

TOWNSHIP OF BIRCH RUN
RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

The following proceedings took place at a Special meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held at the Township Hall on the 26th day of April, 1994, at 7:00 p.m., Eastern Daylight Savings Time there were:

PRESENT: Magnus, DiBerardino, Russell, Strahm, St. Charles, Hayes

ABSENT: None

The following preamble and resolution were offered by DiBerardino and seconded by Hayes:

WHEREAS, a hearing was held on April 26, 1994 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 \$158,000 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. 2, Special Assessment District A (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 \$158,000 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 Decemebr 1, 1994, 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 June 1, 1994, 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 June 1, 1994. 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, Russell, Strahm, St. Charles
Hayes

NAYS: None

ABSENT: None

The resolution was then declared adopted.

APPENDIX A

Birch Run Road and Dixie Highway Area

All that part of Section 21 and Section 28; township 10 North, Range 6 East, Birch Run Township, Saginaw County, Michigan, more particularly described as:

Commencing at the Northwest corner of Section 28; thence East along the North line of said Section, 1003 feet more or less to the Point of Beginning; thence Southerly 239 feet more or less along the West line of parcel 28-2039 to the South line of parcel 28-2039; thence Easterly along the South line of parcel 28-2039 to the physical centerline of US-10, US-23, "Dixie Highway,"; thence Southeasterly along the physical centerline of US-10, US-23, "Dixie Highway," 825 feet more or less to the Southeast line of parcel 28-2040; thence Northeasterly along the Southeast line of parcel 28-2040 to a point lying 200 feet measured at right angles to the physical centerline of US-10, US-23, "Dixie Highway,"; thence Northwesterly and parallel to the physical centerline of US-10, US-23, "Dixie Highway," 810 feet more or less to a point 200 feet measured at right angles to the physical centerline of Birch Run Road; thence Easterly and parallel to the physical centerline of Birch Run Road 1810 feet to the East line of parcel 28-1011; thence North 200 feet more or less to the physical centerline of Birch Run Road; thence Westerly along the physical centerline of Birch Run Road 230 feet more or less to the East line of parcel 21-4003; thence Northerly to a point lying 200 feet measured at right angles to the centerline of Birch Run Road; thence Westarly and parallel to the physical centerline of Birch Run Road 1800 feet to a point lying 200 feet measured at right angles to US-10, US-23, "Dixie Highway,"; thence Northwesterly and parallel to the centerline of US-10, US-23, "Dixie Highway" 1800 feet more or less to the centerline of Runnels Drain; thence Southwesterly along the centerline of Runnels Drain 200 feet more or less to the centerline of US-10, US-23, "Dixie Highway,"; thence Northwesterly and parallel to US-10, US-23, "Dixie Highway" 360 feet more or less to the North line of parcel 21-3008; thence Westerly along the North line of parcel 21-3008 to a point lying 200 feet measured at right angles to the physical centerline of US-10, US-23, "Dixie Highway,"; thence Southeasterly and parallel to the centerline of US-10, US-23, "Dixie Highway" 1550 feet more or less to the South line of parcel 21-3015; thence Easterly along the South line of parcel 21-3015 to the Westerly right-of-way line of US-10, US-23, "Dixie Highway,"; thence Southeasterly along said right-of-way line 571 feet more or less; thence Southwesterly along said right-of-way line 103 feet more or less; thence Westerly along said right-of-way line 170 feet more or less; thence Southerly at right angles to the North Section line of Section 28, 50 feet more or less to the North line of Section 28 and to the Point of Beginning.

