

**FORECLOSURE NOTICE  
NOTICE OF SALE**

TO ALL PURCHASERS - A lien has been recorded on behalf of Marion Creek Condominium Association. The lien was executed on August 8, 2023 and recorded on August 9, 2023, as Instrument 2023R-014861, Livingston County Register of Deeds. The lien secures assessments and other sums as of the date hereof in the amount of Three Thousand Five Hundred and Forty Six Dollars and Eighty-Six Cents (\$3,546.86).

Notice of Foreclosure by Advertisement. Under the power of sale contained in the recorded Condominium Documents and the statute in such case made and provided, notice is given under section 3212 of the revised judiciary act of 1961, 1961 PA 236, MCL 600.3212 that the lien will be foreclosed by a sale of the property described below, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check, at the main entrance of the Judicial Center located in Howell, Michigan (that being the place of holding the Circuit Court for said County), on Wednesday, January 10, 2024, at 10:00 am, Eastern Standard Time.

The amount due on the lien may increase between the date of this notice and the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

The name of the record property owner is Paul Geoffrey Black and Saleena Ellen Black, and is situated in the Township of Marion, County of Livingston, State of Michigan, and is legally described as follows: Unit 89, of Marion Creek, a Condominium according to the Master Deed recorded in Instrument No. 2017R-031835, et seq., Livingston County Records, as amended, and designated as Livingston County Condominium Subdivision Plan No. 418. Sidwell No. 4710-02-103-089

Commonly known as: 1145 Weatherstone Lane, Howell, Michigan 48843

The redemption period shall be six (6) months from the date of such sale unless the property is determined abandoned in accordance with MCL 600.3241a, in which event the redemption date shall be thirty (30) days after the foreclosure sale or fifteen (15) days after the Association's compliance with the notice requirements of MCL 600.3241a(c), whichever is later. If the property is sold at a foreclosure sale, under MCL 600.3278 the co-owner(s) will be held responsible to the person who buys the property at the foreclosure sale or to the Association for damaging the property during the redemption period.

Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the lien at the telephone number stated in this notice. This sale may be rescinded by the foreclosing lienholder. In that event, your damages, if any, are limited solely to the return of the bid amount tendered at sale, plus interest.

Dated: November 16, 2023  
Marion Creek Condominium Association  
c/o Makower Abbate Guerra Wegner Vollmer PLLC  
Stephen M. Guerra  
30140 Orchard Lake Road  
Farmington Hills, MI 48334  
248 671 0140

(11-26)(12-24)  
(11-26, 12-3, 12-10, 12-17 & 12-24-23 FNV)

**TRUSTEE'S  
NOTICE TO CREDITORS**

**TO ALL CREDITORS:**  
The deceased Settlor, Martha Rose Potter, born on June 11, 1937, who lived at Devotion House Adult Foster Care, 10638 Rushton Road, Green Oak Township, Michigan 48178, died November 24, 2023. There is no personal representative of the Settlor's estate to whom Letters of Authority have been issued.

Creditors of the decedent are notified that all claims against the Settlor or against the Martha R. Potter Trust dated October 10, 2006, as amended, will be forever barred unless presented to Michele E. Gerkman, Trustee, at the offices of Gardner & Associates, P. C., 1601 Briarwood Circle, Suite 200, Ann Arbor, Michigan 48108, within four months after the date of publication of this notice.

Notice is further given that the Trust will thereafter be assigned and distributed to the persons entitled to it.

Date: December 1, 2023  
Michele E. Gerkman  
c/o Ronald D. Gardner P34312  
1601 Briarwood Circle, Suite 200  
Ann Arbor, MI 48108  
734-669-0424

(12-10-23 FNV)

**NOTICE OF MORTGAGE FORECLOSURE SALE**

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. PLEASE CONTACT OUR OFFICE AT THE NUMBER BELOW IF YOU ARE IN ACTIVE MILITARY DUTY.

ATTN PURCHASERS: This sale may be rescinded by the foreclosing mortgagee. In that event, your damages, if any, shall be limited solely to return of the bid amount tendered at sale, plus interest.

NOTICE OF FORECLOSURE BY ADVERTISEMENT: Notice is given under section 3212 of the revised judiciary act of 1961, 1961 PA236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Livingston County, starting promptly at 10:00 AM, on January 17, 2024.

The amount due on the mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

MORTGAGE SALE: Default has been made in the conditions of a mortgage made by Jeremiah Huey and Tonya Huey, the Mortgagor(s), and Mortgage Electronic Registration Systems, Inc., as nominee for Envoy Mortgage, LTD, the original Mortgagee, dated May 8, 2018, and recorded on May 16, 2018, as Instrument No. 2018-R-013111, in Livingston County Records, Michigan, and last assigned to Lakeview Loan Servicing, LLC, the Foreclosing Assignee, as documented by an Assignment of Mortgage dated December 1, 2021, and recorded on December 1, 2021, as Instrument No. 2021R-048167, in Livingston County Records, Michigan, on which mortgage there is claimed to be due and owing as of the date of this Notice, the sum of One Hundred Eighty Six Thousand One Hundred Forty and 04/100 U.S. Dollars (\$186,140.04). Said premise is situated at 10339 Carriage Dr., Brighton, Michigan 48114, in the City of Brighton, Livingston County, Michigan, and is described as: LOT 19 OF COLONIAL VILLAGE SUBDIVISION NO. 2, AS RECORDED IN LIBER 12 OF PLATS, PAGE(S) 46 AND 47, INCLUSIVE, LIVINGSTON COUNTY RECORDS.

The redemption period shall be six (6) months from the date of such sale, unless determined abandoned in accordance with MCLA 600.3241a, in which case the redemption period shall be 30 days from the date of such sale. Pursuant to Chapter 32 of the Revised Judiciary Act of 1961, if the property is sold at foreclosure sale the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder under MCLA 600.3278 for damaging the property during the redemption period.

ATTENTION HOMEOWNER: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.

Dated: 11/20/2023  
For More Information, please call:  
Quintairos, Prieto, Wood & Boyer, P.A.  
Attorneys for Servicer  
255 South Orange Avenue, Suite 900  
Orlando, Florida 32801  
(855) 287-0240  
Matter No. MI-000097-22

(11-26)(12-17)  
(11-26, 12-3, 12-10 & 12-17-23 FNV)

**NOTICE OF FORECLOSURE  
BY ADVERTISEMENT.**

Notice is given under section 49c of the State Housing Development Authority Act of 1966, 1966 PA 346, MCL 125.1449c, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Livingston County, starting promptly at 10:00 AM, on January 10, 2024. The amount due on the mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

MORTGAGE: Mortgagor(s): Laura M. Brown, single woman

Original Mortgagee: Academy Mortgage Corporation  
Date of mortgage: June 16, 2017

Recorded on June 26, 2017, in Document No. 2017R-018563, and re-recorded via Affidavit of Correction on November 13, 2023, in Document No. 2023R-020897, Foreclosing Assignee (if any): Michigan State Housing Development Authority

Amount claimed to be due at the date hereof: One Hundred Seventeen Thousand Fifty-Six and 10/100 Dollars (\$17,056.10)

Mortgaged premises: Situated in Livingston County, and described as: Unit 48, Hampton Ridge Condominium, according to the Master Deed recorded in Liber 3044, Page 153, Livingston County Records, and any amendments thereto, and designated as Livingston County Condominium Subdivision Plan No. 224, together with rights in general common elements and limited common elements as set forth in the above Master Deed and as described in Act 59 of the Public Acts of 1978, as amended. Commonly known as 4163 Hampton Ridge Blvd, #48, Howell, MI 48843

The redemption period will be 6 months from the date of such sale, unless abandoned under MCL 125.1449v, in which case the redemption period shall be 30 days from the date of such sale, or 15 days from the MCL 125.1449v(b) notice, whichever is later; or unless extinguished pursuant to MCL 600.3238.

Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.

Michigan State Housing Development Authority  
Mortgagee/Assignee  
Schneiderman & Sherman P.C.  
23938 Research Dr, Suite 300  
Farmington Hills, MI 48335  
248.539.7400

1515328  
(11-19)(12-10)  
(11-19, 11-26, 12-3, 12-10-23 FNV)

**STATE OF MICHIGAN  
PROBATE COURT  
LIVINGSTON COUNTY**

**NOTICE TO CREDITORS  
Decedent's Estate**

CASE NO. and JUDGE  
2023-22210-DE

Court address and telephone no.  
204 S Highlander Way # 2, Howell, MI 48843  
(517) 546-3750

Estate of William Porath, Deceased  
Date of Birth: 8/28/1948

**TO ALL CREDITORS:  
NOTICE TO CREDITORS:** The decedent, William Porath, died 07/06/2023.

Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Matthew Porath, personal representative, or to both the probate court at 204 S Highlander Way #2, Howell, MI 48843 and the personal representative within 4 months after the date of publication of this notice.

Date: 12/05/2023

Attorney:  
Stacy DeShon P81574  
7 West Square Lake Road  
Bloomfield Hills, MI 48302  
248-648-1148

Personal Representative:  
Matthew Porath  
18356 Bretton Drive  
Detroit, MI 48223

(12-10-23 FNV)

**MARION TOWNSHIP  
2023 DECEMBER  
BOARD OF REVIEW  
MEETING NOTICE**

The Marion Township Board of Review will convene on Tuesday, December 12, 2023 at 10:00 am at the Marion Township Hall, 2877 W. Coon Lake Rd., Howell, Michigan.

