

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 18, 2013 AGENDA**

Subject:	Type:	Submitted By:
ANNEXATION — SID # 195 (MAYFAIR), MISC. LOTS #1 (MAYFAIR NON-SID LOTS), I-80 BUSINESS PARK 2 ND ADDITION, MISC. LOTS #2 & ADJOINING STREET ROW's	RESOLUTION ◆ ORDINANCES (3) RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

The third reading and adoption of the ordinances has been scheduled for Council to annex the following property:

(1) SID # 195

- Mayfair: Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 98, 99, 100, 101, 102, 103 and 104
- Mayfair Replat One: Lots 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132 and 133
- Mayfair 2nd Addition: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115 and 118
- Mayfair 2nd Addition, Replat One: Lots 1, 2, 3, 4A and 11A
- Mayfair 2nd Addition, Replat Two: Lot 9A
- Mayfair 2nd Addition, Replat Three: Lot 2
- Mayfair 2nd Addition, Replat Four: Lot 1
- Mayfair 2nd Addition, Replat Five: Lots 1 and 2
- Mayfair 2nd Addition, Replat Six: Lots 1 and 2

(2) Miscellaneous Lots #1

- Mayfair: Outlot A
- Mayfair 2nd Addition: Lot 21

(3) I-80 Business Park – 2nd Addition and Tax Lots 17 and 18

- I-80 Business Park, 2nd Addition: Lots 1 and 2
- Tax Lots 17 and 18 (17-14N-12E)

(4) Miscellaneous Lots #2

- Tax Lots 11 and 15 (17-14N-12E)

(5) And Any Adjoining Street Rights-of-Way

FISCAL IMPACT

	<u>Assessed Valuation</u>	<u>Net Debt</u>
SID #195 - Mayfair	\$ 43,350,273	\$ 1,460,000
Miscellaneous Lots #1	\$ 295,009	\$ ---
I-80 Business Park – 2 nd Add.	\$ 378,738	\$ ---
Miscellaneous Lots #2	\$ 78,035	\$ ---

Additional detail can be found in the annexation plan.

RECOMMENDATION

Approve 3rd Reading and Adoption of the Ordinances.

BACKGROUND

On March 5, 2013, the Council adopted an amendment to Chapter 9 of the Comprehensive Plan, which provides a detailed annexation plan. The areas proposed for annexation are identified within the plan, on the SID Summary spreadsheet, as areas 2, 2a, 2b, and 2c.

A detailed annexation analysis was prepared and on April 16, 2013, the City Council adopted Resolution No. 13-030 stating the Council was considering the annexation and setting 7 P.M. on June 4th as the time and date of the public hearing. Notice of the City Council public hearing was mailed to owners of property within the area proposed for annexation according to statutory requirements.

The Planning Commission held a public hearing on May 9, 2013, and on a vote of 6 in favor with one abstaining, recommended approval of the annexation to the City Council.

On May 21, 2013, the City Council approved the first reading of the ordinances. The public hearing was held on June 4, 2013, and second reading of the ordinances was approved. The third reading and adoption of the annexation ordinances is now scheduled. With the motion to approve the final adoption of the ordinances, **the City Council must state formal compliance with the provisions of Section 16-130(6) of the Nebraska statutes (notice to utility companies).**

The following areas being considered for annexation are comprised of the following:

- SID #195 (Mayfair) — 194 developed single family lots, 1 developed quasi-public lot (church), 7 developed commercial lots, 7 vacant lots. Estimated population is 537.
- Miscellaneous Lots #1 — 1 developed single family lot, 1 outlot. Estimated population is 3.
- I-80 Business Park 2nd Addition — 1 developed industrial lot and 3 undeveloped industrial lots. Estimated population is 0.
- Miscellaneous Lots #2 — 2 undeveloped lots. Estimated population is 0
- Any adjoining street rights-of-way.

ORDINANCE NO. 1191

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (SID NO.195, MAYFAIR, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, LOT 21, MAYFAIR 2ND ADDITION, AND OUTLOT "A", MAYFAIR, SUBDIVISIONS AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, AND PORTIONS OF ANY ADJOINING STREET RIGHT-OF-WAY), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land, and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and plan to provide services, and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1.

A. The foregoing recitals shall be incorporated into this ordinance by reference and are hereby ratified, affirmed and approved.

B. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 3 THRU 47, INCLUSIVE, AND LOTS 98 THRU 104, INCLUSIVE, MAYFAIR;

TOGETHER WITH OUTLOT "A", MAYFAIR;

TOGETHER WITH LOTS 106 THRU 133, INCLUSIVE, MAYFAIR REPLAT ONE;

TOGETHER WITH LOTS 1 THRU 20, INCLUSIVE, LOTS 22 THRU 115, INCLUSIVE, AND LOT 118, MAYFAIR 2ND ADDITION;

TOGETHER WITH LOT 21, MAYFAIR 2ND ADDITION;

TOGETHER WITH LOTS 1, 2, 3, 4A AND 11A, MAYFAIR 2ND ADDITION REPLAT ONE;

TOGETHER WITH LOT 9A, MAYFAIR 2ND ADDITION REPLAT TWO;

TOGETHER WITH LOT 2, MAYFAIR 2ND ADDITION REPLAT THREE;

TOGETHER WITH LOT 1, MAYFAIR 2ND ADDITION REPLAT FOUR;

TOGETHER WITH LOTS 1 AND 2, MAYFAIR 2ND ADDITION REPLAT FIVE;

TOGETHER WITH LOTS 1 AND 2, MAYFAIR 2ND ADDITION REPLAT SIX;

ALL SUBDIVISIONS IN SARPY COUNTY, NEBRASKA;
TOGETHER WITH ALL PUBLIC STREETS LYING WITHIN SAID SUBDIVISIONS, THE OUTER BOUNDARY OF THE AFORE DESCRIBED PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF LOT 133 SAID MAYFAIR REPLAT ONE;
 THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 133;
 THENCE EASTERLY ON THE EAST LINE OF SAID LOT 133 TO THE WEST LINE OF 96TH STREET;
 THENCE SOUTHERLY ON THE WEST LINE OF 96TH STREET TO THE NORTH LINE OF GILES ROAD;
 THENCE WESTERLY ON THE NORTH LINE OF GILES ROAD TO THE SW CORNER OF LOT 61, SAID MAYFAIR 2ND ADDITION;
 THENCE NORTHERLY ON THE WEST LINES OF LOTS 61, 62, 63 AND 65 THRU 76, INCLUSIVE, SAID MAYFAIR 2ND ADDITION TO THE NW CORNER OF SAID LOT 76;
 THENCE EASTERLY ON THE NORTH LINES OF LOT 76 AND 90 THRU 102, INCLUSIVE, SAID MAYFAIR 2ND ADDITION TO THE SW CORNER OF LOT 108 SAID MAYFAIR 2ND ADDITION;
 THENCE NORTHERLY ON THE WEST LINES OF LOTS 108 AND 109, SAID MAYFAIR 2ND ADDITION AND ON THE WEST LINES OF LOTS 98, 11, 12, 13 AND 15 THRU 21, INCLUSIVE, SAID MAYFAIR, TO THE NW CORNER OF SAID LOT 11;
 THENCE EASTERLY ON THE NORTH LINES OF LOTS 10, 11 AND 3 THRU 8, INCLUSIVE, SAID MAYFAIR TO THE NE CORNER OF SAID LOT 3;
 THENCE CONTINUING EASTERLY ON THE NORTH LINE OF LOT 106, SAID MAYFAIR REPLAT 1, TO THE NE CORNER THEREOF, SAID CORNER BEING ON THE NORTHERLY LINE OF MELISSA STREET;
 THENCE EASTERLY ON THE NORTHERLY LINE OF MELISSA STREET TO THE WEST LINE OF 96TH STREET;
 THENCE SOUTHERLY ON THE WEST LINE OF 96TH STREET TO THE SOUTH LINE OF MELISSA STREET;
 THENCE WESTERLY ON THE SOUTH LINE OF MELISSA STREET TO THE NE CORNER OF LOT 133, SAID MAYFAIR REPLAT ONE AND THE POINT OF BEGINNING.

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to SID No.195, Mayfair, Lot 21, Mayfair 2nd Addition, Outlot "A", Mayfair, and adjoining street rights-of-way, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

SECTION 3. This ordinance shall be in full force and effect on July 31, 2013 after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 18TH DAY OF JUNE, 2013.

CITY OF LA VISTA

 Douglas Kindig, Mayor

ATTEST:

 Pamela A. Bueche, CMC
 City Clerk

ORDINANCE NO. 1192

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (LOTS 1 AND 2, I-80 INDUSTRIAL PARK 2ND ADDITION, A SUBDIVISION IN SARPY COUNTY, NEBRASKA; TAX LOTS 17 AND 18, LYING WITHIN THE NW ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TOGETHER WITH PART OF THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY; AND PORTIONS OF ANY ADJOINING STREET RIGHT-OF-WAY), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land, and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and plan to provide services, and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1.

A. The foregoing recitals shall be incorporated into this ordinance by reference and are hereby ratified, affirmed and approved.

B. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1 AND 2, I-80 INDUSTRIAL PARK 2ND ADDITION, A SUBDIVISION IN SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOTS 17 AND 18, LYING WITHIN THE NW ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY;

TOGETHER WITH PART OF THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY;

TOGETHER WITH THE PUBLIC STREETS LYING WITHIN THAT PART OF THE NW ¼ OF SAID SECTION 17 AND WITHIN THAT PART OF NE ¼ OF SAID SECTION 18 DESCRIBED HEREAFTER ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF THE NW ¼ OF SAID SECTION 17;

THENCE EASTERLY ON THE NORTH LINE OF SAID NW ¼ TO A POINT DIRECTLY NORTH OF THE MOST EASTERLY CORNER OF SAID TAX LOT 17;

THENCE SOUTH TO THE MOST EASTERLY CORNER OF SAID TAX LOT 17;

THENCE SOUTHWESTERLY ON THE SOUTHEASTERLY LINE OF SAID TAX LOTS 17 AND 18 AND ON THE NORTHERLY LINE OF HARRISON STREET TO THE MOST SOUTHERLY

CORNER OF SAID TAX LOT 18, SAID CORNER BEING ON THE NORTHEASTERLY LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTHWESTERLY ON THE SOUTHWESTERLY LINE OF SAID TAX LOT 18 AND ON THE NORTHEASTERLY LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY TO THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE EASTERLY ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 18 TO THE POINT OF BEGINNING.

