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2004-11-11

RESOLUTION

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

WHEREAS, water mains have been extended along portions of Dyess, Seger, and future Mall Drive under City Project No. W99-845, Dyess Avenue Water Main Extension, as shown on Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the total project cost to complete this water main extension project is \$646,356.34, which includes \$591,890.34 in construction costs and \$54,466.00 in design costs; and

WHEREAS, the total project costs of the construction of Dyess Avenue Water Main Extension, City Project No. W99-845 should be apportioned according to the benefit each property receives; and

WHEREAS, parcels #37ab and #39ab as shown on Exhibit A, are the sole benefiting properties from the water main constructed in the private road between parcels 37ab and 39ab. The cost for the construction of the portion of the public water main extension along the existing private road between parcels #37ab and #39ab (east of Dyess Avenue, future east projection of Dane Lane) is \$13,123.07; and

WHEREAS, the balance of project costs totaling \$633,233.27 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, Exhibit B, attached hereto and incorporated herein, represents the amounts each benefited property must pay to connect to the City water utility. These fees are based on the benefits that accrue to such property, and should be established on a per-acre, two-tier system. "Adjacent benefiting areas" include those properties that directly abut the new water mains and can take service to that subject property without further main extension, with acreage of those parcels limited to area within approximately 660 feet of roadway centerline. "Oversize benefiting areas" include those properties that will benefit from increased water main diameter to service the regional area, but do not directly abut newly constructed water mains. Thus, these properties will need to extend additional water 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 Dyess Avenue Water Main, City Project No. W99-845 that such supplemental tap fees are appropriate and in the best interests of the City, community, and the water utility.

NOW, THEREFORE, be it resolved that supplemental tap fees are hereby imposed on the property that benefits from the construction the Dyess Avenue Water Main, City Project No. W99-845; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A shall be required to pay its proportions share of the cost of construction the Dyess Avenue Water Main, City Project No. W99-845 prior to being served with City water; and

BE IT FURTHER RESOLVED that the property shown on Exhibit A as Adjacent Benefiting property shall pay \$2941.03 per acre prior to connection to the City's water main; and

BE IT FURTHER RESOLVED that the property shown on Exhibit A as Oversize Benefiting property shall pay \$911.84 per acre prior to connection to the City's water main; and

