REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN
TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANING CITY HALL, 10TH FLOOR
124 W. MICHIGAN AVENUE

REVISED AGENDA FOR FEBRUARY 10, 2020

TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council on Monday, February 10th at 7:00 p.m. at the Tony Benavides Lansing City Council Chambers, 10th Floor, City Hall.

I. ROLL CALL

II. MEDITATION AND PLEDGE OF ALLEGIANCE

III. READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

   Approval of the Printed Council Proceedings of January 27, 2020

IV. CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

V. TABLED ITEMS

VI. SPECIAL CEREMONIES

VII. COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

VIII. COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

IX. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

X. MAYOR’S COMMENTS

XI. SHOW CAUSE HEARINGS

XII. PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on blue form.)

   A. SCHEDULED PUBLIC HEARINGS

XIII. COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

   A. REFERRAL OF PUBLIC HEARINGS
B. CONSENT AGENDA

1. BY THE COMMITTEE ON GENERAL SERVICES
   a. Community Funding: Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women’s Clubs “Let’s Talk About It” Community (PEND-1473)

C. RESOLUTIONS FOR ACTION

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
   a. SLU-3-2019; Setting a Public Hearing, 1315 Massachusetts Avenue, Parking Lot in the "B" Residential Zoning District (PEND-1443, 1445)

D. REPORTS FROM COUNCIL COMMITTEES

E. ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

1. BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
   a. Z-9-2019; 3440 N. East Street, Conditional Rezoning from "F" Commercial District to "G-2" Wholesale District (PEND-1437, 1439)

F. ORDINANCES FOR PASSAGE

XIV. SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

XV. REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS
(Motion that all items be considered as being read in full and that the proper referrals be made by the President)

A. REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS

1. Letter(s) from the City Clerk re:
   a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk’s Office

2. Letter(s) from the Mayor re:
   a. Payment in Lieu of Taxes (PILOT), Porter Senior Apartments, 505 Townsend Street (PEND-1485,1487)
c. SLU-1-2020, Special Land Use Permit, between 1220 and 1306 North Homer Street, Telecommunications Tower, Metro Fibernet, LLC (PEND-1481, 1483)

d. Obsolete Property Rehabilitation Act (OPRA) Certificate, 1611 East Kalamazoo Street, Allen Neighborhood Center (ANC) Holdings (PEND-1488,1489)

e. FY2020 Mid-Year Budget Amendment

B. COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

1. Notice from the Michigan Liquor Control Commission (RID #2002-02770), Transfer stock interest in conjunction with 2019 Class C and SDM licensed corporation with Sunday Sales Permit (AM), Sunday Sales Permit (PM) and Outdoor Service (1 area) located at Acapulco Mexican Grill, Inc., 300 N. Clippert St.

2. Affidavit of Disclosure, Hayden Erickson, Lansing Police Department

3. Claim Appeal #1757, Frank JaJou for $716.80 in trash fees at 4414 South Martin Luther King

4. Claim Appeal #1758, Jesus DelaTorre-Vavra for $4,271 in trash fees at 523 Cherry Street

5. Claim Appeal #1769, Sue Lover for $2,763 in trash fees at 3410 South Waverly Road

XVI. MOTION OF EXCUSED ABSENCE

XVII. REMARKS BY COUNCIL MEMBERS

XVIII. REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

XIX. PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on yellow form.)

XX. ADJOURNMENT
Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk’s Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.
WHEREAS, Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women’s Clubs, Inc. requested $500.00 to defray costs for facilities rental associated with their event, “Lets Talk About It” Community Conversation about S.A.F.E. Encounters with Law Enforcement to be held March 12, 2020; and

WHEREAS, the maximum total amount of Community Funding Account to be awarded to an organization in one fiscal year is $500.00; and

WHEREAS, the Committee on General Services met on January 28, 2020, reviewed the request and approved $675.00.

THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from the Community Funding Account to Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women’s Clubs, Inc. in the amount of $675.00 to defray costs associated with facilities rental for their event “Lets Talk About It” Community Conversation about S.A.F.E. Encounters with Law Enforcement to be held March 12, 2020.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging $675.00 to the Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Greater Lansing Area Club (GLAC) of the National Association of Negro Business and Professional Women’s Clubs, Inc. shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.
Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 16, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-3-2019: 1315 Massachusetts Avenue, Special Land Use Permit, Parking lot in the “B” Residential zoning district
INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-9-2019: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2” Wholesale District, with a condition restricting the allowable uses

was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.
Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 16, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-2019: 3440 N. East Street, Rezoning from “F” Commercial District to “G-2” Wholesale District, with a condition restricting the allowable uses
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:
Case Number: Z-9-2019
Parcel Number’s: 33-01-01-03-102-002
Address: 3440 N. East Street
Legal Descriptions: Lots 7 & 8, Woodlawn Subdivision, City of Lansing, Ingham County, MI, from “F” Commercial District to “G-2” Wholesale District, with a condition prohibiting the property from being used for any purpose involving marijuana with the exception of a safety compliance facility, which condition shall run with the land and be binding upon the successor owners of the land.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on __________, 2020, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.
February 7, 2020

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI  48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk’s Office and are available for review in the City Clerk’s Office and at the following website: http://lansingmi.gov/AgendaCenter

<table>
<thead>
<tr>
<th>BOARD NAME</th>
<th>DATE OF MEETING</th>
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<tbody>
<tr>
<td>Medical Marihuana Commission</td>
<td>January 10, 2020</td>
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<tr>
<td>Board of Water and Light Pension Fund Trustees</td>
<td>November 19, 2019</td>
</tr>
<tr>
<td>Board of Water and Light Board of Commissioners</td>
<td>November 19, 2019</td>
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If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4131.

Sincerely,

Chris Swope, CMC, CMMC
Lansing City Clerk
INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for a Payment in Lieu of Taxes (PILOT) for PORTER SENIOR APPARTMENTS, was introduced by the Committee on Development & Planning, read a first time by its title and referred to the Committee on Development and Planning.
Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, ______________, 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance amending the Payment in Lieu of Taxes (PILOT) for PORTER SENIOR APPARTMENTS.
ORDINANCE NO. _____________

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY ADDING A NEW SECTION 884.___ FOR THE PURPOSES OF PROVIDING FOR AN EXTENSION OF A SERVICE CHARGE IN LIEU OF TAXES FOR NINETY-EIGHT (98) LOW INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE PORTER SENIOR APARTMENTS, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT CHAPTER 884 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BE AMENDED TO ADD A NEW SECTION 884.___ TO READ AS FOLLOWS:

884.___ THE PORTER SENIOR APARTMENTS

(A) PURPOSE. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ.]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD
BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH
HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A
PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY
SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING
CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID
PUBLIC PURPOSE.

(B) DEFINITIONS.

(1) "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT,
BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

(2) "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN
AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR
MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT
REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS
SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR
OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

(3) "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT
AUTHORITY.

(4) “ELDERLY PERSON(S)” MEANS (i) A SINGLE PERSON WHO IS 55 YEARS OF AGE
OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55
YEARS OF AGE OR OLDER OR (ii) A PERSON WITH DISABILITIES, A
DISABLED FAMILY, OR DISPLACED FAMILY ALL AS DEFINED IN 24 CFR
5.403.

(6) "HUD" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

(7) "LOW INCOME HOUSING TAX CREDIT PROGRAM" MEANS THE PROGRAM ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE CODE.

(8) "LOW OR MODERATE INCOME" MEANS LOW OR MODERATE INCOME ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

(9) "MORTGAGE LOAN" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY OR A LOAN INSURED BY HUD, OR A LOAN FROM THE AUTHORITY FOR THE
FINANCING OF THE PURCHASE OR REHABILITATION OF THE HOUSING
DEVELOPMENT.

(10) "SPONSOR" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING
DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT.
FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE PORTER SENIOR
APARTMENTS IS GL HOLDINGS, LLC, OR ITS SUCCESSORS OR ASSIGNS.

(11) "UTILITIES" MEANS FUEL, WATER, HEAT, SANITARY SEWER AND/OR
ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING
DEVELOPMENT, AS DEFINED IN THE ACT.

(12) OTHER TERMS. ALL TERMS REFERENCING THE ACT BUT NOT DEFINED IN
THIS SECTION SHALL HAVE THE SAME MEANING GIVEN IN THE ACT.

(C) ESTABLISHMENT OF ANNUAL SERVICE CHARGE.

(1) THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY
HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE PORTER SENIOR
APARTMENTS IN RELIANCE UPON THE ENACTMENT AND CONTINUING
EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE NINETY-
EIGHT (98) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT
FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS
SECTION.

(2) SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND
THE ACT, THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING
DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME

(3) IN LIEU OF ALL SAID PROPERTY TAXES ON THE NINETY-EIGHT (98) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO, FIVE PERCENT (5%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND THE ANNUAL AMOUNT OF UTILITIES PAID DURING THE SAME PERIOD.

ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

(5) IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO SUBSECTION (C)(4), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:

A. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND

B. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND

C. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY MATERIAL FORM, WITH THE EXCEPTION OF LIKE KIND REPLACEMENTS OR REPAIRS NEEDED IN THE ORDINARY COURSE OF BUSINESS, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

(D) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE.

NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE RENTAL HOUSING UNITS OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY RESIDENTS OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE
EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(E) **PAYMENT OF ANNUAL SERVICE CHARGE.** THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, AND DISTRIBUTED TO THE SEVERAL UNITS LEVYING THE GENERAL PROPERTY TAX IN THE SAME PROPORTION AS PREVAILED WITH THE GENERAL PROPERTY TAX IN THE PREVIOUS YEAR, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED. COLLECTION PROCEDURE SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE GENERAL PROPERTY TAX ACT (1893 PA 206, AS AMENDED; MCL 211.1, ET SEQ.).

(F) **CONTRACTUAL EFFECT.** NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD-PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS SECTION.

(G) **COMMENCEMENT AND DURATION.** THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT PROJECT ACKNOWLEDGED BY THIS AGREEMENT SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT PROJECT
REMAINS OUTSTANDING AND UNPAID, BUT NOT TO EXCEED FORTY (40) YEARS., COMMENCING WITH AND INCLUDING TAX YEAR 2021, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS SECTION, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE RENTED TO LOW OR MODERATE INCOME ELDERLY PERSONS AT RENTS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM OR AS DETERMINED BY THE HAP CONTRACT, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE, OF THE NINETY-EIGHT (98) UNITS OF HOUSING WITHIN THE DEVELOPMENT TO SOMETHING OTHER THAN PROVIDING HOUSING FOR ELDERLY RESIDENTS OF LOW OR MODERATE INCOME WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT. IF THE CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN TWO (2) YEARS FROM THE EFFECTIVE DATE OF THIS SECTION, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they pertain to the Porter Senior Apartments, as contemplated herein.
Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

Approved as to form:

James D. Smiertka, City Attorney
Dated: _________________________
City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on (INSERT DATE) at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #79 – Michigan Realtors Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 700 N. Washington Avenue located in the City of Lansing, but more particularly described as:

700 N. Washington Avenue (Parcel No. 33-01-01-09-453-061) - S 1/2 LOT 2 BLOCK 53 ORIG PLAT

0 N. Washington Avenue (Parcel No. 33-01-01-09-453-051) – N ½ LOT 2 BLOCK 53 ORIG PLAT

724 N. Washington Avenue (Parcel No. 33-01-01-09-453-023) - LOTS 3, 4 & 5 BLOCK 53 ORIG PLAT

730 N. Washington Avenue (Parcel No. 33-01-01-09-453-011) – S 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

732 N. Washington Avenue (Parcel No. 33-01-01-09-453-001) – N 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

104 E. Madison Street (Parcel No. 33-01-01-453-111) – E 83.5 FT LOT 6 BLOCK 53 ORIG PLAT

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of the property to pay for costs associated therewith. Further information regarding this issue, including maps, plats, and a description of the brownfield plan will be available for public inspection and may be obtained from Karl Dorshimer – Director of Business Development, Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, (517) 702-3387.

If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.
Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope
WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 700 N Washington Ave located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on (INSERT DATE) at 7:00 p.m. on Brownfield Plan #79 – Michigan Realtors Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

700 N. Washington Avenue (Parcel No. 33-01-01-09-453-061) - S 1/2 LOT 2 BLOCK 53 ORIG PLAT

0 N. Washington Avenue (Parcel No. 33-01-01-09-453-051) – N ½ LOT 2 BLOCK 53 ORIG PLAT

724 N. Washington Avenue (Parcel No. 33-01-01-09-453-023) - LOTS 3, 4 & 5 BLOCK 53 ORIG PLAT

730 N. Washington Avenue (Parcel No. 33-01-01-09-453-011) – S 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

732 N. Washington Avenue (Parcel No. 33-01-01-09-453-001) – N 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

104 E. Madison Street (Parcel No. 33-01-01-453-111) – E 83.5 FT LOT 6 BLOCK 53 ORIG PLAT
And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #79 – Michigan Realtors Redevelopment Project and the scheduled public hearing.

___________________________
City Clerk
WHEREAS, the Brownfield Redevelopment Authority (the ‘Authority’) of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the ‘Act’) has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #79 – Michigan Realtors Redevelopment Project (the ‘Plan’); and

WHEREAS, a public hearing was held by the Lansing City Council on (INSERT DATE) and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on (INSERT DATE) reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,

2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,

3. the Project may result in new private investment of approximately $9,200,000,

4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on February 7, 2020 unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
• The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;

• The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

• The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #79 – Michigan Realtors Redevelopment Project'.
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<th>DATE</th>
<th>BOARD/COMMITTEE</th>
<th>ACTION</th>
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<tr>
<td>By January 31, 2020</td>
<td>LEAP/LEDC</td>
<td>Final Brownfield Plan and Agreement is submitted to LEAP/LEDC for Review.</td>
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<tr>
<td>January 31, 2020</td>
<td>LEAP/LBRA</td>
<td>Final Draft Brownfield Plan Sent to LBRA Board.</td>
</tr>
<tr>
<td>Feb 7, 2020 3:00 P.M</td>
<td>Lansing Brownfield Redevelopment Authority</td>
<td>LBRA Approves Brownfield Plan #79.</td>
</tr>
<tr>
<td>Feb 10, 2020 7:00PM</td>
<td>Lansing City Council</td>
<td>Receives Brownfield Plan and refers it to the Committee on Development and Planning.</td>
</tr>
<tr>
<td>Feb 18, 2020 3:30 PM</td>
<td>Committee on Development and Planning</td>
<td>Applicant Presents Project to the D&amp;P Committee to review and Approve Resolution to set Public Hearing.</td>
</tr>
<tr>
<td>Feb 24, 2020 7:00PM</td>
<td>Lansing City Council</td>
<td>Council passes resolution setting the Public Hearing for 7:00PM on March 16, 2020.</td>
</tr>
<tr>
<td>March 16, 2020 7:00PM</td>
<td>Lansing City Council</td>
<td>Public hearing held at Council for Brownfield Plan. Referred back to the D&amp;P Committee for approval.</td>
</tr>
<tr>
<td>March 17, 2020 3:30 PM</td>
<td>Committee on Development and Planning</td>
<td>D&amp;P Committee passes resolution to approve the Brownfield Plan.</td>
</tr>
<tr>
<td>March 23, 2020 7:00PM</td>
<td>City Council Meeting</td>
<td>City Council Approves Brownfield Plan.</td>
</tr>
</tbody>
</table>
Lansing Brownfield Redevelopment Authority
Michigan Realtors Redevelopment Project

Brownfield Plan #79

700 N. Washington Avenue
Lansing, Michigan 48906

PREPARED BY:

Triterra
1305 S. Washington Avenue, Suite 102
Lansing, Michigan 48910
Contact Person: JP Buckingham
jp.buckingham@triterra.us
Phone: 517-853-2151

REVIEWED BY:

Lansing Brownfield Redevelopment Authority
1000 S. Washington Avenue, Suite 201
Lansing, Michigan 48910
Contact Person: Karl Dorshimer
karl@purelansing.com
Phone: 517-999-9039

January 28, 2020

Approved by the LBRA on ____
Adopted by the Lansing City Council on ____
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TABLES
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ATTACHMENTS
Attachment A: Legal Description of the Property
Attachment B: Letter of Functional Obsolescence
Attachment C: Renderings
1. **Project Summary Sheet**

The purpose of this Brownfield Plan (the “Plan”) is to identify eligible activities and cost estimates for redevelopment of the property located at 700 N. Washington Avenue in the City of Lansing, Michigan. Brownfield tax increment financing is necessary to support redevelopment of the property.

**Project Name:** Michigan Realtors Redevelopment Project (the “Project”)

**Developer:** Michigan Realtors® (the “Developer”)
700 N. Washington Avenue
Lansing, MI 48906

**Property Location:** 700 N. Washington Avenue, Lansing, Michigan 48906 (the “Property”)

**Type of Eligible Property:** “Functionally Obsolete”, and adjacent and contiguous

**Project Description:** The Project includes the demolition of the existing, functionally obsolete building at 700 N. Washington Avenue and demolition of the building (known as 720 N. Washington Avenue) at 724 N. Washington Avenue. The entire 1.46-acre Property will be redeveloped to include a three-story, 19,443-square foot commercial office building with a roof deck and 72 paved parking spaces. When the new building is complete the existing building (720 N. Washington) will be demolished and the remainder of the Project will be completed. The development will be constructed to provide space designed for the Michigan Realtors®, a Lansing based association.

Brownfield Eligible activities include asbestos and lead surveys and abatement, demolition, site preparation, infrastructure improvements, and preparation of the Brownfield Plan.

**Total Capital Investment:** Property and Building Improvements: Estimated at $9,200,000 million (not including acquisition) of which there is $536,276 in eligible activities associated with the proposed Project.
Estimated Job Creation/Retention: The redevelopment will create approximately 25-30 temporary construction related jobs. The completed project will retain 30 existing Michigan Realtors® staff with room for projected creation of new jobs.

