

Q. By recommending and approving the Redevelopment Plan, the CDA and City Council designated and agreed to the designation of the entire Redevelopment Area pursuant to Neb. Rev. Stat. Section 18-2103(22) as eligible for imposition of occupation taxes under Neb. Rev. Stat. Section 18-2142.02, and agreed to the designation of some or all of the 84th Street Redevelopment Area from time to time as one or more enhanced employment areas and to the imposition of one or more occupation taxes therein as the City Council from time to time determines in its sole discretion, and specifically that the City shall be authorized to periodically specify and adjust the boundaries of any enhanced employment areas within the Redevelopment Area, to include up to the entire Redevelopment Area in one or more enhanced employment areas, and to levy occupation taxes therein from time to time pursuant to section 18-2142.02, determine or adjust the rates of such occupation taxes, and collect, modify, revoke, or relevy such occupation taxes without any notice or consent required to or of CDA, all of which designations, agreements and authorizations the CDA and City Council, by recommending and approving this Amendment, ratify, affirm and approve. Not in limitation of the foregoing provisions of this subsection "Q," all enhanced employment areas or occupation taxes specified in or adopted in accordance with the Amended Subdivision Agreement or Amended Redevelopment Agreement incorporated into this Amendment, in form and content approved by City or CDA, are ratified, affirmed and approved, and approval by the governing body of the City shall constitute and be deemed to be a determination by such governing body that the requirements of Neb. Rev. Stat. Section 18-2116(2) are satisfied based on any written undertakings by any redeveloper in connection with any application or approval.

R. Not in limitation of anything in this Amendment or the Redevelopment Plan as amended by this Amendment to the contrary, the CDA in recommending this Amendment authorizes the City Council, Mayor, City Administrator, City Engineer or City Treasurer to authorize, approve, and make expenditures, payments, orders, warrants, requisitions, or disbursements of any funds on behalf of the CDA. Any action taken by the City Council, Mayor, City Administrator, City Engineer, or City Treasurer on behalf of the City also shall constitute authorization and approval on behalf of the CDA to the extent such authorization or approval is required. Notwithstanding the foregoing, the City and CDA do not anticipate any transfer of funds from the City to the CDA. Rather, the City and CDA, with possible exception of tax increment financing or as otherwise required by the circumstances or authorized by the City Council, Mayor or City Administrator, intend that the City will retain custody and control of all receipts and funds, and by agreement, specific authorization, approval, or otherwise directly pay any amount, cost, or expense connected with performance described in this Amendment or the Redevelopment Plan as amended by this Amendment.

S. Any agreement at any time entered by the City or CDA reciting in substance that it has been entered into by the City or CDA to provide financing for an approved redevelopment project shall be conclusively deemed to have been entered into for such purpose and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of the Community Development Law. For this purpose and all such agreements, “financing” shall mean any obligation to pay, pay for, or reimburse costs, expenses or improvements.

T. Approval of this Amendment shall be deemed to constitute approval of the Redevelopment Plan as amended by this Amendment, and approval of each redevelopment project and related plan provisions.

U. Displacement of families from the Mixed Use Redevelopment Project Area or Public Improvement Redevelopment Project Area is not expected, though if it were to occur, any relocation of families would be carried out in accordance with the requirements of applicable law.

V. All authority and rights granted by this Amendment or the Redevelopment Plan as amended by this Amendment shall include, without limitation, acquiring, obtaining, exercising, conveying, or providing all property, rights and interests, taking or performing all actions, and entering, adopting, or executing all agreements, documents and instruments as the City or CDA or its designee determines necessary or appropriate; and approving, issuing, undertaking, paying for, or otherwise obtaining all improvements, works, funds, or obligations in connection with this Amendment or the Redevelopment Plan as amended by this Amendment, or any redevelopment contracts or projects, or as the governing body of the City, CDA, or its designee from time to time determines necessary or appropriate in connection with eliminating or preventing recurrence of the substandard and blighted 84th Street Redevelopment Area, to carry out this Amendment or the Redevelopment Plan as amended by this Amendment, or for redevelopment of the 84th Street Redevelopment Area.

W. It is anticipated that cooperation and coordination of the CDA and City with each other or other parties might be necessary or appropriate to facilitate implementation of this

Amendment or the Redevelopment Plan as amended by this Amendment, or any redevelopment project, and such cooperation or coordination as determined by the City Administrator or her designee is authorized to the fullest extent permitted by applicable law. Not in limitation of the foregoing, City and CDA each shall have authority to assign, delegate, assume, undertake, or carry out to, from, or for the other or otherwise assist with any performance or action pursuant to this Amendment or the Redevelopment Plan as amended by this Amendment, or any redevelopment project or contract, or as otherwise necessary or appropriate to carry out any redevelopment project or contract.

Adopted and approved January 7, 2025.

EXHIBIT 1

Fourth Amendment to Redevelopment Agreement

[SPACE ABOVE THIS LINE FOR RECORDING DATA]

FOURTH AMENDMENT TO REDEVELOPMENT AGREEMENT

This Fourth Amendment to Redevelopment Agreement (the “Amendment”) is entered into as of the Effective Date specified in Section Vy below by and among the La Vista Community Development Agency, a community development agency created pursuant to Neb. Rev. Stat. Section 18-2101.01 by City of La Vista Ordinance No. 1167 on February 12, 2012 (“CDA”), La Vista City Centre, LLC, a Nebraska limited liability company, (“LVCC”), City Centre Music Venue, LLC, a Nebraska limited liability company, (“Music Venue”), Rocket Property Company LLC, a Delaware limited liability company authorized to do business in Nebraska, (“Rocket Property”), City Centre 1.1 LLC, a Nebraska limited liability company (“City Centre 1.1”), City Centre 1.2 LLC, a Nebraska limited liability company (“City Centre 1.2”), City Centre 1.3 LLC, a Nebraska limited liability company (“City Centre 1.3”), City Centre 2, LLC, a Nebraska limited liability company (“City Centre 2”), E&W Holdings, LLC, a Nebraska limited liability company (“E&W”) and City Centre Hotel, LLC (“Hotel”) (LVCC, Music Venue, Rocket Property, City Centre 1.1, City Centre 1.2, City Centre 1.3, City Centre 2, E&W and Hotel together herein “Redeveloper”).

Recitals. The parties find, determine, and agree as follows:

A. The Mayor and City Council in 2012 declared the 84th Street Redevelopment Area as a substandard and blighted area in need of redevelopment, and in 2013 adopted the Redevelopment Plan - 84th Street Redevelopment Area (“Initial Redevelopment Plan”), as amended in 2016 by Amendment No. 1 (the Initial Redevelopment Plan as amended by Amendment No. 1 referred to herein as “2016 Redevelopment Plan”), in 2020 by Amendment No. 2 and in 2024 by Amendment No. 3 (the 2016 Redevelopment Plan as amended by Amendments No. 2 and No. 3 referred to herein as “2024 Redevelopment Plan”), and providing for a Mixed Use Redevelopment Project and tax increment financing (“TIF”) in response to a Redevelopment Application (as supplemented) submitted by LVCC with the La Vista Community Development Agency, and a Public Improvement Redevelopment Project. The Mixed Use Redevelopment Project and TIF related amounts or

Upon Recording Please Return To:

Fitzgerald Schorr PC LLO
Attn: Tom McKeon
10050 Regency Circle
Omaha, NE 68114

projections in connection with Amendment No. 1 to the Redevelopment Plan - 84th Street Redevelopment Area or 2016 Redevelopment Agreement (defined below), as subsequently amended in connection with Amendment No. 2, among other things included a hotel within the Mixed Use Redevelopment Project Area.

B. Lots and lot ownership within parts of the 84th Street Redevelopment Area known as La Vista City Centre are as follows:

Lots: La Vista City Centre was initially platted in 2016 as Lots 1 through 17 and Outlots A through C, La Vista City Centre. Lots 3 and 4 subsequently were replatted as Lots 1 and 2, La Vista City Centre Replat 1 (“Replat 1”); Lots 16 and 17 subsequently were replatted as Lots 1 and 2, La Vista City Centre Replat 2 (“Replat 2”); Lots 5 - 12, La Vista City Centre and Lot 1, Replat 1, were subsequently replatted as Lots 1 - 12, La Vista City Centre Replat Three (“Replat Three”); Lot 13 and Outlot A, La Vista City Centre, Lot 1, Replat Three, and part of Tax Lot 12 were replatted as Lots 1-3, La Vista City Centre Replat Four (“Replat Four”); and Outlot C, La Vista City Centre, was replatted as Lots 1 and 2, La Vista City Centre Replat 5 (“Replat 5”), and Lot 2, Replat 5 further replatted in connection with this Amendment as Lots 1 and 2, La Vista City Centre Replat 6 (“Replat 6”).

Lot ownership:

- (i) Store Master Funding XXI LLC and Rocket Property, as successors of La Vista Car Wash LLC, are owner and leasehold owner, respectively, of land and improvements of Lot 1, La Vista City Centre, and Rocket Property represents that it is authorized under the governing lease to execute this Amendment,
- (ii) LVCC owns:
 - Lot 2, La Vista City Centre,
 - Lot 1, La Vista City Centre Replat 2,
 - Lots 6, 8, 9 and 11, La Vista City Centre Replat Three (E&W owns the building and other improvements on Lot 8, La Vista City Centre Replat Three),
 - Lot 1, La Vista City Centre Replat Four,
 - Lots 1 and 2, La Vista City Centre Replat 5, and
 - Lots 1 & 2, La Vista City Centre Replat 6,
- (iii) City Centre 1.1, as successor of LVCC and City Centre 1, owns Lots 14 and 15, La Vista City Centre,
- (iv) City Centre 1.3, as successor of LVCC and City Centre 1, owns Lot 2, La Vista City Centre Replat 1,
- (v) City Centre 1.2, as successor of LVCC and City Centre 1, owns Lot 10, La Vista City Centre Replat Three,
- (vi) City Centre 2, as successor of LVCC, owns Lots 2, 3, 4, and 5, La Vista City Centre Replat Three,
- (vii) Music Venue, as successor of LVCC, owns Lot 3, La Vista City Centre Replat Four, , and
- (viii) Hotel, contemporaneously with this Fourth Amendment and as successor of LVCC, will acquire Lot 1, La Vista City Centre Replat Six, (lots described in subsections “i” through “viii” together are referred to herein as “City Centre

Property”).

