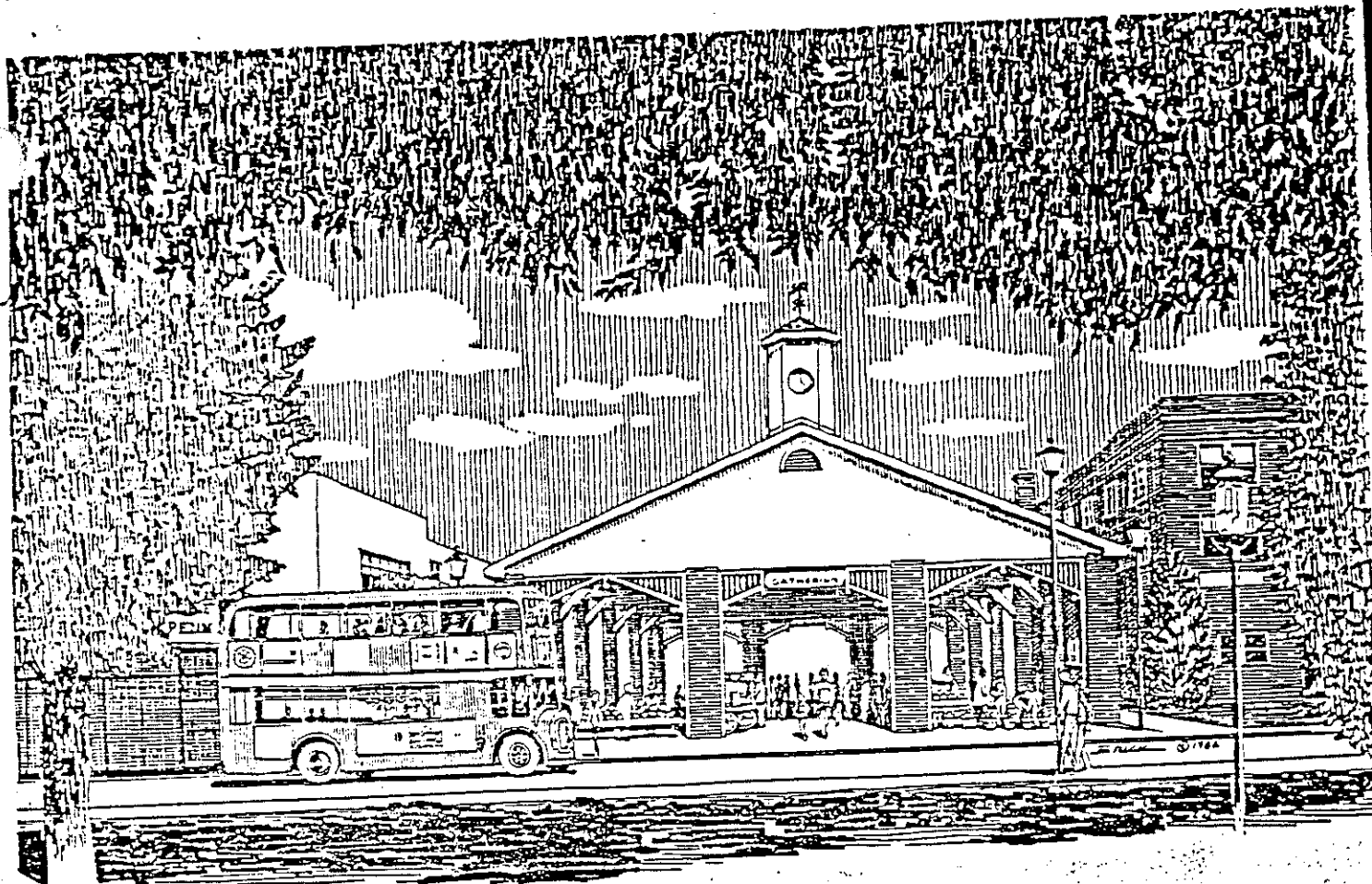




THE DEVELOPMENT AND
TAX-INCREMENT PLAN
FOR THE
PLYMOUTH DOWNTOWN DEVELOPMENT DISTRICT

PLYMOUTH DOWNTOWN DEVELOPMENT AUTHORITY

City Hall
201 S. Main Street
Plymouth, Mich. 48170

Detroit Edison
Edward Walton III
397-4020

NTOWN DEVELOPMENT AUTHORITY

MUNICIPAL BUILDING

SOUTH MAIN STREET

WOMOUTH, MI 48170

(313) 453-1234

(George Thompson)

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PLAN HISTORY

Adopted October 17, 1983

BACKGROUND

The City of Plymouth's Business Community has maintained to be a very strong one during the economic hardships of the late 1970's and early 1980's. Some recent examples show that the business community has faith in the continual development of the downtown area. In 1981, the Mayflower Hotel completed a major addition and modifications to their operation, and they are still involved in further expansion in 1983. In the spring of 1982, the Community Federal Credit Union completed a large expansion to their operations. In 1983, the stock brokerage firms of Prescott, Ball, and Turben and E.F. Hutton moved into the downtown area. In addition, Pugh-Cannon Enterprises made two significant developments in the downtown area.

During the summer of 1982, surveys were conducted throughout the business district to ascertain the acceptance of new parking philosophies on Penniman and Forest Streets. The surveys showed great support for what we had accomplished and people were looking forward to the burying of the utilities around the Central Parking Lot and the proposed Parking Deck. At the same time, plans began to be coordinated for the St. Joseph Medical Clinic.

In response to the needs to try and continue the development of the downtown area, the Commission of the City of Plymouth created a tax abatement program under Act 255. Over one million dollars worth of development was undertaken with this program.

The City of Plymouth, after reviewing its Master Plan, created the Downtown Development Authority under Act 197, of the Public Acts of 1975. In doing so, they discussed tax increment financing and began to put together the adoption of both identities. The Downtown Development Authority, through tax increment financing, was to undertake a major project in connection with St. Joseph Hospital and the City of Plymouth Parking Commission. On the basis of this, the City Commission created the Downtown Development Authority by ordinance effective on July 1, 1983 (attached is copy of the ordinance). The Authority is to promote economically sound private development, restore the tax base and tax revenue generating capacity of the Downtown Development District. Without this program, it may be impossible to generate long term tax revenue for all taxing units. The downtown area must continue to grow with the further development of convenient, attractive and efficient areas for commercial, office, and high density dwelling units. Parking is a major part of this total program to keep the tax base growing and to keep the tax base from entering a declining phase.

DEVELOPMENT THROUGH PUBLIC-PRIVATE COOPERATION

There is, without a doubt, enough initial response for this plan to be adopted and implemented by joint action of the City of Plymouth, the Downtown Development Authority and the City of Plymouth Building Authority.

The other major developments which will take place within our downtown, or are presently under construction, are among themselves enough to allow the Tax Increment Finance Plan to be come a reality.

The Downtown Development Authority and the City Administration are prepared to support the DDA Plan and Tax Increment Financing before the school and county boards at the public hearing which is scheduled for November 21, 1983.

Development Through Public/Private Cooperation

The two ingredients that are necessary in order to make the Downtown Development Authority Plan work are those programs which will be financed through the public improvement plan in the development of the medical clinic at the corner of Ann Arbor Trail and Harvey Street.

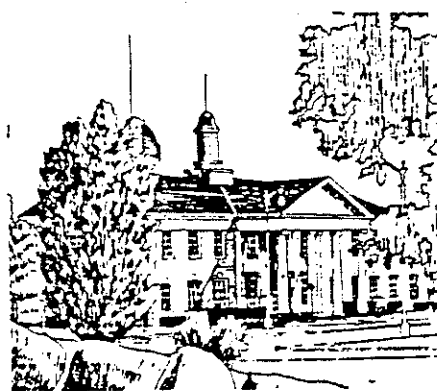
A further goal to be accomplished are certain private developments throughout the DDA. These improvements include the following.

1. The construction of the medical clinic by Huron Arbor Corporation on the property at the corner of Ann Arbor Trail and Harvey Street.
2. The building of pedestrian walkways to connect the second floors of property running on Main, Ann Arbor Trail and Penniman to the parking deck over the Central Parking Lot.
3. Development of the property directly across the street from the Central Parking Lot as commercial properties.
4. The construction of a parking deck over the Central Parking Lot.
5. Relocation of all of the utilities on the perimeter of the Central Parking Lot to be placed underground.
6. Assistance in Marketing to developers' projects in the DDA and finding tenants for those developments.
7. Cooperation from the local lending institutions in financing the private projects by providing loan financing for the purchase of EDC Bonds.
8. Complete use of the resources of the City's Economic Development Corporation and the Municipal Building Authority of the City of Plymouth.

DEVELOPMENT THROUGH PUBLIC-PRIVATE COOPERATION CONT'D

1. Foot Patrol for the downtown district to be reimbursed out of the DDA funds.
2. Fire Marshall services to the DDA for fire inspection of commercial buildings on an annual basis to be reimbursed out of DDA funds.
3. Reimbursement to the City's General Fund for the purchase of property at Forest and Wing and Harvey and Wing. These properties have been developed as parking for the Downtown business district and should be reimbursed to the City for their acquisition and development.
4. Replacement of sidewalks in the Downtown District on a 50/50 special assessment basis. The owner paying 50% and DDA paying 50%. Funding to come through the City under special assessment bonds.
5. Conversion of wood planters on Forest and Penniman to permanent concrete planters to give more aesthetic value to the DDA.
6. Study and development of future parking needs as dictated by use of present parking being offered by the private and public sector.
7. Implementing a development plan for reconstruction of infrastructures in the Downtown business district to be paid for out of future revenues from the DDA.

LEVELLEMENT PLAN



I. DESCRIPTION OF THE PROJECT

A. BOUNDARY DESCRIPTION

The boundaries of the Plymouth Michigan Downtown Development District Authority are as follows:

Beginning at the intersection of Church St. & Union St.; thence south along the centerline of Union St. to the north line of Lot 19, Fralick's Addition; thence east along the north line of above said lot a distance of 223.41 ft. to the east line of lot 19; thence south along the east line of above said lot a distance of 88.77 ft. to the north line of lot 13, May sub'n.; thence east along the north line of said lot a distance of 125.6 ft. to the centerline of Elizabeth St.; thence south along the centerline of Elizabeth St. a distance of 78.3 ft. to the south line of lot 14, May Sub'n.; thence west along the south line of said lot a distance of 204.6 ft. to the east line of lot 240, Assessor's Plat No. 9, thence south along said lot a distance of 165.00 ft. to the centerline of Ann Arbor Trail; thence west along the centerline of Ann Arbor Trail a distance of 55.53 ft. to the east line of lot 710, Assessor's Plat No. 20, thence south along the east line of said lot a distance of 137.22 ft. to the north line of lot 733, Assessor's Plat No. 20; thence west along the north line of said lot to the east line of lot 734, Assessor's Plat No. 20; thence south along the east line of said lot a distance of 129.61 ft. to the centerline of Maple Avenue; thence west along the centerline of Maple Avenue to the centerline of Deer St.; thence south along the centerline of Deer St. to the centerline of Wing St.; thence northwest along the centerline of Wing St. to the centerline of S. Harvey St., thence west along the centerline of Wing St. A distance of 117.8 ft. to the west line of lot 131, Nash's Plymouth Sub'n.; thence north along the west line of said lot to the centerline of Maple Avenue thence east to the west line of lot 285a2b1, Plymouth Plat No. 12; thence north along the west line of said lot a distance of approximately 98 ft. to the south line of lot 285a1, Plymouth Plat No. 12; thence west along the south line of said lot a distance of approximately 105 ft. to the east line of lot 283b, Plymouth Plat No. 12; thence north along the east line of said lot a distance of approximately 82 ft. to the north line of lot 285a1; thence east along the north line of said lot a distance of 115.16 ft.; thence north along said lot a distance of 29.64 ft.; thence east along the north line of said lot a distance of 130.49 ft. to the centerline of S. Harvey St. to the centerline of Ann Arbor Trail; thence northeast along the centerline of S. Harvey St. to the centerline of Penniman Avenue; thence northeast along the centerline of S. Harvey St. to the centerline of Church St.; thence east along the centerline of Church St. to the west line of lot 191, Plymouth Plat No. 8; thence southeast along the west line of said lot a distance of 188.92 ft.; thence east along the south line of said lot a distance of 236.26 ft.; thence northeast along the east line of said lot 285.67 ft. to the centerline of Church St. to the point of beginning.

B. BOUNDARY MAP

The boundaries of the above described area are shown on Map No. 1 "Boundary Map".



CITY OF PLYMOUTH

DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

MAP NUMBER 1

BOUNDARY MAP

--- District Boundary

II. DEVELOPMENT PLAN FRAMEWORK

The Downtown Development Area Plan is being undertaken as a part of an overall effort to solve parking problems, to beautify the Downtown Area, modernize and make improvements to that area. This plan and subsequent activities are being proposed with the City undertaking the following:

- A. The continual development by the City Planning Commission of more detailed and updated plans for the overall development of the Downtown District as part of the City's overall planning effort.
- B. The improvement of Public Facilities through normal city procedures and financing programs.
- C. The continual maintenance of the Downtown Public Facilities such as the park, streets, sewer, water and street improvements by the Department of Public Services.
- D. The financing and construction of the following improvements by local, state, and federal sources not associated with Tax Increment Financing:

- Kellogg Park Beautification
- Upgrading and Improvements of Main Street
- Upgrading and Improvements of Ann Arbor Trail
- Improvement of the S. Harvey and Ann Arbor Trail Intersection
- Parking

EXISTING PUBLIC USES

Existing public uses shown on Map #2 are all existing public uses and streets in the Downtown Development Area.

III. DEVELOPMENT DISTRICT OBJECTIVES

A. CITY WIDE OBJECTIVES

The objective of the Downtown Development Area is to promote economically sound private development, restore the tax base and tax revenue generating capacity of the district, create new employment, and to vitalize and improve the district as the heart of the City and to create an attractive, comfortable, convenient and efficient area for commercial, office and governmental activity, high density dwellings, entertainment and related uses.

In carrying out these objectives, it is anticipated that all programs of development will be consistent with the general plan of the City of Plymouth and will be carried out in such a manner as to:

1. Promote the concentration of new desirable commercial, office governmental, entertainment, convention and other appropriate development in the downtown area so as to maintain the city as the dominant commercial force within its region.
2. Encourage the concentration of new development in the downtown area as a means of reinforcing the existing activities.
3. Improve the tax base and tax revenue generated.
4. Create new and expanded employment opportunities.
5. Vitalize and improve the downtown area so that it remains as a focus for the entire city and surrounding areas.
6. Make the area more attractive, convenient and efficient for both residents and for commercial, office, governmental, entertainment and related uses.
7. Encourage the development of an expanded supply of high density housing in suitable environment, closely related to the downtown area which will act as an attraction for a wide range of income groups and occupants.

In carrying out these multi-faceted general objectives, it is anticipated that all programs of development will be consistent with other planning activities of the City and will be carried out in such a manner as to:

1. Encourage the improvement of existing land use whenever possible.
2. Encourage local business expansion and development whenever possible.
3. Encourage the expansion of the residential and commercial area in such a manner as to take advantage of the aesthetic qualities of Kellogg Park and Tonquish Creek.
4. Attract desirable new businesses and residential uses into the area.
5. Provide reasonable priced land for private development, so as to encourage local business expansion and/or relocation and to attract new businesses and uses into the area.
6. Encourage the improvement of existing buildings and encourage upgrading of existing or vacant spaces.
7. Stabilize existing and provide for additional employment.
8. Provide for an expansion of retail, office, entertainment, and convention uses which enhance the area as the convenience center for the citizens of Plymouth and its trade area.
9. Carry out these programs in such a manner as to strengthen local business so as to increase the commercial vitality of the City.
10. Encourage the development of business which provides services and activities not currently being offered in the area.
11. Encourage the construction of uses which provide evening activities and lead to an extended use of the area.
12. Encourage the construction of public improvements and private facilities which add to customer convenience or the overall beautification of the area.
13. Clarify the downtown area's vehicular circulation pattern and its relationship to the City's thoroughfare system.
14. Create a clearly defined pedestrian system which compliments existing and proposed uses, and which allows for a climate controlled environment whenever possible.
15. Provide for an expanded supply of public parking adequately related to pedestrian ways and reasonably located to destinations.

B. DEVELOPMENT DISTRICT GOALS

The goal of the Downtown Development Area is to encourage the economic development and improvement of the area on a planned and organized basis so as to restore and enhance its position as the vital core of the City. In carrying out this goal, the following specific objectives shall apply:

GENERAL GOALS:

- Promote the concentration of commercial investment within a consolidated core area to maximize the effect of mutual enhancement and to provide early economic impact.
- Encourage the replacement of non-people oriented land uses such as industrial and warehousing, by activities that contribute to the vitality and diversity of the CBD such as cultural, recreational and housing uses.
- Develop a consistent design framework for the considerable amount of public space, i.e., streets, parks, walks, to provide a setting of high imageability and sense of place and identity for the CBD activities.

COMMERCIAL FACILITIES GOALS

- Provide developmental opportunities for replacement of office space with quality full-service office facilities.
- Provide major retail tenant locational opportunities strategically sited in conjunction with supporting parking facilities to improve the capture of trade area sales.

HOUSING GOALS

- Provide housing within the CBD of a type appropriate to an urban setting, in quantities supportable by market demand, to broaden the range of housing choices in the city and to enhance the variety and vitality of the CBD.



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

BOUNDARY MAP

--- District Boundary

MAP NUMBER 3

IV. LAND USE OBJECTIVES

The primary land use objective is to encourage an intensive integrated, organized development of the Downtown Development area as the vital core of the city in a manner consistent with its location and the needs of the city. It shall be the objective in each sub-area as identified on the attached Map No. 4, "Land Use Plan" to accomplish the following:

A. AREA 1 - CENTRAL CORE - LAND USE OBJECTIVES

The major objective of Area 1 is to promote the development of an intensive retail, office, entertainment, convention and financial area consistent with the needs of the City, and the surrounding area.

It is anticipated that this land use objective will be achieved by the expansion and reconstruction of existing uses and through the attraction of new uses into the area. The following specific objectives shall apply to Area 1:

1. The development of a compact, unified retail shopping area which compliments existing shopping and which provides goods and services to the trade area and to abutting development, employees and visitors in a manner which expands Plymouth's influence as a retail sales center.
2. The strengthening and expansion of the area as an intensive office, financial and commercial area which compliments existing and proposed uses.
3. The development of the area in such a manner as to bring all uses and activities into easy walking distance of one another.
4. The creation of an aesthetically pleasing environment for shoppers, visitors, and employees.

