

DOWNTOWN DEVELOPMENT AUTHORITY  
JULY 8, 2015 - 6:00 PM  
COUNCIL CHAMBERS, CITY HALL

- I. CALL TO ORDER/TAKING OF ROLL/PLEDGE OF ALLEGIANCE
- II. APPROVAL OF AGENDA
- III. BOAD OF DIRECTORS MINUTES
  - A. Approval of the regular minutes for May 13, 2015 [Action Item]
- IV. PUBLIC COMMENT
- V. COMMITTEE REPORTS
- VI. STAFF REPORTS
  - A. Finance transactions and bills [Action Item]
  - B. Monthly financial statement [Informational]
- VII. OLD BUSINESS
- VII. NEW BUSINESS
  - A. DDA blighted canopy (behind Fortino's 314 S. Bridge) [Discussion Item]
  - B. Committee Structure [Action Item]
  - C. Set date/time for Strategic Planning [Action Item]
  - D. By-laws [Discussion Item]
  - E. Eaton County tax foreclosure (218 N. Bridge) [Discussion Item]
- IX. PUBLIC COMMENT
- X. BOARD OF DIRECTORS COMMENTS
- XI. ADJOURNMENT

**GRAND LEDGE DOWNTOWN DEVELOPMENT AUTHORITY**  
310 GREENWOOD STREET  
GRAND LEDGE, MI 48837  
(517) 622-5256

MINUTES – REGULAR MEETING  
WEDNESDAY, MAY 13, 2015  
6:00 P.M.

COUNCIL CHAMBERS, CITY HALL  
310 GREENWOOD STREET

- I & II. ROLL CALL-** Bruce MacDowell called the meeting to order at 6:00 p.m.  
**Present:** Mayor Kal Smith, Keith Mulder, Gary Burt, Terrance Augustine, Lise Mitchell, Karl Glarner Jr., Robert Brown, Jason Barclay, and David Jonas.  
**Absent:** Chris Fata, Michael Fredricks, and Rachel Paxton-Schroeder  
**Also Present:** Mark Sullivan, Economic Development Coordinator.
- III. PLEDGE OF ALLEGIANCE** – Chairman MacDowell led the group in the Pledge of Allegiance.
- IV. AUDIENCE PARTICIPATION** – Ms. Sue Feenstra presented one of the large flowers (about 6-foot tall) to the Board showing the results of the Girl Scout Troop's recycling project. The artwork was made of recycled milk and other bottle caps placed and colored the resemble flowers. The Scouts approached the Board in 2013 about placing them downtown. They had done four flowers and one would be placed at the Holihan-Atkin Funeral Home location and they wanted to place the other three downtown. After some discussion the Board suggested that placing them in Bridge Street Plaza, against the building on the south side of the Plaza. This building is owned by Joe Gentilozzi. Mr Sullivan stated that staff would contact Mr. Gentilozzi and see if he is receptive to the idea.
- V. APPROVAL OF REGULAR AGENDA** - . Mr. Barclay made a motion to approve the agenda as presented. Mr. Augustine supported the motion. Motion carries 10 to 0.
- VI. APPROVAL OF MINUTES** –
- VII. TREASURES REPORT**
- 1. Payment of bills** – Mr. Sullivan reviewed the bills to be paid, including two snow removal invoices which had just come to light. Mr. Sullivan explained that there was an error in the total cost as present and the correct amount was \$12,225.46. Mr. Burt made a motion to approve the bills in the amount of \$12,225.46. Mr. Barclay supported the motion. Motion carries 10 to 0

2. **Financial Statement** – Mr. Sullivan reviewed the financial statements. He showed the decrease in snow removal costs from the previous winter by \$32,159.

#### VIII. COMMITTEE REPORTS

1. **Finance Committee** – The report of the April 8, 2015 meeting was presented. Mr. Sullivan also discussed the meeting held just prior to the Board meeting. Several items were discussed including a recent request to place flower pots at the ends of the concrete where the sculptures are located. They also discussed a request by Fortino's Market to use the cooler facility behind his building. This area belongs to the DDA.
2. **Landscape Committee** – The report of the April 15, 2015 was presented. The most significant issue here is the selection of plants for the flower pots downtown.

#### IX. OLD BUSINESS

1. **Selection of flowers for the planters** – A selection of plants was sent to the Board members previously. There was a discussion on the use of Geraniums in the pots, particularly the small pots. Spikes and plants that overflow the pots tend to give a more attractive look a bit later in the season. Mr. Augustine made a motion to approve the cost and selection of the flowers as suggested by Jay Miller. Mr. Glarner supported the motion. The motion was subject to a roll call vote, Motion passed 10 yes, 0 no and no abstains.
2. **Girl Scout Troop 30422 Art Project** – This item was covered under Public Participation.

#### X. NEW BUSINESS

**There was no new business**

#### XI. DIRECTOR'S COMMENTS

1. Mr. Sullivan indicated that he had completed a new manual for façade improvements. This is a bit more detailed than the average business or building owner would understand, but an architect would be right at home with it. We wanted enough detail so the Board would be better covered in making decisions to approve or deny a request for funding. He is providing copies to those on the Façade Committee first, and when we have their comments we will provide copies to the entire Board and the Planning Commission.

#### XII. MEMBER'S COMMENTS

#### XII. ADJOURNMENT

The Chairman asked for a motion to adjourn. Motion by Mr. Burt to adjourn. Mr. Jonas supported the motion. Motion passed 10 to 0.  
**Meet adjourned at 6:45 pm.**