Duration of Plan: 9 years (starting in 2021)

<table>
<thead>
<tr>
<th>Total New Taxes Generated by Development: $1,092,984</th>
<th>% of New Taxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uses</td>
<td></td>
</tr>
<tr>
<td>Portion Passed Through to Saginaw Street Corridor Improvement Authority</td>
<td>$55,115</td>
</tr>
<tr>
<td>Passed Through to: (CADL, School, Debt)</td>
<td>$442,007</td>
</tr>
<tr>
<td>Portion Captured by LBRA to Reimburse Developer</td>
<td>$536,276</td>
</tr>
<tr>
<td>Portion Captured for LBRA Plan Administration / Local Brownfield Revolving Fund (LBRF)</td>
<td>$59,586</td>
</tr>
<tr>
<td>TOTAL NEW TAXES GENERATED</td>
<td>$1,092,984</td>
</tr>
</tbody>
</table>
2. Purpose of Brownfield Plan and Past Use of the Property

The City of Lansing Brownfield Redevelopment Authority (Authority or “LBRA”), duly established by resolution of the City Council of the City of Lansing, pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq., as amended (Act 381), is authorized to exercise its powers within the City of Lansing, Michigan. The purpose of this Plan, to be implemented by the LBRA, is to satisfy the requirements for a Brownfield Plan as specified in Act 381.

The Plan will allow the LBRA to use tax increment financing to reimburse Michigan Realtors® (the “Developer”) for the costs of eligible activities required to redevelop the eligible property located at 700 N. Washington Avenue in the City of Lansing, Michigan, (the “Property”). Any proposed redevelopment of the Property will only be economically viable with the support and approval of the brownfield redevelopment incentives described herein. The location of the Property is depicted on Figure 1.

The Property is fully defined in the following table and in Attachment A.

<table>
<thead>
<tr>
<th>Address</th>
<th>Tax ID</th>
<th>Basis of Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>700 N. Washington Avenue</td>
<td>33-01-01-09-453-061</td>
<td>Functionally Obsolete</td>
</tr>
<tr>
<td>724 N. Washington Avenue</td>
<td>33-01-01-09-453-023</td>
<td>Adjacent and Contiguous</td>
</tr>
<tr>
<td>730 N. Washington Avenue</td>
<td>33-01-01-09-453-011</td>
<td>Adjacent and Contiguous</td>
</tr>
<tr>
<td>732 N. Washington Avenue</td>
<td>33-01-01-09-453-001</td>
<td>Adjacent and Contiguous</td>
</tr>
<tr>
<td>0 N. Washington Avenue</td>
<td>33-01-01-09-453-051</td>
<td>Adjacent and Contiguous</td>
</tr>
<tr>
<td>104 E. Madison Street</td>
<td>33-01-01-09-453-111</td>
<td>Adjacent and Contiguous</td>
</tr>
</tbody>
</table>

The Property is located within the boundaries of the City of Lansing and is surrounded by commercial property and thoroughfares. Property layout and boundaries are depicted on Figure 2. The legal descriptions of the Property are included in Attachment A.

The Property consists of a total of 1.46-acres and comprised of six contiguous parcels. One vacant two-story commercial office building totaling approximately 5,186-square feet and built in 1969 exists on the south end of the Property; and one occupied single-story commercial office building totaling approximately 4,898-square feet exists on the west-central portion of the Property. The remainder of the Property is comprised of grass lots and paved parking. The buildings have been used for commercial purposes.

The Property is considered an “eligible property” as defined by Act 381, Section 2 because: (a) the
Property was previously utilized as a commercial property; (b) it is located within the City of Lansing, a qualified local governmental unit under MCL 125.2782(k); and (c) the parcel located at 700 N. Washington Avenue has been determined to be “functionally obsolete” as defined in Section 2(s) of Act 381, and the parcels located at 724, 730, 732, 0 N. Washington Avenue and 104 E. Madison Avenue are adjacent and contiguous to 700 N. Washington Avenue. Refer to Attachment B, Letter of Functional Obsolescence.

3. **Brownfield Project Description**

The Project includes the demolition of the existing, functionally obsolete building at 700 N. Washington Avenue and demolition of the building (known as 720 N. Washington Avenue) at 724 N. Washington Avenue. The entire 1.46-acre Property will be redeveloped to include a three-story, 19,443-square foot commercial office building with a roof deck and 72 paved parking spaces. When the new building is complete the existing building (720 N. Washington) will be demolished and the remainder of the Project will be completed. The development will be constructed to provide space designed for the Michigan Realtors® headquarters with over 30,000 members statewide.

The new building will provide space designed for hosting programs including workplace and conference space for Michigan Realtors® staff and training/meeting space to host dinners, continuing education seminars, committee meetings, and other events for members, stakeholders, and partners from around the State. The event space and video production facilities will also be used by other organizations, most likely groups from around the state with a need for a presence in Lansing.

The first and second floors will support Michigan Realtors® staff with a high-performance workplace that fuels efficiency, collaboration, and productivity. The third-floor engagement center and roof deck will provide diverse spaces for up to 226 people to learn socialize, network, and work together.

Improved landscaping, sidewalks, and parking will create a more inviting, clean appearance allowing for easier access to the site and to Durant Park. Enhanced lighting onsite will allow for greater safety. The Project includes streetscape improvements with expanded tree lawns and corner bump-outs with decorative paving at the southeast and southwest corners of Washington Avenue and Saginaw Street. Additional landscaping and decorative paving at the southeast corner will provide a transition to the Project site. The plan was developed in cooperation with the Public Service Department to extend streetscape improvements on both sides of Washington Avenue north to Madison Street at the time sanitary sewers are replaced. These improvements will enhance the aesthetics and curb appeal for Saginaw Street and Washington Avenue, create a better connection to Durant Park, and a safer intersection for both pedestrian and vehicles.

Total capital investment is estimated at $9,200,000, not including acquisition. This Project will result in the retention of 30 existing Michigan Realtors® staff with room for projected creation of new jobs. The Project is also projected to create/leverage 25 to 30 temporary construction related jobs.
4. Developer Eligible Activities

The Developer will fund the improvements being made to the site including the public infrastructure improvements. Once the development project is complete a portion of the resulting increase in Property taxes will be used to reimburse the Developer for their extraordinary brownfield costs to redevelop the Property. The activities that are intended to be carried out at the Property are considered “eligible activities” as defined by Sec 2 of Act 381 and include asbestos and lead surveys and abatement, (building and site) demolition, site preparation, infrastructure improvements, and preparation of the Brownfield Plan.

The costs of eligible activities included in this Plan can be reimbursed with the new local increment tax revenues generated by the Property redevelopment and captured by the LBRA, subject to any limitations and conditions described in this Plan and the terms of a Reimbursement Agreement between the Developer and the Authority (the “Reimbursement Agreement”).

The total estimated eligible activity costs estimated for Developer reimbursement is $536,276.

**ELIGIBLE ACTIVITIES**

**NON-ENVIRONMENTAL**

- Asbestos and Lead Activities .............................................................. $61,252.00
- Demolition ......................................................................................... $77,126.00
- Site Preparation ................................................................................. $97,357.00
- Infrastructure Improvements ......................................................... $222,257.00
  (Estimated cost for public way improvements is $163,000)

**Total Non-Environmental Costs** ..................................................... $457,992.00

- Contingency (15%) * ........................................................................ $68,284.00
- Brownfield Plan Preparation .......................................................... $10,000.00
- Interest (0%, simple) ......................................................................... $0.00

**Total Anticipated TIR Available for Reimbursement** ......................... $536,276.00

- State Brownfield Redevelopment Fund ........................................... $0.00
- LBRA Plan Administration / LBRF ................................................... $59,586.00

**Total Local TIR Capture** ................................................................ $595,862.00

* Asbestos/Lead Surveys, Brownfield Plan preparation are excluded from contingency calculation.

The costs listed above are estimated and may increase or decrease depending on the nature and extent of unknown conditions encountered on the Property.
5. **Captured Taxable Value and Tax Increment Revenues**

The costs of eligible activities included in, and authorized by, this Plan can be reimbursed with incremental local only tax revenues generated by the Property redevelopment and captured by the LBRA. The LBRA will not be obligated to reimburse the Developer for Eligible Activities completed after December 31, 2022.

The taxable value of the Property according to the city assessor was $476,518 which is the initial taxable value for this Plan. The new projected taxable value for 2021 was estimated at $2,000,000. Estimated taxable values were based on estimates determined by the Project’s development team. The actual taxable value will be determined by the City’s Assessor after the Project is completed.

It is estimated that the LBRA will capture tax increment revenues from 2021 through 2029 to reimburse the Developer and the LBRA for the cost of eligible activities, pay for the LBRA’s administration of the Plan and make deposits into the LBRA’s Local Brownfield Revolving Fund (LBRF). Ninety percent of the new local taxes will be captured by the LBRA. This Plan will pass through 10% of new local taxes captured per year for the duration of the Plan for deposit into the Saginaw Street Corridor Improvement Authority (SSCIA). After the Plan expires, the SSCIA will capture 100% of the new local taxes for the duration of the SSCIA plan.

The captured incremental taxable value and associated tax increment revenue will be determined by the City Assessor. The actual increased taxable value of the land and all future taxable improvements on the Property may vary. Furthermore, the amount of tax increment revenue available under this Plan will be based on the actual millage levied annually by each local taxing jurisdiction on the increase in tax value resulting from the redevelopment project that is eligible and approved for capture.

6. **Method of Brownfield Plan Financing**

The Developer is ultimately responsible for providing financing for the costs of eligible activities included in this Plan. However, the City will be using the LBRA’s LBRF to finance a portion of the infrastructure improvements (i.e. streetscape). These LBRF funds will be recovered by the LBRA from tax increment revenues.

The inclusion of eligible activities and estimates of cost to be reimbursed in this Plan are intended to authorize the LBRA to fund such reimbursements. Reimbursements under the Reimbursement Agreement shall not exceed the cost of eligible activities and reimbursement limits described in this Plan.

Annually, the LBRA will capture 10% of the available new local taxes for LBRA Plan administration and/or deposits into the LBRF.
7. **Amount of Note or Bonded Indebtedness Incurred**

None.

8. **Duration of the Brownfield Plan**

The duration of this Plan shall not exceed 10 years total tax capture after the first year of tax capture anticipated as 2021.

9. **Estimated Impact on Taxing Jurisdictions**

The table on the following page presents a summary of the new tax revenues generated by the taxing jurisdictions whose millage is subject to capture by the LBRA under this Plan. These are estimations based on the commercial components of the proposed redevelopment.
### Projected Impact to Taxing Jurisdictions

<table>
<thead>
<tr>
<th>Taxing Unit</th>
<th>Current Base Taxes</th>
<th>New Taxes to Saginaw Street Corridor Improvement Authority</th>
<th>New Taxes to Taxing Units*</th>
<th>New Taxes for BRA Admin/ LBRF Deposits and Developer Reimbursement</th>
<th>Total New Taxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lansing Operating</td>
<td>$9,264</td>
<td>$27,980</td>
<td>$251,820</td>
<td>$279,800</td>
<td></td>
</tr>
<tr>
<td>Ingham County</td>
<td>$1,968</td>
<td>$5,944</td>
<td>$53,499</td>
<td>$59,443</td>
<td></td>
</tr>
<tr>
<td>Ingham County Sum</td>
<td>$3,240</td>
<td>$9,787</td>
<td>$88,085</td>
<td>$97,872</td>
<td></td>
</tr>
<tr>
<td>Airport Authority</td>
<td>$333</td>
<td>$1,006</td>
<td>$9,055</td>
<td>$10,061</td>
<td></td>
</tr>
<tr>
<td>CATA</td>
<td>$1,433</td>
<td>$4,328</td>
<td>$38,952</td>
<td>$43,280</td>
<td></td>
</tr>
<tr>
<td>Potter Park Zoo</td>
<td>$195</td>
<td>$590</td>
<td>$5,311</td>
<td>$5,901</td>
<td></td>
</tr>
<tr>
<td>Lansing Community College</td>
<td>$1,814</td>
<td>$5,480</td>
<td>$49,317</td>
<td>$54,797</td>
<td></td>
</tr>
<tr>
<td>Ingham Inter. School District</td>
<td>$2,243</td>
<td>$6,774</td>
<td>$60,963</td>
<td>$67,736</td>
<td></td>
</tr>
<tr>
<td>Lansing School Sinking Fund</td>
<td>$1,430</td>
<td>$4,318</td>
<td>$38,861</td>
<td>$43,179</td>
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</tr>
<tr>
<td>Lansing School District Operating</td>
<td>$8,472</td>
<td>$255,896</td>
<td>$255,896</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Education Tax (6 mills)</td>
<td>$2,859</td>
<td>$86,358</td>
<td>$86,358</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Area District Library</td>
<td>$743</td>
<td>$22,453</td>
<td>$22,453</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Debt</td>
<td>$2,192</td>
<td>$66,208</td>
<td>$66,208</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$36,186</strong></td>
<td><strong>$55,115</strong></td>
<td><strong>$442,007</strong></td>
<td><strong>$595,862</strong></td>
<td><strong>$1,092,984</strong></td>
</tr>
</tbody>
</table>

* Increased by investment, but not captured by the LBRA

Additional information related to the impact of tax increment financing on the various taxing jurisdictions is presented in Table 2.

### 10. Legal Description & Site Map

The Property location and boundaries are shown on Figures 1 and 2. The legal description of the Property is provided in Attachment A.

### 11. Personal Property

This Brownfield Plan will capture incremental tax revenues resulting from personal property to the extent they are available.
12. **Displacement of Persons**

No persons will be displaced as a result of this Project.

13. **Local Brownfield Revolving Fund**

The City will be using the LBRA’s accelerated reimbursement program to finance a portion of the infrastructure improvements.

The LBRA will capture all available tax increment revenues for deposit to the LBRF as permitted by Act 381.

14. **Other Information**

The LBRA and the Lansing City Council, in accordance with the Act, may amend this Plan in the future in order to fund additional eligible activities associated with the Project described herein.
FIGURES

Figure 1: Property Location Map
Figure 2: Eligible Property Map
FIGURE 1
PROPERTY LOCATION

700 N. WASHINGTON AVENUE
LANSING, MICHIGAN 48906

INGHAM COUNTY
T4N, R2W, SECTION 9

PROJECT NUMBER: 19-2147

ADAPTED FROM MI GEOGRAPHIC DATA LIBRARY DRG
TABLES

Table 1: Brownfield Eligible Activities
Table 2: Tax Increment Revenue Capture Estimates
Table 3: Tax Increment Revenue Reimbursement Allocation Table
# Table 1
Brownfield Eligible Activities
700 N. Washington Avenue
Lansing, MI

<table>
<thead>
<tr>
<th>ELIGIBLE ACTIVITIES</th>
<th>NO. OF UNITS</th>
<th>UNIT TYPE</th>
<th>UNIT RATE</th>
<th>ESTIMATED TOTAL COST</th>
<th>DEQ ACTIVITIES</th>
<th>MSF ACTIVITIES</th>
<th>LOCAL-ONLY ACTIVITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MSF ELIGIBLE ACTIVITIES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asbestos and Lead Activities</td>
<td></td>
<td></td>
<td></td>
<td>$61,252</td>
<td>$</td>
<td>$</td>
<td>$61,252</td>
</tr>
<tr>
<td>Demolition</td>
<td></td>
<td></td>
<td></td>
<td>$77,126</td>
<td>$</td>
<td>$</td>
<td>$77,126</td>
</tr>
<tr>
<td>Site Preparation</td>
<td></td>
<td></td>
<td></td>
<td>$97,357</td>
<td>$</td>
<td>$</td>
<td>$97,357</td>
</tr>
<tr>
<td>Infrastructure Improvements</td>
<td></td>
<td></td>
<td></td>
<td>$222,257</td>
<td>$</td>
<td>$</td>
<td>$222,257</td>
</tr>
<tr>
<td><strong>Contingency (15%)</strong></td>
<td></td>
<td></td>
<td></td>
<td>$68,284</td>
<td>$</td>
<td>$</td>
<td>$68,284</td>
</tr>
<tr>
<td><strong>State Brownfield Revolving Fund</strong></td>
<td></td>
<td></td>
<td></td>
<td>$59,586</td>
<td>$</td>
<td>$</td>
<td>$59,586</td>
</tr>
<tr>
<td><strong>BRA Administrative Fees/LBRF</strong></td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$536,276</td>
</tr>
<tr>
<td><strong>TOTAL ELIGIBLE COST FOR REIMBURSEMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td>$536,276</td>
<td>$</td>
<td>$</td>
<td>$536,276</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td>$595,862</td>
<td>$</td>
<td>$</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

**REIMBURSEMENT ALLOCATION**

<table>
<thead>
<tr>
<th>ELIGIBLE ACTIVITIES</th>
<th>DEQ ACTIVITIES</th>
<th>MSF ACTIVITIES</th>
<th>LOCAL-ONLY ACTIVITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subtotal Asbestos and Lead Activities</strong></td>
<td>$</td>
<td>$</td>
<td>$61,252</td>
</tr>
<tr>
<td><strong>Subtotal Demolition Activities</strong></td>
<td>$</td>
<td>$</td>
<td>$77,126</td>
</tr>
<tr>
<td><strong>Subtotal Site Preparation Activities</strong></td>
<td>$</td>
<td>$</td>
<td>$97,357</td>
</tr>
<tr>
<td><strong>Subtotal Infrastructure Improvement Activities</strong></td>
<td>$222,257</td>
<td>$</td>
<td>$222,257</td>
</tr>
<tr>
<td><strong>MSF ELIGIBLE ACTIVITIES SUB-TOTAL</strong></td>
<td>$457,992</td>
<td>$</td>
<td>$457,992</td>
</tr>
<tr>
<td><strong>MSF AND EGLE ELIGIBLE ACTIVITIES SUB-TOTAL</strong></td>
<td>$457,992</td>
<td>$</td>
<td>$457,992</td>
</tr>
<tr>
<td><strong>Contingency (15%)</strong></td>
<td>$68,284</td>
<td>$</td>
<td>$68,284</td>
</tr>
<tr>
<td><strong>Brownfield Plan</strong></td>
<td>$10,000</td>
<td>$</td>
<td>$10,000</td>
</tr>
<tr>
<td><strong>State Brownfield Revolving Fund</strong></td>
<td>$</td>
<td>$</td>
<td>$59,586</td>
</tr>
<tr>
<td><strong>BRA Administrative Fees/LBRF</strong></td>
<td>$</td>
<td>$</td>
<td>$536,276</td>
</tr>
<tr>
<td><strong>TOTAL ELIGIBLE COST FOR REIMBURSEMENT</strong></td>
<td>$</td>
<td>$</td>
<td>$536,276</td>
</tr>
</tbody>
</table>

