



City of Grand Island

Tuesday, July 8, 2014

Council Session

Item I-2

**#2014-191 - Consideration of Forgiving Liens on Real Property
Located at 808 West 5th Street**

Staff Contact: Robert J. Sivick, City Attorney

Council Agenda Memo

From: Robert J. Sivick, City Attorney

Meeting: July 8, 2014

Subject: Consideration of Forgiving Liens on Real Property
Located at 808 West Fifth Street

Item #'s: I-2

Presenter(s): Robert J. Sivick, City Attorney

Background

On June 20, 1990 the late Juanita Roman entered an agreement with the City of Grand Island (City) to receive a fifteen thousand dollar rehabilitation loan to improve her house located at 808 West Fifth Street in Grand Island (Property). The terms of that agreement were the loan would have to be repaid once ownership of the Property transferred from anyone but Ms. Roman or her sons, Robert and Francisco. A lien was placed on the Property memorializing the City's interest which serves to insure the lien is repaid before anyone other than the persons stated above may acquire clear title to the Property.

Ms. Roman passed away on December 30, 2001. Pursuant to the terms of the Joint Tenancy Warranty deed executed on March 20, 1997, Ms. Roman's sons, Robert and Francisco Roman became owners of the Property.

Since Ms. Roman's death the Property has been largely vacant and its physical state has deteriorated considerably. In March, 2014 William Ziller approached City staff to inquire about acquiring the Property for rehabilitation.

Discussion

The main barrier to Mr. Ziller's acquisition of the Property is the five liens totaling \$15,595.00. Before he can acquire clear title to the Property those liens must be paid to the City. In that case it would no longer be economically feasible for Mr. Ziller to acquire and rehabilitate the Property due to the large initial expense for clearing title.

City Legal and Finance staff reviewed the problem and the proposed solution before you for consideration is Resolution 2014-191. Approving the Resolution will forgive the liens against the Property. In conjunction with Resolution 2014-191 but not before the Council

for consideration, is a Memorandum of Understanding (MOU) between William and Julie Ziller (Prospective Buyers) and Robert and Francisco Roman (Prospective Sellers). The MOU essentially sets forth that the Roman brothers will convey the Property to the Zillers for One Dollar contingent upon the Grand Island City Council (Council) forgiving the liens on the Property.

There is an element of risk in this matter as the City is not a party to the MOU and if either party violates the terms of that document, any remedy would have to be undertaken by the Zillers or Romans as a private civil matter. However, the City Legal and Finance Departments and the Administration consider the risk to be acceptable. If the Council approves Resolution 2014-191 the process of the Zillers acquiring the property may commence and hopefully culminate in the rehabilitation of the Property which will enhance the livability and real estate values in the neighborhood and the City as a whole. If either party violates the terms of the MOU the Property will not be rehabilitated and inevitably will be condemned and leveled at taxpayer expense. In either scenario the City will not receive the monies due it pursuant to the liens. Taking the risk of forgiving the liens makes rehabilitation possible even probable which makes such a risk acceptable since the benefits of rehabilitation are so great.

Alternatives

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

1. Move to approve.
2. Move to deny.
3. Take no action.

Recommendation

The City Administration recommends the Council approve Resolution 2014-191 forgiving the liens attached to the real property commonly known as 808 West Fifth Street, Grand Island, Hall County, Nebraska.

Sample Motion

Move to approve Resolution 2014-191 forgiving the liens attached to the real property commonly known as 808 West Fifth Street, Grand Island, Hall County, Nebraska.

contractors necessary to complete all the rehabilitation work required by the CDA.

2. The homeowner must submit copies of all materials and contractors proposals before any work is started.
3. Rehabilitation loan proceeds will not be used to pay for labor performed solely by the homeowner or his/her immediate family.

ARTICLE 4 - TIME OF COMPLETION

The work to be performed under this contract shall be commenced within thirty (30) days and shall be completed not later than September 1, 1990. It is the sole responsibility of the Homeowner to coordinate and schedule the work for commencement and completion within the above stated dates. Extension of time may, or may not, be authorized in writing by CDA at their discretion. CDA may, at its discretion and upon thirty (30) days notice to the Homeowner, complete the work as outlined in attached specifications and bill the owner for labor and materials.

ARTICLE 5 - CITY CODE REQUIREMENTS

The Homeowner understands and agrees that the work must comply with applicable requirements of the Grand Island City Code regarding building permits and inspections; and that once the work is completed, the Homeowner must obtain all necessary certificates of completion from the City. All the work must be further inspected and approved by CDA prior to payment.

ARTICLE 6 - CDA DISCLAIMER OF LIABILITY

The Homeowner understands and agrees that CDA neither has nor will have any obligation, legal or otherwise, in connection with the work performed, or materials or equipment furnished under this contract.

The Homeowner further understands and agrees that any warranties or guarantees of the work and materials must be obtained by the Homeowner and that CDA is not responsible in any way for the quality of such work and materials. The inspections conducted by CDA are solely for the benefit of CDA. Homeowner must completely and thoroughly conduct his/her own inspection of all work performed and materials installed, and cannot rely in any manner on inspections conducted by CDA.

