

FINAL RESOLUTION LEVYING SPECIAL ASSESSMENTS UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES AGAINST BENEFITING PROPERTY FOR THE INSTALLATION OF WATER MAIN, PUBLIC WATER SERVICE LATERALS, CONCRETE CURB/GUTTER, CONCRETE OR BITUMINOUS CONCRETE (ASPHALT) ROADWAY PAVEMENT

WHEREAS, The Village Board of Trustees heretofore determined by Preliminary Resolution No. 2020-7 adopted March 26, 2020, pursuant to Section 66.0703, Wisconsin Statutes and the police powers of the Village of Lannon, Wisconsin to levy and collect special assessments upon properties benefited by the installation of water main, public water service laterals, concrete curb/gutter, concrete or bituminous concrete (asphalt) roadway pavement; and

WHEREAS, the Village Engineer prepared the report of the special assessments to be levied, including a schedule of proposed assessments, and filed said report with the Village Clerk; and

WHEREAS, notice of public hearing on said report was given by the Village Clerk as provided by law, as shown by affidavits of mailing and publication and the records of file herein; and

WHEREAS, the Village Board of Trustees held a public hearing on Thursday, the 5th day of November, 2020 in the former Village of Lannon fire department garage that is part of the Village Hall commencing at 5:30 p.m. and all persons desiring to be heard were heard; and

WHEREAS, the Village Board has previously considered and accepted the recommendation of the Village Engineer as contained in his report (last revised October, 2020) on November 5, 2020 and has been fully advised in these matters and is now ready to proceed with the work and to make the final levy of special assessments for the benefits conferred as set forth herein;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Lannon, Waukesha County, Wisconsin, that:

1. All of the above preamble provisions of this resolution are hereby incorporated and made a part of this resolution.
2. After due consideration of the report of the Village Engineer in the manner set forth in the preamble hereto, the Village Board hereby finds and determines that the properties set forth in said report and each of them are benefited by the installation of water main, public water service laterals, concrete curb/gutter, concrete or bituminous concrete (asphalt) roadway pavement, and the Village Board upon such consideration determines that the proposed assessments made were determined upon a reasonable basis.

- 45 3. Upon such findings and determinations, said report, including the proposed project plans  
46 and specifications, the statement of estimated project costs, the statement of benefits and  
47 the schedule of proposed assessments is hereby approved, and the Village Board directs  
48 that the Village Engineer carry out said work or improvements in accordance with said  
49 report and that payment of said special assessments be made as hereinafter provided.  
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- 51 4. The proposed assessments set forth in said report are hereby assessed and levied against said  
52 properties as special assessments for the benefits conferred upon them by the installation of  
53 water main, public water service laterals concrete curb/gutter, concrete or bituminous  
54 concrete (asphalt) roadway pavement, and the owners of said properties are hereby ordered to  
55 pay such special assessments in the manner hereinafter provided.  
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- 57 5. The proceeds from such special assessments shall be used for paying the costs of the  
58 installation of water main, public water service laterals, concrete curb/gutter, concrete or  
59 bituminous concrete (asphalt) roadway pavement.  
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- 61 6. The assessments are made pursuant to the police powers of the Village of Lannon,  
62 Wisconsin and Section 66.0703, Wisconsin Statutes.  
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- 64 7. Each special assessment levied by this resolution shall be a lien on the property against  
65 which it is levied on behalf of the Village of Lannon, Wisconsin, in accordance with  
66 Section 66.0703(13) Wisconsin Statutes.  
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- 68 8. Each property owner has the option to pay his or her assessment in one (1) sum without  
69 interest on or before October 31, 2021 or the entire balance of any amount unpaid as of  
70 November 1, 2021 in twenty (20) annual installments, as provided for by Section  
71 66.0715(3) Wisconsin Statutes, with interest computed against the outstanding balance  
72 thereof at 2.25% per year. All assessments will be collected in installments except such  
73 assessments which are paid in full to the Village of Lannon on or before October 31,  
74 2021. The first installment shall be entered in the 2021 tax roll as a special assessment on  
75 the property upon which the special assessment was levied and thereafter shall be treated  
76 in all respects as any other municipal tax, except as otherwise provided in Section  
77 66.0715(3), Wisconsin Statutes. One of the subsequent installments shall be entered in a  
78 like manner and with like effect in each of the annual tax rolls thereafter until all are  
79 levied. Each property owner who is paying by installments may prepay his or her  
80 assessments together with accrued interest at any time without penalty. In the event a  
81 property owner fails to pay any installment in full at the time it is due, said owner will be  
82 deemed delinquent and his or her or its entire unpaid assessment, together with accrued  
83 interest through December 31 of the year said delinquency occurs, shall be extended upon  
84 the next succeeding tax roll as a delinquent tax against the property and all proceedings in  
85 relation to the collection, return and sale of property for delinquent real estate taxes shall  
86 apply to such special assessment, except as otherwise provided by statute.  
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- 88 9. All payments hereunder are to be made to the Village of Lannon c/o Village Clerk.  
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90 10. The Village Clerk is hereby authorized and directed to publish a copy of this resolution as  
91 a Class 1 notice and shall mail a copy of this resolution and a statement of final  
92 assessment against his or her property to every interested person whose tax key number  
93 appears on the assessment schedule and whose post office address is known or can, with  
94 reasonable diligence, be ascertained.

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96 11. The Village Clerk is hereby authorized and directed to publish the "Installment  
97 Assessment Notice" attached hereto and made a part hereof, as a Class 1 notice and mail a  
98 copy thereof to every interested person.

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100 12. This resolution shall become effective upon passage and publication and notice in  
101 compliance with Sections 10 and 11 above.

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105 PASSED AND ADOPTED by the Board of Trustees of the Village of Lannon on the 9<sup>th</sup> day  
106 of November, 2020

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108 APPROVED:

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111 Thomas Gudex, Village President

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113 ATTEST:

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115 Brenda Klemmer  
116 Brenda Klemmer, Village Clerk

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118 Published: November 18, 2020 Menomonee Falls Now

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VILLAGE OF LANNON, WISCONSIN

INSTALLMENT ASSESSMENT NOTICE FOR THE INSTALLATION OF WATER MAIN, PUBLIC  
WATER SERVICE LATERALS, CONCRETE CURB/GUTTER, CONCRETE OR BITUMINOUS  
CONCRETE (ASPHALT) ROADWAY PAVEMENT

NOTICE IS HEREBY GIVEN that a contract is being let for the installation of water main, public water service laterals, concrete curb/gutter, concrete or bituminous concrete (asphalt) roadway pavement and that amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the Village Clerk. Said assessments may be paid in one (1) sum without interest before November 1, 2021; or the entire balance of any amount unpaid as of November 1, 2021 in twenty (20) annual installments, as provided for by Section 66.0715(3) Wisconsin Statutes, with interest computed at 2.25 % per year on the unpaid balance beginning November 1, 2021. All assessments will be collected in installments as provided in said Paragraph 8 of the Final Resolution to which this notice is attached, except against such assessments which are paid in full.

Dated at Lannon, Wisconsin this 18<sup>th</sup> day of November, 2020

  
Brenda Klemmer, Village Clerk