This meeting is held for the purpose of correcting qualified errors, clerical errors or mutual mistakes of fact, pursuant to MCL 211.53b of the General Property Tax Act. The board will also have authority to act upon agricultural, poverty, and veteran exemptions.

Robert W. Hanvey  
Township Supervisor  
(11-26, 12-3 & 12-10-23 FNV)



**NOTICE OF MORTGAGE FORECLOSURE SALE**

Notice of foreclosure by advertisement. Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following Mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Livingston County, starting promptly at 10:00 AM, on January 17, 2024.

The amount due on the Mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

Default has been made in the conditions of a Mortgage made by Jack Taylor and Marjorie Taylor to Charter One Bank, N.A. dated March 31, 2006 and recorded May 5, 2006 as Instrument No. 2006R-001539 and rerecorded on June 26, 2006, as Instrument No. 2006R-009176, Livingston County, Michigan. Said Mortgage is now held by Citizens Bank, N.A. by assignment and/or merger. There is claimed to be due at the date hereof the sum of \$88,492.46. Said premises are located in Livingston County, Michigan and are described as: Land situated in the TOWNSHIP OF GREEN OAK, COUNTY OF LIVINGSTON, STATE of MI, to-wit: Lot 40 and 41, HORIZON HILLS SUBDIVISION NO. 2 as recorded in Liber 8 of Plats, Page(s) 8, LIVINGSTON County Records. 16-17-101-041 8212 TWILIGHT DR; BRIGHTON, MI 48116-8546

Said property is commonly known as 8212 Twilight Drive, Brighton, MI 48116.

The redemption period shall be 12 months from the date of such sale, unless determined abandoned in accordance with MCLA 600.3241a, in which case the redemption period shall be 30 days from the date of such sale. If the property is sold at foreclosure sale, pursuant to MCL 600.3278, the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damage to the property during the redemption period.

TO ALL PURCHASERS: The foreclosing mortgagee can rescind the sale. In that event, your damages, if any, are limited solely to the return of the bid amount tendered at sale, plus interest. Please be advised that any third party purchaser is responsible for preparing and recording the Sheriff's Deed. If this is a residential Mortgage, the following shall apply:

ATTENTION HOMEOWNER: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the Mortgage at the telephone number stated in this notice.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU: ARE A DEBTOR IN AN ACTIVE BANKRUPTCY CASE; ARE UNDER THE PROTECTION OF A BANKRUPTCY STAY; OR, HAVE RECEIVED A DISCHARGE IN BANKRUPTCY AND YOU HAVE NOT REAFFIRMED THE DEBT, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE CONSTRUED AS AN ATTEMPT TO COLLECT A DEBT FROM YOU PERSONALLY.

Dated: November 20, 2023

Attorney for the party foreclosing the Mortgage:

Thomas E. McDonald (P39312)

Brock & Scott, PLLC

5431 Oleander Drive

Wilmington, NC 28403

PHONE: (844) 856-6646

File No. 23-23551

(11-26)(12-17)

(11-26, 12-3, 12-10, 12-17-23 FNV)

**NOTICE OF MORTGAGE FORECLOSURE SALE**

Notice of foreclosure by advertisement. Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following Mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Livingston County, starting promptly at 10:00 AM, on January 17, 2024.

The amount due on the Mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

Default has been made in the conditions of a Mortgage made by Richard B. Schlumm to Fifth Third Bank (Western Michigan) dated March 4, 2005 and recorded March 28, 2005 in Liber 4751 at Page 37, Livingston County, Michigan. Said Mortgage is now held by Fifth Third Bank, National Association by assignment and/or merger. There is claimed to be due at the date hereof the sum of \$101,866.10.

Said premises are located in Livingston County, Michigan and are described as: Property located in the Township of Green Oak, County of Livingston, State of Michigan Parcel # 16-04-103-107 Lot 146 of Island Lake Colony Subdivision Annex, as recorded in Liber 1 of Plats, Pages 65 through 67, Livingston County Records. Said property is commonly known as 6196 Island Lake Drive, Brighton, MI 48116.

The redemption period shall be 6 months from the date of such sale, unless determined abandoned in accordance with MCLA 600.3241a, in which case the redemption period shall be 30 days from the date of such sale. If the property is sold at foreclosure sale, pursuant to MCL 600.3278, the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damage to the property during the redemption period.

TO ALL PURCHASERS: The foreclosing mortgagee can rescind the sale. In that event, your damages, if any, are limited solely to the return of the bid amount tendered at sale, plus interest. Please be advised that any third party purchaser is responsible for preparing and recording the Sheriff's Deed. If this is a residential Mortgage, the following shall apply:

ATTENTION HOMEOWNER: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the Mortgage at the telephone number stated in this notice.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU: ARE A DEBTOR IN AN ACTIVE BANKRUPTCY CASE; ARE UNDER THE PROTECTION OF A BANKRUPTCY STAY; OR, HAVE RECEIVED A DISCHARGE IN BANKRUPTCY AND YOU HAVE NOT REAFFIRMED THE DEBT, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE CONSTRUED AS AN ATTEMPT TO COLLECT A DEBT FROM YOU PERSONALLY.

Dated: November 20, 2023

Attorney for the party foreclosing the Mortgage:

Thomas E. McDonald (P39312)

Brock & Scott, PLLC

5431 Oleander Drive

Wilmington, NC 28403

PHONE: (844) 856-6646

File No. 23-21351

(11-26)(12-17)

(11-26, 12-3, 12-10 & 12-17-23 FNV)

**NOTICE OF FORECLOSURE  
BY ADVERTISEMENT.**

Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Livingston County, starting promptly at 10:00 AM, on January 10, 2024. The amount due on the mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

MORTGAGE: Mortgagor(s): NICOLE MARIE MC-CLOUD, SINGLE WOMAN. Original Mortgagee: Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for lender and lender's successors and assigns Date of mortgage: September 23, 2020 Recorded on September 24, 2020, in Document No. 2020R-033461, Foreclosing Assignee (if any): NewRez LLC d/b/a Shellpoint Mortgage Servicing Amount claimed to be due at the date hereof: One Hundred Sixty-Seven Thousand Forty-Five and 76/100 Dollars (\$167,045.76) Mortgaged premises: Situated in Livingston County, and described as: Lot(s) 21, Palmerton's Addition to the Village of Fowlerville, according to the recorded Plat thereof, as recorded in Liber 54 of Deed(s), Page 334, Livingston County Records. Commonly known as 319 E Frank St, Fowlerville, MI 48836

The redemption period will be 6 months from the date of such sale, unless abandoned under MCL 600.3241a, in which case the redemption period will be 30 days from the date of such sale, or 15 days from the MCL 600.3241a(b) notice, whichever is later; or unless extinguished pursuant to MCL 600.3238. If the above referenced property is sold at a foreclosure sale under Chapter 32 of Act 236 of 1961, under MCL 600.3278, the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period.

Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.

NewRez LLC d/b/a Shellpoint Mortgage Servicing Mortgagee/Assignee

Schneiderman & Sherman P.C.

23938 Research Dr, Suite 300

Farmington Hills, MI 48335

248.539.7400

1516451

(12-03)(12-24)

(12-3, 12-10, 12-17 & 12-24-23 FNV)

**STATE OF MICHIGAN  
PROBATE COURT  
LIVINGSTON COUNTY**

**NOTICE TO CREDITORS  
Decedent's Estate**

CASE NO. and JUDGE

23-22227-DE Miriam A. Cavanaugh

Court address and telephone no.

204 S Highlander Way, Suite 2, Howell, MI 48843

(517) 546-3750

Estate of Donna Joan Bishop

Date of Birth: October 20, 1937

**TO ALL CREDITORS:**

**NOTICE TO CREDITORS:** The decedent, Donna Joan Bishop, died September 13, 2023.

Creditors of the decedent are notified that all claims against the estate will be forever barred unless presented to Christopher Simpson, personal representative, or to both the probate court at 204 S Highlander Way, Suite 2, Howell, MI 48843 and the personal representative within 4 months after the date of publication of this notice.

Attorney:

Alles Law

William I. Bereza P77550

5360 Cascade Rd. SE

Grand Rapids, MI 49546

616-365-5055

Personal Representative:

Christopher Simpson

2718 Doncaster

Wyoming, MI 49509

616-318-6935

(12-10-23 FNV)



**Case No. 2023-000031927-CH  
CIRCUIT COURT SALE**

In pursuance and by virtue of a Judgment of the Circuit Court for the County of Livingston, State of Michigan, made and entered on the 19th day of October, A.D., 2023 in a certain cause therein pending, wherein Nicola's Contracting, Inc. was the Plaintiff and CL48 Properties, LLC, Equity Trust Company, custodian FBO William Mark Bilek IRA and Big Sky Developments, Inc. were the Defendants.

