

**RESOLUTION NO. 2**

Township of Pinconning  
County of Bay, State of Michigan

Minutes of a regular meeting of the Township Board of the Township of Pinconning, County of Bay, State of Michigan, held in the Township Hall in said Township on the 14th day of September, 2004, at 4:00p.m., Eastern Daylight Time.

PRESENT: Members Buchalski, Kusterer, Waibel, Stalsberg

ABSENT: Members Jacques

The following preamble and resolution were offered by Member Kusterer  
and supported by Member Buchalski :

WHEREAS, the Township Board of the Township of Pinconning, County of Bay, State of Michigan, pursuant to Act 188, Public Acts of Michigan, 1954, as amended, has tentatively declared its intention to undertake certain water supply system public improvements as described in Exhibit A attached hereto in the special assessment district described in Exhibit B attached hereto; and

WHEREAS, the Township Board has caused to be prepared by registered engineers plans showing the public improvements and the location thereof and an estimate of the cost thereof; and

WHEREAS, the same have been received by the Township Board; and

WHEREAS, the Township Board desires to proceed further with the public improvements.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The plans showing the public improvements and the location thereof and the estimate of cost thereof shall be filed with the Township Clerk and be made available for public examination.
2. The Township Board tentatively declares its intention to make the public improvements described in Exhibit A attached hereto.

3. There is hereby tentatively designated a special assessment district against which the cost of said public improvements is to be assessed, consisting of the lots and parcels of land more particularly described in Exhibit B attached hereto.

4. The Township Board shall meet in the Township Hall in the Township on October 5, 2004 at 4:00 o'clock p.m., Eastern Daylight Time, at which time and place the Township Board shall hear objections to the proposed public improvements or the special assessment district therefor.

5. The Township Clerk is hereby ordered to cause notice of such hearing to be published twice prior to said hearing in the ***Pinconning Journal***, Pinconning, Michigan, a newspaper of general circulation in the Township, the first publication to be at least ten (10) days before the time of hearing, and shall cause notice of said hearing to be mailed by first-class mail to all record owners of or persons in interest in property in the special assessment district as shown on the last township tax assessment records of the Township at least ten (10) full days before the date of said hearing.

6. Said notice shall be in substantially the following form:



NOTICE OF HEARING ON WATER SPECIAL ASSESSMENT  
IMPROVEMENTS BY THE TOWNSHIP BOARD  
OF THE TOWNSHIP OF PINCONNING

TO ALL OWNERS OF THE  
FOLLOWING-DESCRIBED LANDS:

**[Insert description on Exhibit B here. If property identification numbers are used in this description, then also include either a map or a written description of the proposed district.]**

TAKE NOTICE that pursuant to the provisions of Act 188, Public Acts of Michigan, 1954, as amended, and a petition requesting certain improvements signed by the record owners of land constituting more than fifty percent (50%) of the total land area in the special assessment district hereinafter described for improvements proposed by said petition, and the Township Board has tentatively declared its intention to proceed with the public improvements described as follows:

**[Insert description on Exhibit A here]**

TAKE FURTHER NOTICE that the Township Board has tentatively declared its intention to make such improvements and tentatively designated the above-described premises as a special assessment district against which all or a part of the cost of said public improvements is to be assessed.

TAKE FURTHER NOTICE that the Township Board has caused to be prepared plans showing the public improvements, the location thereof and an estimate of the cost thereof which have been filed with the Pinconning Township Clerk, 1751 Cody Estey Road, Pinconning, Michigan, 48650 for public examination.

PUBLIC NOTICE IS HEREBY GIVEN that the Board will meet on Tuesday, the 5th day of October, 2004, at 4:00, o'clock p.m., Eastern Daylight Time, at the Township Hall, 1751 Cody Estey Road, Pinconning, Michigan, to hear objections to the public improvements, and to the special assessment district therefor.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter delivered to the Township Clerk by Tuesday, 4:00 p.m. on October 5, 2004 and his or her personal appearance shall not be required. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

Mary Kusterer  
Pinconning Township Clerk

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 Buchalski, Kusterer, Waibel, Stalsberg

NAYS: Members 0

RESOLUTION DECLARED ADOPTED.

Mary Kusterer  
Township Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Pinconning, County of Bay, State of Michigan, at a regular meeting held on September 14, 2004, 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.

