

ELK RAPIDS TOWNSHIP

Resolution 2021-15

DETERMINATION OF NECESSITY AND SUFFICIENCY;  
DIRECTION TO TOWNSHIP ACTING SUPERVISOR TO MAKE SPECIAL ASSESSMENT  
ROLL

Cairn Highway Sanitary Sewer Special Assessment District No.1

At a special meeting of the Township Board of Elk Rapids Township, Antrim County, Michigan (the "Township"), held in said Township on October 18, 2021, there were:

PRESENT: D. Amos, M. Szymanski, S. Boisvert, R. Hults and M. Soper

ABSENT: 0

The following resolution was offered by Member **Hults** and seconded by Member **Soper**:

WHEREAS, Public Act 188 of 1954 ("Act 188") was enacted, in part, to provide for the making of certain improvements by townships, to provide for the levying of taxes, and to provide for assessing the whole or a part of the cost of improvements against property benefited. Further, Act 188 provides that the cost of engineering services and all expenses incident to the proceedings for the making and financing of the improvement shall be deemed to be part of the cost of the improvement;

WHEREAS, Section 1 of Act 188 provides that the sums required for the construction, improvement, and maintenance of storm or sanitary sewers may be defrayed by special assessment on the lands and premises in the township or townships to be benefited;

WHEREAS, Section 2(1) of Act 188 specifically authorizes the construction, improvement, and maintenance of storm or sanitary sewers;

WHEREAS, the Township Board has received petitions of owners of more than 50% of the land area of the proposed Special Assessment District requesting the construction of certain public improvements;

WHEREAS, the Township Board has tentatively determined to make the following necessary public improvement in the Township and tentatively determined the character of the improvement proposed to be made as follows: CAIRN HIGHWAY SANITARY SEWER SPECIAL ASSESSMENT DISTRICT NO. 1 (the "Special Assessment District"): Pressure sewer to service properties in the Cairn Highway area beginning at parcel number 05-06-010-014-20 and 05-06-010-014-10 and proceeding south down Cairn Highway to the Elk Rapids Township line at parcel number 05-06-015-036-00, and also all the properties along Spirea Drive. The term of the Special Assessment District has been tentatively determined to be 20 years;

WHEREAS, the Township Board has tentatively determined that the cost of said improvement shall be defrayed by special assessments against the property determined to be especially benefited thereby constituting the Special Assessment District;

WHEREAS, the Township Board, after notice as required by the statutes of the State of Michigan, has met and heard objections to the establishment and necessity of the Special Assessment District for the said improvement; and

WHEREAS, a special assessment roll should be prepared to assess the lands in the Special Assessment District for the cost of the improvement.

NOW, THEREFORE, BE IT RESOLVED, that the Township Board does hereby ratify and confirm its previous tentative determination, and finally determines the character of the improvement proposed to be made as follows: CAIRN HIGHWAY SANITARY SEWER SPECIAL ASSESSMENT DISTRICT NO. 1: Pressure sewer to service properties in the Cairn Highway area beginning at parcel number 05-06-010-014-20 and 05-06-010-014-10 and proceeding south down Cairn Highway to the Elk Rapids Township line at parcel number 05-06-015-036-00, and also all the properties along Spirea Drive. The term of the Special Assessment District is determined to be 20 years.

BE IT FURTHER RESOLVED, that the cost estimate as heretofore filed for public examination be and the same are hereby approved and the Township Board approves the estimated cost of the said public improvement, which estimated cost is determined to be \$1,437 per year.

BE IT FURTHER RESOLVED, that the costs and expenses to make the said improvement, as determined according to the cost estimate prepared by the Performance Engineers, Inc., be finally determined and defrayed by special assessment against the property determined to be especially benefited thereby.

BE IT FURTHER RESOLVED, that the properties described on Exhibit A, which is attached hereto and made a part hereof, are deemed to be especially benefited by the local sanitary sewer service and that the Special Assessment District against which the costs of said improvement, together with related engineering and legal costs, shall be assessed, is designated as those properties described on said Exhibit A.

