

Code 0009-3637 Effective 9/12/07

## CONSTRUCTION FEE RESOLUTION

WHEREAS, Rapid City Municipal Code Section 13.04.095 and SDCL Section 9-47-16 allows the Common Council to impose water construction fees for connection to the water utility in certain areas; and

WHEREAS, water main has been extended in the Wildwood Drive Water Main Extension per plans filed with the City under City Development Files No. Dev06-827: Wildwood Drive Water Main Extension as shown on Exhibit A, attached hereto and incorporated hereto; and

WHEREAS, Daniel Wegner has installed an 8" water main to provide service to his property, and Mr. Wegner has paid \$31,964.35 for the requested extension; and

WHEREAS, water extension costs associated with the Wildwood Drive Water Main Extension, City Development File No. Dev06-827 should be proportioned according to the benefit each property receives; and

WHEREAS, the cost for the 8" water main of \$31,964.35 will be proportioned to the properties identified in Exhibit A according to the benefits to accrue to such property before such property shall be served with such facilities; and

WHEREAS, these utility construction fees are based on the benefits that accrue to such property, and should be established on a per-lot system. "Benefiting areas" include those properties that will benefit from a water main extension to service the area, and directly abut the newly constructed water main; and

WHEREAS, the Common Council finds, after conducting a comprehensive investigation of the areas benefited by the construction of the water main associated with the Wildwood Drive Water Main Extension, City Development File No. Dev06-827, that such utility construction fees are appropriate and in the best interest of the City, community, and the water utility.

NOW, THEREFORE, be it resolved that utility construction fees are hereby imposed on the property that benefits from the extended portion of the construction of the water main associated with Wildwood Drive Water Main Extension, City Development File No. Dev06-827; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A shall be required to pay its proportional share of the cost of construction of the water main associated with Wildwood Drive Water Main Extension, City Development File No. Dev06-827 prior to being served with City water; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A as benefiting property shall pay \$5,327.39 prior to connection to the City's water main; and

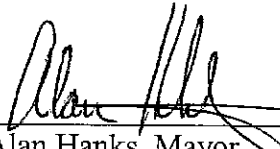
BE IT FURTHER RESOLVED that all water construction fees collected as established herein shall accrue to the water enterprise fund to be dispersed to Daniel Wegner; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the benefiting properties of the project have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire. The total fee to be collected and disbursed to Daniel Wegner is \$26,636.96 which is the total cost of construction less Daniel Wegner's proportional share of \$5,327.39.


BE IT FURTHER RESOLVED, the authorization of this resolution rescinds the Council action on August 7, 2006 that prohibits the connection of water services to this main.

Dated this 6 day of August, 2007

CITY OF RAPID CITY

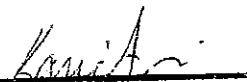
  
Alan Hanks, Mayor

ATTEST:

  
Finance Officer

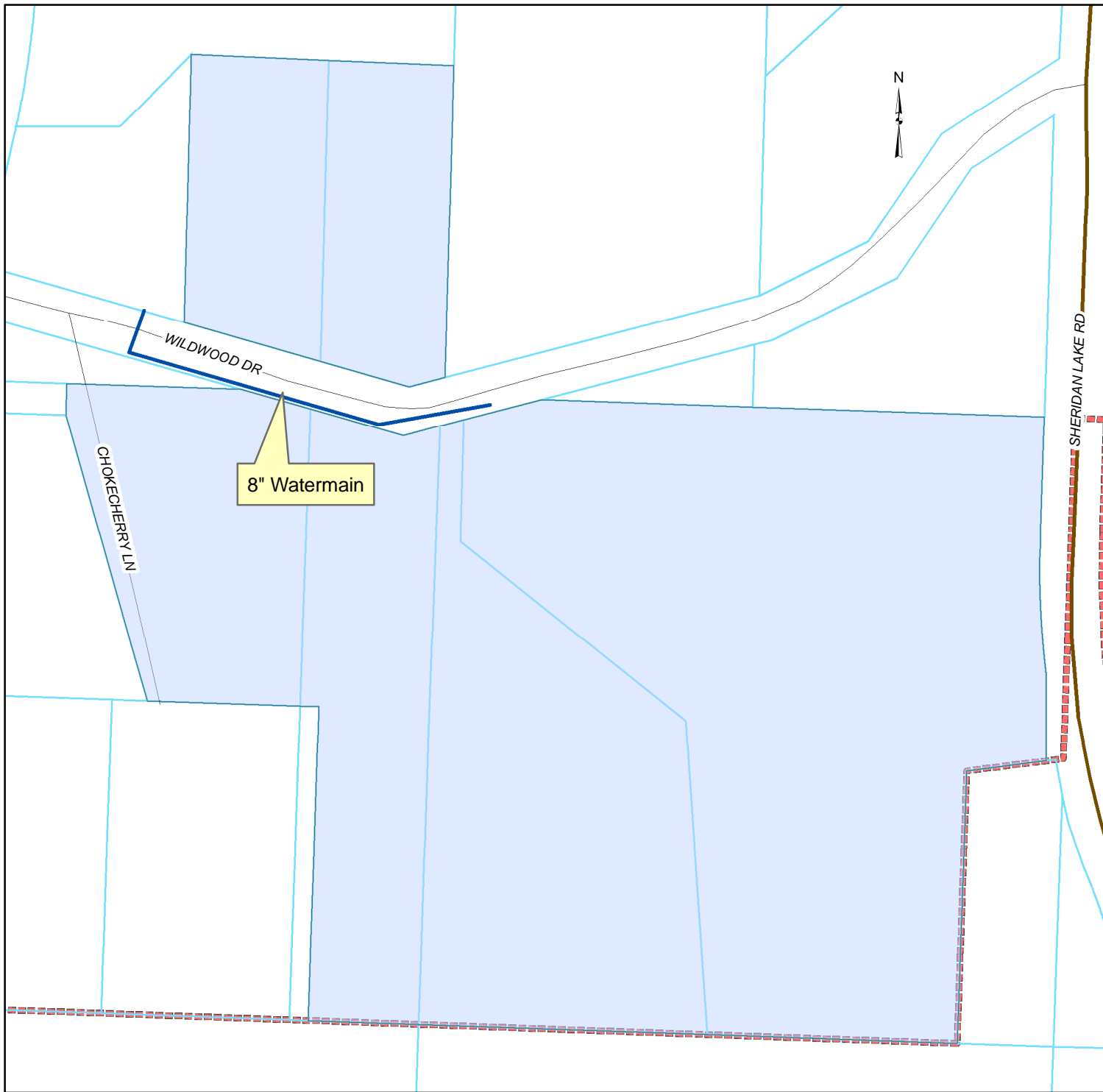
(SEAL)

APPROVED AS TO FORM  
CITY ATTORNEY'S OFFICE

  
Attorney





7/23/07  
Date

# Exhibit A



## WILDWOOD DRIVE WATER CONSTRUCTION FEE BENEFITING AREA

### Legend

-  Oversized Utility
-  Benefiting Properties
-  Parcels
-  Rapid City Limits

