



10405 Merrill Road  
P.O. Box 157  
Hamburg, MI 48139  
(810) 231-1000  
[www.hamburg.mi.us](http://www.hamburg.mi.us)

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## BOARD OF TRUSTEES - 1ST PUBLIC HEARING FOREST CREEK CT SAD

Tuesday, December 19, 2023 at 6:00 PM  
Hamburg Township Hall Board Room

### AGENDA

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL OF THE BOARD

CALL TO THE PUBLIC

CONSENT AGENDA

APPROVAL OF THE AGENDA

1. Forest Creek Court - First Public Hearing

UNFINISHED BUSINESS

CURRENT BUSINESS

CALL TO THE PUBLIC

BOARD COMMENTS

ADJOURNMENT



# Township Board Cover Sheet

## **Forest Creek Court – Road Improvement S.A.D.** **First Public Hearing to Establish S.A.D.**

### **Information Packet:**

Hamburg Township has been approached by residents living on Forest Creek Court, requesting that their road be improved through a Township financed special assessment district. This project would consist of the establishment of a S.A.D. with the road improvements constructed by the Contractor hired by the property owners. Based upon property owner response, there are enough petitions to proceed with creating the district.

The following items have been included for the Board's review:

#### 1. **Notice of First Public Hearing:**

- A. Affidavit of Mailing
- B. Hearing Cover Letter
- C. Notice of Improvement Hearing – per Public Act 188 requirements
- D. Mailing List of Property Owners included in S.A.D.
- E. Estimate of Cost for the Road Improvement S.A.D.
- F. Proposed Forest Creek Court Special Assessment Roll

#### 2. **Project Resolution(s):**

- **Resolution No. 3** – Resolution Approving Petitions, Project, Cost Estimates, Special Assessment District and Causing the Special Assessment Roll to be Prepared
- **Resolution No. 4** – Resolution Acknowledging the Filing of the Forest Creek Court Special Assessment Roll, Scheduling a Hearing and Directing the Issuance of the Statutory Notices

**NOTE:** Resolution No. 4 will set the date and time for the second public hearing to be held to adopt the Assessment Roll. I am recommending that the 2<sup>nd</sup> public hearing be scheduled for **Tuesday, January 16<sup>th</sup>, 2024 beginning at 6:00 p.m.** to allow enough time for notice to be published in the newspaper as well as mailing individual notices to property owners.

The Forest Creek Court Road Improvement district will be included on the upcoming bond issue along with a number of other Road Improvement projects.

*Drafted: December 13<sup>th</sup>, 2023*

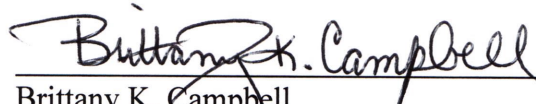


10405 Merrill Road ♦ P.O. Box 157  
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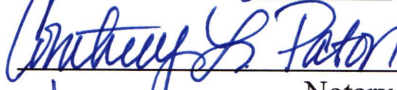
AFFIDAVIT OF MAILING

STATE OF MICHIGAN        )  
                                          )ss  
COUNTY OF LIVINGSTON)

BRITTANY K. CAMPBELL, being first duly sworn, deposes, and says that she personally prepared for mailing, and did on December 6<sup>th</sup>, 2023, send by first-class mail, the proposed **Forest Creek Court – Road Improvement Special Assessment District** notice of first public hearing, a true copy of which is attached hereto, to each record owner of or party in interest in all property to be assessed for the improvement described therein, as shown on the last local tax assessment records of the Township of Hamburg; that she personally compared the address on each envelope against the list of property owners as shown on the current tax assessment rolls of the Township; that each envelope contained therein such notice and was securely sealed with postage fully prepaid for first-class mail delivery and plainly addressed; and that she personally placed all of such envelopes in a United States Post Office receptacle on the above date.

  
\_\_\_\_\_  
Brittany K. Campbell  
Hamburg Twp. Special Projects Coordinator

Subscribed and sworn to before me  
this 6<sup>th</sup> day of December, 2023

  
\_\_\_\_\_  
Jackson, Notary Public  
County, MI

My commission expires:  
Acting in Livingston County

COURTNEY L. PATON  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF JACKSON  
My Commission Expires 01/17/2024  
Acting in the County of Livingston

December 6<sup>th</sup>, 2023

Re: **Forest Creek Court – Road Improvement Special Assessment District**  
Notice of First Public Hearing

Dear Property Owner,

Enclosed is a copy of the Notice of Improvement Hearing to establish the Forest Creek Court road improvement special assessment district (SAD). Details of the proposed road work is described in the enclosed Notice. The proposed road rehabilitation project will be designed, scheduled and constructed by the property owners' designated Contractor(s).

The Township Board has scheduled the first public hearing for Tuesday, December 19<sup>th</sup>, 2023 to begin at 6:00 p.m. at the Township Offices located at 10405 Merrill Road. The purpose of the meeting is to discuss the desire to establish the district, the district boundaries and the estimated cost of the project. The estimated road improvement project cost is \$226,562.50 which will be split equally among 16 parcels in an assessment of \$14,160.15 per parcel plus interest charges under a ten (10) year bond re-payment schedule. Please be advised that the estimated cost per parcel may increase if any property owner(s) requests to combine their separate parcels into a single parcel. At this time, the estimated interest rate has been increased to 5.50% at the advice of our bond counsel based on current market conditions, however, this is only an estimate and the final interest rate will not be known until the bond to finance the road maintenance districts has been sold next year.

