

**CITY OF BLUE EARTH
RESOLUTION 10-25**

CALLING FOR HEARING ON PROPOSED ASSESSMENTS

WHEREAS, the City Clerk, with the assistance of the City consulting engineer, has prepared an assessment roll for the Improvement No. F12.02494 and Improvement No. F12.101159 to-wit: Eighth Street from Moore Street to Gorman Street and Moore Street from Eighth Street to Tenth Street and Improvement No. F12101159, an Improvement improving Tenth Street from Main Street to Moore Street and Moore Street from Tenth to Twelfth Street, and said proposed assessment rolls are on file with the City Clerk and open to public inspection;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Blue Earth, Minnesota, as follows:

1. The Clerk shall publish notice that this Council will meet to consider the proposed assessments on October 18, 2010, at 5:05 o'clock p.m. in the Council Chambers of said City of Blue Earth, Minnesota. The published notice shall be substantially the form set forth on Exhibit A attached hereto.

2. A copy of the notice in substantially the form set forth in Exhibit B attached hereto shall be mailed to the owners of each parcel of property described in the assessment roll.

Adopted by the council this 4 day of October, 2010

BY:

ATTEST:

Robert L. Hammond, Jr.
Mayor

Kathy Bailey
City Administrator

(Seal)

Notice of Hearing on Assessments for Improvement No. F12.02494 and Improvement No. F12101159 Improvements of 2009 – 2010

Notice is hereby given that the council will meet at 5:05 p.m. on October 18, 2010 at City Hall to consider, and possibly adopt, the proposed assessment for Improvement No. F12.02494 and Improvement No. F12.101159. Adoption by the council of the proposed assessment may occur at the hearing. The proposed roll is on file with the City Clerk and open to public inspection.

The following is the area proposed to be assessed. Improvement No. F12.02494 Eighth Street from Moore Street to Gorman Street and Moore Street from Eighth Street to Tenth Street and Improvement No. F12101159, an Improvement improving Tenth Street from Main Street to Moore Street and Moore Street from Tenth to Twelfth Street.

The total amount to be assessed for both projects is \$394,463 and is payable in annual installments over a period of 15 years. Written or oral objections will be considered at the hearing.

An owner of property to be assessed may appeal the assessment to the district court of Faribault County pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

Under the provisions of Minnesota Statutes, Section 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make payments.

The mailed notice of this hearing to property owners contains additional information.

October 4, and 11, 2010.

BY ORDER OF THE CITY COUNCIL
Kathy Bailey, City Clerk

NOTICE OF PUBLIC HEARING ON IMPROVEMENTS

- TO WHOM IT MAY CONCERN:** (Specify owner, address and parcels)
- TIME AND PLACE:** Notice is hereby given that the City Council of the City of Blue Earth, Minnesota, will meet at the City Hall, 125 W. Sixth St., in the City of Blue Earth, Minnesota, at 5:05 pm on October 18, 2010, to consider objections to the proposed assessments for Improvement No. F12.101159 and Improvement No. F12.02494 to-wit: Eighth Street from Moore Street to Gorman Street and Moore Street from Eighth Street to Tenth Street and Improvement No. F12101159, an Improvement improving Tenth Street from Main Street to Moore Street and Moore Street from Tenth to Twelfth Street.
- ASSESSMENT ROLL OPEN TO INSPECTION:** The proposed assessment roll is on file with the City Clerk and open to public inspection.
- AREA PROPOSED TO BE ASSESSED:** The area proposed to be assessed consists of every lot, piece or parcel of land benefitted by said improvement, which has been ordered made and is as follows: Eighth Street from Moore Street to Gorman Street and Moore Street from Eighth Street to Tenth Street and Tenth Street from Main Street to Moore Street and Moore Street from Tenth to Twelfth Street, in the City of Blue Earth, Minnesota.
- TOTAL AMOUNT AND TERM OF PROPOSED ASSESSMENT:** The total amount proposed to be assessed is \$394,463 and is proposed to be payable in annual installments over a period of 15 years.
- WRITTEN OR ORAL OBJECTIONS:** Written or oral objections will be considered at the hearing.
- RIGHT OF APPEAL:** An owner of property to be assessed may appeal the assessment to the district court of Faribault County pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or City Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.
- LIMITATION ON APPEAL:** No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property

owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

DEFERMENT OF ASSESSMENTS:

Under the provisions of Minnesota Statutes, Sections 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for and homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments.

SPECIFIC AMOUNT TO BE ASSESSED:

The amount to be specifically assessed against your particular lot, piece of parcel of land is _____.

ADOPTION OF ASSESSMENT AT HEARING:

The City Council may adopt the proposed assessments at the hearing.

PREPAYMENT:

You may prepay the entire assessment to the Treasurer of the City until the assessment roll is certified to the County Auditor, after certification to the County Auditor, prepayments of the entire amount remaining due may be made to the Treasurer at any time prior to November 15 of any year.

PARTIAL PREPAYMENT:

The City Council has authorized the partial prepayment of assessments prior to certification of the assessment or the first installment thereof to the County Auditor.

PREPAYMENT WITHOUT INTEREST, OR WITH INTEREST TO END OF YEAR:

No interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment roll. At any time prior to November 15 of any year, the owner may prepay to the Treasurer the whole assessment remaining due with interest accrued to December 31 of the year in which the prepayment is made.

INTEREST RATE:

If the assessment is not prepaid within 30 days from the adoption of the assessment roll, interest will accrue on the assessment at the rate of 4.24%. Interest accrues from the date to be specified in the resolution levying the