



# City of Grand Island

Tuesday, March 09, 2004

Council Session

## Item D1

**#2004-BE-1 - Determining Reallocation of Benefits for Sanitary  
Sewer District No. 490**

Staff Contact: Doug Walker

# **Council Agenda Memo**

**From:** Doug Walker, City Attorney

**Meeting:** March 9, 2004

**Subject:** Board of Equalization, Sewer District 490 and Water Main District 432

**Item #'s:** D-1, D-2, F-1, & F-2

**Presenter(s):** Doug Walker

## **Background**

Water Main District #432 and Sanitary Sewer District #490 currently include one large lot in the Village Second/Third Subdivision. The owners of the property are interested in subdividing this lot into 26 smaller lots for sale to the public. They have requested that the special assessments for sewer and water be divided among the 26 lots to facilitate their sale.

## **Discussion**

Staff has met with representatives of the property owners and it is feasible to divide the special assessments for sewer and water among the number of lots being proposed by the owner. If we are to divide the assessments among the new lots, the Council will need to meet as a Board of Equalization.

## **Alternatives**

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

1. Approve the new equalization of assessments to facilitate sale of the new lots.
2. Disapprove or /Deny the re-equalization of the water and sewer assessments which would require the property owner to pay them in full before selling any of the new lots to avoid having a lien for these assessments.
3. Table the issue

## **Recommendation**

City Administration recommends that Council setting as the Board of Equalization approve Resolutions #2004-BE-1 and #2004-BE-2 reassessments of the remaining amounts due on the water and sewer main improvement districts. City Administration also recommends that Council approve Ordinances #8890 and #8891 that relate to these items.

## **Sample Motion**

Approve Resolution #2004-BE-1 for Sanitary Sewer District No. 490 and Resolution #2004-BE-2 for Water Main District No. 432.

RESOLUTION 2004-BE-1

WHEREAS, on July 11, 2000, by Resolution 2000-BE-4, the City Council , sitting as a Board of Equalization for Sanitary Sewer District No. 490, set the benefits of Lot One (1), Village Second Subdivision; and

WHEREAS, the owner of Lot One (1), Village Second Subdivision has replatted such property into 25 lots and Outlot B of Village Third Subdivision; and

WHEREAS, the owner has requested that the remaining balance of such assessment for Sanitary Sewer District No. 490 against such lot be reallocated to reflect the replatting of such property.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, sitting as a Board of Equalization for Sanitary Sewer District 490, after due notice having been given thereof, that we find and adjudge:

That the remaining balance of benefits accruing to the real estate in such district to be the total sum of \$36,483.92; and

Such benefits are equal and uniform; and

According to the equivalent frontage of the respective lots, tracts, and real estate within such Sanitary Sewer District No. 490 pursuant to the replat of Lot One (1), Village Second Subdivision, such benefits are the sums set opposite the several descriptions as follows:

<u>Name</u>	<u>Description</u>	<u>Assessment</u>
Thayer Family, L.L.C.	Lot 1, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 2, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 3, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 4, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 5, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 6, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 7, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 8, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 9, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 10, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 11, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 12, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 13, Village Third Subdivision	1,403.23

Approved as to Form    ☐ \_\_\_\_\_  
March 4, 2004            ☐ City Attorney

RESOLUTION 2004-BE-1

Thayer Family, L.L.C.	Lot 14, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 15, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 16, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 17, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 18, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 19, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 20, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 21, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 22, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 23, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 24, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Lot 25, Village Third Subdivision	1,403.23
Thayer Family, L.L.C.	Outlot B, Village Third Subdivision	1,403.17
<b>TOTAL</b>		<b>\$36,483.92</b>

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Adopted by the City Council of the City of Grand Island, Nebraska, on March 9, 2004.

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RaNae Edwards, City Clerk