Any property owner or owners who wish to object to the SAD or to remove their support for the project must submit a letter in writing to the Township by the first public hearing on December 19<sup>th</sup>. Requests to rescind your signature(s) from the petition must also be received in writing prior to the end of the public hearing. Letters may be addressed to me or the Township Clerk, Michael Dolan, and mailed to Hamburg Township, P.O. Box 157, Hamburg, MI 48139. If after the first public hearing there is still enough support to move forward with establishing the special assessment district the Board will pass a resolution to schedule the 2<sup>nd</sup> public hearing for the purpose of discussing the Assessment Roll and adoption by the Township Board which will authorize the collection of the special assessments that will first appear on the December 1, 2024 tax bill.

If you would like to discuss the road improvement project before the public hearing please feel free to contact the Township Supervisor, Patrick J. Hohl, at (810) 231-1000 Ext. 202 or his direct line at (810) 222-1116 or via email at pathohl@hamburg.mi.us.

Sincerely,



Brittany K. Campbell  
Hamburg Township Utilities Coordinator

FAX (810) 231-4295  
TELEPHONE: (810) 231-1000



Item 1.

P.O. Box 157  
10405 Merrill Road  
Hamburg, MI 48139

## NOTICE OF PUBLIC HEARING

Hamburg Township  
Livingston County, Michigan

NOTICE OF PUBLIC HEARING  
UPON A PROPOSED ROAD IMPROVEMENT PROJECT  
AND SPECIAL ASSESSMENT DISTRICT FOR THE  
FOREST CREEK COURT

NOTICE IS HEREBY GIVEN:

(1) The Township Board of Hamburg Township, Livingston County, Michigan, in accordance with the laws of the State of Michigan, will hold a public hearing on Tuesday, December 19, 2023 at **6:00** p.m., at the Hamburg Township Hall, 10405 Merrill Road, Hamburg, Michigan 48139, to review the following proposed special assessment district:

HAMBURG TOWNSHIP FOREST CREEK COURT  
ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT

and to hear any objections thereto and to the proposed Project and to the petitions filed with the Township Board requesting the Project.

(2) The project (the "Project") will include pulverizing the existing asphalt into a useable base, removal of the excess material and grading and compacting the existing aggregate base. The Contractor shall furnish and install asphalt in 2 lifts; consisting of a 2.0" 4 EMI Tier II and a 2.0" 5 EML Tier I HMA (hot mix asphalt) layer leaving a 4.0" final compacted thickness. Contractor shall also place a MDOT SS-1H emulsion course (tack coat) between the layers of the HMA, approximately 1,027 tons, with the asphalt to be compacted using an oscillatory and/or vibratory roller as quoted by the property owner's selected Contractor. The Contractor shall also clean up and remove all debris associated with the road improvements. The Project is being designed to serve the properties in the Special Assessment District, which properties are adjacent to Forest Creek Court, and which properties are identified by the following permanent parcel numbers:

15-25-401-001	15-25-401-002	15-25-401-003	15-25-401-004
15-25-401-005	15-25-401-006	15-25-401-007	15-25-401-008
15-25-401-009	15-25-401-010	15-25-401-011	15-25-401-012
15-25-401-013	15-25-401-014	15-25-401-015	15-25-401-016

(3) The Township plans on imposing special assessments on the properties located in the Special Assessment District to pay for the costs of the Project.

(4) The plans and cost estimates for the proposed Project, the boundaries of the Special Assessment District and the petitions filed in support of the Project are now on file in the office of the Township Clerk for public inspection. Periodic redeterminations of the cost of the Project may be made, and subsequent hearings shall not be required if such cost redeterminations do not increase the estimated cost of the Project by more than 10%. Any person objecting to the proposed Project, the petitions for the Project or the proposed Special Assessment District shall file an objection in writing with the Township Clerk before the close of the December 19<sup>th</sup>, 2023, hearing or within such further time the Township Board may grant.