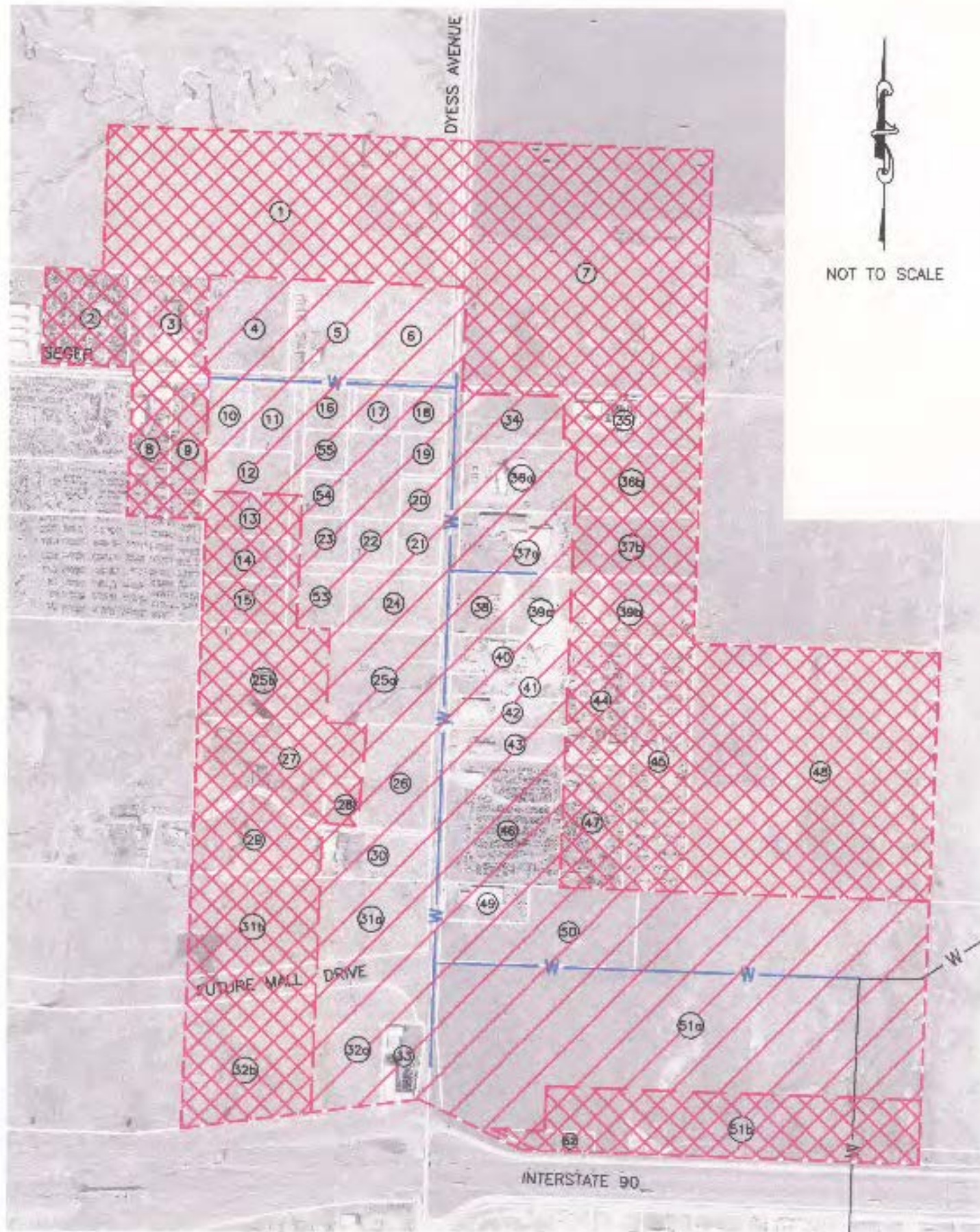
BE IT FURTHER RESOLVED that Lot 37ab and 39ab as shown on Exhibit A shall each pay the per-acre supplemental tap fee as shown on Exhibit A and shall, in addition, pay \$6561.54 each, which represents one half of the cost of extending the water main into the private road; and

BE IT FURTHER RESOLVED that such supplemental tap fees shall remain in effect until such time as the balance of project costs totaling \$646,356.34 is collected, at which time this Resolution and the supplemental tap fee shall automatically expire.

Dated this 2 day of March, 2004.



(SEAL)



PREPARED BY:
 CITY OF RAPID CITY
 300 SIXTH STREET
 RAPID CITY, SD 57701
 (605)394-4154 (605)394-6636 (FAX)