- (vi) The City of La Vista owns:
 - Outlot B, La Vista City Centre,
 - Lot 2, La Vista City Centre Replat 2,
 - Lots 7 and 12, La Vista City Centre Replat Three, and
 - Lot 2, La Vista City Centre Replat Four.

C. LVCC and CDA in 2016 pursuant to the 2016 Redevelopment Plan entered a Redevelopment Agreement (Sarpy County Register of Deeds Instrument Number 2016-31245) (“2016 Redevelopment Agreement”) with respect to the Mixed Use Redevelopment Project and TIF within the Mixed Use Redevelopment Project Area, as amended in 2017 by a First Amendment to Redevelopment Agreement, in 2021 by a Second Amendment to Redevelopment Agreement (Register of Deeds Instrument Number 2021-33802) pursuant to the 2020 Redevelopment Plan, and in 2024 by a Third Amendment to Redevelopment Agreement (Register of Deeds Instrument Number 2024-05485) pursuant to the 2024 Redevelopment Plan (the 2016 Redevelopment Agreement as amended by the First, Second and Third Amendments together are referred to herein as “2024 Redevelopment Agreement”). Terms, conditions and exhibits of the 2024 Redevelopment Agreement, among other things, include provisions regarding improvements to be constructed within the Mixed Use Redevelopment Project Area. The parties desire to amend the 2024 Redevelopment Agreement to provide further specification with respect to building, parking and other related improvements Hotel will construct and own within La Vista City Centre, Replat 6 as part of the Subsequent Phases of the Mixed Use Redevelopment Project, to be operated and used as a hotel.

D. LVCC and City in 2016 pursuant to the 2016 Redevelopment Plan entered a Subdivision Agreement (Sarpy County Register of Deeds Instrument Number 2016-31244) (“2016 Subdivision Agreement”) with respect to the Public Improvement Redevelopment Project within the Public Improvement Redevelopment Project Area, as amended in 2019 by a First Amendment to Subdivision Agreement in connection with La Vista City Centre Replat Three, in 2021 by a Second Amendment to Subdivision Agreement (Register of Deeds Instrument Number 2021-33801) pursuant to the 2020 Redevelopment Plan, and in 2024 by a Third Amendment to Subdivision Agreement (Register of Deeds Instrument Number 2024-05486) pursuant to the 2024 Redevelopment Plan (the 2016 Subdivision Agreement as amended by the First, Second and Third Amendments together are referred to herein as “2024 Subdivision Agreement”). Terms, conditions and exhibits of the 2024 Subdivision Agreement, among other things, describe and otherwise provide for Subdivider Improvements to be constructed within the Mixed Use Redevelopment Project Area, including without limitation types of uses and minimum requirements for Phase I Subdivider Improvements and subsequent phases of Subdivider Improvements. Contemporaneously with this Amendment, the 2024 Subdivision Agreement is being amended consistent with changes in this Amendment regarding improvements Hotel will construct and own within La Vista City Centre, Replat 6 as part of subsequent phases for operation and use as a hotel (“Fourth Amendment to Subdivision Agreement”). Corresponding amendments also are being made to the 2024 Redevelopment Plan (“Amendment No. 4”). Provisions of the 2024

Redevelopment Plan, as amended by Amendment No. 4, and the 2024 Subdivision Agreement, as amended by the Fourth Amendment to Subdivision Agreement, are incorporated herein by this reference and the parties shall be bound by them.

E. CDA, in the interests of public health, safety, welfare, necessity and convenience, finds and determines that improvements pursuant to the 2024 Redevelopment Plan, as amended by Amendment No. 4 (“2025 Redevelopment Plan”), the 2024 Redevelopment Agreement, as amended by this Amendment, or the 2024 Subdivision Agreement, as amended by the Fourth Amendment to Subdivision Agreement (“2025 Subdivision Agreement”), advance public purposes of redevelopment and eliminating and preventing recurrence of the substandard and blighted Area, and serve additional public purposes of attracting visitors to the 84th Street Redevelopment Area and City, expanding the array of entertainment, employment and residential opportunities to the City and its residents, and enhancing the possibility of additional tax revenues for supporting costs of public services. The CDA determines that the Mixed Use Redevelopment Project and Public Improvement Redevelopment Project, as amended by this Amendment or the Fourth Amendment to Subdivision Agreement, are in the interests of public health, safety, welfare, necessity and convenience and the best interests of the community, CDA, City, and its residents.

NOW, THEREFORE, in consideration of the foregoing recitals, the terms, provisions, agreements and covenants contained in this Amendment and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, and intending to be legally bound hereby, the parties amend the 2024 Redevelopment Agreement and agree as follows:

I. Definitions. Unless otherwise defined or clearly indicated by the context in this Amendment, capitalized terms will have the meanings set forth in the 2024 Redevelopment Agreement, 2025 Subdivision Agreement or 2025 Redevelopment Plan.

II. Mixed Use Redevelopment Project.

A. As part of the Subsequent Phases of the Mixed Use Redevelopment Project, Hotel at its sole cost will acquire Lot 1, Replat 6 (“Hotel Site”) and finance, fund, design, construct, equip and own on such Hotel Site within the Mixed Use Redevelopment Project Area building, parking and other improvements to be used, operated, maintained, replaced and repaired as a hotel having approximately 129 guest rooms and related amenities under and in accordance with applicable Marriott Springhill Suites franchise and brand standards, including without limitation standards governing maintenance, repairs, replacements and renovations, and at its sole cost, design, construct, equip on or adjacent to such Hotel Site any required Redeveloper Public Improvements in connection with such hotel, (such hotel and other improvements together referred to herein as “Hotel Improvements”). A preliminary site plan and rendering or description of the Hotel Improvements are attached as Exhibit II. Final layout, facilities, improvements, and features of such Hotel Improvements will be set forth in final Plats, renderings, and site plans approved by the City from time to time in accordance with applicable requirements, subject to any subsequent additions, subtractions, or changes approved by the City. Any material changes to principal facilities, uses, purposes, franchise or brand of the Hotel Improvements or Hotel Site will be subject to consent of the CDA as indicated in writing by the Mayor or City Administrator.

B. Replats and Final Plans. Replat 6 in connection with this Amendment and the Hotel Improvements is attached hereto as Exhibit II, which replat shall be subject to any modifications or additional replats as the City Engineer determines necessary or appropriate, and final approval by the City Council. Construction of Hotel Improvements shall be subject to such reviews, approvals or requirements as provided in applicable provisions of this Amendment, the 2024 Redevelopment Agreement as amended by this Amendment, the 2025 Subdivision Agreement, or applicable laws or regulations, as amended from time to time. Before the City releases Replat 6 for recording, Redeveloper shall record all easements that the City or CDA requires, as determined by the City Engineer and in form and content to his satisfaction. Notwithstanding anything in this Amendment to the contrary, replats, site plans, designs, boundaries, dimensions, components and features of the Hotel Improvements are preliminary and shall be subject to adjustment and finalization as the Redeveloper determines necessary or appropriate to carry out the 2025 Redevelopment Plan, subject to applicable laws, rules and regulations.

III. Tax Increment Financing. After applicable cost-benefit and other requirements with respect to the Mixed Use Redevelopment Project, as amended, were satisfied, the 2016 Redevelopment Plan and 2016 Redevelopment Agreement, as amended by Amendment No. 2 and the Second Amendment, respectively, authorized TIF and Redevelopment Loans to fund or pay Eligible Expenses in connection with redevelopment of the Mixed Use Redevelopment Project Area, including the Hotel Site and a hotel, and further authorized CDA's facilitation and participation in such TIF and Redevelopment Loans to fund or pay site-specific Eligible Expenses, subject to the Maximum Redevelopment Loan Amount constituting the cumulative limit on all Redevelopment Loan Amounts of all Redevelopment Loans of the Mixed Use Redevelopment Project and all Projects within the Mixed Use Redevelopment Project Area; all of which, and in particular use of TIF for Eligible Expenses in connection with redevelopment of the Hotel Site and Hotel Improvements, is hereby ratified, affirmed and approved.

IV. All provisions of the 2024 Redevelopment Agreement shall be deemed revised, modified, and amended to be consistent with the provisions of this Amendment. Except as modified by this Amendment, terms and conditions of the 2024 Redevelopment Agreement shall continue in full force and effect. In the event of any conflict or ambiguity between the provisions of this Amendment and the 2024 Redevelopment Agreement, provisions of this Amendment shall govern and control. If terms or conditions of any applicable franchise or brand standards are ambiguous or conflict, the interpretation or terms or conditions providing for the better quality or higher standard will control.