REVENUE/EXPENDITURE REPORT

City of Grand Ledge

| For the Period: 7/1/2014 to 6/30/2015 | Original Bud.     | Amended Bud.      | YTD Actual        | CURR MTH         | Encumb. YTD | UnencBal%          | Bud          |
|---------------------------------------|-------------------|-------------------|-------------------|------------------|-------------|--------------------|--------------|
| <b>Fund: 248 - DDA FUND</b>           |                   |                   |                   |                  |             |                    |              |
| <b>Revenues</b>                       |                   |                   |                   |                  |             |                    |              |
| Dept: 000.000 GENERAL                 |                   |                   |                   |                  |             |                    |              |
| 401.000 CURRENT PROPERTY TAXES        | 835,777.00        | 835,777.00        | 956,326.54        | 0.00             | 0.00        | -120,549.54        | 114.4        |
| 628.001 INSURANCE DIVIDENDS           | 0.00              | 0.00              | 2,015.02          | 0.00             | 0.00        | -2,015.02          | 0.0          |
| 665.001 INTEREST                      | 250.00            | 250.00            | 566.18            | 54.04            | 0.00        | -316.18            | 226.5        |
| 675.000 DONATIONS                     | 500.00            | 500.00            | 200.00            | 0.00             | 0.00        | 300.00             | 40.0         |
| <b>GENERAL</b>                        | <b>836,527.00</b> | <b>836,527.00</b> | <b>959,107.74</b> | <b>54.04</b>     | <b>0.00</b> | <b>-122,580.74</b> | <b>114.7</b> |
| <b>Revenues</b>                       | <b>836,527.00</b> | <b>836,527.00</b> | <b>959,107.74</b> | <b>54.04</b>     | <b>0.00</b> | <b>-122,580.74</b> | <b>114.7</b> |
| <b>Expenditures</b>                   |                   |                   |                   |                  |             |                    |              |
| Dept: 170.173 ECONOMIC DEVELOPMENT    |                   |                   |                   |                  |             |                    |              |
| 703.000 SALARIES/WAGES                | 25,812.00         | 25,812.00         | 25,129.86         | 2,025.36         | 0.00        | 682.14             | 97.4         |
| 719.000 FRINGE BENEFITS               | 7,048.00          | 7,048.00          | 5,015.61          | 148.44           | 0.00        | 2,032.39           | 71.2         |
| 731.004 PROMOTIONS & MARKETING        | 0.00              | 10,660.00         | 10,653.33         | 0.00             | 0.00        | 6.67               | 99.9         |
| 741.000 OPERATING SUPPLIES            | 500.00            | 500.00            | 962.40            | 0.00             | 0.00        | -462.40            | 192.5        |
| 801.004 ADMINISTRATIVE                | 500.00            | 500.00            | 364.70            | 0.00             | 0.00        | 135.30             | 72.9         |
| 802.000 LEGAL FEES                    | 300.00            | 300.00            | 0.00              | 0.00             | 0.00        | 300.00             | 0.0          |
| 817.000 PROFESSIONAL SERVICES         | 300.00            | 300.00            | 500.00            | 0.00             | 0.00        | -200.00            | 166.7        |
| 830.002 SNOW REMOVAL                  | 70,000.00         | 70,000.00         | 34,324.64         | 0.00             | 0.00        | 35,675.36          | 49.0         |
| 830.003 LANDSCAPE MAINTENANCE         | 18,000.00         | 18,000.00         | 11,939.30         | 1,392.95         | 0.00        | 6,060.70           | 66.3         |
| 830.004 ELECTRIC LIGHTS               | 25,000.00         | 25,000.00         | 15,904.28         | 530.79           | 0.00        | 9,095.72           | 63.6         |
| 830.005 TRASH PICKUP                  | 7,000.00          | 7,000.00          | 5,333.26          | 36.12            | 0.00        | 1,666.74           | 76.2         |
| 830.006 CHRISTMAS DECORATIONS         | 7,000.00          | 7,000.00          | 7,649.32          | 0.00             | 0.00        | -649.32            | 109.3        |
| 830.007 PARKING LOT MAINTENANCE       | 4,000.00          | 4,000.00          | 3,298.61          | 17.00            | 0.00        | 701.39             | 82.5         |
| 830.008 OPERATIONAL EXPENSE           | 5,000.00          | 5,000.00          | 2,308.76          | 0.00             | 0.00        | 2,691.24           | 46.2         |
| 830.999 UNDISTRIBUTED EXP             | 0.00              | 0.00              | 3,963.18          | 1,965.75         | 0.00        | -3,963.18          | 0.0          |
| 840.000 INSURANCE                     | 3,400.00          | 3,400.00          | 3,202.77          | 0.00             | 0.00        | 197.23             | 94.2         |
| 997.101 INDIRECT COST CHARGES         | 60,795.00         | 60,795.00         | 60,795.00         | 0.00             | 0.00        | 0.00               | 100.0        |
| 999.206 TRANSFER TO GLAESA            | 66,416.00         | 66,416.00         | 66,415.86         | 0.00             | 0.00        | 0.14               | 100.0        |
| <b>ECONOMIC DEVELOPMENT</b>           | <b>301,071.00</b> | <b>311,731.00</b> | <b>257,760.88</b> | <b>6,116.41</b>  | <b>0.00</b> | <b>53,970.12</b>   | <b>82.7</b>  |
| Dept: 905.906 DEBT SERVICE            |                   |                   |                   |                  |             |                    |              |
| 999.394 TRANSFER TO DDA DEBT SVC FUND | 512,010.00        | 512,010.00        | 512,010.00        | 0.00             | 0.00        | 0.00               | 100.0        |
| 999.397 TRANSFER TO ISLAND DEBT FUND  | 12,000.00         | 12,000.00         | 12,000.00         | 0.00             | 0.00        | 0.00               | 100.0        |
| <b>DEBT SERVICE</b>                   | <b>524,010.00</b> | <b>524,010.00</b> | <b>524,010.00</b> | <b>0.00</b>      | <b>0.00</b> | <b>0.00</b>        | <b>100.0</b> |
| <b>Expenditures</b>                   | <b>825,081.00</b> | <b>835,741.00</b> | <b>781,770.88</b> | <b>6,116.41</b>  | <b>0.00</b> | <b>53,970.12</b>   | <b>93.5</b>  |
| <b>Net Effect for DDA FUND</b>        | <b>11,446.00</b>  | <b>786.00</b>     | <b>177,336.86</b> | <b>-6,062.37</b> | <b>0.00</b> | <b>-176,550.86</b> | <b>561.9</b> |
| <b>Change in Fund</b>                 |                   |                   | <b>177,336.86</b> |                  |             |                    |              |
| <b>Grand Total Net</b>                | <b>11,446.00</b>  | <b>786.00</b>     | <b>177,336.86</b> | <b>-6,062.37</b> | <b>0.00</b> | <b>-176,550.86</b> |              |

REVENUE/EXPENDITURE REPORT

City of Grand Ledge

| For the Period: 7/1/2014 to 6/30/2015 | Original Bud.     | Amended Bud.      | YTD Actual        | CURR MTH    | Encumb. YTD | UnencBal%        | Bud          |
|---------------------------------------|-------------------|-------------------|-------------------|-------------|-------------|------------------|--------------|
| <b>Fund: 394 - DDA DEBT FUND</b>      |                   |                   |                   |             |             |                  |              |
| <b>Revenues</b>                       |                   |                   |                   |             |             |                  |              |
| Dept: 905.906 DEBT SERVICE            |                   |                   |                   |             |             |                  |              |
| 665.001 INTEREST                      | 300.00            | 300.00            | 1,103.05          | 1.83        | 0.00        | -803.05          | 367.7        |
| 699.248 TRANSFER FROM DDA             | 512,010.00        | 512,010.00        | 512,010.00        | 0.00        | 0.00        | 0.00             | 100.0        |
| <b>DEBT SERVICE</b>                   | <b>512,310.00</b> | <b>512,310.00</b> | <b>513,113.05</b> | <b>1.83</b> | <b>0.00</b> | <b>-803.05</b>   | <b>100.2</b> |
| <b>Revenues</b>                       | <b>512,310.00</b> | <b>512,310.00</b> | <b>513,113.05</b> | <b>1.83</b> | <b>0.00</b> | <b>-803.05</b>   | <b>100.2</b> |
| <b>Expenditures</b>                   |                   |                   |                   |             |             |                  |              |
| Dept: 905.906 DEBT SERVICE            |                   |                   |                   |             |             |                  |              |
| 991.000 DEBT-PRINCIPAL                | 469,360.00        | 469,360.00        | 469,358.73        | 0.00        | 0.00        | 1.27             | 100.0        |
| 995.000 DEBT-INTEREST                 | 78,505.00         | 78,505.00         | 78,502.25         | 0.00        | 0.00        | 2.75             | 100.0        |
| 998.000 DEBT-PAYING AGENT FEES        | 550.00            | 1,050.00          | 500.00            | 0.00        | 0.00        | 550.00           | 47.6         |
| <b>DEBT SERVICE</b>                   | <b>548,415.00</b> | <b>548,915.00</b> | <b>548,360.98</b> | <b>0.00</b> | <b>0.00</b> | <b>554.02</b>    | <b>99.9</b>  |
| <b>Expenditures</b>                   | <b>548,415.00</b> | <b>548,915.00</b> | <b>548,360.98</b> | <b>0.00</b> | <b>0.00</b> | <b>554.02</b>    | <b>99.9</b>  |
| <b>Net Effect for DDA DEBT FUND</b>   | <b>-36,105.00</b> | <b>-36,605.00</b> | <b>-35,247.93</b> | <b>1.83</b> | <b>0.00</b> | <b>-1,357.07</b> | <b>96.3</b>  |
| Change in Fund                        |                   |                   | -35,247.93        |             |             |                  |              |
| <b>Grand Total Net</b>                | <b>-36,105.00</b> | <b>-36,605.00</b> | <b>-35,247.93</b> | <b>1.83</b> | <b>0.00</b> | <b>-1,357.07</b> |              |

