

TOWNSHIP OF BIRCH RUN
AMENDED RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

94-15

The following proceedings took place at a regular meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held at the Township Hall on the 9th day of August, 1994, at 7:30 p.m., Eastern Daylight Savings Time there were:

PRESENT: Edward Magnus, Sheila DiBerardino, Nancy Henige,
Jackie Hayes, Larry Russell, Gary St. Charles, Joanne Strahm

ABSENT: None

The following preamble and resolution were offered by Russell and seconded by St. Charles :

WHEREAS, a hearing was held on April 26, 1994 by the Township Board of the Township of Birch Run (the "Township") on a special assessment district and the special assessment roll in the amount of \$158,000 made to defray part of the cost of a water project serving the Township (the "Project") in a special assessment district created by the Township known as the Birch Run Township Water Supply System Water Extension No. 2, Special Assessment District A (the "Special Assessment District"); and

WHEREAS, on April 26, 1994, the Township confirmed the special assessment roll pursuant to the provisions of Act No. 185 of the Michigan Public Acts of 1957, as amended ("Act 185"), and the County of Saginaw (the "County") sold bonds at an average interest rate of 6.2413% on July 26, 1994; and

WHEREAS, this Board wishes to set the interest rate on the special assessment roll and to establish principal payments on such assessments in co-ordination with bond maturities.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF BIRCH RUN, SAGINAW COUNTY, MICHIGAN, as follows:

1. The special assessments on the roll against each parcel of land shall be payable in twenty installments, according to the schedule attached as Appendix A, which shall become due and payable on December 1 of each year beginning December 1, 1994, and shall be collectable through February 15 of each such year without penalty. On and after February 16 of each such year unpaid assessments shall be deemed delinquent and there shall be collected a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll.

Interest on unpaid assessments shall accrue from June 1, 1994, at the rate of 7.00% per annum which is a rate less than 1% above the average interest rate on bonds to be issued under Act 185 to finance the Project, such interest to be payable annually together with each annual installment then due on the assessments.

2. The Township Clerk is hereby directed to attach his or her warrant, as required by law, to the special assessment roll as amended by this resolution and to deliver the roll to the Township Treasurer commanding the Township Treasurer to collect the assessments in accordance with the terms of this resolution, the warrant, and the statutes of the State of Michigan. Upon receiving the special assessment roll and warrant, the Township Treasurer shall proceed to collect the assessments as the same shall become due.

A vote upon the foregoing resolution was taken, and the results were as follows:

ADOPTED: YEAS: Magnus, DiBerardino, Henige, Hayes, Russell
St. Charles, Strahm

NAYS: None

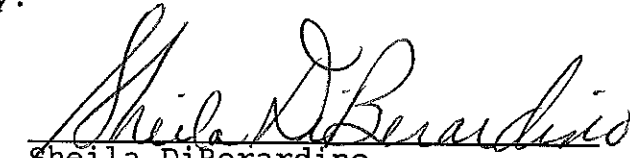
ABSENT: _____

The resolution was then declared adopted.

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF SAGINAW)

The undersigned, being the Township Clerk of the Township of Birch Run, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on August 9th, 1994, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.


Sheila DiBerardino
Birch Run Township Clerk

SEAL

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APPENDIX A

SPECIAL ASSESSMENTS DUE DECEMBER 1, 1994 THROUGH DECEMBER 1, 2013

Date	Amount
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Dec 1 1994	\$5,000.00
Dec 1 1995	6,000.00
Dec 1 1996	6,000.00
Dec 1 1997	6,000.00
Dec 1 1998	7,000.00
Dec 1 1999	7,000.00
Dec 1 2000	8,000.00
Dec 1 2001	8,000.00
Dec 1 2002	8,000.00
Dec 1 2003	8,000.00
Dec 1 2004	8,000.00
Dec 1 2005	8,000.00
Dec 1 2006	8,000.00
Dec 1 2007	9,000.00
Dec 1 2008	9,000.00
Dec 1 2009	9,000.00
Dec 1 2010	9,000.00
Dec 1 2011	9,000.00
Dec 1 2012	10,000.00
Dec 1 2013	10,000.00

	\$158,000.00

(a)
08/03/94
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