V. Other.

a. Boundaries of the Mixed Use Redevelopment Project Area. Boundaries of the Mixed Use Redevelopment Project Area are as initially set forth in the 2016 Redevelopment Plan and adjusted by the Second Amendment to Redevelopment Agreement incorporated into the 2016 Redevelopment Plan, as amended by Amendment No. 2, and shall remain the same and unchanged.

b. Map Showing Existing Conditions and Uses. A map and description of existing conditions and uses of real property in the Mixed Use Redevelopment Project

Area are provided in the 2016 Redevelopment Plan, including areas of La Vista City Centre involved in this Amendment replatted as Replat 6, which property and areas have been cleared of obsolete and deteriorating improvements and are in ongoing process of improvement and redevelopment.

c. Land-Use Plan Showing Proposed Uses of the Area. A preliminary land-use plan showing potential uses of the Mixed Use Redevelopment Project Area after redevelopment is contained in the 2016 Redevelopment Plan, as modified by the Second and Third Amendments to Redevelopment Agreement incorporated into the 2024 Redevelopment Plan. A preliminary land-use plan showing proposed uses of parts of the Mixed Use Redevelopment Project Area involved in this Amendment is provided in Exhibit II. The uses, as modified by this Amendment, will be consistent with the vision and long term plans of the City, and the type of project and its proximity to Nebraska State Highway 85, Harrison Street, Giles Road, and connectivity to other major streets and I-80 will facilitate commuting and enhance the opportunity for further development and use of public transportation for residents and visitors to and from the area and other parts of the metro area. The final land-use plan and uses of such areas, including any additions, subtractions, or changes from time to time, shall be as approved by the City or CDA or its designee.

d. Standards of Population Densities, Land Coverage, and Building Intensities. Standards of population densities, land coverage and building requirements, intensities, and densities in the Mixed Use Redevelopment Project Area after redevelopment, including without limitation parts of the Mixed Use Redevelopment Project Area involved in this Amendment, to the extent not specified elsewhere in the 2025 Redevelopment Plan or this Amendment, will be defined and enforced by, and in accordance with the Zoning and Subdivision Regulations of the City of La Vista, as periodically amended, which are incorporated herein by this reference.

e. Statement of Proposed Changes in Zoning, Streets, or Building Codes. The proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, building codes or ordinances, or planning changes are preliminarily projected in the 2016 Redevelopment Plan, as modified by the Second and Third Amendments to Redevelopment Agreement incorporated into the 2024 Redevelopment Plan. Except as may be provided in the 2025 Redevelopment Plan, this Amendment, or by agreement of the CDA and Redeveloper in a redevelopment contract, or by the City in any other agreement or action, additional changes are not otherwise being proposed at this time. That being said, if any changes subsequently are determined by the City or CDA to be necessary or appropriate to carry out the 2024 Redevelopment Agreement, as amended by this Amendment, or for any improvements, the City or CDA would take such actions as necessary or appropriate to make the changes. All final changes with respect to matters described in this subsection, or any subsequent additions, subtractions, or changes from time to time, will be subject to approval of the City or CDA or its designee.

f. Site Plan of Mixed Use Redevelopment Project Area. The preliminary site plan of the Mixed Use Redevelopment Project Area is contained in the 2016 Redevelopment Plan, as modified by the Second and Third Amendments to

Redevelopment Agreement incorporated into the 2024 Redevelopment Plan, and further updated as provided in Exhibit II with respect to areas involved in this Amendment. The final site plan, including any additions, subtractions, or changes from time to time, will be subject to approval of the City or CDA or its designee.

g. Statement of Additional Public Facilities or Utilities. The kind and number of additional public facilities or utilities which will be required to support the new land uses in the Mixed Use Redevelopment Project Area after redevelopment are preliminarily projected in the 2024 Redevelopment Plan. Additional public facilities or utilities contemplated to support the new land uses in parts of the Mixed Use Redevelopment Project Area involved in this Amendment, if any, are described or depicted in Exhibit II. The final public facilities or utilities, if any, will be subject to any additions, subtractions, or changes as the City Administrator, City Engineer, or her or his designee from time to time determines necessary or appropriate.

h. Building requirements. Except for Design Standards as provided by or in accordance with the 2024 Redevelopment Agreement or any other redevelopment contract, building requirements applicable to the project shall be as set forth in zoning and subdivision regulations and building and other codes of the City of La Vista, as enacted or amended from time to time.

i. Subject to any changes to zoning or the future zoning map described in or in connection with this Amendment, the 2024 Redevelopment Agreement, as amended by this Amendment, the 2025 Subdivision Agreement, or the 2025 Redevelopment Plan, zoning of the Hotel Site is consistent with the Future Zoning Map and accommodates the Mixed Use Redevelopment Project, and the Future Zoning Map generally is in conformance with the Comprehensive Plan and specifically the Future Land Use Map.

j. Consents and Certifications. Redeveloper ratifies, affirms, represents and certifies to CDA as follows:

i. Consent to designation of all or part of the Mixed Use Redevelopment Project Area as an enhanced employment area, and

ii. Certification that

- a. It has not filed and does not intend to file an application with the Department of Revenue to receive tax incentives under the Nebraska Advantage Act or the ImagiNE Nebraska Act for a project located or to be located within the redevelopment project area;
- b. No such application includes or will include, as one of the tax incentives, a refund of the city's local option sales tax revenue; and
- c. No such application has been approved under the Nebraska Advantage Act or the ImagiNE Nebraska Act.

k. Document Retention. Each Redeveloper shall retain copies of all supporting documents in its possession or control that are associated with the 2025 Redevelopment Plan or Mixed Use Redevelopment Project, as amended, and that are received or generated by it for three years following the end of the last fiscal year in which ad valorem taxes are divided and provide such copies to the City of La Vista as needed to comply with the City's retention requirements under Neb. Rev. Stat. section [18-2117.04](#). For purposes of this subsection, supporting document includes any cost-benefit analysis conducted pursuant to Neb. Rev. Stat. section [18-2113](#) and any invoice, receipt, claim, or contract received or generated by the Redeveloper that provides support for receipts or payments associated with the division of taxes.

l. All ad valorem taxes levied upon real property in the Mixed Use Redevelopment Project Area, as amended from time to time, shall be paid before the taxes become delinquent in order for the Mixed Use Redevelopment Project to receive funds from the division of taxes, except the City Administrator or her designee in his or her sole discretion may waive the requirement upon finding that a delinquency was for good and sufficient cause beyond the control of Redeveloper.

m. This Amendment describes one or more redevelopment projects and shall constitute a redevelopment contract for redevelopment within the Mixed Use Redevelopment Project Area, as amended from time to time, in conformity with the 2025 Redevelopment Plan.

n. A redevelopment project that includes the division of taxes as provided in Neb. Rev. Stat. Section [18-2147](#) shall not provide for the reimbursement of costs incurred prior to approval of the redevelopment project, except for costs relating to:

- (1) The preparation of materials and applications related to the redevelopment project;
- (2) The preparation of a cost-benefit analysis conducted pursuant to section [18-2113](#);
- (3) The preparation of a redevelopment contract;
- (4) The preparation of bond and other financing instruments;
- (5) Land acquisition and related due diligence activities, including, but not limited to, surveys and environmental studies; and
- (6) Site demolition and preparation.

o. This Amendment shall be subject to and carried out in accordance with the 2025 Redevelopment Plan.

p. Any improvements described in this Amendment shall be in addition to other improvements described in the 2024 Redevelopment Agreement.

q. This Amendment shall be subject to definitive documents satisfactory to the parties to such documents, and conditioned on satisfaction of applicable processes and requirements of applicable laws and regulations with respect to the matters described in this Amendment.

r. Notwithstanding anything in this Amendment to the contrary:

- (1) Locations, parcels, replats, site plans and designs, boundaries, dimensions, components, requirements, specifications, and features of property or improvements described in this Amendment are preliminary and shall be subject to such additions, subtractions, modifications, and finalization and approval as the City Administrator, City Engineer or her or his designee determines necessary or appropriate to carry out this Amendment, the 2024 Redevelopment Agreement, as amended by this Amendment, the 2025 Subdivision Agreement, or the 2025 Redevelopment Plan; and
- (2) The City, in addition to authority under the Community Development Law, has independent statutory powers and authority to finance, fund, or pay for improvements or work pursuant to other provisions of the Nebraska Statutes, including without limitation redevelopment and public infrastructure projects, work or improvements pursuant to Neb. Rev. Stat. Section 19-3301 et seq, 66-4,101, and 77-27,142, and provisions of Chapters 13, 16, 18, or 19. The City intends and shall be authorized to exercise such statutory powers and authority, independently or in conjunction with any powers or authority of the City under the Community Development Law, to the fullest extent as it determines necessary or appropriate to finance, construct or pay for facilities, improvements, works, costs, or expenses, or to facilitate, assist, perform, or otherwise carry out this Amendment, the 2024 Redevelopment Agreement, as amended by this Amendment, the 2025 Redevelopment Plan, or otherwise for public purposes in or benefiting the 84th Street Redevelopment Area. The CDA also shall be authorized to exercise all statutory powers and authority to carry out this Amendment, the 2025 Redevelopment Plan, or otherwise for public purposes in or benefiting the 84th Street Redevelopment Area. CDA's role, if any, in financing or paying any costs or expenses shall be as approved by the CDA, subject to such review and approval of the City as may be specified from time to time by the City Council. Not in limitation of the foregoing or any powers pursuant to applicable law, City or CDA shall be authorized to issue bonds stating or pledging occupation taxes described in Neb. Rev. Stat. Section 18-2142.02, or any other revenues or sources, as an available source of payment, and to pay or reimburse any prior or future costs or expenses of City or CDA pursuant to this Amendment, the 2024 Redevelopment Agreement, as amended by this Amendment, the 2025 Subdivision Agreement, or the 2025 Redevelopment Plan, as amended from time to time, on such terms and conditions as the City or CDA determines satisfactory in accordance with applicable laws. Any such bond is authorized by the City or CDA to facilitate, aid in financing, finance, reimburse, or fund the redevelopment projects, improvements, works, costs, or expenses under this Amendment or the 2025 Redevelopment Plan, as amended from time to time.

