

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**DECEMBER 1, 2009 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
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**

Third reading of the ordinance has been scheduled 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 114<sup>TH</sup> 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	\$ 0
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.

On November 3, 2009, the City Council passed the ordinance on first reading. On November 17, 2009, the City Council conducted the public hearing and passed the ordinance on second reading.

Because of recent changes to the annexation regulations (LB 495), prior to the final adoption of the annexation ordinance, the minutes of the City Council meeting must reflect that 14 days prior to the public hearing of the Planning Commission, the City Clerk sent by certified mail, return receipt requested, a copy of the proposed annexation ordinance and maps to the following entities serving customers in the area proposed for annexation: any natural gas utility; any metropolitan utilities district, any public power district, and any governmental entity providing electric service.

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 some outstanding SID issues that have been incorporated into the staff report. The Planning Commission recommended approval subject to review of the issues by the Finance Director and City Attorney.

I:\Administration\BRENDA\ COUNCIL\ANNEX\BROOK VALLEY, OAKDALE PARK, PAPIO VALLEY\ Council Memo-Ord Adoption.DOC

## ORDINANCE NO. 1107

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 6<sup>TH</sup> P.M., TAX LOT 8 LOCATED IN SECTION 18, T14N, R12E OF THE 6<sup>TH</sup> P.M., TAX LOT 6C1 LOCATED IN SECTION 19, T14N, R12E OF THE 6<sup>TH</sup> P.M., TAX LOT 15 AND VAC ROW ADJ LOCATED IN SECTION 18, T14N R12E OF THE 6<sup>TH</sup> P.M., TAX LOT 13 LOCATED IN SECTION 19, T14N, R12E OF THE 6<sup>TH</sup> P.M., TAX LOT 14 LOCATED IN SECTION 19, T14N, R12E OF THE 6<sup>TH</sup> 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 108<sup>TH</sup> 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 104<sup>TH</sup> 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 6<sup>TH</sup> 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 108<sup>TH</sup> 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 108<sup>TH</sup> 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 6<sup>TH</sup> 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 104<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE WEST LINE OF 104<sup>TH</sup> 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 EASTERN 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 108<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE WEST LINE OF SAID 108<sup>TH</sup> 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 110<sup>TH</sup> 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 114<sup>TH</sup> STREET AND EAST OF 117<sup>TH</sup> 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 120<sup>TH</sup> STREET RIGHT-OF-WAY AND ALL OF 114<sup>TH</sup> STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY II BUSINESS PARK; ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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

THENCE NORTHERLY ON THE CENTERLINE OF 120<sup>TH</sup> 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 114<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE EAST LINE OF 114<sup>TH</sup> 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 1 BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA; AND ALL PUBLIC STREETS LYING WITHIN SAID PAPIO VALLEY 1 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 120<sup>TH</sup> STREET RIGHT-OF-WAY ADJOINING SAID PAPIO VALLEY 1 BUSINESS PARK AND SAID PAPIO VALLEY 2 BUSINESS PARK, ALL MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF 120<sup>TH</sup> STREET AND THE EASTERN EXTENSION OF THE SOUTH LINE OF SAID PAPIO VALLEY 2 BUSINESS PARK;

THENCE WESTERLY ON SAID SOUTH LINE AND ITS EASTERN 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 1 BUSINESS PARK;

THENCE WESTERLY ON THE SOUTH LINE OF SAID PAPIO VALLEY 1 BUSINESS PARK TO THE SW CORNER THEREOF;

THENCE NORTHERLY ON THE WEST LINE OF SAID PAPIO VALLEY 1 BUSINESS PARK TO THE NW CORNER THEREOF;

THENCE EASTERLY ON THE NORTH LINE OF SAID PAPIO VALLEY 1 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 120<sup>TH</sup> STREET;

THENCE SOUTHERLY ON THE CENTERLINE OF 120<sup>TH</sup> STREET TO THE POINT OF BEGINNING;

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

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

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

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

TOGETHER WITH TAX LOT 14 IN THE NORTHEAST 1/4 OF SECTION 19, T14N, R12E OF THE 6<sup>TH</sup> 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 6<sup>TH</sup> 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 3RD DAY OF NOVEMBER, 2009.