AREA 1 - CENTRAL CORE - PROGRAM OBJECTIVES

The following program objectives shall apply to the area identified as the Central Core on the attached map, Map No. 4, entitled "Land Use Plan".

The creation of adequate sites and supporting facilities to attract major retail, financing and office uses which will become anchors for the business district, provide additional customer drawing power, and strengthen existing businesses.

The creation of a pedestrian walkway system which will offer convenient access to all uses within this area, and serve as a convenient route to and from parking areas while uniting all commercial activities in the area.

The expansion of the public parking supply as needed to serve existing uses but also developed in such a manner as to act as an attraction for new uses.

The reorientation of existing business to the major parking supply.

The improvement of the area through special beautification projects, designed to add to customer and general city appeal and attract visitors into the area.

It is anticipated that in the development of a program to accomodate such housing, consideration would be given to the development which will seek to:

1. Provide housing for a wide range of income groups with particular emphasis for elderly and young individuals, married couples, and other residential occupants who may relate to the downtown or surrounding areas.
2. Provide housing in a wide variety of rental ranges and types of living accomodations.
3. Develop this area in such a manner as to create a positive visual amenity.
4. Provide a wide variety of residential amenities and activities in the form of open space and recreational activities which shall be developed to promote joint use and a harmonious relationship between the various residential developments.
5. Provide an adequate supply of off-street parking to serve all residential dwelling units.
6. Provide for easy connections of all residential uses to the pedestrian walkway systems developed in the Central Business District.
7. Provide walk-to-walk or walk-to-shop housing.

It is anticipated that commercial uses complementary to the above housing will be encouraged whenever possible. All such commercial uses shall be complementary to the housing characteristics of the area and shall provide all required parking and service areas in a manner which will not detract from the residential environment.

AREA 4 - RESIDENTIAL/COMMERCIAL - PROGRAM OBJECTIVES

The following program objectives shall apply to the area identified as Residential-Commercial on Map No. 4, "Land use Plan".

1. The creation of adequately sized sites; at reasonable prices, to attract the development of high density housing cited in the above Land Use Objectives.
2. The creation of sidewalks or pedestrian ways within the housing area which will be convenient to existing or planned pedestrian walkway systems.
3. The identification and promotion of appropriate housing programs and resources necessary to construct such housing.

E. AREA 5 - PARKS & OPEN SPACE - LAND USE & PROGRAM OBJECTIVES

The objective of Area 5 is to further improve the parks and open spaces which provide a suitable setting for the downtown area. The specific objectives are as follows:

1. The maintenance and improvement of Kellogg Park as a people oriented space which will continue to be a focal point of visual contact.



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

MAP NUMBER 4

LAND USE PLAN

1. Central Core
2. Supporting Commercial
3. Government Center
4. Residential / Commercial
5. Park & Open Spaces

V. PUBLIC FACILITIES TO BE CONSIDERED

The City of Plymouth, in carrying out the above objectives shall consider the construction of the following public facilities, when financially feasible, and when needed to encourage desirable private development or when considered desirable in order to promote and enhance existing development.

A. PARKING PLAN

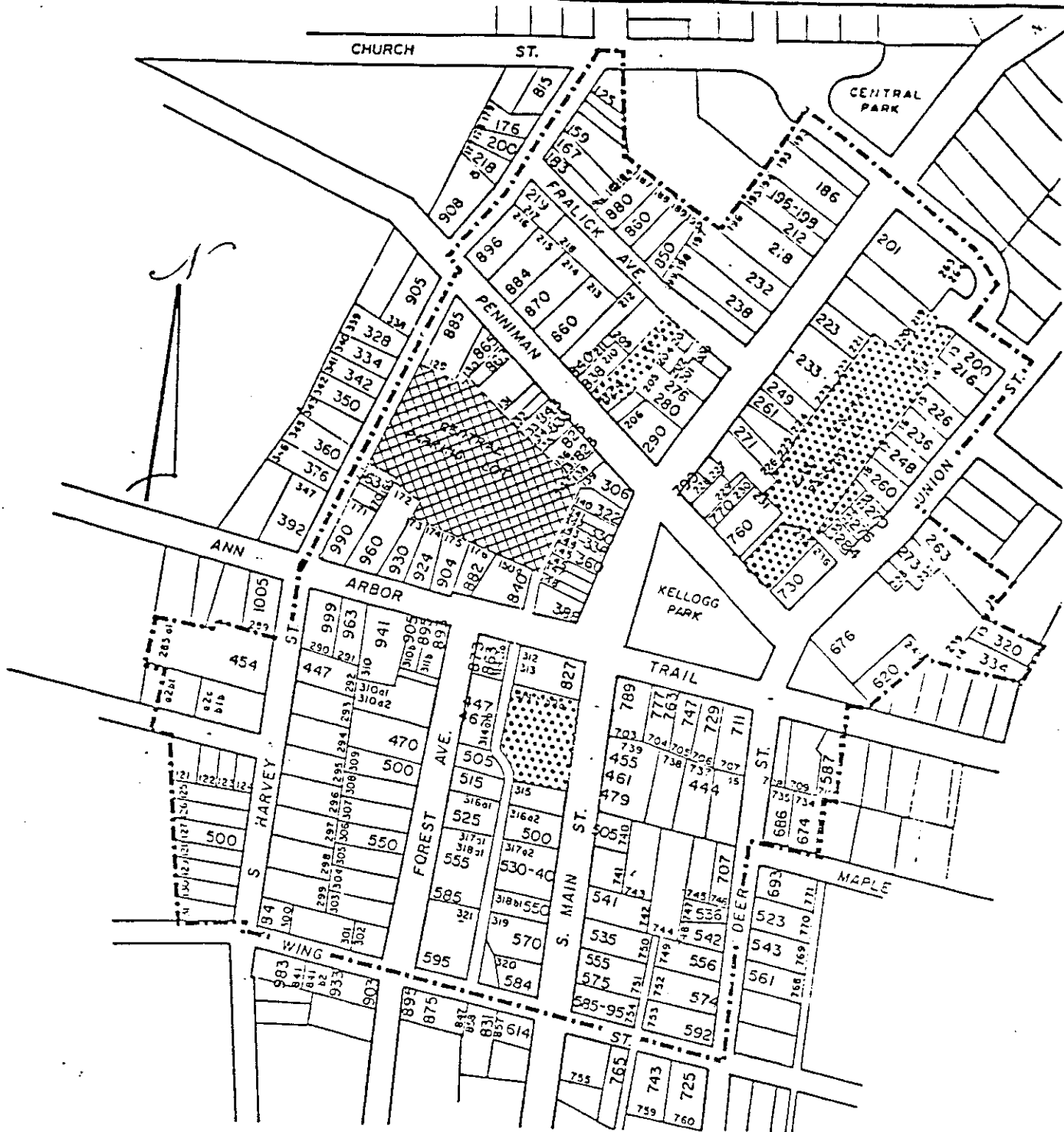
The plan for the expansion of the city's supply of public off-street parking is shown on Map No. 5, "Parking Plan". It is anticipated that this supply of parking will be designed to accommodate all types of users including automobiles, cycles, trucks, etc. It is also contemplated that at such time as sufficient off-street parking is available, street parking will be removed in order to facilitate traffic movements, increase areas for pedestrian circulation, reduce accidents, and to provide a more aesthetic and pleasing appearance to the downtown area. The City plans to construct a Parking Deck as part of the Project Development Plan.

B. STREET MODIFICATION

Existing streets and public facilities within the Downtown Development District are shown on Map 2, "Existing Public Uses". Map No. 6 indicates those streets being considered for future improvements.

C. BEAUTIFICATION PROJECTS

Consistent with the overall improvement and development of the downtown area, certain beautification and improvement projects are considered desirable. These area shown on Map No. 7.



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

MAP NUMBER 5

PARKING PLAN

-  Open Public Parking
-  Proposed Public Parking Structure



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

MAP NUMBER 6

STREET MODIFICATIONS



Proposed Street Resurfacing
and/or Widening



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

BEAUTIFICATION PROJECTS

MAP NUMBER 7

VI. PUBLIC ACQUISITION AND RE-USE OF PRIVATE PROPERTY

The Development Area Plan does contemplate the public acquisition of private property for a Medical Clinic and parking for that facility. Proposals, in order to be considered, must be within the framework of the above cited Land Use and Program Objectives and must clearly demonstrate feasibility as public program.

Prior to formal consideration of the public acquisition of any property, the City Commission will require a developer contract, and/or other evidence or guarantees that a supporting tax increment or other funds will be available to repay the public cost associated with the proposed acquisition. It shall be the intent of the city to negotiate with acquisition of property whenever necessary. Appropriate restriction regarding the re-use and development shall be incorporated into any land sale contract to which the city is a part.

Public and private property for which development proposals are being sought on a priority basis are shown on the attached Map No. 8, "Potential Land Assembly". It is contemplated that development agreements for all identified priority areas will be negotiated within the first two years of plan. It is further contemplated that all acquisition, relocation and demolition activities within those areas will be completed within the first three years of this plan. In carrying out the above program, the following will apply:

The city will advertise for developers interested in participating in the developments identified within this plan. The city will select the developer with whom it will negotiate the sale of the project lands based upon the developer's qualifications, financial resources and ability, and desire to undertake any proposed development. The city shall then lease, sell or convey all necessary lands based upon a negotiated sale. Such sale shall be subject to public hearing held by the City Commission of the City of Plymouth.

Other property may be considered for acquisition and resale when accompanied by a demonstration of financial feasibility and public purpose. All improvements within priority designated areas will be demolished prior to resale. This will include all demolition of structure and removal of utilities when necessary to place said land in a marketable and buildable condition.

VIII. OTHER DEVELOPMENT PLAN REQUIREMENTS

A. OPEN SPACE

The City, in carrying out the objectives of this plan, proposes to encourage the preservation and beautification of open spaces through the development of criteria which would be incorporated into any land sale agreement to which the city is a part. Specific requirements will be established regarding the development of projects identified on Map No. 7, "Beautification Projects".

B. ZONING

All appropriate modifications of zoning requirements will be sought after the city has acquired the necessary property for a development and prior to conveyance to a developer. All such zoning changes shall be in accordance with the objectives of this plan and the City's Comprehensive Plan.

C. RELOCATION

The development plan contemplates the acquisition and relocation of those businesses and individuals residing in the area identified on Map #8, "Potential Land Assembly".

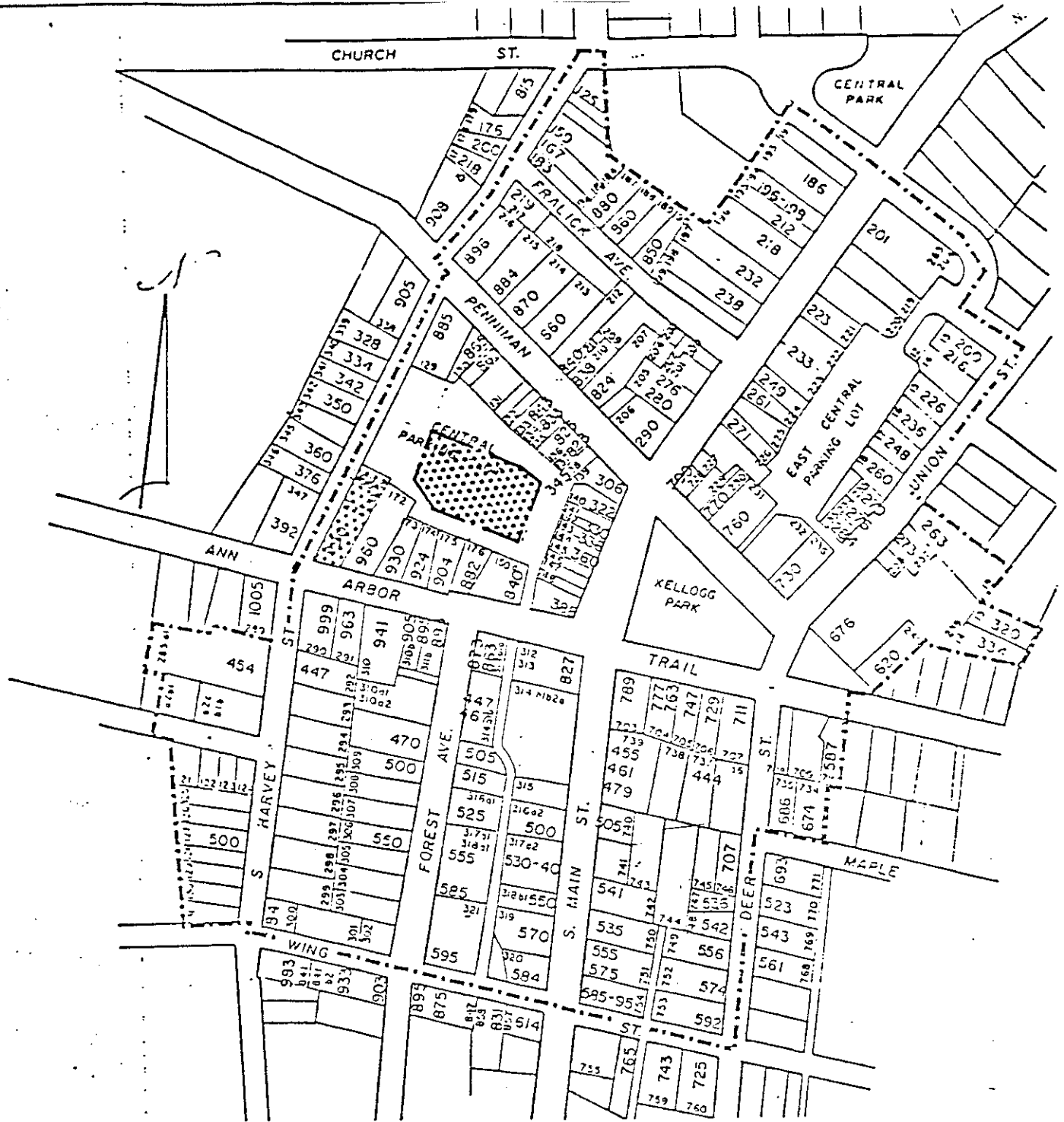
All persons and businesses displaced as a result of the program will be provided relocation benefits and services as identified in the "Federal Uniform Property Acquisition and Relocation Procedures". All displacees shall be given priority for admission into any public housing or other subsidized housing projects over which the city can exercise such a control by direct or indirect means. The City will also require any developer of housing within the plan area to provide relocation priorities for any public displacee. Such requirement will be in form of a negotiated agreement whenever possible.

VIII. PROJECTED COST OF DEVELOPMENT

The City Engineering Department has met with the architectural firm to be used on this project, consisting of putting the utilities underground for the Central Parking Lot, aesthetically improving the areas around the lot and a parking deck to accommodate approximately 150 vehicles.

The estimated cost is presently one million dollars. The million dollar figure includes the deck, the bearing of the utilities in the following breakdown:

PARKING DECK	\$750,000
BEARING OF UTILITIES	200,000
ARCHITECTURAL ENGINEERING	20,000
LEGAL	15,000
CONTINGENCY	15,000
	<u>\$1,000,000</u>



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

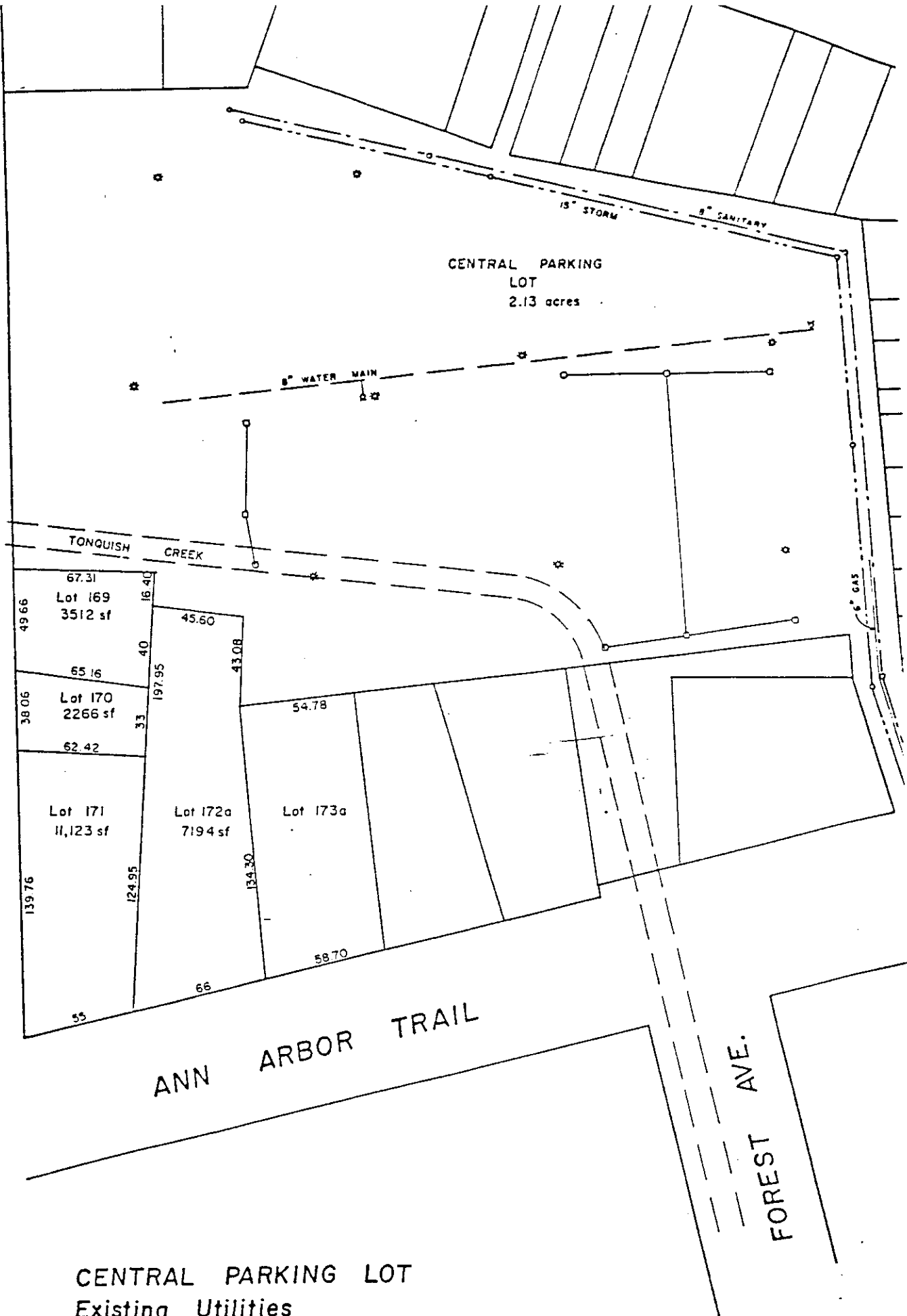
POTENTIAL LAND ASSEMBLY



Potential Land Assembly

MAP NUMBER 8

S. HARVEY ST.



CENTRAL PARKING LOT
Existing Utilities

S. HARVEY ST.

Line of Proposed Deck Above

CENTRAL PARKING
LOT
2.13 acres

8" WATER MAIN

15" STORM

8" SANITARY

TONQUISH
CREEK

67.31
Lot 169
3512 sf

65.16
Lot 170
2266 sf

62.42
Lot 171
11,123 sf

45.60
Lot 172a
7194 sf

54.78
Lot 173a

ANN ARBOR TRAIL

FOREST AVE.