NOTICE IS HEREBY GIVEN that I shall sell at public auction to the highest bidder, at public vendue, at the Livingston County Courthouse located at 204 S. Highlander Way, Howell, MI 48843 (that being the place of holding the Circuit Court for said County), on the 10th day of January, A.D., 2024 at 10 o'clock in the forenoon, Eastern Standard Time, the following described property, viz: All certain piece or parcel of land situated in the Hamburg Township, County of Livingston and State of Michigan, described as follows: Tax ID: 4715-35-300-044 Commonly known as: Vacant Merrill Rd., Hamburg Twp, MI 48189

Land is located In the Township of Hamburg, County of Livingston, State of Michigan, and described as follows: COMBINED PARCEL 8 and B-2: A parcel of land in the Southwest 1/4 of Section 35, Town 1 North, Range 5 East, Hamburg Township, Livingston County, State of Michigan, more particularly described as beginning at a point, said point being the Southwest corner of Section 35; proceeding thence from said POINT OF BEGINNING, North 02 degrees 11' 29" East 1748.34 feet, along the West line of Section 35; thence South 88 degrees 29' 00", East 404.21 feet; thence South 02 degrees 11' 29" East, 436.24 feet; thence South 87 degrees 05' 59" East 859.81 feet, along the South 1/8 line of Section 35, as monumented; thence South 02 degrees 54' 01" West 72.61 feet; thence 132.24 feet, along the arc of a 555.00 foot radius curve to the right, having a central angle of 13 degrees 39' 05", whose chord measures 131.92 feet and bears South 50 degrees 38' 15" East to a point of tangency for said of arc; thence South 43 degrees 48' 42" East 433.55 feet, to a point of curve; thence 370.27 feet, along the arc of a 425.00 foot radius curve to the left, having a central angle of 49 degrees 55' 05", whose chord measures 358.67 feet and bears South 68 degrees 46' 15" East, to a point of tangency for said arc; thence North 86 degrees 16' 13" East 31.49 feet; thence South 03 degrees 43' 47" East 241.93 feet, along the center line of Merrill Road, to a point of curve; thence 22.15 feet along the arc of a 3633.99 foot radius curve; thence left, having a central angle of 00 degrees 20' 57", whose chord measures 22.15 feet and bears South 03 degrees 54' 16" East; thence South 85 degrees 38' 14" West 430.66 feet; thence North 01 degrees 54' 16" East 88.82 feet; thence North 29 degrees 04' 55" East 245.37 feet; thence 141.82 feet along the arc of a 475.00 foot radius curve to the right, having a central angle of 17 degrees 06' 23", whose chord measures 141.29 feet and bears North 52 degrees 21' 54" West to a point of tangency for said arc; thence North 43 degrees 48' 42" West 291.82 feet, to a point of curve; thence 52.35 feet along the arc of a 50.00 foot radius curve to the left, having a central angle of 59 degrees 59' 34", whose chord measures 49.99 feet and bears North 73 degrees 48' 30" West to a point of reverse curve; thence 130.88 feet along the arc of a 50.00 foot radius curve to the right, having a central angle of 149 degrees 58' 50", whose chord measures 96.59 feet and bears North 28 degrees 48' 52" West; thence North 43 degrees 48' 42" West 5.13 feet to a point of curve; thence 76.75 feet along the arc of a 505.00 foot radius curve to the left, having a central angle of 08 degrees 42' 28", whose chord measures 76.67 feet and bears North 48 degrees 10' 55" West; thence South 46 degrees 05' 20" West 357.24 feet; thence South 42 degrees 02' 34" East 524.74 feet; thence South 44 degrees 21' 09" East 131.05 feet; thence South 75 degrees 52' 46" East 165.68 feet thence South 01 degrees West 54' 16" West 207.35 feet; thence South 37 degrees 01' 43" East 248.71 feet thence North 88 degrees 05' 44" West 1808.28 feet, along the South line of Section 35 to the POINT OF BEGINNING. SUBJECT TO the rights of the public over that part used for Merrill Road. SUBJECT TO a perpetual right of way

as described and recorded in Liber 192 of Deeds, page 171, Washtenaw County Records. SUBJECT TO AND TOGETHER WITH the use of, in conjunction with others, a private non-exclusive 50.00 feet wide, ingress, egress, public/private utility and storm water drainage/detention easement, as described below.

PRIVATE, NON-EXCLUSIVE 50.00 FEET WIDE, INGRESS, EGRESS, PUBLIC/PRIVATE UTILITY AND STORM WATER DRAINAGE EASEMENT: A private, non-exclusive, 50.00 feet wide, ingress, egress and public/private utility easement in the Southwest 1/4 of Section 35, Town 1 North, Range 5 East, Hamburg Township, Livingston County, State of Michigan, the center line of said easement being more particularly described as beginning at a point on the center line of Merrill Road, said point being distant the following four courses, from the Southwest corner of Section 35; North 02 degrees 11' 29" East 1321.86 feet, along the West line of Section 35; thence South 87 degrees 05' 59" East 1335.11 feet, along the South 1/8 line of Section 35, as monumented; thence South 87 degrees 13' 02" East 657.40 feet, along said South 1/8 line; thence South 03 degrees 43' 47" East 587.54 feet, along the center line of Merrill Road, to a POINT OF BEGINNING; proceeding thence, from said POINT OF BEGINNING, South 86 degrees 16' 13" West 31.49 feet, to a point of curve; thence 392.05 feet, along the arc of a 450.00 foot radius curve to the right, having a central angle of 49 degrees 55' 05", whose chord measures 379.77 feet and bears North 68 degrees 46' 15" West, to a point of tangency for said arc; thence North 43 degrees 48' 42" West 379.19 feet; thence South 44 degrees 25' 46" West 25.00 feet, to a point of ending for the center line of said 50 foot wide easement. Said point of ending being the radius point for a 50 foot radius cul-de-sac with a 50 foot reverse radius return. SUBJECT TO a 12 foot wide private easement for private and public utilities being over, under and across the Westerly 12 feet of the Easterly 45 feet of Parcel 1, Parcel 2, Parcel 3, Parcel 4, Parcel 5 and Parcel 8 and said 12 foot wide easement being also adjacent to and lying outside of the above described 50 foot wide ingress, egress cul-de-sac easement.

PRIVATE, NON-EXCLUSIVE, STORM WATER DRAINAGE DETENTION EASEMENT: An area of land over part of Parcel 8 for storm water detention and drainage being in the Southwest 1/4 of Section 35, Town 1 North, Range 5 East, Hamburg Township, Livingston County, State of Michigan, more particularly described as beginning at a point on the center line of Merrill Road, said point being distant the following four courses, from the Southwest corner of Section 35; North 02 degrees 11' 29" East 1321.86 feet, along the West line of Section 35; thence South 87 degrees 05' 59" East 1335.11 feet, along the South 1/8 line of Section 35, as monumented; thence South 87 degrees 13' 02" East 657.40 feet, along said South 1/8 line; thence South 03 degrees 43' 47" East 612.54 feet along the center line of Merrill Road, to a POINT OF BEGINNING proceeding thence from said POINT OF BEGINNING, South 03 degrees 43' 47" East 241.93 feet, along the center line of Merrill Road, to a point of curve; thence 22.15 feet, along the center line of Merrill Road and the arc of a 3633.99 foot radius curve to the left, having a central angle of 00 degrees 20' 57", whose chord measures 22.15 feet and bears South 03 degrees 54' 16" East; thence South 85 degrees 38' 14" West 430.66 feet; thence North 01 degrees 54' 16" East 88.82 feet; thence North 85 degrees 38' 14" 150.00 feet; thence North 29 degrees 04' 55" East 167.13 feet; thence 145.36 feet along the arc of a 475.00 and foot radius curve to the left; having a central angle of 17 degrees 32' 02", whose chord measures 144.79 feet and bears South 84 degrees 57' 46" East, to a point of tangency for said arc; thence North 86 degrees 16' 13" East 31.49 feet, to the POINT OF BEGINNING.

This property may be redeemed during the two (2) month redemption period following the sale.

Dated: November 6, 2023  
Anna Cleypool Deputy Sheriff  
Gary D. Klein (P49223)  
Attorney for Plaintiff

(11-12)(12-24)  
(11-12, 11-19, 11-26, 12-3, 12-10, 12-17 & 12-24-23 FNV)

**NOTICE OF FORECLOSURE  
BY ADVERTISEMENT.**

Notice is given under section 3212 of the revised judiciary act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in LIVINGSTON County, starting promptly at 10:00 AM, on January 10, 2024. The amount due on the mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

MORTGAGE INFORMATION: Default has been made in the conditions of a certain mortgage made by Gary W. Rutterbush, Jr. and Kristina Rutterbush, husband and wife, whose address is 10975 Four Lakes Drive, South Lyon, Michigan 48178, as original Mortgagors, to Mortgage Electronic Registration Systems, Inc., solely as nominee for First Guaranty Mortgage Corporation, being a mortgage dated August 26, 2016, and recorded on September 2, 2016 with Document Number 2016R-026586, Livingston County Records, State of Michigan and then assigned to Carrington Mortgage Services, LLC, as assignee as documented by an assignment dated November 27, 2023 and recorded on November 28, 2023 and given Document Number 2023R-021763 in Livingston County Records, Michigan, on which mortgage there is claimed to be due at the date hereof the sum of TWO HUNDRED FIFTEEN THOUSAND NINE HUNDRED SEVENTY-EIGHT AND 34/100 DOLLARS (\$215,978.34).

Said premises are situated in the Township of Green Oak, County of Livingston, State of Michigan, and are described as: Lot 38, Four Lakes Community Subdivision No. 2, according to the Plat thereof as recorded in Liber 10 of Plats, Page(s) 15, Livingston County Records. Street Address: 10975 Four Lakes Drive, South Lyon, Michigan 48178

The redemption period shall be 6 months from the date of such sale, unless the property is determined abandoned in accordance with MCLA § 600.3241a in which case the redemption period shall be 30 days from the date of the sale. If the property is sold at a foreclosure sale under Chapter 32 of the Revised Judiciary Act of 1961, pursuant to MCLA § 600.3278, the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period. THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE.

