

ELK RAPIDS TOWNSHIP

Resolution 2021-14

RESOLUTION TO MAKE PRELIMINARY DETERMINATION AND SET HEARING ON
ESTABLISHING SPECIAL ASSESSMENT DISTRICT

At a regular meeting of the Township Board of Elk Rapids Township, Antrim County, Michigan (the "Township"), held in said Township on September 14, 2021, there were:

PRESENT: **D. Amos, S. Boisvert, M. Szymanski, R. Hults, 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, Section 4 of Act 188 provides that if the township board determines to proceed on the improvement, the township board shall cause to be prepared plans describing the improvement and the location of the improvement with an estimate of the cost of the improvement on a fixed or periodic basis. Upon receipt of the plans and estimate, the township board shall order the same to be filed with the township clerk and tentatively declare by resolution its intention to make the improvement and tentatively designate the special assessment district against which the cost of the improvement or a designated part of the improvement is to be assessed. The township board shall fix a day for a hearing on the estimate and on the question of creating a special assessment district and defraying the expenses of the special assessment district by special assessment on the property to be especially benefited;

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, and;

WHEREAS, the Township Board deems it necessary that sewer mains complete with all appurtenant work including manholes, connection services and surface restoration be installed in certain streets or public or private easements to be acquired or portions thereof within the

Township and desires to determine the character of the improvement proposed to be made and to procure an estimate of cost with respect thereto.

NOW, THEREFORE, BE IT RESOLVED, that the estimated costs and expenses of the improvement hereby accepted and is to be filed with the Township Clerk and be available for public inspection.

BE IT FURTHER RESOLVED, that this Township Board tentatively determines to make the following necessary public improvement in the Township and 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.**

BE IT FURTHER RESOLVED, that the costs and expenses of the improvement according to the cost estimate prepared by Performance Engineers, Inc. be 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 a special assessment district against which the costs of said Project, together with related engineering and legal costs, shall be assessed, is tentatively designated as those properties described on said Exhibit A.

BE IT FURTHER RESOLVED, that the Township Board shall meet at the **Governmental Center at 315 Bridge Street, Elk Rapids, MI at 6:00 PM on Monday, October 18, 2021**, to hold a public hearing on the cost estimate, the question of creating the Special Assessment District and defraying the expenses of the Special Assessment District by special assessment on the property to be especially benefited (except property exempt from the collection of taxes under the General Property Tax Act) and to hear and consider objections, if any, to the cost estimate and Special Assessment District therefor, and any other matters related thereto from persons interested in or liable to be assessed for the public improvement.

BE IT FURTHER RESOLVED, that notice of the public hearing shall be given by causing notice thereof to be published at least twice in the Elk Rapids News, a newspaper circulating in the Township, with the first publication being at least ten (10) days prior to the hearing, and that the Township Clerk shall also give notice by first class mail addressed to each owner of or party in interest in property to be assessed at the address shown on the tax records at least ten (10) days prior to the hearing. Said notices shall state that the annual estimate of costs and expenses is on file with the Township Clerk for public examination and shall contain a description of the proposed special assessment district and shall state the time and place provided by this resolution to hear objections, if any, and shall state that any persons objecting to the public improvement shall file their objections thereto in writing with the Township Board at or prior to said hearing.

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: **M. Szymanski, S. Boisvert, R. Hults, M. Soper**

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 regular meeting held on September 14, 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: September 14, 2021



