Council Member _____ introduced the following Resolution entitled "RESOLUTION ACCEPTING WORK" and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION ACCEPTING WORK

WHEREAS, on February 16, 2012, the City of Cresco, Iowa, entered into contract with Skyline Construction, Inc. of Decorah, Iowa, for the construction of the Cresco, Iowa, 1st Avenue East Reconstruction, within the City, as therein described; and

WHEREAS, the contractor has fully completed the construction of the improvements, known as the Cresco, Iowa, 1st Avenue East Reconstruction, in accordance with the terms and conditions of the contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on April 2, 2012:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

Section 1. That the report of the Engineer be and the same is hereby approved and adopted and the improvements are hereby accepted as having been fully completed in accordance with the plans, specifications and contract. The total contract cost of the improvements payable under said contract is hereby determined to be $324,354.94.

Section 2. The total project cost including construction, engineering, legal and administrative costs is determined to be $404,126.53.

PASSED AND APPROVED this 16th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Council Member _____ introduced the following Resolution entitled "RESOLUTION ORDERING PREPARATION OF FINAL PLAT AND SCHEDULE OF ASSESSMENTS" and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon the Mayor declared the following Resolution duly adopted:

RESOLUTION ORDERING PREPARATION OF FINAL PLAT AND SCHEDULE OF ASSESSMENTS

BE IT RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Cresco, Iowa, 1st Avenue East Reconstruction, together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and $150,009.42 or 50% of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 16th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

Council Member _____ introduced the following Resolution entitled "RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS, AND PROVIDING FOR THE PAYMENT THEREOF" and moved its adoption. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon the Mayor declared the following Resolution duly adopted as follows:

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS, AND PROVIDING FOR THE PAYMENT THEREOF

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRESCO, STATE OF IOWA:

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the Cresco, Iowa, 1st Avenue East Reconstruction, within the City, under contract with Skyline Construction, Inc. of Decorah, Iowa, which final plat and schedule was filed in the office of the Clerk on the 3rd day of April, 2012; said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY	PROPOSED FINAL ASSESSMENT	PROPOSED FINAL CONDITIONAL DEFICIENCY, IF ANY	CORRECTED FINAL ASSESSMENT	CORRECTED FINAL CONDITIONAL DEFICIENCY, IF ANY

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of $100.00 or more shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 4.75% per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than $100.00, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2013; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Clerk, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Howard County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Howard County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the "Times Plain Dealer", a newspaper printed wholly in the English language, published in the bond, and of general circulation in the City of Cresco, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the City official charged with responsibility for the issuance of

building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 16th day of April, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF HOWARD)

I, the undersigned City Clerk of the City of Cresco, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective City offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the City hereto affixed this _____ day of _____, 2012.

_____
City Clerk, City of Cresco, State of Iowa

(SEAL)

00860735-1\10349-084

WHKS & CO.

2905 S. Broadway
Rochester, MN 55904
Phone: 507-288-3923

NOTICE OF PROJECT COMPLETION

PROJECT: 1st Avenue East Reconstruction

LOCATION: Cresco, Iowa

OWNER: City of Cresco, Iowa

CONTRACTOR: Skyline Construction, Inc.

FINAL CONSTRUCTION COST: $ 324,354.94

The construction contractor has completed construction of the project improvements at a total cost as listed. The improvements were constructed in substantial compliance with the contract documents and authorized extra work.

It is recommended that the Owner accept the project construction and authorize final payment to the contractor.

By: _____ Date: 4-2-2012
William K. Angerman, P.E.

WHKS & Co. Job No. 7215

FINAL ASSESSMENT PLAT & SCHEDULE

FOR

1ST AVENUE EAST RECONSTRUCTION

CRESCO, IOWA

LICENSED PROFESSIONAL ENGINEER
WILLIAM K. ANGERMAN
14912
IOWA

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

William K. Angerman, P.E. — Date 4/3/12

License number 14912

My license renewal date is December 31, 2012

Pages or sheets covered by this seal:
pages 1-5

LOCATION OF IMPROVEMENTS

Improvements	Location
1st Avenue East	From 2nd Street to 5th Street
4th Street East	From 1st Avenue to 2nd Avenue (Iowa Hwy 9)

DESCRIPTION OF BENEFITED AREA

Original plat of the Village of Cresco
Block 18, Lots 10-17
Block 19, Lots 6-11, South 50' of Lots 12 &13
Block 20, South ½ Lots 6 & 7, Lots 8-10
Block 21, Parcel 1, Block 21 Excluding Parcel 1, Block 21 Parcel A
Block 22, Lot 17

Gillette Addition
Block 3, Lot 16

PROJECT DESCRIPTION

Remove and reconstruct concrete pavement on 1st Avenue East from 2nd Street to approximately 50 feet East of 5th Street. The project will also replace the existing water main with new 6" main in this section of roadway. Also construct concrete pavement on 4th Street East from 1st Avenue to 2nd Avenue. Storm sewer will be reconstructed at the intersection of 1st Ave and 5th Street. The sanitary sewer will not be rebuilt as part of this project.

