

RESOLUTION NO. 2020-22

A RESOLUTION OF NECESSITY

WHEREAS, the City Council of the City of Independence, Iowa (the "City"), has adopted a preliminary resolution in accordance with Section 384.42 of the Code of Iowa, covering the 2020 Pavement Rehabilitation Project (the "Project"); and

WHEREAS, pursuant thereto, the Project Engineers have prepared preliminary plans and specifications, an estimated total cost of the work and a plat and schedule, including the valuation of each lot as determined by this City Council, and the same have been duly adopted and are now on file with the City Clerk; and

WHEREAS, a public hearing has been held on the proposed Resolution of Necessity on February 24, 2020, at 6:30 p.m., at the Council Chambers, in the City;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Independence, Iowa:

Section 1. It is hereby found and determined to be necessary and for the best interest of the City and its inhabitants to proceed with the Project, and to assess a portion of the cost to the property benefited thereby.

Section 2. The Project shall consist of Crack and Seat and Asphaltic Cement Concrete (ACC) overlay of existing Portland Cement Concrete (PCC) Pavement on and along the following segments of street and avenue in the City of Independence, Buchanan County, Iowa:

- Bland Boulevard SW from a point approximately 51 feet west of its centerline intersection with 6th Avenue SW on the east to a point 15 feet east of its centerline intersection with Liberty Trail on the west.
- 2nd Street SW from its intersection with 4th Avenue SW on the east to its intersection with 6th Avenue SW on the west.
- 12th Street NE from its intersection with 5th Avenue NE on the east to and including its intersection with 1st Avenue NE on the west.
- 4th Avenue NW from its intersection with 1st Street West on the south to its intersection with 3rd Street NW on the north.
- 3rd Street NW from its intersection with 4th Avenue NW on the east to its intersection with 6th Avenue NW on the west.
- 3rd Street SE from its intersection with 7th Avenue SE on the east to its intersection with 5th Avenue SE on the west.
- 8th Avenue NE from its intersection with 11th Street NE on the south to its intersection with 12th Street NE on the north.

Section 3. It is considered that the properties abutting the above-described segments of street to be improved will be specially benefitted by this improvement and should be specially assessed.

Section 4. It is hereby found and determined that there are now on file in the office of the City Clerk an estimated total cost of the proposed work and a preliminary plat and schedule showing the amount proposed to be assessed to each lot by reason of the Project.

Section 5. Unless a property owner files objections with the City Clerk at the time of the hearing on this resolution of necessity, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using the special assessment procedure.

Section 6. All resolutions, parts of resolutions, or actions of the City Council in conflict herewith are hereby repealed, to the extent of such conflict.

Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

RESOLUTION NO. 2020-22 was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 9th day of March, 2020.

Record of Voting:

Ayes: Callahan, Hayward, Hill, Scharff, Kurtz, O'Loughlin, and Hanna.

Nays:

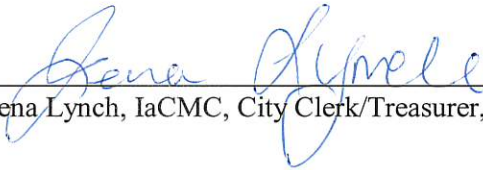
Absent:

RESOLUTION NO. 2020-22 declared passed and adopted by the Mayor on this 9th day of March, 2020.



Bonita Davis, Mayor of the City of Independence, Iowa

ATTEST:



Jeena Lynch, IaCMC, City Clerk/Treasurer, City of Independence, Iowa