

Commission Letter #: 218-10
Commission Meeting of: 7/12/10

Subject: Special Assessment Paving Petition – North Edison Avenue from East University Ave. to the N. Lot Line of Lot 46 (Standard Resolution 3 & 4)

A petition was received to pave **North Edison Avenue from East University Ave. to the N. Lot Line of Lot 46**. The petition signatures in favor of the paving represent 66.7% of the assessable frontage as addressed in CL#168-10 of 6/7/10. The funding source for the improvements will be Local Street Fund /Special Assessment District. The hearing of necessity on this project was scheduled for the July 12, 2010 Commission Meeting.

If the Commission determines the project is necessary, it should be advanced and the following Standard Resolution No. 3 should be adopted. In addition, Standard Resolution No. 4 should be adopted setting the date for the Public Hearing of Assessment for the project Special Assessment Roll.

The following resolution is recommended for approval:

Be It Resolved, that the City Commission hereby deems it advisable and necessary to proceed with said public improvement 31' wide, 6" thick concrete pavement with integral curb and gutter for North Edison Avenue from East University Ave. to the N. Lot Line of Lot 46 and approves Special Assessment Standard Resolution No. 3 attached.

Be It Further Resolved, that the City Commission hereby sets the Public Hearing of Assessment for **August 9, 2010** and approves Special Assessment Standard Resolution No. 4 attached.

Respectfully submitted,



Elden Danielson, P.E.
City Engineer

Approved,



Donald E. Johnson
City Manager

cc: Jean M. Williams, 301 N Edison, 48067
Property Owners in Assessment District (3 total)
Julie Rudd, Director of Finance
James Geiermann, City Assessor
Matthew J. Callahan, Civil Engineer III
2010 SA Paving file

SPECIAL ASSESSMENT RESOLUTION NO. 3
CITY OF ROYAL OAK
COUNTY OF OAKLAND, MICHIGAN

A REGULAR MEETING OF THE Royal Oak City Commission was held in City Hall, 211 Williams Street, on **July 12, 2010**, at 7:30 o'clock p.m., Eastern Time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Commissioner _____
and
supported by Commissioner _____.

WHEREAS, the City Commission, after due and legal notice, has meet and heard all interested persons to be affected by the proposed public improvements hereinafter described; and

WHEREAS, the City Commission deems it advisable and necessary to proceed with said public improvements:

**31' WIDE, 6" THICK CONCRETE PAVEMENT WITH INTEGRAL
CURB AND GUTTER FOR NORTH EDISON AVENUE FROM
EAST UNIVERSITY AVE. TO THE N. LOT LINE OF LOT 46.**

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines to make the public improvements described above and to defray the cost by special assessment upon the property specially benefited in proportion to the benefits to be derived.
2. The City Assessor is directed to prepare and finalize the profiles, plans, and specifications for the public improvements.
3. The Commission tentatively determines that of said total estimated cost the sum of **\$9,450.00** be paid by special assessment upon the properties specially benefited, as more particularly hereinafter described, and that the sum **\$8,000.00** shall be the obligations of the City by reason of general benefit to the City.
4. The City Commission hereby designates the following lots and parcels of land as the property to comprise the special assessment district upon which the special assessments shall be levied: see Exhibit A.

5. When the City Assessor shall have completed the Special Assessment Roll, he shall report the same to the Commission and the same shall be filed with the City Clerk, such report shall be signed by the City Assessor and may be in the form of a Certificate as provided for in Chapter Twelve Section Seven of the Charter of the City of Royal Oak, Michigan, indicating that he has conformed in all things to the directions contained in this Resolution and the Charter of the City of Royal Oak Michigan relating to such assessment.
6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution duly adopted by the City Commission for the City of Royal Oak, County of Oakland, Michigan, at a Regular Meeting held on July 12, 2010, and that public notice of said meeting was given pursuant to and in full conformity with Act No. 267, public Acts of Michigan, 1976 as amended.

City Clerk

SPECIAL ASSESSMENT STANDARD RESOLUTION NO. 4
CITY OF ROYAL OAK
COUNTY OF OAKLAND, MICHIGAN

SPECIAL ASSESSMENT DISTRICT NO. _____

At a Regular Meeting of the City Commission for the City of Royal Oak, County of Oakland, Michigan, held on **July 12, 2010**, at 7:30 o'clock, p.m., Eastern Time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, the City Assessor has prepared a Special Assessment Roll for the purpose of specifically assessing that portion of the costs of the public improvement more particularly hereinafter described to the properties specially benefited by said public improvement, and the same has been presented to the City Commission by the City Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said Special Assessment Roll No. _____ is hereby accepted and shall be filed in the office of the City Clerk for public examination.
2. The City Commission shall meet at the City Hall, at 7:30 o'clock, p.m., Eastern Time on August 9, 2010 for the purpose of hearing all persons interested in said Special Assessment Roll and reviewing the same, and at said meeting all interested persons shall be afforded an opportunity to be heard.
3. The City Clerk is directed to publish the notice of said hearing once in The Royal Oak Review, Warren Michigan, a newspaper of general circulation in the City of Royal Oak, said publication to be not less than five (5) full days prior to the date of said hearing and shall further cause notice of said hearing to be sent by first class mail to each owner of or person in interest in property to be assessed as shown by the last general tax assessment roll of the City, at least ten (10) full days before the time of said hearing, and said notice to be mailed to the addresses shown on said general tax rolls of the City.
4. The notice of said hearing to be published and mailed shall be in substantially the following form:

**NOTICE OF HEARING TO REVIEW
SPECIAL ASSESSMENT ROLL
CITY OF ROYAL OAK
COUNTY OF OAKLAND, MICHIGAN**

TO THE OWNERS OF ALL PROPERTY WITHIN THE FOLLOWING DESCRIBED SPECIAL ASSESSMENT DISTRICT:

TAKE NOTICE, that a Special Assessment Roll has been prepared for the purpose of defraying the Special Assessment district's share of the cost of the following described public improvement:

31' WIDE, 6" THICK CONCRETE PAVEMENT WITH INTEGRAL CURB AND GUTTER FOR NORTH EDISON AVENUE FROM EAST UNIVERSITY AVE. TO THE N. LOT LINE OF LOT 46.

The Special Assessment District is comprised of the following described property:

THE SAID SPECIAL ASSESSMENT ROLL IS ON FILE FOR PUBLIC EXAMINATION WITH THE CITY CLERK AND ANY OBJECTIONS TO SAID SPECIAL ASSESSMENT ROLL MAY BE MADE IN WRITING PRIOR TO THE CLOSE OF THE HEARING TO REVIEW SAID SPECIAL ASSESSMENT ROLL.

TAKE FURTHER NOTICE, that the City Commission and the City Assessor will meet at the City Hall, 211 Williams Street, at 7:30 o'clock, p.m., Eastern Time on August 9, 2010, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

City Clerk

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners

NAYS: Commissioners

RESOLUTION DECLARED ADOPTED.

City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution duly adopted to the City Commission for the City of Royal Oak, County of Oakland, Michigan, at a Regular Meeting held on July 12, 2010, and that public notice of said meeting was given pursuant to and in full conformity with Act No. 267, public Acts of Michigan as amended.

City Clerk