DESCRIPTION OF STREET ASSESSMENT PROCEDURE

All properties that are abutting, within 300 feet and have access to the proposed street reconstruction are included in the Benefited District.

The properties within the defined benefited district are assigned units of benefit based on a widely accepted proportional benefits formula that was developed in 1919. The corresponding curve representing the formula is found with this description. The units of benefit for a property are multiplied by the property front footage to determine the Benefit Points listed in the Assessment Schedule.

The property assessment is then calculated by multiplying the Benefit Points by the Cost per Benefit Point (CBP). The Cost per Benefit Point (CBP) is calculated by dividing the assessable total street improvement cost by the total benefit points for all the benefited properties.

The City assesses 50% of the assessable project costs to the abutting properties and the City pays for 50%. Also corner lots are assessed 100% of the long side, if abutting the project and 50% of the short side, if that side is abutting the project. Assessable project costs include street construction, engineering, legal, and administration costs. Assessable project costs do not include street intersections, water main, sanitary sewer, and storm sewer.

Property dimensions utilized in the assessment procedure are based on platted dimensions as shown in property records from the County Auditor's office. Dimensions for irregular shaped lots of portions of lots are based on calculated or map scaled dimensions if platted dimensions are not available.

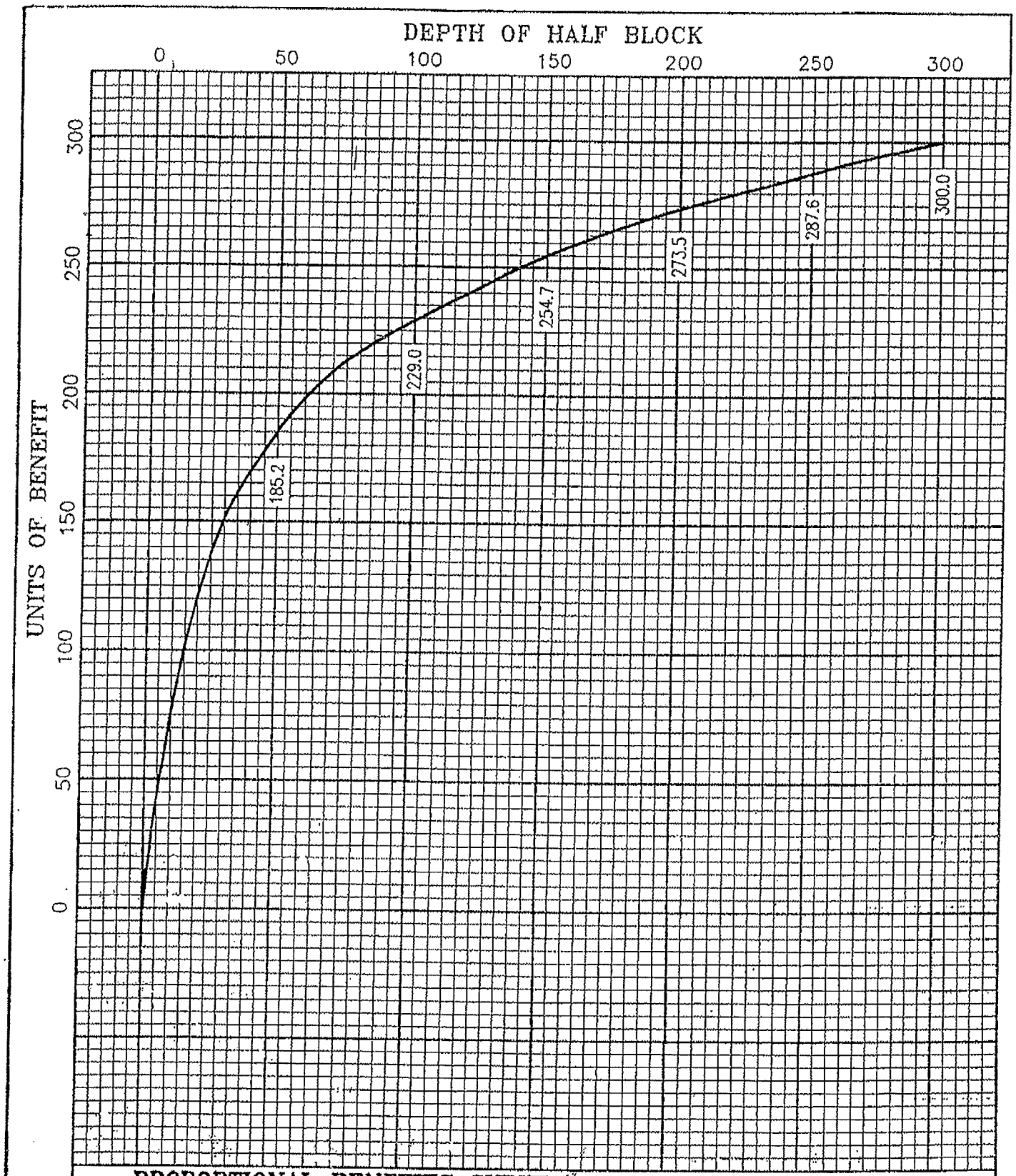
SUMMARY OF SPECIAL ASSESSMENTS

Final Assessments

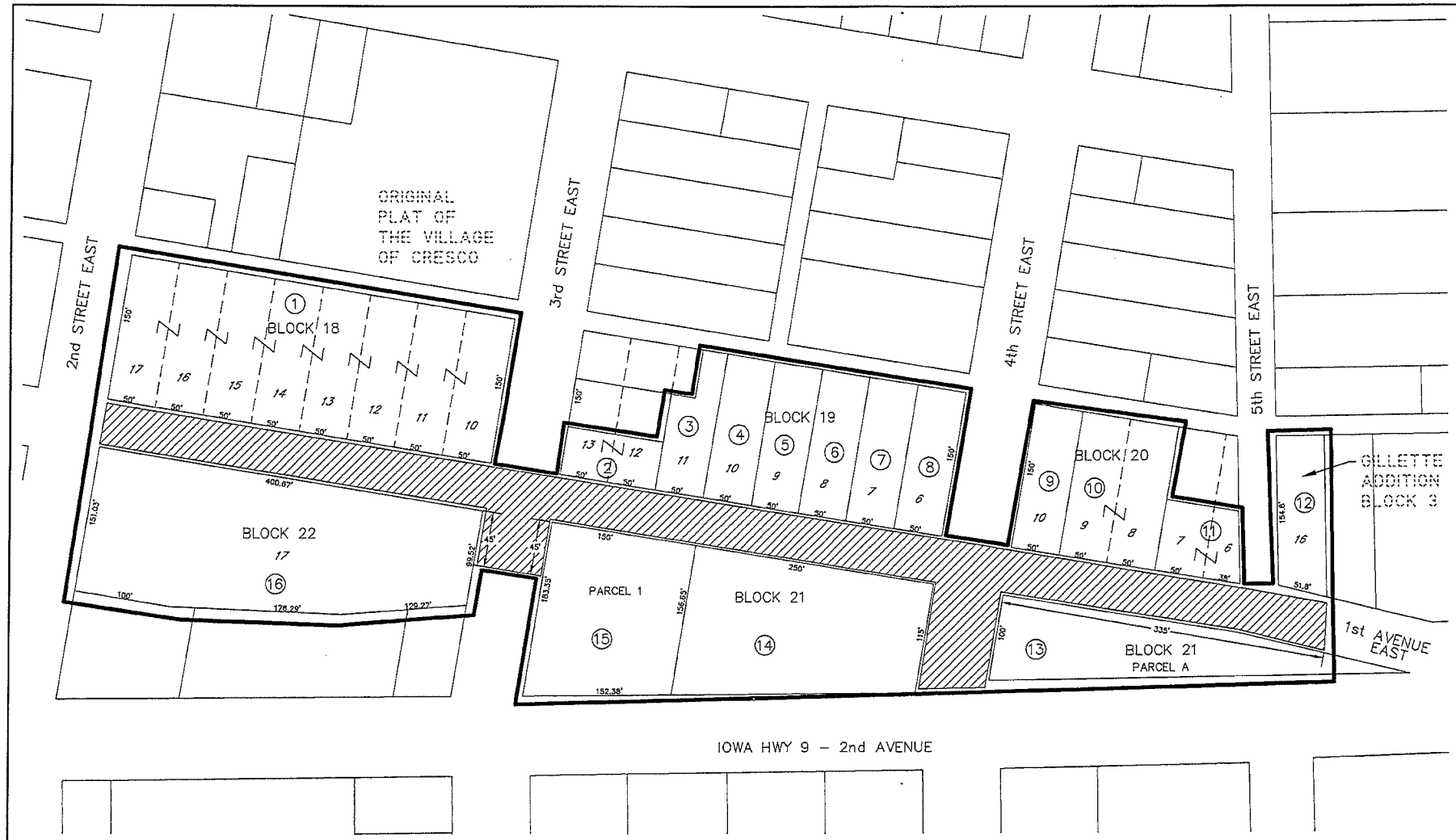
Final Costs	Assessable Costs	Improvement Costs (50% Assessable Costs)
$404,126.53	$ 300,018.84	$ 150,009.42

