

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
NOVEMBER 3, 2009 AGENDA**

Subject:	Type:	Submitted By:
ANNEXATIONS — SID # 59 (OAKDALE PARK, BROOK VALLEY BUSINESS PARKS & VARIOUS TAX LOTS), SID # 214 (PAPIO VALLEY 1 & 2 BUSINESS PARKS), TL 6B 19-14-12, TL8 8-14-12, TL 6C1 19-14-12, TL 15 & VAC ROW ADJ 18-14-12, TL 13 19-14-12, TL 14 19-14-12, & ANY ADJOINING STREET ROW	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

First reading of the ordinance to annex the following territory:

(1) SID # 59

- Brook Valley Business Park: Lots 1B, 2B, 4A, 4B, 5A, 5B, 6, 12, 13B, 14, 15A, 15B, 16 (REPLAT OF LOTS 16, 17, 18B, 21B, 22 & 23), 18A, 19, 20, 21A, 24A, 24B, 25, 27, 28A1, 32, 33C, 47, 48, 49, 50A, 50B, 51, 52, 53, 54, 55A, 55B, 56B, 57 & N 100' LOT 56, 58, 59, 60, and Outlot B
- Brook Valley Business Park Replat 1: Lots 1 and 2
- Brook Valley Business Park Replat 2: Lots 1 and 2
- Brook Valley II Business Park: Lots 1, 2, 3, 4, 5, 6, 7, 9, 10, 11B, 12, 13, 14A REPLAT OF LOT 14, 14B REPLAT OF LOT 14, 15, 16A, 16B, 17A, 17B, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and VAC VIRGINIA ST LYING W OF 114TH ST AND E OF 117TH
- Brook Valley II Business Park Replat One: Lot 1
- Brook Valley II Business Park Replat 2: Lots 1 and 2
- Oakdale Park: Lots 1, 2A, 2B, 3 EX CO ROW, 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19A, 21A, 21B, 22, 26, 27, 28A, and 28B
- Tax Lot 1A2 17-14-12
- Tax Lot 8A1B 16-14-12
- Tax Lot 1A1A1A 17-14-12
- Tax Lot 2B2, S OF RR, 17-14-12
- Tax Lots 8C1, 8C2A & 8C3A 16-14-12
- PT SW1/4 NW1/4 16-14-12
- Tax Lot 8B 16-14-12
- Tax Lot 8A2 EXC PT FOR ROW 16-14-12
- Tax Lot 8C4 16-14-12
- Tax Lot 8A1A EXC PT FOR ROW 16-14-12

(2) SID #214

- Papio Valley 1 Business Park: Lots 1, 2, PT LOT 3A, 4, 5, 6, 7A, 7B, and 8
- Papio Valley 2 Business Park: Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9

(3) Miscellaneous Lots

- Tax Lot 6B 19-14-12
- Tax Lot 8 18-14-12
- Tax Lot 6C1 19-14-12
- Tax Lot 15 & VAC ROW ADJ 18-14-12
- Tax Lot 13 19-14-12
- Tax Lot 14 19-14-12

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

FISCAL IMPACT

	<u>Assessed Valuation</u>	<u>Net Debt</u>
SID #59	\$144,926,663	\$ 2,117,962
SID #214	\$ 29,944,516	\$ 88,797

Additional detail can be found in the annexation plan.

RECOMMENDATION

Approval.

BACKGROUND

On October 6, 2009 the Mayor and Council adopted an Annexation Plan as an amendment to the Comprehensive Plan. The areas proposed for annexation are identified within the plan, on the spreadsheet, as areas 1a, 1b, 1c and 1d.

A detailed annexation plan was prepared and submitted to the Council at the October 6, 2009 meeting. That plan indicated the following schedule:

- October 6, 2009 – City Council adopts resolution stating the City is considering annexation.
- October 22, 2009 – Planning Commission public hearing and recommendation.
- November 3, 2009 – City Council first reading of the ordinance.
- November 17, 2009 – City Council public hearing and second reading of the ordinance.
- December 1, 2009 – City Council third reading and adoption of the ordinance.

