

**CITY OF STANTON
DOWNTOWN DEVELOPMENT AUTHORITY
DOWNTOWN DEVELOPMENT AND TAX INCREMENT FINANCING PLAN**



Enacted and Given Immediate Effect 11/10/15

(Updated 06/01/2020)

City of Stanton Downtown Development Authority

Chair: Brandon Stowell
Bookwalters Motor Sales

Vice Chair: Lori Williams, Mayor
City of Stanton

Board Members: Lori Wilson-Mazzola
Montcalm County

Diane Lowell
Owner, Birdy's Antiques and Birdy's Salon

Mercedes Millard
Owner, Beautiful You Salon

Michelle Williams
Owner, Perennial Wellness

VACANT

VACANT

Non-Voting Advisor: Vester Davis, Jr., City Manager
City of Stanton

Secretary: Rachael Winnie, Deputy Clerk
City of Stanton

INTRODUCTION

The Downtown Development Authority of the City of Stanton (the Authority) hereby recommends and enacts upon ratification by the Commission of the City of Stanton (the City) this Downtown Development and Tax Increment Financing Plan pursuant to the provisions of Act 197, Public Acts of Michigan, 1975, as amended (the Act) and also pursuant to Ordinance Number 228 enacted by the City Commission on May 30th, 2015.

A. PURPOSE OF THE DOWNTOWN DEVELOPMENT AUTHORITY ACT

Act 197, Public Acts of Michigan, 1975, commonly referred to as the Downtown Development Authority Act, was created in part to correct and prevent deterioration in business districts; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the district; to encourage historic preservation; to authorize the issuance of bonds and other evidences of indebtedness; and to authorize the use of tax increment financing. The full Act in its entirety is set forth in Attachment #1. The Downtown Development Authority Act provides the tools to accomplish these goals. They will be used by the Authority in different ways depending on the challenges facing the Downtown District and the plan which has been developed to benefit the District.

B. CREATION OF THE CITY OF STANTON DOWNTOWN DEVELOPMENT AUTHORITY, AND THE DOWNTOWN DEVELOPMENT DISTRICT

On May 30th, 2015 the City Commission of the City of Stanton created the City of Stanton Downtown Development Authority. A copy of that ordinance is contained as Attachment #2. The Authority was given all of the powers and duties described for a Downtown Development Authority pursuant to the Act. The Authority will draft and approve governing By-Laws, a copy of which are here contained as Attachment #3. A legal description of the boundaries of the Authority is contained as Attachment #4. Several maps showing the geographic boundaries of the Development District, including parcel overlays, are contained in Attachment #5. These provisions serve to illustrate where in the City of Stanton the Authority has jurisdiction.

C. ACTIVITIES OF THE DOWNTOWN DEVELOPMENT AUTHORITY

The purpose and activity of this Authority is the promotion of economic development in the Downtown Authority District. The Authority carries out its powers and duties as described in Public Act 197, MPA 1975, as amended.

THE PURPOSE OF THE TAX INCREMENT FINANCING PLAN FOR DOWNTOWN STANTON

1. The purpose of this Tax Increment Financing Plan, including the development plan for the development area, is to provide the legal authority and procedures for public financial participation necessary to assist quality downtown development. This Tax Increment Financing and Development Plan will first designate the development area, then present the development plan, and finally present the Tax Increment Financing Plan.
2. Development Area:
The development area is bounded by streets, alleys, and the main residentially zoned districts of the City of Stanton. A zoning map for reference to the City's residential and commercial areas is contained as Attachment #6.
3. Development Plan:
Section 17 of the Act contained in Attachment #1 requires that when tax increment financing is used to finance a development then a development plan must be prepared containing all of the information required by Section 17(2). Therefore, this development plan will follow the requirements of said section and each numbered paragraph will see to supply the information required in the corresponding paragraph in Section 17 (2).
 - a. Designation of the Boundaries of the Development Area in Relation to Highways, Streets, and Streams

The Development Area will encompass the entire Downtown Development Authority jurisdictional area as provided in Attachment #5. These aerial and rendered street maps show the Development Area in relation to relevant streets, highways, and other geographic features. The Development Area is based around State Highway M-66, with all abutting properties in the limits being included in the Development Area as the road is the main economic hub within the City of Stanton.
 - b. Location and Extent of Existing Streets, Public Facilities, and Present and Future Categories of Public and Private Land Use:

As shown in Attachment #6, the Development Area is largely commercially zoned, with some high and medium density residential areas included. The large majority of Main Street which makes up the central corridor of the Development Area is zoned C/R, providing opportunities for mixed-use development, which is in conformity with the City's newly forming 20 Year Master Plan.

Attachment #7 is an aerial photograph denoting current public facilities within the central corridor of the development area, including public parking, the sidewalk

network connecting Main Street to the northern corridor of the Development Area, as well as current park/open space within the Development Area. The Development Plan calls for no specific zoning changes, though individual development projects may require future rezoning or consultation based on their scope.

c. Alteration and Repair of Existing Improvements and Time for Completion

As the City of Stanton Downtown Development Authority is a new entity, these plans and schedules are preliminary. Any changes to this section will be updated according to the processes mandated by Public Act 197.

Attachment #8 shows a list and estimated timelines of planned improvements anticipated to start on or before July of 2017.

d. Location, Extent, Character, Estimated Costs, and Time for Completion of Listed Improvements

Attachment # 9 contains a specified cut sheet and estimated costs for Downtown Development Authority proposed projects. This includes estimated completion time, and includes estimated engineering, design, and contingency costs.

e. Construction Stages and Completion Times

Attachment #9 offers preliminary details to phased major projects regarding construction and timelines.

f. Open Space

Parts of the Development Area determined to be left open space of public easement are already existing as such, the Development Plan calls for no new additions to open space.

g. Lease of Portions of the Development Area

Not Applicable under current Development Area Plan.

h. Zoning, Street, and Utility Changes

While no significant zoning changes are anticipated, zoning alterations have been contemplated as part of the planning process. In conjunction with new development, it may be necessary as part of site excavation or preparation to relocate all or part of existing public or private utility systems such as: storm and sanitary sewer lines, water lines, electricity, natural gas, cable, or telephone systems. Potential costs incurred will be estimated in project planning. The City may

in the future create or vacate uses from certain streets within the Development Area as a result of the Development Plan.

i. Costs and Proposed Financing

The total estimated costs of all projects and facilities to be constructed or implemented in the Development Area is estimated in Attachment #10. The City and Downtown Development Authority will seek and secure external financing in addition to TIF Capture through fund raising, along with State and Federal grants.

j. Portion of the Development to be Conveyed

Not Applicable to this Development Plan.

k. Procedures for Bidding

The City of Stanton Downtown Development Authority will publicly solicit bids for any contracted service with a value of over \$2,500 dollars. When practical, at least three (3) competitive bids will be considered from qualified vendors for all design, engineering, construction, or purchasing projects.

l., m., n., o. Relocation of Persons, Families, and Businesses

The Development Plan does not call for nor anticipate the need to relocate, temporarily or otherwise, and businesses or private residents within the Development Area. The Downtown Development Authority intends to comply with all the relocation advisory service provisions of Public Act 227 of 1972 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, if and when applicable.

Just compensation will be offered for all real property to be acquired for this project and related incidental expenses will also be paid. It is the intent of the Downtown Development Authority to insure that the owners of real property to be acquired are treated fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize litigation and relieve congestion in the courts, and to promote public confidence in federal and state land acquisition policies.

Relocation payments and other relocation assistance are available to insure that persons displaced by these projects are treated fairly, consistently, and equitably. Actual reasonable moving and related expenses, direct loss of personal property, substituted personal property, expenses in searching for replacement locations, and in some cases fixed payments in lieu of actual expenses will be made available. A person or business to be displaced will be given notice of the displacement and an effective date by which it will occur.

TAX INCREMENT FINANCING PLAN FOR THE CITY OF STANTON DOWNTOWN DEVELOPMENT AUTHORITY

1. INTRODUCTION

This Tax Increment Financing Plan is established to make possible the financing, operation, and maintenance of the public improvements necessary or desirable for the development of the Downtown Development Area, in accordance with the attached Development Plan.

2. TAX INCREMENT FINANCING PROCEDURE

The tax increment financing procedure as outlined in the Act requires the adoption by the City, by Ordinance, of a development and tax increment financing plan. Following the adoption of that ordinance, the municipal and county treasurers are required by law to transmit to the Downtown Development Authority that portion of the tax levies of all taxing bodies paid each year on the “captured assessed value” of all real and personal properties located within the Development Area. The amounts so transmitted are so hereinafter referred to as “tax increment revenue.” The “captured assessed value” is defined as the amount in any year by which the current assessed value of all real and personal property in the Development Area (including the assessed value that appears on the tax rolls under Public Act 198 of 1974 or Public Act 255 of 1978) exceeds the initial assessed value of the real and personal property in the Development Area. The definition of “initial assessed value” is as defined in Public Act 197 of 1975, as amended. Contained as Attachment # 11 is a schedule of current assessed values of all real and personal property in the Development Area.

Attached hereto as Attachment #12 is a calculated estimate of the increases in assessed values of all real and personal properties within the Development Area over the next 5 years, in order to estimate potential future tax increment revenues. The County of Montcalm has opted out of tax increment capture, but has agreed to develop an annual contribution plan upon the completion of the Development Plan for the Stanton Downtown Development Authority

3. BOND INDEBTEDNESS TO BE INCURRED

A Tax Increment Bond is planned as revenues from the Tax Increment Financing Plan dictate. This bond is estimated to be valued at \$1 million dollars.

4. EXPENDITURES OF TAX INCREMENT REVENUE

The tax increment revenues paid to the Authority by the municipal and county treasurers are to be disbursed by the Authority from time to time in such manner as the Authority may deem necessary and appropriate in order to carry out the purposes of the Development Plan. This includes, but is not limited to, the following purposes:

- a. Payments for public improvements including real estate acquisition and refurbishment.
- b. The necessary and appropriate demolition and relocation expenses as defined by the Authority
- c. The reasonable, necessary, and appropriate administrative expenses of the Authority related specifically to the Development District.
- d. Utility relocation or addition, both public and privately contracted.
- e. Streetscape improvements
- f. Legal and professional expenses as related to the Tax Increment Financing Plan
- g. Other public improvements as deemed necessary or desirable by the Authority

5. ANNUAL SURPLUS OF TAX INCREMENT REVENUE

To the extent that the tax increment revenues of the Authority in any year exceed the sum that the Authority requires to meet its commitments and payments set forth above, said surplus funds shall revert proportionally to the respective taxing bodies, as provided in Section 12 (2) of the Act.

6. DURATION OF THE PLAN

The Tax Increment Financing Plan shall not last more than thirty (30) years except as the same may be modified from time to time by the City Commission of the City of Stanton upon notice and upon public hearings and agreement as required by the Act.

7. IMPACT UPON ASSESSED VALUE

The overall impact of the Development Plan is anticipated to generate increased economic activity in the Development Area, and throughout the City at large causing an increase in assessed values of all taxing jurisdictions. The actual projected impact is set forth in Attachment #12.

8. USE OF CAPTURED ASSESSED VALUE

The Development and Tax Increment Financing Plan provides for the use of all captured assessed value by the Downtown Development Authority for the purposes set forth.

9. ANNUAL REPORTING BY THE DOWNTOWN DEVELOPMENT AUTHORITY

The Downtown Development Authority shall submit annually to the City Commission of the City of Stanton a report of the tax increment financing account. This may be submitted with the review of the City's annual budget, and such reports will comply with the requirements of Section 15 (3) of the Act, and as set forth in Attachment #1. Additionally, an annual budget of proposed expenditures by the Downtown Development Authority shall be forwarded to the City Commission for approval during the annual budget approval process.

ATTACHMENT #1

DOWNTOWN DEVELOPMENT AUTHORITY
Act 197 of 1975

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; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1988, Act 425, Imd. Eff. Dec. 27, 1988;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: DDA

Popular name: Downtown Development Authority Act

The People of the State of Michigan enact:

125.1651 Definitions.

Sec. 1. As used in this act:

(a) "Advance" means a transfer of funds made by a municipality to an authority or to another person on behalf of the authority in anticipation of repayment by the authority. Evidence of the intent to repay an advance may include, but is not limited to, an executed agreement to repay, provisions contained in a tax increment financing plan approved prior to the advance, or a resolution of the authority or the municipality.

(b) "Assessed value" means 1 of the following:

(i) For valuations made before January 1, 1995, the state equalized valuation as determined under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(ii) For valuations made after December 31, 1994, the taxable value as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

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

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

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

(f) "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 specific local taxes are paid in lieu of property taxes as determined in subdivision (aa), exceeds the initial assessed value. The state tax commission shall prescribe the method for calculating captured assessed value.

(g) "Catalyst development project" means a project that is located in a municipality with a population greater than 600,000, is designated by the authority as a catalyst development project, and is expected to result in at least \$300,000,000.00 of capital investment. There shall be no more than 1 catalyst development project designated within each authority.

(h) "Chief executive officer" means the mayor or city manager of a city, the president or village manager of a village, or the supervisor of a township or, if designated by the township board for purposes of this act, the township superintendent or township manager of a township.

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

(j) "Development plan" means that information and those requirements for a development plan set forth in section 17.

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

(l) "Downtown district" means that part of an area in a business district that is specifically designated by ordinance of the governing body of the municipality pursuant to this act. A downtown district may include 1 or more separate and distinct geographic areas in a business district as determined by the municipality if the municipality enters into an agreement with a qualified township under section 3(7) or if the municipality is a city that surrounds another city and that other city lies between the 2 separate and distinct geographic areas. If the downtown district contains more than 1 separate and distinct geographic area in the downtown district, the separate and distinct geographic areas shall be considered 1 downtown district.

(m) "Eligible advance" means an advance made before August 19, 1993.

(n) "Eligible obligation" means an obligation issued or incurred by an authority or by a municipality on behalf of an authority before August 19, 1993 and its subsequent refunding by a qualified refunding

obligation. Eligible obligation includes an authority's written agreement entered into before August 19, 1993 to pay an obligation issued after August 18, 1993 and before December 31, 1996 by another entity on behalf of the authority.

(o) "Fire alarm system" means a system designed to detect and annunciate the presence of fire, or by-products of fire. Fire alarm system includes smoke detectors.

(p) "Fiscal year" means the fiscal year of the authority.

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

(r) "Initial assessed value" means the assessed value, as equalized, 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, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted. 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 specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial assessed value of property for which a specific local tax was paid in lieu of a property tax shall be determined as provided in subdivision (aa). In the case of a municipality having a population of less than 35,000 that established an authority prior to 1985, created a district or districts, and approved a development plan or tax increment financing plan or amendments to a plan, and which plan or tax increment financing plan or amendments to a plan, and which plan expired by its terms December 31, 1991, the initial assessed value for the purpose of any plan or plan amendment adopted as an extension of the expired plan shall be determined as if the plan had not expired December 31, 1991. For a development area designated before 1997 in which a renaissance zone has subsequently been designated pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, the initial assessed value of the development area otherwise determined under this subdivision shall be reduced by the amount by which the current assessed value of the development area was reduced in 1997 due to the exemption of property under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, but in no case shall the initial assessed value be less than zero.

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

(t) "Obligation" means a written promise to pay, whether evidenced by a contract, agreement, lease, sublease, bond, or note, or a requirement to pay imposed by law. An obligation does not include a payment required solely because of default upon an obligation, employee salaries, or consideration paid for the use of municipal offices. An obligation does not include those bonds that have been economically defeased by refunding bonds issued under this act. Obligation includes, but is not limited to, the following:

(i) A requirement to pay proceeds derived from ad valorem property taxes or taxes levied in lieu of ad valorem property taxes.

(ii) A management contract or a contract for professional services.

(iii) A payment required on a contract, agreement, bond, or note if the requirement to make or assume the payment arose before August 19, 1993.

(iv) A requirement to pay or reimburse a person for the cost of insurance for, or to maintain, property subject to a lease, land contract, purchase agreement, or other agreement.

(v) A letter of credit, paying agent, transfer agent, bond registrar, or trustee fee associated with a contract, agreement, bond, or note.

(u) "On behalf of an authority", in relation to an eligible advance made by a municipality, or an eligible obligation or other protected obligation issued or incurred by a municipality, means in anticipation that an authority would transfer tax increment revenues or reimburse the municipality from tax increment revenues in an amount sufficient to fully make payment required by the eligible advance made by the municipality, or eligible obligation or other protected obligation issued or incurred by the municipality, if the anticipation of the transfer or receipt of tax increment revenues from the authority is pursuant to or evidenced by 1 or more of the following:

(i) A reimbursement agreement between the municipality and an authority it established.

(ii) A requirement imposed by law that the authority transfer tax increment revenues to the municipality.

(iii) A resolution of the authority agreeing to make payments to the incorporating unit.

(iv) Provisions in a tax increment financing plan describing the project for which the obligation was incurred.

(v) "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.

(w) "Other protected obligation" means:

(i) A qualified refunding obligation issued to refund an obligation described in subparagraph (ii), (iii), or (iv), an obligation that is not a qualified refunding obligation that is issued to refund an eligible obligation, or a qualified refunding obligation issued to refund an obligation described in this subparagraph.

(ii) An obligation issued or incurred by an authority or by a municipality on behalf of an authority after August 19, 1993, but before December 31, 1994, to finance a project described in a tax increment finance plan approved by the municipality in accordance with this act before December 31, 1993, for which a contract for final design is entered into by or on behalf of the municipality or authority before March 1, 1994 or for which a written agreement with a developer, titled preferred development agreement, was entered into by or on behalf of the municipality or authority in July 1993.

(iii) An obligation incurred by an authority or municipality after August 19, 1993, to reimburse a party to a development agreement entered into by a municipality or authority before August 19, 1993, for a project described in a tax increment financing plan approved in accordance with this act before August 19, 1993, and undertaken and installed by that party in accordance with the development agreement.

(iv) An obligation incurred by the authority evidenced by or to finance a contract to purchase real property within a development area or a contract to develop that property within the development area, or both, if all of the following requirements are met:

(A) The authority purchased the real property in 1993.

(B) Before June 30, 1995, the authority enters a contract for the development of the real property located within the development area.

(C) In 1993, the authority or municipality on behalf of the authority received approval for a grant from both of the following:

(I) The department of natural resources for site reclamation of the real property.

(II) The department of consumer and industry services for development of the real property.

(v) An ongoing management or professional services contract with the governing body of a county which was entered into before March 1, 1994 and which was preceded by a series of limited term management or professional services contracts with the governing body of the county, the last of which was entered into before August 19, 1993.

(vi) A loan from a municipality to an authority if the loan was approved by the legislative body of the municipality on April 18, 1994.

(vii) Funds expended to match a grant received by a municipality on behalf of an authority for sidewalk improvements from the Michigan department of transportation if the legislative body of the municipality approved the grant application on April 5, 1993 and the grant was received by the municipality in June 1993.

(viii) For taxes captured in 1994, an obligation described in this subparagraph issued or incurred to finance a project. An obligation is considered issued or incurred to finance a project described in this subparagraph only if all of the following are met:

(A) The obligation requires raising capital for the project or paying for the project, whether or not a borrowing is involved.

(B) The obligation was part of a development plan and the tax increment financing plan was approved by a municipality on May 6, 1991.

(C) The obligation is in the form of a written memorandum of understanding between a municipality and a public utility dated October 27, 1994.

(D) The authority or municipality captured school taxes during 1994.

(ix) An obligation incurred after July 31, 2012 by an authority, municipality, or other governmental unit to pay for costs associated with a catalyst development project.

