

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JUNE 4, 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

A public hearing and second reading of the ordinances has been scheduled for Council to consider the annexation of 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

Approval.

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. If the second reading of the ordinances is approved following the public hearing, the third reading and adoption of the annexation ordinances is scheduled for June 18, 2013.

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.

NOTE: Updates to the annexation study are noted by yellow high-lighting on the annexation schedule and by redlining on the SID reports (see attached revised pages). Changes to the reports are as follows:

Misc. Lots #2 – page 2, regarding the Planning Commission hearing on May 9, 2013.

SID No. 195, Mayfair – the report has been updated to include a street repair project (see page 2).

MISCELLANEOUS LOTS #2
TAX LOTS 11 & 15 17-14-12
(SOD FARM)

1. Legal Description

TAX LOTS 11 & 15 17-14-12 (33.64 AC)
and adjoining railroad right-of-way (8.045 AC)

2. Property Owner

McDermott, ADA

3. Recommendation

This property is currently zoned TA, Transitional Agriculture District, with the FF/FW, Flood Plain Overlay District, and the Gateway Corridor Overlay District. The Future Land Use Map of the Comprehensive Plan identifies this area as "Parks and Recreation", and on the Park and Recreation Master Plan it is identified as "La Vista Commons, Future Large Urban Park." The current use of the land is as a sod farm.

Although the Park and Recreation Master Plan identifies this site as a future large urban park to be owned by the City, consideration should be given to amending this designation as a result of the adoption of the Vision Plan for 84th Street. Within the Vision Plan, the existing golf course is transformed into La Vista Civic Center Park, the signature park for the community. The Master Plan for Civic Center Park includes the facilities and services which would make it become the community's "future large urban park", taking the place of the plan for La Vista Commons (the sod farm).

The City has had numerous inquiries regarding development of this property. Because of the restrictions associated with the floodplain designation, open recreation uses are anticipated, although potentially under private ownership. Other potential development proposals would require an amendment to the

Future Land Use Map and the TA zoning district classification. Flood plain regulations would continue to place limits on development regardless of the primary zoning district classification.

The annexation of these lots will close a gap in the city limits between Harrison Hills and Southport East; the property is currently surrounded by the city limits. This will reduce confusion regarding jurisdictional boundaries. Approximately two-thirds of the abutting sod farm property is currently in the city limits.

There are no immediate cost implications anticipated with the provision of services. The total annual property tax revenue from this annexation is estimated to be \$429.

The Planning Commission on May 9, 2013 held a public hearing on this proposed annexation. The only comments at the hearing with respect to this annexation were questions from the property owner. A transcript of the questions and explanations of staff is on file with the City Clerk and available for review. The Planning Commission, after concluding the public hearing, recommended proceeding with the annexation as proposed.

It is recommended that the City annex Miscellaneous Lots #2 as this analysis confirms its suitability for annexation and the annexation is in conformance with the Comprehensive Plan.

**SANITARY AND IMPROVEMENT DISTRICT #195
"Mayfair"**

I. Statistics

- A. 2013 Valuation = \$43,350,273
- B. SID Tax Levy (per \$100 valuation) = 0.505000
- C. Estimated Population (as of 2/27/13)* = 537
*Population estimated from 2010 Census, persons per household multiplied by housing unit count.
- D. Land Area (acres) = 105.47
- E. Land Use*
 - 1. Single Family Units = 194
 - 2. Multi-Family Units = 0
 - 3. Public Property = 0
 - 4. Developed Quasi-Public Lots = 1 (Beautiful Savior Church)
 - 5. Developed Commercial Lots = 7
(businesses include, but not limited to: Elite Dental, Allstate Edward Jones, Alegent-Creighton, future site for Primrose Preschool, Five Points Bank, Profit Advantage, Culvers, and Centris)
 - 6. Number of Vacant Lots = 7*Counts from building permit data, Sarpy County GIS and site visits.
- F. School District = Papillion/La Vista
- G. Fire District = Papillion Rural Fire District 1

II. Improvements

A. Streets

Total Lane Miles = 6.63
Street Rating = Good

- 1. New Lane Miles: The City currently has 184.21 lane miles. The proposed annexation of SID 195 would add an additional 6.63 lane miles to the inventory. An increase of \$38,188 in Highway Allocation Funds is anticipated. The pavement in the proposed annexation area is in good condition and should only require routine maintenance. Various locations in SID 195 had concrete panels repaired in the fall of 2012.