**NOTES:**
These costs and revenue projections should be considered approximate estimates based on expected conditions and available information. It cannot be guaranteed that the costs and revenue projections will not vary from these estimates. Costs for Asbestos/Lead Surveys and Brownfield Plan are excluded from contingency calculation.
Table 2  
Tax Increment Revenue Capture Estimates  
700 N. Washington Avenue  
Lansing, MI

<table>
<thead>
<tr>
<th>Plan Year</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Taxable Value (TV) Increase Rate</td>
<td>3% per year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$765,118</td>
<td>$749,118</td>
<td>$763,118</td>
<td>$764,118</td>
<td>$765,118</td>
<td>$765,118</td>
<td>$765,118</td>
<td>$765,118</td>
<td></td>
</tr>
</tbody>
</table>

| Estimated New TV | $2,080,000 | $2,080,000 | $2,080,000 | $2,080,000 | $2,080,000 | $2,102,020 | $2,131,080 | $2,164,471 | $2,165,713 |
| Incremental Difference (New TV - Base TV) | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 |
| Incremental Difference | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 | $1,305,982 |
| Total | $4,521,982 | $4,521,982 | $4,521,982 | $4,521,982 | $4,521,982 | $4,521,982 | $4,521,982 | $4,521,982 | $4,521,982 |

### School Capture

<table>
<thead>
<tr>
<th>Millage Rate</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lansing Operating</td>
<td>17.7250</td>
<td>$27,086</td>
<td>$27,642</td>
<td>$28,015</td>
<td>$28,310</td>
<td>$28,490</td>
<td>$28,560</td>
<td>$28,500</td>
<td>$29,048</td>
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<td>State Education Tax (SET)</td>
<td>6.0000</td>
<td>$9,415</td>
<td>$9,261</td>
<td>$9,056</td>
<td>$9,288</td>
<td>$9,753</td>
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<td>$9,801</td>
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<td>School Total:</td>
<td>23.7250</td>
<td>$36,500</td>
<td>$36,903</td>
<td>$37,367</td>
<td>$38,098</td>
<td>$38,250</td>
<td>$38,510</td>
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### Local Capture

<table>
<thead>
<tr>
<th>Millage Rate</th>
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<th>2022</th>
<th>2023</th>
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<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
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</thead>
<tbody>
<tr>
<td>Lansing Operating</td>
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<td>$29,018</td>
<td>$29,335</td>
<td>$29,598</td>
<td>$29,790</td>
<td>$29,959</td>
<td>$29,959</td>
<td>$30,000</td>
<td>$30,508</td>
</tr>
<tr>
<td>Ingham County</td>
<td>7.1812</td>
<td>$6,292</td>
<td>$6,776</td>
<td>$7,016</td>
<td>$7,127</td>
<td>$7,217</td>
<td>$7,247</td>
<td>$7,303</td>
<td>$7,479</td>
</tr>
<tr>
<td>Lansing Operating</td>
<td>0.4950</td>
<td>$4,732</td>
<td>$4,764</td>
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<td>$48,715</td>
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<td>$50,728</td>
<td>$50,939</td>
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### Captured

| Total | $213,894 | $213,894 | $213,894 | $213,894 | $213,894 | $213,894 | $213,894 | $213,894 | $213,894 |

### Non-Capturable Millages

<table>
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<tr>
<th>Millage Rate</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$2,559</td>
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</table>

### Notes

- Total Non-Capturable Taxes: $4,600

- Estimated Taxable Value (TV) Increase Rate: 3% per year
## Table 3
Tax Increment Reimbursement Allocation Table
700 N. Washington Avenue
Lansing, MI

<table>
<thead>
<tr>
<th>Available Tax Increment Revenue (TIR)</th>
<th>DEVELOPER</th>
<th>State TIR Available for Reimbursement to Developer</th>
<th>Local TIR Available for Reimbursement to Developer</th>
<th>Total TIR Available for Reimbursement to Developer</th>
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</thead>
<tbody>
<tr>
<td>State TIR</td>
<td>$536,276</td>
<td>$479,512</td>
<td>$422,053</td>
<td>$902,256</td>
</tr>
<tr>
<td>Local TIR</td>
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<td>$61,744</td>
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<tr>
<td><strong>TOTALS</strong></td>
<td>$1,073,542</td>
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<td>$1,023,217</td>
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### Developer: City Projected Reimbursement

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<tr>
<th>School &amp; Local TIR</th>
<th>Local-Only TIR</th>
<th>Total TIR</th>
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</thead>
<tbody>
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<td>$536,276</td>
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<td>$1,073,542</td>
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</table>

### Estimated Total Years of Plan: 9

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<tr>
<th>Local-Only Activities</th>
<th>State Brownfield Revolving Fund</th>
<th>State Administration Fees &amp; Loan Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>$536,276</td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

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</thead>
<tbody>
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<td>$ -</td>
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</tbody>
</table>

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<tbody>
<tr>
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</tbody>
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</tr>
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<tbody>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>$536,276</td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

### Notes:
- During the life of the Plan:
  - State Brownfield Revolving Fund
  - State Administration Fees & Loan Funds

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1 of 1
Attachment A

Legal Description of the Property
ATTACHMENT A

Legal Description
700 N. Washington Avenue
Lansing, Michigan 48906

700 N. Washington Avenue (Parcel No. 33-01-01-09-453-061) - S 1/2 LOT 2 BLOCK 53 ORIG PLAT

0 N. Washington Avenue (Parcel No. 33-01-01-09-453-051) – N Μ/2 LOT 2 BLOCK 53 ORIG PLAT

724 N. Washington Avenue (Parcel No. 33-01-01-09-453-023) - LOTS 3, 4 & 5 BLOCK 53 ORIG PLAT

730 N. Washington Avenue (Parcel No. 33-01-01-09-453-011) – S 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

732 N. Washington Avenue (Parcel No. 33-01-01-09-453-001) – N 33 FT OF W 81.5 FT LOT 6 BLOCK 53 ORIG PLAT

104 E. Madison Street (Parcel No. 33-01-01-453-111) – E 83.5 FT LOT 6 BLOCK 53 ORIG PLAT
Attachment B

Letter of Functional Obsolescence
September 17, 2019

Functional Obsolescence Determination
700 N. Washington St
Parcel 33-01-01-09-453-061

This building was originally constructed in 1969 as a split entry, single occupant office building. Because of the split entry, there is no access to the building that does not include stairs. There is no ground level entry. There is no elevator. The design as a split entry office building is obsolete.

The heating and cooling systems are currently obsolete. The heating and cooling system is accessed through a port in the ceiling and not easily accessible.

The restrooms are not handicap accessible because of the small size and narrow doorways.

The windows are fixed and do not open. There is no sprinkler system.

For these reasons, I have determined that the building at 700 N. Washington Ave. suffers from functional obsolescence.

Sharon Frischman, MMAO
City Assessor
Attachment C

Renderings
Project Information

PROJECT LOCATION - LANSING, MI.

PROJECT STATISTICS

BUILDING AREA:
- First Floor: 4,855 SF
- Second Floor: 8,778 SF
- Third Floor: 5,810 SF
- Total: 19,443 SF
- Roof Deck: 2,840 SF

SITE AREA AND FACTS
- Site Area: 1.46 acres
- Parking: 72 spaces

BUILDING FACTS:
- New building on property currently owned by Michigan Realtors reaffirms the organization's commitment to Lansing.
- Programs include workplace and conference space for Michigan Realtors staff and training/meeting space to host dinners, continuing education seminars, and other events for members, stakeholders, and partners.
- The building will focus on advancing the credibility of Michigan Realtors as the top advocacy group and a leader in member service through a building that reflects the organization's brand and culture.
- The first and second floors will support Michigan Realtors staff of between 35 and 40 in a high performance workplace that fuels efficiency, collaboration, and productivity.
- The third floor engagement center and roof deck will provide diverse spaces for up to 266 people to learn, socialize, network, and work together.
- The site and roof deck design creates opportunities for staff to work and collaborate outdoors using plants and materials indigenous to Michigan while not increasing impervious surface or storm water discharge.
CONCEPT STREETScape PLAN FOR:

MICHIGAN REALTORS

Designer: J. Faasse
Date: 11/13/19

SCALE: 1"=30' 0' 15' 30'

This drawing and all information contained herein are the sole, confidential, and exclusive property of Twin Lakes Nursery. Publication of this drawing is limited only to the specific project and/or site. Reproduction, publication, reuse or modification of this document in whole or in part is expressly prohibited without prior written consent of Twin Lakes Nursery.

Compliance with all state and local codes and engineering requirements are the responsibility of the customer and each individual contractor for their phase of work, and not the responsibility of Twin Lakes Nursery, Inc.

Twin Lakes Nursery, Inc.

3901 MICHIGAN RD. N.E.
GRAND RAPIDS, MI 49525
PH. 949-5230
FAX. 949-1751
www.twinlakesnursery.com

LANDSCAPE DESIGN AND CONSTRUCTION

MICHIGAN REALTORS
CITY OF LANSING
NOTICE OF PUBLIC HEARING

SLU-1-2020, N. Homer Street
Special Land Use Permit – Telecommunications Tower/Equipment Shelter

The Lansing City Council will hold a public hearing on Monday, 2020 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider SLU-1-2020. This is a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the property (Parcel No. 33-01-11-251-281) located between 1220 and 1306 N. Homer Street. Telecommunication towers are permitted in the "A" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., Monday, 2020 at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk
BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-1-2020
Telecommunications Tower in the “A” Residential District
N. Homer Street, Parcel #: 33-01-01-11-251-281

WHEREAS, Metro Fibernet, L.L.C. has requested a special land use permit to allow a telecommunications tower with related structures and equipment at the southeast corner of the property located between 1220 and 1306 N. Homer Street (Parcel #: 33-01-01-11-251-281); and

WHEREAS, the property is zoned “A” Residential District, where telecommunication towers are permitted subject to obtaining a Special Land Use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact of the proposal on the surrounding area, the environment and public services as well as its consistency with the existing zoning and land use patterns in the area and with the objectives of the Design Lansing Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on February 4, 2020 at which two individuals representing the applicant spoke in favor of the request and one area resident asked questions about the proposal; and

WHEREAS, the Planning Board, at its February 4, 2020 meeting, voted (6-0) to recommend approval of SLU-1-2020 for a special land use permit allow a telecommunications tower with related structures and equipment at the southeast corner of the property located between 1220 and 1306 N. Homer Street (Parcel #: 33-01-01-11-251-281) with the condition that the access drive/compound area is maintained in a dust-free condition and with the condition that the City Zoning Administrator is given the authority to require additional landscaping and/or an opaque fence along the south property line, prior to issuance of a certificate of occupancy for the shelter(s), if the landscaping shown on the site plan proves to be insufficient to effectively screen the project from the adjoining residential property to the south; and

WHEREAS, the City Council held a public hearing regarding SLU-1-2020 on 2020

WHEREAS, the Committee on Development and Planning has reviewed the report and residential development recommendation of the Planning Board and concurs therewith; and

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-1-2020 for a special land use permit allow a telecommunications tower with related structures and equipment at the southeast corner of the property located between 1220 and 1306 N. Homer Street (Parcel #: 33-01-01-11-251-281) with the condition that the access drive/compound area is maintained in a dust-free condition and with the condition that the City Zoning Administrator is given the authority to require additional landscaping and/or an opaque fence along the south property line, prior to issuance of a certificate of occupancy for the shelter(s), if the landscaping shown on the site plan proves to be insufficient to effectively screen the project from the adjoining residential property to the south.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.
BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

1. Through proper landscape, screening and buffering, the proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the intent and purpose of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use requires a height variance by the Board of Zoning Appeals and setback/separation distance waivers by the City Council. The site plan demonstrates compliance with all other requirements of the Zoning Ordinance and the Wireless Communication Tower Ordinance which is a component thereof.
Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, , 2020, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Resolution for Special Land Use Permit:

   SLU-1-2020:  N. Homer Street (Parcel #: 33-01-01-11-251-281), Special Land Use Permit, Telecommunications Tower in the “A” Residential Zoning District
GENERAL INFORMATION

APPLICANT: Metro Fibernet, LLC
3701 Communications Way
Evansville, IN 47715

OWNER: Lansing Board of Water & Light
P. O. Box 13007
Lansing, MI 48901

STATUS OF APPLICANT: The applicant has a license agreement with the owner

REQUESTED ACTION: Special Land Use permit for a telecommunications tower in the “A” Residential zoning district

EXISTING LAND USE: Board of Water & Light pump house

EXISTING ZONING: “A” Residential District

PROPERTY SIZE & SHAPE: Entire site: 300’ x 267.9’ = 80,370 square feet
Licensed are: 75.3’ x 80’ = 6,024 square feet

SURROUNDING LAND USE: N: Single Family Residential
S: Duplex
E: Freeway
W: Single Family Residential

SURROUNDING ZONING: N: “A” Residential District
S: “DM-3” Residential District
E: “A” Residential District
W: “A” Residential District

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for low density residential use. N. Homer Street is designated as a local road.

APPLICANT’S PROPOSAL:

This is a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the Board of Water & Light property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street. The purpose of the tower/shelters is to provide fiber optic internet and streaming television services to business and residential customers in the City of Lansing and surrounding communities. Telecommunication towers with related structures/equipment are permitted in the ”A” Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.
AGENCY RESPONSES:

Assessing: No comments.

BWL:

Building Safety: The BSO has no objections. Project will be subject to the requirements of the site plan and building plan reviews.

Parks & Recreation: No comments.

Public Service/Transportation: No issue from a Public Service or Transportation perspective. The City’s non-motorized plan shows a future bridge over US-127 in this area, though an exact location has not been identified nor has funding. Any project is a minimum of 3-5 years out and any structure proposed on this parcel would not adversely affect a future non-motorized bridge, even if it connected to this parcel.

ANALYSIS

Section 1282.03(f)(1)-(9) sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

1. **Is the proposed special land use designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area?**

   The proposed tower/shelter will not generate noise, odors, vibrations, light glare, etc. that would negatively impact the surrounding residential area. Furthermore, traffic to the site will be limited to 1 or 2 vehicles trips per day and the gravel access drive will have to be maintained in a dust-free condition. The issue with regard to this request is the appearance of the tower/compound area since it will be located directly adjacent to a residential property to its south. In order for the tower/compound area to be compatible with the adjoining residential uses, it will have to be effectively screened with dense evergreen plant materials and, if necessary, a screen fence as well.

2. **Will the proposed special land use change the essential character of the surrounding area?**

   The proposed tower/compound area will not change the essential character of the surrounding area in general as it adjoins the freeway to the east and will be located more than 200 feet from the residential properties to the north and west. The mature trees on the site, which are to be preserved to the greatest extent possible, should be adequate to obscure the view of the tower and compound area from the north, east and west. A significant amount of
landscape, screening and buffering, however, will be necessary to screen the tower and compound area from the adjoining residential property to the south. The applicant is proposing a row of evergreen trees along the entire length of the south property line that will have a starting size of 6 feet in height and will be planted 8-12 feet apart to allow room for growth. If the landscaping shown on the plan does not prove to be adequate, however, staff would like to be given the authority, as a condition of approval, to require additional landscaping and possibly even a screen fence along all or part of the south property line.

3. **Will the proposed special land use interfere with the enjoyment of adjacent property?**

The proposed tower/shelters are not anticipated to interfere with the “enjoyment” of adjacent properties. There will be no noise, odors, vibrations, traffic, etc. associated with the use that would have a detrimental effect on the adjoining residential properties. The applicant will be required to maintain the gravel access drive in a dust-free condition. The only effect that the project should have on the adjoining property, particularly the one to the south, is the appearance of the tower and the fenced compound area which can be mitigated through substantial landscape, screening and buffering.

4. **Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?**

The applicant is proposing a crushed stone/gravel surface for both the driveway (with the exception of the approach at N. Homer Street) and the fenced compound area. The permeable surface will have to be approved by the City Engineer and if approved, will need to be maintained in a dust-free condition. The proposal includes two 322 square foot shelters and a couple of very small (approximately 30 square feet) concrete pads for a propane tank and an antenna lighting arrestor cabinet. Given the very small amount of impervious surface that would be added to the site, the proposal will have virtually no impact its natural environment.

The applicant’s proposal cannot necessarily be considered an “improvement” to the use or character of the site since, with the exception of a very small BWL pump station building, it is completely vacant (green space). This particular criterion is far more applicable to a site that is currently developed where an “improvement” would, for example, involve storm-water management improvements or conversion of the use to one which is less intensive, thus making it more compatible with adjoining/surrounding land uses.