s. This Amendment has been authorized, issued, and entered into by the CDA to provide or aid in financing for an approved redevelopment project. For purposes of the preceding sentence, "financing" includes without limitation funding.

t. This Amendment and the agreements and understandings herein constitute covenants running with the land, shall survive all closings, and shall be binding upon the parties and their respective successors, heirs and assigns, lenders, mortgagees, tenants, transferees or any other persons or entities gaining or claiming any interest or lien within the Public Improvement Redevelopment Project Area or Mixed Use Redevelopment Project Area, as either Area may be modified from time to time. Immediately after this Amendment is executed, LVCC shall file it with the Sarpy County Register of Deeds with respect to all real property or interests therein then or thereafter directly or indirectly owned, held, or controlled by any Redeveloper parties, or by any affiliated person or entity of any such Redeveloper parties, within the Public Improvement Redevelopment Project Area or Mixed Use Redevelopment Project Area.

u. The 2025 Redevelopment Plan and 2025 Subdivision Agreement, including without limitation all exhibits of such 2025 Redevelopment Plan or 2025 Subdivision Agreement, all documents, instruments and Exhibits referenced in this Amendment, and the recitals at the beginning of this Amendment are incorporated into this Amendment by reference.

v. Headings are for convenience only and shall not be used in construing meaning.

w. This Amendment may be executed in any number of counterparts, each and all of which shall be an original and together shall constitute one and the same instrument.

x. This Amendment shall be subject to consent of all holders of security or other interests with respect to any party's interest in any City Centre Property, in form and content satisfactory to the City Administrator of the City of La Vista or her designee.

y. Effective Date. This Amendment shall be effective on the date of the last party to execute it ("Effective Date").

[Signature Pages to Follow.]

LA VISTA COMMUNITY DEVELOPMENT AGENCY:

Douglas Kindig, Mayor
City of La Vista

ATTEST:

Rachel D. Carl, City Clerk

STATE OF NEBRASKA)
)ss.
COUNTY OF SARPY)

On this ____ day of _____, _____, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Rachel Carl, personally known by me to be the Mayor and City Clerk of the City of La Vista and authorized to act on behalf of the La Vista Community Development Agency, and the identical persons whose names are affixed to the foregoing Amendment, and acknowledged the execution thereof on behalf of the Agency to be their voluntary act and deed and the voluntary act and deed of said Agency.

[Seal]

Notary Public

LA VISTA CITY CENTRE, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of La Vista City Centre, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE MUSIC VENUE, LLC,
a Nebraska limited liability company

By: City Ventures Holdings, LLC,
a Nebraska limited liability company,
Manager

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of City Ventures Holdings, LLC, a Nebraska limited liability company, Manager of City Centre Music Venue, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

ROCKET PROPERTY COMPANY LLC,
a Delaware limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of Rocket Property Company LLC, a Delaware limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 1.1, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____,
2025 by Christopher L. Erickson, Manager of City Centre 1.1, LLC, a Nebraska limited liability
company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 1.2, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____,
2025 by Christopher L. Erickson, Manager of City Centre 1.2, LLC, a Nebraska limited liability
company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 1.3, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____,
2025 by Christopher L. Erickson, Manager of City Centre 1.3, LLC, a Nebraska limited liability
company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 2, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025, by Christopher L. Erickson, Manager of City Centre 2, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

E&W HOLDINGS, LLC,
a Nebraska limited liability company

La Vista City Centre, LLC, a Nebraska
limited liability company, Sole Member

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of La Vista City Centre, LLC, a Nebraska limited liability company, Sole Member of E&W Holdings, LLC, a Nebraska limited liability company, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of said company.

[Seal]

Notary Public

CITY CENTRE HOTEL, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

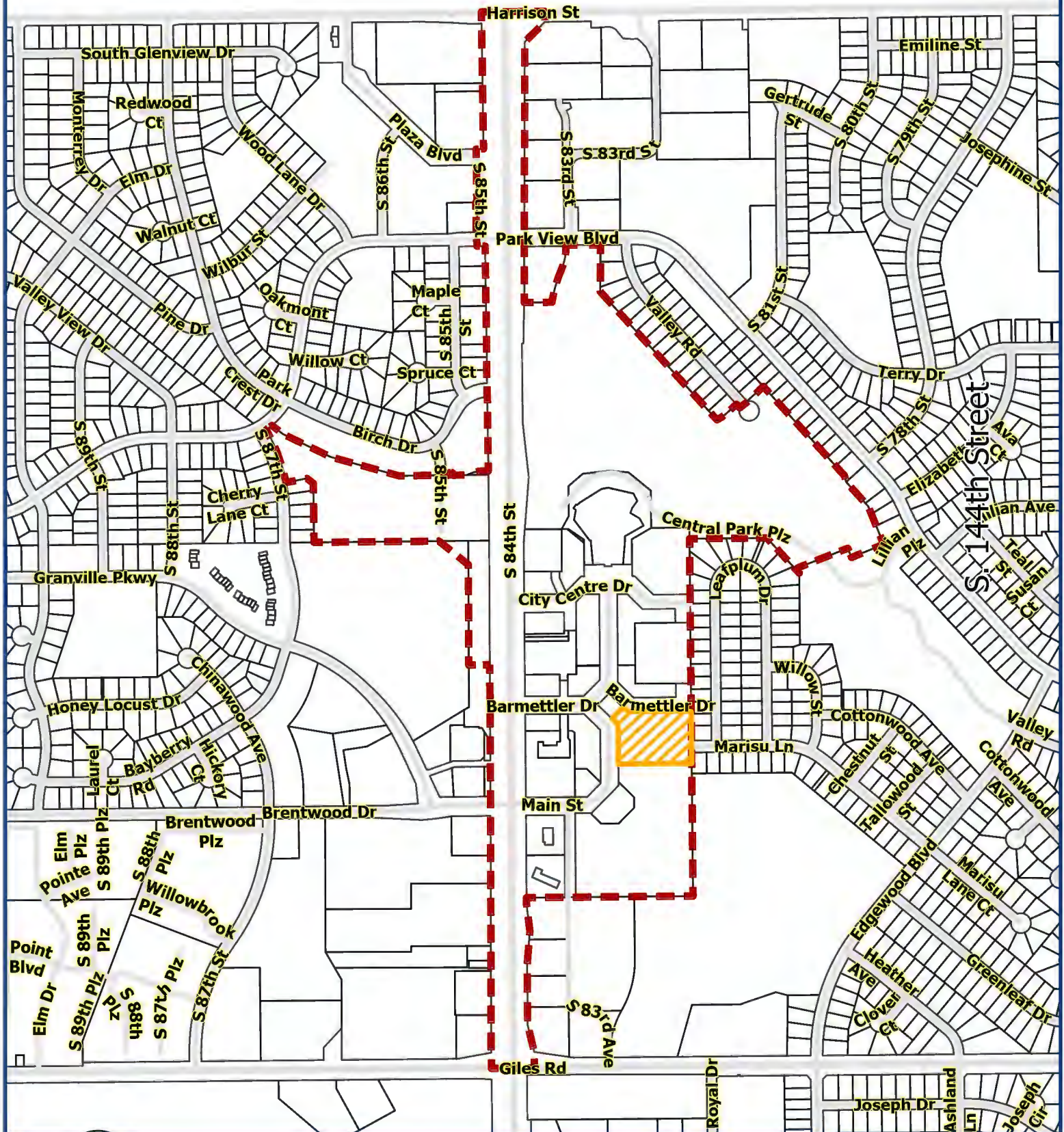
STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of City Centre Hotel, LLC, a Nebraska limited liability company, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of said company.

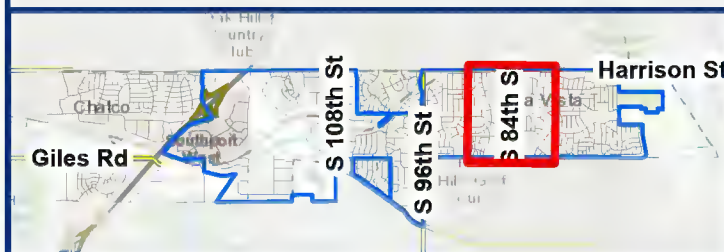
[Seal]

Notary Public


[MARK AND ATTACH EXHIBIT II]