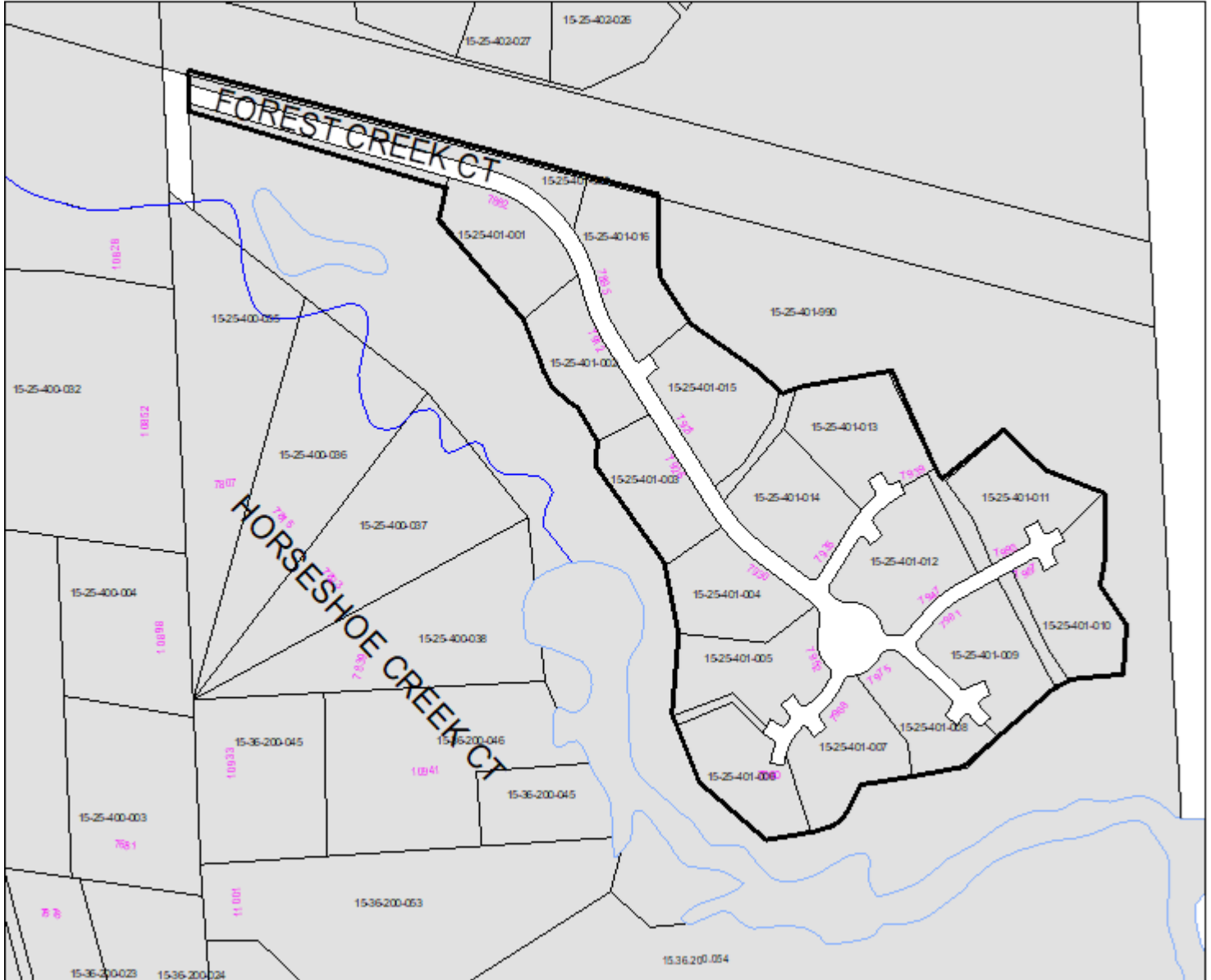
This notice is given by order of the Hamburg Township Board.

Dated: December 6<sup>th</sup>, 2023

Michael Dolan  
Hamburg Township Clerk  
10405 Merrill Rd. P.O. Box 157  
Hamburg, MI 48139

**THE PROPOSED FOREST CREEK COURT - PRIVATE  
– ROAD IMPROVEMENT SPECIAL ASSESSMENT DISTRICT**  
Hamburg Township, Livingston County, Michigan

The general service area in which a proposed special assessment district is to be designated. The Hamburg Township Board of Trustees may adjust the district boundaries based upon property owner response in support of creating a road improvement special assessment district.



General service area establishing the Forest Creek Court – Road Improvement Special Assessment District. **Proposed special assessment district boundary shown within thick black-lined area.**

15-25-401-001  
Michael & Nancy Sauve  
7882 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-002  
Randolph & Mary Penner  
7912 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-003  
Matthew G. & Sheena Dicosola  
7926 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-004  
Erin J. & Steve Gottbreht  
7930 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-005  
Michael Partlow  
7952 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-006  
Jeffrey & Lisa Wack  
P.O. Box 325  
Hamburg, MI 48139

15-25-401-007  
Reyne Meah  
7968 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-008  
Gregory & Darlynn Hall  
7975 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-009  
Brandi F. & Samuel S. Guyton  
7981 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-010  
Timothy & Consolacion Marshall  
7987 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-011  
Theodore & Lori Nickels  
7993 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-012  
James K. & Janet L. Neff  
7947 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-013  
Chris & Susan Roebuck  
7939 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-014  
Amanda Hendee  
7935 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-015  
Chad & Lindsey Atwell  
7921 Forest Creek Ct.  
Whitmore Lake, MI 48189

15-25-401-016  
Michael T. & Kelly L. Horvath  
7895 Forest Creek Ct.  
Whitmore Lake, MI 48189





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**Estimate of Cost to Establish  
the Forest Creek Court - Private  
Road Improvement Special Assessment District**

**Administration Expenses:**

Postage (correspondence w/ property owners)	\$ 50.00
Publications (4 @ \$500.00 each)	2,000.00
Public Hearings (2 @ \$150.00 each)	300.00
Township Administration Charge for 10-year SAD	<u>1,150.00</u>
	\$ 3,500.00

**Road Improvements Include:**

Pulverize the existing asphalt into a useable base, removal of the excess material, approx. 428 cubic yards, and grading and compacting the existing aggregate base. Contractor shall furnish and install asphalt in 2 lifts; consisting of a 2.0” 4 EMI Tier II and 2.0” 5 EML Tier I (hot mix asphalt) leaving a 4.0” final compacted thickness, approx. 1,027 tons. Contractor will also place a MDOT SS-1H emulsion course (tack coat) between the layers of HMA; all asphalt will be placed with a Caterpillar or Blaw-Knox late-model highway asphalt paver with the asphalt to be compacted using an oscillatory and/or vibratory roller. All work to be completed as bid.

\$ 183,680.00

Eight percent (8%) as requested by HOA to cover 2025 construction. \$ 14,695.00

10% Contingency Fee \$ 20,187.50

Subtotal Project Cost \$ 222,062.50

Legal/Bond Sale Fee Charge \$ 4,500.00

Total Project Cost \$ 226,562.50

\$ 226,562.50 divided by 16 Parcels = **\$14,160.15 per parcel.**

**NOTE:**

The cost of the road improvements will be financed through special assessment bonds. Annual principal payments will be equally assessed per parcel plus interest on the unpaid balance. The interest amount will be determined by the market interest rate for the sale of the Bonds at the time the project is financed.

