

**TOWNSHIP OF BIRCH RUN**  
**RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL**

The following proceedings took place at a regular meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held at the Township Hall on the 14th day of March, 1995, at 7:30 p.m., Eastern Standard Time there were:

**PRESENT:** Edward Magnus, Sheila DiBerardino, Nancy Henige, Larry Russell,  
Gary St. Charles, David Stewart, Joanne Strahm

**ABSENT:** \_\_\_\_\_

The following preamble and resolution were offered by St. Charles and seconded by Stewart :

WHEREAS, a hearing was held on March 14, 1995 by the Township Board of the Township of Birch Run (the "Township") on a special assessment district and the special assessment roll in the amount of \$237,600 made to defray part of the cost of a water project serving the Township (the "Project") in a special assessment district created by the Township known as the Birch Run Township Water Supply System Water Extension No. 3, Special Assessment District (the "Special Assessment District"); and

WHEREAS, the Township desires to proceed with the special assessment pursuant to the provisions of Act No. 185 of the Michigan Public Acts of 1957, as amended ("Act 185"), and to make assessments for the Project according to the general procedures in Act No. 188 of the Michigan Public Acts of 1954, as amended ("Act 188").

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF BIRCH RUN, SAGINAW COUNTY, MICHIGAN, as follows:

1. The Special Assessment District described and attached as Appendix A is approved.
2. The formula for making the special assessments attached hereto as Appendix B is hereby approved.
3. The special assessment roll for the Project in the aggregate amount of \$237,600 is hereby adopted and confirmed, as amended, and the Township Clerk is hereby directed to endorse thereon the date of this confirmation. The special assessment roll as adopted and confirmed is attached to this resolution as Appendix C.
4. The special assessments on the roll against each parcel of land shall be payable in twenty installments, according to the

schedule attached as Appendix D, which shall become due and payable on December 1 of each year beginning December 1, 1995, and shall be collectable through February 15 of each such year without penalty. On and after February 16 of each such year unpaid assessments shall be deemed delinquent and there shall be collected a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll.

Interest on unpaid assessments shall accrue from May 1, 1995, at a rate equal to 1% above the average interest rate on bonds to be issued under Act 185 to finance the Project (such interest rate to be determined to two decimal places), such interest to be payable annually together with each annual installment then due on the assessments.

Assessments may be prepaid only up to and including May 1, 1995. After such date no prepayments of annual installments will be accepted by the Township Board.

5. The Township Clerk is hereby directed to attach his or her warrant, as required by law, to the special assessment roll and to deliver the roll to the Township Treasurer commanding the Township Treasurer to collect the assessments in accordance with the terms of this resolution, the warrant, and the statutes of the State of Michigan. Upon receiving the special assessment roll and warrant, the Township Treasurer shall proceed to collect the assessments as the same shall become due.

A vote upon the foregoing resolution was taken, and the results were as follows:

ADOPTED: YEAS: Magnus, DiBerardino, Henige, Russell, St. Charles,  
Stewart, Strahm

NAYS: None

ABSENT: \_\_\_\_\_

The resolution was then declared adopted.

CERTIFICATION

STATE OF MICHIGAN    )  
                                  ) ss  
COUNTY OF SAGINAW    )

The undersigned, being the Township Clerk of the Township of Birch Run, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on March 14, 1995, 1995, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

  
Sheila DiBerardino  
Birch Run Township Clerk

SEAL

las.R-SAG23

BIRCH RUN ROAD  
SPECIAL ASSESSMENT DISTRICT

ALL THAT PART OF SECTIONS 21, 22, 27 AND 28, TOWNSHIP 10 NORTH, RANGE 6 EAST, BIRCH RUN TOWNSHIP, SAGINAW COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 27, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 200 FEET ALONG THE EAST LINE OF SECTION 27; THENCE WEST 7030 FEET, MORE OR LESS, AND PARALLEL WITH THE NORTH LINE OF SECTIONS 27 AND 28 TO THE EAST LINE OF PARCEL 1011 OF SECTION 28; THENCE NORTH ALONG THE WEST LINE OF SAID PARCEL 1011, 200 FEET TO THE NORTH LINE OF SECTION 28; THENCE CONTINUING NORTH AND AT RIGHT ANGLES TO SAID SECTION LINE 200 FEET; THENCE EAST 7030 FEET, MORE OR LESS, AND PARALLEL WITH THE SOUTH LINE OF SECTIONS 21 AND 22 TO THE EAST LINE OF SECTION 22; THENCE SOUTH ALONG SAID SECTION LINE 200 FEET TO THE NORTHEAST CORNER OF SECTION 27 AND THE POINT OF BEGINNING.

