

RESOLUTION NO 2020-08

A RESOLUTION ADOPTING AN UPDATED SANITARY SEWER COST RECOVERY EVALUATION FOR COMMERCE AVENUE SANITARY TRUNK SEWER IMPROVEMENTS AND ASSESSING THE COST OF SUCH COST RECOVERY TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

WHEREAS, the City of Harrisburg (the “City”) has financed and completed the construction of the Commerce Avenue Sanitary Trunk Sewer Improvements and conducted an evaluation to establish the equitable apportionment of the costs of the project according to the benefits to accrue to property in the area;

WHEREAS, the sanitary sewer may serve areas which may be benefited thereby, and the cost shall be apportioned against such property;

WHEREAS, the City has determined for purposes of SDCL 9-48-15 that it is appropriate that such benefited property pay its proportionate share of the cost of such construction, without interest, according to the benefits that may accrue to such property before such property may be served by such facility; and

WHEREAS, the City has determined that the amount to be paid and the apportionment thereof among the benefited properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISBURG, SD:

Section 1. That the City adopts the attached Sanitary Sewer Cost Recovery Evaluation for the Commerce Avenue Sanitary Trunk Sewer Improvements, that has been updated from its prior version.

Section 2. The cost and expense of the improvements shall be levied by cost recovery upon the benefited property listed in Table 1 (the Benefited Property”). The improvements shall be assessed upon the Benefited Property based on the area of the property benefited, as provided by law.

Section 3. That payment of the costs allocated to the Benefitted Property shall be delayed, without interest, until such time as the Benefitted Property or portion thereof requests connection to the Commerce Avenue Sanitary Trunk Sewer Improvements and/or platted for development, at which time the cost recovery applicable thereto would become payable in full.

Section 4. Any property described in Table 1 of the attached cost recovery evaluation shall be required to pay the City the amount established in the cost recovery evaluation, which is attached to and part of this resolution.

Section 5. A copy of the resolution including attachments will be recorded at the Register of Deeds Offices, Lincoln County, SD, as a notice to all potential or actual future landowners that proof of payment is required prior to the time such property shall connect to the Commerce Avenue Sanitary Trunk Sewer Improvements and/or be permitted to be platted for development.

Section 6. This Resolution 2020-08 supersedes and replaces Resolution 2020-06 in its entirety.

Dated adopted: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

Adopted:  
Published:  
Effective: