

RESOLUTION NO. _____ – 2024

A RESOLUTION DETERMINING WRITTEN PROTESTS TO THE 2025 WATERMAIN AND LEAD SERVICE LINE REPLACEMENT PROJECT SPECIAL IMPROVEMENT DISTRICT NO. 202503-1 DIRECTING THE FILING OF AN ENGINEER'S REPORT REGARDING THE SAME, AND DECLARING THAT IT IS NECESSARY TO MAKE THE IMPROVEMENTS DESCRIBED THEREIN.

WHEREAS, on the 17th day of September, 2024, the Board of City Commissioners of the City of Dickinson adopted Resolution No. 40-2024, creating the 2025 Watermain and Lead Service Line Replacement Project Special Improvement District No. 202503-1; and

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Dickinson, North Dakota, as follows:

1. The City of Dickinson hereby creates the 2025 Watermain and Lead Service Line Replacement Project Special Improvement District No. 202503-1. Such special assessment improvement district shall include the following:

LOTS 1-6, BLOCK 1, COLLEGE ADDITION
LOTS 1-9, BLOCK 2, COLLEGE ADDITION
LOTS 7-12, BLOCK 4, COLLEGE ADDITION
LOTS 10-18, BLOCK 5, COLLEGE ADDITION
LOTS 1-2, BLOCK 19, YOUNG'S 5TH ADDITION
LOTS 3-7 PLUS 12' VACATED 7TH AVENUE WEST ADJACENT TO LOT 4 PLUS 8'
VACATED 8TH AVENUE WEST ADJACENT TO LOT 5, BLOCK 19,
YOUNG'S 5TH ADDITION PLUS FORMER BN LEASE SITE #243674
LOTS 5-12, BLOCK 21, YOUNG'S 5TH ADDITION
LOTS 7-12, BLOCK 22, YOUNG'S 5TH ADDITION
LOTS 1-6 AND 12, BLOCK 23, YOUNG'S 5TH ADDITION
LOTS 1-6, BLOCK 24, YOUNG'S 5TH ADDITION
LOTS 7-10, BLOCK 25, YOUNG'S 5TH ADDITION PLUS A PORTION OF VACATED STREET
WEST ½ LOTS 11-12, BLOCK 25, YOUNG'S 5TH
EAST 84-FEET OF LOTS 1-2, AND LOTS 3-5, BLOCK 26, YOUNG'S 5TH ADDITION PLUS A
PORTION OF VACATED STREET
LOTS 1 AND 12, BLOCK 28, YOUNG'S 5TH ADDITION
LOTS 1 AND 12, BLOCK 39, YOUNG'S 7TH ADDITION
BLOCK 1, GOLF COURSE SUBDIVISION #1
A PORTION OF LOT 1, ALL OF LOT 2, BLOCK 2, AUDITOR'S PLAT #4
EAST 78-FEET AND SOUTH 106-FEET OF LOT 3 AND LOT 9, BLOCK 3,
AUDITOR'S PLAT #4
WEST 63-FEET AND SOUTH 106-FEET OF LOT 3 AND LOTS 6-8, BLOCK 3,
AUDITOR'S PLAT #4
NORTH 56-FEET LOT 6 AND NORTH 51-FEET OF LOT 6, BLOCK 4, AUDITOR'S PLAT #4
UNPLATTED COLLEGE GROUNDS IN SECTION 4, TOWNSHIP 139 NORTH,
RANGE 96 WEST
NORTH 25-FEET OF LOT 7, ALL OF LOT 8, NORTH 75-FEET AND WEST 9-FEET VACATED
ALLEY, BLOCK 1, FRYE'S ADDITION
LOTS 5, 6, SOUTH 25-FEET LOT 7, PLUS 9-FEET VACATED ALLEY, BLOCK A,
FRYE'S ADDITION PLUS A PORTION OF FORMER BN LEASE SITE #230097

2. Pursuant to N.D.C.C. § 40-22-19, the Board of City Commissioners hereby directs the advertisement of bids for the 2025 Watermain and Lead Service Line Replacement Project.

3. Pursuant to NDCC 40-22-10, the Board of City Commissioners hereby directs its municipal engineering consultant to prepare a report as to the general nature, purpose, and feasibility of the proposed improvement and an estimate of the probable cost of the improvement, including: (1) a separate statement of the estimated cost of the work for which proposals must be advertised under NDCC Section 40-22-19; and (2) a separate statement of all other items of estimated cost not included under subsection (1) which are anticipated to be included in the cost of the improvement under NDCC

Sections 40-23-05 and 40-23.1-04. Such engineer's report has been received by the City and is hereby approved.

4. Pursuant to N.D.C.C. § 40-22-19, the Board of City Commissioners also hereby finds that total of the present and likely future benefits of the project exceed the total cost of the project. The portion of the benefits of the project received by the City and the general public at large is 80% and the portion that specifically benefits the property in the district is 20%.

5. Pursuant to N.D.C.C. § 40-22-18, the City of Dickinson received 6 protests for a total of 8% of the total area within the special improvement district being protested.

6. Pursuant to N.D.C.C. § 40-22-19, the Board of City Commissioners also hereby finds the proposed assessments for each lot and parcel are necessary to pay that parcel's just proportion of the total cost of such work, finding that such proposed assessments do not exceed the benefits to each lot, and recommending said assessments to the City Commission for approval.

7. The Board of City Commissioners hereby declares that it is necessary to make the improvements described in the engineer's report. The engineer's report and a map of the City showing the proposed improvement district is attached hereto and incorporated herein by reference.

Dated this ____ day of November, 2024.

Scott Decker, President
Board of City Commissioners

ATTEST:

Dustin Dassinger
Dickinson City Administrator