

RESOLUTION NO. 2800

**PROPOSED RESOLUTION DECLARING THE NECESSITY
FOR THE CONSTRUCTION OF
SIDEWALK
ON
CERTAIN STREETS IN THE CITY OF MITCHELL, SOUTH DAKOTA**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MITCHELL, SOUTH DAKOTA

SECTION 1. That it is deemed necessary to improve certain sidewalks in the City of Mitchell, South Dakota as follows:

The property owner will have until March 16th, 2010 to acquire a sidewalk permit if they wish to:

- (1) Do the work themselves.*
- (2) Hire a contractor of their choice.*

IF THEY DO NOT ACQUIRE A PERMIT by **March 16th, 2010**
and still plan on either doing the work themselves or hire a contractor of your choice and do the work you will have until June 1, 2010 or a unspecified date when the City Contractor will be in the area. The City Contractor will proceed if the sidewalk is not installed and complete the installation of the sidewalk.

THE PROPERTY OWNER WILL HAVE 30 DAYS AFTER THE COLLECTION HEARING TO PAY FOR THEIR ASSESMENT WITHOUT INTEREST. AFTER 30 DAYS, INTEREST WILL BE ADDED AT A RATE OF 8% OR AS DETERMINED BY THE CITY COUNCIL. IN NOVEMBER THE BALANCE DUE ON THE ASSESMENT GETS SENT TO THE COUNTY AUDITOR AND SPLIT INTO 5 ANNUAL EQUAL PAYMENTS THAT WILL BE TAKEN OUT OF FIRST HALF OF THE TAX PAYMENT FOR THAT PROPERTY.

SIDEWALK PERMITS ARE FREE, STOP IN THE CITY ENGINEER'S OFFICE AT CITY HALL.

AFTER MARCH 16TH, 2010 THE CITY WILL NOT ISSUE SIDEWALK PERMITS FOR THE FOLLOWING LEGAL DESCRIPTIONS:

PROPERTY OWNER WILL BE RESPONSIBLE TO RE-SEED ANY DISTURBED AREAS.

PROPERTY OWNER WILL BE REQUIRED TO FOLLOW ANY CITY LAWS OR REQUIREMENTS WITH REGARDS TO THE SIDEWALK.

IF ACCUMULATED COSTS ARE MORE THAN \$100.00, THE COSTS WILL BE PRORATED OVER A 5 YEAR PERIOD.

ALL SIDEWALK NEEDS TO MEET SPECIFICATIONS AS SET BY ENGINEERS OFFICE.

Segment 2010 -01:

Sidewalk on 1300, 1400 and 1500 Block of East Ash and 200, 300 and 400 Block of South Wallace**Sidewalk on East Hanson, E. 1st Ave, Hunter**

