

## 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, sewer main has been extended near Adams Street per plans filed with the City under City Development Files No. SS03-1662: Adams Street Sewer Extension as shown on Exhibit A, attached hereto and incorporated hereto; and

WHEREAS, J & R Rentals has installed an 8" sewer main to provide service to their property and J & R Rentals has paid \$52,809.07 for the requested extension. The City reimbursed the developer for \$36,002.91 leaving a remaining cost of \$16,806.16; and

WHEREAS, sewer extension costs associated with the Adams Street Sewer Extension, City Development File No. SS03-1662 should be proportioned according to the benefit each property receives; and

WHEREAS, remaining sewer extension costs were divided among 3 benefiting properties of which the Developer and Kenneth Bella have connected to the City's sewer main and paid their proportional share for the Adams Street Sewer Extension. Therefore, the total cost to be collected is \$5,602.05; and

WHEREAS, the remaining cost for the 8" sewer main of \$5,602.05 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 sewer main extension to service the area, and directly about the newly constructed sewer main; and

WHEREAS, the Common Council finds, after conducting a comprehensive investigation of the areas benefited by the construction of the sewer main associated with the Adams Street Sewer Extension, City Development File No. SS03-1662, 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 construction of the sewer main associated with Adams Street Sewer Extension, City Development File No. SS03-1662; 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 sewer main associated with Adams

Street Sewer Extension, City Development File No. SS03-1662 prior to being served with City sewer; and

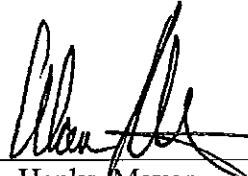
BE IT FURTHER RESOLVED that the property shown in Exhibit A as benefiting property shall pay \$5,602.05 prior to connection to the City's sewer main; and

BE IT FURTHER RESOLVED that all sewer construction fees collected as established herein shall accrue to the sewer enterprise fund to be dispersed to J & R Rentals; and

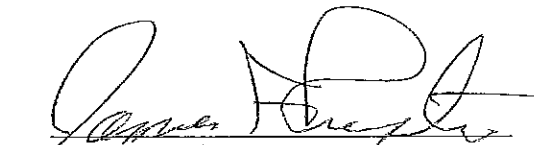
BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the benefiting properties of the project have connected to City sewer, at which time this Resolution and the sewer construction fee shall automatically expire. The total fee to be collected and disbursed to J & R Rentals is \$5,602.05 which is the total cost of construction (\$52,809.07) less the City's reimbursement (\$36,002.91) less the developer's share (\$5,602.05) and less Kenneth Bella's share (\$5,602.05).

Dated this 17 day of NOVEMBER 2008

CITY OF RAPID CITY

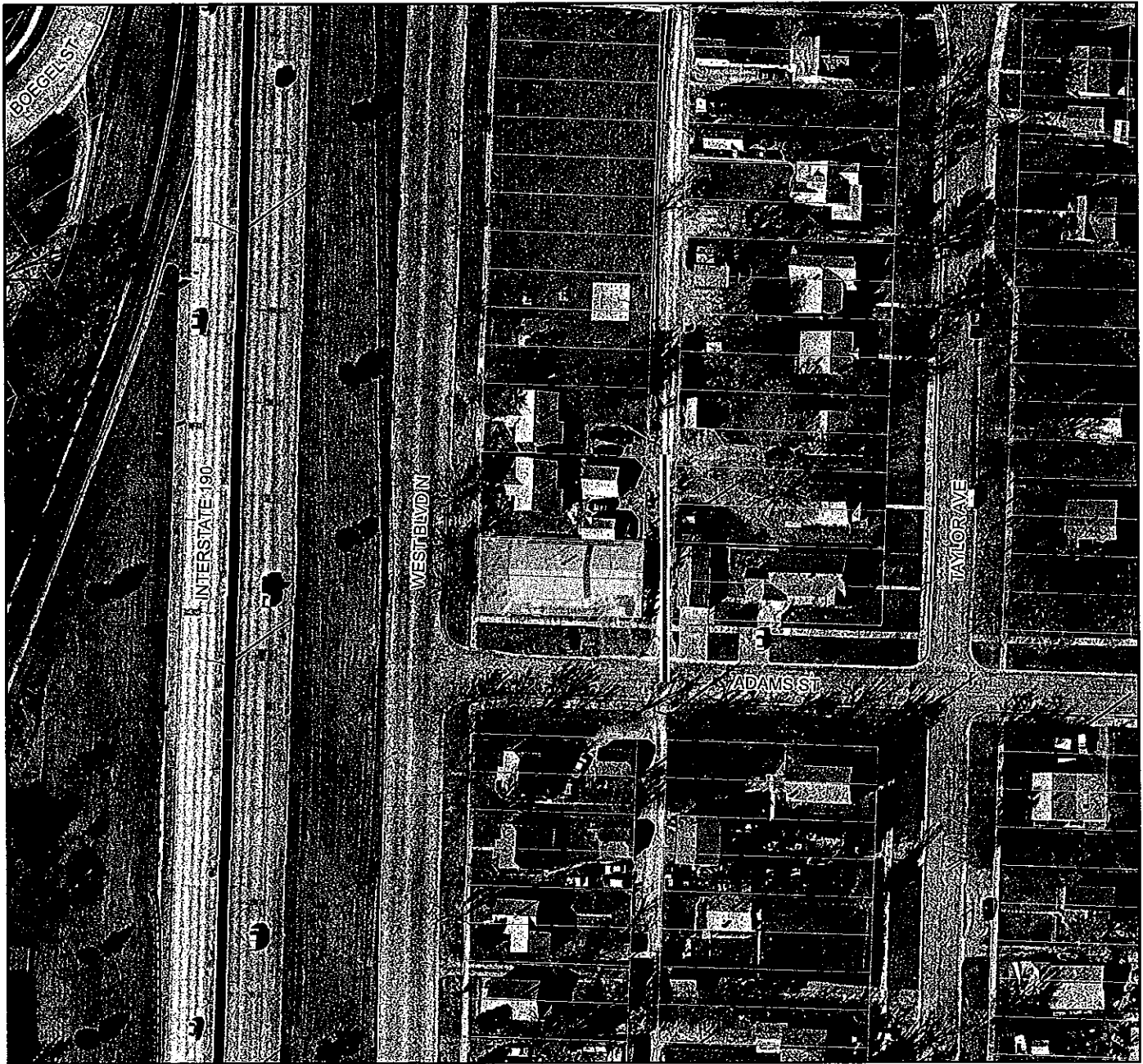
  
\_\_\_\_\_  
Alan Hanks, Mayor

ATTEST:

  
\_\_\_\_\_  
James Hester  
Finance Officer

(SEAL)

# Exhibit A



## ADAMS STREET SEWER EXTENSION SEWER CONSTRUCTION FEE BENEFITING AREA

### Legend

— 8" Sewer Main

▭ Parcels

⋯ Benefiting Area



0 50 100 200



1 inch = 100 feet