

6/5/13

**SANITARY SEWER BENEFIT RESOLUTION FOR
THE LEBANON AMSTON LAKE SEWER DISTRICT**

RESOLUTION relative to an assessment of benefits for the Lebanon Amston Lake Sewer District (the "Amston Lake District") installed in the Town of Lebanon, Connecticut; establishing the due date of said assessments; providing for installment payments of assessments and interest thereon;

WHEREAS, the Lebanon Water Pollution Control Authority (hereinafter the "WPCA"), the duly established municipal Water Pollution Control Authority existing under the laws of the State of Connecticut within and for the Town of Lebanon, exercising its statutory authority under the laws of the State of Connecticut, has heretofore accepted the public improvements known as the Amston Lake Sanitary Sewerage System, said improvements being more particularly described in the map entitled "Water Pollution Control Authority Sewer Service Area," as it may from time to time be amended by the WPCA, hereinafter referred to as the "Sewer District Map"; and

WHEREAS, the Connecticut General Statutes provide in part that at any time after a municipality by its Water Pollution Control Authority has authorized the acquisition or construction of a sewerage system, or portion thereof, the Water Pollution Control Authority may apportion and assess the whole or any portion of the cost thereof upon the lands and buildings in the municipality which, in its judgment, are especially benefited thereby, whether they abut on such sewerage system or not, and upon the owners of such land and buildings

6/5/13

according to said Connecticut General Statutes and such rules as the Authority adopts;

NOW, THEREFORE, BE IT RESOLVED by the Lebanon Water Pollution Control Authority, as follows:

1.) The WPCA hereby levies benefit assessments on certain parcels of land, being those located within the Amston Lake District and depicted on the Sewer District Map, pursuant to Connecticut General Statutes Section 7-250 for benefits received as a result of the construction of the District's municipal sewerage system, which will commence operation in the year 2013 to serve said parcels. The parcels which are hereby assessed are shown more particularly on the Sewer District Map, a copy of which is attached hereto.

2.) The Chairman of the WPCA be and hereby is authorized to execute and deliver in the name of the WCPA such documents as may be necessary or desirable to effectuate the foregoing and to do any and all other necessary acts.

3.) Notice is further given that such assessments shall become due and payable regardless of whether the parcels are actually connected to the sewerage system.

4.) In addition to the assessments, the parcels shall be subject to lawful fees and charges for connection to and use of the sewerage system.

5.) All assessments shall be at a Flat Rate. The Flat Rate for an assessable lot shall be as follows: Sixteen Thousand, Six Hundred Eighty Three and 01/100 (\$16,683.01) for each lot within the Amston Lake District.

6/5/13

6.) The assessment set forth above shall be due and payable on August 1, 2013. Payments shall be made payable to the order of the Tax Collector of the Town of Lebanon. The owners of any assessed property may pay the entire amount of the assessment in full on or before September 1, 2013 without interest or may pay said assessment over twenty (20) years by installment payments made in accordance with Paragraph 7 of this Resolution.

7.) If the election is made to pay said assessment by installment payments, the assessment for each property shall be paid in (40) Forty substantially equal semi-annual installments, the first installment to be due and payable on August 1, 2013 and the second installment to be due and payable on December 1, 2013. Thereafter, payments shall be made semi-annually, commencing April 1, 2014 and October 1, 2014 and each succeeding April and October. A notice of installment payments will be recorded on the Lebanon land records as provided by the Connecticut General Statutes.

8.) The interest at the rate of two point five (2.5%) percent per annum on the unpaid balance of the assessment shall be due and payable at the time of the payment of each installment payment. Any person may pay an installment or installments for which he is liable at any time prior to the due date thereof.

9.) If all or any part of a property which is assessed pursuant to this Resolution is sold or transferred, the remaining portion of the assessment may be assumed by the transferee.

10.) Notwithstanding any other provision herein, if any portion of any installment, including accrued interest, has not been paid by the first anniversary

6/5/13

date after such installment was due and payable, then the entire principal sum, together with all accrued interest, shall become due and payable, together with attorney's fees and costs of collection.

11.) A benefit assessment or any installment thereof not paid within thirty (30) days after the due date, shall be delinquent and shall be subject to interest from such due date at the rate and in the manner provided by the General Statutes for delinquent property taxes, together with attorney's fees and costs of collection.

12.) Each addition of interest shall be collectible as part of such assessment.

13.) Any delinquent assessment or delinquent installment of any assessment and any interest due thereon shall constitute a lien against the real estate against which the assessment was levied from the date of such levy. Each such lien may be continued, recorded and released in the manner provided by the General Statutes for continuing, recording, and releasing property tax liens. Each lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed in the same manner as property taxes.

BE IT FURTHER RESOLVED, that the installation of said public improvements as described hereinbefore have been duly and legally accepted by the Town of Lebanon; and that all assessments and benefits stated herein and in the public record of the Town of Lebanon WPCA shall be deemed duly and legally made. The WPCA shall cause a notice to be published listing properties against which benefits have been assessed, with the amount to be paid by each

6/5/13

such owner and a notice of the date when assessments are due and payable in accordance with Chapter 103 of the Connecticut General Statutes as amended.

The WPCA shall also cause to be mailed, postage prepaid, a copy of the assessment of benefits addressed to the owners of each property affected thereby at such owners' addresses as shown in the last completed grand list of the municipality or at any later addresses of which the WPCA may have knowledge.