



Legislation Details (With Text)

File #: 09-0213 **Version:** 1 **Name:** 04/20/09 2053 Newport Rescind Prev Resn & Levy SIC
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Title: Resolution Rescinding Resolution R-08-318 and Authorizing Sanitary Sewer Improvement Charges for 2053 Newport Road (\$17,877.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Extended Terms for IC Levy.pdf, 2. R-08-318 2053 Newport, Sewer IC Levy Resn.pdf, 3. Certified resolution.PDF

Date	Ver.	Action By	Action	Result
4/20/2009	1	City Council	Approved	Pass

Resolution Rescinding Resolution R-08-318 and Authorizing Sanitary Sewer Improvement Charges for 2053 Road (\$17,877.00)

The property at 2053 Newport Road annexed from Ann Arbor Township to the City of Ann Arbor on December 27, 2007, as required under the terms of its water service agreement with the City. Upon annexation, the owner was then required by Code to connect to the available City sanitary sewer. In order to do so, the owner contacted the Community Development office and received assistance to connect the property to sanitary sewer.

On July 21, 2008, City Council approved resolution R-08-318 to levy the \$17,877.00 fixed sanitary sewer improvement charge on the property known as 2053 Newport Road. The sanitary sewer improvement charge was approved with terms of 15 annual installments and interest at 4.983%.

The owner paid the first installment which did not have interest on September 16, 2008. However, at that time, he expressed concern that the June 2009 installment with interest, totaling \$2,023.00, would be financially difficult to pay. We are aware of existing personal and financial issues for this property owner that justify revisiting the terms of this levy based on unique circumstances.

We recommend that resolution R-08-318 be rescinded and Council levy this improvement charge less the amount paid as a new levy with 30 installments with interest at 4.983% per annum. The owner has confirmed these new terms are financially agreeable to him.

Prepared by: Beverly J. Selvig, Management Assistant, Public Services Area

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, The City has previously constructed improvements described as follows:

Parcel ID 09-09-18-401-027 (2053 Newport Rd)

Sanitary Sewer:

8" Sanitary Sewer in Newport Road,

File No. 2000058, District 481,

Fixed Improvement Charge in place at time of connection = \$17,877.00

Less Payment Made on 9/16/2008 - 1,191.80

Sanitary Sewer Improvement Charge Balance Due = \$16,685.20

Water Main:

Previously contracted for and paid in full

GRAND TOTAL OF IMPROVEMENT CHARGES DUE = \$16,685.20

Whereas, The owner of 2053 Newport Road is being furnished sanitary sewer service as a result of assistance through Community Development;

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvement is levied against certain properties;

Whereas, The fixed improvement charge of \$17,877.00 was levied against the property by City Council on July 21, 2008, by resolution R-08-318 with terms of 15 annual installments and 4.983% interest;

Whereas, Resolution R-446-8-90, approved by City Council on August 20, 1990, allows Council to consider financial status of the petitioner, and recommend, on a case by case basis, extended terms or alternative payment plans to avoid undue hardship; and

Whereas, The owner of the property previously qualified for and obtained assistance from Community Development based on financial need and continues to have limited financial resources;

RESOLVED, That Council rescind Resolution R-08-318 dated July 21, 2008;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Ann Arbor Township: 2053 Newport Rd

City Assessor Code: 09-09-18-401-027

Planning File No.: 9184C11.1 & .2

LOT 4 JENNINGS NEWPORT HEIGHTS; previously Ann Arbor Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$16,685.20;
3. That this improvement charge is divided into 30 equal installments; the first to be due June 4, 2009, and the 29 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 4.983% per annum commencing June 4, 2009;

4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and
5. That this levied improvement charge is to be invoiced to the owner, Henry Owen, of the property known as 2053 Newport Rd, City of Ann Arbor, Washtenaw County, Michigan 48103, and to be credited in the amount of \$16,685.20 to Fund 0043-073-8000-7151.