CITY OF LA VISTA

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Douglas Kindig, Mayor

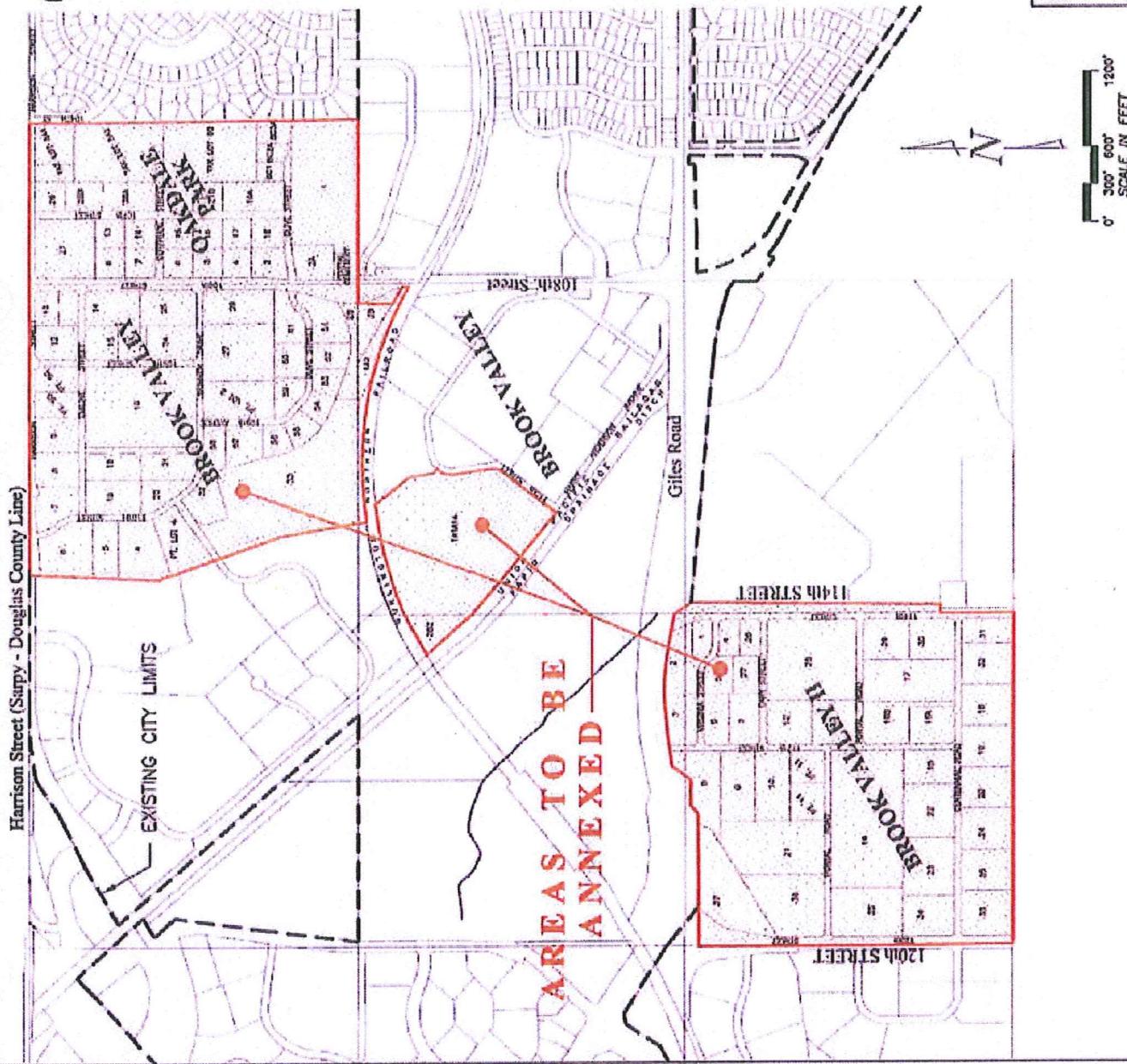
ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

