



Spring Lake Central Business District Development Authority

102 West Savidge Street, Spring Lake, Michigan 49456
Phone (616) 842-1393 • Fax (616) 847-1393

VILLAGE OF SPRING LAKE

DEVELOPMENT PLAN

AND

TAX INCREMENT FINANCING PLAN

SPRING LAKE DOWNTOWN

DEVELOPMENT AUTHORITY

NOVEMBER 1983

VILLAGE OF SPRING LAKE

TAX INCREMENT FINANCING AND DEVELOPMENT PLAN

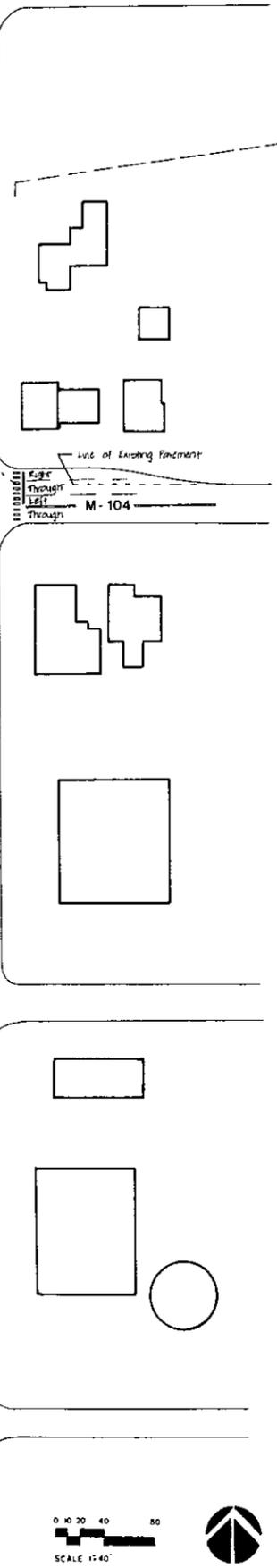
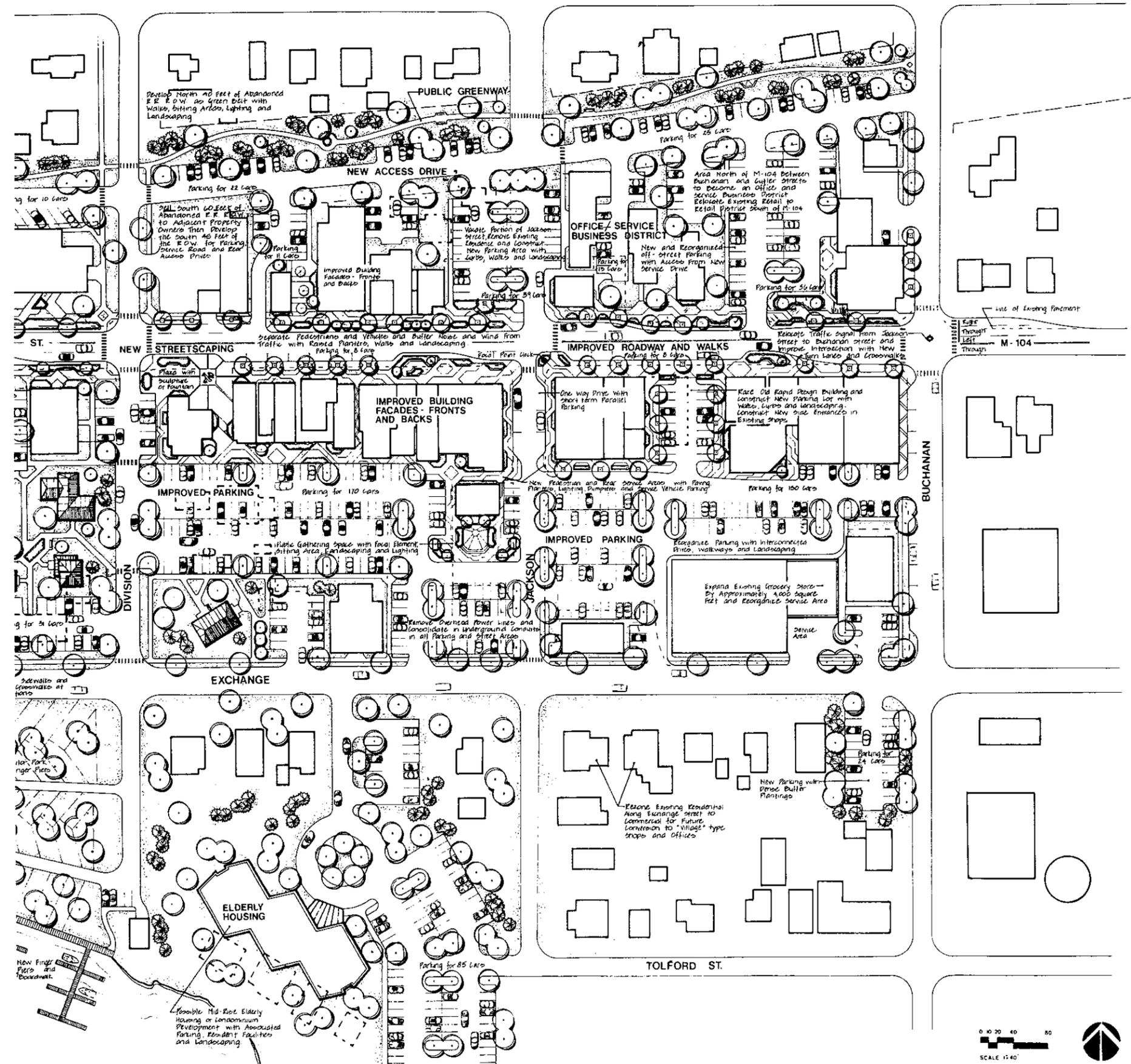
CENTRAL BUSINESS DISTRICT DEVELOPMENT AREA

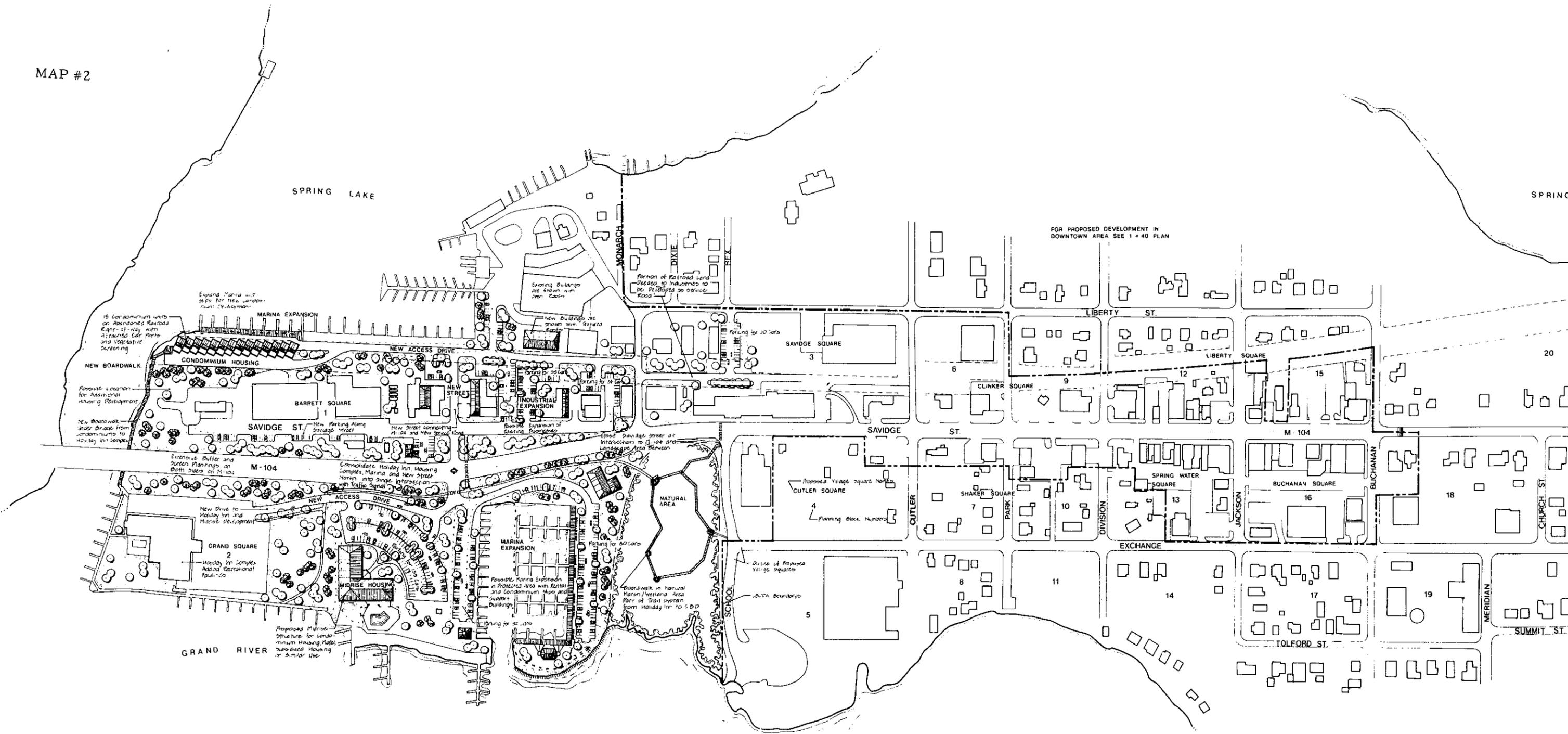
November 1983

LISTING OF DEVELOPMENT AREA MAPS

<u>Map Number</u>	<u>Description</u>	<u>Location</u>
1	Village of Spring Lake Central Business District Master Plan, Buchanan Street to School Street	Folder Pocket
2	Village of Spring Lake Central Business District Master Plan, School Street to the west Village limits and Lake Street to the east Village limits	Folder Pocket
3	Projects planned for completion in the Development Area	Bound in the Tax Increment Development Plan
4	Develop area boundaries	Bound in the Tax Increment Development Plan
5	General Public and Private Uses	Bound in the Tax Increment Development Plan

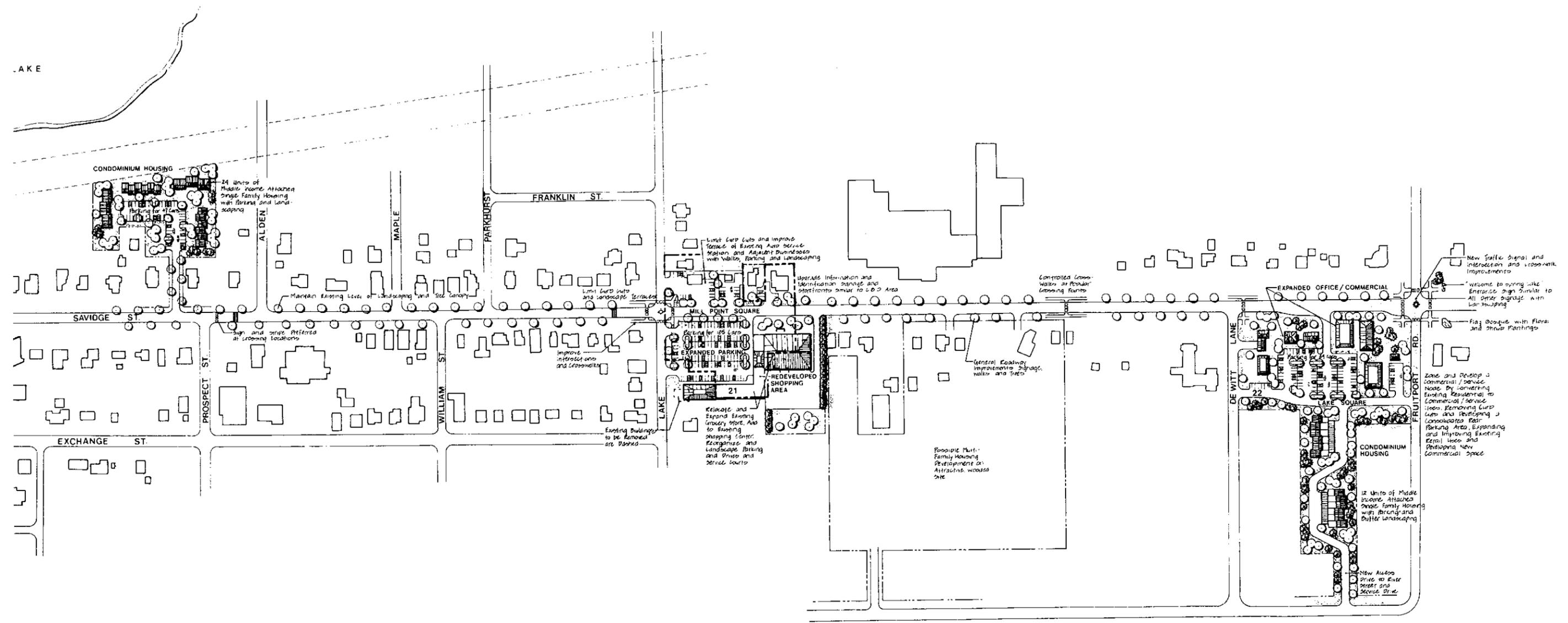
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VILLAGE OF SPRING LAKE
CENTRAL BUSINESS DISTRICT DEVELOPMENT AUTHORITY