**HAMBURG TOWNSHIP**  
**FOREST CREEK COURT ROAD IMPROVEMENT PROJECT**  
**PROPOSED SPECIAL ASSESSMENT ROLL**  
**EXHIBIT "B"**

<b>Tax I.D. #</b>	<b>Property Owner Name &amp; Address</b>	<b>Legal Description</b>	<b>True Cash Value</b>	<b>Vacant/Occupied</b>	<b>Assessment</b>
15-25-401-001	Michael & Nancy Sauve 7882 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 1	\$ 356,686.00	Occupied	\$ 14,160.15
15-25-401-002	Randolph & Mary Penner 7912 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 2	318,159.00	Occupied	14,160.15
15-25-401-003	Matthew G. & Sheena Dicosola 5656 Lawrence Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 3	375,367.00	Occupied	14,160.15
15-25-401-004	Erin J. & Steve Gottbreht 7930 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 4	487,229.00	Occupied	14,160.15
15-25-401-005	Michael Partlow 5556 Lawrence Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 5	381,420.00	Occupied	14,160.15
15-25-401-006	Jeffrey & Lisa Wack P.O. Box 325 Hamburg, MI 48139	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 6	439,301.00	Occupied	14,160.15
15-25-401-007	Reyne Meah 7968 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 7	456,313.00	Occupied	14,160.15
15-25-401-008	Gregory & Darlynn Hall 7975 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM	421,865.00	Occupied	14,160.15

**HAMBURG TOWNSHIP**  
**FOREST CREEK COURT ROAD IMPROVEMENT PROJECT**  
**PROPOSED SPECIAL ASSESSMENT ROLL**  
**JANUARY 2, 2024**

<b>Tax I.D. #</b>	<b>Property Owner Name &amp; Address</b>	<b>Legal Description</b>	<b>True Cash Value</b>	<b>Vacant/Occupied</b>	<b>Assessment</b>
15-25-401-009	Brandi F. & Samuel S. Guyton 7981 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 9	\$ 432,742.00	Occupied	\$ 14,160.15
15-25-401-010	Timothy & Consolacion Marshall 7987 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 10	367,233.00	Occupied	14,160.15
15-25-401-011	Theodore & Lori Nickels 7993 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 11	360,072.00	Occupied	14,160.15
15-25-401-012	James K. & Janet L. Neff 7947 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 12	439,846.00	Occupied	14,160.15
15-25-401-013	Chris & Susan Roebuck 7939 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 13	342,201.00	Occupied	14,160.15
15-25-401-014	Amanda Hendee 7935 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 14	402,995.00	Occupied	14,160.15
15-25-401-015	Chad & Lindsey Atwell 7921 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 15	394,220.00	Occupied	14,160.15
15-25-401-016	Michael T. & Kelly L. Horvath 7895 Forest Creek Ct. Whitmore Lake, MI 48189	SEC 25 T1N R5E BROOKVIEW CONDOMINIUM UNIT 16	358,870.00	Occupied	14,160.15

HAMBURG TOWNSHIP  
**FOREST CREEK COURT ROAD IMPROVEMENT PROJECT**  
PROPOSED SPECIAL ASSESSMENT ROLL  
**JANUARY 2, 2024**

Tax I.D. #	Property Owner Name & Address	Legal Description	True Cash Value	Vacant/Occupied	Assessment
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Total Project Assessments:       \$ 226,562.50

TOTAL ESTIMATED PROJECT COST:    \$ 226,562.50

**Resolution #3 – Forest Creek Court Road Improvement Project**

**TOWNSHIP OF HAMBURG**

At a regular meeting of the Township Board of the Township of Hamburg, Livingston County, Michigan (the “Township”) held at the Hamburg Township Hall Meeting Room on Tuesday, December 19<sup>th</sup>, 2023, beginning at 7:00 p.m. Eastern Time, there were:

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

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

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

**RESOLUTION APPROVING PETITIONS, PROJECT, COST ESTIMATES, SPECIAL ASSESSMENT DISTRICT AND CAUSING THE SPECIAL ASSESSMENT ROLL TO BE PREPARED**

WHEREAS, the Township Board of Trustees (the “Township Board”) has received petitions from property owners in the Township (the “Petitions”) for certain road improvements to be made along the private portion of Forest Creek Court located in the Township;

WHEREAS, the Township Board has determined to proceed with the Forest Creek Court road improvements as described in Exhibit A (the “Project”);

WHEREAS, preliminary plans and cost estimates for the Project have been filed with the Township Clerk;

WHEREAS, the Township Board has tentatively determined to finance the cost of the Project by issuing bonds (the “Bonds”), in accordance with Act No. 188, Michigan Public Acts of 1954, as amended (“Act 188”);

WHEREAS, the Township Board has tentatively determined to use Special Assessments levied under Act 188 to raise the funds to pay the Township’s obligations on the Bonds; and

WHEREAS, the Township Board held a public hearing on the Project, the Petitions that have been submitted to the Township Board requesting the Project, and the proposed special assessment district (the “Special Assessment District”) for the Project on December 19, 2023.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Act 188, and the laws of the State of Michigan, the Township Board approves the completion of the Project and the Township Board approves the plans and cost estimates for the Project, which are on file with the Township Clerk and which are identified as "Plans and Cost Estimates for the Forest Creek Court Road Improvement Project."

2. The Township Board determines that the petitions for the Project submitted to the Township Board were sufficient to satisfy the requirements under Act 188 for initiating an improvement project.

