

RESOLUTION NO. \_\_\_\_\_

Resolution of Necessity Covering the Outer Road and 6<sup>th</sup> Street NE HMA Improvements Project

WHEREAS, this Council has adopted a preliminary resolution in accordance with Section 384.42 of the Code of Iowa, covering the Outer Road and 6<sup>th</sup> Street NE HMA Improvements 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 Council, and the same have been duly adopted are now on file with the City Clerk;

NOW, THEREFORE, It is Resolved by the City Council of the City of Oelwein, 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 to the property benefitted thereby.

Section 2. The Project consists generally of the construction of 6" HMA surface and other work incidental thereto beginning at Station 0+00, said station located at the north edge of pavement at the intersection of Charles St and Outer Road within the city limits of City of Oelwein; thence north 2,659 feet along the centerline of Outer Road to Station 26+59, said station located at the intersection of Outer Road and 6<sup>th</sup> St NE; thence 1,098 feet west along the centerline of 6<sup>th</sup> St NE which is the end of the project

It is considered that the property described as follows will be specially benefitted by this improvement and should be specially assessed:

That area within the Oelwein City Limits lying within one hundred and fifty feet west of the Outer Road right-of-way between E Charles St and 6<sup>th</sup> St NE, as well as the area one hundred and fifty feet south of the south 6<sup>th</sup> St NE right-of-way for 1,098 feet west of the Outer Road and 6<sup>th</sup> St NE intersection. The assessment area also includes portions of 1334 6<sup>th</sup> St NE and 1338 6<sup>th</sup> St NE properties.

Section 3. 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 4. 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 the regularity of the proceedings and the legality of using the special assessment procedure.

Section 5. All resolutions, parts of resolutions, or actions of the Council in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved this 10<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
Brett DeVore, Mayor

It was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Resolution as read be adopted, and upon roll call there were:

AYES      NAYS      ABSENT      ABSTAIN

M Weber  
Stewart  
Cantrell  
Gerds  
Fisk  
Ericson

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded \_\_\_\_\_, 2020.

\_\_\_\_\_  
City Administrator