



City of Grand Island

Tuesday, September 11, 2018

Council Session

Item G-13

**#2018-265 - Approving the Setting of the Board of Equalization
Date Hearing for Water Main District 430T - Newly Subdivided
Lots One (1) and Two (2), Carey Subdivision**

Staff Contact: Tim Luchsinger, Utilities Director

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Stacy Nonhof, Assistant City Attorney

Meeting: September 11, 2018

Subject: Water Main District 430T
Stuhr Road & Bismark Road

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Water Main District 430T was constructed in the year 2000 along Stuhr Road between Swift Road and Bismark Road, and along Bismark Road from Stuhr Road to Cherry Street. The work was done to provide municipal water service for the area. The district was done as a connection fee (tap) district. Customers are not charged for the cost of the main until they “tap” the main for service.

Upon completion of the work, the Council sits as a Board of Equalization to establish the fees for each property within the district’s boundary. The Board of Equalization for Water Main District 430T was held in November, 2000.

One of those tracts of land within the district’s boundary has recently been re-subdivided into two lots, which requires the appropriate connection fees to be established.

Discussion

At the time Water Main District 430T was completed, Lot One (1) Bohnart Subdivision was within the district’s boundary. The original connection fees for Water Main District 430T adjacent to residential properties were based on an equivalent cost of installing a 6’ water main, being \$0.085621 per square foot. This established the original connection fee for the large lot as \$17,518.12.

Lot One (1), Bohnart Subdivision has recently been re-subdivided as Lot One (1) and Lot Two (2) Carey Subdivision. It is recommended the connection fee be proportionally split between the current two lots with a new connection fee as listed below:

Description	Square Foot	Connection Fee
Lot 1, Carey Subdivision	127,160.74	\$10,887.63
Lot 2, Carey Subdivision	77,440.00	\$ 6,630.49
TOTAL		\$17,518.12

Attached for reference are:

- Water Main District 430T boundary plat
- Resolution 200-BE-8 indicating Water Main District 430T's original connection fees
- Carey Subdivision plat

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

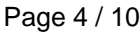
1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council sit as a Board of Equalization on October 23, 2018 and establish the connection fees for the two properties within the newly subdivided district.

Sample Motion

Move to sit as a Board of Equalization on October 23, 2018, to establish the connection fees for Lot One (1) and Lot Two (2) Carey Subdivision within Water Main District 430T.



RESOLUTION 2000-BE-8

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Water Main District 430T, after due notice having been given thereof, that we find and adjudge:

That the cost for construction of such Water Main District 430T is \$299,342.59; and

That the connection fees set out below are based on an equivalent cost of installing an 8" diameter water main in non-residential areas, and on an equivalent cost of installing a 6" water main adjacent to residential properties; the total sum of such connection costs is set at \$153,352.39; and

According to the area of the respective lots, tracts, and real estate within such Water Main District No. 430T, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Connection Fee</u>
City of Grand Island Utility Department	Part of the SE¼ of Section 15-11-9; more particularly described as follows: Beginning at the intersection of the southerly line of Lot Seventy Two (72), Industrial Addition and the westerly right-of-way line of Stuhr Road; thence southerly along the westerly line of said Stuhr Road to a point on the northerly line of the SE¼, SE¼ of Section 15-11-9; thence westerly along the northerly line of the SE¼, SE¼ of said Section 15, to a point two hundred sixty (260.0) feet west of the easterly line of said Section 15; thence northerly, parallel with the westerly right-of-way line of said Stuhr Road, to a point on the southerly line of said Lot Seventy Two (72) Industrial Addition; thence southeasterly, along the southerly line of said Lot Seventy Two (72) Industrial Addition to the point of beginning.	\$12,186.79
City of Grand Island Utility Department	Lot Seventy Two (72), Industrial Addition	10,103.54
City of Grand Island Utility Department	Lot Seventy Six (76), Industrial Addition	3,017.79
City of Grand Island Utility Department	Lot One Hundred One (101), Industrial Addition	10,791.81
City of Grand Island Utility Department	Lot Three (3), Industrial Second Addition	17,848.26
City of Grand Island Police Department	Lot One (1), Industrial Second Addition	14,392.53

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O'Neill Family Trust
Hoppe, Inc.

Lot Two (2), Industrial Second Addition

8,424.05

Part of the SE¼ of Section 15-11-9; more particularly described as follows:

7,876.74

Beginning at the northwest corner of Lot One (1) Bohnart Subdivision; thence northerly, parallel with the westerly right-of-way line of Stuhr Road, a distance of three hundred fifty and seven tenths (350.7) feet more or less; thence easterly along the northerly line of the SE¼, SE¼ of Section 15-11-9, a distance of two hundred twenty-seven (227.0) feet to a point on the westerly right-of-way line of said Stuhr Road; thence southerly along the westerly right-of-way line of said Stuhr Road, a distance of three hundred forty nine and six tenths (349.6) feet; thence westerly along the northerly line of said Lot One (1) Bohnart Subdivision and its extension, a distance of two hundred twenty-seven (227.0) feet to the point of beginning.