IX. SOURCES OF REVENUE

The Development Area Plan contemplates the retirement of its public cost through a pledge of tax increments and through a pledge of any assessments, not revenues to be derived from facilities acquired or constructed under this program through federal and state grants and through such other means as the city may have available.

A major source of revenue to defray the public cost of the Development Plan is the tax increment generated from the district itself.

Each year, the assessed value of the district will be adjusted to reflect current valuation changes resulting from new construction, remodeling, demolition, and value changes resulting from depreciation, appreciation, inflation, and other economic factors.

The Development District Program contemplates an aggressive program of encouraging new private construction within the district. This construction will have a substantial impact on the assessed value of the district.

X. BONDED INDEBTEDNESS TO BE INCURRED

The exact split of the bonded indebtedness for this project has not been determined at this time, but it will be a combination of an undertaking by the City of Plymouth Building Authority - that portion of the debt to be paid for out of revenues from the parking system - the balance to be paid for out of tax increment financing.

XI. DURATION OF THE DEVELOPMENT PLAN'S EXISTENCE

The Development Area Plan's existence should coincide with the length of the bond issue which will be 20 years. The Downtown Development Authority feels that over this period of time, there will be a number of projects which are outlined and set forth within this plan.

TAX INCREMENT PLAN

FOR PLYMOUTH DOWNTOWN DEVELOPMENT DISTRICT AREA #1

A. INTRODUCTION

This tax increment plan is established to make possible the financing of the public improvements necessary or desirable for the development of Downtown Development Area No. 1 in accordance with the Development Plan for this area.

B. 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 plan and a 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 levy of all taxing bodies paid each year on the "captured assessed value" of all real and personal property located in the development area. The amounts so transmitted are 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 roll under Act 198 of the Public Acts of 1974 or Act 255 of the Public Acts of 1978) exceeds the assessed value of all of the real and personal property in the development area as determined on the assessment roll of the City then in effect on the date of the approval of the ordinance, i.e., December 31, 1982. Attached hereto as Exhibit I is a schedule of the current assessed value of all real and personal property in the development area. Attached hereto as Exhibit II-B is a calculation of the estimated assessed value of all improvements currently under construction or committed to be completed by December 31 of the years 1983, 1984 and 1985, and an estimate of the increase in the assessed value of existing real and personal property by those, based upon the experience of the Assessor of the City. The total assessed value stated in Exhibit II-B is the estimated captured assessed value.

The tax levy of all taxing jurisdictions is currently 64.59 mills. Consequently, under this tax increment financing plan the estimated annual tax increment revenue to be paid by the county and municipal treasurers to the Downtown Development Authority will be the sums set forth in Exhibit II. Under this tax increment financing plan the entire captured assessed value is to be utilized by the Authority for the purposes and for the period as hereinafter set forth.

The procedures to be followed are more fully set forth in the proposed Tax Increment ordinance set forth as Exhibit III to this plan.

C. BONDED INDEBTEDNESS TO BE INCURRED

The total estimated cost of specific improvements enumerated in the Development Plan is \$1,000,000. These estimates do not include payment of interest on bonds during development of tax increment revenues or provision of reserves for payment of the bonds.

The project costs for Development Area No. 1 shall be financed by one or more series of tax increment bonds issued by the City, by lease of the improvements from the municipal building authority of the City, or from tax increment revenues as shall be determined by the City Council, based on recommendations of the DDA as the development progresses. In addition to the costs set forth in this plan, the City Council shall, based upon the recommendation of the DDA, in each resolution authorizing a series of bonds determine the amount of capitalized interest and reserves, if any, necessary to be included in the bonds and amount, if any, of tax increment revenues to be set aside as a reserve for payment of principal and interest on the bonds.

D. USE OF TAX INCREMENTS

The tax increment revenues generated by the development area pursuant to the development plan, as it now exists or is hereafter amended, shall be used:

First, to pay into the debt retirement fund, or funds, for all outstanding series of bonds issued pursuant to this plan an amount equal to the interest and principal coming due (in the case of principal whether by maturity or mandatory redemption) prior to the next collection of taxes, less any credit for sums on hand in the debt retirement fund.

Second, to establish a reserve account for payment of principal and interest on bonds issued pursuant to this plan, an amount, if any, required by the resolution authorizing a series of bonds. Any amounts to the credit of the reserve account at the beginning of a fiscal year in excess of the requirements established by the bond resolution sentence shall be considered tax increment revenue for that year.

Third, to pay the City the amount of lease rental payments paid by the City to the municipal building authority for Project elements acquired by the building authority. These payments shall be net of any revenues derived from the parking structure included in the project after payment of operating expenses from those revenues.

Fourth, to pay the administrative and operating costs of the DDA and City for the development area, including planning and promotion, to the extent provided in the annual budget of the DDA.

Fifth, to pay, to the extent determined desirable by the DDA and approved by the City, the cost of completing the remaining public improvements as set forth in the development plan to the extent those costs are not financed from the proceeds of the bonds.

Sixth, to pay the cost of any additional improvements to the development that are determined necessary by the DDA and approved by the City Council.

Seventh, to reimburse the City for funds advanced to acquire property, clear land, make preliminary plans and improvements necessary for the development of the development area in accordance with this plan. *240,000 NET VALUE*

Any tax increment receipts in excess of those needed under the preceding paragraphs will revert to the taxing jurisdictions or will be used for future development activities within the development area, as defined in the development plan.

E. DURATION OF THE TAX INCREMENT PLAN

The tax increment plan shall commence upon its approval by the City Commission and last 20 years from the date of issuance of the last series of bonds pursuant to this plan. The 20 year term may be extended by amendment or modification of this development and tax increment plan to incorporate future development activities within part or all of the downtown district.

EXHIBIT #1

11/9/83

City of Plymouth Downtown Development Area

Real Property Assessment for 1983	\$ 8,468,810.00
Act #255 Real Property Adjusted	\$ 302,975.00
Personal Property for 1983	\$ 980,310.00
Assessment for Proposed District	\$ 9,752,095.00

EX. AT II

TAXING UNITS AFFECTED BY TAX INCREMENT FINANCING PLAN FOR THE PLYMOUTH DOWNTOWN DEVELOPMENT DISTRICT

Taxing Unit, of Government	1983 Tax Levy	1983 SEV of Taxing Unit	Downtown Devel. District as % of Total SEV in Unit	Weighted Significance to Each Taxing Unit*
Plymouth Canton				
Community Schools	37.00 mills	\$974,492,820.00	1.0007%	0.370259
City of Plymouth	17.25 mills	\$143,492,060.00	6.7963%	1.172361
County of Wayne	7.07 mills	\$18,070,674,164.00	0.0540%	0.003817
Schoolcraft College	1.92 mills	\$3,276,538,540.00	0.2976%	0.005713
Intermediate School District	1.11 mills	\$18,154,657,447.00	0.0537%	0.000596
Huron-Clinton Metro. Authority	0.25 mills	\$44,325,115,488.00	0.0220%	0.000055

*Weighted Significance- This is the result of multiplying the millage rate times the percent which the Downtown Development District represents to the taxing unit's total tax base. The order of significance which results reflects which unit is most affected by taxes recaptured from the tax increment financing plan. In general, the plan has a greater impact on the taxing unit which levies more millage, or has a large part of the unit's total SEV in the Downtown Development District.

EXHIBIT II
TAXING UNITS AFFECTED BY
TAX INCREMENT FINANCING PLAN
FOR THE PLYMOUTH DOWNTOWN DEVELOPMENT DISTRICT

An increase of one million dollars of SEV in the Downtown Development District will have the following affect on these taxing units. Please note that the increase in SEV becomes "captured SEV" for the DDA.

TAXING UNITS	INCREASED TAX DOLLARS CAPTURED BY DDA
Plymouth Canton Community School District	\$37,000.00
City of Plymouth	\$17,250.00
County of Wayne	\$ 7,070.00
Schoolcraft College	\$ 1,920.00
Intermediate School District	\$ 1,110.00
Huron-Clinton Metro. Authority	\$ 250.00

For each one million dollars of new or "captured" SEV in the Downtown Development District the DDA would capture \$64,600.00 in tax revenue.

EXHIBIT II-B

PLYMOUTH DOWNTOWN DEVELOPMENT DISTRICT
Projection of Captured Assessed Value
for the years 1983 - 2004
(in thousands)

	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Captured Assessed Value at Jan. 1	-0-	800	1,450	1,950	2,418	2,905	3,411	3,937	4,484	5,053	5,645	6,261	7,385	8,070	8,783	9,524	10,295	11,097	11,931	12,798	13,700	14,618
New Construction	800	650	500																			
SEV Market Value Growth Projection 4%				468	487	506	526	547	569	592	616	640	685	713	741	771	802	834	867	902	938	
Tax Abatement Program Ending												412										
Captured Assessed Value at Dec. 31	800	1,450	1,950	2,418	2,905	3,411	3,937	4,484	5,053	5,645	6,261	7,385	8,070	8,783	9,524	10,295	11,097	11,931	12,798	13,700	14,618	

PLEASE NOTE:

If these growth projections are correct after the year 1986, the Captured Assessed Value of 2,418,000 dollars should be sufficient to pay any bond indebtedness of the DDA. The DDA shall expend the tax increments received for the development program only in accordance with the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing units. These revenues shall not be used to circumvent existing levy limit laws. 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.

ORDINANCE NO. 83-5

AN ORDINANCE TO ADOPT AND APPROVE
A DEVELOPMENT PLAN
AND A TAX INCREMENT FINANCING PLAN
FOR PLYMOUTH DOWNTOWN DEVELOPMENT AREA NO. 1
PURSUANT TO THE PROVISIONS OF ACT 197,
PUBLIC ACTS OF MICHIGAN OF 1975,
AND TO PROVIDE FOR ALL MATTERS RELATED THERETO

THE CITY OF PLYMOUTH ORDAINS:

Section 1. Definitions. The terms used in this ordinance shall have the following meaning unless the context clearly requires otherwise:

"Base Year Assessment Roll" means the base year assessment roll prepared by the City assessor in accordance with Section 4 of this ordinance.

"Captured Assessed Value" means the amount in any one year by which the current assessed value as finally equalized of all taxable property in the Development Area exceeds ~~the~~ Initial Assessed Value.

"Development Area" shall mean the area described in the Development Plan and Exhibit A to this ordinance.

"Development Plan" means the "Development Plan and Tax Increment Financing Plan" dated October, 1983 as transmitted to the City Commission by the Downtown Development Authority for public hearing, as modified by action of the City Commission and confirmed by this ordinance, copies of which are on file in the office of the City Clerk.

"Downtown Development Authority" means the City of Plymouth Downtown Development Authority.

"Initial Assessed Value" means the initial assessed value as defined in Act 197.

"Project Fund" means the Downtown Development Authority Project No. 1 Fund established pursuant to Section 6 of this ordinance.

"Taxing Jurisdiction" shall mean each unit of government levying an ad valorem property tax on property in the Development Area.

Section 2. Approval and Adoption of Development Plan. The Development Plan as amended by the City Commission is hereby approved and adopted. The duration of the plan shall be 20 years from the date of issuance of the last series of bonds pursuant to the Development Plan, except as it may be extended by subsequent amendment of the plan and this ordinance. A copy of the plan and all amendments thereto shall be maintained on file in the City Clerk's office and cross-indexed to this ordinance.

Section 3. Boundaries of Development Area. The boundaries of Development Area No. 1 as set forth in the Development Plan are hereby adopted and confirmed.

Section 4. Preparation of Base Year Assessment Roll.

(a) Within 60 days of the effective date of this ordinance, the City assessor shall prepare the initial Base Year Assessment Roll. The initial Base Year Assessment Roll shall list each Taxing Jurisdiction in which the Development Area is located, the Initial Assessed Value of the Development Area on the effective date of this ordinance and the amount of tax revenue derived by each Taxing Jurisdiction from ad valorem taxes on the property in the Development Area.

(b) The assessor shall transmit copies of the initial Base Year Assessment Roll to the City treasurer, County treasurer, Downtown

Development Authority and each Taxing Jurisdiction, together with a notice that the assessment roll has been prepared in accordance with this ordinance and the tax increment financing plan contained in the Development Plan approved by this ordinance.

Section 5. Preparation of Annual Base Year Assessment Roll.

Each year within 15 days following the final equalization of property in the Development Area, the assessor shall prepare an updated Base Year Assessment Roll. The updated Base Year Assessment Roll shall show the information required in the initial Base Year Assessment Roll and, in addition, the Captured Assessed Value for that year. Copies of the annual Base Year Assessment Roll shall be transmitted by the assessor to the same persons as the initial Base Year Assessment Roll, together with a notice that it has been prepared in accordance with this ordinance and the Development Plan.

Section 6. Establishment of Project Fund; Approval of Depository. The treasurer of the Downtown Development Authority shall establish a separate fund which shall be kept in a depository bank account or accounts in a bank or banks approved by the City Treasurer, to be designated Downtown Development Authority Project No. 1 Fund. All moneys received by the Downtown Development Authority pursuant to the Development Plan shall be deposited in the Project Fund. All moneys in that fund and earnings thereon shall be used only in accordance with the Development Plan and this ordinance.

Section 7. Payment of Tax Increments to Downtown Development Authority. The City and County treasurer shall, as ad valorem taxes are collected on the property in the Development Area, pay that

proportion of the taxes, except for penalties and collection fees, that the Captured Assessed Value bears to the Initial Assessed Value to the treasurer of the Downtown Development Authority for deposit in the Project Fund. The payments shall be made on the date or dates on which the City and County treasurers are required to remit taxes to each of the taxing jurisdictions.

Section 8. Use of Moneys in the Project Fund. The money credited to the Project Fund and on hand therein from time to time shall annually be used in the following manner and following order of priority:

(a) to pay into the debt retirement fund, or funds, for all outstanding series of bonds issued pursuant to this plan an amount equal to the interest and principal coming due (in the case of principal whether by maturity or mandatory redemption) prior to the next collection of taxes, less any credit for sums on hand in the debt retirement fund.

(b) to establish a reserve account for payment of principal and interest on bonds issued pursuant to this plan, an amount, if any, required by the resolution authorizing a series of bonds. Any amounts to the credit of the reserve account at the beginning of a fiscal year in excess of the requirement of the preceding sentence shall be considered tax increment revenue for that year.

(c) to pay the City the amount of lease rental payments paid by the City to the municipal building authority for Project elements acquired by the building authority. These payments shall be net of any revenues derived from the parking structure included in the Project after paying of operating expenses from those revenues.

(d) to pay the administrative and operating costs of the DDA and City for the development area, including planning and promotion, to the extent provided in the annual budget of the DDA.

(e) to pay, to the extent determined desirable by the DDA and approved by the City, the cost of completing the remaining public improvements as set forth in the development plan to the extent those costs are not financed from the proceeds of bonds.

(f) to pay the cost of any additional improvements to the development are determined necessary by the DDA and approved by the City Commission.

(g) to reimburse the City for funds advanced to acquire property, clear land, make preliminary plans, and improvements necessary for the development of the development area in accordance with this plan.

(h) any tax increment receipts in excess of those needed under the preceding paragraphs shall revert to the Taxing Jurisdictions or used for future development activities within the Development Area, as defined in the Development Plan, pursuant to applicable provisions of Act No. 197 and other laws.

Section 9. Annual Report. Within 90 days after the end of each fiscal year, the Downtown Development Authority shall submit to the City Commission, with copies to each Taxing Jurisdiction, a report on the status of the Project Fund. The report shall include the amount and source of revenue in the account, the amount and purpose of expenditures from the account, the Initial Assessed Value of the Development Area, the Captured Assessed Value of the Development Area,

the tax increments received and the amount of any surplus from the prior year, and any additional information requested by the City Commission or deemed appropriate by the Downtown Development Authority. The secretary of the Downtown Authority shall cause a copy of the report to be published once in full in a newspaper of general circulation in the City.

Section 10. Refund of Surplus Tax Increments. Any surplus money in the Project Fund at the end of a year, as shown by the annual report of the Downtown Development Authority, shall be paid by the Authority to the City or County Treasurer, as the case may be, and rebated by them to the appropriate Taxing Jurisdiction.

Section 11. This ordinance shall become operative and effective on the 25th day of November, 1983.

Made, passed, and adopted by the City Commission of the City of Plymouth, Michigan, this 21st day of November, 1983.

Publish: November 24, 1983

APPENDIX



DOWNTOWN DEVELOPMENT AUTHORITY ACT

PUBLIC ACTS 1975—No. 197

[No. 197]

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

The People of the State of Michigan enact:

125.1651 Definitions. [M.S.A. 5.3010(1)]

Sec. 1. As used in this act:

- (a) "Authority" means a downtown development authority created pursuant to this act.
- (b) "Board" means the governing body of an authority.
- (c) "Business district" means an area in the downtown of a municipality zoned and used principally for business.
- (d) "Chief executive officer" means the mayor or city manager of a city, the president of a village or the supervisor of a township.
- (e) "Development area" means that area to which a development plan is applicable.
- (f) "Development plan" means that information and those requirements for a development set forth in section 17.
- (g) "Development program" means the implementation of the development plan.
- (h) "Downtown district" means an area in a business district which is specifically designated by ordinance of the governing body of the municipality pursuant to this act.
- (i) "Governing body of a municipality" means the elected body of a municipality having legislative powers.
- (j) "Municipality" means a city, village, or township.
- (k) "Operations" means office maintenance, including salaries and expenses of employees, office supplies, consultation fees, design costs, and other expenses incurred in the daily management of the authority and planning of its activities.
- (l) "Public facility" means a street, plaza, pedestrian mall, and any improvements thereto including street furniture and beautification, park, parking facility, recreational facility, right of way, structure, waterway, bridge,

lake, pond, canal, utility line or pipe, building, and access routes to any of the foregoing, designed and dedicated to use by the public generally, or used by a public agency.