MASTER DEVELOPMENT PLANS , EAST AND WI



AS & SQUARES DESIGNATIONS



M.C. SMITH & ASSOCIATES, INC. - J.P. GRAY ASSOCIATES PLANNING TEAM
 LANDSCAPE ARCHITECTURE · ARCHITECTURE · URBAN DESIGN

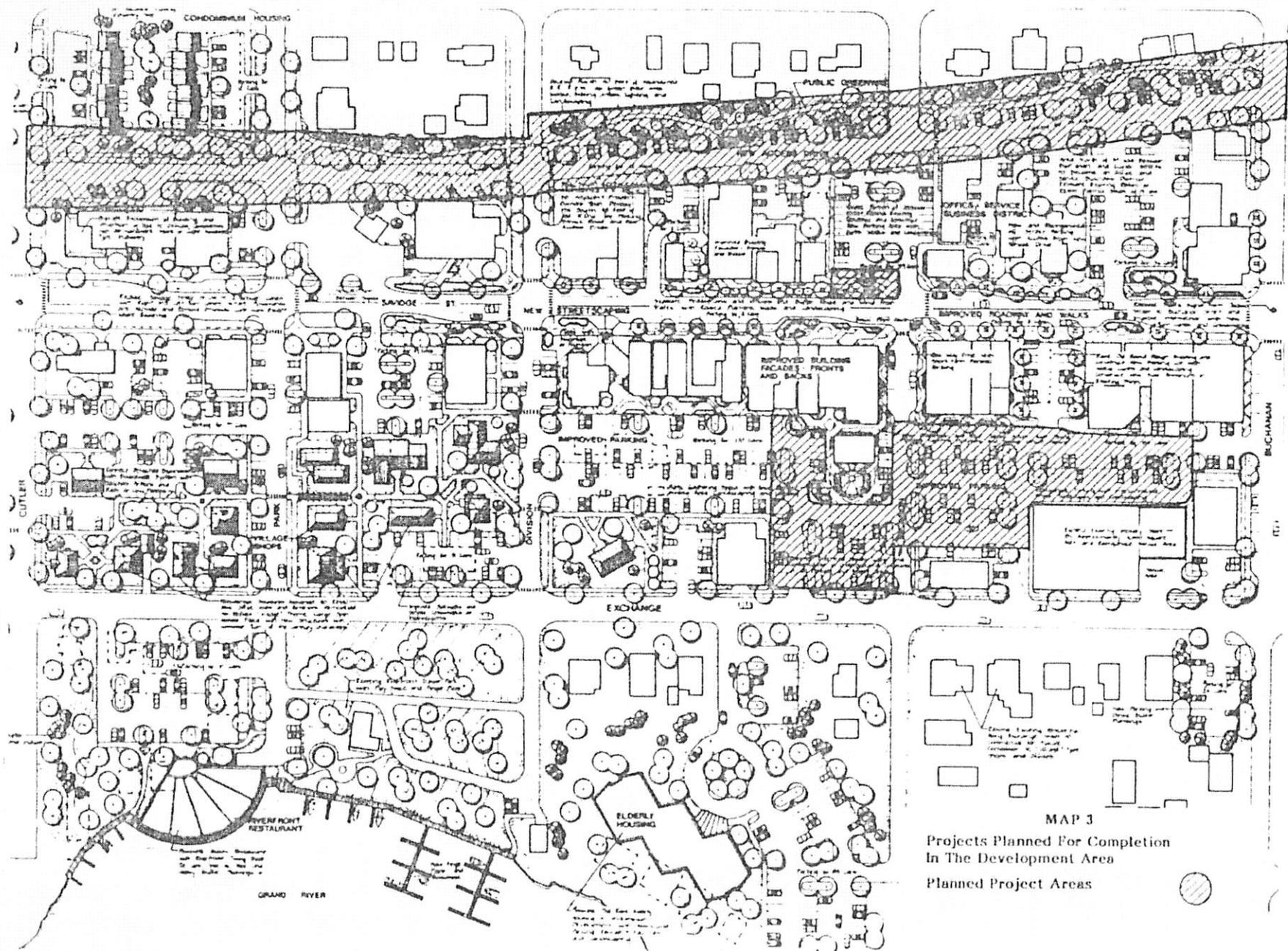
DEVELOPMENT PLAN

The focus of this development plan is to construct public improvements required to attract investment and promote retail, commercial and industrial business activity in the Village of Spring Lake Central Business District Development Area. At this time, the major improvement to be constructed is the CBD access drive which will extend from Buchanan Street, west to Cutler Street, along the Village-owned railroad right-of-way. The concept of the CBD access drive was included in the Village of Spring Lake Central Business District Master Development Plan prepared by the Spring Lake Central Business District Development Authority with the assistance of professional planning consultants.

The access drive will provide much needed access and parking facilities for businesses located on the north side of M-104 (Savidge Street). Development of this corridor would also provide landscaped pedestrian areas and bermed noise buffers to protect residential areas adjoining the right-of-way.

Other improvements planned for the Development Area include parking lot rehabilitation and improvements, and specific improvements required by future private sector businesses who are targeted for location in the Development Area according to the Village of Spring Lake Central Business District Master Development Plan. Maps 1 and 2 depict future plans for the Development Area. The proposed improvements anticipated in this development plan are highlighted on Map 3.

The project concepts included in the Village of Spring Lake Central Business District Tax Increment Financing and Development Plan were conceived of and approved by the Spring Lake Central Business District Development Authority (SLCBDDA). Each is included in the Village of Spring Lake Central Business District Master Development Plan. The plan was developed over a several year period, based on SLCBDDA input, citizen input, input from elected and administrative officials and consultant review. This plan also utilized a report prepared by Economic Research Associates of Chicago entitled, Assessment of Market Opportunities in the Village of Spring Lake.



MAP 3
 Projects Planned For Completion
 In The Development Area
 Planned Project Areas

A.

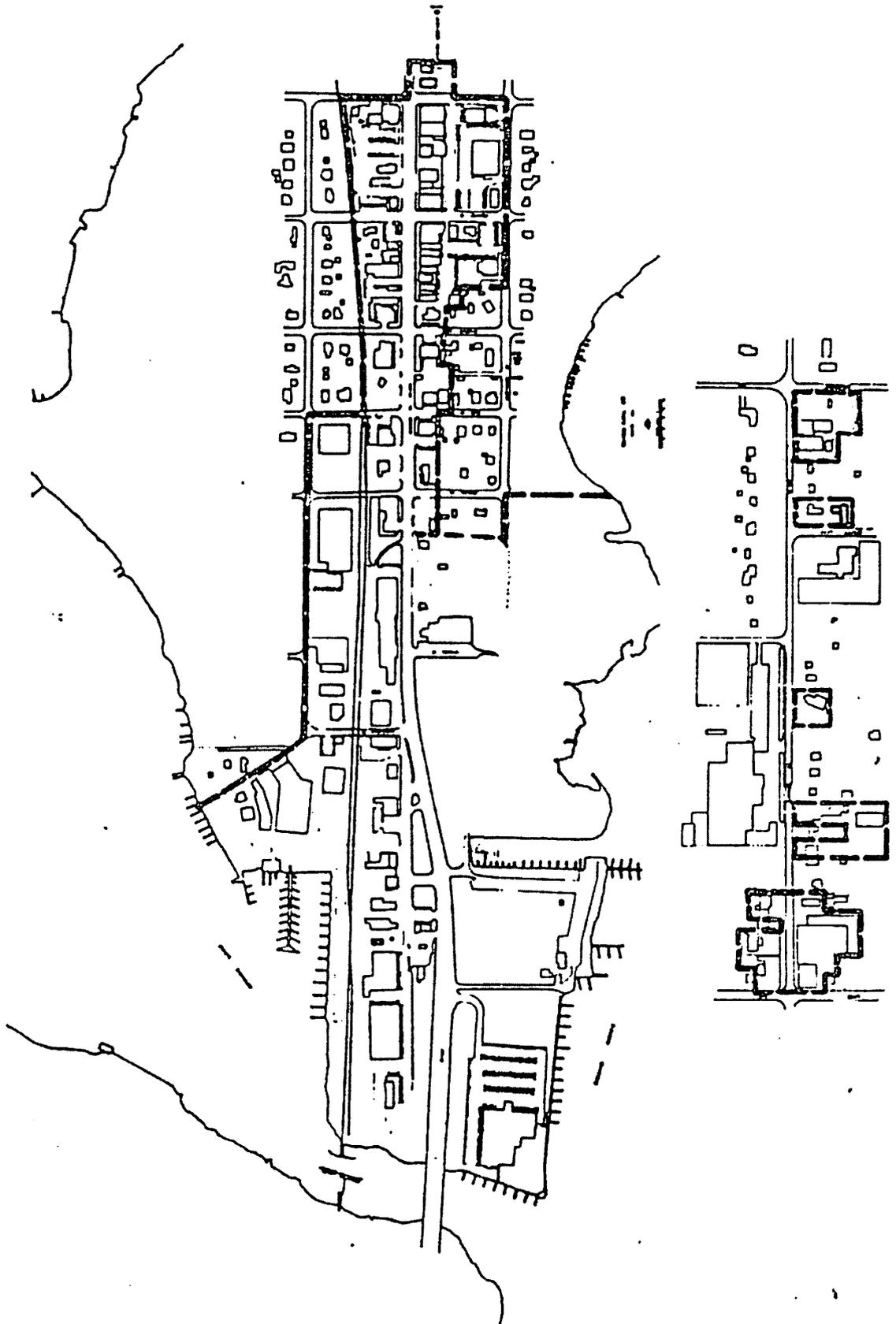
Map and Boundaries of the CBD Development Area

In Relation to the Boundaries of the Authority District

The boundaries of the Development Area are conterminous and correspond exactly to the full boundaries of the Central Business District Development Authority.

The designation of the boundaries of the Development Area in terms of streets, highways and other boundaries is shown on Map 4.

MAP 4
BOUNDARIES OF THE TAX INCREMENT
FINANCING DISTRICT FOR THE CENTRAL
BUSINESS DISTRICT DEVELOPMENT
AREA



B.

Location, Character and Extent of Existing Streets and Other

Public and Private Land Uses

The CBD Development Area contains a variety of public and private land uses ranging from residential to industrial and, open space to commercial. Each use is summarized below. Further detail may be found in the Village of Spring Lake Central Business District Master Development Plan, or by referring to Map 5.

1. Existing Public Land Uses: Public Land Uses in the Development Area include: Village Hall, Downtown Mini-Park, Mill Point Park, the railroad right-of-way property, Spencer Parking Lot, Casemier Parking Lot, the North Jackson Parking Lot, various Village and State street right-of-ways and a U.S. Post Office.

2. Existing Commercial Land Uses: The Development Area contains a large number of commercial land uses. The area located at the far eastern boundary of the Development Area is dominated by a retail hardware concern. Moving westerly to Lake Avenue, uses include professional office space, service stations, service establishments, industrial supply concerns and food sales.

The six-block area from Buchanan Street west to the Village limits includes the most intense commercial use in the Development Area. This area is bounded generally by Buchanan Street on the east, on the north by the railroad right-of-way and Liberty Street, the Spring Lake Channel to the west, and the Grand River and Exchange Street on the south. Commercial uses in each block are described below:

Block 1-Buchanan Street east to Jackson Street and the railroad right-of-way south to Exchange Street. Uses include retail sales, banking, professional services, grocery sales and food sales.

Block 2-Jackson Street west to Division and the railroad right-of-way south to Exchange and the rear access-way behind commercial property fronting on M-104. Uses include, retail sales, a tavern, professional services, insurance sales, a restaurant and entertainment facilities.

Block 3-Division Street west to Park Street and the railroad right-of-way south to the south property line of commercial properties fronting on M-104. Uses include plumbing supply, silk screen production, professional services and a service station.

Block 4-Park Street west to Cutler and Liberty Street south to the south property lines of commercial properties fronting on M-104. Uses include a restaurant, service and gasoline retail establishments.

Block 5-Cutler Street west to School Street and Christman Street and Liberty Street south to the south Village limits. Commercial uses in this area include two vacant restaurants and a vacant motel, a convenience food store/gasoline station, automotive services and clothing retail.

Block 6-School Street and Christman Street west to the west Village limits and the north Village limits south to the south Village limits. Uses in this area include professional services, produce retail, silkscreen printing, a fast food restaurant, marine retail, marina operations, automotive services, and a lodging/restaurant/meeting facility complex.

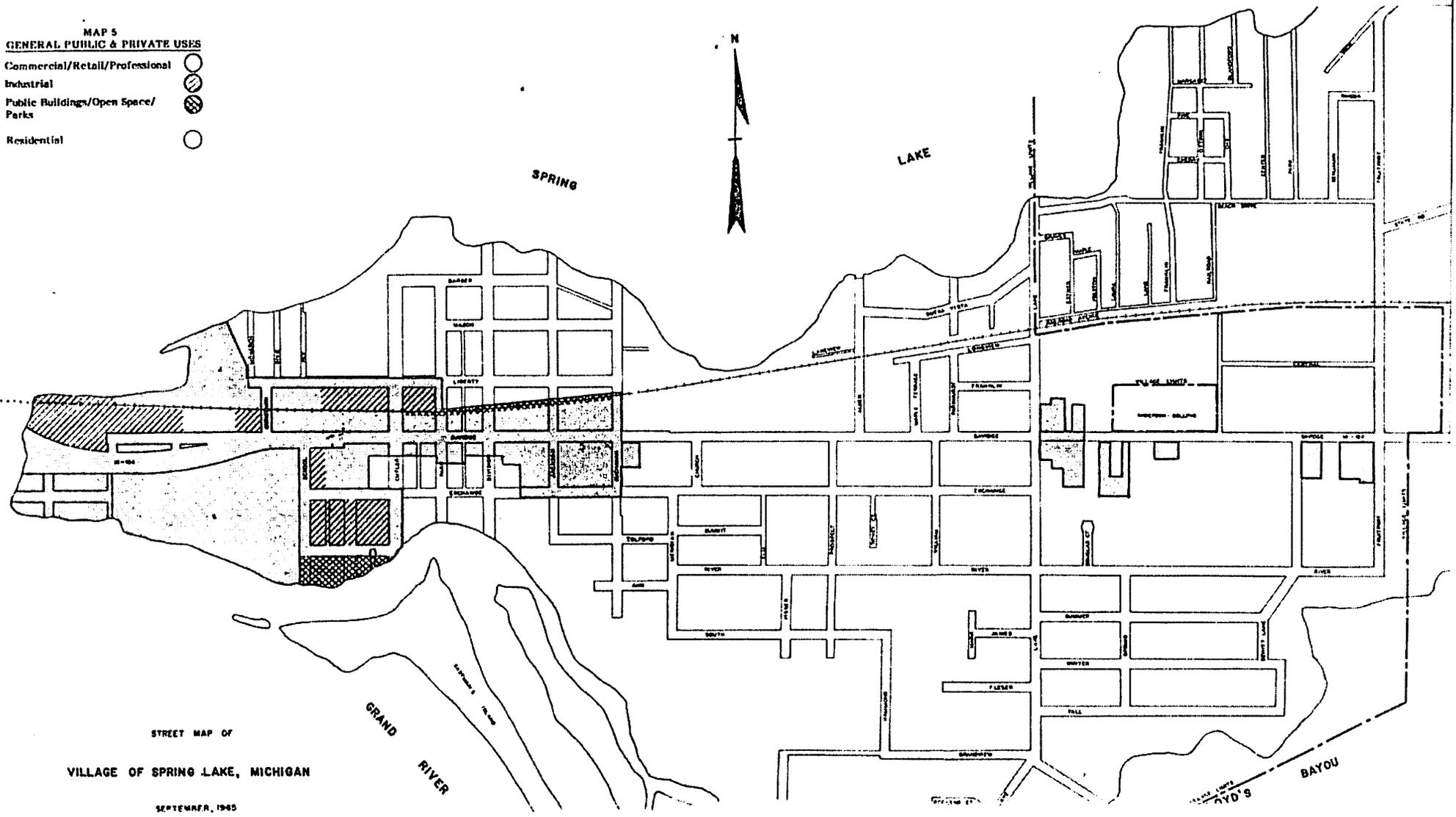
MAP 5
 GENERAL PUBLIC & PRIVATE USES

Commercial/Retail/Professional 

Industrial 

Public Buildings/Open Space/
 Parks 

Residential 



STREET MAP OF
 VILLAGE OF SPRING LAKE, MICHIGAN
 SEPTEMBER, 1965

3. Existing Industrial Land Uses: Industrial land uses are located in Blocks 4, 5 and 6 noted above. They include a vacant plating factory, a metal stamping plant, an electrical supply manufacturer, a machine shop, a manufacturer of marine instruments, an industrial packaging concern and a plating company.