3. The Township Board determines that the Special Assessment District for the Project shall consist of those properties that are described in Exhibit B. The term of the Special Assessment District shall be through 2033, or such shorter period of time as may be determined by the Township Board prior to the issuance of the Bonds.

4. After construction costs for the Project are determined, the Township Supervisor is directed to prepare the Special Assessment Roll for the Special Assessment District as identified in Exhibit B. The Special Assessment Roll shall describe all 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 parcel of land. When the Township Supervisor completes the Special Assessment Roll, he shall affix his certificate to the roll, which certificate shall be substantially in the form of Exhibit C to this resolution.

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

YES: \_\_\_\_\_

NO: \_\_\_\_\_

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

Resolution declared \_\_\_\_\_.

CLERK'S CERTIFICATE

The undersigned, being the Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board on December 19, 2023, 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, 1967, 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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Michael Dolan  
Hamburg Township Clerk

**EXHIBIT A**Description of the Project

Road improvements shall include pulverizing the existing asphalt into a useable base, removal of the excess material and grading and compacting the existing aggregate base. The Contractor shall furnish and install asphalt in 2 lifts; consisting of a 2.0" 4 EMI Tier II and a 2.0" 5 EML Tier I HMA (hot mix asphalt) layer leaving a 4.0" final compacted thickness. Contractor shall also place a MDOT SS-1H emulsion course (tack coat) between the layers of the HMA, approximately 1,027 tons, with the asphalt to be compacted using an oscillatory and/or vibratory roller. All work shall be completed as quoted. The street rehabilitation shall serve the properties within the Township located along Forest Creek Court that are within the boundaries indicated on the attached map.



Forest Creek Court Road Improvement Project Hamburg  
Township, Livingston County, Michigan

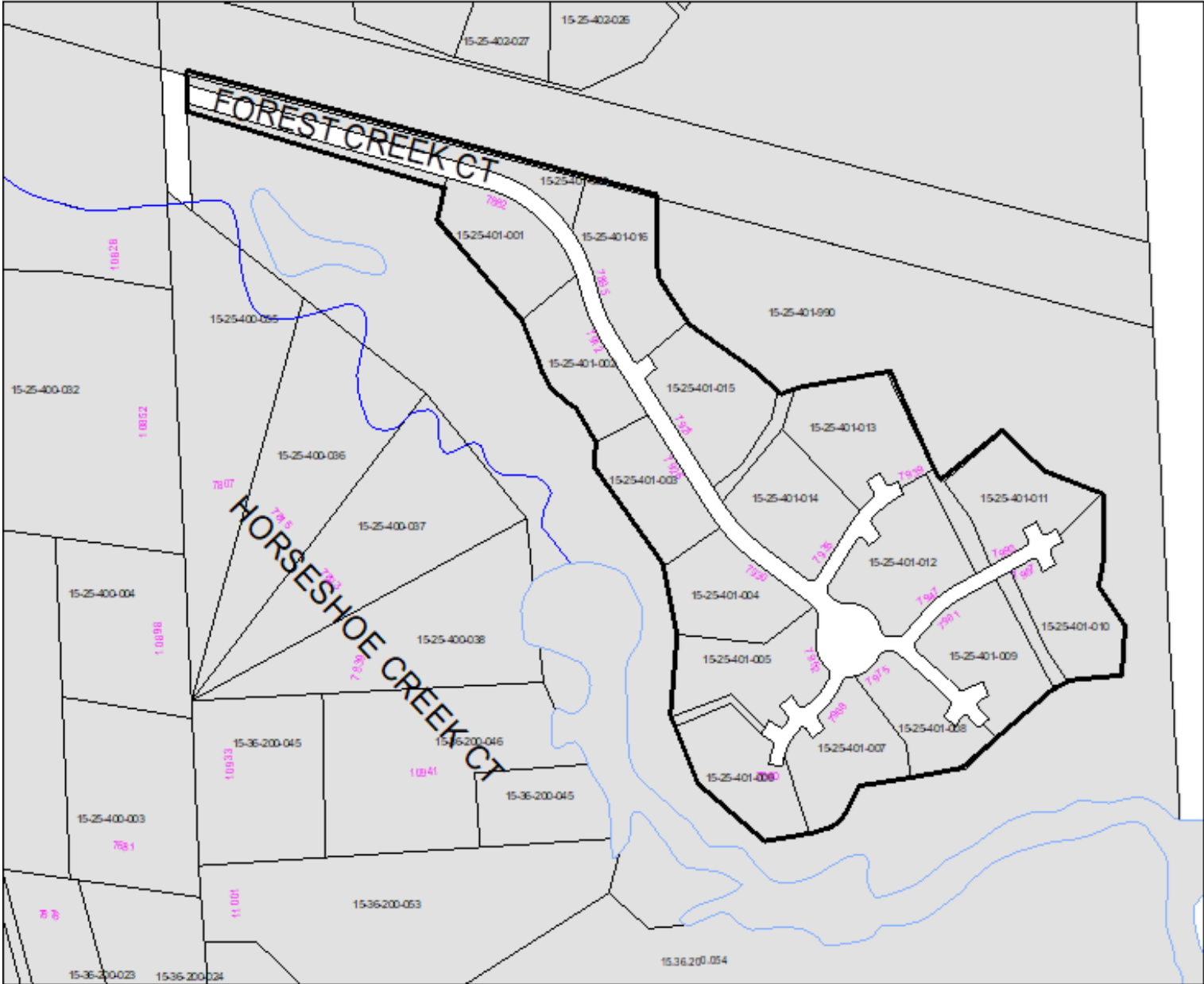


Exhibit A, Page 2

**Exhibit B**

**HAMBURG TOWNSHIP  
FOREST CREEK COURT ROAD IMPROVEMENT PROJECT**

(1) The Hamburg Township Forest Creek Court Road Improvement Project Special Assessment District (the “Special Assessment District”) has been formed to specially assess the lands which are benefitted from the Project described in Exhibit A.