Benefit Points	Final Assessment	Final Deficiency	Percent Total Cost
542,467.81	$147,993.20	$2,016.22	36.62%

Cost per Benefit Point	City Property
$ 0.27653147	$ 0.00



PROPORTIONAL BENEFITS CURVE
FOR SPREADING PAVING ASSESSMENTS
FROM REPORT OF SPECIAL COMMITTEE
IOWA ENGINEERING SOCIETY
FEBRUARY 1919



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0 25 50 75 100
SCALE IN FEET

LEGEND

- LOCATION OF PROPOSED IMPROVEMENTS
- ASSESSMENT DISTRICT BOUNDRY
- (12) ITEM NUMBER
- 12 LOT NUMBER
- 50' LOT DIMENSION IN FEET

PROJECT DESCRIPTION:

REMOVE AND RECONSTRUCT CONCRETE PAVEMENT ON 1st AVENUE EAST FROM 2ND STREET TO APPROXIMATELY 50 FEET EAST OF 5TH STREET. THE PROJECT WILL ALSO REPLACE THE EXISTING WATER MAIN AND STORM SEWER IN THIS SECTION OF ROADWAY.

WHKS & CO.
ENGINEERS PLANNERS LAND SURVEYORS
2905 South Broadway 507-288-3813 ROCHESTER, MINNESOTA 55904

REVISIONS

NO.	DATE	DESCRIPTION

FINAL ASSESSMENT PLAT
1ST AVE. EAST RECONSTRUCTION
CRESCO, IOWA

SCALE: AS SHOWN
PROJECT NO. 7215
DRAWN BY: MRD
CHECKED BY: DDS
SHEET 4 OF 5

Final Assessment Schedule
1st Avenue East Reconstruction
Cresco, IA

ITEM NUMBER	PARCEL NUMBER	PROPERTY OWNER	PROPERTY DESCRIPTION	FRONT FOOTAGE	AVERAGE DIMENSION LOT DEPTH	UNITS OF BENEFIT	BENEFIT POINTS	IMPROVEMENT COST	COUNCIL VALUES	PRELIMINARY ASSESSMENT	FINAL ASSESSMENT	DEFICIENCY	PERCENT TOTAL COST
1	320-01-18-04-010-000, 320-01-18-15-020-000, 320-01-18-15-010-000	Notre Dame Church 116 3rd St. E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 18, LOTS 10, 11, 12, 13, 14, 15, 16, 17	400	150	254.7	101,880.00	$ 28,173.03	$ 175,173.03	$ 32,396.95	$ 28,173.03	$ -	6.97%
2	320-01-19-12-010-000	James Giddens * 302 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 19, S 50' LOTS 12 & 13	100	50	185.2	18,520.00	$ 5,121.36	$ 51,971.36	$ 5,889.20	$ 5,121.36	$ -	1.27%
3	320-01-19-11-010-000	Brad Ehrie 2671 River Road, Decorah, IA 52101	Original Plat of Village of Cresco BLOCK 19, LOT 11 EXC NW 25'	50	125	243	12,150.00	$ 3,359.86	$ 26,819.86	$ 3,863.60	$ 3,359.86	$ -	0.83%
4	320-01-19-10-000-000	Gerald Rose 314 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 19, LOT 10	50	150	254.7	12,735.00	$ 3,521.63	$ 35,821.63	$ 4,049.62	$ 3,521.63	$ -	0.87%
5	320-01-19-09-000-000	Randy McIntyre 316 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 19, LOT 9	50	150	254.7	12,735.00	$ 3,521.63	$ 16,721.63	$ 4,049.62	$ 3,521.63	$ -	0.87%
6	320-01-19-08-000-000	Thomas Baker 322 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 19, LOT 8	50	150	254.7	12,735.00	$ 3,521.63	$ 49,141.63	$ 4,049.62	$ 3,521.63	$ -	0.87%
