

APPENDIX C

CITY OF KALAMAZOO, MICHIGAN

RESOLUTION NO. 02-14

**A RESOLUTION SETTING A TIME FOR A PUBLIC HEARING
ON A REQUEST BY THE LOCAL DEVELOPMENT FINANCE AUTHORITY
TO APPROVE THE TAX INCREMENT FINANCING PLAN AND A
DEVELOPMENT PLAN FOR THE ELIGIBLE DISTRICT**

Minutes of a regular meeting of the City Commission of the City held on February 18, 2002, at 7:00 o'clock p.m., local time, at the City Hall.

PRESENT, Commissioners: Balkema, Cooney, Heilman, McCann, Teeter, Vice Mayor McKinney, Mayor Jones

ABSENT, Commissioners: None

WHEREAS, 1986 PA 281, as amended (MCL 125.2151-125.2174), provides for the creation of a Local Development Finance Authority (LDFA) and prescribes the powers and the duties of the LDFA;

WHEREAS, the State of Michigan has designated the Business Technology and Research Park at Western Michigan University a "SmartZone;"

WHEREAS, the City Commission has previously approved the creation of the LDFA and has designated the BTR Park, including that area located in Oshtemo Township and subject to an agreement between the Township and the City under Public Act 425, as the LDFA District;

WHEREAS, the Board of Directors of the LDFA has prepared a Tax Increment Financing (TIF) Plan and a Development Plan under Sections 12 and 15 of the Act and by resolution, adopted at its February 13, 2002 meeting has requested the City Commission set and hold a public hearing on these plans in accordance with Sections 16 and 17 of the Act; and

WHEREAS, Section 16 of the Act requires that the Commission hold a public hearing and that the taxing jurisdictions levying taxes subject to capture have a reasonable opportunity to express their views and recommendations regarding the TIF Plan and further that interested persons have an opportunity to be heard and to provide opinions, communications or documentary evidence pertinent to the Development Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The proposed TIF Plan and Development Plan submitted by the LDFA shall remain on file in the Office of the City Clerk.

2. The City Commission shall meet at City Hall in March 18, 2002 and shall hold a public hearing at or after 7:00 p.m. local time, to hear and consider recommendations, opinions, written communications or documentary evidence from taxing jurisdictions and interested persons pertinent to the TIF Plan and Development Plan.

3. The City Clerk shall give notice of this public hearing by publication in the Kalamazoo Gazette, twice, the first of which shall not be less than 20 days before the March 18, 2002 date for the public hearing.

4. The Notice of Hearing shall be in substantially the following form:

THE CITY OF KALAMAZOO, MICHIGAN


**NOTICE OF HEARING TO CONSIDER THE REQUEST BY THE
LOCAL DEVELOPMENT FINANCE AUTHORITY TO APPROVE
THE TAX INCREMENT FINANCING (TIF) PLAN AND APPROVE THE
DEVELOPMENT PLAN TO ACHIEVE THE PURPOSES OF THE ACT AND
ACCOMPLISH THE DEVELOPMENT OF THE PROJECT IN THE LOCAL
DEVELOPMENT FINANCE AUTHORITY DISTRICT**

PLEASE TAKE NOTICE that the Local Development Finance Authority has requested the City Commission to approve the TIF Plan and Development Plan, as authorized by 1986 PA 281, as amended, for LDFA District which is more fully described as follows:

See EXHIBIT A attached.

PLEASE TAKE FURTHER NOTICE that the City Commission will meet at the City Hall in the City of Kalamazoo on March 18, 2002, at or after 7:00 p.m. local time for the purpose of hearing and receiving from the taxing jurisdictions levying taxes subject to capture under the TIF Plan and interested persons their recommendations, opinions, written communications or other documentary evidence pertinent to the TIF Plan and Development Plan.

PLEASE TAKE FURTHER NOTICE that the proposed TIF Plan and Development Plan, including attached appendixes, charts, maps or plats depicting the location of the LDFA District, are available for public inspection during normal business hours at the Office of the City Clerk and that all aspects of these plans will be open for discussion at the public hearing.



Stephen M. French, City Clerk

The above resolution was offered by Commissioner Heilman and supported by Vice Mayor McKinney.

AYES, Commissioners: Balkema, Cooney, Heilman, McCann, Teeter, Vice Mayor McKinney, Mayor Jones

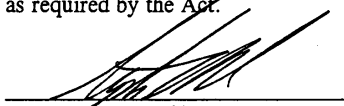
NAYS, Commissioners: None

ABSTAIN, Commissioners:

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

The foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Kalamazoo at a regular meeting held on February 18, 2002. Public notice was given and the meeting was conducted in full compliance with the Michigan Open Meetings Act (PA 267, 1976). Minutes of the meeting will be available as required by the Act.



Stephen French, City Clerk

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Exhibit A

The parcel of land being in Section 31 of the city of Kalamazoo, county of Kalamazoo, state of Michigan, and particularly described as follows:

Land lying in Section 31, Town 2 South, Range 11 West more particularly described as follows: the Northwest $\frac{1}{4}$ of Section 31 lying Northerly of the Northeasterly right-of-way line of U.S. Highway 131. Also the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 31 lying Northerly and Easterly of the Northeasterly right-of-way line of U.S. Highway 131. Also the West $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 31. Excluding from the entire parcel described above that part lying in the right-of-way of Parkview Avenue. (Approximately 265 acres.)

In addition, the following property located in Oshtemo Township, Kalamazoo County, shall be included in the LDFA District:

Part of the Northeast $\frac{1}{4}$ of Section 36, Town 2 South, Range 12 West Oshtemo Township, Kalamazoo County, Michigan; more particularly described as follows: Commencing at the Northeast corner of said Section 36; thence South 01 degree 02'18" West, 50.01 feet along the East line of said Section 36, to the point of beginning; thence continuing along said East line (said line also being the centerline of vacated 12th Street), a distance of 896.63 feet to a point of intersection of the Easterly right-of-way line of U.S. Highway 131 and the East line of said Section 36; thence North 34 degrees 42'26" West, 643.45 feet along said Easterly right-of-way line of said U.S. Highway 131 to a point of curve; thence Northwesterly 428.69 feet on a 2,761.79 foot radius curve to the right, a long chord bearing North 30 degrees 15'38" West, 428.26 feet to a point of intersection of the Easterly right-of-way line of said U.S. Highway 131 and the South right-of-way line of Parkview Avenue; thence South 89 degrees 46'19" East 598.44 feet, along said South right-of-way line to the point of beginning. Containing 6.46 acres more or less.

The LDFA district is irregularly shaped. The western/southwestern border of the district is U.S. 131. The southern tip of the district is the city of Kalamazoo/city of Portage boundary on a line that would connect Kilgore Road on the east and N Avenue on the west. The northern border is Parkview Avenue. The eastern border is staggered and runs west of, but roughly parallel to, Greenleaf Boulevard, Greenleaf Circle, and Old Field Trail in the Parkview Hills neighborhood.

**City Commission
Adopting Resolution
will be added to the
document following
City Commission
approval**