125.1652 Authority; establishment; restriction; public body corporate; powers generally. [M.S.A. 5.3010(2)]

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

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

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; adoption, filing, and publication of ordinance; altering or amending boundaries. [M.S.A. 5.3010(3)]

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

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

(3) After the public hearing, if the governing body of the municipality intends to proceed with the establishment of the authority, it shall adopt, by majority vote of its members, an ordinance establishing the authority and designating the boundaries of the downtown district within which the authority shall exercise its powers. The adoption of the ordinance is subject to any

applicable statutory or charter provisions in respect to the approval or disapproval by the chief executive or other officer of the municipality and the adoption of an ordinance over his veto. This ordinance shall be filed with the secretary of state promptly after its adoption and shall be published at least once in a newspaper of general circulation in the municipality.

(4) The governing body of the municipality may alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district in accordance with the same requirements prescribed for adopting the ordinance creating the authority.

125.1654 Board; appointment, terms, and qualifications of members; vacancy; compensation and expenses; election of chairman; rules; procedure; meetings; removal of member; expense items; financial records. [M.S.A. 5.3010(4)]

Sec. 4. (1) The authority shall be under the supervision and control of a board consisting of the chief executive officer of the municipality and 8

members appointed by the chief executive officer of the municipality, subject to approval by the governing body of the municipality. At least 5 of the members shall be persons having an interest in property located in the downtown district. At least 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, 2 shall be appointed for 1 year, 2 for 2 years, 2 for 3 years, and 2 for 4 years. A member shall hold office until the member's successor is appointed. Thereafter, a 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 chairman of the board shall be elected by the board.

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

(3) The board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held when called in the manner provided in the rules of the board. Meetings of the board shall be open to the public.

(4) Pursuant to notice and 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.

125.1655 Director, acting director, treasurer, secretary, legal counsel, and other personnel. [M.S.A. 5.3010(5)]

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.

125.1656 Participation of employees in municipal retirement and insurance programs. [M.S.A. 5.3010(6)]

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.

125.1657 Powers of board. [M.S.A. 5.3010(7)]

Sec. 7. The board may:

- (a) Prepare an analysis of economic changes taking place in the downtown district.
- (b) Study and analyze the impact of metropolitan growth upon the downtown district.

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

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

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

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

(g) Acquire by purchase or otherwise, on terms and conditions and in a manner the authority deems proper or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests therein, which the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect thereto.

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

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

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

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

(l) Acquire and construct public facilities.

125.1659 Authority as instrumentality of political subdivision. [M.S.A. 5.3010(9)]

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.

125.1660 Taking, transfer, and use of private property. [M.S.A. 5.3010(10)]

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.

125.1661 Financing activities of authority; disposition of moneys received by authority; municipal obligations. [M.S.A. 5.3010(11)]

Sec. 11. (1) The activities of the authority shall be financed from one 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) Moneys borrowed and to be repaid as authorized by section 13.

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

(2) Moneys 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 moneys received by the municipality pursuant to this section, for or on account of the activities of the authority.

125.1662 Ad valorem tax; borrowing in anticipation of collection. [M.S.A. 5.3010(12)]

Sec. 12. (1) An authority with the approval of the municipal governing body may levy an ad valorem tax on the real and tangible personal property not exempt by law and as finally equalized in the downtown district. The tax shall not be more than 1 mill if the downtown district is in a municipality having a population of 1,000,000 or more, or not more than 2 mills if the downtown

district is in a municipality having a population of less than 1,000,000. The tax shall be collected by the municipality creating the authority levying the tax. The municipality shall collect the tax at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the treasurer of the authority and credited to the general fund of the authority for purposes of financing only the operations of the authority.

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

125.1663 Revenue bonds. [M.S.A. 5.3010(13)]

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

125.1664 "Captured assessed value" and "Initial assessed value" defined; tax increment financing plans; public hearing; recommendations; agreements; modification of plan. [M.S.A. 5.3010(14)]

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

(a) "Captured assessed value" means the amount in any 1 year, by which the current assessed value of the project area exceeds the initial assessed value.

(b) "Initial assessed value" means the most recently assessed value of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved. Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero.

(2) When the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 17, a detailed explanation of the tax increment procedure, the amount of bonded indebtedness to be incurred, the duration of the program, and shall be in compliance with section 15. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan.

(3) Approval of the tax increment financing plan shall be in accordance with the notice, hearing, and disclosure provisions of section 18. When the development plan is part of the tax increment financing plan, only 1 hearing and approval procedure is required for the 2 plans together.

(4) Before the public hearing on the tax increment financing plan, the governing body shall provide a reasonable opportunity to the members of the county board of commissioners of a county in which any portion of the development area is located and to the members of the school board of any school district in which any portion of the development area is located to meet with the governing body. The authority shall fully inform members of the

county boards of commissioners and of the school boards of the fiscal and economic implications of the proposed development area. The members of the county boards of commissioners and of the school boards may present their recommendations at the public hearing on the tax increment financing plan. The

authority may enter into agreements with the county board of commissioners, the school boards, and the governing body of the municipality in which the development area is located to share a portion of the captured assessed value of the district.

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

125.1665 Transmitting and expending tax increments; reversion of surplus funds; abolition of plan; report on status of tax increment financing account. [M.S.A. 5.3010(15)]

Sec. 15. (1) The amount of tax increment to be transmitted to the authority by the municipal and county treasurers shall be that portion of the tax levy of all taxing bodies paid each year on real and personal property in the project area on the captured assessed value.

(2) The authority shall expend the tax increments received for the development program only in accordance with the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing bodies. These revenues shall not be used to circumvent existing levy limit laws. 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.

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

125.1666 General obligation bonds. [M.S.A. 5.3010(16)]

Sec. 16. The municipality may by resolution of its governing body authorize, issue, and sell general obligation bonds subject to the limitations herein set forth to finance the development program of the tax increment financing plan and shall pledge its full faith and credit for the payment of the bonds. The bonds shall mature in not more than 30 years and shall be subject to Act No. 202 of the Public Acts of 1943, as amended, being sections 131.1 to 138.2 of the Michigan Compiled Laws. Before the municipality may authorize the borrowing, the authority shall submit an estimate of the anticipated tax increment revenue to be available for payment of principal and interest on the bonds, to the governing body of the municipality. This estimate shall be approved by the governing body of the municipality by resolution adopted by majority vote of the members of the governing body, in the resolution authorizing the bonds, and when approved by the municipal finance commission shall be conclusive for purposes of this section. A municipality may not

that year, and the total aggregate amount of borrowing shall not exceed an amount which the 60% of the estimated tax increment will service as to annual principal and interest requirements. The bonds issued under this section shall be considered a single series for the purposes of Act No. 202 of the Public Acts of 1943, as amended.

125.1667 Development plan; preparation; contents. [M.S.A. 5.3010(17)]

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:

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

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

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

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

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

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

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

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

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

(j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner

and for whose benefit the project is being undertaken if that information available to the authority.

(k) The procedures for bidding for the leasing, purchasing, or conveying 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, 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, the development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and 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, 4 U.S.C. sections 4601, et seq.

(o) A plan for compliance with Act No. 227 of the Public Acts of 1971, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

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

125.1668 Ordinance approving development plan or tax increment financing plan; public hearing; notice; record. [M.S.A. 5.3010(18)]

Sec. 18. (1) The governing body, before adoption of an ordinance approving a development plan or tax increment financing plan, shall hold a public hearing on the development plan. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall 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.

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

125.1669 Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations. [M.S.A. 5.3010(19)]

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

125.1670 Notice to vacate. [M.S.A. 5.3010(20)]

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.

125.1671 Development area citizens council; establishment; appointment and qualifications of members; representative of development area. [M.S.A. 5.3010(21)]

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.

125.1672 Development area citizens council; advisory body. [M.S.A. 5.3010(22)]

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

125.1673 Consultation. [M.S.A. 5.3010(23)]

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.

125.1674 Development area citizens council; meetings; notice; record; information and technical assistance; failure to organize, consult, or advise. [M.S.A. 5.3010(24)]

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.

125.1675 Citizens district council as development area citizens council. [M.S.A. 5.3010(25)]

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.

125.1676 Notice of findings and recommendations. [M.S.A. 5.3010(26)]

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.

125.1677 Development area citizens council; dissolution. [M.S.A. 5.3010(27)]

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.

125.1678 Budget; cost of handling and auditing funds. [M.S.A. 5.3010(28)]

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.

125.1679 Historic sites. [M.S.A. 5.3010(29)]

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

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

125.1680 Dissolution of authority; disposition of property and assets. [M.S.A. 5.3010(30)]

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

This act is ordered to take immediate effect.

Approved August 13, 1975.

ACT #34
Public Acts of 1981
Approved by Governor
May 11, 1981

STATE OF MICHIGAN
81ST LEGISLATURE
REGULAR SESSION OF 1981

Introduced by Senator DeMaso

ENROLLED SENATE BILL No. 65

AN ACT to amend sections 11, 14, 15, and 16 of Act No. 197 of the Public Acts of 1975, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; and to authorize the use of tax increment financing," sections 14 and 15 as amended by Act No. 26 of the Public Acts of 1979, being sections 125.1661, 125.1664, 125.1665, and 125.1666 of the Compiled Laws of 1970.

The People of the State of Michigan enact:

Section 1. Sections 11, 14, 15, and 16 of Act No. 197 of the Public Acts of 1975, sections 14 and 15 as amended by Act No. 26 of the Public Acts of 1979, being sections 125.1661, 125.1664, 125.1665, and 125.1666 of the Compiled Laws of 1970, are amended to read as follows:

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 section 13.
- (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.

(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.

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

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

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

(2) When the authority determines that it is necessary for the achievement of the purposes of this act, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 17, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, the duration of the program, and shall be in compliance with section 15. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan.

(3) Approval of the tax increment financing plan shall be pursuant to the notice, hearing, and disclosure provisions of section 18. If the development plan is part of the tax increment financing plan, only 1 hearing and approval procedure is required for the 2 plans together.

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

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

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

(2) The authority shall expend the tax increments received for the development program only pursuant to the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing bodies. These revenues shall not be used to circumvent existing property tax limitations. The governing body of the municipality may abolish the tax increment financing plan when it finds that the purposes for which it was established are accomplished. However, the tax increment financing plan shall not be abolished until the principal of, and interest on, bonds issued pursuant to section 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 a report on the status of the tax increment financing account. The report shall include: the amount and source of revenue in the account; the amount and purpose of expenditures from the account; the amount of principal and interest on any outstanding bonded indebtedness; the initial assessed value of the project area; the captured assessed value retained by the authority; the tax increments received; and any additional information the governing body considers necessary. The report shall be published in a newspaper of general circulation in the municipality.

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

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

This act is ordered to take immediate effect.

William C. Londer

Secretary of the Senate.

Thomas S. Husband

Clerk of the House of Representatives.

Approved

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Governor.

ACT 151
Public Acts of 1981
Approved by Governor
Nov. 19, 1981

STATE OF MICHIGAN
81ST LEGISLATURE
REGULAR SESSION OF 1981

Introduced by Senators Corbin and Scott

ENROLLED SENATE BILL No. 377

AN ACT to amend Act No. 197 of the Public Acts of 1975, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; and to authorize the use of tax increment financing," as amended, being sections 125.1651 to 125.1680 of the Compiled Laws of 1970, by adding section 13a.

The People of the State of Michigan enact:

Section 1. Act No. 197 of the Public Acts of 1975, as amended, being sections 125.1651 to 125.1680 of the Compiled Laws of 1970, is amended by adding section 13a to read as follows:

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.

This act is ordered to take immediate effect.

Willie C. Londer

Secretary of the Senate.

Thomas S. Kuchand

Clerk of the House of Representatives.

Approved

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Governor.

Act No. 34
Public Acts of 1983
Approved by Governor
May 10, 1983

STATE OF MICHIGAN
82ND LEGISLATURE
REGULAR SESSION OF 1983

Introduced by Senator Kelly

ENROLLED SENATE BILL No. 98

AN ACT to amend section 16 of Act No. 197 of the Public Acts of 1975, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; and to authorize the use of tax increment financing," as amended by Act No. 34 of the Public Acts of 1981, being section 125.1666 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 16 of Act No. 197 of the Public Acts of 1975, as amended by Act No. 34 of the Public Acts of 1981, being section 125.1666 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 16. (1) The municipality may by resolution of its governing body authorize, issue, and sell general obligation bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan and shall pledge its full faith and credit for the payment of the bonds. The bonds shall mature in not more than 30 years and shall be subject to the municipal finance act, Act No. 202 of the Public Acts of 1943, as amended, being sections 131.1 to 139.3 of the Michigan Compiled Laws. Before the municipality may authorize the borrowing, the authority shall submit an estimate of the anticipated tax increment revenue to be available for payment of principal and interest on the bonds, to the governing body of the municipality. This estimate shall be approved by the governing body of the municipality by resolution adopted by majority vote of the members of the governing body in the resolution authorizing the bonds. When the bonds are approved by the municipal finance commission or its successor agency in those instances in which an exception to prior approval is not available under section 11 of chapter III of Act No. 202 of the Public Acts of 1943, being section 133.11 of the Michigan Compiled Laws, or when the governing body of the municipality adopts the resolution authorizing the bonds and prior approval of the municipal finance commission or its successor agency is not required pursuant to section 11 of chapter III of Act No. 202 of the Public Acts of 1943, the estimate of the anticipated tax increment revenue to be available for payment of principal and interest on the bonds shall be conclusive for purposes of this section. A municipality may not pledge for annual debt service requirements in any 1 year in excess of 80% of the estimated tax increment revenue to be received from a development area for

that year, and the total aggregate amount of borrowing shall not exceed an amount which the 80% of the estimated tax increment will service as to annual principal and interest requirements. The bonds issued under this section shall be considered a single series for the purposes of Act No. 202 of the Public Acts of 1943, as amended.

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

This act is ordered to take immediate effect.

William C. Londer

Secretary of the Senate.

Thomas S. Husband

Clerk of the House of Representatives.

Approved

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Governor.

Act No. 86
Public Acts of 1983
Approved by Governor
June 16, 1983

STATE OF MICHIGAN
82ND LEGISLATURE
REGULAR SESSION OF 1983

Introduced by Senator DeMaso

ENROLLED SENATE BILL No. 7

AN ACT to amend section 12 of Act No. 197 of the Public Acts of 1975, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; and to authorize the use of tax increment financing," being section 125.1662 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 12 of Act No. 197 of the Public Acts of 1975, being section 125.1662 of the Michigan Compiled Laws, is amended to read as follows:

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 therefor pursuant to the municipal finance act, Act No. 202 of the Public Acts of 1943, as amended, being sections 131.1 to 138.2 of the Michigan Compiled Laws, in anticipation of collection of the ad valorem tax authorized in this section.

This act is ordered to take immediate effect.

William C. Londer

Secretary of the Senate.

William A. Ryan

Clerk of the House of Representatives.

Approved

.....
Governor.

ORDINANCE NO. 83-2

AN ORDINANCE TO ESTABLISH A DOWNTOWN DEVELOPMENT AUTHORITY IN THE CITY OF PLYMOUTH PURSUANT TO ACT 197, PUBLIC ACTS OF MICHIGAN, 1975; TO PROVIDE FOR ESTABLISHMENT OF A BOARD OF DIRECTORS FOR THE AUTHORITY; TO DEFINE THE BOUNDARIES OF THE DOWNTOWN DISTRICT CONSTITUTING THE DOWNTOWN DEVELOPMENT AUTHORITY; AND TO PROVIDE FOR ALL OTHER MATTERS NECESSARY AND RELATED THERETO

THE CITY OF PLYMOUTH ORDAINS:

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

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

"Authority" means the Downtown Development Authority of the City of Plymouth created by this ordinance.

"Act 197" means Act No. 197 of the Public Acts of Michigan of 1975, as now in effect or hereafter amended.

"Board" or "Board of Directors" means the Board of Directors of the Authority, the governing body of the Authority.

"Chief Executive Officer" means the mayor of the City.

"City" means the City of Plymouth, Michigan.

"Commission" or "City Commission" means the City Commission of the City.

"Downtown District" means the downtown district designated by this ordinance as now existing or hereafter amended.

Section 3. Determination of Necessity. The City Commission of the City hereby determines that it is necessary for the best interests of the City to halt property value deterioration and increase property tax valuation where possible in the business district of the City, to eliminate the causes of that deterioration, and to promote economic growth by establishing a downtown development authority 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 its powers under the title of "Downtown Development Authority of the City of Plymouth." 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 by this ordinance and Act 197. The enumeration of a power in this ordinance or in Act 197 shall not be construed as a limitation upon the general powers of the Authority.

This is in the original TIFA Plan. I cannot find record of the official change from 8 to 12 members. (the

Section 5. Description of Downtown District The Downtown District in which the Authority shall exercise its powers as provided by Act 197 shall consist of the describe territory in the City, subject to such changes as may hereinafter be made pursuant to th ordinance and Act 197, as set forth in Exhibit A, attached hereto and made a part hereof

Section 6. Board of Directors The Authority shall be under supervision and control o a Board of Directors consisting of the Chief Executive Officer of the City and eight (8) members as provided by Act 197. The members shall be appointed by the Chief Executive Officer subject to approval by the Commission and shall hold office for the terms provided in Act 197. All members shall hold office until the member's successor is appointed.

The Authority may employ and fix the compensation of a director, subject to the approv of the City Commission, and a treasurer and secretary. The director shall furnish bond in the amount of \$100.00, and the treasurer shall furnish bond in such amounts as prescr by the Board. The bonds shall be in such form as may be approved by the Board including coverage in the form of a blanket policy carried by the Authority or the City.

Section 7. Powers of the Authority Except as specifically otherwise provided in this ordinance, the Authority shall have all powers provided by law subject to the limitation imposed by law and herein.

Section 8. Fiscal Year: Adoption of Budget

- (a) The fiscal year of the Authority shall begin on July 1 of each year and end on June 30 of the following year, or such other fiscal year as may hereafter be adopted by the City.
- (b) The Board shall annually prepare a budget and shall submit it to the Commission on the same date that the proposed budget for the City if required by the City Charter to be submitted to the Commission. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the Commissi The Board may, however, temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the ordinance authorizing the revenue bonds.
- (c) The Authority shall submit financial reports to the Commission at the same time and on the same basis as departments of the City are required to submit reports The Authority shall be audited annually by the same independent auditors auditi the City, and copies of the audit report shall be filed with the Commission.

