

ORDINANCE NO. 003-20

ORDINANCE ESTABLISHING THE JOHNSON COUNTY WATER
AND SEWER EXTENSION AREAS AND EXTENSION FEES
FOR WATER MAINS AND SANITARY SEWERS

WHEREAS, the property owner(s) (hereafter referred to as the "Developer") has prepared a preliminary plat for certain real estate legally described on Exhibit "A", attached hereto and incorporated herein by reference (the "Development"), and will be submitting a proposed final plat of the Development and associated plan of improvements at a later date to be determined, and

WHEREAS, the Developer have submitted an Utilities Extension and Reimbursement Agreement, which requires establishment of a Water and Sewer Extension area for the purpose of establishing Water and Sewer Extension Fees, and

WHEREAS, the proposed extension areas for the Water Main and Sewer Main are shown respectively on Figures 1 and 2 and legally described on Exhibits "B" and "C," and

WHEREAS, the Public Works and Utilities Departments have named the area served by the project as the "Johnson County Water and Sewer Extension Area," and

WHEREAS, the Public Works and Utilities Departments recommend adoption of an ordinance establishing the extension fees within the Johnson County Water and Sewer Extension Area,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. A Water and Sanitary Sewer Extension Area known as the 'JOHNSON COUNTY WATER AND SEWER EXTENSION AREA' is hereby created (hereinafter referred to as 'Extension Areas').
2. The Extension areas are shown on Figures 1 and 2 and legally described on Exhibits "B" and "C."
3. The connection fees charged by the City to the adjacent property owners for connecting to the Water Main and Sewer Main shall be according to the following schedule:

- a. \$1,600 per acre of land to be served by the Water Main, provided the minimum charge shall be \$1,600, and
 - b. \$2,000 per acre of land to be served by the Sewer Main, provided the minimum charge shall be \$2,000.
4. Reimbursements to the Developer of connection fees received by the City from other property owners and/or developers within the JOHNSON COUNTY WATER AND SEWER EXTENSION AREA' shall occur for a period of eight (8) years after a Final Plat is approved by the City for the Development. Changes to the connection fees charged by the City within the Water and Sewer Extension Area, after this initial period i.e. 8 years after approval of the Final Plat, shall be according to rates set by City Council.
5. The Extension Area will remain in effect until all properties within the Extension Area are connected to City of Cedar Rapids water and sewer and annexed into the City of Cedar Rapids. The Extension Area boundary may be adjusted by adoption of a future ordinance.
6. Each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision. All ordinances or parts of ordinances in conflict herewith are repealed. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.
7. This ordinance will become part of the City of Cedar Rapids Municipal Code by inclusion in the same manner as are certain franchise and other ordinances.

Introduced this 17th day of December, 2019.

Passed this 14th day of January, 2020.

Voting: Council member Olson (Scott) moved the adoption of the ordinance; seconded by Council member Hoeger. Adopted, Ayes, Council members Hoeger, Loeffler, Olson (Scott), Overland, Poe, Todd, Vanorny and Mayor Hart.

