

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 3, 2007 AGENDA

Subject:	Type:	Submitted By:
AMENDMENT TO RESIDENTIAL SUBDIVISION AGREEMENT — PORTAL RIDGE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A resolution has been prepared to authorize the execution of an Amendment to the Residential Subdivision Agreement, satisfactory in form to the City Administrator and City Attorney, for Portal Ridge, generally located southeast of 108th & Giles Road.

FISCAL IMPACT

None.

RECOMMENDATION

Approval.

BACKGROUND

On August 5, 1997 the City Council adopted Resolution No. 97-101 establishing the city's subdivision financing policy regarding public funding of improvements and other costs within or serving residential subdivisions, including both residential and commercial development within the zoning jurisdiction of the City of La Vista.

This particular amendment is proposed to allow the SID to construct the ADA sidewalk ramps at all intersections. The current agreement would require the individual property owners to construct the ramps at the time of their sidewalk installation, which does not assure uniform construction.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE RESIDENTIAL SUBDIVISION AGREEMENT FOR PORTAL RIDGE IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City did on June 6, 2006, approve the Residential Subdivision Agreement for Portal Ridge; and

WHEREAS, the City has proposed an amendment to allow the District to construct ADA sidewalk ramps at all street intersections at a total estimated cost to the District of \$78,563.80.

NOW THEREFORE, BE IT RESOLVED, that an Amendment to the Residential Subdivision Agreement presented at the July 3, 2007, City Council meeting for Portal Ridge be, and hereby is approved, and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

PASSED AND APPROVED THIS 3rd DAY OF JULY 2007.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

AMENDMENT TO RESIDENTIAL SUBDIVISION AGREEMENT

**Portal Ridge Subdivision
PUD-1 Planned Unit Development**

THIS Amendment to the Subdivision AGREEMENT, made this _____ day of _____, 20____, by and between PORTAL RIDGE DEVELOPMENT, LLC, a Nebraska limited liability company (hereinafter referred to as "Developer"), SANITARY AND IMPROVEMENT DISTRICT NO. 276 OF SARPY COUNTY, NEBRASKA (hereinafter referred to as "District"), and the CITY OF LA VISTA, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City");

WITNESSETH:

WHEREAS, Developer, District and the City entered into a Subdivision Agreement on October 11th, 2006, for Portal Ridge which is generally located southeast of 107th and Giles Road, as described on Exhibit "A"; and,

WHEREAS, The Subdivision Agreement provided for the construction of "Authorized Public Improvements"; and,

WHEREAS, The parties wish to add the installation of ADA Sidewalk Ramps to all Street Intersections; and,

WHEREAS, the parties wish to agree upon the manner and the extent to which public funds may be expended in connection with installation of the ADA Sidewalk Ramps.

NOW, THEREFORE, IT IS AGREED THAT THE SUBDIVISION AGREEMENT IS AMENDED as follows:

2. Additional Authorized Public Improvements

Developer, District and City agree that the District may construct or install, or cause to be constructed or installed, and the credit of District shall be used for the installation of ADA sidewalk ramps at all street intersections as shown on attached exhibit at a construction estimate cost of \$56,117.00 and a total estimated cost, including all soft costs, of \$78,563.80

I. Sidewalks. This section of the Subdivision Agreement is hereby amended to allow the installation of the ADA Sidewalk ramps. Plans and specifications shall be approved prior to construction according to Section 11 of the Subdivision Agreement.

In all other respects, the Subdivision Agreement remains in full force and effect.

IN WITNESS WHEREOF, we, the parties hereto, by our respective duly authorized agents, hereto affix our signatures the day and year first above written.

ATTEST:

PORTAL RIDGE DEVELOPMENT, LLC

By

Timothy W. Young, Managing Member

ATTEST:

SANITARY AND IMPROVEMENT DISTRICT NO. 276
OF SARPY COUNTY, NEBRASKA

Clerk of Said District

By _____
Chair of the Board of Trustees

ATTEST:

CITY OF LA VISTA

City Clerk

By Douglas Kindig, Mayor

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF)

On this _____ day of _____, 20_____, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Timothy W. Young, personally known by me to be the managing member of Portal Ridge Development, LLC. and the identical person whose name is affixed to the foregoing Amendment to Subdivision Agreement, and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF _____)

On this _____ day of _____, 20_____, before me a Notary Public, duly commissioned and qualified in and for said County, appeared _____, personally known by me to be the Chair of the Board of Trustees of Sanitary and Improvement District No. 276 of Sarpy County, Nebraska, and _____, to me personally known to be the Clerk of the Board of Trustees of Sanitary and Improvement District No. 276 of Sarpy County, Nebraska, the identical persons whose names are affixed to the foregoing Amendment to Subdivision Agreement, and they acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public