REVENUE/EXPENDITURE REPORT

City of Grand Ledge

| For the Period: 7/1/2014 to 6/30/2015           | Original Bud.     | Amended Bud.      | YTD Actual        | CURR MTH     | Encumb. YTD | UnencBal%         | Bud          |
|---|-------------------|-------------------|-------------------|--------------|-------------|-------------------|--------------|
| <b>Fund: 494 - DDA CAPITAL PROJECTS FUND</b>    |                   |                   |                   |              |             |                   |              |
| <b>Revenues</b>                                 |                   |                   |                   |              |             |                   |              |
| Dept: 900.901 CAPITAL OUTLAY - PUBLIC IMPROV    |                   |                   |                   |              |             |                   |              |
| 665.001 INTEREST                                | 500.00            | 500.00            | 531.53            | 44.69        | 0.00        | -31.53            | 106.3        |
| CAPITAL OUTLAY - PUBLIC IMPROV                  | 500.00            | 500.00            | 531.53            | 44.69        | 0.00        | -31.53            | 106.3        |
| <b>Revenues</b>                                 | <b>500.00</b>     | <b>500.00</b>     | <b>531.53</b>     | <b>44.69</b> | <b>0.00</b> | <b>-31.53</b>     | <b>106.3</b> |
| <b>Expenditures</b>                             |                   |                   |                   |              |             |                   |              |
| Dept: 900.905 PARKING LOT REPAIRS               |                   |                   |                   |              |             |                   |              |
| 974.006 CONSTRUCTION                            | 100,000.00        | 100,000.00        | 82,529.00         | 0.00         | 0.00        | 17,471.00         | 82.5         |
| PARKING LOT REPAIRS                             | 100,000.00        | 100,000.00        | 82,529.00         | 0.00         | 0.00        | 17,471.00         | 82.5         |
| <b>Expenditures</b>                             | <b>100,000.00</b> | <b>100,000.00</b> | <b>82,529.00</b>  | <b>0.00</b>  | <b>0.00</b> | <b>17,471.00</b>  | <b>82.5</b>  |
| <b>Net Effect for DDA CAPITAL PROJECTS FUND</b> | <b>-99,500.00</b> | <b>-99,500.00</b> | <b>-81,997.47</b> | <b>44.69</b> | <b>0.00</b> | <b>-17,502.53</b> | <b>82.4</b>  |
| Change in Fund                                  |                   |                   | -81,997.47        |              |             |                   |              |
| <b>Grand Total Net</b>                          | <b>-99,500.00</b> | <b>-99,500.00</b> | <b>-81,997.47</b> | <b>44.69</b> | <b>0.00</b> | <b>-17,502.53</b> |              |

BALANCE SHEET

Page: 1  
7/2/2015  
12:47 pm

City of Grand Ledge

As of: 6/30/2015 (PFY)

Balances

Fund: 248 - DDA FUND

Assets

001.000 CASH

211,373.98

Total Assets

211,373.98

Reserves/Balances

390.000 FUND BALANCE

34,037.12

398.000 CHANGES IN FUND BALANCE

177,336.86

Total Reserves/Balances

211,373.98

Total Liabilities & Balances

211,373.98

BALANCE SHEET

Page: 1  
7/2/2015  
12:48 pm

City of Grand Ledge

As of: 6/30/2015 (PFY)

Balances

Fund: 394 - DDA DEBT FUND

Assets

001.000 CASH

7,195.55

Total Assets

7,195.55

Reserves/Balances

390.000 FUND BALANCE

42,443.48

398.000 CHANGES IN FUND BALANCE

-35,247.93

Total Reserves/Balances

7,195.55

Total Liabilities & Balances

7,195.55

BALANCE SHEET

Page: 1  
7/2/2015  
12:48 pm

City of Grand Ledge

As of: 6/30/2015 (PFY)

Balances

Fund: 494 - DDA CAPITAL PROJECTS FUND

Assets

001.000 CASH

175,640.13

Total Assets

175,640.13

Reserves/Balances

390.000 FUND BALANCE

257,637.60

398.000 CHANGES IN FUND BALANCE

-81,997.47

Total Reserves/Balances

175,640.13

Total Liabilities & Balances

175,640.13

Exhibit B

Addendum To Buy-Sell Agreement Dated March 28, 2006

This addendum summarizes various issues relating to the purchase of the Fortino Market's parking lot by the Grand Ledge Downtown Development Authority (DDA) from Sam Makholl, owner of Fortino's Market. The purchase offer is contingent upon the following:

1. Agreement to purchase parking lot from Fortino's Market - execute Buy-Sell Agreement with purchase price of \$65,000 and a good faith deposit of \$500.00. The purchase of the parking lot will require approval and a budget amendment from City Council, which the DDA will request. The final implementation of the agreement is dependent upon City Council.
2. Armstrong Title Insurance Company will act as escrow agent as well as supplying the Title Insurance Policy. Title Insurance will be provided by the Buyer
3. A mortgage survey of the property and land split will be provided by the Seller.
4. The DDA agrees to provide at least four (4) short term parking spaces at the rear of Fortino's Market. However, this will require City Council approval, which the DDA will request. The final implementation of the agreement is dependent upon City Council.
5. At closing the Seller will provide a clear warranty deed of the property, free of all liens, encumbrances, and claims of others unless otherwise agreed upon.
6. An acceptable Base Line Environmental <sup>Site Assessment</sup> Analysis of the property will be obtained, paid for by the Buyer
7. The Buyer will ensure that access to the basement of the store through the stairs at the rear of the building is provided either as currently exists or in a manner equal to or more convenient than is currently provided.
8. Buyer will, when necessary (e.g. rebuilding parking lot), remove all structures, signs and other items from the Parcel. At that time the compressors under the canopy will be moved to the Fortino's Market site.
9. The Buyer agrees that the property being purchased will remain as a municipal parking lot with public access for businesses.
10. Tenants in any apartments in the Fortino's Market building will be eligible for overnight parking in the parking lot adjoining the building.
11. On a temporary basis the Fortino's Market sign on Scott Street will remain. Long term business signage at the entrance of a municipal parking lot will have to be addressed along with a general signage policy looking at multiple tenant business signs.

SELLER

BUYER

Bassam Makholl 4-18-06  
Bassam Makholl Date

Cindy Heine 3/28/06  
Cindy Heine, Vice Chairperson DDA  
HEINE

Memorandum

To: DDA Board of Directors  
From: Mark Sullivan, Economic Development Coordinator  
Date: October 15, 2014  
Subject: Committee Assignments

All committee meetings are open meetings and Board Members will be notified, to the extent practical, and their attendance is welcome.

**Maintenance Committee**

1. Bob Brown
2. Dave Jonas
3. Chris Fata

**Finance Committee**

1. Terrance Augustine
2. Keith Mulder
3. Dave Jonas

**Landscape Committee**

1. Terrance Augustine
2. Jason Barclay
3. Rachel Paxton-Schroeder
4. Bob Brown

**Parking Committee**

1. Keith Mulder
2. Karl Glarner

**Facade Committee**

1. Bob Brown
2. Bruce MacDowell
3. open
4. PC- Michael Stevens
5. PC-Todd Gute
6. PC-Bill Kane

**Christmas Lighting Committee**

1. Bruce MacDowell
2. Rachel Paxton-Schroeder
3. Chris Fata

**Marketing / Promotion Committee**

1. Dave Jonas
- 2.

**Renovation Grants Committee**

1. Terrance Augustine
2. Dave Jonas
3. Robert Brown

**Arts Council**

1. Terrance Augustine
2. Karl Glarner
3. Mike Fredericks
4. other- Shawn Van Steeland
5. other – Courtney Millbrook
- 6.

**Jaycee Park Joint Committee**

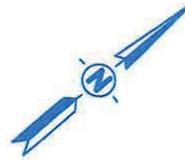
1. Bruce MacDowell
2. Robert Brown
3. Dave Jonas
4. PC
5. PC
6. PC
7. P&R
8. P&R
9. P&R