2. Street Lights: The City will incur an additional 77 street lights. The fiscal impact annually on the utility line item in the Street Operating Budget will be approximately \$16,016. Omaha Public Power District is responsible for all maintenance and repair associated with the street lights.
3. Traffic Signals: At the current time no additional signals are in the proposed annexation area. A new signal at Robin Drive and 96th Street is in the 2013/14 Capital Improvement Plan. Funding for the signal is via special assessments at a 50/50 split between the Wal-Mart project on the east side of 96th Street and the Mayfair commercial district on the west side.
4. Right-of-Way: The City will incur approximately 63,000 square feet or 1.44 acres of new right-of-way with the proposed annexation. Routine maintenance costs will be \$730 annually.
5. Street Maintenance & Snow Removal: The overall condition of the streets in the proposed annexation area is good. The City is currently divided into six maintenance districts with approximately 30.6 lane miles per district. Public Works is not recommending the formation of a new maintenance district. No additional personnel or equipment are being requested at this time. Annexation of this area in conjunction with other annexed areas may cumulatively require an additional maintenance district, personnel and equipment. Routine street maintenance costs which include street sweeping, pavement repair, crack sealing and cold patching will require an increase of \$5,920. Snow removal costs will require an increase of \$3,998. To be noted, there is a private roadway system in the Mayfair commercial district which consists of the following streets: Hillcrest Plaza, 97th Plaza, 98th Plaza and Robin Plaza.

On June 3, 2013, SID 195 bid out a street repair project at an estimated cost of \$44,956.80. The cost of the repairs is programmed to come out of the SID's general fund. As it is unclear when payment for the repairs will take place, an adjustment to the financial sheets included in this annexation study has not been made. Payment could take place before or after the completion of the annexation process; if after, the City will assume this cost as with other obligations of the SID.

6. Street Signs: A large percentage of the traffic control and street marking signs are currently installed in this area. Approximately 55 "No Parking" signs will need to be purchased and installed at a cost of \$825. Annual sign maintenance costs will be \$150 per year.

7. Sidewalks: The City incurs no additional maintenance costs in relation to public sidewalks as part of this annexation.

B. Storm Sewer

1. The storm sewer system was designed and constructed to City standards. The system has 10,485 feet of various sized pipe; with 19 manholes and 65 storm sewer inlets. The system is generally in good shape. The storm sewer system in the Mayfair commercial district is on a private road but is a public sewer system.

C. Sanitary Sewer

1. The City currently has 223,400 feet or 42.31 miles of sanitary sewer line. The proposed annexation will include an additional 15,020 feet or 2.84 miles of sanitary sewer line. The sanitary sewer system is in generally good shape; Public Works is not aware of any operation issues. A general maintenance increase of \$3,900 will be required. Treatment costs are included in the current operating budget per a previous wastewater service agreement with the City of Omaha. At this time no additional equipment or personnel will be requested. Annexation of this area in conjunction with other annexed areas may cumulatively require additional equipment or personnel. The sanitary sewer system located in the private road of the Mayfair commercial district is a private sanitary sewer per the subdivision agreement.
2. Per a wastewater service agreement with the City of Omaha, La Vista is already collecting sewer fees for any area east of 144th Street.
3. The sanitary sewers flow into the Applewood Creek Outfall.