ARTICLE 7 - LEAD BASED PAINT

The Homeowner shall remove or cause to be removed any

Owner/General Contractor:

Juanita Roman
808 East 5th Street
Grand Island, NE CD89-3

ATTACHMENT #1

Mike Galvan Construction	\$10,150.00
Ensley Electric.....	\$ 543.00
Sanitary Plumbing.....	\$ 2,050.00
Northside Sheetmetal.....	\$ 1,253.00

Subtotal.....	\$13,996.00
---------------	-------------

Owner's materials:

Johnson-Cashway estimates	1,004.00
Surewall	
Vanity & sink, faucets	
2 Steel doors	
2 Storm doors	
Building Permit	

TOTAL.....	\$15,000.00
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NOTICE OF RIGHT TO CANCEL

YOUR RIGHT TO CANCEL

You are entering into a transaction that will result in a mortgage, deed of trust, lien or other security interest on your home. You have a legal right under federal law to cancel this transaction, without cost, within three business days from whichever of the following events occurs last:

1. the date of your transaction, which is June 20, 1990, or
2. the date you received your Truth in Lending disclosure; or
3. the date you received this notice of your right to cancel.

If you cancel the transaction, the mortgage, deed of trust, lien or other security interest is also cancelled. Within 20 calendar days after we received your notice, we must take the steps necessary to reflect the fact that the mortgage, deed of trust, lien or other security interest on your home has been cancelled, and we must return to you any money or property you have given to us or to anyone else in this transaction.

You may keep any money or property we have given you until we have done the things mentioned above, but you must then offer to return the money or property. If it is impractical or unfair for you to return the property, you must offer its reasonable value. You may offer to return the property at your home or at the location of the property. Money must be returned to the address below. If we do not take possession of the money or property within 20 calendar days of your offer, you may keep it without further obligation.

HOW TO CANCEL

If you decide to cancel this transaction, you may do so by notifying us in writing, at

CITY OF GRAND ISLAND, COMMUNITY DEVELOPMENT AGENCY, 2ND & PINE,
GRAND ISLAND, NEBRASKA

You may use any written statement that is signed and dated by you and states your intention to cancel, or you may use this notice by dating and signing below. Keep one copy of this notice because it contains important information about your rights.

If you cancel by mail or telegram, you must send the notice no later than midnight of June 23, 1990 (or midnight of the third business day following the latest of the three events listed above). If you send or deliver your written notice to cancel some other way, it must be delivered to the above address no later than that time.

I WISH TO CANCEL

Customer's Signature

Date

I acknowledge receipt of two copies of this Notice of Right to Cancel.

T

Customer's Signature

6/20/90

Date

Larry Roman

Witness

6/20/90

Date

NOTICE TO PROCEED

To: Juanita Roman
808 East 5th Street
Grand Island, NE 68801

From: Community Development Agency
City Hall - 2nd & Pine
Grand Island, NE 68801

RE: Property located at 808 East 5th Street

You are hereby notified to proceed with the rehabilitation work on your property as agreed to and set out in the Contract executed on June 20, 1990.

Work is to begin within 30 days of the below listed date.

June 23, 1990
Date

Laene Janssen
CDA Representative

REQUEST FOR CONSTRUCTION CHANGE

OWNER Juanita Roman # 1
ADDRESS 808 East 5th Street Project # CD89-3
CONTRACTOR Self-Help; Sub-contractor: Mike Galvan Construction
DATE OF CONTRACT 6/19/90 CHANGE DATE 7/9/90

The following changes are authorized in the above identified contract:

Change size of front porch from 26' x 6' to 8' x 6',
method of construction to be the same except new roof
will be constructed above porch. (\$1,000)

Construct roof and walls over basement stairway.
Cost of construction to be paid by owner and will
be \$1,000. Owner will donate some labor towards
project.

Frame in doorway and install floor on rear basement
stairporch, shingle new section same as existing, frame
in for ceiling. \$1,000

Total self-help contract \$15,000

Allocated as follows:

Mike Galvan Construction	\$10,150
Ensley Electric	\$ 543
Sanitary Plumbing	\$ 2,050
Northside Sheetmetal	\$ 1,253

Owners cost as of this change order: \$1,000 (Payable to Mike Galvan Construction)

Signed: Robert S Roman
(property owner)
for Juanita Roman

Mike Galvan
(sub-contractor)

7-9-90

Date

Laurene Janssen
(Community Development Representative)

REHABILITATION
CERTIFICATION OF COMPLETED AGREEMENT

Juanita Roman RE CD89-3
NAME

808 East 5th Street
ADDRESS

Source of Funds:
Def. payment \$ 15,000
Personal \$ 2,228
Grant \$ -0-

This is to certify that the agreement on the above loan/grant has been satisfactorily completed.