Because of recent changes to the annexation regulations (LB 495), notice of the public hearing has been mailed to all owners of the property within the area proposed for annexation. A copy of the resolution adopted by Council on October 6th providing for the public hearing has also been published in the newspaper with a map delineating the land proposed for annexation.

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

- SID #59 (Oakdale Park, Brook Valley Business Parks and various Tax Lots) — 63 developed commercial parcels, 36 vacant commercial lots, and 1 outlot; no residential lots. Estimated population is 0.
- SID #214 (Papio Valley 1 & 2 Business Parks) — 12 developed commercial lots and 6 vacant commercial lots; no residential lots. Estimated population is 0.
- Miscellaneous Lots — 5 vacant commercial lots; 1 single family lot. Estimated population is 2.
- Any adjoining street rights-of-way.

The Planning Commission conducted a public hearing on October 22, 2009. At that hearing representatives from SID # 59 were present and identified several outstanding SID issues that staff is researching and will make a recommendation on prior to the public hearing on November 17th. The Planning Commission recommended approval subject to review of the issues by the Finance Director and City Attorney.

\\Lvdcfp01\users\Administration\BRENDA\COUNCIL\ANNEX\BROOK VALLEY, OAKDALE PARK, PAPIO VALLEY\Council Memo-Ord.DOC

ORDINANCE NO. _____

AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (SID NO.59, OAKDALE PARK, BROOK VALLEY BUSINESS PARKS, AND SID NO. 214, PAPIO VALLEY 1 AND 2 BUSINESS PARKS, SUBDIVISIONS AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, AND CERTAIN ADJACENT LAND; TAX LOT 6B LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 8 LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., TAX LOT 6C1 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 15 AND VAC ROW ADJ LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., TAX LOT 13 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., TAX LOT 14 LOCATED IN SECTION 19, T14N, R12E OF THE 6TH P.M., 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. The following described territory situated in Sarpy County, Nebraska to-wit:

LOTS 1, 2A, 2B, 3 THROUGH 8, 13 THROUGH 18, 19A, 21A, 21B, 22, 26, 27, 28A, AND 28B, OAKDALE PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, AND ALL PUBLIC STREETS LYING WITHIN SAID OAKDALE PARK;

TOGETHER WITH PART OF 108TH STREET RIGHT-OF-WAY AND PART OF HARRISON STREET RIGHT-OF-WAY ADJOINING SAID OAKDALE PARK;

TOGETHER WITH TAX LOTS 8A1A AND 8A2, EXCEPT THAT PART TAKEN FOR 104TH STREET RIGHT-OF-WAY, TAX LOTS 8A1B, 8B, 8C1, 8C2A, 8C3A AND 8C4, ALL LYING WITHIN THE WEST 1/2 OF THE NW1/4 OF SECTION 16, T14N, R12E OF THE 6TH P.M., IN SAID SARPY COUNTY;

TOGETHER WITH PART OF GERTRUDE STREET RIGHT-OF-WAY, AND HARRISON STREET RIGHT-OF-WAY ADJOINING SAID TAX LOTS;

TOGETHER WITH THAT PART OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 16 LYING WEST OF LOT 1, AND SOUTH OF LOT 2A, SAID OAKDALE PARK;

TOGETHER WITH PART OF 108TH STREET RIGHT-OF-WAY ADJOINING SAID PART OF THE SW1/4 OF THE NW1/4 OF SAID SECTION 16;

TOGETHER WITH LOTS 1B, 2B, 4A, 4B, 5A, 5B, 6, 12, 13B, 14, 15A, 15B, LOT 16 (REPLAT OF LOTS 16, 17, 18B, 21B, 22 AND 23), LOTS 18A, 19, 20, 21A, 24A, 24B, 25, 27, 28A1, 32,

33C, 47, 48, 49, 50A, 50B, 51, 52, 53, 54, 55A, 55B, 56B, LOT 57 AND THE NORTH 100 FEET OF LOT 56, LOTS 58, 59, 60 AND OUTLOT B, BROOK VALLEY BUSINESS PARK, A SUBDIVISION IN SAID SARPY COUNTY,

