

Draft: August 20, 2018
Approved: August 27, 2018
Resolution No. 2

**GRATTAN TOWNSHIP
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 2018-021

COWAN LAKE SANITARY SEWER SPECIAL ASSESSMENT DISTRICT

**CONFIRMATION OF THE LANDOWNER PETITIONS;
DETERMINATION TO PROCEED WITH AND MAKE THE
PUBLIC IMPROVEMENTS; APPROVAL OF THE PLANS
AND ESTIMATE OF COSTS; TO DEFRAY THE COSTS BY
SPECIAL ASSESSMENT; FINAL DETERMINATIONS OF
THE SPECIAL ASSESSMENT DISTRICT; DIRECTIVE TO
THE TOWNSHIP SUPERVISOR TO PREPARE THE
SPECIAL ASSESSMENT ROLL.**

1. Minutes of a regular meeting of the Township Board of Grattan Township, Kent County, Michigan, held in the Township offices at 12050 Old Belding Road NE, Belding, Michigan 48809, on August 28, 2018, at 7:00 p.m., local time.

PRESENT: Members Franklin Force, Michelle Alberts, Sabrina Freeman, Paul Knoerl, Dennis Heffron.

ABSENT: Members NA

2. The following resolution was offered by Member P. Knoerl and supported by Member M. Alberts:

WHEREAS, the Township Board of Grattan Township, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended (“Act 188” or “Act”), has tentatively declared its intention to undertake certain public improvements (the “Public Improvements”) described as the creation, construction, improvement and installation of a new public sanitary sewer system to serve Cowan Lake within Grattan Township as more particularly described on Exhibit A as attached hereto, and the financing thereof; and

WHEREAS, after notice duly given pursuant to Act 188, the Township Board held a public hearing on July 30, 2018 at the Township offices to hear and consider comments and objections to the proposed Public Improvements, the landowner petitions, the estimate of costs, the creation of a special assessment district, the special assessment district tentatively designated and all other matters related to the creation of the proposed special assessment district; and

WHEREAS, at said public hearing, the Township Board heard and considered all comments and objections to the proposed Public Improvements, the landowner petitions, the tentatively designated special assessment district and proposed special assessments, and all other matters related to the proposed Public Improvements; and

WHEREAS, the Township had earlier received petitions in favor of the Public Improvements signed by the record owners of more than 50% of the total land area in the special assessment district; and

WHEREAS, the Township Board deems it advisable and necessary to proceed pursuant to Act 188, to make the Public Improvements in the Township.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board hereby determines that it is necessary and in the best interests of the Township to make and complete the Public Improvements described above and in the earlier Resolution, and to defray the costs of the same and permitted associated costs by special assessment upon the properties specially benefited by the Public Improvements.

2. The Township Board hereby confirms and determines that the petitions in favor of the Public Improvements that were filed with the Township and that were signed by the record owners of land constituting more than 50% of the total area in the special assessment district are confirmed as valid, sufficient and adequate and meet the requirements of Section 3 of Act 188.

3. The Special Assessment District known as the Cowan Lake Sanitary Sewer Special Assessment District (the "District") is hereby determined to consist of the parcels of land tentatively designated by earlier resolution of the Township Board on July 9, 2018. This Resolution shall revise some of the cost estimates and other matters contained in that earlier resolution of July 9, 2018.

4. The Township Board hereby approves the profiles, plans and specifications for the Public Improvements and determines that the term of the special assessment district's existence shall be twenty (20) years. The Township Board determines that the assessable cost of all said improvements shall be one hundred and ninety five thousand eight hundred and twenty-two (\$195,822.00) in total per year and one hundred fifty one thousand nine hundred ninety six (\$151,996.00) in total per year for the portion of the assessable costs within Grattan Township.

5. The Township Board determines that all of said total assessable cost, the total sum of \$3,039,925.00 (i.e., \$151,996.00 per year for twenty (20) years) for the portion of the costs assessed within Grattan Township, be paid by special assessment upon the properties specially benefited, as more particularly hereinafter described. However, the Township has been awarded a maximum \$2,000,000 grant by the State of Michigan for a "Michigan Substantial Public Health Risk Project (SPHRP)" to pay for part of the cost to design and construct

the Public Improvements. The application of the grant funds will likely reduce the cost of the project and the amount of the per parcel special assessment.