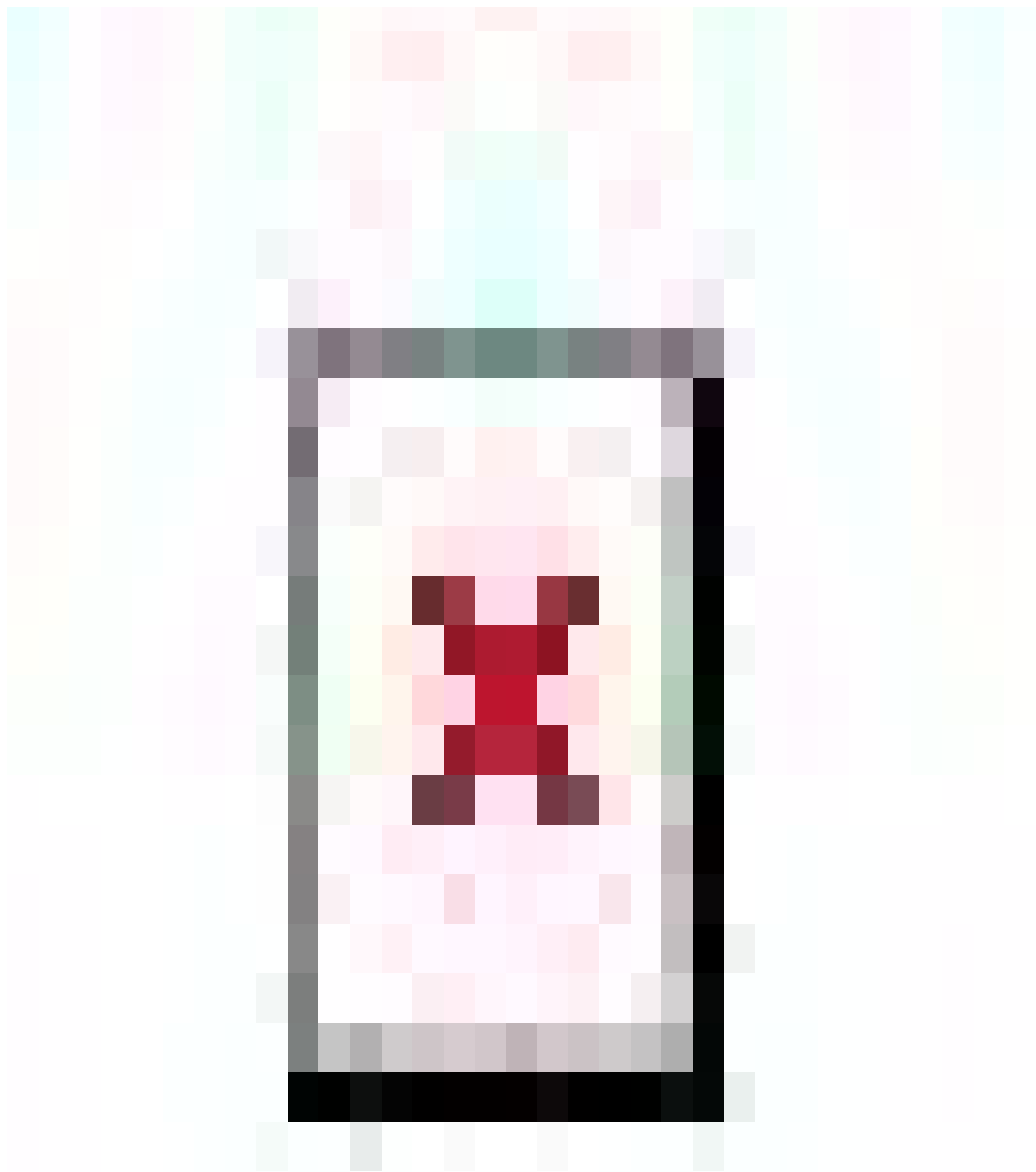


Bradley G. Hart, Mayor

Attest:



Amy Stevenson, City Clerk



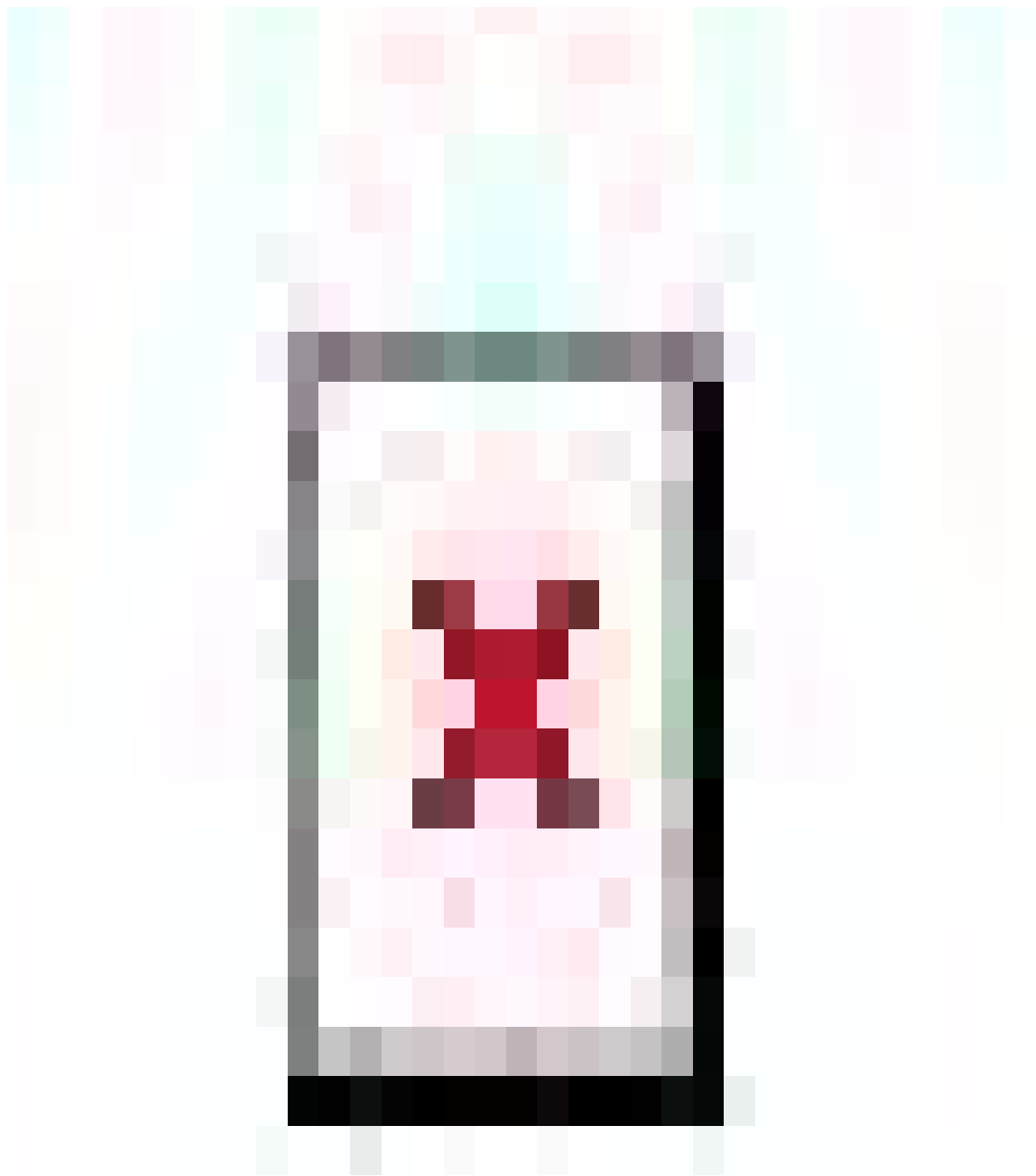


EXHIBIT A – Legal Description for the Development:

Auditor's Parcel 2015055 as recorded in Book 59, Page 282 in the Johnson County Recorder of Deeds office, said parcel located in a portion of the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), and a portion of the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), all in Section 4, Township 81 North, Range 7 West of the Fifth Principal Meridian, Johnson County, Iowa.

EXHIBIT B – Legal Description for the Water Main Service Area:

Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 81 North, Range 7 West; and

Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 81 North, Range 7 West; and

Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 5, Township 81 North, Range 7 West; and

That portion of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 81 North, Range 7 West, lying West of Interstate Highway #380; and

Auditor's Parcel 2015055 as recorded in Book 59, Page 282 in the Johnson County Recorder of Deeds office, said parcel located in a portion of the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$), and a portion of the North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$), all in Section 4, Township 81 North, Range 7 West of the Fifth Principal Meridian, Johnson County, Iowa.

EXHIBIT C – Legal Description for the Sewer Service Area:

Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 81 North, Range 7 West; and

The North 6.27 acres of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 81 North, Range 7 West; and

Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 81 North, Range 7 West; and

That portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 81 North, Range 7 West, lying West of Interstate Highway #380.