

RESOLUTION NO. 90 -2

Township of Birch Run
County of Saginaw, State of Michigan

A regular meeting of the Township Board of the Township of Birch Run, County of Saginaw, State of Michigan, held on the 8th day of May, 1990, in the Township Center in the Township at 7:30 p.m., Eastern Daylight Time.

PRESENT: Members Edgar Scharrer, Marcia Strong, Maria Foerster, Thomas Totten, Clifford White

ABSENT: Members None

The following preamble and resolution were offered by Member Strong and supported by Member Foerster:

WHEREAS, this Township Board, pursuant to Act 185, Public Acts of Michigan, 1957, as amended ("Act 185"), expects to contract with the Saginaw County Department of Public works, acting for and on behalf of the County of Saginaw (the "County"), for the construction and installation of certain sewer improvements (the "Project") in the Township of Birch Run (the "Township"), as more particularly described hereinafter, and for the issuance of bonds by the County, to be retired by payments by the Township, to finance the cost of the Project; and

WHEREAS, the Township Board has caused to be prepared by a registered engineer plans showing the public improvements and the location thereof and an estimate of the cost thereof; and

WHEREAS, the Township Board has determined that a part of the payments to be made by the Township to the County pursuant to said contract shall be recovered by the Township through special assessment against properties specially benefitted by the installation of the Project, in accordance with the procedures set forth in Act 185 and Act 188, Public Acts of Michigan, 1954, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board hereby determines that the Project described in Exhibit A attached hereto and made a part hereof are necessary for the health, safety and welfare of the Township and that the Project shall be made and completed pursuant to Act 185.

2. The Township Board hereby approves the plans and preliminary estimate of cost for the Project in the total sum of \$5,500,000, as prepared and presented by Wade-Trim/Edmands, registered engineers of Bay City, Michigan. Of the aforesaid total cost of the Project, the approximate sum of \$1,785,341 will be spread against the hereinafter named special assessment district pursuant to Act 185 and Act 188. The Township Board will give final approval to the estimate of cost of the Project and to the portion of such cost to be spread against said special assessment district in the resolution calling a public hearing on the special assessment roll.

3. The Township Board finally determines that said special assessment district shall consist of all of the lots

and parcels of land described in Exhibit B attached hereto and that the existence of said special assessment district shall be maintained until all special assessments and interest thereon payable on the roll hereinafter described have been paid.

4. The Supervisor is hereby directed to make a special assessment roll in which shall be described all the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel of land bears to the total benefit of all parcels of land in the special assessment district.

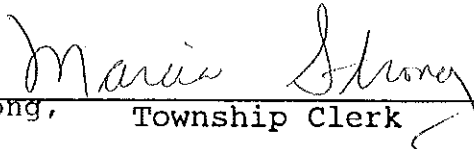
5. When the Supervisor shall have completed the special assessment roll, the Supervisor shall affix thereto a certificate stating that said roll was made pursuant to a resolution of the Township Board of the Township adopted on the date of adoption of this resolution, and that in making the assessment roll the Supervisor has, according to the Supervisor's best judgment, conformed in all respects to the directions contained in said resolution and the statutes of the State of Michigan, and the Supervisor shall then report the special assessment roll, with the certificate attached thereto, to the Township Board.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and they hereby are rescinded.

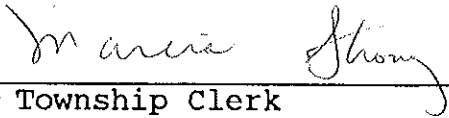
AYES: Members Scharrer, Strong, Foerster, Totten, White

NAYS: Members None

RESOLUTION DECLARED ADOPTED.


Marcia Strong, Township Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Birch Run, County of Saginaw, State of Michigan, at a regular meeting held on May 8, 1990, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.


Marcia Strong, Township Clerk

MILLER, CAMFIELD, PADDOCK AND STONE

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ATTACHMENT "A"

PROJECT DESCRIPTION
BIRCH RUN TOWNSHIP WASTEWATER COLLECTION SYSTEM

The proposed Birch Run Township Wastewater Collection System with connection to the Genesee County Treatment Facility in Montrose will serve three areas.

The project area is along Dixie Highway from approximately Moon Drain, south to 3,000 feet south of Birch Run Road. Then east on Birch Run Road to Dehmel Road and along Gera Road (M-54 & M-83) from approximately 600 feet north of Birch Run Road south to Burt Road and the subdivision in the northeast quadrant of Burt and Gera Roads.

The area along Dixie Highway will have gravity sewers and pumping station. The collected sewage will be pumped to the regional pumping station near the intersection of Dixie Highway and Birch Run Road. Gravity sewers from the area along Birch Run Road and Gera Road will discharge directly into the regional pumping station.

The regional pumping station will discharge into a 12" force main running south along Dixie Highway to East Burt Road then west on East Burt Road to Maple Road, then south on Maple Road to a meter pit located at the Maple Road and Willard Road intersection. The force main will then continue into Genesee County south on Webster Road to Farrand Road and connect to the existing Farrand Road interceptor sewer in Genesee County.

