

**STATE OF MICHIGAN
COUNTY OF SHIAWASSEE
MIDDLEBURY TOWNSHIP**

RESOLUTION

WHEREAS, the Shiawassee County Drain Commissioner has advised the Middlebury Township Board of Trustees that, pursuant to Section 196 of the Michigan Drain Code (MCL 280.196; MSA 11.1196), an inspection has been made of the Wait Intercounty Drain and it has been determined, as a result of the inspection, that certain maintenance must be performed upon the Drain; and,

WHEREAS, the Wait Intercounty Drain Drainage Board has the authority to expend Five Thousand and no/100 (5,000.00) Dollars per mile in any one year for the maintenance of the drain, and where it is estimated that expenditures in excess of Five Thousand and no/100 (5,000.00) Dollars per mile are necessary, those amounts may not, except when necessary to alleviate an emergency condition, be expended until approved by Resolution of the governing body of each township, city, and village affected by more than 20% of the cost, and

WHEREAS, the Shiawassee County Drain Commissioner has advised the Middlebury Township Board of Trustees that it will be necessary to expend funds in excess of Five Thousand and no/100 (5,000.00) Dollars per mile for the maintenance of the Wait Intercounty Drain and that Middlebury Township is affected by more that twenty (20%) percent of the cost of which the township will be responsible for a portion; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Middlebury Township Board of Trustees, that pursuant to Section 196 of the Drain Code, the Wait Intercounty Drain Drainage Board is authorized to expend money for the maintenance and repair of the Wait Intercounty Drain in excess of Five Thousand Five and no/100 (5,000.00) Dollars per mile but not to exceed a total expense of Twenty Thousand and no/100 (20,000.00) Dollars and, to the extent that the drain fund for the Drain contains insufficient funds for the payment of costs incurred for the maintenance or repair of the Drain, then the Wait Intercounty Drain Drainage Board is authorized to levy a special assessment, as allowed by law.

RESOLUTION approved this _____ day of _____, 2012, by the Township Board of Trustees, governing body of Middlebury Township.

BOARD OF TRUSTEES OF
MIDDLEBURY TOWNSHIP

Supervisor