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY BUSINESS PARK REPLAT 1, A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY; AND ALL PUBLIC STREETS LYING WITHIN SAID BROOK VALLEY BUSINESS PARK, AND SAID BROOK VALLEY BUSINESS PARK REPLATS 1 AND 2;

TOGETHER WITH PART OF 108TH STREET RIGHT-OF-WAY AND HARRISON STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY BUSINESS PARK AND SAID BROOK VALLEY BUSINESS PARK REPLATS 1 AND 2;

TOGETHER WITH TAX LOT 1A2, LYING NORTH OF THE CHICAGO BURLINGTON & QUINCY RAILROAD WITHIN THE SE1/4 OF SECTION 17, T14N, R12E OF THE 6TH P.M., SAID SARPY COUNTY, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HARRISON STREET AND THE NORTHERLY EXTENSION OF THE WEST LINE OF 104TH STREET;

THENCE SOUTHERLY ON THE WEST LINE OF 104TH STREET TO THE EAST LINE OF THE W1/2 OF THE NW1/4 OF SAID SECTION 16;

THENCE SOUTHERLY ON THE EAST LINE OF SAID W1/2 TO THE SE CORNER THEREOF;

THENCE WESTERLY ON THE SOUTH LINE OF SAID W1/2 TO THE SW CORNER THEREOF;

THENCE WESTERLY ON THE NORTH LINE OF THE SE1/4 OF SAID SECTION 17 TO THE EASTERLY LINE OF LOT 28A1, SAID BROOK VALLEY BUSINESS PARK;

THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 28A1 TO THE NORTHERLY LINE OF SAID TAX LOT 1A2;

THENCE SOUTHEASTERLY ON THE NORTHERLY LINE OF SAID TAX LOT 1A2 TO THE WEST LINE OF SAID 108TH STREET;

THENCE SOUTHERLY ON THE WEST LINE OF SAID 108TH STREET TO THE NORTHERLY LINE OF SAID CHICAGO BURLINGTON & QUINCY RAILROAD;

THENCE WESTERLY ON THE NORTHERLY LINE OF SAID RAILROAD TO THE SW CORNER OF OUTLOT B SAID BROOK VALLEY BUSINESS PARK;

THENCE NORTHERLY ON THE WESTERLY LINE OF SAID BROOK VALLEY BUSINESS PARK AND ITS NORTHERLY EXTENSION TO THE CENTERLINE OF HARRISON STREET;

THENCE EASTERLY ON THE CENTERLINE OF HARRISON STREET TO THE POINT OF BEGINNING;

TOGETHER WITH ALL OF TAX LOT 1A1A1A, LYING WITHIN THE SE1/4 AND ALL OF TAX LOT 2B2 LYING WITHIN THE SW1/4 OF SAID SECTION 17;

TOGETHER WITH PART OF 110TH STREET RIGHT-OF-WAY ADJOINING SAID TAX LOT 1A1A1A;

TOGETHER WITH LOTS 1 THROUGH 7, LOTS 9, 10, 11B, 12, 13, LOTS 14A AND 14B, REPLAT OF LOT 14, LOTS 15, 16A, 16B, 17A, 17B, 18, 19, 20, LOTS 22 THROUGH 37, VACATED VIRGINIA STREET LYING WEST OF 114TH STREET AND EAST OF 117TH STREET, BROOK VALLEY II BUSINESS PARK, A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH LOT 1, BROOK VALLEY II BUSINESS PARK REPLAT ONE; A SUBDIVISION IN SAID SARPY COUNTY;

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY II BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID

BROOK VALLEY II BUSINESS PARK AND SAID BROOK VALLEY II BUSINESS PARK REPLATS ONE AND 2;

TOGETHER WITH PART OF 120TH STREET RIGHT-OF-WAY AND ALL OF 114TH STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY II BUSINESS PARK; ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT INTERSECTION OF THE CENTERLINE OF 120TH STREET AT THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID BROOK VALLEY II BUSINESS PARK;

THENCE NORTHERLY ON THE CENTERLINE OF 120TH STREET TO THE SOUTHERLY LINE OF GILES ROAD;

