

**RESOLUTION NO. 2004-03  
BIRCHWOOD ROAD NORTHEAST AND BIRCHWOOD  
TERRACE NORTHEAST**

**RESOLUTION DECLARING COST TO BE ASSESSED AND  
ORDERING PREPARATION OF PROPOSED ASSESSMENT**

WHEREAS, costs have been determined for the improvement of Birchwood Road Northeast and Birchwood Terrace Northeast, by bituminous surfacing and the contract price for such improvement is \$90,185.20, and the expenses incurred or to be incurred in the making of such improvement amount to \$28,200.20, so that the total cost of the improvement will be \$118,385.40.


NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE TOWN OF CARLOS, DOUGLAS COUNTY, MINNESOTA:

1. The portion of the cost of such improvement to be paid by the Township is hereby declared to be \$25,000.00, and the portion of the cost to be assessed against benefited property owners is declared to be \$93,385.40.
2. Such assessments shall be payable in equal semi-annual installments payable together with real estate taxes, extending over a period of five (5) years, beginning with real estate taxes payable in the year 2005. Interest on the special assessment shall be at the rate of eight percent (8%) per annum.
3. The Township Clerk shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and she shall file a copy of such proposed assessment in her office for public inspection.
4. The Town Board makes the following specific determinations finding the same to be necessary, equitable and within the legal requirements for allocation of assessments:
  - a. Parcel Numbers (Roetering) 12-1131-400, 12-1131-600, and 12-1131-800—these three parcels are more equitably assessed as one full assessment or one-third (1/3) assessment per parcel in consideration of existing tarring along one side, one current access toward the improved road project, lowlands and building structures, and one sewer service stub benefiting the three parcels as one whole;

- b. Parcel Numbers (Becher) 12-1142-000 and 12-1300-000—these two parcels are non-abutting but access the improved road project via Parcel Number 12-1142-100, most equitably being assessed at one-half (1/2) an assessment per parcel;
- c. Parcel Number (Conn) 12-1143-000—although this parcel abuts CSAH 11 on one side, its significant area and front footage, with consideration for lowlands, most equitably warrants one full assessment and would appear to benefit by an increased value of this parcel no less than one full assessment. Parcel Number 12-1132-000 owned by the same parties is not considered part of the project, its sole access being CSAH 11 and it receiving no separate benefit from 12-1143-000. Parcel Number 12-1310-000 also owned by the same party does not abut the new road project nor appear to have an existing access developed to benefit from the new road project. It does not appear to receive any separate benefit from Parcel Number 12-1143-000 and most equitably does not warrant a separate assessment;
- d. Certain lots have additional footage acquired by a neighboring lot, ranging from 25 to 30 feet which do not appear to warrant any separate assessment consideration as to the parcel including such footage or the parcel excepting such footage;
- e. Parcel Numbers (Hommerding) 12-1142-100, 12-1142-960, and 12-1300-100—these parcels, either because of the small irregular shape and/or wetlands and/or non-abutting area, do not appear to warrant any separate assessment or additional benefit to the landowner than reflected in the one full assessment of Parcel Number 12-1300-500, being the adjoining parcel owned by the same landowner which abuts the improved road project area.
5. The Town Clerk shall upon the completion of such proposed assessment, notify the Carlos Town Board of Supervisors thereof.

Adopted by the Carlos Town Board of Supervisors this 14<sup>th</sup> day of October, 2004.

  
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Carlos Township Chairman

  
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Carlos Township Clerk

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