Construction of a 4" thick, 5' wide Concrete Sidewalk

	LOT	BLK.	ADDITION	ESTIMATED ASSESSMENT
1	1	1	Sunnybrook	\$ 3,294.00
2	2	1	Sunnybrook	\$ 1,390.88
3	3	1	Sunnybrook	\$ 1,390.88
4	1	2	Sunnybrook	\$ 1,560.94
5	2	2	Sunnybrook	\$ 1,560.94
6	3	2	Sunnybrook	\$ 1,560.94
7	4	2	Sunnybrook	\$ 1,560.94
8	5	2	Sunnybrook	\$ 1,560.94
9	6	2	Sunnybrook	\$ 1,560.94
10	7	2	Sunnybrook	\$ 1,560.94
11	8	2	Sunnybrook	\$ 3,410.25
14	7	4	Sunnybrook	\$ 1,394.81
15	8	4	Sunnybrook	\$ 1,394.81
16	9	4	Sunnybrook	\$ 1,394.81
17	10	4	Sunnybrook	\$ 1,394.81
18	11	4	Sunnybrook	\$ 1,394.81
19	12	4	Sunnybrook	\$ 4,205.63
20	1	5	Sunnybrook	\$ 4,205.63
21	2	5	Sunnybrook	\$ 1,392.75
22	3	5	Sunnybrook	\$ 1,392.75
23	4	5	Sunnybrook	\$ 1,392.75
24	5	5	Sunnybrook	\$ 1,392.75
25	6	5	Sunnybrook	\$ 1,392.75
29	10	5	Sunnybrook	\$ 2,812.50
30	1	6	Sunnybrook	\$ 1,386.00
31	2	6	Sunnybrook	\$ 1,386.00
32	3	6	Sunnybrook	\$ 1,386.00
33	S½ L100 SW¼ 23-103-60		Platted Various	\$ 3,168.75
99	S150 of E95 of W264 of N333 NE SW 23			\$ 1,781.25
41	5	1	Fairview	\$ 937.50
42	E50' of S142' of W½	2	Fairview	\$ 937.50
43	W100' S142' W½	2	Fairview	\$ 1,875.00
44	W50' Lot B	2	Fairview	\$ 937.50
45	E100' Lot B	2	Fairview	\$ 3,075.00
49	W50' of N½ of E½ Exc S8' & E15' of Lot 4	3	Fairview	\$ 1,218.75
50	N½ E½ Ex E50' & Ex W50' less S8'	3	Fairview	\$ 1,200.00
51	W35' of Lot 4 & E30' Lot 5	3	Fairview	\$ 1,218.75
58	1	6	Fairview	\$ 906.19
59	2	6	Fairview	\$ 1,168.69
60	3	6	Fairview	\$ 906.19
61	4	6	Fairview	\$ 1,194.94
62	5	6	Fairview	\$ 906.19
63	6	6	Fairview	\$ 906.19
72	Lot 6 & W½ Lot 7	7	Fairview	\$ 1,771.88
73	Lot 8 & E½ Lot 7	7	Fairview	\$ 2,034.38
74	9	7	Fairview	\$ 2,435.63
78	Lots 1-5	2	Driving Park	\$ 2,662.50
	TOTAL ASSESSMENT AMOUNT			\$ 80,974.93

* Lots assessed for **FRONT YARD** according to Section 2a.

Segment 2010 -02:

Sidewalk East 8th and Mentzer

Construction of a 4" thick, 5' wide Concrete Sidewalk

	LOT	BLK.	ADDITION	ESTIMATED ASSESSMENT
81	4	2	FM Greene	\$ 937.50
82	5	2	FM Greene	\$ 937.50
83	6	2	FM Greene	\$ 937.50
84	12	2	FM Greene	\$ 2,662.50
85	Lots 1 & 2	3	FM Greene	\$ 1,875.00
TOTAL ASSESSMENT AMOUNT				\$ 7,350.00

* Lots assessed for **FRONT YARD** according to Section 2a.

Segment 2010-03:

Sidewalk North Mentzer

Construction of a 4" thick, 5' wide Concrete Sidewalk

	LOT	BLK.	ADDITION	ESTIMATED ASSESSMENT
86	2	20	FM Greene	\$ 2,662.50
87	12	20	FM Greene	\$ 2,662.50
TOTAL ASSESSMENT AMOUNT				\$ 5,325.00

* Lots assessed for **FRONT YARD** according to Section 2a.

SECTION 2. That the estimated costs of the improvements shall be as follows:

- A. The estimated cost for 4" depth, 5' wide sidewalk shall be approximately \$18.75 per lineal foot or approximately \$3.75 per square foot.
- B. The City of Mitchell will pay for all street and alley intersection costs.
- C. The City of Mitchell will pay for unusual costs involved in installation or replacement of sidewalk in existing, developed areas, such as tree removal and replacement, retaining wall replacement, irrigation and sprinkler relocation. The cost to the City of Mitchell of these unusual costs to any one section of sidewalk shall not exceed the least of the cost of the sidewalk installation itself or \$18.75 per lineal foot.
- D. The Property Owner will be responsible pay for concrete approach between the curb and sidewalk @ driveway locations that have existing gravel at the time of the proposed hearing.

BE IT FURTHER RESOLVED that the Engineering Department prepare and file in the office of the Finance Officer for the examination of all interested parties, plans and specifications to be used in the construction thereof; and

BE IT FURTHER RESOLVED that a hearing will be held upon such construction of proposed sidewalk as provided by statute and notice thereof is given as provided by law.

PASSED AND APPROVED THIS 15TH DAY OF FEBRUARY, 2010

ATTEST:

MAYOR

FINANCE OFFICER

[SEAL]