X
Juanita Roman

Robert S Roman
Robert Roman

Laurel Jansen
Community Development Agency

September 28, 1990
Date

*owner needs to finish
bathroom & kitchen*

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Inst Number
90105294

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90-105294

REAL ESTATE LIEN

WHEREAS, Juanita Roman, a single person (hereinafter usually referred to as "Homeowner") whether one or more has entered into a certain written AGREEMENT TO REHABILITATE REAL PROPERTY dated the 20th day of JUNE, 1990, with the City of Grand Island, Nebraska, a municipal corporation (hereinafter usually referred to as "City") acting through its Community Development Agency, for rehabilitation of a dwelling on premises owned by Homeowner which is hereinafter described, and for the granting by City to Homeowner of Federal Funds in the amount of FIFTEEN THOUSAND DOLLARS (\$15,000.00) to be applied in payment of the cost of such rehabilitation and

WHEREAS, Homeowners have, among other things agreed:

(a) to repay such amount or, as the case may be, a part thereof to City and

(b) to execute and deliver to City an instrument in recordable form granting to City a lien on the premises to secure such

NOW THEREFORE, in consideration of such AGREEMENT with City, Juanita Roman does hereby grant to the CITY OF GRAND ISLAND, NEBRASKA a Municipal Corporation, its successors and assigns, a lien upon the following described real estate situated in Hall County, Nebraska:

Lot 7, Block 4, Evan's Addition,

an addition to the City of Grand Island, Nebraska, according to the record plat thereof.

to secure repayment to the City of Grand Island, Nebraska, its successors and assigns, of the amount of the grant hereinabove referred to or, as the case may be, a part thereof in accordance with the terms and conditions set forth in the AGREEMENT TO REHABILITATE REAL PROPERTY to which reference is made hereinabove.

The lien herein granted shall run with the premises until such time as title to the property is transferred to another owner, other than Frank Roman or Robert Roman, or both, and six sons of Juanita Roman. At this time, the entire amount of the lien shall become due and payable.

Dated this 25th day of June, 1990.

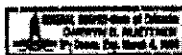
Tony Roman
Tony Roman, Witness

Juanita Roman, Owner

STATE OF NEBRASKA)
County of Hall) ss

On this 25th day of June, 1990, before me, the undersigned, duly commissioned and acting in and for such county, personally appeared Tony Roman and Juanita Roman, known to me to be the identical persons whose signatures are affixed to the foregoing instrument, and they acknowledge the execution of such instrument to be their own voluntary act and deed.

In witness whereof, I have hereunto set my official hand and seal the date last written above.



Dan R. Burtner
Notary

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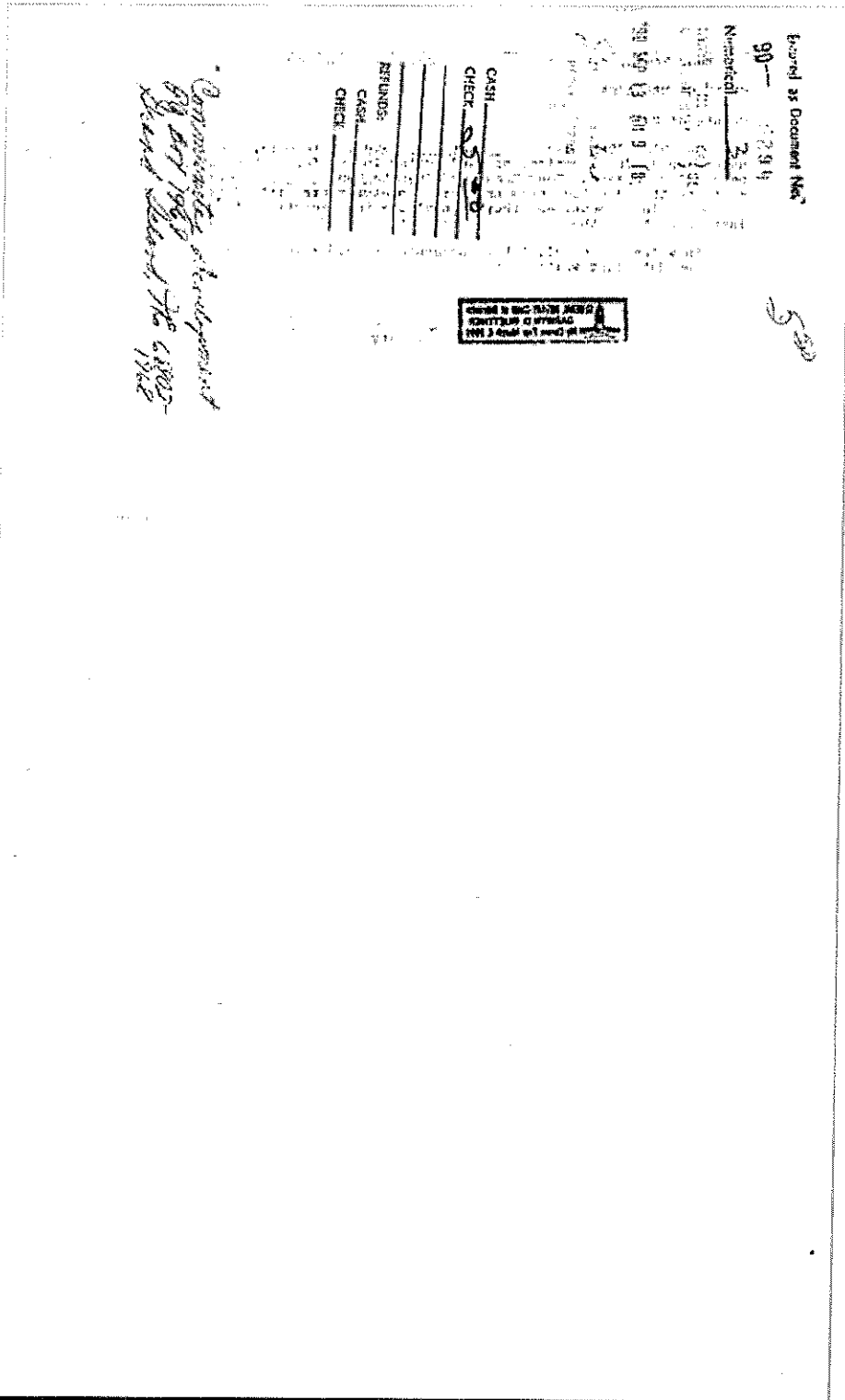
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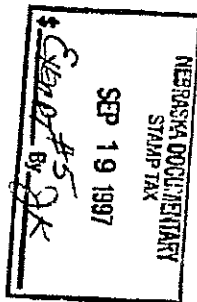
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Robert Roman
888 C St
Grand Island, Neb. 68801



