



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

47450 Woodward Avenue
Pontiac, Michigan 48342
Telephone: (248) 758-3133
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Dated: August 7, 2012

ORDER NO. S-234

RE: Zoning ordinance - map amendment

TO: Sherikia Hawkins, City Clerk
Michael Wilson, Building Code Official
James Sabo, Planner, Wade Trim
Charles F. Smith, Project Manager, Wade Trim

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: **(dd)** [e]xercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and the governing body concerning the adoption, amendment, and enforcement of ordinances...; 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.

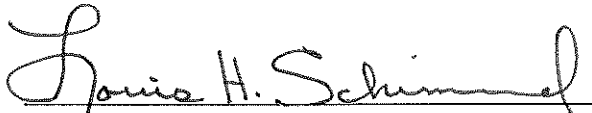
It is hereby ordered:

1. That the attached ordinance to amend appendix B of the municipal code of the City of Pontiac, Article 2, Zoning Districts and Permitted Uses, Section 2.103 – Zoning Map – to change the zoning classification for specific parcels on S. Paddock and Brush Streets for conditional rezoning, being Ordinance No. 2269, is adopted, effective upon publication.
2. That the City Clerk shall take all actions required under the law to reflect the attached ordinance on the City books and records, including publication of the notice of the newly adopted ordinance.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and the Law Department 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

Ordinance No. 2269

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC, ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103, ZONING MAP, TO CHANGE THE ZONING CLASSIFICATIONS FOR SPECIFIC PARCELS ON S. PADDOCK AND BRUSH STREET FOR CONDITIONAL REZONING.

The City of Pontiac ordains:

Section 1. Amendments.

The zoning district classification for the following legal descriptions shall be changed from M-1, light manufacturing, to M-2, heavy manufacturing only to permit the following use: NAICS Code 325191, lubricants manufacturing for the parcels described as:

LAND SITUATED IN TOWN 3 NORTH, RANGE 10 EAST, SECTION 33, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

PARCEL 1:

LOT 7, EXCEPT THE NORTHWESTERLY 40 FEET, ASSESSOR'S PLAT NO. 92, A SUBDIVISION AS RECORDED IN LIBER B1, PAGE 92 OF PLATS, OAKLAND COUNTY RECORDS, AND LOT 249, EXCEPT THE SOUTHWESTERLY 20 FEET, FERRY FARM ADDITION, A SUBDIVISION AS RECORDED IN LIBER 5, PAGE 45 OF PLATS, OAKLAND COUNTY RECORDS, TOGETHER WITH ALL AND SINGULAR THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THEREUNTO BELONGING OR IN ANYWISE APPERTAINING. MORE COMMONLY KNOWN AS 702 S. PADDOCK STREET. TAX ID NOS. 14-33-377-009 & 14-33-377-010

PARCEL 2:

THE SOUTHEASTERLY 40 FEET OF LOT 24, SOUTHEASTERLY 20 FEET OF LOT 25, NORTHWESTERLY 20 FEET OF LOT 32 AND A PARCEL OF LAND UNIFORM WIDTH OF 40 FEET OFF THE NORTHWESTERLY SIDE OF LOT 25, WILLIAM HAGAN'S ADDITION TO THE CITY OF PONTIAC, AS RECORDED IN LIBER 1 OF PLATS, PAGE 18, OAKLAND COUNTY RECORDS. MORE COMMONLY KNOWN AS: 578 S. PADDOCK STREET. TAX ID NO. 14-33-377-006

PARCEL 3A:

THE NORTHWESTERLY 40 FEET OF LOT 6 AND THE NORTHWESTERLY 40 FEET OF LOT 7, ASSESSOR'S PLAT NO. 92, PART OF THE SOUTHEAST AND SOUTHWEST 1/4 OF SECTION 33, TOWN 3 NORTH, RANGE 10 EAST, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER B1 OF ASSESSOR'S PLAT, PAGE 92, OAKLAND COUNTY RECORDS. MORE COMMONLY KNOWN AS: 590 S. PADDOCK STREET. TAX ID NO. 14-33-377-013.

PARCEL 3B:

THE SOUTHEASTERLY 40 FEET OF LOT 32 AND ALL OF LOTS 33 AND 40, WILLIAM HAGAN'S ADDITION TO THE CITY OF PONTIAC, PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWN 3 NORTH, RANGE 10 EAST, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 1 OF PLATS, PAGE 18, OAKLAND COUNTY RECORDS. MORE COMMONLY KNOWN AS: 590 S. PADDOCK STREET. TAX ID NO. 14-33-377-011.

TRIANGULAR-SHAPED PARCEL ACQUIRED FROM CITY OF PONTIAC:

PART OF LOT 250, "FERRY FARM ADDITION", A SUBDIVISION AS RECORDED IN LIBER 5, PAGE 45 OF PLATS, OAKLAND COUNTY RECORDS, FURTHER DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 250; THENCE SOUTHERLY 145.65 FEET ALONG THE WESTERLY LINE OF SAID LOT 250; THENCE 121.68 FEET NORTHEASTERLY TO THE SOUTHERLY LINE OF IRWIN STREET; THENCE 96.64 FEET NORTHWESTERLY TO THE POINT OF BEGINNING. CONTAINING 0.13 ACRES, MORE OR LESS. TAX ID NO. 14-33-457-001.

VACATED JESSIE STREET:

THAT PART OF JESSIE STREET (60-FEET WIDE) VACATED, LYING BETWEEN THE SOUTHERLY LINE OF IRWIN AVENUE EXTENDED, THE WESTERLY LINE OF CENTRAL AVENUE AND THE NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD AND FURTHER DESCRIBED AS BEGINNING AT THE NORTH CORNER OF LOT 249 OF "FERRY FARM ADDITION", A SUBDIVISION AS RECORDED IN LIBER 5, PAGE 45 OF PLATS, OAKLAND COUNTY RECORDS; THENCE S 57°15'00" E, 72.33 FEET ALONG THE SOUTHERLY LINE OF IRWIN AVENUE EXTENDED; THENCE S 01°12'15" E, 145.65 FEET ALONG THE EASTERLY LINE OF JESSIE STREET TO A POINT ON THE WESTERLY LINE OF CENTRAL AVENUE; THENCE S 39°57'47" W, 29.11 FEET ALONG SAID WESTERLY LINE OF CENTRAL AVENUE TO A POINT ON THE NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD; THENCE N 57°15'00" W, 49.24 FEET ALONG SAID NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD TO A POINT ON THE WESTERLY LINE OF JESSIE STREET; THENCE N 01°12'15" W, 180.46 FEET ALONG SAID WESTERLY LINE OF JESSIE STREET TO THE POINT OF BEGINNING. CONTAINING 0.241 ACRES, MORE OR LESS.

Section 2. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 3. Repealer

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Emergency Declaration

This Ordinance is hereby determined to be immediately necessary for the preservation of the public health, safety, and welfare and shall be in full force and effect upon publication as required by law.