



Legislation Text

File #: 08-0109, Version: 1

Resolution Authorizing Sanitary Sewer Improvement Charge for Lot 27 Westover Subdivision (\$3,436.71)

Your approval is requested to levy sanitary sewer improvement charges of \$3,436.71 on the property known as Lot 27 Westover Subdivision. Annexation of Lot 28 Westover Subdivision from Scio Township was completed in 1987 and annexation of Lot 27 Westover Subdivision from Scio Township was completed in 1994 as notified by the State of Michigan. The properties were previously configured by lot, later combined, and then split to their current configuration each sharing Lots 27 and 28.

At the time of construction of the 1989 Jackson Road sanitary sewer main, Lot 28 Westover Subdivision was "Land Inside the City" on the assessment roll and the sanitary sewer improvement charge was paid at that time. Lot 27 Westover Subdivision was on the assessment roll as "Land Outside the City", and the sanitary sewer improvement charge was due following annexation. The assessment for Lot 27 of Westover Subdivision, now a part of both 65 Westover Avenue and 75 Westover Avenue, was never levied or paid. The water improvement charges for both lots were paid by Gelman Sciences.

The properties are currently connected and active for sanitary sewer service. According to the procedures in place at the time of annexation, the property owners need to now pay the properties' share of the existing utilities through the City improvement charge levy as required under section 1:278, Chapter 12, of the Ann Arbor Code. Because the property has changed ownership multiple times since notice was provided, staff is recommending special consideration for the current property owners by extension of a 15 year payment schedule and zero percent interest terms. The \$3,436.71 Utilities Improvement Charge is to be levied, split equally, and then made payable in 15 annual installments at 0% interest per annum on the unpaid balance.

It is therefore recommended that Council levy this improvement charge according to the terms described above.

Prepared by: Beverly J. Selvig, Management Assistant, Public Services  
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 09-08-25-200-027 (65 Westover Av)
- Parcel ID 09-08-25-200-028 (75 Westover Av)

**Sanitary Sewer:**

8" Sanitary Sewer in Jackson Road; Constructed in 1989  
File No. 88051; District No. 456

\$3,436.71/connection x 1 connection = \$3,436.71

**Water Main:**

Improvement charge paid by Gelman Sciences

**TOTAL OF IMPROVEMENT CHARGES:       \$3,436.71;**

Whereas, The owners of Lot 27 Westover Subdivision are being furnished sanitary sewer and water service;

Whereas, The practice in place at the time of annexation of the property at Lot 27 Westover Subdivision was to levy improvement charges immediately following annexation;

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 improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

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

Annexation Address from Scio Township:   65 Westover Av/75 Westover Av  
City Assessor Code:                            09-08-25-200-027 & -028

**65 Westover Av:** PRT OF LOTS 16, 27 AND 28 WESTOVER HILLS SUB DESCRIBED AS COM AT THE SW CORNER OF LOT 28 OF SAID SUB; TH N 02 DEG 06' 15" E 60 FT TO THE POB; TH N 02 DEG 06' 15" E 50 FT; TH S 87 DEG 53' 45" E 106.79 FT; TH S 08 DEG 49' 45" W 50.35 FT; TH N 87 DEG 53' 45" W 100.89 FT TO THE POB, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY. Split on 10/26/1999 from 09-08-25-200-016; Split on 06/17/2004 from 09-08-25-200-020, 09-08-25-200-019, 09-08-25-200-017; previously Scio Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan; and

**75 Westover Av:** PRT OF LOTS 27 AND 28 WESTOVER HILLS SUB DESCRIBED AS BEG AT THE SW CORNER OF LOT 28 OF SAID SUB; TH N 02 DEG 06' 15" E 60 FT; TH S 87 DEG 53' 45" E 100.89; TH S 08 DEG 49' 45" W 72.55 FT; TH N 80 DEG 28' 05" W 93.18 FT TO THE POB, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY. Split on 10/26/1999 from 09-08-25-200-016; Split on 06/17/2004 from 09-08-25-200-020, 09-08-25-200-019, 09-08-25-200-017; previously Scio Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$3,436.71;
3. That this improvement charge that was originally to be assessed to Lot 27 Westover Subdivision be equally split between the newly created parcels and divided into 15 equal installments; the first to be due on June 1, 2008, and the 14 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 0.0% per annum commencing June 1,

2008;

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, Cathy Baldwin, of the property known as 65 Westover Av, City of Ann Arbor, Washtenaw County, Michigan 48103, and Angela Rowlands, of the property known as 75 Westover Av, City of Ann Arbor, Washtenaw County, Michigan 48103, and to be credited in the amount of \$3,436.71 to Fund 0043-073-8000-7151.