

**CITY OF STILLWATER  
NOTICE OF HEARING ON PROPOSED ASSESSMENT FOR  
2018 STREET IMPROVEMENT PROJECT  
PROJECT 2018-02, L.I. 417**

TO WHOM THIS MAY CONCERN:

Notice is hereby given that the council will meet at 7:00 p.m. or as soon as possible thereafter on October 16, 2018 in the City Council Chambers at City Hall, 216 N. 4th Street to pass upon the proposed assessment for Project No. 2018-02. The following is the area proposed to be assessed:

Properties abutting Pine Tree Trail, Lake Drive, Brick Street South (Pine St W to Willard St W), Seeley Street South (Pine St W to Willard St W), Willard Street West (Brick St S to Seeley St S), Interlachen Way, Interlachen Way Court, Bayberry Avenue Court, Bayberry Avenue (Interlachen Way to Maryknoll Dr), Union Alley (Myrtle St E to Commercial Ave), Industrial Boulevard, Curve Crest Blvd (Washington Ave to Greeley St S), Green Twig Way, Sherburne Street North (Myrtle St W to Linden St W), William Street North (Myrtle St W to Mulberry St W), Mulberry Street West (Owens St N to Everett St N), Sixth Street South (Pine St W to Olive St W), Pine Street West (Greeley St S to Seeley St S), Victoria Court, Commercial Avenue, Nelson Alley, Nelson Street (Second St S to Main St S), Second Street South (Myrtle St W to Nelson St W), Union Alley (Chestnut St E to Myrtle St E), Olive Street East (Third St S to Main St S).

The improvement consists of rehabilitation of street and related improvements. The total amount of the proposed assessment on all properties is \$1,447,126.40.

Property owners may at anytime prior to certification of the assessment to the county auditor, pay the entire assessment balance on such property, without any additional interest to the City of Stillwater. **NO INTEREST WILL BE CHARGED IF THE ENTIRE ASSESSMENT IS PAID BY NOVEMBER 16, 2018.** If the assessment is not paid by November 16, 2018, accrued interest from the date of the adoption of the assessment roll through December 31, 2019 will be added with the first installment due in 2019. If payment is not received by November 16, 2018, the amount listed above will be collected over a 10-year period with interest added at 4.25% per year on the unpaid balance. The yearly installments will be collected with the property taxes that are paid to Washington County. You may at any time thereafter, prior to November 15th of any year, pay the remaining principal balance (in whole or part) to the City of Stillwater.

The proposed assessment roll is on file for public inspection at the City Engineer's office. Written or oral objections thereto by any property owner will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection, signed by the property owner, is filed with the clerk prior to the hearing or presented to the presiding officer at the hearing. The Council may consider an objection to the amount of the proposed individual assessment at an adjourned meeting, if so advised. Upon such action, affected property owners would receive further notice.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The city will present its case first by calling witnesses who may testify by narrative or by examination, and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.

2. After the city has presented all its evidence, the objector may call witnesses or present such testimony as the objector desire. The same procedure for questioning of the city's witnesses will be followed with the objector's witnesses.

3. The objector may be represented by counsel.

4. Minnesota rules of evidence will not be strictly applied; however, they may be considered and argued to the council as to the weight of items of evidence or testimony presented to the council.

5. The entire proceedings will be tape-recorded (video-taped).

6. At the close of presentation of evidence, the objector may make a final presentation to the council based on the evidence and the law. No new evidence may be presented at this point.

7. The council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the mayor or clerk of the city within thirty (30) days after the adoption of the assessment and filing such notice with the district court within ten (10) days after service upon the mayor or clerk.

Under Minnesota Statutes Section 435.193 to 435.195 and Stillwater City Code, Chapter 56.05, the Council may, in its discretion, defer the payment of this special assessment for any homestead property owned by a person 65 years of age or older or retired by virtue of a permanent and total disability for whom it would be a hardship to make the payments.

The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest, shall become due upon the occurrence of any of the following events: (a) the death of the owner, provided that the spouse is otherwise not eligible for the benefits hereunder; (b) the sale, transfer or subdivision of the property or any part thereof; (c) if the property should for any reason lose its homestead status; or (d) if for any reason the taxing authority deferring payments shall determine that there would be no hardship to require immediate or partial payment.

Any assessed property owners meeting the requirements of this law and the ordinance adopted under it may apply to the City Clerk for the prescribed form for such deferral of payment of the special assessment on the property. (Please call City Hall, Finance Department at 651-430-8813 if you desire more information about the special assessment deferral).

Diane Ward  
City Clerk

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