STATEMENT ATTACHED

STATE OF NEBRASKA)
COUNTY OF HALL) ss.
SEP 19 1997 PM 4 09
REC. OF DEEDS
CASH 55
CHECK
REFUND
CASH
CHECK

97 SEP 19 PM 4 09

STATE OF NEBRASKA)
COUNTY OF HALL) ss.

Entered as Document No.
97-107810

JOINT TENANCY WARRANTY DEED

97-107810

JUANITA ROMAN, a widow, Grantor, in consideration of -----ONE DOLLAR (\$1.00), LOVE AND AFFECTION----- received from Grantees, ROBERT S. ROMAN and FRANK S. ROMAN, conveys to Grantees, as joint tenants and not as tenants in common, the following described real estate (as defined in Neb. Rev. Stat. 76-201):

Lot Seven (7), Block Four (4), in Evans Addition to the City of Grand Island, Hall County, Nebraska,

SUBJECT TO THE LIFE USE, INCOME AND PROFITS THEREFROM DEVISED OT THE GRANTOR, JUANITA ROMAN, A WIDOW, FOR AND DURING THE TERM OF HER NATURAL LIFETIME.

Grantor covenants with the Grantees that Grantor:

- (1) is lawfully seized of such real estate and that it is free from encumbrances subject to easements, reservations, covenants and restrictions of record;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend the title to the real estate against the lawful claims of all persons.

EXECUTED March 20, 1997.

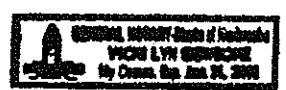
Juanita Roman
JUANITA ROMAN (Her Mark)

This Joint Tenancy Warranty Deed is signed by JUANITA ROMAN by making her mark, she being unable to write her name, and sealed and delivered to her after the nature of the above written instrument had first been read over to her, in the presence of JOHN M. CUNNINGHAM and REGINA R. OLSEN.

John M. Cunningham
JOHN M. CUNNINGHAM, Witness
Regina R. Olsen
REGINA R. OLSEN, Witness

STATE OF NEBRASKA)
COUNTY OF HALL) ss.

SUBSCRIBED AND SWORN to before me this 20 day of March, 1997, by JUANITA ROMAN, a widow, Grantor.



Vicki Lynn Mearns
Notary Public

Robert Roman
88 E 5th
Grand Island, NE 68801

CASH _____
CHECK _____
CHECK _____
CHECK _____
CHECK _____
CHECK _____
CHECK _____
CHECK _____
CHECK _____
CHECK _____

REC. OF DEEDS

97 SEP 19 PM 4 09

STATE OF NEBRASKA)
COUNTY OF HALL) SS

Entered as Document No.
97-107809

AFFIDAVIT

STATE OF NEBRASKA)
COUNTY OF HALL) ss.

Affiant, JUANITA ROMAN, after being first duly sworn on oath, deposes and states as follows:

1. That Affiant is the surviving spouse of RUFINO ROMAN, who died February 28, 1982, as shown by the certified copy of the Decedent's death certificate attached hereto as Exhibit "A" and by this reference incorporated herein.

2. That Affiant and the said RUFINO ROMAN were husband and wife on the date of the Decedent's death on February 28, 1982, and were on said date the sole owners as joint tenants with right of survivorship, not tenants in common, of the real estate located at 808 East 5th Street, Grand Island, Nebraska, and legally described as follows:

Lot Seven (7), Block Four (4), in Evans Addition to the City of Grand Island, Hall County, Nebraska.