THENCE EASTERLY ON THE SOUTHERLY LINE OF GILES ROAD TO THE NORTHERLY EXTENSION OF THE EAST LINE OF 114TH STREET;

THENCE SOUTHERLY ON THE EAST LINE OF 114TH STREET TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF BROOK VALLEY II BUSINESS PARK TO THE POINT OF BEGINNING;

TOGETHER WITH LOTS 1 AND 2, PART OF LOT 3A, LOTS 4, 5, 6, 7A, 7B AND 8, PAPIO VALLEY I BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA; AND ALL PUBLIC STREETS LYING WITHIN SAID PAPIO VALLEY I BUSINESS PARK;

TOGETHER WITH LOTS 1 THROUGH 9, PAPIO VALLEY 2 BUSINESS PARK, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID PAPIO VALLEY 2 BUSINESS PARK;

TOGETHER WITH PART OF OLD GILES ROAD RIGHT-OF-WAY AND 120TH STREET RIGHT-OF-WAY ADJOINING SAID PAPIO VALLEY I BUSINESS PARK AND SAID PAPIO VALLEY 2 BUSINESS PARK, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF 120TH STREET AND THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID PAPIO VALLEY 2 BUSINESS PARK;

THENCE WESTERLY ON SAID SOUTH LINE AND ITS EASTERLY EXTENSION TO THE SW CORNER OF LOT 4, SAID PAPIO VALLEY 2 BUSINESS PARK;

THENCE NORTHERLY ON THE WEST LINE OF SAID PAPIO VALLEY 2 BUSINESS PARK TO THE SOUTH LINE OF SAID PAPIO VALLEY I BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF SAID PAPIO VALLEY I BUSINESS PARK TO THE SW CORNER THEREOF;

THENCE NORTHERLY ON THE WEST LINE OF SAID PAPIO VALLEY I BUSINESS PARK TO THE NW CORNER THEREOF;

THENCE EASTERLY ON THE NORTH LINE OF SAID PAPIO VALLEY I BUSINESS PARK TO THE SOUTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY;

THENCE WESTERLY ON THE SOUTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY TO THE SOUTH LINE OF THE CHICAGO BURLINGTON AND QUINCY RAILROAD RIGHT-OF-WAY;

THENCE NORTHEASTERLY ON THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY TO THE NORTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY;

THENCE EASTERLY ON THE NORTHERLY LINE OF OLD GILES ROAD RIGHT-OF-WAY TO THE INTERSECTION OF THE NORTHERLY EXTENSION OF THE CENTERLINE OF 120TH STREET;

THENCE SOUTHERLY ON THE CENTERLINE OF 120TH STREET TO THE POINT OF BEGINNING;

TOGETHER WITH TAX LOT 8 IN THE SE 1/4 OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 15 & VAC ROW ADJ IN THE SE 1/4 OF SECTION 18 T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 6B IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 6C1 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 13 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 14 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH RAILROAD RIGHT-OF-WAY ADJOINING SAID TAX LOTS IN SAID SECTIONS 18 AND 19, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH GILES ROAD RIGHT-OF-WAY, WEST GILES ROAD RIGHT-OF-WAY, AND OLD GILES ROAD RIGHT-OF-WAY IN SAID SECTIONS 18 AND 19 ADJOINING SAID TAX LOTS.

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 Oakdale Park, Brook Valley Business Parks, Papio Valley 1 & 2 Business Parks, various tax lots 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 from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

