



## Legislation Text

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**File #:** 11-0504, **Version:** 1

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Resolution Superseding Portions of R-11-131 for Sanitary Sewer Improvement Charge and Terms and Authorizing Water and Sanitary Sewer Improvement Charges for 2525 Newport (\$30,779.00) Your approval is requested to levy sanitary sewer and water improvement charges totaling \$30,779.00 on the property known as 2525 Newport Road. This vacant parcel was recently developed. On April 19, 2011, the owner paid the \$30.00 fee to levy the improvement charges (the fee covers the cost to have the certified resolution recorded at the Washtenaw County Register of Deeds). The property has paid the applicable connection charges and is "active" for sanitary sewer and water service as of April 27, 2011.

We recommend the property owner be authorized to pay the 2010 improvement charge amounts for this property. There were numerous issues beyond the control of the property owners surrounding the development of this single-family property, previously known as Unit 20 of Newport Hills Condo. Once the issues were rectified, the owners diligently moved forward with construction. Had these delays not occurred, the construction would have started sooner with an active utility date in October 2010, the time at which the sanitary sewer main construction was completed and available. The water main was constructed in the 1970s.

The reduction between the 2011 and 2010 improvement charge amounts results in a savings to the homeowner of \$1,538.00 (a reduction of \$600.00 for the fixed sanitary sewer improvement charge and a reduction of \$938.00 for the 1970s credit-based water improvement charge). Approval of this resolution will supersede those portions of resolution R-11-131 that pertain to 2525 Newport Road, including the 2011 fixed sanitary sewer improvement charge and the payment terms.

According to current procedures, the property owner needs 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. The \$30,779.00 Utilities Improvement Charge is to be levied and then made payable in 15 annual installments at 5.39% interest per annum on the unpaid balance.

It is therefore recommended that Council levy these improvement charges according to the terms described above.

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

Reviewed by: Sue F. McCormick, Public Services Administrator

Whereas, The City owns improvements described as follows:

Parcel ID 09-09-18-104-017 (2525 Newport Rd)

**Sanitary Sewer:**

Sanitary Sewer Main constructed in Newport Road in 2010  
2010 Fixed Improvement Charge \$21,930.00

**Water Main:**

Water Main constructed in Newport Road in 1970's	
2010 Fixed Improvement Charge	\$14,129.00
Water Main constructed in 1970, Credit	<u>-\$ 5,280.00</u>
Net Water Improvement Charge	\$ 8,849.00

**TOTAL OF IMPROVEMENT CHARGES: \$30,779.00**

Whereas, The owner of 2525 Newport Road is being furnished sanitary sewer and water service;

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 of the water improvement has not been previously paid nor contracted for; and

Whereas, It is recommended that the owners of 2525 Newport be authorized to pay the 2010 Improvement Charge amounts for both water and sanitary sewer due to delays in construction that were beyond their control;

RESOLVED, That Council approve superseding the sanitary sewer improvement charge and terms of resolution R-11-131 approved on April 19, 2011, as it pertains to the property at 2525 Newport Road with the below terms; and

RESOLVED,

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

Newly Developed Property Address: 2525 Newport Rd

City Assessor Code: 09-09-18-104-017

Unit 20 NEWPORT HILLS CONDO, situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied is \$30,779.00;
3. That this improvement charge is divided into 15 equal installments; the first installment to be due on July 21, 2011, 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 5.39% per annum commencing June 30, 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 owner, Sanjay & Lakshmi Shetty, husband & wife, of the property known as 2525 Newport Rd, City of Ann Arbor, Washtenaw County, Michigan 48103, at 1810 Riverwood Drive, Ann Arbor, MI 48103, and to be credited in the amount of \$21,930.00 to Fund 0043-078-8000-0000-7151 and

\$8,849.00 to Fund 0042-078-8000-0000-7151.