

## **CHAPTER 27**

# **INFORMATION & APPLICATION FORMS**

Chapter 27 of the 1911 Act provides for street improvements in areas where more than 50% of the improvements have been constructed, or where over 60% of the property owners' have requested said improvements be constructed. This method is faster, and in most cases more acceptable to the people, than going through the complete assessment district procedure.

There are several other basic differences between Chapter 217 and 1911 Act District Assessments. If at all feasible, with Chapter 27 the property owner is given the option of performing the construction himself within a specified period of time.

Also, instead of going into an assessment district with bonds and interest to be paid over a 10 year period, Chapter 27 provides that the total amount of the assessment must be paid within 5 days after the cost of hearing. If payment is not received, a Notice of Lien is recorded by the City against the property in the amount of the unpaid assessment, and interest is charged on the overdue amount. When the assessment is paid, the City will prepare a Release of Lien which the property owner must record at his expense. At the end of the year, unpaid assessments go to the County Tax Assessor's Office to be paid with the property taxes.

### ***Procedures for Chapter 27 Projects are as follows:***

1. Petition with over 60% of required signatures is presented to City Engineer. Estimate of cost is prepared.
2. Petition is presented by City Engineer to Council  
or  
Report by City Engineer verifying than more than 50% of the improvements have been constructed is presented to Council.
3. Council adopts resolution of intention.
4. Property is posted, and Notice to Construct is sent to each property owner, along with copy of resolution of intention setting hearing date.
5. Council conducts protest hearing. At this time, property owners may object to the proposed improvements.
6. If the Council decides to proceed with the project, they will adopt a resolution ordering the work to be done.
7. After hearing, letter is sent to property owner transmitting the resolution ordering work and establishing a time limit if they desire to do the work.
8. After specified time, city or contractor performs the work and quantities are calculated.
9. Report of work is made to City council; Council adopts resolution setting hearing date, and letter is sent to property owner indicating their cost and advising of hearing date.
10. City Council hears any protests on cost. Resolution adopting costs and letter is sent to property owner setting deadline for payment.
11. Property owner may pay full amount to city within specified time (5 days after hearing). After this, a Notice of Lien against the property is filed by the city in the amount of the assessment.
12. Property owners paying assessment plus interest during the year are furnished with a Release of Lien so they may record it and remove the lien from the property.
13. Unpaid assessments as of June 30 are sent to County Tax Collector to be collected with property taxes.
14. Letter advising property owner of Notice of Lien being filed is sent, advising him to present receipt if he pays so a Release of Lien can be prepared.

**CHAPTER 27**  
**PROCEDURE CHECKLIST**

PROJECT NAME OR NUMBER \_\_\_\_\_  
\_\_\_\_\_

	Date Completed
1. Petition with over 60% of required signatures, or report verifying more than 50% of improvements have been constructed, is presented to City Council by the City Engineer.	_____
A City Council adopts resolution of intention #_____.	_____
B Notice to construct is posted on property, at which time pictures of property are taken.	_____
C Notice to construct, with copy of resolution is sent to property owner listed on the last equalized assessment roll.	_____
D Map of assessment district is recorded with County Recorder.	_____
2. City Council conducts protest hearing.	_____
A Council adopts resolution ordering work #_____.	_____
B On day after hearing, letter sent to property owner(s) transmitting the resolution ordering the work, and establishing a time limit if they desire to do the work.	_____
3. Upon completion of work, final quantities are calculated and pictures are taken of property indicating final conditions.	_____
A Report of work made to City Council by the City Engineer.	_____
B Council adopts resolution setting hearing date. #_____.	_____
C Letter sent to property owner indicating their cost and a copy of the resolution attached.	_____
4. City Council hears protests on cost.	_____
A Adopts resolution of cost.	_____
B Letter sent to property setting deadline for payment and sending copy of resolution.	_____
5. Liens are filed against unpaid assessments.	_____
A Property owners paying assessment plus interest during year are furnished with Release of Lien so they may record.	_____
B Unpaid assessments as of June 30 are sent to County Tax Collector, to be collected with the property taxes.	_____
C Letter advising property owner that Notice of Lien has been filed with Assessor and advising him to present receipt if he pays it so we can prepare Release of Lien for him to record.	_____

