



# **City of Grand Island**

**Tuesday, September 14, 2004**

**Council Session**

## **Item E5**

**Public Hearing on Acquisition of Real Estate Located at 414 S.  
Shady Bend Road (Timothy & Mary Arends)**

**Staff Contact: Steve Riehle**

# **Council Agenda Memo**

**From:** Steven P. Riehle, P.E., Director of Public Works  
Doug Walker, City Attorney

**Meeting:** September 14, 2004

**Subject:** Public Hearing on the Purchase of the Arends Property  
located at 414 South Shady Bend Road (Timothy and  
Mary Arends)

**Item #'s:** E-5 & G-16

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

## **Background**

A public hearing must be held and Council action must be taken by resolution for the City of Grand Island to acquire property. Timothy and Mary Arends own the property at 414 Shady Bend Road and have agreed to sell their property as part of the overall settlement of the litigation that was initiated by the Arends in 2003.

## **Discussion**

The settlement of the lawsuit is in the total amount of \$240,000.00. This property is being acquired for \$205,000.00 of the total. The remaining \$35,000.00 of the settlement is for reimbursement of the Arends's expenses; alleged damages and relocation costs.

The Arends's property was appraised for \$205,000.00 in an appraisal completed by a certified appraiser. The appraisal was part of establishing an acquisition price for the real estate and an overall settlement for the lawsuit. An appraisal was also done to comply with the requirements of Nebraska Revised Statute Section 13-403 which requires municipalities to obtain an appraisal of real property purchased for more than \$100,000.

## **Alternatives**

1. Conduct a Public Hearing and approve the acquisition of the Arends property.
2. Disapprove or /Deny the acquisition of the Arends property.
3. Modify the recommendation to meet the wishes of the Council.
4. Table the issue.

## **Recommendation**

City Administration recommends that the Council approve the purchase of the Arends Property for \$240,000.00 and pass a resolution authorizing the Mayor to sign an agreement with the Arends's for the purchase and approve the overall settlement of all legal issues in the lawsuit.

## **Sample Motion**

Move to approve the acquisition of the Arends property.