(x) "Public facility" means a street, plaza, pedestrian mall, and any improvements to a street, plaza, or pedestrian mall 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. Public facility includes an improvement to a facility used by the public or a public facility as those terms are defined in section 1 of 1966 PA 1, MCL 125.1351, which improvement is made to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. Public facility also includes the acquisition, construction, improvement, and operation of a building owned or leased by the authority to be used as a retail business incubator.

(y) "Qualified refunding obligation" means an obligation issued or incurred by an authority or by a municipality on behalf of an authority to refund an obligation if 1 or more of the following apply:

(i) The obligation is issued to refund a qualified refunding obligation issued in November 1997 and any subsequent refundings of that obligation issued before January 1, 2010 or the obligation is issued to refund a

qualified refunding obligation issued on May 15, 1997 and any subsequent refundings of that obligation issued before January 1, 2010 in an authority in which 1 parcel or group of parcels under common ownership represents 50% or more of the taxable value captured within the tax increment finance district and that will ultimately provide for at least a 40% reduction in the taxable value of the property as part of a negotiated settlement as a result of an appeal filed with the state tax tribunal. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2611, if issued before January 1, 2010. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is hereby extended to 1 year after the final date of maturity of the qualified refunding obligations.

(ii) The refunding obligation meets both of the following:

(A) The net present value of the principal and interest to be paid on the refunding obligation, including the cost of issuance, will be less than the net present value of the principal and interest to be paid on the obligation being refunded, as calculated using a method approved by the department of treasury.

(B) The net present value of the sum of the tax increment revenues described in subdivision (cc)(ii) and the distributions under section 13b to repay the refunding obligation will not be greater than the net present value of the sum of the tax increment revenues described in subdivision (cc)(ii) and the distributions under section 13b to repay the obligation being refunded, as calculated using a method approved by the department of treasury.

(iii) The obligation is issued to refund an other protected obligation issued as a capital appreciation bond delivered to the Michigan municipal bond authority on December 21, 1994 and any subsequent refundings of that obligation issued before January 1, 2012. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 305(2), (3), (5), and (6), section 501, section 503, or section 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2305, 141.2501, 141.2503, and 141.2611, if issued before January 1, 2012. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is extended to 1 year after the final date of maturity of the qualified refunding obligations. The obligation may be payable through the year 2025 at an interest rate not exceeding the maximum rate permitted by law, notwithstanding the bond maturity dates contained in the notice of intent to issue bonds published by the municipality. An obligation issued under this subparagraph is a qualified refunding obligation only to the extent that revenues described in subdivision (cc)(ii) and distributions under section 13b to repay the qualified refunding obligation do not exceed \$750,000.00.

(iv) The obligation is issued to refund a qualified refunding obligation issued on February 13, 2008, and any subsequent refundings of that obligation, issued before December 31, 2018. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 305(2), (3), (5), and (6), 501, 503, or 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2305, 141.2501, 141.2503, and 141.2611. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is extended to 1 year after the final date of maturity of the qualified refunding obligations. Revenues described in subdivision (cc)(ii) and distributions made under section 13b in excess of the amount needed for current year debt service on an obligation issued under this subparagraph may be paid to the authority to the extent necessary to pay future years' debt service on the obligation as determined by the board.

(z) "Qualified township" means a township that meets all of the following requirements:

(i) Was not eligible to create an authority prior to January 3, 2005.

(ii) Adjoins a municipality that previously created an authority.

(iii) Along with the adjoining municipality that previously created an authority, is a member of the same joint planning commission under the joint municipal planning act, 2003 PA 226, MCL 125.131 to 125.143.

(aa) "Specific local tax" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668, the technology park development act, 1984 PA 385, MCL 207.701 to 207.718, and 1953 PA 189, MCL 211.181 to 211.182. The initial assessed value or current assessed value of property subject to a specific local tax shall be the quotient of the specific local tax paid divided by the ad valorem millage rate. However, after 1993, the state tax commission shall prescribe the method for calculating the initial assessed value and current assessed value of property for which a specific local tax was paid in lieu of a property tax.

(bb) "State fiscal year" means the annual period commencing October 1 of each year.

(cc) "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the captured assessed value of real and personal property in the development area, subject to the following requirements:

(i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this act.

(ii) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area in an amount equal to the amount necessary, without regard to subparagraph (i), to repay eligible advances, eligible obligations, and other protected obligations.

(iii) Tax increment revenues do not include any of the following:

(A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or to a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.

(B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes.

(C) Ad valorem property taxes exempted from capture under section 3(3) or specific local taxes attributable to such ad valorem property taxes.

(D) Ad valorem property taxes levied under 1 or more of the following or specific local taxes attributable to those ad valorem property taxes:

(I) The zoological authorities act, 2008 PA 49, MCL 123.1161 to 123.1183.

(II) The art institute authorities act, 2010 PA 296, MCL 123.1201 to 123.1229.

(iv) The amount of tax increment revenues authorized to be included under subparagraph (ii) or (v), and required to be transmitted to the authority under section 14(1), from ad valorem property taxes and specific local taxes attributable to the application of the levy of the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, a local school district or an intermediate school district upon the captured assessed value of real and personal property in a development area shall be determined separately for the levy by the state, each school district, and each intermediate school district as the product of sub-subparagraphs (A) and (B):

(A) The percentage that the total ad valorem taxes and specific local taxes available for distribution by law to the state, local school district, or intermediate school district, respectively, bears to the aggregate amount of ad valorem millage taxes and specific taxes available for distribution by law to the state, each local school district, and each intermediate school district.

(B) The maximum amount of ad valorem property taxes and specific local taxes considered tax increment revenues under subparagraph (ii) or (v).

(v) Tax increment revenues include ad valorem property taxes and specific local taxes, in an annual amount and for each year approved by the state treasurer, attributable to the levy by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and by local or intermediate school districts, upon the captured assessed value of real and personal property in the development area of an authority established in a city with a population of 600,000 or more to pay for, or reimburse an advance for, not more than \$8,000,000.00 for the demolition of buildings or structures on public or privately owned property within a development area that commences in 2005, or to pay the annual principal of or interest on an obligation, the terms of which are approved by the state treasurer, issued by an authority, or by a city on behalf of an authority, to pay not more than \$8,000,000.00 of the costs to demolish buildings or structures on public or privately owned property within a development area that commences in 2005.

(vi) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the levy by this state under the state education tax act, 1993 PA 331, MCL 211.201 to 211.906, and by local or intermediate school districts which were levied on or after July 1, 2010, upon the captured assessed value of real and personal property in the development area of an authority established in a city with a population of 600,000 or more to pay for, or reimburse an advance for, costs associated with the land acquisition, preliminary site work, and construction of a catalyst development project.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1985, Act 221, Imd. Eff. Jan. 10, 1986;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 1994, Act 280, Imd. Eff. July 11, 1994;—Am. 1994, Act 330, Imd. Eff. Oct. 14, 1994;—Am. 1994, Act 381, Imd. Eff. Dec. 28, 1994;—Am. 1996, Act 269, Imd. Eff. June 12, 1996;—Am. 1996, Act 454, Imd. Eff. Dec. 19, 1996;—Am. 1997, Act 202, Imd. Eff. Jan. 13, 1998;—Am. 2003, Act 136, Imd. Eff. Aug. 1, 2003;—Am. 2004, Act 66, Imd. Eff. Apr. 20, 2004;—Am. 2004, Act 158, Imd. Eff. June 17, 2004;—Am. 2004, Act 196, Imd. Eff. July 8, 2004;—Am. 2005, Act 13, Imd. Eff. May 4, 2005;—Am. 2005, Act 115, Imd. Eff. Sept. 22, 2005;—Am. 2006, Act 659, Imd. Eff. Jan. 10, 2007;—Am. 2008, Act 35, Imd. Eff. Mar. 14, 2008;—Am. 2008, Act 225, Imd. Eff. July 17, 2008;—Am. 2011, Act 24, Imd. Eff. Apr. 28, 2011;—Am. 2012, Act 396, Imd. Eff. Dec. 19, 2012;—Am. 2013, Act
Rendered Thursday, October 22, 2015

66, Imd. Eff. June 19, 2013.

Compiler's note: Enacting section 1 of Act 202 of 1997 provides:

"The provisions of section 1 and section 13b, as amended by this amendatory act, are retroactive and effective for taxes levied after 1993."

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1651a Legislative findings.

Sec. 1a. The legislature finds all of the following:

(a) That there exists in this state conditions of property value deterioration detrimental to the state economy and the economic growth of the state and its local units of government.

(b) That government programs are desirable and necessary to eliminate the causes of property value deterioration thereby benefiting the economic growth of the state.

(c) That it is appropriate to finance these government programs by means available to the state and local units of government in the state, including tax increment financing.

(d) That tax increment financing is a government financing program that contributes to economic growth and development by dedicating a portion of the increase in the tax base resulting from economic growth and development to facilities, structures, or improvements within a development area thereby facilitating economic growth and development.

(e) That it is necessary for the legislature to exercise its power to legislate tax increment financing as authorized in this act and in the exercise of this power to mandate the transfer of tax increment revenues by city, village, township, school district, and county treasurers to authorities created under this act in order to effectuate the legislative government programs to eliminate property value deterioration and to promote economic growth.

(f) That halting property value deterioration and promoting economic growth in the state are essential governmental functions and constitute essential public purposes.

(g) That economic development strengthens the tax base upon which local units of government rely and that government programs to eliminate property value deterioration benefit local units of government and are for the use of the local units of government.

(h) That the provisions of this act are enacted to provide a means for local units of government to eliminate property value deterioration and to promote economic growth in the communities served by those local units of government.

History: Add. 1988, Act 425, Imd. Eff. Dec. 27, 1988.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1652 Authority; establishment; restriction; public body corporate; powers generally.

Sec. 2. (1) Except as otherwise provided in this subsection, a municipality may establish 1 authority. If, before November 1, 1985, a municipality establishes more than 1 authority, those authorities may continue to exist as separate authorities. Under the conditions described in section 3a, a municipality may have more than 1 authority within that municipality's boundaries. A parcel of property shall not be included in more than 1 authority created by this act.

(2) An authority shall be a public body corporate which may sue and be sued in any court of this state. An authority possesses all 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 an authority.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1985, Act 159, Imd. Eff. Nov. 15, 1985.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1653 Resolution of intent to create and provide for operation of authority; public hearing on proposed ordinance creating authority and designating boundaries of downtown district; notice; exemption of taxes from capture; adoption, filing, and publication of ordinance; altering or amending boundaries; agreement with adjoining municipality; agreement with qualified township.

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 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 or more than 40 days before the date of the hearing. Not less than 20 days before the hearing, the governing body proposing to create the authority shall also mail notice of the hearing to the property taxpayers of record in the proposed district and for a public hearing to be held after February 15, 1994 to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Failure of a property taxpayer 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 or an official from a taxing jurisdiction with millage that would be subject to capture has the right to be heard in regard to the establishment of the authority 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 the notice of public hearing, but it may eliminate described lands from the downtown district in the final determination of the boundaries.

(3) Not more than 60 days after a public hearing held after February 15, 1994, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority. The resolution takes effect when filed with that clerk and remains effective until a copy of a resolution rescinding that resolution is filed with that clerk.

(4) Not less than 60 days 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 or her 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.

(5) 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 pursuant to the same requirements for adopting the ordinance creating the authority.

(6) A municipality that has created an authority may enter into an agreement with an adjoining municipality that has created an authority to jointly operate and administer those authorities under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(7) A municipality that has created an authority may enter into an agreement with a qualified township to operate its authority in a downtown district in the qualified township under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512. The interlocal agreement between the municipality and the qualified township shall provide for, but is not limited to, all of the following:

- (a) Size and makeup of the board.
- (b) Determination and modification of downtown district, business district, and development area.
- (c) Modification of development area and development plan.
- (d) Issuance and repayment of obligations.
- (e) Capture of taxes.
- (f) Notice, hearing, and exemption of taxes from capture provisions described in this section.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 2004, Act 521, Imd. Eff. Jan. 3, 2005;—Am. 2005, Act 13, Imd. Eff. May 4, 2005;—Am. 2005, Act 115, Imd. Eff. Sept. 22, 2005.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1653a Authority of annexing or consolidated municipality; obligations, agreements, and bonds.

Sec. 3a. If a downtown district is part of an area annexed to or consolidated with another municipality, the authority managing that district shall become an authority of the annexing or consolidated municipality. Obligations of that authority incurred under a development or tax increment plan, agreements related to a development or tax increment plan, and bonds issued under this act shall remain in effect following the annexation or consolidation.

History: Add. 1985, Act 159, Imd. Eff. Nov. 15, 1985.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1653b Ratification and validation of ordinance and actions; compliance.

Sec. 3b. (1) An ordinance enacted by a municipality that has a population of less than 50,000 establishing an authority, creating a district, or approving a development plan or tax increment financing plan, or an amendment to an authority, district, or plan, and all actions taken under that ordinance, including the issuance of bonds, are ratified and validated notwithstanding that notice for the public hearing on the establishment of the authority, creation of the district, or approval of the development plan or tax increment financing plan, or on the amendment, was not published, posted, or mailed at least 20 days before the hearing, if the notice was published or posted at least 15 days before the hearing or the authority was established in 1984 by a village that filed the ordinance with the secretary of state not later than March, 1986. This section applies only to an ordinance adopted by a municipality before February 1, 1991, and shall include any bonds or amounts to be used by the authority to pay the principal of and interest on bonds that have been issued or that are to be issued by the authority, the incorporating municipality, or a county on behalf of the incorporating municipality. An authority for which an ordinance or amendment to the ordinance establishing the authority has been published before February 1, 1991 is considered for purposes of section 3(4) to have promptly filed the ordinance or amendment to the ordinance with the secretary of state if the ordinance or amendment to the ordinance is filed with the secretary of state before October 1, 1991. As used in this section, "notice was published" means publication of the notice occurred at least once.

(2) A development plan and tax increment financing plan approved by a resolution adopted by the village council of a village having a population of less than 3,000 before June 15, 1988 rather than by adoption of an ordinance is ratified and validated, if an amendment to the plans was adopted by the village council in compliance with sections 18 and 19.

(3) A development plan and tax increment financing plan approved by a resolution adopted by the village council of a village having a population of less than 7,000 before June 1, 1998 rather than by adoption of an ordinance is ratified and validated if an amendment to the plans was adopted by the village council in compliance with sections 18 and 19.

History: Add. 1989, Act 242, Imd. Eff. Dec. 21, 1989;—Am. 1991, Act 66, Imd. Eff. July 3, 1991;—Am. 1993, Act 42, Imd. Eff. May 27, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 2006, Act 329, Imd. Eff. Aug. 10, 2006.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1653c Proceedings or findings; validity.

Sec. 3c. The validity of the proceedings or findings establishing an authority, or of the procedure, adequacy of notice, or findings with respect to the approval of a development plan or tax increment financing plan is conclusive with respect to the capture of tax increment revenues for an other protected obligation that is a bond issued after October 1, 1994.

History: Add. 1994, Act 381, Imd. Eff. Dec. 28, 1994.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1653d Establishment or amendment of authority, district, or plan; notice; publication or posting.

Sec. 3d. An ordinance enacted by a municipality that has a population of greater than 1,000 and less than 2,000 establishing an authority, creating a district, or approving a development plan or tax increment financing plan, or an amendment to an authority, district, or plan, and all actions taken or to be taken under that ordinance, including the issuance of bonds, are ratified and validated notwithstanding that notice for the

public hearing on the establishment of the authority, creation of the district, or approval of the development plan or tax increment financing plan, or on the amendment, was not published, posted, or mailed at least 20 days before the hearing, provided that the notice was either published or posted at least 10 days before the hearing or that the authority was established in 1990 by a municipality that filed the ordinance with the secretary of state not later than July 1991. This section applies only to an ordinance or an amendment adopted by a municipality before January 1, 1999 and shall include any bonds or amounts to be used by the authority to pay the principal of and interest on bonds that have been issued or that are to be issued by the authority or the incorporating municipality. An authority for which an ordinance or amendment to the ordinance establishing the authority has been published before February 1, 1991 is considered for purposes of section 3(3) to have promptly filed the ordinance or amendment to the ordinance with the secretary of state if the ordinance or amendment to the ordinance is filed with the secretary of state before December 31, 2002. The validity of the proceedings or findings establishing an authority described in this section, or of the procedure, adequacy of notice, or findings with respect to the approval of a development plan or tax increment financing plan for an authority described in this section is conclusive with respect to the capture of tax increment revenues for a bond issued after June 1, 2002 and before June 1, 2006. As used in this section, "notice was either published or posted" means either publication or posting of the notice occurred at least once.

History: Add. 2002, Act 460, Imd. Eff. June 21, 2002.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1654 Board; appointment, terms, and qualifications of members; vacancy; compensation and expenses; election of chairperson; appointment as public official; oath; conducting business at public meeting; public notice; special meetings; removal of members; review; expense items and financial records; availability of writings to public; single board governing all authorities; member as resident or having interest in property; planning commission serving as board in certain municipalities; modification by interlocal agreement.

Sec. 4. (1) Except as provided in subsections (7), (8), and (9), an authority shall be under the supervision and control of a 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 or officers, members, trustees, principals, or employees of a legal entity 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. The rules of procedure or the bylaws of the authority may provide that a person be appointed to the board in his or her capacity as a public official, whether appointed or elected. The rules of procedure or bylaws may also provide that the public official's term shall expire upon expiration of his or her service as a public official. In addition, the public official's membership on the board expires on his or her resignation from office as a public official.

(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 the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall adopt rules consistent with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if 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 the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) By resolution of its governing body, a municipality having more than 1 authority may establish a single board to govern all authorities in the municipality. The governing body may designate the board of an existing authority as the board for all authorities or may establish by resolution a new board in the same manner as provided in subsection (1). A member of a board governing more than 1 authority may be a resident of or have an interest in property in any of the downtown districts controlled by the board in order to meet the requirements of this section.

(8) By ordinance, the governing body of a municipality that has a population of less than 5,000 may have the municipality's planning commission created pursuant to former 1931 PA 285 or the Michigan planning enabling act, 2008 PA 33, MCL 125.3801 to 125.3885, serve as the board provided for in subsection (1).

(9) If a municipality enters into an agreement with a qualified township under section 3(7), the membership of the board may be modified by the interlocal agreement described in section 3(7).

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1978, Act 521, Imd. Eff. Dec. 20, 1978;—Am. 1985, Act 159, Imd. Eff. Nov. 15, 1985;—Am. 1987, Act 66, Imd. Eff. June 25, 1987;—Am. 2005, Act 115, Imd. Eff. Sept. 22, 2005;—Am. 2006, Act 279, Imd. Eff. July 7, 2006;—Am. 2012, Act 396, Imd. Eff. Dec. 19, 2012.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1655 Director, acting director, treasurer, secretary, legal counsel, and 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1656 Participation of employees in municipal 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1657 Powers of board; creation, operation, or funding of retail business incubator.

