



City of Grand Island

Tuesday, January 28, 2003

Council Session

Item G5

#2003-24 - Approving Agricultural Deferral of Assessments in Sanitary Sewer District #499 and Street Improvement District #1234

City Council action is required to approve deferral of special assessments. The City Council created Sanitary Sewer District 499 and Street Improvement District 1234 on March 27, 2001. Louis and Virginia Graham are property owners within the district.

The owners have requested that an agricultural use deferral be granted to them for assessments from Sanitary Sewer District 499 and Street Improvement District 1234. The real estate is located within an agricultural use zone and is used exclusively for agricultural purposes. Prior to the start of construction, two agreements were signed between the Grahams and the City to acquire needed right of way. The first agreement was signed on November 27, 2000 for Street Improvement District 1234. The second agreement was signed on January 29, 2002 for Sanitary Sewer District 499. Both agreements indicate that the City will grant agricultural deferments for the property.

It is recommended that Council approve the request for deferral of special assessments. During the time of the deferral, no principal payments would come due, and no interest would accrue on the assessment. Assessment payments would begin when the property is developed or no longer eligible for an agricultural use deferral.

Staff Contact: Steve Riehle

RESOLUTION 2003-24

WHEREAS, on March 27, 2001, by Ordinance No. 8667, the City of Grand Island created Sanitary Sewer District No. 499; and

WHEREAS, on March 27, 2001, by Ordinance No. 8668, the City of Grand Island created Street Improvement District No. 1234; 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, Louis and Virginia Graham own property in such districts; and

WHEREAS, prior to the construction of each of the districts, agreements were entered into between the City and the Graham's to acquire right-of-way; and

WHEREAS, both agreements authorized the Graham's to receive agricultural deferrals on the assessments for Sanitary Sewer District No. 499 and Street Improvement District No. 1234 due to the land being used exclusively for agricultural purposes.

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 against Louis and Virginia Graham under Sanitary Sewer District No. 499 shall be deferred until terminated in accordance with Neb. Rev. Stat. §19-2430.
2. The special assessments to be levied against Louis and Virginia Graham under Street Improvement District No. 1234 shall be deferred until terminated in accordance with Neb. Rev. Stat. §19-2430.
3. That during said deferral, no principal payments shall become due and no interest shall accrue upon the assessment.
4. That the special assessment shall be divisible upon a pro rata basis of the original assessment in the event a portion of the land shall no longer be eligible for deferral.
5. 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, January 28, 2003.

RaNae Edwards, City Clerk