(2) The proposed Special Assessment District, within which the cost of the Project will be assessed, consists of the properties identified by the following permanent lot and parcel numbers.

15-25-401-001	15-25-401-002	15-25-401-003	15-25-401-004
15-25-401-005	15-25-401-006	15-25-401-007	15-25-401-008
15-25-401-009	15-25-401-010	15-25-401-011	15-25-401-012
15-25-401-013	15-25-401-014	15-25-401-015	15-25-401-016

**Exhibit C**

CERTIFICATE

I, the undersigned, Supervisor of Hamburg Township, Livingston County, Michigan (the “Township”), acting pursuant to a resolution duly adopted by the Board of the Township on December 19<sup>th</sup>, 2023 (the “Resolution”) certify that (1) the attached special assessment roll for the Hamburg Township Forest Creek Court Road Improvement Project Special Assessment District, to which this Certificate is affixed, was made pursuant to the Resolution and (2) in making such roll, I have, according to my best judgment, conformed in all respects to the directions contained in the Resolution and the statutes of the State of Michigan, including Act No. 188, Public Acts of Michigan, 1954, as amended.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Patrick J. Hohl  
Hamburg Township Supervisor

**Resolution #4 – Forest Creek Court Road Improvement Project**

**TOWNSHIP OF HAMBURG**

At a regular meeting of the Township Board of the Township of Hamburg, Livingston County, Michigan (the “Township”) held at the Hamburg Township Hall Meeting Room on Tuesday, December 19<sup>th</sup>, 2023, beginning at 7:00 p.m. Eastern Time, there were:

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

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

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

**RESOLUTION ACKNOWLEDGING THE FILING OF THE FOREST CREEK COURT ROAD IMPROVEMENT SPECIAL ASSESSMENT ROLL, SCHEDULING A HEARING AND DIRECTING THE ISSUANCE OF THE STATUTORY NOTICES**

WHEREAS, the Board of Trustees (the “Township Board”) has determined that it is desirable to act favorably upon the request of the property owners to finance the construction of certain road improvements for their private road, to be completed by a Contractor hired by the property owners, within the Township as described in Exhibit A (the “Project”);

WHEREAS, the Township Board has determined to proceed with the Project;

WHEREAS, the Township Board has tentatively determined to finance the cost of the Project by issuing bonds (the “Bonds”) to finance the cost of the Project, in accordance with Act No. 188, Michigan Public Acts of 1954, as amended (“Act 188”);

WHEREAS, the Township Board has tentatively determined to use Special Assessments levied under Act 188 to raise the funds to pay the Township’s obligations on the Bonds;

WHEREAS, the plans and cost estimates for the Project have been filed with the Township Clerk; and

WHEREAS, the Township Supervisor has prepared the proposed Special Assessment Roll entitled “The Proposed Special Assessment Roll for the Hamburg Township Forest Creek Court Road Improvement Project” (the “Proposed Roll”) and has filed the Proposed Roll with the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board acknowledges that the Township Supervisor has filed the Proposed Roll with the Township Clerk.

2. The Township Board acknowledges that the Supervisor has certified that (a) the Proposed Roll was prepared in accordance with the Township Board’s direction and (b) the Proposed Roll was prepared in accordance with the laws of the State of Michigan.

3. In accordance with Act 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing on the Proposed Roll.

4. The public hearing will be held on Tuesday, January 16, 2024 at 6:00 p.m. at the Township Hall of Hamburg Township, Livingston County, Michigan, or at such other place as the Township Clerk may designate, provided sufficient notice is given of such alternate location as required by law.

5. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before January 3, 2024. Following the mailing of the notices, the Township Clerk shall complete an affidavit of mailing similar to the affidavit set forth in Exhibit C.

6. The Township Clerk is directed to publish a notice of the public hearing in the Livingston County Press & Argus a newspaper of general circulation within the Township. The notice shall be published twice, once on or before January 3, 2024, and once on or before January 10, 2024. The notice shall be in form substantially similar to the notice attached in Exhibit B.

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

YES: \_\_\_\_\_

NO: \_\_\_\_\_

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

Resolution declared \_\_\_\_\_.

CLERK'S CERTIFICATE

The undersigned, being the Clerk of the Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting of the Township Board on December 19, 2023, 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, 1967, 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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Michael Dolan  
Hamburg Township Clerk

**EXHIBIT A**  
**DESCRIPTION OF PROJECT**

Road improvements shall include pulverizing the existing asphalt into a useable base, removal of the excess material and grading and compacting the existing aggregate base. The Contractor shall furnish and install asphalt in 2 lifts; consisting of a 2.0" 4 EMI Tier II and a 2.0" 5 EML Tier I HMA (hot mix asphalt) layer leaving a 4.0" final compacted thickness. Contractor shall also place a MDOT SS-1H emulsion course (tack coat) between the layers of the HMA, approximately 1,027 tons, with the asphalt to be compacted using an oscillatory and/or vibratory roller. All work shall be completed as quoted. The street rehabilitation shall serve the properties within the Township located along Forest Creek Court that are within the boundaries indicated on the attached map.

