

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
SEPTEMBER 4, 2007 AGENDA**

Subject:	Type:	Submitted By:
ANNEXATIONS — SID NO. 198 (VAL VERDE), SID NO. 200 (SOUTHWIND), TAX LOT 6B NW ¼ 15-14-12 & PART OF THE HARRISON ST. ROW	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

An ordinance has been prepared for the annexation of the following property:

- Lots 1 thru 254 and Outlots A, B and C, Val Verde;
- Lots 1 thru 12 and Outlot A, Val Verde Replat 1;
- Part of the 96th Street right-of-way and part of the Giles Road right-of-way adjoining Val Verde;
- Tax Lot 6B, located in the NW ¼ of the NW ¼ of Section 15, T14N, R12E of the 6th P.M., Sarpy County, Nebraska;
- Railroad right-of-way in the NW ¼ of the NW ¼ of Section 15, T14N, R12E of the 6th P.M., Sarpy County, Nebraska;
- Lots 1 thru 162 and Outlot A, Southwind Two;
- Harrison Street right-of-way and 96th Street right-of-way adjoining Tax Lot 6B and Southwind Two;
- Lots 1 thru 181 and Outlots 1 thru 11, Southwind;
- Lot 1, Southwind Replat 2;
- Lots 1 thru 59 and Outlot 1, Windstone;
- Lots 1 thru 44, Villas at Southwind;
- 96th Street right-of-way in the SW ¼ of Section 15 lying north of Giles Road and adjoining Southwind, Windstone and Southwind Replat Two;
- 96th Street right-of-way lying in the NE ¼ and the SE ¼ of Section 16 lying north of Giles Road and east of Cimarron Woods, Mayfair, Mayfair Replat 1 and Mayfair 2nd Addition Replat 1; and
- Portions of the Harrison Street right-of-way from 69th Street west to 96th Street.

FISCAL IMPACT

	<u>Assessed Valuation</u>	<u>Net Debt</u>
Val Verde (SID #198)	\$ 73,540,853	\$1,334,466
Southwind (SID #200)	\$105,179,470	\$2,372,548

Additional detail can be found in the annexation plan.

RECOMMENDATION

Third Reading and Adoption of the Ordinance.

BACKGROUND

On August 7, 2007, the City Council adopted Resolution No. 07-076 stating that the following areas are being considered for annexation:

- Val Verde — 259 single family lots, 1 multi-family lot, 5 commercial lots and one outlot. Estimated population is 924.
- Southwind, Villas at Southwind, Southwind Two & Windstone — 441 single family lots, 1 multi-family lot, 3 commercial lots and 11 outlots. Estimated population is 1,371.
- Tax Lot 6B NW ¼ 15-14-12, located at the southeast corner of 96th & Harrison — First Southern Baptist Church (aka Cornerstone Church).
- 96th Street and Giles Road rights-of-way adjoining Val Verde, Southwind, Southwind Two and Windstone.
- Portions of the Harrison Street right-of-way from 69th Street east to 96th Street.

The resolution also stated that public hearing to consider this annexation would be held on August 28, 2007, at 7:00 p.m.

An ordinance was prepared and was approved on First Reading by the City Council on August 21st; the public hearing was held and the ordinance was approved on Second Reading on September 28th; and the Final Reading and adoption is scheduled for this Council meeting.

The Planning Commission held a public hearing on August 16, 2007, and recommended approval of the annexation.

\\Lvdfp01\users\Administration\BRENDA\COUNCIL\ANNEX\VAL VERDE & SOUTHWIND\Council Memo 07-ORD.DOC

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (VAL VERDE, SID #198; SOUTHWIND, VILLAS AT SOUTHWIND, SOUTHWIND TWO AND WINDSTONE, SID #200; AND CERTAIN ADJACENT LAND; TAX LOT 6B LOCATED IN THE NW ¼ OF THE NW ¼ OF SECTION 15, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND PORTIONS OF THE HARRISON STREET RIGHT-OF-WAY FROM 69TH STREET WEST TO 96TH STREET), 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. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1 THROUGH 254, AND OUTLOTS A, B AND C, VAL VERDE, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, AND ALL PUBLIC STREETS LYING WITHIN SAID VAL VERDE;