3. That by virtue of the survivorship of Affiant, Affiant became the sole owner of the above described property on Decedent's death.

4. That this Affidavit is given as evidence that pursuant to Neb.Rev.Stat. section 77-2003 (1983 Supp.), no inheritance tax lien arising due to the death of the Decedent can attach to the above described real estate and that pursuant to Neb.Rev.Stat. section 77-2012 (1983 Supp.), no Nebraska estate tax lien arising due to the death of the Decedent can attach to the above described property.

FURTHER AFFIANT SAYETH NOT.

Dated March 20, 1997.

JUANITA ROMAN (Her Mark)

This Affidavit is signed by JUANITA ROMAN, by making her mark, she being unable to write her name, and sealed and delivered by her after the nature of the above written instrument had first been read over to her, in the presence of JOHN M. CUNNINGHAM and REGINA R. OLSEN.



JOHN M. CUNNINGHAM, Witness

REGINA R. OLSEN, Witness

SUBSCRIBED AND SWORN to before me this 20th day of March, 1997.

Notary Public

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Inst Number
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ENTERED AS INSTRUMENT NO 0200805024	
STATE OF NEBRASKA) COUNTY OF HALL) SS	
2008 JUN 11 PM 2 29	
Fidelity Financial REC OF DEEDS	
CASH \$19.50	
CHECK	
REFUNDS:	
CASH	
CHECK	
Return to: Ranee Edwards City Clerk 100 East First Street Grand Island NE 68801	
200805024	
* This Space Reserved for Register of Deeds *	

ORDINANCE NO. 9171

29.50


An ordinance levying a special tax to pay the cost to the City of cutting, destroying, and removing weeds, grasses, or worthless vegetation, pursuant to Sections 17-36 and 17-38 of the Grand Island City Code upon certain lots and pieces of ground; providing for the collection thereof; repealing ordinances or parts of ordinances in the Grand Island City Code in conflict herewith; and providing for the publication and effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. A special tax is hereby levied for the cost of cutting, destroying, and removing weeds, grasses, or worthless vegetation upon the hereinafter described lots and pieces of ground during the 2007 season in proportion to the special benefits to such real estate as determined and assessed by the City Council sitting as a Board of Equalization after due notice thereof, in the following amounts:

Owner	Location	Legal Description	Total
Marita Roman Life Estate Robert S & Frank S Roman 808 E 5th St Grand Island, NE 68801	808 E 5th St	Evans Addition Lot 7, Block 4	250.00

Approved as to Form
June 9, 2008


City Attorney

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ORDINANCE NO. 9171 (Cont.)

200805024

Ronald L. Hulme PO Box 33 Miller, NE 68858	616 E Yund	Union Pacific Railway 2nd Add Lot 7, Block 145	265.00
Washington Mutual Bank 2210 Enterprise Drive Florence, SC 29501	1304 W North Frost St	Bonnie Brac Sub Lot 10, Block 13	100.00
The CIT Group 715 S Metropolitan Ave Oklahoma City OK 73108	2316 N Lafayette	College Add to West Lawn Lots 7 and 9, Block 10	275.00
Bank of New York, Trustee/Countrywide 7165 Corporate Drive Plano TX 75024	936 S Kimball	Hawthorne Place Lot 45	125.00
Secretary of Housing & Urban Development 501 Marquette Ave Minneapolis MI 55402	1115 S Pine	Vantine's Sub S 1/2, W 1/2 of E270' Lot 12	125.00
CITIFINANCIAL INC 1111 Northpoint Bldg 4 Ste 100 Coppell TX 75019	814 S Clausen Ave	Clausen Country View Add Lot 3, Block 3	155.00
Vanguard Properties LLC 3811 - 29th Ave Ste 5 Kearney, NE 68845 Pathway Bank PO Box 428 Cairo NE 68824	4016-4022 Northview Dr	Northview 1st Sub Lot 4, Block 1 Northview 3rd Sub Lot 3	125.00
Roger R & JoLene K. Harrie 7538 Sky Park Rd Grand Island, NE 68801 Franklin Credit Management Six Harrison St New York NY 10013	331 Hall St	Buena Vista Sub Lot 126	90.00
Household Finance Corporation III 636 Grand Regency Blvd Brandon FL 33510	304 E 11th St	Russell Wheeler's Addition Lot 6, Block 38	140.00
Secretary of Housing & Urban Development 10909 Mill Valley Rd Omaha NE 68154	504 E 10th St	Russell Wheeler's Addition Lot 6, Block 32	205.00
Deutsche Bank National Trust 7255 Bay Meadows Way Jacksonville FL 32246	112 W Oklahoma	South Grand Island Sub W 1/2 Lot 4, Block 5	110.00
Andy Nelson/Nelson Enterprises Inc/AC 11818 L Street	400 Industrial Lane	Commercial Industrial Park Sub Lot 6	100.00

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ORDINANCE NO. 9171 (Cont.)