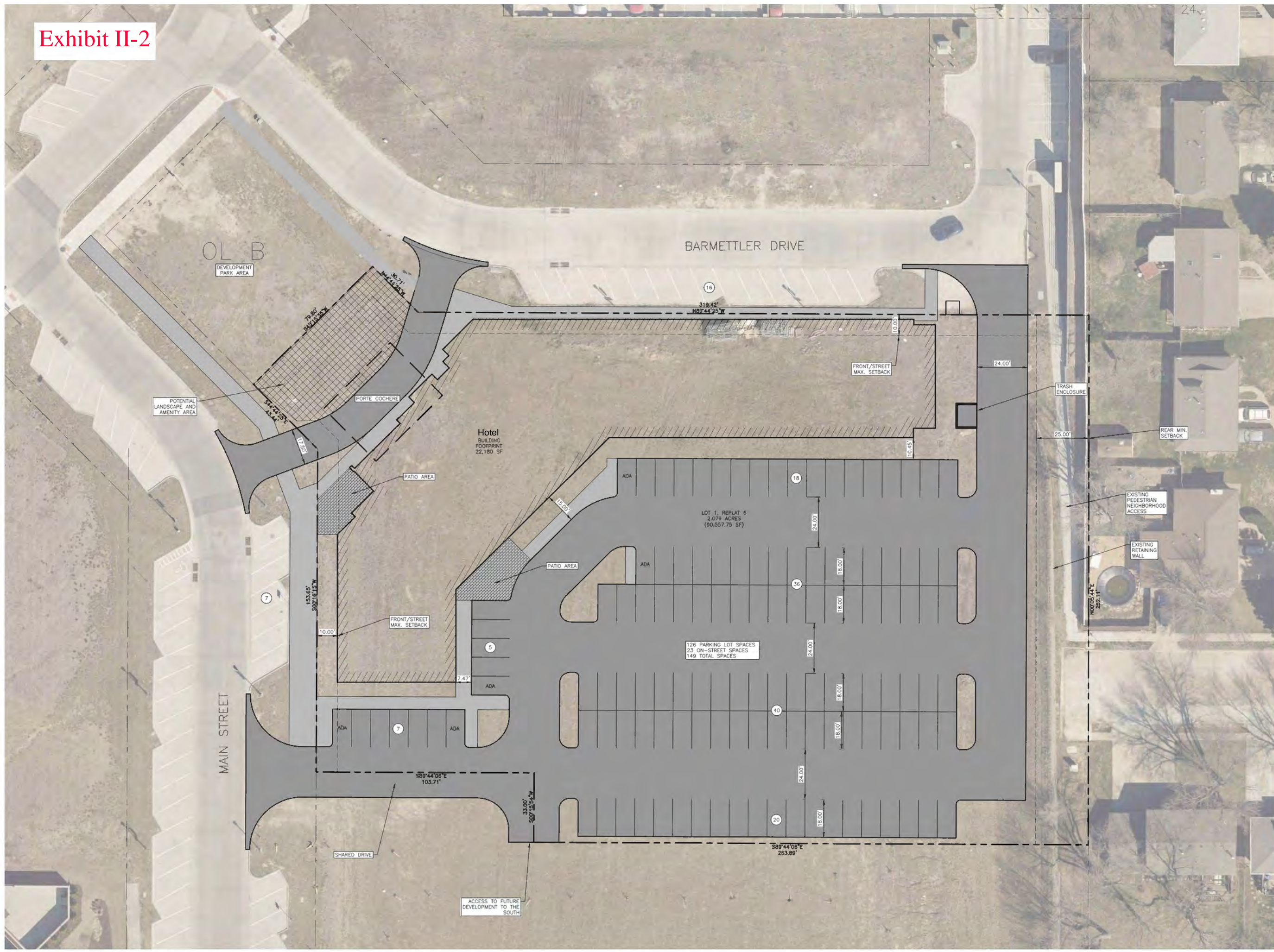
84th Street Redevelopment Plan Amendment #4



Legend

-  Area to be Redeveloped in Redevelopment Plan Amendment No. 4
-  Redevelopment Area - 84th Street Redevelopment Plan





PRELIMINARY

NOT RELEASED FOR CONSTRUCTION
RANDALL R. KUSZAK
E 15439

CONCEPTUAL
SITE PLAN
EXHIBIT

LA VISTA CITY CENTRE LOT 1, REPLAT 6
LA VISTA, NEBRASKA



Know what's below.
Call before you dig.

REVISIONS

NO.	DESCRIPTION

DESIGNER / DRAFTER

DATE

10/2/2024

PROJECT NUMBER

BOOK AND PAGE

SHEET

Exhibit II-3



1 ELEVATION - Front East Wing
SCALE: 1/8" = 1'-0"



2 ELEVATION - Front West Wing
SCALE: 1/8" = 1'-0"

CHOOSE a Person in Charge (PIC) in
Titleblock Type Properties.

Marriott

La Vista Centre

DRAWN BY: Author CHECKED: Checker

DATE: 2024.11.07 PROJ. NO.: Project No.

GRAPHIC SCALE:
SCALE 1/8" = 1'-0"
0 1 2 3 4 5

Front Elevations

SHEET NO.

ASK01

LOCATED IN:
NW 1/4, SW 1/4, SEC. 14-T14N-R12E
SW 1/4, SW 1/4, SEC. 14-T14N-R12E

Exhibit II-4

LA VISTA CITY CENTRE REPLAT 6

LOTS 1 & 2

BEING A REPLATTING OF LOT 2, LA VISTA CITY CENTRE REPLAT 5, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED
IN SARPY COUNTY, NEBRASKA

LAMP
RYNEARSON

LAMPRYNEARSON.COM

OMAHA, NEBRASKA
14110 W. DOUGLAS RD. STE. 100 (402) 484-2488
RE. AUTHORIZATION NO. CA1159
FORT COLLINS, COLORADO
4710 INNOVATION DR. STE. 100 (970) 228-0342
KANSAS CITY, MISSOURI
3001 STATE LINE RD. STE. 200 (816) 361-6440
MO. AUTH. NO. C-0013011903 / LS-2015043127

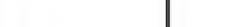
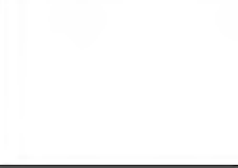
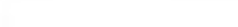
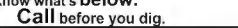
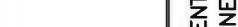
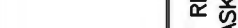
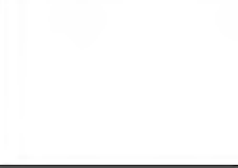
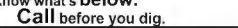
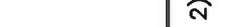
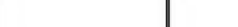
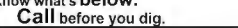
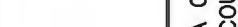
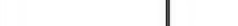
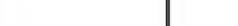
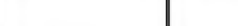
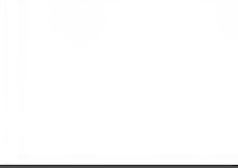
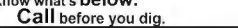
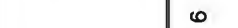
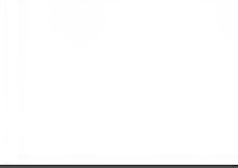
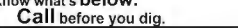
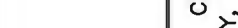
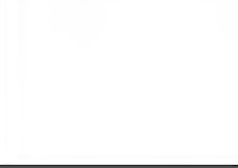
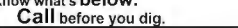
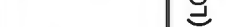
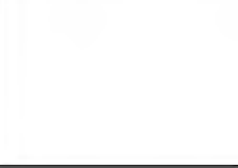


EXHIBIT II-5

ADDITIONAL REDEVELOPER INFRASTRUCTURE IMPROVEMENTS

- Public Improvements:
Sidewalks, Sidewalk Landscaping, Street Furniture \$165,550
- Site Work: Site Utilities \$181,116
- Design of Public Infrastructure \$34,700

EXHIBIT 2

Fourth Amendment to Subdivision Agreement

[SPACE ABOVE THIS LINE FOR RECORDING DATA]

FOURTH AMENDMENT TO SUBDIVISION AGREEMENT

This Fourth Amendment to Subdivision Agreement (the “Amendment”) is entered into as of the Effective Date specified in Section IVt below by and among the City of La Vista, a Nebraska municipal corporation (“City”), La Vista City Centre, LLC, a Nebraska limited liability company, (“LVCC”), City Centre Music Venue, LLC, a Nebraska limited liability company, (“Music Venue”), Rocket Property Company LLC, a Delaware limited liability company authorized to do business in Nebraska, (“Rocket Property”), City Centre 1.1 LLC, a Nebraska limited liability company (“City Centre 1.1”), City Centre 1.2 LLC, a Nebraska limited liability company (“City Centre 1.2”), City Centre 1.3 LLC, a Nebraska limited liability company (“City Centre 1.3”), City Centre 2, LLC, a Nebraska limited liability company (“City Centre 2”), E&W Holdings, LLC, a Nebraska limited liability company (“E&W”) and City Centre Hotel, LLC (“Hotel”) (LVCC, Music Venue, Rocket Property, City Centre 1.1, City Centre 1.2, City Centre 1.3, City Centre 2, E&W and Hotel together herein “Subdivider”).

Recitals The parties find, determine, and agree as follows:

A. The Mayor and City Council in 2012 declared the 84th Street Redevelopment Area as a substandard and blighted area in need of redevelopment, and in 2013 adopted the Redevelopment Plan - 84th Street Redevelopment Area (“Initial Redevelopment Plan”), as amended in 2016 by Amendment No. 1 (the Initial Redevelopment Plan as amended by Amendment No. 1 referred to herein as “2016 Redevelopment Plan”), in 2020 by Amendment No. 2 and in 2024 by Amendment No. 3 (the 2016 Redevelopment Plan as amended by Amendments No. 2 and No. 3 referred to herein as “2024 Redevelopment Plan”), and providing for a Mixed Use Redevelopment Project and tax increment financing (“TIF”) in response to a Redevelopment Application (as supplemented) submitted by LVCC with the La Vista Community Development Agency, and a Public Improvement Redevelopment Project.

