

**RESOLUTION OF THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF  
WHITE LAKE TO CONFIRM THE SPECIAL ASSESSMENT ROLL FOR  
THE SPECIAL ASSESSMENT DISTRICT DESIGNATED  
EMERGENCY SEWER CONNECTIONS 2022-02**

**Resolution #22-029**

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 20<sup>th</sup> day of September, 2022 at 7:00 p.m. with those present and absent being:

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution were offered by \_\_\_\_\_ and seconded by \_\_\_\_\_.

**WHEREAS**, The Township Board has determined it is reasonable, necessary and in the interest of the public health, safety and welfare of the inhabitants of the Township to establish a Special Assessment District to finance the payment of costs, expenses, fees and charges related to sewer main extensions and emergency sewer connections for the residential properties identified on Exhibit A, which properties have failed septic systems or septic systems in imminent danger of failing, and has tentatively designated a Special Assessment District against which costs of the improvement are to be assessed (“The Project”), and;

**WHEREAS**, the Special Assessment District for the Project has been determined by the Township and has been designated as Emergency Sewer Connections 2022-02, and;

**WHEREAS**, the Township Board has directed the Township Supervisor to prepare the proposed Special Assessment Roll, and;

**WHEREAS**, the Township Supervisor has prepared the proposed Special Assessment Roll and has filed the proposed Special Assessment Roll with the Township Clerk, and;

**WHEREAS**, the Township Board has scheduled a public hearing on the proposed Special Assessment Roll, and notice of the hearing was properly provided, and;

**WHEREAS**, the Township Board conducted the public hearing on the Special Assessment roll at a regular meeting of the Township Board held on the 20<sup>th</sup> day of September, 2022 at 7:00 p.m. at the Township Annex, and;

**WHEREAS**, after hearing all persons interested therein, giving due consideration to all written objections to said special assessment roll, the Township Board deems said special assessment roll, as amended, to be fair, just and equitable, and that each of the assessments contained therein is relative to the benefits to be derived by the parcels of land assessed.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. Roll Filed. The Township Board acknowledges that the Township Supervisor has filed the proposed Special Assessment Roll for the Emergency Sewer Connections 2022-02 (the "Roll") with the Township Clerk, and has certified that the Roll was prepared in accordance with the Township Board's directions and in accordance with the laws of the State of Michigan.
2. Roll Confirmed. In accordance with the provisions of Michigan Public Act 359 of 1947, as amended, and Michigan Public Act 188 of 1954, as amended, and the laws of the State of Michigan, the Township Board hereby confirms the Roll in the amount of **Thirty-Five Thousand Two Hundred Twenty-Four Dollars and Ninety-Four Cents (\$35,224.94)**, a copy of which Roll is attached as Exhibit "A," and directs that the assessments made therein shall be collected.
3. Future Installments - Principal. The Township Board determines that each Special Assessment may be paid in ten (10) separate and equal annual installments. The first installment shall be due on or before December 1, 2022 as part of the Winter Tax Bill. Each subsequent installment shall be due at intervals 12 months from the due date of the first installment as part of the regular Winter Tax Bill.
4. Future Installments - Interest. All unpaid installments shall bear interest, payable annually on each installment's due date, at the rate of five percent (5%) per annum as set by Act 188 of 1954, sec 15, or a greater amount not to exceed nine percent (9%) if Act 188 is amended to allow a higher interest rate. However, if bonds are issued by the Township to finance the Project, (including any repayment to the Township Improvement Revolving Fund for advances made to finance all or part of the Project) then all unpaid installments after issuance of the bonds shall instead bear interest, payable annually on each installment due date, at a rate which is one percent above the average rate of interest borne by such bonds.
5. Assessments Paid in Full. Any assessment may be paid in full without interest or penalty on or before October 20, 2022. At any time thereafter, future due installments of an assessment may be paid to the Township Treasurer in full, with interest accrued through the month in which said installment is paid.
6. Ratification of Notice. The form and content of the notice published and mailed to property owners in the Special Assessment District by the Township Clerk with respect to the public hearing held on the 20<sup>th</sup> day of September, 2022, and all actions of Township officials in scheduling such hearing, are hereby approved, ratified and confirmed.
7. Inconsistent Prior Resolutions. All previously adopted resolutions that are in conflict with this resolution are repealed to the extent of such conflict.

8. Appeals. In order to appeal the amount of any special assessment, affected owners or parties with an interest must protest the proposed assessment. This may be done by appearing in person at the hearing, having an agent appear at the hearing on behalf of an owner or party in interest or by filing a protest by the hearing date, by letter addressed to the Township Clerk, Charter Township of White Lake, 7525 Highland Road, White Lake Township, Michigan 48383. An owner or party having an interest in the real property affected by the special assessment may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment is protested at the hearing held for the purpose of confirming the special assessment roll, as that time period was extended.

Upon a roll-call vote for the adoption of the foregoing resolution, the vote was:

AYES:

NAYS:

ABSENT:

**RESOLUTION DECLARED ADOPTED.**

STATE OF MICHIGAN    )  
  ) ss.  
COUNTY OF OAKLAND )

**CLERK'S CERTIFICATE**

The undersigned, being the duly qualified and acting Clerk of the Charter Township of White Lake, Oakland County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on the 20th day of September 2022, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

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Anthony L Noble, Clerk  
Charter Township of White Lake  
Dated: September 20, 2022

**EXHIBIT A**

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12-34-329-040	1266 Castlewood Dr	\$18,095.47	Michael McFadden & Alexandria Phelps
12-11-426-008	9140 Gale Rd	\$17,129.47	Darren & Tracie Behmlander

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