TOGETHER WITH

LOTS 1 THROUGH 12 AND OUTLOT A, VAL VERDE REPLAT 1, A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH

PART OF 96TH STREET RIGHT-OF-WAY AND PART OF GILES ROAD RIGHT-OF-WAY ADJOINING SAID VAL VERDE;

ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 33.00 FEET WEST OF AND 50.00 FEET SOUTH OF THE NE CORNER OF THE NE ¼ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY;

THENCE SOUTHERLY ON A LINE 33.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NE ¼ TO THE SOUTH LINE OF SAID VAL VERDE;

THENCE WESTERLY ON THE SOUTHERLY LINES OF SAID VAL VERDE TO THE WESTERLY LINE THEREOF;

THENCE NORTHERLY ON THE WEST LINE OF SAID VAL VERDE TO A POINT 50.00 FEET SOUTH OF THE NORTH LINE OF SAID NE ¼;

THENCE EASTERLY ON A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE ¼ TO THE POINT OF BEGINNING;

TOGETHER WITH

TAX LOT 6B IN THE NW ¼ OF THE NW ¼ OF SECTION 15, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH

RAILROAD RIGHT-OF-WAY IN THE NW ¼ OF THE NW ¼ OF SAID SECTION 15;

TOGETHER WITH

LOTS 1 THROUGH 162 AND OUTLOT A, SOUTHWIND TWO, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID SOUTHWIND TWO;

TOGETHER WITH

HARRISON STREET RIGHT-OF-WAY AND 96TH STREET RIGHT-OF-WAY IN THE NW ¼ OF SAID SECTION 15 ADJOINING SAID TAX LOT 6B AND SAID SOUTHWIND TWO;

TOGETHER WITH

LOTS 1 THROUGH 181 AND OUTLOTS 1 THROUGH 11, SOUTHWIND, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID SOUTHWIND;

TOGETHER WITH

LOT 1, SOUTHWIND REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH

LOTS 1 THROUGH 59 AND OUTLOT 1, WINDSTONE, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID WINDSTONE;

TOGETHER WITH

LOTS 1 THROUGH 44, VILLAS AT SOUTHWIND, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID VILLAS AT SOUTHWIND;

TOGETHER WITH

96TH STREET RIGHT-OF-WAY IN THE SW ¼ OF SAID SECTION 15 LYING NORTH OF GILES ROAD AND ADJOINING SAID SOUTHWIND, SAID WINDSTONE AND SAID SOUTHWIND REPLAT 2;

TOGETHER WITH

96TH STREET RIGHT-OF-WAY LYING IN THE NE ¼ AND THE SE ¼ OF SECTION 16, T14N, R12E OF THE 6TH P.M., IN SAID SARPY COUNTY LYING NORTH OF GILES ROAD AND EAST OF CIMARRON WOODS, MAYFAIR, MAYFAIR REPLAT 1 AND MAYFAIR 2ND ADDITION REPLAT 1, ALL SUBDIVISIONS IN SAID SARPY COUNTY;

ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF LOT 1, SAID SOUTHWIND TWO;

THENCE NORTHERLY ON THE EAST LINES OF SAID SOUTHWIND TWO AND ON THE WEST LINES OF APPLE GROVE, A SUBDIVISION IN SAID SARPY COUNTY, TO THE NW CORNER OF LOT 16, SAID APPLE GROVE;

THENCE NORTHERLY 50.00 FEET ON A LINE PERPENDICULAR TO THE NORTH LINE OF THE NW ¼ OF SAID SECTION 15 TO THE NORTH LINE THEREOF;

THENCE WESTERLY ON THE NORTH LINE OF SAID SECTIONS 15 AND 16 TO A POINT 64.85 FEET WEST OF THE NE CORNER OF SAID SECTION 16;

THENCE SOUTHERLY 50.00 FEET ON A LINE PERPENDICULAR TO THE NORTH LINE OF SAID SECTION 16 TO THE NE CORNER OF LOT 380, SAID CIMARRON WOODS;