B. Lots and lot ownership within parts of the 84th Street Redevelopment Area known as La Vista City Centre are as follows:

Upon Recording Please Return To:

Fitzgerald, Schorr PC LLO
Attn: Tom McKeon
10050 Regency Circle
Omaha, NE 68114

Lots: La Vista City Centre was initially platted in 2016 as Lots 1 through 17 and Outlots A through C, La Vista City Centre. Lots 3 and 4 subsequently were replatted as Lots 1 and 2, La Vista City Centre Replat 1 (“Replat 1”); Lots 16 and 17 subsequently were replatted as Lots 1 and 2, La Vista City Centre Replat 2 (“Replat 2”); Lots 5 - 12, La Vista City Centre and Lot 1, Replat 1, were subsequently replatted as Lots 1 - 12, La Vista City Centre Replat Three (“Replat Three”); Lot 13 and Outlot A, La Vista City Centre, Lot 1, Replat Three, and part of Tax Lot 12 were replatted as Lots 1-3, La Vista City Centre Replat Four (“Replat Four”); and Outlot C, La Vista City Centre, was replatted as Lots 1 and 2, La Vista City Centre Replat 5 (“Replat 5”), and Lot 2, Replat 5 further replatted in connection with this Amendment as Lots 1 and 2 Replat 6 (“Replat 6”).

Lot ownership:

- (i) Store Master Funding XXI LLC and Rocket Property, as successors of La Vista Car Wash LLC, are owner and leasehold owner, respectively, of land and improvements of Lot 1, La Vista City Centre, and Rocket Property represents that it is authorized under the governing lease to execute this Amendment
- (ii) LVCC owns:
 - Lot 2, La Vista City Centre,
 - Lot 1, La Vista City Centre Replat 2,
 - Lots 6, 8, 9 and 11, La Vista City Centre Replat Three (E&W owns the building and other improvements on Lot 8, La Vista City Centre Replat Three),
 - Lot 1, La Vista City Centre Replat Four, and
 - Lots 1 and 2, La Vista City Centre Replat 5,
- (iii) City Centre 1.1, as successor of LVCC and City Centre 1, owns Lots 14 and 15, La Vista City Centre,
- (iv) City Centre 1.3, as successor of LVCC and City Centre 1, owns Lot 2, La Vista City Centre Replat 1,
- (v) City Centre 1.2, as successor of LVCC and City Centre 1, owns Lot 10, La Vista City Centre Replat Three,
- (vi) City Centre 2, as successor of LVCC, owns Lots 2, 3, 4, and 5, La Vista City Centre Replat Three,
- (vii) Music Venue, as successor of LVCC, owns Lot 3, La Vista City Centre Replat Four, and
- (viii) Hotel, contemporaneously with this Fourth Amendment and as successor of LVCC, will acquire Lot 1, La Vista City Centre Replat Six, (lots described in subsections “i” through “viii” together are referred to herein as “City Centre Property”).
- (ix) The City of La Vista owns:
 - Outlot B, La Vista City Centre,
 - Lot 2, La Vista City Centre Replat 2,
 - Lots 7 and 12, La Vista City Centre Replat Three, and

Lot 2, La Vista City Centre Replat Four.

C. LVCC and City in 2016 pursuant to the 2016 Redevelopment Plan entered a Subdivision Agreement (Sarpy County Register of Deeds Instrument Number 2016-31244 (“2016 Subdivision Agreement”)) with respect to the Public Improvement Redevelopment Project within the Public Improvement Redevelopment Project Area, as amended in 2019 by a First Amendment to Subdivision Agreement in connection with La Vista City Centre Replat Three, in 2021 by a Second Amendment to Subdivision Agreement (Register of Deeds Instrument Number 2021-33801) pursuant to the 2020 Redevelopment Plan, and in 2024 by a Third Amendment to Subdivision Agreement (Register of Deeds Instrument Number 2024-05486) pursuant to the 2024 Redevelopment Plan (the 2016 Subdivision Agreement as amended by the First, Second and Third Amendments together are referred to herein as “2024 Subdivision Agreement”). Terms, conditions and exhibits of the 2024 Subdivision Agreement, among other things, describe and otherwise provide for Subdivider Improvements to be constructed within the Mixed Use Redevelopment Project Area, including without limitation types of uses and minimum requirements for Phase I Subdivider Improvements and subsequent phases of Subdivider Improvements. The parties desire to amend the 2024 Subdivision Agreement consistent with changes set forth in the Fourth Amendment to Redevelopment Agreement in connection with improvements Hotel will construct and own within La Vista City Centre, Replat 6 as part of the subsequent phases of the Mixed Use Redevelopment Project, to be operated and used as a hotel.

D. LVCC and CDA in 2016 pursuant to the 2016 Redevelopment Plan entered a Redevelopment Agreement (Sarpy County Register of Deeds Instrument Number 2016-31245) (“2016 Redevelopment Agreement”) with respect to the Mixed Use Redevelopment Project and TIF within the Mixed Use Redevelopment Project Area, as amended in 2017 by a First Amendment to Redevelopment Agreement, in 2021 by a Second Amendment to Redevelopment Agreement (Register of Deeds Instrument Number 2021-33802) pursuant to the 2020 Redevelopment Plan, and in 2024 by a Third Amendment to Redevelopment Agreement (Register of Deeds Instrument Number 2024-05485) pursuant to the 2024 Redevelopment Plan (the 2016 Redevelopment Agreement as amended by the First, Second and Third Amendments together are referred to herein as “2024 Redevelopment Agreement”). Terms, conditions and exhibits of the 2024 Redevelopment Agreement, among other things, include provisions regarding improvements to be constructed within the Mixed Use Redevelopment Project Area. Contemporaneously with this Amendment, the 2024 Redevelopment Agreement is being amended consistent with this Amendment to provide further specification with respect to building, parking and other related improvements Hotel will construct and own within La Vista City Centre, Replat 6 as part of Subsequent Phases of the Mixed Use Redevelopment Project, to be operated and used as a hotel (“Fourth Amendment to Redevelopment Agreement”). Corresponding amendments also are being made to the 2024 Redevelopment Plan (“Amendment No. 4”). Provisions of the 2024 Redevelopment Plan, as amended by Amendment No. 4, and the 2024 Redevelopment Agreement, as amended by the Fourth Amendment to Redevelopment Agreement, are incorporated herein by this reference and the parties shall be bound by them.

E. City, in the interests of public health, safety, welfare, necessity and convenience, finds

and determines that improvements pursuant to the 2024 Redevelopment Plan, as amended by Amendment No. 4, (“2025 Redevelopment Plan”), the 2024 Subdivision Agreement, as amended by this Amendment, or the 2024 Redevelopment Agreement, as amended by the Fourth Amendment to Redevelopment Agreement, (“2025 Redevelopment Agreement”), advance public purposes of redevelopment and eliminating and preventing recurrence of the substandard and blighted Area, and serve additional public purposes of attracting visitors to the 84th Street Redevelopment Area and City, expanding the array of entertainment, employment and residential opportunities to the City and its residents, and enhancing the possibility of additional tax revenues for supporting costs of public services. The City determines that the Public Improvement Redevelopment Project and Mixed Use Redevelopment Project, as amended by this Amendment or the Fourth Amendment to Redevelopment Agreement, are in the interests of public health, safety, welfare, necessity and convenience and the best interests of the community, City, CDA and its residents.

NOW, THEREFORE, in consideration of the foregoing recitals, the terms, provisions, agreements and covenants contained in this Amendment and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties, and intending to be legally bound hereby, the parties amend the 2024 Subdivision Agreement and agree as follows:

I. Definitions. Unless otherwise defined or clearly indicated by the context in this Amendment, capitalized terms will have the meanings set forth in the 2024 Subdivision Agreement, 2025 Redevelopment Agreement or 2025 Redevelopment Plan.

II. Subdivider Improvements.

A. As part of the subsequent phases of Subdivider Improvements, Hotel at its sole cost will acquire Lot 1, Replat 6 (“Hotel Site”) and construct, own and otherwise provide for the Hotel Improvements described or depicted in the 2025 Redevelopment Agreement, including without limitation any required public, private or shared infrastructure or improvements. Final layout, facilities, improvements, and features of such Hotel Improvements will be set forth in final Plats, renderings, and site plans approved by the City from time to time in accordance with applicable requirements, subject to any subsequent additions, subtractions, or changes approved by the City.

B. Replats and Final Plans. Replat 6 in connection with this Amendment and the Hotel Improvements is attached hereto as Exhibit II, which replat shall be subject to any modifications or additional replats as the City Engineer determines necessary or appropriate, and final approval by the City Council. Construction of Hotel Improvements shall be subject to such reviews, approvals or requirements as provided in applicable provisions of this Amendment, the 2024 Redevelopment Agreement as amended by this Amendment, the 2025 Subdivision Agreement, or applicable laws or regulations, as amended from time to time. Before the City releases Replat 6 for recording, Redeveloper shall record all easements that the City or CDA requires, as determined by the City Engineer and in form and content to his satisfaction. Notwithstanding anything in this Amendment to the contrary, replats, site plans, designs, boundaries, dimensions, components and features of the Hotel Improvements are preliminary and shall be subject to adjustment and finalization as the Redeveloper determines necessary or appropriate to carry out the 2025 Redevelopment Plan, subject to applicable laws,

rules and regulations.

C. Subdivider Infrastructure. Subdivider at its cost shall design, construct, operate, repair, replace and maintain the additional infrastructure improvements specified in Exhibit II ("Additional Subdivider Infrastructure Improvements"), which includes a preliminary cost estimate to design and construct said infrastructure improvements. Before the City releases any plat or replat for recording, Subdivider shall provide (i) a copy of the amendment to the CCRs adding responsibilities of the Association with respect to the Additional Subdivider Infrastructure Improvements to the satisfaction of the City Engineer, and (ii) a surety bond satisfactory to the City Engineer in the amount of 110% of the total estimated cost to design and construct Additional Subdivider Infrastructure Improvements, which shall be completed before the City issues a certificate of occupancy for the Hotel.

