



**CITY OF PONTIAC**  
**OFFICE OF THE EMERGENCY MANAGER**  
**LOUIS H. SCHIMMEL**

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**Dated: August 6, 2012**

**ORDER NO. S-226**

**RE: Approval of Industrial Facilities Tax Exemption Certificate**  
**TO: Sherikia Hawkins, City Clerk**

The **Local Government and School District Fiscal Accountability Act (Public Act 4 of 2011)** in **Section 17(1)** empowers an Emergency Manager to issue the orders the Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local officials or employees to whom they are issued. **Section 19(1)** provides that an Emergency Manager may take on one or more additional actions with respect to a local government in receivership: **(ee)** Take any other action or exercise any power or authority of any officer, employee, department, board, commission, or other similar entity of the local government, whether elected or appointed, relating to the operation of the local government. The power of the emergency manager shall be superior to and supersede the power of any of the foregoing officers or entities...; and **19(2)** ...the authority of the chief administrative officer and governing body to exercise power for and on behalf of the local government under law, charter, and ordinance shall be suspended and vested in the Emergency Manager.

Whereas, General Motors, LLC applied for an Industrial Facilities Tax Exemption Certificate for a proposed new facility at 895 Joslyn, where the total investment in land and building improvements is anticipated to be \$87,600,000.00 and will create 300 new jobs.

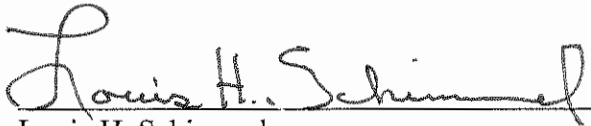
**It is hereby ordered:**

1. The attached resolution is adopted.
2. The City Clerk shall certify all necessary forms and forward the application to the State Tax Commission as required by law.

**The Order shall have immediate effect.**

Copies of the documents referenced in this Order are to be maintained in the office of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (**Public Act 442 of 1976, MCL 15.231, et. seq.**).

This Order is necessary in order to carry out the duties and responsibilities required of the Emergency Manager as set forth in the **Local Government and School District Fiscal Accountability Act (Public Act 4 of 2011)** and the contract between the State of Michigan and the Emergency Manager.

A handwritten signature in cursive script that reads "Louis H. Schimmel". The signature is written in black ink and is positioned above a horizontal line.

Louis H. Schimmel  
City of Pontiac  
Emergency Manager

cc: State of Michigan Department of Treasury  
Mayor Leon B. Jukowski  
Pontiac City Council

**Resolution Approving Application of General Motors, LLC for Industrial Facilities Exemption Certificate for a New Facility**

**WHEREAS**, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on June 28, 2001, the Pontiac City Council by resolution established an Industrial Development District, and corrected the legal description on March 20, 2008; and

**WHEREAS**, General Motors, LLC has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development District; and

**WHEREAS**, before acting on said application, the Emergency Manager held a hearing on August 3, 2012, at the Pontiac City Hall, in Pontiac, Michigan, at 9:00 a.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

**WHEREAS**, construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before August 3, 2012 the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and

**WHEREAS**, completion of the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Pontiac; and

**WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Pontiac, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Emergency Manager of the City of Pontiac that:

1. The Emergency Manager finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under PA 198 of 1974, as amended and PA 225 of 1978, as amended shall not have the effect of substantially impeding the operation of the City of Pontiac, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Pontiac.

2. The application from General Motors, LLC for an Industrial Facilities Exemption Certificate, with respect to a New Facility on the following described parcel of real property situated within the Industrial Development District, to wit:

ALL OR PART OF LOTS 486 THROUGH 496 INCLUSIVE, LOTS 508 THROUGH 520 INCLUSIVE, LOTS 527 THROUGH 569 INCLUSIVE. LOTS 576 THROUGH 590 INCLUSIVE. LOTS 656 THROUGH 659 INCLUSIVE, LOTS 662 THROUGH 664 INCLUSIVE, INCLUDING VACATED STREETS AND ALLEYS LYING ADJACENT TO SAID LOTS OF THE "PLAT 01 MODERN HOUSING CORPORATION ADDITION" AS RECORDED IN LIBER 20 OF PLATS ON PAGE 22, OAKLAND COUNTY RECORDS: ALL OR PART OF LOTS 31 THROUGH 57. INCLUSIVE, BLOCK 1, LOTS 1 THROUGH 15, INCLUSIVE, BLOCK 2, INCLUDING VACATED STREETS AND ALLEYS LYING ADJACENT TO SAID LOTS OF "MODERN HOUSING CORPORATION'S OAKLAND PARK A SUBDIVISION OF PART OF THE N OF SEC. 21, T3N, R10E" AS RECORDED IN LIBER 46 OF PLATS ON PAGE 21, OAKLAND COUNTY RECORDS: ALL OR PART OF LOTS 15 THROUGH 105 INCLUSIVE, LOTS 202 THROUGH 253 INCLUSIVE, LOTS 323 THROUGH 374 INCLUSIVE, AND LOTS 444 THROUGH 469 INCLUSIVE, INCLUDING VACATED STREETS AND ALLEYS LYING ADJACENT TO SAID LOTS OF "LEBARON FARM SUBDIVISION OF THE S 1/2 OF THE SW 1/4

OF SEC. 16. T3N, R10E" AS RECORDED IN LIBER 45 OF PLATS ON PAGE 15, OAKLAND COUNTY RECORDS: INCLUDING PART OF SECTION 21, T3N, R10E, ALL BEING LOCATED IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF JOSLYN ROAD (80 FT. WD. AT THIS POINT) AND MONTCALM STREET (60 FT. WD. AT THIS POINT), SAID POINT BEING THE SOUTHEAST CORNER OF LOT 552 OF THE "PLAT OF MODERN HOUSING CORPORATION ADDITION" (L. 20, PLATS, P. 22 O. C. R.) AND PROCEEDING THENCE FROM SAID POINT OF BEGINNING SOUTH 83 DEGREES 50 MINUTES 48 SECONDS WEST. ALONG THE NORTH LINE OF SAID MONTCALM STREET. SAID LINE BEING ALSO THE SOUTH LINE OF LOTS 552 THROUGH 540 INCLUSIVE OF SAID SUBDIVISION, A MEASURED DISTANCE OF 650.16 FEET (RECORDED 650.00 FEET) TO AN ANGLE POINT IN SAID STREET LINE; THENCE CONTINUING ALONG THE NORTH LINE OF SAID MONTCALM STREET SOUTH 83 DEGREES 49 MINUTES 47 SECONDS WEST, SAID LINE BEING ALSO THE SOUTH LINE OF VACATED IVY STREET (60 FEET WIDE) AND THE SOUTH LINE OF LOTS 496 THROUGH 487 INCLUSIVE AND PART OF THE SOUTH LINE OF LOT 486 OF SAID SUBDIVISION, A DISTANCE OF 584.84 FEET TO A POINT: THENCE NORTH 05 DEGREES 54 MINUTES 12 SECONDS WEST, THROUGH THE INTERIOR OF SAID "PLAT OF MODERN HOUSING CORPORATION ADDITION, ACROSS THE PLAT OF "MODERN HOUSING CORPORATION'S OAKLAND PARK" SUBDIVISION (L. 46. PLATS. P. 21, O. C. R.). AND ACROSS A PORTION OF SECTION 21, T3N, R10E, A DISTANCE OF 1.944.55 FEET TO A POINT; THENCE NORTH 84 DEGREES 07 MINUTES 47 SECONDS EAST, A DISTANCE OF 30.31 FEET TO A POINT; THENCE NORTH 05 DEGREES 52 MINUTES 13 SECONDS WEST, INTO THE PLAT OF "LEBARON FARM SUBDIVISION" (L. 45, PLATS. P. 15. O. C. R.), A DISTANCE OF 525.00 FT. TO A POINT; THENCE THE FOLLOWING COURSES AND DISTANCES THROUGH SAID "LEBARON FARM SUBDIVISION" SOUTH 84 DEGREES 07 MINUTES 47 SECONDS WEST, 30.61 FEET; THENCE NORTH 05 DEGREES 54 MINUTES 12 SECONDS WEST, 842.64 FT.: THENCE NORTH 83 DEGREES 59 MINUTES 22 SECONDS EAST, 1.232.36 FEET TO A POINT ON THE WEST LINE OF JOSLYN ROAD (120 FEET WIDE AT THIS POINT); THENCE SOUTH 05 DEGREES 42 MINUTES 18 SECONDS EAST, ALONG THE WEST LINE OF SAID JOSLYN ROAD, SAID LINE BEING ALSO PART OF THE EAST LINE OF LOT 15, ALL OF THE EAST LINE OF LOTS 16 THROUGH 27 INCLUSIVE, THE EAST END OF VACATED TENNYSON AVENUE (60 FEET WIDE), THE EAST LINE OF LOTS 28 THROUGH 40 INCLUSIVE. THE EAST END OF MANSFIELD AVENUE (60 FEET WIDE), THE EAST LINE OF LOTS 41 THROUGH 52 INCLUSIVE AND THE EAST END OF VACATED MADISON AVENUE (60 FEET WIDE) OF SAID "LEBARON FARM SUBDIVISION", A DISTANCE OF 924.07 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 21; THENCE CONTINUING ALONG THE WEST LINE OF SAID JOSLYN ROAD, SOUTH 05 DEGREES 56 MINUTES 27 SECONDS EAST. A DISTANCE OF 1,648.69 FEET TO A POINT: THENCE SOUTH 05 DEGREES 54

MINUTES 12 SECONDS EAST, ALONG THE WEST LINE OF SAID JOSLYNT ROAD, SAID LINE BEING ALSO THE EAST END OF VACATED KENTNETT ROAD (86 FEET WIDE) AND THE EAST LINE OF LOTS 3, 2 AND 1 OF SAID "MODERN HOUSING CORPORATION'S OAKLAND PARK" SUBDIVISION. A MEASURED DISTANCE OF 228.10 FEET (RECORDED 228.00 FEET) TO A POINT ON THE SUBDIVISION LINE COMMON TO SAID "MODERN HOUSING CORPORATION'S OAKLAND PARK" SUBDIVISION AND THE PLAT OF "MODERN HOUSING CORPORATION ADDITION": THENCE NORTH 83 DEGREES 50 MINUTES 18 SECONDS EAST, ALONG SAID SUBDIVISION LINE, SAID LINE BEING ALSO PART OF THE NORTH LINE OF LOT 663 OF SAID "MODERN HOUSING CORPORATION ADDITION". A DISTANCE OF 4.75 FEET TO A POINT: THENCE SOUTH 05 DEGREES 54 MINUTES 12 SECONDS EAST, ALONG THE WEST LINE OF JOSLYN ROAD (80 FEET WIDE AT THIS POINT), SAID LINE BEING ALSO THE EAST LINE OF SAID LOT 663. THE EAST LINE OF LOTS 590, 589 AND 588, THE EAST END OF VACATED LOWELL STREET (50 FEET WIDE), THE EAST LINE OF LOTS 569, 568 AND 567. THE EAST LINE OF LOT 657 AND THE EAST LINE OF LOTS 554, 553 AND 552 OF SAID "MODERN HOUSING CORPORATION ADDITION", A DISTANCE OF 508.10 FEET TO THE POINT OF BEGINNING, CONTAINING 93.177 ACRES, MORE OR LESS, OF LAND IN AREA.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of 12 years, plus three years for construction.

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Emergency Manager of the City of Pontiac, County of Oakland, Michigan, in an Order issued on August 6, 2012.

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Sherikia Hawkins, City Clerk