Sec. 7. (1) 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, 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) Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.
- (e) 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.
- (f) 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.
- (g) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (h) Acquire by purchase or otherwise, on terms and conditions and in a manner the authority considers 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 in property, which the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect to that property.
- (i) 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 to that property, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination of them.
- (j) 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.
- (k) Lease any building or property under its control, or any part of a building or property.
- (l) Accept grants and donations of property, labor, or other things of value from a public or private source.
- (m) Acquire and construct public facilities.
- (n) Create, operate, and fund marketing initiatives that benefit only retail and general marketing of the downtown district.
- (o) Contract for broadband service and wireless technology service in the downtown district.
- (p) Operate and perform all duties and exercise all responsibilities described in this section in a qualified township if the qualified township has entered into an agreement with the municipality under section 3(7).
- (q) Create, operate, and fund a loan program to fund improvements for existing buildings located in a downtown district to make them marketable for sale or lease. The board may make loans with interest at a market rate or may make loans with interest at a below market rate, as determined by the board.
- (r) Create, operate, and fund retail business incubators in the downtown district.
- (2) If it is the express determination of the board to create, operate, or fund a retail business incubator in the downtown district, the board shall give preference to tenants who will provide goods or services that are not available or that are underserved in the downtown area. If the board creates, operates, or funds retail business incubators in the downtown district, the board and each tenant who leases space in a retail business incubator shall enter into a written contract that includes, but is not limited to, all of the following:
 - (a) The lease or rental rate that may be below the fair market rate as determined by the board.
 - (b) The requirement that a tenant may lease space in the retail business incubator for a period not to exceed 18 months.
 - (c) The terms of a joint operating plan with 1 or more other businesses located in the downtown district.
 - (d) A copy of the business plan of the tenant that contains measurable goals and objectives.
 - (e) The requirement that the tenant participate in basic management classes, business seminars, or other business education programs offered by the authority, the local chamber of commerce, local community colleges, or institutions of higher education, as determined by the board.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1985, Act 221, Imd. Eff. Jan. 10, 1986;—Am. 2004, Act 196, Imd. Eff. July 8, 2004;—Am. 2005, Act 115, Imd. Eff. Sept. 22, 2005;—Am. 2008, Act 226, Imd. Eff. July 17, 2008.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1658 Board serving as planning commission; agenda.

Sec. 8. If a board created under this act serves as the planning commission under section 2 of Act No. 285 of the Public Acts of 1931, being section 125.32 of the Michigan Compiled Laws, the board shall include planning commission business in its agenda.

History: Add. 1987, Act 66, Imd. Eff. June 25, 1987.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1659 Authority as instrumentality of political subdivision.

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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1660 Taking, transfer, and use of private property.

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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1661 Financing activities of authority; disposition of money received by authority; municipal obligations.

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.
 - (c) Money borrowed and to be repaid as authorized by sections 13 and 13a.
 - (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.
 - (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 or otherwise authorized by law for use by the authority or the municipality to finance a development program.
 - (h) Money obtained pursuant to section 13b.
 - (i) Revenue from the federal facility development act, Act No. 275 of the Public Acts of 1992, being sections 3.931 to 3.940 of the Michigan Compiled Laws, or revenue transferred pursuant to section 11a of chapter 2 of the city income tax act, Act No. 284 of the Public Acts of 1964, being section 141.611a of the Michigan Compiled Laws.
 - (j) Revenue from the federal data facility act, Act No. 126 of the Public Acts of 1993, being sections 3.951 to 3.961 of the Michigan Compiled Laws, or revenue transferred pursuant to section 11b of chapter 2 of the city income tax act, Act No. 284 of the Public Acts of 1964, being section 141.611b of the Michigan Compiled Laws.
- (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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 122, Imd. Eff. July 20, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

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Michigan Compiled Laws Complete Through PA 143 of 2015

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Popular name: DDA

Popular name: Downtown Development Authority Act

125.1662 Ad valorem tax; borrowing in anticipation of collection.

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 the authority.

(2) The municipality may at the request of the authority borrow money and issue its notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, in anticipation of collection of the ad valorem tax authorized in this section.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1983, Act 86, Imd. Eff. June 16, 1983;—Am. 2002, Act 234, Imd. Eff. Apr. 29, 2002.

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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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

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125.1663a Borrowing money; issuing revenue bonds or notes; purpose; costs; security; pledge and lien of pledge valid and binding; filing or recordation not required; tax exemption; bonds or notes neither liability nor debt of municipality; statement; investment and deposit of bonds and notes.

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.

History: Add. 1981, Act 151, Imd. Eff. Nov. 19, 1981.

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125.1663b Insufficient tax increment revenues to repay advance or pay obligation; contents, time, and payment of claim; appropriation and distribution of aggregate amount; limitations; distribution subject to lien; obligation as debt or liability; certification of distribution amount; basis for calculation of distributions and claim reports.

Sec. 13b. (1) If the amount of tax increment revenues lost as a result of the reduction of taxes levied by local school districts for school operating purposes required by the millage limitations under section 1211 of the school code of 1976, 1976 PA 451, MCL 380.1211, reduced by the amount of tax increment revenues received from the capture of taxes levied under or attributable to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, will cause the tax increment revenues received in a fiscal year by an authority under section 15 to be insufficient to repay an eligible advance or to pay an eligible obligation, the legislature shall appropriate and distribute to the authority the amount described in subsection (5).

(2) Not less than 30 days before the first day of a fiscal year, an authority eligible to retain tax increment revenues from taxes levied by a local or intermediate school district or this state or to receive a distribution under this section for that fiscal year shall file a claim with the department of treasury. The claim shall include the following information:

(a) The property tax millage rates levied in 1993 by local school districts within the jurisdictional area of the authority for school operating purposes.

(b) The property tax millage rates expected to be levied by local school districts within the jurisdictional area of the authority for school operating purposes for that fiscal year.

(c) The tax increment revenues estimated to be received by the authority for that fiscal year based upon actual property tax levies of all taxing jurisdictions within the jurisdictional area of the authority.

(d) The tax increment revenues the authority estimates it would have received for that fiscal year if property taxes were levied by local school districts within the jurisdictional area of the authority for school operating purposes at the millage rates described in subdivision (a) and if no property taxes were levied by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(e) A list and documentation of eligible obligations and eligible advances and the payments due on each of those eligible obligations or eligible advances in that fiscal year, and the total amount of all the payments due on those eligible obligations and eligible advances in that fiscal year.

(f) The amount of money, other than tax increment revenues, estimated to be received in that fiscal year by the authority that is primarily pledged to, and to be used for, the payment of an eligible obligation or the repayment of an eligible advance. That amount shall not include excess tax increment revenues of the authority that are permitted by law to be retained by the authority for purposes that further the development program. However, that amount shall include money to be obtained from sources authorized by law, which law is enacted on or after December 1, 1993, for use by the municipality or authority to finance a development project.

(g) The amount of a distribution received pursuant to this act for a fiscal year in excess of or less than the distribution that would have been required if calculated upon actual tax increment revenues received for that fiscal year.

(h) A list and documentation of other protected obligations and the payments due on each of those other protected obligations in that fiscal year, and the total amount of all the payments due on those other protected obligations in that fiscal year.

(3) For the fiscal year that commences after September 30, 1993 and before October 1, 1994, an authority may make a claim with all information required by subsection (2) at any time after March 15, 1994.

(4) After review and verification of claims submitted pursuant to this section, amounts appropriated by the state in compliance with this act shall be distributed as 2 equal payments on March 1 and September 1 after receipt of a claim. An authority shall allocate a distribution it receives for an eligible obligation issued on behalf of a municipality to the municipality.

(5) Subject to subsections (6) and (7), the aggregate amount to be appropriated and distributed pursuant to this section to an authority shall be the sum of the amounts determined pursuant to subdivisions (a) and (b) minus the amount determined pursuant to subdivision (c), as follows:

(a) The amount by which the tax increment revenues the authority would have received for the fiscal year, excluding taxes exempt under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, if property taxes were levied by local school districts for school operating purposes at the millage rates described in subsection (2)(a) and if no property taxes were levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, exceed the tax increment revenues the authority actually received for the fiscal year.

(b) A shortfall required to be reported pursuant to subsection (2)(g) that had not previously increased a distribution.

(c) An excess amount required to be reported pursuant to subsection (2)(g) that had not previously decreased a distribution.

(6) The amount distributed under subsection (5) shall not exceed the difference between the amount described in subsection (2)(e) and the sum of the amounts described in subsection (2)(c) and (f).

(7) If, based upon the tax increment financing plan in effect on August 19, 1993, the payment due on eligible obligations or eligible advances anticipates the use of excess prior year tax increment revenues permitted by law to be retained by the authority, and if the sum of the amounts described in subsection (2)(c) and (f) plus the amount to be distributed under subsections (5) and (6) is less than the amount described in subsection (2)(e), the amount to be distributed under subsections (5) and (6) shall be increased by the amount of the shortfall. However, the amount authorized to be distributed pursuant to this section shall not exceed that portion of the cumulative difference, for each preceding fiscal year, between the amount that could have been distributed pursuant to subsection (5) and the amount actually distributed pursuant to subsections (5) and (6) and this subsection.

(8) A distribution under this section replacing tax increment revenues pledged by an authority or a municipality is subject to the lien of the pledge, whether or not there has been physical delivery of the distribution.

(9) Obligations for which distributions are made pursuant to this section are not a debt or liability of this state; do not create or constitute an indebtedness, liability, or obligation of this state; and are not and do not constitute a pledge of the faith and credit of this state.

(10) Not later than July 1 of each year, the authority shall certify to the local tax collecting treasurer the amount of the distribution required under subsection (5), calculated without regard to the receipt of tax increment revenues attributable to local or intermediate school district taxes or attributable to taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(11) Calculations of distributions under this section and claims reports required to be made under subsection (2) shall be made on the basis of each development area of the authority.

(12) The state tax commission may provide that the reimbursement calculations under this section and the calculation of allowable capture of school taxes shall be made for each calendar year's tax increment revenues using a 12-month debt payment period used by the authority and approved by the state tax commission.

History: Add. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 1994, Act 280, Imd. Eff. July 11, 1994;—Am. 1996, Act 269, Imd. Eff. June 12, 1996;—Am. 1996, Act 454, Imd. Eff. Dec. 19, 1996;—Am. 1997, Act 202, Imd. Eff. Jan. 13, 1998.

Compiler's note: Enacting section 1 of Act 202 of 1997 provides:

"The provisions of section 1 and section 13b, as amended by this amendatory act, are retroactive and effective for taxes levied after 1993."

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125.1663c Retention and payment of taxes levied under state education tax act; conditions; application by authority for approval; information to be included; approval, modification, or denial of application by department of treasury; appropriation and distribution of amount; calculation of aggregate amount; lien; reimbursement calculations; legislative intent.

Sec. 13c. (1) If the amount of tax increment revenues lost as a result of the personal property tax exemptions provided by section 1211(4) of the revised school code, 1976 PA 451, MCL 380.1211, section 3 of the state education tax act, 1993 PA 331, MCL 211.903, section 14(4) of 1974 PA 198, MCL 207.564, and section 9k of the general property tax act, 1893 PA 206, MCL 211.9k, will reduce the allowable school tax capture received in a fiscal year, then, notwithstanding any other provision of this act, the authority, with approval of the department of treasury under subsection (3), may request the local tax collecting treasurer to retain and pay to the authority taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, to be used for the following:

(a) To repay an eligible advance.

(b) To repay an eligible obligation.

(c) To repay an other protected obligation.

(2) Not later than June 15, 2008, not later than September 30, 2009, and not later than June 1 of each subsequent year, except for 2011, not later than June 15, an authority eligible under subsection (1) to have taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, retained and paid to the authority under this section, shall apply for approval with the department of treasury. The application for approval shall include the following information:

(a) The property tax millage rates expected to be levied by local school districts within the jurisdictional area of the authority for school operating purposes for that fiscal year.

(b) The tax increment revenues estimated to be received by the authority for that fiscal year based upon actual property tax levies of all taxing jurisdictions within the jurisdictional area of the authority.

(c) The tax increment revenues the authority estimates it would have received for that fiscal year if the personal property tax exemptions described in subsection (1) were not in effect.

(d) A list of eligible obligations, eligible advances, and other protected obligations, the payments due on each of those in that fiscal year, and the total amount of all the payments due on all of those in that fiscal year.

(e) The amount of money, other than tax increment revenues, estimated to be received in that fiscal year by the authority that is primarily pledged to, and to be used for, the payment of an eligible obligation, the repayment of an eligible advance, or the payment of an other protected obligation. That amount shall not include excess tax increment revenues of the authority that are permitted by law to be retained by the authority for purposes that further the development program. However, that amount shall include money to be obtained from sources authorized by law, which law is enacted on or after December 1, 1993, for use by the municipality or authority to finance a development plan.

(f) The amount of a distribution received pursuant to this act for a fiscal year in excess of or less than the distribution that would have been required if calculated upon actual tax increment revenues received for that fiscal year.

(3) Not later than August 15, 2008; for 2009, not later than February 3, 2010; for 2011 only, not later than 30 days after the effective date of the amendatory act that amended this sentence; and not later than August 15 for 2010, 2012, and each subsequent year, based on the calculations under subsection (5), the department of treasury shall approve, modify, or deny the application for approval to have taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, retained and paid to the authority under this section. If the application for approval contains the information required under subsection (2)(a) through (f) and appears to be in substantial compliance with the provisions of this section, then the department of treasury shall approve the application. If the application is denied by the department of treasury, then the department of treasury shall provide the opportunity for a representative of the authority to discuss the denial within 21 days after the denial occurs and shall sustain or modify its decision within 30 days after receiving information from the authority. If the application for approval is approved or modified by the department of treasury, the local tax collecting treasurer shall retain and pay to the authority the amount described in subsection (5) as approved by the department. If the department of treasury denies the authority's application for approval, the local tax collecting treasurer shall not retain or pay to the authority the taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906. An approval by the department does not prohibit a subsequent audit of taxes retained in accordance with the procedures currently authorized by law.

(4) Each year the legislature shall appropriate and distribute an amount sufficient to pay each authority the following:

(a) If the amount to be retained and paid under subsection (3) is less than the amount calculated under subsection (5), the difference between those amounts.

(b) If the application for approval is denied by the department of treasury, an amount verified by the department equal to the amount calculated under subsection (5).

(5) Subject to subsection (6), the aggregate amount under this section shall be the sum of the amounts determined under subdivisions (a) and (b) minus the amount determined under subdivision (c), as follows:

(a) The amount by which the tax increment revenues the authority would have received and retained for the fiscal year, excluding taxes exempt under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, if the personal property tax exemptions described in subsection (1) were not in effect, exceed the tax increment revenues the authority actually received for the fiscal year.

(b) A shortfall required to be reported under subsection (2)(f) that had not previously increased a distribution.

(c) An excess amount required to be reported under subsection (2)(f) that had not previously decreased a distribution.

(6) A distribution or taxes retained under this section replacing tax increment revenues pledged by an

authority or a municipality are subject to any lien of the pledge described in subsection (1), whether or not there has been physical delivery of the distribution.

(7) Obligations for which distributions are made under this section are not a debt or liability of this state; do not create or constitute an indebtedness, liability, or obligation of this state; and are not and do not constitute a pledge of the faith and credit of this state.

(8) Not later than September 15 of each year, the authority shall provide a copy of the application for approval approved by the department of treasury to the local tax collecting treasurer and provide the amount of the taxes retained and paid to the authority under subsection (5).

(9) Calculations of amounts retained and paid and appropriations to be distributed under this section shall be made on the basis of each development area of the authority.

(10) The state tax commission may provide that the reimbursement calculations under this section and the calculation of allowable capture of school taxes shall be made for each calendar year's tax increment revenues using a 12-month debt payment period used by the authority and approved by the state tax commission.

(11) It is the intent of the legislature that, to the extent that the total amount of taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, that are allowed to be retained under this section and section 11b of the local development financing act, 1986 PA 281, MCL 125.2161b, section 15a of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665a, and section 12b of the tax increment financing act, 1980 PA 450, MCL 125.1812b, exceeds the difference of the total school aid fund revenue for the tax year minus the estimated amount of revenue the school aid fund would have received for the tax year had the tax exemptions described in subsection (1) and the earmark created by section 515 of the Michigan business tax act, 2007 PA 36, MCL 208.1515, not taken effect, the general fund shall reimburse the school aid fund the difference.

History: Add. 2008, Act 157, Imd. Eff. June 5, 2008;—Am. 2009, Act 213, Imd. Eff. Jan. 4, 2010;—Am. 2012, Act 510, Imd. Eff. Dec. 28, 2012.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1664 Tax increment financing plan; preparation and contents; limitation; public hearing; fiscal and economic implications; recommendations; agreements; modification of plan; catalyst development project.

Sec. 14. (1) 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, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, and 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. The authority or municipality may exclude from captured assessed value growth in property value resulting solely from inflation. The plan shall set forth the method for excluding growth in property value resulting solely from inflation.

(2) The percentage of taxes levied for school operating purposes that is captured and used by the tax increment financing plan shall not be greater than the plan's percentage capture and use of taxes levied by a municipality or county for operating purposes. For purposes of the previous sentence, taxes levied by a county for operating purposes include only millage allocated for county or charter county purposes under the property tax limitation act, 1933 PA 62, MCL 211.201 to 211.217a. For purposes of this subsection, tax increment revenues used to pay bonds issued by a municipality under section 16(1) shall be considered to be used by the tax increment financing plan rather than shared with the municipality. The limitation of this subsection does not apply to the portion of the captured assessed value shared pursuant to an agreement entered into before 1989 with a county or with a city in which an enterprise zone is approved under section 13 of the enterprise zone act, 1985 PA 224, MCL 125.2113.

(3) Approval of the tax increment financing plan shall be pursuant to the notice, hearing, and disclosure provisions of section 18. 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 taxing jurisdictions levying taxes subject to capture to meet with the governing body. The authority shall fully inform the taxing jurisdictions of the fiscal and economic implications of the proposed development area. The taxing jurisdictions may present their recommendations at the public hearing

on the tax increment financing plan. The authority may enter into agreements with the taxing jurisdictions 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.

(6) Under a tax increment financing plan that includes a catalyst development project, an authority may pledge available tax increment revenues of the authority as security for any bonds issued to develop and construct a catalyst development project.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1979, Act 26, Imd. Eff. June 6, 1979;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1986, Act 229, Imd. Eff. Oct. 1, 1986;—Am. 1988, Act 425, Imd. Eff. Dec. 27, 1988;—Am. 1989, Act 108, Imd. Eff. June 23, 1989;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 2012, Act 396, Imd. Eff. Dec. 19, 2012.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1665 Transmitting and expending tax increments revenues; reversion of surplus funds; abolition of tax increment financing plan; conditions; annual report on status of tax increment financing account; contents; publication.

Sec. 15. (1) The municipal and county treasurers shall transmit to the authority tax increment revenues.

(2) The authority shall expend the tax increment revenues 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 16 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 and the state tax commission a report on the status of the tax increment financing account. The report shall be published in a newspaper of general circulation in the municipality and shall include the following:

- (a) The amount and source of revenue in the account.
- (b) The amount in any bond reserve account.
- (c) The amount and purpose of expenditures from the account.
- (d) The amount of principal and interest on any outstanding bonded indebtedness.
- (e) The initial assessed value of the project area.
- (f) The captured assessed value retained by the authority.
- (g) The tax increment revenues received.
- (h) The number of jobs created as a result of the implementation of the tax increment financing plan.
- (i) Any additional information the governing body or the state tax commission considers necessary.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1979, Act 26, Imd. Eff. June 6, 1979;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1986, Act 229, Imd. Eff. Oct. 1, 1986;—Am. 1988, Act 425, Imd. Eff. Dec. 27, 1988;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1666 General obligation bonds and tax increment bonds; qualified refunding obligation.

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 municipality may pledge as additional security for the bonds any money received by the authority or the municipality pursuant to section 11. The bonds are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. Before the municipality may authorize the borrowing, the authority shall submit an estimate of the anticipated tax increment revenues and other revenue available under section 11 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. If the governing body of the municipality adopts the resolution authorizing the bonds, the estimate of the anticipated tax increment revenues and other revenue available under section 11 to be available for payment of principal and interest on the bonds shall be conclusive for purposes of this section. The bonds issued under this subsection shall be considered a single series for the purposes of the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2801.

