

**RESOLUTION NO. 2020-65**

**FINAL RESOLUTION AUTHORIZING THE LEVYING OF SPECIAL ASSESSMENTS UNDER SECTION 66.0703, WISCONSIN STATUTES, AND CHAPTER 2 OF TITLE 3 OF THE VILLAGE'S CODE OF ORDINANCES AGAINST BENEFITTED PROPERTIES FOR ROAD AND RIGHT-OF-WAY IMPROVEMENTS ALONG THREE MILE ROAD IN THE VILLAGE OF CALEDONIA AND APPROVING AGREEMENTS WITH PROPERTY OWNER**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, resolves as follows:

**Recitals**

1. The Village Board of the Village of Caledonia, Racine County, Wisconsin adopted on June 15, 2018, Preliminary Resolution 2018-95, "Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703, Wisconsin Statutes, and Chapter 2 of Title 3 of the Village's Code of Ordinances for Road and Right-Of-Way Improvements Along Three Mile Road in the Village of Caledonia" with respect to the project described below.
2. The Village previously determined that the improvements constitute an exercise of the police power for the health, safety and general welfare of the Village and its inhabitants and authorized an engineering report be prepared with respect to the same.
3. The Village Public Works Director filed with the Village Clerk his engineering report dated July 29, 2020, which sets forth the special assessments based upon actual project costs.
4. The report identified one property owner of two parcels that would be benefitted by the project and such owner has waived notice and public hearing requirements on the final costs of the improvements in this project including, but not limited to, street and shoulder reconstruction and asphaltting, concrete pavement, curb and gutter and related public improvements, and appurtenances thereto, as well as direct and indirect costs permitted pursuant to Sec. 66.0703(2), within the following district:

**Assessment District**

The Assessment District includes all lands within the Village of Caledonia, which are described as follows and depicted on the attached Exhibit A:

Lands within the Village of Caledonia including two parcels abutting Three Mile Road from the eastern edge of Douglas Avenue to approximately 331 feet west of LaSalle Street with the map, parcel identification numbers and owners on Exhibit A which sets forth the limits of the Assessment District.

5. That at a meeting on August 3, 2020, the Village Board discussed the Village Engineer's report and the Village's Special Assessment Policy that was adopted by Resolution No.: 2012-02 and the Village Engineer's recommended assessments. The Engineer's Report takes into consideration the policy which recognizes that a portion of the benefits of street construction projects inure to the properties fronting on the improvement while a portion of the benefits inure to the whole of the Village and other Village residents.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That report of the Village Public Works Director dated July 29, 2020 pertaining to the construction of the above-described road and right-of-way improvements which is on file with the Village Clerk be, and hereby is, adopted and approved and the work is confirmed.
2. That such work or improvements described in said report has been carried out in accordance with the report.
3. That the Village previously paid the City of Racine its portion for such project in the amount of \$749,148.94 and the payment for said improvements is approved and shall be apportioned by assessing certain costs to the properties benefited and the Village paying the balance of the costs.
4. That the benefits conferred upon the properties to be assessed as contained in the report are true and correct and hereby confirmed. The Village Board, in imposing the assessments, takes into consideration the number of vehicle trips generated by or drawn to the benefitted properties. It is further recognized that the properties are benefitted by improved access, drainage, site circulation, and a more attractive and inviting roadway and entrance for patrons and residents, visitors and guests of the properties fronting on the improvement.
5. That the assessments shown on the report represent an exercise of the police power, are true and correct, have been determined on a reasonable basis, and are hereby confirmed.
6. Per agreement with the property owner, including a waiver of notice, hearing and appeal rights, on the amount of the special assessments imposed, the property owner in the Assessment District has agreed and shall execute a document entitled Voluntary Imposition of Special Assessments and Waiver of Statutory Procedures Regarding such Special Assessments. Such documents for the property owner, including the amounts of special assessment therein, is hereby approved, confirmed and is attached hereto as Exhibit B.
7. That the Village Clerk is directed to publish this resolution, not including Exhibit B, as a Class I notice under Ch. 985, Wis. Stats., in the assessment district as provided by law and shall mail a copy to the property owner.
8. That the Village Clerk is further directed to mail a copy of this resolution and a statement of the final assessment against the property to the property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained.

30 Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this day of August, 2020.

**VILLAGE OF CALEDONIA**

By: James R. Dobbs  
James R. Dobbs, President

Attest: Karie Pope  
Karie Pope, Clerk



