

RESOLUTION NO. 2011-35

FINAL RESOLUTION AUTHORIZING SANITARY SEWER-RELATED IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES UNDER SECTION 66.0703, WISCONSIN STATUTES

The Village Board of the Village of Sturtevant, Racine County, Wisconsin, resolves as follows:

Recitals

1. The Village Board of the Village of Sturtevant, Racine County, Wisconsin adopted on January 18, 2011, Preliminary Resolution 2010-01, "Declaring Intent to Exercise Special Assessment Powers" with respect to the project described below.

2. The Village previously determined that it is necessary and for a public purpose to extend sanitary sewer in the Southwest area of the Village to serve Tax Incremental Finance District #3, all in accordance with the Boundary and Project Plan Amendment for Tax Incremental District No. 3, dated May 4, 2001 and authorized an engineering report be prepared with respect to the same.

3. The Village Engineer filed his report dated April 25, 2010 which sets forth the special assessment schedule based upon the Engineer's opinion of probable cost, and subsequently filed a revised report, dated May 6, 2011 which contains a revised assessment schedule based on actual bids received.

4. The Village Board held a public hearing on May 17, 2011 for the purpose of hearing all interested persons concerning the preliminary resolution and report of the Village Engineer on the estimated costs of proposed public sanitary sewer improvements, as well as direct and indirect costs permitted pursuant to Sec. 66.0703(2), within the following district:

Assessment District

The Assessment District includes the following parcels within the Southwest area of the Village of Sturtevant:

181-03-22-28-002-001	6710 Braun Road
181-03-22-28-003-001	9800 Braun Road
181-03-22-28-004-000	10106 Braun Road
181-03-22-28-010-001	4131 Highway H
181-03-22-28-007-001	3831 Highway H
181-03-22-28-009-001	3721 Highway H
181-03-22-28-008-001	3635 S. Highway H
181-03-22-28-006-001	3617 Highway H
181-03-22-28-011-010	3531 Highway H
181-03-22-28-014-001	3247 Highway H
181-03-22-28-060-000	Highway H
181-03-22-28-059-000	3201 S. Highway H
181-03-22-29-002-000	Durand Avenue

Now, therefore, be it resolved as follows:

1. That the report of the Village Engineer pertaining to the construction of the above-described sanitary sewer-related improvements, and the schedule of assessments, which are on the file with the Village Clerk be, and hereby are, adopted and approved.

2. That such work or improvements described in said report be carried out in accordance with the report as finally approved herein.

3. That payments for said improvement be made by assessing the cost to the properties benefited as indicated in the report of the Village Engineer.

4. That the assessments shown on the report represent an exercise of the police power, are true and correct, have been determined on a reasonable basis, and are hereby confirmed.

5. The assessment against any property shall be deferred, interest free, until the earliest of any of the following:

- A structure on the property connects to the sanitary sewer line,

- The parcel is developed for a non-residential or non-agricultural use, or
- The parcel is sold.

6. After the termination of such deferment, the assessment shall be payable in ten (10) installments with interest at 2.98% per annum from and after the termination of the deferment; provided that the property owner may elect to pay the assessment in full at such time.

7. That the Village Clerk-Treasurer is directed to publish this resolution and an installment assessment notice as a Class I notice under Ch. 985, Wis. Stats., in the assessment district as provided by law.

8. That the Village Clerk-Treasurer is further directed to mail a copy of this resolution, the installment assessment notice and a statement of the final assessment against the property to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

Adopted by the Village Board of the Village of Sturtevant, Racine County, Wisconsin, this 17th day of May, 2011.

VILLAGE OF STURTEVANT

By: _____
Steven Jansen, Village President

Attest: _____
Mary Cole, Village Clerk