DIXIE HIGHWAY (US 10-23) AND TOTTEN LANE  
SPECIAL ASSESSMENT DISTRICT

ALL THAT PART OF SECTION 28, TOWNSHIP 10 NORTH, RANGE 6 EAST, BIRCH RUN TOWNSHIP, SAGINAW COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE INTERSECTING POINT OF THE NORTH LINE OF SECTION 28 AND THE PHYSICAL CENTERLINE OF US 10-23; THENCE SOUTHEAST ALONG THE PHYSICAL CENTERLINE OF US 10-23, 659 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG THE NORTH LINE OF TOTTEN LANE 607 FEET, MORE OR LESS, TO THE EASTERLY LIMITS OF TOTTEN LANE AND THE CENTERLINE OF BOGART DRAIN; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF BOGART DRAIN TO THE NORTH LINE OF PARCEL #2017; THENCE SOUTHWESTERLY 407 FEET, MORE OR LESS, ALONG SAID NORTH LINE OF PARCEL #2017 TO A POINT 200 FEET NORTHEAST OF THE PHYSICAL CENTERLINE OF US 10-23; THENCE SOUTHEASTERLY AND PARALLEL TO THE PHYSICAL CENTERLINE OF US 10-23 295 FEET, MORE OR LESS, TO THE SOUTH LINE OF PARCEL #2040; THENCE SOUTHWESTERLY ALONG SAID SOUTH PARCEL LINE 200 FEET TO THE PHYSICAL CENTERLINE OF US 10-23; THENCE NORTHWESTERLY ALONG SAID CENTERLINE 460 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SOUTH BEYER ROAD  
SPECIAL ASSESSMENT DISTRICT

ALL THAT PART OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 10 NORTH, RANGE 6 EAST, BIRCH RUN TOWNSHIP, SAGINAW COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE EAST 1/4 CORNER OF SECTION 17, TOWN 10 NORTH, RANGE 6 EAST, BIRCH RUN TOWNSHIP, SAGINAW COUNTY, MICHIGAN, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE EAST 200 FEET ALONG THE EAST-WEST 1/4 LINE OF SECTION 16; THENCE NORTH PARALLEL WITH THE WEST LINE OF SECTION 16, 3145 FEET, MORE OR LESS, TO THE NORTH LINE OF PARCEL 3002-006; THENCE WEST ALONG THE NORTH LINE OF PARCEL 3002-006 200 FEET, MORE OR LESS TO THE WEST LINE OF SECTION 9; THENCE CONTINUING WEST, 200 FEET AND PARALLEL WITH THE SOUTH LINE OF SECTION 8; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SECTION 17, 3145 FEET, MORE OR LESS, TO THE EAST-WEST 1/4 LINE OF SECTION 17; THENCE EAST AND PARALLEL WITH THE EAST-WEST 1/4 LINE OF SECTION 17, 200 FEET, MORE OR LESS, TO THE EAST 1/4 CORNER OF SECTION 17 AND THE POINT OF BEGINNING.

## APPENDIX B

### Special Assessment Formula:

Estimated Cost of Construction minus contributions from the Birch Run Township DDA and the Township Water System. This total is then divided by number of persons desiring connection to system. Commercial properties are assessed according to the following formula:

Basic Business  
(Used less than  
150,000 gallons  
last year)

