

**A PRELIMINARY RESOLUTION RELATING TO SPECIAL ASSESSMENT
FOR INSTALLATION OF SANITARY SEWER IN WAUKESHA, WISCONSIN**

The governing body of the City of Waukesha, Wisconsin, do resolve as follows:

Section 1. Pursuant to Wis. Stats. §66.0701 and §66.0703, as well as its police powers, the Common Council of the City of Waukesha hereby determines that sanitary sewer shall be constructed along Silvernail Road, from STH318/Meadowbrook Road to Sussex Lane, as illustrated in the attached Exhibit A.

Section 2. The City of Waukesha intends that this public improvement be financed in part by special assessments levied under the authority granted in Wis. Stats. §66.0701 and §66.0703, against each property benefited by the improvements. The properties benefited by the installation of the sanitary sewer are set forth in Exhibit B, attached hereto and incorporated by reference. The amount of the assessment intended to be levied against each property is also set forth in Exhibit B. The assessments represent an exercise of the Common Council's police power.

Section 3. The Director of Public Works or a designee shall make a report on the proposal and file it with the Clerk for public inspection. The report shall consist of preliminary or final plans and specifications; an estimate of the entire cost of the proposed work or improvement; a statement that the property against which the assessments are proposed is benefited; and a schedule of the proposed assessments.

Section 4. After the report is filed, the Clerk shall prepare a notice stating the nature of the proposed work or improvement, the general boundary lines of the proposed assessment district including a small map, the place and time at which the report may be inspected, and the place and time at which a public hearing will be held before the Board of Public Works at which all interested persons and their agents or attorneys may appear and be heard concerning the matters contained in this preliminary resolution and report. Said notice shall be published as a class 1 notice under chapter 985 of the Wisconsin Statutes and a copy of the notice shall be mailed at least 10 days before the hearing to every interested person whose post-office address is known or can be ascertained with reasonable diligence. The hearing shall not commence less than 10 nor more than 40 days after publication. The Board of Public Works shall forward to the City of Waukesha Common Council its recommendations subsequent to the public hearing as to a final determination and levy of the assessments by the Common Council.

Section 5. After the public hearing, the City of Waukesha Common Council shall approve, disapprove or modify, or it may refer the report to the Director of Public Works with directions to change the plans and specifications and to accomplish a fair and equitable assessment. Upon making a determination to proceed with the work or improvement, the Common Council shall approve plans and specifications and adopt a final Resolution directing that the work or improvement be carried out and paid in accordance with the report as finally approved. Any special assessment levied at that time shall be a lien against the property.

Section 6. Upon receipt of the final Resolution authorizing the installation of sanitary sewer and levying the special assessments against the benefitted properties, the Clerk shall publish a class 1 Installment Assessment Notice in accordance with §66.0715(3)(e), Stats., and notify the owner of each affected property of the available options of payment: either to pay the assessment in installments or to pay it in full. Any owner of property against which an assessment has been levied may pay the total assessment in 90 days without interest from the original invoice date OR in 10 (ten) annual installments in accordance with §66.0715(3), Wis. Stats. with 5% annual interest from the original invoice date, which will be placed on the tax bill each year until paid in full. All assessments or installments that are not paid by the date specified shall be extended upon the tax roll as a delinquent special assessment in accordance with Wis. Stat. §66.0703(13).

Section 7. Any person against whose property a special assessment is levied under this ordinance may appeal therefrom in the manner prescribed by §66.0703(12), Stats., within 40 days of the date of the final determination of the governing body.

Dated _____

Signed: _____
Mayor Shawn N. Reilly

Attest: _____
City Clerk