**4. Resolution Declaring Adequacy of Petition and Ordering Preparation of Report**[[1]](#endnote-2)

BE IT RESOLVED BY THE CITY COUNCIL OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Minnesota:

1. A certain petition requesting the improvement of \_\_\_\_\_\_\_\_\_ Street between the \_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_ Street and the \_\_\_\_\_\_\_\_\_ line of \_\_\_\_\_\_\_\_\_ Street by \_\_\_\_\_\_\_\_\_, filed with the council (month) (day) , (year) , is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minn. Stat. § 429.035.

2. The petition for proposed Improvement No. \_\_\_\_\_\_\_\_\_ is hereby referred to \_\_\_\_\_\_\_\_\_[[2]](#endnote-3) and that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the council this \_\_\_\_\_ day of (month) , (year) .[[3]](#endnote-4)

Mayor

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

City Clerk

**END OF FORM**

1. If there is no petition, Form 4-Alt. should be substituted for Forms 1-4. [↑](#endnote-ref-2)
2. The law requires that this report be made by the city engineer or some competent person selected by the council. If a consulting engineering firm or someone other than a city employee is retained to prepare the report, compensation for the report must not be based primarily on a percentage of the estimated cost of the local improvement. [↑](#endnote-ref-3)
3. This resolution should be published since the time for appeal from the council's determination of sufficiency of the petition does not commence to run until the publication is made. (Any person aggrieved by the determination may appeal within 30 days after adoption and publication of the resolution. Minn. Stat. § 429.036.) Unless reversed upon the appeal, the council's determination that the petition is sufficient is final and conclusive. [↑](#endnote-ref-4)