# MORTGAGE REPORT

For:  
 City of Grand Ledge & Fortino Inc.  
 Scott Street  
 Grand Ledge, MI 48837

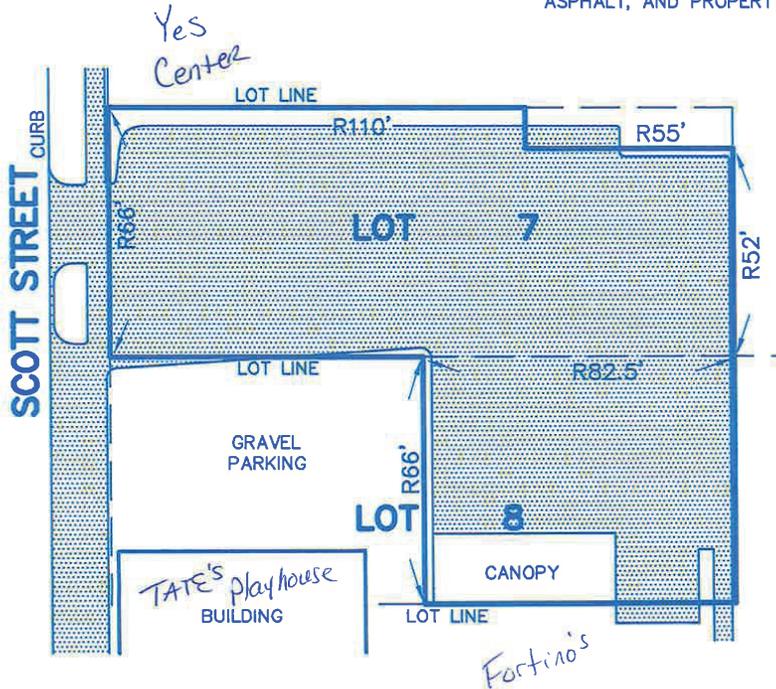
And:  
 Fortino Inc.

Legal Description (as provided): The Northeast 1/2 of Lot 8, except the Northeast 55 feet of the Northwest 3 feet thereof, all in Block 32, City of Grand Ledge, Eaton County, Michigan, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 49, Eaton County Records; ALSO the Southwest 110 feet of Lot 7; ALSO the Southeast 52 feet of the Northeast 55 feet of Lot 7; ALSO the Northeast 55 feet of the Northwest 3 feet of Lot 8, Block 32, City of Grand Ledge, Eaton County, Michigan.



1" = 40'

A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE, ASPHALT, AND PROPERTY LINES.



This report is intended solely for mortgage purposes and no property lines were monumented. No dimensions hereon are to be used to establish property lines or in the building of structures or fences. I hereby certify that we have inspected the above described parcel of land and that all visible encroachments of a permanent nature upon said parcel are as shown on this report. Said parcel and or lot subject to all easements and restrictions if any.

- R = Recorded Distance
- M = Measured Distance
- = Distance Not to Scale
- = Deed Line
- ▨ = Deck, Porch, Sidewalk, & Patio Areas

*[Signature]*  
 JEFFREY K. AUTENRIETH  
 PROFESSIONAL SURVEYOR  
 DATE 5-15-06  
 No. 31588



**KEBS, INC.** KYES ENGINEERING  
 BRYAN LAND SURVEYS

504 LANSING ROAD, CHARLOTTE, MI 48813  
 PH. 517-543-7076 FAX. 517-543-7023

Haslett Office  
 Ph. 517-339-1014

Marshall Office  
 Ph. 269-781-9800

|                          |                       |
|--------------------------|-----------------------|
| DRAWN BY: KDB            | SECTION: 11, T4N, R4W |
| FIELD WORK BY: RK        | JOB NUMBER: 79094MTG  |
| FIELD WORK DATE: 5-12-06 | SHEET 1 OF 1          |

ADOPTED BY DDA : 6/11/14  
ADOPTED BY City Council : No Action to DATE

**BY LAWS  
OF THE DOWNTOWN DEVELOPMENT AUTHORITY  
OF THE CITY OF GRAND LEDGE**

**Article I – Name**

The name of this Authority is the Downtown Development Authority (DDA) of the City of Grand Ledge.

**Article II – Purpose**

The purpose of the Downtown Development Authority is to carry out those purposes and exercise those powers as conferred upon it by Act 197 of the Michigan Public Acts of 1975, as amended (the “Act”). The Authority shall have all the powers which now or hereafter may be conferred by law on authorities organized under this Act.

**Article III – Board of Directors**

**Section 1:** The Authority shall be under the supervision and control of a Board of Directors (“Board”) consisting of the Mayor of the City of Grand Ledge and not less than 8 or more than 12 additional members as determined by the Grand Ledge City Council. Members shall be appointed by the Mayor, subject to approval by the City Council. Not less than a majority of the members shall be persons having an interest in property located in the DDA District.

**Section 2:** Of the members first appointed, an equal number of members shall be appointed for respective terms of one year, two years, three years or four years. Thereafter, each member shall serve for a term of four years. A member shall hold office until the member’s successor is appointed.

**Section 3:** The Board shall constitute the governing body of the Authority pursuant to Section 4 of the Act.

**Section 4:** Before assuming the duties of the office, a member shall qualify by taking and subscribing to the constitutional oath of office.

**Section 5:** Pursuant to notice and after having been given an opportunity to be heard, a member of the Board may be removed from office for cause by the Grand Ledge City Council.

**Section 6:** Any vacancy occurring on the Board shall be filled by appointment by the Mayor, subject to the approval of the Grand Ledge City Council. All such appointments shall be for the remainder of the unexpired term only.

**Article IV – Officers**

**Section 1:** The officers of the Board shall be a Chairperson, a Vice Chairperson, a Treasurer, and a Secretary. All officers shall be members of the Board, with the exception of the Secretary, who need not be a member of the Board.

**Section 2 – Removal of Officers:** Any officer may be removed by a majority of the Board whenever in its judgment the best interest of the Board would be served thereby.

**Section 3 – Chairperson:** The chairperson shall preside at all meetings of the Board and shall discharge the duties as a presiding officer.

**Section 4 – Vice Chairperson:** In the absence of the Chairperson or in the event of inability to serve as Chairperson, the Vice Chairperson shall perform the duties of the Chairperson and when so acting, shall have all the powers and be subject to all the restrictions of the Chairperson.

**Section 5 – Treasurer:** The Treasurer shall prepare, with the assistance of appropriate City officials, an annual financial report covering the fiscal year of the Authority. The fiscal year of the Authority shall be the same as that of the City. July 1 to June 30. An annual audit will be made each year as part of the regular City audit.

**Section 6 – Secretary:** The Secretary shall attend all meetings of the Board and record all votes and the minutes of all proceedings in a book to be kept for that purpose. The Secretary shall give, or cause to be given, notice of all meetings of the Board and shall perform such other duties as may be prescribed by the Board. The Secretary shall, when authorized by the Board, attest by signature to actions of the Board, and shall maintain custody of the official records, books and all documents of the Authority.

**Section 7 – Delegation of Duties of Officers:** In the absence of any officer, the Authority may delegate the powers and duties of any officer to any Board member provided majority of the Board then in office concurs therein.

**Section 8 – Election of Officers:** Nominations shall be made from the floor at the annual meeting in January. Officers shall be elected by secret ballot. The terms of office shall be for one year and begin at the close of the annual meeting at which they are elected, or until his or her successor shall be elected and qualified. No member shall hold more than one office at a time.

#### **Article V – Meetings**

**Section 1 – Organizational Meeting and Election of Officers:** Initial Officers shall be elected at the first organizational meeting of the Board after the adoption of these Bylaws, then shall be elected thereafter pursuant to Section 8 of Article IV.

