**1. Petition For Local Improvements** (100 percent of property owners)[[1]](#endnote-2)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Minnesota (month) (date), (year)

To the City Council of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Minnesota:

We, all owners of real property abutting on \_\_\_\_\_\_\_\_\_ Street, between \_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Street and the \_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_ Street hereby petition that such street be improved by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[[2]](#endnote-3) pursuant to Minnesota Statutes, Chapter 429, and that the city assess the entire cost of the improvement against our property described below and hereby agree to pay the entire cost as apportioned by the city.

 Signature of Owner[[3]](#endnote-4) Description of Property

1.

2.

3.

4.

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.[[4]](#endnote-5)

 \_\_\_\_\_\_\_\_\_\_\_

 City Clerk

**END OF FORM**

1. The city can use Forms 1 and 2 where all landowners agree to being assessed the entire cost of the project.

When the petition is by the “owners of all” real property, no hearing or notice as mentioned in Form 5 below is required by the statute. In that case, the council must still pass a resolution similar to Form 4 below, but in the first paragraph “all owners” should be substituted for the words “required percentage of owners.” The validity of this resolution is made incontestable by any taxpayer, property owner, or the municipality unless an action for that purpose is commenced within 30 days after adoption of the resolution. (Minn. Stat. § 429.031, subd. 3.)

Unlike cases where the petition is by fewer than all property owners, no publication of this resolution seems to be required by the statute. However, to avoid misunderstanding by some property owners and possible objections to assessments at later stages of the proceedings, the city may prefer to mail a copy of this resolution to each owner. Additionally, the city in such cases may want to secure waivers of objections and rights to appeal (see Form 2) from each owner on conditions permitted by Minn. Stat. § 462.3531. The council is then in a good position to make expenditures for plan and specification preparation and solicitation of bids, without risk to the general treasury. [↑](#endnote-ref-2)
2. Fill in with appropriate phrase, such as “asphalt surfacing,” “bituminous surfacing,” “installation of curbs and gutters,” “the construction of water mains therein,” etc. See Part I of the Guide for the list of projects under which special assessments may be levied pursuant to the improvement code. [↑](#endnote-ref-3)
3. Property owned in joint tenancy or by tenants in common should be signed by each owner. [↑](#endnote-ref-4)
4. Section 429.031, subd. 3 requires that certain petitions by 100 percent of owners be accompanied by additional documentation. See that section for requirements related to petitions for city-owned or privately-owned fire protection systems, pedestrian skyway systems, on-site water contaminant improvements. [↑](#endnote-ref-5)