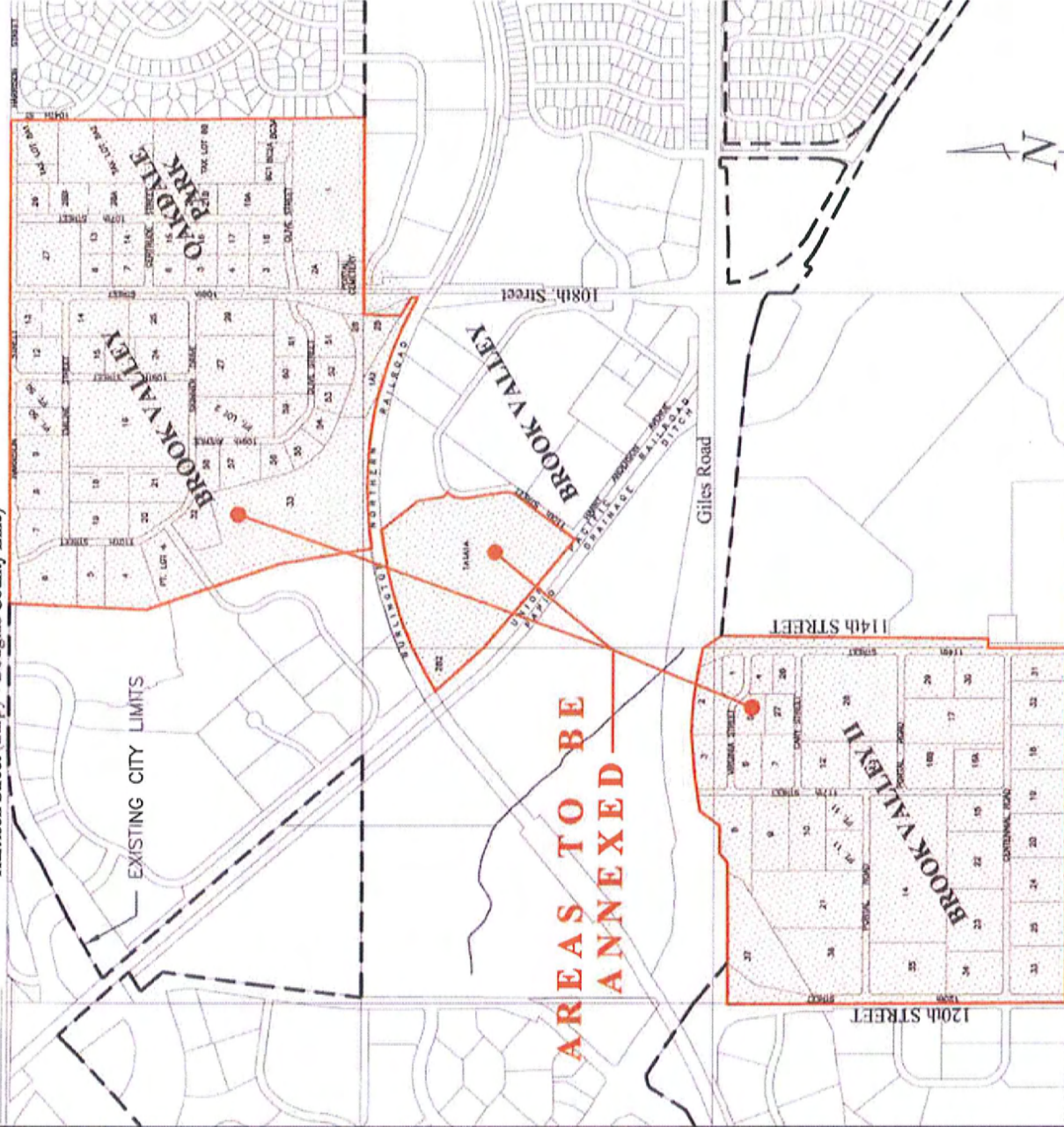
Harrison Street (Sarpy - Douglas County Line)

