## DANIELS DRAIN PUBLIC DRAIN IMPROVEMENT SPECIAL ASSESSMENT DISTRICT NO. 21

#### **RESOLUTION #3**

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, Michigan 48864-1198, on Tuesday, March 15, 2022, at 6:00 p.m.

PRESENT:	Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine, Trustee Wisinski
	Trustee Sundland
ABSENT:	
	ollowing resolution was offered by <u>Trustee Wisinski</u>

WHEREAS, the Township Board of the Charter Township deems it advisable and necessary for the public health, safety, and welfare of the Township and its inhabitants to have the Ingham County Drain Commissioner construct the needed improvements to the Daniels Drain (Chapter 20 Drain) and retention pond: to reduce the flooding, remove sediments from the pond, improve overall water quality and repair/replace broken pipes and appurtenances in the system; and to defray 50% of Meridian Township's share of the cost, thereof by special assessment against the properties specially benefitted thereby; and

WHEREAS, the Township Board approved on September 21, 2021, they will fund 50% of the Township's share of the Daniels Drain Improvement cost of \$5,536,644 (81.44% of total project cost) from the Meridian Township General Fund, and the remaining assessment cost (\$2,768,322) will be apportioned to the special assessment district using the principles of "benefits derived", which involve parcel size (benefiting acres), land use (coverage type) and a proximity factor to new infrastructure and tangible improvements; and

WHEREAS, the Township Board has caused to be prepared by the Department of Public Works, who has employed Spicer Group, Inc., an engineering firm from East Lansing, MI, a proposed special assessment roll with the estimate of cost thereof, in accordance with the special assessment district defined by the Ingham County Drain Commissioner; and in accordance with a resolution of the Township Board pursuant to Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Township Board, pursuant to the provisions of Act 188, Public Acts of Michigan, 1954, as amended, did on October 19, 2021, adopt a resolution tentatively approving the establishment of a special assessment district for the purpose of paying the cost thereof, and which special assessment district is more specifically hereinafter described; and

WHEREAS, the Township Board did meet on November 16, 2021 at 6:00 p.m., the time, date and place set by the Board to hold a public hearing to hear any objections to the special assessment district or roll. After said public hearing, Township staff met with owners in regards to objections of the special assessment district.

Daniels Drain Public Drain Improvement Special Assessment District No. 21 Resolution #3 Page 2

## NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MERIDIAN, INGHAM COUNTY, MICHIGAN, as follows:

- 1. The Township Board hereby approves the special assessment district, and defraying the cost thereof by special assessment against the properties specially benefited thereby.
- 2. The Township Board hereby approves the special assessment district estimate of cost in the amount of \$2,768,322.00.
- 3. The Township Board finally determines that the special assessment district shall be described as follows:

### (SEE ATTACHED LEGAL DESCRIPTION)

- 4. The Supervisor is hereby directed to make a special assessment roll in which shall be described all the parcels of land to be assessed as set forth with the names of the owners thereof if known, and the total amount to be assessed against each parcel of land which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district. The term of the special assessment district shall continue until the special assessments, as approved or modified, have been collected in full.
- 5. When the Supervisor shall have completed the special assessment roll there shall be affixed thereto a certificate stating that said roll was made pursuant to a resolution of the Township Board of the Charter Township of Meridian adopted March 15, 2022, and that in making the assessment roll the Supervisor has, according to her best judgment, conformed in all respects to the directions contained in said resolution and the statutes of the State of Michigan and the Supervisor shall then report the special assessment roll with the certificate attached thereto, to the Township Board.
- 6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

YEAS:	Treasurer Deschaine, Trustees Wisinski, Sundland, Supervisor Jackson,					
	Clerk Guthrie					
NAYS:						
Resolu	tion declared adopted.					

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Meridian, Ingham County, Michigan, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of proceedings taken by the Township Board at a regular meeting held on Tuesday, March 15, 2021.

Deborah Guthrie, Township Clerk

## DANIELS DRAIN PUBLIC DRAIN IMPROVEMENT SPECIAL ASSESSMENT DISTRICT NO. 21

## -- CERTIFICATE OF SUPERVISOR --

STATE OF MICHIGAN )

) ss. COUNTY OF INGHAM )
I, Patricia Herring Jackson, Supervisor of the Charter Township of Meridian, Ingham County, Michigan, hereby certify that the attached Daniels Drain Public Drain Improvement Special Assessment District No. 21 Special Assessment Roll was made by me pursuant to the resolution of the Township Board of said Charter Township of Meridian heretofore adopted on March 15 2022, and that in making such assessment roll, to the best of my judgment, I conformed in all respects to the directions contained in such resolution and in the statutes of the State of Michigan.
Patricia Herring Jackson, Township Supervisor
DATED:
Subscribed and sworn to before me this <u>16</u> day of <u>March</u> , 2022.
Notary Public, Ingham County, MI My Commission Expires: Septermber, 28, 2026 Acting in Ingham County
I, Deborah Guthrie, the duly qualified and acting Township Clerk of the Charter Township of Meridian, Ingham County, Michigan, <b>DO HEREBY CERTIFY</b> that the notice of hearings on the Daniels Drain Public Drain Improvement Special Assessment Roll were personally mailed by me to all of the landowners listed hereon the dates indicated in my affidavit of mailing.  Deborah Guthrie, Township Clerk

## DANIELS DRAIN PUBLIC DRAIN IMPROVEMENT SPECIAL ASSESSMENT DISTRICT NO. 21

#### **RESOLUTION NO. 4**

At a regular meeting of the Township Board of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, Michigan 48864-1198, on Tuesday, March 15, 2022, at 6:00 p.m.