200805024

Omaha, NE 68109 Secretary of Housing & Urban Development 501 Marquette Ave Minneapolis MI 55402	107 E 12th St	Russell Wheeler's Addition Lot 4, Block 40	125.00
Rodriguez International Holdings Inc Attn: Carlos Rodriguez 2635 O Street Lincoln, NE 68510 Thomas Pank, Trustee 406 N 130th Suite 101 Omaha NE 68144	423 W 4th St	Original Town Lot 4, Block 39	115.00
Bank of New York, Trustee/Countrywide 7105 Corporate Drive Plano TX 75034	418 E 18th Street	Morris 5th Addition E 37' Lot 10 & W 43' Lot 11 Block 8	110.00

SECTION 2. Such special tax shall be due and payable to the City thirty (30) days after such levy and shall become delinquent fifty (50) days after such levy. After the same shall become delinquent, interest at the rate of 14 percent (14%) per annum shall be paid thereon. The same shall be collected in the same manner as other city taxes.

SECTION 3. Such special taxes shall be collected by the Finance Director of the City of Grand Island, Nebraska, as provided by law.

SECTION 4. Such special taxes, if not previously paid, shall be certified to the County Clerk at the same time as the next certification for general revenue purposes.

SECTION 5. Such special taxes, when received, shall be applied to reimburse the general fund.

SECTION 6. All ordinances or parts of ordinances or provisions in the Grand Island City Code in conflict herewith be, and the same hereby are, repealed.

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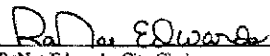
ORDINANCE NO. 9171 (Cont.)

SECTION 7. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the *Grand Island Independent* as provided by law.

Enacted: June 10, 2008.


Margaret Hornady, Mayor

Attest:


RaNaë Edwards, City Clerk



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ENTERED AS INSTRUMENT NO. 0200905327

STATE OF NEBRASKA
COUNTY OF HALL } SS

2009 JUL 1 AM 9 58
Kathy Hancock
REG OF DEEDS

CASH 1800
CHECK _____

REFUNDS:
CASH _____
CHECK _____

Return to:
Ranae Edwards
City Clerk
100 East First Street
Grand Island NE 68801

200905327

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ORDINANCE NO. 9223

An ordinance levying a special tax to pay the cost to the City of removing nuisances, cutting, destroying, and removing weeds, grasses, or worthless vegetation, pursuant to the Grand Island City Code upon certain lots and pieces of ground; providing for the collection thereof; and providing for the publication and effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. A special tax is hereby levied for the cost of removing nuisances, cutting, destroying, and removing weeds, grasses, or worthless vegetation upon the hereinafter described lots and pieces of ground during the 2008 season in proportion to the special benefits to such real estate as determined and assessed by the City Council sitting as a Board of Equalization after due notice thereof, in the following amounts:

Name/Address	Location	Description	Assessment
Juanita Roman Life Estate Robert S. and Frank S. Roman 808 E. 5 th Street Grand Island, NE 68801	808 E. 5 th Street	Lot 7, Block 4, Evans Addition, City of Grand Island, Hall County, Nebraska	\$115.00

Approved as to Form
June 29, 2009
City Attorney

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ORDINANCE NO. 9223 (Cont.)

200905327

Ronald L. Hulme PO Box 33 Miller, NE 68858	616 E. Yund	Lot 7, Block 145, Union Pacific Railway 2 nd Addition, City of Grand Island, Hall County, Nebraska	\$240.00
Liobardo Rivera & Efrain Lazarin c/o MGC Mortgage Inc. 7195 Dalles Parkway Plano, TX 75024	1213 N. Cherry	Lot 4, Block 2, George's Loan Subdivision, City of Grand Island, Hall County, Nebraska	\$125.00
Warren G & Ruth Alleen Bosley c/o Matthew M. Bosley Cons 1212 15 th Street Lincoln, NE 68502	1515 W. 1 st Street	Lot 3, Block 20, Kernohan & Decker's Addition, City of Grand Island, Hall County, Nebraska	\$100.00
Franklin Credit Management 101 Hudson St., Fl 6 Jersey City, NY 073021	331 E. Hall Street	Lot 126, Buena Vista Subdivision, City of Grand Island, Hall County, Nebraska	\$115.00
M & L Investments LLC 1819 N. Custer Avenue Grand Island, NE 68803	917 1/2 W. 12 th Street	S12 th of Lot 4, Block 49, Russell Wheeler's Addition, City of Grand Island, Hall County, Nebraska	\$105.00

SECTION 2. Such special tax shall be due and payable to the City thirty (30) days after such levy and shall become delinquent fifty (50) days after such levy. After the same shall become delinquent, interest at the rate of 14 percent (14%) per annum shall be paid thereon. The same shall be collected in the same manner as other city taxes.

SECTION 3. Such special taxes shall be collected by the Finance Director of the City of Grand Island, Nebraska, as provided by law.

