



City of Grand Island

Tuesday, June 10, 2003

Council Session

Item G23

#2003-163 - Approving Agricultural Deferral of Assessments for Water Main District No. 437 for Louis and Virginia Graham

The City Council is required to approve the deferral of special assessments for agricultural deferrals. This real estate is located within an agricultural use zone and is used exclusively for agricultural purposes. Prior to construction, agreements were reached with the Grahams to acquire right of way and part of that agreement was the deferral of special assessments for this property. At the January 28, 2003, meeting the City Council approved the deferral of the assessments for sanitary sewer and street improvements and this will complete the process of granting agricultural deferrals.

It is recommended that the City Council approve the request for deferral of these special assessments for water improvements. Assessment payments will begin when the property is developed or no longer eligible for an agricultural use deferral.

Staff Contact: Doug Walker

RESOLUTION 2003-163

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

WHEREAS, such district includes 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 E. Graham and Virginia B. Graham, husband and wife, own property within Water Main District No. 437 and have requested agricultural deferral of special assessments for such district 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 Water Main District No. 437 upon the following tract of land in the City of Grand Island, Hall County, Nebraska, shall be deferred until terminated in accordance with Neb. Rev. Stat. §19-2430:

Beginning at a point 11' west and 33' south of the NE corner of the NW1/4, NW1/4 of Section 5; thence west 33' south of and parallel to the north line of Section 5; to the east ROW line of Juergen Road; thence south 7'; thence southwest along the easterly ROW line of Juergen Road a distance of 56.57'; thence south on the east ROW line of Juergen Road to a point of curvature; thence continuing southwesterly on a curve to the right, said line being the easterly ROW line of Juergen Road, to the north line of Lot 21, Platte Valley Industrial Park Third Subdivision; thence east on the north line of Lots 21 and 19 of Platte Valley Industrial Park Third Subdivision to a point 11' west of the east line of the NW1/4, NW1/4 of Section 5, T10N, R9W; thence north on a line 11' west of and parallel to the east line of said NW1/4, NW1/4 of Section 5 to the point of beginning.

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.

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Adopted by the City Council of the City of Grand Island, Nebraska, June 10, 2003.

RaNae Edwards, City Clerk