



City of Grand Island

Tuesday, July 13, 2004

Council Session

Item G13

#2004-160 - Approving Deferral of Assessments for Agricultural Property, Located within the Boundaries of Street Improvement District 1252, Lillie Drive (Steve and 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: July 13, 2004

Subject: Approving Deferral of Assessments for Agricultural Property, located within the Boundaries of Street Improvement District 1252, Lillie Drive and Mabel Drive.

Item #'s: G-13

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 Street Improvement District 1252 on May 25, 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 Street Improvement District 1252. 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.
3. Modify the recommendation to meet the wishes of the Council.
4. Table the issue.

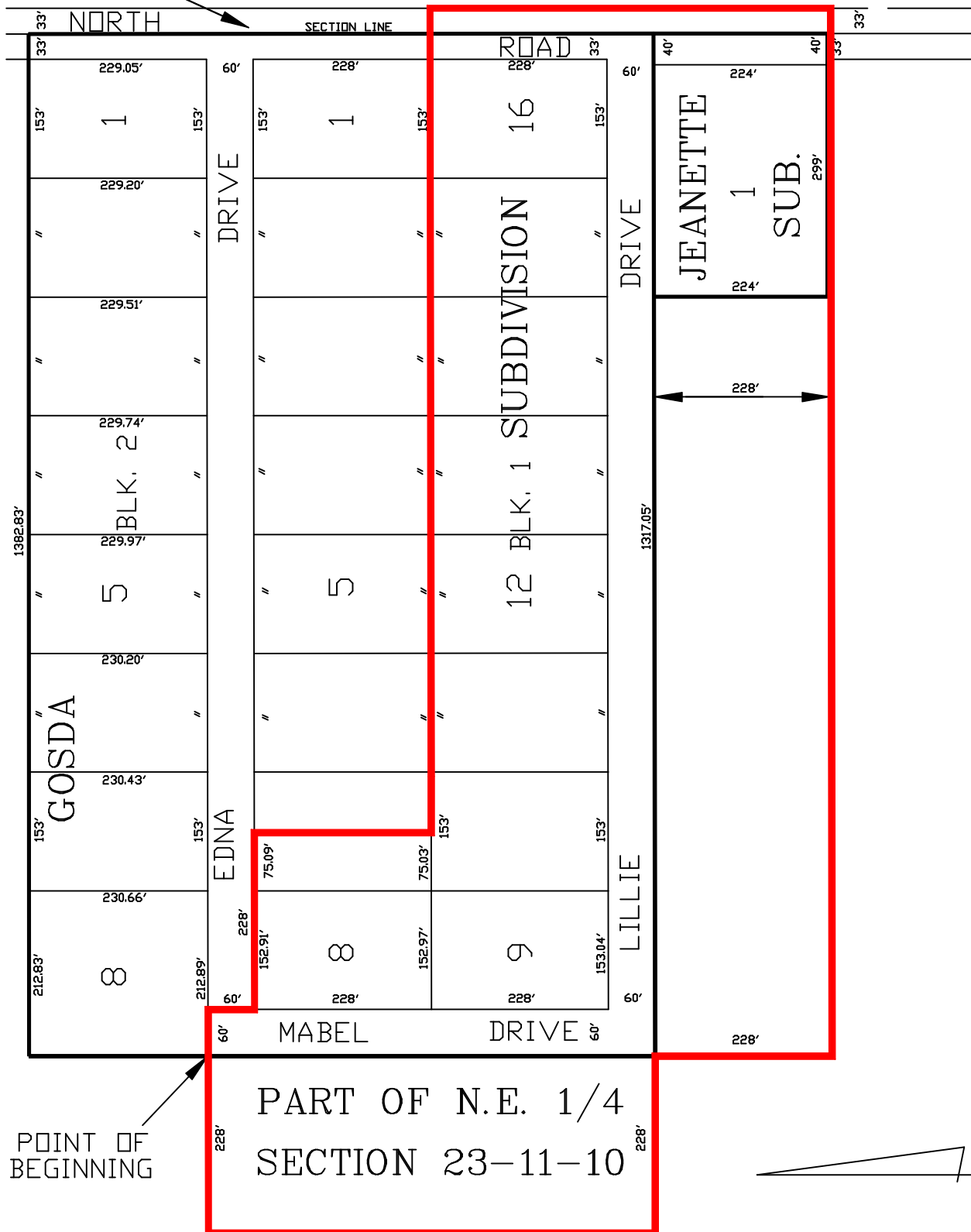
Recommendation

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

Sample Motion

Move to approve the agricultural deferral.

PART OF S.W.1/4, N.W.1/4
SECTION 24-11-10



STREET IMPROVEMENT DISTRICT 1252

EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 5-13-04
DRN BY: L.D.C.
SCALE: 1"=200'

PLAT TO ACCOMPANY
ORDINANCE NO. 8906

Entered As Instrument No
0200406059

STATE OF NEBRASKA)
COUNTY OF HALL) SS

2004 JUN 18 AM 9 06

Kathy Baack
REG OF DEEDS

CASH 5.50
CHECK _____

REFUNDS:
CASH _____
CHECK _____

200406059

This Space Reserved for Register of Deeds

**NOTICE OF FILING APPLICATION
FOR DEFERRAL FROM SPECIAL ASSESSMENTS**

5.50

An Application for an agricultural deferral from Special Assessments was filed with the Grand Island City Clerk on June 18, 2004, requesting deferral of the Special Assessment for Street Improvement District #1252, with respect to the following described Real Estate owned by Steven F. and Connie Asche, to-wit:

Part of the Southeast Quarter, Northeast Quarter (SE ¼, NE ¼), Section 23-11-10, more particularly described as beginning at the Southwest Corner of Gosda Subdivision, thence East on the South line of Gosda Subdivision for a distance of 933.05 feet, thence South on a line perpendicular to the South line of Gosda Subdivision for a distance of 228 feet, thence West on a line 228 feet South of and parallel to the South line of Gosda Subdivision to a point where a prolongation of the West line of Gosda Subdivision intersects, thence North on the prolongation of the West line of Gosda Subdivision to the point of beginning, all in the City of Grand Island, Nebraska.

By: *Steven F. Asche*
Steven F. Asche

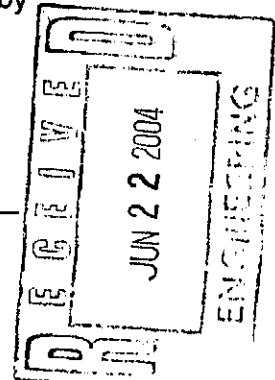
By: *Connie Asche*
Connie Asche

STATE OF NEBRASKA)
COUNTY OF HALL) SS:

The foregoing was acknowledged before me on June 17, 2004, by Steven F. Asche and Connie Asche.



Danielle K. Collins
Notary Public



R E S O L U T I O N 2004-160

WHEREAS, on May 25, 2004, by Ordinance No. 8906, the City of Grand Island created Street Improvement District No. 1252; 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. Asche and Connie Asche own property in such district; and

WHEREAS, Steven Asche and Connie Asche have requested an agricultural deferment on the assessment for Street Improvement District No. 1252 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 June 18, 2004 as Instrument No. 0200406059 pertaining to property owned by Steven and Connie Asche which is located within Street Improvement District No. 1252.

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 Street Improvement District No. 1252 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, July 13, 2004.

Approved as to Form <input type="checkbox"/> _____ July 8, 2004 <input type="checkbox"/> City Attorney

RaNae Edwards, City Clerk