



Legislation Details (With Text)

**File #:** 11-0327      **Version:** 1      **Name:** 4/19/11 2999 Override Rescind WIC, Levy New WIC

**Type:** Resolution      **Status:** Passed

**File created:** 4/19/2011      **In control:** City Council

**On agenda:** 4/19/2011      **Final action:** 4/19/2011

**Enactment date:** 4/19/2011      **Enactment #:** R-11-133

**Title:** Resolution Rescinding Resolution R-11-028 and Authorizing Water Improvement Charge for 2999 Override Drive (\$14,129.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. R 11 028 from Feb 7 2011.pdf, 2. 2999 Override SIC May 18 2009 R09177.pdf

Date	Ver.	Action By	Action	Result
4/19/2011	1	City Council	Approved	Pass

Resolution Rescinding Resolution R-11-028 and Authorizing Water Improvement Charge for 2999 Override Drive (\$14,129.00)

Your approval is requested to revise the terms of a levy of a water improvement charge totaling \$14,129.00 on the property known as 2999 Override Drive. This property annexed to the City effective January 4, 2007. The property obtained active sanitary sewer service on April 2, 2009, and the sanitary sewer improvement charge was levied at that time. The property owner has now paid the applicable water connection charges and the \$30.00 Council-approved fee to levy the water improvement charges (the fee covers the cost to record the approved resolution with the Washtenaw County Register of Deeds), and the property is "active" for water service as of December 29, 2010.

Due to unfortunate circumstances, the property owner has requested an increased number of installments beyond the standard recommendation. As a result of that request, this resolution rescinds resolution R-11-028 approved on February 2, 2011, and requests a new levy that extends the number of annual installments from 12 to 20, and delays the first installment to be due by June 1, 2011, and then annually thereafter with interest.

According to current procedures, the property owners need to now pay the property's share of the existing utilities through the City improvement charge levy as required under section 1:278, Chapter 12, of the Ann Arbor Code. We recommend the \$14,129.00 Utilities Improvement charge is to be levied and then made payable in 20 annual installments at 5.27% interest per annum on the unpaid balance.

It is therefore recommended that Council approve this resolution to rescind R-11-028 and levy this improvement charge according to the revised terms described above.

Prepared by: Beverly J. Selvig, Management Assistant

Reviewed by: Sue F. McCormick, Public Services Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, The City owns improvements described as follows:

Parcel ID 09-09-35-300-013 (2999 Override Dr)

**Sanitary Sewer:**

Fair share was previously levied under Resolution R-09-177

**Water Main:**

1959 Water Main constructed in Override Drive

2010 Fixed Improvement Charge \$14,129.00

**TOTAL DUE: \$14,129.00**

Whereas, The owner of 2999 Override Drive is being furnished water service;

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, this fair share was previously contracted for under R-11-028 and we now wish to revise the terms; and

Whereas, The Resolution R-11-028 has not yet been recorded with the Washtenaw County Register of Deeds;

RESOLVED, That Council rescind resolution R-11-028; and

RESOLVED,

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

Property Address: 2999 Override Dr

City Assessor Code: 09-09-35-300-013

BEG AT THE E 1/4 COR OF SEC 34, T2S, R6E, ALSO BEING THE NE COR OF LOT 161 OF ANN ARBOR HILLS SUB; TH S 01 DEG 19' 00" E 660 FT; TH N 88 DEG 41' 00" E 131.60 FT TO THE POB; TH CONT N 88 DEG 41' 00" E 33.40 FT; TH S 01 DEG 19' 00" E 410 FT; TH S 84 DEG 19' 40" W 174.30 FT; TH N 05 DEG 42' 30" W 235 FT; TH N 38 DEG 39' 31" E 246.54 FT TO THE POB; BEING PRT OF SEC 34 & 35, T2S, R6E, CONTAINING 1.45 ACRES OF LAND, MORE OR LESS, BEING SUBJECT TO EASMENTS AND RESTRICTIONS OF RECORD, IF ANY, situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$14,129.00;
3. That this improvement charge be divided into 20 equal installments; the first installment to be due on June 1, 2011, and the 19 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 5.27% per annum commencing June 1, 2011;
4. That the Public Services Area be directed to send a copy of this resolution by electronic mail or 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 owners, Scott & Carlye Crisler, husband and wife, of the property known as 2999 Override Dr, City of Ann Arbor, Washtenaw County, Michigan 48104, and to be credited in the amount of \$14,129.00 to Fund 0042-078-8000-0000-7151.