



City of Grand Island

Tuesday, January 08, 2002

Council Session

Item G10

#2002-9 Approving Deferral of Assessments for Agricultural Property Located Within Sanitary Sewer District #493

Council action is required to approve deferral of special assessments. The Council created Sanitary Sewer District 493 on June 13, 2000. The District completed the 30-day protest period on July 20, 2000 and was continued by Council on August 15, 2000. Three owners have requested agricultural deferral of special assessments for Sanitary Sewer District 493: Eric Pollock for part of the Southwest Quarter of the Southeast Quarter of Section 14-11-10 lying west of Potash Subdivision; Rudolf F. Plate for part of the Northeast Quarter of the Southeast Quarter of Section 14-11-10 lying north of Potash Subdivision; and T&E Cattle Company for part of the Southwest Quarter of Section 13-11-10 lying south of Faidley Avenue. The three pieces of real estate are located within agricultural use zones and are used exclusively for agricultural purposes. The recommendation is to approve the requests for deferral of special assessments. The Districts passed the protest period with the agreement that staff would support agricultural deferments when the issue came before Council. During the time of the deferral, no principal payments would come due, and no interest would accrue on the assessments. Assessment payments would begin when the properties are developed or are no longer eligible for an agricultural use deferral. The alternative is to deny the requests and require assessments to be paid according to the normal schedule.

Staff Contact: Steve Riehle, City Engineer/Public Works Director



RESOLUTION 2002-9

WHEREAS, on June 13, 2000, by Ordinance No. 8597, the City of Grand Island created Sanitary Sewer District No. 493; and

WHEREAS, such district included land adjacent to the City, some of which was and continues to be, within an agricultural use zone and is used exclusively for agricultural use; and

WHEREAS, three property owners located within Sanitary Sewer District No. 493 have requested agricultural deferral of special assessments for Sanitary Sewer District No. 493 due to the land being used exclusively for agricultural purposes; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that:

1. The special assessments to be levied under Sanitary Sewer District No. 493 upon the tracts of land described in Exhibit "A" attached hereto shall be deferred until terminated in accordance with Neb. Rev. Stat. §19-2430.
2. That during said deferral, no principal payments shall become due and no interest shall accrue upon the assessment.
3. That the special assessment shall be divisible upon a front foot basis in the event a portion of the land shall no longer be eligible for deferral.
4. That upon termination of deferral, the principal amount of the special assessment shall be amortized over a term of ten years from that date. The first such installment shall become delinquent in fifty days after termination of deferral. Each installment except the first shall draw interest at seven percent (7%) per annum from and after the date of termination of deferral until the same shall become delinquent. Delinquent installments shall draw interest at fourteen percent (14%) per annum.

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Adopted by the City Council of the City of Grand Island, Nebraska on January 8, 2002.

RaNae Edwards, City Clerk

Approved as to Form ? _____ January 3, 2002 ? City Attorney
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Approved as to Form ? _____
January 3, 2002 ? City Attorney

Agricultural Use Deferral Sanitary Sewer District No. 493

T & Cattle Co.

The Southwest Quarter (SW1/4) of Section Thirteen (13), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska.