(2) By resolution of its governing body, the authority may 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 under this subsection shall pledge solely the tax increment revenues of a development area in which the project is located or a development area from which tax increment revenues may be used for this project, or both. In addition or in the alternative, the bonds issued by the authority pursuant to this subsection may be secured by any other revenues identified in section 11 as sources of financing for activities of the authority that the authority shall specifically pledge in the resolution. However, the full faith and credit of the municipality shall not be pledged to secure bonds issued pursuant to this subsection. The bond issue may include a sum sufficient to pay interest on the tax increment bonds until full development of tax increment revenues 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 increment revenues and other revenues pledged by the resolution that 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 increment revenues and other revenues pledged under the resolution. Bonds issued under this subsection that pledge revenue received under section 11 for repayment of the bonds are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(3) Notwithstanding any other provision of this act, if the state treasurer determines that an authority or municipality can issue a qualified refunding obligation and the authority or municipality does not make a good faith effort to issue the qualified refunding obligation as determined by the state treasurer, the state treasurer may reduce the amount claimed by the authority or municipality under section 13b by an amount equal to the net present value saving that would have been realized had the authority or municipality refunded the obligation or the state treasurer may require a reduction in the capture of tax increment revenues from taxes levied by a local or intermediate school district or this state by an amount equal to the net present value savings that would have been realized had the authority or municipality refunded the obligation. This subsection does not authorize the state treasurer to require the authority or municipality to pledge security greater than the security pledged for the obligation being refunded.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1981, Act 34, Imd. Eff. May 11, 1981;—Am. 1983, Act 34, Imd. Eff. May 10, 1983;—Am. 1985, Act 159, Imd. Eff. Nov. 15, 1985;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 122, Imd. Eff. July 20, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994;—Am. 1996, Act 269, Imd. Eff. June 12, 1996;—Am. 2002, Act 234, Imd. Eff. Apr. 29, 2002.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1667 Development plan; preparation; contents; improvements related to qualified facility.

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 13 or tax increment financing as authorized in sections 14, 15, and 16, it shall prepare a development plan.

(2) The development plan shall contain all of the following:

(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, 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 that 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, or 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 units 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 that the authority, local public agency, or governing body considers pertinent.

(3) A development plan may provide for improvements related to a qualified facility, as defined in the federal facility development act, Act No. 275 of the Public Acts of 1992, being sections 3.931 to 3.940 of the Michigan Compiled Laws, that is located outside of the boundaries of the development area but within the district, including the cost of construction, renovation, rehabilitation, or acquisition of that qualified facility or of public facilities and improvements related to that qualified facility.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1992, Act 279, Imd. Eff. Dec. 18, 1992;—Am. 1993, Act 122, Imd. Eff. July 20, 1993.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1668 Ordinance approving development plan or tax increment financing plan; public hearing; notice; record.

Sec. 18. (1) The governing body, before adoption of an ordinance approving or amending a development plan or approving or amending a 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 be not 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. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the development plan or the tax increment financing plan is approved or amended.

(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 designated 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 considers 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 to the development plan. 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 2005, Act 13, Imd. Eff. May 4, 2005.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1669 Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations; amendments; incorporation of catalyst development project plan.

Sec. 19. (1) The governing body after a public hearing on the development plan or the tax increment financing plan, or both, with notice of the hearing given in accordance with section 18, 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).

(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.

(3) Proposed amendments made to an approved development plan to incorporate a catalyst development project plan shall be submitted by the authority to the Michigan strategic fund for approval or rejection of that part of the plan relating to the catalyst development project. Amendments not approved or rejected under this subsection by the Michigan strategic fund within 45 days of submission for approval shall be considered approved.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 2012, Act 396, Imd. Eff. Dec. 19, 2012.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1670 Notice to vacate.

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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1671 Development area citizens council; establishment; appointment and qualifications of members; representative of development area.

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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1672 Development area citizens council; advisory body.

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

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1673 Consultation.

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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1674 Development area citizens council; meetings; notice; record; information and technical 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 development 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1675 Citizens district council as development area citizens 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1676 Notice of 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1677 Development area citizens council; dissolution.

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 18 and by a 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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1678 Budget; cost of handling and auditing funds.

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.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1678a Exemption.

Sec. 28a. Beginning January 1, 2010, the authority shall be exempt from all taxation on its earnings or property. Instruments of conveyance from an authority are exempt from transfer taxes under 1966 PA 134, MCL 207.501 to 207.513, and the state real estate transfer tax act, 1993 PA 330, MCL 207.521 to 207.537.

History: Add. 2012, Act 396, Imd. Eff. Dec. 19, 2012.

125.1679 Historic sites.

Sec. 29. (1) A public facility, building, or structure that is determined by the municipality to have significant historical interests shall be preserved in a manner as considered necessary by the municipality in accordance with laws relative to the preservation of historical sites. The preservation of facilities, buildings, or structures determined to be historic sites by a municipality shall include, at a minimum, equipping the historic site with a fire alarm system.

(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 the local historic districts act, 1970 PA 169, MCL 399.201 to 399.215, or the department of history, arts, and libraries for review.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 2001, Act 68, Imd. Eff. July 24, 2001;—Am. 2004, Act 66, Imd. Eff. Apr. 20, 2004.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries or the Michigan historical center relating to the identification, certification, and preservation of historical sites to the Michigan state housing development authority, see E.R.O. No. 2009-26, compiled at MCL 399.752.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1680 Dissolution of authority; disposition of property and assets; reinstatement of authority; contesting validity of proceedings, findings, and determinations.

Sec. 30. (1) An authority that 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 belong to the municipality.

Rendered Thursday, October 22, 2015

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(2) An authority established under this act before December 31, 1988, that is dissolved by ordinance of the governing body before September 30, 1990 and that is reinstated by ordinance of the governing body after notice and public hearing as provided in section 3(2) shall not be invalidated pursuant to a claim that, based upon the standards set forth in section 3(1), a governing body improperly determined that the necessary conditions existed for the reinstatement of an authority under the act if at the time the governing body established the authority the governing body determined or could have determined that the necessary conditions existed for the establishment of an authority under this act or could have determined that establishment of an authority under this act would serve to promote economic growth and notwithstanding that the boundaries of the downtown district are altered at the time of reinstatement of the authority.

(3) In the resolution of intent, the municipality shall set a date for the holding of a public hearing on the adoption of a proposed ordinance reinstating the authority. The procedure for publishing the notice of hearing, holding the hearing, and adopting the ordinance reinstating the authority shall be as provided in section 3(2), (4), and (5).

(4) The validity of the proceedings, findings, and determinations reinstating an authority shall be conclusive unless contested in a court of competent jurisdiction within 60 days after the last of the following occurs:

- (a) Publication of the ordinance reinstating the authority as adopted.
- (b) Filing of the ordinance reinstating the authority with the secretary of state.
- (c) May 27, 1993.

History: 1975, Act 197, Imd. Eff. Aug. 13, 1975;—Am. 1993, Act 42, Imd. Eff. May 27, 1993;—Am. 1993, Act 323, Eff. Mar. 15, 1994.

Popular name: DDA

Popular name: Downtown Development Authority Act

125.1681 Proceedings to compel enforcement of act; rules.

Sec. 31. (1) The state tax commission may institute proceedings to compel enforcement of this act.

(2) The state tax commission may promulgate rules necessary for the administration of this act pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws.

History: Add. 1988, Act 425, Imd. Eff. Dec. 27, 1988.

Compiler's note: Section 2 of Act 425 of 1988 provides: "This amendatory act is effective beginning with taxes levied in 1989. However, for taxes levied before 1989, tax increment revenues based on the definition of initial assessed value provided for in this amendatory act that were received by an authority are validated."

Popular name: DDA

Popular name: Downtown Development Authority Act

ATTACHMENT #2

Ordinance No. 228

City of Stanton Downtown Development Authority

An Ordinance to establish a Downtown Development Authority in the City of Stanton pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended; to define the boundaries of the Downtown District constituting the Downtown Development Authority; and to provide for other matters necessary and related thereto.

The City of Stanton Hereby Ordains:

Section 1. Title: This Ordinance shall be known and may be cited as the "Downtown Development Authority Ordinance."

Section 2. Definitions: The terms used herein shall have the same meaning as given them in Act 197 or as hereinafter in this section provided, unless the context clearly indicates to the contrary. As used in this ordinance:

- (a) "Authority" means the Downtown Development Authority of the City of Stanton as created by this Ordinance.
- (b) "Act 197" means Act No. 197 of the Public Acts of Michigan of 1975 as now in effect or hereafter amended.
- (c) "Board" or "Board of Directors" means the Board of Directors of the Authority.
- (d) "City" means the City of Stanton.
- (e) "Commission" or "City Commission" means the City Commission of the City of Stanton.
- (f) "Downtown District" means the downtown district designated herein or hereinafter amended.
- (g) "Mayor" means the Mayor of the City of Stanton.

Section 3. Purpose and Findings:

The City Commission of the City of Stanton hereby determines and finds that it is in the best interest of the City to create and a public body corporate in order to halt property value deterioration and increase property tax valuation where possible in the

Downtown District, eliminate the causes of the deterioration and to promote economic growth pursuant to Act 197.

Section 4. Creation of Authority:

There is hereby created pursuant to Act 197 a Downtown Development Authority for the City. The authority shall be a public body corporate and shall be known and exercise the powers under title of "Downtown Development Authority of the City of Stanton." The Authority may adopt a seal, may sue and be sued in any court of this State, and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided herein and in Act 197. The enumeration of a power herein or in Act 197 shall not be construed as a limitation upon the general powers of the Authority.

Section 5. Description of Downtown District:

The Downtown District in which the Authority shall exercise its power as provided by Act 197 shall consist of the property in the City described on Exhibit A attached hereto and made part hereof, subject to such changes as may hereinafter be made pursuant to this Ordinance and Act 197.

Section 6. Board of Directors:

The Authority shall be under the supervision and control of the Board consisting of the Mayor and 8 members. The members shall be appointed by the mayor and subject to approval by the Commission. Eligibility for membership of the Board and terms of Office shall be as provided by Public Act 197. Each member shall hold office until the member's successor is appointed. The City Manager of the City of Stanton shall serve as primary advisor to the Downtown Development Authority, set the agenda, and meeting schedule.

Section 7. Powers of the Authority:

The Authority shall possess all of the powers necessary to carry out the purposes of its incorporation and shall have all the powers provided by Act 197.

Section 8. Fiscal Year; Adoption of Budget; Reports; Audits.

- (a) The fiscal year of the Authority shall begin on July 1st each year and end on June 30th of the following year, or such other fiscal year as may hereafter be adopted by the City.
- (b) The Board shall annually designate the City of Stanton to create its budget as a component unit to the City budget. The City Manager will present the proposed Downtown Development Authority budget to the Board of Directors for approval prior to the adoption of the City Budget.

- (c) The Authority shall be audited annually by the same independent auditors auditing the City and copies of the audit report shall be filed with the Commission. The Board of Directors may elect to have the audit completed in conjunction with the City audit and pay a proportional share of the contract costs.

Section 9. Termination:

Upon completion of its purposes the Authority may be dissolved by an ordinance duly adopted by the City Commission. The property and assets of the Authority, after satisfaction and dissolution of its obligations, shall revert to the City.

Section 10. Section Headings; Severability; Repealer:

Section headings are provided for convenience only and are not intended to be a part of this ordinance. If any portion of this ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

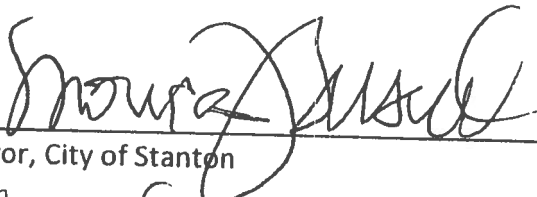
Section 11. Publication, Recording, and Filing:

After its adoption, this ordinance shall be published once in full in a newspaper of general circulation in the City, and the City Clerk shall file a certified copy of the ordinance with the Michigan Secretary of State promptly after its adoption.

Section 12. Effective Date:

This ordinance shall become effective immediately after publication in a newspaper of general circulation within the City of Stanton.


Effective Date: 5-30-15



Mayor, City of Stanton

5/26/15

Date



Clerk, City of Stanton

5-26-15

Date

Legal Description - City of Stanton DDA District

Part of the East $\frac{1}{2}$ of Section 1, T10N R7W and part of the West $\frac{1}{2}$ of Section 6, T10N-R6W, City of Stanton, Montcalm County, Michigan. Described as beginning at the Southeast corner of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 1; thence West, along the South E-W $\frac{1}{8}$ line of said Section 1, to the easterly line of the Pere Marquette Railroad right of way; thence North, along said easterly railroad right of way line to a point on the East-West $\frac{1}{4}$ line of said Section 1; thence East, along said $\frac{1}{4}$ line to a point 41 rods West of the East $\frac{1}{4}$ corner of said Section 1; thence North, parallel with the East line of said Section 1, to the south right of way line of Jensen Street; thence East, along said south right of way line, to said East line of Section 1; thence North, along the West line of said Section 6, to a point which is North, along said West line of Section 6, 803.21 feet from the West $\frac{1}{4}$ corner of said Section 6; thence East, parallel with the East-West $\frac{1}{4}$ line of said Section 6, 400 feet; thence South, parallel with the West line of said Section 6, 391.37 feet; thence East, parallel with said East-West $\frac{1}{4}$ line of Section 6, to the West, North-South $\frac{1}{8}$ line of said Section 6; thence South, along said $\frac{1}{8}$ line, to the East-West $\frac{1}{4}$ line of said Section 6; thence East, along said East-West $\frac{1}{4}$ line, to the North-South $\frac{1}{4}$ line of said Section 6; thence South, along said North-South $\frac{1}{4}$ line, to the South, East-West $\frac{1}{8}$ line of said Section 6; thence West, along said $\frac{1}{8}$ line, to the West line of said Section 6; thence South, along the East line of said Section 1 to the point of beginning.

And also:

Part of the West $\frac{1}{2}$ of Section 6, T10N-R6W, City of Stanton, Montcalm County, Michigan. Described as beginning at the Northwest corner of said Section 6; thence South, along the west line of said Section 6, 89 $\frac{2}{3}$ rods; thence East, 30 rods; thence North, 26 $\frac{2}{3}$ rods; thence West, 17 rods; thence North to the South right of way line of East Lake Street; thence West, along said South right of way line, 64.50 feet; thence North, 149.5 feet; thence East, 395.50 feet; thence North, 428 feet; thence West, 100 feet; thence North 165 feet; thence West, 264 feet; thence North, 165 feet; thence West, 181.5 feet to the Point of Beginning.

And also:

Part of the Northwest $\frac{1}{4}$ of Section 31, T11N-R6W beginning at the West $\frac{1}{4}$ corner of said Section 31; thence East, along the E-W $\frac{1}{4}$ line of said Section 31, 741 feet; thence North, parallel with the West line of said Section 31, 294 feet; thence West, to the Southeast corner of Lot 1 of the plat of Brake's North Side Addition to the City of Stanton; thence North, along the East line of said Brake's North Side Addition, to the Northeast corner of Lot 12 of said plat; thence East, 10 feet; thence North, 125 feet; thence West to said west line of Section 31; thence South, along said West line, to the point of beginning;

And also:

Part of the Southeast $\frac{1}{4}$ of Section 36, T11N-R7W, City of Stanton described as beginning at the East $\frac{1}{4}$ corner; thence South, along the East line of said Section 36, 1207 feet; thence West, 561 feet; thence North, parallel with said East line, 537.08 feet; thence West, 189 feet; thence North, 670 feet to the East-West $\frac{1}{4}$ line of said Section 36; thence West, along said East-West $\frac{1}{4}$ line, to the East, North-South $\frac{1}{8}$ line of said Section 36; thence North, along said North-South $\frac{1}{8}$ line, to the North, East-West $\frac{1}{8}$ line of said Section 36; thence East, along said East-West $\frac{1}{8}$ line, to a point 30 rods West of the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 36; thence South, parallel with said East line, 12 rods; thence East, parallel with the said East-West $\frac{1}{8}$ line, 8 rods; thence North, 12 rods to a point on said East-West $\frac{1}{8}$ line; thence East, along said East-West $\frac{1}{8}$ line, 22 rods to the East line of said Section 36; thence South, along said East line, to the point of beginning

And also the following platted land:

Blocks 1, 2, 3 and 4; Lots 1, 3, 5, 6, 7 and 8, Block 5; Lot 1, Block 12 and Lots 2, 3, 4 and 5, Block 13 of J.P. Beers' Addition to the Village(now city) of Stanton;

Courthouse Square; Blocks 1, 2, 3, 12, 13, 14, 15; Lots 1, 2, 3 and 4, Block 19; Lots 1 and 2, Block 20; Lot 1, Block 27 of Original Plat of the Village (now City)of Stanton;

Lots 3, 4, 5, 6, 7 and 8, Block 1 of William F. Turner's Addition to the Village (now City) of Stanton;

Lots 1, 2, 69 and 70, Block 1; Lots 71, 72, 73, 74, 75, 136, 137, 138, 139 and 140, Block 10; Lots 141, 142, 143, 172, 173 and 174, Block 11; Lots 175, 176, 207 and 208, Block 16 G.W. Child's Addition to the Village (now City) of Stanton;

Lots 1-7, 12-18, 23-29, 34, 35, 45, 46 and 56 of Smith and McPherson's Addition to the Village (now City) of Stanton;

Lots 6 and 7, Block 1; The West 66 feet of Bellevue Street between Blocks 1 and 2; The West $\frac{1}{2}$ of Lots 6 and 7, Block 2; Block 12, of the plat of Moore & Smith's Addition to the Village (now City) of Stanton;

That part of the Mill Lot, of the plat of Moore & Smith's Addition to the Village (now City) of Stanton, described as beginning at the SW corner of said Mill Lot; thence North, along the west line of said Mill Lot to a point on the easterly extension of the centerline of Day Street; thence East, along said easterly extension, 8 rods 11 feet; thence North to a point 388 feet north of the north line of Main Street; thence East to the west line of the railroad right of way; thence Southwesterly, along said west railroad right of way line, to said north line of Main Street; thence West, along the north line of Main Street to the point of beginning;

That part of the Mill Lot and Out Lot 1, of the plat of Moore & Smith's Addition to the Village (now City) of Stanton lying east of the Pere Marquette Railroad right of way line, South of the South right of way line of Day Street and West of the West right of way line of McPherson Street and all that part of said Out Lot 1, lying East of the East right of way line of McPherson Street, South of the South right of way

line of Day Street and west of the west line of Smith & McPherson's Second Addition to the Village (now City) of Stanton;

Lots 98 to 102 inclusive of the plat of Smith and McPhersons Second Addition to the Village (now City) of Stanton;

Lots 124, 125, 126, 127 and 128, Block 16 of Hariman's Addition to the Village (now City) of Stanton;

ATTACHMENT #3

BY-LAWS

STANTON DOWNTOWN DEVELOPMENT AUTHORITY

ARTICLE I

NAME

The name of this organization shall be the Stanton Downtown Development Authority (hereinafter "Authority".)

