



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

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Dated: June 3, 2013

ORDER NO. S-274

RE: Approval of Industrial Facilities Tax Exemption Certificate Transfer

TO: Sherikia Hawkins, City Clerk

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: (ee) [t]ake 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.”

Whereas, Woodworth, Inc. applied for a transfer an Industrial Facilities Tax Exemption Certificate (#2002-504), where the total investment in land and building improvements is anticipated to be \$10,800,000 and will create 28 new jobs.

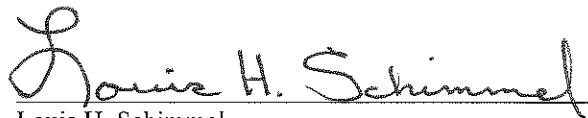
It is hereby ordered:

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 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 with a large initial "L".

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 Woodworth, Inc. for transfer of Industrial Facilities Exemption Certificate #2002-504

WHEREAS, pursuant to PA 198 of 1974, as amended, after a duly noticed public hearing held on October 24, 2002, the Pontiac City Council by resolution established an Industrial Development District; and,

WHEREAS, Woodworth, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to a transfer of Certificate #2002-504 within the Industrial Development District; and,

WHEREAS, before acting on said application, the Emergency Manager held a hearing on June 3, 2013, 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, 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 transfer of the Industrial Facilities Exemption Certificate #2002-504 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 Woodworth, Inc. for a transfer of an Industrial Facilities Exemption Certificate #2002-504, with respect to the existing facility on the following described parcel of real property situated within the Industrial Development District, to wit:

Real property in the City of Pontiac, County of Oakland, State of Michigan, described as follows: Lots 80 through 84, both inclusive, and Part of Lot 85, of Oak Lawn Farms, according to the plat thereof as recorded in Liber 20 of Plats, page 23, Oakland County Records, and Part of Lots 9 and 10, of Assessor's Plat No. 141, according to the plat thereof as recorded in Liber 54 of Plats, pages 99 and 99A, Oakland County Records, described as follows: Commencing at the Southeast corner of Section 34, Town 3 North, Range 10 East, City of Pontiac, Oakland County, Michigan; thence due West along the South line of said Section 34 and centerline of South Boulevard (120 feet wide) 2,301.80 feet to the point of intersection of the East line of Meadow Street (50 feet wide) extended with the said South line of Section 34; thence North 00 degrees 30 minutes 09 seconds East along said East line of Meadow Street extended and the East line of said Meadow Street, 1228.77 feet to the Point of Beginning; thence continuing North 00 degrees 30 minutes 09 seconds East along said East line of Meadow Street 717.31 feet to a point on the Grand Trunk Railroad Air Line; thence the following three (3) courses along said South Right of Way line of the Grand Trunk Railroad Air Line; (1) North 77 degrees 07 minutes 57 seconds East, 298.31 feet and (2) North 00 degrees 27 minutes 35 seconds East, 7.37 feet and (3) North 77 degrees 06 minutes 04 seconds East, 1164.83 feet; thence South 00 degrees 26 minutes 10 seconds West, 1370.90 feet to a point on the North Right-of-Way line of proposed Centerpoint Parkway North (width varies); thence due West along said North Right-of-Way line, 60.00 feet;

thence North 00 degrees 26 minutes 10 seconds East, 563.57 feet; thence South 77 degrees 06 minutes 04 seconds West, 990.22 feet; thence South 00 degrees 30 minutes 09 seconds West, 87.52 feet; thence due West 102.00 feet; thence North 00 degrees 30 minutes 09 seconds East, 64.76 feet; thence due West 299.03 feet to the Point of Beginning.

Together with (i) non-exclusive easements for sanitary sewer as described in instruments recorded in Liber 6796, page 265; Liber 7145, page 343; Liber 7303, page 271 and in Liber 7217, page 90, Oakland County Records; (ii) a non-exclusive easement for storm water discharge recorded in Liber 26266, page 817, Oakland County Records.

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate transfer, when approved, shall be and remain in force until December 30, 2017.

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 June 3, 2013.

Sherikia Hawkins, City Clerk