**Section 2 – Annual Meeting:** An annual meeting shall be held during the first regular Board meeting in January of each year. Election of officers shall occur at the annual meeting. If the election of officers does not occur on the day designated or any adjournment thereof, the Board shall cause the election to be held at a regular or special meeting of the Board within 90 days of the annual meeting.

**Section 3 – Regular Meetings:** Regular meetings of the Board shall be held at a time and place to be set by the Board at its annual meeting. A schedule of the dates and times of regular meetings shall be published. The Board records shall be open to the public.

**Section 4 – Special Meetings:** Special meetings of the Board may be called by the chairperson, the vice chairperson in the absence of the chairperson, or by any three Authority members by giving 24 hours notice of the meeting, stating the purpose of the meeting and by posting a notice of the time, date and place thereof not less than 18 hours prior to the special meeting, in the lobby of City Hall.

**Section 5 – Notice of Meetings:** All meetings other than regularly scheduled meetings shall be preceded by public notice of the time, date and place thereof posted not less than 18 hours prior to the meeting in accordance with the Open Meetings Act, Act 267 of the Public Acts of 1976 as amended.

**Section 6 – Agenda:** The Secretary shall prepare the agendas for all meetings and send them to the Board members at least 24 hours prior to the meeting. Any member of the Board may request any item to be placed on the agenda.

**Section 7 – Quorum and Voting:** A quorum shall constitute at least fifty percent of the Board members then in office. A majority vote of a quorum of the Board shall constitute the action of the Board unless the vote of a larger number is required by statute, or elsewhere in these rules. In the event that effective membership is reduced because of a conflict of interest, a majority of the remaining members eligible to vote shall constitute the action of the Board.

**Section 8 – Rules of Order:** Robert's Rules of Order will govern the conduct of all meetings.

**Section 9 – Open and Closed Meetings:** All regular and special meetings of the Board shall be open to the public in accordance with the Open Meetings Act. Closed meetings of the Board may be called for the purposes allowed by law, if approved by a 2/3 majority of the Board members then in office.

**Section 10 – Conflict of Interest:** A board member who has a direct conflict of interest of more than a de minimis nature, as defined by MCL 15.322 and 15.323, in any matter before the Board shall disclose that interest prior to the Authority

taking any action with respect to the matter. This disclosure shall become part of the record of the Board's official proceedings. Any member making such disclosure shall, with the approval of the Board, refrain from participating in the Board's decision making process to include all discussions, motions made and votes taken, relative to such matters, unless required by law.

**Section 11 – Mandatory Voting:** Except when a member is excused from participating on a matter because of a disclosed conflict of interest, all members present shall vote on all matters before the Board.

#### **Article VI – Executive Committee**

The officers of the Board, including Chairperson, Vice Chairperson, Treasurer and Secretary together with the Mayor and/or the Mayor's designee, shall constitute the Executive Committee of the Authority. The Executive Committee shall have general supervision of the affairs of the Board between its business meetings, fix the hours and place of meetings, make recommendations to the Board, and shall perform such other duties as specified in these Bylaws, as may be required by law, or as may be specified by the Board.

#### **Article VII – Board Committees**

The Board, by resolution, may designate and appoint one or more committees to advise the Board. A majority of the committee members shall be members of the Board. The Chairperson of the Board shall appoint the members and select the chairperson of the Board committees. Any committee(s) may be terminated by vote of the Board. At the annual meeting, the committees will be evaluated and either reappointed or dissolved. A majority of the committee will constitute a quorum. A majority of the members present at the meeting at which a quorum is present shall be the action of the committee.

#### **Article VIII – Indemnification**

**Section 1 – Indemnification:** Whenever any claim is made or any civil action is commenced against any officer or employee of the Authority, for injuries to persons or property caused by the negligence of the officer or employee while in the course of their employment, and while acting within the scope of their authority, the Board may, but is not required to, pay for legal services and also for any judgment or compromised settlement of the claim, pursuant to Act 170 of the Public Acts of 1964, as amended.

**Section 2 – Reimbursement:** Any indemnification under Section 1 shall be made by the Board only as authorized in the specific case under a determination that indemnification of the employee or officer is proper under the circumstances, because the employee or officer has met the applicable standard of conduct set forth in Section 1. Such determination shall be made in either of the following ways:

1. By a majority vote of the members of the Board who are not parties to such action, suite or proceedings, or
2. If such quorum is not obtainable, or even if obtainable, a quorum of disinterested members so directs, supported by the recommendation of legal counsel in a written opinion.

**Article IX – Amendments of Bylaws**

These Bylaws may be amended at any regular meeting of the Board by a majority vote, provided that the amendment has been submitted in writing at the previous regular meeting. All amendments must be approved by the City Council before taking effect.

**GRAND LEDGE DOWNTOWN DEVELOPMENT AUTHORITY**  
319 TAYLOR STREET  
GRAND LEDGE MI 48837  
(517) 622-5256

MINUTES – REGULAR MEETING  
WEDNESDAY, JUNE 11, 2014  
6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL  
200 E. JEFFERSON ST.

- I & II. ROLL CALL** - Bruce MacDowell called the meeting to order at 6:03 p.m.  
**Present:** Gary Burt, Terrance Augustine, Bob Brown, Michael Fredericks, Jason Barclay, Ben Cwayna, David Jonas, Mayor Kalmin Smith, and Keith Mulder.  
**Absent:** Karl Glarner, Chris Fata, and Rachel Schroeder.  
**Also Present:** Jason Ball, Kuntzsch Business Services, Economic Development Director Mark Sullivan and Assistant City Administrator Ameer King.
- III. PLEDGE OF ALLEGIANCE** -
- IV. AUDIENCE PARTICIPATION** -
- V. APPROVAL OF REGULAR AGENDA** - Mr. Mulder made a motion to approve the agenda as presented. Mr. Brown supported the motion. Motion carries 10 to 0.
- VI. APPROVAL OF MINUTES** - Mr. Jonas requested a change in the minutes. Item 3. Music in the Park/movie in the park, 5 lines down states “which includes 5 movies each Friday night for the month of August.” It should read 5 movies, one each Friday night. Mr. Cwayna made a motion to approve the minutes of the May 14, 2014 meeting as amended. Mr. Burt supported the motion. Motion carries 10 to 0.
- VII. TREASURERS REPORT**
- 1. Payment of bills** - Mr. Sullivan reviewed the bills to be paid. An additional bill for Mowery Home Builders came in late today for \$250. Mr. Mowery installed the statues in the park. Mr. Mulder made a motion to approve \$3,548.41 (including the \$250) for payment of June’s bills. Mr. Augustine supported the motion. Motion carries 10 to 0.
- 2. Financial Statement** - Mr. Sullivan reviewed the financial statements.
- VIII. Committee Reports**
- 1. Finance Committee** - Mr. Sullivan indicated that the Finance Committee today at 5 p.m. One of the issues discussed was porta-potties for Bridge Street Plaza. The Committee is recommending that we put one handicap porta potty by the go-lo gas station dumpster. We will try to lock it when not in use. It will cost approximately \$150 a month, and be cleaned once a week. Mr. Fredericks added that he would like to add an additional regular porta potty. The church does allow use of their facility and Maybelle’s across the street is going to allow people to use theirs too. They all have good intentions, but there have been times when the church was locked. Mr. Fredericks made a motion to we use AC&E Rentals and get 2 porta potty’s at Bridge Street Plaza, one handicap and one regular. Mr. Augustine supported the motion. Motion carries 10 to 0. The Board requested staff to try to get them in place for tomorrow’s concert or after Yankee Doodle Days.
- Another item discussed at the Finance Committee meeting was painting the lamp posts. Craig Courter from Craig Electric determines which poles are going to be painted each year, usually about 20%. This year Craig determined the poles on the bridge need to be painted.

The last item was the sink hole in the Cugino's parking lot. We have been working with Chad Brunton, Street Supervisor to get this item fixed. Andy McLean is scheduled to fix it tomorrow.

