

## STATE OF MICHIGAN

COUNTY OF SAGINAWTOWNSHIP OF BIRCH RUNRESOLUTION

WHEREAS, the Saginaw County Drain Commissioner has advised the Birch Run Township Board of Trustees that, pursuant to Section 196 of the Michigan Drain Code (MCL 280.196; MSA 11.1196), an inspection has been made of the Curtis Drain and it has been determined, as a result of the inspection, that certain maintenance must be performed upon the Drain; and,

WHEREAS, the Saginaw County Drain Commissioner has the authority to expend Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars per mile in any one (1) year for the maintenance of the drain, and where it is estimated that expenditures in excess of Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars per mile are necessary, those amounts may not be expended until approved by Resolution of the governing body of each township, city and village affected by more than twenty (20%) percent of the cost; and,

WHEREAS, the Saginaw County Drain Commissioner has advised the Birch Run Township Board of Trustees that it will be necessary to expend funds in excess of Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars per mile for the maintenance of the Curtis Drain and that the Township of Birch Run is affected by more than twenty (20%) percent of the cost; and,

WHEREAS, the Saginaw County Drain Commissioner estimates that the cost for the maintenance of the Curtis Drain will be approximately Eight Thousand Five Hundred Dollars, which constitutes Six Thousand, Dollars in excess of the

authorized Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars per mile.  
NOW, THEREFORE, IT IS HEREBY RESOLVED by the Birch Run Township Board of Trustees, that pursuant to Section 196 of the Drain Code, the Saginaw County Drain Commissioner is authorized to expend money for the maintenance and repair of the Curtis Drain in excess of Two Thousand Five Hundred and no/100 (\$2,500.00) Dollars per mile and, to the extent that the drain fund for the Drain contains insufficient funds for the payment of costs incurred for the maintenance or repair of the Drain, then the Saginaw County Drain Commissioner is authorized to levy a special assessment, as allowed by law.

RESOLUTION approved this 12th day of September, 1995, by the Birch Run Township Board of Trustees, governing body of Birch Run Township.

BOARD OF TRUSTEES OF BIRCH RUN TOWNSHIP

By: Edward Magnus, Sheila DiBerardino,

Nancy Henige, Larry Russell,

Gary St. Charles, David Stewart, Joanne Strahm

I, the undersigned, being the duly qualified and acting Clerk of the Township of Birch Run, Saginaw County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Birch Run Township Board of Trustees at a meeting held on the 12th day of September, 1995.

  
Clerk Sheila DiBerardino