5. **Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?**

The proposed telecommunications facility will not generate any smoke, fumes, noise, odors or glare. With regard to traffic, one technician will be stationed in the shelter for a few hours daily to install new customer service and to perform testing and repairs. There will be no other traffic associated with this proposal.
6. **Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?**

No negative comments have been received from any of the reviewing departments or agencies regarding the ability to provide the public services and facilities necessary to accommodate the proposed tower/shelters. The project will have to be approved through the City’s administrative site plan review process prior to issuance of any permits for the project.

7. **Will the proposed special land use place demand on public services and facilities in excess of current capacity?**

The proposed tower/shelters will not place and demands on public services or facilities in excess of current capacity.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

The subject property is zoned “A” Single Family Residential and is designated for low density residential use in the Design Lansing Comprehensive Plan. The City’s wireless communication tower ordinance allows telecommunication towers in the “A” Residential zoning district, if a special land use permit is approved by the City Council. The purpose of requiring a special land use permit is so that it can be determined, through an analysis of the criteria listed in Section 1282.03(f)(1)-(9) of the Zoning Ordinance, if the proposed location is appropriate for the requested use. The special land use permit process also allows the City to place conditions on the approval to ensure that the proposed project will not negatively impact other properties in the area. The intent of zoning and master planning in large part is to ensure compatibility of land uses in order to protect property values and preserve a quality residential living environment. In this case, the only property that is directly impacted by the proposed project is the residential duplex to the south. Through proper screening with the use of a dense row of evergreens along the south property line and by controlling the dust from the gravel access drive, the proposed project could be consistent the intent and purpose of the zoning and master plan. To further ensure that the property to the south is not negatively impacted by the proposal, as a condition of approval it is recommended that the Zoning Administrator be given the authority to require additional landscaping and/or an opaque fence along the south property line, if the landscaping shown on the site plan proves to be insufficient to create an effective buffer between the two uses.

9. **Will the proposed special land use meet the dimensional requirements of the district in which the property is located?**

The property is zoned “A” Residential which has a 35 foot height limitation. The proposed tower is approximately 85 feet in height from ground level to the top of the “spline ball
lighting terminals) as shown on the attachment labeled “Galv. Steel Utility Pole”. The applicant will need to request a variance from the Board of Zoning Appeals of approximately 50 feet to the height limitation.

In addition, the proposed project does not comply with the following provisions of the City’s Wireless Communications Tower Ordinance:

Section 1298.07 (B) (4) (I) requires that towers must be setback a distance equal to at least 75% of the height of the tower from any adjoining lot line. Based on the 85 foot tower height, the required setback is 63.75 feet. The site plan shows a setback of 3.3 feet from the tower to the east property line and approximately 40 feet to the south property line.

Section 1298.07 (B) (5) (I) (B) requires a separation distance of 122 feet (150% of the height of the tower) from the tower to the residential property to the south. The proposed setback is approximately 40 feet.

Sections 1298.07 (B) (4) & (5) authorizes the City Council, through the Special Land Use permit process, to reduce the setback and separation distance requirements “if the goals of this Chapter would be better served thereby.”.

Staff is recommending approval of the height variance and reducing the setback/separation distance requirements, only if there is a condition of approval that staff is authorized to require additional landscaping and/or screen fencing between the tower and the adjoining residential property to the south if the proposed row of evergreen trees is not sufficient to provide an effective screen.

**SUMMARY**

This is a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the Board of Water & Light property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street. The purpose of the tower/shelters is to provide fiber optic internet and streaming television services to business and residential customers in the City of Lansing and surrounding communities. Telecommunication towers with related structures/equipment are permitted in the "A" Residential district, which is the zoning designation of the subject property, if a Special Land Use permit is approved by the Lansing City Council.

Based on the findings contained in this staff report, the proposal complies with or could be granted the required height variance and reductions to the setback and separation distance requirements in order to comply with the criteria of Section 1282.03(f)(1)-(9) of the Zoning Code for evaluating Special Land Use permits.
1. The proposed Special Land Use will be harmonious with the character of adjacent properties and surrounding uses.
2. The proposed Special Land Use will not change the essential character of the surrounding properties.
3. The proposed Special Land Use will not interfere with the general enjoyment of adjacent properties.
4. The proposed Special Land Use does represent an improvement to the lot as it currently exists.
5. The proposed Special Land Use will not be hazardous to adjacent properties.
6. The proposed Special Land Use can be adequately served by public services and utilities.
7. The proposed Special Land Use will not place any demand on public services and facilities in excess of current capacities.
8. The proposed Special Land Use is consistent with the designations of the Zoning Code and the Design Lansing Comprehensive Plans.
9. The proposed Special Land Use will need to be granted a height variance by the Board of Zoning Appeals and setback/separation distance waivers by the City Council. The site plan demonstrates compliance with all other requirements of the Zoning Ordinance and the Wireless Communication Tower Ordinance which is a component thereof.

RECOMMENDATION

Staff recommends approval of SLU-1-2020, a request Metro Fibernet, LLC for a Special Land Use Permit to construct a telecommunications tower and equipment shelters at the southeast corner of the Board of Water & Light property (Parcel No. 33-01-01-11-251-281) located between 1220 and 1306 N. Homer Street as depicted on the site plan dated 12/13/2019 with the condition that the access drive/compound area is maintained in a dust-free condition and with the condition that the City Zoning Administrator is given the authority to require additional landscaping and/or an opaque fence along the south property line, prior to issuance of a certificate of occupancy for the shelter(s), if the landscaping shown on the site plan proves to be insufficient to effectively screen the project from the adjoining residential property to the south, based upon the findings of fact as outlined in this staff report.

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator
Photographs taken by: Jessica Trainer November 26, 2019

View of Site facing southeast.

View of Site facing northwest.

View of municipal well pump house facing northeast.

View of interior of pump house.

View of interior of pump house, note the pump is not in operation or currently connected.
PARCEL ID: 33-01-11-251-281

100' ISOLATION ZONE

SCALE
MARKET SHELTER
SHELTER BOUNDARY

LANDSCAPING SCHEDULE

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>PLANT NAME</th>
<th>QUANTITY</th>
<th>TYPE</th>
<th>GRASSES</th>
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<tr>
<td>12</td>
<td>ARBUTUS MAJOR</td>
<td>3</td>
<td>6&quot;</td>
<td>KENTUCKY BLUEGRASS + BRISE PERENNIAL KYEGRASS</td>
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</tr>
</tbody>
</table>

VE H CHAIN LINK DOUBLE SWING GATE

7' H CHAINLINE FENCE
This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

Target Property
- Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites

Indian Reservations BIA
Power transmission lines
Special Flood Hazard Area (1%)
0.2% Annual Chance Flood Hazard
National Wetland Inventory
State Wetlands

SITE NAME: N HOMER ST
ADDRESS: N HOMER ST
LANSING MI 48912
LAT/LONG: 42.748003 / 84.508843

CLIENT: The Mannik & Smith Group
CONTACT: Jessica
INQUIRY #: 5871264.2s
DATE: November 15, 2019 11:01 am
City of Lansing
Notice of Public Hearing

The Lansing City Council will hold a public hearing on Monday, (Insert Date) at 7:00 p.m. in the City Council Chambers, 10th Floor, Lansing City Hall, Lansing, MI, for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, City Assessor, other interested persons and ad valorem taxing units to appear and be heard on the approval of an Obsolete Property Rehabilitation Certificate (the “Certificate”), pursuant to and in accordance with the provisions of the Obsolete Property Rehabilitation Act, Public Act 146 of 2000, for property located at 1611 East Kalamazoo St., Lansing, Michigan, but more particularly described as follows:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16
PARCEL NUMBER: 33-01-01-15-427-302

Approval of this Certificate will provide the owner or potentially the developer of property an abatement of certain property taxes for the improvements to the property noted above. Further information regarding this issue may be obtained from Kris Klein, Lansing Economic Area Partnership (LEAP), 1000 S. Washington Ave., Suite 201, Lansing, MI 48910, 517-702-3387.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk’s Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope
Resolution to Set a Public Hearing Regarding the Granting of an Obsolete Property Rehabilitation Act Certificate

1611 East Kalamazoo Street

WHEREAS, Allen Neighborhood Center Support Corp, owner of the property located at 1611 East Kalamazoo St. in the City of Lansing, Michigan (the “Property”) has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the “OPRA Certificate”), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the “Act”); and

WHEREAS, the Property in question of the Certificate is legally described as:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16, Parcel Number: 33-01-01-15-427-302, and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, (Insert Date) at 7:00 p.m. for the purpose of receiving public comment on the approval of an OPRA Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing.
WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), Allen Neighborhood Center Support Corp has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPRA Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1611 East Kalamazoo St., Lansing, Michigan (Obsolete Property); and

WHEREAS, Allen Neighborhood Center Support Corp (the Applicant) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted October 28, 2019, after a public hearing was held on October 14, 2019, as provided by section 3 of PA 146 of 2000; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City of Lansing; and

WHEREAS, a public hearing was held on (Insert Date) in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPRA Certificate; and

WHEREAS, Allen Neighborhood Center Support Corp has been certified in writing by the City of Lansing Treasurer to be not delinquent in any taxes related to the facility; and

WHEREAS, the application is for 12 years and under no circumstances or criteria will an extension of the exemption be considered; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant Allen Neighborhood Center Support Corp has provided answers to all required questions under the application instructions to the City of Lansing; and

WHEREAS, the City of Lansing requires that rehabilitation of the facility shall be completed by December 31, 2021; and
WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City of Lansing eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, revitalize urban areas, create employment, retain employment, and increase the number of residents in the community in which the facility is situated; 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(l) of Public Act 146 of 2000.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby grants an Obsolete Property Rehabilitation Exemption for the real property, excluding land, located in an Obsolete Property Rehabilitation District at property located at 1611 East Kalamazoo St., Lansing, Michigan, legally described as LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16, Parcel Number: 33-01-01-15-427-302.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the “Clerk Certification” and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.
<table>
<thead>
<tr>
<th>DATE</th>
<th>BOARD/ COMMITTEE</th>
<th>ACTION</th>
<th>ATTENDANCE BY APPLICANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 10, 2020</td>
<td>Lansing City Council</td>
<td>Council Receives Resolution to Approve Certificate and refers it to the Committee on Development and Planning</td>
<td></td>
</tr>
<tr>
<td>February 18, 2020</td>
<td>Committee on Development and Planning</td>
<td>Applicant Presents Project to the D&amp;P Committee to review OPRA Certificate Application. Committee approves Resolution to set Public Hearings</td>
<td>YES</td>
</tr>
<tr>
<td>February 24, 2020</td>
<td>Lansing City Council</td>
<td>Council passes resolution setting the Public Hearing for 7:00PM on March 16, 2020. Public Hearing Notice-10 Days (Mail/Paper)</td>
<td>YES</td>
</tr>
<tr>
<td>March 16, 2020</td>
<td>Lansing City Council</td>
<td>Public Hearing held at Council for OPRA Certificate. Resolution to approve Certificate referred back to the Committee on Development and Planning</td>
<td>YES</td>
</tr>
<tr>
<td>March 17, 2020</td>
<td>Committee on Development and Planning</td>
<td>D&amp;P Committee approves resolution to approve the OPRA Certificate</td>
<td>YES</td>
</tr>
<tr>
<td>March 23, 2020</td>
<td>City Council Meeting</td>
<td>City Council Approves OPRA Certificate</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>LEAP/LEDC</td>
<td>Submit Application Package to the State Tax Commission for Review and Approval</td>
<td></td>
</tr>
</tbody>
</table>

REV-02/04/2020
Application for Obsolete Property Rehabilitation Exemption Certificate

This form is issued as provided by Public Act 146 of 2000, as amended. This application should be filed after the district is established. This project will not receive tax benefits until approved by the State Tax Commission. Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the State Tax Commission.

INSTRUCTIONS: File the original and two copies of this form and the required attachments with the clerk of the local government unit. (The State Tax Commission requires two copies of the Application and attachments. The original is retained by the clerk.) Please see State Tax Commission Bulletin 9 of 2000 for more information about the Obsolete Property Rehabilitation Exemption. The following must be provided to the local government unit as attachments to this application: (a) General description of the obsolete facility (year built, original use, most recent use, number of stories, square footage); (b) General description of the proposed use of the rehabilitated facility, (c) Description of the general nature and extent of the rehabilitation to be undertaken, (d) A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility, (e) A time schedule for undertaking and completing the rehabilitation of the facility, (f) A statement of the economic advantages expected from the exemption. A statement from the assessor of the local unit of government, describing the required obsolescence has been met for this building, is required with each application. Rehabilitation may commence after establishment of district.

Applicant (Company) Name (applicant must be the OWNER of the facility)
Allen Neighborhood Center Support Corp
Company Mailing address (No. and street, P.O. Box, City, State, ZIP Code)
1611 East Kalamazoo Street, Lansing, MI, 48912
Location of obsolete facility (No. and street, City, State, ZIP Code)
1600 Block of East Kalamazoo Street, Lansing, MI, 48912
City, Township, Village (indicate which)
City of Lansing
County
Ingham
Date of Commencement of Rehabilitation (mm/dd/yyyy)
2/12/2020
Planned date of Completion of Rehabilitation (mm/dd/yyyy)
12/31/2021
School District where facility is located (indicate school code)
Lansing School District, 33020
Estimated Cost of Rehabilitation
$6,815,558.00
Number of years exemption requested
12
Attach Legal description of Obsolete Property on separate sheet

Expected project likelihood (check all that apply):

- Increase Commercial activity
- Retain employment
- Revitalize urban areas
- Create employment
- Prevent a loss of employment
- Increase number of residents in the community in which the facility is situated

Indicate the number of jobs to be retained or created as a result of rehabilitating the facility, including expected construction employment

Each year, the State Treasurer may approve 25 additional reductions of half the school operating and state education taxes for a period not to exceed six years. Check the following box if you wish to be considered for this exclusion.

APPLICANT’S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all of the information is truly descriptive of the property for which this application is being submitted. Further, the undersigned is aware that, if any statement or information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

The applicant certifies that this application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility, as defined by Public Act 145 of 2000, as amended, and that the rehabilitation of the facility would not be undertaken without the applicant’s receipt of the exemption certificate.

It is further certified that the undersigned is familiar with the provisions of Public Act 146 of 2000, as amended, of the Michigan Compiled Laws, and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Obsolete Property Rehabilitation Exemption Certificate by the State Tax Commission.

Name of Company
Joan Nelson
Telephone Number (571) 999-3912
Fax Number (517) 367-0158
Email Address joann@allennighborhoodcenter.org
Mailing Address 1611 E. Kalamazoo Street, Lansing, MI 48912
Signature of Company Officer (no authorized agents)

LOCAL GOVERNMENT UNIT CLERK CERTIFICATION

The Clerk must also complete Parts 1, 2 and 4 on Page 2. Part 3 is to be completed by the Assessor.

Signature Date application received

FOR STATE TAX COMMISSION USE

Application Number Date Received IUCI Code
LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting the application to the State Tax Commission. Include a copy of the resolution which approves the application and instruction items (a) through (f) on page 1, and a separate statement of obsolescence from the assessor of record with the State Assessor's Board. All sections must be completed in order to process.

PART 1: ACTION TAKEN

| Action Date: ___________________________ |
| Exemption Approved for ________ Years, ending December 30, _________ (not to exceed 12 years) |
| Denied |

Date District Established: ________
LUIC Code: ________
School Code: ________

PART 2: RESOLUTIONS (the following statements must be included in resolutions approving)

A statement that the local unit is a Qualified Local Governmental Unit.
A statement that the Obsolete Property Rehabilitation District was legally established including the date established and the date of hearing as provided by section 3 of Public Act 146 of 2000.
A statement indicating whether the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) exceeds 5% of the total taxable value of the unit.
A statement of the factors, criteria, and objectives, if any, necessary for extending the exemption, when the certificate is for less than 12 years.
A statement that a public hearing was held on the application as provided by section 4(2) of Public Act 146 of 2000 including the date of the hearing.
A statement that the application is not delinquent in any taxes related to the facility.

If it exceeds 5% (see above), a statement that exceeding 5% will not have the effect of substantially impeding the operation of the Qualified Local Governmental Unit or of impairing the financial soundness of an affected taxing unit.
A statement that all of the items described under "Instructions" (a) through (f) of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the Qualified Local Governmental Unit by the applicant.

PART 3: ASSESSOR RECOMMENDATIONS

Provide the Taxable Value and State Equalized Value of the Obsolete Property, as provided in Public Act 146 of 2000, as amended, for the tax year immediately preceding the effective date of the certificate (December 31st of the year approved by the STC).

<table>
<thead>
<tr>
<th>Taxable Value</th>
<th>State Equalized Value (SEV)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Governmental Unit</td>
<td>Date of Action on application</td>
</tr>
</tbody>
</table>

PART 4: CLERK CERTIFICATION

The undersigned clerk certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way. Further, the undersigned is aware that if any information provided is untrue, the exemption provided by Public Act 146 of 2000 may be in jeopardy.

Name of Clerk: ________________________
Clerk Signature: ______________________
Date: ______________________

Clerk's Mailing Address: ______________________
City: ______________________
State: ______________________
ZIP Code: ______________________
Telephone Number: ______________________
Fax Number: ______________________
Email Address: ______________________

Mail completed application and attachments to: Michigan Department of Treasury
State Tax Commission
P.O. Box 30471
Lansing, Michigan 48909-7971

If you have any questions, call 517-335-7491.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.
August 19, 2019

Functional Obsolescence Determination
1611 E Kalamazoo St.
33-01-01-15-427-302

This building is comprised of various additions from 1932 to 1970. There are varying ceiling heights, the floor plan is convoluted.

The heating and cooling systems are currently obsolete. There is no working system for parts of the building.

Tri Terra Environmental performed a Phase I Environmental Assessment in May 2019. Review of historic uses reveals that there have been gas station uses, dry cleaner uses, lawnmower repair, auto repair and glass/paint shops on this site. All of these uses indicate property contamination.

For these reasons, I have determined that the building at 1611 E Kalamazoo St. suffers from functional obsolescence.