4. Largest Private Land Uses: The largest private land uses in the Development Area are listed as follows:

<u>Name of Organization</u>	<u>Assessed Valuation</u>
Spring Lake Holiday Inn (Spring Lake Harbor, Incorporated)	\$976,700
Elastodyne/ITT Blackburn Corporation	\$330,000
Barretts Marina	\$279,300
Henry Casemier's Supermarket	\$174,200
Topper Construction/Industrial Lumber/ Great Lakes Construction Complex	\$167,500
The Peoples Bank & Trust Company	\$166,200
Burnside Manufacturing Company	\$147,300
Mill Point Plaza	\$89,700
De Witt Investment Company	\$75,500

5. Legal Description of the Development Area:

See Appendix B.

6. Proposed Land Uses in the Development Area:

The proposed land uses that are intended to exist in the Development Area are highlighted on Maps 1 and 2. Uses to be constructed through this plan are shaded on Map 1.

- a) **Proposed Public Land Uses:** The proposed public uses to be constructed include improvements in the Spencer, Casemier and North Jackson Parking Lots and the CBD Access Drive and construction of the CBD Access Drive. All public land uses will be retained. The proposed public improvements are depicted on Map 3.
- b) **Proposed Private Land Uses:** The proposed private land uses that are intended to exist in the Development Area are shown on Maps 1 and 2 and described in the Village of Spring Lake CBD Master Development Plan.

These plans build on existing businesses by stressing enhancement, expansion, restoration and reuse of current commercial and industrial facilities. In addition, other sites are earmarked for new economic development or redevelopment of existing vacant or underutilized facilities. Owners of buildings exhibiting historical potential will be encouraged to undertake restoration projects. The development plan improvements are an essential stimulus to the private investment required to fulfill the goals of the Village of Spring Lake Central Business District Master Development Plan.

C. Description of Existing Improvements to be Demolished,
Repaired or Altered

No demolition will be required as the result of the improvements included in this development plan.

Certain public parking facilities will be improved through the construction of streetscape planters, fencing and curbed planters, the installation of permanent theme signs and landscaping of the planters. This will be completed in 1984.

Certain electrical utility facilities may be removed from the railroad right-of-way. This will be completed in 1985 or 1986. A full description of the improvements to be constructed can be found in Appendix A.

D. Location, Extent, Character and Estimated
Cost of Improvements

The location, extent, character and estimated cost of the parking lot improvements are referenced on Appendix A. The estimated time of completion is 1984.

The time frame for construction of the CBD Access Drive Project is estimated at one construction season during the summer of 1985 or 1986 depending on the progress made in project preparation. The estimated construction cost of the CBD Access Drive Project is \$180,000. For a full description of the project, see Appendix A.

The CBD Access Drive will be constructed on the Village-owned railroad right-of-way property between Buchanan Street and Cutler Street. For information on the Project's

location, See Map 3.

E. Construction Stages

Construction will be staged over the 1984, 1985 and 1986 fiscal years, if necessary. It is estimated that the CBD Parking Lot Improvement Project will be completed during the 1984 construction season. It is estimated that engineering design and financial work will be completed for the CBD Access Drive project during the 1985 construction season. Following completion of engineering and design work for the CBD Access Drive project, a determination will be made by the Authority as to whether construction may begin in 1985 or if it will be necessary to schedule construction of the CBD Access Drive project for 1986. Every effort will be made to accelerate completion of the CBD Access Drive.

F. Description of Open Space Areas

The following areas will remain as open spaces for recreational use in the Development Area:

1. Mill Point Park: This park was developed by the Village in 1982 and is the home of a public launch ramp, riverfront walkway, public restrooms and parking. This aesthetically pleasing open space area will be maintained and improved.
2. Downtown Mini Park: The facility was constructed by Spring Lake Area, Incorporated in conjunction with the Village of Spring Lake and a private land owner. This park provides an alternative walkway to off-street shopping areas and works to improve the appearance of Savidge Street.
3. Railroad Right-of-Way Property: This property presently consists of an unimproved 100' open space from Buchanan Street to Cutler Street and a similar 50' open space from Cutler Street west. The CBD Access Drive project will entail construction of a roadway in this open space area. The larger portion of the right-of-way will be the site of concurrent construction of a bermed and landscaped parkway along the northern border of the right-of-way from Buchanan to Cutler Street. This planned green space will enhance the beauty of this area and provide a linkage to the proposed railroad right-of-way walking trail, which will extend from Buchanan Street east to Central Park.

G. Description of Any Portion of the Development Area
the Authority Desires to License or Sell

The Authority does not intend to sell, donate, exchange or lease to or from the Village of Spring Lake any portion of the Development Area.

H. Desired Changes in Zoning, Streets, Intersections or Utilities

The projects proposed for the Development Area do not require changes in zoning for successful completion. Private development and redevelopment projects proposed for this Development Area are possible within the existing zoning framework. However, the Village Council is presently working on a zoning ordinance revision which is intended to aid development and redevelopment.

Street and intersection changes will be limited to those required for the CBD Access Drive Project. New intersections will be created where the CBD Access Drive meets Buchanan Street, Jackson Street, Division Street, Park Street and Cutler Street.

Certain overhead power and/or telephone utilities located within the railroad right-of-way may be required to be relocated, depending on the final alignment of the CBD Access Drive and the location of the related parkway facilities.

I. Total Cost and Financing

The total estimated cost of the specific improvements enumerated in the Development Plan is \$211,781 to be financed through the methods described in the development Plan. In conjunction with the Village of Spring Lake, the Authority expects to be able to arrange financing through cooperative local banks similar to that utilized on past successful Village projects.

J. Ownership, Benefit and Conveyances

At this time, there are no specific person or persons, natural or corporate, to whom all or a portion of the improvements planned for the Development Area are to be leased, sold or conveyed in any manner or for whose benefit the improvements in the Development Area are being undertaken.

K. Procedures for Bidding, Leasing, Purchasing or Conveying
of the Development

The projects included in the Development Plan at this time are not undertaken for the sole benefit of any one specific property or property owner. The improvements to be constructed, rehabilitated or otherwise are located on Village-owned property. A portion of the Village-owned property consists of railroad right-of-way, portions of which may be considered for sale. If portions of the railroad right-of-way would be sold by the Village, they would be sold for purposes consistent with the Village of Spring Lake Central Business District Master Development Plan or Village recreation plans. All sales would be conducted in accordance with the requirements of the Village Charter.

L. Number of Persons Residing in the Development Area

The boundaries of the Development Area were drawn to avoid the incorporation of most residential properties in the Village. As a result, there are less than 80 persons residing within the Development Area. There will be no displacement of these families as the result of actions taken to implement the provisions of this Development Plan.

APPENDIX A
DEVELOPMENT AREA PROJECTS

Priority One Project (first year)

Title: CBD Parking Lot Improvement Project

<u>Item</u>	<u>Cost</u>
Spencer Parking Lot Planter Replacement 120 LF @ \$40 L.F.	4,200
Parking Lot signage at N. Jackson, Casemier's and Spencer Lots 3 signs at \$1,000	3,000
Picket Fencing at N. Jackson Parking Lot (removable)	500
Curb Installation to Define Casemier Parking Lot 600 LF at \$7.00 a LF	4,200
Landscaping 17 trees at \$115 each, \$1,955 soil, \$425	2,380
Engineering	<u>1,501</u>
TOTAL COST	\$15,781

Priority Two Project

Title: CBD Access Drive Design

<u>Item</u>	<u>Cost</u>
Engineering and Landscape Design	14,700
Other Consultant fees	<u>1,300</u>
TOTAL	\$16,000

Priority Three Project

Title: CBD Access Drive

<u>Item</u>	<u>Description</u>	<u>Total</u>
1.	Street paving	\$ 29,560
2.	Parking paving	10,952
3.	Curb & gutter	31,350
4.	Sidewalk (north)	18,050
5.	Lighting	26,600
6.	Site Preparation/grading	14,925
7.	Seeding (grading)	2,275
8.	Signage	2,200
9.	Tree planting	9,720
10.	Utilities	16,000
11.	Painting	1,800
12.	Furniture	<u>500</u>
	Sub Total	\$163,932
	Contingency	<u>16,068</u>
	TOTAL	\$180,000

Appendix B

LEGAL DESCRIPTION FOR
CENTRAL BUSINESS DISTRICT
DEVELOPMENT AUTHORITY AREA
FOR THE VILLAGE OF SPRING LAKE

Parcel No. 1: That part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, described as beginning at the intersection of the North line of M-104 and the East line of Lake Avenue and proceeding thence North 100 feet, thence East 135 feet, thence North 120 feet, thence East 95 feet, thence South 220 feet to the North line of M-104, thence West along the North line of M-104 230 feet to the point of beginning. (Tax Parcels No. 325-023 and part of No. 325-060)

Parcel No. 2: The East 110 feet of the West 440 feet of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, lying North of Savidge Street, except the North 50 feet thereof. (Tax Parcel No. 325-061)

Parcel No. 3: That part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, described as beginning 33 feet East and 766.5 feet North of the Southwest corner thereof and proceeding thence East 142 feet, thence South 100 feet, thence East 265 feet, thence North 257.5 feet to the South line of M-104, thence West along the South line of M-104 407 feet to the East line of Lake Avenue, thence South along the East line of Lake Avenue 157.5 feet to the point of beginning. (Tax Parcel Nos. 375-001, 375-002 and 375-003)

Parcel No. 4: The East 50 feet of the North 304 feet of the East 100 feet of the West 200 feet of the East 2/3 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West. (Tax Parcel No. 375-052)

Parcel No. 5: That part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, beginning on the South line of M-104, 709 feet East of the West Section line of Section 14 and proceeding thence East 75 feet, thence South 450 feet, thence West 145 feet, thence North 232 feet, thence East 70 feet, thence North 218 feet to the point of beginning. (Tax Parcel No. 375-008)

Parcel No. 6: The North 115 feet of the West 128 feet of the East 215 feet of that part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, lying South of M-104. (Tax Parcel No. 375-013)

Parcel No. 7: That part of the Southeast 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, beginning at the intersection of the South line of M-104 and the East line of DeWitt Lane and proceeding thence South 247 feet, thence East 104.6 feet, thence North 247 feet to the South line of M-104, thence West along the South line of M-104 104.6 feet to the point of beginning. (Tax Parcel Nos. 376-027 and 376-028)

Parcel No. 8: That part of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, beginning on the South line of M-104 at a point 364.3 feet West of the East line of the Southwest 1/4 of Section 14 and proceeding thence South 150 feet, thence West and parallel to the South line of M-104, 90 feet, thence North 150 feet to the South line of M-104, thence East along the South line of M-104 90 feet to the point of beginning. (Tax Parcel No. 376-004)

Parcel No. 9: Lot 1, Roseland Subdivision, and a strip of land 15 feet wide North of and adjacent to the West 60 feet of said Lot. (Tax Parcel No. 376-005 and part of Tax Parcel No. 376-006)

Parcel No. 10: Beginning at the intersection of the West line of Block 14, Barber's Addition, and the shore of the Grand River and proceeding thence North along the West line of said Block 14 to the Northwest corner of said Block 14, thence North across Exchange Street to the Southwest corner of Block 11, Barber's Addition, thence West across Cutler Street to the Southeast corner of Block 10, Barber's Addition, thence West along the South line of said Block 10 to the West line of the East 1/2 of the vacated alley located in said Block 10, thence North along said West line to a point 20 feet South of the South line of Lot 1 of said Block 10 extended Westerly, thence East to a point on the East line of said Block 10 that is 20 feet South of the Southeast corner of Lot 1 of said Block 10, thence South along the East line of said Block 10 to the Southeast corner of Lot 4 of said Block 10, thence East across Cutler Street to the Southwest corner of Lot 3, Block 11, Barber's Addition, thence East along the South line of said Lot 3 to the Southeast corner of said Lot 3, thence East to the East line of the West 1/2 of the vacated alley located in said Block 11, thence North along said East line to a point directly East of the Southeast corner of Lot 2 of said Block 11, thence East to the Southwest corner of Lot 1 of said Block 11, thence East along the South line of said Lot 1 to the Southeast corner of said Lot 1, thence South along the East line of said Block 11 to a point 20 feet North of the Southeast corner of Lot 4 of said Block 11, thence East across Park Street to a point on the West line of Block 12, Barber's Addition that is 20 feet North of the Southwest corner of Lot 3 of said Block 12, thence East to the West line of Lot 4 of said Block 12, thence North along the West line of said Lot 4 to the Northwest corner of said Lot 4, thence East along the North line of said Lot 4 to the Northeast corner of said Lot 4, thence South along the East line of said Block 12 to a point that is directly West of a point on the West line of Block 14 of Bryant's Addition that is 40 feet North of the Southwest corner of Lot 2 of said Block 14, thence East across Division Street to said point, thence East 64.5 feet, thence South 40 feet to the South line of Lot 2 of said Block 14, thence East along the South line of Lot 2 to the Southeast corner of said Lot 2, thence South along the East line of Lots 3 and 4 of said Block 12 to the Southeast corner of Lot 4, thence South across Exchange Street to the South line of said street, thence East along the South line of Exchange Street to a point directly South of the Southwest corner of Block 12, Bryant's Addition, thence North across Exchange Street to said Southwest corner, thence North along the West line of said Block 12 to the Southwest corner of Lot 2 of said Block 12, thence East along the South line of said Lot 2 to the Southeast corner of said Lot 2, thence North along the East line of Lots 1 and 2 of said Block 12 to the Northeast corner of Lot 1, thence West along the North line of said Block 12 to the Northwest corner of said Block 12, thence North across M-104 to the Southwest corner of Block 11, Bryant's Addition, thence North along the West line of said Block 11 to the Northwest corner of said Block 11, thence North across the Grand Trunk Railroad right of way to the North line of said right of way, thence West along the North line of said right of way to the East line of Park Street, thence North along the East line of Park Street to the North line of Liberty Street, thence West along the North line of Liberty Street to the Southwest corner of Streng and Gilleland's

Subdivision, thence North 35 feet, thence Northwesterly to a point that is located 82 feet West and 161.5 feet North of the Southwest corner of Streng and Gilleland's Subdivision, thence North 101 feet, thence North 50 degrees 30 minutes 00 seconds West 121.5 feet, thence North to the shore of Spring Lake, thence Westerly, Southerly and Easterly along the shores of Spring Lake and the Grand River to the point of beginning.

VILLAGE OF SPRING LAKE

TAX INCREMENT FINANCING PLAN

CENTRAL BUSINESS DISTRICT DEVELOPMENT AREA

TAX INCREMENT FINANCING PLAN
FOR VILLAGE OF SPRING LAKE
CENTRAL BUSINESS DISTRICT DEVELOPMENT AREA

- A. Introduction. This Tax Increment Financing Plan is established to make possible the financing of certain public improvements necessary or desirable for development of the Village of Spring Lake Central Business District Development Area in accordance with the Development Plan for that portion of the Village.
- B. Tax Increment Financing Procedure. The tax increment financing procedures contained in Michigan Act #197 of 1975, as amended ("Act 197") require the approval by the Spring Lake Village Council of a Development Plan and Tax Increment Financing Plan. Following such approval, the Village of Spring Lake, Township of Spring Lake and Ottawa County Treasurers are required by Act 197 to transmit to the Spring Lake Downtown Development Authority (the "Authority") that portion of the tax levy of all taxing bodies paid each year on real and personal property in the Development Area on the part of the "Captured Assessed Value" to be used by the Authority. The amounts to be transmitted are referred to as the "Tax Increment Revenue." The "Captured Assessed Value" is defined as the amount in any one year by which the current assessed value of all real and personal property in the Development Area (including the assessed value of property for which a commercial facilities exemption certificate has been issued pursuant to Michigan Act 255 of 1978, as amended, the assessed value of property for which an industrial facilities exemption certificate has been issued pursuant to Michigan Act 198 of 1974, as amended, and the assessed value of property for which a commercial housing facilities exemption certificate has been issued pursuant to Michigan Act 438 of 1976, as amended), as finally equalized, exceeds the most recently assessed value, as finally equalized by the State Board of Equalization, of all the taxable property within the boundaries of the Development Area at the time the Tax Increment Financing Plan is approved.

Attached hereto as Exhibit A is a schedule of the current state equalized valuations of all real and personal property in the Development Area. Attached hereto as Exhibit B is a calculation of the estimated final state equalized valuations of all improvements and other changes in state equalized valuation which will become effective upon final equalization as of 1984. The state equalized valuation shown in Exhibit B is the estimated initial Captured Assessed Value in the amount of \$284,234.

The 1983 tax levy of all taxing jurisdictions in the Development Area is 55.5216 mills. Under this Tax Increment Financing Plan, only the real property portion of the Captured Assessed Value will be used by the Authority. Based on the real property portion of the estimated Captured Assessed Value, under this Tax Increment Financing Plan, the estimated initial annual Tax Increment Revenue to be paid by the Ottawa County, Village of Spring Lake and Spring Lake Township Treasurers to the Authority, based on the 1983 tax levy, is \$15,781.

The specific procedures to be followed with respect to the Tax Increment Financing Plan are set forth in Act 197. A copy of Act 197 is attached as Exhibit C.

When the Village Council approves this Tax Increment Financing Plan, it will adopt a resolution/ordinance which shall include procedures for the determination of the Captured Assessed Value, the collection of Tax Increment Revenue, and the disbursement of that revenue substantially as provided on Exhibit D attached.

- C. Financing Arrangements. The total estimated cost of the specific improvements enumerated in the Development Plan is \$211,781. This estimate does not include interest.

The estimated cost will be financed by the Authority paying on a current basis from its 1984 and 1985 Tax Increment Revenue the cost of the CBD parking lot improvements and engineering, landscape design and consulting fees for development of the proposed CBD Access Drive. The balance of specific improvements will be acquired either on a current basis or through financing arrangements which may include a sale of bonds by the Authority, installment purchase contracts by the Authority or the Village of Spring Lake, or similar financing arrangements.

- D. Use of Tax Increments. The Tax Increment Revenues generated as a result of the Tax Increment Financing Plan, as it now exists or is hereafter amended, shall be used as follows:

First, to pay the cost for engineering and construction relating to the improvement of three existing public parking lots as referenced in the Development Plan and included in the Village of Spring Lake CBD Master Development Plan. Specific improvements will include planter replacement, signage, fencing, curb installation and landscaping.

Second, to pay the cost of engineering, landscape design and other consulting work required to complete construction and financial plans for the development of the proposed CBD access drive to be constructed between Buchanan Street and Cutler Street north of M-104 (Savidge Street) in the Village owned railroad right-of-way.

Third, to finance the construction of the CBD Access Drive either on a current basis or by paying in full all principal and interest payments due in connection with the financing arrangements utilized to defray the cost of constructing and completing the CBD Access Drive and related landscape improvements.

Fourth, to pay the cost of any additional improvements in the Development Area undertaken to support projects and developments included in the Village of Spring Lake CBD Master Development Plan, as amended, provided such improvements have been approved by the Spring Lake Village Council as part of a supplementary development plan and tax increment financing plan approved by the Village Council after the completion of all procedures required by Act 197.

Fifth, to pay the cost of maintaining the public parking lots located in the Development Area.

Sixth, to pay the cost of resurfacing the public parking lots located in the Development Area.

Seventh, to pay, if necessary, administrative and operating expenses of the Authority.

Any tax increment receipts in excess of those needed under the preceding paragraphs shall be considered surplus and shall be expended only in accordance with Act 197.

- E. Duration of Tax Increment Financing Plan. The Tax Increment Financing Plan shall commence as of the date the Village of Spring Lake ordinance/resolution approving the Plan is adopted and shall last until all financing obtained for improvements referenced in the Development Plan has been paid in full and any and all improvements referenced in the Development Plan have been acquired and paid for, but in no event longer than twelve years.
- F. Estimated Impact on Other Taxing Jurisdictions. Attached as Exhibit E is a statement of the estimated impact of this Tax Increment Financing Plan on the assessed values of all taxing jurisdictions in which the Development Area is located.

EXHIBIT A

<u>Parcel Number</u>	<u>Address</u>	<u>Assessed Valuation</u>
70 03 14 325 023	603 E. Savidge	12,000
060	607 E. Savidge	30,200
061	617 E. Savidge	33,200
70 03 14 375 001	606 E. Savidge	49,700
002	618 E. Savidge	89,700
003	622 E. Savidge	23,500
008	700 E. Savidge	40,400
013	728 E. Savidge	37,600
052	628 E. Savidge	37,600
70 03 14 376 004	820 E. Savidge	23,100
005	826 E. Savidge	19,000
006	830 E. Savidge	31,300
027	804 E. Savidge	28,500
028	110 DeWitt	75,500
70 03 15 351 003	510 W. Liberty	147,300
70 03 15 352 001	111 N. Park	7,300
002	111 N. Park	20,200
70 03 15 354 001	601 W. Savidge	17,000
002	601 W. Savidge	59,500
70 03 15 355 002	507 W. Savidge	65,200
70 03 15 356 001	411 W. Savidge	27,900
002	401 W. Savidge	32,200
70 03 15 357 001	315 W. Savidge	34,200
002	301 W. Savidge	48,500
70 03 15 358 001	612 W. Savidge	70,600
002	510 W. Savidge	10,000
70 03 15 359 001	510 W. Savidge	10,000
002	510 W. Savidge	20,500
003	502 W. Savidge	41,700
70 03 15 360 001	414 W. Savidge	22,500
003	406 W. Savidge	32,300
70 03 15 361 001	314 W. Savidge	52,100
002	304 W. Savidge	31,300
003	106 S. Park	15,300
70 03 15 362 001	925 W. Savidge	330,000
70 03 15 378 001	217 W. Savidge	30,400
002	215 W. Savidge	15,900
003	213 W. Savidge	27,200
004	211 W. Savidge	13,100
005	209 W. Savidge	14,600
006	105 N. Jackson	4,535
007	207 W. Savidge	9,600
70 03 15 379 001	119 W. Savidge	29,100
002	117 W. Savidge	23,800
003	113 W. Savidge	19,300
004	101 W. Savidge	166,200
005	109 N. Buchanan	18,900

2,007,528

<u>Parcel Number</u>	<u>Address</u>	1983 <u>Assessed Valuation</u>
70 03 15 381 001	228 W. Savidge	34,100
002	226 W. Savidge	19,800
003	224 W. Savidge	10,800
004	222 W. Savidge	9,600
005	218 W. Savidge	9,500
006	214 W. Savidge	13,100
007	210 W. Savidge	3,930
008	208 W. Savidge	17,400
009	206 W. Savidge	18,100
010	200 W. Savidge	30,200
012	112 S. Division	2,900
013	112 S. Division	500
018	211 W. Exchange	38,200
022	109 S. Jackson	19,100
70 03 15 382 005	110 W. Savidge	27,900
006	108 W. Savidge	22,400
007	106 W. Savidge	32,400
009	110 W. Savidge	600
012	111 S. Jackson	24,300
016	150 W. Exchange	55,900
018	111 E. Exchange	174,200
019	124 W. Savidge	33,600
020	120 W. Savidge	17,000
021	118 W. Savidge	12,800
022	116 W. Savidge	25,100
70 03 15 383 001	102 S. Buchanan	34,000
002	104 E. Savidge	21,600
70 03 16 447 001	821 W. Savidge	279,300
004	821 W. Savidge	1,200
005	917 W. Savidge	6,200
70 03 16 450 001	116 N. Christman	31,700
002	710 Liberty	48,300
003	708 Liberty	26,500
70 03 16 475 001	940 W. Savidge	976,700
70 03 16 476 002	917 W. Savidge	13,400
003	903 W. Savidge	35,300
004	601 W. Savidge	21,800
005	823 W. Savidge	23,700
006	821 W. Savidge	34,100
007	813 W. Savidge	19,000
008	807 W. Savidge	21,500
010	621 W. Savidge	23,800
011	925 W. Savidge	3,300
012	721 W. Savidge	24,400
013	925 W. Savidge	167,500
70 03 16 477 001	921 W. Savidge	7,000
002	915 W. Savidge	6,600
003	915 W. Savidge	3,100
004	909 W. Savidge	14,400
005	909 W. Savidge	3,100
70 03 16 478 001	W. Savidge	1,800
70 03 16 479 001	910 W. Savidge	68,400
002	910 W. Savidge	6,000
		<u>2,577,130</u>

EXHIBIT B

Calculation of Estimated State Equalized Value of Improvements and Changes

<u>Expected Improvements</u>	<u>Estimated Increase In State Equalized Value</u>	<u>Estimated Tax Increment Revenue</u>
Holiday Inn Tax I.D. No.(s) _____ <u>70-03-16-475-001</u>	\$ 100,000	\$ 5,499
<u>Other increases</u>	<u>184,234</u>	<u>10,132</u>
TOTAL	\$ 284,234	\$15,631

Initial Assessed Value \$4,584,658

1983 Total Tax Rate 55.5216

EXHIBIT C

DOWNTOWN DEVELOPMENT AUTHORITY

Caption editorially supplied

Cross References

Shopping area redevelopment projects, see § 125.981 et seq.

Library References

M.L.P. Municipal Corporations § 132.

P.A.1975, No. 197, Imd. Eff. Aug. 13

AN ACT to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; and to authorize the use of tax increment financing.

The People of the State of Michigan enact:

125.1651 Definitions

Sec. 1. As used in this act:

(a) "Authority" means a downtown development authority created pursuant to this act.

(b) "Board" means the governing body of an authority.

(c) "Business district" means an area in the downtown of a municipality zoned and used principally for business.

(d) "Chief executive officer" means the mayor or city manager of a city, the president of a village or the supervisor of a township.

(e) "Development area" means that area to which a development plan is applicable.

(f) "Development plan" means that information and those requirements for a development set forth in section 17.¹

(g) "Development program" means the implementation of the development plan.

(h) "Downtown district" means an area in a business district which is specifically designated by ordinance of the governing body of the municipality pursuant to this act.

(i) "Governing body of a municipality" means the elected body of a municipality having legislative powers.

(j) "Municipality" means a city, village, or township.