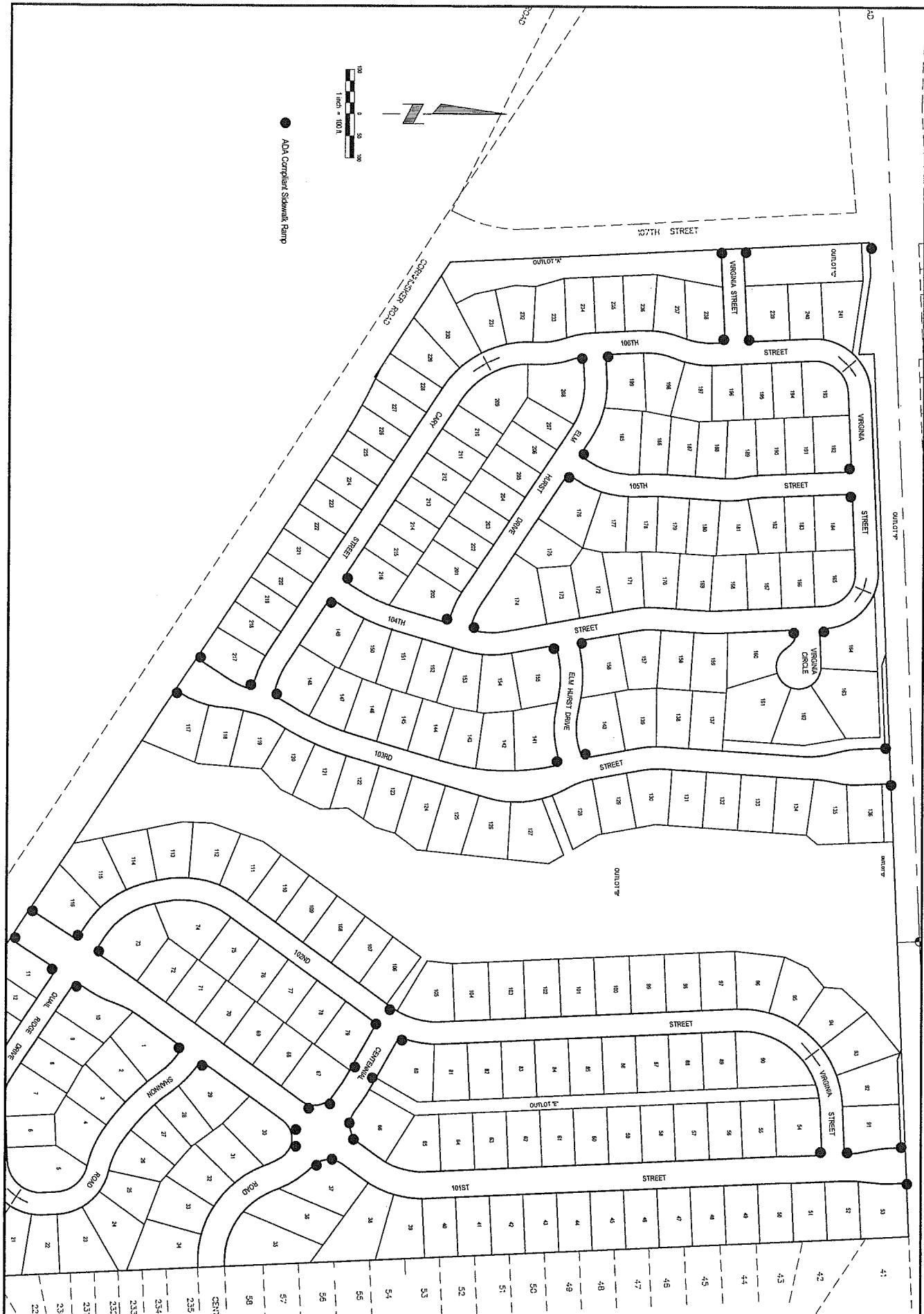
ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF _____)

On this _____ day of _____, 20_____, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Douglas Kindig, personally known by me to be the Mayor of the City of La Vista and Rita Ramirez, to me personally known to be the City Clerk of the City of La Vista, the identical persons whose names are affixed to the foregoing Amendment to Subdivision Agreement, and they acknowledged the execution thereof to be their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Public



Proj No:	2005.054.001	Revisions	
Date:	05/14/2007	(<i>By</i>)	Date
Designed By:	EW		See Sheets
Drawn By:	JZ2		
Checked By:			
Sheet	1	of	

SIDEWALK RAMP EXHIBIT

PORTAL RIDGE
LOTS 1 THRU 242 INCLUSIVE
& OUTLOTS "A" THRU "F"
SUBDIVISION AGREEMENT AMENDMENT
S&D NO 276
LARISTA HERDEZKA



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES

330 NORTH 157TH STREET OMAHA, NE 68154
PHONE: (402) 895-4700 FAX: (402) 895-3599

Portal Ridge sidewalk ramp cost estimate

6/21/2007

Item	Quan.	unit	unit price	total
1 4'x4" sidewalk at curb ramp	1,260	SF	\$ 2.95	\$ 3,717.00
2 6" double curb ramp	2,590	SF	\$ 5.00	\$ 12,950.00
3 6" single curb ramp	770	SF	\$ 5.00	\$ 3,850.00
4 insert panel	140	EA	\$ 180.00	\$ 25,200.00
5 grind curb	1,040	LF	\$ 10.00	\$ 10,400.00
total				\$ 56,117.00
40% admin costs				\$ 22,446.80
TOTAL				\$ 78,563.80