

RESOLUTION APPROVING DPW CONTRACT

Township of Birch Run
County of Saginaw, State of Michigan

Minutes of a regular meeting of the Township Board of the Township of Birch Run, County of Saginaw, State of Michigan, held in said Township on the 8th day of May, 1990, at 7:30 o'clock p.m., Eastern Daylight Time.

PRESENT: Member Edgar Scharrer, Marica Strong, Maria Foerster, Thomas Totten, Clifford White

ABSENT: Member None

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

WHEREAS, the Township of Birch Run, County of Saginaw, State of Michigan (the "Local Unit") has requested the Department of Public Works of the County of Saginaw (the "DPW") to take the necessary steps under the provisions of Act 185, Public Acts of Michigan, 1957, as amended, to construct and finance certain sewage disposal system improvements, additions and appurtenances (the "Project") to service the Local Unit; and

WHEREAS, the County of Saginaw, by and through the DPW, and the Local Unit have negotiated a contract (the "Contract") providing for the acquisition, operation and financing of the Project, by the terms of which Contract the Local Unit is obligated to pay the cost of the Project to be financed to the County in installments and shares as therein

provided, a copy of which Contract is attached to this resolution and incorporated herein by reference; and

WHEREAS, the Project as described in the Contract is immediately necessary to protect and preserve the public health;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Contract between the County of Saginaw, by and through its DPW, and the Local Unit providing for the acquisition, operation and financing of the Project is hereby approved, and the Supervisor and Township Clerk of the Local Unit are authorized and directed to execute the Contract for and on behalf of the Local Unit.

2. The total estimated cost of the Project as submitted by the consulting engineers in the amount of \$5,500,000 and the costs to be financed by the issuance of bonds in the amount of \$4,330,000 are hereby approved.

3. The Local Unit does hereby ratify and confirm its covenant in the Contract to levy ad valorem taxes against all taxable property in the Local Unit to the extent necessary to meet the obligations of the Local Unit thereunder and does further indicate its purpose and intent to make such a levy as necessary to meet such obligations, such levy, if necessary, to be within statutory and constitutional limitations.

4. The Contract shall become binding and effective upon the approval thereof by resolution of the Board of

Commissioners of the County and execution thereof for the County by the DPW.

5. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same 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 duly 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

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