Rudolf F. Plate and
Plate

A tract of land comprising a part of the North Half of the Southeast Quarter (N1/2, SE1/4) of Section Fourteen Tim C. (14), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at a point on the south line of said North Half of the Southeast Quarter (N1/2, SE1/4), said point being the Seven Hundred Sixty and Eleven Hundredths (760.11) feet west of the southeast corner of said North Half of the Southeast Quarter (N1/2, SE1/4), said point also being on the north line of Potash Subdivision; thence N00°00'00"E, parallel with the east line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of One Hundred Thirty Five and Two Hundredths (135.02) feet; thence N45°28'45"E, a distance of Eighty Four and Fifteen Hundredths (84.15) feet; thence N00°00'00"E, parallel with the east line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of Four Hundred Eighty Nine and Thirteen Hundredths (489.13) feet to a point on a south line of Westwood Park Fourth Subdivision; thence N89°06'05"W, along and upon the south line of said Westwood Park Fourth Subdivision, a distance of Five Hundred Thirty Four and Fourteen Hundredths (534.14) feet; thence N33°25'53"W, along and upon a south line of said Westwood Park Fourth Subdivision, a distance of Sixty Seven and Twelve Hundredths (67.12) feet; thence N60°03'50"W, along and upon a south line of said Westwood Park Fourth Subdivision, a distance of One Hundred Fifty (150.0) feet; thence S29°56'10"W, along and upon a south line of said Westwood Park Fourth Subdivision, a distance of Twenty Five (25.0) feet; thence N89°06'05"W, along and upon a south line of said Westwood Park Fourth Subdivision, a distance of Four Hundred Fifty Five (455.0) feet; thence N00°16'41"E, along and upon a west line of said Westwood Park Fourth Subdivision, a distance of Four Hundred Twenty Five (425.0) feet to the southeast corner of pending Westwood Park Sixth Subdivision; thence N89°06'05", along and upon a south line of said pending Westwood Park Sixth Subdivision, a distance of One Hundred Forty Seven and Eighty Five Hundredths (147.85) feet; thence S78°03'01"W, along and upon a south line of said pending Westwood Park Sixth Subdivision, a distance of Sixty One and Thirty Nine Hundredths (61.39) feet; thence N89°06'05"W, along and upon a south line of said pending Westwood Park Sixth Subdivision, a distance of One Hundred Fifty Five (155.0) feet to a southwest corner of said pending Westwood Park Sixth Subdivision; thence S00°16'41"W, parallel with the west line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of Six Hundred Seventy Four and Eighty Four Hundredths (674.84) feet; thence S42°17'42"E, a distance of One Hundred

Exhibit "A"

Seventy Nine and Seventy Nine Hundredths (179.79) feet; thence S00°16'41"W, parallel with the west line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of One Hundred Sixty Nine and Five Tenths (169.50) feet; thence S07°33'17"W, a distance of Sixty and Four Tenths (60.40) feet; thence S00°16'41"W, parallel with the west line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of One Hundred Sixty Five (165.0) feet to a point on the south line of said North Half of the Southeast Quarter (N1/2, SE1/4); thence S89°02'30"E, along and upon the south line of said North Half of the Southeast Quarter (N1/2, SE1/4), and along and upon the westerly prolongation of the north line of said Potash Subdivision, and along and upon the north line of said Potash Subdivision, a distance of One Thousand Three Hundred Sixty One and Three Tenths (1,361.30) feet to the point of beginning and containing 28.392 acres, more or less.

Rudolf F. Plate and
Plate

A tract of land comprising a part of the North Half of the Southeast Quarter (N1/2, SE1/4) of Section Fourteen Tim C. (14), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in the city of Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at the southeast corner of said North Half of the Southeast Quarter (N1/2, SE1/4), said point also being the northeast corner of Potash Subdivision; thence N00°00'00"E, along and upon the east line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of Six Hundred Eighty Four and Eighty Nine Hundredths (684.89) feet to the southeast corner of Westwood Park Fourth Subdivision; thence N89°06'05"W, along and upon the south line of said Westwood Park Fourth Subdivision, a distance of Seven Hundred and Eight Hundredths (700.08) feet; thence S00°00'00"W, parallel with the east line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of Four Hundred Eighty Nine and Thirteen Hundredths (489.13) feet; thence S45°28'45"W, a distance of Eighty Four and Fifteen Hundredths (84.15) feet; thence S00°00'00"W, parallel with the east line of said North Half of the Southeast Quarter (N1/2, SE1/4), a distance of One Hundred Thirty Five and Two Hundredths (135.02) feet to a point on the south line of said North Half of the Southeast Quarter (N1/2, SE1/4), said point also being on the north line of said Potash Subdivision; thence S89°02'30"E, along and upon the south line of said North Half of the Southeast Quarter (N1/2, SE1/4), and also being along and upon the north line of said Potash Subdivision, a distance of Seven Hundred Sixty and Eleven Hundredths (760.11) feet to the point of beginning and containing 11.227 acres, more or less.

Eric M. Pollock and
Kenda D. Pollock

The South Half of the Southeast Quarter (S1/2, SE1/4) of Section Fourteen (14), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, excepting therefrom tracts of land conveyed in Warranty Deeds recorded in Book 3, Page 534; Book 113, Page 321; Book 113, Page 323; Book 143, Page 555; Book 170, Page 2, Document No. 77-000208 and Document No. 78-004621; and excepting Quitclaim Deed recorded in Book 128, Page 107 and further excepting deed to the City of Grand Island for sidewalk purposes Document No. 86-105467, said tract being sold containing approximately 25 acres, more or less.