Sharon Frischman, MMAO
City Assessor
Tuesday, February 4th, 2020

Lansing City Clerk’s Office
124 W Michigan Avenue, 9th Floor
Lansing, MI 48933

Re: Requesting an OPRA Certificate for 1611 East Kalamazoo St., Lansing

Dear Clerk Swope,

Per the Obsolete Property Rehabilitation Act - Act 146 of 2000 (OPRA), ANC Holdings, a wholly owned, non-profit subsidiary of Allen Neighborhood Center and 100% owner of the property commonly known as 1611 East Kalamazoo St., Lansing 48912 (Property), legal description attached, is requesting an OPRA Certificate be granted by the City of Lansing on the Property. The Property has recently been determined to be obsolete by the City of Lansing Assessor (determination of obsolescence attached).

**General Description of the Obsolete Facility**

The building was constructed in stages, with the first section built in 1932. The complex has served as home to many small businesses over the years including the Allen Neighborhood Center and the Allen Farmers Market. In the past several years, several of the commercial tenants have moved out, leaving only Allen Neighborhood Center and Happendance Studio in the complex. The unoccupied portions, including the entire second floor and much of the first floor, have been vacant for up to 15 years.

**Proposed use of the Rehabilitated Facility**

The project proposes rehabilitating the two-story complex, adding a third floor to the 2-story building along E. Kalamazoo and constructing three-story additions on the east and west ends of the building. The proposed development will provide 29 units of mixed income housing for a total of 30,000 square feet of residential space, and over 20,000 square feet of commercial space, totaling 49,164 square feet. Project amenities will include active programming from ANC, a community room, computer center, on-site exercise/dance studio, outdoor picnic areas and ‘green spaces’, an on-site farmers market, nutrition education and cooking classes and other events in our commercial kitchen.

**Detailed Description of Rehabilitation**
Construction Hard Costs – $5,965,558 (See attached itemized table for detail)
Brownfield Remediation (Demolition, Abatement, Due Care) - $850,000
Total Hard Costs (Does not include acquisition or soft costs) - $6,815,558

**Time Schedule for Rehabilitation**
Commencement of construction is scheduled for late spring 2020 with completion of the project expected by the fall of 2021. Environmental remediation and demolition of part of the Property will begin beforehand.

**Expected Economic Advantages**
We expect this project to create 70 construction jobs during the build, and 20 FTE jobs after construction is complete. The commercial aspect of the project will bring commercial enterprise and vibrancy to a formerly vacant space, and inspire comparable efforts along the E. Kalamazoo Street corridor. The project will increase density in the area and provide usable green space for residents and the broader community.

We appreciate your consideration of our request for certification by City Council of this designated OPRA District, and look forward to working with the City of Lansing to redevelop this important property.

If you have any questions, please don’t hesitate to contact me.

Sincerely,

Joan Nelson
ANC Holdings, LLC
(517) 999-3912
LEGAL DESCRIPTION AND PROPERTY TAXABLE VALUE

The District will be for the property commonly known as 1611 East Kalamazoo St. and legally described as follows:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16

PARCEL NUMBER: 33-01-01-15-427-302

Taxable Value (2019): $10,000

State Equalized Value (2019): $10,000

Owners Name: Allen Neighborhood Center Support Corp.
RESOLUTION #2019-286
BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolution to Establish an Obsolete Property Rehabilitation Act District at 1611 East Kalamazoo St.

WHEREAS, pursuant to PA 146 of 2000, the Obsolete Property Rehabilitation Act (the “Act”), the City of Lansing has the authority to establish “Obsolete Property Rehabilitation Districts” within the City of Lansing, and

WHEREAS, ANC Holdings, LLC, hereinafter called the “Developer” has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the “District”) as enabled by the Act, for the property commonly known as 1611 East Kalamazoo St. located in the City of Lansing hereinafter described, and

WHEREAS, the Developer is the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, it is determined that the District meets the requirements set forth in section 3(1) of PA 146 of 2000, and

WHEREAS, the Act requires that before establishing the District the Lansing City Council shall give written notice by certified mail to the owners of all real property within the proposed District and shall hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that such notice was given and said public hearing was held on October 14, 2019;

NOW THEREFORE BE IT RESOLVED that the following property are hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000 legally described as:

LOT 6, 7, 8, 9, 10 BLOCK 4 ASSESSORS PLAT NO 16 - PARCEL NUMBER: 33-01-01-15-427-302, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council’s approval of any future application for an Obsolete Property Rehabilitation Exemption Certificate for the Developer or any other applicant.

Chris Swope, OMOC/MMC
Lansing City Clerk
I hereby certify that the foregoing is true and is a complete copy of the action adopted by the Lansing City Council.
WHEREAS, adjustments are needed in the fiscal year 2019/2020 budget to reflect current year revenue estimates; and

WHEREAS, adjustments to appropriations are required to reflect anticipated changes in General Fund operations; and

WHEREAS, the most recent Actuarial Funding Valuation recommends an increased contribution to the Police and Fire Retirement System than was previously budgeted; and

WHEREAS, adjustments are required to account for additional cart and bag demand in the Refuse Fund including the purchase of additional carts; and

WHEREAS, the delayed opening of the Emterra Material Recovery Facility requires continued contractual expenditures for Recycling Fund services through the end of the fiscal year;

THEREFORE, BE IT RESOLVED that the attached FY 2019/2020 mid-year budget amendment be approved:
GENERAL FUND ESTIMATED REVENUES

**Property Taxes** adjusted up $\text{485,000}$ to reflect tax revenues and PA 425 payments to date. Property taxes remain subject to adjustments and chargebacks, with a worst-case scenario of $\text{217,917}$ in revenue subject to MI Tax Tribunal cases in contention ($\text{11,209,732}$ in taxable value at $\text{19.44}$ mills) remaining budgeted.

**Income Taxes** adjusted down ($\text{2,400,000}$) in response to updated projections provided by the City Treasurer.

**State Revenues** adjusted down ($\text{70,000}$) to reflect updated state appropriations for statutory revenue sharing and fire protection facilities grants, balanced against better than projected constitutional revenue sharing payments.

GENERAL FUND DEPARTMENTAL APPROPRIATIONS

Appropriation for a Chief Strategy Officer transferred from the Mayor’s Office to the Finance Operations department. This is also being reclassified from contractual services to personnel. This change has no impact on overall budget.

**Neighborhood & Citizen Engagement** includes transfers between the NCE Department and Office of Financial Empowerment. This includes transfers from salaries and fringes offset by temporary help and contracted services.

**Economic Development and Planning** adjusted down ($\text{250,000}$) due to a negotiated decrease in LEPFA subsidy payments.

**Human Resources** adjusted up $\text{66,000}$ for NEOGOV training and to include temporary contracted payroll services following a retirement.

**Police & Fire Departments** adjusted up a total of $\text{560,000}$ to reflect updated retirement contribution costs resulting from the most recent pension plan valuation.

**Public Services** includes transfers from personnel expenditures to fund contractual services.

**Human Relations and Customer Service** adjusted up $\text{80,000}$ to include contracted positions for Acting Director and Deputy Director.

GENERAL FUND NON-DEPARTMENTAL APPROPRIATIONS

**Vacancy Factor** has been reduced $\text{500,000}$. This is to account for the fund balance policy, requiring restorative payments if the fund balance falls below 12% of expenditures. This policy will be in full effect for the FY 2020/2021 Proposed Budget.

**Net Transfers** have been increased by $\text{268,145}$. This includes a transfer to the stadium fund to cover net operating loss for last year and a contingency amount for the CDBG fund if administrative costs exceed the allowable threshold for the grant funds.
GENERAL FUND SUMMARY

Overall, the adjustments to projected revenues and expenditures will decrease fund balance by ($3,209,145) to an ending balance of $6,822,346 or 4.9% of total expenditures. The majority of this decrease can be attributed to overestimated revenue projections and underestimated retirement estimates.

OTHER FUNDS

Stadium Fund includes a transfer from the general fund to restore the previous year operating loss.

Community Block Development Grant (CDBG) Fund includes carryforwards for previous year grant funds and expenditures. A general fund transfer is included as a contingency in the event administrative costs exceed the allowable threshold for federal funding.

Refuse Fund includes continued trash bag revenue that was not budgeted for the current year and additional refuse cart revenue. This is offset by additional appropriations required by the above higher demand for new refuse carts and higher landfill costs.

Recycling Fund includes additional costs related to the delayed opening of the Emterra Material Recovery Facility (MRF). As a result, recycling services will continue to incur costs to contracted services for processing in Detroit. This is expected to be resolved for Summer 2020.
<table>
<thead>
<tr>
<th>Revenues</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2020</th>
<th>FY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Actuals</td>
<td>Adopted</td>
<td>Dec. 31</td>
<td>Proposed</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Actuals</td>
<td>Adjustment</td>
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<tr>
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<td>40,594,677</td>
<td>42,875,000</td>
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<td>37,021,436</td>
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<td>Return on Equity</td>
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<td>11,769,291</td>
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<td>State Revenues</td>
<td>18,330,556</td>
<td>19,817,000</td>
<td>9,399,517</td>
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<td>9,089,169</td>
<td>9,351,800</td>
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<td>Fines &amp; Forfeitures</td>
<td>2,050,717</td>
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<td>Licenses &amp; Permits</td>
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<td>772,169</td>
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<td>Interest &amp; Rent</td>
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<td>415,000</td>
<td>53,783</td>
<td>-</td>
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<td>Other Revenue</td>
<td>531,597</td>
<td>403,000</td>
<td>72,742</td>
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<td><strong>Total Revenues</strong></td>
<td><strong>130,362,856</strong></td>
<td><strong>139,400,000</strong></td>
<td><strong>83,176,932</strong></td>
<td><strong>(1,985,000)</strong></td>
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</table>

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>FY 2019</th>
<th>FY 2020</th>
<th>FY 2020</th>
<th>FY 2020</th>
</tr>
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<tr>
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<td>Actuals</td>
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<td>Dec. 31</td>
<td>Proposed</td>
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<tr>
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<td>Adjustment</td>
</tr>
<tr>
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<td>228,461</td>
<td>75,841</td>
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<td><strong>Total</strong></td>
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<td>Internal Audit</td>
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<td>182,115</td>
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<td>13,885</td>
<td>5,505</td>
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<td>90,085</td>
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<td>1,395,007</td>
<td>422,117</td>
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<td><strong>Total</strong></td>
<td>6,275,406</td>
<td>6,516,952</td>
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<td>361,399</td>
<td>98,222</td>
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<td>Media Center</td>
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<td>438,347</td>
<td>210,588</td>
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<td>39,653</td>
<td>8,988</td>
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<td>478,000</td>
<td>219,576</td>
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<td>992,581</td>
<td>990,367</td>
<td>510,557</td>
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<td>411,819</td>
<td>155,248</td>
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<td>1,402,186</td>
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<td>463,609</td>
<td>832,604</td>
<td>332,781</td>
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<td>333,396</td>
<td>81,753</td>
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<td>548,881</td>
<td>185,452</td>
<td>548,881</td>
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<td>1,559,864</td>
<td>620,831</td>
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<td>240,838</td>
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<td><strong>Total</strong></td>
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<td>1,800,702</td>
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<td>----------------------------------</td>
<td>-----------------</td>
<td>------------------------</td>
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<tr>
<td><strong>Treasury</strong></td>
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<tr>
<td>Personnel</td>
<td>1,397,830</td>
<td>1,848,306</td>
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<td>457,585</td>
<td>429,698</td>
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<td><strong>Total</strong></td>
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<td><strong>Human Resources</strong></td>
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<td>Personnel</td>
<td>1,205,246</td>
<td>1,333,106</td>
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<tr>
<td>Operating</td>
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<td>892,521</td>
<td>334,069</td>
<td>66,000</td>
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<td><strong>Total</strong></td>
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<td><strong>2,225,627</strong></td>
<td><strong>935,238</strong></td>
<td>66,000</td>
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<td><strong>Attorney’s Office</strong></td>
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<td>Personnel</td>
<td>36,465,408</td>
<td>37,802,547</td>
<td>18,434,385</td>
<td>310,269</td>
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<td>7,057,235</td>
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<td><strong>Total</strong></td>
<td><strong>42,832,579</strong></td>
<td><strong>44,859,782</strong></td>
<td><strong>21,512,506</strong></td>
<td>310,269</td>
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<tr>
<td><strong>Fire</strong></td>
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<td>Personnel</td>
<td>28,897,214</td>
<td>30,772,490</td>
<td>14,469,493</td>
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<td>Operating</td>
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<td>5,278,088</td>
<td>2,566,968</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>33,943,186</strong></td>
<td><strong>36,050,578</strong></td>
<td><strong>17,036,461</strong></td>
<td>249,731</td>
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<tr>
<td><strong>Public Service</strong></td>
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<tr>
<td>Personnel</td>
<td>1,874,600</td>
<td>2,855,553</td>
<td>1,231,294</td>
<td>(300,000)</td>
</tr>
<tr>
<td>Operating</td>
<td>9,741,013</td>
<td>9,307,133</td>
<td>3,102,846</td>
<td>300,000</td>
</tr>
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<td><strong>Total</strong></td>
<td><strong>11,615,613</strong></td>
<td><strong>12,162,686</strong></td>
<td><strong>4,334,140</strong></td>
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<tr>
<td><strong>Human Relations &amp; Community Service</strong></td>
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<td></td>
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<td></td>
</tr>
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<td>Personnel</td>
<td>1,297,133</td>
<td>1,460,296</td>
<td>655,906</td>
<td>80,000</td>
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<td>196,422</td>
<td>196,615</td>
<td>65,454</td>
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<td><strong>Total</strong></td>
<td><strong>1,493,555</strong></td>
<td><strong>1,656,911</strong></td>
<td><strong>721,361</strong></td>
<td>80,000</td>
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<td><strong>Parks &amp; Recreation</strong></td>
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<td>Personnel</td>
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<td>5,246,923</td>
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<td>3,354,838</td>
<td>1,328,733</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>8,601,761</strong></td>
<td><strong>3,339,416</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Operating</td>
<td>1,638,162</td>
<td>1,725,000</td>
<td>704,371</td>
<td>-</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>1,638,162</strong></td>
<td><strong>1,725,000</strong></td>
<td><strong>704,371</strong></td>
<td>-</td>
</tr>
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<td><strong>City Supported Agencies</strong></td>
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<td></td>
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<tr>
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<td>324,392</td>
<td>316,500</td>
<td>109,100</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>324,392</strong></td>
<td><strong>316,500</strong></td>
<td><strong>109,100</strong></td>
<td>-</td>
</tr>
<tr>
<td><strong>Non-Departmental</strong></td>
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<td></td>
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<tr>
<td>Vacancy Factor</td>
<td>-</td>
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<td>-</td>
<td>500,000</td>
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<td>Library Lease</td>
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<td>46,812</td>
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<td>Debt Service</td>
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<td>300</td>
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<td>5,590,000</td>
<td>-</td>
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<td>Penalties &amp; Claims</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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<td><strong>Total</strong></td>
<td><strong>12,171,139</strong></td>
<td><strong>6,305,000</strong></td>
<td><strong>47,112</strong></td>
<td><strong>768,145</strong></td>
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<td><strong>Total Expenditures</strong></td>
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<td></td>
<td><strong>137,657,877</strong></td>
<td><strong>139,400,000</strong></td>
<td><strong>59,839,568</strong></td>
<td><strong>1,224,145</strong></td>
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</tbody>
</table>

| Beginning Fund Balance          | 17,326,512      | 10,031,491             | -                       | 10,031,491         |
| Ending Fund Balance             | 10,031,491      | 10,031,491             | 6,822,346               | 4.9%               |
### Special Revenue Funds

#### STADIUM FUND

**Revenues**

<table>
<thead>
<tr>
<th></th>
<th>FY 2019 Actuals</th>
<th>FY 2020 Adopted Budget</th>
<th>Dec. 31 Actuals</th>
<th>Proposed Adjustment</th>
<th>FY 2020 Proposed Amendment</th>
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<td>Operating Revenues</td>
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<td>400,000</td>
<td>67,973</td>
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<td>400,000</td>
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<tr>
<td>Stadium Naming Rights</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>-</td>
<td>125,000</td>
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<tr>
<td>Reimbursements</td>
<td>117,209</td>
<td>120,000</td>
<td>-</td>
<td>-</td>
<td>120,000</td>
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<tr>
<td>Transfers In</td>
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<td>697,000</td>
<td>-</td>
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<td>865,145</td>
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<td><strong>Total</strong></td>
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<td>1,342,000</td>
<td>192,973</td>
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<td>1,342,000</td>
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**Expenditures**

<table>
<thead>
<tr>
<th></th>
<th>FY 2020 Proposed</th>
<th>FY 2020 Debt Service</th>
<th>FY 2020 Operating</th>
<th>FY 2020 Capital</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>1,295,622</td>
<td>1,342,000</td>
<td>1,341,873</td>
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#### CDBG FUND

**Revenues**

<table>
<thead>
<tr>
<th></th>
<th>FY 2019 Actuals</th>
<th>FY 2020 Proposed</th>
<th>Federal Grants</th>
<th>General Fund Transfer</th>
<th>Total</th>
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<tr>
<td>Operating Income</td>
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<td>2,204,648</td>
<td>2,410,092</td>
<td>100,000</td>
<td>2,510,092</td>
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<tr>
<td>Interest Income</td>
<td>2,503</td>
<td>7,000</td>
<td>-</td>
<td>-</td>
<td>7,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,410,092</td>
<td>2,204,648</td>
<td>2,410,092</td>
<td>100,000</td>
<td>2,510,092</td>
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**Expenditures**