**IX. Old Business**

**1. Garden Club Presentation** - Ms. King indicated that she received an e-mail from the Garden Club evening group. They would like to move forward with a retaining wall, but wish to wait until next year. For now they are asking to place geraniums around the poles of the archway. Mr. Brown indicated that at the last concert there were a lot of people standing behind the band and we may want to think about if we want to plant anything there. Mr. Fredericks indicated that he felt people would stay off that area if it was a nice garden. The board was in favor of planting the geraniums.



**2. By-Laws for DDA** - Mr. Cwayna indicated that the latest version of the by-laws is in the packets. Mr. Brown approached me earlier with a correction. Page 3 section 6 we will add in the language "cause to be recorded" in the first sentence. Mr. Augustine made a motion to approve the by-laws with the correction above. Mr. Fredericks supported the motion. Motion passes 10 to 0.

Mr. MacDowell appointed Mr. Remenar as the DDA Treasurer. *Note: Direct Conflict with Section 1*

**3. MEDC Grant Report** - Jason Ball from Kuntzsch Business Services indicated that he came tonight to make sure everyone was fine with the final product. Mr. Sullivan indicated that we submitted the documents to MEDC and should be receiving a check soon. Mr. Ball also indicated that he will let us know if any other grants come up for farmers markets.

**4. Short term parking** - Mr. MacDowell indicated that he spoke with the 3 business owners about parking signs in the Cugino's parking lot. Bintu from Fortino's would like 3 spots for 15 minute parking. Gerardo from Cancun thought that it was fine as is, and Mark from Cugino's thought his 30 minute signs were too long and suggested 10 minutes. Mark also thought Fortino's should have 5 signs. Each of them was not necessarily concerned with enforcement and feel that if the signs are up there, most people will respect it. Mr. MacDowell also indicated to each of the owners, that their staff may want to park behind Hungry Howies to free up parking for customers. Mr. Cwayna made a motion to purchase 7 (2 behind Cugino's and 5 behind Fortino's) signs for 10 minute parking and have them installed. Mr. Augustine supported the motion. Motion carries 10 to 0.

**X. New Business -**

**XI. Directors Comments** - Mr. Sullivan reported that he has heard from City staff that children are climbing on the statues. Just wanted to let the board know.

**Members Comments** - Mr. Fredericks indicated that he wanted to thank everyone who came out to the Music in The Park. We are correcting the information on the flyer. Each concert starts at 7 pm with an acoustic act, then the main act at 7:30 p.m.

Mayor Smith indicated that the budget passed at the last City Council meeting. Channel 10 interviewed me today. The City is putting an additional \$200,000 into roads this year. The City will be interviewing for a new City Administrator. We had 28 applicants. We are asking 4 of the candidate in for a public interview.

**XII. ADJOURN** - Mr. Cwayna made a motion to adjourn the meeting at 6:59 p.m. Mr. Fredericks supported the motion. Motion carries 10 to 0.

Minutes recorded and transcribed by Amee King

\_\_\_\_\_  
Robert Brown, Secretary

\_\_\_\_\_  
Date Minutes Approved

To: Township, City and Village Officials,

From: Bob Robinson, Eaton County Treasurer

Re: Forwarded from Michigan Department of Treasury, Foreclosure Services Division - Governmental Right of Refusal Listing for State-foreclosed Properties

Attached is a Governmental Agency Right of Refusal Listing for State-foreclosed property parcels in Eaton County. These properties are scheduled for public auction in August 2015. The statute-mandated deadline for your local to purchase parcels under a right of refusal is **July 7. This list is for the State of Michigan, counties, and local municipalities only. Please do not copy or promote the listing to the public.** Pursuant to Public Act 206 of 1893; MCL 211.78m, tax-foreclosed parcels may be purchased by governmental agencies in the following order:

1. The State of Michigan is granted the right of first refusal to purchase property at the greater of the minimum bid, or its fair market value.
2. A city, village, or township may purchase *for a public purpose*, any property located within that municipality by paying the State the minimum bid, minus any taxes levied by that city, village, or township and any interest, penalties or fees owing to the municipality for those taxes. Resale proceeds for all property purchased in this manner must be distributed to the State of Michigan in accordance with MCL 211.78m(1).
3. If the local municipalities elect not to purchase the property, the county in which the property is located may purchase it by paying the State the minimum bid amount.

Please see the Tax Foreclosed Parcels Listing to review parcels that may be of interest to your governmental agency. Applicants should review the cancellation list at the Department of Treasury website for parcel availability immediately prior to submitting an application, as parcel offerings may be cancelled at any time. Some parcels are subject to court-ordered redemption extensions as noted below the local parcel number of affected parcels. Execution and delivery for deeds associated to such parcels will be delayed until redemption periods expire. Payment submitted for parcels that are subsequently redeemed will be refunded to the governmental agencies, upon State confirmation of tax payment.

To purchase property, your agency must submit a completed State, County, or Local Unit of Government Purchase Application (also attached), along with a purchase authorization resolution identifying the intended public purpose for the parcel and certified payment by **July 7, 2015**.

Further information is available at the Department of Treasury website at the link:  
[http://www.michigan.gov/taxes/0,1607,7-238-43535\\_55601---,00.html](http://www.michigan.gov/taxes/0,1607,7-238-43535_55601---,00.html)

For questions, contact Roxanne Harris at the Foreclosure Services Division of the Michigan Department of Treasury at (517) 335-3253 or by email at [harrisr16@michigan.gov](mailto:harrisr16@michigan.gov).

Regards,  
Bob Robinson  
Eaton County Treasurer

## Application to Purchase Tax Foreclosed Property - State Agency

Issued under the authority of 206 PA of 1893; Section 211.78(m). This information is required to issue a deed.

**INSTRUCTIONS:** File this completed form and payment via check by the instructed deadline. Late applications will be rejected.

| TREASURY USE ONLY         |                           |
|---------------------------|---------------------------|
| Date Application Received | Date Application Reviewed |
| Payment Amount            | Deed Number               |
| Deed Date                 | Deed Mail Date            |

### PART 1: APPLICANT INFORMATION

|                                   |                   |          |
|-----------------------------------|-------------------|----------|
| Governmental Agency Name          |                   |          |
| Address (Street Number, P.O. Box) |                   |          |
| City                              | State<br>Michigan | ZIP Code |

### PART 2: DEED ISSUANCE

Issue deed to:  Governmental Agency in Part 1

|                                   |                   |          |
|-----------------------------------|-------------------|----------|
| Grantee Name                      |                   |          |
| Address (Street Number, P.O. Box) |                   |          |
| City                              | State<br>Michigan | ZIP Code |

Mail deed to:

|                                   |                   |          |
|-----------------------------------|-------------------|----------|
| Address (Street Number, P.O. Box) |                   |          |
| City                              | State<br>Michigan | ZIP Code |

### PART 3: BIDDING INFORMATION

| County  | Sale Number | Local Parcel Number | Minimum Bid as Identified on Treasury Web Site | Fair Market Value Appraisal Amount | Greater Amount (minimum bid vs. appraisal) |
|---|-------------|---------------------|--|------------------------------------|--|
|   |             |                     |  |                                    |  |
|   |             |                     |  |                                    |  |
|   |             |                     |  |                                    |  |
|   |             |                     | <b>Treasury Application Fee</b>                |                                    | <b>\$300.00</b>                            |
| <input type="checkbox"/> Check this box if additional parcels are attached. |             |                     |  | <b>TOTAL</b>                       |  |

### PART 4: CERTIFICATION

By signing below, I understand that the land herein described shall be used solely for public purposes. The deed issued by the State of Michigan may reserve to the State of Michigan all mineral rights including coal, oil and gas, etc., rights of ingress and egress over and across any watercourse or stream, pursuant to the provisions of Public Act 451 of 1994, as amended and all aboriginal antiquities, mounds, earthworks, etc., pursuant to the provisions of Public Act 451 of 1994.

|                          |       |                  |
|--------------------------|-------|------------------|
| Representative Name      | Title |                  |
| Representative Signature | Date  | Telephone Number |

Return Completed Application to:  
Property Services Division  
Michigan Department of Treasury  
P.O. Box 30760  
Lansing MI 48909-8260

Questions may be directed to (517) 241-3265.