PRESENT:	Supervisor Jackson, Clerk Guthrie, Treasurer Deschaine,		
	Trustee Sundland, Trustee Wisinski,		
ABSENT:			
The fol	owing resolution was offered by Trustee Wisinski		
and supported	by Clerk Guthrie		

WHEREAS, by resolution adopted March 15, 2022, the Township Board of the Charter Township of Meridian, determined to approve the more particularly hereinafter described Daniels Drain Public Drain Improvement Special Assessment District No. 21 and assess the cost thereof, to the property deemed benefitted by said improvements, all in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

**WHEREAS**, the Supervisor has prepared and reported to the Township Board a special assessment roll assessing the cost of said improvements to the property benefitted thereby with the proper certificate attached thereto.

## NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Said special assessment roll shall be filed with the Office of the Township Clerk and shall be available for public examination during regular working hours on regular working days.
- 2. The Township Board shall meet at 6:00 p.m. on Tuesday, April 12, 2022, at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, Michigan, in the Charter Township of Meridian, for the purpose of reviewing and hearing objections to the special assessment roll.
- 3. The Township Clerk shall cause notice of such hearing and the filing of the assessment roll to be published twice in a newspaper of general circulation in the Township, prior to the date of the hearing. The first publication shall be at least ten (10) days before the hearing pursuant to Act 188, Public Acts of 1954. The Clerk shall also cause notice of such hearing to be mailed by first class mail to all property owners in the special assessment district shown on the current assessment rolls of the Township, at least ten (10) full days before the date of said hearing. Said notice as published and mailed shall be in substantially the following form:

(SEE ATTACHED FORM)

#### **MERIDIAN TOWNSHIP RESIDENTS**

# NOTICE OF REVIEW OF SPECIAL ASSESSMENT ROLL FOR DANIELS DRAIN PUBLIC DRAIN IMPROVEMENT SPECIAL ASSESSMENT DISTRICT NO. 21 By Charter Township of Meridian Ingham County, Michigan

TO THE RECORD OWNERS OF, OR PARTIES IN INTEREST IN, THE FOLLOWING PROPERTY CONSTITUTING THE PROPOSED SPECIAL ASSESSMENT DISTRICT:

## (SEE ATTACHED LEGAL DESCRIPTION)

and excluding road right of way and other lands deemed not benefitted and excluding all streets and other land deemed not benefitted.

PLEASE TAKE NOTICE that a special assessment roll has been prepared and is on file in the Office of the Township Clerk for public examination. Said special assessment roll has been prepared for the purpose of assessing the cost of the following described drain improvements to the property benefited therefrom: the Ingham County Drain Commissioner developed plans to implement the necessary improvements to the Daniels Drain (to reduce the flooding, remove sediments from the pond, improve overall water quality and repair/replace broken pipes and appurtenances in the system) and bids were opened and approved in July 2021 resulting in Meridian Township's share of the Daniels Drain improvement costs of \$5,536,644. The Township Board approved on September 21, 2021 they will fund 50% of the Township's share of the Daniels Drain improvement cost from the Meridian Township General Fund and the assessment of the remaining cost (\$2,768,322) will be apportioned to the special assessment district using the principles of "benefits derived", which involve many factors including size of the parcel, land use type, amount of runoff, unique property characteristics, etc.

**TAKE FURTHER NOTICE** that the Township Board will meet on **Tuesday, April 12, 2022, at 6:00 p.m.**, at the Meridian Township Municipal Building, 5151 Marsh Road, Okemos, MI 48864-1198, (517) 853-4000, for the purpose of reviewing said special assessment roll and hearing any objections thereto.

Appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the state tax tribunal. Your personal appearance at the hearing is not required, but you or your agent may appear in person at the hearing and protest the special assessment. To make an appearance and protest, you must file your written objections by letter or other writing with the Township Clerk before the close of this hearing. The owner or any person having an interest in the real property may file a written appeal of the special assessment with the state tax tribunal within 30 days after the confirmation of the special assessment roll if that person appeared and protested the special assessment at this hearing.

Your special	assessment is proposed to be \$,
DATED:	
	Deborah Guthrie, Fownship Clerk

Daniels Drain Public Drain Improvements Special Assessment District No. 21 Resolution No. 4 Page 2

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

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Trustees Wisinski, Sundland, Supervisor Jackson, Clerk Guthrie,			
Treasurer Deschaine	_		
ion declared adopted.			
T	'reasurer Deschaine		

STATE OF MICHIGAN )
) ss.

**COUNTY OF INGHAM)** 

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Meridian, Ingham County, Michigan, **DO HEREBY CERTIFY** that the foregoing is a true and complete copy of proceedings taken by the Township Board at a regular meeting held on Tuesday, March 15, 2022.

Deborah Guthrie, Township Clerk