Shelley Boisvert
Township Clerk

EXHIBIT A

CAIRN HIGHWAY SANITARY SEWER SPECIAL ASSESSMENT DISTRICT NO. 1 (Updated September 13, 2021)				
	Parcel #	Name	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	05-06-015-004-00	White Horace S & Morris Karen	7915 Cairn Hwy	0.72
6	05-06-010-016-00	White Horace S & Morris Karen		0.235
7	05-06-010-016-10	Hutchens David W & Darlene C	7867 Cairn Hwy	0.579
8	05-06-010-022-00	Boger Marilyn	7843 Cairn Hwy	0.287
9	05-06-010-023-00	Boger Marilyn	7845 Cairn Hwy	0.386
10	05-06-010-024-00	Boger Robert P	7827 Cairn Hwy	1.004
11	05-06-015-001-00	Richards Nancy Lynn	8202 Cairn Hwy	3.45
12	05-06-015-002-00	Amos Julia Pollister & Dorance M		115.68
13	05-06-015-003-00	Young Michael A & Patricia K	8404 Cairn Hwy	7.574
14	05-06-015-003-10	Pollister Amos LLC		38.18
15	05-06-015-004-00	White Horace S & Morris Karen	7915 Cairn Hwy	0.72
16	05-06-015-005-00	Mannes David W Trust	7995 Cairn Hwy	0.436
17	05-06-015-006-00	Redman North Country Prop LLC	8043 Cairn Hwy	0.468
18	05-06-015-007-00	Black Steven M & Susan L	8051 Cairn Hwy	0.959
19	05-06-015-008-00	Alligators Plus Insects LLC.	8095 Cairn Hwy	0.464
20	05-06-015-009-00	Mueller Andrea L	8117 Cairn Hwy	0.388
21	05-06-015-010-00	Prentice Lawrence M & Lauren M	8147 Cairn Hwy	0.894
22	05-06-015-011-00	Standerfer Anthony & Christine Trus	8153 Cairn Hwy	0.444
23	05-06-015-012-00	Shaw Pamela G Trust	8167 Cairn Hwy	0.934
24	05-06-015-013-00	Veliquette Dean R & Sharon J	8215 Cairn Hwy	0.807
25	05-06-015-014-01	Daane Barbara M	8237 Cairn Hwy	1.115
26	05-06-015-014-10	Young Michael A & Patricia K	8377 Cairn Hwy	1.656
27	05-06-015-015-00	Jamrog Steven P & Jennifer K		0.748
28	05-06-015-015-05	Jamrog Steven P & Jennifer	8078 Cairn Hwy	0.657
29	05-06-015-015-10	Sparks Lydia	8090 Cairn Hwy	0.595
30	05-06-015-015-15	Rilko David & Lorraine Trust	8120 Carin Hwy	0.554
31	05-06-015-016-00	Mowers Margaret A	8034 Cairn Hwy	1.601
32	05-06-015-017-00	Stites Harold R - Terry L	8056 Cairn Hwy	0.868
33	05-06-015-018-00	Loper Robert L & Nancy E	8144 Carin Hwy	1.684
34	05-06-015-018-10	Drous Deborah Blackmore Mark & Ron	8160 Carin Hwy	1.544
35	05-06-015-019-00	Rehrer Stephen H - Nancy J	8323 Cairn Hwy	1.873
36	05-06-015-020-00	Young Michael A & Patricia K	8377 Cairn Hwy	13.997
37	05-06-015-021-00	Amos Julia Pollister & Dorance M		20
38	05-06-015-022-00	Brown Carolyn S	8698 Cairn Hwy	1.148

39	05-06-015-023-00	Misico James A & Connie L		0.635
40	05-06-015-023-15	Pad Lock LLC	8648 Cairn Hwy	1.661
41	05-06-015-024-00	Brown Carolyn S	8702 Cairn Hwy	0.851
42	05-06-015-025-01	Bargy Tammy	8672 Cairn Hwy	0.356
43	05-06-015-025-20	Gmosere Michael L & Joyce L		0.746
44	05-06-015-026-00	Cairn 8692 LLC	8688 Cairn Hwy	0.574
45	05-06-015-027-00	Cairn 8692 LLC	8692 Carin Hwy	0.574
46	05-06-015-031-00	Jackson Patricia A & Thomas L	8741 Cairn Hwy	0.849
47	05-06-015-032-00	Yount Polly C & Steven L	8833 Carin Hwy	0.367
48	05-06-015-033-00	Kreuze David A & Nancy J	8787 Cairn Hwy	0.477
49	05-06-015-034-00	Brown Carolyn S	8698 Carin Hwy	0.625
50	05-06-015-035-00	Huntngton National Bank	8927 Cairn Hwy	1.706
51	05-06-015-036-00	Gurdak Ronald D	8969 Cairn Hwy	1.892
52	05-06-015-038-10	Vor Broker Robert S & Sue Ann Trust	8885 Cairn Hwy	0.956
53	05-06-015-043-00	Lundy Charles F - Barbara J	8845 Cairn Hwy	0.588
54	05-06-015-046-02	Copeland Christian J & Laurie A TRS	8655 Cairn Hwy	4.173
55	05-06-015-046-10	Pollister Amos Julia & Amos Dorance		10.43
56	05-06-015-047-01	Amos Julia Pollister & Dorance M		7.14
57	05-06-015-047-10	Baker Robert A - Fletcher Kim S	8415 Cairn Hwy	1.643
58	05-06-015-047-16	Pollister Amos LLC	8212 Cairn Hwy	1.26
59	05-06-015-047-20	Amos Dorance M & Julia Pollister	8443 Cairn Hwy	1.66
60	05-06-015-047-30	Krill David B & Linda S	8535 Cairn Hwy	0.603
61	05-06-015-047-40	Pollister Julia L		0.548
62	05-06-015-047-52	Pollister Raymond F	8543 Cairn Hwy	1.741
63	05-06-015-048-00	Misico James A & Connie L	8628 Cairn Hwy	1.061
64	05-06-525-001-00	Campagne Paul & Jennifer	14545 Spirea Dr	1.219
65	05-06-525-003-00	Lintol James C & Colette M	14541 Spirea Dr	0.543
66	05-06-525-004-00	Veliquette Norman R Trust	14537 Spirea Dr	0.542
67	05-06-525-005-00	Ferrari Trust	14517 Spirea Dr	0.517
68	05-06-525-006-00	Crimmins William F & C Corcoran	14499 Spirea Dr	0.498
69	05-06-525-007-00	Birge Elk Lake Trust Trustees	14481 Spirea Dr	0.48
70	05-06-525-008-00	Kintz David A & Linda R	14463 Spirea DR	0.461
71	05-06-525-009-00	Sabty Emile S & Nira M	14441 Spirea Dr	0.448
72	05-06-525-010-00	Appell Ralph W	14425 Spirea DR	0.443
73	05-06-525-011-00	Davies John	14411 Spirea Dr	0.441