# City of La Vista Annexation

October 2009



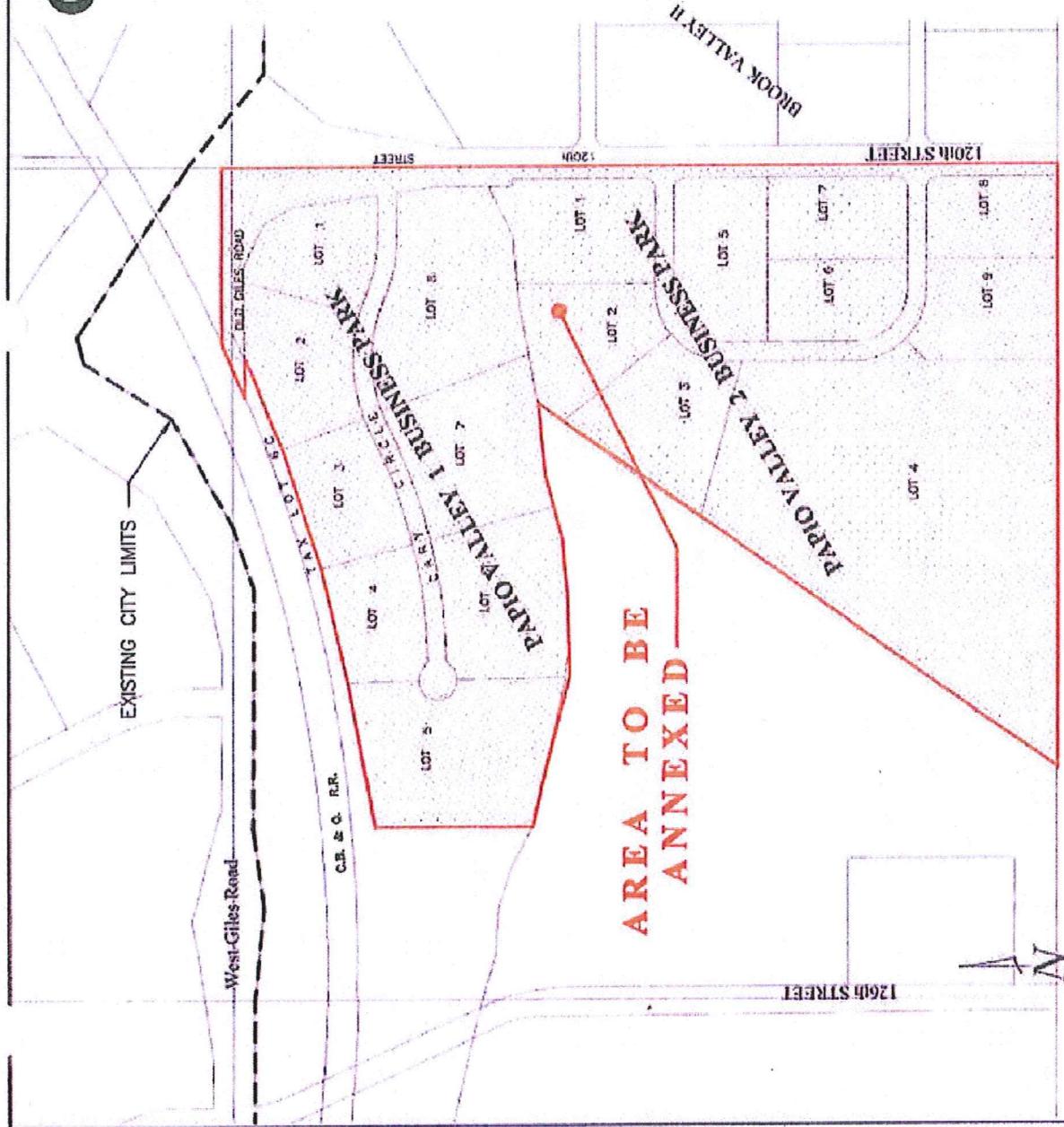
Harrison Street (Surp - Douglas County Line)

**NP<sup>2</sup> THOMPSON, DREESSEN & DORNER, INC.**  
Consulting Engineers & Land Surveyors  
10305 OLD MILL ROAD OMAHA, NEBRASKA 68131  
PHONE 402.595.8600 FAX 402.595.8604 EMAIL: TDOD@TDODCO.COM  
WEBSITE: WWW.TDODCO.COM

JOB #: 171-163 DNG: 171-163 ANNEXATION OCTOBER 2009.DWG

# City of La Vista Annexation

October 2009



**2 THOMPSON, DREESSEN & DORNER, INC.**  
Consulting Engineers & Land Surveyors  
10836 OLD MILL ROAD OMAHA, NEBRASKA 68134  
PHONE: 402 339 8800 FAX: 402 339 8805 EMAIL: [TODC@DOCO.COM](mailto:TODC@DOCO.COM)  
WEBSITE: [WWW.TODC.COM](http://WWW.TODC.COM)

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



**SANITARY AND IMPROVEMENT DISTRICT #59**  
"Oakdale Park, Brook Valley Business Parks  
And Various Tax Lots"

**I. Statistics**

- A. 2009 Valuation (Preliminary) = \$144,926,663
- B. SID Tax Levy (per \$100 valuation) = 0.280000

- C. Estimated Population (as of 6/30/09)\* = 0

\*Population estimated from 1990 Census, persons per household multiplied by housing unit count.

- D. Land Area (acres) = 400.23

- E. Land Use\*

- 1. Single Family Units = 0
- 2. Multi-Family Units = 0
- 3. Public Property = 0
- 4. Developed Commercial Parcels = 63
- 5. Number of Vacant Lots = 36  
(as of 2007 aerial photos)

\*Housing unit count from building permit data.

- F. School District = Papillion/La Vista

- G. Fire District = East of 108<sup>th</sup> St – Papillion Rural  
West of 108<sup>th</sup> St – Millard Suburban

**II. Improvements**

- A. Streets

Total Lane Miles = 15.09

Street Rating = Good

- 1. New Lane Miles: The possible annexation will include 15.09 lane miles of concrete pavement. The current lane mile total will increase 9% from 174.87 lane miles to 189.96 lane miles. An increase of \$79,645.00 is anticipated in Federal Highway Allocation Funds. The pavement in the proposed annexation area is in good condition and should require only normal maintenance.
- 2. Street Lights: The City will incur an additional 142 street lights. The fiscal impact annually on the utility line item in the Street Operating Budget will be approximately \$39,105.00. Omaha Public Power

District is responsible for all maintenance and repair associated with the street lights.

