

CONSTRUCTION FEE RESOLUTION

WHEREAS, Rapid City Municipal Code Section 13.08.365 and SDCL Section 9-48-15 allows the Common Council to impose sewer construction fees for connection to the sewer utility in certain areas; and

WHEREAS, the sewer system has been improved in Red Rock Estates per City Project No. SS01-1086: Red Rock Estates Sanitary Sewer Lift Station as shown on Exhibit A, attached hereto and incorporated hereto; and

WHEREAS, the City installed a sanitary sewer lift station, and the City has paid \$287,506.68 for the lift station; and

WHEREAS, in association with the original sewer construction fee (#3313-0010), \$28,478.84 has been collected to date for the Red Rock Estates Lift Station, City Project No. SS01-1086; and

WHEREAS, the remaining sewer costs associated with the Red Rock Estates Sanitary Sewer Lift Station, City Project No. SS01-1086 should be proportioned according to the benefit each property receives; and

WHEREAS, the remaining costs for the sanitary sewer lift station totaling \$259,027.84 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-acre system. "Benefiting areas" include those properties that will benefit from the sanitary sewer lift station to service the regional area, and do not necessarily directly abut the constructed sanitary sewer lift station. Thus, these properties may need to extend additional sewer mains at their cost prior to connecting to this infrastructure; and

WHEREAS, the Common Council finds, after conducting a comprehensive investigation of the areas benefited by the construction of the sanitary sewer lift station associated with the Red Rock Estates, City Project No. SS01-1086, that such utility construction fees are appropriate and in the best interest of the City, community, and the sewer utility.

NOW, THEREFORE, be it resolved that utility construction fees are hereby imposed on the property that benefits from the construction of the lift station associated with Red Rock Estates Sanitary Sewer Lift Station, City Project No. SS01-1086; 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 sanitary sewer lift station associated with Red Rock Estates, City Project No. SS01-1086 prior to being served with City sewer; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A as benefiting property shall pay \$210.33 per acre prior to connection to the City's sewer main; and

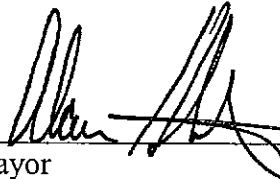
BE IT FURTHER RESOLVED that the sewer construction fees collected as established herein shall accrue to the consolidated construction (8914) fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the remaining balance of the project costs totaling \$259,027.84 is collected, at which time this Resolution and the utility construction fee shall automatically expire.

BE IT FURTHER RESOLVED, the authorization of this resolution rescinds the current sewer construction fee number 3313-0010.

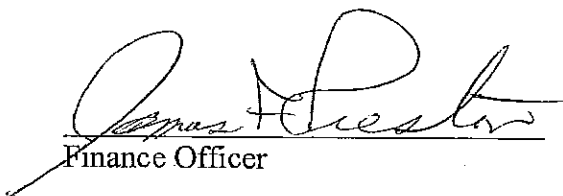
Dated this 15th day of October, 2007

CITY OF RAPID CITY



Mayor


ATTEST:



Finance Officer

(SEAL)

APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE

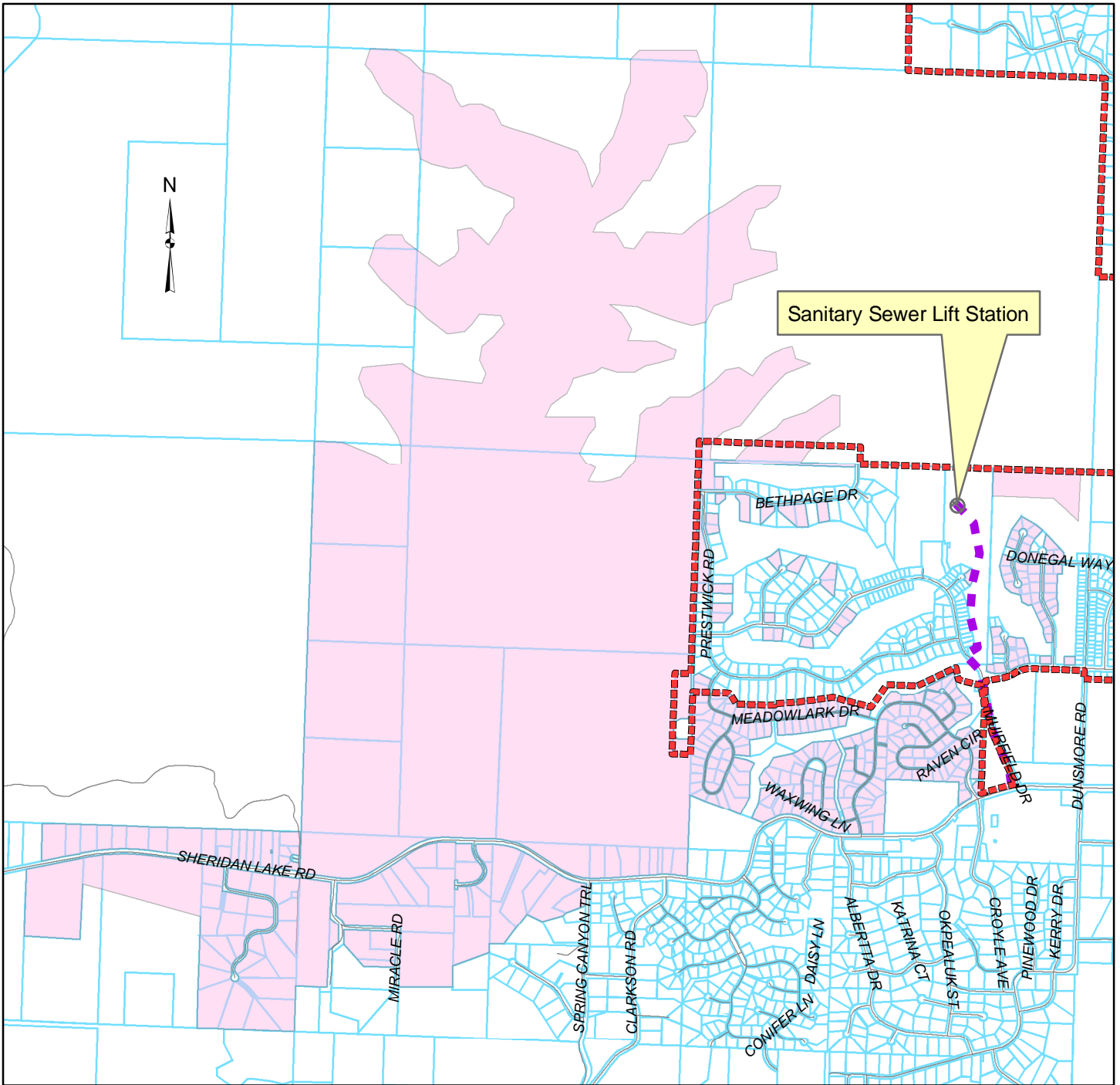


Attorney

9/26/07

Date

Exhibit A



RED ROCK ESTATES LIFT STATION SEWER CONSTRUCTION FEE BENEFITING AREA

Legend

- Pressurized Sewer Main
- Benefiting Area
- Parcels
- Rapid City Limits