Mary Kusterer  
Township Clerk

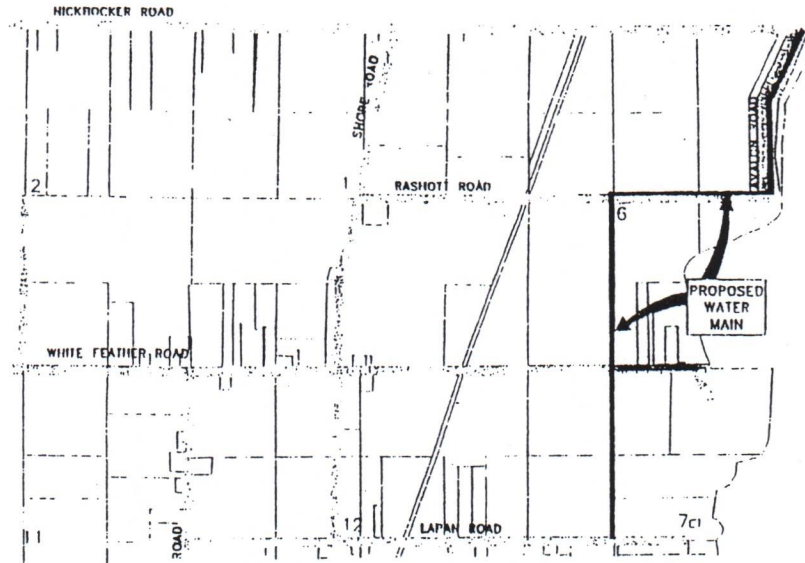
EXHIBIT A

Public Improvements



# NOTICE OF HEARING ON WATER SPECIAL ASSESSMENT IMPROVEMENTS BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF PINCONNING

TO ALL OWNERS OF THE FOLLOWING DESCRIBED LANDS:



TAKE NOTICE that pursuant to the provisions of Act 188, Public Acts of Michigan, 1994, as amended, and a petition requesting certain improvements signed by the record owners of land constituting more than fifty-one percent (51%) of the total land area in the special assessment district hereinafter described as Special Assessment District Number 5 for improvements proposed by said petition, and the Township Board has tentatively declared its intention to proceed with the public improvements described as follows:

09-120-S05-000-001-00	09-120-S05-000-003-00	09-120-S05-000-005-00
09-120-S05-000-006-00	09-120-S05-000-007-00	09-120-S05-000-009-00
09-120-S05-000-010-00	09-120-S05-000-012-00	09-120-S05-000-014-01
09-120-S05-000-017-00	09-120-S05-000-018-00	09-120-S05-000-020-00
09-120-S05-000-021-00	09-120-S05-000-024-00	09-120-S05-000-025-00
09-120-S05-000-027-00	09-120-S05-000-030-00	09-120-S05-000-031-00
09-120-S05-000-033-00	09-120-S05-000-033-00	09-120-S05-000-035-00
09-120-S05-000-037-00	09-120-S05-000-040-00	09-120-S05-000-042-00
09-120-S05-000-043-01	09-120-S05-000-046-01	09-120-S05-000-050-00
09-120-S05-000-053-01	09-120-S05-000-055-00	09-120-S05-000-057-01
09-120-S05-000-061-01	09-120-S05-000-064-00	09-120-S05-000-065-01
09-120-S05-000-068-00	09-120-S05-000-070-00	09-120-S05-000-072-00
09-120-S05-000-075-00	09-120-S05-000-076-00	09-120-S05-000-077-00
09-120-S05-000-079-00	09-120-S05-000-080-00	09-120-S05-000-082-00
09-120-S05-000-087-00	09-120-S05-000-090-00	09-120-038-100-050-01
09-120-038-100-050-00	09-120-037-300-070-00	09-120-037-300-060-00
09-120-037-300-040-00	09-120-037-300-030-00	09-120-037-100-060-00
09-120-037-300-095-00		

TAKE FURTHER NOTICE that the township Board has tentatively declared its intention to make such improvements and tentatively designated the above described premises as a special assessment district against which all of the cost of said public improvements is to be assessed.

PUBLIC NOTICE IS HEREBY GIVEN FOR DATE, TIME AND PLACE OF THE MEETING

**PINCONNING TOWNSHIP HALL  
1751 E. CODY ESTEY ROAD  
PO BOX 58  
PINCONNING, MI 48650  
AUGUST 27, 2005, at 10:00 AM**

EXHIBIT B

Special Assessment District

DELIB:2547655.1\110855-00003

**NOTE:** Waterline projects were put on hold because Wade-Trim Engineering Company attempted to overcharge the projects by seventy-five thousand (75,000) dollars. The township would not sign the contract for the additional cost and sought new bids for the projects with Civil Engineering submitting the lowest bid.