

\*\*\*\*\*TERMS & CONDITIONS\*\*\*\*\*

The annual level of funding for new curb is limited. Once all available funding for the current year have been committed, further applications will not be acted upon until January of the following year. All requests for proposals will be processed in the chronological order in which they are filed with the Department of Public Works.

A cost proposal will be forwarded to you based on your request and in accordance with established guidelines. The cost proposal will represent your 50% share of the total cost of this construction and will be effect for 30 days from the date of proposal.

*Methods of Payment*

If, after receiving a cost proposal, you decide to have the betterment work done, the following payment options are available to you:

A) You may forward to the Department of Public Works a check in the full amount of the proposal made payable to the City of Newton. All cost proposals of less than \$2,000.00 must be prepaid by check.

B) If the cost proposal exceeds \$2,000.00 you may have your portion of the cost assessed as a betterment lien against your property which shall bear interest at the statutory rate per annum. This amount will be placed on your tax bill, to be paid over a twenty (20) year period. Upon approval by the City Council, and subsequent of the work, the betterment lien will be applied to your tax bill.

\*\*\*\*\*OWNERS RESPONSIBILITY FOR MAINTAINING ESTABLISHED GRADES\*\*\*\*\*

Sidewalks and driveways aprons are constructed according to standards established for each public street in the City. In some instances lawns, walks, stairs, fences, walls, lawn sprinklers, shrubs, trees and or driveways have been installed or constructed without regards to the grade and public street standards established by the City of Newton.

Where conditions exist which do not conform to these standards, the work performed by the City may result in access to your property being temporarily disrupted or otherwise affected. The City assumes no responsibility for damage to underground sprinkler systems located in the public way.

Any adjustments to abutting private property are the sole responsibility of the person making this application and not the responsibility or obligation of the City.

PLEASE NOTE: *City Ordinance Section 26-67:*

*"Every owner of an estate shall be responsible for any revamping of a driveway or sidewalk required within his own property by the installation or betterment walks, or reconstruction of streets, sidewalks, or driveway entrances to meet the proper line and grade as established by the City Engineer. The expense of such revamping with his own property shall be borne entirely by owner."*

The City may make permanent repairs as a courtesy to the homeowner but only when, in the opinion of the City, the existing grade of the private property has been previously established to reasonable City standards. This remedial work will be limited to the reasonable repair of lawns, walks or driveways as may have been disturbed by the construction activity.