



City of Grand Island

Tuesday, January 23, 2007

Council Session

Item G14

#2007-22 - Approving Deferral of Assessments for Agricultural Property, Located within the Boundaries of Street Improvement District 1258; Extending Faidley Avenue West of Diers Avenue an Additional Six Hundred Fifty Feet (650'); (T & E Cattle Company)

Staff Contact: Steven P. Riehle, Public Works Director

Council Agenda Memo

From: Steven P. Riehle, Public Works Director

Meeting: January 23, 2007

Subject: Approving Deferral of Assessments for Agricultural Property located within the Boundaries of Street Improvement District 1258; Extending Faidley Avenue West of Diers Avenue an Additional Six Hundred Fifty Feet (650 Feet); (T & E Cattle Company)

Item #'s: G-14

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

Background

City Council action is required to approve deferral of special assessments. The City Council created Street Improvement District 1258 on November 22, 2005. T & E Cattle Company is an owner 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 1258. The real estate is located within an agricultural use zone and is used exclusively for agricultural purposes. Assessment payments would begin when the property is developed or no longer eligible for an agricultural use deferral.

An ordinance that denotes an Agricultural Deferment for the subject property is also being considered at the January 23, 2007 council meeting. If the ordinance is approved, the resolution must be approved. If council wishes to deny the Agricultural Deferment, the ordinance must be modified to remove the Agricultural Deferment

Alternatives

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

1. Move to approve the request for an agricultural deferment. If the notation of an Agricultural Deferment for land owned by the T & E Cattle Company is removed from the ordinance, the resolution for the Agricultural Deferment must be disapproved.
2. Refer the issue to a Committee.
3. Postpone the issue to future date.
4. Take no action on the issue.

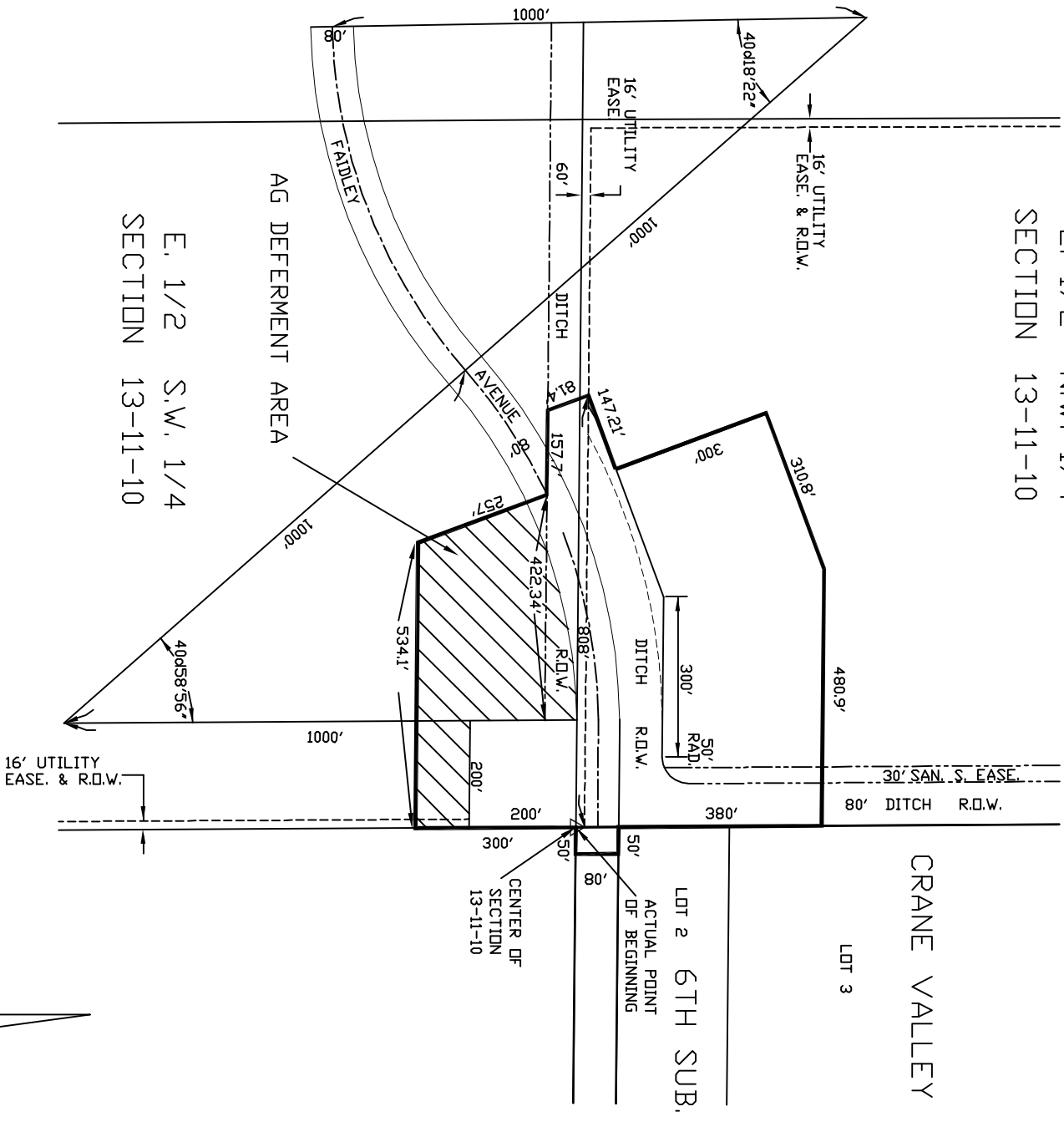
Recommendation

City Administration recommends that the Council approve the agricultural deferment.

Sample Motion

Move to approve the agricultural deferment.

E. 1/2 N.W. 1/4
SECTION 13-11-10



RESOLUTION 2007-22

WHEREAS, on November 22, 2005, by Ordinance No. 9016, the City of Grand Island created Street Improvement District No. 1258; and

WHEREAS, such district included 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, on January 23, 2007, by Ordinance No. 9102, the City of Grand Island assessed and levied a special tax for the construction of Street Improvement District No. 1258 against the tracts of land benefiting from such street improvement; and

WHEREAS, such real estate, owned by T & E Cattle Company, continues to be used exclusively for agricultural uses; and

WHEREAS, T & E Cattle Company has requested that such deferral from special assessments be continued as long as the property is used exclusively for agricultural purposes as provided by law.

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 Street Improvement District No. 1258 upon the tract of land described as Part of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) of Section Thirteen (13), Township Eleven (11), Range Ten (10), West of the Sixth P.M., in the City of Grand Island, Hall County, Nebraska, 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 front foot basis 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.

Approved as to Form ? _____ January 18, 2007 ? City Attorney
--

Adopted by the City Council of the City of Grand Island, Nebraska on January 23, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form ? _____ January 18, 2007 ? City Attorney