III. All provisions of the 2024 Subdivision Agreement shall be deemed revised, modified, and amended to be consistent with the provisions of this Amendment. Except as modified by this Amendment, terms and conditions of the 2024 Subdivision Agreement shall continue in full force and effect. In the event of any conflict or ambiguity between the provisions of this Amendment and the 2024 Subdivision Agreement, provisions of this Amendment shall govern and control.

IV. Other.

- a) Boundaries of the Public Improvement Redevelopment Project Area. Boundaries of the Public Improvement Redevelopment Project Area are as initially set forth in the 2016 Redevelopment Plan, as amended, and shall remain the same and unchanged.
- b) Map Showing Existing Conditions and Uses. A map and description of existing conditions and uses of real property in the Public Improvement Redevelopment Project Area are provided in the 2016 Redevelopment Plan, including areas of La Vista City Centre involved in this Amendment replatted as Replat 6, which property and areas have been cleared of obsolete and deteriorating improvements and are in ongoing process of improvement and redevelopment.
- c) Land-Use Plan Showing Proposed Uses of the Area. A preliminary land-use plan showing potential uses of the Public Improvement Redevelopment Project Area after redevelopment is contained in the 2016 Redevelopment Plan, as modified by the Second and Third Amendments to Subdivision Agreement incorporated into the 2024 Redevelopment Plan. A preliminary land-use plan showing proposed uses of parts of the Public Improvement Redevelopment Project Area involved in this Amendment is provided in Exhibit II. The uses, as modified by this Amendment, will be consistent with the vision and long term plans of the City, and the type of project and its proximity to 84th Street, previously referred to as Nebraska Highway 85, Harrison Street, Giles Road, and connectivity to other major streets and I-80 will facilitate commuting and enhance the opportunity for further development and use of public transportation for residents and visitors to and from the area and other parts of the metro area. The final land-use plan

and uses of such areas, including any additions, subtractions, or changes from time to time, shall be as approved by the City or CDA or its designee.

- d) Standards of Population Densities, Land Coverage, and Building Intensities. Standards of population densities, land coverage and building requirements, intensities, and densities in the Public Improvement Redevelopment Project Area after redevelopment, including without limitation parts of the Public Improvement Redevelopment Project Area involved in this Amendment, to the extent not specified elsewhere in the 2025 Redevelopment Plan or this Amendment, will be defined and enforced by, and in accordance with the Zoning and Subdivision Regulations of the City of La Vista, as periodically amended, which are incorporated herein by this reference.
- e) Statement of Proposed Changes in Zoning, Streets, or Building Codes. The proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, building codes or ordinances, or planning changes are preliminarily projected in the 2016 Redevelopment Plan, as modified by the Second and Third Amendments to Subdivision Agreement incorporated into the 2024 Redevelopment Plan. Except as may be provided in the 2025 Redevelopment Plan, this Amendment or by agreement of the CDA and Redeveloper in a redevelopment contract, or by the City in any other agreement or action, additional changes are not otherwise being proposed at this time. That being said, if any changes subsequently are determined by the City or CDA to be necessary or appropriate to carry out the 2024 Subdivision Agreement, as amended by this Amendment, or for any improvements, the City or CDA would take such actions as necessary or appropriate to make the changes. All final changes with respect to matters described in this subsection, or any subsequent additions, subtractions, or changes from time to time, will be subject to approval of the City or CDA or its designee.
- f) Site Plan of Public Improvement Redevelopment Project Area. The preliminary site plan of the Public Improvement Redevelopment Project Area is contained in the 2016 Redevelopment Plan, as modified by the Second and Third Amendments to Subdivision Agreement incorporated into the 2024 Redevelopment Plan, and further updated as provided in Exhibit II with respect to areas involved in this Amendment. The final site plan, including any additions, subtractions, or changes from time to time, will be subject to approval of the City or CDA or its designee.
- g) Statement of Additional Public Facilities or Utilities. The kind and number of additional public facilities or utilities which will be required to support the new land uses in the Public Improvement Redevelopment Project Area after redevelopment are preliminarily projected in the 2024 Redevelopment Plan. Additional public facilities or utilities contemplated to support the new land uses in parts of the Public Improvement Redevelopment Project Area involved in this Amendment, if any, are described or depicted in Exhibit II. The final public facilities or utilities, if any, will be subject to any additions, subtractions, or changes as the City Administrator, City Engineer, or her or his designee from time to time determines necessary or appropriate.

- h) Building Requirements. Except for Design Standards as provided by or in accordance with the 2025 Redevelopment Agreement or any other redevelopment contract, building requirements applicable to the project shall be as set forth in zoning and subdivision regulations and building and other codes of the City of La Vista, as enacted or amended from time to time.
- i) Subject to any changes to zoning or the future zoning map described in or in connection with this Amendment, the 2024 Subdivision Agreement, as amended by this Amendment, the 2025 Redevelopment Agreement or the 2025 Redevelopment Plan, zoning of the Hotel Site is consistent with the Future Zoning Map and accommodates the Public Improvement Redevelopment Project, and the Future Zoning Map generally is in conformance with the Comprehensive Plan and specifically the Future Land Use Map.
- j) This Amendment shall be subject to and carried out in accordance with the 2025 Redevelopment Plan.
- k) Any improvements described in this Amendment shall be in addition to other improvements described in the 2024 Subdivision Agreement.
- l) This Amendment shall be subject to definitive documents satisfactory to the parties to such documents, and conditioned on satisfaction of applicable processes and requirements of applicable laws and regulations with respect to the matters described in this Amendment.
- m) Notwithstanding anything in this Amendment to the contrary:
 - (1) Locations, parcels, replats, site plans and designs, boundaries, dimensions, components, requirements, specifications, and features of property or improvements described in this Amendment are preliminary and shall be subject to such additions, subtractions, modifications, and finalization and approval as the City Administrator, City Engineer or her or his designee determines necessary or appropriate to carry out this Amendment, the 2024 Subdivision Agreement, as amended by this Amendment, the 2025 Redevelopment Agreement, or the 2025 Redevelopment Plan; and
 - (2) The City, in addition to authority under the Community Development Law, has independent statutory powers and authority to finance, fund, or pay for improvements or work pursuant to other provisions of the Nebraska Statutes, including without limitation redevelopment and public infrastructure projects, work or improvements pursuant to Neb. Rev. Stat. Section 19-3301 et seq, 66-4,101, and 77-27,142, and provisions of Chapters 13, 16, 18, or 19. The City intends and shall be authorized to exercise such statutory powers and authority, independently or in conjunction with any powers or authority of the City under the Community Development Law, to the fullest extent as it determines necessary or appropriate to finance, construct or pay for facilities, improvements, works, costs, or expenses, or to facilitate, assist, perform, or otherwise carry out this Amendment, the 2024 Subdivision Agreement, as amended by this Amendment, the 2025 Redevelopment Plan, or otherwise for public purposes in or benefiting

the 84th Street Redevelopment Area. The CDA also shall be authorized to exercise all statutory powers and authority to carry out this Amendment, the 2025 Redevelopment Plan, or otherwise for public purposes in or benefiting the 84th Street Redevelopment Area. CDA's role, if any, in financing or paying any costs or expenses shall be as approved by the CDA, subject to such review and approval of the City as may be specified from time to time by the City Council. Not in limitation of the foregoing or any powers pursuant to applicable law, City or CDA shall be authorized to issue bonds stating or pledging occupation taxes described in Neb. Rev. Stat. Section 18-2142.02, or any other revenues or sources, as an available source of payment, and to pay or reimburse any prior or future costs or expenses of City or CDA pursuant to this Amendment, the 2024 Subdivision Agreement, as amended by this Amendment, the 2025 Redevelopment Agreement, or the 2025 Redevelopment Plan, as amended from time to time, on such terms and conditions as the City or CDA determines satisfactory in accordance with applicable laws. Any such bond is authorized by the City or CDA to facilitate, aid in financing, finance, reimburse, or fund the redevelopment projects, improvements, works, costs, or expenses under this Amendment or the 2025 Redevelopment Plan, as amended from time to time.

- n) This Amendment has been authorized, issued, and entered into by the City to provide or aid in financing for an approved redevelopment project. For purposes of the preceding sentence, "financing" includes without limitation funding.
- o) This Amendment and the agreements and understandings herein constitute covenants running with the land, shall survive all closings, and shall be binding upon the parties and their respective successors, heirs and assigns, lenders, mortgagees, tenants, transferees or any other persons or entities gaining or claiming any interest or lien within the Public Improvement Redevelopment Project Area or Mixed Use Redevelopment Project Area, as either Area may be modified from time to time. Immediately after this Amendment is executed, LVCC shall file it with the Sarpy County Register of Deeds with respect to all real property or interests therein then or thereafter directly or indirectly owned, held, or controlled by any Redeveloper parties, or by any affiliated person or entity of any such Redeveloper parties, within the Public Improvement Redevelopment Project Area or Mixed Use Redevelopment Project Area.
- p) The 2025 Redevelopment Plan and 2025 Redevelopment Agreement, including without limitation all exhibits of such 2025 Redevelopment Plan or 2025 Redevelopment Agreement, all documents, instruments and Exhibits referenced in this Amendment, and the recitals at the beginning of this Amendment are incorporated into this Amendment by reference.
- q) Headings are for convenience only and shall not be used in construing meaning.
- r) This Amendment may be executed in any number of counterparts, each and all of which shall be an original and together shall constitute one and the same instrument.
- s) This Amendment shall be subject to consent of all holders of security or other interests

with respect to any party's interest in any City Centre Property, in form and content satisfactory to the City Administrator of the City of La Vista or her designee.

- t) Effective Date. This Amendment shall be effective on the date of the last party to execute it ("Effective Date").

[Signature Pages to Follow.]