3. Traffic Signals: The City will incur one additional traffic signal with the proposed annexation. Annual operating and maintenance costs associated with the signal will be approximately \$3,000.
4. Right-of-Way: The City will incur a minimal amount of right-of-way with the proposed annexation. No additional personnel or equipment will be required to maintain the proposed new right-of-way.
5. Street Maintenance & Snow Removal: The overall condition of the streets in the proposed annexation area is good. Traditionally, the City has been divided into maintenance districts that average approximately 24 lane miles per district. With the annexation of Southport, Val Verde and Southwind, an additional maintenance district was added and the average lane miles per district were increased to 29. The proposed annexation area will increase the lane miles per district to 31.66. Public Works is not recommending the formation of a new maintenance district so no additional equipment is necessary. Normally, Public Works has one maintenance worker for every 13 lane miles. Currently the department is at one maintenance worker per 17 lane miles. The proposed annexation would put the department at one maintenance worker per 19 lane miles. In order to continue maintaining the streets at the level of service currently provided, it is recommended that one full-time and one part-time employee be added. Annual cost for the full-time position is \$49,909 and the annual cost for the part-time position is \$17,000. Normal street maintenance which includes sweeping, pavement repair, crack sealing and pavement markings will be approximately \$14,000. Snow removal costs will be approximately \$5,000.
6. Street Signs: A large percentage of traffic control and street marking signs has been installed in this area. Additional replacement signs will need to be purchased at a cost of approximately \$900.
7. Sidewalks: There are several lots along Harrison Street and 108<sup>th</sup> Street which have never had sidewalks installed. Upon annexation, letters would be mailed to the property owners requiring sidewalk installation.
8. 108<sup>th</sup> Street: SID #59 has a \$500,000 liability for 108<sup>th</sup> Street improvements made in 2005. Sarpy County did not complete

**an interlocal agreement with the SID so when the District was billed for the improvements, they were not able to issue warrants due to the absence of the agreement. It is unknown at this time whether or not the County will try to recover this cost from the City if the District is annexed.**

B. Storm Sewer

1. The storm sewer system was designed and constructed to city standards. The system has been inspected and is in very good shape.
2. **A private storm sewer was installed along the north property line of Lots 15, 22, 23, and 34, Brook Valley II Business Park, and handles drainage from the Ford Storage and Forest Siding properties. The installation of this storm drainage system was privately financed and only handles drainage from private lots; it is not handling any “public” storm water. The City’s Public Works Director has determined that it is a private line, not serving any areas other than two private lots, and because it was installed as a private line it will remain the responsibility of the property owners.**

C. Sanitary Sewer

1. The City currently has 210,011 feet or 42.2 miles of sanitary sewer line. The proposed annexation will include an additional 24,859.03 feet or 4.72 miles of sanitary sewer line. General maintenance and treatment costs will be approximately \$16,800. No additional equipment or personnel will be required. It is recommended that the current 1993 sewer jet truck #3322 be replaced at \$180,000 by 2011. It was originally scheduled for replacement in 2008.
2. Revenue from user fees is anticipated to be approximately \$65,000.
3. The sanitary sewers flow into the following outfalls: Sarpy South #2; Sarpy South #1; Hell Creek #3 and Hell Creek #2.
4. **A portion of SID #59’s and #214’s sanitary sewer flows into the Sarpy Industrial Sewer. The City Attorney has advised the City to amend the 1996 interlocal agreement with the County.**

D. Water

1. Metropolitan Utilities District.

E. Public Parks/Recreational Facilities

1. No public ground.

F. Miscellaneous Improvements/Property Owned by SID

1. **Lot 25, Brook Valley II Business Park (see attached map) was purchased by the SID at a Sheriff's sale for \$150,000 because of unpaid taxes. The SID has been maintaining the lot and intended to sell it for development. The property immediately east is for sale at \$1.90 per square foot. This parcel is 3.21 acres which would equate to \$265,672 if sold at that price.**

**III. City Services**

A. Police

1. **Calls for Service:** The Police Department has examined the impact of annexing Oakdale Industrial Park and Brook Valley Business Park and has found that over the last 24 months there have been approximately 613 calls for service to the SID. Calls for service in SID 59 are higher than other areas due to the number of businesses in the area that, in turn, generate alarm calls. Thirty percent of the total calls in 2007 (93) and thirty-two percent of calls in 2008 (92) were alarm calls.
2. **Fiscal Impact:** The Police Department applied for and was not selected for COPS "stimulus grant" funding for two police officer positions to support the annexation of the SID. If other grant funding becomes available, it will be considered to fund the officers needed to handle the annexed areas. If grant funding is not available, the two required positions must be funded with general fund dollars. The two positions would be proposed for funding beginning April 2010. Costs in FY 09-10 for the positions include:  
\$85,122 for Full-time salary  
\$6,469 FICA  
\$29,574 Insurance  
\$5,107 Pension  
\$6,000 Uniforms and Equipment  
\$8,600 Portable Radios

3. Staffing Impact: During planning for the annexation of the Southport development, the Police Department planned and has since staffed an additional patrol district to service the western area. The planning at the time also included future service to the Southwind, Val Verde and Mayfair SID's. The new patrol district required, at a minimum, the addition of four police officers to staff the district. What we have discovered is the geographic size of the patrol district (96<sup>th</sup> west to I-80) has resulted in higher response times due to the majority of activity taking place on the western border. The annexation of Oakdale Industrial Park and Brook Valley Business Park without additional staffing may result in a further increase in response times for the entire patrol area. The proposed areas for annexation are currently surrounded by the City limits and will likely enjoy faster response times than the County is presently providing, however, this may result in longer response times to the western area where increased activity is taking place. It is therefore recommended that two additional positions be authorized to absorb the activity created by the annexation.
4. Overall: With additional staff, the annexed areas will be served with improved response times.

