



## Legislation Details (With Text)

|                        |  |                      |   |                      |   |
|------------------------|--|----------------------|---|----------------------|---|
| <b>File #:</b>         | 23520  | <b>Version:</b>      | 1 | <b>Name:</b>         | Approving Schedule Of Assessments For Mid Town Road Assessment District - 2011. |
| <b>Type:</b>           | Resolution   | <b>Status:</b>       |   | <b>Status:</b>       | Passed  |
| <b>File created:</b>   | 8/5/2011   | <b>In control:</b>   |   | <b>In control:</b>   | BOARD OF PUBLIC WORKS   |
| <b>On agenda:</b>      | 9/6/2011   | <b>Final action:</b> |   | <b>Final action:</b> | 9/6/2011  |
| <b>Enactment date:</b> | 9/7/2011   | <b>Enactment #:</b>  |   | <b>Enactment #:</b>  | RES-11-00744  |
| <b>Title:</b>          | Approving Schedule Of Assessments For Mid Town Road Assessment District - 2011.                            |                      |   |                      |   |
| <b>Sponsors:</b>       | BOARD OF PUBLIC WORKS  |                      |   |                      |   |
| <b>Indexes:</b>        |  |                      |   |                      |   |
| <b>Code sections:</b>  |  |                      |   |                      |   |
| <b>Attachments:</b>    | 1. BPWAffidavit.pdf, 2. 53W1126-Midtown.xlsm, 3. ccmailing affidavit.pdf, 4. cc mailing affd leg 23520.pdf |                      |   |                      |   |

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|--|--------|
| 9/6/2011  | 1    | COMMON COUNCIL        | Adopt and Close the Public Hearing             | Pass   |
| 8/23/2011 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING | Pass   |

### Fiscal Note

Funds previously approved on July 5, 2011, RES-11-00591, File 22731.

### Title

Approving Schedule Of Assessments For Mid Town Road Assessment District - 2011.

### Body

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Mid Town Road Assessment District-2011 pursuant to a resolution of the Common Council, Resolution No. RES-11-00335, ID No. 21881, adopted April 19, 2011, which resolution was adopted thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

Plans and specifications for Mid Town Road previously approved on July 5, 2011, RES-11-00591, File 22731.

### BE IT RESOLVED:

1. That the City at large is justly chargeable with and shall pay the sum of \$547,500 of the entire cost of said improvement.
2. That for those eligible property owners requesting construction of a rain garden in the public right-of-way adjacent to their property shall execute the necessary waiver of special assessments on forms provided by the City Engineer;
3. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
4. That the Common Council determines such special assessments to be reasonable.
5. That the work or improvement be carried out in accordance with the reports as finally approved.
6. That such work or improvement represents an exercise of the police power of the City of Madison.
7. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement were approved on July 5, 2011, RES-11-00591, File 22731.
8. That the due date by which all such special assessments shall be paid in full is October 31<sup>st</sup> of the year in

which it is billed, or,

9. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 2.5 percent per annum, except those special assessments paid in full on or before October 31<sup>st</sup> of that year, or,
10. That such special assessments shall be collected in accordance with The City of Madison and Town of Middleton Cooperative Plan Under Section 66.0307, Wisconsin Statutes, Dated September 29, 2003 for those parcels in the Town of Middleton.
11. That such special assessments shall be deferred for 10 years and collected in eight (8) equal installments, with interest thereon at 2.5 percent per annum, in accordance with MGO 4.081 for those parcels in the Town of Verona.
12. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for Mid Town Road Assessment District-2011 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 2.5 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 1<sup>st</sup> or except such assessments that shall be collected in accordance with The City of Madison and Town of Middleton Cooperative Plan Under Section 66.0307, Wisconsin Statutes, Dated September 29, 2003 for those parcels in the Town of Middleton or except such assessments that shall be deferred for 10 years and collected in eight (8) equal installments, with interest thereon at 2.5 percent per annum, in accordance with MGO 4.081 for those parcels in the Town of Verona.

#### 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."