BE IT FURTHER RESOLVED, that the Township Acting Supervisor, Mike Szymanski, is hereby directed to make a special assessment roll for said Special Assessment District in which shall be entered and described all the parcels of land to be assessed, with the names of the respective owners thereof, if known, and the total amount to be assessed against each parcel of land in said Special Assessment District, which amount shall be the estimate of benefit to such land.

BE IT FURTHER RESOLVED, that when the Township Acting Supervisor completes the special assessment roll for the Special Assessment District, he shall affix thereto his certificate stating that it was made pursuant to a resolution of the Township Board adopted on October 18, 2021, and that in making the special assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the State of Michigan. Upon completion of the special assessment roll for said Special Assessment District, the Township Acting Supervisor shall report said special assessment roll to the Township Board.

AND IT IS FINALLY RESOLVED, that any resolution or other action of the Township Board heretofore taken which is contrary to the terms of this resolution is hereby rescinded and revoked.

Upon a vote for the adoption of said resolution, the vote was:

AYES: R. Hults, M. Soper, M. Szymanski and S. Boisvert

NAYS: 0

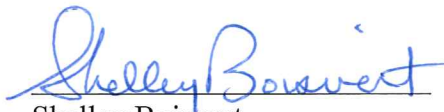
RECUSED: D. Amos

The resolution was thereupon declared adopted.

### CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by Elk Rapids Township, County of Antrim, Michigan, at a special meeting held on October 18, 2021, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan of 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: October 18, 2021