Leroy A. Meyer and Margaret A. Meyer

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

11,541.12

Beginning at a point on the easterly right-of-way line of Stuhr Road, said point being five hundred fifty and thirty seven hundredths (550.37) feet northerly of the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road, a distance of seven hundred thirty six and sixty three hundredths (736.63) feet to the southwest corner of Lot One Hundred One (101) Industrial Addition; thence easterly along the southerly line of said Lot One Hundred One (101) Industrial Addition, a distance of one hundred fifty eight and one tenth (158.1) feet; thence southerly parallel with the easterly right-of-way line of Stuhr Road, a distance of seven hundred thirty six and sixty three hundredths (736.63) feet; thence westerly parallel with the northerly right-of-way line of said Bismark Road, a distance of one hundred fifty eight and one tenth (158.1) feet to the point of beginning.

Thomas M. Stepp

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

5,374.48

Beginning at the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road, a distance of two hundred one and four tenths (201.4) feet; thence easterly parallel with the northerly right-of-way line of said Bismark Road a distance of two hundred fifty three and eighty seven hundredths (253.87) feet; thence southerly, parallel with the easterly right-of-way line of said Stuhr Road, a distance of forty three and three tenths (43.3) feet; thence easterly parallel with the northerly right-of-way line of said Bismark Road a distance of seventy three and sixty three hundredths (73.63)

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feet; thence southerly, parallel with the easterly right-of-way line of said Stuhr Road, a distance of one hundred fifty eight and one tenth (158.1) feet to a point on the northerly right-of-way line of said Bismark Road; thence westerly, along the northerly right-of-way line of said Bismark Road, a distance of three hundred twenty seven and five tenths (327.5) feet to the point of beginning.

Jimm Ray Helms, Sr.

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

3,304.13

Beginning at a point on the easterly right-of-way line of Stuhr Road, said point being two hundred one and four tenths (201.4) feet northerly of the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road a distance of one hundred seventy (170.0) feet; thence easterly, parallel with the northerly right-of-way line of said Bismark Road, a distance of two hundred twenty seven (227.0) feet; thence southerly parallel with the easterly right-of-way line of said Stuhr Road, a distance of one hundred seventy (170.0) feet; thence westerly parallel with the northerly right-of-way line of said Bismark Road, a distance of two hundred twenty seven (227.0) feet to the point of beginning.

Mitchell J. Kendall

Part of the SW¼, SW¼ of Section 14-11-9; more particularly described as follows:

2,422.67

Beginning at a point on the easterly right-of-way line of Stuhr Road, said point being three hundred seventy one and four tenths (371.4) feet northerly of the intersection of the northerly right-of-way line of Bismark Road and the easterly right-of-way line of Stuhr Road; thence northerly along the easterly right-of-way line of said Stuhr Road a distance of one hundred seventy eight and ninety seven hundredths (178.97) feet; thence easterly, parallel with the northerly right-of-way line of said Bismark Road, a distance of one hundred fifty eight and one tenth (158.1) feet; thence southerly parallel with the easterly right-of-way line of said Stuhr Road, a distance of one hundred seventy eight and ninety seven hundredths (178.97) feet; thence westerly parallel with the northerly right-of-way line of said Bismark Road, a distance of one hundred fifty eight and one tenth (158.1) feet to the point of beginning.

Robert F. Washington and Ruby A. Washington

Lot One (1), Bohnart Subdivision

17,518.12

John J. Ruzicka and Judith R. Ruzicka

Lot Two (2), Bohnart Subdivision

15,925.56

Leo J. Mostek and Laura M. Mostek

The east one hundred sixty-one and eight tenths (161.8) feet of Lot One (1), Valley View Second Subdivision

2,465.89

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Ruby E. Bissel, Trustee	The west sixteen and five tenths (16.5) feet of the northerly one hundred forty three (143.0) of Lot One (1) and all of Lot Two (2) Valley View Second Subdivision	1,010.12
Ruby E. Bissel, Trustee	Lot Three (3), Valley View Second Subdivision	808.09
Ruby E. Bissel, Trustee	Lot One (1), Block Two (2), Valley View Subdivision	1,220.10
Ruby E. Bissel, Trustee	Lot Two (2), Block Two (2), Valley View Subdivision	1,220.10
Clarence W. Werner and Virginia E. Werner	Lot Three (3), Block Two (2), Valley View Subdivision	1,220.10
Donald R. Johnson and Virginia M. Johnson	Lot Four (4), Block Two (2), Valley View Subdivision	1,220.10
Delaine A. Dunagan and Roselan G. Dunagan	Lot Five (5), Block Two (2), Valley View Subdivision	1,220.10
Delaine A. Dunagan and Roselan G. Dunagan	Lot Six (6), Block Two (2), Valley View Subdivision	1,220.10
Rick R. Carney and Diana S. Carney	Lot Seven (7), Block Two (2), Valley View Subdivision	1,220.10
TOTAL		\$153,352.39