ATTENTION HOMEOWNER: IF YOU ARE A MILITARY SERVICE MEMBER ON ACTIVE DUTY, IF YOUR PERIOD OF ACTIVE DUTY HAS CONCLUDED LESS THAN 90 DAYS AGO, OR IF YOU HAVE BEEN ORDERED TO ACTIVE DUTY, PLEASE CONTACT THE ATTORNEY FOR THE PARTY FORECLOSING THE MORTGAGE AT THE TELEPHONE NUMBER STATED IN THIS NOTICE. Dated: December 3, 2023

For more information, please contact the attorney for the party foreclosing: Kenneth J. Johnson, Johnson, Blumberg, & Associates, LLC, 5955 West Main Street, Suite 18, Kalamazoo, MI 49009. Telephone: (312) 541-9710. File No.: MI 23 5440

(12-03)(12-24)

(12-3, 12-10, 12-17 & 12-24-23 FNV)



**NOTICE OF FORECLOSURE  
BY ADVERTISEMENT**

Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in Livingston County, starting promptly at 10:00 AM, on January 10, 2024. The amount due on the mortgage may be greater on the day of sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information:

Name(s) of the mortgagor(s): Amy L. King and Timothy L. King, wife and husband

Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for lender and lender's successors and/or assigns

Foreclosing Assignee (if any): Wells Fargo Bank, N.A.

Date of Mortgage: August 26, 2015

Date of Mortgage Recording: October 6, 2015

Amount claimed due on date of notice: \$106,522.60

Description of the mortgaged premises: Situated in Township of Unadilla, Livingston County, Michigan, and described as: Parcel 4:

Part of the Southeast 1/4 of Section 34, Town 1 North, Range 3 East, Unadilla Township, Livingston County, Michigan, described as: Commencing at the Southeast corner of said Section 34; thence along the East line of said Section North 03 Degrees 06 Minutes 11 Seconds West 1305.23 feet; thence North 89 Degrees 09 Minutes 09 Seconds West 594.64 feet for a point of beginning; thence continuing North 89 Degrees 09 Minutes 09 Seconds West 385.30 feet to a point on the Southerly extension of the centerline of a 66 foot wide private road easement for ingress and egress; thence along the Southerly extension of said centerline North 05 Degrees 26 Minutes 07 Seconds West 405.77 feet; thence North 86 Degrees 38 Minutes 13 Seconds East 400.90 feet; thence South 03 Degrees 06 Minutes 11 Seconds East 433.80 feet to the point of beginning.

Easement parcel: A non-exclusive 66 foot wide private easement for ingress, egress, installation and maintenance of public utilities being a part of the Southeast 1/4 of Section 34, Town 1 North, Range 3 East, Unadilla Township, Livingston County, Michigan, being more particularly described as follows: commencing at the Southeast corner of said Section 34; thence along the East line of said Section North 03 Degrees 06 Minutes 11 Seconds West 1305.23 feet; thence North 89 Degrees 09 Minutes 09 Seconds West 1228.70 feet; thence South 89 Degrees 52 Minutes 06 Seconds West 197.47 feet; thence North 02 Degrees 19 Minutes 02 Seconds West 768.17 feet to a point on the centerline of Williamsville Road; thence along said centerline North 84 Degrees 33 Minutes 53 Seconds East 369.10 feet for a point of beginning; thence continuing along said centerline North 84 Degrees 33 Minutes 53 Seconds East 66.00 feet; thence South 05 Degrees 26 Minutes 07 Seconds East 407.94 feet; thence along a cul-de-sac 402.85 feet along the arc of a circular curve to the right, having a central angle of 307 Degrees 45 Minutes 20 Seconds, a radius of 75.00 feet, and a chord which bears South 86 Degrees 38 Minutes 13 Seconds West 66.04 feet; thence North 05 Degrees 26 Minutes 07 Seconds West 405.55 feet to the point of beginning.

Common street address (if any): 19827 Williamsville Rd, Gregory, MI 48137-9569

The redemption period shall be 1 year from the date of such sale, unless determined abandoned in accordance with MCL 600.3241a.

If the property is sold at foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCL 600.3278 the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period.

Attention homeowner: If you are a military service member on active duty, if your period of active duty has concluded less than 90 days ago, or if you have been ordered to active duty, please contact the attorney for the party foreclosing the mortgage at the telephone number stated in this notice.

This notice is from a debt collector.

Date of notice: December 10, 2023

Trott Law, P.C.

31440 Northwestern Hwy, Suite 145

Farmington Hills, MI 48334

(248) 642-2515

1516751

(12-10)(12-31)

(12-10, 12-17, 12-24 & 12-31-23 FNV)

**NOTICE OF FORECLOSURE  
BY ADVERTISEMENT.**

Notice is given under section 3212 of the revised judicature act of 1961, 1961 PA 236, MCL 600.3212, that the following mortgage will be foreclosed by a sale of the mortgaged premises, or some part of them, at a public auction sale to the highest bidder for cash or cashier's check at the place of holding the circuit court in LIVINGSTON County, starting promptly at 10:00 AM, on January 17, 2024. The amount due on the mortgage may be greater on the day of the sale. Placing the highest bid at the sale does not automatically entitle the purchaser to free and clear ownership of the property. A potential purchaser is encouraged to contact the county register of deeds office or a title insurance company, either of which may charge a fee for this information.

MORTGAGE INFORMATION: Default has been made in the conditions of a certain mortgage made by Jackie D. Morrow, single man, whose address is 6030 Academy Drive, Brighton, Michigan 48116, as original Mortgagors, to Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Union Home Mortgage Corp., being a mortgage dated March 19, 2021, and recorded on April 2, 2021 with Document Number 2021R-014260, Livingston County Records, State of Michigan and then assigned through mesne assignments to Carrington Mortgage Services, LLC, as assignee as documented by an assignment dated May 26, 2023 and recorded on May 26, 2023 and given Document Number 2023R-009736 in Livingston County Records, Michigan, on which mortgage there is claimed to be due at the date hereof the sum of TWO HUNDRED FIFTY-ONE THOUSAND SEVEN HUNDRED THIRTY AND 10/100 DOLLARS (\$251,730.10).

Said premises are situated in the Township of Green Oak, County of Livingston, State of Michigan, and are described as: Lot 24, Victoria Park Subdivision, according to the recorded plat thereof, as recorded in Liber 5 of Plats, Page 11, Livingston County Records. Street Address: 6030 Academy Drive, Brighton, Michigan 48116

The redemption period shall be 6 months from the date of such sale, unless the property is determined abandoned in accordance with MCLA § 600.3241a in which case the redemption period shall be 30 days from the date of the sale. If the property is sold at a foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCLA § 600.3278, the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period. THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION WE OBTAIN WILL BE USED FOR THAT PURPOSE. ATTENTION HOMEOWNER: IF YOU ARE A MILITARY SERVICE MEMBER ON ACTIVE DUTY, IF YOUR PERIOD OF ACTIVE DUTY HAS CONCLUDED LESS THAN 90 DAYS AGO, OR IF YOU HAVE BEEN ORDERED TO ACTIVE DUTY, PLEASE CONTACT THE ATTORNEY FOR THE PARTY FORECLOSING THE MORTGAGE AT THE TELEPHONE NUMBER STATED IN THIS NOTICE. Dated: December 10, 2023

For more information, please contact the attorney for the party foreclosing: Kenneth J. Johnson, Johnson, Blumberg, & Associates, LLC, 5955 West Main Street, Suite 18, Kalamazoo, MI 49009. Telephone: (312) 541-9710. File No.: MI 23 5413

(12-10)(12-31)

(12-10, 12-17, 12-24 & 12-31-23 FNV)

**VILLAGE OF FOWLerville  
NOTICE OF ADOPTION**

TO: ALL PERSONS INTERESTED

Please take notice that on December 4, 2023, the Village Council of the Village of Fowlerville adopted Ordinance No. 493, amending Chapter 42, Fire Prevention and Protection, of the Fowlerville Code of Ordinances.

Purpose of Ordinance 493:

This Ordinance is enacted pursuant to Act 33 of Public Acts of 1951, as amended (MCL 41.801 et seq), and Chapter X of the Village Charter, being the General Law Village Act, Act 3 of 1895, as amended, (MCL 70.1 – 70.11) for the purposes of providing fire inspection services, to provide for the powers and duties of fire authorities, and to provide enforceable regulations, including the adoption of the International Fire Code, 2021 Edition, including Appendices A, B, C, D, E, F, G, H, I, J, K and N, as published by the International Code Council, with required additions, insertions and changes. The International Fire Code provides for governing the safe guarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the geographical area serviced by the Fowlerville Area Fire Authority within the Village of Fowlerville, and provides for the issuance of permits for hazardous uses and operations, the enforcement thereof and to prescribe penalties and remedies thereto.

Copies of the Ordinance and the adopted International Fire Code, 2021 Edition, will be available for public use and inspection at the Office of the Village Manager/Clerk in the Village Hall, 213 South Grand Ave., Fowlerville, MI 48836, during regular Village business hours.

This Ordinance 493 is effective ten (10) days from the date of this publication.