THENCE SOUTHERLY ON THE EAST LINES OF SAID CIMARRON WOODS, SAID MAYFAIR, SAID MAYFAIR REPLAT 1 AND SAID MAYFAIR 2ND ADDITION REPLAT 1 TO THE SOUTH LINE OF SAID MAYFAIR 2ND ADDITION REPLAT 1;

THENCE EASTERLY ON THE SOUTH LINES OF SAID SOUTHWIND AND SAID VILLAS OF SOUTHWIND TO THE EAST LINE OF SAID SOUTHWIND;

THENCE NORTHERLY ON THE EASTERLY LINES OF SAID SOUTHWIND TO THE NE CORNER THEREOF;

THENCE WEST ON THE NORTH LINE OF SAID SOUTHWIND TO THE POINT OF BEGINNING;

TOGETHER WITH

THAT PART OF THE HARRISON STREET RIGHT-OF-WAY IN THE NE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 15, T14N, R12E OF THE 6TH P.M. SARPY COUNTY, NEBRASKA, ADJOINING APPLE GROVE, A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH

THAT PART OF THE HARRISON STREET RIGHT-OF-WAY IN THE NW $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 15, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, ADJOINING PARKVIEW HEIGHTS 2ND ADDITION, A SUBDIVISION IN SAID SARPY COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID NW $\frac{1}{4}$;

THENCE SOUTH 50.00 FEET ON THE EAST LINE OF SAID NW $\frac{1}{4}$ TO THE NORTH LINE OF SAID APPLE GROVE;

THENCE WESTERLY ON THE NORTHERLY LINES OF SAID APPLE GROVE TO THE NW CORNER OF LOT 16, SAID APPLE GROVE;

THENCE NORTHERLY 50.00 FEET ON A LINE PERPENDICULAR TO THE NORTH LINE OF SAID NW $\frac{1}{4}$ TO THE NORTH LINE THEREOF;

THENCE EAST ON THE NORTH LINE OF SAID NW $\frac{1}{4}$ TO THE POINT OF BEGINNING;

TOGETHER WITH

THAT PART OF THE HARRISON STREET RIGHT-OF-WAY IN THE NE $\frac{1}{4}$ OF THE NE $\frac{1}{4}$ OF SECTION 15, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND IN THE NW $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SECTION 14, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NW CORNER OF SAID NE $\frac{1}{4}$;

THENCE EAST ON THE NORTH LINE OF SAID NE $\frac{1}{4}$ TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 365, SAID PARKVIEW HEIGHTS 2ND ADDITION;

THENCE SOUTH 33.00 FEET ON THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 365;

THENCE WEST ON A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID NE $\frac{1}{4}$ TO THE WEST LINE THEREOF;

THENCE NORTH 33.00 FEET ON THE WEST LINE OF SAID NE $\frac{1}{4}$ TO THE POINT OF BEGINNING;

THAT PART OF THE HARRISON STREET RIGHT-OF-WAY IN THE NE ¼ OF THE NE ¼ OF SECTION 15, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID SECTION 15;

THENCE WEST ON THE NORTH LINE OF SAID SECTION 15 TO THE NORTHERLY EXTENSION OF THE WEST LINE OF TAX LOT 1 IN THE NE ¼ OF SAID SECTION 15;

THENCE SOUTH 33.00 FEET ON THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID TAX LOT 1;

THENCE EAST ON A LINE 33.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINES OF SAID SECTIONS 15 AND 14 TO A POINT 90.55 FEET WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SUB LOT A OF LOT 1282, LA VISTA, A SUBDIVISION IN SAID SARPY COUNTY;

THENCE NORTH 33.00 FEET ON A LINE 90.55 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SUBLOT A TO THE NORTH LINE OF SAID SECTION 14;

THENCE WEST ON THE NORTH LINE OF SAID SECTION 14 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 Val Verde, Southwind, Villas at Southwind, Southwind Two, Windstone, and Tax Lot 6B located in the NW ¼ of the NW ¼ of Section 15, 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 from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2007.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk