

RESOLUTION NO. 92- 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 11 day of Feb., 1992, in the Township Hall in said Township at 7:30 p.m., Eastern Standard Time.

PRESENT: **Members** Donald White, Marcia Strong, Maria Foerster, Tom Totten, Joanne Strahm, Larry Russell and Donald Voorheis

ABSENT: **Members** None

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

WHEREAS, by resolution adopted May 8, 1990 ("the Prior Resolution"), the Township Board of the Township of Birch Run determined to acquire and construct the improvements (the "Project") more particularly described in Exhibit A attached hereto and made a part hereof and assess the cost thereof to the property benefitted by said improvements, all in accordance with Act 185, Public Acts of Michigan, 1957, as amended, and Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Supervisor has prepared and reported to the Township Board a special assessment roll assessing the cost of said improvements to the property benefitted thereby, with the Supervisor's certificate attached thereto; and

WHEREAS, this Township Board wishes to confirm the findings of necessity set forth in the Prior Resolution and to call a public hearing on the special assessment roll;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be filed with the office of the Township Clerk and shall be available for public examination during regular working hours on regular working days.

2. The Township Board hereby approves the plans and estimate of cost for the public improvements in the total sum of \$ 3,600,000 as prepared and presented by Wade-Trim/Edmands, registered engineers of Bay City, Michigan. Of the aforesaid total cost of the Project, the sum of \$ 754,000 will be spread against the hereinafter named special assessment district pursuant to the aforesaid Act 185 and Act 188 (the "Special Assessment District").

3. The Township Board shall meet at 7:30 p.m. on March 4, 1992, at the Marshall Greene Middle School to review said special assessment roll and hear any objection thereto.

4. This Township Board hereby reaffirms the findings of necessity with respect to the Project made in the Prior Resolution.

5. The Township Clerk shall cause notice of such hearing and the filing of the assessment roll to be published twice in the Bridgeport-Birch Run Weekly News, Cheasaning, Michigan, a newspaper of general circulation in the Township, prior to the date of the hearing, which first such publication shall be at least ten (10) days before the hearing, and shall cause notice of such hearing to be mailed by first class mail to all record owners of or persons in interest in property in the Special Assessment District, as shown on the last township tax assessment record of the Township, at least ten (10) full days before the date of said hearing. Said

notice as published and mailed shall be in substantially the following form:

NOTICE OF REVIEW OF SPECIAL ASSESSMENT ROLL FOR  
SEWER IMPROVEMENTS IN SPECIAL ASSESSMENT DISTRICT 90-A  
IN THE TOWNSHIP OF BIRCH RUN

TO ALL RECORD OWNERS OF OR PERSONS IN  
INTEREST IN PROPERTY DESCRIBED  
AS FOLLOWS:

(Insert description of property In SA District here)

TAKE NOTICE that a special assessment roll has been prepared and is on file in the office of the Township Clerk for public examination. Said special assessment roll has been prepared for the purpose of assessing the cost of the following described improvement to the above property benefitted therefrom:

(Insert description of improvements here)

TAKE FURTHER NOTICE that the Township Board will meet at the Marshall Greene Middle School in the Township of Birch Run, Michigan, at 7:30 p.m., Eastern Standard Time, on Wednesday, the fourth day of March, 1992, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, or his or her

agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter delivered to the Township Clerk by 5, p.m. on March 4, 1992 and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

*Marcia A. Strong*  
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Marcia A. Strong, Township Clerk

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

AYES: Members White, Strong, Foerster, Totten

NAYS: Members Voorheis, Russell, Strahm

RESOLUTION DECLARED ADOPTED.

  
Marcia A. ~~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 <sup>February</sup> 11, 1992, 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 A. Strong*  
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Marcia Strong Township Clerk

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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 West 1/2 of the Southeast 1/4; thence South along the East line of the West 1/2 of the West 1/2 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.

Exhibit A

PROJECT DESCRIPTION  
BIRCH RUN TOWNSHIP SEWAGE DISPOSAL SYSTEM

The proposed Birch Run Township Sewage Disposal System with connection to the Genesee County Treatment Facility in Montrose will serve the Dixie Highway, M83-54 corridor.

The project area is along the Dixie Highway from approximately the Half-Moon Drain, south to 3,000 feet south of Birch Run Road, then east on Birch Run road to approximately 400 feet west of Dehmel Road. Collection sewers will also be constructed along Canada Road west of Dixie Highway and 570 feet in Totten Lane east of Dixie Highway.

The Dixie Highway/Canada Road Area will have gravity sewers and pumping station #2. The collected sewer will be pumped to the regional pumping station near the intersection of Dixie Highway and Birch Run Road. The remaining gravity sewers will discharge directly into the regional pumping station #1.

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 the CSX Transportation railroad tracks. At this point the force main will connect with existing 12" force main that continues west on East Burt Road to Maple Road, then south on Maple Road to a meter pit located at the Maple Road, Willard Road intersection. The force main then continues south into Genesee County along Webster Road to Farrand Road and connects to the existing Farrand Road interceptor in Genesee County.

The project consists of an estimated 11,100 lineal feet of 12" force main, 1,650 lineal feet of 6" force main, 4,010 lineal feet of 18" sanitary sewer, 2,600 lineal feet of 12" sanitary sewer, 12,130 lineal feet of 10" sanitary sewer for an estimated 18,740 total lineal feet of sanitary sewer.

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