Section 9. Section Headings; Severability; Repealer Section headings are provided for convenience only and are not intended to be 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 10. Publication, Recording and Filing This ordinance shall be published once after its adoption in full in the Plymouth Observer, a newspaper of general circulation in the City of Plymouth, and the City Clerk shall file a certified copy with the Michigan Secretary of State promptly after its adoption.

Section 11. This ordinance shall become operative and effective on the 28th
day of June A.D., 1983.

Made, passed and adopted by the City Commission of the City of Plymouth, Michigan, the
20th day of June, A.D., 1983.

Eldon W. Martin
Mayor

Gordon G. Limburg
City Clerk

Publish: June 27, 1983

1983 G.O. Bond Issue
\$1,000,000.00 for 20 Years
Assume on 12/1/83
First Principal due 12/1/84
1/2 of Year's Total Interest Due Every Six Months

<u>YEAR</u>	<u>PRINCIPAL DUE</u>	<u>INTEREST DUE</u>
1984	\$ 20,000.00	\$90,067.50
1985	\$ 25,000.00	\$88,917.50
1986	\$ 25,000.00	\$87,417.50
1987	\$ 25,000.00	\$85,792.50
1988	\$ 30,000.00	\$84,042.50
1989	\$ 30,000.00	\$81,792.50
1990	\$ 30,000.00	\$79,467.50
1991	\$ 35,000.00	\$77,067.50
1992	\$ 40,000.00	\$74,180.00
1993	\$ 40,000.00	\$70,780.00
1994	\$ 45,000.00	\$67,300.00
1995	\$ 50,000.00	\$63,295.00
1996	\$ 55,000.00	\$58,745.00
1997	\$ 60,000.00	\$53,630.00
1998	\$ 65,000.00	\$47,930.00
1999	\$ 70,000.00	\$41,690.00
2000	\$ 75,000.00	\$34,900.00
2001	\$ 85,000.00	\$27,587.50
2002	\$ 95,000.00	\$19,257.50
2003	\$100,000.00	\$ 9,900.00

This is an approximation based on information received on 11/15/83

ORDINANCE NO. 87-2

AN ORDINANCE TO AMEND ORDINANCE NO. 83-5, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 84-8, ENTITLED AS AMENDED "AN ORDINANCE TO ADOPT AND APPROVE A DEVELOPMENT PLAN AND A TAX INCREMENT FINANCING PLAN FOR PLYMOUTH DOWNTOWN DEVELOPMENT AREA NO. 1 PURSUANT TO THE PROVISIONS OF ACT 197, PUBLIC ACTS OF MICHIGAN OF 1975, AND TO PROVIDE FOR ALL MATTERS RELATED THERETO."

WHEREAS, the Downtown Development Authority of the City of Plymouth is a public body corporate established pursuant to Act No. 197 of the Public Acts of Michigan of 1975, as amended ("Act 197");

WHEREAS, in connection with such Downtown Development Authority and pursuant to Act 197, the City Commission of the City of Plymouth on November 21, 1983 approved that certain Development Plan and Tax Increment Financing Plan defined as the "Development Plan" in Ordinance No. 83-5, and on December 3, 1984 amended such Ordinance to expand the definition therein of the term "Development Area" and amended such Development Plan to expand the boundaries of Development Area No. 1 set forth therein;

WHEREAS, pursuant to notice duly published, posted and mailed as directed by the City Commission, a public hearing was held by the City Commission on January 19, 1987, at which time all interested persons were given an opportunity to be heard on the below-described proposed further expansion of the definition of the term "Development Area" and of the boundaries of such Development Area No. 1; —

WHEREAS, before such public hearing the City Commission has provided a reasonable opportunity to the members of the Wayne County Board of Commissioners and to the members of the school boards of all school districts within the City of Plymouth to meet with the City Commission in accordance with subsections (4) and (5) of Section 14 of Act 197;

WHEREAS, the City Commission has determined that such Development Plan, as hereby modified and amended, constitutes a public purpose; and

WHEREAS, the approval by the City Commission of such Development Plan as hereby modified and amended is based on the considerations enumerated in Section 19 of Act 197;

NOW, THEREFORE, THE CITY OF PLYMOUTH ORDAINS:

Section 1. The definition of the term "Development Area" in Section 1 of Ordinance No. 83-5, as previously amended by Ordinance No. 84-8, is amended to read in its entirety as follows:

"Development Area" means:

(a) the area described on pages 3 and 4 in the original Development Plan, being the area within the boundaries designated in Exhibit A to Ordinance No. 83-5 adopted by the City Commission on November 21, 1983, plus

(b) the area added by Ordinance No. 84-8 adopted by the City Commission on December 3, 1984, namely Lots 759 and 760 of Assessors Plymouth Plat No. 20 (street addresses 743 Wing and 725 and 727 Wing, respectively), plus

(c) the area added by Ordinance No. 87-2 adopted by the City Commission on February 16, 1987, namely:

MAY SUBDIVISION

Lots 11 and 12

(284 and 302 Elizabeth Street)

ASSESSORS PLYMOUTH
PLAT No. 12

Lots 286, 287,
288 and 289

(1005, 1033, 1053
and 1069 W. Ann Arbor Trail)

ASSESSORS PLYMOUTH
PLAT No. 20

Lots 755, 756,
758 and 761

(607, 621 and 627
S. Main Street, 765
Wing Street and 680
Deer Street)

REISER & STELLWAGEN
SUBDIVISION

Lots 1 through 11

(633 S. Main Street)

ASSESSORS PLYMOUTH
PLAT No. 23

Lots 863 and 869

(673 and 705 S.
Main Street)

SHEPHARD AND
MORSE'S ADDITION

Lots 1 through
11, also adjoining
vacated alley, also
northerly half of
adjoining vacated
street

(770 Deer Street and
747, 757 and 767 S.
Main Street)

Section 35, Acreage

4.4006 acres of vacant land at the rear of 767 S. Main
Street and the southerly end of Deer and Kellogg
Streets, also at the rear of 738 Burroughs Avenue;

the peripheral boundary of the full Development Area
being shown in Exhibit One, attached hereto and made a
part hereof."

Section 2. The total area within the foregoing amended definition of the
term "Development Area" is hereby adopted and confirmed as the area
variously referred to in the Development Plan as Plymouth Downtown
Development District Area #1, Downtown Development Area No. 1 or
Development Area No. 1, the boundaries of which shall be as shown in
Exhibit One hereto.

Section 3. This ordinance shall be published once in full in the
Plymouth Observer, a newspaper of general circulation in the City of
Plymouth.

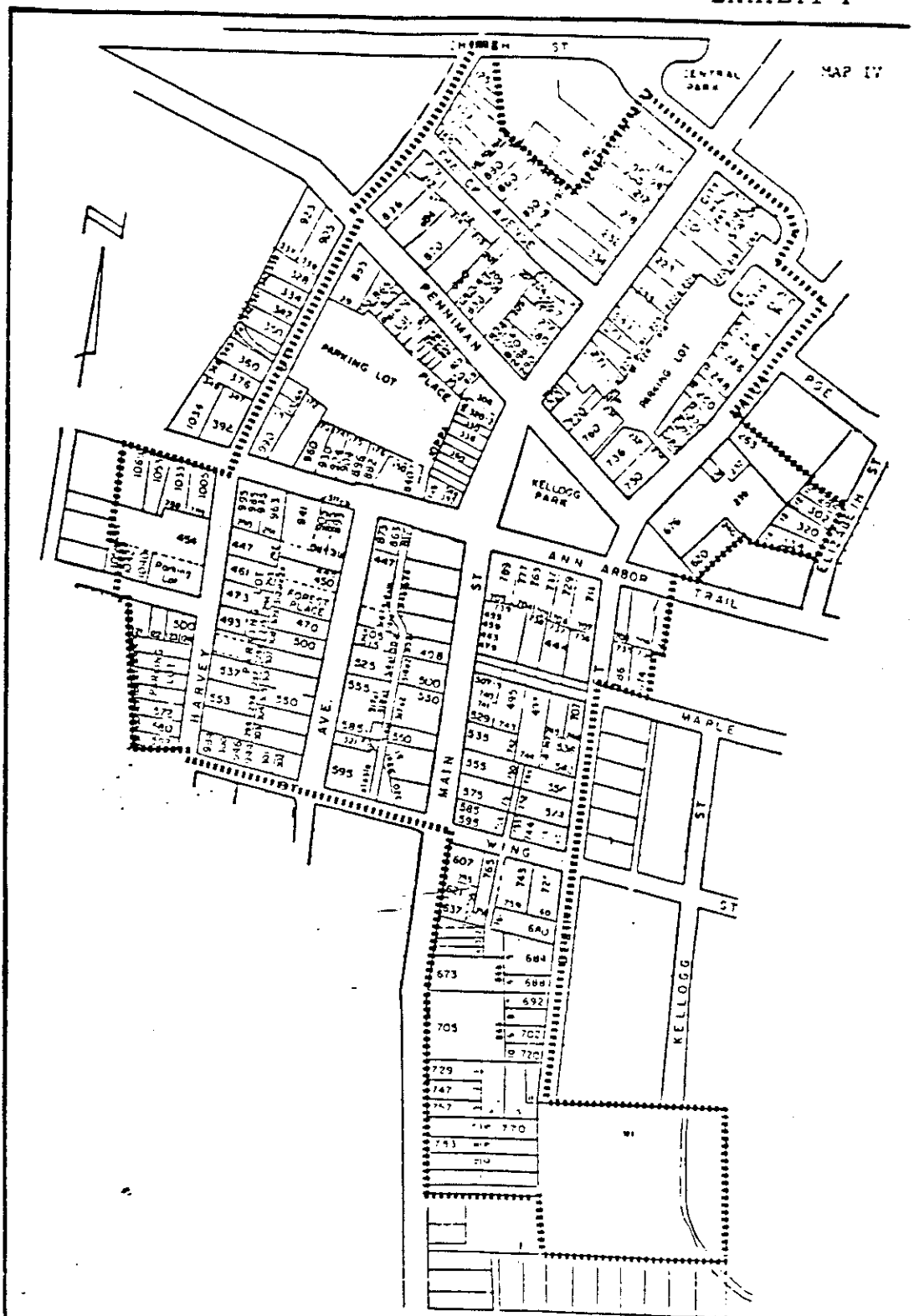
Section 4. This ordinance shall become operative and effective on
February __, 1987.

Passed and adopted by the City Commission of the City of Plymouth,
Michigan on February 16, 1987.

William Robinson, Mayor

Gordon G. Limburg, City Clerk

JK461



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

BOUNDARY MAP

..... District Boundary
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

January 14, 1987

R E S O L U T I O N

Res. #87-__

On motion of Comm. _____ and supported by Comm. _____,
the following resolution was offered:

WHEREAS, it is proposed that Ordinance No. 87-2 be passed and enacted for
the purposes set forth therein;

WHEREAS, the City Commission has duly held a public hearing on January 19,
1987 with respect to such proposed Ordinance, and the areas described in
such Ordinance, in clauses (a) and (b) of the proposed amended definition of
the term "Development Area," constitute the properties shown on Map Number
1 - Boundary Map - Downtown Development Authority District, on file at the
office of the City Clerk and referred to in the notice of public hearing
which was duly published, posted and mailed prior to the public hearing
as required by law.

NOW, THEREFORE, BE IT RESOLVED THAT:

Ordinance No. 87-2, amending Ordinance No. 83-5 (as previously amended),
the Development Plan and Tax Increment Financing Plan ordinance, is hereby
approved at its first reading, by title only.

AYES:

NAYS:

February 2, 1987

EXPENDITURE FROM

None

FUND

Ernest S. Blumberg

Department of Finance

M. G.
City Manager

A

ORDINANCE NO. 87- /

AN ORDINANCE TO AMEND ORDINANCE NO. 83-2, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 84-7, ENTITLED AS AMENDED "AN ORDINANCE TO ESTABLISH A DOWNTOWN DEVELOPMENT AUTHORITY IN THE CITY OF PLYMOUTH PURSUANT TO ACT 197, PUBLIC ACTS OF MICHIGAN, 1975; TO PROVIDE FOR ESTABLISHMENT OF A BOARD OF DIRECTORS FOR THE AUTHORITY; TO DEFINE THE BOUNDARIES OF THE DOWNTOWN DISTRICT CONSTITUTING THE DOWNTOWN DEVELOPMENT AUTHORITY; AND TO PROVIDE FOR ALL OTHER MATTERS NECESSARY AND RELATED THERETO, TO BE KNOWN AS CHAPTER 9 OF TITLE I OF THE PLYMOUTH CITY CODE."

WHEREAS, the Downtown Development Authority of the City of Plymouth, a public body corporate, and the boundaries of its Downtown District have been established by Ordinance No. 83-2, as amended by Ordinance No. 84-7, pursuant to Act No. 197 of the Public Acts of Michigan of 1975, as amended ("Act 197");

WHEREAS, pursuant to notice duly published, posted and mailed as directed by the City Commission of the City of Plymouth, a public hearing was held by the City Commission on January 19, 1987, at which time all citizens, taxpayers and property owners of the City were given an opportunity to be heard on the below-described proposed expansion of the boundaries of the Downtown District; and

WHEREAS, the City Commission desires to amend the boundaries of the Downtown District to include certain additional lands;

NOW, THEREFORE, THE CITY OF PLYMOUTH ORDAINS:

Section 1. Chapter 9 of Title I of the Plymouth City Code be amended by amending Section 5 thereof to read in its entirety as follows:

"Section 5. Description of Downtown District. The Downtown District in which the Authority shall exercise its powers as provided in Act 197 shall consist of:

(a) the area within the boundaries designated in Exhibit A to Ordinance No. 83-2 adopted by the City Commission on June 20, 1983, plus

(b) the area added by Ordinance No. 84-7 adopted by the City Commission on December 3, 1984, namely Lots 759 and 760 of Assessors Plymouth Plat No. 20 (street addresses 743 Wing and 725 and 727 Wing, respectively), plus

(c) the area added by Ordinance No. 87- /
adopted by the City Commission on February 16,
1987, namely:

MAY SUBDIVISION

Lots 11 and 12 (284 and 302 Elizabeth Street)

ASSESSORS PLYMOUTH
PLAT No. 12

Lots 286, 287, (1005, 1033, 1053
288 and 289 and 1069 W. Ann Arbor Trail)

ASSESSORS PLYMOUTH
PLAT No. 20

Lots 755, 756, (607, 621 and 627
758 and 761 S. Main Street, 765
Wing Street and 680
Deer Street)

REISER & STELLWAGEN
SUBDIVISION

Lots 1 through 11 (633 S. Main Street)

ASSESSORS PLYMOUTH
PLAT No. 23

Lots 868 and 869 (673 and 705 S.
Main Street)

SHEPHARD AND
MORSE'S ADDITION

Lots 1 through (770 Deer Street and
11, also adjoining 747, 757 and 767 S.
vacated alley, also Main Street)
northerly half of
adjoining vacated
street

Section 35. Acreage

4.4006 acres of vacant land at the rear of 767 S. Main Street and the southerly end of Deer and Kellogg Streets, also at the rear of 738 Burroughs Avenue;

the peripheral boundary of the full Downtown District being shown in Exhibit One, attached hereto and made a part hereof."

Section 2. This ordinance shall be published once in full in the Plymouth Observer, a newspaper of general circulation in the City of Plymouth, and the City Clerk shall file a certified copy of this ordinance with the Michigan Secretary of State promptly after its adoption.

Section 3. This ordinance shall become operative and effective on February __, 1987.

Passed and adopted by the City Commission of the City of Plymouth, Michigan on February 16, 1987.

William Robinson, Mayor

Gordon G. Limburg, City Clerk

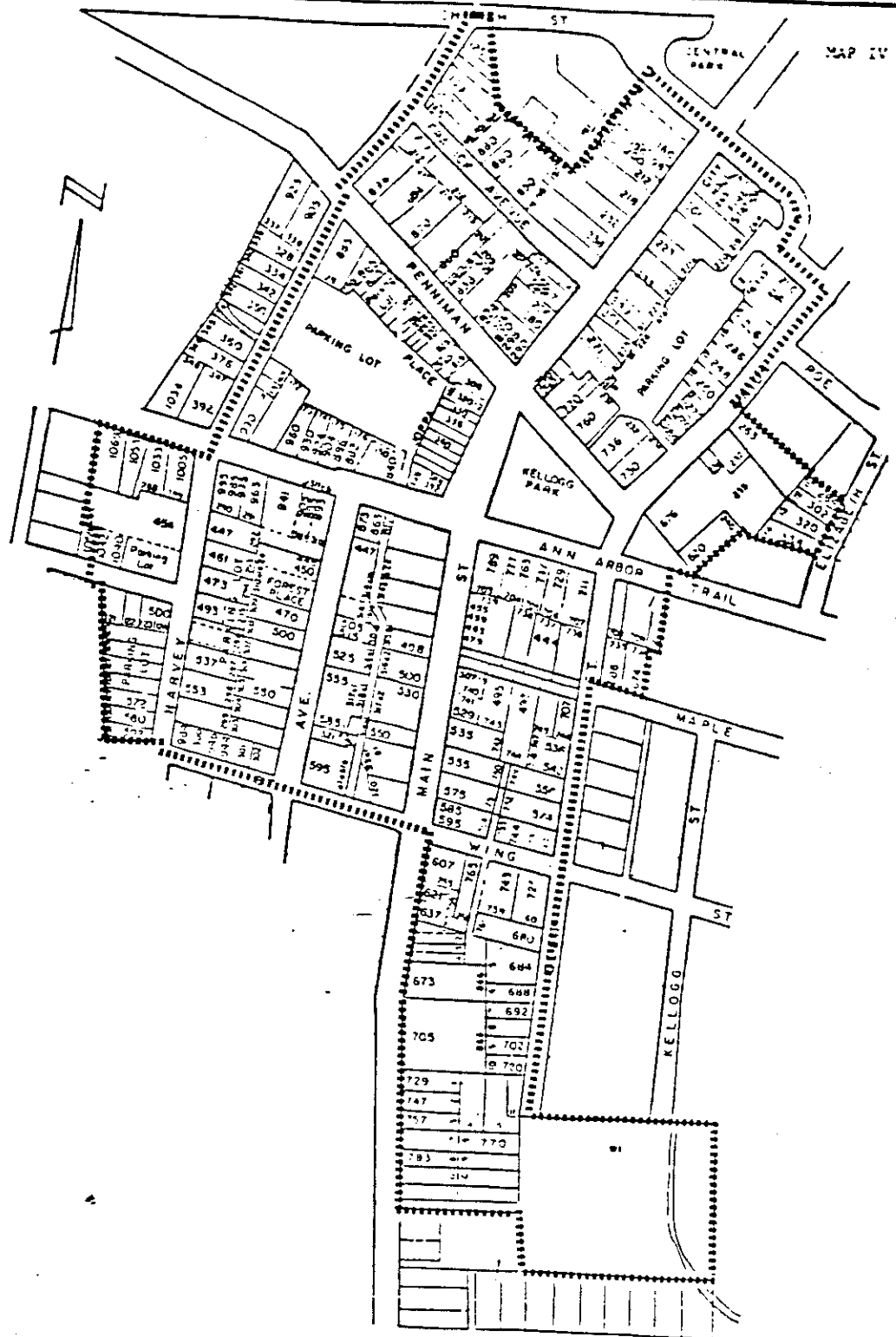
EXPENDITURE FROM

_____ FUND

Department of Finance

City Manager

JK31i



TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

BOUNDARY MAP

..... District Boundary
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

January 14, 1987

R E S O L U T I O N

Res. #87-__

On motion of Comm. _____ and supported by Comm. _____,
the following resolution was offered:

WHEREAS, it is proposed that Ordinance No. 87- / be passed and enacted for
the purposes set forth therein;

WHEREAS, the City Commission has duly held a public hearing on January 19,
1987 with respect to such proposed Ordinance, and the areas described in such
Ordinance, in clauses (a) and (b) of the proposed amended description of the
Downtown District, constitute the properties shown on Map Number 1 - Boundary
Map - Downtown Development Authority District, on file at the office of the
City Clerk and referred to in the notice of public hearing which was duly
published, posted and mailed prior to the public hearing as required by law.