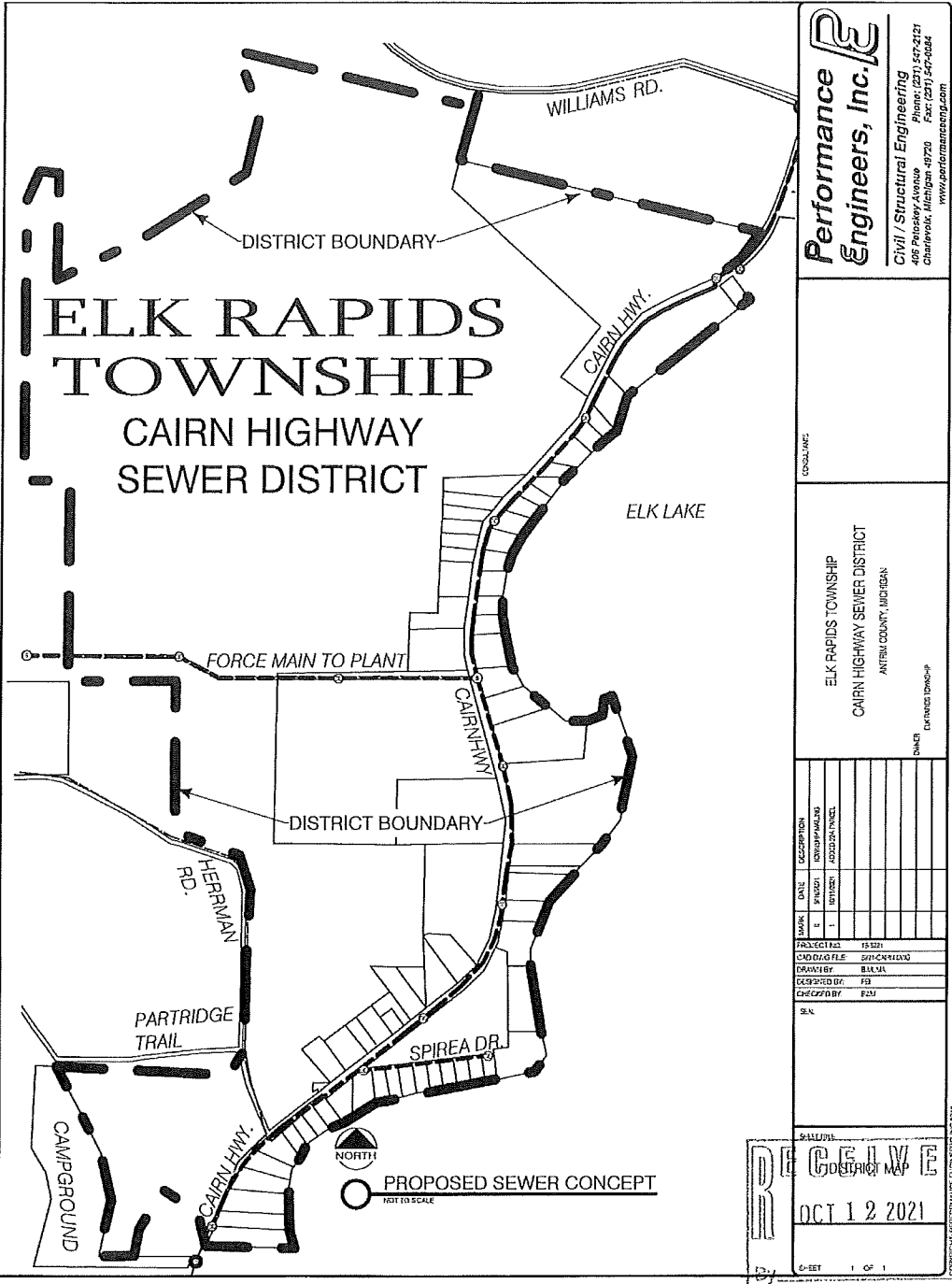
  
Shelley Boisvert  
Elk Rapids Township Clerk

**EXHIBIT A**

|    | <b><u>Cairn Hwy Parcels in Sewer District</u></b> |                                      |                                |                | <b>updated<br/>10-11-2021</b> |
|----|---|--------------------------------------|--------------------------------|----------------|-------------------------------|
|    | Parcel #  | Name                                 | Additional<br>Names on<br>Deed | Address        | Acreage                       |
| 1  | 05-06-010-014-00                                  | Huron Kamala                         |                                | 7607 Cairn Hwy | 9.302                         |
| 2  | 05-06-010-014-10                                  | Huron Kamala                         |                                | 7607 Cairn Hwy | 0.523                         |
| 3  | 05-06-010-014-20                                  | Shah Carolyn Palmer & Huron Kamala   |                                | 7607 Cairn Hwy | 33                            |
| 4  | 05-06-010-015-00                                  | Amos Julia Pollister & Dorance M     |                                | 7914 Cairn Hwy | 32.8                          |
| 5  | 05-06-010-016-00                                  | White Horace S & Morris Karen        |                                |                | 0.235                         |
| 6  | 05-06-010-016-10                                  | Hutchens David W & Darlene C         |                                | 7867 Cairn Hwy | 0.579                         |
| 7  | 05-06-010-022-00                                  | Boger Marilyn Trust No 1             |                                | 7843 Cairn Hwy | 0.287                         |
| 8  | 05-06-010-023-00                                  | Boger Marilyn Trust No 1             |                                | 7845 Cairn Hwy | 0.386                         |
| 9  | 05-06-010-024-00                                  | Boger Robert P                       |                                | 7827 Cairn Hwy | 1.004                         |
| 10 | 05-06-015-001-00                                  | Richards Nancy Lynn                  |                                | 8202 Cairn Hwy | 3.45                          |
| 11 | 05-06-015-002-00                                  | Amos Julia Pollister & Dorance M     |                                |                | 115.68                        |
| 12 | 05-06-015-003-00                                  | Young Michael A & Patricia K         |                                | 8404 Cairn Hwy | 7.574                         |
| 13 | 05-06-015-003-10                                  | Pollister Amos LLC                   |                                |                | 38.18                         |
| 14 | 05-06-015-004-00                                  | White Horace S & Morris Karen        |                                | 7915 Cairn Hwy | 0.72                          |
| 15 | 05-06-015-005-00                                  | Mannes David W Trust, Joyce M. Trust |                                | 7995 Cairn Hwy | 0.436                         |