Forest Creek Court Road Improvement Project  
Hamburg Township, Livingston County, Michigan

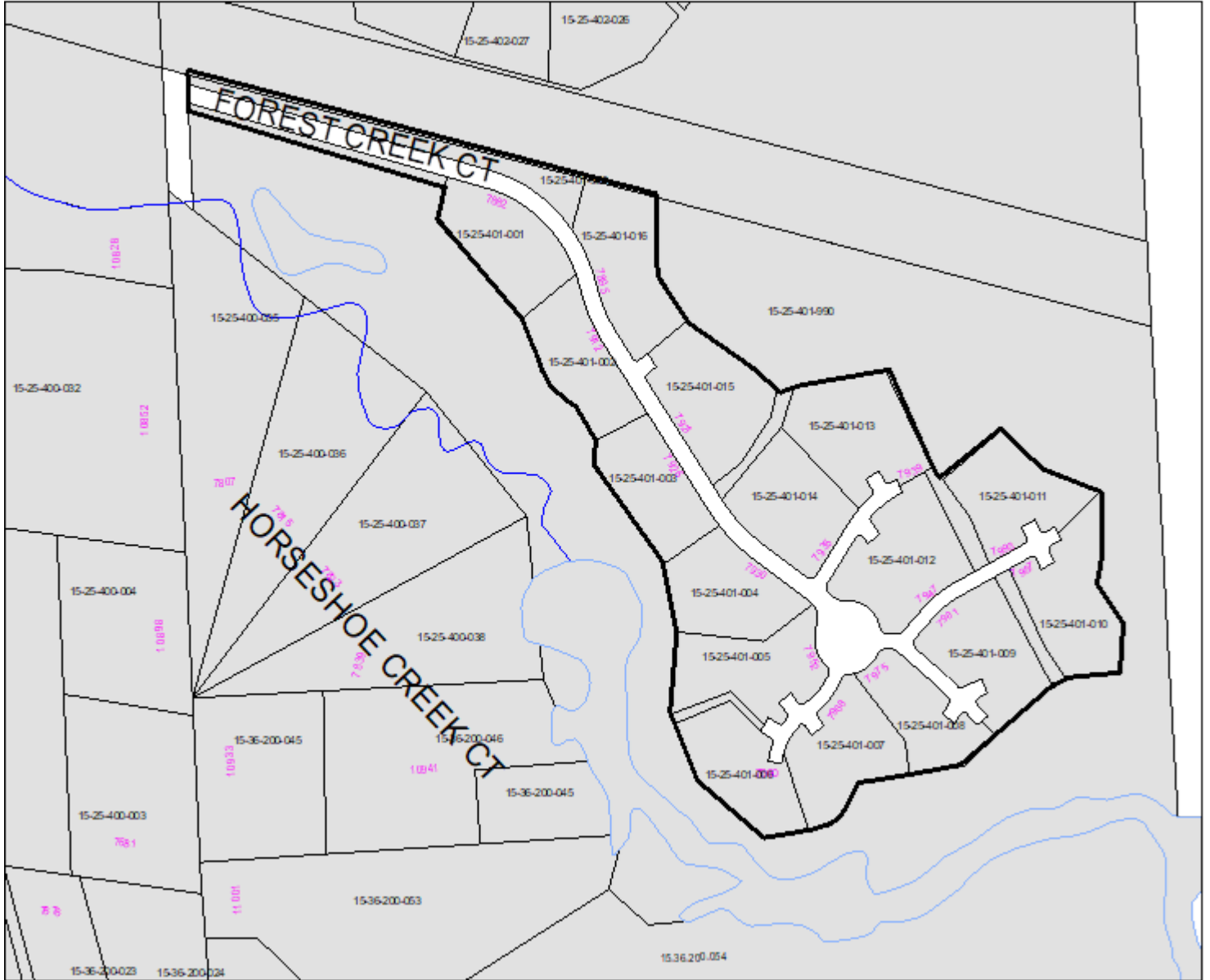


Exhibit A, Page 2



**EXHIBIT B**

**FORM OF NOTICE OF PUBLIC HEARING**

Hamburg Township  
Livingston County, Michigan

**NOTICE OF PUBLIC HEARING  
UPON SPECIAL ASSESSMENT ROLL FOR THE  
FOREST CREEK COURT ROAD IMPROVEMENT PROJECT  
SPECIAL ASSESSMENT DISTRICT**

NOTICE IS HEREBY GIVEN:

(1) The Township Board of the Township of Hamburg, Livingston County, Michigan (the “Township”) has determined to levy special assessments against lands in the FOREST CREEK COURT ROAD IMPROVEMENT PROJECT SPECIAL ASSESSMENT DISTRICT (the “District”) that will be benefited by the construction of road improvements in the District. The District consists of the lands identified in the map attached to this notice and is more specifically identified by the following permanent parcel numbers:

15-25-401-001	15-25-401-002	15-25-401-003	15-25-401-004
15-25-401-005	15-25-401-006	15-25-401-007	15-25-401-008
15-25-401-009	15-25-401-010	15-25-401-011	15-25-401-012
15-25-401-013	15-25-401-014	15-25-401-015	15-25-401-016

(2) The proposed special assessment roll for the District (the “Roll”) has been prepared and is now on file in the office of the Township Clerk and is available at such office for public examination during the hours the Township Hall is regularly open to the public for business.

(3) The Township Board will conduct a public hearing beginning at 6:00 p.m., local time on Tuesday, January 16, 2024, at the Hamburg Township Hall, 10405 Merrill Road, Hamburg, Michigan to explain and answer questions pertaining to the Roll and to hear objections to the Roll. Any person objecting to the Roll must file his or her objections in writing before the close of the public hearing or within such additional time (if any) as the Township Board may grant.

