

CLINTON COUNTY BOARD OF COMMISSIONERS

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COURTHOUSE
100 E. STATE STREET
ST. JOHNS, MICHIGAN 48879-1571
989-224-5120



Administrator
Ryan L. Wood
Clerk of the Board
Diane Zuker

RESOLUTION 2010 - 20 TO EXEMPT CLINTON COUNTY PROPERTY TAX REVENUES FROM CAPTURE BY THE BATH CHARTER TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY

A resolution made and adopted at a regular meeting of the Clinton County Board of Commissioners, County of Clinton, State of Michigan, held at 100 East State Street, St. Johns, Michigan, 48879, on December 19, 2010, at 9:00 a.m.

WHEREAS, Charter Township of Bath ("Township") desires to establish a Downtown Development Authority ("DDA") pursuant to the Downtown Development Authority Act, Act No. 197 of the Public Acts of 1975, MCL 125.1651 et seq. ("DDA Act"); and

WHEREAS, the Township Board held a public hearing on November 15, 2010, regarding the establishment of a DDA and for the purpose of hearing citizen comments on the proposed creation of the DDA and establishing the boundaries of the DDA district; and

WHEREAS, pursuant to Section 3(3) of the DDA Act, not more than 60 days after the public hearing, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority; and

WHEREAS, the County is a taxing authority levying ad valorem property taxes that would otherwise be subject to capture by the DDA once the DDA is approved and established by the Township Board; and

WHEREAS, the resolution exempting the County property taxes from capture by the Township DDA takes effect when filed with the Township Clerk and remains effective until a copy of a resolution rescinding that resolution is filed with the Township Clerk; and

WHEREAS, the County Board of Commissioners has determined that it is in the best interests of the health, safety and welfare of the County residents to exempt its taxes from capture by the Bath Charter Township Downtown Development Authority.

NOW, THEREFORE, BE IT RESOLVED, by the County Board of Commissioners, Clinton County, Michigan, as follows:

1. The County resolves to "opt out" of the Bath Charter Township Downtown Development Authority. To that end, the County Board resolves to exempt its ad valorem property taxes from capture by the Bath Charter Township DDA (identified more fully in the notice attached as Exhibit A) pursuant to the authority granted by the Downtown Development Authority Act, 1975 PA 197.
2. The County Clerk shall immediately file a copy of this Resolution with the Bath Charter Township Clerk.
3. Pursuant to Section 3(3) of the Downtown Development Authority Act, this Resolution takes effect when filed with the Bath Charter Township Clerk and remains effective until a copy of a resolution rescinding that resolution is filed with the Bath Charter Township Clerk.
4. Any Resolution or portion of resolution inconsistent with this Resolution is hereby repealed.

YEAS: Adam Stacey, Eileen Heideman, Robert Showers, Jack Enderle, David Pohl, Paul McNamara and Larry Martin

NAYS: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
)
COUNTY OF CLINTON)

CERTIFICATION

I, the undersigned, the duly qualified Clerk of the County Board of Commissioners of Clinton County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by Board of said County at regular meeting held on the 19th day of December 2010.

Diane Zuker
Clinton County Clerk

NOTICE OF PUBLIC HEARING FOR A PROPOSED DOWNTOWN DEVELOPMENT AUTHORITY

NOVEMBER 15, 2010, 7:00 PM – BATH CHARTER TOWNSHIP HALL

14480 WEBSTER ROAD BATH, MICHIGAN

The Bath Charter Township Board of Trustees is considering the creation of a Downtown Development Authority (DDA) district along the Webster Road corridor, from I-69 to Sleight Road within the Township Activity Center, to provide additional planning and funding options for public improvements and support economic development. Public Act 197 of 1975 allows the governing body of a township to create a DDA to promote economic development and infrastructure improvements within the DDA district boundary. The DDA may use tax increment financing (TIF), or other funding sources, to implement public improvements/facilities within the DDA district in order to promote economic development in accordance with a development plan.

The Board of Trustees has scheduled a public hearing to receive citizen input on the proposed creation of a DDA within the defined geographic area for 7:00 PM, Monday, November 15, 2010 at the Bath Charter Township Hall.

