

RESOLUTION NO. 2026-

Resolution of Necessity for the 2026 Street Rehabilitation Project

WHEREAS, the City Council of the City of Independence, Iowa (the “City”), has adopted a preliminary resolution in accordance with Section 384.42 of the Code of Iowa, covering the 2026 Street Rehabilitation Project (the “Project”); and

WHEREAS, pursuant thereto, the Project Engineers have prepared preliminary plans and specifications, an estimated total cost of the work and a plat and schedule, including the valuation of each lot as determined by this City Council, and the same have been duly adopted and are now on file with the City Clerk; and

WHEREAS, a public hearing has been held on the proposed Resolution of Necessity on January 12, 2026, at 5:30 p.m., at the City Hall, in the City;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Independence, Iowa:

Section 1. It is hereby found and determined to be necessary and for the best interest of the City and its inhabitants to proceed with the Project, and to assess a portion of the cost of the Project to the property benefited thereby.

Section 2. The Project, all of which is assessable, shall consist of crack and seat of existing pavement, hot mix asphalt (HMA) overlay of pavement and miscellaneous related work, including curb & gutter replacement, and HMA milling, on and along the following segments of street and avenue in the City of Independence, Buchanan County, Iowa:

- 12th Avenue NW, from 3rd Street NW on the south to the north City limit
- O’Brien Court NW, from 12th Avenue NW on the east to the north end of the cul-de-sac
- 9th Street NW, from 9th Avenue NW on the east to the west City limit
- 9th Avenue NW, from and including its intersection with 7th Street NW on the south to the north City limit on the north
- 3rd Street SW, from 6th Avenue SW on the east to 7th Avenue SW on the west
- 17th Street SE, from 175 feet east of Highway 150 on the west to a point 1,150 feet east thereof
- 2nd Street NE, from 7th Avenue NE on the west to 8th Avenue NE on the east
- 2nd Street NE, from 298 feet west of the center line of 11th Avenue on the west, to a point 613 feet east thereof
- 3rd Street NE, from 4th Avenue NE on the west to a point approximately 17 feet from 5th Avenue NE on the east
- 5th Street NE, from a point approximately 15.1 feet from 5th Avenue NE on the west to 6th Avenue NE on the east
- 5th Street NE, from 7th Avenue NE on the west to 8th Avenue NE on the east
- 11th Avenue NE, from 2nd Street NE on the south to 3rd Street NE on the north

Section 3. It is considered that the properties abutting the above-described segments of street to be improved will be specially benefitted by this Project and should be specially assessed a portion of the cost of the Project.

Section 4. It is hereby found and determined that there are now on file in the office of the City Clerk an estimated total cost of the proposed work and a preliminary plat and schedule showing the amount proposed to be assessed to each lot by reason of the Project.

Section 5. Unless a property owner files objections with the City Clerk at the time of the hearing on this resolution of necessity, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using the special assessment procedure.

Section 6. All resolutions, parts of resolutions, or actions of the City Council in conflict herewith are hereby repealed, to the extent of such conflict.

Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

RESOLUTION NO. 2026- was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 12th day of January 2026.

Record of Voting:

Ayes:

Nays:

Absent:

RESOLUTION NO. 2026- declared passed and adopted by the Mayor on this 12th day of January 2026.

Brad Bleichner, Mayor of the City of Independence, Iowa

ATTEST:

Susi Lampe, CMC, IaCMC, IaCFO,
Assistant City Manager/City Clerk/Treasurer of the City of Independence, IA