



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

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Dated: April 9, 2013

ORDER NO. S-255 - REVISED

RE: Approval of Obsolete Property Rehabilitation Exemption Certificate for 28 North, LLC

TO: Sherikia Hawkins, City Clerk
John Naglick, Finance Director

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) in Section 10 empowers an Emergency Manager to issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government a Manager considers necessary to accomplish the purposes of the Act and any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 12(1) of the Act provides that “[a]n emergency manager may take 1 or more of the following additional actions with respect to a local government that is in receivership, notwithstanding any charter provision to the contrary: (dd) [e]xercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions....”

WHEREAS, 28 North, LLC applied to the City of Pontiac for an Obsolete Property Rehabilitation Exemption Certificate,

It is hereby ordered:

1. That the attached resolution is adopted.
2. That the City Clerk shall take all actions required under the law to reflect the attached resolution on the City books and records and with the State Tax Commission.

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 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 effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.

A handwritten signature in black ink that reads "Louis H. Schimmel". The signature is written in a cursive style 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

WHEREAS, pursuant to PA 146 of 2000, as amended, the City of Pontiac is a Qualified Local Governmental Unit eligible to establish one or more OPRA Districts; and,

WHEREAS, the Pontiac City Council legally established Obsolete Property Tax District, City of Pontiac on December 30, 2002 pursuant to a public hearing held on December 30, 2002 and,

WHEREAS, the taxable value of this exemption plus the aggregate taxable value of property already exempt does not exceed 5% of the total taxable value of the City of Pontiac; and,

WHEREAS, the applicant, 28 North, LLC, is not delinquent in any taxes related to the facility; and,

WHEREAS, the applicant, 28 North, LLC, has provided all required items listed under the application instructions to the City of Pontiac; and,

WHEREAS, the application is for obsolete property as defined in Section 2(h) of PA 146 of 2000, as amended; and,

WHEREAS, the rehabilitation of this facility, as covered by this exemption, had not begun prior to December 30, 2002, the date the Obsolete Property Tax District, City of Pontiac was established; and,

WHEREAS, the application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility within the meaning of PA 146 of 2000, as amended, situated within an OPRA District; and,

WHEREAS, completion of the rehabilitation facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity, to create employment, to retain employment, and to revitalize an urban area; and,

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(1) of PA 146 of 2000, as amended; and,

WHEREAS, the application was approved at a public hearing on April 9, 2013, as provided by Section 4(2) of PA 146 of 2000, as amended, allowing a period of three years for completion of the rehabilitation, to be completed by August 16, 2015 as indicated in the applicaiton.

NOW THEREFORE, be it resolved by the Emergency Manager of the City of Pontiac that 28 North, LLC be and hereby is granted an Obsolete Property Rehabilitation Act exemption for the Property located in the Obsolete Property Rehabilitation District, City of Pontiac at 28 N. Saginaw, for a period of twelve years, beginning December 31, 2013, and ending December 30, 2024, pursuant to the provisions of PA 146 of 2000, as amended.

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CITY OF PONTIAC

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