NOW, THEREFORE, BE IT RESOLVED THAT:

Ordinance No. 87- /, amending Ordinance No. 83-2 (as previously amended),
the Downtown Development Authority ordinance, is hereby approved at its
first reading, by title only.

AYES:

NAYS:

February 2, 1987

EXPENDITURE FROM

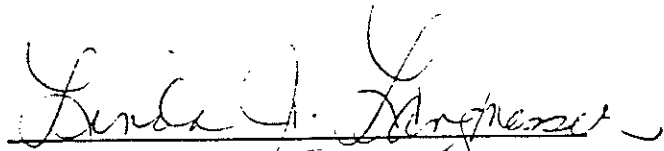
NONE

FUND

Gordon D. Lindberg
Department of Finance
City Manager

AFFIDAVIT OF POSTING NOTICE OF
HEARING ON THE PROPOSED EXPANSION OF DDA

I, Linda J. Langmesser, Deputy City Clerk of the City of Plymouth do hereby certify that public hearing notices for the proposed expansion of the DDA of the City of Plymouth, a copy of which notices are attached hereto and made a part hereof, were posted in twenty (20) conspicuous areas within the City of Plymouth and the DDA proposed expansion district on Monday, December 21, 1986.


Linda J. Langmesser, Deputy City Clerk

CITY OF PLYMOUTH
COUNTY OF WAYNE, MICHIGAN

NOTICE OF HEARING
ON THE EXPANSION OF THE DOWNTOWN DEVELOPMENT
AUTHORITY AND BOUNDARIES THEREOF

TO ALL INTERESTED PERSONS IN THE CITY OF PLYMOUTH:

TAKE NOTICE that the City Commission of the City of Plymouth, Michigan will hold a public hearing on Monday, the 19th day of January, 1987 at 7:30 o'clock p.m., Eastern Standard Time in the City Hall in the City of Plymouth, Michigan, to consider the amendment to the ordinance establishing the downtown development authority for the City of Plymouth pursuant to Act 197 of the Public Acts of Michigan 1975.

PROPOSED BOUNDARIES

The boundaries of the proposed downtown district over which the downtown development authority will exercise its powers are as follows:

Those properties shown on Map Number 1 - Boundary Map - Downtown Development Authority District.

Plus the following properties:

MAY SUB

Lots 11 & 12

284 & 302 Elizabeth Street

ASSESSORS PLYMOUTH PLAT #12

Lots 286, 287, 288 & 289

1005, 1033, 1053 & 1069 W. Ann Arbor Trail

ASSESSORS PLYMOUTH PLAT #20

Lots 755, 756, 757, 758, 761

607, 621, 627 S. Main Street
765 Wing Street & 680 Deer Street

REISER & STELLWAGEN SUB

Lots 1 thru 11

633 S. Main Street

ASSESSORS PLYMOUTH PLAT #23

Lots 868 & 869

673 & 705 S. Main Street

SHEPARD AND MORSES ADDITION

Lots 1 thru 11, also
vacated alley, also
N'ly 1/2 vac street

770 Deer Street, 747, 757, 767 S. Main Street

SECTION 35, ACREAGE

4.4006 Acres of vacant land at the rear of 767 S. Main Street and the S'ly end of Deer and Kellogg Streets, also at the rear of 738 Burroughs Avenue

as shown on said Map Number 1

FURTHER INFORMATION may be obtained from the City Clerk's Office.

This notice is given by order of the City Commission of the City of Plymouth, Michigan.

GORDON G. LIMBURG, CMC
City Clerk
City of Plymouth

Publish: Dec. 25th & 29th, 1986

CITY OF PLYMOUTH
COUNTY OF WAYNE, MICHIGAN

NOTICE OF PUBLIC HEARING
ON TAX INCREMENT PLAN

The Plymouth City Commission will conduct a Public Hearing on January 19, 1987 at 7:30 p.m., in the Commission Chambers of City Hall, Plymouth, Michigan in order to hear comments on:

"DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN"

Downtown Development Area No. 1, as amended, is described as follows:
Those properties shown on Map Number 1 - Boundary Map - Downtown Development Authority District.

Plus the following properties:

MAY SUB

Lots 11 & 12 284 & 302 Elizabeth Street

ASSESSORS PLYMOUTH PLAT #12

Lots 286, 287, 288 & 289 1005, 1033, 1053 & 1069 W. Ann Arbor Trail

ASSESSORS PLYMOUTH PLAT #20

Lots 755, 756, 757, 758, 761 607, 621, 627 S. Main Street
765 Wing Street & 680 Deer Street

REISER & STELLWAGEN SUB

Lots 1 thru 11 633 S. Main Street

ASSESSORS PLYMOUTH PLAT #23

Lots 868 & 869 673 & 705 S. Main Street

SHEPHARD AND MORSES ADDITION

Lots 1 thru 11, also 770 Deer Street, 747, 757, 767 S. Main Street
vacated alley, also
N'ly 1/2 vac street

SECTION 35, ACREAGE

4.4006 Acres of vacant land at the rear of 767 S. Main Street and the S'ly
end of Deer and Kellogg Streets, also at the rear of 738 Burroughs Avenue

as shown on said Map Number 1.

All maps, plats and a description of the development plan, are available for public inspection at the City Clerk's Office, 201 South Main Street, Plymouth, Michigan. All aspects of the Development and Tax Increment Plan will be open for discussion at this hearing.

GORDON G. LIMBURG, CMC
City Clerk
City of Plymouth

Publish: December 25th & 29th, 1986

CITY OF PLYMOUTH

DOWNTOWN DEVELOPMENT AUTHORITY MEETING MINUTES

JULY 10, 1986

A regular meeting of the Downtown Development Authority for the City of Plymouth was held in the City Manager's Conference Room on Thursday, July 10, 1986 at 7:00 PM.

The meeting was called to order at 7:15 PM by Chairman James McKeon.

PRESENT: Mayor William Robinson, Dale Knab, Mike Ball, and Chairman James McKeon

ABSENT: Fred Hill, Sharon Armbruster, and Bill Graham

On a motion by Dale Knab, supported by Mike Ball, the minutes of the last regular meeting held March 8, 1984 were approved as presented.

Carried Unanimously

On a motion by Dale Knab, supported by Mayor Robinson, the following resolution was offered:

WHEREAS, the Downtown Development Authority is responsible for the raising of revenues for retirement of the bond principal and interest on the Parking Deck Bonds; and

WHEREAS, insufficient tax revenues have been received by the DDA during the early years of the bonded obligation; and

WHEREAS, the City's General Fund has advanced funds for the purpose of meeting the bond requirements on a timely basis, documentation having been presented to the board.

NOW, THEREFORE, BE IT RESOLVED that the Downtown Development Authority hereby approves the drawing of warrants to be signed by the Chairman and the Treasurer to reimburse the City General Fund for the following:

\$50,500. to cover the amount advanced for payment of principal, interest, and fees due September 1, 1985, and the cost of the audit of the DDA books for the year ended June 30, 1985.

\$20,000. as partial payment for the amount advanced for payment of interest and fees due March 1, 1985, the amount remaining unpaid being \$27,885.50.

The Downtown Development Authority also recognizes that another advance in the amount of \$47,688.50 was made on February 13, 1986 for payment of interest and fees due March 1, 1986, and is an obligation of the DDA to the City General Fund.

Carried Unanimously

On a motion by Mike Ball, supported by Dale Knab, the following resolution was offered:

WHEREAS, a proposed budget has been submitted by the Treasurer for the fiscal year July 1, 1986 through June 30, 1987; and

WHEREAS, the Downtown Development Authority has reviewed the proposed budget and agreed upon the provisions therein.

NOW, THEREFORE, BE IT RESOLVED that the budget for revenues and expenditures in the amount of \$100,500. for the fiscal year July 1, 1986 through June 30, 1987 be approved and adopted.

Carried Unanimously

After some discussion, it was agreed to postpone the election of new officers until the Mayor has filled the two vacancies on the board.

On a motion by Mike Ball, supported by Mayor Robinson, it was moved to adjourn the meeting.

Carried Unanimously

Time of adjournment was 7:47 PM.

Gordon G. Limburg

Gordon G. Limburg, Secretary

CITY OF PLYMOUTH
BUDGET

DATE 9/23/86

DOWNTOWN DEV AUTHORITY 384

000

403	CURRENT PROPERTY TAX/REAL	20,950-
413	CURRENT PROPERTY TAX-PEPS	23,900-
591.101	CONTRIS FR GENERAL FUND	55,650-

TOTAL BUDGET 100,500-

TOTAL REVENUES 100,500-

CONTRIBUTIONS 965

818	CONTRACTUAL SERVICES	500
965	CONTRIBUTION	100,000

TOTAL BUDGET 100,500

TOTAL EXPENDITURES 100,500

LOWE & LEWANDOWSKI, P.C.
ATTORNEYS AND COUNSELORS AT LAW
905 W ANN ARBOR TRAIL
PLYMOUTH MICHIGAN 48170

JAMES F LEWANDOWSKI
RONALD W LOWE
CHARLES E LOWE JR

January 29, 1987

13131 453 3737
13131 453 3738

TO THE MAYOR AND CITY COMMISSION:

You have requested my opinion regarding the proposed expansion of the Downtown Development Authority, specifically you have asked:

1. Does the DDA Act require that the property values of the lands being added be deteriorating? Specifically must there be "a significant number of parcels declining in value" as Mr. Martin from the Department of Commerce, suggests in his letter? Is Mr. Martin correct when he states that "tax increment financing...in areas where property values are increasing is contrary to the law"?
2. Does the DDA Act (specifically Sec. 125.1651 (c)) require that all properties within the DDA be zoned and principally used for business?
3. How do we determine the amount of taxes captured and when does this process take place? .

Before proceeding, it is necessary that I distinguish the Downtown Development Authority Act (Act 197 of 1975, MCLA 125.1636 et. seq.). Many of your questions become simpler when we stop applying opinions rendered on one Act to the other Act.



The Downtown Development Authority Act (DDA) was enacted to "provide for the establishment of a DDA... to correct and prevent deterioration in business districts...to promote the economic growth of the districts...to authorize the levy and collection of taxes; to authorize the issuance of bonds...and to authorize the use of tax increment financing."



The Tax Increment Finance Authority Act ((TIFA) was enacted to "prevent urban deterioration and encourage economic development and activity...to provide for the establishment of tax increment finance authorities...to permit the issuance of bonds...and to permit the use of tax increment financing."

Upon first reading, the difference is all but imperceptible, but closer reading of the entire act discloses that the DDA Act was enacted to be used for the revitalization of the City's business district whereas the TIFA Act was enacted to be used for the revitalization of an authority district which could be established anywhere in the City.

January 29, 1987

Also the means of calculating the actual amount of taxes captured is different for each act due to different definitions of "initial assessed value".

Lastly, the TIFA Act uses the term "decline" in it's body, whereas, the DDA Act uses the term "deteriorate", in reference to the required state of property values in order to use the Act's provisions.

The difference will be elaborated upon later in order to present a comprehensive answer to your question. At the moment it is only necessary to understand that the two Acts are separate, neither of which must rely upon the other, and both provide for tax increment financing, provided their respective requisites are met.

3. How do we determine the amount of taxes captured and when does this process take place?

Sec. 125.1664(a) provides that the "captured assessed value means the amount in any one year, by which the current assessed value of the project area... exceeds the initial assessed value."

Sec. 125.1664 (b) provides that the "initial assessed value means the most recently assessed value, as finally equalized by the State Board of Equalization, of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved."

The City assesses the property value on December 31st of each year. The state equalizes the assessment the 4th Monday in May. Once equalized the aggregate value of the properties located within the DDA would be the "initial assessed value". Any tax increment financing plan approved for the DDA prior to the next assessment equalized by the State would "capture" the difference between the initial aggregate value of the properties located within the district and the aggregate value of the properties at the subsequent equalization.

As applied to the case at hand, the properties currently located within the district and those proposed to be added were assessed December 31, 1986. The assessment will be equalized the 4th Monday in May (May 25, 1987). This equalization currently has the ability to be either initial assessed value within our formula or the subsequent equalization of which the DDA will capture that portion that exceeds the initial assessment.

Here is how it would work. Should the ordinance amending the DDA and amending the current tax increment plan be passed prior to May 25, 1987, the values of the added properties would be initially based upon December 86's assessment and May 86's equalization. Any increases in value in the December 86's assessment and May 87's equalization would be captured.

Should the Commission pass the appropriate ordinances subsequent to May 25, 1987, then the equalized value on that date will act as the initial assessed value.

January 29, 1987

2. Does the DDA Act (specifically Sec. 125.1651(c)) require that all properties within the DDA be zoned and principally used for business?

When attempting to define what a specific provision of a statute means, the attorney begins with case law. If, as in this case, he finds that this question has yet to be resolved in the courts, he proceeds to the legislative history. If he finds that, as in this case also, no legislative history exists that could lend light to the question, he resorts to his own enlightened speculation as to the results of litigation over the meaning. In other words, I cannot give you the definitive answer but only my educated guess as to the interpretation of Sec. 125.1651(c).

It is my firm belief that good law is good common sense and therefore I suggest the following as a reasonable interpretation of the legislature's intent. It seems reasonable that it would be impossible to have a viable downtown that did not provide for people living within it's boundaries and contain properties zoned for uses other than business. The DDA Act itself seems to suggest this:

Sec. 125.1657(c) and (i) specifically provide for the planning, renovation, repair, remodeling, rehabilitation, restoration, preservation, or equip, improve, maintain and operate public facilities and/or multiple-family dwellings which in the opinion of the board, aids in the economic growth of the downtown district.

Sec. 125.1671 provides for the creation of a development area citizens council if more than 100 residents reside within the proposed development or tax increment financing plan.

The provision of the board with the powers above regarding public facilities and multiple family dwellings in conjunction with the provision for a citizens council suggests two things: first, not all properties within the district must be used for business and secondly, not all properties within the district must be zoned for business. Applying common sense in regards to what is reasonable, a business district must consist of properties zoned and used principally (but not exclusively) for business.

1. Does the DDA Act require that the property values of the lands being added be deteriorating? Specifically, must there be "a significant number of parcels declining in value" as Mr. Martin, from the Department of Commerce, suggests in his letter? Is Mr. Martin correct when he states that "tax increment financing...in areas where property values are increasing is contrary to the law"?

As in the previous question, no case law or legislative history exists in regards to this question so we must once again apply good common sense to predict the reasonable outcome of any litigation in this regards.

January 29, 1987

The Act itself has no specific provision as a condition precedent to use of the Act which requires a finding by the commission that the area to be included in the DDA is deteriorating. At most, it can be argued that it's implied but a strict adherence to this implication could prevent the use of a DDA for some of the other reasons set forth in the title. For example, "to encourage historical preservation and to promote the economic growth of the district". Reason dictates that either of these goals could be achieved through the use of a DDA yet neither would require an existing state of deterioration in order for the DDA to be beneficial to the achievement of these goals.

Mr. Martin suggests on Page 4 of his letter that the use of tax increment financing in areas where there does not exist a significant number of parcels of property experiencing a decline in value, and particularly where the property values are increasing, would be contrary to the law.

There are several reasons why Mr. Martin is erroneous in his conclusion. First, Mr. Martin relies upon an Attorney General Opinion (No. 6335 dated January 16, 1986) which renders an opinion upon the use of the TIFA Act not the DDA Act which we are working under. In fact the question you present has not been (to my knowledge) presented to the Attorney General, let alone answered by him. Secondly, an Attorney General Opinion is not binding upon anyone but state officials and state agencies, and therefore, does not govern the City Commission's actions. It should be noted though, that although the Attorney General's opinion is not binding upon the City, nor does it pertain to the use of DDA's, the conservative approach would be to treat it as law and view it as the probable interpretation given the word "deterioration" should the question be presented to him. Such a similar interpretation could result in litigation regarding the DDA's expansion which would result in the grounds for expansion being closely scrutinized.

I would conclude therefore, that should the City Commission determine that the proposed expansion would be necessary in furtherance of the original reasons for establishing the DDA and/or that it would encourage historical preservation and/or promote the economic growth of the district, that the Commission could safely proceed with the expansion. Such a determination is solely within your discretion.

Commissioner Bils asked that I go beyond rendering a legal opinion and state my opinion. I do so hesitantly because such an opinion could be tantamount to suggesting policy, a role that is improper for the City Attorney to undertake. Yet, I believe I may be of assistance in addressing the underlying problem you face.