6. The Township Board designates the lots and parcels of land described on Exhibit A as attached hereto (i.e. all of lakefront properties with frontage on Cowan Lake located within Grattan Township) as the property to comprise the special assessment district upon which the special assessment shall be levied.

7. The special assessment shall also include any and all costs and expenses associated with establishing the Cowan Lake Sanitary Sewer Special Assessment District, including, but not limited to, attorney fees, miscellaneous costs, engineering costs, public notice requirements (including postage for the mailed notices and the cost of the newspaper notices) and any other similar costs or expenses. In addition, the special assessment shall include certain costs incurred by Grattan Township prior to and leading up to the creation of the special assessment district, including, but not limited to, engineering fees, attorney fees, postage for mailed notices, administrative costs and other miscellaneous costs and expenses.

As a result of the public hearing held on July 30, 2018, the Grattan Township Board has revised the costs and expenses estimates, as well as what work and construction on individual lots or parcels will be included as part of the Public Improvements and included in the special assessment. The revised matters and cost estimates are shown on Exhibit B as attached hereto.

8. If the Cowan Lake Sanitary Sewer Special Assessment District is approved by Grattan Township and there are any legal challenges to the district or other matters or appeals to the Michigan Tax Tribunal by any lot or parcel owner or owners, then any and all costs and expenses incurred by Grattan Township (including, but not limited to, attorney fees, court fees, expert witness fees and other similar expenses) in defending against or involving any such appeal or challenge, such costs and expenses shall also be paid for by funds out of the Cowan Lake Sanitary Sewer Special Assessment District. In addition, the annual costs and expenses of administering and collecting the special assessment shall also be paid for out of the special assessment.

9. There will be two different classes of properties (and two different annual special assessments) for purposes of the special assessment and the special assessment district. Class A properties shall be those taxable parcels with frontage on Cowan Lake that currently have a dwelling thereon. Class B properties shall be those taxable parcels with frontage on Cowan Lake that are currently vacant (i.e. with no dwelling thereon). The special assessment for Class A properties shall include within the Public Improvements the cost of the grinder pump (if required in the final design), installing the piping from the sewer main to

the grinder pump, and necessary excavation work, fill, repair or replacement of any paved surface (i.e. driveway, sidewalk, etc.) related to said items. The special assessment for Class B properties will not include the costs for the grinder pump, installing piping from the sewer main to the grinder pump or necessary excavation work, fill, repair or replacement of any paved surface (i.e. driveway, sidewalk, etc.) related to said items. If and when a Class B property has a dwelling constructed thereon, the then-owner(s) shall be responsible for installing and paying for all of the items specified in Subsections I to VIII (inclusive) on Exhibit A (page A-5) thereof as attached hereto.

10. The annual special assessment shall be made on a per taxable parcel basis and is estimated to be as follows:

- (a) For Class A properties (i.e. properties with a current dwelling), the estimated annual assessment will be \$2,381.75 for the first year and \$2,381.75 per year thereafter per taxable parcel (for a total of \$47,635.00 per taxable parcel over 20 years) with lake frontage on Cowan Lake within the special assessment district. Such amount may be less if the grant mentioned in Section 5 hereof is obtained and applied.
- (b) For Class B properties (i.e. vacant lakefront parcels), the estimated annual assessment will be \$1,747.45 for the first year and \$1,747.45 per year thereafter per taxable parcel (for a total of \$34,949.00 per taxable parcel over 20 years) with lake frontage on Cowan Lake within the special assessment district. Such amount may be less if the grant mentioned in Section 5 hereof is obtained and applied.

11. The Township Supervisor shall prepare a special assessment roll including all lots and parcels of land within the special assessment district as herein designated. The roll shall describe all of the parcels of land to be assessed, with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each lot and parcel of land. The special assessment roll shall be prepared and certified by the Township Supervisor as required by the Act.

12. When the Township Supervisor shall have completed the assessment roll, the Township Supervisor shall file the same with the Township Clerk for presentation to the Township Board.

13. The Township Board further determines that in the event any property is to be added to the special assessment district, an additional public hearing will be held.

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

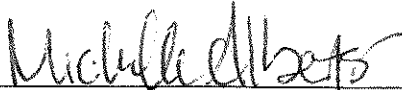
15. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Members Franklin Force, Michelle Alberts, Paul Knoerl, Dennis Heffron.

NAYS: Members Sabrina Freeman.

ABSENT: Members NA

RESOLUTION DECLARED ADOPTED.




