

Memorandum #10-02

To: Doug Russell, City Manager
From: Bradley Moser, Civil Engineer
Subject: Establishing a Public Hearing for the Assessment Project to Pave the North-South Alley between Linn Street and Locust Street from 7th Street South to 8th Street
Date: January 4, 2010

Attached is the Resolution of Necessity for the City Commission's consideration that relates to the petitioned improvements for the north-south alley between Linn Street and Locust Street from 7th Street to 8th Street. Also attached are copies of the estimated cost for each property and the petition signed by the property owners.

The petition for the alley improvements was signed by 78% of the current property owners. South Dakota codified law allows local governments to authorize an assessment project if 45% or more of the property owners are in favor of the project.

It is requested that the City Commission establish a public hearing on February 8, 2010, to consider Resolution #10-01, the Resolution of Necessity for the alley project. Notices will be sent to the property owners along the alley who would be assessed for this project. Procedural requirements will be followed if the City Commission acts to establish the public hearing to consider Resolution #10-01.

Respectfully submitted,

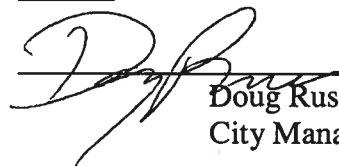


Bradley Moser
Civil Engineer

Recommendation: It is recommended that the City Commission establish a public hearing on February 8, 2010, to consider Resolution #10-01, the Resolution of Necessity for the special assessment project to pave the north-south alley between Linn Street and Locust Street from 7th Street to 8th Street, as detailed in Memorandum # 10-02.

X I concur with the recommendation.

_____ I do not concur with the recommendation.



Doug Russell
City Manager

cc: Kevin Kuhl

RESOLUTION #10-01

A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING IMPROVEMENTS FOR THE ALLEY FROM 7th ST. TO 8th ST. BETWEEN LINN ST. AND LOCUST ST.

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That it is deemed and declared necessary to construct improvements in accordance with plans and specifications therefore, prepared under the direction of the Department of Public Works on the alley from 7th Street to 8th Street Between Linn Street and Locust Street in the City of Yankton, South Dakota, abutting upon the following described property to be assessed therefore:

Lots 4 through 14 and the W60' of Lots 15 & 16, Block 70 of Central Yankton Addition.

SECTION 2. That the nature of said improvements is to construct a three inch asphalt pavement surface, along with items such as six inches of gravel base course, unclassified excavation/earthwork and grading, seeding and approach pavements at each end of the alley project and all other incidentals in the above named location.

This project does not include improvements outside of the alley right-of-way, concrete driveway approaches. The project does include some slope work on private property.

SECTION 3. That the cost and expense of the above listed improvements shall be levied by special assessment upon the above described properties in accordance with Chapter 9-43 of the South Dakota Codified Laws. Said improvements shall be assessed upon the above described properties abutting thereon according to the benefits derived in accordance with Chapter 9-45 of the South Dakota Codified Laws.

SECTION 4. Said assessment may be paid in ten (10) equal annual installments. Any such assessment or any installment thereof unless paid within thirty (30) days after the filing of the Assessment Roll in the Office of the City Finance Officer shall be collected under Plan Two, with interest in accordance with the procedure provided in SDCL 9-43-42 through 9-43-53, as amended. In all cases where interest on such assessment or the installment thereof is to be charged and collected in accordance with the law, the rate to be charged shall be as established by the Board of City Commissioners.

Dated: _____

Dan Specht
Mayor

Attest:

Al Viereck
Finance Office

Property Owners with Estimated Costs for Alley From 7th to 8th
 Between Linn Street and Locust Street
 All in the City of Yankton, Yankton County, South Dakota

Owner	Address	Legal Description	Front Footage (Ft.)	Estimated Cost
The Dakota Conference Corp.	PO Box 520, Pierre, SD	Lots 4 & 5 , Block 70, Cental Yankton	109	\$5,276.74
Thomas Larrington	706 Locust Street, Yankton, SD 57078	Lot 6, Block 70, Cental Yankton	44	\$2,130.06
Marlon Huber	704 Locust Street, Yankton, SD 57078	Lot 7, Block 70, Cental Yankton	44	\$2,130.06
Joshua Saya	702 Locust Street, Yankton, SD 57078	Lot 8, Block 70, Cental Yankton	44	\$2,130.06
Richard Haro	700 Locust Street, Yankton, SD 57078	Lot 9, Block 70, Cental Yankton	44	\$2,130.06
Neil Schmidt	505 W. 8th Street, Yankton, SD 57078	W. 60' of Lots 15& 16, Block 70, Central Yankton	72	\$3,485.55
James Henderson	709 Linn Street, Yankton, SD 57078	N. 6' Lot 13 & All Lot 14, Block 70, Central Yankton	50	\$2,420.52
Tina K. Coffman	707 Linn Street, Yankton, SD 57078	S 38' Lot 13, Block 70, Central Yankton	38	\$1,839.60
Yankton Rental Properties, LLC	30579 444th Ave., Mission Hill, SD	Lot 12, Block 70, Central Yankton	44	\$2,130.06
Victoria P. Vlahakis	914 Pearl Street, Yankton, SD 57078	Lot 11, Block 70, Cental Yankton	44	\$2,130.06
LaVonne T. Halvorsen	1801 Woodland Loop, Yankton, SD	Lot 10, Block 70, Central Yankton	44	\$2,130.06
			577	\$27,932.82