<table>
<thead>
<tr>
<th></th>
<th>FY 2020 Proposed</th>
<th>FY 2020 Debt Service</th>
<th>FY 2020 Operating</th>
<th>FY 2020 Capital</th>
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</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>805,577</td>
<td>-</td>
<td>259,320</td>
<td>-</td>
</tr>
<tr>
<td>Operating</td>
<td>1,604,515</td>
<td>-</td>
<td>962,669</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,410,092</td>
<td>-</td>
<td>1,221,990</td>
<td>-</td>
</tr>
</tbody>
</table>

#### REFUSE FUND

**Revenues**

<table>
<thead>
<tr>
<th></th>
<th>FY 2019 Actuals</th>
<th>FY 2020 Proposed</th>
<th>Operating Income</th>
<th>Interest Income</th>
<th>Use of/(Contribution to) Fund Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Income</td>
<td>2,254,910</td>
<td>2,225,000</td>
<td>2,254,910</td>
<td>2,503</td>
<td>(1,222,150)</td>
</tr>
<tr>
<td>Interest Income</td>
<td>2,503</td>
<td>7,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,035,263</td>
<td>2,225,000</td>
<td>2,225,000</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th></th>
<th>FY 2020 Proposed</th>
<th>FY 2020 Debt Service</th>
<th>FY 2020 Operating</th>
<th>FY 2020 Capital</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>168,869</td>
<td>-</td>
<td>548,909</td>
<td>-</td>
</tr>
<tr>
<td>Operating</td>
<td>851,304</td>
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<td>335,723</td>
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<tr>
<td>Capital</td>
<td>15,090</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,035,263</td>
<td>2,225,000</td>
<td>884,633</td>
<td>-</td>
</tr>
</tbody>
</table>

#### RECYCLING FUND

**Revenues**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Income</td>
<td>4,082,075</td>
<td>4,423,950</td>
<td>4,082,075</td>
<td>-</td>
<td>36,805</td>
<td>(262,116)</td>
</tr>
<tr>
<td>Interest Income</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3,856,764</td>
<td>4,852,050</td>
<td>4,214,899</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th></th>
<th>FY 2020 Proposed</th>
<th>FY 2020 Debt Service</th>
<th>FY 2020 Operating</th>
<th>FY 2020 Capital</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>1,711,631</td>
<td>2,591,962</td>
<td>1,036,477</td>
<td>-</td>
</tr>
<tr>
<td>Operating</td>
<td>1,901,772</td>
<td>1,804,452</td>
<td>558,937</td>
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<tr>
<td>Debt Service</td>
<td>228,127</td>
<td>455,586</td>
<td>120,163</td>
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<td>Capital</td>
<td>15,234</td>
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<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3,856,764</td>
<td>4,852,000</td>
<td>1,715,577</td>
<td>250,000</td>
</tr>
</tbody>
</table>
February 6, 2020

Acapulco Mexican Grill, Inc.
c/o Attorney Michael Brown
(email: mbrown@cebhlaw.com)

RID #2002-02770

Reference/Transaction: Transfer stock interest by adding new stockholders Jorge Vera and Raul Avila; and as a result, existing stockholder Lorenzo Vera will hold 50 shares of stock, existing stockholder Juan Carlos Vera-Mendoza will hold 100 shares of stock and new stockholders Jorge Vera and Raul Avila will each hold 100 shares of stock; and transfer stock interest by dropping existing stockholder Lorenzo Vera; and as a result, existing stockholder Carmelo Vera will hold 300 shares of stock, in conjunction with 2019 Class C and SDM licensed corporation with Sunday Sales Permit (AM), Sunday Sales Permit (PM) and Outdoor Service (1 area) located at 300 N. Clippert St., Lansing, MI. 48912, Ingham County.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Acapulco Mexican Grill, Inc.

Business address and phone number: 300 N. Clippert St., Ste. 17, Lansing, MI. 48917 (B) 773-263-6161

Home address and phone number of partner(s)/subordinates: Jorge Vera, 244 Church Hill Downs Blvd., Williamston, MI. 48895 (B) 517-203-0096 (C) 517-775-0313; Raul Avila, 4521 Stillwell Ave., Lansing, MI. 48911 (C) 517-897-8113

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Lansing District Office (866) 813-0011

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to Local Governmental Unit should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

MICHIGAN LIQUOR CONTROL COMMISSION
PAT GAGLIARDI, CHAIRMAN
525 W. Allegan St. • P.O. BOX 30005 • LANSING, MICHIGAN 48909
www.michigan.gov/lcc • 866-813-0011
Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

jmm

cc: Lansing City Council
CITY OF LANSING AFFIDAVIT OF DISCLOSURE

TO:     CITY CLERK

DATE:  12-22-2019

Hayden Erickson

(Name)

make the following disclosure under oath:

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

☐ Yes  ☐ No

1  ☒ I am □ elected or □ appointed, or officer or □ employee of the City of Lansing holding the position of selected officer in the Department

☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named ______, holding the position of ________________ in the __________________________ Department

☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named ______ holding the position of __________________________ in the Department.

2  ☒ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from and City action detailed below. (Charter 5-505.1)

☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2) [Chapter 290.04(l) of the Code of Ordinances]

☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(l) of the Code of Ordinances]

☐ ☒ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3  My City of Lansing position is:

☒ Full-time  ☐ Part-time (less than 25 hours/wk.)  ☐ Unpaid
PLEASE DESCRIBE IN DETAIL YOUR REASON(S) FOR SUBMITTING THIS DISCLOSURE AND EXPLAIN WHY YOU THINK A CONFLICT MAY/MAY NOT EXIST.

A conflict should not exist between the duties of my secondary employment and my primary job. I am submitting this disclosure as it is required by LPO policy. I will not be serving any alcohol, strictly providing DJ services to clients.

Name of Business: Capital Prime Entertainment

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information, and belief.

The foregoing Affidavit of Disclosure was executed on this 13th day of January, 2020.

[Signature]

State of Michigan, County of Ingham
Subscribed and sworn to before me this 13th day of January, 2020

[Notary Public/Deputy Clerk]
Ingham County, Michigan
My Commission Expires: 5-18-2021
ATTACHMENT TO AFFIDAVIT OF DISCLOSURE

Please provide additional information about your outside business or employment. Of special interest to the Board is how the activities of the business or employment may directly or indirectly affect the City. This disclosure is about information and is not an indication of any anticipated conflict of interest or suspected wrongdoing. Therefore, please describe for the Board what it is you actually do and be detailed and specific. You are not required to limit your disclosure only to the following questions. For each business, include in your answer such things as:

- What is the form of your business entity and what percentage do you own
  DJ Services | Photography
  50%

- Are you self-employed? Yes

- Who is your employer, if applicable?

- What are the things you actually do in the business? Assist with
  providing DJ services and photography to clients

- Who are your clients and who receives your goods or services? Anybody
  could be a client.

- How and where are your services performed? Primarily in the
  City of Lansing with other requested locations
  in the state.

- How often do you do outside work? 1 or 2 per week
Does your business or employer contract with the City?  \( \checkmark \)

- In performing your business or outside employment, do you use any City facilities or equipment?
  \( \checkmark \) No If so, describe: ________________________________________________________________

- Is any of your business or employment conducted in the City? \( \checkmark \) Yes If so, describe:
  Certain clients are located in the City.

- Does your business advertisement or circulars, if any, contain any reference to the City or your City employment?  \( \checkmark \)

- Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? If so, please describe: ________________________________________________________________

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.
Claims Review Committee Form
(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: AAA Properties Inc  DATE: 11-2019
MAILING ADDRESS: 4414 S. M.L.K JR BLVD  EMAIL: 819.8988@gmail.com
CITY: Lansing  STATE: MI  ZIP CODE: 48910
TELEPHONE: Home ( 517-889-8888  )  Work (  )

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 1722 W. Miller Rd  PARCEL NO: 31.01.05.05.277.086
DATE OF INCIDENT: 10/29/19  AMOUNT YOU WERE BILLED: 716.80
TOTAL AMOUNT YOU ARE CONTESTING:
TYPE OF ASSESSMENT: Board-Up

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

Hello my name is Frankie J. I am sending this letter to you guys to see if you can help me out with the Board-up Fee. For this rental this is the 1st time this happened to me and one contacted me about this Board-up charge. Once I found out about the problem I called Inspector M. Johnson and worked with her to evacuate people from house and get cleaning done. Right away I have been working on getting everything done. feel sad took care of pets. Right away please help with fees.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process
To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

Thank you

517-819-8888

Fifth Floor, City Hall  •  Lansing, Michigan 48933  •  (517) 483-4320  •  Fax (517) 483-4081  •  cityatty@lansingmi.gov
DUE DATE: 11/28/2019
INVOICE
11/04/2019
TOTAL AMOUNT DUE
$ 716.80

Questions regarding this invoice: Contact CODE COMPLIANCE at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney’s Office and the City of Lansing’s web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney’s Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail
January 29, 2020

AAA Properties
4414 S. MLK Jr. Blvd.
Lansing, MI 48910

Re: Claim – 1722 W. Miller Rd.

Dear AAA Properties:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of $716.80 for a board-up violation for property located at 1722 W. Miller Rd., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council’s agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

Venus Kumar
Paralegal

Claim: 1757

I want to appeal I got no phone call to the property about this matter on about board up no one ever called I would not secure property myself if someone called me.

1-31-2020 517-819-5888
January 29, 2020

AAA Properties
4414 S. MLK Jr. Blvd.
Lansing, MI 48910

Re: Claim – 1722 W. Miller Rd.

Dear AAA Properties:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of $716.80 for a board-up violation for property located at 1722 W. Miller Rd., Lansing, Michigan, and denied the claim you filed with the City of Lansing.

You have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council’s agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

Venus Kumar
Paralegal

Claim: 1757
PPN: 33-01-05-05-377-096
DATE SUBMITTED: 11/25/2019
ADDRESS OF VIOLATION: 1722 W. Miller Road
LISTED TAXPAYER OF RECORD: AAA Properties Inc.
OTHER TAXPAYER OF RECORD: AAA Properties Inc.
CLAIMANT: 4414 S. MLK Jr. Blvd
CLAIMANT'S ADDRESS: Lansing, MI 48910

TYPE OF ACTIONS CONTESTED: Board Up
VIOLATION DATE: 10/27/2019
NOTIFICATION DATE: 10/27/2019
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT: $716.80
CONTRACTOR NAME - INVOICE NO. - DATE: Pro-Soil PS-2289 10/27/2019
AMOUNT OF CLAIM:

ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE:
NOTIFICATION DATE:
2ND NOTICE ASSESSMENT DATE:
AMOUNT OF ASSESSMENT:
CONTRACTOR NAME - INVOICE NO. - DATE:
AMOUNT OF CLAIM:
MEMO DATE - INVOICE NO.:

HISTORY:
Grass
Violations
5/03/2019
Safety (Red Tagged)
10/27/2019
Board up
10/27/2019
Trash
Violation
11/08/2019

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: See Attached

CODE OFFICER'S NOTES: The on call Code Enforcement Officer was called to this property by the Lansing Police Department due to the property being open and accessible. This property was the site of a large party with well over 200 people in attendance. There was a fatal shooting at this party and per Code Enforcement Officer Johnson her understanding was that LPD did try to contact the owner however due to the ongoing crime scene investigation being conducted due to the death of one of the attendees LPD requested that the property be boarded. The tenant at the time did call our office and ask about the invoice as they stated the landlord passed the bill onto them. The claimant is ultimately responsible for the tenants and the property this bill should not be passed along to the taxpayers of the City of Lansing.
A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@lansingmi.gov
Bill To:
AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

DUE DATE: 11/28/2019

INVOICE
11/04/2019

TOTAL AMOUNT DUE
$ 716.80

<table>
<thead>
<tr>
<th>Invoice Number</th>
<th>Record No.</th>
<th>Address</th>
<th>Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>60143996</td>
<td>E19-21682</td>
<td>1722 W MILLER RD</td>
<td>$716.80</td>
</tr>
</tbody>
</table>

10/29/2019
Title Search/Board-Up (Res) Ad
Title Search/Board-Up (Res) Co

TOTAL DUE: $716.80

Questions regarding this invoice: Contact CODE COMPLIANCE at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
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By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail
owner called on 11/21/2019 tried to have him speak with officer he stated we were to call first and I said LPD does try to call when they get no response they call us out these are done on an emergency basis and we do not have to call but they do try this is the house were there was a fatal shooting and over 200 people were in attendance at the party Officer Johnson has already spoken to the owner and both her and I have spoke with the tenant due to the landlord passing the bill along to the tenant given the circumstances LPD might not have called however it is my understanding LPD was in contact with the owner the night of the shooting/Imp
Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361   Fx: (517) 377-0169

AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING MI 48910

---

Nuisance Fee Billing Statement

Date Created: 10/29/2019
Due Date: 11/28/2019

Pay Invoice In Full

---

Inv Number: 00143096
Parcel: 33-01-05-05-377-096
Address: 1722 W MILLER RD

---

<table>
<thead>
<tr>
<th>Parcel: 33-01-05-05-377-096</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Invoice Number</th>
<th>Date of Service</th>
<th>Enforcement Num</th>
<th>Address</th>
<th>Amount Due</th>
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<tbody>
<tr>
<td>00143096</td>
<td>E19-21682</td>
<td>1722 W MILLER RD</td>
<td>$716.80</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title Search/Board-Up (Res) Adm</td>
<td>1.000</td>
<td>$ 265.00</td>
</tr>
<tr>
<td>Title Search/Board-Up (Res) Cont</td>
<td>451.800</td>
<td>$ 451.80</td>
</tr>
</tbody>
</table>

Total Amount Due $ 716.80

Questions regarding this invoice: Contact **CODE ENFORCEMENT** at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  - City of Lansing Treasurers Office
  - 124 W Michigan Ave 1st Fl
  - Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
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Appeals Process:
If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney’s Office and the City of Lansing’s web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney’s Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

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By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail.
<table>
<thead>
<tr>
<th>SERVICE DATE</th>
<th>SERVICE LOCATION</th>
<th>SUPPLIES*</th>
<th>LABOR</th>
<th>LINE TOTAL</th>
<th>TIME</th>
<th>WORKER</th>
<th>PAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/27/2019</td>
<td>1722 W. MILLER</td>
<td>$318.80</td>
<td>$135.00</td>
<td>$451.80</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

Warning: Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: $500 per day for each violation)

Violation Location: 1722 W MILLER RD
Parcel No: 33-01-05-05-377-096

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108. The following is a list of openings that were not able to be secured at time of inspection. All openings found at time of board up by the contractors were secured.

Emergency Board Up

INSPECTOR COMMENTS: At the request of LPD an emergency board up was done on this dwelling.

Side door Rear door

INSPECTOR COMMENTS: Secured damaged side and rear doors.

Due to the condition of the structure this dwelling has been declared an UNSAFE STRUCTURE, and was boarded under section 109.2 of the Lansing Housing and Premises Code, Section 109 Emergency Measures.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

This dwelling has been declared, UNSAFE AND DANGEROUS as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of 8-9 - AM or 12-1 - PM.

Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov

"Equal Opportunity Employer" Taxpayer’s Copy
Emergency Board-Up Notice

AAA PROPERTIES INC
4414 S. MARTIN LUTHER KING JR. BLVD
Lansing, MI 48910

Warning: Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: $500 per day for each violation)

Violation Location: 1722 W MILLER RD
Parcel No: 33-01-05-05-377-096

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 108. The following is a list of openings that were not able to be secured at time of inspection. All openings found at time of board up by the contractors were secured.

Emergency Board Up

INSPECTOR COMMENTS: At the request of LPD an emergency board up was done on this dwelling.

Side door Rear door

INSPECTOR COMMENTS: Secured damaged side and rear doors.

Due to the condition of the structure this dwelling has been declared an UNSAFE STRUCTURE, and was boarded under section 109.2 of the Lansing Housing and Premises Code, Section 109 Emergency Measures.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

This dwelling has been declared, UNSAFE AND DANGEROUS as defined in section 108 of the Lansing Housing and Premises Code. Signs have been posted at each entrance that read - DO NOT ENTER, UNSAFE TO OCCUPY. It is a misdemeanor to occupy this building, or to remove or deface this notice. Said dwelling shall remain vacant until this office has conducted a complete inspection and approved all corrections.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 6849 Monday through Friday between the hours of 8-9 AM or 12-1 PM.
Officer: Meredith D Johnson Meredith.Johnson@lansingmi.gov

"Equal Opportunity Employer"Taxpayer's Copy
NAME: AAA Properties Inc DATE: 11-2019
MAILING ADDRESS: 7414 S. M.LK JR BLVD EMAIL: 8195888@gmail.com
CITY: Lansing STATE: MI ZIP CODE: 48910
TELEPHONE: Home (517-819-5888) Work ( )

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 1722 W. Miller Rd PARCEL NO: 33-01-05 05-277-086
DATE OF INCIDENT: 10/29/19 AMOUNT YOU WERE BILLED: 716.80
TOTAL AMOUNT YOU ARE CONTESTING:

TYPE OF ASSESSMENT: Board-up

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

Hello my name is Frank Jason. I am writing this letter to you guys to see if you can help me out with the Board-up Fee. For this rental this is the 1st time this happened to me. No one contacted me about this Board-up Charge. Once I found out about the problem I called Inspector Mr. Johnson and worked with her to evict the people from the house and to get the cleaning done. Nick Glynn I have been working on getting everything done. Feel bad that I have had to deal with this problem myself. I would like to get this taken care of. Thank you for your help.

517-819-5888

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process
To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=
Bill To: 
AAA PROPERTIES INC
4414 S M L KING JR BLVD
LANSING, MI 48910

Questions regarding this invoice: Contact CODE COMPLIANCE at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
If you intend to appeal this nuisance fee, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Thursday 8:00 a.m. - 4:30 p.m., at the above address or by mail
Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Jesus De la Torre-Nava
DATE: 10/6/19

MAILING ADDRESS: 3608 Bristol Oaks St
EMAIL:

CITY: Dowling
STATE: MI
ZIP CODE: 49050

TELEPHONE: Home: 269-986-1423
Work:

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 523 Cheery St
PARCEL NO.