**218 N BRIDGE ST** GRAND LEDGE, MI 48837 (Property Address)  
 Parcel Number: 400-000-615-090-00

**Property Owner:** CUSTOMLINE AUTO BROKERS & TYRE SALE

**Summary Information**  
 > Assessed Value: \$10,000 | Taxable Value: \$10,000 > Property Tax Information found

Error Loading Image

Item 1 of 3 2 Images / 1 Sketch

**Owner and Taxpayer Information**

|              |   |                 |                       |
|--------------|---|-----------------|-----------------------|
| <b>Owner</b> | CUSTOMLINE AUTO BROKERS & TYRE SALE<br>218 N BRIDGE ST<br>GRAND LEDGE, MI 48837 | <b>Taxpayer</b> | SEE OWNER INFORMATION |
|--------------|---|-----------------|-----------------------|

**General Information for Tax Year 2015**

|                            |                     |                                 |                               |
|----------------------------|---------------------|---------------------------------|-------------------------------|
| <b>Property Class</b>      | COMMERCIAL 202      | <b>Unit</b>                     | 023 GRAND LEDGE CITY-EATON CO |
| <b>School District</b>     | GRAND LEDGE SCHOOLS | <b>Assessed Value</b>           | \$10,000                      |
| <b>MAP #</b>               | Not Available       | <b>Taxable Value</b>            | \$10,000                      |
| <b>BLDG PERMIT #S</b>      | Not Available       | <b>State Equalized Value</b>    | \$10,000                      |
| <b>2009 NBH #</b>          | Not Available       | <b>Date of Last Name Change</b> | 03/24/2014                    |
| <b>BOR</b>                 | Not Available       | <b>Notes</b>                    | Not Available                 |
| <b>Historical District</b> | Not Available       | <b>Census Block Group</b>       | Not Available                 |
| <b>PERS PROP</b>           | Not Available       |                                 |                               |

**Principal Residence Exemption Information**

**Homestead Date** Not Available

|                               |          |          |
|-------------------------------|----------|----------|
| Principal Residence Exemption | June 1st | Final    |
| 2014                          | 0.0000 % | 0.0000 % |

**Previous Year Information**

| Year | MBOR Assessed | Final SEV | Final Taxable |
|------|---------------|-----------|---------------|
| 2014 | \$10,000      | \$10,000  | \$10,000      |
| 2013 | \$10,000      | \$10,000  | \$10,000      |

**Land Information**

|                                |                        |   |               |
|--------------------------------|------------------------|---|---------------|
| <b>Zoning Code</b>             | CBD                    | <b>Total Acres</b>                      | 0.070         |
| <b>Land Value</b>              | \$17,263               | <b>Land Improvements</b>                | \$2,810       |
| <b>Renaissance Zone</b>        | Not Available          | <b>Renaissance Zone Expiration Date</b> | Not Available |
| <b>ECF Neighborhood</b>        | COMMERCIAL - BRIDGE ST | <b>Mortgage Code</b>                    | Not Available |
| <b>Lot Dimensions/Comments</b> | Not Available          | <b>Neighborhood Enterprise Zone No</b>  |               |

| Lot(s)                          | Frontage | Depth                          |
|---------------------------------|----------|--------------------------------|
| Lot 1                           | 31.00 ft | 99.00 ft                       |
| <b>Total Frontage: 31.00 ft</b> |          | <b>Average Depth: 99.00 ft</b> |

**Legal Description**

COM 116 FT SW FR N COR OF BLOCK, SW 31 FT, SE 6 RODS, NE 31 FT, NW 6 RODS TO BEG, PART OF LOTS 2, 3, & 7 O P CITY OF GRAND LEDGE BLOCK 15

**Sale History**

| Sale Date  | Sale Price | Instrument | Grantor            | Grantee                             | Liber/Page |
|------------|------------|------------|--------------------|-------------------------------------|------------|
| 09/10/2013 | \$392.00   | QC         | AHMADIEH, DANIELLE | CUSTOMLINE AUTO BROKERS & TYRE SALE | 2496/0868  |

RCPT# 10088. STN 4  
\$23.00 MISC DOC

RECORDED  
1 JUL 2003 1:58:36 PM  
M. FRANCES FULLER  
REGISTER OF DEEDS  
EATON COUNTY, MICHIGAN



LIBER 1697 PAGE 602

**EASEMENT AGREEMENT**

THIS AGREEMENT Made this 17 day of September, 2002 by and between Herbert and Elizabeth Karkau, husband and wife, P.O. Box 7, Bath, Michigan 48808-0007, (hereinafter "Grantor"), and the GRAND LEDGE DOWNTOWN DEVELOPMENT AUTHORITY, a Michigan municipal Corporation organized under the laws of the State of Michigan, with office at City Hall Annex, Grand Ledge, Michigan 48837, (hereinafter "DDA").

WITNESETH:

WHEREAS, Grantor is the owner of that certain parcel of real property located in the City of Grand Ledge, County of Eaton, and State of Michigan, commonly known as 218 North Bridge Street, Grand Ledge, Michigan and more specifically described as :

PARCEL #23-400-000-615-090-00

Commencing 116 feet Southwest of North Corner of Block, Southwest 31 feet, Southeast 6 rods, Northeast 31 feet, Northwest 6 rods to Point of Beginning, Part of Lots 2, 3, and 7, Original Plat of the City of Grand Ledge Block 15.

(Hereinafter "Grantor's Property:").

WHEREAS, the DDA wishes to construct and/or improve existing surface parking areas and walkways, and locate certain underground public and private utilities within the Easement Areas (as hereinafter described) on, over and beneath Grantor's Property; and

WHEREAS, Grantor desires to convey and warrant to DDA an easement for the foregoing purposes, on and beneath the Easement Area (as hereinafter described), and also to convey to the DDA the right to operate and control the Easement Area as a public parking area.

NOW, THEREFORE, it is agreed as follows:

1. In consideration of the sum of One and 00/100 Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledge, Grantor does hereby grant, warrant and convey to the DDA, its successor and assigns, a perpetual, non-exclusive easement (the "Easement") upon, over, through, under and across the premises lying in the City of Grand Ledge, County of Eaton, State of Michigan, as shown on that certain drawing of Fishbeck, Thompson, Carr & Huber, label "Job No. 94159G" which is incorporated herein by reference, and more particularly

RECEIVED

JUN 30 2003

Eaton County Register of Deeds

described as

PARCEL#23-400-000-615-090-00  
ALL OF THE ABOVE DESCRIBED PARCEL.

(The "Easement Area").

2. Said Easement shall be for the limited purposes of preparing, constructing, installing, maintaining, repairing and replacing surface parking areas and walkways, and underground public, private utilities, lighting and other uses ancillary to maintenance and operation of parking areas and walkways. During the term of the Easement, as specified in paragraph 5, below, the Easement Area will become a public parking area operated and controlled by the Downtown Development Authority and the City of Grand Ledge.

