

COUNCIL RESOLUTION NO. 2009- 06

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL TO MAKE IMPROVEMENTS TO LYON STREET AND PINE STREET UPON THE PETITION OF THE OWNERS OF THE ABUTTING PROPERTY

WHEREAS, the City Council has received a petition from property owners who abut Lyon Street between Cedar Street and the Union Pacific Railroad right-of-way to the East, and on Pine Street from its intersection with Lyon Street to a point 1,345 feet South; and,

WHEREAS, the amount of property owned by the signatories to petition exceeds fifty percent (50%) of the total property that abuts the two abovementioned streets, and the property that would be benefited by the improvements requested thereto; and,

WHEREAS, the petition has requested that the improvements to the abovementioned streets include asphaltic paving of the streets, together with concrete curb, sidewalk and gutter thereon; and,

WHEREAS, the City Engineer has estimated the cost of the requested improvements will be approximately \$2,958,092.50 and an estimate of the Contract price for the entire improvement project of \$3,342,644.53; and,

WHEREAS; there does appear to be grades which must be established on the streets requested for improvements and,

WHEREAS, it appears necessary to include storm water drainage structure to the area of improvements; and,

WHEREAS, the boundaries of the improvement district need to established by the Council; and,

WHEREAS, the Council must set the time and place for a public hearing to consider any remonstrances or objections to the proposed improvement project, which must be not less than fifteen (15) days after notice has been sent to each of the property owners that will be affected by the proposed project;

NOW, THEREFORE, BE IT RESOLVED BY THE LARAMIE CITY COUNCIL that:

1. The Council hereby expresses its intent to create an improvement district within the below described boundaries which will pay for improvements to Lyon Street from its intersection with Cedar Street East to a point 1,129.5 feet to the East, nearing the Union

Pacific Railroad right-of-way,, and Pine Street from its intersection with Lyon Street South to a point 1,345 feet South.

2. The improvements to the aforementioned streets shall include asphaltic paving, together with concrete sidewalks, curbs and gutters, and the additional storm sewers structures.
3. The boundaries of the improvement district shall be as follows:
  - a. Beginning at the intersection of the North side of Lyon Street with the East side of Cedar Street; thence North along the East side of Cedar Street to a point 1129.5 feet to the East; thence beginning at the intersection Lyon Street with Pine Street; thence South 1,345 feet, and encompassing the properties which abut the above described street portions, excluding the Union Pacific Railroad right of way.
4. The estimated contract price for the entire project is \$2,958,092.50, with the estimated cost of the improvement project being \$3,342,644.53.
5. Changes in street grade are anticipated in this project.
6. No general funds are anticipated to be expended on the project.
7. There are no other funds available to be used in this project.
8. The contract to be let will require the contractor to maintain the improvements for a period of one (1) year following completion, and the total contract price will include the charge for that maintenance will be a portion of the assessment`.
9. The City Council will meet on the 17<sup>th</sup> day of February, 2009 at 6:30 p.m. in the Council Room, City Hall, 406 Iverson St., Laramie, Wyoming to consider remonstrances and objections to the proposed improvements. Any such remonstrances or objections must be filed with the City Clerk before 5:00p.m. on February 13<sup>th</sup>, 2009.

10. The City Clerk shall give notice of this meeting to each of the legal owners of record of the affected properties not less than fifteen (15) days prior to the date of the meeting by publishing this resolution in the Laramie Boomerang Newspaper not less than once per week for two (2) consecutive weeks prior to the meeting, and by mailing by first class mail, postage prepaid, to each legal owner of property not less than fifteen (15) days prior to the meeting.

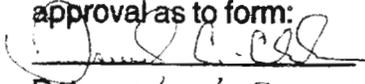
11. The resolution when published and when mailed to the legal owners shall have the following caption:

“Notice to all persons liable to assessment for the improvements to Lyon Street from Cedar Street to Railroad Street, and Pine Street from Lyon Street South to a point 1,345 feet. The governing body of the City of Laramie on the 20th day of January, 2009 passed the following resolution on intention.”

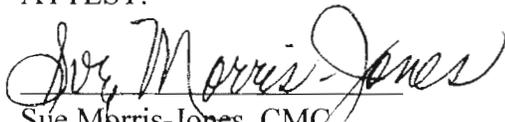
PASSED AND APPROVED this 20th day of January, 2009.

  
Jodi Guerin, Mayor and President  
of the City Council of the City of  
Laramie, Wyoming

City Attorney's Office  
approval as to form:

  
Date: 1/15/09

ATTEST:

  
Sue Morris-Jones, CMQ  
City Clerk

Duly published in the Laramie Daily Boomerang this 23th day of January, 2009.