EXISTING CITY LIMITS

AREAS TO BE ANNEXED

City of La Vista Annexation

October 2009

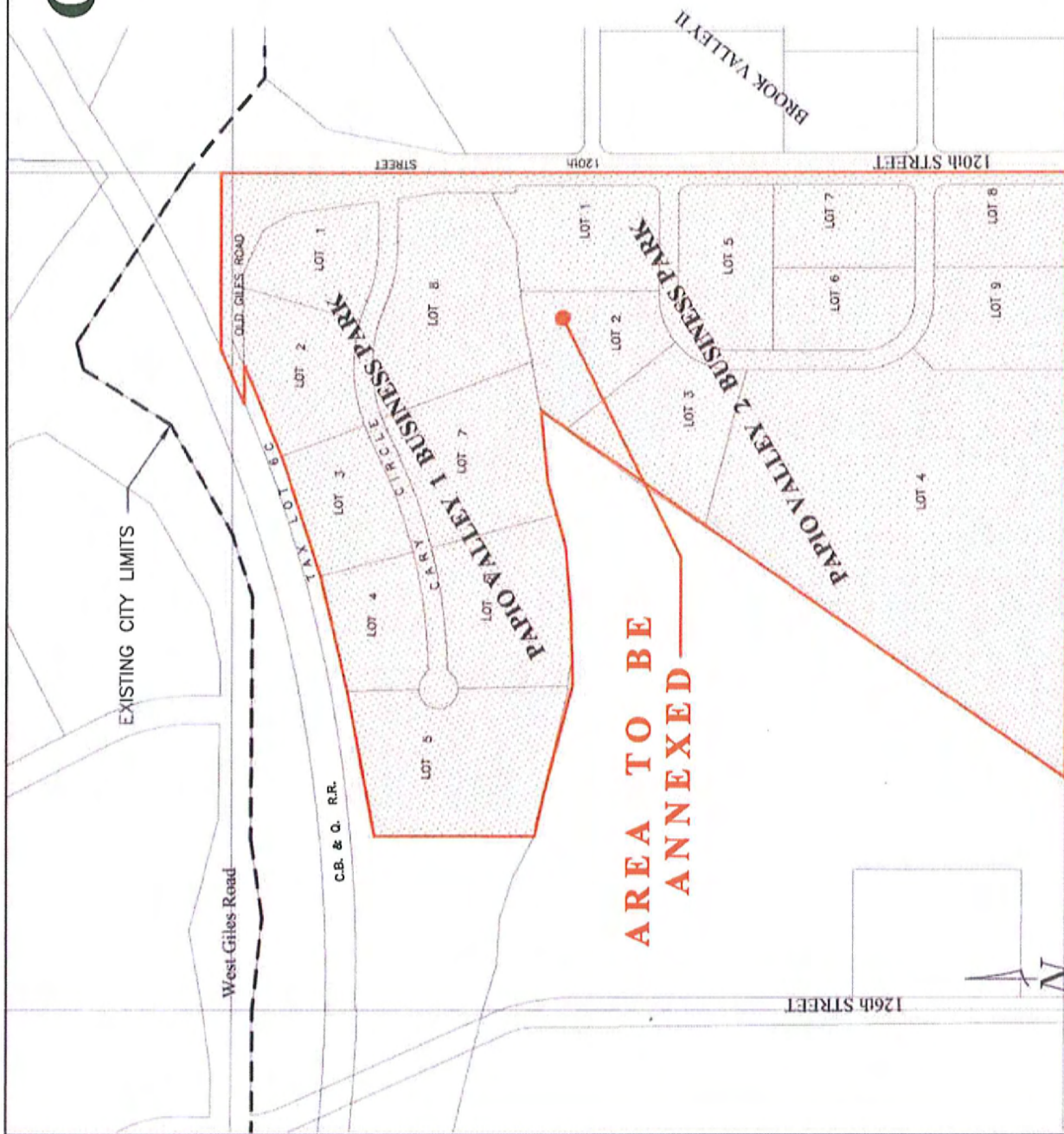


2 THOMPSON, DRESSSEN & DORNER, INC.
Consulting Engineers & Land Surveyors
10836 OLD MILL ROAD OMAHA, NEBRASKA 68154
PHONE 402.330.8880 FAX 402.330.8886 EMAIL T2DMAIL@T2DCCO.COM
WEBSITE WWW.T2DCCO.COM