EXHIBIT A
 MALL DRIVE/DYESS AVENUE
 SUPPLEMENTAL TAP FEE AREA
 FEBRUARY 16, 2004



 ADJACENT BENEFITING
 OVERSIZE BENEFITING

EXHIBIT B
DYESS AVENUE WATER MAIN EXTENSION
CITY OF RAPID CITY, PROJECT NO. W99-845

Supplemental
Tap
Fee

Parcel Information (as of 2-17-2004)				Adjacent Benefiting (a)		Oversize Benefiting (b)		Supplemental Tap Fees			
Plans ID	PIN No.	Name	Legal	Total Project Area (ac)	Actual Area (ac)	Approx Developed Lot Acreage (ac)	Actual Area (ac)	Approx Developed Lot Acreage (ac)	Adjacent Supplemental Tap Fee	Oversize Supplemental Tap Fee	TOTAL Supplemental Tap Fee
1	21 20 400 001	Guyron Mann	SE1/4 (LESS LOTS A, B, C, & D IN S1/2SE1/4) LESS DEDICATED RTY	23.252	0	0.00	23.252	20.00	\$ -	\$ 18,234.01	\$ 18,234.01
2	21 20 400 003	White Granite Trust	LOT B IN SW1/4SE1/4,	5.000	0	0.00	5.000	4.30	\$ -	\$ 3,920.90	\$ 3,920.90
3	21 20 400 004	KWIC LLC	W400' OF LOT A IN S1/2SE1/4,	4.590	0	0.00	4.590	3.95	\$ -	\$ 3,599.39	\$ 3,599.39
4	21 20 400 005	KWIC LLC	Lot A less W400' in S1/2 SE1/4	5.410	5.410	4.65	0.000	0.00	\$ 13,683.41	\$ -	\$ 13,683.41
5	21 20 400 007	MLH, Inc.	Golden Eagle Subd., Lot 1 of Lot C	4.994	4.994	4.29	0.000	0.00	\$ 12,631.23	\$ -	\$ 12,631.23
6	21 20 400 008	Gikling & Meier, LLC	Golden Eagle Subd., Lot 2 of Lot C	5.010	5.010	4.31	0.000	0.00	\$ 12,671.70	\$ -	\$ 12,671.70
7	21 21 200 001	c/oNemo Properties, LLC	NE1/4 LESS LOT H1; E1/2NW1/4; SW1/4NW1/4; S1/2; LESS ROW	38.025	0	0.00	38.025	32.70	\$ -	\$ 29,818.47	\$ 29,818.47
8	21 29 200 002	Gordon Angel	LOT C IN NW1/4NE1/4, 2N-08E SEC 29, PLATTED	3.530	0	0.00	3.530	3.04	\$ -	\$ 2,768.31	\$ 2,768.31
9	21 29 200 003	Gordon Angel	THAT PORTION OF LOT D LOCATED IN THE NW1/4NE1/4, 2N-08E SEC 29, PLATTED	3.310	0	0.00	3.310	3.31	\$ -	\$ 3,017.73	\$ 3,017.73
NORTHSTAR SUBDIVISION											
10	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 1 of Blk 2	1.964	1.964	1.96	0.000	0.00	\$ 5,774.70	\$ -	\$ 5,774.70
11	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 2 of Blk 2	1.964	1.964	1.96	0.000	0.00	\$ 5,776.17	\$ -	\$ 5,776.17
12	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 3 of Blk 2	2.542	2.542	2.54	0.000	0.00	\$ 7,476.67	\$ -	\$ 7,476.67
13	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 4 of Blk 2	2.542	0	0.00	2.542	2.54	\$ -	\$ 2,317.98	\$ 2,317.98
14	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 5 of Blk 2	2.542	0	0.00	2.542	2.54	\$ -	\$ 2,317.89	\$ 2,317.89
15	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 6 of Blk 2	2.542	0	0.00	2.542	2.54	\$ -	\$ 2,317.71	\$ 2,317.71
16	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 1 of Blk 1	1.198	1.198	1.20	0.000	0.00	\$ 3,523.35	\$ -	\$ 3,523.35
17	21 29 227 004	Heartland Dev Grp, LLC	Northstar Subd., Lot 2 of Blk 1	1.198	1.198	1.20	0.000	0.00	\$ 3,523.35	\$ -	\$ 3,523.35
18	21 29 227 005	Heartland Dev Grp, LLC	Northstar Subd., Lot 3 of Blk 1	1.198	1.198	1.20	0.000	0.00	\$ 3,523.35	\$ -	\$ 3,523.35
19	21 29 227 006	Heartland Dev Grp, LLC	Northstar Subd., Lot 4 of Blk 1	1.160	1.160	1.16	0.000	0.00	\$ 3,411.59	\$ -	\$ 3,411.59
20	21 29 227 007	Heartland Dev Grp, LLC	Northstar Subd., Lot 5 of Blk 1	1.140	1.140	1.14	0.000	0.00	\$ 3,352.77	\$ -	\$ 3,352.77

