

MORTON COUNTY
SPECIAL ASSESSMENT PROCEDURE
ASPHALT SURFACE
(All Petitioners Must Read Carefully)

Effective Date July 14th, 2009

1. Morton County will consider the creation of a special assessment district only when the project will cost \$50,000 or more.
2. Some interested party must act as sponsor and or contact person to represent the user group desiring the improvement.
3. Sponsor shall contact the County Engineer/Road Superintendent to explain the type of improvement desired and the exact extent of the improvement area.
4. The County Engineer/Road Superintendent will furnish an approximate total cost for the improvement:
 The sponsor shall be required to deposit a non-refundable fee of \$200 for preparatory and incidental expenses incurred prior to declaring a resolution of necessity for a special assessment district. If the district is approved, the \$200 fee shall be applied to administrative costs.
5. The sponsor will enter the specific data applying to the improvement and circulate the petition. The engineers cost estimate must be included. (See Sample Petition.)
6. The sponsor must contract with an engineer registered by the State of North Dakota to prepare the improvements' plans and specifications. Prior to preparing the plans and specifications, the contacted engineer must consult the County Engineer/Road Superintendent to determine the appropriate standards for the improvement. If the special assessment district fails to be approved, any billing by the engineer must be the responsibility of the petitioners. If the special assessment is approved, any billing by the engineer must be added to the project cost.
7. All paving projects must include a chip seal application.
8. The Board of County Commissioners, upon receipt of a petition of 60% or more of the landowners, may establish a special assessment district for such improvements pursuant to NDCC 11-11-55.1 and the other chapters referred to in that statute.
9. A properly completed petition is delivered to the County Auditor for transmittal to the County Special Assessment Screening Committee for review. The membership of the County Special Assessment Screening Committee shall consist of the County Commissioner(s) holding the County Road & Bridge Department portfolio, the County Engineer/Road Superintendent, and the County Auditor.
10. The screening committee will consider the petition, the feasibility of the project, the predictability of solvency of the district and then will make a recommendation to the

Morton County Board of Commissioners.

11. If approval is recommended by the screening committee, the County Engineer/Road Superintendent shall make a determination as to the inclusion of all properties to be benefited. The County Engineer/Road Superintendent will also make a report covering general nature, purpose, feasibility and cost estimate of the improvement.
12. The County Commission will act on the Screening Committees recommendation. If the request is approved, the County Commission accepts the County Engineer/Road Superintendents report by resolution and then creates the special assessment district by adopting a resolution of necessity.
13. The adopted resolution of necessity, County Engineer/Road Superintendents report, and a map of the special assessment district will be published once a week for two weeks (1st publication at least 30 days prior to public hearing) in the official county newspaper with a prescribed date and time of public hearing.
14. At the public hearing on the resolution of necessity, County Commission will log any forthcoming protest. The district is prohibited unless 60% of the landowners support the proposed improvement.
15. If protest is insufficient and County Commission desires to proceed, the County Commission will direct the County Engineer/Road Superintendent and the selected private engineer to prepare detailed plans and specification for approval by resolution of the County Commission.
16. The project is advertised for bids in accordance with the North Dakota Century Code.
17. The contract is awarded and the proper bond posted by successful bidder.
18. The project is constructed by successful bidder as per governing specifications to final approval of the County Engineer/Road Superintendent.
19. The Special Assessment Commission shall inspect the project and determine proportionate benefits. This board will prepare a complete list of benefits and assessments setting forth: a.) each tract benefited; and b.) the amount to be assessed. Total final costs will include final contract construction cost, engineering expenses, bond counsel (legal) expenses, financial consultant expenses, all bond issuance fees, plus an amount equal to \$1,000 plus 3% of the total project cost (but never to exceed \$10,000) to cover administrative expenses for the County.
20. The assessment list, excluding the amount each lot or tract is benefited by the improvement, will be published once each week for two weeks. (1st publication at least 15 days prior to hearing)
21. The Special Assessment Commission holds a public meeting to hear all objections to the method of assessment.
22. Special Assessment Commission confirms the final distribution of costs among the

- beneficiaries at a public meeting and certifies the results to the County Commission.
23. The County Commission holds public meeting to confirm assessments and to consider any amendments.
 24. Petitioners acknowledge that normal, routine roadway maintenance will be provided by the current responsible road entity. Any subsequent seal coats, resurfacing or other major structural work must be paid by the property owners in the form of a future, separate special assessment district.
 25. If any funds remain after the special assessment improvement bond has been paid, 75% of the funds shall be transferred to the appropriate current responsible road entity for maintenance of the improvement. The remaining 25% shall be held by the County in a fund to cover future potential deficient special assessments.
 26. Private roadways or roadways not meeting minimum published standards are not eligible for improvement under special assessment program.

SPECIAL ASSESSMENT DISTRICT PETITION

We, the undersigned, being the landowners of record of benefited property, do hereby petition the Morton County Commission to create a special assessment district for the following improvement. We understand that the entire final cost will be apportioned among the adjoining property owners by the special assessment commission as follows:

Roads will be paved in Entzel Acres.
 Lot 1 Block 3 to be allocated two thirds of per lot assessment.
 Lot 6 Block 3 to be allocated one third of per lot assessment.
 The other 9 lots will be at full lot assessment.

A) Location: Entzel=s Acres subdivisions.

B) Type of improvement: Asphalt paving of roads with chip seal. (25 year Lifespan)

C) Improvement extent: Complete the paving of roads within Entzel=s Acres.
 Pave all roads within Entzel=s Acres I.
 Pave all roads within Entzel=s Acres II.
 Pave 1,307' of road to access Entzel Acres.
 Total length of improvement is approximately 32,833 feet (6.218 miles)

D) Approximate total cost: \$746,160 (\$6,000 per lot, a high end estimate)
 Lot 1 Block 3 Entzel=s Acres I cost- \$4,000
 Lot 6 Block 3 Entzel=s Acres II cost- \$2,000
 1307' of access road each side \$4,000
 Assessment period: 15 years or payoff sooner without penalty.

E) Desired improvement completion date: Summer of _____ or A.S. A. P

F) Contact persons: _____ or _____

SIGNATURE	MAILING ADDRESS	PHONE	LEGAL DESCRIPTION			DATE
			LOT	BLOCK	SUBD.	