One and one-half      \$ 7,500

Business No. 2  
Business using  
150,000 to  
249,999 gallons

Two and one-half      \$ 12,500

Business No. 3  
Business using  
250,000 to  
499,999 gallons

Three and one-half      \$ 17,500

Business No. 4  
Business using  
500,000 to  
999,999 gallons

Four and one-half      \$ 22,500

Business No. 5  
Business using  
over 1,000,000 gallons

Five and one-half      \$ 27,500

## APPENDIX C

**BIRCH RUN WATER SYSTEM EXTENSION # 3  
Special Assessment Roll**

<u>Parcel Number</u>	<u>Name</u>	<u>Street</u>	<u>Amount</u>
05-10-6-16-2002-000	Connie Reed	Beyer	\$ 5,900
05-10-6-16-2002-000	Darrell Reed	Beyer	5,900
05-10-6-17-1007-000	H & B Scharrer	Beyer	5,900
05-10-6-22-3002-000	M & D Schreiber	Birch Run	5,900
05-10-6-22-3003-001	J & M Ryan	Birch Run	5,900
05-10-6-22-3003-002	K & S Wilson	Birch Run	5,900
05-10-6-22-3005-000	M Novess	Birch Run	5,900
05-10-6-22-3010-000	R & M Stein	Birch Run	5,900
05-10-6-22-4003-000	Pine Ridge Inv.	Birch Run	5,900
05-10-6-22-4005-000	Kong Fung Holdings	Birch Run	5,900
05-10-6-22-4005-001	R & E Preville	Birch Run	5,900
05-10-6-22-4005-002	Ogorek Studebaker	Birch Run	5,900
05-10-6-22-4005-003	Kong Fung Holdings	Birch Run	5,900
05-10-6-22-4010-000	A Yatsevich	Birch Run	5,900
05-10-6-22-4011-000	Elaine Peters	Birch Run	5,900
05-10-6-22-4012-000	J & S Fila, Jr.	Birch Run	5,900
05-10-6-22-4015-000	C & K Dundas	Birch Run	5,900
05-10-6-22-4016-000	H Roe	Birch Run	5,900
05-10-6-22-4017-000	A & L Charles	Birch Run	5,900
05-10-6-22-4018-000	W & U Rottiers	Birch Run	5,900
05-10-6-22-4019-000	W & C Nelson	Birch Run	5,900
05-10-6-22-4022-000	D & N Stafford	Birch Run	5,900
05-10-6-22-4023-000	G & J Carlson	Birch Run	5,900
05-10-6-22-4024-000	B & E Wilson	Birch Run	5,900
05-10-6-27-1001-001	Rausch(Dorr)	Birch Run	5,900
05-10-6-27-1013-000	R Willy	Birch Run	5,900
05-10-6-27-1015-000	S & C Potkan	Birch Run	5,900
05-10-6-27-1016-000	J & M Hausbeck	Birch Run	5,900
05-10-6-27-2001-000	J & S Dorr	Birch Run	5,900
05-10-6-27-2002-003	Bergman	Birch Run	7,500
05-10-6-27-2003-000	G & D Trinklein	Birch Run	5,900
05-10-6-27-2004-000	D & D Trinklein	Birch Run	5,900
05-10-6-28-1001-001	Janet Peters	Birch Run	5,900
05-10-6-28-2017-000	R Basner, Etal	Dixie	5,900
05-10-6-28-2037-000	D Kapala	Dixie	5,900
05-10-6-28-2040-000	D & R Finch	Dixie	5,900
	Subtotal		214,000



05-10-6-28-2001-A00	M & V Totten	Totten	5,900
05-10-6-28-2035-000	S & N Duby	Totten	5,900
05-10-6-28-2036-000	R Letterman	Totten	5,900
05-10-6-28-2034-000	J & D Hill	Totten	5,900
	Total		237,600

APPENDIX D

SPECIAL ASSESSMENT DUE  
DECEMBER 1, 1995 THROUGH DECEMBER 1, 2014

<u>Date</u>	<u>Amount</u>
December 1, 1995	\$11,585.00
December 1, 1996	11,585.00
December 1, 1997	11,585.00
December 1, 1998	11,585.00
December 1, 1999	11,585.00
December 1, 2000	11,585.00
December 1, 2001	11,585.00
December 1, 2002	11,585.00
December 1, 2003	11,585.00
December 1, 2004	11,585.00
December 1, 2005	11,585.00
December 1, 2006	11,585.00
December 1, 2007	11,585.00
December 1, 2008	11,585.00
December 1, 2009	11,585.00
December 1, 2010	11,585.00
December 1, 2011	11,585.00
December 1, 2012	11,585.00
December 1, 2013	11,585.00
December 1, 2014	<u>11,585.00</u>
	\$ 231,700.00