

erty, against which the assessment is proposed to be levied, naming in said notice a time and place when and at which said owners will be heard. Said notice may be mailed to the last known address of the owner, or served in person upon any adult occupying the premises, or in case of vacant or unimproved property, posted upon the premises.

In case where the construction of said improvements results in an excessive cost on account of excessive excavation or an excessive fill or the construction of a drain or culvert at an expense entirely out of proportion to the improvements being constructed, that the Town Council of Morningside may, in its discretion, exclude from the total cost of such improvements to be assessed upon abutting property the cost, or any portion thereof, of such excavation, fill, drain or culvert, and to pay the amount of the costs so excluded out of any fund properly chargeable with such an expense; and the determination of the Town Council in any such case shall be final and conclusive, provided, however, that where the property to be assessed for improvements under this Act is located at the intersection of two streets and is what is known as a corner lot, the Town Council shall have the power to make an assessment for the number of feet in the front of such lot, where the said improvements abut the front of such lot, and in case the improvements abut the side of such a lot, the assessment made for such improvements against the lot shall be for one-half of the number of linear feet of the side of said lot, not to exceed a total exemption of fifty linear feet, and for the purpose of assessment the short side of such lot shall be considered the front of such lot, and in cases where the two sides are equal, the Town Council shall determine which is the front and which is the side of such lot, and such determination shall be final and conclusive; and provided, that in the cases of lots abutting on more than two streets, and of lots of irregular or unusual shape, and in cases of lots abutting on two or more streets where in one of such streets, roadbeds, sidewalks, curb, gutter and street improvements, or any or all, have been, or are about to be constructed under such circumstances as not to subject such lots to a special assessment by the Town Council, the Town Council shall have full power and authority to adjust assessments to be made against such lots to such an amount as shall be just and equitable, and the cost of improvements thus exempted shall be included in the assessments to be made against the abutting property included in the project, and such adjustments as made by the Town Council shall be final and conclusive; provided, further, that if and when the cost of street and public alley intersections, and the cost of exemptions to corner lots herein provided for including the amounts of adjustments