

TOWN OF BUCHANAN

**PRELIMINARY RESOLUTION DECLARING INTENT TO
EXERCISE SPECIAL ASSESSMENT POLICE POWERS
UNDER SECTION 66.0703(1)(b) WIS. STATS.**

**PROPOSED PROJECT: EMONS ROAD
BETWEEN PINECREST BOULEVARD and COUNTY ROAD N**

BE IT RESOLVED by the Town Board of Supervisors of the Town of Buchanan, Outagamie County, Wisconsin, as follows:

1. The Town Board of Supervisors of the Town of Buchanan hereby declares its intent to exercise its police powers under Section 66.0703(1)(b) Wis. Stats., to levy special assessments upon property benefited by the installation of public improvements including, but not limited to, street improvements, storm sewer, curb and gutter, and other required appurtenances for all property fronting upon Emons Road between Pinecrest Boulevard and County Road N within the Town of Buchanan.

2. The Town Board hereby states its belief that the project will provide benefits to the properties within the assessment area, and that the project will promote the public health, safety, comfort, convenience and welfare of the Town of Buchanan.

3. The Town Board determines that all such special assessments be made under the police power of Section 66.0703 Wis. Stats., and that the amount assessed against each benefitted property within the assessment area will be made upon a reasonable basis not to exceed the total construction and material costs, including engineering fees, attorney's fees, publication expenses and other appropriate administrative expenses.

4. The Town Board declares its preliminary intent that the assessments against all benefitted properties may 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;

- e. As finally determined at the Public Hearing and according to the Final Resolution of the Town of Buchanan Town Board as may hereafter be adopted.

5. An Engineer's Report consisting of maps of the assessment area, construction and materials costs, a schedule of proposed assessments and a statement that the project improvements benefit properties within the assessment area is attached. The Report is also on file with the Town Clerk.

6. The Town Clerk on behalf of the Town of Buchanan is directed to prepare and publish a Class One Notice of Public Hearing as specified in Section 66.0703(7) Wis. Stats. The Notice of Public Hearing shall state the time and place for the public hearing at which all interested persons, or their agents or attorneys, may appear before the Town Board and be heard concerning the matters contained in the Preliminary Resolution and Engineer's Report. A copy of the Notice of Public Hearing, as well as the Preliminary Resolution together with the Engineer's Report, shall be mailed at least ten (10) days before the hearing date to all interested persons, being all benefited property owners with properties in the assessment area, whose post office addresses are known. The public hearing shall commence not less than ten (10) days nor more than forty (40) days after publication. The public hearing shall be held at the Town of Buchanan Town Hall, N178 County Rd N, Appleton, WI 54915

Adopted this 15 day of March, 2022.

TOWN OF BUCHANAN

By: Chuck Kavanaugh
Chuck Kavanaugh, Supervisor 3

By: Cynthia Sieracki
Cynthia Sieracki, Town Clerk