ARTICLE II

PURPOSE

The purpose of this Authority is to plan, develop and promote an economic expansion system within the development district boundaries herein described as follows: to act as a Downtown Development Authority in accordance with Public Act 197 of 1975, as amended (hereinafter the "Act"); to correct and prevent deterioration in the downtown district; to encourage historical preservation; to create and implement development plans; to promote the economic growth of the downtown; and to encourage the expansion of commercial enterprises.

ARTICLE III

DEVELOPMENT DISTRICT

The City Council (hereinafter "Council") shall establish the development district boundaries by ordinance as prescribed by the Act, and as amended from time to time by the Council.

ARTICLE IV

BOARD OF DIRECTORS

Section 1. Board Membership: The Authority shall be under the supervision and control of a board of directors consisting of the Mayor and (8) members appointed by the Mayor, subject to approval by the Council. Membership shall be in accordance with the City's DDA establishment ordinance and the requirements of State statute (MCL 125.1654). The Authority shall be responsible to the Council for its actions according to the herein described purposes.

Section 2. Filling Board Vacancies: If a vacancy is created by the death, resignation or removal of a member, a successor shall be appointed in the manner prescribed for making the original appointment. Any appointment under these circumstances shall be for the remainder of the term of the member who vacated the position. The Authority Board shall recommend to the Council a citizen to fill any vacancy by the next regularly scheduled Board meeting after the occurrence of a vacancy.

Section 3. Board Member Removal: Pursuant to proper notice and an opportunity to be heard, a member may be removed from office for neglect of duty including non-attendance at meetings,

misconduct, malfeasance or any other good and sufficient cause by a majority vote of the Council.

Section 4. Attendance Guide & Replacement Policy: In order to maintain the maximum participation of all appointed Authority members at all scheduled meetings, the following is the attendance guide and board member replacement policy for “excused” or “unexcused” absences:

a) When appointed, each board member shall state his/her willingness and intention to attend each scheduled meeting of the Authority.

b) In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness or other physical disabilities that prohibit the board member from attending the scheduled meeting, the Board Chair or City Manager should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend, but no later than 10:00 AM the day of the meeting. The board member upon this notification will receive an “excused absence” for the involved scheduled meeting.

c) If any board member is absent from three consecutive scheduled meetings without an “excused absence” for any of the three meetings, the Secretary shall report in writing to the Chair. The Chair shall contact the board member in writing and question his/her continued ability or interest in being on the board, giving the member a chance to rectify the attendance issue or submit a resignation.

d) There shall be no limit on the number of consecutive “excused absences” for any board member. However, if the board member is repeatedly absent for at least one-third of the yearly scheduled meetings, that member will also be reported in writing to the Chair. The Chair shall contact the board member in writing and question the member’s continued ability or interest to be on the board. The board member shall be considered for an appointment nullification when the absences total six in a calendar year.

e) The appointment nullification action initiated by the Chair shall be forwarded to the Council for official action.

Section 5. Disclosure of Interest: A Board member who has a direct interest in any matter before the Authority shall disclose their interest prior to the Authority taking any action with respect to the matter, which disclosure shall become a part of the record of the Authority’s official proceedings. Further, any member making such disclosure shall then refrain from participating in the Authority’s decision-making process relative to such matter.

ARTICLE V

OFFICERS, PERSONNEL & LEGAL COUNSEL

Section 1. Board Officers: The Officers shall consist of a Chair and Vice Chair, whose duties and responsibilities shall be as follows:

- a) CHAIR - The Chair shall preside over all meetings; be able to sign all checks and necessary instruments whereunto his/her signature shall be lawfully required; and shall have all powers usually incident to the office of the Chair; and shall perform such duties as may be delegated to him/her by the Authority. The role of the Board Chair shall be filled by the Mayor of the City of Stanton unless he/she cannot fulfill the role due to conflict of interest, in which case a member of the Authority shall be nominated and elected by the body.
- b) VICE CHAIR - The Vice Chair shall perform all duties of the Chair in case of the absence or disqualification of the Chair. Any Vice Chair, shall perform such other duties as from time to time may be assigned to him/her by the Chair or by the Board.
- c) SECRETARY- The Secretary shall be charged with the duty of attending all meetings of the Authority, and any other special meetings, and shall preserve in the record of the Authority full and correct minutes of the proceedings of all such meetings. It shall be the Secretary's duty to see that all notices required by the Authority and State statute are served City of Stanton DDA personally, or by mail or e-mail. The Secretary shall maintain a record of attendance for each board member. The Secretary role shall be filled by the City of Stanton Community Liaison unless that position is unfilled, in which case a member of the Authority shall be nominated and elected by the body.

Section 2. Election of the Vice Chair: Officers shall be elected by the Authority from its membership following nomination from the floor. Such election shall take place not later than the first regular meeting of the new fiscal year. The Vice Chair shall serve for one year, or until their successors are elected.

Section 3. Employment of Director & Other Personnel: The Board may employ and fix the compensation of a director, subject to approval by the Council, or other personnel as authorized under the Act. The Director shall serve at the pleasure of the Board. A member of the Board shall not hold the position of director while serving on the Board or within one year of leaving the Board. The Board may require the director to post a bond payable to the Authority for the use and benefit of the Authority. The premium for such bond is to be paid by 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. The Director shall attend the meetings of the Board, and shall render to the Board and to the Council a regular report covering the activities and financial condition of the Authority. The Director shall furnish the Board with information or reports governing the operation of the Authority as the Board requires. If the Director is absent or disabled, the Board may delegate

his/her functions and responsibilities to any person otherwise qualified under this section. Such other person shall be designated as the Acting Director.

Section 4. Employee Benefits: Full-time employees of the Authority shall be eligible to participate in the retirement and insurance programs of the City of Stanton and shall be subject to the eligibility, policies and procedures as stated in the City's personnel manual.

Section 5. Contracts for Administrative Services: The Board may contract with the City for any or all administrative, financial, planning, economic development and legal services in support of its operations.

Section 6. Legal Counsel: The Board may retain legal counsel to advise the Board in the proper performance of its duties and to represent the Authority in actions brought by or against the Authority.

ARTICLE VI MEETINGS

Section 1. Frequency: There shall be at least bi-monthly meetings of the Authority; the Authority currently meets monthly. Time and place of said meetings shall be established by the Authority in compliance with Michigan's Open Meetings Act (P.A. 267 of 1976, as amended.)

Section 2. Agenda: The Chair in consultation with the Director, or in the absence of a Director, with the City Manager, shall request the Director prepare the agendas for all meetings and send them to the Authority members at least twenty-four hours prior to a meeting. Any member of the Authority may request any item be placed upon the agenda. Approval of the agenda, including items added or deleted, shall be one of the first items of business at each meeting.

Section 3. Special Meetings: Special meetings for a specific purpose may be held upon the call of the Chair, Vice Chair, City Manager or any two members upon twenty-four-hour written notice. Business shall be limited to the specified purpose of the call. Posting notice of the special meeting shall be in compliance with Michigan's Open Meetings Act.

Section 4. Quorum: A majority of the members of the Authority then in office shall constitute a quorum for any meeting. In the event that effective membership is reduced because of Disclosure of Interest (Article IV, Section 5), a majority of the remaining members of the Board then in office shall constitute a quorum for the transaction of business. Except in those cases where a larger majority is required by law or in the event of the disclosure of interest above, no motion, resolution or action shall be adopted or passed, nor shall any appointment be made, nor any person removed from office as permitted by these By-Laws, except by the affirmative vote of at least six (5) members of the Board.

Section 5. Meeting Rules: The rules contained in the current edition of Robert's Rules of Order shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Board may adopt.

ARTICLE VII
FINANCE, CONTRACTS, CHECKS, DEPOSITS & FUNDS

Section 1. Fiscal Year: The fiscal year of the Authority shall coincide with the City of Stanton's fiscal year.

Section 2. Annual Budget: In each annual budget of the City, the City Commission shall provide for the funds required for the operation of the Authority. The Authority shall submit a proposed annual budget for consideration by the City Council. Once adopted by the Council, the Authority Board shall then adopt the annual budget.

Section 3. Acceptance of Gifts: The Authority shall be empowered to accept gifts, donations, contributions, bequests or devises for the general purposes or for any special purposes of the Authority on behalf of the City of Stanton for the use and benefit of the Downtown Development District.

Section 4. Acceptance of Grants: The Authority shall be empowered to seek county, state, federal and foundation grants, as well as other sources of funding, for the purpose of developing and improving the Downtown Development District.

Section 5. Contracting Authority: The Board may authorize the Chair, agent or agents of the Authority, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authorization may be general or confined to specific instances.

Section 6. Dual Signatures: All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Authority, shall be signed by the Board Chair or City Manager, and the City Clerk.

Section 7. Fund Depositories: All funds of the Authority shall be immediately deposited to the credit of the Authority by the City of Stanton in such banks, trust, companies or other depositories as the City may select. These funds shall be separated in the City's accounting system and budgetary documents as required by the Act.

Section 8. Investment Policy: The investment of Authority funds shall be in compliance with Michigan P.A. 20 of 1943, as amended. The Authority shall, in consultation with the City Manager, adopt an investment policy that, at a minimum, includes all of the following:

- a) A statement of the purpose, scope, and objectives of the policy, including safety, diversification, liquidity and return on investment.
- b) A delegation of authority to make investments.
- c) A list of authorized investment instruments. If the policy authorizes an investment in mutual funds, it shall indicate whether the authorization is limited to securities whose intention is to maintain a net asset value of \$1.00 per share or also includes securities whose net asset value per share may fluctuate on a periodic basis.

d) A statement concerning safekeeping, custody and prudence.

ARTICLE VIII BOOKS AND RECORDS

The Authority shall keep correct and complete books and records of account as a component unit of the City of Stanton's annual operating budget, and shall also keep minutes of the proceedings of its members, Board and committees having any of the powers of the Board, and shall keep at the principal office a record giving the names and addresses of the members entitled to vote. All books and records of the Authority shall be open to the public at all times. An annual audit shall be conducted by an independent Certified Public Accountant and published, and shall be in compliance with P. A. 2 of 1968, as amended (the Uniform Budgeting & Accounting Act.) This shall be done in conjunction with the annual independent audit for the City of Stanton operating budget.

ARTICLE IX DUTIES AND RESPONSIBILITIES

Section 1: It shall be the duty and responsibility of the Authority to coordinate and promote the development of the City's Downtown Development District to the fullest and widest use for the general health, welfare and benefit of the public.

Section 2: The Authority Chair shall submit a written report of the progress and financial condition to the Council as required by the Council, but no less than annually.

ARTICLE X AMENDMENTS

These By-Laws may be amended by a majority vote of the membership of the Authority at any regularly called meeting. Written notice of such meeting stating the proposed amendment shall be mailed, e-mailed or delivered to each member of the Authority at least ten (10) days prior to such meeting. Amendments must be approved by the Council.

ATTACHMENT #4

Proposed Legal Description - City of Stanton DDA District

Part of the East $\frac{1}{2}$ of Section 1, T10N R7W and part of the West $\frac{1}{2}$ of Section 6, T10N-R6W, City of Stanton, Montcalm County, Michigan. Described as beginning at the Southeast corner of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 1; thence West, along the South E-W $\frac{1}{8}$ line of said Section 1, to the easterly line of the Pere Marquette Railroad right of way; thence North, along said easterly railroad right of way line to a point on the East-West $\frac{1}{4}$ line of said Section 1; thence East, along said $\frac{1}{4}$ line to a point 41 rods West of the East $\frac{1}{4}$ corner of said Section 1; thence North, parallel with the East line of said Section 1, to the south right of way line of Jenson Street; thence East, along said south right of way line, to said East line of Section 1; thence North, along the West line of said Section 6, to a point which is North, along said West line of Section 6, 803.21 feet from the West $\frac{1}{4}$ corner of said Section 6; thence East, parallel with the East-West $\frac{1}{4}$ line of said Section 6, 400 feet; thence South, parallel with the West line of said Section 6, 391.37 feet; thence East, parallel with said East-West $\frac{1}{4}$ line of Section 6, to the West, North-South $\frac{1}{8}$ line of said Section 6; thence South, along said $\frac{1}{8}$ line, to the East-West $\frac{1}{4}$ line of said Section 6; thence East, along said East-West $\frac{1}{4}$ line, to the North -South $\frac{1}{4}$ line of said Section 6; thence South, along said North-South $\frac{1}{4}$ line, to the South, East-West $\frac{1}{8}$ line of said Section 6; thence West, along said $\frac{1}{8}$ line, to the West line of said Section 6; thence South, along the East line of said Section 1 to the point of beginning.

And also:

Part of the West $\frac{1}{2}$ of Section 6, T10N-R6W, City of Stanton, Montcalm County, Michigan. Described as beginning at the Northwest corner of said Section 6; thence South, along the west line of said Section 6, 89 $\frac{2}{3}$ rods; thence East, 30 rods; thence North, 26 $\frac{2}{3}$ rods; thence West, 17 rods; thence North to the South right of way line of East Lake Street; thence West, along said South right of way line, 64.50 feet; thence North, 149.5 feet; thence East, 395.50 feet; thence North, 428 feet; thence West, 100 feet; thence North 165 feet; thence West, 264 feet; thence North , 165 feet; thence West, 181.5 feet to the Point of Beginning.

And also:

Part of the Northwest $\frac{1}{4}$ of Section 31, T11N-R6W beginning at the West $\frac{1}{4}$ corner of said Section 31; thence East, along the E-W $\frac{1}{4}$ line of said Section 31, 741 feet; thence North, parallel with the West line of said Section 31, 294 feet; thence West, to the Southeast corner of Lot 1 of the plat of Brake's North Side Addition to the City of Stanton; thence North, along the East line of said Brake's North Side Addition, to the Northeast corner of Lot 12 of said plat; thence East, 10 feet; thence North, 125 feet; thence West to said west line of Section 31; thence South, along said West line, to the point of beginning;

And also:

Part of the Southeast $\frac{1}{4}$ of Section 36, T11N-R7W, City of Stanton described as beginning at the East $\frac{1}{4}$ corner; thence South, along the East line of said Section 36, 1207 feet; thence West, 561 feet; thence North, parallel with said East line, 537.08 feet; thence West, 189 feet; thence North, 670 feet to the East-West $\frac{1}{4}$ line of said Section 36; thence West, along said East-West $\frac{1}{4}$ line, to the East, North-South $\frac{1}{8}$ line of said Section 36; thence North, along said North-South $\frac{1}{8}$ line, to the North, East-West $\frac{1}{8}$ line of said Section 36; thence East, along said East-West $\frac{1}{8}$ line, to a point 30 rods West of the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 36; thence South, parallel with said East line, 12 rods; thence East, parallel with the said East-West $\frac{1}{8}$ line, 8 rods; thence North, 12 rods to a point on said East-West $\frac{1}{8}$ line; thence East, along said East-West $\frac{1}{8}$ line, 22 rods to the East line of said Section 36; thence South, along said East line, to the point of beginning

And also the following platted land:

Blocks 1, 2, 3 and 4; Lots 1, 3, 5, 6, 7 and 8, Block 5; Lot 1, Block 12 and Lots 2, 3, 4 and 5, Block 13 of J.P. Beers' Addition to the Village(now city) of Stanton;

Courthouse Square; Blocks 1, 2, 3, 12, 13, 14, 15; Lots 1, 2, 3 and 4, Block 19; Lots 1 and 2, Block 20; Lot 1, Block 27 of Original Plat of the Village (now City)of Stanton;

Lots 3, 4, 5, 6, 7 and 8, Block 1 of William F. Turner's Addition to the Village (now City) of Stanton;

Lots 1, 2, 69 and 70, Block 1; Lots 71, 72, 73, 74, 75, 136, 137, 138, 139 and 140, Block 10; Lots 141, 142, 143, 172, 173 and 174, Block 11; Lots 175, 176, 207 and 208, Block 16 G.W. Child's Addition to the Village (now City) of Stanton;

Lots 1-7, 12-18, 23-29, 34, 35, 45, 46 and 56 of Smith and McPherson's Addition to the Village (now City) of Stanton;

Lots 6 and 7, Block 1; The West 66 feet of Bellevue Street between Blocks 1 and 2; The West $\frac{1}{2}$ of Lots 6 and 7, Block 2; Block 12, of the plat of Moore & Smith's Addition to the Village (now City) of Stanton;

That part of the Mill Lot, of the plat of Moore & Smith's Addition to the Village (now City) of Stanton, described as beginning at the SW corner of said Mill Lot; thence North, along the west line of said Mill Lot to a point on the easterly extension of the centerline of Day Street; thence East, along said easterly extension, 8 rods 11 feet; thence North to a point 388 feet north of the north line of Main Street; thence East to the west line of the railroad right of way; thence Southwesterly, along said west railroad right of way line, to said north line of Main Street; thence West, along the north line of Main Street to the point of beginning;

That part of the Mill Lot and Out Lot 1, of the plat of Moore & Smith's Addition to the Village (now City) of Stanton lying east of the Pere Marquette Railroad right of way line, South of the South right of way line of Day Street and West of the West right of way line of McPherson Street and all that part of said Out Lot 1, lying East of the East right of way line of McPherson Street, South of the South right of way

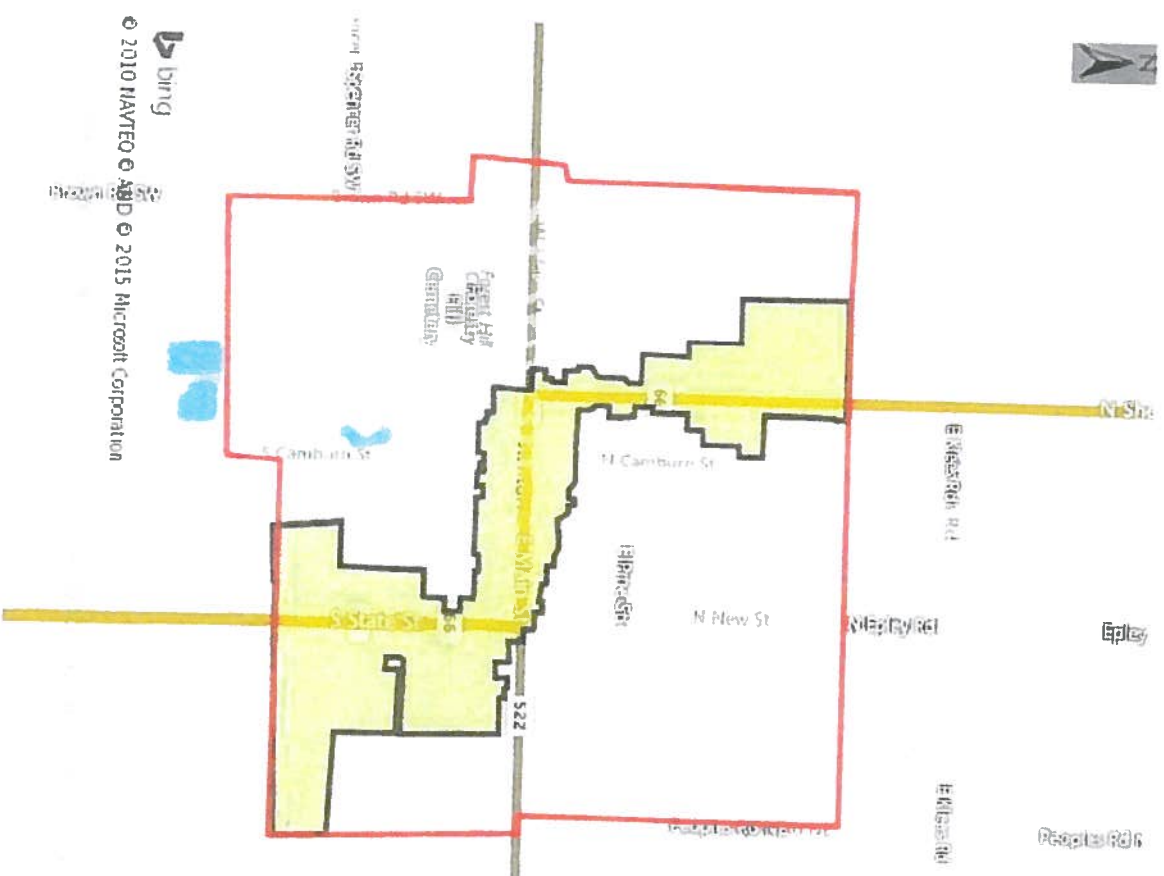
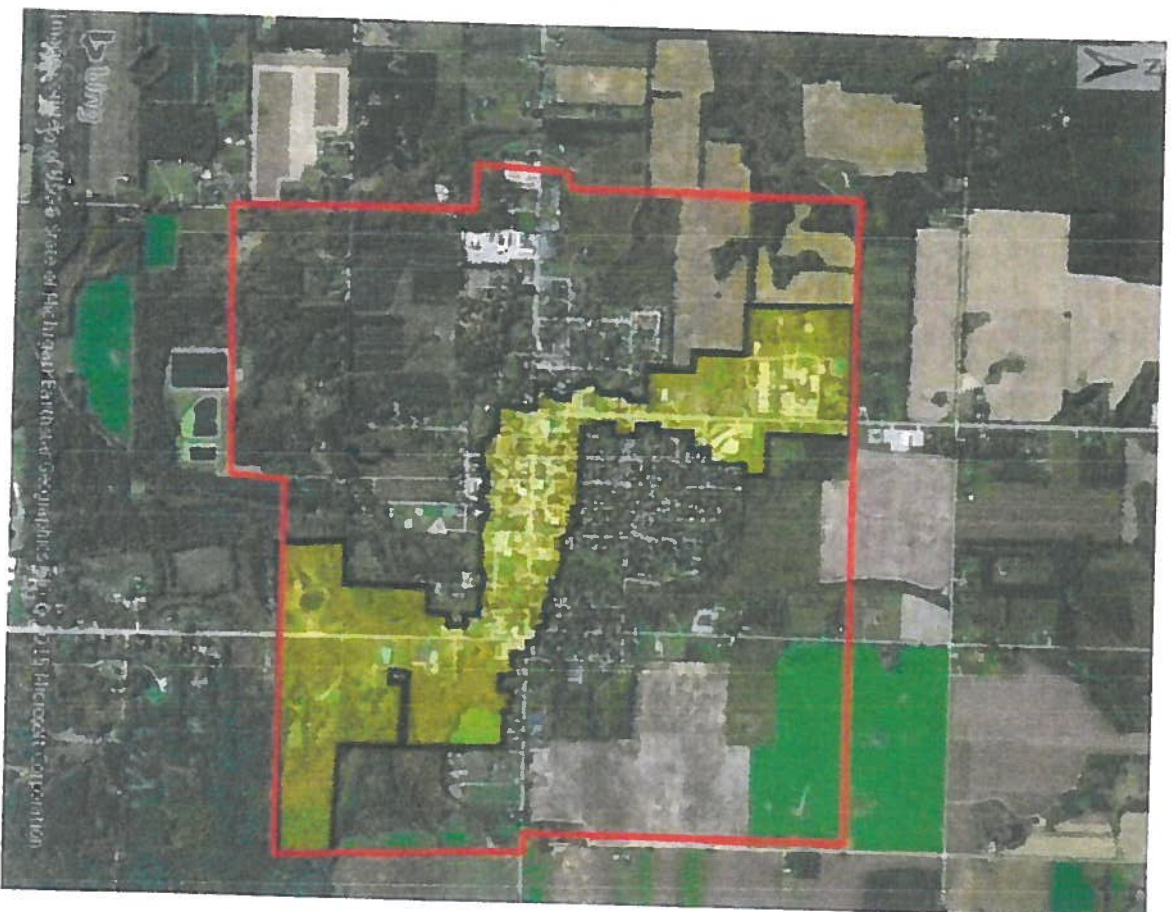
line of Day Street and west of the west line of Smith & McPherson's Second Addition to the Village (now City) of Stanton;

Lots 98 to 102 inclusive of the plat of Smith and McPhersons Second Addition to the Village (now City) of Stanton;

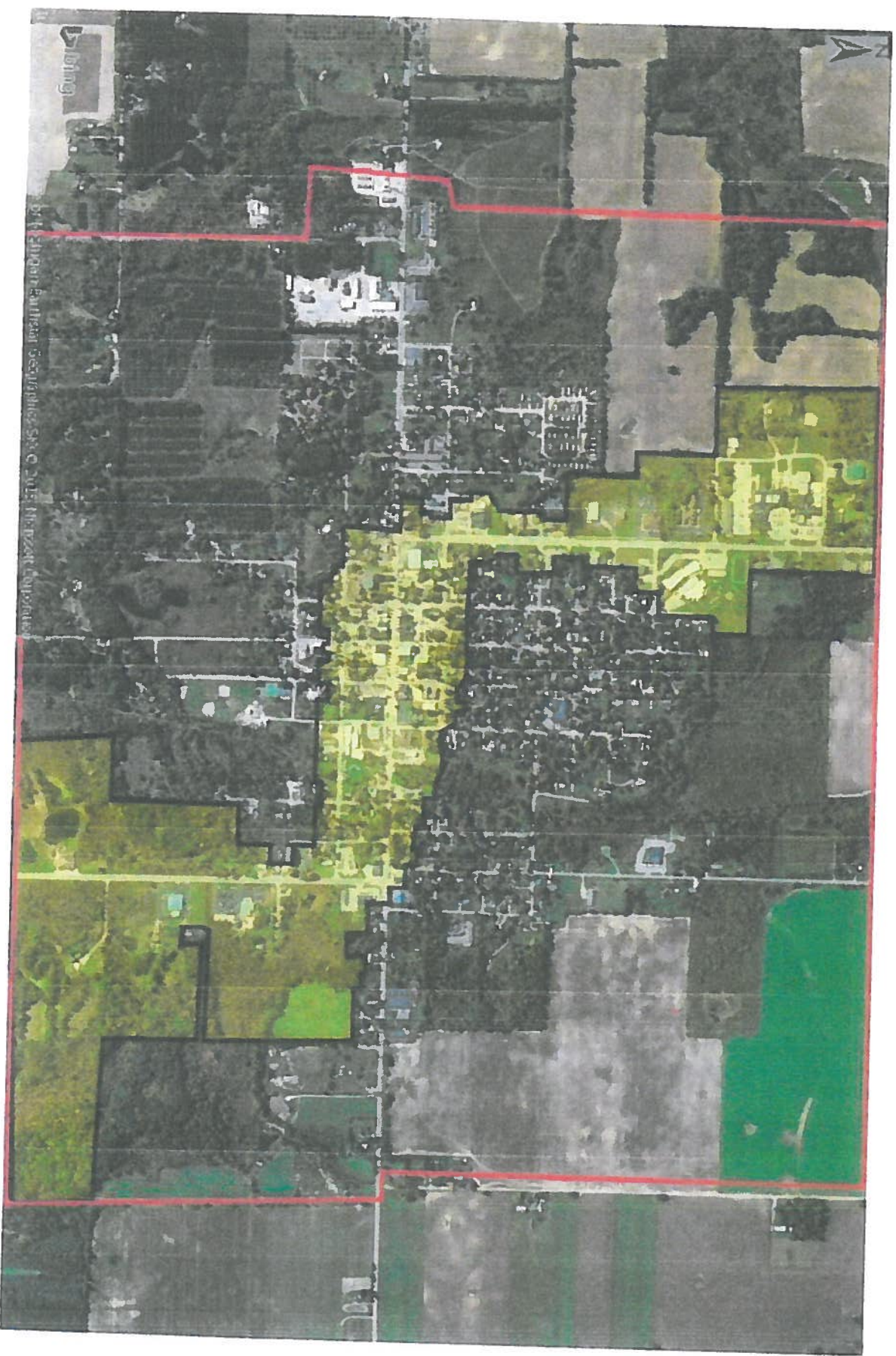
Lots 124, 125, 126, 127 and 128, Block 16 of Hariman's Addition to the Village (now City) of Stanton;

ATTACHMENT #5

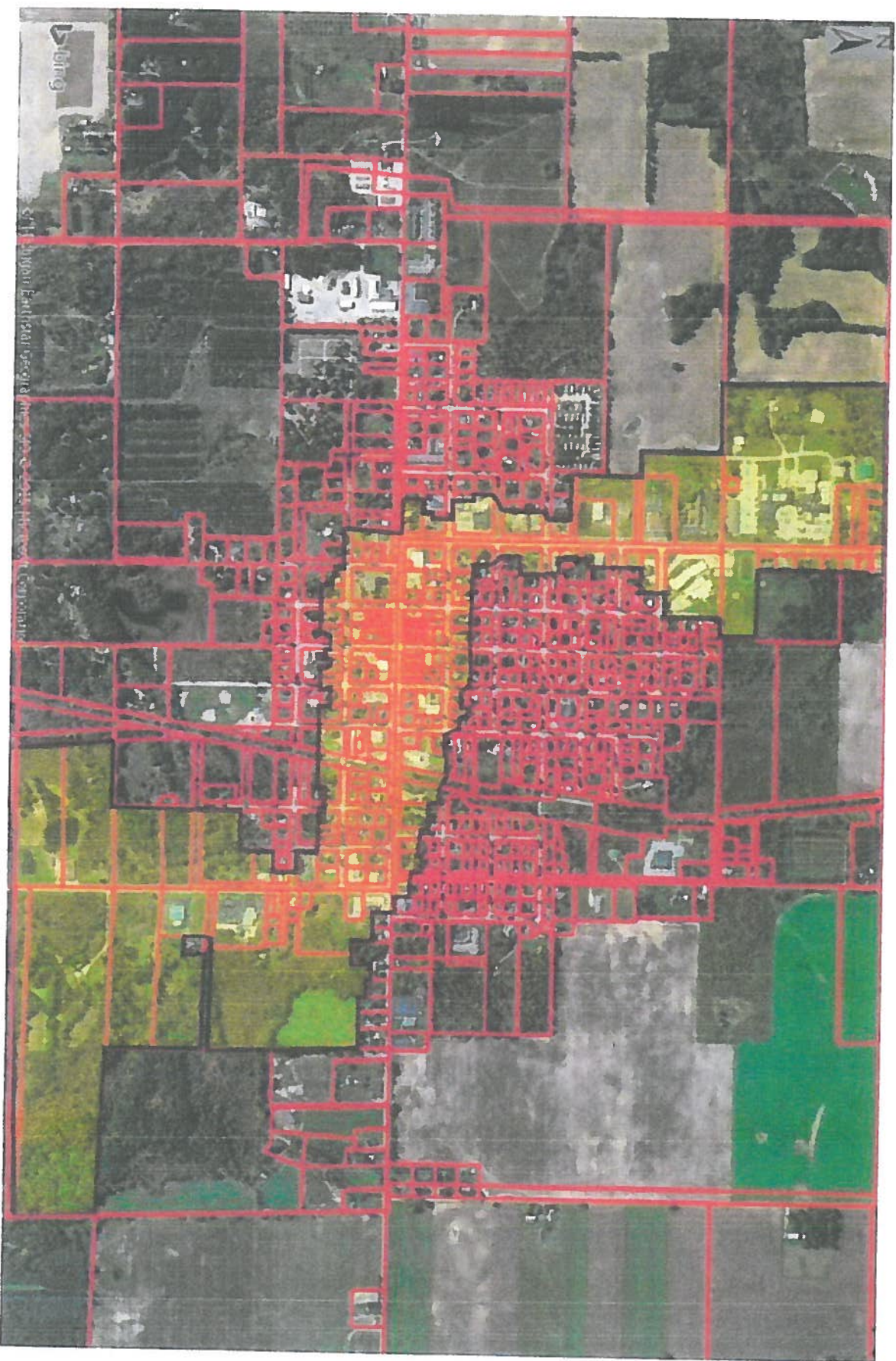
DDA Map Dual Pane



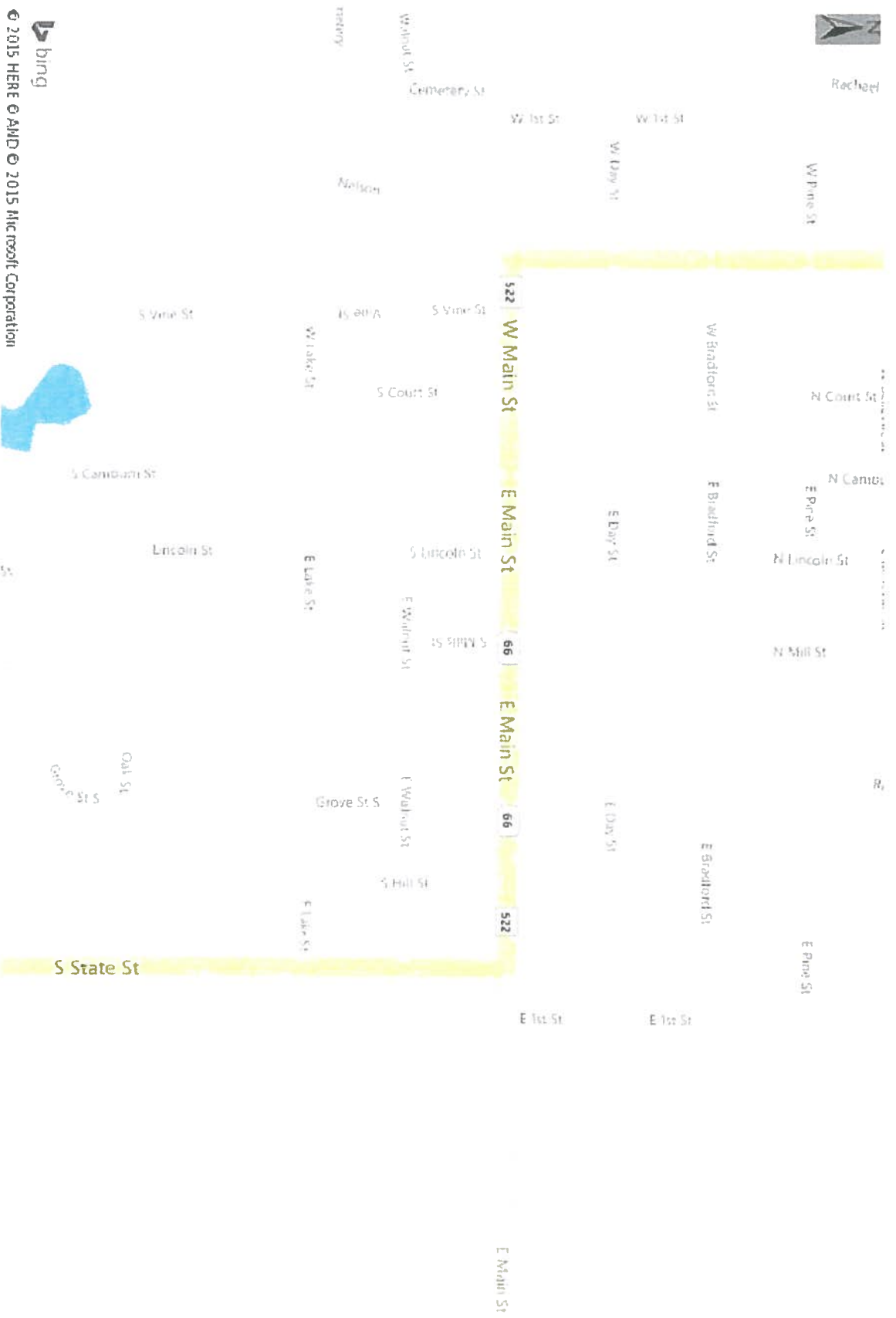
DDA Map Aerial



DDA Parcel Map

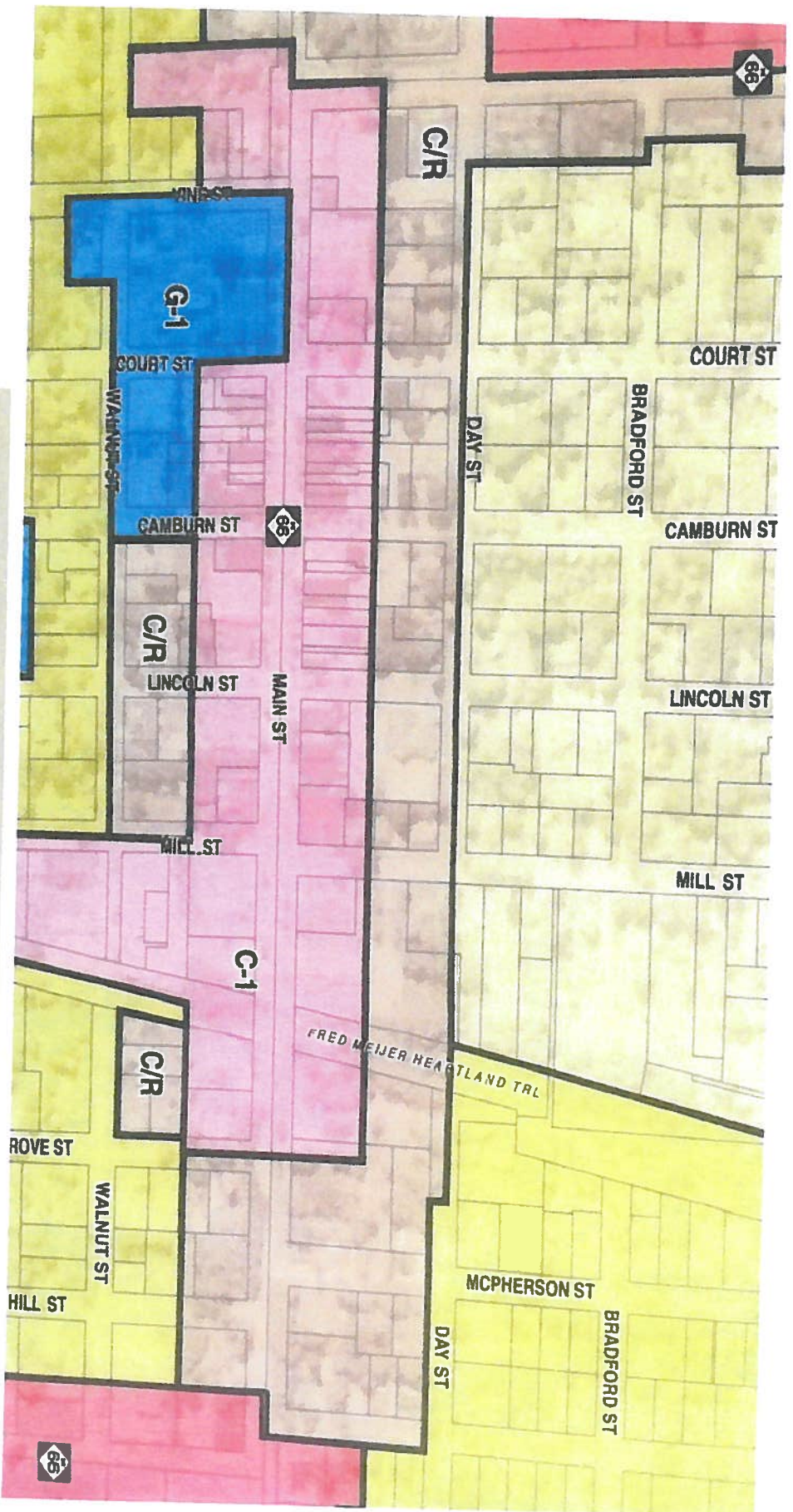


DDA Zone Street Extents



ATTACHMENT #6

Downtown Development Authority Zoning

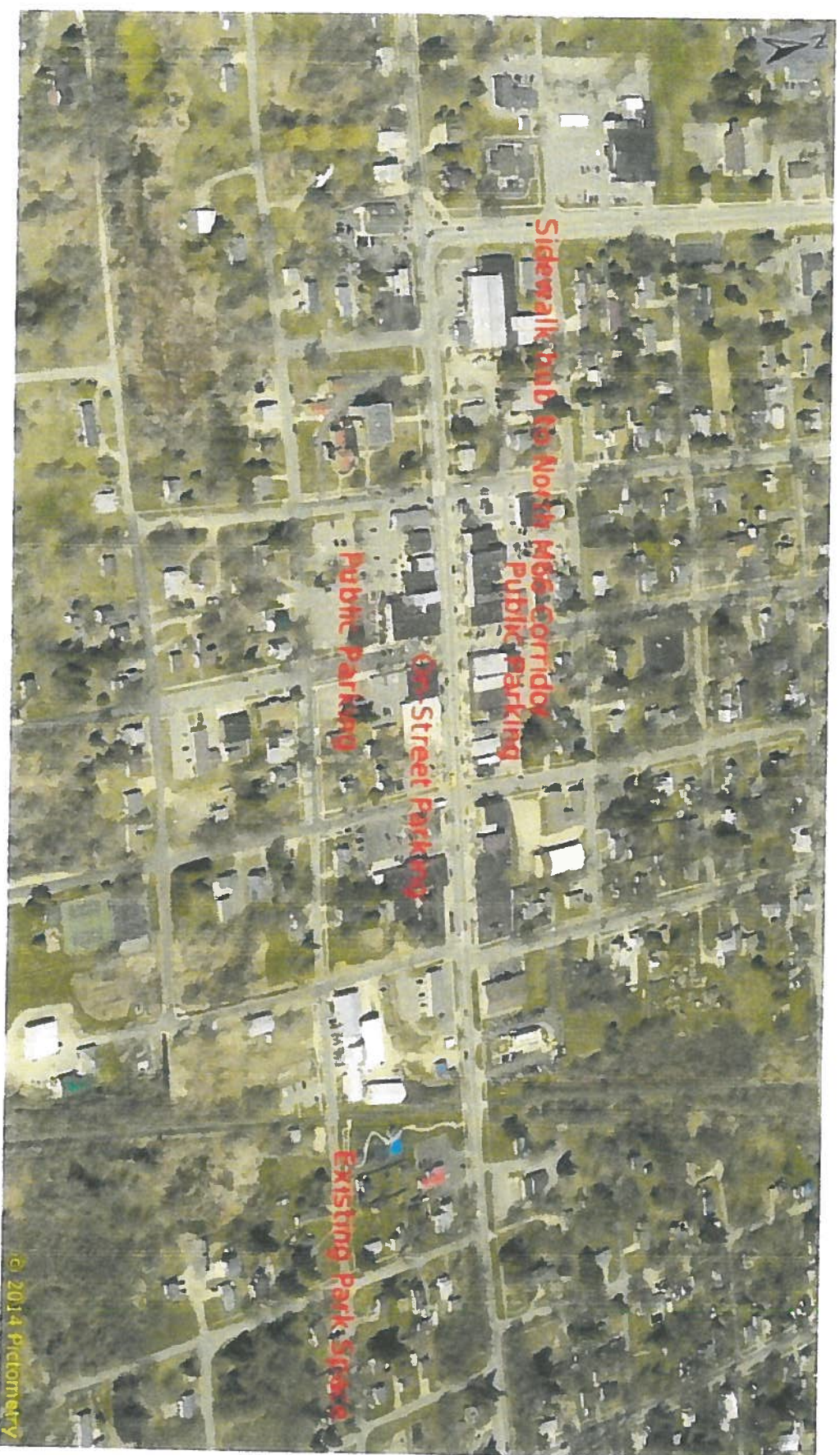


LEGEND

- R-1 NEIGHBORHOOD CONSERVATION DISTRICT
- R-2 LOW DENSITY RESIDENTIAL DISTRICT
- R-3 HIGH DENSITY RESIDENTIAL DISTRICT
- G-1 GOVERNMENT / OFFICE DISTRICT
- C-1 CENTRAL BUSINESS DISTRICT
- C-2 HIGHWAY COMMERCIAL DISTRICT
- I-1 INDUSTRIAL DISTRICT
- S-1 SPECIAL ECONOMIC DEVELOPMENT DISTRICT
- C/R COMMERCIAL / RESIDENTIAL DISTRICT

ATTACHMENT #7

Development Area Public Facilities



ATTACHMENT #8

CITY OF STANTON DOWNTOWN DEVELOPMENT AUTHORITY PRIORITIZED PROJECT LIST 2015-2020

The City of Stanton Downtown Development Authority has identified the following projects as direct priorities and public purposes to counteract deteriorating development and property values within the Downtown Area. The following project list is to be commenced by July, 2017 at the latest, with all intention of the Authority to begin as soon as financially feasible. The Downtown Development Authority reserves the right to amend this plan and to act in accord with Public Act 197 for additional projects or programming that may arise in the Downtown Area.

CITY OF STANTON DOWNTOWN WI-FI PROGRAM

The Downtown Development Authority will contract with an internet service provider to install and maintain a public wireless internet network in the Downtown Area. This will allow patrons of businesses as well as others visiting the downtown to connect to high speed internet, increasing the amenities offered in retail and other commercial settings. The goal of this program will be to reduce costs for businesses in the DDA District as well as entice residents and visitors to visit and do business downtown in the public realm. This is a near-term development goal, and will be implemented early on in the execution of the DDA Plan. It is expected that this project will enter the bid solicitation phase in 2016, with hopes to be implemented in July of 2017.

CITY OF STANTON WAYFINDING PROJECT

The City of Stanton has several amenities that serve to increase the quality of life for residents as well as the experience of visitors, but these seem to often be overlooked. The City of Stanton and the Stanton Downtown Development Authority will partner to create a comprehensive wayfinding program in order to highlight and accentuate downtown area businesses and amenities. This will include 2 large, brick constructed and landscaped welcome signs at the main entryways into the downtown area. These will include LED signage to notify visitors and citizens of current events as well as to welcome people to town. On the interior of the City street system, several themed and aesthetically pleasing signs will be placed in strategic areas to point citizens and visitors to various amenities the City has to offer.

BUSINESS DEVELOPMENT LECTURE SERIES

The City of Stanton Downtown Development Authority will develop and purvey an annual lecture series open to the public with a focus on small business tools and initiatives, starting in 2016. This will serve to improve the capacity and abilities of the Downtown Area stakeholders

and make the market more competitive. Example topics: Marketing online, strategic advertising, etc.

PURCHASE AND REDEVELOPMENT OF DOWNTOWN AREA BUILDINGS

The City of Stanton Downtown Development Authority will target several vacant and/or dilapidated structures in the Downtown Area for either renovation or demolition and removal. Targeted addresses include, but are not limited to:

618 E. Main Street- Potential renovation for retail, entertainment, education, or dining anchor to Downtown Area.

111 W. Main Street- Renovation for enhanced and continued mixed use, with a commercial main floor and residential housing on the upper story.

109 W. Main Street- Renovation for enhanced and continued mixed use, with a commercial main floor and residential housing on the upper story.

106 W. Main Street- Renovation for enhanced and continued mixed use, with a commercial main floor and residential housing on the upper story.

BUSINESS INCUBATOR PROJECT

The City of Stanton will partner with the Stanton Downtown Development Authority and solicit Montcalm Community College or another higher education institution if possible to organize and open a business development incubator in the Downtown Area. This facility would offer the opportunity to cultivate new business investments in the City by hosting new startups with subsidized and low cost office and work space. Ideally, an educational institution would offer relevant coursework and certification pertaining to targeted fields within the County. The target implementation date for this program will be July, 2018, with earlier implementation preferred if practical.

FAÇADE GRANT PROGRAM

The City of Stanton Downtown Development Authority will set aside a portion of TIF captured revenues to offer matching funds not to exceed \$5,000 per project for exterior improvements to privately held commercial structures and grounds within the Downtown Area. These funds could be utilized for paint, signage, structural repairs, windows and appurtenances, parking improvements, and any other use pertaining to the external portions of those commercial structures. Funds may not be used by any public, non-profit, or strictly residential property within the Downtown Area. The start date of this program will be dictated by the TIF capture amount exceeding \$30,000 annually.

DOWNTOWN IMPROVEMENT AND INVESTMENT REVOLVING LOAN PROGRAM

The City of Stanton Downtown Development Authority will solicit a grant from USDA Rural Development, in conjunction with setting aside an annualized portion of its TIF capture revenue in order to establish a direct loan program for existing and potentially new business assets within the Downtown Area. The amount shall be limited not to exceed a fixed amount, which will be determined by the Downtown Development Authority Board and may be amended from time to time. The expected start date of the loan program will be dependent on the level of TIF capture and the viability of grant awards to build fund balance.

ATTACHMENT #9

Cut Sheet and Specific Project Cost Projections for the Stanton Downtown Development Authority Plan

Project Name	Engineering Costs	Material Costs	Legal/Contracted Services	Real Estate Costs	Total Estimated Project Costs (USD)
Downtown Wi-Fi Program	0-1,000	1,000-5,000	3,000-5,000	0-1,000	4,000-12,000
Wayfinding Program	2,000-4,500	25,000-40,000	0-1,000	0-1,000	27,000-46,500
Lecture Series	0	0-1,500	1,500-5,000	0	1,500-6,500
618 E. Main Street Redevelopment	9,000-15,000	90,000-170,000	160,000-175,000	125,000	384,000-485,000
111 W. Main Street Redevelopment	4,500-12,000	50,000-110,000	28,000-71,000	65,000	147,500-258,000
109 W. Main Street Redevelopment	4,500-12,000	50,000-110,000	28,000-71,000	54,000	136,500-247,000
106 W. Main Street Redevelopment	4,500-12,000	65,000-150,000	36,000-93,000	25,000	130,500-280,000
Business Incubator Project	0-1,000	0-1,000	1,500-5,000	0-100,000	1,500-107,000
Façade Grant Program	0	0	1,500-3,000	0	1,500-3,000
Revolving Loan Fund Program	0	0	1,000-5,000	0	1,000-5,000

ATTACHMENT #10

CITY OF STANTON DOWNTOWN DEVELOPMENT AUTHORITY TOTAL DEVELOPMENT PLAN COST PROJECTION

The City of Stanton Downtown Development Authority intends to reverse the deteriorating property values and levels of investment in the Downtown Area through the utilization of TIF Capture and potential revenue bond investments. As described in other attachments, this goal is to be achieved through several capital investments, real estate renovations, and innovative programming will be implemented to achieve the stated goals of the Downtown Development Authority.

This will incur considerable costs, and all projects as described in Attachments numbered 8 and 9 are estimated to cost between **\$835,000** and **\$1,450,000** in **2015 dollars**. The wide range in total cost projection is due to the diversity of the projects, the variables in real estate and project management costs over time, and also the indeterminate needs of the various buildings and properties the Development Plan seeks to address. These cost estimates have been compiled based on analysis of hourly construction management rates, listings for targeted properties, and hourly legal fees associated with the City Attorney.

It is probable that the Downtown Development Authority will solicit grants and other external funding sources in addition to its Tax Increment Revenues to ensure that these goals are accomplished and declining property values are reversed in the Downtown Area. As a stated goal, the Downtown Development Authority will stay as liquid as possible during development projects, and will benchmark a maximum debt service amount as a percentage of their annual revenues.

ATTACHMENT #11

All Records
DDA/LDFA Parcels
Summer, Real & Personal Property
DDA/LDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-101-001-00 Miel and Carr - PAID IN FULL	59125	201	40,843 0	40,843	0 40,843	
053-101-002-00 ESTEP JERRY A - PARTIALLY PAID	59125	201	17,114 17,114	17,114	0 0	
053-101-003-00 HOLLOWAY E RAY & NAOMI - PAID IN FULL	59125	201	27,600 0	27,600	0 27,600	
053-101-004-00 HEVEL DOUGLAS - PAID IN FULL	59125	201	35,661 0	35,661	0 35,661	
053-101-005-00 VOGELSONG SUSAN - UNPAID	59125	201	49,580 0	49,580	0 49,580	
053-101-006-00 MIEL & CARR, PLC - PAID IN FULL	59125	201	31,200 0	31,200	0 31,200	
053-101-007-00 CITY OF STANTON - UNPAID	59125	090	0 0	0	0 0	
053-101-008-00 BOWNE NANCY - PAID IN FULL	59125	201	33,900 0	33,900	0 33,900	
053-101-009-00 CITY OF STANTON - UNPAID	59125	090	0 0	0	0 0	
053-101-009-10 GUEVARA JUDITH - UNPAID	59125	201	104,383 26,096	104,383	0 78,287	
053-101-010-00 CITY OF STANTON - UNPAID	59125	090	0 0	0	0 0	
053-101-012-00 MONTCALM COUNTY OF - UNPAID	59125	090	0 0	0	0 0	
053-102-002-00 PROFESSIONAL BUILDING L.L.C. - PAID IN FULL	59125	201	113,080 0	113,080	0 113,080	
053-102-003-00 CHEMICAL BANK MONTCALM - PAID IN FULL	59125	201	280,720 0	280,720	0 280,720	
053-102-005-00 SOUE ALISSA & HIRKAWAY ROBERT - PAID IN FULL	59125	401	30,970 30,970	30,970	0 0	
053-102-006-00 GESSELMAN MITCHELL & ASHLEY - PAID IN FULL	59125	401	36,677 0	36,677	0 36,677	
053-102-008-00 HOUGHTON DAVID & SUE ELLEN - PAID IN FULL	59125	401	30,886 0	30,886	0 30,886	
053-103-001-00 LEPPINKS INC - PAID IN FULL	59125	201	172,930 0	172,930	0 172,930	
053-103-003-00 YODER KARL E & CHRISTINE D - PAID IN FULL	59125	401	20,421 20,421	20,421	0 0	

All Records
DDA/LDFA Parcels
Summer, Real & Personal Property
DDA/LDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-103-005-00 KAVA PHILIP M & JEFFREY HOLLY ANN - PAID IN FULL	59125	401	31,191	31,191	0	
053-103-006-00 LIBERTY APPRAISAL & CONSULTING, INC - PAID IN FULL	59125	201	43,600	43,600	0	
053-111-002-00 2001 CHANGE TO - UNPAID	59125	092	0	0	0	
053-112-001-00 MILLARD GREGORY D & BARBARA S - PAID IN FULL	59125	201	352,500	352,500	0	
053-112-002-00 MILLARD GREGORY D & BARBARA S - PAID IN FULL	59125	201	58,928	58,928	0	
053-112-004-00 STANTON LAUNDROMAT LLC - PAID IN FULL	59125	201	56,692	56,692	0	
053-112-005-00 MILLARD REALTY INC - PAID IN FULL	59125	201	28,651	28,651	0	
053-112-006-00 ROGERS STEVEN E & JONI L - PAID IN FULL	59125	401	26,081	26,081	0	
053-112-007-00 MILLARD SCOTT J - PAID IN FULL	59125	401	22,656	22,656	0	
053-112-008-00 KOZIAN DONNA - PAID IN FULL	59125	401	25,501	25,501	0	
053-112-009-00 MILLARD GREGORY D & BARBARA S - PAID IN FULL	59125	201	86,868	86,868	0	
053-112-010-00 DAVIS WILLIAM S & MARILYN J - PAID IN FULL	59125	401	31,902	31,902	0	
053-113-001-00 FICKLE DERRICK J & TAMERA R - PAID IN FULL	59125	401	41,249	41,249	0	
053-113-002-00 THE CITY OF STANTON - UNPAID	59125	090	0	0	0	
053-113-003-00 CITY OF STANTON - UNPAID	59125	090	0	0	0	
053-113-004-00 TMJ BRICKYARD INC - PAID IN FULL	59125	201	105,257	105,257	0	
053-113-005-00 RONALD LON ROLSTON TRUST - PAID IN FULL	59125	201	32,715	32,715	0	
053-113-006-00 PRITCHARD CLYDE & CONNIE - UNPAID	59125	201	31,690	31,690	0	
053-113-007-00 RADAR GERALD I - PAID IN FULL	59125	201	29,674	29,674	0	

All Records
DDA/LDFA Parcels
Summer, Real & Personal Property
DDA/LDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-113-008-00 LALONDE JOHN E - UNPAID	59125	201	59,100 0	59,100	0 59,100	
053-113-009-00 BERG-CASE LISA - PAID IN FULL	59125	201	31,902 0	31,902	0 31,902	
053-113-010-00 WELLS WARREN R & PHYLLIS J L.L.C. - PAID IN FULL	59125	201	19,152 0	19,152	0 19,152	
053-113-011-00 RONALD LON ROLSTON TRUST FUND - PAID IN FULL	59125	201	51,104 0	51,104	0 51,104	
053-113-012-00 BLAISDELL EARL & SHARON & - UNPAID	59125	201	36,576 0	36,576	0 36,576	
053-113-013-00 ZERKA'S PARTY STORE INC - PAID IN FULL	59125	201	51,612 0	51,612	0 51,612	
053-113-014-00 RADER GERALD I - PAID IN FULL	59125	401	26,720 26,720	26,720	0 0	
053-113-015-00 2007 DELETE/COMBINE - UNPAID	59125	092	0 0	0	0 0	
053-113-015-50 MILARD GREGORY & BARBARA - PAID IN FULL	59125	201	26,822 0	26,822	0 26,822	
053-114-001-00 CHRISTENSEN SHANNA - UNPAID	59125	201	74,800 0	74,800	0 74,800	
053-114-002-00 WICKES PETER C - PAID IN FULL	59125	201	53,907 0	53,907	0 53,907	
053-114-003-00 VANKLIECK MICHAEL T & EMILY E - PAID IN FULL	59125	401	25,400 0	25,400	0 25,400	
053-114-004-00 CITY OF STANTON - UNPAID	59125	090	0 0	0	0 0	
053-114-005-50 BALLARD ARTHUR J - UNPAID	59125	201	46,329 0	46,329	0 46,329	
053-114-006-00 2002 SPLIT TO - UNPAID	59125	092	0 0	0	0 0	
053-114-006-50 PACKER DAVID W - PAID IN FULL	59125	201	22,148 0	22,148	0 22,148	
053-114-007-00 MONTCAIM COUNTY FARM BUREAU INC - PAID IN FULL	59125	201	37,896 0	37,896	0 37,896	
053-114-008-00 RISH NORMA & DEPUCE GLENN - UNPAID	59125	092	0 0	0	0 0	
053-114-009-00 JOHNSTON JODY M & - UNPAID	59125	092	0 0	0	0 0	

