

RESOLUTION #19-47

**FINAL RESOLUTION AUTHORIZING CONSTRUCTION
OF PUBLIC IMPROVEMENTS AND LEVYING
SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTIES
IN CONNECTION OF THE CONSTRUCTION OF PUBLIC WATER MAIN
ALONG 120TH AVENUE (EAST FRONTAGE ROAD) AND STH "ML" IN
THE VILLAGE OF PLEASANT PRAIRIE.**

WHEREAS, the Village Board of the Village of Pleasant Prairie, Kenosha County, Wisconsin, on the 16th day of September, 2019, adopted a Preliminary Resolution #19-29 declaring its intention to levy special assessments pursuant to Section 66.0703, Wisconsin Statutes, upon the property benefited by the construction of a 16-inch water main and appurtenances beginning at the corner of CTH "ML" and the East Frontage Road (120th Avenue) and extending north along 120th Avenue approximately 6,600-feet and extending east along CTH "ML" approximately 1,600 feet in the Village of Pleasant Prairie.

WHEREAS, the Village Board held a public hearing at Pleasant Prairie Village Hall, 9915 39th Avenue, Pleasant Prairie, WI at 6:00 p.m. on the 16th day of December, 2019 for the purpose of hearing all interested persons concerning the preliminary resolution and the report relating to the proposed improvements and assessments, and heard all persons who desired to speak at the hearing; and

WHEREAS, the Village Board has examined the report relating to the improvements and assessments (including the schedule of proposed assessments contained therein) and has considered the statements of those persons appearing at the public hearing;

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

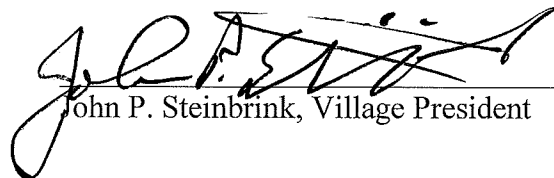
1. The report pertaining to the construction of the above described public improvements, including plans and specifications therefore, is determined to be correct and is finally adopted and approved.
2. The improvements will be carried out in accordance with such report, and payment for the improvements shall be made by assessing the cost to the property benefited as indicated in the report.
3. The assessments shown on the report, representing an exercise of the police power, have been determined on a reasonable basis and are hereby confirmed. The total amount assessed is \$682,813.44. The amount assessed against each of the affected properties is listed on Schedule C.
4. If parcels 4 (92-4-122-313-0285), 5 (92-4-122-313-0290), 6 (92-4-122-313-0290), or 7 (92-4-122-313-0295) as identified in the Special Assessment Report and Schedule C

connect to the public water system improvements for a single family residential service, the applied assessment rate shall be the 8-inch main equivalent rate and the Developer shall only be reimbursed that amount per the Right-of-Recovery and Funding Agreement between the Village of Pleasant Prairie and Riverview Group LLC.

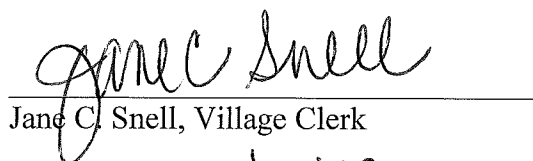
5. The assessments for all projects included in the report are hereby combined as a single assessment but any interested property owner may object to each assessment separately or all assessments jointly for any purpose.
6. Right-of-Recovery Assessment: The Right-of-Recovery Assessments are subject to the Right-of-Recovery and Funding Agreement between the Village of Pleasant Prairie and Riverview Group LLC, for the public water main extension along 120th Avenue (East Frontage Road) and CTH ML. The property owners may defer payment of the right-of-recovery assessment until the property connects to the municipal water system or as a pre-condition of a land division approval. At the time the property owner connects to the municipal water system or the property is subdivided, the entire assessment shall become due and payable. After the right of recovery date obligation has expired per Funding Agreement between the Village of Pleasant Prairie and Riverview LLC, any right-of-recovery assessment still rightfully deferred and unpaid shall be deemed to have been paid.
7. The Clerk shall publish this resolution as a Class 1 Notice and mail a copy of this resolution and a statement of the final assessment against the benefited property to every interested person whose post office address is known or can with reasonable diligence be ascertained, including each property owner whose name appears on the assessment roll.

Passed and adopted this 16th day of December, 2019.

VILLAGE OF PLEASANT PRAIRIE


John P. Steinbrink, Village President

Attest:


Jane C. Snell, Village Clerk

Date Adopted: 12/16/19

Published: 9-18-20