SECTION 4. Such special taxes, if not previously paid, shall be certified to the County Clerk at the same time as the next certification for general revenue purposes.

SECTION 5. Such special taxes, when received, shall be applied to reimburse the general fund.

SECTION 6. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the *Grand Island Independent* as provided by law.

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ORDINANCE NO. 9223 (Cont.)

200905327

Enacted: June 30, 2009.


Margaret Hornady, Mayor

Attest:


RaNae Edwards, City Clerk



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ENTERED AS INSTRUMENT NO
0201002830

STATE OF NEBRASKA)
COUNTY OF HALL) SS

2010 APR 28 PM 3 45
Kathy Hancock
REC OF DEEDS

CASH 22.00
CHECK _____
REFUNDS: _____
CASH _____
CHECK _____

City Clerk
100 E. 18th St.
Grand Island, NE 68801

201002830

* This Space Reserved for Register of Deeds *

ORDINANCE NO. 9260

22.00

An ordinance levying a special tax to pay the cost to the City of cutting, destroying, and removing weeds, grasses, or worthless vegetation, pursuant to Sections 17-50 thru 17-52 of the Grand Island City Code upon certain lots and pieces of ground; providing for the collection thereof; repealing ordinances or parts of ordinances in the Grand Island City Code in conflict herewith; and providing for the publication and effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. A special tax is hereby levied for the cost of cutting, destroying, and removing weeds, grasses, or worthless vegetation upon the hereinafter described lots and pieces of ground during the 2009 season in proportion to the special benefits to such real estate as determined and assessed by the City Council sitting as a Board of Equalization after due notice thereof, in the following amounts:

Owner	Location	Legal Description	Total
Martin Cortez 1304 Geddes Street Grand Island, NE 68801	1304 N. Geddes	Frank P Barks Sub. No 3 Lot 46	\$216.50
M & L Investments LLC	917 1/2 W. 12th Street	Russel Wheeler's Addition	117.50

Approved as to Form
April 28, 2010
City Attorney

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ORDINANCE NO. 9260 (Cont.)

1819 N. Custer Avenue Grand Island, NE 68803		S 52' of Lot 4 Block 49	
William E. McIntosh Thomas Wroblewski 610 N. Darr Avenue #109 Grand Island, NE 68803	1823 N. Lafayette	Scarff's Addition to West Lawn Lot 8 Block 16	115.00
Jose Moran PO Box 1442 Grand Island, NE 68802	409 E. 13 th Street	Wheeler & Bennett's 2 nd Addition Lot 4 Block 64	75.00
Nelsen Enterprises Inc/AC C Clifton Nelsen Etal Trustees 11818 L Street Omaha, NE 68100	400 Industrial Lane	Commercial Industrial Park Sub. Lot 6	175.00
Jason D. Parminter 2720 N. Webb Road Grand Island, NE 68803	712 W. 15 th Street	Schimmer's Addition Lot 9 Block 14	110.00
Delno L. Pedersen, Deceased Michael S. Pedersen, Heir 2325 N. Lafayette Avenue Grand Island, NE 68803	618 S. Elm Street	Wiche's Addition S 1/4 of N 1/4 Lot 8 Block 9	185.00
Juanita Roman Life Estate Robert S. & Frank S. Roman 808 E. 5 th Street Grand Island, NE 68801	808 E. 5 th Street	Evans Addition Lot 7 Block 4	115.00
	808 E. 5 th Street	Evans Addition Lot 7 Block 4	115.00
Gonzalo Soto 224 E. 4 th Street Grand Island, NE 68801	503 E. 5 th Street	Nagy's Addition Lot 4 Block 26	151.25
Gary E. & Mary G. Valasek 4321 Michigan Avenue Grand Island, NE 68803	4223 Shanna Street	Western Heights 6 th Sub. Lot 1	75.00
	1508 Independence Avenue	American Independence Sub. Lot 8	85.00
	1604 Lariat Lane	American Independence Sub. Lot 2	85.00
Vanguard Properties LLC 3811 29 th Avenue, Ste. 5 Kearney, NE 68845	4016 Northview Drive	Northview 3 rd Sub. Lot 3	115.00
James J. Wiltgen PO Box 1835 Kearney, NE 68838	2210 N. Webb Rd.	Grand Island Mall 15 th Sub. Lot 1	750.00

SECTION 2. Such special tax shall be due and payable to the City thirty (30) days after such levy and shall become delinquent fifty (50) days after such levy. After the same

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ORDINANCE NO. 9260 (Cont.)

shall become delinquent, interest at the rate of 14 percent (14%) per annum shall be paid thereon.
The same shall be collected in the same manner as other city taxes.

SECTION 3. Such special taxes shall be collected by the Finance Director of the City of Grand Island, Nebraska, as provided by law.

SECTION 4. Such special taxes, if not previously paid, shall be certified to the County Clerk at the same time as the next certification for general revenue purposes.

SECTION 5. Such special taxes, when received, shall be applied to reimburse the general fund.

SECTION 6. All ordinances or parts of ordinances or provisions in the Grand Island City Code in conflict herewith be, and the same hereby are, repealed.