Michelle Alberts
Township Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I, Michelle Alberts, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Grattan Township Board at a regular meeting held on August 27, 2018, and that public notice of said meeting was given pursuant to 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 my official signature this 4th day of September, 2018.



Michelle Alberts
Township Clerk

EXHIBIT A

The list of all of the parcels/lots to be specially assessed and will be within the special assessment district (i.e. all parcels with lake frontage on Cowan Lake located within Grattan Township) is as follows:

Parcel Number	Address
41-12-06-101-017	9720 10 Mile Rd NE Rockford, MI 49341
41-12-06-126-001	9930 10 Mile Rd NE Rockford, MI 49341
41-12-06-126-002	8383 Bay DR NE Rockford, MI 49341
41-12-06-126-003	8361 Bay DR NE Rockford, MI 49341
41-12-06-126-004	8347 Bay DR NE Rockford, MI 49341
41-12-06-126-005	8335 Bay DR NE Rockford, MI 49341
41-12-06-126-008	8300 Bay DR NE Rockford, MI 49341
41-12-06-126-009	8310 Bay DR NE Rockford, MI 49341
41-12-06-126-010	8320 Bay DR NE Rockford, MI 49341
41-12-06-126-011	8330 Bay DR NE Rockford, MI 49341
41-12-06-126-012	8340 Bay DR NE Rockford, MI 49341
41-12-06-126-013	8350 Bay DR NE Rockford, MI 49341
41-12-06-126-014	8360 Bay DR NE Rockford, MI 49341
41-12-06-126-015	8370 Bay DR NE Rockford, MI 49341
41-12-06-126-016	8380 Bay DR NE Rockford, MI 49341
41-12-06-126-017	8390 Bay DR NE Rockford, MI 49341
41-12-06-126-018	9994 10 Mile Rd NE Rockford, MI 49341
41-12-06-126-019	8321 Bay DR NE Rockford, MI 49341
41-12-06-127-003	8011 Cowan Lake DR NE Rockford, MI 49341
41-12-06-127-013	8049 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-004	8081 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-008	8113 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-009	8121 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-010	8129 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-015	8169 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-016	8177 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-017	8185 Cowan Lake DR NE Rockford, MI 49341

41-12-06-128-018	8145 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-019	8065 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-022	8153 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-023	8089 Cowan Lake DR NE Rockford, MI 49341
41-12-06-128-024	8101 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-001	10006 10 Mile Rd NE Rockford, MI 49341
41-12-06-201-002	10018 10 Mile Rd NE Rockford, MI 49341
41-12-06-201-003	10028 10 Mile Rd NE Rockford, MI 49341
41-12-06-201-004	10040 10 Mile Rd NE Rockford, MI 49341
41-12-06-201-005	10046 10 Mile Rd NE Rockford, MI 49341
41-12-06-201-006	8397 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-007	8391 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-008	8385 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-009	8383 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-010	8373 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-011	8367 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-012	8361 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-013	8355 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-014	8351 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-015	8347 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-016	8343 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-017	8339 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-018	8335 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-019	8331 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-020	8327 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-021	8323 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-022	8319 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-023	8305 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-024	8303 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-025	8301 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-029	8265 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-034	8225 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-035	8217 Cowan Lake DR NE Rockford, MI 49341

41-12-06-201-036	8209 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-037	8201 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-038	8193 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-039	8237 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-041	8297 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-042	8273 Cowan Lake DR NE Rockford, MI 49341
41-12-06-201-044	8257 Cowan Lake DR NE Rockford, MI 49341

The parcels/lots to be specially assessed are also shown on the following map:

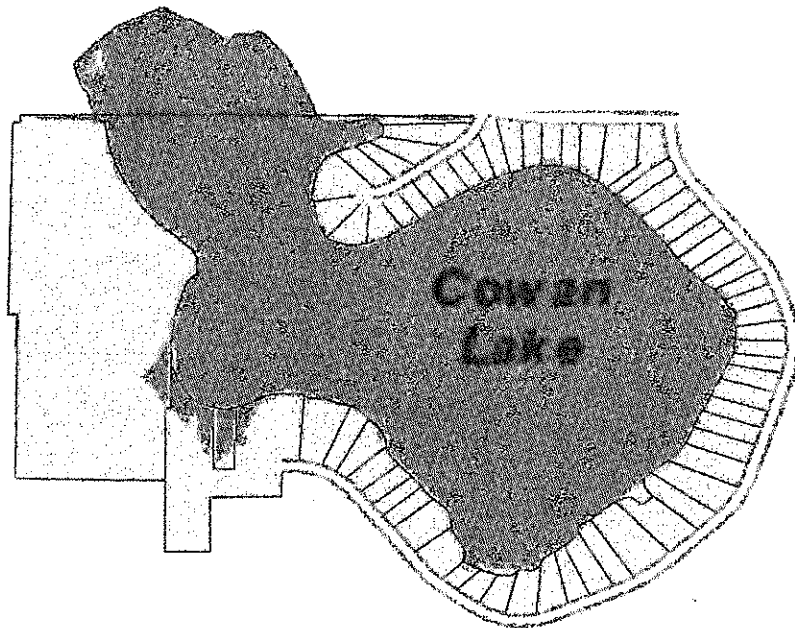


EXHIBIT B
Public Improvements

The creation, construction, improvement and installation of a new public sanitary sewer system. More particularly, the Public Improvements will be the creation, construction, improvement and installation of a new public sanitary sewage system for the Cowan Lake area. More specifically, the Public Improvements will involve removing and transporting sewage from dwellings or other structures on the lots or parcels within the special assessment district and transporting such sewage for removal and treatment to the existing Grattan Township sanitary sewer system and facilities located several miles to the east of Cowan Lake.

The Public Improvements will include, but not necessarily be limited to: legal work and fees, bond work and counsel fees, bond interest and financing costs, annual administrative efforts, design and other engineering work, project management costs, construction, piping, force mains or gravity lines for sewage transfer, lift stations, electrical components and control panels, air relief valves, manhole assemblies, clean outs and other matters. The Public Improvements will also include upgrades to the wastewater treatment system at the existing Grattan Township site will include additional irrigation systems/equipment for the fields and clearing of additional area to enable a potential increase in the acreage that is irrigated.

For Class A properties (i.e. parcels with a dwelling), the following will also be included in the Public Improvements and covered or paid for by the special assessments collected:

1. The grinder pump station at or for each dwelling or structure, if required in the final design.
2. Installing piping from the sewer main to the grinder pump.
3. Necessary excavation work, fill, repair or replacement of any paved surface (i.e., driveway, sidewalk, etc...) related to items 1 and 2, above.

The following will not be included in the Public Improvements or the special assessment for Class A properties, and will be the responsibility of the owners of the individual lots or parcels:

- (1) Any sewer connection and hookup fees required pursuant to the Grattan Township sewer ordinance or other Grattan Township requirements.
- (2) The filling in, removal or destruction of the existing septic tanks, septic drain fields, old piping, etc. ... on the landowner's property.
- (3) Installing piping from the grinder pump to a dwelling or structure.
- (4) Any required replacement of landscaping materials, lawn, plants, bushes and trees.

- (5) All others items and costs not mentioned above in order to connect to the Grattan Township sewer system force main located in the road right of way.

For Class B properties (i.e. vacant parcels), the following will not be included in the Public Improvements and will not be covered or paid for by the special assessments collected:

- I. The grinder pump station at or for each dwelling or structure, if required in the final design.
- II. Installing piping from the sewer main to the grinder pump.
- III. Necessary excavation work, fill, repair or replacement of any paved surface (i.e., driveway, sidewalk, etc...) related to items 1 and 2, above.
- IV. Any sewer connection and hookup fees required pursuant to the Grattan Township sewer ordinance or other Grattan Township requirements.
- V. The filling in, removal or destruction of the existing septic tanks, septic drain fields, old piping, etc. ... on the landowner's property.
- VI. Installing piping from the grinder pump to a dwelling or structure.
- VII. Any required replacement of landscaping materials, lawn, plants, bushes and trees.
- VIII. All others items and costs not mentioned above in order to connect to the Grattan Township sewer system force main located in the road right of way.

At the time when a dwelling is constructed or installed on a Class B property, the then-owner(s) shall be responsible for paying all costs and expenses associated with items I through VIII above.

* * *

Projected/Estimated Total Cost for the Public Improvements (principal cost only and not including any reduction due to application of grant funds) -	\$3,039,925.00 total
--	----------------------

The Township has been awarded a maximum \$2,000,000 grant by the State of Michigan for a "Michigan Substantial Public Health Risk Project (SPHRP)" to pay for part of the cost to design and construct the Public Improvements. The application of the grant funds will likely reduce the cost of the project and the amount of the per parcel special assessment.

[All costs and assessments are subject to changes and increases as provided by Act 188]