B. Fire

1. Calls for Service: The Fire and Rescue Department has researched the annexation impact in the area of calls for service and has found that over the last 24 months there have been approximately 46 calls for service from Oakdale Industrial Park and Brook Valley Business Park.
1. Fiscal Impact: With regard to the current number of calls for service, the department has sufficient apparatus to support the SID without the need for additional resources.
2. Staffing Impact: With regard to the current number of calls for service, the department has sufficient staffing to continue service to the area.
3. Overall: The volunteer Fire Department will continue to monitor calls for service in the area and maintain adequate response times. There appears to be adequate water supply and access roads for fire and EMS response.

C. Library

1. No impact to the La Vista Public Library is anticipated from this annexation.

D. Recreation

1. No impact to the La Vista Recreation Department is anticipated from this annexation.

E. Community Development

1. In 1999, the City partially annexed this SID. At that time, the City took a portion of the SID along with a portion of the debt, \$640,000. However the SID did not agree with this split and has since been in litigation with the City. Annexation of the entire SID should resolve this issue.
2. This SID is contiguous to the City limits.
3. Annexation of this SID is consistent with the annexation plan submitted to the City Council at the Strategic Planning session.
4. At their September 17, 2009 meeting, the Planning Commission voted to recommend approval of the annexation plan to the City Council as an amendment to the Comprehensive Plan. The City Council will conduct a public hearing and consider the amendment at their October 6, 2009 meeting.

**IV. Contractual Obligations**

A. Contracts

1. No information available.

B. Pending Litigation

1. In the last 10 years, the City's financial audit has shown \$640,000 of debt payable due to the 1999 partial annexation of SID 59. If the remaining portion of the SID is annexed, this lawsuit should be resolved.
2. **The Chairman and Clerk of the District have indicated that the SID has two cases pending before the Nebraska Supreme Court regarding the validity of the levying of special assessments in the District due to some specials that were not**

paid. The City Attorney has been informed on this matter and can provide further details.

3. The Clerk of the SID also questions whether the special assessments were ever paid to the City when Lot 42 was split due to a condemnation for the 108<sup>th</sup> Street improvements. If they were not paid, the County would owe the special assessments to the City.

C. Pending Improvement Projects

1. No information available.

**V. Analysis**

A. Annexation Suitability

1. This SID is bordered by the City limits on several sides of its perimeter. Annexation would be a logical extension of the city.
2. From a financial standpoint, the proposed annexation's annual property tax revenue falls short of **the one-time payments by \$509,917**. However, total annual income from all funds exceeds total annual expense by **\$757,622**.
3. The SID has **\$1,383,443** cash on hand which will improve the City's overall cash flow.
4. The City's net debt to assessed valuation ratio would be reduced from 5.02% to **4.30%**.

B. Policy Alternatives

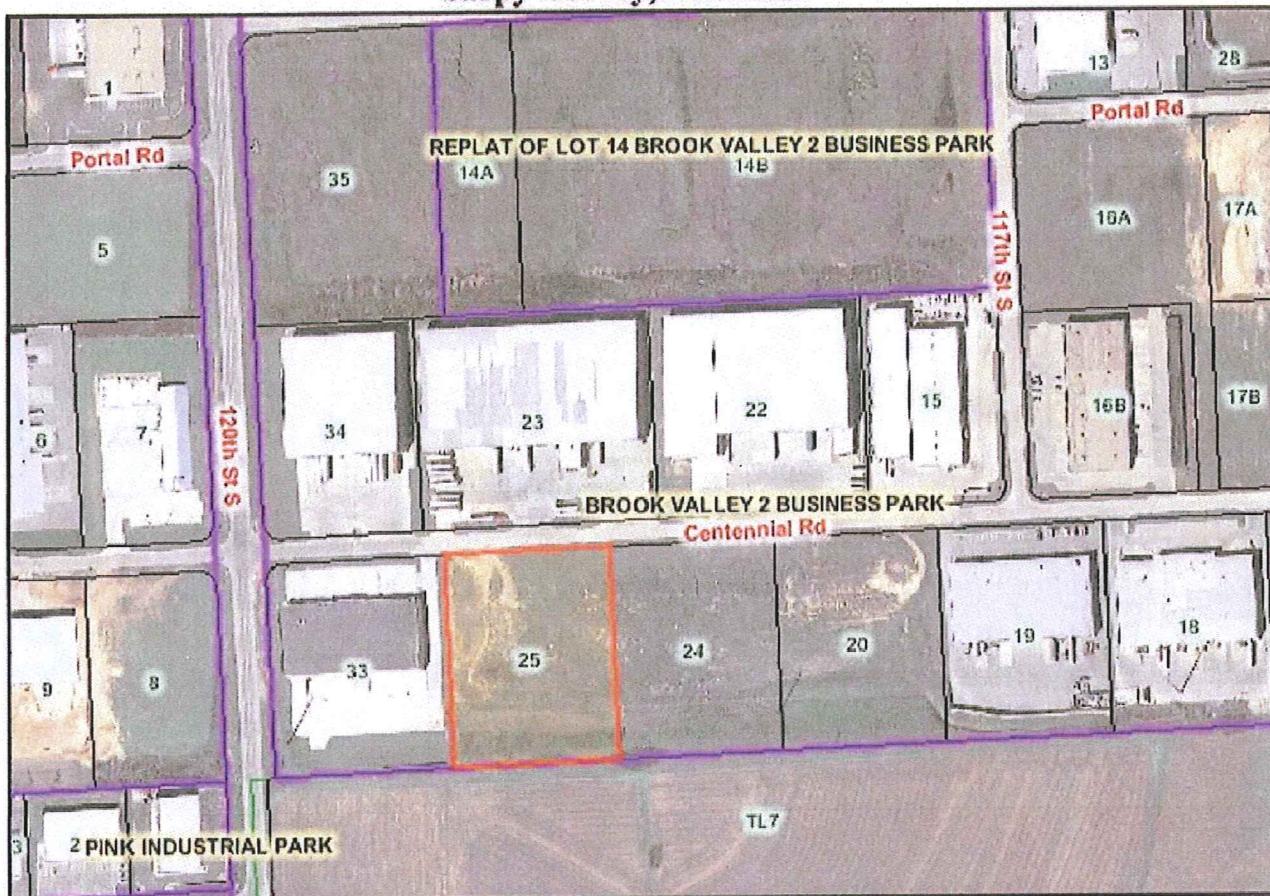
1. Annex.
2. Postpone annexation until debt level is reduced.