**VILLAGE OF FOWLerville**

By: Kathryn M. Rajala-Gutzki,

Village Clerk/Manager

(12-10-23 FNV)

**NOTICE OF PUBLIC HEARING**  
**PROPOSED SPECIAL ASSESSMENT**  
**TOWNSHIP OF CONWAY, LIVINGSTON**  
**COUNTY, MICHIGAN**

TO THE RECORD OWNERS OF THE FOLLOWING PROPERTY CONSTITUTING THE **PROPOSED SECLUDED ACRES SPECIAL ASSESSMENT DISTRICT**, which properties in proposed district consist of all units in the Secluded Acres Site Condominium, Livingston County Condominium Plan No. 223, abutting the private roads located in the condominium commonly known as Secluded Ridge Drive, Hidden Circle Drive, and Hidden Knoll Court ("Secluded Acres Roads") AND ALL OTHER INTERESTED PERSONS:

Units 1-52 of the Secluded Acres Site Condominium, Livingston County Condominium Plan No. 223, associated with Parcel Identification Numbers 4701-02-101-001 through 4701-02-101-055, 4701-02-101-057 and 4701-02-101-058.

**PLEASE TAKE NOTICE** that the Township Board of Conway Township, acting on a petition signed by the record owners of more than seventy one percent (71%) of the total number of units of the Secluded Acres Site Condominium owning the frontage along Secluded Acres Roads, has set a first public hearing to consider the establishment of a special assessment district for the purpose of improvements and repairs to Secluded Acres Roads, and to defray the cost thereof by special assessment pursuant to Public Act 188 of 1954 against the properties specifically benefited thereby. The proposed cost for said improvements of Secluded Acres Roads are on file with the Township Clerk and will be available at the public hearing. Periodic redeterminations of costs may be made without further notice.

**PLEASE TAKE FURTHER NOTICE** that the Township Board will meet and hold a public hearing at the Conway Township Hall at a regular meeting of the Township Board on **December 19, 2023, at 7:00 p.m.** to hear objections and favorable comments to the proposed special assessment district.

Any objection to the improvement pursuant to MCL 41.723(1)(b) must be made in writing at or before the first public hearing. A determination by the Township Board of the sufficiency and necessity of the request is not subject to attack except in an action brought in a court of competent jurisdiction within 30 days after the adoption of the resolution determining such sufficiency. If the Township Board determines the sufficiency of the petition and approves the making of the improvements, a special assessment may be levied against properties that benefit. An owner of or party of interest in property to be assessed, or their agent, may appear in person to protest the special assessment, or may appear by letter filed with the Township Clerk at or prior to the time of the hearing. A hearing for the purpose of confirming the special assessment roll will be held, sometime in the future pursuant to notice given as required by law. Public Act 188 of 1954, as amended, provides that the appearance and proper protest of the special assessment at the public hearing held for the purpose of confirming the special assessment roll is required before the Michigan Tax Tribunal may acquire jurisdiction of any dispute involving the amount of the special assessment. After confirmation of the special assessment roll, all assessments on that roll shall be final and conclusive unless action contesting an assessment is filed in a court of competent jurisdiction within thirty (30) days of confirmation.

Conway Township will provide necessary, reasonable auxiliary aids and services at the meeting to individuals with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, upon reasonable advance notice to the Conway Township Clerk by writing or calling the following: 8015 N Fowlerville, Fowlerville, MI 48836 or call 517 223-0358, between the hours of 9-3 Tuesdays and Wednesdays.

Elizabeth Whitt, Clerk  
Conway Township  
8015 N. Fowlerville Road  
Fowlerville, MI 48836  
517-223-0358  
(12-10-23 FNV)

## Annual Report on Status of Tax Increment Financing Plan

Send completed form to: [Treas-StateSharePropTaxes@michigan.gov](mailto:Treas-StateSharePropTaxes@michigan.gov)

Issued pursuant to 2018 PA 57, MCL 125.4911. Filing is required within 180 days of end of authority's fiscal year ending in 2023. MCL 125.4911(2)

Village of Fowlerville		For Fiscal Year			
Downtown Development Authority	TIF Plan Name	ending in 2023			
Year AUTHORITY (not TIF plan) was created:	1				
Year TIF plan was created or last amended to extend its duration:	1989				
Current TIF plan scheduled expiration date:	1991				
Did TIF plan expire in FY22?	2028				
Year of first tax increment revenue capture:	NO				
Does the authority capture taxes from local or intermediate school districts, or capture the state education tax? Yes or no?	1991				
If yes, authorization for capturing school tax: Year school tax capture is scheduled to expire:	NO				
	N/A				
<b>Revenue:</b>					
Tax Increment Revenue		\$406,888			
Property taxes - from DDA millage only		\$ -			
Interest		\$12,524			
State reimbursement for PPT loss (Forms 5176 and 4650)		\$17,644			
Other income (grants, fees, donations, etc.)		\$18,300			
	<b>Total</b>	<b>\$455,356</b>			
<b>Tax Increment Revenues Received</b>		<b>Revenue Captured</b>	<b>Millage Rate Captured</b>		
From counties		\$68,680	0.0038		
From cities		\$ -			
From townships		\$15,126	0.0008		
From villages		\$263,379	0.0143		
From libraries (if levied separately)		\$24,156	0.0013		
From community colleges		\$ -			
From regional authorities (type name in next cell)	FIRE	\$35,548	0.0019		
From local school districts-operating		\$ -			
From local school districts-debt		\$ -			
From intermediate school districts		\$ -			
From State Education Tax (SET)		\$ -			
From state share of IFT and other specific taxes (school taxes)		\$ -			
	<b>Total</b>	<b>\$406,888</b>			
<b>Expenditures</b>					
AUDIT		\$2,100			
BLDG/GROUNDS		\$27,981			
LEGAL		\$13,656			
STREET LIGHTING		\$6,528			
ECONOMIC DEVELOPMENT		\$27,397			
<b>Transfers to other municipal fund (list fund name)</b>					
Transfers to General Fund		\$51,500			
	<b>Total</b>	<b>\$129,162</b>			
<b>Total outstanding non-bonded indebtedness</b>					
Principal		\$200,000			
Interest		\$24,800			
<b>Total outstanding bonded indebtedness</b>					
Principal		\$ -			
Interest		\$ -			
	<b>Total</b>	<b>\$224,800</b>			
<b>Bond Reserve Fund Balance</b>		\$ -			
<b>Unencumbered Fund Balance</b>		\$ -			
<b>Encumbered Fund Balance</b>		\$ -			
<b>CAPTURED VALUES</b>			<b>Overall Tax rates</b>		
<b>PROPERTY CATEGORY</b>	<b>Current Taxable Value</b>	<b>Initial (base year) Assessed Value</b>	<b>Captured Value</b>	<b>captured by TIF plan</b>	<b>TIF Revenue</b>
Ad valorem PRE Real	\$ -	\$ -	\$ -	0.000000	\$0.00
Ad valorem non-PRE Real	\$28,758,402	\$10,729,850	\$18,028,552	21.414500	\$386,072.43
Ad valorem industrial personal	\$4,142,575	\$1,882,600	\$2,259,975	21.414500	\$48,396.23
Ad valorem commercial personal	\$ -	\$ -	\$ -	21.567200	\$0.00
Ad valorem utility personal	\$ -	\$ -	\$ -	0.000000	\$0.00
Ad valorem other personal	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT New Facility real property, 0% SET exemption	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT New Facility real property, 50% SET exemption	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT New Facility real property, 100% SET exemption	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT New Facility personal property on industrial class land	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT New Facility personal property on commercial class land	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT New Facility personal property, all other	\$ -	\$ -	\$ -	0.000000	\$0.00
Commercial Facility Tax New Facilit	\$ -	\$ -	\$ -	0.000000	\$0.00
IFT Replacement Facility (frozen values)	\$ -	\$ -	\$ -	0.000000	\$0.00
Commercial Facility Tax Restored Facility (frozen values)	\$ -	\$ -	\$ -	0.000000	\$0.00
Commercial Rehabilitation Act	\$ -	\$ -	\$ -	0.000000	\$0.00
Neighborhood Enterprise Zone Act	\$ -	\$ -	\$ -	0.000000	\$0.00
Obsolete Property Rehabilitation Act	\$ -	\$ -	\$ -	0.000000	\$0.00
Eligible Tax Reverted Property (Land Bank Sale)	\$ -	\$ -	\$ -	0.000000	\$0.00
<b>Exempt (from all property tax) Real Property</b>	\$ -	\$ -	\$ -	0.000000	\$0.00
<b>Total Captured Value</b>		\$12,612,450	\$20,288,527	<b>Total TIF Revenue</b>	<b>\$434,486.66</b>



## ORDINANCE NO. 492 ORDINANCE AMENDING THE FOWLerville VILLAGE CODE OF ORDINANCES BY AMENDING SECTION 50-2

The Village of Fowlerville ordains:

**Section 1.** Chapter 50, *Municipal Civil Infractions* Article I, *General*, Section 50-2, *Designation of authorized village officials*; of the Code of Ordinances, Village of Fowlerville, is hereby amended to read as follows:

**Sec. 50-2. Designation of authorized village officials.**

The following village personnel and other listed authorized officials have the authority to issue municipal civil infraction citations and municipal civil infraction violation notices pursuant to this chapter:

- (1) Police officers.
- (2) The police chief.
- (3) The building inspector.
- (4) For municipal civil infraction citations and municipal civil infraction violation notices under Code Chapter 26, Cemeteries, the cemetery superintendent.
- (5) The code enforcement officer.
- (6) The village manager.
- (7) The village president.
- (8) For municipal civil infraction citations and municipal civil infraction violation notices under Code Chapter 42, Fire Prevention and Protection, the Fowlerville Area Fire Authority Fire Chief and the Fire Chief's designee, who shall be the Assistant Fire Chief, the Fire Marshal, and fire inspectors assigned to the Fire Marshal's Division.