Hidden beneath the questions answered above is the more basic question, "Should the City Commission expand the DDA beyond the Central Business District?" The C.B.D. is that area encompassed by Wing Street, Harvey Street, Church Street, Union Street and Deer Street. A quick look at the current DDA boundaries reflect that some minor encroachments have been made by the DDA upon properties located outside of the C.B.D. but that this will be the greatest expansion of the DDA outside the C.B.D. boundaries to date.

January 29, 1987

The question therefore becomes one of your own personal philosophy. The tools have been provided above in order for you to effectuate the expansion. You merely have to decide whether you feel that it is necessary for the best interests of the public to expand the DDA. To determine this, decide whether one of the goals of the Act can be met by the expansion and if so, do you feel the DDA is the means to attain that goal? Provided you can answer yes to all of the above proceed with the expansion.

Some of you may feel that my perception of the problem you face is incorrect or that merely boiling the problem down to further questions is of no value, if so, please disregard this portion of the opinion. Others of you may feel that I have overstepped my bounds, if so, I sincerely apologize. My sincere wish in going beyond that of rendering a legal opinion is that I may have distilled a complex problem in some of your minds to one that can be handled.

Respectfully,

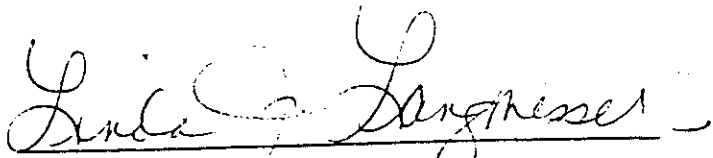
R. W. Lowe
City Attorney

RWL/jml

AFFIDAVIT OF MAILING NOTICE OF HEARING
HEARING ON THE PROPOSED EXPANSION OF DDA

STATE OF MICHIGAN)
 : ss.
COUNTY OF WAYNE)

I, Linda J. Langmesser, Deputy City Clerk of the City of Plymouth, being first duly sworn, deposes and say that I personally prepared notice of public hearing on the proposed expansion of a downtown development authority of the City of Plymouth, a copy of which notice is attached hereto and made a part hereof, for mailing to each owner of or party in interest in property to be assessed in the district described in the notice as shown on the last local tax assessment records of the City of Plymouth; that I did personally check each envelope against the list of such persons and that each envelope was properly addressed to each person as shown on the tax assessment rolls; that each envelope contained a copy of the notice, and was clearly addressed and securely sealed and carried postage fully prepaid for first class/ mail delivery; and I did personally place all of the envelopes in a United States Post Office receptacle on December 17, 1986.


Linda J. Langmesser, Deputy City Clerk

CITY OF PLYMOUTH
COUNTY OF WAYNE, MICHIGAN

NOTICE OF PUBLIC HEARING
ON TAX INCREMENT PLAN

The Plymouth City Commission will conduct a Public Hearing on January 19, 1987 at 7:30 p.m., in the Commission Chambers of City Hall, Plymouth, Michigan in order to hear comments on:

"DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN"

Downtown Development Area No. 1, as amended, is described as follows:
Those properties shown on Map Number 1 - Boundary Map - Downtown Development Authority District.

Plus the following properties:

MAY SUB

Lots 11 & 12

284 & 302 Elizabeth Street

ASSESSORS PLYMOUTH PLAT #12

Lots 286, 287, 288 & 289

1005, 1033, 1053 & 1069 W. Ann Arbor Trail

ASSESSORS PLYMOUTH PLAT #20

Lots 755, 756, 757, 758, 761

607, 621, 627 S. Main Street
765 Wing Street & 680 Deer Street

REISER & STELLWAGEN SUB

Lots 1 thru 11

633 S. Main Street

ASSESSORS PLYMOUTH PLAT #23

Lots 868 & 869

673 & 705 S. Main Street

SHEPHARD AND MORSES ADDITION

Lots 1 thru 11, also
vacated alley, also
N'ly 1/2 vac street

770 Deer Street, 747, 757, 767 S. Main Street

SECTION 35, ACREAGE

4.4006 Acres of vacant land at the rear of 767 S. Main Street and the S'ly end of Deer and Kellogg Streets, also at the rear of 738 Burroughs Avenue

as shown on said Map Number 1.

All maps, plats and a description of the development plan, are available for public inspection at the City Clerk's Office, 201 South Main Street, Plymouth, Michigan. All aspects of the Development and Tax Increment Plan will be open for discussion at this hearing.

GORDON G. LIMBURG, CMC
City Clerk
City of Plymouth

Publish: December 25th & 29th, 1986

CITY OF PLYMOUTH
COUNTY OF WAYNE, MICHIGAN

NOTICE OF HEARING
ON THE EXPANSION OF THE DOWNTOWN DEVELOPMENT
AUTHORITY AND BOUNDARIES THEREOF

TO ALL INTERESTED PERSONS IN THE CITY OF PLYMOUTH:

TAKE NOTICE that the City Commission of the City of Plymouth, Michigan will hold a public hearing on Monday, the 19th day of January, 1987 at 7:30 o'clock p.m., Eastern Standard Time in the City Hall in the City of Plymouth, Michigan, to consider the amendment to the ordinance establishing the downtown development authority for the City of Plymouth pursuant to Act 197 of the Public Acts of Michigan 1975.

PROPOSED BOUNDARIES

The boundaries of the proposed downtown district over which the downtown development authority will exercise its powers are as follows:

Those properties shown on Map Number 1 - Boundary Map - Downtown Development Authority District.

Plus the following properties:

MAY SUB

Lots 11 & 12

284 & 302 Elizabeth Street

ASSESSORS PLYMOUTH PLAT #12

Lots 286, 287, 288 & 289

1005, 1033, 1053 & 1069 W. Ann Arbor Trail

ASSESSORS PLYMOUTH PLAT #20

Lots 755, 756, 757, 758, 761

607, 621, 627 S. Main Street
765 Wing Street & 680 Deer Street

REISER & STELLWAGEN SUB

Lots 1 thru 11

633 S. Main Street

ASSESSORS PLYMOUTH PLAT #23

Lots 868 & 869

673 & 705 S. Main Street

SHEPARD AND MORSES ADDITION

Lots 1 thru 11, also
vacated alley, also
N'y 1/2 vac street

770 Deer Street, 747, 757, 767 S. Main Street

SECTION 35, ACREAGE

4.4006 Acres of vacant land at the rear of 767 S. Main Street and the S'y end of Deer and Kellogg Streets, also at the rear of 738 Burroughs Avenue

as shown on said Map Number 1

FURTHER INFORMATION may be obtained from the City Clerk's Office.

This notice is given by order of the City Commission of the City of Plymouth, Michigan.

GORDON G. LIMBURG, CMC
City Clerk
City of Plymouth

Publish: Dec. 25th & 29th, 1986

Proposed Amendment to City of Plymouth CDA

12/10/86

12/15/86

Assessors Plymouth Plat #19:

#19-001-06-

Lot #286	Connie Altenterat, 140 Hollister, Romeo, Mi.	48066
#287	John W. -Margaret Nichols, 1053 W. A.A. Trail, Plymouth	4817
#288	Robert W. Bake, 1005 W. Ann Arbor Trail, Plymouth	48170
#289	Robert W. Bake, 1005 W. Ann Arbor Trail, Plymouth	48170

Assessors Plymouth Plat #20:

#49-006-10-

Lot #755	Jerry-Cheryl Gibbons, 607 S. Main St., Plymouth	48170
#756	Early American Shop, %Hartley Com 2 #15, 181 Lon Hill Road, Little Falls, New York,	07424
#757 (Combined	with 006-11-0001-000) Lots 1 thru 4 Reiser & Stellwagen Sub. Beverly-Russ Hoisington, 633 S. Main Street, Plymouth,	4817
#758	John Hancock Sales, P.O. Box 1021, Ann Arbor, Mi.	48106
#761	Ray Thompson, 680 Deer St., Plymouth	48170

Reiser & Stellwagen Sub.: #49-006-11-

Lot #6 to 11a Stanley Dixon, Jr., 15621 Wind Mill Pointe Drive, Pointe Par
also Lot 869, Plat #23, also Lots 1, 4a, 5a Mi. 48230
Shepard & Morse's Addition

#5	673 Group, 633 S. Main St, Plymouth, Mi	48170
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Assessors Plymouth Plat #23:

#49-009-08-

Lot #868	Paul Van Hull, 684 Deer St., Plymouth	48170
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Section 35, Acreage:

#49-011-99-

Lot #0032-002	Moore Properties, Inc., 711 W. Ann Arbor Trail, Plymouth	4
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Shepard & Morses Addition:

#49-011-01-

Lot #2	Ray-Kathleen Stella, 747 S. Main St., Plymouth	48170
#3	William B. Clark, 757 S. Main St., Plymouth	48170
#4b -- 10b	Holtzman-Silverman-Nabat, 30833 Northwestern #300, Farmington also Lot 11b Reiser Hills, Mi.	480
	and Stellwagen Sub. also adj vac alley & N'ly 38.40 of adj vac street	
#7b, 8, 11	Hi-Mill Mfg. Co., 1704 Highland Road, Highland, Mi.	4803
	also adj vac alley, also N'ly 38.40 of adj vac street	

May Subdivision:

#49-006-05-

Lot # 11 & #12	J. H. Wilcox, 676 Penniman Ave., Plymouth, Mi.	48170
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Mav Sub:

Lots 11 & 12

284 & 302 Elizabeth Street

Assessors Plymouth Plat #12:

Lots 286, 287, 288 & 289

1005, 1033, 1053 & 1069 W. Ann Arbor Trail

Assessors Plymouth Plat #20:

Lots 755, 756, 757, 758, 761

607, 621, 627 S. Main Street
765 Wing Street & 680 Deer StreetReiser & Stellwagen Sub:

Lots 1 thru 11

633 S. Main Street

Assessors Plymouth Plat #23:

Lots 868 & 869

673 & 705 S. Main Street

Shepard and Morses Addition:Lots 1 thru 11, also vacated alley
also N 1/2 vac street770 Deer Street, 747, 757, 767 S.
Main StreetSection 35, Acreage:4.4006 Acres of vacant land at the rear of 767 S. Main Street and the
S'ly end of Deer and Kellogg Streets, also at the rear of 738 Burroughs Avenue

50721

PUBLIC HEARING NOTICES

COMMERCIAL REDEVELOPMENT APPLICATIONS

Mr. Raymond J. Wojtowicz
Wayne County Treasurer
226 City-County Bldg.
Detroit, MI 48226

Wayne County Intermediate School District
33500 Van Born Rd.
Wayne, MI 48184

Mr. John Hoben, Superintendent
Plymouth-Canton Community Schools
454 S. Harvey St.
Plymouth, MI 48170

Schoolcraft College
18600 Haggerty Rd.
Livonia, MI 48152



VILICAN • LEMAN & ASSOCIATES, INC.

29621 NORTHWESTERN HIGHWAY, SOUTHFIELD, MICHIGAN 48034 • PHONE: (313) 356 8181 • CABLE VLAPLAN

Community Planning and Zoning

• Landscape Architecture

• Urban Design

• Market Feasibility

• Site Planning

• Impact Analysis

January 23, 1987

Plymouth City Planning Commission
Plymouth City Hall
201 S. Main Street
Plymouth, Michigan 48170

Attention: Mr. William Leonard, Chairperson

Commissioners:

Pursuant to your request, we have reviewed two proposed alternatives for rezoning lots 286, 287, 288 and 289 of Plymouth plat #12 (addresses 1005, 1033, 1055 and 1069 Ann Arbor Trail) located on the southwest corner of Harvey Street and Ann Arbor Trail (map attached). Below is our appraisal of each alternative.

1. The first alternative involves potential rezoning of the subject properties to RM-2 Multiple-Family Residential.
2. The second alternative involves potential rezoning of the subject properties to O-2 Office.

Before exploring both alternatives, it was necessary to examine the existing landuse and zoning of abutting properties.

1. Property north of lots 288 and 289 is occupied by offices in a former residential structure. Zoned RM-2 Multiple-Family Residential.
2. Property north of lots 286 and 287 is occupied by a Christian Scientist Church and school zoned R-1 Single-Family Residential.
3. Property west of lot 286 is occupied by single family residential. Zoned R-1 Single-Family Residential.
4. Property south of lots 288 and 289 is occupied by the Plymouth Canton Community Schools Administrative office with paved parking on the building's north and west sides adjacent to the subject property zoned O-1 Office.
5. Property south of lots 286 and 287 is now a paved parking lot for the Plymouth Canton Community Schools Administrative Offices.
6. Property east of lot 289 is occupied by commercial uses. Zoned B-3 General Business.

Plymouth City Planning Commission
page two
January 23, 1987

7. Property to the north east of the subject lots (northeast corner of Ann Arbor Trail and Harvey Street) is occupied by the new Arbor Health Building. Zoned B-2 Central Business.

Access to lot 289 is from Harvey Street, ^{and Ann Arbor Trail} with parking along the rear lot line. The other 3 lots have individual access from Ann Arbor Trail.

Ann Arbor Trail is a major collector with an 86' right-of-way. Harvey Street is a collector street with a 66' right-of-way.

Land/Street elevation is at its highest point just west of lot 286, gradually descending in an easterly direction towards the intersection at Harvey Street.

Lots 288 and 289 contain former single family residential structures (houses) now used as offices. Lots 286 and 287 are former single family residential structures now used as multiple residential which are nonconforming uses in the existing R-1 zoning.

Alternative A - Multiple Residential

While the existing zoning of lots 288 and 289 is O-1 office and lots 286 and 287 are R-1 Single-Family Residential, their location is a key factor. The 4 lots (proposed as one parcel) are adjacent to the B-3 General Business District. Multiple family use would serve as a buffer (transition area) between single family to the west and commercial to the east.

Traffic for a multiple residential use would be irregular with potential varying amounts of occupant and visitor vehicle movement at any hour of the day and night. Ann Arbor Trail and Harvey Street appear to be adequate to handle traffic generated by any multiple residential development allowed under provisions of the City of Plymouth Zoning Ordinance.

Required front yard setback in a RM-2 Multiple Family district is twenty-five (25) feet minimum. Required side yard setback in a RM-2 district is ten (10) feet. Additionally, in an RM-2 district, for each story in excess of two stories, a side yard setback of two and one-half (2½) feet for each additional story shall be provided, in addition to the minimum ten (10) foot requirement (City of Plymouth Zoning Ordinance, Article XIV - Schedule of Regulations).

The existing structures have front yard setbacks of approximately 20 feet.

In view of the facts as discussed above, it would appear that

Plymouth City Planning Commission
page three
January 23, 1987

multiple family would be an acceptable use if the properties were to be properly rezoned.

Alternative B - Office

The existing zoning of lots 288 and 289 is O-1 office. Lots 286 and 287 are zoned R-1. The location of lots 286 and 287 is a key factor in view of the fact they are adjacent to the O-1 Office district.

Use of all 4 lots as office would extend the transition area between the single family to the west and commercial to the east.

Traffic for office use would be somewhat more regular than multiple residential. Although traffic for various office types would have varying impacts, generally the hours of offices are limited and do not run throughout an entire 24 hour period. Ann Arbor Trail and Harvey Street appear to be adequate to handle traffic generated by any office development that would be allowed under the provisions of the City of Plymouth Zoning Ordinance.

As with multiple residential, the type of structure(s), height, materials to be used and items required in the site plan review process would be critical in order to implement an office development that would enhance the transition between commercial and residential.

Required front yard setback in a O-2 Office district is fifty (50) feet. Additionally, in a O-2 district, in a block on one side of a street thirty (30) percent or more occupied, the depth of the front yard shall not be less than, and need not be more than, the average depth of front yards of existing buildings. Required side yard setback in an O-2 district, on the exterior side yard which borders on a Residential District, shall be not less than ten (10) feet on the side or residential street. No side yards are required along other interior lot lines except as specified above or in the Building Code (City of Plymouth Zoning ordinance, Article XIV - Schedule of Regulations).

The existing structures have front yard setbacks of approximately 20 feet.

In view of the facts as discussed above, it would appear that offices would be an acceptable use if the properties were to be properly zoned.

Implementation of either alternative would enhance a major entry point to the downtown area.

Future use of the subject lots, for alternative a or b, should consider the fact that architectural controls, other than height

Plymouth City Planning Commission
page four
January 23, 1987

and setback, are difficult to control beyond strong encouragement. However, serious discussions and non-binding negotiations with a prospective developer can yield positive results. To serve as notice to developers of the City's desires in this respect, a resolution of policy could be made by the Planning Commission on this matter.

We look forward to discussing this information with you further at your next regular Planning Commission meeting.

Respectfully submitted, office of the City Planner

Vilican-Leman & Associates

Robert E. Donohue, Jr., Planner

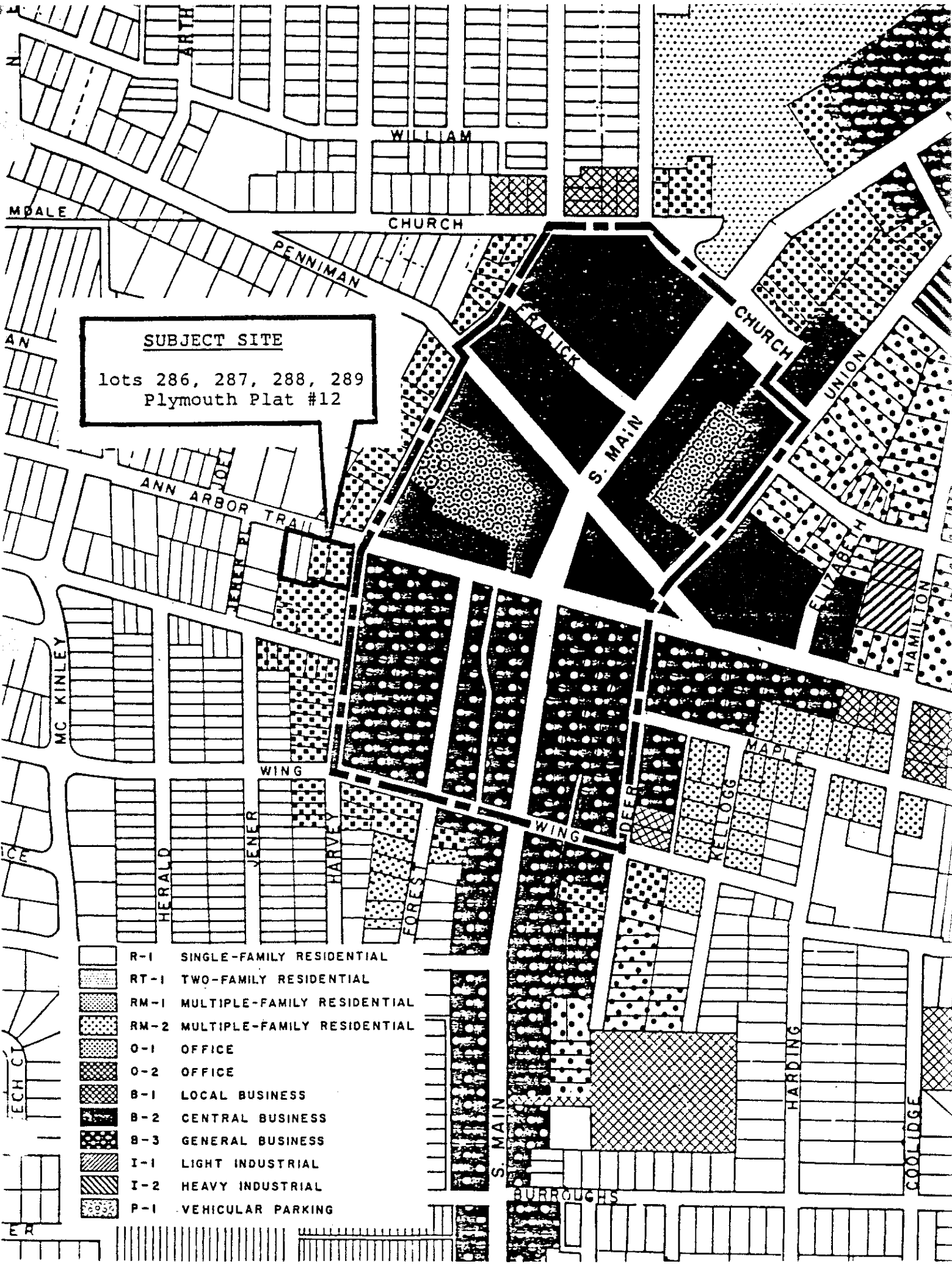
Charles F. Leman

Charles F. Leman, P.C.P.

