



# **City of Grand Island**

**Tuesday, May 11, 2004**

**Council Session**

## **Item G21**

**#2004-112 - Approving Ag Deferral for Sanitary Sewer District  
513 (Steven & Connie Asche)**

**Staff Contact: Steven P. Riehle, P.E., Public Works Director**

# **Council Agenda Memo**

**From:** Steven P. Riehle, P.E., Director of Public Works

**Meeting:** May 11, 2004

**Subject:** Approving Deferral of Assessments for Agricultural Property, located within the Boundaries of Sanitary Sewer No. 513

**Item #'s:** G-21

**Presenter(s):** Steven P. Riehle, P.E., Director of Public Works

## **Background**

City Council action is required to approve deferral of special assessments. The City Council created Sanitary Sewer District 513 on March 23, 2004. Steven and Connie Asche are the owners of the agricultural land within the District.

## **Discussion**

The owners have requested that an agricultural use deferral be granted for assessments from Sanitary Sewer District 513. The real estate is located within an agricultural use zone and is used exclusively for agricultural purposes. The owner is not protesting the district provided the agricultural deferment is granted. Assessment payments would begin when the property is developed or no longer eligible for an agricultural use deferral.

## **Alternatives**

1. Approve the request for an agricultural deferment.
2. Disapprove or /Deny the request for an agricultural deferment; the Asche's would then protest the district and the district would fail.
3. Modify the recommendation to meet the wishes of the Council.
4. Table the issue.

## **Recommendation**

City Administration recommends that the Council approve the request for an agricultural deferral.

## **Sample Motion**

Move to approve the agricultural deferral.

R E S O L U T I O N    2004-112

WHEREAS, on March 23, 2004, by Ordinance No. 8892, the City of Grand Island created Sanitary Sewer District No. 513; and

WHEREAS, such district includes land which is and continues to be, within an agricultural use zone and is used exclusively for agricultural use; and

WHEREAS, Steven F. and Connie Asche own property in such district; and

WHEREAS, Steven and Connie Asche have requested an agricultural deferment on the assessment for Sanitary Sewer District No. 513 due to the land being used exclusively for agricultural purposes; and

WHEREAS, a Notice of Filing Application for Deferral from Special Assessments was filed with the Hall County Register of Deeds on May 3, 2004 as Instrument No. 0200404294 pertaining to property owned by Steven and Connie Asche which is located within Sanitary Sewer District No. 513.

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 Steven and Connie Asche under Sanitary Sewer District No. 513 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 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 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, May 11, 2004.

Approved as to Form <input type="checkbox"/> _____ May 6, 2004 <input type="checkbox"/> City Attorney
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RaNae Edwards, City Clerk