**Section 2. Validity and Severability.** The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

**Section 3. Repealer Clause.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 4. Savings Clause.** This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

**Section 5. Effective Date.** This Ordinance shall be effective twenty (20) days after its passage, or from and after its publication, whichever is later.

*Carol Hill*

Carol Hill, Village President

*Kathryn Rajala-Gutzki*

Kathryn Rajala-Gutzki, Village Clerk/Manager

**REVIEWED FOR FORM:**

*David G. Stoker*

David G. Stoker, Village Attorney

Village Council Member Helfmann offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member Mills, and upon being put to a vote, the vote was as follows:

Carol Hill, President	AYE
Kathryn Heath, President Pro Tem	AYE
Craig Curtis, Trustee	AYE
Mary Helfmann, Trustee	AYE
Jamie Hernden, Trustee	AYE
Jim Mayhew, Trustee	AYE
Jane Mills, Trustee	AYE

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Fowlerville this 4th day of December 2023.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 492, adopted by the Village Council of the Village of Fowlerville, County of Livingston, Michigan, at a regular meeting held on December 4, 2023.

*Kathryn Rajala-Gutzki*

Kathryn Rajala-Gutzki, Village Clerk/Manager

(12-10-23 FNV)

## Village of Fowlerville Businesses and Residents Reminders:

Please be advised the Village of Fowlerville Ordinance for Snow and Ice Removal is as follows:

**Snow and Ice Removal**

During a snow emergency, all vehicles MUST be removed from the streets to allow for snow plowing. Cars that are not moved may be ticketed and/or towed at the owner's expense.

**The village ordinance requires all owners or occupants of any lot to remove all snow and ice from the sidewalks that are adjacent and abutting such lot, lots, or premises with the following time frames:**

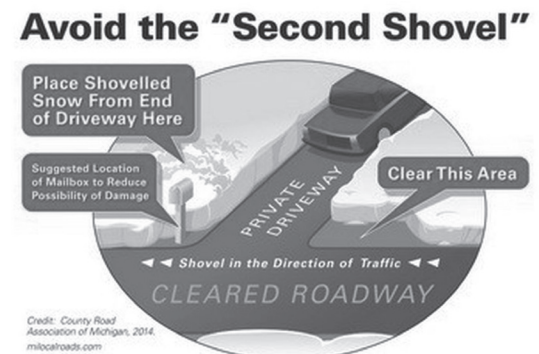
- Within 24 hours after any snow or sleet storm shall cease if the storm results in four or less inches of snow or precipitation.
- Within 48 hours after any snow or sleet storm shall cease if the storm results in more than four inches of snow or precipitation.

**Don't Plow or Shovel into the Street**

It is illegal under the State of Michigan Law (Section 257.677 (a) of the Michigan vehicle Code) to shovel or plow snow or ice onto any street, road, or highway or deposit snow on a road in such a way that it blocks motorist's views of traffic.

**Avoid the Second Shovel**

If homeowners don't make a place for the snow to go, the momentum of the passing plow is going to throw snow right back into the driveway. A little early planning on where to shovel can save residents both time and frustration."



**Village of Fowlerville Ordinance-Neglect to remove snow, procedure.**

Should any owner or occupant of lot, lots, or premises neglect or refuse to remove the snow and ice from the sidewalks adjacent to and abutting upon such lot, lots, or premises with the time limited in this division for the removal of the same, then the village manager or his designee remove or cause to be removed all snow and ice at the expense of the owner or occupant and the amount of all expenses incurred thereby shall be billed to the owner.

**Mailboxes:**

**DON'T NEGLECT YOUR MAILBOX POST.**

If you can "shake" your post, consider compacting the soil by the base of the post so that it doesn't begin to lean when snow starts to build up. Keep snow and any other debris clear and away from your mailbox. This will make it easier to be seen, and accessible. Just make sure not to shovel any snow back into the streets.

Most mailbox damage occurs when heavy, wet snow is thrown against a weakened post or box. The Village of Fowlerville cannot assume responsibility for such damage. If the mailbox or post is damaged by snow thrown by the snow removal vehicles, it is the homeowner's responsibility to replace the box and post. It is the homeowner's responsibility to install the mailbox as set by the United States Postal Service guidelines. Please make sure the front of your mailbox is positioned just behind the curb. The trucks that are used to plow the street have back blades, if the mailbox is not installed properly, it may get hit by the plow truck.

Thank you for your continued support and efforts.

(12-10-23 FNV)

**ORDINANCE NO. 494**  
**ORDINANCE AMENDING THE FOWLerville**  
**VILLAGE CODE OF ORDINANCES BY**  
**AMENDING CHAPTER 82 – UTILITIES,**  
**SECTIONS 82-26, 82-216, 82-686, 82-687,**  
**82-688, AND 82-756**

The Village of Fowlerville ordains:

**Section 1.** Chapter 82, *Utilities*, Article II, *Water Service*, Division 1, *Generally*, Section 82-26, *Definitions*, of the Code of Ordinances, Village of Fowlerville, is hereby amended revise the definitions of *Debt Service Charge*, *Replacement/Improvement Charges*, adding new defined terms of *AWWA*, *Commodity Charge*, *O & M Cost*, *Readiness-To-Serve Charge*, *Residential Equivalent Charge*, and *Water Service Charge*, and repealing the definitions of *Meter equivalent charge*, as follows:

*AWWA* means the American Water Works Association.

*Commodity Charge* means the charge imposed on metered users of the Water Supply System calculated on the basis of metered gallons of water consumed, as described in section 82-687.

*Debt service cost or debt retirement* means the cost that users of the water system shall be required to pay, including principal and interest costs, for retiring local debt incurred for the construction of the village water supply, storage, treatment, transmission or distribution facilities.

*O & M cost* means the cost assessed to users of the system for the cost of operation and maintenance, including the cost of replacement of the system.

*Readiness-To-Serve charge* means a charge calculated on the basis of meter size in accordance with section 82-687.

*Replacement/improvement cost* means a quarterly minimum cost set by the council for all users of the village water system, which may be allocated to the replacement fund, the contract payment fund, and/or the improvement fund as deemed appropriate by the council.

*Residential Equivalent Charge* means the monthly or quarterly charge set by the village council for unmetered users of the village water system in lieu of commodity charges in accordance with water use registered on a meter.

*Water service charge* means the charge to users of the village water system and shall be the sum of the readiness-to-serve charge plus either the metered user commodity charge or the unmetered user residential equivalent charge, whichever is applicable.

**Section 2.** Chapter 82, *Utilities*, Article III, *Sewer Service*, Division 1, *Generally*, Section 82-216, *Definitions*, of the Code of Ordinances, Village of Fowlerville, is hereby amended revise the definitions of *Capacity charge*, *Debt service charge*, *O & M Charge*, *Residential equivalent or equivalent unit*, *Residential user*, *Sewer service charge*, *Table of unit factors*, adding new defined terms of *AWWA*, *Commodity Charge*, *Meter*, *Metered User*, *Premises*, *Readiness-To-Serve Charge*, and *Village engineer or engineer*, and repealing the definitions of *User charge*, as follows:

*AWWA* means the American Water Works Association.

*Capital Connection Charge* means, in addition to any other assessments, costs, or levies under this article or article V of this chapter, a charge for capacity utilization and/or reservation levied for all residential multiple dwellings for each residential equivalent in excess of one residential equivalent. The amount of the charge shall be as set forth in article V of this chapter. Premises other than single-family residences shall pay a connection charge in the amount of the Capital connection charge multiplied by the factor developed in the formula established by the table of unit factors pursuant to section 82-721.

*Commodity Charge* means the charge imposed on metered users of the village wastewater collection system calculated on the basis of metered gallons of water consumed, as described in section 82-721.

*Debt Service Cost* means the cost assessed users of the system which is used to pay principal, interest, and administrative costs of retiring the debt incurred for the construction of the local portion of the system.

*Meter* means a device especially designed for measuring and recording the use of water from the village water system.

*Metered User* means a user of the village wastewater collection system who is also a metered user connected to the village water system and have installed a water meter and pay monthly or quarterly water charges in accordance with water use registered on the meter.

*O & M Cost* means the cost assessed to users of the system for the cost of operation and maintenance, including the cost of replacement of the system pursuant to section 204b of PL 92-500.

*Premises* means each lot or parcel of land, building or structure or part thereof having a connection to the village wastewater collection system.

*Readiness-To-Serve Charge* means a charge calculated on the basis of meter size in accordance with section 82-721.

*Residential equivalent or equivalent unit* means the factor representing a ratio of the estimated sewage generated by each user class to that generated by the normal unmetered single-family residential user. The designation “RE” means residential equivalent.

*Residential user* means the user of the system whose premises are or whose building is used primarily as a residence for one or more persons, including dwelling units such as detached dwellings, semidetached dwellings, row houses, mobile homes, apartments, or permanent multifamily dwellings. For

purposes of this article, a transient lodging shall be considered to be a commercial use.