(4) The owner or other person having an interest in property that is specially assessed is entitled to file a written appeal with the Michigan Tax Tribunal within 30 days after confirmation of the Roll. However, appearance and protest at the public hearing are required by law in order to appeal the special assessment to the Michigan Tax Tribunal. An owner or other party in interest or his or her agent may (1) appear and protest in person at the hearing or (2) file an appearance and protest by letter before the close of the hearing.

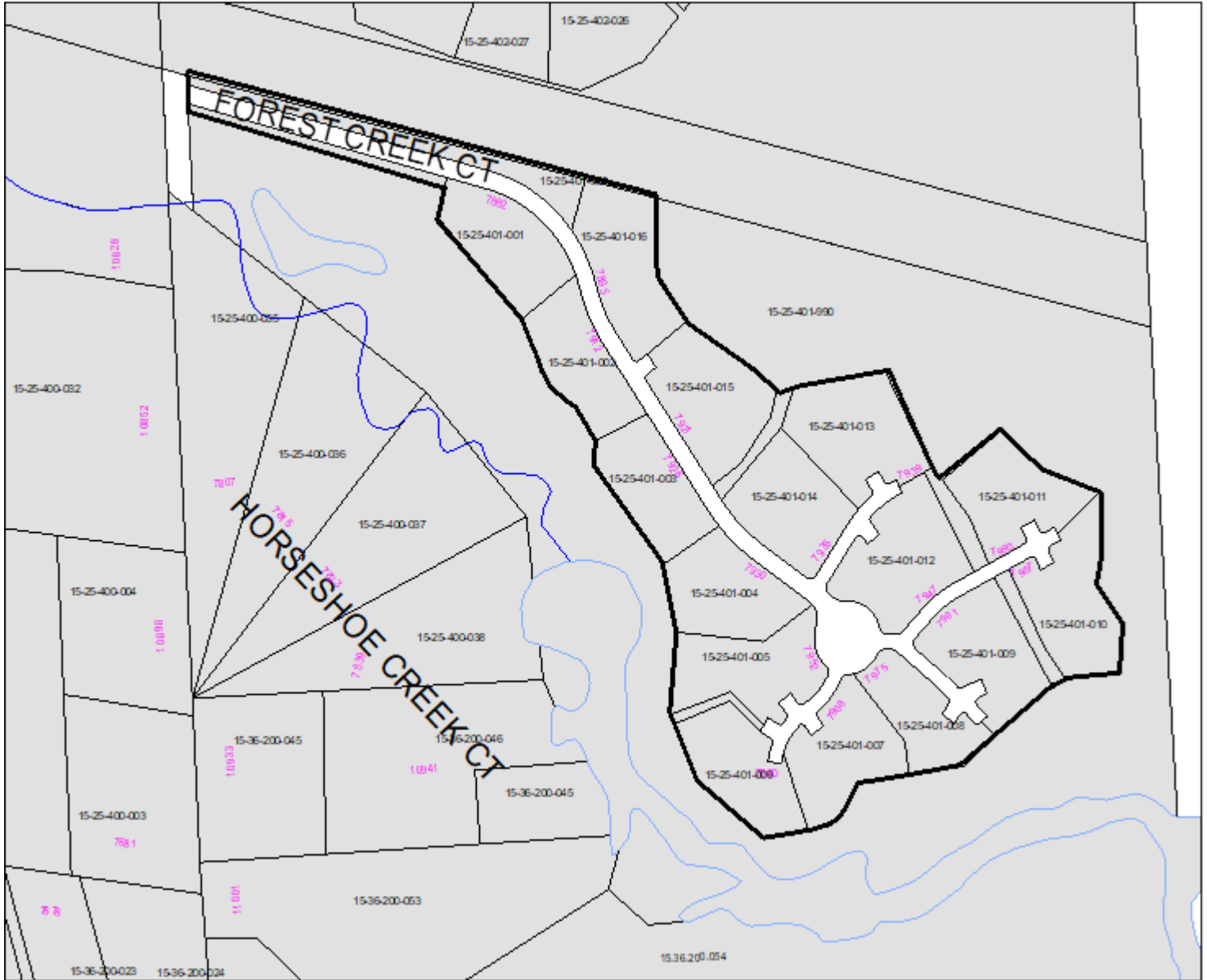
The Township Board will maintain a record of the persons who appear and protest at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, a party whose appearance was so recorded shall be considered to have protested the special assessment in person.

This notice is given by order of the Hamburg Township Board.

Dated: \_\_\_\_\_

Michael Dolan  
Hamburg Township Clerk  
10405 Merrill Rd. P.O. Box 157  
Hamburg, MI 48139

Forest Creek Court Road Improvement Project  
Hamburg Township, Livingston County, Michigan



Forest Creek Court Road Improvement Project

**EXHIBIT C**

**AFFIDAVIT OF MAILING**

STATE OF MICHIGAN        )  
                                          )ss  
COUNTY OF LIVINGSTON)

MICHAEL DOLAN, being first duly sworn, deposes, and says that he personally prepared for mailing, and did on January 3, 2024, send by first-class mail, the notice of hearing, a true copy of which is attached hereto, to each record owner of or party in interest in all property to be assessed for the improvement described therein, as shown on the last local tax assessment records of the Township of Hamburg; that he personally compared the address on each envelope against the list of property owners as shown on the current tax assessment rolls of the Township; that each envelope contained therein such notice and was securely sealed with postage fully prepaid for first-class mail delivery and plainly addressed; and that he personally placed all of such envelopes in a United States Post Office receptacle on the above date.

\_\_\_\_\_  
Michael Dolan  
Hamburg Township Clerk

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
, Notary Public  
Livingston County, MI  
My commission expires: