VAN BUREN COUNTY DRAIN COMMISSIONER

JOE PARMAN, Drain Commissioner *Brandon Kulhanek, SESC and Drain Maintenance Supervisor* *GEORGIA MASSURA, Deputy Drain Commissioner*

STATE OF MICHIGAN

OFFICE OF VAN BUREN COUNTY DRAIN COMMISSIONER

In the Matter of:

North Phoenix County Drain

ORDER OF NECESSITY

A meeting having been held by the Board of Determination, composed of Dave Foerster, Ron Sefcik and Sam Ewbank at 1:00P M. o'clock, on May 20th,2011, at South Haven City Hall, 539 Phoenix St., South Haven Michigan, being the time and place fixed in the Notice of Meeting of Board of Determination, notice was duly served, published and posted as required by law; and at said meeting Ron Sefcik was elected Chairperson and Sam Ewbank Secretary, and all persons owning lands liable to assessment for benefits, or whose lands shall be crossed by said drain and any district or municipality affected having been given an opportunity to appear and be heard on the question being considered of whether the drain in said Drainage District, as set forth in the Petition for extending, adding a branch, or maintenance on the North Phoenix Drain, dated November 1st, 2010, is necessary and conducive to public health, convenience or welfare in accordance with Sections 72 and 191 of Act No. 40, P.A. 1956, as amended and whether the adding of lands to the drainage district is necessary and conducive to the public health, convenience or welfare in accordance with Section 197 of Act No. 40, P.A. 1956, as amended and the Board of Determination after having heard the evidence offered and having made its determination upon the necessity of the drain and whether the same is necessary and conducive to public health, convenience or welfare;

It Is Hereby Ordered and Determined that the drain set forth in the Petition dated November 1st, 2010 (is) _____ necessary and conducive to public health, convenience or welfare.

It Is Further Ordered and Determined that the drain set forth in the Petition (is) _____ necessary for the protection of the public health in the following municipalities: South Haven City and South Haven Township and that a portion of the cost thereof, except that which may be apportioned for benefits to highways, shall be apportioned to said municipalities at large.

It Is Further Ordered and Determined, pursuant to Section 197 of Act No. 40, P.A. 1956, as amended, that the **addition of lands to the drainage district**, as specified at the hearing of the Board of Determination and as set forth in the attachment hereto, is _____ necessary and conducive to the public health, convenience or welfare.

BOARD OF DETERMINATION

By: Ron Sefcik Chairperson
(Member)

Sam Ewbank Secretary
(Member)

Dave Foerster
(Member)

Dated: 5/20/2011
and Filed in the Office of 5-20-2011 County Drain Commissioner

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