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Lots 1 and 2, I-80 Industrial Park 2nd Addition, Tax Lots 17 and 18, in the NW ¼ of Section 17, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, and Part of the NE ¼ of Section 18, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

SECTION 3. This ordinance shall be in full force and effect on July 31, 2013 after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 18TH DAY OF JUNE, 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ORDINANCE NO. 1193

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOTS 11 AND 15 LYING WITHIN THE NW ¼ OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TOGETHER WITH PART OF THE NW ¼ OF SECTION 17 AND PART OF THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, FORMER UPRR RIGHT-OF-WAY IN THE NW ¼ OF SECTION 17, T14N, R12E AND THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council of the City of La Vista, in compliance with Nebraska Revised Statutes, Section 16-117, have adopted a resolution stating that the City is considering the annexation of certain land, have approved a plan for the extension of City services to said land, and have complied with the publication, mailing and public hearing requirements required by said statute; and

WHEREAS, the Planning Commission of the City of La Vista has held a hearing to consider the proposed annexation and plan to provide services, and the Mayor and City Council has obtained the recommendation of the Planning Commission of the City of La Vista to annex the below described land and provide services in accordance with the plan; and

WHEREAS, the Mayor and City Council of the City of La Vista find the below described territory to be contiguous or adjacent to the City of La Vista, Nebraska, and is urban or suburban in character and not agricultural land which is rural in character; and

WHEREAS, the Mayor and City Council of the City of La Vista have determined that sewerage facilities will be sufficient to serve said territory and said territory will be serviced by the water utility franchised by the City and that the City is in a position to extend police and fire protection and other municipal services to said below-described territory, so that the inhabitants of said territory shall receive substantially the services of other inhabitants of the City of La Vista, Nebraska.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1.

A. The foregoing recitals shall be incorporated into this ordinance by reference and are hereby ratified, affirmed and approved.

B. The following described territory situated in Sarpy County, Nebraska to-wit:

TAX LOTS 11 AND 15 LYING WITHIN THE NW 1/4 OF SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH PART OF THE NW 1/4 OF SAID SECTION 17 AND PART OF THE NE 1/4 OF 18, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF THE NE 1/4 CORNER OF THE NE 1/4 OF SAID SECTION 18;

THENCE WESTERLY ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 18 TO THE NORTHEASTERLY LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY AND THE POINT OF BEGINNING;

THENCE SOUTHEASTERLY ON THE NORTHEASTERLY LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY TO THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 17;

THENCE WESTERLY ON THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 17 AND ON THE SOUTH LINES OF SAID TAX LOTS 15 AND 11 TO THE SW CORNER OF SAID TAX LOT 11, SAID CORNER BEING ON THE EAST LINE OF SOUTHPORT PARKWAY;

THENCE NORTHERLY ON THE WESTERLY LINE OF SAID TAX LOT 11 AND ON THE EASTERLY LINE OF SOUTHPORT PARKWAY AND THE SOUTH LINE OF HARRISON STREET TO THE MOST NORTHERLY CORNER OF SAID TAX LOT 11, SAID CORNER BEING ON THE SOUTHWESTERLY LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE NORTHWESTERLY ON THE SOUTHWESTERLY LINE OF THE FORMER UNION PACIFIC RAILROAD RIGHT-OF-WAY TO THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 18;

THENCE EASTERLY ON THE NORTH LINE OF THE NE 1/4 OF SAID SECTION 18 TO THE POINT OF BEGINNING.

be and the same hereby is, annexed to and included within the corporate limits of the City of La Vista, Sarpy County, Nebraska, and that the inhabitants thereof shall, from and after the effective date of this ordinance, be subject to the ordinances and regulations of the City of La Vista, Sarpy County, Nebraska.

SECTION 2. That the inhabitants of the above-described territory annexed to the City shall receive substantially the services of other inhabitants of such City as soon as practicable, in accordance with Neb. Rev. Stat. Section 16-120 and the Plan to Extend Services to Tax Lots 11 and 15, in the NW ¼ of Section 17, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, together with Part of the NW ¼ of Section 17 and Part of the NE ¼ of Section 18, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, (former UPRR right-of-way), which Plan, as amended and submitted to the City Council, is hereby ratified, affirmed and approved. Adequate plans and necessary City Council action to furnish such services shall be adopted not later than one year after the date of annexation.

SECTION 3. This ordinance shall be in full force and effect on July 31, 2013 after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 18TH DAY OF JUNE, 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueche, CMC
City Clerk