BE IT FURTHER RESOLVED that the special benefits as determined by this resolution shall not be levied as special assessments but shall be certified by this resolution to the Register of Deeds, Hall County, Nebraska, pursuant to Section 16-6,103, R.R.S. 1943. A connection fee in the amount of the above benefit accruing to each property in the district shall be paid to the City of Grand Island at the time such property becomes connected to the water main. No property benefited as determined by this resolution shall be connected to the water main until the connection fee is paid. The connection fees collected shall be paid into the fund from which construction costs were made to replenish such fund for the construction costs.

Adopted by the City Council of the City of Grand Island, Nebraska, on November 6, 2000.


 RaNae Edwards, City Clerk

CAREY SUBDIVISION

IN THE CITY OF GRAND ISLAND

HALL COUNTY, NEBRASKA

FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 1, BOHNART SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 204,533.38 SQUARE FEET OR 4.695 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON July 18th, 2018, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF A REPLAT OF ALL OF LOT 1, BOHNART SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

Jesse E. Hurt
JESSE E. HURT, REGISTERED LAND SURVEYOR NUMBER, LS-674



DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT WILLIAM R. CAREY AND KRISTINE L. CAREY, HUSBAND AND WIFE, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "CAREY SUBDIVISION" A REPLAT OF ALL OF LOT 1, BOHNART SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER; AND HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS HERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS; AND THAT THE FOREGOING ADDITION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT Grand Island, NEBRASKA, THIS 19 DAY OF July, 2018.

William R. Carey
WILLIAM R. CAREY

Kristine L. Carey
KRISTINE L. CAREY

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL

ON THIS 19 DAY OF July, 2018, BEFORE ME Christina Kay Dethlefs, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED WILLIAM R. CAREY, HUSBAND, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES July 20, 2020

Christina Kay Dethlefs
NOTARY PUBLIC



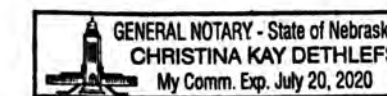
ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL

ON THIS 19 DAY OF July, 2018, BEFORE ME Christina Kay Dethlefs, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED KRISTINE L. CAREY, WIFE, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HER VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT Grand Island, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES July 20, 2020

Christina Kay Dethlefs
NOTARY PUBLIC



APPROVAL

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

Patricia Coia
CHAIRPERSON

June 6, 2018
DATE

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS 26th DAY OF June, 2018.

Shirley Jensen
MAYOR

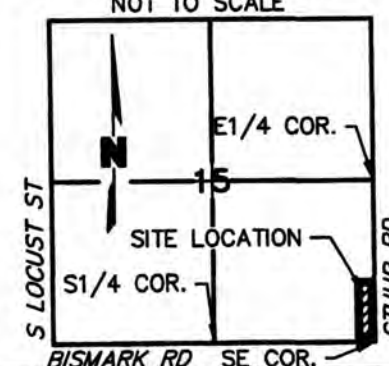
Rae Edwards
CITY CLERK



LEGEND

- SECTION CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (1/2" REBAR)
- ▲ CALCULATED CORNER
- PROPERTY LINE
- SECTION LINE
- SUBDIVISION LINE
- NEW PROPERTY LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE

LOCATION MAP

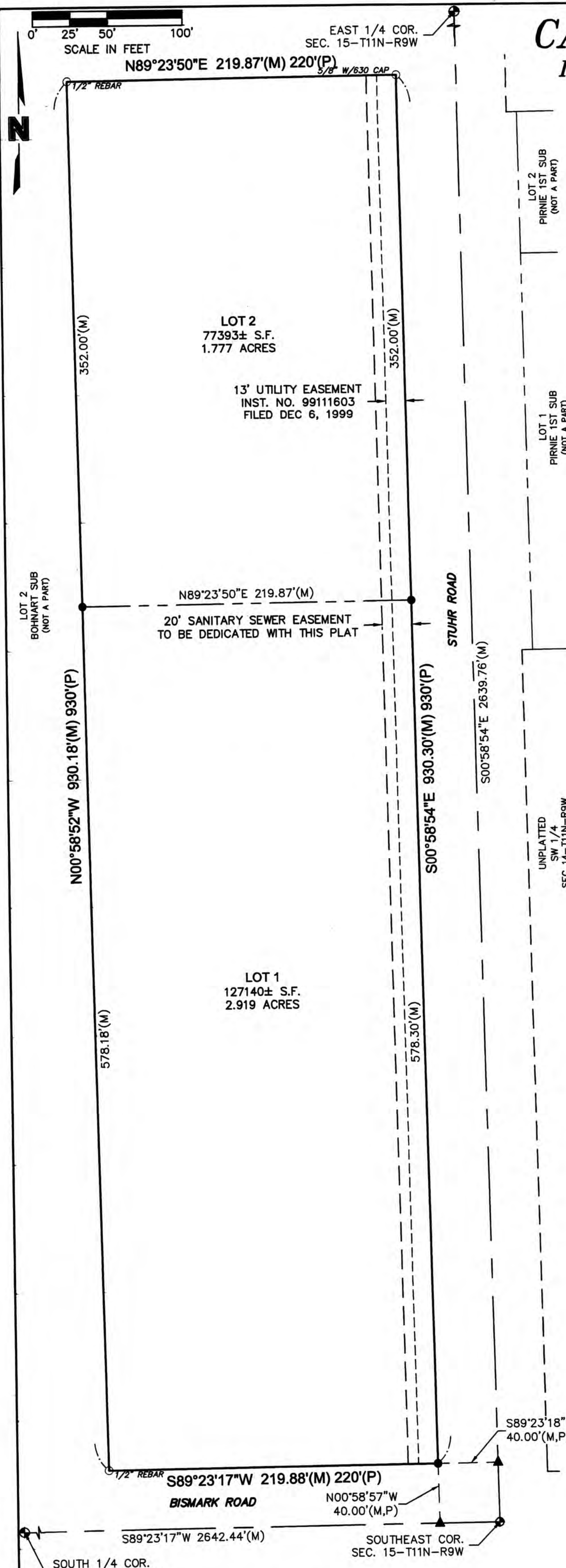


SECTION TIES

EAST 1/4 CORNER, SEC. 15-T11N-R9W
FOUND STEM SURVEY MARKER IN ASPHALT
E 1.00' TO CENTERLINE OF STUHR RD
S 35.10' TO CENTERLINE OF SWIFT RD
SSW 94.20' TO TOP CENTER OF FIRE HYDRANT
ENE 71.75' TO NAIL w/WASHER IN POWER POLE
SW 69.63' TO REDHEAD NAIL IN POWER POLE

SOUTHEAST CORNER, SEC. 15-T11N-R9W
FOUND 1/2" PIPE IN ASPHALT
NW 57.82' TO TOP CENTER OF CONCRETE WITNESS CORNER
NW 46.32' TO TOP CENTER OF FIRE HYDRANT
NW 56.75' TO 5/8" REBAR w/PSC 674
SW 45.94' TO PC NAIL IN POWER POLE

SOUTH 1/4 CORNER, SEC. 15-T11N-R9W
FOUND ALUMINUM CAP IN CONCRETE
S 33.22' TO TOP CENTER OF CONCRETE WITNESS CORNER
N 27.43' TO REDHEAD NAIL IN POWER POLE
N 0.50' TO CENTERLINE OF BISMARK RD
WNW 154.24' TO TOP CENTER OF FIRE HYDRANT



OLSSON ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2018-1424

Bill Carey
Survey
FB GI 2018-1

OWNERS: WILLIAM R. & KRISTINE L. CAREY
SUBDIVIDER: WILLIAM R. & KRISTINE L. CAREY
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 2

DWG: F:\2018\1001-1500\018-1424\40-Design\Survey\SRVY\Sheets\V_FPT_81424.dwg
DATE: May 30, 2018 3:24pm XREFS: V_XTPO_81424 V_RWAY_81424

RESOLUTION 2018-265

WHEREAS, Water Main District 430T was constructed in the year 2000 along Stuhr Road between Swift Road and Bismark Road, and along Bismark Road from Stuhr Road to Cherry Street; and

WHEREAS, the district was done as a connection fee (tap) district and upon completion of the work the Council sat as a Board of Equalization to establish fees for each property within the district's boundary. The Board of Equalization hearing for Water Main District 430T was held in November of 2000; and

WHEREAS, one of those tracts of land within Water Main District 430T has recently been re-subdivided into two lots, which requires the appropriate connection fees to be established.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City Council will sit as a Board of Equalization of October 23, 2018, to determine benefits and set the "tap" fees for the two newly subdivided lots.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2018.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
September 7, 2018	☐ City Attorney