The project consists of an estimated 31,100 lineal feet of 12" force main; 1,650 lineal feet of 6" force main, 9,600 lineal feet of 18" sanitary sewer, 9,980 lineal feet of 12" sanitary sewer, 12,185 lineal feet of 10" sanitary sewer, and 3,340 lineal feet of 8" sanitary sewer for an estimated 35,105 total lineal feet sanitary sewer.

This system will allow for future extensions outside the proposed service area as the need arises.

BIRCH RUN TOWNSHIP
SEWAGE DISPOSAL SYSTEM
ASSESSMENT DESCRIPTION
FOR
DISTRICT "A"
(WEST PORTION)

Land located in Sections 17, 20, 21, & 28, Town 10 North, Range 6 East, Birch Run Township, Saginaw County, Michigan described as follows:

Beginning at the intersection of the centerline of the Dixie Highway (120 foot Right of Way) and the East-West 1/4 line of Center 28; thence West along the East-West 1/4 line of Section 28 to the Easterly Right of Way line of Highway I-75; thence Northwesterly along the Easterly Right of Way line of Highway I-75 to a point 671 feet South at right angles to the North line of Section 28; thence East 423.3 feet parallel to the North Section line; thence North 431.0 feet; thence East 570.48 feet parallel to the North Section line to the Center Line of the Dixie Highway; thence Southeasterly 261.68 feet along said highway centerline; thence Northeasterly 377.0 feet at right angles to said highway centerline; thence Northwesterly 11.09 feet parallel to said highway centerline; thence North 198 feet to the North line of Section 28 to a point 557.5 feet Easterly from the centerline of the Dixie Highway; thence West 557.5 feet along the North line of Section 28 to the centerline of the Dixie Highway; thence Northwesterly along the said centerline to a point 660 feet North of the South line of Section 21; thence West parallel to the South line of Section 21 to the Section line common to Sections 20 and 21; thence North along the Section line common to Sections 20 & 21 to the Southeast Corner of the North 990 feet of the Northeast 1/4 of the Southeast 1/4 of Section 20; thence West to the Northeasterly Right of Way line of Highway I-75; thence Northwesterly along the Northeasterly Right of Way line to the East 1/8 line of Section 20; thence North along the East 1/8 line to the North line of the South 19 acres of the North 30 acres of the East 1/2 of the Southeast 1/4 of Section 20; thence East along said North acreage line to a point of 149.3 feet West of the East line of Section 20; thence North 130 feet at right angles to the North line of said South 19 acres; thence East 209.17 feet parallel to said North acreage line to the centerline of the Dixie Highway; thence Northwesterly along the centerline of the Dixie Highway to a point 2590 feet Southeasterly of and along the centerline of the Dixie Highway from the North line of said Section 20; thence West 200 feet parallel to the North section line; thence Northwesterly 150 feet parallel to the Dixie Highway; thence East 200 feet parallel to the North section line to the centerline of the Dixie Highway; thence Northwesterly along the centerline of the Dixie Highway to a point 624 feet Due North of the East-West 1/4 line; thence West 781 feet; thence North 103 feet to the South line of the North 18 acres of the South 1/2 of the Northeast 1/4 lying Westerly of the Dixie Highway; thence West along the South line of said North 18 acres of the South 1/2 of the Northeast 1/4 to the Northeasterly Right of Way line of Highway I-75; thence Northwesterly along the Northeasterly Right of Way line to the Section line common to Sections 17 & 20; thence West along the South line of Section 17 to the West 1/8 line of said section 17; thence North 1254.51 feet along the West 1/8 line to a point being 913 feet North of the Northwest Corner of lot 16, Midway Gardens, part of the South 1/2 of said Section 17; thence North 68° East 850.8 feet; thence North 22° West 660 feet; thence North 68° East 616.5 feet to the centerline of the Dixie

