

ELK RAPIDS TOWNSHIP

Resolution 2021 - 16

RESOLUTION ESTABLISHING HEARING TO CONFIRM 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 **Boisvert** and seconded by Member **Szymanski**:

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 previously determined to make the following necessary public improvement in the Township and 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 is determined to be 20 Years; and

WHEREAS, in accordance with Section 6(1) of Act 188 of 1954, as amended, a public hearing should be held to review the special assessment roll and hear any objections thereto.

NOW, THEREFORE, BE IT RESOLVED, that the special assessment roll for the Special Assessment District, as submitted to the Township Board by the Township Supervisor, be filed in the office of Township Clerk at least ten (10) days prior to the public hearing as hereinafter established.

BE IT FURTHER RESOLVED, that the Township Board shall meet at the Governmental Center at 315 Bridge Street, Elk Rapids, MI 49629 on December 14, 2021 at 6:00 PM local time, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

BE IT FURTHER RESOLVED, that notice of the aforesaid 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 said special assessment roll has been filed with the Township Clerk for public inspection and that any person objecting to the special assessment roll shall file his/her objection thereto in writing with the Township Clerk before the close of 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. Soper, M. Szymanski, S. Boisvert, and R. Hults**

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, 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
Township Clerk