EXHIBIT B
DYESS AVENUE WATER MAIN EXTENSION
CITY OF RAPID CITY, PROJECT NO. W99-845

Supplemental
Tap
Fee

Parcel Information (as of 2-17-2004)				Adjacent Benefiting (a)		Oversize Benefiting (b)		Supplemental Tap Fees			
Plans ID	PIN No.	Name	Legal	Total Project Area (ac)	Actual Area (ac)	Approx Developed Lot Acreage (ac)	Actual Area (ac)	Approx Developed Lot Acreage (ac)	Adjacent Supplemental Tap Fee	Oversize Supplemental Tap Fee	TOTAL Supplemental Tap Fee
21	21 29 227 001	Heartland Dev Grp, LLC	Northstar Subd., Lot 6 of Blk 1	1.390	1.390	1.39	0.000	0.00	\$ 4,088.03	\$ -	\$ 4,088.03
22	21 29 227 002	Heartland Dev Grp, LLC	Northstar Subd., Lot 7 of Blk 1	1.390	1.390	1.39	0.000	0.00	\$ 4,088.91	\$ -	\$ 4,088.91
23	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 8 of Blk 1	1.487	1.487	1.49	0.000	0.00	\$ 4,372.42	\$ -	\$ 4,372.42
54	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 9 of Blk 1	1.150	1.150	1.15	0.000	0.00	\$ 3,381.59	\$ -	\$ 3,381.59
55	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 10 of Blk 1	1.119	1.119	1.12	0.000	0.00	\$ 3,292.18	\$ -	\$ 3,292.18
24	21 29 226 001	Equity Diversified Investments, LLC	Northstar Subd., Lot 1 of Blk 3	3.268	3.268	3.27	0.000	0.00	\$ 9,610.68	\$ -	\$ 9,610.68
53	prelim plat	Heartland Dev Grp, LLC	Northstar Subd., Lot 3 of Blk 3	1.634	1.634	1.63	0.000	0.00	\$ 4,805.34	\$ -	\$ 4,805.34
25 ab	21 29 200 007	Dean and Colleen Lindquist	Silver Strike Subd., Lot 2	14.830	6.7351	5.79	8.095	6.96	\$ 17,034.97	\$ 6,347.87	\$ 23,382.83
26	21 29 200 010	LMB Enterprises, LLC	Silver Strike Subd., Lot 3 less Lot A-B & less dedicated RTY	4.938	4.938	4.25	0.000	0.00	\$ 12,489.59	\$ -	\$ 12,489.59
27	21 29 200 008	Daniel Mutschelknaus	Lot B of Lot 3, Silver Strike Subd	8.613	0	0.00	8.613	7.41	\$ -	\$ 6,754.15	\$ 6,754.15
29	21 29 200 008	Daniel Mutschelknaus	Lot B of Lot 3, Silver Strike Subd	6.227	0	0.00	6.227	5.36	\$ -	\$ 4,883.09	\$ 4,883.09
28	21 29 200 009	Harry Rynders, Jr	Lot A of Lot 3, Silver Strike Subd	1.000	0	0.00	1.000	1.00	\$ -	\$ 911.84	\$ 911.84
30	21 29 200 011	Verne and Ruth A. Henrickson	Lot B-1 of Lot B of SE1/4 NE1/4	3.430	3.430	3.43	0.000	0.00	\$ 10,087.72	\$ -	\$ 10,087.72
31 ab	21 29 401 001	FMLC, Inc.	unplatted That pt of SE1/4 N of I-90 less TR. A of NE1/4 SE1/4 & less Lot H-5	13.564	5.5006	4.73	8.063	6.93	\$ 13,912.57	\$ 6,323.16	\$ 20,235.73
32 ab	21 29 401 001	FMLC, Inc.	unplatted That pt of SE1/4 N of I-90 less TR. A of NE1/4 SE1/4 & less Lot H-5	16.432	6.1064	5.25	10.325	8.88	\$ 15,444.81	\$ 8,096.90	\$ 23,541.71
33	21 29 426 001	Jerald L. and Carol A. Arendsee	Tract A of NE1/4 SE1/4	2.000	2.000	2.00	0.000	0.00	\$ 5,882.05	\$ -	\$ 5,882.05
34	21 28 100 018	Croell Industries, Inc.	RCI Addn., W530' of Lot 1	3.550	3.550	3.05	0.000	0.00	\$ 8,978.95	\$ -	\$ 8,978.95
35	21 28 100 017	Jerry Arendsee	Lot 1 less W530', RCI Addn	4.990	0	0.00	4.990	4.29	\$ -	\$ 3,913.06	\$ 3,913.06
36ab	21 28 100 002	Croell Industries, Inc.	RCI Addn., Lot 2	9.706	4.6396	3.99	5.066	4.36	\$ 11,734.86	\$ 3,972.97	\$ 15,707.83