3. The DDA shall have the right of ingress and egress to the Easement Area through Grantor's Property, and within the Easement Area for the purposes of preparing, constructing, installing maintaining, repairing or replacing surface parking areas and walkways, and public or private utilities, subject to the following terms and conditions:

- (a) Any construction, maintenance, replacement or repair shall be performed by the DDA so as to not unreasonably interfere with the use of said Easement Area and Grantor's Property by Grantor and its tenants, invitees and guests, and without cost to Grantor.
- (b) Upon completion of the construction, maintenance, replacement or repairs, the DDA will restore Grantor's Property to the same condition, maintenance, replacement or repairs and without cost to the Grantor; provide that the Grantor shall repair damage does to any fixed structures constructed after the date hereof, unless said damage is the result of the negligent acts or omission of the DDA, it's agents, employees, representatives, or contractors, in which case the said restorations shall be made by the DDA. Grantee further represents that it shall use its best efforts to minimize any interference or inconvenience experienced by Grantor, its successor(s), assign(s) and tenant(s) as a result of any action by Grantee DDA or its agent(s) performed in or relating to the Easement. The DDA shall use reasonable care to protect said fixed structures and landscaping on grantor's Property.

4. The Grantor retains all property rights in the Easement Area, which are not inconsistent with those granted to the DDA. The Grantor reserves the right to grant additional easement rights, in the Easement Area; said right being subject to approval by the DDA as to location and size of the proposed easement. Said approval by the DDA shall not be unreasonably withheld or delayed. All such additional easements shall be subject to the prior rights of the DDA, and additional expenses incurred in the construction, maintenance, repair or replacing of





the parking areas, walkways and utilities owned by the DDA, or its successors and assigns, resulting from all such additional easement, shall be assume by the owners of the easement(s) which cause such extra expense.

5. The easement and all ancillary rights granted herein shall cease, terminate and be of no further force and effect only at such time as the DDA, or its successor-in-interest, shall affirmatively notify Grantor if its intent to abandon the Easement Area.

6. This Easement shall run with the land and is binding upon the heirs, successors, assigns, tenants, guests, invitees and personal representatives of the parties hereto.

IN WITNESS WHEREOF, The Grantors executed this instrument as of the day and year first above written.

WITNESS:

[Signature]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GRANTOR:

Herbert Karkau  
Elizbeth Karkau

STATE OF MICHIGAN)

)ss

COUNTY OF \_\_\_\_\_)

The forgoing instrument was acknowledge before me this 12 day of SEPTEMBER, 2002 by Herbert Karkau and Elizebeth Karkau, husband and wife.

LINDA L. WEAVER  
NOTARY PUBLIC EATON CO, MI  
MY COMMISSION EXPIRES Sep 14, 2006

Linda L. Weaver  
EATON Notary Public  
County, Michigan  
My commission expires: 9-10-06

This Instrument Prepared by:  
Michael H. Rhodes  
Loomis, Ewert, Parsley, Davis & Gotting, P.C.  
232 Capitol Ave., Suite 1000  
Lansing, Michigan 48933  
517/492-2400

# EASEMENT ACQUISITION

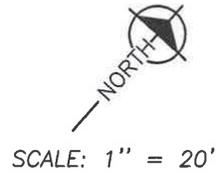
PERMANENT PARCEL NO.:  
OWNER (PER CITY ASSESSOR):

23-400-00-615-090-00  
HERBERT AND ELIZEBETH KARKAU  
P. O. BOX 7  
BATH, MICHIGAN 48808-0007  
218 N. BRIDGE STREET

PROPERTY ADDRESS:

PROPERTY DESCRIPTION:

COMMENCING 116 FEET SOUTHWEST OF NORTH CORNER OF BLOCK, SOUTHWEST 31 FEET, SOUTHEAST 6 RODS, NORTHEAST 31 FEET, NORTHWEST 6 RODS TO POINT OF BEGINNING, PART OF LOTS 2, 3 AND 7, ORIGINAL PLAT OF THE CITY OF GRAND LEDGE BLOCK 15.

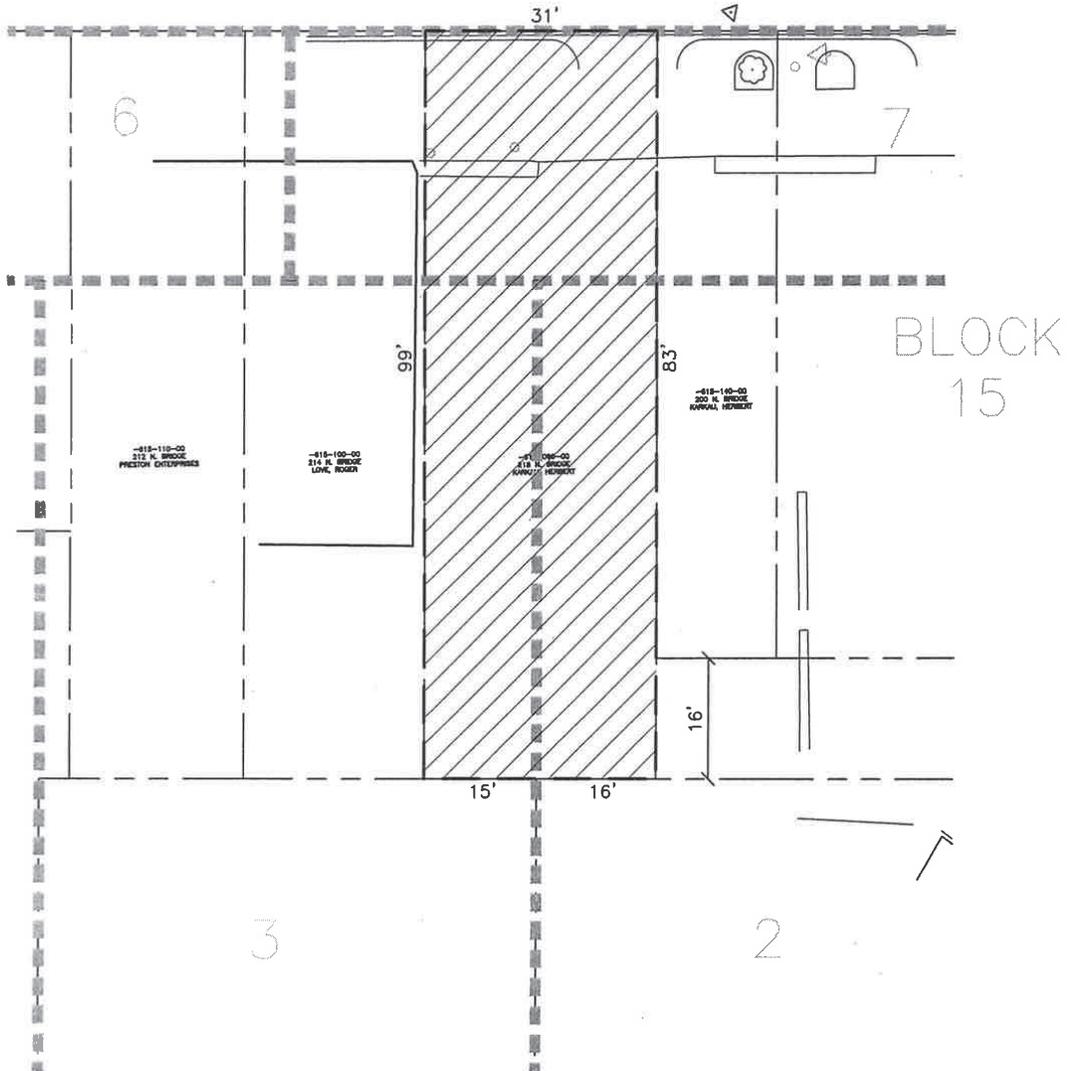


PERMANENT EASEMENT DESCRIPTION:  
ALL OF THE ABOVE DESCRIBED PARCEL

CL NORTH BRIDGE STREET (M-100)  
(66' WIDE)



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 LEGEND  
PROPOSED EASEMENT

Fishbeck, Thompson, Carr & Huber  
Engineers • Scientists • Architects  
**ftch**  
7402 Westshire Drive  
Lansing, Michigan 48917  
Phone (517)627-1141



**City of Grand Ledge**  
Downtown Development Authority  
North Side Parking Improvement  
Proposed Easement Exhibit

PROJECT NO.  
F99392A  
FIGURE NO.