

**CHESHIRE TOWNSHIP**

**ALLEGAN COUNTY, MICHIGAN**

**2024-2028 DUCK LAKE IMPROVEMENT CONTINUATION PROGRAM**  
**(AQUATIC VEGETATION CONTROL)**

**NOTICE OF SEPTEMBER 5, 2023 TOWNSHIP BOARD PUBLIC HEARING ON**  
**PROPOSED 2024-2028 SPECIAL ASSESSMENT ROLL**

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE DUCK LAKE IMPROVEMENT PROJECT SPECIAL ASSESSMENT DISTRICT (AQUATIC VEGETATION CONTROL) ENCOMPASSING ALL LOTS/PARCELS ABUTTING DUCK LAKE OR HAVING DEEDED ACCESS TO DUCK LAKE IN LAND SECTION 36 OF CHESHIRE TOWNSHIP, ALLEGAN COUNTY, MICHIGAN; AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE the Supervisor/Assessing Officer of Cheshire Township has reported to the Township Board and filed in the office of the Township Clerk for public examination a proposed special assessment roll/special assessment column in the regular tax roll pertaining to the Duck Lake Improvement Project Special Assessment District (Aquatic Vegetation Control) created by the Township Board in 2014 (for a term of not more than 20 years).

A public hearing on any objections to the proposed special assessment roll will be held at the Cheshire Township Hall at 471 41<sup>st</sup> Street, Allegan, Michigan, in conjunction with a regular meeting of the Township Board on **Tuesday, September 5, 2023 commencing at 7:00 p.m.**

The proposed 2024-2028 special assessment roll proposes to allocate the costs of an aquatic vegetation control program for 2024 through 2028 in the approximate total amount of \$100,141 (including estimated legal and administrative expenses, and a small contingency for cost overruns and other unanticipated expenses) to the various lots and parcels within the District over the five-year program in an equal annual levy of approximately \$20,028. The annual special assessment levy is proposed to be allocated to the benefitted lots/parcels within the District pursuant to a uniform pro rata benefit unit of 1.0 for each lot/parcel abutting Duck Lake (with all contiguous lands abutting Duck Lake owned by the same record owner and either undeveloped or developed with not more than one single family dwelling to be treated as a single benefit unit for special assessment purposes), and a uniform pro rata benefit unit of 0.5 for each lot/parcel with deeded access to Duck Lake but not abutting Duck Lake.

Based on the total calculated number of lots/parcels within the District abutting Duck Lake (111 benefit units) and the total number of lots/parcels within the District with deeded access to Duck Lake but not abutting Duck Lake (20 benefit units) the total amount proposed to be specially assessed against each such lot/parcel for 2024-2028 is \$827.61 for each lot/parcel abutting Duck Lake and \$413.81 for each lot/parcel with

deeded access to Duck Lake. These five-year special assessments are proposed to be payable in five equal annual installments of \$165.52 for each lot/parcel (benefit unit) abutting Duck Lake and \$82.76 for each lot/parcel (benefit unit) with deeded access to Duck Lake but not abutting Duck Lake, to be billed with the regular summer tax bills in 2024-2028.

These proposed special assessment amounts are subject to revision by the Township Board at the September 5, 2023 meeting. The special assessment amounts approved by the Township Board at this meeting may also be revised in 2024 if the Township Board determines a revenue surplus from the 2019-2023 program is available to apply as a credit towards the costs of the 2023-2028 program. These proposed special assessment amounts are also subject to revision during the term of the five-year special assessment roll due to property transactions and are subject to annual redetermination if the actual costs of the yearly treatment and any administrative costs vary significantly from the estimated costs and contingency on which the proposed special assessment roll is premised. Any such annual redetermination/revised special assessments will be made by the Township Board at its regular meeting in September or October of each year, as necessary, without further public hearing or notice except as may be required by law (if a cost increase exceeds the estimate by 10% or more) or as may be further determined by the Township Board; provided that the allocation of individual special assessments resulting from any such annual redetermination/revision shall be based on the same uniform pro rata allocation of costs used for the 2024 special assessments. Unpaid special assessments will be subject to interest at a rate to be determined by the Township Board but not exceeding 8.0% per annum.

The proposed special assessment roll, and the project plans, estimate of costs, the boundaries of the Duck Lake Improvement Project Special Assessment District (Aquatic Vegetation Control), and the Resolution of the Township Board creating the Special Assessment District and directing the Supervisor/Assessing Officer of the Township to make the proposed special assessment roll, may be examined at the office of the Township Clerk and may further be examined at the public hearing.

PLEASE TAKE FURTHER NOTICE THAT APPEARANCE AND PROTEST AT THIS HEARING IS REQUIRED IN ORDER TO APPEAL THE AMOUNT OF A SPECIAL ASSESSMENT TO THE STATE TAX TRIBUNAL. AN OWNER OR PARTY IN INTEREST OR HIS OR HER AGENT MAY APPEAR IN PERSON AT THIS HEARING TO PROTEST A SPECIAL ASSESSMENT, OR MAY FILE AN APPEARANCE OR PROTEST BY LETTER WITH THE TOWNSHIP CLERK BEFORE THE CLOSE OF THE HEARING OR WITHIN SUCH FURTHER TIME AS THE TOWNSHIP BOARD MAY GRANT, IF ANY, AND IN SUCH CIRCUMSTANCES A PERSONAL APPEARANCE AT THE HEARING SHALL NOT BE REQUIRED THE OWNER OR ANY PERSON HAVING AN INTEREST IN THE REAL PROPERTY WHO PROTESTS IN PERSON OR IN WRITING AS PROVIDED ABOVE MAY FILE A WRITTEN APPEAL OF A SPECIAL ASSESSMENT WITH THE STATE TAX TRIBUNAL WITHIN 35 DAYS AFTER THE CONFIRMATION OF THE SPECIAL ASSESSMENT LEVY (OR WITHIN SUCH OTHER TIME PERIOD AS MAY BE REQUIRED OR ALLOWED BY LAW).

The foregoing hearing and all proceedings associated with this special assessment matter will be conducted in accordance with and pursuant to 1954 PA 188, as amended, the Michigan Open Meetings Act, and any other applicable law.

Cheshire Township will provide necessary reasonable auxiliary aids and services at the meeting/hearing to individuals with disabilities, such as signers for the hearing impaired and audiotapes of printed materials being considered, upon reasonable notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township Clerk as designated below.

Donna Hetzel, Clerk  
Cheshire Township  
630 38th Street  
Allegan, MI 49010-9131  
(269) 673-8191