C. Recommendations/Conclusions

1. Annex.

Revised 11-13-09

## Sarpy County, Nebraska



Parcel ID Number	011342374	Neighborhood Code	250
Owner Name	SID # 59	Property Type	COMM
Mailing Address	10602 OLIVE ST	Improvements Value	\$0
City State	OMAHA NE	Land Value	\$164,981
Zip Code	68128-	Total Value	\$164,981
Property Address		Tax District	27133
Legal Description	LOT 25 BROOK VALLEY II BUSINESS PARK (3.21 AC)		

*Disclaimer:* This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.

Map Scale  
1 Inch = 367 feet

### Financial Information - SID 59

REVENUE		EXPENSES	
<b>General Fund</b>		<b>General Fund</b>	
<i>Income Sources:</i>		<i>Costs to Service:</i>	
Property Tax	\$ 642,750	Street Lighting	\$ 39,105
State Aid, Municipal Equalization Fund (MEF) & Municipal Infrastructure Development Fund (MIRF)		Street Maintenance - Personnel	\$ 66,909
Highway Allocation	\$ 79,645	Street Maintenance - Operating	\$ 14,000
Sales & Use Tax		Snow Removal	\$ 5,000
Franchise Tax		Street Signs	\$ 900
Permits & Inspections		Traffic Signals	\$ 3,000
<b>General Fund Income</b>	<b>\$ 722,395</b>	<b>Park Maintenance</b>	
<b>One-Time General Fund Income</b>		<b>Law Enforcement</b>	
Cash on Hand	\$ 1,383,443	Fire Protection	
<b>One-Time Income</b>	<b>\$ 1,383,443</b>	Community Development	
		Administration	
		Human Resource	
		Library	
		<b>General Fund Expenses</b>	<b>\$ 128,914</b>
		<b>Equipment - One-Time General Fund</b>	
		<b>One-Time Expenses</b> \$ -	
<b>Total General Fund Income</b>	<b>\$ 2,106,838</b>	<b>Total General Fund Expenses</b>	<b>\$ (128,914)</b>
<b>Sewer Fund</b>		<b>Sewer Fund</b>	
<i>Income Sources:</i>		<i>Sewer Personnel</i>	
Sewer Use Fees	\$ 65,000	Sewer Maintenance	\$ 16,800
<b>Sewer Fund Income</b>	<b>\$ 65,000</b>	<b>Sewer Fund Expenses</b>	<b>\$ 16,800</b>
		<b>Equipment - One-Time Sewer Fund</b>	
		Sewer Jet Truck	\$ 180,000
		<b>One-Time Expenses</b>	<b>\$ 180,000</b>
<b>Total Sewer Fund Income</b>	<b>\$ 65,000</b>	<b>Total Sewer Fund</b>	<b>\$ 196,800</b>
<b>Debt Service (Bond Fund)</b>		<b>Debt Service (Bond Fund)</b>	
<i>Income Sources:</i>		108th Street Improvements-One-Time Exp	
Property Tax	\$ 115,941		\$ 500,000
Unpaid Special Assessments	\$ 411,760	Rural Fire Districts - One-Time Expense	\$ 125,858
Special Assessments to be Levied		Debt Service Fund Expenses	\$ 625,858
Interest on Unpaid Assessments			
Cash On Hand	\$ -		
<b>Total Debt Service Income</b>	<b>\$ 527,701</b>	<b>Total Debt Service Fund Expenses</b>	<b>\$ 625,858</b>
		<b>Capital Fund - One-Time Expense</b>	
		Street Repairs	
		<b>Total Construction Fund Expenses</b> \$	
<b>One-Time Income</b>	<b>\$ 1,795,203</b>	<b>One-Time Expenses</b>	<b>\$ 805,858</b>
<b>Annual Income</b>	<b>\$ 903,336</b>	<b>Annual Expenses</b>	<b>\$ 145,714</b>

