

Township of Birch Run
County of Saginaw, Michigan

89-8
Resolution

Minutes of a regular meeting of the Township Board of the Township of Birch Run, County of Saginaw, Michigan (the "Local Unit"), held in Township Center in said Local Unit on the 12th day of December 1989, at 7:30 p.m., Eastern Standard Time.

PRESENT: Members: Elmer Schaefer, Marice Strong,
Marice Bonister, Thomas Totten

ABSENT: Members: None

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

WHEREAS, this Local Unit has determined that it is necessary for the public health, safety and welfare of the Local Unit to construct sewer improvements to service the Local Unit, such improvements to consist of [Sanitary
sewer and force mains] and all related appurtenances (the "Project"); and

WHEREAS, after extensive study it has been determined that it is not desirable for the Local Unit to finance the Project alone; and

WHEREAS, the County of Saginaw has established a Department of Public Works (the "DPW") under the terms of Act 185, Public Acts of Michigan, 1957, as amended (the "Act"), with authority to acquire and finance improvements

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such as the Project for public corporations within the County;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. It is hereby determined that it is impractical and financially undesirable for the Local Unit to undertake the Project alone.

2. The Local Unit hereby requests the assistance of the DPW in the acquisition and financing of the Project under the terms of the Act, the Project to be operated, administered and maintained by said Local Unit after construction.

3. The Local Unit hereby recommends that the DPW employ the following consultants already working with the Local Unit in connection with the Project:

As bond counsel: Miller, Canfield, Paddock and Stone
Detroit, Michigan

As engineers: Wade-Trim/Edmunds
Bay City, Michigan

As financial consultant: Bendzinski and Co.
Detroit, Michigan

4. The Local Unit and all agents and employees shall cooperate with the DPW to the end that there may be issued as promptly as possible County of Saginaw bonds in the amount not to exceed \$5,000,000, which amount will be sufficient to pay the presently estimated total cost of the

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Project. Said bonds shall be retired out of payments made by the Local Unit to the County of Saginaw through the DPW in amounts fully sufficient to meet all principal and interest requirements thereon. County full faith and credit as secondary security for the bonds is also requested.

5. The Local Unit hereby agrees to reimburse the County and the DPW for all expenses incurred in connection with the Project, should the financing and construction of the Project not be completed for any reason whatsoever.

6. The Local Unit hereby authorizes the DPW to notify the Michigan Department of Treasury of the County's intent to issue the bonds described herein, to pay the related fee from funds of the DPW or from funds to be received from the Local Unit and to request an order providing an exception for the bonds from prior approval by the Department of Treasury.

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

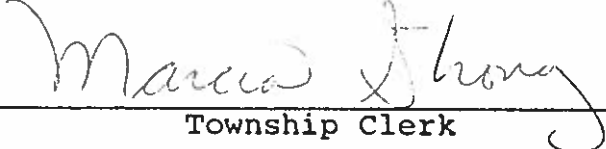
AYES: Members: Scharrer Strong Forster
Totten

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

Marcus Strong
Township Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Township Board of the Township of Birch Run, County of Saginaw, Michigan, at a regular meeting held on December 12, 1989, 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.


Township Clerk

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