*Sewer Service Charge* means the charge to users of the village sewage collection and treatment system and shall be the sum of the readiness-to-serve charge plus either the metered user commodity charge or the unmetered user residential equivalent charge, whichever is applicable.

*Table of unit factors* means that Residential Equivalent table included in section 82-721 and adopted by the village and utilized to identify the various classifications of sewer users and stating as residential equivalents or RE the ratio of such use of the system to that of a single-family residence and used for determining the applicable connection charges.

*Village engineer or engineer* means the registered engineer appointed by the village council for service as engineer to the village and to the village council.

**Section 3.** Chapter 82, *Utilities*, Article V, *Rates, Charges and Billing Procedure*, Division 2, *Water Rates and Charges*, Sec. 82-686, *Establishment of Rates; Rates and Charges; Review*, Sec. 82-687, *Use charges*, and Sec. 82-688, *Connection charges* of the Code of Ordinances, Village of Fowlerville, is hereby amended to read as follows:

**Sec. 82-686. Establishment of Rates; Rates and Charges; Review.**

(A) *Establishment of cost of service.* The Village Council has determined that the purpose of water rates is to produce sufficient revenues each year to pay the costs of service. The costs of service to be paid from revenues shall include all of the following:

- (1) Operation and maintenance costs;
- (2) Replacement, repair and improvement costs;
- (3) Debt service costs or debt retirement costs;
- (4) Water system administrative costs;
- (5) Capital expenses not funded from bonded indebtedness; and
- (6) Other costs and expenses deemed reasonable and necessary to support the village water system.

(B) The rates to be charged for water service furnished by the village water system shall be made against each lot, parcel of land or premises having any connection with the water system.

(C) The village shall periodically review rates, fees, rules and regulations of the Village water system. The review shall be completed not less than one time per fiscal year. The review will define actual expenses associated with the operation, maintenance, and administration of the Village water system, as well as debt service requirements, repair and replacement, and improvement costs. Results of the review shall be reported to the Village Council with recommendations for any adjustments.

(D) Allocation of cost of service; user classification. The Village Council has determined that not all classes of users of the Village water system cause the same costs of service. Based on independent investigation and on the advice of the village’s independent engineering consultants, the Village Council has previously found and currently reaffirms that:

- (1) The commodity costs of water service for users of the Village water system located within the village are uniform among users in accordance with the volume of use. Accordingly, all classes of users located within the village shall pay the same rate per gallon of metered water for water supply services.
- (2) Certain indirect costs of providing water service, including size of the water service pipe, materials used, location of meters, size of storage and treatment facilities, maintenance and administrative overhead, vary according to the size of meters employed.
- (3) Users taking possession of previously undeveloped properties and users changing the nature and amount of use of the Village water system at renovated or expanded properties would not bear their proportionate share of the cost of capital improvements to the Village water system unless required to pay a capital connection fee.
- (4) Certain types of property use require a reservation of a greater capacity of the Village water system than others. The Village Council has therefore developed the following classification of users which the Village Council finds is the most fair and accurate means of apportioning the indirect costs of providing service among different classes of users.

(E) For purposes of calculating the readiness-to-serve charge, meters of the following sizes, and the following meter equivalency ratios of the AWWA Meter Multiplier Table shall be used for purposes of allocating the amount of the indirect costs of service and determining the relative demand on capacity of the Village water system per meter size.

Meter Size	Multiplier
5/8”	1
3/4”	1.5
1”	2.5
1 1/2”	5
2”	8
3”	15
4”	25
6”	50
8” and Larger	80

(F) For determining the relative demand on capacity of the village water system among different classes of users for purposes of calculating the capital connection charges, the Table of Unit Factors as adopted in article III of this chapter (Section 82-721) shall be used.

**Sec. 82-687. Use charges.**

(A) Water use charges, including metered use charges, residential equivalent charges, and replacement improvement charges, shall be in such amounts as established by resolution of the village council.

(B) *Specific user rates and charges.*

*continued on next page*



## ORDINANCE NO. 494, CONTINUED

(1) *Commodity charge.* Every user shall pay a commodity charge for all water furnished by the village water system. Except as otherwise provided in this subchapter, commodity charges for all water service shall be calculated on the basis of metered gallons of water consumed at rates determined by the Village Council and which fairly apportion the variable costs of providing water service to users of the village water system.

(2) *Residential equivalent charge.* A monthly or quarterly residential equivalent charge means the charge set by the village council by resolution for unmetered users of the village water system in lieu of commodity charges based upon a commodity use rate of 15,000 gallons per quarter.

(3) *Readiness-to-serve charge.* Every user shall pay a readiness-to-serve charge for water service on the basis of meter size in an amount and in the manner determined by the Village Council and which fairly apportions the fixed costs of providing water service for users of the Water Supply System. The table meter sizes and all applicable factors to be multiplied by an amount water ready to serve rate established by Village Council resolution to establish the applicable readiness to serve quarterly charge.

### Sec. 82-688. Connection charges.

(A) *Capital connection charges.* All new connections to the village water system shall be charged a water capital connection charge. Water capital connection charges for services within the village limits shall be an amount established by resolution of the village council for each residential dwelling unit. For other uses the capital connection charge shall be an amount equal to the residential dwelling unit charge for each residential equivalent unit factor, as calculated pursuant to the table of unit factors for the village water system, which table is incorporated in this chapter by reference and is on file and available for inspection at the village offices. The table shall set forth and identify the user class and all applicable factors to be multiplied by an amount equal to the residential dwelling unit charge for each residential equivalent unit factor, which is designated as a residential equivalent (RE). The table of unit factors may be modified or amended from time to time by resolution of the village council. The water capital connection charges for any nonresidential user not expressly set forth in the table of unit factors shall be set by the council for each tap. In no case will the charge be less than an amount equal to the residential dwelling unit charge for any one tap. The water capital connection charge shall be paid in advance of a permit being issued or a connection being installed; provided, however, when the water capital connection charges exceed \$80,000.00, the time for paying the charge may be extended under the terms that may be established by resolution of the village council.

(B) *Benefit charges.* Any person owning land in direct proximity to a village water main constructed after January 1, 1989, whose land has not been subjected to a special assessment to pay for the construction of the main and who makes connection to the water main shall pay a benefit charge for the privilege of each connection to the main, in addition to all other charges required by article II of this chapter or this division. The benefit charge shall be established from time to time by resolution of the village council. The benefit charge shall be paid in cash or installments with interest and penalties, all as shall be established and provided from time to time by resolution of the village council.

**Section 4.** Chapter 82, *Utilities, Article V, Rates, Charges and Billing Procedure, Division 3, Sewer Rates and Charges, Sec. 82-721, Establishment of Rates; Review of the Code of Ordinances, Village of Fowlerville,* is hereby amended to read as follows:

### Sec. 82-721. Establishment of Rates; Review.

The village council is authorized to establish rates and charges for the support of maintenance, operation and improvements to the village wastewater collection system as it deems reasonable and necessary. Sewer use charges shall be periodically reviewed by the council to determine whether such charges are in accordance with requirements for operation, maintenance and replacement of the system and for necessary system improvements.

(A) *Establishment of cost of service.* The Village Council has determined that the purpose of sewer rates is to produce sufficient revenues each year to pay the costs of service. The costs of service to be paid from revenues shall include all of the following:

- (1) Operation and maintenance costs;
- (2) Replacement, repair and improvement costs;
- (3) Debt service costs or debt retirement costs;
- (4) Water system administrative costs;
- (5) Capital expenses not funded from bonded indebtedness; and
- (6) Other costs and expenses deemed reasonable and necessary to support the village wastewater collection system.

(B) The rates to be charged for sewer service furnished by the village wastewater collection system shall be made against each lot, parcel of land or premises having any connection with the wastewater collection system.

(C) The village shall periodically review rates, fees, rules and regulations of the village wastewater collection system. The review shall be completed not less than one time per fiscal year. The review will define actual expenses associated with the operation, maintenance and administration of the Village wastewater collection system, as well as debt service requirements, repair and replacement, and improvement costs. Results of the review shall be reported to the Village Council with recommendations for any adjustments.

(D) Allocation of cost of service; user classification. The Village Council has determined that not all classes of users of the village wastewater collection system cause the same costs of service. Based on independent investigation and on the advice of the village's independent engineering consultants, the Village Council has previously found and currently reaffirms that:

- (1) The commodity costs of wastewater collection service for users of the village wastewater collection system located within the village are uniform among users in accordance with the volume of use. Accordingly, all classes of users located within the village shall pay the same sewer rate per gallon based on the metered water amounts for water supply services.
- (2) Certain indirect costs of providing sewer service vary according to the

size of meters employed;

(3) Users taking possession of previously undeveloped properties and users changing the nature and amount of use of the village wastewater collection system at renovated or expanded properties would not bear their proportionate share of the cost of capital improvements to the village wastewater collection system unless required to pay a capital connection fee; and

(4) Certain types of property use require a reservation of a greater capacity of the village wastewater collection system than others. The Village Council has therefore developed the following classification of users which the Village Council finds is the most fair and accurate means of apportioning the indirect costs of providing service among different classes of users.

(E) For purposes of calculating the readiness-to-serve charge, meters of the following sizes, and the following residential equivalency ratios of the AWWA Meter Multiplier Table shall be used for purposes of allocating the amount of the indirect costs of service and determining the relative demand on capacity of the village wastewater collection system per meter size.