(k) "Operations" means office maintenance, including salaries and expenses of employees, office supplies, consultation fees, design costs, and other expenses incurred in the daily management of the authority and planning of its activities.

(1) "Public facility" means a street, plaza, pedestrian mall, and any improvements thereto including street furniture and beautification, park, parking facility, recreational facility, right of way, structure, waterway, bridge, lake, pond, canal, utility line or pipe, building, and access routes to any of the foregoing, designed and dedicated to use by the public generally, or used by a public agency.

P.A.1975, No. 197, § 1, Imd. Eff. Aug. 13.

¹ Section 125.1667.

Library References

Municipal Corporations § 3 et seq. C.J.S. Municipal Corporations § 3

125.1652 Establishment and powers; property includable: public corporate body

Sec. 2. (1) A municipality may establish an authority. No portion of property shall be included in more than 1 authority created by this act.

(2) The authority shall be a public body corporate which may sue and be sued in any court of this state. The authority possesses the powers necessary to carry out the purpose of its incorporation. The enumeration of a power in this act shall not be construed as a limitation upon the general powers of the authority.

P.A.1975, No. 197, § 2, Imd. Eff. Aug. 13.

Library References

Municipal Corporations § 3. C.J.S. Municipal Corporations § 6.

125.1653 Procedure for creating authority; downtown district boundary changes

Sec. 3. (1) When the governing body of a municipality determines that it is necessary for the best interests of the public to halt property value deterioration and increase property tax valuation where possible in its business district, to eliminate the causes of that deterioration, and to promote economic growth, the governing body of that municipality may, by resolution, declare its intention to create and provide for the operation of an authority.

(2) In the resolution of intent, the governing body shall set a date for the holding of a public hearing on the adoption of a proposed ordinance creating the authority and designating the boundaries of the downtown district. Notice of the public hearing shall be published twice in a newspaper of general circulation in the municipality, not less than 20 nor more than 40 days before the date of the hearing. Notice shall also be mailed to the property taxpayers of record in the proposed district not less than 20 days before the hearing. Failure to receive the notice shall not invalidate these proceedings. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the proposed downtown district not less than 20 days before the hearing. The notice shall state the date, time, and place of the hearing, and shall describe the boundaries of the proposed downtown district. A citizen, taxpayer, or property owner of the municipality has the right to be heard in regard to the establishment of the au-

thority and the boundaries of the proposed downtown district. The governing body of the municipality shall not incorporate land into the downtown district not included in the description contained in notice of public hearing, but it may eliminate described lands from the downtown district in the final determination of the boundaries.

(3) After the public hearing, if the governing body of the municipality intends to proceed with the establishment of the authority, it shall adopt, by majority vote of its members, an ordinance establishing the authority and designating the boundaries of the downtown district within which the authority shall exercise its powers. The adoption of the ordinance is subject to any applicable statutory or charter provisions in respect to the approval or disapproval by the chief executive or other officer of the municipality and the adoption of an ordinance over his veto. This ordinance shall be filed with the secretary of state promptly after its adoption and shall be published at least once in a newspaper of general circulation in the municipality.

(4) The governing body of the municipality may alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district in accordance with the same requirements prescribed for adopting the ordinance creating the authority. P.A.1975, No. 197, § 3, Imd. Eff. Aug. 13.

Library References

Municipal Corporations ☞ 106.

C.J.S. Municipal Corporations § 416.

125.1654. Governing board of authority

Sec. 4. (1) The authority shall be under the supervision and control of the board consisting of the chief executive officer of the municipality and not less than 8 or more than 12 members as determined by the governing body of the municipality. Members shall be appointed by the chief executive officer of the municipality, subject to approval by the governing body of the municipality. Not less than a majority of the members shall be persons having an interest in property located in the downtown district. Not less than 1 of

the members shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it. Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The chairperson of the board shall be elected by the board.

(2) Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

(3) The business which the board may perform shall be conducted at a public meeting of the board held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. The board shall adopt rules consistent with Act No. 267 of the Public Acts of 1976 governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held when called in the manner provided in the rules of the board. * * *

(4) Pursuant to notice and after having been given an opportunity to be heard, a member of the board may be removed for cause by the governing body. Removal of a member is subject to review by the circuit court.

(5) All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

(6) In addition to the items and records prescribed in subsection (5), a writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws,

Amended by P.A.1978, No. 521, § 1, Imd. Eff. Dec. 20.

125.1655 Director; treasurer; secretary; legal counsel; other personnel

Sec. 5. (1) The board may employ and fix the compensation of a director, subject to the approval of the governing body of the municipality. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of his office, the director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum determined in the ordinance establishing the authority payable to the authority for use and benefit of the authority, approved by the board, and filed with the municipal clerk. The premium on the bond shall be deemed an operating expense of the authority, payable from funds available to the authority for expenses of operation. The director shall be the chief executive officer of the authority. Subject to the approval of the board, the director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the authority in the manner authorized by this act. The director shall attend the meetings of the board, and shall render to the board and to the governing body of the municipality a regular report covering the activities and financial condition of the authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his office, the acting director shall take and subscribe to the oath, and furnish bond, as required of the director. The director shall furnish the board with information or reports governing the operation of the authority as the board requires.

(2) The board may employ and fix the compensation of a treasurer, who shall keep the financial records of the authority and who, together with the director, shall approve all vouchers for the expenditure of funds of the authority. The treasurer shall perform such other duties as may be delegated to him by the board and shall furnish bond in an amount as prescribed by the board.

(3) The board may employ and fix the compensation of a secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the treasurer. The secretary shall attend meetings of the board and keep a record of its proceedings, and shall perform such other duties delegated by the board.

(4) The board may retain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the authority in actions brought by or against the authority.

(5) The board may employ other personnel deemed necessary by the board.

P.A.1975, No. 197, § 5, Imd. Eff. Aug. 13.

Library References

Municipal Corporations § 129 et seq. C.J.S. Municipal Corporations §§ 472, 473.

125.1656 Employees' retirement and insurance programs

Sec. 6. The employees of an authority shall be eligible to participate in municipal retirement and insurance programs of the municipality as if they were civil service employees except that the employees of an authority are not civil service employees.

P.A.1975, No. 197, § 6, Imd. Eff. Aug. 13.

Cross References

Municipal employees' retirement system, see § 38.601 et seq.

Library References

Municipal Corporations § 220(9). M.L.P. Municipal Corporations § 65.
C.J.S. Municipal Corporations § 727.

125.1657 Powers of governing body

Sec. 7. The board may:

(a) Prepare an analysis of economic changes taking place in the downtown district.

(b) Study and analyze the impact of metropolitan growth upon the downtown district.

(c) Plan and propose the construction, the renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the downtown district.

(d) Develop long-range plans, in cooperation with the agency which is chiefly responsible for planning in the municipality, designed to halt the deterioration of property values in the downtown district and to promote the economic growth of the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.

(e) Implement any plan of development in the downtown district necessary to achieve the purposes of this act, in accordance with the powers of the authority as granted by this act.

(f) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.

(g) Acquire by purchase or otherwise, on terms and conditions and in a manner the authority deems proper or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests therein, which the authority deter-

mines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect thereto.

(h) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.

(i) Fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.

(j) Lease any building or property under its control, or any part thereof.

(k) Accept grants and donations of property, labor, or other things of value from a public or private source.

(l) Acquire and construct public facilities.

P.A.1975, No. 197, § 7, Imd. Eff. Aug. 13.

Library References

Municipal Corporations ¶167.

C.J.S. Municipal Corporations § 542.

125.1659 Persons displaced from realty by authority

Sec. 9. The authority shall be deemed an instrumentality of a political subdivision for purposes of Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

P.A.1975, No. 197, § 9, Imd. Eff. Aug. 13.

Cross References

Assistance for persons displaced from realty, see § 213.321 et seq.

Library References

Municipal Corporations ¶1.

C.J.S. Municipal Corporations §§ 1, 3, 4, 34.

125.1660 Eminent domain

Sec. 10. A municipality may take private property under Act No. 149 of the Public Acts of 1911, as amended, being sections 213.21 to 213.41 of the Michigan Compiled Laws, for the purpose of transfer to the authority, and may transfer the property to the authority for use in an approved development, on terms and conditions it deems appropriate, and the taking, transfer, and use shall be considered necessary for public purposes and for the benefit of the public.

P.A.1975, No. 197, § 10, Imd. Eff. Aug. 13.

125.1661. Financing; deposits

Sec. 11. (1) The activities of the authority shall be financed from 1 or more of the following sources:

(a) Donations to the authority for the performance of its functions.

(b) Proceeds of a tax imposed pursuant to section 12.¹

(c) Money borrowed and to be repaid as authorized by section 13.²

(d) Revenues from any property, building, or facility owned, leased, licensed, or operated by the authority or under its control, subject to the limitations imposed upon the authority by trusts or other agreements.

(e) Proceeds of a tax increment financing plan, established under sections 14 to 16.³

(f) Proceeds from a special assessment district created as provided by law.

(g) Money obtained from other sources approved by the governing body of the municipality.

(2) Money received by the authority and not covered under subsection (1) shall immediately be deposited to the credit of the authority, subject to disbursement pursuant to this act. Except as provided in this act, the municipality shall not obligate itself, nor shall it ever be obligated to pay any sums from public funds, other than money received by the municipality pursuant to this section, for or on account of the activities of the authority.

125.1662 Taxation; borrowing; tax anticipation notes

Sec. 12. (1) An authority with the approval of the municipal governing body may levy an ad valorem tax on the real and tangible personal property not exempt by law and as finally equalized in the downtown district. The tax shall not be more than 1 mill if the downtown district is in a municipality having a population of 1,000,000 or more, or not more than 2 mills if the downtown district is in a municipality having a population of less than 1,000,000. The tax shall be collected by the municipality creating the authority levying the tax. The municipality shall collect the tax at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the treasurer of the authority and credited to the general fund of the authority for purposes of financing only the operations of the authority.

(2) The municipality may at the request of the authority borrow money and issue its notes therefor pursuant to Act No. 202 of the Public Acts of 1943, as amended, being sections 131.1 to 138.2 of the Michigan Compiled Laws, in anticipation of collection of the ad valorem tax authorized in this section.

125.1663 Revenue bonds

Sec. 13. The authority may borrow money and issue its negotiable revenue bonds therefor pursuant to Act No. 94 of the Public Acts of 1933, as amended, being sections 141.101 to 141.139 of the Michigan Compiled Laws. Revenue bonds issued by the authority shall not except as hereinafter provided be deemed a debt of the municipality or the state. The municipality by majority vote of the members of its governing body may pledge its full faith and credit to support the authority's revenue bonds.

125.1663a. Issuance of revenue bonds or notes; costs financed by bonds or notes; pledge; tax exemption; liability; investment by public officers, state agencies, etc.

Sec. 13a. (1) The authority may with approval of the local governing body borrow money and issue its revenue bonds or notes to finance all or part of the costs of acquiring or constructing property in connection with the implementation of a development plan in

the downtown district or to refund or refund in advance bonds or notes issued pursuant to this section. The costs which may be financed by the issuance of revenue bonds or notes may include the cost of purchasing, acquiring, constructing, improving, enlarging, extending, or repairing property in connection with the implementation of a development plan in the downtown district; any engineering, architectural, legal, accounting, or financial expenses; the costs necessary or incidental to the borrowing of money; interest on the bonds or notes during the period of construction; a reserve for payment of principal and interest on the bonds or notes; and a reserve for operation and maintenance until sufficient revenues have developed. The authority may secure the bonds and notes by mortgage, assignment, or pledge of the property and any money, revenues, or income received in connection therewith.

(2) A pledge made by the authority shall be valid and binding from the time the pledge is made. The money or property pledged by the authority immediately shall be subject to the lien of the pledge without a physical delivery, filing, or further act. The lien of such a pledge shall be valid and binding as against parties having claims of any kind in tort, contract, or otherwise, against the authority, irrespective of whether the parties have notice of the lien. Neither the resolution, the trust agreement, nor any other instrument by which a pledge is created need be filed or recorded.

(3) Bonds or notes issued pursuant to this section shall be exempt from all taxation in this state except inheritance and transfer taxes, and the interest on the bonds or notes shall be exempt from all taxation in this state, notwithstanding that the interest may be subject to federal income tax.

(4) The municipality shall not be liable on bonds or notes of the authority issued pursuant to this section and the bonds or notes shall not be a debt of the municipality. The bonds or notes shall contain on their face a statement to that effect.

(5) The bonds and notes of the authority may be invested in by all public officers, state agencies and political subdivisions, insurance companies, banks, savings and loan associations, investment companies, and fiduciaries and trustees, and may be deposited with and received by all public officers and the agencies and political subdivisions of this state for any purpose for which the deposit of bonds is authorized.

P.A.1975, No. 197, § 13a, added by P.A.1981, No. 151, § 1, Imd. Eff. Nov. 19, 1981.

Library References

Municipal Corporations ⇐ 908, 950(15).

C.J.S. Municipal Corporations §§ 1904, 1957.

125.1664. Assessed values; tax increment financing plan

Sec. 14. (1) As used in this section and sections 15 and 16: ¹

(a) "Captured assessed value" means the amount in any 1 year, by which the current assessed value of the project area, including the assessed value of property for which a commercial facilities exemption certificate has been issued pursuant to Act No. 255 of the Public Acts of 1978, as amended, being sections 207.651 to 207.668 of the Michigan Compiled Laws, the assessed value of property for which an industrial facilities exemption certificate has been issued pursuant to Act No. 198 of the Public Acts of 1974, as amended, being sections 207.551 to 207.571 of the Michigan Compiled Laws, and the assessed value of property for which a commercial housing facilities exemption certificate has been issued pursuant to Act No. 438 of the Public Acts of 1976, as amended, being sections 207.601 to 207.615 of the Michigan Compiled Laws, exceeds the initial assessed value.

(b) "Initial assessed value" means the most recently assessed value, as finally equalized by the state board of equalization, of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved. Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero. For the purpose of determining initial assessed value, property for which a commercial facilities exemption certificate, an industrial facilities exemption certificate, or a commercial housing facilities exemption certificate, is in effect shall not be considered to be property which is exempt from taxation.

(2) When the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 17,² a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, the duration of the program, and

shall be in compliance with section 15. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan.

(3) Approval of the tax increment financing plan shall be pursuant to the notice, hearing, and disclosure provisions of section 18.³ If the development plan is part of the tax increment financing plan, only 1 hearing and approval procedure is required for the 2 plans together.

(4) Before the public hearing on the tax increment financing plan, the governing body shall provide a reasonable opportunity to the members of the county board of commissioners of a county in which any portion of the development area is located and to the members of the school board of any school district in which any portion of the development area is located to meet with the governing body. The authority shall fully inform members of the county boards of commissioners and of the school boards of the fiscal and economic implications of the proposed development area. The members of the county boards of commissioners and of the school boards may present their recommendations at the public hearing on the tax increment financing plan. The authority may enter into agreements with the county board of commissioners, the school boards, and the governing body of the municipality in which the development area is located to share a portion of the captured assessed value of the district.

(5) A tax increment financing plan may be modified if the modification is approved by the governing body upon notice and after public hearings and agreements as are required for approval of the original plan.

Amended by P.A.1979, No. 26, § 1, Imd. Eff. June 6; P.A.1981, No. 34, § 1, Imd. Eff. May 11.

¹ Sections 125.1665 and 125.1666.

² Section 125.1667.

³ Section 125.1668.

1979 Amendment. In subsec. (1)(a) inserted "including the assessed value of property for which a commercial facilities exemption certificate has been issued pursuant to Act No. 255 of the Public Acts of 1978, being sections 207.651 to 207.668 of the Michigan Compiled Laws"; and in subsec. (1)(b) added the last sentence.

1981 Amendment. In subsec. (1)(a) inserted "as amended" following "Acts of 1978" and "the assessed value of property for which an industrial facilities exemption certificate has been issued pursuant to Act No. 198 of the Public Acts of 1974, as amended, being sections 207.551 to 207.571 of the Michigan Compiled Laws, and the

assessed value of property for which a commercial housing facilities exemption certificate has been issued pursuant to Act No. 438 of the Public Acts of 1976, as amended, being sections 207.601 to 207.615 of the Michigan Compiled Laws," preceding "exceeds the initial assessed value"; in subsec. (1)(b), in the first sentence, inserted "as finally equalized by the state board of equalization" and in the third sentence, substituted "an industrial facilities exemption certificate, or a commercial housing facilities exemption certificate" for "issued pursuant to Act No. 255 of the Public Acts of 1978".

Cross References

School aid act of 1979, reduction of state funds to districts receiving money pursuant to this section, see § 388.1626.

Notes of Decisions

1. Validity

The tax increment financing provisions of § 125.1651 et seq., the Downtown Development

Authority Act, do not violate the rule of tax uniformity mandated by Const. Art. 9, § 3. Op. Atty.Gen.1976, No. 5087, p. 690.

125.1665. Tax increments, amount, expenditure, financing account report

Sec. 15. (1) The amount of tax increment to be transmitted to the authority by the municipal and county treasurers shall be that portion of the tax levy of all taxing bodies paid each year on real and personal property in the project area on the captured assessed value. For the purpose of this section, that portion of a commercial facilities tax levied pursuant to section 12 of Act No. 255 of the Public Acts of 1978, being section 207.662 of the Michigan Compiled Laws, that portion of an industrial facilities tax levied after December 30, 1980 pursuant to section 11 of Act No. 198 of the Public Acts of 1974, as amended, being section 207.561 of the Michigan Compiled Laws, and that portion of a commercial housing facilities tax levied after December 30, 1980 pursuant to section 6 of Act No. 438 of the Public Acts of 1976, as amended, being section 207.606 of the Michigan

Compiled Laws, which is attributable to the captured assessed value of the facility shall be included as a part of the tax increment to be transmitted to the authority.

(2) The authority shall expend the tax increments received for the development program only pursuant to the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing bodies. These revenues shall not be used to circumvent existing property tax limitations. The governing body of the municipality may abolish the tax increment financing plan when it finds that the purposes for which it was established are accomplished. However, the tax increment financing plan shall not be abolished until the principal of, and interest on, bonds issued pursuant to section 16¹ have been paid or funds sufficient to make the payment have been segregated.

(3) Annually the authority shall submit to the governing body of the municipality a report on the status of the tax increment financing account. The report shall include: the amount and source of revenue in the account; the amount and purpose of expenditures from the account; the amount of principal and interest on any outstanding bonded indebtedness; the initial assessed value of the project area; the captured assessed value retained by the authority; the tax increments received; and any additional information the governing body considers necessary. The report shall be published in a newspaper of general circulation in the municipality.

Amended by P.A.1979, No. 26, § 1, Imd. Eff. June 6; P.A.1981, No. 34, § 1, Imd. Eff. May 11.

¹ Section 125.1666.

1979 Amendment. In subsec. (1) added the second sentence.

1981 Amendment. In subsec. (1), in the second sentence, inserted "that portion of an industrial facilities tax levied after December 30, 1980 pursuant to section 11 of Act No. 198 of the Public Acts of 1974, as amended, being section 207.561 of

the Michigan Compiled Laws, and that portion of a commercial housing facilities tax levied after December 30, 1980 pursuant to section 6 of Act No. 438 of the Public Acts of 1976, as amended, being section 207.606 of the Michigan Compiled Laws"; in subsec. (2), in the third sentence, substituted "property tax limitations" for "levy limit laws", and added the fifth sentence.

125.1666. General obligation bonds; tax increment bonds

Sec. 16. (1) The municipality may by resolution of its governing body authorize, issue, and sell general obligation bonds subject to the limitations * * * set forth in this subsection to finance the development program of the tax increment financing plan and shall pledge its full faith and credit for the payment of the bonds. The bonds shall mature in not more than 30 years and shall be subject to Act No. 202 of the Public Acts of 1943, as amended, being sections 131.1 to 138.2 of the Michigan Compiled Laws. Before the municipality may authorize the borrowing, the authority shall submit an estimate of the anticipated tax increment revenue to be available for payment of principal and interest on the bonds, to the governing body of the municipality. This estimate shall be approved by the governing body of the municipality by resolution adopted by majority vote of the members of the governing body, in the resolution authorizing the bonds, and when approved by the municipal finance commission shall be conclusive for purposes of this section. A municipality may not pledge for annual debt service requirements in any 1 year in excess of 80% of the estimated tax increment revenue to be received from a development area for that year, and the total aggregate amount of borrowing shall not exceed an amount which the 80% of the estimated tax increment will service as to annual principal and interest requirements. The bonds issued under this section shall be considered a single series for the purposes of Act No. 202 of the Public Acts of 1943, as amended.

(2) The authority may by resolution of its governing body authorize, issue, and sell tax increment bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan. The tax increment bonds issued by the authority pursuant to this subsection shall pledge solely the tax increments of the project for which the bonds are issued and any other revenues which the authority shall specifically pledge in the resolution and shall not pledge the full faith and credit of either the authority or the municipality. The bonds shall mature in not more than 30 years and shall bear interest and be payable upon such terms and conditions as the authority shall determine in the resolution approving the bonds and shall be sold at public or private sale by the authority. The bond issue may include a sum sufficient to pay interest on the tax increment bonds until full development of tax increments from the project and also a sum to provide a reasonable reserve for payment of principal and interest on the bonds. The resolution authorizing the bonds shall create a lien on the tax increments and other revenues pledged by the resolution which shall be a statutory lien and shall be a first lien subject only to liens previously created. The resolution may provide the terms upon which additional bonds may be issued of equal standing and parity of lien as to the tax increments and other revenues pledged pursuant to the resolution.

125.1667 Development plans

Sec. 17. (1) When a board decides to finance a project in the downtown district by the use of revenue bonds as authorized in section 13¹ or tax increment financing as authorized in sections 14, 15, and 16,² it shall prepare a development plan.

(2) The development plan shall contain:

(a) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.

(b) The location and extent of existing streets and other public facilities within the development area and shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses and shall include a legal description of the development area.

(c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.

(d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.

(e) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.

(f) A description of any parts of the development area to be left as open space and the use contemplated for the space.

(g) A description of any portions of the development area which the authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.

(h) A description of desired zoning changes and changes in streets, street levels, intersections, and utilities.

(i) An estimate of the cost of the development, a statement of the proposed method of financing the development and the ability of the authority to arrange the financing.

(j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the authority.

(k) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons.

(l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial

composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

(m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.

(n) Provision for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the federal uniform relocation assistance and real property acquisition policies act of 1970, being Public Law 91-646, 42 U.S.C. sections 4601, et seq.

(o) A plan for compliance with Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

(p) Other material which the authority, local public agency, or governing body deems pertinent.

P.A.1975, No. 197, § 17, Imd. Eff. Aug. 13.

¹ Section 125.1663.

² Sections 125.1664, 125.1665, 125.1666.

³ 42 U.S.C.A. § 4601 et seq.

Cross References

Assistance for persons displaced from realty, see § 213.321 et seq.

Library References

Municipal Corporations \S 282(1).

C.J.S. Municipal Corporations § 1078.

125.1668 Hearing on plan

Sec. 18. (1) The governing body, before adoption of an ordinance approving a development plan or tax increment financing plan, shall hold a public hearing on the development plan. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall not be less than 20 days before the date set for the hearing. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the downtown district not less than 20 days before the hearing. Notice shall also be mailed to all property taxpayers of record in the downtown district not less than 20 days before the hearing.

(2) Notice of the time and place of hearing on a development plan shall contain: a description of the proposed development area in relation to highways, streets, streams, or otherwise; a statement that maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at a place designat-

ed in the notice, and that all aspects of the development plan will be open for discussion at the public hearing; and other information that the governing body deems appropriate. At the time set for hearing, the governing body shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference thereto. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the development plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

P.A.1975, No. 197, § 18, Imd. Eff. Aug. 13.

125.1669 Public purpose; approval or rejection of plan; amendments, development or tax increment plans

Sec. 19. (1) The governing body after a public hearing on the development plan or the tax increment financing plan, or both, with notice thereof given in accordance with section 18,¹ shall determine whether the development plan or tax increment financing plan constitutes a public purpose. If it determines that the development plan or tax increment financing plan constitutes a public purpose, it shall then approve or reject the plan, or approve it with modification, by ordinance based on the following considerations:

(a) The findings and recommendations of a development area citizens council, if a development area citizens council was formed.

(b) The plan meets the requirements set forth in section 17(2).²

(c) The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.

(d) The development is reasonable and necessary to carry out the purposes of this act.

(e) The land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of this act in an efficient and economically satisfactory manner.

(f) The development plan is in reasonable accord with the master plan of the municipality.

(g) Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.

(h) Changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the municipality.

(2) Amendments to an approved development plan or tax increment plan must be submitted by the authority to the governing body for approval or rejection.

P.A.1975, No. 197, § 19, Imd. Eff. Aug. 13.

¹ Section 125.1668.

² Section 125.1667(2).

Library References

Municipal Corporations \S 301 et seq. C.J.S. Municipal Corporations \S 113

125.1670 Notice to vacate, person to be relocated

Sec. 20. A person to be relocated under this act shall be given not less than 90 days' written notice to vacate unless modified by court order for good cause.

P.A.1975, No. 197, § 20, Imd. Eff. Aug. 13.

125.1671 Development area citizens council

Sec. 21. (1) If a proposed development area has residing within it 100 or more residents, a development area citizens council shall be established at least 90 days before the public hearing on the development or tax increment financing plan. The development area citizens council shall be established by the governing body and shall consist of not less than 9 members. The members of the development area citizens council shall be residents of the development area and shall be appointed by the governing body. A member of a development area citizens council shall be at least 18 years of age.

(2) A development area citizens council shall be representative of the development area.

P.A.1975, No. 197, § 21, Imd. Eff. Aug. 13.

Library References

Municipal Corporations Ⓒ298.

C.J.S. Municipal Corporations § 1102.

125.1672 Council as advisory body

Sec. 22. A development area citizens council established pursuant to this act shall act as an advisory body to the authority and the governing body in the adoption of the development or tax increment financing plans.

P.A.1975, No. 197, § 22, Imd. Eff. Aug. 13.

Library References

Municipal Corporations Ⓒ298.

C.J.S. Municipal Corporations § 1102.

125.1673 Consultation with council

Sec. 23. Periodically a representative of the authority responsible for preparation of a development or tax increment financing plan within the development area shall consult with and advise the development area citizens council regarding the aspects of a development plan, including the development of new housing for relocation purposes located either inside or outside of the development area. The consultation shall begin before any final decisions by the authority and the governing body regarding a development or tax increment financing plan. The consultation shall continue throughout the preparation and implementation of the development or tax increment financing plan.

P.A.1975, No. 197, § 23, Imd. Eff. Aug. 13.

Library References

Municipal Corporations Ⓒ298.

C.J.S. Municipal Corporations § 1102.

125.1674 Council, meetings, assistance, failure to organize, consult, or advise

Sec. 24. (1) Meetings of the development area citizens council shall be open to the public. Notice of the time and place of the meetings shall be given by publication in a newspaper of general circulation not less than 5 days before the dates set for meetings of the de-

velopment area citizens council. A person present at those meetings shall have reasonable opportunity to be heard.

(2) A record of the meetings of a development area citizens council, including information and data presented, shall be maintained by the council.

(3) A development area citizens council may request of and receive from the authority information and technical assistance relevant to the preparation of the development plan for the development area.

(4) Failure of a development area citizens council to organize or to consult with and be advised by the authority, or failure to advise the governing body, as provided in this act, shall not preclude the adoption of a development plan by a municipality if the municipality complies with the other provisions of this act.

P.A.1975, No. 197, § 24, Imd. Eff. Aug. 13.

Library References

Municipal Corporations \S 298.

C.J.S. Municipal Corporations \S 1

125.1675 Citizens district council as council

Sec. 25. In a development area where a citizens district council established according to Act No. 344 of the Public Acts of 1945, as amended, being sections 125.71 to 125.84 of the Michigan Compiled Laws, already exists the governing body may designate it as the development area citizens council authorized by this act.

