



**CITY OF PORTAGE, MICHIGAN  
NOTICE OF PUBLIC HEARING ON THE NECESSITY OF A  
SPECIAL ASSESSMENT IMPROVEMENT BY THE CITY OF PORTAGE  
WEST OSTERHOUT AVENUE SANITARY SEWER PROJECT #414-S**

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY AND ALL OTHER INTERESTED PARTIES:

PLEASE TAKE NOTICE that the City Council of the City of Portage has declared its intention to construct the following public improvement:

**Unplatted Land**

All unplatted land lying adjacent to or abutting the following described portion of right-of-way for West Osterhout Avenue lying between Lloy Street and South Westnedge Avenue, located within the south half of the northeast quarter of Section 33 and in the north half of the southeast quarter of Section 33, City of Portage, Michigan and more particularly described as follows:

Commencing at the center quarter post of Section 33 , Town 3 South, Range 11 West, City of Portage, Kalamazoo County, Michigan; thence easterly along the quarter line of said section 1049.04 feet to the Place of Beginning for the following described; thence North 200 feet; thence East parallel to said quarter line 792.00 feet; thence South 200.00 feet to said quarter line and center of the West Osterhout Avenue right of way; thence East on said quarter line 393.00 feet; thence South 200 feet; thence West parallel with said section line 1,185.00 feet; thence North 200.00 feet to the Place of Beginning and Ending of the above described.

A report concerning said improvement has been prepared and is on file with the City Clerk for public examination.

TAKE FURTHER NOTICE that the City Council will meet on the 6th day of January, 2015, at 7:30 p.m. or as soon thereafter as may be heard, at the City Hall, 7900 South Westnedge Avenue, in the City of Portage, for the purpose of hearing all interested parties concerning the necessity of said improvement and the special assessment district therefor.

TAKE FURTHER NOTICE that if, prior to the adoption of the resolution to proceed with the improvement, written objections have been filed by either 1) a majority of owners of property in the district, or 2) owners in the district who will be required to pay more than fifty percent (50%) of the cost of the public improvement, the affirmative vote of five (5) or more members of the Council is needed to proceed with the improvement.

PLEASE TAKE FURTHER NOTICE that the owner or any person having an interest in property that is specially assessed may file a written appeal with the Michigan Tax Tribunal within 30 days after confirmation of the special assessment roll. However, appearance and protest at the public hearing are required in order to appeal the special assessment to the Michigan Tax Tribunal. An owner or other party in interest or his or her agent may (1) appear in person at the hearing to protest the special assessment or (2) file his or her appearance or protest by letter before the close of the hearing. The City Council shall maintain a record of parties who appear to protest at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, a party whose appearance was recorded shall be considered to have protested the special assessment in person.