### Financial Information - SID 59

REVENUE	EXPENSES
<b>SID 59</b>	<b>SID 59</b>
<i>Income Sources:</i>	<i>Debt Service</i>
Property Tax <sup>1</sup>	\$ 115,941
Unpaid Special Assessments	\$ 411,760
Special Assessments to be Levied	\$ -
Interest on Unpaid Assessments	\$ -
Cash On Hand	\$ 1,383,443
	<b>\$ 1,911,144</b>
Property Tax - City Debt Service Fund <sup>2</sup>	\$ 115,941
	Estimated Annual P & I Payments <sup>3</sup>
	\$ -
<b>Total Revenue</b>	<b>\$ 1,911,144</b>
	<b>Total Expenses</b>
	<b>\$ 625,858</b>
<b>Current Assessed Valuation of SID 59</b>	<b>\$ 144,926,663</b>
	Outstanding Debt
	Less Unpaid Special Assessments
	Less Cash on Hand
	<b>Total Net Debt</b>
	\$ 625,858
	\$ 411,760
	\$ 1,383,443
	<b>\$ (1,169,345)</b>
	Net Debt to Assessed Valuation
	-0.81%

### ADDITIONAL INFORMATION

City Information - Pre Annexation		Current City of La Vista Tax Rate:	
Outstanding long term debt (10/01/06)	\$ 62,600,000	General Fund	0.4435
Less Cash reserves:		Debt Service	0.08
Debt Service Fund	\$ (7,508,967)	Total City Tax Rate <sup>4</sup>	
Invested Lottery Funds	\$ (3,930,990)		0.5235
<b>Net Debt (10/01/06)</b>	<b>\$ 51,160,043</b>		
Assessed Valuation		City Debt to Assessed Valuation Ratio	
Real Estate	\$ 980,290,913	Post - Annexation	
Personal Property	\$ 38,650,826		
<b>City Total Assessed Valuation</b>	<b>\$ 1,018,941,739</b>		
Net debt to assessed valuation ratio:	5.02%		
Debt to assessed valuation ratio:	6.14%		
		City post-annexation net debt/assessed valuation ratio	
			4.30%
		City post-annexation debt/assessed valuation ratio	
			5.43%

<sup>1</sup> SID 59 total assessed valuation X City's recommended bond levy of 8 cents

<sup>2</sup> SID 59 total assessed valuation X City's recommended bond levy of 8 cents

<sup>3</sup> Estimate on Total Bonds Payable & Warrants Outstanding - 20 year payment schedule

<sup>4</sup> Recommended City Tax Levy

**SANITARY AND IMPROVEMENT DISTRICT #214**  
**"Papio Valley I & 2 Business Parks"**

**I. Statistics**

- A. 2009 Valuation (Preliminary) = \$29,944,516
- B. SID Tax Levy (per \$100 valuation) = 0.430000
- C. Estimated Population (as of 6/30/09)\* = 0

\*Population estimated from 1990 Census, persons per household multiplied by housing unit count.

- D. Land Area (acres) = 88.04

- E. Land Use\*

- 1. Single Family Units = 0
- 2. Multi-Family Units = 0
- 3. Public Property = 0
- 4. Developed Commercial Lots = 12
- 5. Number of Vacant Lots = 6  
(as of 2007 aerials)

\*Housing unit count from building permit data.

- F. School District = Papillion/La Vista

- G. Fire District = Millard Suburban

**II. Improvements**

- A. Streets

Total Lane Miles = 1.29

Street Rating = Very Good

- 1. New Lane Miles: The possible annexation will include 1.29 lane miles of concrete pavement. The City's current lane mile total will increase 1% from 174.87 lane miles to 176.16 lane miles. An increase of \$6,800 is anticipated in Federal Highway Allocation Funds. The pavement in the proposed annexation area is in good condition and should require only normal maintenance.
- 2. Street Lights: The City will incur an additional 21 street lights. The fiscal impact annually on the utility line item in the Street Operating Budget will be approximately \$5,783. Omaha Public Power District is responsible for all maintenance and repair associated with the street lights.

