

Memo

To: Township Board
From: David Hieber, Assessor
Date: June 28, 2022
Re: Intention Resolution for Emergency Sewer Connection 2022-02 SAD

Comments: Attached is the Intention Resolution for the Emergency Sewer Connection 2022-02 Special Assessment District. The Board agreed to establish these districts twice a year. The process requires your approval at three separate Township Board meetings, where you will consider the Intention, Establishment and the Confirming Resolutions. For this SAD there are two properties that were connected to the sanitary sewer system in 2022.

If you should have any questions or concerns regarding this request, please contact me at (248) 698-3300 ext. 117.

**CHARTER TOWNSHIP OF WHITE LAKE
OAKLAND COUNTY, MICHIGAN
RESOLUTION NO. 22-024**

**RESOLUTION OF THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF
WHITE LAKE, TENTATIVELY DECLARING ITS INTENTION TO ESTABLISH A
SPECIAL ASSESSMENT DISTRICT TO BE KNOWN AS
EMERGENCY SEWER HOOK-UP 2022-02**

At the regular meeting of the Township Board of the Charter Township of White Lake, County of Oakland, State of Michigan, held in the Township Annex, 7527 Highland Road, in accordance with the Open Meetings Act, Public Act 267 of 1976 as amended, on the 19th day of July, 2022 at 7:00 p.m. with those present and absent being:

PRESENT:

ABSENT:

The following preamble and resolution were offered by XXXXX and seconded by XXXXXX.

WHEREAS, Section 3 of Act 188 of the Public Acts of Michigan of 1954, as amended (“Act 188”), provides that the Township Board may proceed and exercise the powers granted by Act 188 unless written objections to the proposed public improvement are filed at or before the public hearing with the Township Board by the record owners of land constituting more than 20% of the total land area in the proposed special assessment district; and

WHEREAS, the Township had numerous requests for connections to the Townships sewer systems from property owners of residential structures with failing septic systems or septic systems in imminent danger of failing; and

WHEREAS, the Township has determined that it is necessary for the protection of the health, safety and welfare of the public to expedite connections of residential structures with failing septic systems or septic systems in imminent danger of failing to the Township sewer systems; and

WHEREAS, the Township has determined that in order to expedite such connections, the Township will fund the cost for such connections in anticipation of collections from a special assessment district established for that purpose; and

WHEREAS, Act 188 provides the means to defray the cost of the Improvements by special assessments against properties benefited by the Improvements; and

WHEREAS, the Township Board has determined that the properties intended to be specially assessed are benefited by the Improvements.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board intends to proceed with the Improvements pursuant to Act 188.
2. The preliminary plans showing the Improvements, their location, and an estimate of cost thereof have been obtained by the Township and have been filed with the Township Clerk.
3. The Township Board tentatively designates the Special Assessment District known as "Emergency Sewer Connections 2022-01" ("the District") consisting of certain parcels of land, the descriptions of which are set forth in the Notice of Hearing attached as **Exhibit A**, which descriptions are incorporated by reference, and against which parcels all or a portion of the cost of the improvement shall be assessed.
4. The Township Board shall hold a public hearing at the regular meeting of the Township Board on the 16th day of August 2022, at 7:00 p.m. in the Township Annex, located at 7527 Highland Road, White Lake, Michigan, 48383 to hear and consider objections to the proposed Improvements and to all other matters relating to the Improvements.
5. The Township Clerk is directed to publish the Notice of Hearing, attached as **Exhibit B**, in a newspaper circulating in the Township as required by Act 188 and to provide the notice by first class mail addressed to the record owner or party in interest of each parcel in the District.
6. 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.

A vote on the foregoing resolution was taken and was as follows:

Ayes:

Nays:

Absent:

THE RESOLUTION WAS ADOPTED BY ____.

Intention Resolution

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STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

I, the undersigned, the Clerk of the Charter Township of White Lake, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Township Board of said Township held on July 19, 2022, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the Open Meetings Act, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 19th day of July, 2022.

Anthony L. Noble, Clerk
Charter Township of White Lake

Intention Resolution

EXHIBIT A

9140 Gale Road
1266 Castlewood Dr

12-11-426-008
12-34-329-040

EXHIBIT B

**CHARTER TOWNSHIP OF WHITE LAKE
COUNTY OF OAKLAND, MICHIGAN**

NOTICE OF PUBLIC HEARING

EMERGENCY SEWER CONNECTIONS 2022-02

NOTICE IS HEREBY GIVEN that the Township Board of the Charter Township of White Lake, Oakland County, Michigan, has determined to undertake certain improvements to the sanitary sewer system ("the Improvements") located within a special assessment district tentatively designated as Emergency Sewer Connections 2022-02 (the "District"), pursuant to Act 188 of the Public Acts of Michigan of 1954, MCL 41.721 *et seq.*, as amended ("Act 188").

DESCRIPTION OF PROPOSED SPECIAL ASSESSMENT DISTRICT

The Township Board has tentatively determined that all or part of the cost of said Improvements shall be specially assessed against each of the following described lots and parcels of land benefited by the Improvements and which together comprise the following proposed special assessment district:

EMERGENCY SEWER CONNECTIONS 2022-02

Address and parcels numbered:

Address	Parcel No.	Owner
9140 Gale Rd.	12-11-426-008	Darren Behmlander
1266 Castlewood Dr	12-34-329-040	Michael McFadden

TAKE NOTICE that the Township Board of the Charter Township of White Lake will hold a public hearing at a regular meeting of the Township Board on **August 16, 2022 at 7:00 p.m.**, at the White Lake Township Annex, 7527 Highland Road, White Lake, Michigan 48383 to hear and consider any objections to the proposed Improvements, the District and all other matters relating to said Improvements and the District.

Intention Resolution

TAKE FURTHER NOTICE that the Township Board of the Charter Township of White Lake has initiated these special assessment proceedings pursuant to Section 3 of Act 188, MCL 41.723, on the Township Board's own initiative, and that the Township Board may proceed with the proposed Improvements unless written objections to the Improvements are filed with the Township Board at or before the public hearing by the record owners of land constituting more than 20% of the total land area in the proposed special assessment district. MCL 41.723(1)(a).

TAKE FURTHER NOTICE that preliminary plans and estimates of cost for the Improvements are on file with the Township Clerk for public examination. Periodic redetermination of cost may be necessary without a change in the special assessment district. In such cases, redeterminations may be made without further notice to record owners or parties in interest in the property.

This Notice was authorized by the Township Board of the Charter Township of White Lake.

Anthony L. Noble, Clerk
Charter Township of White Lake