

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 mains have been extended in the Skyview North Subdivision per plans filed with the City under City Development Files No.'s DEV00-412: Skyview North Subdivision and DEV03-572: Skyview North, Harney Drive Extension as shown on Exhibit A, attached hereto and incorporated hereto; and

WHEREAS, the City has requested the developer to install additional water main, at a cost of \$35,335.20, and oversize portions of a water main at a cost of \$13,654.10, to provide additional capacity to accommodate future growth, and the City has paid the developer a total of \$48,989.30 for the requested installation; and

WHEREAS, water main costs associated with the Skyview North Subdivision, City Development File No.'s DEV00-412 and DEV03-572 should be proportioned according to the benefit each property receives; and

WHEREAS, the costs for the additional and oversize 12" water main total \$48,989.30 and 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 additional water main and from the increased water main diameter to service the regional area, and do not necessarily directly abut newly constructed water mains. Thus, these properties may 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 water mains associated with the Skyview North Subdivision, City Development File No.'s DEV00-412 and DEV03-572, 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 portion of the construction of the water main associated with Skyview North Subdivision, City Development File No.'s DEV00-412 and DEV03-572; 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 mains associated with Skyview North Subdivision, City Development File No.'s DEV00-412 and DEV03-572 prior to being served with City water; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A as benefiting property shall pay \$68.46 per acre 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 utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$48,989.30 is collected, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this ____ day of _____, 2006

CITY OF RAPID CITY

Jim Shaw, Mayor

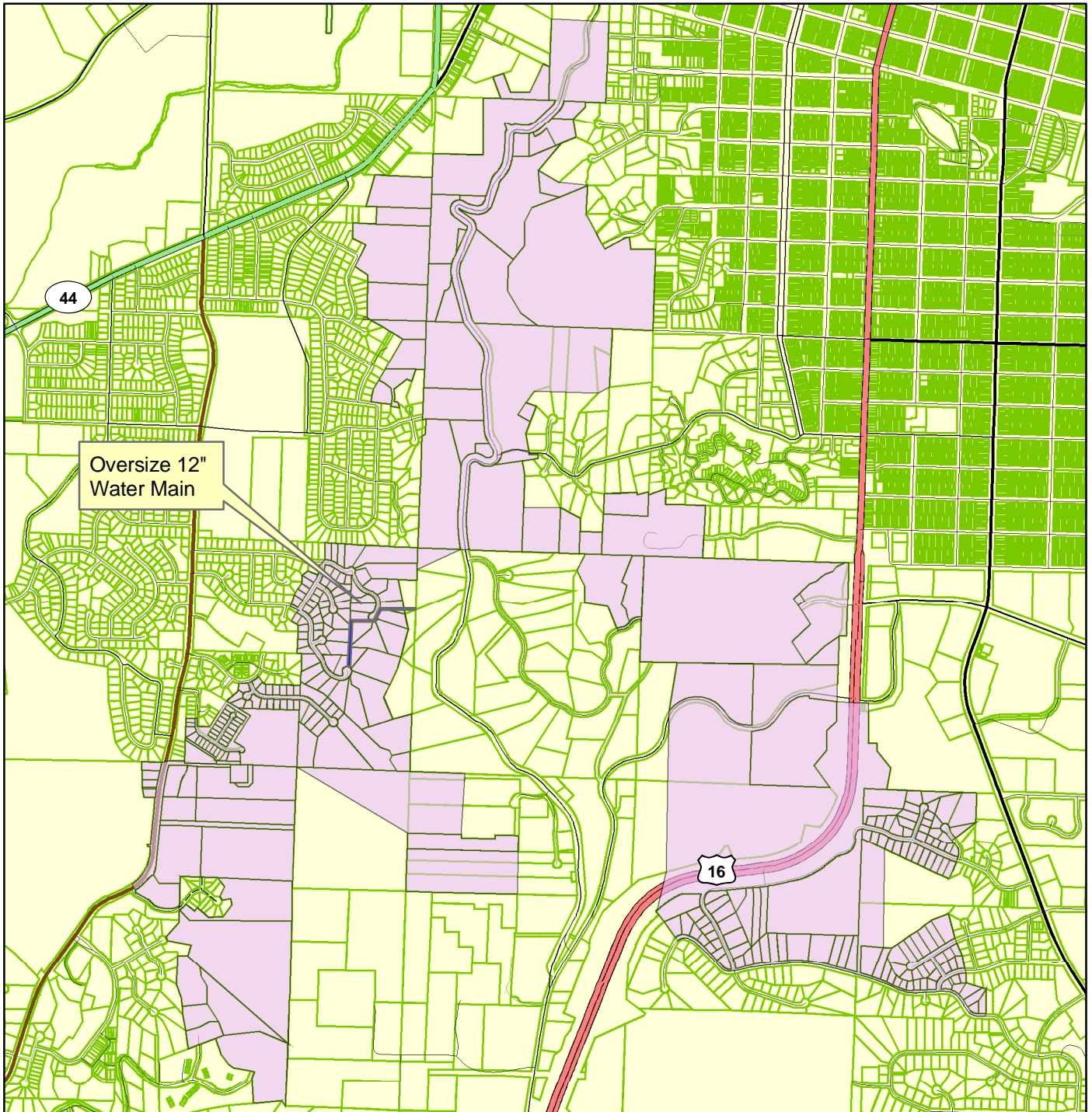
ATTEST:

Finance Officer

(SEAL)

Exhibit A


PW103106-11




Skyview North

12" Water Main Construction Fee Benefiting Area

Legend

 Benefiting Area

 New 12" Water Main

0 1,550 3,100 6,200 Feet

