

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2012-39

**A RESOLUTION DECLARING COST TO BE ASSESSED, ORDERING
PREPARATION OF PROPOSED ASSESSMENT, AND CALLING FOR HEARING ON
PROPOSED ASSESSMENT FOR THE
2011 STREET & WATER QUALITY IMPROVEMENTS**

WHEREAS, a contract has been let for the 2011 Street & Water Quality Improvements including street reclamation, water quality, and storm sewer improvements located in the Tartan Meadows and David Nelson Estates neighborhoods, and bituminous street surfacing improvements along 50th Street and Kimbro Avenue.

WHEREAS, the total cost of the improvements will be \$604,801;

WHEREAS, the City Clerk and City Engineer has prepared the proposed assessment roll and will maintain said assessment roll on file in the City offices for public inspection.

NOW, THEREFORE, BE IT RESOLVED,

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be \$453,801, and the portion of the cost to be assessed against benefited property owners is declared to be \$151,000.
2. The City Clerk, with the assistance of the City Engineer, has calculated the proper amount to be specially assessed for such improvements against every assessable lot, piece or parcel of land to be benefited by the improvements, and the Clerk has filed a copy of such proposed assessment in the City offices for public inspection.
 - a. The amount to be specially assessed against each particular lot, piece, or parcel of land located along the Tartan Meadows improvements is declared to be \$2,700.
 - b. The amount to be specially assessed against each particular lot, piece, or parcel of land located along the David Nelson Estates improvements is declared to be \$3,200.
 - c. The amount to be specially assessed against each particular lot, piece, or parcel of land located along 50th Street and Kimbro Avenue is declared to be \$5,400.
3. Assessments shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January, 2012, and shall bear interest at the rate of 4.5 percent per annum from the date of the adoption of the assessment resolution.

4. A public hearing shall be held on the 18th day of September, 2012, in the council chambers of the city hall at 7:00 pm to pass upon such proposed assessment and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
5. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearings.
6. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City Clerk. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. A property owner may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Adopted by the City Council on this eighth day of August 2012.

CITY OF LAKE ELMO

By: 

**Dean A. Johnston
Mayor**

ATTEST:



**Sandie Thone
City Clerk**