JOB #: 171-363 DWG: 171-363 ANNEXATION OCTOBER 2009.DWG

City of La Vista Annexation

October 2009



**AREA TO BE
ANNEXED**



0' 250' 500'
SCALE IN FEET

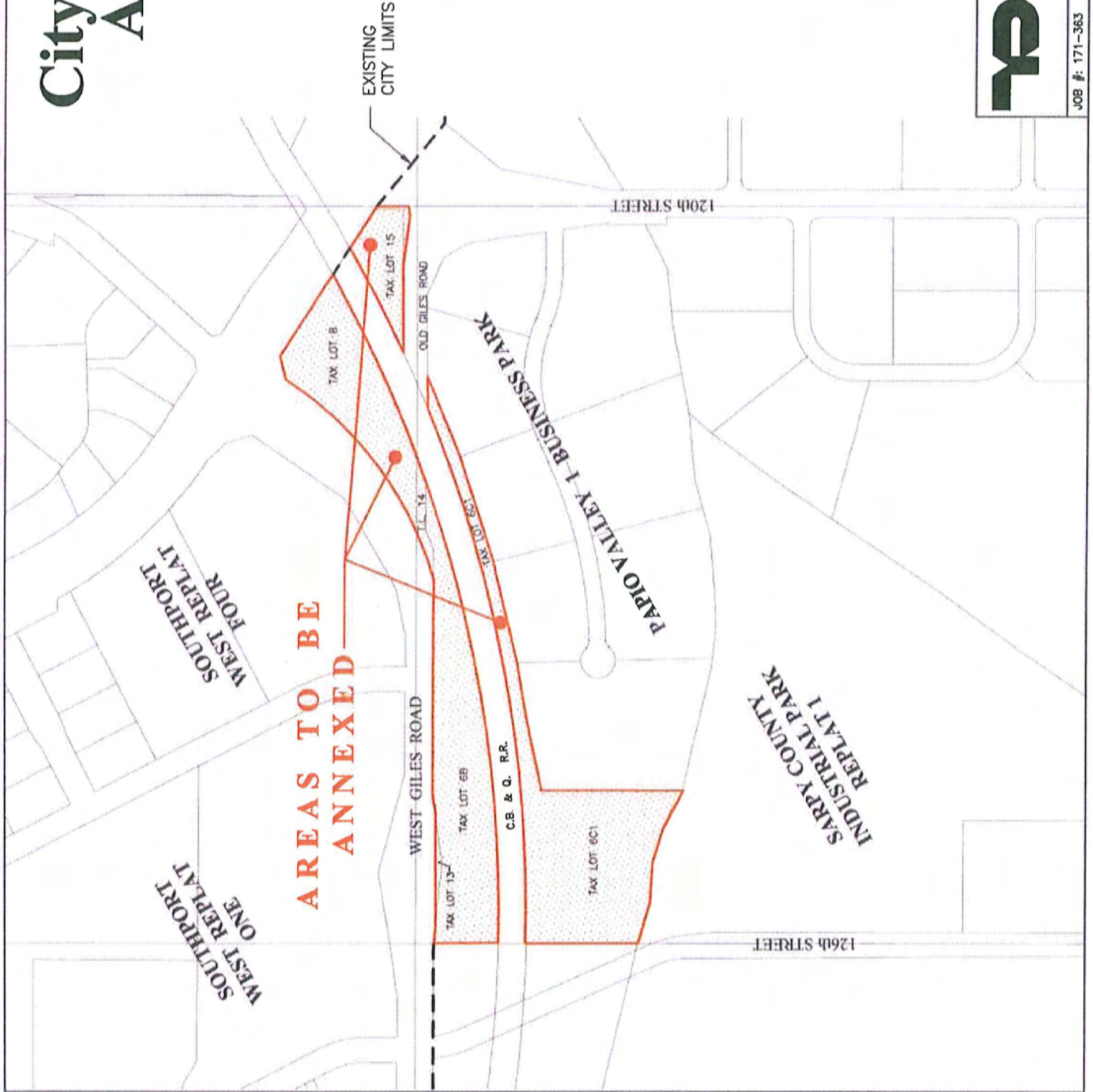
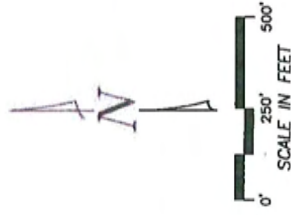
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JOB #: 171-363

DWG: 171-363 ANNEXATION OCTOBER 2009.DWG

City of La Vista Annexation

October 2009



2 THOMPSON, DRESSEN & DORNER, INC.
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JOB #: 171-363 DWG: 171-363 ANNEXATION OCTOBER 2009 OUTLOTS.DWG