

TOWN OF BUCHANAN

**FINAL RESOLUTION AUTHORIZING EXERCISE OF SPECIAL
ASSESSMENT POLICE POWERS UNDER SECTION 66.0703(1)(b) WIS.
STATS. FOR PUBLIC IMPROVEMENTS TO CREEKVIEW LANE AND
RAILROAD STREET**

WHEREAS, the Town of Buchanan, Outagamie County, Wisconsin held a public hearing at the Town of Buchanan Town Hall on June 15, 2021, to hear all interested persons concerning the preliminary resolution and engineer's report, consisting of plans and specifications for roadway improvements including street reconstruction, storm sewer and curb and gutter; an estimate of the entire cost of the improvements; a schedule of proposed assessments; and a statement that the properties against which the assessments are proposed are benefited for the following roads:

Creekview Lane (Eisenhower Drive to Railroad Street)
Railroad Street (Creekview Lane to Van Roy Road)

and;

WHEREAS, the Town Board heard all persons who desired to speak at the public hearing,

1. The engineer's report, a copy of which is attached hereto and incorporated herein, and the plans and specifications referenced herein, is hereby approved and adopted, and the work and improvements described in the report are to be carried out and paid for by assessing specially benefitted properties the cost of the improvements in accordance with the report.

2. The area where the special assessments are to be levied has been examined and that the properties in the area are declared to be benefitted by the improvements including but not limited to by the promotion of the public health, safety, comfort, convenience and welfare.

3. The assessments shown on the engineer's report represent an exercise of the police power and have been determined on a reasonable basis and are hereby confirmed.

4. All receipts from the collection of assessments shall be maintained in separate accounts and used only for the respective payment of project costs.

5. Assessments shall be paid as follows:

- a. Payment in full;
- b. If total assessment is between \$500.00 and \$999.00: Payment in two (2) annual installments in accordance with Section 66.0715(3) Wis. Stats., with each annual installment including a one-half (1/2) part of principal together with interest at three and a half percent (3.5%) per annum;
- c. If total assessment is between \$1,000.00 and \$4,999.00: Payment in five (5) annual installments in accordance with Section 66.0715(3) Wis. Stats., with each annual

installment including a one-fifth (1/5) part of principal together with interest at three and a half percent (3.5%) per annum with each subsequent annual installment including a one-fifth (1/5) part of principal together with one (1) year's interest on the unpaid portion of the assessment;

- d. If total assessment is \$5,000.00 or greater: Payment in ten (10) annual installments in accordance with Section 66.0715(3) Wis. Stats., with each annual installment including a one-tenth (1/10) part of principal together with interest at three and a half percent (3.5%) per annum with each subsequent annual installment including a one-tenth (1/10) part of principal together with one (1) year's interest on the unpaid portion of the assessment.

6. For installment payments, the first installment shall be entered in the first tax roll prepared after the installments have been determined as a special tax upon the property upon which the special assessment was levied and shall be treated as any other tax of a local governmental unit. Each subsequent installment shall be entered in each of the subsequent annual tax rolls until all installments are levied. If any installment entered in the tax roll is not paid to the treasurer of the Town of Buchanan with the other taxes, it shall be returned to Outagamie County as delinquent and accepted and collected by the County in the same manner as delinquent general taxes on real estate.

7. The Town Clerk shall publish this resolution as a Class 1 notice under Chapter 985 Wis. Stats., and mail a copy of this resolution and a statement of the final assessment against the benefitted property owner together with installment payment privileges to every property owner whose name appears on the assessment roll whose post office address is known or can be with reasonable diligence ascertained.

Adopted this 19th day of October, 2021.

TOWN OF BUCHANAN

By: Greg Sprangers
Greg Sprangers, Town Chair

By: Cynthia Sieracki
Cynthia Sieracki, Town Clerk