CITY OF LA VISTA:

Douglas Kindig, Mayor
City of La Vista

ATTEST:

Rachel D. Carl, City Clerk

STATE OF NEBRASKA)
)ss.
COUNTY OF SARPY)

On this ____ day of _____, _____, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Rachel Carl, personally known by me to be the Mayor and City Clerk of the City of La Vista and authorized to act on behalf of the City of La Vista, and the identical persons whose names are affixed to the foregoing Amendment, and acknowledged the execution thereof on behalf of the City to be their voluntary act and deed and the voluntary act and deed of said City.

[Seal]

Notary Public

LA VISTA CITY CENTRE, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of La Vista City Centre, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE MUSIC VENUE, LLC,
a Nebraska limited liability company

By: City Ventures Holdings, LLC,
a Nebraska limited liability company,
Manager

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of City Ventures Holdings, LLC, a Nebraska limited liability company, Manager of City Centre Music Venue, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

ROCKET PROPERTY COMPANY LLC,
a Delaware limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of Rocket Property Company LLC, a Delaware limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 1.1, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____,
2025 by Christopher L. Erickson, Manager of City Centre 1.1, LLC, a Nebraska limited liability
company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 1.2, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____,
2025 by Christopher L. Erickson, Manager of City Centre 1.2, LLC, a Nebraska limited liability
company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 1.3, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____,
2025 by Christopher L. Erickson, Manager of City Centre 1.3, LLC, a Nebraska limited liability
company, on behalf of said limited liability company.

[Seal]

Notary Public

CITY CENTRE 2, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025, by Christopher L. Erickson, Manager of City Centre 2, LLC, a Nebraska limited liability company, on behalf of said limited liability company.

[Seal]

Notary Public

E&W HOLDINGS, LLC,
a Nebraska limited liability company

La Vista City Centre, LLC, a Nebraska
limited liability company, Sole Member

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of La Vista City Centre, LLC, a Nebraska limited liability company, Sole Member of E&W Holdings, LLC, a Nebraska limited liability company, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of said company.

[Seal]

Notary Public

CITY CENTRE HOTEL, LLC,
a Nebraska limited liability company

By: _____
Christopher L. Erickson, Manager

STATE OF NEBRASKA)
)ss.
COUNTY OF DOUGLAS)

The foregoing Amendment was acknowledged before me this ____ day of _____, 2025 by Christopher L. Erickson, Manager of City Centre Hotel, LLC, a Nebraska limited liability company, and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be his voluntary act and deed, and the voluntary act and deed of said company.

[Seal]

Notary Public

LOCATED IN:
NW 1/4, SW 1/4, SEC. 14-T14N-R12E
SW 1/4, SW 1/4, SEC. 14-T14N-R12E

Exhibit II-1

LA VISTA CITY CENTRE REPLAT 6

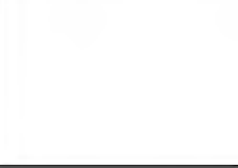
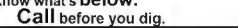
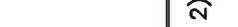
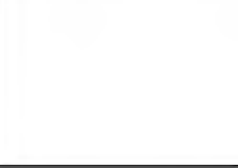
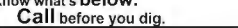
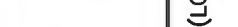
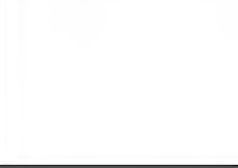
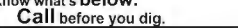
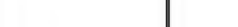
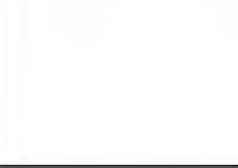
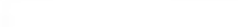
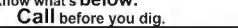
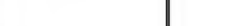
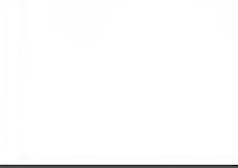
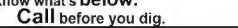
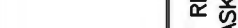
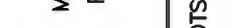
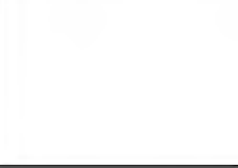
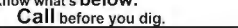
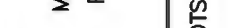
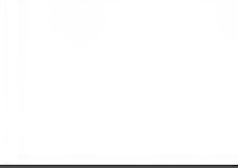
LOTS 1 & 2

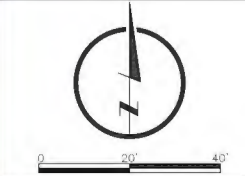
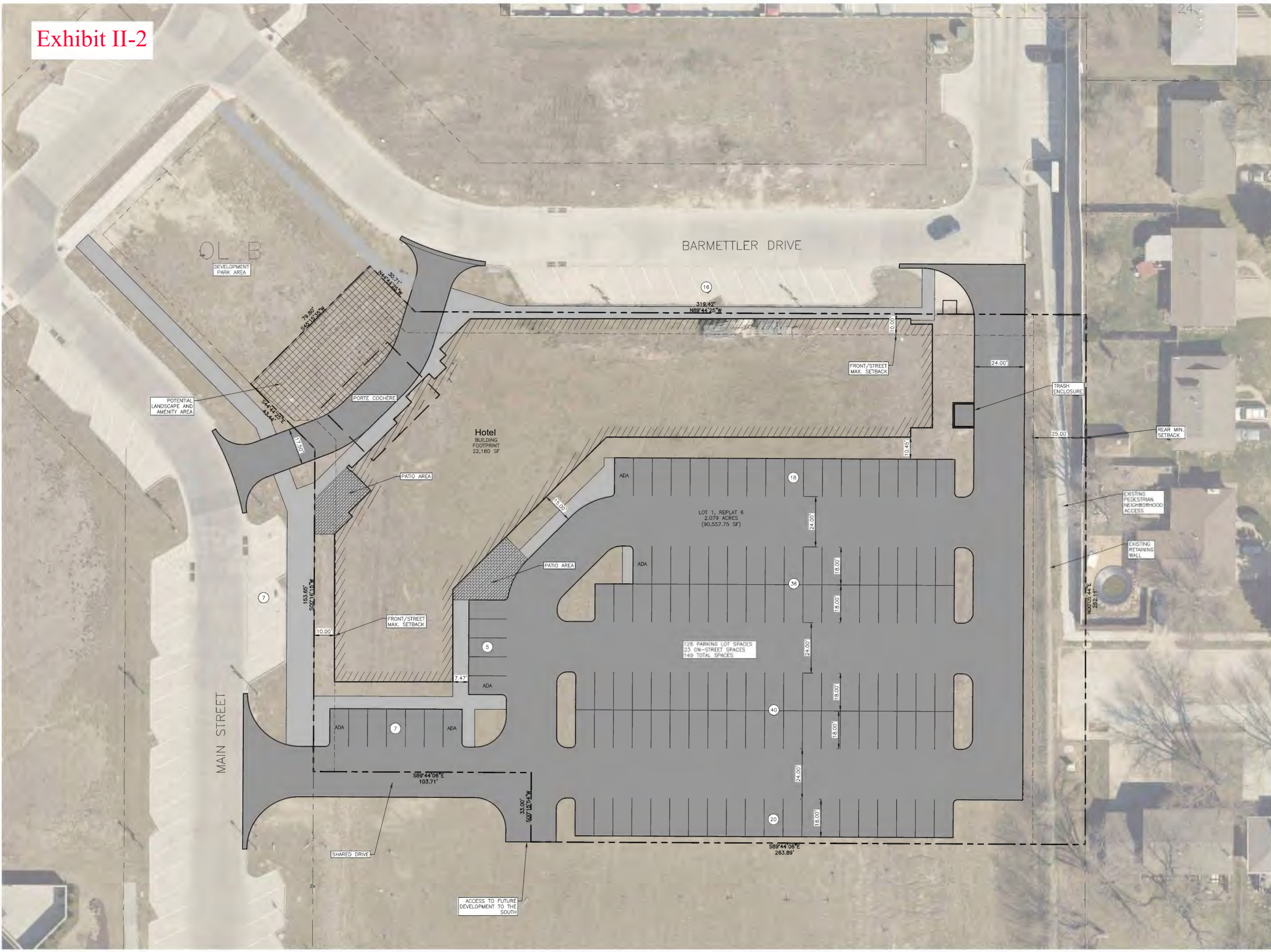
BEING A REPLATTING OF LOT 2, LA VISTA CITY CENTRE REPLAT 5, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED
IN SARPY COUNTY, NEBRASKA

LAMP
RYNEARSON

LAMPRYNEARSON.COM

OMAHA, NEBRASKA
14110 W. DOUGLASS RD. STE. 100 (402) 484-2488
RE. AUTHORIZATION NO. CA1159
FORT COLLINS, COLORADO
4710 INNOVATION DR. STE. 100 (970) 228-0342
KANSAS CITY, MISSOURI
3001 STATE LINE RD. STE. 200 (816) 361-6440
MO. AUTH. NO. C-2613011903 / LS-2015643127





PRELIMINARY

NOT RELEASED FOR CONSTRUCTION
RANDALL R. KUSZAK
E15439

CONCEPTUAL
SITE PLAN
EXHIBIT

LA VISTA CITY CENTRE LOT 1, REPLAT 6
LA VISTA, NEBRASKA



Know what's below.
Call before you dig.

REVISIONS

DESIGNER / DRAFTER
DATE
10/2/2024
PROJECT NUMBER
BOOK AND PAGE

SHEET
1 OF 1

EXHIBIT II-3

ADDITIONAL SUBDIVIDER INFRASTRUCTURE IMPROVEMENTS

- Public Improvements:
Sidewalks, Sidewalk Landscaping, Street Furniture \$165,550
- Site Work: Site Utilities \$181,116
- Design of Public Infrastructure \$34,700