D. Water

1. All water services are provided by Metropolitan Utilities District.

E. Public Parks/Recreational Facilities

1. There are no public parks or recreational facilities as part of this annexation.

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 SID 195 – Mayfair and has found that for the 2012 calendar year there have been approximately 86 calls for service to the area. The Police Department has been responding to calls if officers are in the area when the call comes out. The Department has handled 15 of the service calls (17%) to assist other agencies.
2. Fiscal Impact: The Police Department has staffed an additional patrol district to service areas west of 96th Street since the development of the Southport area. No additional fiscal impact is expected.
3. Staffing Impact: During planning for the annexation of the Southport area, the Police Department planned and has since staffed an additional patrol district to service areas west of 96th Street. The planning at the time also included future service to the residential, industrial and commercial areas west of 96th Street. The areas to be annexed will benefit from faster response times than the County is presently providing.
4. Overall: The overall impact to the Police Department will be absorbed easily by the current district police car. The district cruiser currently drives through the vicinity in order to patrol and respond to calls for service in the City areas adjacent to the proposed annexation.

B. Fire

1. Calls for Service: The La Vista Fire Department has researched the annexation impact in the area of calls for service and has found that over the last 36 months there have been 23 calls for service from this area.
2. Fiscal Impact: Based on the current number of calls for service, the department has sufficient apparatus to support the area without the need for additional resources.
3. Staffing Impact: Based on the current number of calls for service, the department has sufficient staffing to continue service to the area.

4. Overall: The La Vista 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. The Library will be supporting the residents of SID 195 – Mayfair with staffing, materials including books, media, databases, and supplies. This will result in an approximate \$7,800 annual increase in costs. Currently, 18 households in Mayfair carry library cards. As the library is a free service to residents of the city, there will be a revenue decrease of \$990 due to this annexation.

D. Recreation

1. Residents of the SID will receive access to the Community Center and programs available through the Recreation Department. No impact to the La Vista Recreation Department is anticipated from this annexation.

E. Community Development

1. This SID is contiguous to the City limits
2. Annexation of this area is consistent with the approved annexation plan within the City's Comprehensive Plan.

IV. Contractual Obligations of the SID

A. Contracts

1. Nothing significant noted within SID meeting minutes.

B. Pending Litigation

1. Nothing significant noted within SID meeting minutes.

C. Pending Improvement Projects

1. Nothing staff is aware of.

V. Analysis

A. Annexation Suitability

1. This SID is bordered by the City limits on the east, west, and south making it contiguous to the City.
2. The City currently plows Brentwood Drive from 96th Street westward to the existing city limits on the west side of the Mayfair subdivision. Additionally, 101st Street is plowed by the City from Giles Road to the city limits on the north side of the subdivision. The sidewalks along 96th and Giles within the Mayfair subdivision are also being plowed.
3. The Police Department has been responding to calls if officers are in the area when the call comes out. The Department has handled 15 of the service calls (17%) to assist other agencies.
4. A total of 18 households in Mayfair currently pay for library cards because they do not reside within the city limits. An additional number of non-residents likely visit the library; however, there is no data on these users because they are not allowed to check out material without a card.
5. From a financial standpoint, the proposed annexation's annual property tax revenue falls short of the annual debt service payment by approximately \$98,990. While the total annual income from all funds exceeds the total annual expenses by \$125,601.
6. The SID's net debt to assessed valuation is 2.96%, which may be lowered when remaining lots are developed.
7. The City's net debt to assessed valuation ratio would be reduced from 4.61% to 4.54%.

B. Policy Alternatives

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

C. Recommendations/Conclusions

The annexation of SID 195 will bridge a gap in the City limits between the Val Vista and Southwind subdivisions. This will reduce confusion regarding jurisdictional boundaries and the provision of services. The City's Police and Fire Departments are currently responding to calls on a limited basis in this area. Public Works is also providing snow removal

service on the perimeter and through the subdivision as a route between areas already within the City limits.

It is recommended that the City annex SID 195 as this analysis confirms its suitability for annexation and the annexation is in conformance with the Comprehensive Plan.

Revised 5-30-13

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 _____ DAY OF _____, 2013.

CITY OF LA VISTA

 Douglas Kindig, Mayor

ATTEST:

 Pamela A. Buethe, 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 1/4 of Section 17, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, and Part of the NE 1/4 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 _____ DAY OF _____, 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, 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 _____ DAY OF _____, 2013.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk