

**RESOLUTION #1-2020**

**A RESOLUTION APPROVING SPECIAL CHARGE FOR  
UNPAID MUNICIPAL SERVICE FEES**

**WHEREAS**, the Town is party to a Town of Delavan Municipal Service Agreement with Senior Housing Developers at Delavan, LLC dated May 5, 1998; and

**WHEREAS**, under the terms and provisions of that agreement, Senior Housing Developers at Delavan, LLC or its successors are required to pay to the Town of Delavan annually a municipal service fee more particularly described in the agreement;

**WHEREAS**, in the event of the failure of Senior Housing Developers at Delavan, LLC or its successors to make timely payment of the municipal service fee, the Town of Delavan is authorized to impose a special charge against certain real estate described as Lots 1-6 Westshire Farms at the Lakes and more particularly described in Exhibit A attached hereto for the amount of any delinquency, all pursuant to the Town's power to levy special assessments under Section 66.0627 of the Wisconsin Statutes; and

**WHEREAS**, Senior Housing Developers at Delavan, LLC or its successors are delinquent in payment of the municipal service fees for calendar year 2019 together with interest in the amounts set forth below as of May 18, 2020:

| <b>Year</b> | <b>Principal</b> | <b>Interest</b> | <b>Total</b> |
|-------------|------------------|-----------------|--------------|
| 2019        | \$95,096.50      | \$9,878.34      | 104,974.84   |
|             |                  |                 |              |

**WHEREAS**, under the terms of the May 5, 1998 Town of Delavan Municipal Service Agreement, Senior Housing Developers at Delavan, LLC and its successors consented to the imposition of a special assessment or special charge in the amount of any delinquency and payment of any municipal service fee due under the terms of the agreement and expressly waived any statutory notice or hearing requirements;

**NOW THEREFORE BE IT RESOLVED** by the Town Board of the Town of Delavan, Walworth County, Wisconsin;

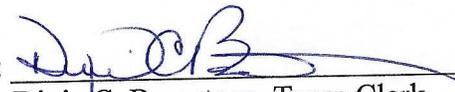
1. That there is hereby levied as a special charge the following unpaid municipal service fees together with an allocated portion of administrative costs associated therewith as set forth in the following schedule;

| <b>Parcel</b> | <b>Principal</b> | <b>Interest</b> |
|---------------|------------------|-----------------|
| FWESTC00001   | 15,849.42        | 1,646.39        |
| FWESTC00002   | 15,849.42        | 1,646.39        |
| FWESTC00003   | 15,849.42        | 1,646.39        |
| FWESTC00004   | 15,849.42        | 1,646.39        |
| FWESTC00005   | 15,849.42        | 1,646.39        |
| FWESTC00006   | 15,849.42        | 1,646.39        |

2. The Town clerk shall cause this Resolution to be published as a Class 1 Notice and shall mail a copy to the owner of the property subject to the special charge.
3. That the Town clerk shall cause a Notice of Determination to be mailed to every owner or property subject to this special assessment whose address is known.
4. That the Town clerk shall cause the special charge to be placed upon the tax roll in the event that it is not paid by the due date set forth in the Notice of Determination.

Adopted by the Town Board of the Town of Delavan, Walworth County, Wisconsin this 19th day of May, 2020.

  
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Larry Malsch, Town Chair

Attest:   
\_\_\_\_\_  
Dixie C. Bernsteen, Town Clerk