| 16 | 05-06-015-006-00                                  | Redman North Country Prop LLC        | Redman, Bruce                  | 8043 Cairn Hwy | 0.468                         |
| 17 | 05-06-015-007-00                                  | Black Steven M & Susan L             |                                | 8051 Cairn Hwy | 0.959                         |
| 18 | 05-06-015-008-00                                  | Alligators Plus Insects LLC.         |                                | 8095 Cairn Hwy | 0.464                         |
| 19 | 05-06-015-009-00                                  | Mueller Andrea L                     | McDonald, William              | 8117 Cairn Hwy | 0.388                         |
| 20 | 05-06-015-010-00                                  | Prentice Lawrence M & Lauren M       |                                | 8147 Cairn Hwy | 0.894                         |
| 21 | 05-06-015-011-00                                  | Standerfer Anthony & Christine Trust |                                | 8153 Cairn Hwy | 0.444                         |
| 22 | 05-06-015-012-00                                  | Shaw Pamela G Trust                  |                                | 8167 Cairn Hwy | 0.934                         |
| 23 | 05-06-015-013-00                                  | Veliquette Dean R & Sharon J         |                                | 8215 Cairn Hwy | 0.807                         |
| 24 | 05-06-015-014-01                                  | Daane Barbara M                      |                                | 8237 Cairn Hwy | 1.115                         |
| 25 | 05-06-015-014-10                                  | Young Michael A & Patricia K         |                                | 8377 Cairn Hwy | 1.656                         |
| 26 | 05-06-015-015-00                                  | Jamrog Steven P & Jennifer K         |                                |                | 0.748                         |
| 27 | 05-06-015-015-05                                  | Jamrog Steven P & Jennifer           |                                | 8078 Cairn Hwy | 0.657                         |
| 28 | 05-06-015-015-10                                  | Sparks Lydia                         |                                | 8090 Cairn Hwy | 0.595                         |
| 29 | 05-06-015-015-15                                  | Rilko David & Lorraine Trust         |                                | 8120 Carin Hwy | 0.554                         |
| 30 | 05-06-015-016-00                                  | Mowers Margaret A                    |                                | 8034 Cairn Hwy | 1.601                         |
| 31 | 05-06-015-017-00                                  | Stites Harold R - Terry L.           | Daunter, Shirley A. Reid       | 8056 Cairn Hwy | 0.868                         |
| 32 | 05-06-015-018-00                                  | Loper Robert L & Nancy E             |                                | 8144 Carin Hwy | 1.684                         |
| 33 | 05-06-015-018-10                                  | Drous Deborah Blackmore Mark & Ron   |                                | 8160 Carin Hwy | 1.544                         |
| 34 | 05-06-015-019-00                                  | Rehrer Stephen H - Nancy J           |                                | 8323 Cairn Hwy | 1.873                         |