RED/jap

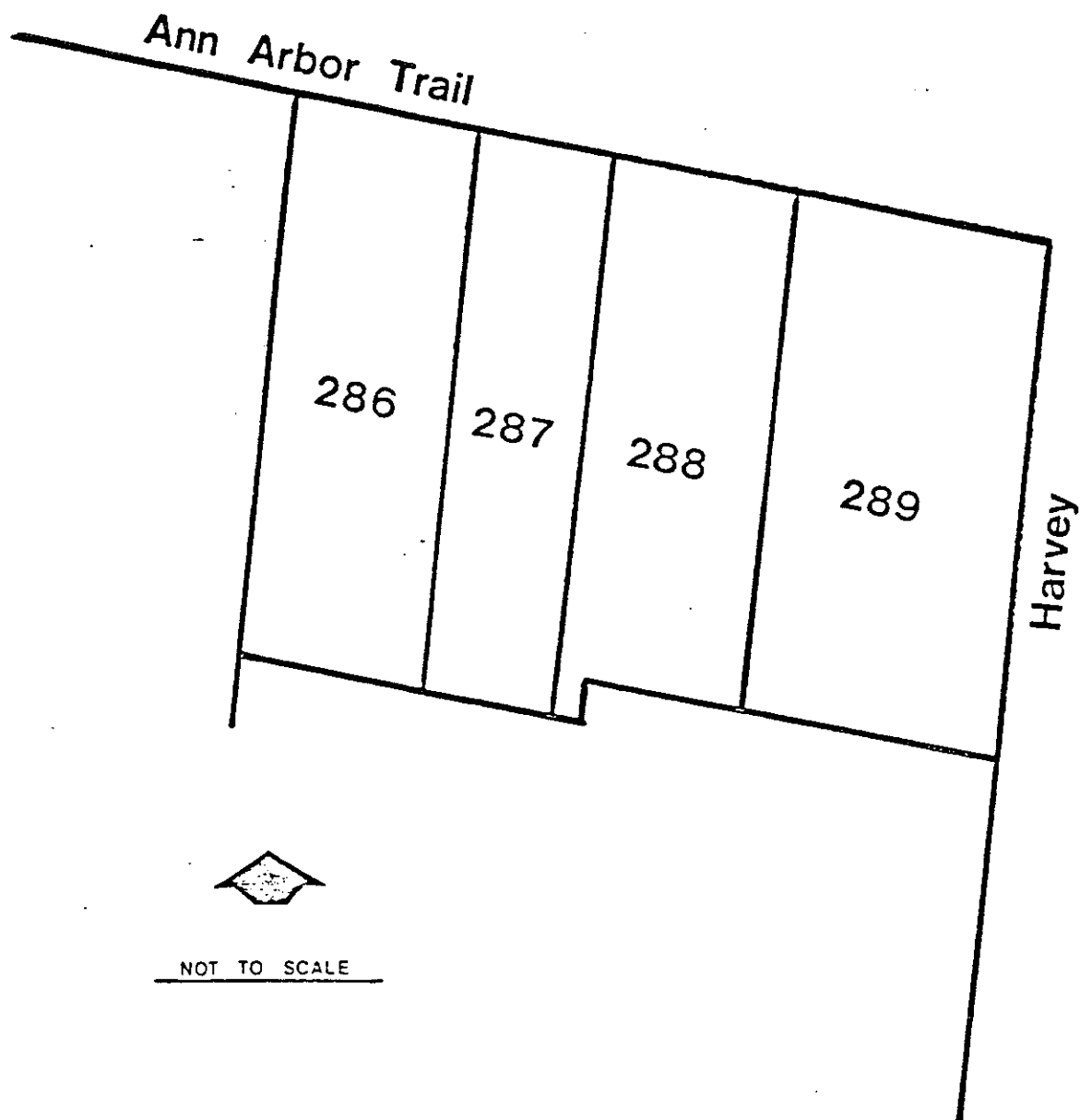
enclosure

cc: Ken West, Building Department

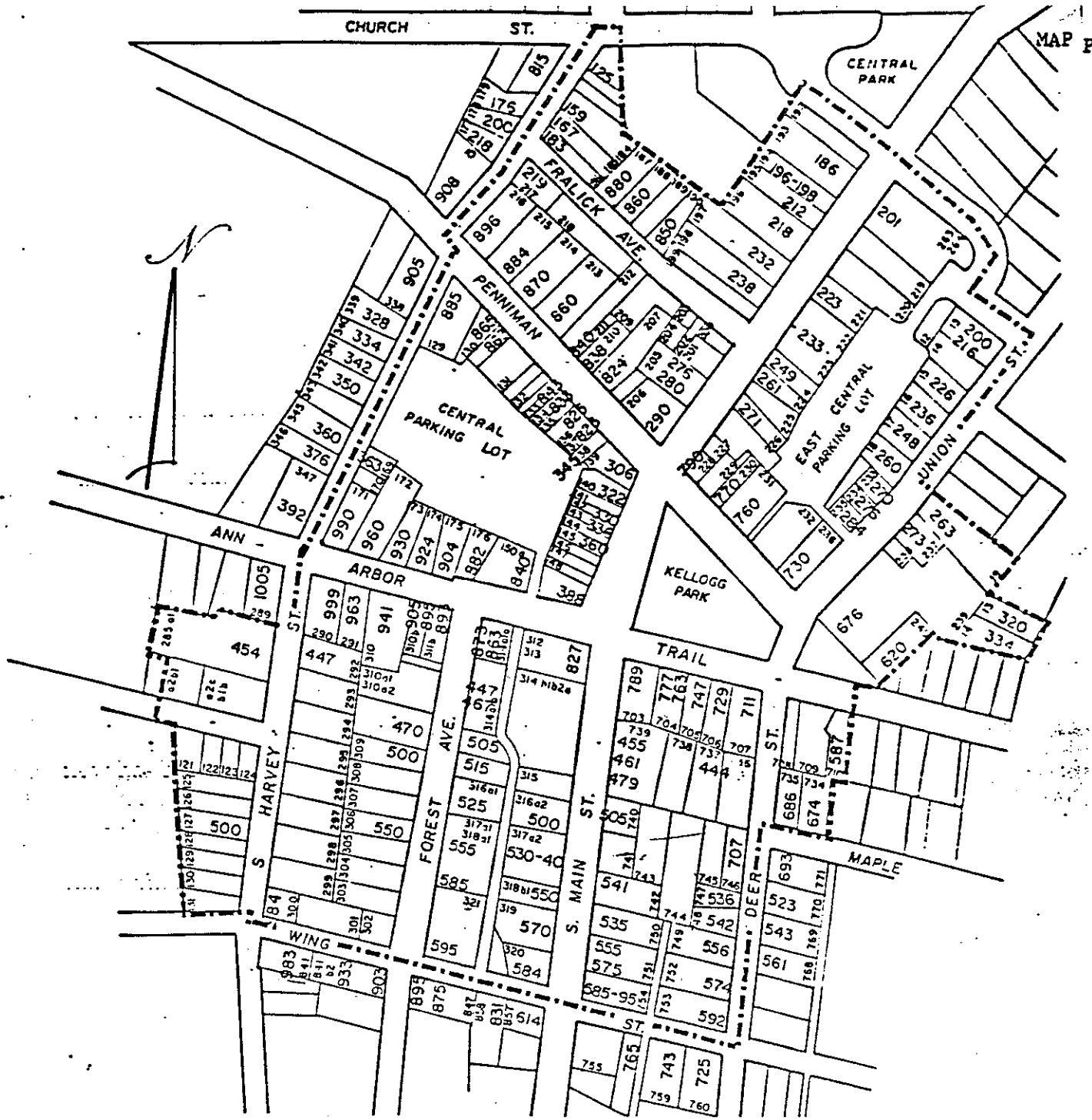


SUBJECT SITE
lots 286, 287, 288, 289
Plymouth Plat #12

-  R-1 SINGLE-FAMILY RESIDENTIAL
-  RT-1 TWO-FAMILY RESIDENTIAL
-  RM-1 MULTIPLE-FAMILY RESIDENTIAL
-  RM-2 MULTIPLE-FAMILY RESIDENTIAL
-  O-1 OFFICE
-  O-2 OFFICE
-  B-1 LOCAL BUSINESS
-  B-2 CENTRAL BUSINESS
-  B-3 GENERAL BUSINESS
-  I-1 LIGHT INDUSTRIAL
-  I-2 HEAVY INDUSTRIAL
-  P-1 VEHICULAR PARKING



NOT TO SCALE



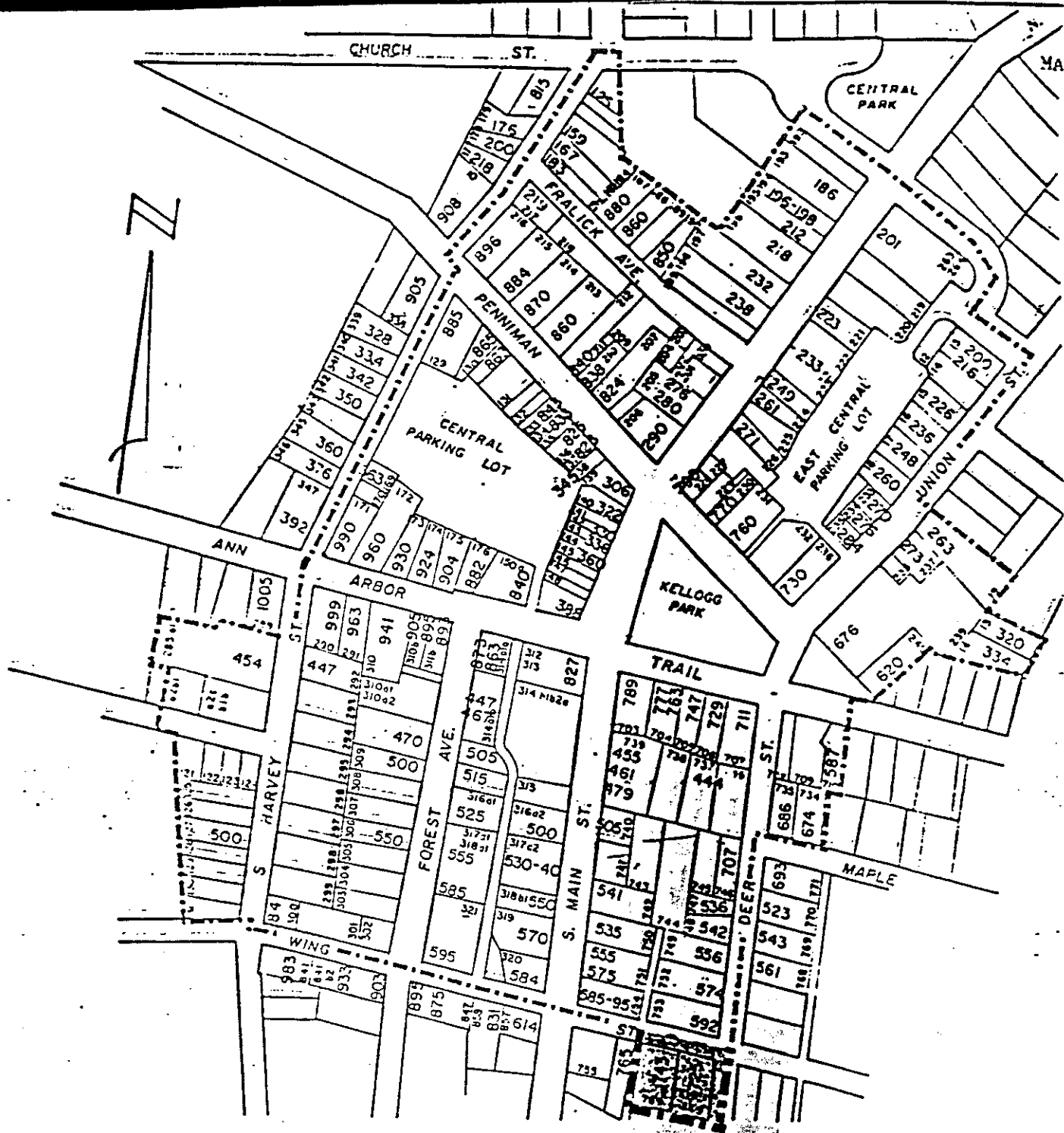
TAX INCREMENT FINANCING PLAN

CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

BOUNDARY MAP

--- District Boundary

Original District
June 27, 1983



TAX INCREMENT FINANCING PLAN

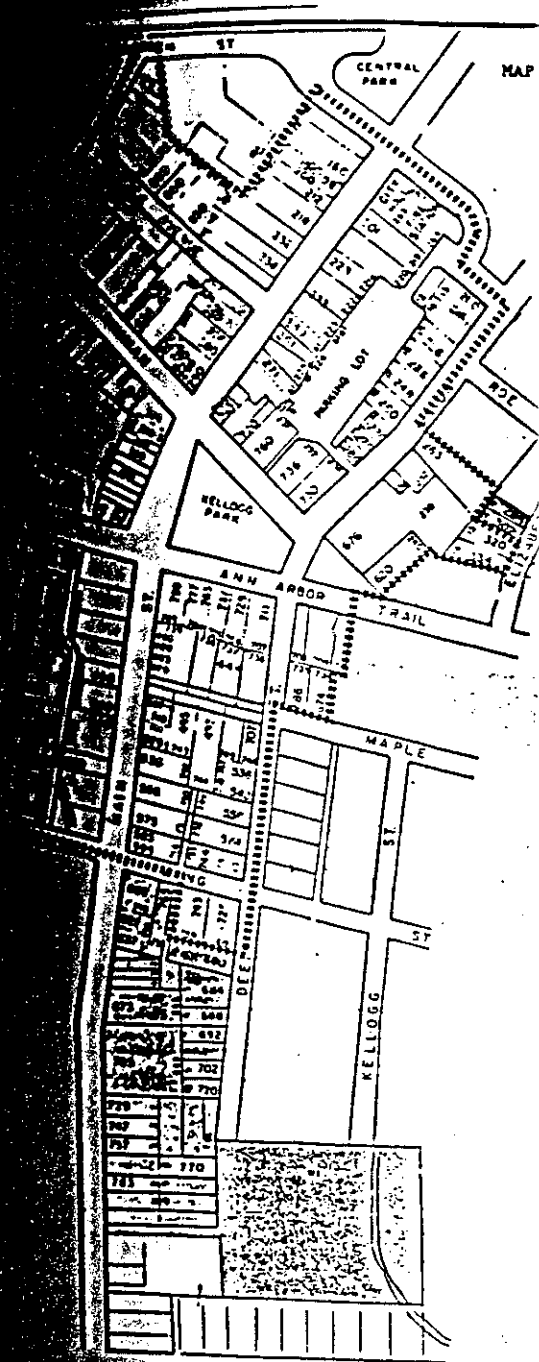
CITY OF PLYMOUTH
DOWNTOWN DEVELOPMENT
AUTHORITY DISTRICT

Amendment No. 1
November 30, 1984

BOUNDARY MAP

--- District Boundary

Proposed



INDEPENDENT FINANCING PLAN

BOUNDARY MAP

..... District Boundary

 Proposed

Proposed Amendment #3, to City of Plymouth D.D.A.

1/22/81

<u>Lots</u>	<u>Assessor's Plymouth Plat #8</u>	<u>#06-02-</u>
191 & 26T PK	701 Church Street	
	<u>Assessor's Plymouth Plat #13</u>	<u>#09-03-</u>
337 through #348	W. side of S. Harvey, Penniman to W. Ann Arbor Trail	
	<u>Fralick's Addition</u>	<u>#06-04</u>
19 through #23	233 Union to 253 Union, 523 Roe	
	<u>Assessor's Plymouth Plat #19</u>	<u>#06-07-</u>
678 & #679	210 Elizabeth	
	<u>May Sub.</u>	<u>#06-05</u>
9 & #10	242 & 260 Elizabeth	
	<u>Assessor's Plymouth Plat #23</u>	<u>#09-08-</u>
841b2, 847, #857 through 867	S. side of Wing, from S. Harvey to S. Main, also W. side of S. Main Street, from Wing to Linden Ave	
	<u>Wm. McKay Sutherland Sub.</u>	<u>#10-01-</u>
1 through #9	W. side of S. Main Street, from Linden to Sutherland	
	<u>Maplecroft Sub.</u>	<u>#11-02-</u>
32 through #36	772 & 790 Burroughs	
	<u>Acreage, Section 35</u>	<u>#11-99-</u>
#W2b1, W3a, W2b2, W3b & W2a	Property at rear of 760 Burroughs, also 851, 859 & 861 S. Main Street	