

RESOLUTION NO. 2024-13

FINAL RESOLUTION AUTHORIZING ROAD RECONSTRUCTION AND INSTALLATION OF CURB
& GUTTER
AND LEVYING ASSESSMENTS AGAINST BENEFITED PROPERTY

ORCHARD AVENUE RECONSTRUCTION PROJECT

WHEREAS, on August 6, 2024, the Village Board of the Village of Pewaukee, Waukesha County Wisconsin adopted a Preliminary Resolution declaring its intention to levy special assessments pursuant to Wis Stat Sec. 66.0703, under the police power on a reasonable basis upon property which is described hereunder for the installation of curb & gutter; and

WHEREAS, the Village Board of the Village of Pewaukee held a Public Hearing at the Pewaukee Village Hall, 235 Hickory Street at 6:00 p.m. on the 3rd day of September 2024, for the purpose of hearing all interested persons concerning the preliminary resolution by the Village Board and the report of the Engineer on the proposed improvement within the following described areas:

ORCHARD AVENUE RECONSTRUCTION PROJECT

LEGAL DESCRIPTION

All of those lands abutting Orchard Avenue, from Lake Street to the terminus approximately 600 feet to the southwest, including tax key numbers:

PWV 0896039, PWV 0896040, PWV 0896041, PWV 0896044, PWV 0896045, PWV 0896054, PWV 0896055, PWV 0896056, PWV 0896057, PWV 0896059, PWV 08960560, PWV 0896061

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Pewaukee as follows:

1. That the report of the Engineer pertaining to the construction of the above-described public improvements, including plans and specifications therefore, is hereby adopted and approved. Any future amendments or modifications to the report which are consistent with the assessment plans described in the report and in this resolution are adopted so long as the amendment or modification corrects an administrative or formal defect or the property owner affected by and such amendment or modification consents thereto.
2. That the Engineer is directed to carry out the work described in accordance with the Report.
3. That Payment for said curb & gutter improvements be made by assessing part of the cost to the properties benefited as indicated in said report, and the balance from funds heretofore appropriated for said project.
4. The assessments shown on the engineer's report representing an exercise of the police power of the Village and having been determined on a reasonable basis and further having been determined to be true and correct are hereby confirmed through the enactment of this resolution, Resolution No. 2024-13.
5. The assessment for the individual parts included in said report are hereby combined as a single assessment, but any interested property owner shall be entitled to object to each portion separately or several parts jointly for any purpose or purposes.

6. The assessments may be paid in one cash sum, or in five equal installments to the Village Treasurer, deferred payments to bear interest at the rate of three (3%) percent per annum on the unpaid balance. Installments or assessments not paid when due shall bear additional interest on the amount due at the rate of three (3%) percent per annum. The first annual installment shall appear on the 2024 tax roll and shall include a proportionate part of the principal of the special assessment determined by the number of installments, and interest on the whole assessment at the above-stated interest rates per annum computed from, the first day of November, 2024, to the 31st day of December, 2024; each subsequent installment shall include a like proportion of the unpaid portion of the whole assessment; all assessments will be collected in installments as above provided except assessments on property where the owner shall on or before November 1, 2024, pay his assessment in one cash sum to the Village Treasurer, said payment to bear no interest; in the event that any property owner fails to pay his assessment in one cash sum, and in a later calendar year wishes to make such payment, he may do so only upon payment of interest at the above-stated interest rate per annum from January 1st of the given year to the date of actual payment with the exception of the amount placed on the tax roll for collection after November 1st in a given year which shall be paid as part of the tax bill for that year are the above-stated interest rates per annum.

7. The Village reserves the right to reconsider and reopen the assessments levied hereunder if the project upon completion is found to vary materially as to construction costs pursuant to Wis Stat Sec 66.0703(10) as amended from time to time.

8. The Village Clerk is directed to publish this resolution in the Waukesha Freeman, the official Village newspaper as a Class 1 legal notice.

9. The Village Clerk is further directed to mail a copy of this resolution as well as a statement of the assessments against the benefited properties to every property owner whose name appears on the assessment roll whose post office address is known or can with reasonable diligence be ascertained. The notice shall specify dollar amount of the assessments for each affected property owner.

ADOPTED September 3, 2024



Jeff Knutson
Village President

ATTEST:



Jenna Peter
Village Clerk