DATE OF INCIDENT: 8/28/19
AMOUNT YOU WERE BILLED: $4,271.00

TOTAL AMOUNT YOU ARE CONTESTING: $4,271.00

TYPE OF ASSESSMENT: Trash found in Bags

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

I am renovating my home at 523 Cheery St and have been bagging trash and organizing it outside behind the house out of sight. I was bagging until I had a small stack to be removed. I work as an emergency responder and was called out west for the last 4 months. I came back home to find all my bagged debris gone with no notices or bills at the home or in the mail. A roll off that is 40 yards costs $450. I'm contesting some of this bill to make it more reasonable. I understand that bagged debris is not allowed, but am just trying to make my home livable. I'm hoping something can be done.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process.

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/14639/Claims-Review-Committee-Form?bidId=

Fifth Floor, City Hall  •  Lansing, Michigan 48933  •  (517) 483-4320  •  Fax (517) 483-4081  •  cityatty@lansingmi.gov
To: CHRIS SWOPE, Clerks Office
From: VENUS KUMAR, Paralegal
Subject: SPECIAL ASSESSMENTS CLAIM; Jesus Delatorre-Vivra
Date of Incident: August 28, 2019
Date: January 29, 2020

Attached is a Claim Form received by this office from Jesus Delatorre-Vivra for $4,271.00 due to Trash violations at 523 Cherry St.

This claim is being referred to General Services for consideration on the City Council’s agenda because this claim exceeds $2,500.00.

Thank you for your assistance.

/vmk
Attachments
PPN: 33-01-01-16-457-051
DATE SUBMITTED: 12/06/2019
ADDRESS OF VIOLATION: 523 Cherry Street
LISTED TAXPAYER OF RECORD: Delatorre-Vivra, Jesus
OTHER TAXPAYER OF RECORD: Delatorre-Vivra, Jesus
CLAIMANT: Delatorre-Vivra, Jesus
CLAIMANT’S ADDRESS: 3608 Bristol Oaks Street
Dowling, MI 49050

TYPE OF ACTIONS CONTESTED:
VIOLATION DATE: 8/28/2019
NOTIFICATION DATE: 8/28/2019
2ND NOTICE ASSESSMENT DATE: 
AMOUNT OF ASSESSMENT: $4,271.00
CONTRACTOR NAME - INVOICE NO. - DATE: Crutcher 19-T033 9/20/2019
AMOUNT OF CLAIM: $4,271.00

ADDITIONAL ACTIONS CONTESTED:
VIOLATION DATE: 
NOTIFICATION DATE: 
2ND NOTICE ASSESSMENT DATE: 
AMOUNT OF ASSESSMENT: 
CONTRACTOR NAME - INVOICE NO. - DATE: 
AMOUNT OF CLAIM: 
MEMO DATE – INVOICE NO.: 

HISTORY:
Grass Mowing 8/18/19 (City of Lansing mowed)
Trash Violation 8/28/2019

CITATIONS IN PREVIOUS YEAR:
Grass Mowing 6/18/2018 (City of Lansing mowed)
Grass Mowing 9/20/2018

CLAIMANT’S CIRCUMSTANCES: See Attached
CODE OFFICER'S NOTES: This property was cited for a trash violation on 8/28/2019 with a compliance due date of 9/04/2019. The Premise Officer rechecked the debris on 9/05/2019 the violations were still present and they were submitted to the contractor for removal. The owner of this property purchased the home back in 2016 we have mowed the property twice and have written the property for trash. The claimant even states in their appeal they left the debris for months. The claimant also lists this property as his mailing address but on the claim for he states he lives in Dowling, MI. The claimant should contact the City Assessor to update their mailing address so he can get letters in a timelier manner. This notice was not returned to us however the building inspector states several of the steps to the front of the home are missing and the ones that are there are unsafe to walk on making delivery of the mail impossible. The claimant stated to our office on the phone that he had plenty of debris to fill a 40 yard dumpster but states in the claim he was waiting to accumulate enough debris to fill the dumpster. Proper actions were taken by the City of Lansing pictures clearly show this was a very large cleanup. When our office spoke with the claimant he stated he works in the oil fields and was out of town for several months this was not an emergency but a routine part of his job. The claimant should make arrangements for lawn mowing and when working on the property have a dumpster available instead of storing debris in the yard. This office recommends denial of the claim.
Claims Review Committee Form

NAME: Jesus De la Torre - Vazna   DATE: 10/6/19

MAILING ADDRESS: 2608 Bristol Oaks St

CITY: Dowling   STATE: MI   ZIP CODE: 48090

TELEPHONE: Home: 1-269-986-1423 Work: 1-

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 523 Cherry St PARCEL NO.

DATE OF INCIDENT: 8/28/19 AMOUNT YOU WERE BILLED: $4,271.00

TOTAL AMOUNT YOU ARE CONTESTING: $4,271.00

TYPE OF ASSESSMENT: Trash Found in Bag

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

I am renovating my home at 523 Cherry St and have been bagging trash and organizing it outside behind the house out of sight. I was bagging until I had a self-off worth to be removed. I work as an emergency responder and was called out west for the last 4 months. I came back home to find all my bagged debris gone with no notices or bills at the home or in the mail. A self-off that is 90 yards costs $450. I'm contesting some of this bill to make it more reasonable. I understand that bagged debris is not allowed, but I am just trying to make my home livable. I'm hoping something can be done.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=1758

Fifth Floor, City Hall • Lansing, Michigan 48933 • (517) 483-4320 • Fax (517) 483-4081 • cityatty@lansingmi.gov
INVOICE

BILL TO

Economic Development & Planning Code
Enforcement Office
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

INVOICE # 3072
DATE 09/22/2019

PROPERTY ADDRESS
523 Cherry ST

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>city: hour 3 yards</td>
<td>1</td>
<td>175.00</td>
<td>175.00</td>
</tr>
<tr>
<td>first hour and 3 cubic yards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>city: add hours</td>
<td>13</td>
<td>150.00</td>
<td>1,950.00</td>
</tr>
<tr>
<td>any hours after 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>city: class 2</td>
<td>57</td>
<td>33.00</td>
<td>1,881.00</td>
</tr>
<tr>
<td>construction material after 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9/20/19 authorized 57 yards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Everett coates</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>removed all debris behind the house</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

BALANCE DUE $4,006.00
Date Created: 09/24/2019
Due Date: 10/24/2019
Pay Invoice In Full

Inv Number: 00141220
Parcel: 33-01-01-16-457-051
Address: 523 CHERRY ST

DELATORRE-VAVRA JESUS
523 CHERRY ST
LANING MI 48933

Parcels: 33-01-01-16-457-051

<table>
<thead>
<tr>
<th>Invoice Number</th>
<th>Date of Service</th>
<th>Enforcement Num</th>
<th>Address</th>
<th>Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>00141220</td>
<td>E19-19977</td>
<td>523 CHERRY ST</td>
<td>$4,271.00</td>
<td></td>
</tr>
</tbody>
</table>

Fee Details:
- Quantity: 1.000
- Description: Trash - Admin Fee $265.00
- Quantity: 4006.000
- Description: Trash - Contractor Charge $4,006.00

Total Amount Due $4,271.00

Questions regarding this invoice: Contact CODE ENFORCEMENT at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney’s Office and the City of Lansing’s web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney’s Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail
12/06/2019-received call from Jessie from 269 986 1423 owner stated was renovating the home when I indicated he had no permits then he stated that he was doing minor repairs and that the trash was already in the home and he just took it outside in bags and left it until he could get a roll off container he works in the oil fields and was out of town for several months I told him we did mail a notice however he indicated that mail is unable to be delivered to this address I stated they are courtesy notices and that he was in violation which he agreed and also stated he had plenty of debris to completely fill a 40 yard dumpster and stated it would have taken him probably 6 hours of his time to fill the dumpster but he is going to file a claim to try to lower the fee/I checked the listing for the sale the home had no debris in the photos but the home is in poor condition inside and would be a complete gut and remodel the home was owned prior by one of our demo board members and I would be surprised if he was going to sell it in that condition I notified the building department there was major work going on without benefit of permit they are going to stop by the home and place a stop work order on the property/also noted in assessing owner has owned this property since 2016 this debris was made by the owner not the previous occupants/Imp
TRASH AND DEBRIS CORRECTION NOTICE

DELATORRE-VAVRA JESUS
523 CHERRY ST
LANSING, MI 48933

Violation Date: 08/28/2019
Violation Location: 523 CHERRY ST
Parcel No: 33-01-01-16-457-051
Compliance Due Date: September 04, 2019

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Deteriorated Appliance(s)

INSPECTOR COMMENTS: Bath tub

Violation: Trash found in bags/boxes

Violation: Deteriorated building materials

Violation: Barrel/Bucket/Crate debris

Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor’s expenses plus a $265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra $75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Everett Coates (517) 483 7621 Everett.Coates@lansingmi.gov

"Equal Opportunity Employer" Taxpayer's Copy
Trash Authorization Form

Submitted to: Eric Crutcher on 09/05/2019

TAXPAYER: DELATORRE-VAVRA JESUS, 523 CHERRY ST LANSING, MI 48933

Location of Work: Enf Num: E19-19977

Address: 523 CHERRY ST
Lot No:
Description:
Parcel No: 33-01-01-16-457-051

Remove Trash and Debris

Work Authorized:
Violation: Deteriorated Appliance(s)

INSPECTOR COMMENTS: Bath tub

Violation: Trash found in bags/boxes

Violation: Deteriorated building materials

Violation: Barrel/Bucket/Crate debris

VIolation: Paper/Glass/Plastic/Metal/Cardboard debris

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 6
Authorized Cubic Yards: 20

Warning Comment:
Behind house

This action is authorized by the Manager of Code Compliance
# Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Waverly LLC - Sue Lovell, sole member
DATE: 1/14/2020

MAILING ADDRESS: 36630 Heatherton Drive
EMAIL: sue48114@gmail.com

CITY: Farmington
STATE: MI
ZIP CODE: 48335

TELEPHONE: Home ( ) Work 248-417-1238

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

| ADDRESS | 3410 S. Waverly Rd |
|----------------------------------|
| PARCEL NO. | 23-50-40-36-226-138 |
| DATE OF INCIDENT | 12/17/2019 |
| AMOUNT YOU WERE BILLED | $2,763.00 |
| TOTAL AMOUNT YOU ARE CONTESTING | $2,763.00 |
| TYPE OF ASSESSMENT | Admin. Fee & Contractor Fee - trash |

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

Please see attached documentation.

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A description of the claims review process is available on our website at: [https://www.lansingmi.gov/349/Claims-Review-Process](https://www.lansingmi.gov/349/Claims-Review-Process)

I, Sue Lover, am writing as the sole Member of Waverly LLC. I am contesting the Trash and Debris Notice, and the subsequent bill of $2,763.00, from the City of Lansing regarding the property at 3410 S Waverly Rd, Lansing, MI.

Please understand that I respect local codes and ordinances and do not want furniture and debris on my property. I take good care of my property and will continue to do so. But I also feel I was not notified and/or communicated with in a timely fashion or given even a reasonable number of business days to correct this situation and am not sure said furniture and debris was actually on my property.

Although this violation was written on 11/22, it was not mailed until 11/25 – based on the postmark. Due to the Thanksgiving holiday that week, I did not receive this notice in the mail until 12/4/19. Since the violation had a compliance date of 11/29/19, I was already out of compliance by the time I received this notice.

However, immediately upon receiving this notice, I called Tom Barry, the code officer, to discuss this matter. I called him once on 12/4 – leaving a voice mail. I called twice on 12/5 and left a voice mail the second time asking him to please call me. I then called the City Offices asking if there was someone else, I could speak to regarding this matter as I did not take this violation lightly. I was told Mr. Barry was busy and would call me back “eventually”.

I then called my lawn maintenance company and explained the situation to the owner. He stated that he had seen the mattress, furniture and debris, but they were next to the dumpsters of the Admiral gas station and not on my property. He immediately went to the property to double check and called me from the lot, stating that everything had been cleaned up. This was on 12/5/19.

I immediately called Mr. Barry and left another message stating that my lawn maintenance company had previously seen the debris, but that it was not on my property.

I did receive a return call from Mr. Barry the following morning, on 12/6, stating that he was not sure where the property lines were exactly. He said he had not received an invoice from the contractor, so he was not sure if anything had been cleaned up yet or not. Apparently, Mr. Barry had already initiated the cleanup prior to 12/5 without giving me the courtesy of communication or the opportunity to rectify this situation myself, considering his delay in mailing the violation and the delay in mail delivery the previous week.

On 12/8, I walked the property and saw no evidence of any of the violations.

Then on 12/28/2019, I received a bill in the amount of $2,763.00 for the Administration Fee and Contractors Fee of cleaning up the property.

I do not feel I was given an appropriate amount of time and/or appropriate communication regarding this matter for me to even attempt to rectify this situation on my own. I tried to communicate with Mr. Barry four times within 2 business days of my receiving this notification and received no communication in return. Also, within 1 business day of receiving this notification – and getting no response from Mr. Barry - I had my maintenance company go check on the property, only to find things had been cleaned up already. This is an extremely large bill for something that I really have no proof existed and would have rectified myself if given a reasonable amount of time in which to do so. Based on the dates, I was given zero business days to rectify this situation. Is this standard operating procedure for the City of Lansing to give property owners no time to attempt to be in compliance?
I also find it curious that the bill indicates the property was cleaned up on 12/9/2019, yet when my Lawn Maintenance company owner went to check on the property on 12/5, things had been cleaned up already and when I walked the property 12/8, I saw no furniture, trash or debris. When exactly did the contractor go clean up the property? Why is the date not accurate on the bill?

Again, I fully respect city codes and ordinances and their enforcements, however, I feel I was not notified and/or communicated with in a timely fashion or given even a fair number of business days to correct this situation before being sent a bill for a very large amount of money.

I look forward to hearing from you regarding this matter. If you need further information you may contact me at 248.417.238 or sue48114@gmail.com.

Sincerely,

Sue Lover
AGREEMENT BETWEEN WAVERLY LLC AND SUE ANN LOVER

SUE ANN LOVER ("Member") and Waverly LLC ("Company") have executed this Agreement as of April 15, 2015, and for valid consideration received agree as follows:

1. Formation; Name; Purpose. The Company has been formed pursuant to the provisions of the Michigan Limited Liability Company Act, as amended ("Act") by the execution and filing of its articles of organization (as the same may be amended, the "Articles") with the Michigan Department Licensing and Regulatory Affairs ("Department"). The name, purpose and duration of the Company are as set forth in the Articles, as the same may be changed from time to time in accordance with the Act.

2. Offices. The principal office and any additional office of the Company will be at such place or places inside or outside the State of Michigan as the Member may designate from time to time. The initial registered office of the Company and its resident agent are as set forth in the Articles and as may be changed from time to time in accordance with the provisions of the Act.

3. Member. The Company was formed as a limited liability company with one member. The name and address of the Member are set forth on the signature page. In the event the Company is to add any additional members, the Company and all of its members shall execute an operating agreement, as contemplated by the Act, before any such additional members shall have any rights as members of the Company.

   (a) The Member will have management authority over the business of the Company, and will have all powers necessary or advisable to carry out the business of the Company. The Member shall have the authority to take any and all action on behalf of the Company to the fullest extent permitted by the Act. The Member may appoint, employ, or otherwise contract with any persons for the transaction of the business of the Company or the performance of services for or on behalf of the Company, and the Member may delegate to any such person (who may be designated an officer of the Company) such authority to act on behalf of the Company as the Member may from time to time deem appropriate.
   (b) If the Member dies or is unable to act, management of the business of the Company will pass to the person last designated in a writing signed by the Member and with specific reference to this subject matter. That person will have full authority to handle the affairs of the Company until the Member is able to act or a successor is appointed.

5. Capital Contributions; Accounting.
   (a) In exchange for the Member’s interest, the Member will contribute certain real property and leases to the capital of the Company. The Member will have no obligation to make any further capital contributions to the Company. Any additional capital contributions must be so designated in writing by the Member. Any funds contributed to or advances made on behalf of the Company by the Member that are not designated as capital contributions will be loans payable by the Company to the Member on demand together with interest at the prime rate from the date of the contribution or advance until repaid in full. The Member will not be paid interest on any capital contribution. The Member will not have the right to withdraw, or receive a return of, the Member’s capital contribution. The
Company shall reimburse the Member for all expenses of the activities of the Company reasonably incurred and paid for by the Member on behalf of the Company.

(b) The operations of the Company will be treated for federal tax purposes as the operations of the Member. The Company may obtain a tax identification number distinct from that of the Member.

(c) The fiscal year of the Company will be the fiscal year of the Member. The books and records of the Company will be maintained in accordance with consistent recognized accounting practices.

(d) Real and personal property owned by the Company will be held, and conveyance made, in the Company’s name. Funds of the Company will be deposited in the name of the Company with the financial institutions and in the accounts as determined by the Member, subject to authorized signatures that the Member may determine.

6. Assignments of Interest in the Company. The Member may sell, assign, pledge, or otherwise transfer or encumber (collectively “transfer”) all, but not less than all, of the Member’s interest in the Company by written instrument signed by the transferring Member and the transferee. The Member may transfer a portion of the Member’s interest in the Company, but only if the Articles are amended and an operating agreement is entered into that provides for voting rights, allocations of profit and loss, timing of distributions, designation of a tax matters member, and other matters customarily addressed in a limited liability company operating agreement. Except as provided hereafter, any proposed or attempted transfer of a portion of the Member’s interest without amending the Articles and entering into such an operating agreement will be void. Upon Sue Ann Lover’s death, her entire interest shall be transferred to Sue Ann Lover, Trustee of the Sue Ann Lover Trust dated November 9, 2009, as such trust may be amended, or her successor in trust.