DDA/LDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-114-010-00 CARPENTER ANGELINA LC - UNPAID	59125	401	29,362	29,362	0	
053-114-011-00 RISH NORMA & DEPUCE GLENN O - PAID IN FULL	59125	201	72,847	72,847	0	
053-114-012-00 BUEFFINGTON DARIN & JULIE - PAID IN FULL	59125	201	16,256	16,256	0	
053-114-013-00 HANG MAO LUE & HANG KUE Y - PAID IN FULL	59125	201	40,100	40,100	0	
053-114-014-00 VISSMAN ANTHONY J & - PAID IN FULL	59125	401	37,084	37,084	0	
053-115-001-00 COUNTRYSIDE DRUG CO - PAID IN FULL	59125	201	174,037	174,037	0	
053-115-004-00 FIRST BAPTIST CHURCH - UNPAID	59125	090	0	0	0	
053-115-005-00 LOWELL JEFF & DIANE - PAID IN FULL	59125	201	63,500	63,500	0	
053-119-002-00 ADAMS PATRICK J - PAID IN FULL	59125	401	39,217	39,217	0	
053-119-003-00 SAWDY ROBERT - PAID IN FULL	59125	401	80,975	80,975	0	
053-120-001-00 WALL THOMAS M - PAID IN FULL	59125	201	46,939	46,939	0	
053-120-002-00 CHAPIN STEPHEN D & MARILYN L - PAID IN FULL	59125	401	17,100	17,100	0	
053-127-001-00 CLEM GREG A & JANE E - PAID IN FULL	59125	201	10,400	10,400	0	
053-128-001-00 MONTCALM COUNTY OF - UNPAID	59125	090	0	0	0	
053-141-001-00 MCKEOWN LARRY S - PAID IN FULL	59125	201	116,840	116,840	0	
053-141-003-00 CHAPIN STEPHEN D & MARILYN L - PAID IN FULL	59125	201	4,789	4,789	0	
053-142-001-00 CITY OF STANTON - UNPAID	59125	090	0	0	0	
053-142-002-00 TINGLEY WILLIAM G & LINDA L - PAID IN FULL	59125	201	59,948	59,948	0	
053-142-002-50 CANTRELL JEFFREY E LC - UNPAID	59125	201	44,602	44,602	0	

DDA/LDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Summer, Real & Personal Property

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-142-003-00 WIREMAN TREVOR & EHLE MICHAEL - PAID IN FULL	59125	401	19,405	19,405	0	
053-142-005-00 BLUM RONALD G - PAID IN FULL	59125	401	19,710	19,710	0	
053-142-005-50 HUNT LAMONT J - PAID IN FULL	59125	401	14,630	14,630	0	
053-143-002-00 CITY OF STANTON - PAID IN FULL	59125	401	25,196	25,196	0	
053-143-002-30 HANSEN CLARA L - PAID IN FULL	59125	401	28,857	28,857	0	
053-143-002-60 BALDWIN RICHARD A CHRISTA L TRUST - PAID IN FU	59125	401	13,309	13,309	0	
053-143-005-00 LUND LELAND J - UNPAID	59125	401	16,100	16,100	0	
053-143-005-50 LANNING THOMAS - PAID IN FULL	59125	401	18,236	18,236	0	
053-143-006-00 SAMPSON FREDA - UNPAID	59125	401	2,229	2,229	0	
053-143-006-50 LANNING THOMAS L & ALICE F - UNPAID	59125	099	0	0	0	
053-143-007-00 LANNING KATHY - UNPAID	59125	401	12,598	12,598	0	
053-144-001-00 VANDERLUCHT DAN LLC - UNPAID	59125	401	9,900	9,900	0	
053-144-002-00 SEYMOUR VICKY HOPKINS JOYCE LC - PAID IN FULL	59125	401	27,100	27,100	0	
053-144-005-00 VANDERLUCHT DAN LLC - UNPAID	59125	201	101,100	101,100	0	
053-144-006-00 M & L REAL ESTATE HOLDINGS, LLC - UNPAID	59125	201	77,317	77,317	0	
053-144-007-00 MEINCO HOLDINGS LLC - PAID IN FULL	59125	201	279,675	279,675	0	
053-145-006-00 B&P ENTERPRISE - PAID IN FULL	59125	201	16,796	16,796	0	
053-152-001-00 CHAPIN STEPHEN D & MARILYN L - PAID IN FULL	59125	201	20,624	20,624	0	
053-153-002-00 CHAPIN STEPHEN D & MARILYN L - PAID IN FULL	59125	201	32,512	32,512	0	

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-153-003-00 CHAPIN STEPHEN D & MARILYN L - PAID IN FULL	59125	401	32,816	32,816	0	
053-170-001-00 VILLET PROFESSIONAL BLDG. - UNPAID	59125	201	101,396	101,396	0	
053-170-003-00 JON RAE LLC LC - PAID IN FULL	59125	201	114,909	114,909	0	
053-170-005-00 WESTERGARD MARY K - PAID IN FULL	59125	401	34,848	34,848	0	
053-170-008-00 CENTRAL MONTCALM PUBLIC - UNPAID	59125	090	0	0	0	
053-170-010-00 DOCKHAM DAVID LEE - PAID IN FULL	59125	201	160,528	160,528	0	
053-181-001-00 BALDWIN ELTON - PAID IN FULL	59125	401	46,960	46,960	0	
053-181-068-00 ISABELLA BANK - PAID IN FULL	59125	201	145,999	145,999	0	
053-190-071-00 JORGENSEN BROTHERS, LLC - PAID IN FULL	59125	201	235,305	235,305	0	
053-191-174-00 BRACY DEVELOPMENT COMPANY - PAID IN FULL	59125	201	179,120	179,120	0	
053-196-175-00 CHEMICAL BANK MONTCALM - PAID IN FULL	59125	201	75,590	75,590	0	
053-300-122-00 JFB REAL ESTATE LLC - PAID IN FULL	59125	201	63,500	63,500	0	
053-300-124-00 JFB REAL ESTATE LLC - PAID IN FULL	59125	201	53,238	53,238	0	
053-300-127-00 MCWILLIAMS DONALD G & MARY M - PAID IN FULL	59125	401	23,774	23,774	0	
053-300-128-00 HARRIS CHARLES & PENNY - UNPAID	59125	401	27,900	27,900	0	
053-461-006-00 WILSON DONALD G - PAID IN FULL	59125	201	27,284	27,284	0	
053-462-006-00 CLEM GREG A & JANE E - PAID IN FULL	59125	201	120,980	120,980	0	
053-472-003-00 SMITH LAVERN C & JILL R - PAID IN FULL	59125	401	22,555	22,555	0	
053-472-008-30 UNION TELEPHONE CO - UNPAID	59125	090	0	0	0	

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-472-008-60 NIELSEN RANDY S & JANE A - PAID IN FULL	59125	401	17,373 0	17,373	0 17,373	
053-472-009-00 COUNTRYSIDE DRUG CO - PAID IN FULL	59125	201	18,694 0	18,694	0 18,694	
053-472-012-10 RODEWALD MICHAEL - PAID IN FULL	59125	201	356,717 0	356,717	0 356,717	
053-472-015-00 BACON SAMUEL & LORA L - PAID IN FULL	59125	401	16,635 16,635	16,635	0 0	
053-472-016-00 ZEMLA CHARLES S & MELISSA D - PAID IN FULL	59125	201	73,456 0	73,456	0 73,456	
053-472-017-00 VAUGHN MICHAEL A - PAID IN FULL	59125	401	19,903 19,903	19,903	0 0	
053-472-018-00 MORENO JANET - UNPAID	59125	401	26,619 26,619	26,619	0 0	
053-472-019-00 BURRIS KENNETH E & PATSY M - PAID IN FULL	59125	401	62,992 40,945	62,992	0 22,047	
053-472-020-00 ARNOLD PAUL E & MARIYNN J - PAID IN FULL	59125	401	30,378 30,378	30,378	0 0	
053-472-021-00 BLDM CONSTRUCTION INC - PAID IN FULL	59125	401	4,775 0	4,775	0 4,775	
053-472-022-00 BATTIG RENTALS LLC - PAID IN FULL	59125	201	93,980 0	93,980	0 93,980	
053-500-001-00 STANTON RURAL AGRICULTURAL - UNPAID	59125	090	0 0	0	0 0	
053-500-045-00 TRADITIONAL CONGREGATIONAL - UNPAID	59125	090	0 0	0	0 0	
053-500-056-00 WILSON DONALD G & DAWN M - PAID IN FULL	59125	401	20,218 0	20,218	0 20,218	
053-502-099-00 SMITH CARL E - PAID IN FULL	59125	401	24,282 24,282	24,282	0 0	
053-502-101-00 GURECKI JOHN L - PAID IN FULL	59125	401	47,345 47,345	47,345	0 0	
053-531-003-00 HOB FAMILY LIMITED PARTNERSHIP - PAID IN FULL	59125	201	174,955 0	174,955	0 174,955	
053-531-005-50 SEAMAN JOHN O & TAFY L - UNPAID	59125	401	4,232 4,232	4,232	0 0	
053-531-006-00 SMITH KLEE E - PAID IN FULL	59125	401	37,490 37,490	37,490	0 0	

All Records
DDB/IDFA Parcels
Summer, Real & Personal Property
DDB/IDFA Chosen: STANTON DDB, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-531-006-50 SEAMAN JOHN O - UNPAID	59125	401	0	0	0	
053-540-001-00 RETTIG PENNY LYNN - PAID IN FULL	59125	401	35,808	35,808	0	
053-540-006-00 BOOKWALTERS MOTOR SALES - PAID IN FULL	59125	201	274,696	274,696	0	
053-540-007-00 MATHISEN SHARON M - PAID IN FULL	59125	401	47,015	47,015	0	
053-540-008-00 BOOKWALTER MOTOR SALES INC - PAID IN FULL	59125	201	16,662	16,662	0	
053-540-010-10 WELLS WARREN R - UNPAID	59125	401	12,885	12,885	0	
053-540-010-50 WELLS WARREN - PAID IN FULL	59125	201	154,228	154,228	0	
053-540-011-00 CONSUMERS ENERGY COMPANY - PAID IN FULL	59125	301	4,544	4,544	0	
053-540-014-00 CONSUMERS ENERGY COMPANY - PAID IN FULL	59125	301	6,758	6,758	0	
053-540-017-00 R2K LLC - PAID IN FULL	59125	201	411,100	411,100	0	
053-540-021-00 B&P ENTERPRISES - PAID IN FULL	59125	401	5,427	5,427	0	
053-540-023-00 WELLS OIL INC - PAID IN FULL	59125	201	150,774	150,774	0	
053-540-026-00 NIELSEN LEWIS H & JOANNE M - PAID IN FULL	59125	401	43,516	43,516	0	
053-545-045-00 RASMOR LLC - PAID IN FULL	59125	201	116,027	116,027	0	
053-550-001-00 WILKS DAVID O & JILL E - PAID IN FULL	59125	201	11,900	11,900	0	
053-550-003-11 CHAPIN STEPHEN & MARILYN - PAID IN FULL	59125	201	42,943	42,943	0	
053-550-003-12 CHAPIN STEPHEN D & MARILYN L - PAID IN FULL	59125	201	41,452	41,452	0	
053-550-003-20 WILLARD STORAGE INC - PAID IN FULL	59125	201	27,516	27,516	0	
053-550-004-00 BEAN DAVID M & SHERIE A - PAID IN FULL	59125	201	45,821	45,821	0	

DPA/LDFA Chosen: Summer, Real & Personal Property
STANTON DPA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-550-005-00 BANNISTER RICHARD D & DIANE K - PAID IN FULL	59125	401	39,014 39,014	39,014	0 0	
053-550-015-01 KLINGBEIL MERLE & SANDRA - PAID IN FULL	59125	401	4,543 0	4,543	0 4,543	
053-550-015-10 BEAN DAVID M & SHERIE - UNPAID	59125	201	29,758 0	29,758	0 29,758	
053-555-001-00 MONTCAIM COUNTY OF - UNPAID	59125	090	0 0	0	0 0	
053-555-002-01 CAMPBELL CRAIG D & DEBORRAH A - PAID IN FULL	59125	401	45,212 45,212	45,212	0 0	
053-555-003-11 MONTCAIM COUNTY BLDG AUTHORITY - UNPAID	59125	090	0 0	0	0 0	
053-555-003-21 PHELPS KEITH & JANICE TRUST - PAID IN FULL	59125	401	1,539 1,539	1,539	0 0	
053-555-003-40 DESHANO CONSTRUCTION - PAID IN FULL	59125	201	646,785 0	646,785	0 646,785	
053-555-003-50 CARSON CITY HOSPITAL - PAID IN FULL	59125	201	239,674 0	239,674	0 239,674	
053-555-003-51 STANTON MANAGEMENT LLC - PAID IN FULL	59125	201	196,400 0	196,400	0 196,400	
053-555-012-02 CAMPBELL LEOTA IE - PAID IN FULL	59125	401	1,143 1,143	1,143	0 0	
053-555-012-10 Dennis Jeremy - PAID IN FULL	59125	401	35,052 35,052	35,052	0 0	
053-900-003-00 BOOKWALTER MOTOR SALES - PAID IN FULL	59125	251	39,000 39,000	39,000	0 0	
053-900-010-00 CONSUMERS ENERGY COMPANY - PAID IN FULL	59125	551	807,300 0	807,300	0 807,300	
053-900-016-00 TINGLEY & ASSOCIATES, P.C. - UNPAID	59125	251	0 0	0	0 0	
053-900-018-00 JORGENSENS, INC - PAID IN FULL	59125	251	55,500 55,500	55,500	0 0	
053-900-031-00 LEPPINKS SUPER MARKET - PAID IN FULL	59125	251	42,900 42,900	42,900	0 0	
053-900-039-00 MID-MONTCAIM TRAVEL - PAID IN FULL	59125	251	300 300	300	0 0	
053-900-044-00 AMERICAN GAS & OIL, INC. - UNPAID	59125	251	0 0	0	0 0	

DDA/LDFA Parcels

Summer, Real & Personal Property
 DDA/LDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-900-051-00 ROLSTON HARDWARE - PAID IN FULL	59125	251	2,400 2,400	2,400	0 0	
053-900-054-00 BAKER AGENCY - UNPAID	59125	251	0 0	0	0 0	
053-900-064-00 MONTCALM CO FARM-BUREAU - UNPAID	59125	251	0 0	0	0 0	
053-900-069-00 ZERKA'S PARTY STORE INC - PAID IN FULL	59125	251	10,100 10,100	10,100	0 0	
053-900-087-00 GUEVARA JUDITH L - UNPAID	59125	251	1,300 1,300	1,300	0 0	
053-900-107-00 STATE FARM MUTUAL AUTO INS CO - UNPAID	59125	251	0 0	0	0 0	
053-900-132-00 EXIT 76 CORPORATION - PAID IN FULL	59125	251	51,000 51,000	51,000	0 0	
053-900-133-00 BURR & COMPANY - UNPAID	59125	251	0 0	0	0 0	
053-900-145-00 DON WILSON/DAWN WILSON - PAID IN FULL	59125	251	600 600	600	0 0	
053-900-146-00 E-KAM INC - UNPAID	59125	093	0 0	0	0 0	
053-900-152-00 C C AUTO REPAIR - PAID IN FULL	59125	251	2,300 2,300	2,300	0 0	
053-900-183-00 BALLARD SERVICES, INC - UNPAID	59125	251	500 500	500	0 0	
053-900-216-00 O'DONALD KIMBERLEE PT PC - PAID IN FULL	59125	251	2,300 2,300	2,300	0 0	
053-900-234-00 JHT, LLC - PAID IN FULL	59125	251	600 600	600	0 0	
053-900-245-00 CRYSTAL AUTOMATIONS SYSTEMS INC - PAID IN FULL	59125	251	473,800 473,800	473,800	0 0	
053-900-252-00 DOCKHAM DAVID DDS, PC - PAID IN FULL	59125	251	62,500 62,500	62,500	0 0	
053-900-281-00 STANTON HAIR STUDIO - PAID IN FULL	59125	251	2,500 2,500	2,500	0 0	
053-900-285-00 B C PIZZA - PAID IN FULL	59125	251	5,400 5,400	5,400	0 0	
053-900-308-00 COBBLE STONE CORNER ANTIQUES - PAID IN FULL	59125	251	200 200	200	0 0	

All Records
DDA/IDFA Parcels
Summer, Real & Personal Property
DDA/IDFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
053-900-343-00 STANTON HARDWARE CORP - PAID IN FULL	59125	251	7,000 7,000	7,000	0 0	
053-900-364-00 TMJ BRICKYARD INC - PAID IN FULL	59125	251	10,700 10,700	10,700	0 0	
053-900-383-00 FLOWERS ETC. - UNPAID	59125	093	0 0	200	-200 0	
053-900-385-00 DAISY MAE'S - UNPAID	59125	251	2,600 2,600	2,600	0 0	
053-900-387-00 BIRDY' S - PAID IN FULL	59125	251	700 700	700	0 0	
053-900-403-00 CRESTMARK EQUIPMENT FINANCE INC - PAID IN FULL	59125	251	83,800 83,800	83,800	0 0	
053-900-411-00 MLM MANAGEMENT INC - PAID IN FULL	59125	251	118,800 118,800	118,800	0 0	
053-900-413-00 SUNFLOWER BAKERY - PAID IN FULL	59125	251	5,700 5,700	5,700	0 0	

All Records
DDA/LDEFA Parcels
Summer, Real & Personal Property
DDA/LDEFA Chosen: STANTON DDA, Original Values (No Adjustments Included)

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
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-----GRAND TOTALS-----

TOTAL PARCELS:	198		11,158,616	11,158,816	-200	
TOT PRE/MBT TAXABLE:						
TOT NON-PRE/MBT TAXABLE:						
TOT PRE/MBT CAPTURED:						
TOT NON-PRE/MBT CAPTURED:						

Parcel # Owner Name	School	Class	Taxable Value PRE Taxable	Base Value	Captured Value Non PRE Taxable	Other Info
Totals for School District: 59125						
TOTAL PARCELS:		198	11,158,616	11,158,816	-200	
TOT PRE/MBT TAXABLE:						2,021,605
TOT NON-PRE/MBT TAXABLE:						9,137,011
TOT PRE/MBT CAPTURED:						-200
TOT NON-PRE/MBT CAPTURED:						0

ATTACHMENT #12

CITY OF STANTON DOWNTOWN DEVELOPMENT AUTHORITY ESTIMATION OF ASSESSED VALUE GROWTH 2015-2020 TIF CAPTURE PROJECTIONS 2015-2020

The City of Stanton Downtown Development Authority will take a considerable amount of time to generate significant TIF Revenues, due to the gradual nature of assessed value growth. However, the growth for the City of Stanton property values is projected to be slow but positive based on consultation with the City Assessor. The following figures were compiled based on input from the City of Stanton Assessor's Office as well as regional information provided by the American Communities Survey, Bureau of Labor Statistics, and consultation with a local residential and commercial real estate professional. The empirical data is combined with qualitative projections based on the growth history and market optimism in Stanton, as well as Montcalm County at-large. New investments in the region should allow for a slightly elevated assessment growth rate. See the table below:

Projected Assessed Value Increases in the Downtown Area/ Potential TIF Capture Totals				
Total Assessed Value (USD)	Proj. Residential Growth 2015-2020 (%)	Proj. Commercial Growth 2015-2020 (%)	Cash Value of Proj. Growth	Potential Tif Capture 2015-2020
11,158,816	2.60%	3.11%	1,528,065	183,818

Based on the residential and commercial growth projections, it is estimated that over its first five fiscal years the Downtown Development Authority will accrue \$183,818 in TIF Revenue based on projected assessed value growth. This will slowly grow from \$12,344 in year one to \$61,461 in year five. It is anticipated that, given current market climates, this growth will continue and even out after roughly 6-8 fiscal years, wherein markets will stabilize following new investments in the region. Examples of new investments which will impact County-wide assessed values are commercial and industrial re-investment, statewide infrastructure improvements, and new housing options being introduced to the market. All of these types of investments are now in place in the region, prompting optimistic budgetary projection.