



Legislation Details (With Text)

**File #:** 14317      **Version:** 1      **Name:** Declaring the City of Madison's intention to exercise its police powers establishing the Waterways 2008 Assessment District and approving the schedule of assessments.

**Type:** Resolution      **Status:** Passed

**File created:** 4/7/2009      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 5/5/2009      **Final action:** 5/5/2009

**Enactment date:** 5/6/2009      **Enactment #:** RES-09-00425

**Title:** Declaring the City of Madison's intention to exercise its police powers establishing the Waterways 2008 Assessment District and approving the schedule of assessments.

**Sponsors:** BOARD OF PUBLIC WORKS

**Indexes:**

**Code sections:**

**Attachments:** 1. Waterways 2008 Assessment District - Final Assessments.pdf

Date	Ver.	Action By	Action	Result
5/5/2009	1	COMMON COUNCIL	Adopt	Pass
4/22/2009	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass

**Title**

Declaring the City of Madison's intention to exercise its police powers establishing the Waterways 2008 Assessment District and approving the schedule of assessments.

**Body**

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an assessment district known as the Waterways 2008 Assessment District all in accordance with Section 66.0701 (formerly Section 66.62) of the Wisconsin State Statutes and Section 4.09 of the Madison General Ordinances.
2. That the contemplated purpose of this assessment district is to construct drainage improvements at the request of the adjacent private property owners. This work has been completed in coordination with the Waterways 2008 project in cases where the adjacent property owner has completed a waiver of notice and hearings for the imposition of special assessments.
3. That the notices and hearings have been waived by the affected property owners per MGO 4.09(1), (See attached signed waivers.)
4. That the Common Council determines that the schedule of assessments provided by the City Engineer, constituting an exercise of police power of the City of Madison; are hereby approved and determined to be reasonable.
5. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.

6. That the due date by which all such special assessments shall be paid in full is October 31, of the year in which it is billed, or,
7. That the benefited properties shall have the opportunity to pay the special assessments in eight (8) annual installments, with interest thereon at five (5%) percent per annum, except those special assessments paid in full on or before October 31<sup>st</sup> of that year.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for Waterways 2008 Assessment District and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is proposed to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 5% percent per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."

#### **Fiscal Note**

Funds for this work have been approved and are available in ESTM-58270-810381-00-53W0543.