



Accountability - Dedication
Honesty - Integrity - Respect

MEMORANDUM

DATE: April 15, 2025
TO: Tara Vasicek, City Administrator
FROM: Richard J. Bogus, City Engineer
RE: Park Place 10th Addition – Public Improvement Extension Request

RECOMMENDATION:

I recommend consideration of the request of Clark Grant, on behalf of Ferguson Properties, Inc. to extend the time period for completion of public improvements for Park Place 10th Addition to April 17, 2026.

DISCUSSION:

In accordance with the Development Agreement approved on April 18, 2022, all public improvements are to be installed within two (2) years of the date of the agreement. The agreement indicates the Subdivider (Ferguson Properties) may request an extension of this time period with the extended deadline pursuant to the new deadline set by the City Council. An extension was granted at March 18, 2024 to extend the deadline to April 17, 2025. Ferguson Properties, Inc. has requested an extension of one year to April 17, 2026. The development is in negotiations with Black Hills Energy for moving a gas facility which is located directly in the path of the area where 33rd Street will be extended.

Attached is correspondence from Clark Grant, Grant & Grant, on behalf of the Developer, Ferguson Properties, requesting the time extension and stating the reason for the request. The City has confirmed with Black Hills Energy the Subdivider is in negotiations

FISCAL IMPACT:

None.

ALTERNATIVE:

Do not approve. Review the extension date requested.

SIGNATURE:

By: Richard J. Bogus

Approved By: [Signature]

LAW OFFICES
GRANT & GRANT
1464 27TH AVENUE
COLUMBUS, NE 68601

WILLIAM H. GRANT (1930-2013)
CLARK J. GRANT, P.C., L.L.O
clark@grantattorney.com

TELEPHONE (402) 564-3274
FAX (402) 564-7055
assistant@grantattorney.com

March 26, 2025

Mayor James Buckley
City of Columbus
2500 14th Street, Suite 3
P.O. Box 1677
Columbus, NE 68602

Re: Park Place 10th Addition Development Agreement.

Dear Mayor and City Council Members:

I represent Ferguson Properties, Inc., regarding Park Place 10th Addition and the Development Agreement which was entered into with the City of Columbus on April 18, 2022. As you know, the Development Agreement requires the Subdivider to install all public improvements within 2 years of signing the Development Agreement. Pursuant to section VI of the Development Agreement, we are requesting an extension of the deadline for a period of one year.

Ferguson Properties, Inc., has installed sanitary sewer and water lines to service the Park Place 10th Addition at a cost in excess of \$435,000.00.

However, the progress on Park Place 10th Addition has been delayed due to an issue with a natural gas facility owned by Black Hills Energy. The gas facility is located directly in the path of the area where 33rd Street will be extended as part of Park Place 10th Addition. We are in the midst of renewed negotiations with Black Hills Energy for moving the gas facility.

We appreciate your consideration of this matter and we will present additional information on the date of the City Council meeting.

Very truly yours,

GRANT AND GRANT



Clark J. Grant

CJG: kh
cc: James Ferguson, City Clerk