Highway; thence Southeasterly along the centerline of the Dixie Highway to the North line of the South 1/2 of the Southeast 1/4; thence East along the North line of the South 1/2 of the Southeast 1/4 to a point 244 feet West of the East Section line; thence South parallel to the East Section line to a point 300 feet Northerly of the South section line if measured parallel to the centerline of the Dixie Highway; thence West parallel to the South Section line; to a point 600 feet East of the centerline of the Dixie Highway; thence Southeasterly 300 feet parallel to the Dixie Highway to the Section line common to Sections 17 & 20; thence East along the North line of Section 20 to a point 860 feet West of the Northeast corner of section 20; thence South 232 feet; thence Southeasterly 514 feet to a point 415 feet South and 390 feet West of the Northeast corner of Section 20; thence East 60 feet; thence South 245 feet; thence East 330 feet to the Section line common to Sections 20 & 21; thence South along said section line to a point 160 feet North of the 1/4 corner common to Section 20 & 21; thence East 470 feet parallel to the East-West 1/4 line of Section 21; thence South 150 feet parallel to the West Section line; thence West parallel to the East-West 1/4 line to a point 171 feet East of the centerline of the Dixie Highway; thence Southeasterly 396.5 feet parallel to the centerline of the Dixie Highway; thence East 100 feet parallel to the East-West 1/4 line; thence South 92.5 feet; thence East 208 feet; thence North 54° East to a point 297 feet West of the West 1/8 line of said section 21; thence South parallel to the West 1/8 line to a point 660 feet South of the East-West 1/4 line; thence Southwesterly along a line 4 feet South of the South Bank of the Runnel South Drain to the centerline of the Dixie Highway; thence Southeasterly along the centerline of the Dixie Highway to the North line of the South 4 acres of the Northwest 1/4 of the Southwest 1/4; thence East along the North line of said South 4 acres of the Northwest 1/4 of the Southwest 1/4 to the West 1/8 line; thence North along the West 1/8 line to the North line of the South 1/2 of the Northeast 1/4 of the Southwest 1/4; thence East along said North line to the North-South 1/4 line; thence North along the North-South 1/4 line to the center of section 21; thence East along the East-West 1/4 line to the East line of the West 1/2 of the Southeast 1/4 of the Southeast 1/4 to the North Right of Way line of Highway M-54 & 83 (Birch Run Road); thence East along the North Right of Way line of Birch Run Road to a point 825 feet West of the East line of Section 21; thence North 200 feet; thence East 300 feet; thence South 200 feet to the North Right of Way line of Birch Run Road; thence East along said North Right of Way line to the Northwesterly line of the clear vision Right of Way line at the Northwest corner intersection of Birch Run Road and Dehmel Road; thence South parallel to the East line of Sections 21 and 28 to the South line of the North 1972 feet of Section 28; thence West parallel to the North line of Section 28 to the centerline of the Dixie Highway; thence Southeasterly along the centerline of the Dixie Highway to the Point of Beginning.

BIRCH RUN TOWNSHIP
SEWAGE DISPOSAL SYSTEM
ASSESSMENT DESCRIPTION
FOR
DISTRICT "B"
(EAST PORTION)

Land located in Sections 22, 23, 26, 27, 34 & 35 Town 10 North, Range 6 East, Birch Run Township, Saginaw County, Michigan, described as follows:

Commencing at the Section Corner common to Sections 26, 27, 34 & 35, Town 10 North, Range 6 East, Birch Run Township, Saginaw County, Michigan; thence South 305 feet along the Section line common to Sections 34 & 35, to the Point of Beginning; thence West to a point 702 feet East and 305 feet South of the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 34; thence North to the Section line common to Sections 27 & 34; thence West along the Section line common to Sections 27 and 34 to the East 1/8 line of said Section 27; thence North along the East 1/8 line of Section 27 to the South Right of Way line of (Highway M-54 & M-83) Birch Run Road; thence Easterly along the Southerly Right of Way line of Birch Run Road to a point of 379 feet East of the East 1/8 line of Section 27; thence North to the Section line common to Sections 22 & 27; thence North parallel to and 379 feet East of the East 1/8 line of Section 22 to the North line of the South 1/2 of the Southeast 1/4 of the Southeast 1/4; thence West along said North line, if extended to a point 132 feet East of the West line of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 22; thence North parallel to the West line of the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 22 to the North line of the South 1/2 of the North 1/2 of the Southeast 1/4; thence East along the North line of the South 1/2 of the North 1/2 of the Southeast 1/4 to a point of 265.61 feet West of the East Section line; thence south 310 feet; thence East 265.61 to the Section line common to the Sections 22 & 23; thence South along the Section line common to Sections 22 & 23 to a point 150 feet North of the South 1/8 line of Section 23; thence East 225 feet parallel to the South 1/8 line; thence South 150 feet parallel to the West Section line to the South 1/8 line; thence East along the South 1/8 line to the West 1/8 line; thence South along the West 1/8 line to a point 300 feet North of the South Section line; thence West parallel to the South Section line to a point 264 feet East of the West Section line; thence South parallel to the West Section line to the Section line common to Sections 23 & 26; thence South 330 feet parallel to the West line of Section 26; thence South to a point 100 feet South and 280 feet East of the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of the Section 26; thence South parallel to the West Section line to a point 263 feet North of the East-West 1/4 line; thence East 50 feet parallel to the East-West 1/4 line; thence South 263 feet parallel to the West Section line to the East-West 1/4 line; thence West 30 feet along the East-West 1/4 line; thence South parallel to and 300 feet East of the West Section line to the Northwest corner of Lot 36, Page Subdivision Number Two in said Section 26; thence East along the North line of Page Subdivision Number Two to the Northeast Corner of said subdivision; thence South along the East line of said Subdivision (West 1/8 line) to the Section line common to Sections 26 & 35; thence South 330 feet along the West 1/8 line of Section 35; thence West parallel to and 330 feet South of the North line of Section 35 to the West Section line; thence North 25 feet along the West Section line to the Point of Beginning.