|    |                  |                                     |  |                 |        |
|----|------------------|-------------------------------------|--|-----------------|--------|
| 35 | 05-06-015-020-00 | Young Michael A & Patricia K        |  | 8377 Cairn Hwy  | 13.997 |
| 36 | 05-06-015-022-00 | Brown Carolyn S                     |  | 8698 Cairn Hwy  | 1.148  |
| 37 | 05-06-015-023-15 | Pad Lock LLC                        |  | 8648 Cairn Hwy  | 1.661  |
| 38 | 05-06-015-024-00 | Brown Carolyn S                     |  | 8702 Cairn Hwy  | 0.851  |
| 39 | 05-06-015-025-01 | Bargy Tammy                         |  | 8672 Cairn Hwy  | 0.356  |
| 40 | 05-06-015-025-20 | Gmosere Michael L & Joyce L         |  |                 | 0.746  |
| 41 | 05-06-015-026-00 | Cairn 8692 LLC                      |  | 8688 Cairn Hwy  | 0.574  |
| 42 | 05-06-015-027-00 | Cairn 8692 LLC                      |  | 8692 Carin Hwy  | 0.574  |
| 43 | 05-06-015-029-00 | Don Fedrigon Jr                     | Don Fedrigon Jr., Renee F.               |                 | 22     |
| 44 | 05-06-015-031-00 | Jackson Patricia A & Thomas L       |  | 8741 Cairn Hwy  | 0.849  |
| 45 | 05-06-015-032-00 | Yount Polly C & Steven L            |  | 8833 Carin Hwy  | 0.367  |
| 46 | 05-06-015-033-00 | Kreuze David A & Nancy J            |  | 8787 Cairn Hwy  | 0.477  |
| 47 | 05-06-015-035-00 | Huntngton National Bank             | Merenda Fransetta Cemery                 | 8927 Cairn Hwy  | 1.706  |
| 48 | 05-06-015-036-00 | Gurdak Ronald D                     |  | 8969 Cairn Hwy  | 1.892  |
| 49 | 05-06-015-038-10 | Vor Broker Robert S & Sue Ann Trust |  | 8885 Cairn Hwy  | 0.956  |
| 50 | 05-06-015-043-00 | Lundy Charles F - Barbara J         |  | 8845 Cairn Hwy  | 0.588  |
| 51 | 05-06-015-046-02 | Copeland Christian J & Laurie A TRS |  | 8655 Cairn Hwy  | 4.173  |
| 52 | 05-06-015-046-10 | Pollister Amos Julia & Amos Dorance | Pollister Amo,s Aubyn; Veliquette, Bruce |                 | 10.43  |
| 53 | 05-06-015-047-01 | Amos Julia Pollister & Dorance M    |  |                 | 7.14   |
| 54 | 05-06-015-047-10 | Baker Robert A - Fletcher Kim S     |  | 8415 Cairn Hwy  | 1.643  |
| 55 | 05-06-015-047-16 | Pollister Amos LLC                  |  | 8212 Cairn Hwy  | 1.26   |
| 56 | 05-06-015-047-20 | Amos Dorance M & Julia Pollister    |  | 8443 Cairn Hwy  | 1.66   |
| 57 | 05-06-015-047-30 | Krill David B & Linda S             |  | 8535 Cairn Hwy  | 0.603  |
| 58 | 05-06-015-047-40 | Amos Julia Pollister & Dorance M    |  |                 | 0.548  |
| 59 | 05-06-015-047-52 | Pollister Raymond F                 |  | 8543 Cairn Hwy  | 1.741  |
| 60 | 05-06-015-048-00 | Misico James A & Connie L           |  | 8628 Cairn Hwy  | 1.061  |
| 61 | 05-06-525-001-00 | Campagne Paul & Galuppi Vittorio    |  | 14545 Spirea Dr | 1.219  |
| 62 | 05-06-525-003-00 | Lintol James C & Colette M          |  | 14541 Spirea Dr | 0.543  |
| 63 | 05-06-525-004-00 | Veliquette Norman R Trust           |  | 14537 Spirea Dr | 0.542  |
| 64 | 05-06-525-005-00 | Ferrari Trust                       |  | 14517 Spirea Dr | 0.517  |
| 65 | 05-06-525-006-00 | Crimmins William F & C Corcoran     |  | 14499 Spirea Dr | 0.498  |
| 66 | 05-06-525-007-00 | Birge Elk Lake Trust Trustees       |  | 14481 Spirea Dr | 0.48   |
| 67 | 05-06-525-008-00 | Kintz David A & Linda R             |  | 14463 Spirea DR | 0.461  |
| 68 | 05-06-525-009-00 | Sabty Emile S & Nira M              |  | 14441 Spirea Dr | 0.448  |
| 69 | 05-06-525-010-00 | Appell Ralph W                      |  | 14425 Spirea DR | 0.443  |
| 70 | 05-06-525-011-00 | Davies John                         |  | 14411 Spirea Dr | 0.441  |

Note: List was updated due to addition of Fedrigon parcel 05-06-015-029-00 on 10-11-21.



**Performance Engineers, Inc.**  
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CONSULTANT

ELK RAPIDS TOWNSHIP  
CAIRN HIGHWAY SEWER DISTRICT  
ANISW COUNTY, MICHIGAN  
OWNER

| MARK | DATE       | DESCRIPTION       |
|------|------------|-------------------|
| 1    | 10/01/2021 | ISSUED FOR PERMIT |
| 2    |            |                   |
| 3    |            |                   |
| 4    |            |                   |
| 5    |            |                   |
| 6    |            |                   |
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| 10   |            |                   |

PROJECT NO: 18-001  
CAD FILE: SW-CM-CAIRN  
DRAWN BY: BLM  
CHECKED BY: EJM

SCALE

RECEIVED  
OCT 12 2021  
SHEET 1 OF 1