

**BIRCH RUN TOWNSHIP
Saginaw County, Michigan**

Resolution Confirming Assessment Roll

Resolution #08-15

(Busch Road Water Main Extension Assessment District)

At a regular meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held at the Township Government Room on the 9th day of December, 2008, at 7:00 o'clock p.m. Michigan Time.

Present: Cook, Trevino, Nelson, Marr, Magnus, Schlegel

Absent: Strahm

The Township Supervisor announced that this was the time fixed for hearing and considering any objections to the Busch Road Water Main Extension Special Assessment Roll made to assess lands and premises in the Township for the cost of constructing a water main, and affecting the following described property:

See Attachment A.

No written or oral objections were received:

The Township Supervisor thereupon declared the hearing closed at the October 14, 2008 meeting.

The following resolutions were offered by Magnus and seconded by Marr :

WHEREAS, this Township Board has previously approved the establishment of a special assessment district for constructing a water main in the right of way of Busch Road as described in Attachment A, and has also approved the assessing of the cost of the special assessment district to the lands and premises in the special assessment district, described in Attachment A;

and

WHEREAS, this Township Board has met on October 14, 2008 for the purpose of hearing and considering any objections to the special assessment roll for such project and to review the revised project cost.

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

1. This Township Board hereby approves and adopts the Busch Road Water Main Special Assessment District Roll, together with the Certificate of the Township Supervisor set forth in Attachment "B" hereto, made to defray the cost of constructing a water main along Busch Road as described above.

2. This Township Board hereby determines that such assessments be collected in 20 equal annual installments of principal, together with interest not to exceed 5 percent per annum. The Township Treasurer is hereby directed to spread such assessments annually on the Township's tax rolls. Interest shall be due annually on December 1.

3. The assessments shall be levied and collected each year in the same manner as the Township taxes. Penalties for late payments shall be the same as the penalties for late tax payments.

4. If any installment is not paid on or before February 14th for the years 2010 through 2029 installment shall be deemed to be delinquent, and there shall be collected, in addition to the interest specified above, a penalty at the rate of 1% of each month or fraction thereof that any installment remains unpaid before being reported to the Township Board for assessment upon the Township tax roll.

5. The Township Clerk is hereby directed to attach his/her warrant as required by law to

the Roll and to direct the Roll, with his warrant attached, to the Township Treasurer. The Township Treasurer shall collect the special assessments in accordance with the terms of this resolution, the warrant and the statutes of the State of Michigan.

6. On the first day of September following the date when an installment shall become due, the Township Treasurer shall submit to the Township Board a sworn statement setting forth the persons delinquent, if known, a description of the parcels of land upon which there are delinquent installments, and penalties computed to September 1st of each year. The Township board shall reassess on the annual Township tax roll of such year in a column headed "special assessments" the sum delinquent with interest and an additional penalty of 6% of the total amount. Thereafter, the statutes relating to the Township taxes shall be applicable to such reassessments.

7. Any unpaid installment of an assessment may be paid in full at any time with interest accrued through the month in which the payment is made.

Adopted: YEAS: Nelson, Cook, Trevino, Marr, Magnus, and Schlegel

NAYS: None

ABSTENTIONS: Strahm

STATE OF MICHIGAN)

COUNTY OF SAGINAW)SS

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board of the Township of Birch Run, Michigan, held on the 9th day of December, 2008, the original of which proceedings is on file in my office and is available to the public. Public notice of the meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

IN WITNESS, I have affixed my official signature on this 11th day of December, 2008.

Amy Cook, Clerk
Township of Birch Run

ATTACHMENT A

Description of Real Property

All real property which is contiguous to and within 300 feet of the centerline of Busch Road, beginning at the intersection of Busch and Maple Roads and continuing easterly approximately 3,960 feet to the east 1/8 line of sections 5 and 8, Birch Run Township