APPENDIX B

Special Assessment Formula:

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

<u>Basic Business</u> (Used less than 150,000 gallons last year)	One and one-half	\$ 7,500
<u>Business No. 2</u> Business using 150,000 to 249,999 gallons	Two and one-half	\$ 12,500
<u>Business No. 3</u> Business using 250,000 to 499,999 gallons	Three and one-half	\$ 17,500
<u>Business No. 4</u> Business using 500,000 to 999,999 gallons	Four and one-half	\$ 22,500
<u>Business No. 5</u> Business using over 1,000,000 gallons	Five and one-half	\$ 27,500

APPENDIX C

WATER SYSTEM IMPROVEMENTS
SPECIAL ASSESSMENT ROLL

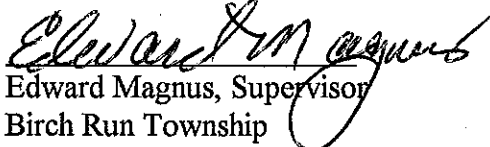
PARCEL NUMBER	NAME	ASSESSMENT
BIRCH RUN ROAD AND DIXIE HWY AREA		
05-10-6-21-3010-000	Beverly Brewster	\$ 5,500
05-10-6-21-3019-001	Dora F. Deuring	5,500
05-10-6-21-3021-000	E & M Gust	5,500
05-10-6-21-3024-000	C & P Cribbins	5,500
05-10-6-21-3027-000	C & J LaTour	5,500
05-10-6-21-3029-000	TNT/Holland Express	7,500
05-10-6-21-3030-000	W & R McGinnis	5,500
05-10-6-21-4004-000	D & C Bailer	5,500
05-10-6-28-1003-000	W & L Parlberg	5,500
05-10-6-28-1005-000	C & M Gibson	5,500
05-10-6-28-1006-000	L Rose	5,500
05-10-6-28-1009-000	Roland Dourlain, Jr.	5,500
05-10-6-28-1011-000	Kenneth Gray	5,500
05-10-6-28-1012-000	T & D Searson	5,500
05-10-6-28-1013-000	D & I Gorsalitz	5,500
05-10-6-28-1014-000	C & R Tanner	5,500
05-10-6-28-2002-000	T & K Totten	7,500
05-10-6-28-2002-001	Totten Tire Center	7,500
05-10-6-28-2007-000	Hardees	22,500
05-10-6-28-2025-000	R & S Letterman	5,500
05-10-6-28-2039-000	Donut Systems Inc.	17,500
05-10-6-28-2041-000	Kathleen Totten	<u>7,500</u>
	Total	\$158,000



Birch Run Township

8411 Main St. • P.O. Box 152
Birch Run, Michigan 48415
(517) 624-9773

I Edward Magnus, Supervisor of the Township of Birch Run, do hereby certify that the attached roll was made pursuant to a resolution of the Township Board of the Township of Birch Run adopted at a Special meeting held at 7:00 p.m. on Tuesday April 26, 1994 at the Birch Run Township Center , 8411 Main Street, Birch Run, Michigan 48415 and that in making the assessment roll I have, according to my best judgment, conformed in all respects to the directions contained in said resolution and the statutes of the State of Michigan.


Edward Magnus, Supervisor
Birch Run Township

APPENDIX D

SPECIAL ASSESSMENTS DUE
DECEMBER 1, 1994 THROUGH DECEMBER 1, 2013

Date	Amount
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Dec 1 1994	\$7,900.00
Dec 1 1995	7,900.00
Dec 1 1996	7,900.00
Dec 1 1997	7,900.00
Dec 1 1998	7,900.00
Dec 1 1999	7,900.00
Dec 1 2000	7,900.00
Dec 1 2001	7,900.00
Dec 1 2002	7,900.00
Dec 1 2003	7,900.00
Dec 1 2004	7,900.00
Dec 1 2005	7,900.00
Dec 1 2006	7,900.00
Dec 1 2007	7,900.00
Dec 1 2008	7,900.00
Dec 1 2009	7,900.00
Dec 1 2010	7,900.00
Dec 1 2011	7,900.00
Dec 1 2012	7,900.00
Dec 1 2013	7,900.00

	\$158,000.00

(a)
04/26/94
XSAGBR2