P.A.1975, No. 197, § 25, Imd. Eff. Aug. 13.

125.1676 Development plan, council findings and recommendations

Sec. 26. Within 20 days after the public hearing on a development or tax increment financing plan, the development area citizens council shall notify the governing body, in writing, of its findings and recommendations concerning a proposed development plan.

P.A.1975, No. 197, § 26, Imd. Eff. Aug. 13.

Library References

Municipal Corporations \S 297(1).

C.J.S. Municipal Corporations \S 1097.

125.1677 Necessity for, and dissolution of, council

Sec. 27. A development area citizens council may not be required and, if formed, may be dissolved in any of the following situations:

(a) On petition of not less than 20% of the adult resident population of the development area by the last federal decennial or municipal census, a governing body, after public hearing with notice thereof given in accordance with section 18¹ and by a $\frac{2}{3}$ vote, may adopt an ordinance for the development area to eliminate the necessity of a development area citizens council.

(b) When there are less than 18 residents, real property owners, or representatives of establishments located in the development area eligible to serve on the development area citizens council.

(c) Upon termination of the authority by ordinance of the governing body.

125.1678 Budget; fund handling and auditing costs

Sec. 28. (1) The director of the authority shall prepare and submit for the approval of the board a budget for the operation of the authority for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Before the budget may be adopted by the board, it shall be approved by the governing body of the municipality. Funds of the municipality shall not be included in the budget of the authority except those funds authorized in this act or by the governing body of the municipality.

(2) The governing body of the municipality may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the authority, other than those committed, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

P.A.1975, No. 197, § 28, Imd. Eff. Aug. 13.

Library References

Municipal Corporations Ⓒ885.

C.J.S. Municipal Corporations § 1865.

125.1679 Preservation of historical sites

Sec. 29. (1) A public facility, building, or structure which is determined by the municipality to have significant historical interests shall be preserved in a manner as deemed necessary by the municipality in accordance with laws relative to the preservation of historical sites.

(2) An authority shall refer all proposed changes to the exterior of sites listed on the state register of historic sites and the national register of historic places to the applicable historic district commission created under Public Act No. 169 of the Public Acts of 1970, being sections 399.201 to 399.212 of the Michigan Compiled Laws, or the secretary of state for review.

P.A.1975, No. 197, § 29, Imd. Eff. Aug. 13.

Library References

Municipal Corporations Ⓒ314(1).

C.J.S. Municipal Corporations § 1100.

125.1680 Dissolution of authority

Sec. 30. An authority which has completed the purposes for which it was organized shall be dissolved by ordinance of the governing body. The property and assets of the authority remaining after the satisfaction of the obligations of the authority shall belong to the municipality.

EXHIBIT D

1. Within 60 days of the approval of the Tax Increment Financing and Development Plan by the Spring Lake Village Council, the Village Assessor shall prepare an Initial Base Year Assessment Roll. The Initial Base Year Assessment Roll shall list each taxing jurisdiction in which the Development Area is located, the Initial Assessed Value of all real property in the Development Area as most recently equalized by the State Board of Equalization as of the date of such approval, and the amount of tax revenue derived by each Taxing Jurisdiction from ad valorem taxes on real property in the Development Area.

The Assessor shall transmit copies of the Initial Base Year Assessment Roll to the Village Treasurer, Spring Lake Township Treasurer, Ottawa County Treasurer, Spring Lake Downtown Development Authority and each taxing jurisdiction, together with a notice that the assessment roll has been prepared in accordance with the resolution/ordinance approving the Tax Increment Financing and Development Plan and the Tax Increment Financing Plan itself.

2. Each year within 15 days following the final equalization of property in the Development Area, the Assessor shall prepare an Updated Base Year Assessment Roll. The Updated Base Year Assessment Roll shall show the information required in the Initial Base Year Assessment Roll and, in addition, the Captured Assessed Value of all real property in the Development Area for that year. Copies of the Updated Base Year Assessment Roll shall be transmitted by the Assessor to the same persons as the Initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with the above-referenced resolution/ordinance and the Tax Increment Financing Plan.
3. The Treasurer of the Spring Lake Downtown Development Authority shall establish a separate fund which shall be kept in a depository bank account or accounts in a bank or banks approved by the Village Treasurer to be designated Spring Lake Downtown Development Authority Development Fund. All moneys received by the Spring Lake Downtown Development Authority pursuant to the Tax Increment Financing Plan shall be deposited in the Development Fund. All moneys in that fund and earnings thereon shall be used only in accordance with the Tax Increment Financing and Development Plan and the above-referenced resolution/ordinance.
4. The Village, Spring Lake Township and Ottawa County Treasurers shall, as ad valorem taxes are collected on real property in the Development Area, pay that proportion of those taxes, except for penalties and collection fees, that the Captured Assessed Value of real property bears to the Initial Assessed Value of real property to the Treasurer of the Spring Lake Downtown Development Authority for deposit in the Development Fund. The payments shall be made on the date or dates on which the Village, Township and County Treasurers are required to remit taxes to each of the taxing jurisdictions.
5. The money credited to the Development Fund and on hand therein from time to time shall annually be used for those items specified in Item D of the Tax Increment Financing Plan.

Within 90 days after the end of each fiscal year, the Spring Lake Downtown Development Authority shall submit to the Village Council, with copies to each Taxing Jurisdiction, a report on the status of the Development Fund. The report shall include the amount and source of revenue in the account, the amount and purpose of expenditures from the account, the Initial Assessed Value of real property in the Development Area, the Captured Assessed Value of real property in the Development Area, the tax increments received and the amount of any surplus from the prior year and any additional information requested by the Village Council or deemed appropriate by the Spring Lake Downtown Development Authority. The secretary of the Spring Lake Downtown Development Authority shall cause a copy of the report to be published once in full in a newspaper of general circulation in the Village.

Exhibit E

ESTIMATED IMPACT OF
TAX INCREMENT FINANCING PLAN
ON ALL TAXING JURISDICTIONS
(Using 1983 SEV's)

OTTAWA COUNTY

Estimated Captured SEV:	\$284,234
Total County SEV:	\$2,004,212,900
Ratio of Captured/Total SEV:	.00014

SPRING LAKE SCHOOL DISTRICT

Estimated Captured SEV:	\$284,234
Total School District SEV:	\$106,598,348
Ratio of Captured/Total SEV:	.0026

OTTAWA INTERMEDIATE SCHOOL DISTRICT

Estimated Captured SEV:	\$284,234
Total School District SEV:	\$2,213,669,281
Ratio of Captured/Total SEV:	.00012

VILLAGE OF SPRING LAKE

Estimated Captured SEV:	\$284,234
Total Village SEV:	\$29,032,700
Ratio of Captured/Total SEV:	.009

SPRING LAKE TOWNSHIP

Estimated Captured SEV:	\$284,234
Total Township SEV:	\$111,349,500
Ratio of Captured/Total SEV:	.0025

LEGAL DESCRIPTION FOR
CENTRAL BUSINESS DISTRICT
DEVELOPMENT AUTHORITY AREA
FOR THE VILLAGE OF SPRING LAKE

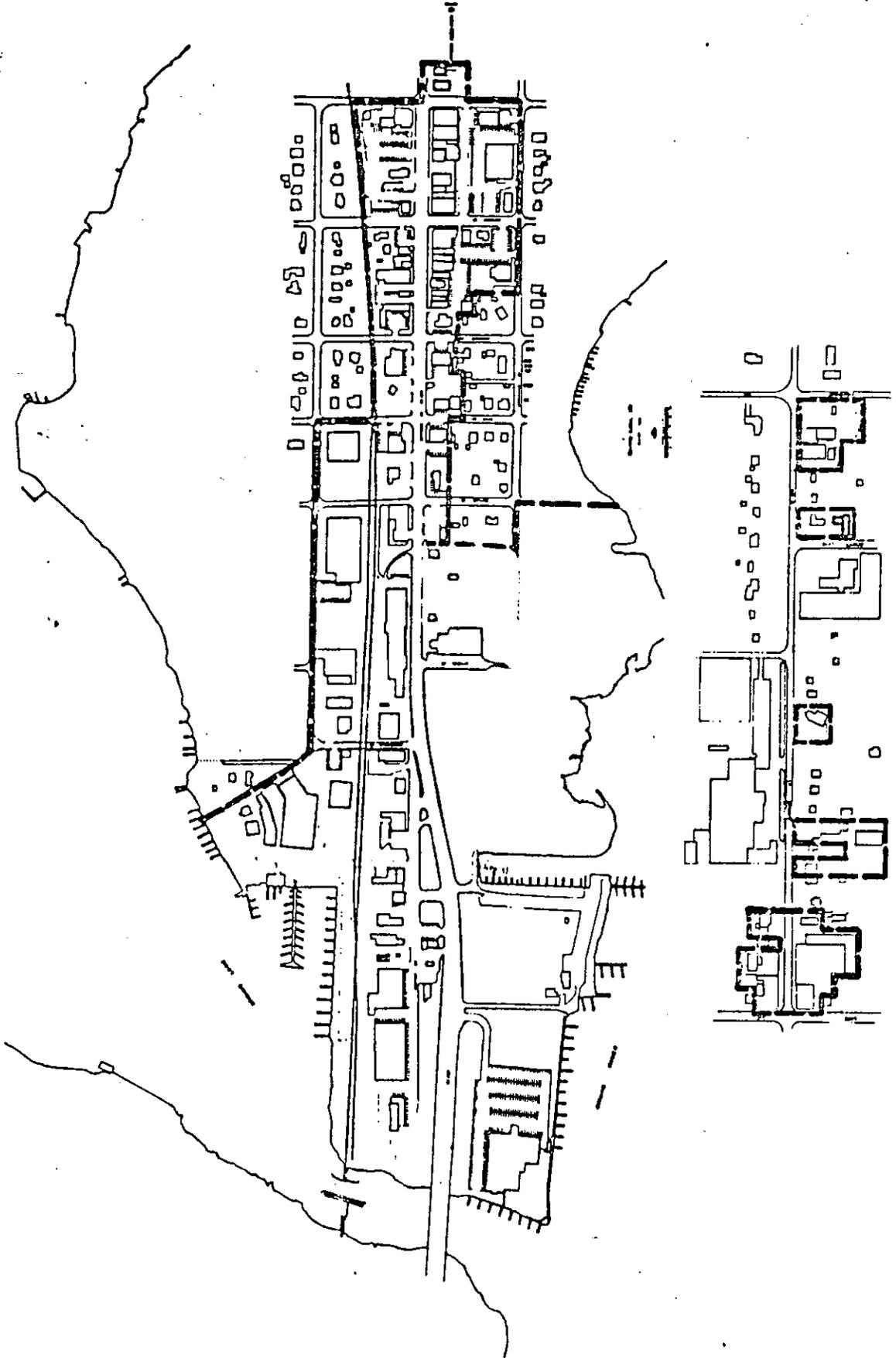
- Parcel No. 1: That part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, described as beginning at the intersection of the North line of M-104 and the East line of Lake Avenue and proceeding thence North 100 feet, thence East 135 feet, thence North 120 feet, thence East 95 feet, thence South 220 feet to the North line of M-104, thence West along the North line of M-104 230 feet to the point of beginning. (Tax Parcels No. 325-023 and part of No. 325-060)
- Parcel No. 2: The East 110 feet of the West 440 feet of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, lying North of Savidge Street, except the North 50 feet thereof. (Tax Parcel No. 325-061)
- Parcel No. 3: That part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, described as beginning 33 feet East and 766.5 feet North of the Southwest corner thereof and proceeding thence East 142 feet, thence South 100 feet, thence East 265 feet, thence North 257.5 feet to the South line of M-104, thence West along the South line of M-104 407 feet to the East line of Lake Avenue, thence South along the East line of Lake Avenue 157.5 feet to the point of beginning. (Tax Parcel Nos. 375-001, 375-002 and 375-003)
- Parcel No. 4: The East 50 feet of the North 304 feet of the East 100 feet of the West 200 feet of the East 2/3 of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West. (Tax Parcel No. 375-052)
- Parcel No. 5: That part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, beginning on the South line of M-104, 709 feet East of the West Section line of Section 14 and proceeding thence East 75 feet, thence South 450 feet, thence West 145 feet, thence North 232 feet, thence East 70 feet, thence North 218 feet to the point of beginning. (Tax Parcel No. 375-008)
- Parcel No. 6: The North 115 feet of the West 128 feet of the East 215 feet of that part of the Southwest 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, lying South of M-104. (Tax Parcel No. 375-013)
- Parcel No. 7: That part of the Southeast 1/4 of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, beginning at the intersection of the South line of M-104 and the East line of DeWitt Lane and proceeding thence South 247 feet, thence East 104.6 feet, thence North 247 feet to the South line of M-104, thence West along the South line of M-104 104.6 feet to the point of beginning. (Tax Parcel Nos. 376-027 and 376-028)
- Parcel No. 8: That part of the Southwest 1/4 of Section 14, Town 8 North, Range 16 West, beginning on the South line of M-104 at a point 364.3 feet West of the East line of the Southwest 1/4 of Section 14 and proceeding thence South 150 feet, thence West and parallel to the South line of M-104, 90 feet, thence North 150 feet to the South line of M-104, thence East along the South line of M-104 90 feet to the point of beginning. (Tax Parcel No. 376-004)

Parcel No. 9: Lot 1, Roseland Subdivision, and a strip of land 15 feet wide North of and adjacent to the West 60 feet of said Lot. (Tax Parcel No. 376-005 and part of Tax Parcel No. 376-006)