7	320-01-19-07-000-000	Corrine Arnold c/o Kevin Arnold 1930 Shannon Oaks Blvd NE Rochester MN 55906	Original Plat of Village of Cresco BLOCK 19, LOT 7	50	150	254.7	12,735.00	$ 3,521.63	$ 6,021.63	$ 1,637.41	$ 1,505.41	$ 2,016.22	0.37%
8	320-01-19-06-000-000	Jaunita Grimm 332 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 19, LOT 6	25	150	254.7	6,367.50	$ 1,760.81	$ 62,560.81	$ 2,024.81	$ 1,760.81	$ -	0.44%
9	320-01-20-10-000-000	Alyssa Hesley c/o Mike Mohlis, 402 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 20, LOT 10	25	150	254.7	6,367.50	$ 1,760.81	$ 41,150.81	$ 2,024.81	$ 1,760.81	$ -	0.44%
10	320-01-20-08-000-000, 320-01-20-09-000-000	Merlin Schnur 412 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 20, LOT 8 & 9	100	150	254.7	25,470.00	$ 7,043.25	$ 79,513.25	$ 8,099.23	$ 7,043.25	$ -	1.74%
11	320-01-20-06-010-000	Dean Bigalk 416 1st Ave E, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 20, S 75' LOTS 6 & 7	88	76	212.5	18,700.00	$ 5,171.14	$ 85,001.14	$ 5,946.43	$ 5,171.14	$ -	1.28%
12	320-08-03-16-000-000	Neil Funke 502 1st Ave E, Cresco, IA 52136	Gillette Addition BLOCK 3, LOT 16	25.9	160.4	260	6,734.00	$ 1,862.16	$ 57,082.16	$ 2,141.35	$ 1,862.16	$ -	0.46%
13	321-01-21-00-030-000	James Zahasky 23253 Kings Road, Cresco, IA 52136	Original Plat of Village of Cresco BLOCK 21, PARCEL A	335	61	199	66,665.00	$ 18,434.97	$ 178,892.94	$ 25,968.75	$ 22,582.94	$ -	5.59%
				50	300	300	15,000.00	$ 4,147.97					
14	321-01-21-00-010-000	Convenience Store Investments 1626 Oak Street, La Crosse, WI 54603-2308	Original Plat of Village of Cresco BLOCK 21, EXC PARCEL 1	250	135.8	247.5	61,875.00	$ 17,110.38	$ 543,993.38	$ 24,934.33	$ 21,683.38	$ -	5.37%
				57.5	250	287.5	16,537.00	$ 4,573.00					
15	321-01-21-00-020-000	Elderly Housing of West Union Box 581, La Crosse, WI 54602	Original Plat of Village of Cresco BLOCK 21, PARCEL 1	75	170	262.5	19,687.50	$ 5,444.22	$ 254,113.69	$ 9,905.10	$ 8,613.69	$ -	2.13%
				45	150	254.7	11,461.50	$ 3,169.47					
16	321-01-22-00-010-000	LL Apartments c/o CUSB, P.O. Box 57, 111 North Elm, Cresco, IA 52136 Attn: Lorl Bronner	Original Plat of Village of Cresco BLOCK 22, LOT 17	400.67	125.3	243	97,362.81	$ 26,923.88	$ 327,790.47	$ 33,106.96	$ 28,790.47	$ -	7.12%
				22.5	300	300	6,750.00	$ 1,866.59					
			Totals	2,249.57			542,457.81	$ 150,009.42			$ 147,993.20	$ 2,016.22	36.62%

Final Costs (Construction+Engr+Legal)		$ 404,126.53
	Assessable Cost	$ 300,018.84
Property owner share	50%	$ 150,009.42
	City Share is 50% Assessable Cost plus Deficiency plus watermain & intersection & storm sewer costs	$ 256,133.33

Cost per Benefit Point	$ 0.27653147

* Property under foreclosure. Notice also sent to mortgage holder - Nationstar Mortgage