

**TOWNSHIP OF PINCONNING**

**BAY COUNTY, MICHIGAN**

Minutes of a regular meeting of the Township Board of the Township of Pinconning, Bay County, Michigan, held at the Pinconning Township Hall, 1751 Cody Estey Road, within the Township, on the 10th day of March, 2009, at 4:00 p.m. Local Time.

PRESENT: Members: Lichon, Buchalski, Stalsberg, Holbrook

ABSENT: Members: Trudo

The following preamble and resolution were offered by Member Buchalski and supported by Member Lichon.

**RESOLUTION NO. 09-03**

**SPECIAL ASSESSMENT RESOLUTION NO. 3**

**FILING OF SPECIAL ASSESSMENT ROLL FOR SPECIAL  
ASSESSMENT DISTRICT; NOTICE OF PUBLIC HEARING**

WHEREAS, the Township Board, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended ("Act 188") has resolved its intent to make certain public improvements to the Township's sewer system (the "System") consisting of the acquisition, construction and financing of approximately 13,350 lineal feet of sanitary collection and transmission sewers, valves, controls and pumps, and related appurtenances (the "Improvements") to serve Special Assessment District No. S1 (the "District"), in the Township; and

WHEREAS, following a public hearing on June 14, 2007, which hearing was duly noticed in accordance with Act 188, the Township Board adopted a resolution to determine the District for the Improvements and directed the Township Supervisor to prepare a Special Assessment Roll for the District (the "Special Assessment Roll"); and

WHEREAS, the Township has received construction bids for the acquisition and construction of the Improvements in the amount of \$1,995,000 including all construction, engineering, legal, and financing costs; and

WHEREAS, the Township Supervisor, in accordance with Act 188, has prepared and reported the Roll to the Township Board.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Township Board hereby approves the revised estimate of cost of the Improvements based upon the receipt of construction bids.

2. The Special Assessment Roll for the District, as reported to the Township Board by the Township Supervisor, shall be filed in the office of the Township Clerk and shall be available for public inspection during the normal office hours of the Township office.

3. The Township Board shall hold a public hearing on Tuesday, April 06, 2009, at 7:00 p.m., at the Township Hall, located at 1751 Cody Estey Road, within the Township, to review the Special Assessment Roll and hear any objections to it.

4. The Township Clerk shall cause to be published a notice of hearing in the *Pinconning Journal*, a newspaper of general circulation within the Township, a total of at least two times prior to the hearing, with the first publication at least ten (10) days prior to the time for hearing and a proof of publication of such notice shall be filed with the Township Board.

5. The Township Clerk, at least ten (10) days prior to the date of the hearing, shall send a notice of the hearing by first class mail addressed to each record owner of, or party in interest in, each parcel of land to be assessed, at the address shown for such record owner or party in interest upon the last Township tax assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed thereon (except in the case of railroad

companies, who shall be mailed a notice of the hearing by registered mail within five (5) days after the first publication of the notice in Paragraph 3, above); provided that if a record owner's name does not appear on the Township tax assessment records, then the notice required by this paragraph shall be given to the record owner at the address shown by the records of the Bay County Register of Deeds.

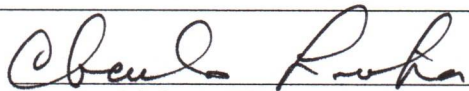
6. The notice of the hearing to be mailed and published as set forth herein shall be substantially in the form set forth in Exhibit A hereto.

7. All actions heretofore taken by Township officials, employees, and agents with respect to the Improvements and proceedings under Act 188 are hereby ratified and confirmed.

8. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

AYES: Members: Lichon, Buchalski, Stalsberg, Holbrook

NAYS: Members: \_\_\_\_\_

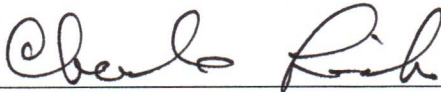
A handwritten signature in dark ink, appearing to read "Charles Lichon", is written over a horizontal line.

Charles Lichon, Clerk  
Township of Pinconning

STATE OF MICHIGAN     )  
                                  ) ss.  
COUNTY OF BAY         )

I, Charles Lichon, the duly qualified and acting Clerk of the Township of Pinconning, Bay County, Michigan (the "Township"), do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Township at a regular meeting thereof held on the 10th day of March, 2009, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed by official signature this 10th day of March, 2009.

  
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Charles Lichon, Clerk  
Township of Pinconning