3. Traffic Signals: No traffic signals in the proposed area.
4. Right-of-Way: The City will incur a minimal amount of right-of-way with the proposed annexation. No additional personnel or equipment will be required to maintain the proposed new right-of-way.
5. Street Maintenance & Snow Removal: The overall condition of the streets in the proposed annexation area is very good. The addition of 1.29 additional lane miles has no significant impact on street maintenance and snow removal. No additional equipment or personnel is required. Normal street maintenance which includes sweeping, pavement repair, crack sealing and pavement markings will be approximately \$2,000. Snow removal costs will be approximately \$1,000.
6. Street Signs: The largest percentage of traffic control and street marking signs has been installed in this area. Additional replacement signs will need to be purchased at a cost of approximately \$300.

B. Storm Sewer

1. The storm sewer system was designed and constructed to city standards. The system has been inspected and is in very good shape.

C. Sanitary Sewer

1. The City currently has 210,011 feet or 42.2 miles of sanitary sewer line. The proposed annexation will include an additional 3,264.97 feet or 0.61 miles of sanitary sewer line. General maintenance and treatment costs will be approximately \$5,288. No additional equipment or personnel will be required.
2. Revenue from user fees is anticipated to be approximately \$10,000.
3. The sanitary sewers flow into the following outfalls: Stonybrook #7 and Sarpy South #4.
4. **A portion of SID #59's and #214's sanitary sewer flows into the Sarpy Industrial Sewer. The City Attorney has advised the City to amend the 1996 interlocal agreement with the County.**

D. Water

1. Metropolitan Utilities District.

E. Public Parks/Recreational Facilities

1. No public ground.

F. Miscellaneous Improvements/Property Owned by SID

1. None that staff is aware of.

**III. City Services**

A. Police

1. Calls for Service: The Police Department has examined the impact of annexing Papio Valley I Business Park and has found that over the last 24 months there have been approximately 136 calls for service to the SID.
2. Fiscal Impact: The Police Department applied for and was not selected for COPS "stimulus grant" funding for two police officer positions to support the annexation of the SID. If other grant funding becomes available, it will be considered to fund the officers needed to handle the annexed areas. If grant funding is not available, the two required positions must be funded with general fund dollars. The two positions would be proposed for funding beginning April 2010. Costs in FY 09-10 for the positions include:  
\$85,122 for Full-time salary  
\$6,469 FICA  
\$29,574 Insurance  
\$5,107 Pension  
\$6,000 Uniforms and Equipment  
\$8,600 Portable Radios
3. Staffing Impact: During planning for the annexation of the Southport development, the Police Department planned and has since staffed an additional patrol district to service the western area. The planning at the time also included future service to the Southwind, Val Verde and Mayfair SID's. The new patrol district required, at a minimum, the addition of four police officers to staff the district. What we have discovered is the geographic size of the patrol district (96<sup>th</sup> west to I-80) has resulted in higher response times due to the majority of activity taking place on the western border. The

annexation of Papio Valley I Business Park without additional staffing may result in a further increase in response times. The area to be annexed is currently surrounded by the City limits and will likely enjoy faster response times than the County is presently providing, however, this may result in longer response times to the western area where increased activity is taking place. It is therefore recommended that two additional positions be authorized to absorb the activity created by the annexation.

4. Overall: With additional staff, the annexed area will be served with improved response times.

B. Fire

1. Calls for Service: The Fire and Rescue Department has researched the annexation impact in the area of calls for service and has found that over the last 24 months there have been approximately 8 calls for service from this SID.
1. Fiscal Impact: With regard to the current number of calls for service, the department has sufficient apparatus to support the SID without the need for additional resources.
2. Staffing Impact: With regard to the current number of calls for service, the department has sufficient staffing to continue service to the area.
3. Overall: The volunteer Fire Department will continue to monitor calls for service in the area and maintain adequate response times. There appears to be adequate water supply and access roads for fire and EMS response.

C. Library

1. No impact to the La Vista Public Library is anticipated from this annexation.

D. Recreation

1. No impact to the La Vista Recreation Department is anticipated from this annexation.

E. Community Development

1. This SID is not contiguous to the City limit unless one of the other proposed annexations occurs.

2. Annexation of this SID is consistent with the annexation plan submitted to the City Council at the Strategic Planning session.
3. At their September 17, 2009 meeting, the Planning Commission voted to recommend approval of the annexation plan to the City Council as an amendment to the Comprehensive Plan. The City Council will conduct a public hearing and consider the amendment at their October 6, 2009 meeting.

#### **IV. Contractual Obligations of the SID**

- A. Contracts
  1. No information available.
- B. Pending Litigation
  1. No information available.
- C. Pending Improvement Projects
  1. No information available.

#### **V. Analysis**

- A. Annexation Suitability
  1. This SID is not bordered by the City limits and would not be a contiguous annexation without the annexation of SID 59 or the miscellaneous lots.
  2. From a financial standpoint, annual property tax revenue falls short of debt service by approximately \$26,044. However, total annual income from all funds exceeds total annual expense by \$109,189.
  3. The SID has \$231,203 cash on hand, which will improve the City's overall cash flow.
  4. The City's net debt to assessed valuation ratio would be reduced from 5.02% to 4.89%.
- B. Policy Alternatives
  1. Annex.

2. Postpone annexation until debt level is reduced.

C. Recommendations/Conclusions

1. Annex.

Revised 11-13-09

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