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37ab*	21 28 100 003	SDM, LLC	RCI Addn., Lot 3	9.707	4.6396	3.99	5.067	4.36	\$ 18,296.39	\$ 3,973.76	\$ 22,270.15
38	21 28 100 004	Gorden R. & Brenda K. Sabo	unplatted SW1/4 SW1/4 NW1/4 NW1/4	2.500	2.500	2.50	0.000	0.00	\$ 7,352.56	\$ -	\$ 7,352.56
39 ab*	21 28 100 011	James Meier	unplatted S1/2S1/2NW1/4NW1/4 LESS SW1/4SW1/4NW1/4NW1/4	7.500	2.5758	2.58	4.924	4.23	\$ 14,137.03	\$ 3,861.46	\$ 17,998.49
40	21 28 100 005	J & J Asphalt Co, J A	unplatted N210' of NW1/4 SW1/4 NW1/4	3.180	3.180	3.18	0.000	0.00	\$ 9,352.46	\$ -	\$ 9,352.46
41	21 28 100 006	Gerold H. and Sandra K. Wagner	unplatted S120' of N330' of NW1/4 SW1/4 NW1/4	1.820	1.820	1.82	0.000	0.00	\$ 5,352.67	\$ -	\$ 5,352.67
42	21 28 100 007	Gikling & Meier, LLC	unplatted N167' of S1/2 NW1/4 SW1/4 NW1/4 less well lot	2.521	2.521	2.52	0.000	0.00	\$ 7,414.33	\$ -	\$ 7,414.33
43	21 28 100 009	Robert K. Hanson	unplatted S163' of S1/2 NW1/4 SW1/4 NW1/4	2.470	2.470	2.47	0.000	0.00	\$ 7,264.33	\$ -	\$ 7,264.33
44	21 28 100 012	Harold Flack	unplatted W1/2NE1/4SW1/4NW1/4	5.000	0	0.00	5.000	4.30	\$ -	\$ 3,920.90	\$ 3,920.90
45	21 28 100 014	Harold Flack	unplatted E1/4SW1/4NW1/4 (AKA E1/2E1/2SW1/4NW1/4)	10.080	0	0.00	10.080	8.67	\$ -	\$ 7,904.54	\$ 7,904.54
46	21 28 100 010	Rapid Import Salvage & Towing, Inc.	unplatted SW1/4 SW1/4 NW1/4	10.000	10.000	8.60	0.000	0.00	\$ 25,292.82	\$ -	\$ 25,292.82
47	21 28 100 013	Rapid Import Salvage & Towing, Inc.	unplatted W1/2SE1/4SW1/4NW1/4	5.000	0	0.00	5.000	4.30	\$ -	\$ 3,920.90	\$ 3,920.90
48	21 28 100 021	Internal Medicine Group / Diamond D Ste	unplatted SE1/4NW1/4	40.000	0	0.00	40.000	34.40	\$ -	\$ 31,367.23	\$ 31,367.23
49	21 28 301 003	GLM Land Corp.	GLM Subd. #2, Tract A	2.070	2.070	2.07	0.000	0.00	\$ 6,087.92	\$ -	\$ 6,087.92
50	21 28 301 004	GLM Land Corp.	unplatted N420' of W1050' of NW1/4 SW1/4 less ROW & less Tract A of GLM Subd. No. 2	7.660	7.660	6.59	0.000	0.00	\$ 19,374.30	\$ -	\$ 19,374.30
51 ab	21 28 326 001	GLM Land Corp.	unplatted Balance SW1/4 less ROW, less Lot 3 of Starlite Subd., & less N420' of W1050' of NW1/4	72.314	57.160	49.16	15.154	13.03	\$ 144,573.25	\$ 11,883.63	\$ 156,456.88
52	21 28 301 002	GLM Land Corp.	Starlite Subd., Lot 3	1.050	0	0.00	1.050	1.05	\$ -	\$ 957.43	\$ 957.43
			Orig Project (excluding Dane Lane E of Dyess)			155.02		194.45	\$ 455,927.95	\$ 177,305.32	\$ 633,233.27
			TOTAL PROJECT	396.700	172.712	155.02	223.989	194.45	\$ 455,927.95	\$ 177,305.32	\$ 646,356.34
									Unit Costs per acre		
									\$ 2,941.03	\$ 911.84	
									FINAL CONSTRUCTED PROJECT COST \$ 591,890.34		

