

Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, MI, 48893

Resolution 2008-32

BROOMFIELD TOWNSHIP FIRE PROTECTION SPECIAL ASSESSMENT DISTRICT

**DECLARATION OF INTENT TO LEVY SPECIAL ASSESSMENT;
TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

Minutes of a regular meeting of the Village Council of the Village of Lake Isabella, Isabella County, Michigan held in the Village Hall, 1010 Clubhouse Drive, Lake Isabella, Michigan 48893 on December 16, 2008 at 7:00 p.m., local time.

PRESENT: Members _____

ABSENT: Members _____

The following resolution was offered by Member _____ and supported by Member _____:

WHEREAS, Section 1(3) of Act 33, Public Acts of Michigan, 1951, as amended (“Act 33”), provides that the Village Council may proceed to defray the cost of purchasing and housing equipment and providing fire protection (“Fire Protection”) by special assessment on the lands and premises in the Village to be benefited, except for land and premises exempt from the collection of taxes under the General Property Tax Act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, the Village Council has tentatively determined that the amount of \$35,000.00, or a maximum of 1 Mill of the taxable value of all a parcels not exempt from collection of general property taxes located within the Village of Lake Isabella and Broomfield Township; will be required to provide Fire Protection in a portion of the Village, all of this amount being estimated to be necessary for operation and maintenance; and

WHEREAS, there exists a need for Fire Protection in a portion of the Village and Act 33 provides the means to finance the Fire Protection.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village Council intends to proceed pursuant to Act 33 to provide Fire Protection in a portion of the Village and to defray the cost of the Fire Protection by special

assessment on the lands and premises in the Village to be benefited, except for lands and premises exempt from the collection of taxes under the General Property Tax Act.

2. The Village Council has authorized the preparation of estimates of the cost and expense of providing Fire Protection, which have been filed with the Village Clerk.

3. The Village Council hereby tentatively designates a special assessment district known as the Fire Protection Special Assessment District No. 1 (the “Special Assessment District”) consisting of all lots and parcels of property located within the following area in Broomfield Township, Isabella County, Michigan:

Broomfield Township – T. 14N – R. 6W

SECTION 1 - The North 1/2 of the Northeast 1/4 and the Northwest 1/4 of Section 1, Except the South 1500 ft of the West 697 ft of the Northwest 1/4.

SECTION 2 - The entire Section 2, including parcel descriptions and Lake Isabella Plats Golf Estates No. 1 and No. 2, and Lake Isabella Plat No. 3 and Lake Isabella Plat South, Except the East 1140 ft of the Southeast 1/4 of Section 2 and Except a parcel of land commencing 1140 ft West of the Southeast Corner of Section 2, thence West 3240 ft, North 1320 ft, East 3240 ft, South 1320 ft to POB.

SECTION 3 - The entire Section 3, including parcel descriptions and Lake Isabella Plats No. 3 and No. 4 and Lake Isabella Plat South.

All of the cost of the Fire Protection shall be assessed against the taxable lots and parcels of land located within the Special Assessment District.

4. The Village Council shall hold a public hearing on February 17, 2009, at 7:00 p.m. at the Village Hall located at 1010 Clubhouse Drive, Lake Isabella, Michigan 48893 in the Village to hear and consider comments and objections to the estimate of cost, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the property to be especially benefited, except property exempt from the collection of taxes, and all other matters relating to the creation of the proposed Special Assessment District.

5. The Village Clerk shall cause to be published a Notice of the Public Hearing in the *Morning Sun*, a newspaper of general circulation within the Village at least five (5) days prior to the public hearing. Proofs of publication of such notice shall be filed with the Village Council.

6. The Village Clerk, at least ten (10) days prior to the date of the public hearing, shall send a Notice of the Public Hearing by first-class mail addressed to each record owner, or party of interest, of each parcel of property to be assessed, at the address shown for such owner or party in interest upon the last Village tax assessment records, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed therein, except in the case of railroad companies who shall be mailed a notice of the public hearing by registered mail.

7. The form of the Notice of the Public Hearing to be mailed and published, as required herein, shall be substantially as set forth in Exhibit A hereto, with such changes as are approved by the Village Manager.

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

YEAS: Members _____

NAYS: Members _____

ABSENT: Members _____

RESOLUTION DECLARED ADOPTED.