Meter Size	Multiplier
5/8"	1
3/4"	1.5
1"	2.5
1 1/2"	5
2"	8
3"	15
4"	25
6"	50
8" and Larger	80

(F) For determining the relative demand on capacity of the village wastewater collection system among different classes of users for purposes of calculating the capital connection charges, the Table of Unit Factors as adopted in article III of this chapter (Section 82-721) shall be used.

(G) Specific user rates and charges.

(1) Sewer service user charges, including metered user commodity charges, unmetered user residential equivalent charge charges, and readiness-to-serve charge shall be in such amounts as established by resolution of the village council.

(2) *Commodity charge.* Every user shall pay a commodity charge for all sewer services furnished by the village wastewater collection system. Except as otherwise provided in this subchapter, commodity charges for all sewer service shall be calculated on the basis of metered gallons of water consumed through the village water system at rates determined by the Village Council and which fairly apportion the variable costs of providing sewer service to users of the village wastewater collection system.

(3) *Residential equivalent charge.* A monthly or quarterly residential equivalent charge means the charge set by the village council by resolution for unmetered users of the village water system in lieu of commodity charges based upon a commodity use rate of 15,000 gallons per quarter. Unmetered users may, at their request, install a water meter for measurement of actual water use. A user shall install a meter for measuring wastewater discharge to village wastewater treatment facilities. Meters shall be read monthly or at such other period as may be determined by the village. The sewer service charge for metered users shall be a commodity charge amount established by resolution of the Village Council.

(4) *Readiness-to-serve charge.* Every user shall pay a readiness-to-serve charge for sewer service on the basis of water meter size in an amount and in the manner determined by the Village Council and which fairly apportions the fixed costs of providing sewer service for users of the village wastewater collection system. The table meter sizes and all applicable factors to be multiplied by an amount water ready to serve rate established by Village Council resolution to establish the applicable readiness to serve quarterly charge.

(5) *Schools.* In lieu of debt service charges, schools shall be charged as set forth in the table of unit factors on file and available for inspection at the village offices, plus metered charges per 1,000 gallons.

(H) Connection charges.

(1) *Capital connection charge (Capacity indirect connection charge).* There shall be paid for each single-family residential premises or single-family residential equivalent (RE) connecting to any sewer lines, in cash, at the time of application for the connection permit for the privilege of indirectly using the facilities of such sewer system and receiving service therefrom, the amount established by resolution of the village council, plus such other charges as may be levied. For all multiple residential dwellings, whether connecting directly or indirectly to the sanitary sewer system, there shall be paid, in cash, for all sewage treatment and transmission capacity, the sum equal to that established by the council for a single-family dwelling for each residential equivalent (RE). Premises subject to the capital connection charge (indirect connection charge) and all other premises other than single-family residences and multiple residential dwellings connecting directly to the sanitary sewer system shall pay the amounts multiplied by the factor developed in the formula established by the table of unit factors pursuant to subsection (2) of this section. The table shall set forth and identify the user class and all applicable factors to be multiplied by an amount equal to the residential dwelling unit charge for each residential equivalent unit factor, which is designated as a residential equivalent (RE). The table of unit factors may be modified or amended from time to time by resolution of the village council. The sewer capital connection charges for any nonresidential user not expressly set forth in the table of unit factors shall be set by the council for each tap. In no case will the charge be less than an amount equal to the residential dwelling unit charge for any one tap. When the capital connection charge exceeds \$80,000.00, the time for paying the charge may be extended

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## ORDINANCE NO. 494, CONTINUED

under the terms that may be established by resolution of the village council.

(2) *Table of unit factors.* For all other users of the system and except as otherwise provided in article III of this chapter and this division, the village adopts a table of factors for the village wastewater collection and treatment system, which table is incorporated by reference and is on file and available for inspection at the village offices. The table shall set forth and identify the user class and all applicable factors to be multiplied by the quarterly charge established for single-family residential premises, which is designated as a residential equivalent (RE). The table may be modified or amended from time to time by resolution of the village council.

(a) *Rules for interpreting table of unit factors.* Rules for interpreting the table of unit factors shall be as follows:

1. The minimum equivalent factor for all users shall be one residential equivalent.

2. Equivalent units for users not originally contained in the table may be added thereto from time to time by resolution of the village council.

3. Where multiple metered businesses exist at one location, the various businesses shall be combined for determining the sewer service charge.

(b) *Revision or modification of equivalent units.* The equivalent units of a user having an equivalent unit factor of more than one residential equivalent shall be reviewed by the village at least once each year. Failure to specifically review as provided in this subsection shall not cause the factor to be omitted and shall not be considered grounds for discontinuance of the factor.

(c) *Appeal.* A property owner having an equivalent unit factor of more than one or a metered user may, upon written request, appeal to the village council.

(d) *Effective dates for application of equivalent units.* Where equivalent units are used to determine the connection, service and other charges of a property owner, the equivalent unit which shall be used in the calculation of such charges shall be the equivalent unit factor assigned to such factor as of the following dates:

1. For calculating a direct connection charge, the date the property owner applies for the permit or the last day of the period during which he is required by article III of this chapter to connect to the system, whichever comes first.

(l) *Benefit charges.* A person owning land in direct proximity to a village sewer main constructed after January 1, 1989, whose land has not been subjected to a special assessment to pay for the construction of the main and who makes connection to the sewer main shall pay a benefit charge for the privilege of each connection to the main in addition to all other charges under article III of this chapter and this division, which benefit charge shall be established from time to time by resolution of the village council. The benefit charge shall be paid in cash or in installments with interest and penalties, all as shall be established and provided from time to time by resolution of the village council.

(J) *Village use.* For the reasonable cost value of sewage disposal services rendered to the village and its various departments by the wastewater system, the village shall pay according to the amounts set forth in the table of unit factors.

(K) *Operation and maintenance surcharge.* The rates and charges set forth in this division notwithstanding, if the character of the sewage of any user shall impose an unreasonable or additional burden upon the village sewage disposal and/or transmission system, an additional charge shall be made over and above the rates established in this division. Effluent in excess of the maximum limitations imposed by article III of this chapter shall be deemed prima facie subject to surcharge. If necessary to protect the system or any party thereof, the village shall deny the right of any user to empty such sewage into the system. Surcharges required by this subsection shall be computed as the prorated share of the annual cost of operation and maintenance, including replacement, attributable to treating the substance multiplied by the ratio of weight of surchargeable excess of the discharged substance multiplied by the ratio of weight of surchargeable excess of the discharged substance to the total weight of such substance that is treated in that year. This amount shall be collected on the basis of estimated surchargeable amounts with each periodic billing and shall be adjusted annually to reflect actual operation, maintenance and replacement costs. Surcharge rates shall be established by resolution of the village council. Surcharge applicable to industrial users shall be as set forth in section 82-726.

(L) *Inspection fees.* The cost of connecting private premises to the village sewer shall not be paid from the proceeds of the bond issue or from the revenues of the system but shall be paid by the property owners. In addition, premises connecting to the facilities of the system shall pay a charge for the inspection of such connection. Such charge shall be payable in cash upon application for a permit to connect the system and shall be in the amount established by resolution of the village council for each sewer connection. Each unit in a multiple commercial premises and each mobile home space in a mobile home park shall be treated as a separate user, and a separate inspection charge shall be made for each such user; provided, however, that such charge shall be made only once for each sewer service to each mobile home space in a mobile home park upon application for sewer service to such park.

(M) *Charges and rates outside village.* All sewer charges, surcharges, and fees for property outside of the village limits receiving sewer service shall be the same as that paid by system users within the village limits.

**Section 5.** Chapter 82, *Utilities*, Article V, *Rates, Charges and Billing Procedure*, Division 4, *Billing and Collection Procedure*, Sec. 82-756(b) of the Code of Ordinances, Village of Fowlerville, is hereby amended to read as follows:

(b) Sewer charges, including sewer commodity, residential equivalent, readiness to serve, and any applicable surcharges, capital recovery charges or benefit charges shall be billed by the village clerk quarterly, or as the council may otherwise determine by resolution.

**Section 6. Repealer Clause.** Any ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 7. Savings Clause.** This ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any ordinance, resolution, order or parts thereof, hereby repealed, and this ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the Village, County or other person, either criminal or civil, that may have already occurred, accrued or grown out of any ordinance, resolution, order or policy, or any part thereof, hereby repealed. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts thereof, hereby repealed.

**Section 8. Validity and Severability.** Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of the Ordinance.

**Section 9. Effective Date.** This Ordinance shall be effective from and after its publication.

*Carol Hill*

Carol Hill, Village President

*Kathryn M. Rajala-Gutzki*

Kathryn M. Rajala-Gutzki, Village Clerk/Manager

REVIEWED FOR FORM:

*David G. Stoker*

David G. Stoker, Village Attorney

Village Council Member Curtis offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Village Council Member Herndon, and upon being put to a vote, the vote was as follows:

Carol Hill, President	AYE
Kathryn Heath, President Pro Tem	AYE
Craig Curtis, Trustee	AYE
Mary Helfmann, Trustee	AYE
Jamie Herndon, Trustee	AYE
Jim Mayhew, Trustee	AYE
Jane Mills, Trustee	AYE

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Fowlerville this 4th day of December 2023.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 494 adopted by the Village Council of the Village of Fowlerville, County of Livingston, Michigan, at a regular meeting held on December 4, 2023.

*Kathryn M. Rajala-Gutzki*

Kathryn M. Rajala-Gutzki, Village Clerk/Manager  
(12-10-23 FNV)