Parcel No. 10: Beginning at the intersection of the West line of Block 14, Barber's Addition, and the shore of the Grand River and proceeding thence North along the West line of said Block 14 to the Northwest corner of said Block 14, thence North across Exchange Street to the Southwest corner of Block 11, Barber's Addition, thence West across Cutler Street to the Southeast corner of Block 10, Barber's Addition, thence West along the South line of said Block 10 to the West line of the East 1/2 of the vacated alley located in said Block 10, thence North along said West line to a point 20 feet South of the South line of Lot 1 of said Block 10 extended Westerly, thence East to a point on the East line of said Block 10 that is 20 feet South of the Southeast corner of Lot 1 of said Block 10, thence South along the East line of said Block 10 to the Southeast corner of Lot 4 of said Block 10, thence East across Cutler Street to the Southwest corner of Lot 3, Block 11, Barber's Addition, thence East along the South line of said Lot 3 to the Southeast corner of said Lot 3, thence East to the East line of the West 1/2 of the vacated alley located in said Block 11, thence North along said East line to a point directly East of the Southeast corner of Lot 2 of said Block 11, thence East to the Southwest corner of Lot 1 of said Block 11, thence East along the South line of said Lot 1 to the Southeast corner of said Lot 1, thence South along the East line of said Block 11 to a point 20 feet North of the Southeast corner of Lot 4 of said Block 11, thence East across Park Street to a point on the West line of Block 12, Barber's Addition that is 20 feet North of the Southwest corner of Lot 3 of said Block 12, thence East to the West line of Lot 4 of said Block 12, thence North along the West line of said Lot 4 to the Northwest corner of said Lot 4, thence East along the North line of said Lot 4 to the Northeast corner of said Lot 4, thence South along the East line of said Block 12 to a point that is directly West of a point on the West line of Block 14 of Bryant's Addition that is 40 feet North of the Southwest corner of Lot 2 of said Block 14, thence East across Division Street to said point, thence East 64.5 feet, thence South 40 feet to the South line of Lot 2 of said Block 14, thence East along the South line of Lot 2 to the Southeast corner of said Lot 2, thence South along the East line of Lots 3 and 4 of said Block 12 to the Southeast corner of Lot 4, thence South across Exchange Street to the South line of said street, thence East along the South line of Exchange Street to a point directly South of the Southwest corner of Block 12, Bryant's Addition, thence North across Exchange Street to said Southwest corner, thence North along the West line of said Block 12 to the Southwest corner of Lot 2 of said Block 12, thence East along the South line of said Lot 2 to the Southeast corner of said Lot 2, thence North along the East line of Lots 1 and 2 of said Block 12 to the Northeast corner of Lot 1, thence West along the North line of said Block 12 to the Northwest corner of said Block 12, thence North across M-104 to the Southwest corner of Block 11, Bryant's Addition, thence North along the West line of said Block 11 to the Northwest corner of said Block 11, thence North across the Grand Trunk Railroad right of way to the North line of said right of way, thence West along the North line of said right of way to the East line of Park Street, thence North along the East line of Park Street to the North line of Liberty Street, thence West along the North line of Liberty Street to the Southwest corner of Streng and Gilleland's

Subdivision, thence North 35 feet, thence Northwesterly to a point that is located 82 feet West and 161.5 feet North of the Southwest corner of Streng and Gilleland's Subdivision, thence North 101 feet, thence North 50 degrees 30 minutes 00 seconds West 121.5 feet, thence North to the shore of Spring Lake, thence Westerly, Southerly and Easterly along the shores of Spring Lake and the Grand River to the point of beginning.

PROPOSED CENTRAL BUSINESS DISTRICT
DEVELOPMENT AUTHORITY AREA
VILLAGE OF SPRING LAKE -- AMENDED



EXCERPTS OF MINUTES

At a regular meeting of the Village Council of the Village of Spring Lake, Ottawa County, Michigan, held at the Village Hall, 102 W. Savidge Street, Spring Lake, Michigan, on the 19th day of December, 1983, at 7:30 p.m., local time.

Present: Peterson, Yonker, Christman, Draeger, Workman

Absent: Verplank, Bolthouse

The President called the meeting to order. After certain matters of business were concluded, the President stated the next order of business of the meeting was a public hearing to consider the approval, rejection or approval with modification of the Tax Increment Financing and Development Plan - Village of Spring Lake Central Business District Development Area and to establish the boundaries of the Central Business District Development Area referenced in that Plan.

The President noted that public notice of the hearing had been given as required by Michigan Act 197 of 1975, as amended. Specifically, the President noted that proper publication had taken place in the Grand Haven Tribune as evidenced by Affidavits of Publication on file with the Village Clerk. The President further noted that proper notice had been given by mailing and posting as evidenced by the Affidavits of Mailing and Posting on file with the Village Clerk.

The President then opened the public hearing. Comments were received from persons present. The Council then closed the hearing.

Discussion followed with respect to comments made at the public hearing. After completion of this discussion, the following resolution was offered by Councilmember Draeger and supported by Councilmember Workman:

RESOLUTION

WHEREAS, the Village of Spring Lake has created the Spring Lake Downtown Development Authority (the "Authority") pursuant to the provisions of Michigan Act 197 of 1975, as amended ("Act 197"); and

WHEREAS, in accordance with the provisions of Act 197, the Authority has determined that it is necessary for the accomplishment of the purposes for which the Authority was created and for the achievement of the purposes of Act 197, to prepare, approve and accept a Tax Increment Financing and Development Plan - Village of Spring Lake Central Business District (the "Plan"), and to submit the Plan to the Village Council for approval, rejection or modification; and

WHEREAS, the Village Council did, upon receipt of the Plan and a copy of the resolution of the Authority Board, schedule December 19, 1983, at 7:30 p.m., for the conduct of a public hearing to consider the approval, rejection or approval with modification of the Plan and to establish the boundaries of the Central Business District Development Area referenced in the Plan; and

WHEREAS, notice of such public hearing was given as required by Act 197 by publication twice in the Grand Haven Tribune, the first publication being not less than 20 days before December 19, 1983, as evidenced by the Affidavits of Publication on file with the Village Clerk; and

WHEREAS, notice of such public hearing was also mailed as required by Act 197 to the property taxpayers of record in the Downtown District, as that term is defined in Act 197, not less than 20 days before December 19, 1983, as evidenced by the Affidavit of Mailing on file in the office of the Village Clerk; and

WHEREAS, notice of such public hearing was also posted in at least 20 conspicuous and public places in the Downtown District, as that term is defined in Act 197, not less than 20 days before the hearing; and

WHEREAS, the Village Council has held a hearing to consider the approval, rejection or approval with modification of the Plan and to establish the boundaries of the Central Business District Development Area referenced in the Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN, AS FOLLOWS:

1. The Village Council hereby determines that the Tax Increment Financing and Development Plan - Village of Spring Lake Central Business District Development Area constitutes a public purpose.

2. The Village Council hereby certifies that in making its determination that the Tax Increment Financing and Development Plan - Village of Spring Lake Central Business District Development Area constitutes a public purpose, it has considered and made the following determinations:

(a) The Plan meets the requirements set forth in Section 17(2) of Act 197.

(b) The proposed method of financing described in the Plan is feasible and the Authority has the ability to arrange the financing.

(c) The Plan is reasonable and necessary to carry out the purposes of Act 197.

(d) No land needs to be acquired within the Development Area to carry out the purposes of the Plan or the purposes of the Act.

(e) The Plan is in reasonable accord with the master planning of the Village.

(f) Public services, such as fire, police and utilities, are adequate to serve the Development Area included in the Plan.

(g) No changes in zoning are required by the Plan.

(h) The changes in streets, street levels, intersections and utilities required by the Plan are reasonably necessary for the project proposed by the Plan and for the Village.

3. The Plan, as approved and accepted by this resolution, shall be approved by Village ordinance.

4. The boundaries of the Village of Spring Lake Central Business District Development Area are hereby determined to be as designated in Exhibit A attached hereto.

5. All resolutions or parts thereof in conflict herewith are hereby
revoked to the extent of such conflict.

YES: Peterson, Yonker, Christman, Draeger, Workman

NO: none

RESOLUTION DECLARED ADOPTED.

Dated: December 19, 1983.



Village Clerk

I, the undersigned, the duly qualified and acting Village Clerk of the
Village of Spring Lake, Ottawa County, Michigan, do hereby certify that the
foregoing is a true and complete copy of the resolution adopted by the Village
Council at a regular meeting of the Village Council held on the 19th day of
December, 1983.



Village Clerk

ORDINANCE NO. 153

VILLAGE OF SPRING LAKE
TAX INCREMENT FINANCING AND DEVELOPMENT PLAN ORDINANCE
FOR SPRING LAKE CENTRAL BUSINESS DISTRICT DEVELOPMENT AREA

AN ORDINANCE to adopt and approve the Tax Increment Financing and Development Plan - Village of Spring Lake Central Business District Development Area pursuant to the provisions of Michigan Act 197 of 1975, as amended, and to provide for all matters related thereto.

THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA AND STATE OF MICHIGAN ORDAINS:

Section 1. Definitions. The following words and phrases, in addition to those words and phrases defined in Sec. 1-2 of the Code of Ordinances of the Village of Spring Lake, are defined as follows:

- (a) "Authority"--The Spring Lake Downtown Development Authority.
- (b) "Base Year Assessment Roll"--The base year assessment roll prepared by the Village Assessor in accordance with Section 4 of this Ordinance.
- (c) "Captured Assessed Value"--The amount in any one year by which the current assessed value as finally equalized of all taxable property in the Central Business District Development Area exceeds the Initial Assessed Value.
- (d) "Central Business District Development Area"--The area in the Village of Spring Lake, County of Ottawa, State of Michigan, described on Exhibit A attached hereto.
- (e) "Development Plan"--The "Tax Increment Financing and Development Plan - Village of Spring Lake Central Business District Development Area" dated November, 1983, as approved by Village Council resolution adopted December 19, 1983, and by this Ordinance, copies of such Plan being on file in the office of the Village Clerk.
- (f) "Initial Assessed Value"--The most recently assessed value which has been finally equalized of all the taxable property within the boundaries of the Central Business District Development Area at the time of adoption of this Ordinance.
- (g) "Project Fund"--The Village of Spring Lake Tax Increment Finance

Authority-Central Business District Development Area Project Fund established pursuant to Section 6 of this Ordinance.

(h) "Taxing Jurisdiction"--Each unit of government levying an ad valorem property tax on property in the Central Business District Development Area.

Section 2. Approval and Adoption of Development Plan. It is hereby determined that the Development Plan constitutes a public purpose. The Development Plan is hereby approved and adopted. The duration of the Development Plan shall be from the date this Ordinance becomes effective and shall last until all moneys borrowed as described in the Development Plan have been paid in full and any and all improvements referenced in the Development Plan have been acquired and paid for, but in no event longer than twelve (12) years, except as may be extended by subsequent amendment of the Development Plan and this Ordinance. A copy of the Development Plan and all amendments thereto shall be maintained on file in the Village Clerk's office and cross-indexed to this Ordinance.

Section 3. Development Area. The Central Business District Development Area, as specified in Section 1 of this Ordinance, is hereby adopted and confirmed.

Section 4. Preparation of Base Year Assessment Roll.

(a) As soon as possible, but in any event before February 1, 1984, the Village Assessor shall prepare the initial Base Year Assessment Roll. The initial Base Year Assessment Roll shall list each Taxing Jurisdiction in which the Central Business District Development Area is located, the Initial Assessed Value of the Central Business District Development Area on the effective date of this Ordinance, and the amount of tax revenue derived by each Taxing Jurisdiction from ad valorem taxes on the property in the Central Business District Development Area.

(b) The Village Assessor shall transmit copies of the initial Base Year Assessment Roll to the Village Treasurer, Spring Lake Township Treasurer, County Treasurer, Authority Treasurer, and each Taxing Jurisdiction, together with a notice that the assessment roll has been prepared in accordance with this Ordinance

and the Tax Increment Financing Plan contained in the Development Plan approved by this Ordinance.

Section 5. Preparation of Annual Base Year Assessment Roll. Each year, within thirty (30) days following the final equalization of property in the Central Business District Development Area, the Village Assessor shall prepare an updated Base Year Assessment Roll. The updated Base Year Assessment Roll shall show the information required in the initial Base Year Assessment Roll and, in addition, the Captured Assessed Value for that year. Copies of the updated Base Year Assessment Roll shall be transmitted by the Village Assessor to the same persons as the initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with this Ordinance and the Development Plan.

Section 6. Establishment of Project Fund; Approval of Depository. The Treasurer of the Authority shall establish a separate fund which shall be kept in a depository bank account or accounts in a bank or banks approved by the Village Treasurer, to be designated Central Business District Development Area Project Fund. All moneys received by the Authority pursuant to the Development Plan shall be deposited in the Project Fund. All moneys in that fund and earnings thereon shall be used only in accordance with the Development Plan and this Ordinance.

Section 7. Payment of Tax Increments to the Authority. The Village, Township and County Treasurers shall, as ad valorem taxes are collected on the property in the Central Business District Development Area, pay that proportion of the taxes, except for penalties and collection fees, that the Captured Assessed Value bears to the Initial Assessed Value to the Treasurer of the Authority for deposit in the Project Fund. The payments shall be made on the date or dates on which the Village, Township and County Treasurers are required to remit taxes to each of the Taxing Jurisdictions.

Section 8. Use of Moneys in the Project Fund. The money credited to the Project Fund and on hand therein from time to time shall be used only as provided in paragraph D of the Development Plan.

Section 9. Annual Report. Within ninety (90) days after the end of

each fiscal year, the Authority shall submit to the Village Council, with copies to each Taxing Jurisdiction, a report on the status of the Project Fund. The report shall include the amount and source of revenue in the account, the amount and purpose of expenditures from the account, the Initial Assessed Value of the Central Business District Development Area, the Captured Assessed Value of the Central Business District Development Area, the tax increments received and the amount of any surplus from the prior year, and any additional information requested by the Village Council or deemed appropriate by the Authority. The Secretary of the Authority shall cause a copy of the report to be published once in full in a newspaper of general circulation in the Village.

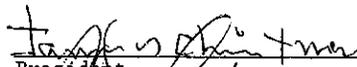
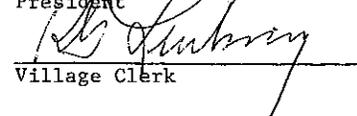
Section 10. Conflicts. That all ordinances or parts of ordinances in conflict with this Ordinance are expressly repealed.

Section 11. Effective Date. This Ordinance is hereby declared to be effective on December 22, 1983.

AYES: Peterson, Yonker, Christman, Draeger, Workman

NAYS: none

ORDINANCE DECLARED ADOPTED.


President

Village Clerk