Jeffrey P. Grey
Village Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF ISABELLA)

I Jeffrey P. Grey, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Lake Isabella at a regular meeting held on December 16, 2008, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, 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 16th day of December, 2008.

Jeffrey P. Grey
Village Clerk

EXHIBIT A

VILLAGE OF LAKE ISABELLA
(Isabella County, Michigan)

NOTICE OF PUBLIC HEARING

FIRE PROTECTION SERVICES SPECIAL ASSESSMENT DISTRICT NO. 1

NOTICE IS HEREBY GIVEN that the Village Council of the Village of Lake Isabella, Isabella County, Michigan intends to proceed pursuant to Act 33, Public Acts of Michigan, 1951, as amended, (the "Act") to create the Fire Protection Special Assessment District No. 1 (the "Special Assessment District") and defray the cost of Fire Protection in that portion of the Village by special assessment on the lands and premises within the boundaries of the Special Assessment District to be benefited, except for lands and premises exempt from the collection of taxes under the General Property Tax Act.

The Village Council has resolved its intention to proceed pursuant to the Act to provide Fire Protection in the boundaries of the Special Assessment District. The Village Council has tentatively determined that all of the cost of the Fire Protection shall be specially assessed against each of the lots and parcels of land located in the proposed Special Assessment District. The proposed Special Assessment District shall be comprised of all lots and parcels of property located within the following territory located in Broomfield Township, Isabella County, Michigan:

Broomfield Township – T. 14N – R. 6W

SECTION 1 - The North 1/2 of the Northeast 1/4 and the Northwest 1/4 of Section 1, Except the South 1500 ft of the West 697 ft of the Northwest 1/4.

SECTION 2 - The entire Section 2, including parcel descriptions and Lake Isabella Plats Golf Estates No. 1 and No. 2, and Lake Isabella Plat No. 3 and Lake Isabella Plat South, Except the East 1140 ft of the Southeast 1/4 of Section 2 and Except a parcel of land commencing 1140 ft West of the Southeast Corner of Section 2, thence West 3240 ft, North 1320 ft, East 3240 ft, South 1320 ft to POB.

SECTION 3 - The entire Section 3, including parcel descriptions and Lake Isabella Plats No. 3 and No. 4 and Lake Isabella Plat South.

FIRST PUBLIC HEARING

TAKE NOTICE that the Village Council of Lake Isabella will hold a public hearing on February 17, 2009, at 7:00 p.m. in the Village Hall located at 1010 Clubhouse Drive, Lake Isabella, Michigan 48893 to hear and consider comments and objections to the estimate of cost, the creation of a special assessment district, the Special Assessment District tentatively designated, and defraying the expenses of the Special Assessment District on the property to be

especially benefited, except property exempt from the collection of taxes, and all other matters relating to the creation of the proposed Special Assessment District.

TAKE FURTHER NOTICE that there is a right of referendum available to property owners under the Act on the question of defraying the expenses of Fire Protection by special assessment should sufficient petitions be filed with the Village Council.

TAKE FURTHER NOTICE that the estimates of cost for the Fire Protection are on file with the Village Clerk for public examination.

TAKE NOTICE THAT AFTER THE CREATION OF THE DISTRICT THE VILLAGE WILL ANNUALLY DETERMINE THE AMOUNT TO BE ASSESSED FOR FIRE PROTECTION SERVICES.

SECOND PUBLIC HEARING

TAKE NOTICE that after the public hearing for which this Notice is given, there will be a second public hearing specifically regarding the assessment roll and the assessments against each parcel in the Special Assessment District and that an owner or other person having an interest in the real property must file an appearance and protest at the public hearing on the assessment roll in order to appeal the amount of their assessment to the Michigan Tax Tribunal. A property owner of record or a party having an interest in the property must appear and protest at the second public hearing in order to appeal the amount of the special assessment to the Michigan Tax Tribunal.

This notice was authorized by the Village Council of the Village of Lake Isabella.

FOR FURTHER INFORMATION PLEASE CONTACT:

Village Manager
Village of Lake Isabella
1010 Clubhouse Drive
Lake Isabella, Michigan 48893
Telephone (989) 644-8654

Dated: _____, 2008

Jeffrey P. Grey
Village of Lake Isabella Clerk

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