



City of Grand Island

Tuesday, April 22, 2003

Council Session

Item G16

#2003-116 - Approving Agricultural Deferral of Assessments for Sanitary Sewer District 499, Street Improvement District 1239, and Water Main District 437 for Property Owner

City Council action is required to approve deferral of special assessments. The City Council created Sanitary Sewer District 499, Street Improvement District 1239 and Water Main District 437 on March 27, 2001. Judith and Robert Poland are property owners within the Districts. The owners have requested that an agricultural use deferral be granted to them for assessments from the Sanitary Sewer, Street Improvement and Water Main Districts. The real estate is located within an agricultural use zone and is used exclusively for agricultural purposes. 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, City Engineer/Public Works Director

THE LAW OFFICES OF
Lauritsen, Brownell, Brostrom, Stehlik, Thayer & Myers

724 West Koenig Street • P.O. Box 400 • Grand Island, NE 68802-0400 • Telephone: 308-382-8010 • Fax: 308-382-8018
Please respond to above office

Walter P. Lauritsen (1990)
John R. Brownell
Kevin A. Brostrom
Galen E. Stehlik
Daniel J. Thayer
Denise D. Myers
Rachel A. Daugherty

Doniphan Office
Bank of Doniphan
Doniphan, NE 68832
(402) 845-2777

Cairo Office
State Bank of Cairo
Cairo, NE 68824
(308) 485-4232



April 1, 2003

City Clerk
City of Grand Island
P. O. Box 1968
Grand Island, NE 68802

Re: Special Assessments, Sewer District 499
Water District 437 and Paving District 1239
Platte Valley Ind. Park 3rd Sub, Lot One

Dear Clerk:

Please accept this letter of an expansion of my earlier letter of March 27, 2003, regarding the referenced assessments and Judith K. Poland, the owner. It is my understanding that the Paving and Water District Assessments will be forwarded shortly, and it is therefore requested that all of the special assessments be considered for the agricultural deferral.

If additional information is needed regarding the agricultural use of the land, please contact me.

Thank you for your consideration.

Yours very truly,

LAURITSEN, BROWNELL, BROSTROM,
STEHLIK, THAYER & MYERS


John R. Brownell

cc: Ms. Judith K. Poland
P. O. Box 696
Grand Island, NE 68802

cc: ~~Legal~~
~~Admin.~~
4-2-03

R E S O L U T I O N 2003-116

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. 8666, the City of Grand Island created Street Improvement District No. 1239; and

WHEREAS, on March 27, 2001, by Ordinance No. 8663, the City of Grand Island created Water Main District No. 437; and

WHEREAS, such districts include 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, Judith K. Poland and Robert K. Poland, wife and husband, own property within Sanitary Sewer District No. 499, Water Main District No. 437, and Street Improvement District No. 1239 and have requested agricultural deferral of special assessments for such districts 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 under Sanitary Sewer District No. 499, Street Improvement District No. 1239, and Water Main District No. 437 upon Lot One (1), Platte Valley Industrial Park Third Subdivision in the City of Grand Island, Hall County, Nebraska, 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 assessments.
3. That the special assessments 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.
4. That upon termination of deferral, the principal amount of the special assessments 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.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, April 22, 2003.

Approved as to Form	<input type="checkbox"/>	_____
April 17, 2003	<input type="checkbox"/>	City Attorney

RaNae Edwards, City Clerk