**6. Notice of Hearing on Improvement**[[1]](#endnote-2)

TO WHOM IT MAY CONCERN:

Notice is hereby given that the city council of \_\_\_\_\_\_\_\_\_ will meet in the council chambers of the city hall at \_\_\_\_\_\_\_\_\_ a.m. (p.m.) on (month) (day) , (year) , to consider the making of Improvement No. \_\_\_\_\_\_\_\_\_, an improvement on \_\_\_\_\_\_\_\_\_ Street between the \_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_ Street and the \_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_ Street[[2]](#endnote-3) by \_\_\_\_\_\_\_\_\_,[[3]](#endnote-4) pursuant to Minn. Stat. §§ 429.011 to 429.111. The area proposed to be assessed for such improvement is \_\_\_\_\_\_\_\_\_.[[4]](#endnote-5)  The estimated cost of the improvement is $\_\_\_\_\_\_\_\_\_. A reasonable estimate of the impact of the assessment will be available at the hearing.[[5]](#endnote-6) Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.

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

City Clerk

Published in \_\_\_\_\_\_\_\_\_ on (month) (day) , and (month) (day) , (year) .

**END OF FORM**

1. This form can be used to meet both the mailing and publishing requirements for notice since it contains statutory requirements of both.

   **Publication.** This notice must be published twice in the official newspaper. The two publications must be a week apart and at least three days must elapse between the last publication date and the date set for the hearing. While there must be a separate hearing on each improvement, it is not necessary that there be a separate published notice if hearings on two or more improvements are to be held at the same council meeting. However, the notice should describe each improvement separately, stating the estimated cost for each one and that there will be a separate hearing on each improvement.

   **Mail.** Not less than ten days before the hearing, notice must be mailed to the owner of each parcel within the area to be assessed. For the purpose of giving such notice, owners are those shown to be such on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the treasurer. Other appropriate records may also be used for this purpose. As to property which is tax exempt or subject to taxation on a gross earnings basis and not listed on the records of the auditor or treasurer, the name of the owner must be ascertained by some practicable means and he/she must also be given mailed notice. An affidavit of mailing should be prepared and filed. Form 14-Opt. can be adapted for this purpose. [↑](#endnote-ref-2)
2. Care should be taken to describe accurately in the notice the area proposed to be assessed as well as any property which the city plans to assess in the future under Minn. Stat. §§ 429.051 or 429.052. The description should be sufficiently definite to permit a property owner to tell whether he/she is among those likely to be assessed. Property not included in the description may not later be assessed, but the council is not obliged to assess all of the property so included. [↑](#endnote-ref-3)
3. Here state the general nature of the improvement. [↑](#endnote-ref-4)
4. If the council is considering the assessment of non-abutting property benefited by the improvement, this phrase should be altered accordingly to describe the area proposed to be assessed. The sentence may be deleted if the improvement is described adequately by the previous sentence. [↑](#endnote-ref-5)
5. The notice must include this statement. In addition, a reasonable estimate of the total amount to be assessed and a description of the methodology used to calculate individual assessments for affected parcels must be available at the first public hearing (improvement hearing). [↑](#endnote-ref-6)