SECTION 7. This ordinance shall be in force and take effect from and after its passage and publication within fifteen days in one issue of the *Grand Island Independent* as provided by law.

Enacted: April 27, 2010.


Margaret Hornady, Mayor

Attest:


RaNae Edwards, City Clerk



- 3 -

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) by and between William Ziller and Julie Ziller (Prospective Buyers) and Robert Roman and Francisco Roman (Prospective Sellers) memorializes the understanding of the parties as follows:

I.

This MOU addresses the terms regarding the potential purchase of real estate by the Prospective Buyers from the Prospective Sellers commonly known as 808 West Fifth Street, Grand Island, Hall County, Nebraska and more particularly known as:

Lot Seven (7), Block Four (4) of the Evans Addition to the City of Grand Island, Hall County, Nebraska. (Real Estate)

II.

The Prospective Sellers are the owners in joint tenancy of the Real Estate.

II.

The Prospective Sellers will convey title to the Real Estate to the Prospective Buyers in exchange for consideration in the amount of One Dollar (\$1.00) contingent upon the Grand Island City Council (Council) as the governing body of the City of Grand Island forgiving the following liens against the Real Estate:

- A. A lien in the amount of Fifteen Thousand Dollars (\$15,000.00) along with any accrued interest for a property rehabilitation loan as evidenced by Hall County Register of Deeds instrument number 90-105294;
- B. A lien in the amount of Two Hundred and Fifty Dollars (\$250.00) along with any accrued interest for the removal of weeds, grasses, or worthless vegetation as evidenced by City of Grand Island Ordinance 9171 and Hall County Register of Deeds instrument number 0200805024;
- C. A lien in the amount of One Hundred and Fifteen Dollars (\$115.00) along with any accrued interest for the removal of weeds, grasses, or worthless vegetation as evidenced by City of Grand Island Ordinance 9223 and Hall County Register of Deeds instrument number 0200905327; and
- D. Two (2) separate liens each in the amount of One Hundred and

Fifteen Dollars (\$115.00) for a combined amount of Two Hundred and Thirty Dollars (\$230.00) for the removal of weeds, grasses, or worthless vegetation as evidenced by City of Grand Island Ordinance 9260 and Hall County Register of Deeds instrument number 0201002830.

III.

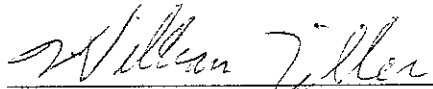
The Prospective Sellers will convey title to the Real Estate to the Prospective Buyers within thirty (30) days of the Council forgiving the liens listed in the second paragraph of this MOU.

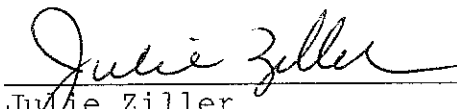
IV.

This document constitutes the entirety of the terms and conditions of this MOU. This MOU shall not be altered or modified in any way unless agreed to by all parties thereto, memorialized in writing, and executed by the parties.

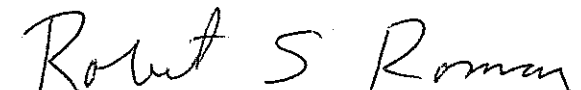
WITNESS our hands this 23rd of June, 2014.


PROSPECTIVE BUYERS:


William Ziller


Julie Ziller

PROSPECTIVE SELLERS:


Robert Roman


Francisco Roman

RESOLUTION 2014-191

WHEREAS, on June 20, 1990 the City of Grand Island entered an Agreement with the late Juanita Roman to provide her a Fifteen Thousand Dollar (\$15,000.00) rehabilitation loan to improve the real property commonly known as 808 West Fifth Street, Grand Island, Hall County, Nebraska; and

WHEREAS, the City placed a lien on the aforementioned real property conditioning repayment of the rehabilitation loan upon the real property being conveyed to anyone other than Juanita Roman or her sons Robert Roman and Francisco Roman; and

WHEREAS, the City placed four additional liens on the aforementioned real property for mowing high grass totaling Five Hundred and Ninety-Five Dollars (\$595.00) as evidenced by Ordinances 9171, 9223, and 9260; and

WHEREAS, since Juanita Roman's death in 2001, the aforementioned real property has deteriorated to where condemnation and leveling the structure is likely to occur without rehabilitation; and

WHEREAS, the City has been approached by William Ziller who is interested in acquiring and rehabilitating the aforementioned real property but is economically unable to do so as long as the aforementioned liens are in effect; and

WHEREAS, it is in the best interests of the City to forgive the aforementioned liens along with any accrued interest so the aforementioned real property can be acquired and rehabilitated by William Ziller.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the City forgives the aforementioned liens along with any accrued interest on the real property commonly known as 808 West Fifth Street, Grand Island, Hall County, Nebraska.

Adopted by the City Council of the City of Grand Island, Nebraska, July 8, 2014.

Jay Vavricek, Mayor

ATTEST:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
July 3, 2014	☐ City Attorney