7. Withdrawal and Dissolution.

(a) The Member will have the right to withdraw from the Company upon such terms and conditions as agreed between the Member and the Company. The Member may evidence withdrawal from the Company only by filing a certificate of dissolution with the Department as contemplated by the Act.

(b) The Company will be dissolved and its affairs wound up upon the Member filing a certificate of dissolution with the Department. Upon the winding up of the Company, the assets will be distributed as provided in the Act.

8. Additional Members. The Company may admit one or more additional Members upon such terms and conditions, and for such capital contributions, as may be determined by the Company and the Member. No additional members may be admitted unless the Articles are amended and an operating agreement is adopted as required in paragraph 6 above. Any proposed or attempted admission of an additional member without such actions will be void.

9. Distributions. Distributions of cash or other assets of the Company will be made at such times and in such amounts as the Member may determine; provided, however, that a distribution will not be made if such a distribution would be violative of the Act.

10. Limitation on Liability. Unless otherwise provided by law or expressly assumed, the Member is not liable for the acts, debts or obligations of the Company.

11. Indemnification. The monetary liability of the Member for breach of any duty established under Section 404 of the Act is limited to the fullest extent permitted by the Act. The Company will indemnify and hold harmless the Member from
and against any and all losses, expenses, claims, and demands sustained by reason of any acts or omissions or alleged acts or omissions of the Member, including judgments, settlements, penalties, fines, or expenses incurred in a proceeding to which the Member is a party or threatened to be made a party because the person is or was a member to the fullest extent permitted by law or contract and not subject to any restriction by this Agreement.

12. **Amendment.** This Agreement may be amended only in writing signed by the Member and the Company specifically stating that this Agreement is amended.

Member:

Sue Ann Lover

Company:

Waverly LLC, a Michigan limited liability company

By

Sue Ann Lover, Member
To: CHRIS SWOPE, Clerks Office

From: VENUS KUMAR, Paralegal

Subject: SPECIAL ASSESSMENTS CLAIM; Jesus Delatorre-Vivra

Date of Incident: August 28, 2019

Date: January 29, 2020

Attached is a Claim Form received by this office from Jesus Delatorre-Vivra for $4,271.00 due to Trash violations at 523 Cherry St.

This claim is being referred to General Services for consideration on the City Council’s agenda because this claim exceeds $2,500.00.

Thank you for your assistance.

/vmk
Attachments
**PPN:** 23-50-40-36-226-138  
**DATE SUBMITTED:** 1/17/2020  
**ADDRESS OF VIOLATION:** 3410 S. Waverly Road  
**LISTED TAXPAYER OF RECORD:** Waverly LLC  
**OTHER TAXPAYER OF RECORD:** Lover, Sue  
**CLAIMANT:** 36630 Heatherton Drive  
**CLAIMANT'S ADDRESS:** Farmington, MI 48335  

**TYPE OF ACTIONS CONTESTED:** Trash Violation  
**VIOLATION DATE:** 11/22/2019  
**NOTIFICATION DATE:** 11/22/2019  
**2ND NOTICE ASSESSMENT DATE:**  
**AMOUNT OF ASSESSMENT:** $2,763.00  
**CONTRACTOR NAME - INVOICE NO. - DATE:** Crutcher 19-T040 12/04/2019  
**AMOUNT OF CLAIM:** $2,763.00  

**ADDITIONAL ACTIONS CONTESTED:**  
**VIOLATION DATE:**  
**NOTIFICATION DATE:**  
**2ND NOTICE ASSESSMENT DATE:**  
**AMOUNT OF ASSESSMENT:**  
**CONTRACTOR NAME - INVOICE NO. - DATE:**  
**AMOUNT OF CLAIM:**  
**MEMO DATE – INVOICE NO.:**  
**HISTORY:** Trash Violation 11/22/2019  

**CITATIONS IN PREVIOUS YEAR:**  

**CLAIMANT'S CIRCUMSTANCES:** See Attached  

**CODE OFFICER'S NOTES:** This property and the adjoining property at 3400 S. Waverly were cited for trash violations on their properties. The Premise Officer Tom Barry stated there were directly behind the gas station however the bulk of the violations were located in the wooded ditch area that belong to the claimant. The debris behind the gas station were removed however the violations into the woods remained and were removed by the contractor. This office recommends denial of the claim unless the claimant can show they do not own the ditch area located within the woodline.
Claims Review Committee Form
(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Waverly LLC - Sue Lourie, Skinker
DATE: 1/14/2020
MAILING ADDRESS: 36030 Heatherton Drive
EMAIL: Sue48114@gmail.com
CITY: Farmington
STATE: MI
ZIP CODE: 48335

TELEPHONE: Home: ( ) Work: 848-417-1238

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

ADDRESS: 3410 S. Waverly Rd
PARCEL NO. 23-50-40-36-226-138
DATE OF INCIDENT: 12/17/2019
AMOUNT YOU WERE BILLED: $2,763.00
TOTAL AMOUNT YOU ARE CONTESTING: $2,763.00

TYPE OF ASSESSMENT: Admin. Fee + Contractor Fee - trash

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed.

Please see attached documentation.

A description of the claims review process is available on our website at: https://www.lansingmi.gov/349/Claims-Review-Process

To download the claim form: https://www.lansingmi.gov/DocumentCenter/View/4639/Claims-Review-Committee-Form?bidId=
I, Sue Lover, am writing as the sole Member of Waverly LLC. I am contesting the Trash and Debris Notice, and the subsequent bill of $2,763.00, from the City of Lansing regarding the property at 3410 S Waverly Rd, Lansing, MI.

Please understand that I respect local codes and ordinances and do not want furniture and debris on my property. I take good care of my property and will continue to do so. But I also feel I was not notified and/or communicated with in a timely fashion or given even a reasonable number of business days to correct this situation and am not sure said furniture and debris was actually on my property.

Although this violation was written on 11/22, it was not mailed until 11/25 – based on the postmark. Due to the Thanksgiving holiday that week, I did not receive this notice in the mail until 12/4/19. Since the violation had a compliance date of 11/29/19, I was already out of compliance by the time I received this notice.

However, immediately upon receiving this notice, I called Tom Barry, the code officer, to discuss this matter. I called him once on 12/4 – leaving a voice mail. I called twice on 12/5 and left a voice mail the second time asking him to please call me. I then called the City Offices asking if there was someone else, I could speak to regarding this matter as I did not take this violation lightly. I was told Mr. Barry was busy and would call me back “eventually”.

I then called my lawn maintenance company and explained the situation to the owner. He stated that he had seen the mattress, furniture and debris, but they were next to the dumpsters of the Admiral gas station and not on my property. He immediately went to the property to double check and called me from the lot, stating that everything had been cleaned up. This was on 12/5/19.

I immediately called Mr. Barry and left another message stating that my lawn maintenance company had previously seen the debris, but that it was not on my property.

I did receive a return call from Mr. Barry the following morning, on 12/6, stating that he was not sure where the property lines were exactly. He said he had not received an invoice from the contractor, so he was not sure if anything had been cleaned up yet or not. Apparently, Mr. Barry had already initiated the cleanup prior to 12/5 without giving me the courtesy of communication or the opportunity to rectify this situation myself, considering his delay in mailing the violation and the delay in mail delivery the previous week.

On 12/8, I walked the property and saw no evidence of any of the violations.

Then on 12/28/2019, I received a bill in the amount of $2,763.00 for the Administration Fee and Contractors Fee of cleaning up the property.

I do not feel I was given an appropriate amount of time and/or appropriate communication regarding this matter for me to even attempt to rectify this situation on my own. I tried to communicate with Mr. Barry four times within 2 business days of my receiving this notification and received no communication in return. Also, within 1 business day of receiving this notification – and getting no response from Mr. Barry - I had my maintenance company go check on the property, only to find things had been cleaned up already. This is an extremely large bill for something that I really have no proof existed and would have rectified myself if given a reasonable amount of time in which to do so. Based on the dates, I was given zero business days to rectify this situation. Is this standard operating procedure for the City of Lansing to give property owners no time to attempt to be in compliance?
I also find it curious that the bill indicates the property was cleaned up on 12/9/2019, yet when my Lawn Maintenance company owner went to check on the property on 12/5, things had been cleaned up already and when I walked the property 12/8, I saw no furniture, trash or debris. When exactly did the contractor go clean up the property? Why is the date not accurate on the bill?

Again, I fully respect city codes and ordinances and their enforcements, however, I feel I was not notified and/or communicated with in a timely fashion or given even a fair number of business days to correct this situation before being sent a bill for a very large amount of money.

I look forward to hearing from you regarding this matter. If you need further information you may contact me at 248.417.238 or sue48114@gmail.com.

Sincerely,

Sue Lover
AGREEMENT BETWEEN WAVERLY LLC AND SUE ANN LOVER

SUE ANN LOVER ("Member") and Waverly LLC ("Company") have executed this Agreement as of April 15, 2015, and for valid consideration received agree as follows:

1. **Formation; Name; Purpose.** The Company has been formed pursuant to the provisions of the Michigan Limited Liability Company Act, as amended ("Act") by the execution and filing of its articles of organization (as the same may be amended, the "Articles") with the Michigan Department Licensing and Regulatory Affairs ("Department"). The name, purpose and duration of the Company are as set forth in the Articles, as the same may be changed from time to time in accordance with the Act.

2. **Offices.** The principal office and any additional office of the Company will be at such place or places inside or outside the State of Michigan as the Member may designate from time to time. The initial registered office of the Company and its resident agent are as set forth in the Articles and as may be changed from time to time in accordance with the provisions of the Act.

3. **Member.** The Company was formed as a limited liability company with one member. The name and address of the Member are set forth on the signature page. In the event the Company is to add any additional members, the Company and all of its members shall execute an operating agreement, as contemplated by the Act, before any such additional members shall have any rights as members of the Company.

4. **Management of Company.**
   (a) The Member will have management authority over the business of the Company, and will have all powers necessary or advisable to carry out the business of the Company. The Member shall have the authority to take any and all action on behalf of the Company to the fullest extent permitted by the Act. The Member may appoint, employ, or otherwise contract with any persons for the transaction of the business of the Company or the performance of services for or on behalf of the Company, and the Member may delegate to any such person (who may be designated an officer of the Company) such authority to act on behalf of the Company as the Member may from time to time deem appropriate.
   (b) If the Member dies or is unable to act, management of the business of the Company will pass to the person last designated in a writing signed by the Member and with specific reference to this subject matter. That person will have full authority to handle the affairs of the Company until the Member is able to act or a successor is appointed.

5. **Capital Contributions; Accounting.**
   (a) In exchange for the Member’s interest, the Member will contribute certain real property and leases to the capital of the Company. The Member will have no obligation to make any further capital contributions to the Company. Any additional capital contributions must be so designated in writing by the Member. Any funds contributed to or advances made on behalf of the Company by the Member that are not designated as capital contributions will be loans payable by the Company to the Member on demand together with interest at the prime rate from the date of the contribution or advance until repaid in full. The Member will not be paid interest on any capital contribution. The Member will not have the right to withdraw, or receive a return of, the Member’s capital contribution. The
Company shall reimburse the Member for all expenses of the activities of the Company reasonably incurred and paid for by the Member on behalf of the Company.

(b) The operations of the Company will be treated for federal tax purposes as the operations of the Member. The Company may obtain a tax identification number distinct from that of the Member.

(c) The fiscal year of the Company will be the fiscal year of the Member. The books and records of the Company will be maintained in accordance with consistent recognized accounting practices.

(d) Real and personal property owned by the Company will be held, and conveyance made, in the Company’s name. Funds of the Company will be deposited in the name of the Company with the financial institutions and in the accounts as determined by the Member, subject to authorized signatures that the Member may determine.

6. Assignments of Interest in the Company. The Member may sell, assign, pledge, or otherwise transfer or encumber (collectively “transfer”) all, but not less than all, of the Member’s interest in the Company by written instrument signed by the transferring Member and the transferee. The Member may transfer a portion of the Member’s interest in the Company, but only if the Articles are amended and an operating agreement is entered into that provides for voting rights, allocations of profit and loss, timing of distributions, designation of a tax matters member, and other matters customarily addressed in a limited liability company operating agreement. Except as provided hereafter, any proposed or attempted transfer of a portion of the Member’s interest without amending the Articles and entering into such an operating agreement will be void. Upon Sue Ann Lover’s death, her entire interest shall be transferred to Sue Ann Lover, Trustee of the Sue Ann Lover Trust dated November 9, 2009, as such trust may be amended, or her successor in trust.

7. Withdrawal and Dissolution.

(a) The Member will have the right to withdraw from the Company upon such terms and conditions as agreed between the Member and the Company. The Member may evidence withdrawal from the Company only by filing a certificate of dissolution with the Department as contemplated by the Act.

(b) The Company will be dissolved and its affairs wound up upon the Member filing a certificate of dissolution with the Department. Upon the winding up of the Company, the assets will be distributed as provided in the Act.

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12. **Amendment.** This Agreement may be amended only in writing signed by the Member and the Company specifically stating that this Agreement is amended.

**Member:**

[Signed]

Sue Ann Lover

**Company:**

Waverly LLC, a Michigan limited liability company

[Signature]

By

Sue Ann Lover, Member
INVOICE

BILL TO
Economic Development & Planning Code
Enforcement Office
316 N Capitol, Ste. C-1
Lansing, MI 48933-1238

PROPERTY ADDRESS	PARCEL NUMBER
3410 s Waverly RD	23-50-40-36-226-138

DESCRIPTION	QTY.	RATE	AMOUNT

city:1 hour 3 yards	1	175.00	175.00
first hour and 3 cubic yards
city:add hours	9	150.00	1,350.00
any hours after 1
city:add cy	17	29.00	493.00
any after 3
city:class 2	10	33.00	330.00
construction material after 3
city:tire	10	15.00	150.00
tire removal
12/4/19
30 yards
tom Barry

BALANCE DUE	$2,498.00
Nuisance Fee Billing Statement

Date Created: 12/09/2019
Due Date: 01/08/2020

Pay Invoice In Full

Inv Number: 00145698
Address: 3410 S WAVERLY RD

WAVERLY LLC
36630 HEATHERTON DR
FARMINGTON MI 48335


<table>
<thead>
<tr>
<th>Invoice Number</th>
<th>Date of Service</th>
<th>Enforcement Num</th>
<th>Address</th>
<th>Amount Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>00145698</td>
<td>E19-22296</td>
<td>3410 S WAVERLY RD</td>
<td></td>
<td>$2,763.00</td>
</tr>
</tbody>
</table>

Fee Details: Quantity Description Balance
1.000 Trash - Admin Fee $265.00
2498.00 Trash - Contractor Charge $2,498.00

Total Amount Due $2,763.00

Questions regarding this invoice: Contact CODE ENFORCEMENT at 517.483.4361

Payment Information:
- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
  City of Lansing Treasurers Office
  124 W Michigan Ave 1st Fl
  Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:
If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:
- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made online or in person Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail.
TRASH AND DEBRIS CORRECTION NOTICE

WAVERLY LLC
36630 HEATHERTON DR
FARMINGTON, MI 48335

Violation Date: 11/22/2019
Violation Location: 3410 S WAVERLY RD
Compliance Due Date: November 29, 2019

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Deteriorated furniture
Violation: Garbage
Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Sec 308.1 Deteriorated box spring and or mattress

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor’s expenses plus a $265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra $75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Tom Barry (517) 483 4376 Tom.Barry@lansingmi.gov

"Equal Opportunity Employer"
TRAFFIC & DEBRIS CORRECTION NOTICE

Waverly LLC
36630 Heatherton Dr
Farmington, MI 48335

Violation Date: 11/22/2019
Violation Location: 3410 S Waverly Rd
Compliance Due Date: November 29, 2019

You are hereby notified that this Office has found a violation of the City of Lansing Housing Code Section 302 EXTERIOR PROPERTY at the above referenced location.

Violation: Deteriorated furniture
Violation: Garbage
Violation: Paper/Glass/Plastic/Metal/Cardboard debris

Sec 308.1 Deteriorated box spring and or mattress

Failure to correct this violation by the Compliance Due Date shall cause this office to immediately hire a contractor to complete the cleanup. If any other additional trash and/or debris (as defined in Section 302) is found on the premises by the contractor it will also be removed without additional notice. The contractor’s expenses plus a $265.00 administrative services fee will be billed to you. If this bill is not paid within 30 days of the billing date, the amount will be assessed as a lien against your property. Please be advised that, in an effort to discourage repeat offenses of this nature, the City will assess you an extra $75.00 fee for each time there is an additional premise violation at the violation address above during this calendar year. If you have any questions or concerns about complying within the time indicated, you may contact me Monday through Friday between the hours of 8-9 AM or 12-1 PM.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Code Officer: Tom Barry (517) 483-4376 Tom.Barry@lansingmi.gov

"Equal Opportunity Employer" Taxpayer's Copy
Trash Authorization Form

Submitted to: Eric Crutcher on 12/02/2019

TAXPAYER: WAVERLY L L C, 36630 HEATHERTON DR FARMINGTON, MI 48335

Location of Work: Enf Num: E19-22296

Address: 3410 S WAVERLY RD
Lot No:
Description:

Remove Trash and Debris

Work Authorized:
Violation: Deteriorated furniture
Violation: Garbage
Violation: Paper/Glass/Plastic/Metal/Cardboard debris
Sec 308.1 Deteriorated box spring and or mattress

PLUS ANY OTHER INCIDENTAL TRASH / DEBRIS ON THE PROPERTY

Authorized Time required to complete work: 2
Authorized Cubic Yards: 4

Warning Comment:
This property is located adjacent to Admiral gas station Waverly south of Holmes. Debris around dumpster and in ditch behind the gas station

Submitted By: Tom Barry (517) 483 4376

This action is authorized by the Manager of Code Compliance