Please attend the public hearing and/or contact the Bath Charter Township Offices at 517-641-6728 or visit the Township Website (www.bathtownship.us) to receive more detailed information about the purpose of the DDA, the proposed DDA boundaries, or other characteristics of this proposal.

Description of the Downtown District

1. That area within Bath Charter Township, Clinton County, Michigan, described as:

Beginning at the Northwest corner of the Northeast quarter of the Southeast quarter of Section 17, thence westerly along the East/West Centerline of Section 17 to the North/South Centerline of Section 17.
2. Thence southerly along the North/South Centerline of Section 17 of tax parcel 010-100-003-008-00, thence southeasterly to the southernmost corner of tax parcel 010-100-003-008-00.
3. Thence southeasterly along the western property line to the southwest corner of tax parcel 010-100-011-004-00.
4. Thence westerly to the northwest corner of tax parcel 010-100-013-001-01.
5. Thence southerly from the northwest corner of tax parcel 010-100-013-001-01 to the southwest corner of tax parcel 010-100-015-001-00 or north boundary line of Section 20. (Centerline of Clark Road).
6. Thence westerly along the north boundary line of Section 20 to the northwest corner of tax parcel 010-020-100-035-01.
7. Thence southerly from the northwest corner of tax parcel 010-020-100-035-01 along the north/south centerline of Section 20 to the southwest corner of tax parcel 010-020-400-025-01.
8. Thence easterly along the south property line of tax parcel 010-020-400-025-01 to the northeast corner of tax parcel 010-020-400-025-01.

9. Thence easterly to the west property line of tax parcel 010-020-400-005-51.
10. Thence southerly to the southwest corner of tax parcel 010-020-400-005-51.
11. Thence easterly along the southern property line of tax parcel 010-020-400-005-51 to the southeast corner of Section 20.
12. Thence northerly along the east Section line of Section 20 to the northeast corner of the southeast one quarter of Section 20.
13. Thence westerly along the east/west centerline of Section 20 to the southeast corner of tax parcel 010-020-100-080-01.
14. Thence northerly to the northeast corner of tax parcel 010-020-100-080-02.
15. Thence westerly to the northwest corner of tax parcel 010-020-100-080-02.
16. Thence northerly to the southwest corner of tax parcel 010-020-100-085-00 (excluding all land within parcel 020-100-075-00).
17. Thence easterly to the southeast corner of tax parcel 010-020-100-085-00.
18. Thence northerly to the northeast corner of tax parcel 010-020-100-085-00.
19. Thence westerly to the northwestern corner of tax parcel 010-020-100-085-00.
20. Thence northerly to the southwest corner of tax parcel 010-020-100-090-00 (excluding tax parcel 010-020-100-076-00).
21. Thence easterly to the southwest corner of tax parcel 010-020-100-090-00.
22. Thence northerly to the northeast corner of tax parcel 010-020-100-095-00.
23. Thence easterly to the southeast corner of tax parcel 010-020-100-100-00.
24. Thence northerly to the northeast corner of tax parcel 010-020-100-100-00.
25. Thence westerly to the southeast corner of tax parcel 010-020-100-105-00.
26. Thence northerly to the northeast corner of tax parcel 010-020-100-105-00.
27. Thence easterly to the southeast corner of tax parcel 010-020-100-125-61.
28. Thence northerly to the northeast corner of tax parcel 010-020-100-125-01 (excluding road right of way for Hidden Valley Drive).
29. Thence easterly to the southeastern corner of tax parcel 010-020-100-020-00.
30. Thence northerly to the northeast corner of tax parcel 010-020-100-020-00.
31. Thence easterly along the North Section line of Section 20 to the southeast corner of tax parcel 010-017-400-075-00.
32. Thence northerly to the northeast corner of tax parcel 010-017-400-070-00.
33. Thence westerly to the northwest corner of tax parcel 010-017-400-030-00.
34. Thence northerly along the north/south centerline of the southeast quarter of Section 17 to the point of beginning.

Kathleen McQueen, Clerk - Bath Charter Township