

ORDINANCE NO. 75

**STATE OF MICHIGAN
COUNTY OF TUSCOLA
VILLAGE OF MILLINGTON**

**ORDINANCE APPROVING AN AMENDED DOWNTOWN DEVELOPMENT PLAN
AND TAX INCREMENT FINANCING PLAN AND EXPANDING THE DOWNTOWN
DEVELOPMENT DISTRICT BOUNDARIES**

THE VILLAGE COUNCIL OF THE VILLAGE OF MILLINGTON, COUNTY OF TUSCOLA, STATE OF MICHIGAN ordains:

PART I OF ORDINANCE

SECTION 1. Determination of Public Purpose of Amended Plan.

Following a duly noticed public hearing on March 3, 2002 on the Village of Millington Amended Downtown Development Authority Development and Tax Increment Financing Plan (the "Plan"), held pursuant to the provisions of Act No. 197, Public Acts of Michigan, 1975, as amended (the "Act"), and having made the findings set forth below, the Village Council has found and determined that the Amended Plan constitutes and seeks to accomplish a public purpose, and that the Amended Plan is consistent with and seeks to accomplish the intent and purpose declared by the Village Council for the establishment of the Village of Millington Downtown Development Authority (the "Authority") pursuant to Ordinance No. 57 of the Village adopted February 14, 1994 and to Ordinance No. 69 of the Village adopted on December 9, 1996.

1. The Amended Plan is consistent with Sections 4 and 15 of the Act.
2. The Amended Plan meets the requirements set forth in Section 17(2) of the Act.
3. The proposed method of financing the development described in the Amended Plan is feasible and the Authority has the ability to arrange the financing.
4. The development described in the Amended Plan is reasonable and necessary to carry out the proposes of the Act.
5. The amended development plan is in reasonable accord with the master plan of the Village.
6. Public services, such as fire and police protection and utilities, are or will be adequate to service the amended project area.
7. Changes in zoning, streets, street levels, intersections and utilities are reasonably necessary for the project and for the Village.
8. The findings and recommendations of the development area citizens council on the Amended Plan have been considered.

Section 2. Approval of Amended Plan.

Premised upon the findings and determinations made in Section 1 above, and upon the further finding that pursuit and execution of the Amended Plan appears to be in the best interest

of the Village, the Amended Plan, on file with the Village Clerk and made a part of the Village Council minutes on the date this ordinance was adopted, is hereby approved and adopted.

PART II OF ORDINANCE

Section 1. Proposed Amended Boundary Area of the Downtown Development District.

The Boundary of the Downtown Development District shall be as set forth below:

DESCRIPTION OF AMENDED DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT

That so much of the Township of Millington, in the County of Tuscola, and State of Michigan, as is embraced in the following described lands, to wit on March 21, 1877:

The south half of section nine, and the north half of section sixteen, in town ten north, range eight east, and the same is hereby made and constituted a village corporate, by the name and title of the Village of Millington.

Annexed in accordance with the provisions of Act 3, Public Acts of 1895, as amended, to include the following described territory filed on April 26, 1979:

Commencing at the West Quarter corner of Section 15, Town 10 North, Range 8 East, Millington Township, Tuscola county, Michigan, Thence North 1,390.5 feet, thence East 193 feet, thence South 66 feet, thence East 297.35 feet, thence South 66 feet, thence East 171.97 feet, thence South 0° 09' East 1,266.50 feet, thence West 662.32 feet to the point of beginning.

AND

Part of the Southwest 1/4 of Section 15, Town 10 North, Range 8 East, Millington Township, Tuscola County, Michigan, Described as beginning at the West 1/4 corner of said Section 15; thence, along the East and West 1/4 line of said Section 15, N. 89° 34' 58" E., 662.32 feet; thence S. 00° 42' 08" E., 279.99 feet; thence S. 89° 34' 58" W., to the Northeasterly Right of Way line of the New York Central Railroad; thence, along said Right of Way line, N. 35° 39' 00" W., 61 feet more or less to the West line of said Section 15; thence, along said West line, N. 00° 42' 08" W., 229.99 feet to the West 1/4 corner of said Section 15 and the point of beginning. Subject to any easements and rights of way of record.

Annexed in accordance with the provisions of Act 3, Public Acts of 1895, as amended, to include the following described territory filed on September 5, 1985:

Commencing at a point on the East line of Section 9, Town 10 North, Range 8 East that is 1253.32 feet North of the Southeast corner of said Section; (which point is believed to be the Southeast corner of the Northeast quarter of the Southeast quarter of said Section 9), thence West on the one-eighth line 1291 feet; thence North parallel with East section line 1357 feet to the East and West one-quarter line; thence East on said quarter line 1291 feet to East section line, thence south on section line to the point of beginning.

Detached in accordance with the provisions of Act 177, Public Acts of 1939 by Court Order dated October 7, 1940, to include the following described territory filed September 27, 1985:

All that part of the East half of the Southeast quarter of Section 9, Township 10 North, Range 8 East, lying North of the center of Millington Creek and containing 52 acres of land more or less.

PART III OF ORDINANCE

Section 1. This ordinance shall take effect twenty (20) days after the final passage thereof. All previous ordinances or parts of ordinances inconsistent with any of the provisions of this ordinance are hereby repealed.

This ordinance enacted by the Village Council of the Village of Millington, Michigan at the regular meeting held at the Council Chambers in said Village on the 11th day of April, 2003

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Signed Gailan Reinert
Gailan Reinert, Village President

Signed Rebecca Kochenderfer
Rebecca Kochenderfer, Village Clerk

I, Rebecca Kochenderfer, Clerk of the Village of Millington, do hereby certify the above ordinance is a true and correct copy of an Ordinance passed by the Village Council of the Village of Millington, Tuscola County, Michigan, at the regular meeting on the 14th day of April, 2003.

In Testimony Whereof, I have hereunto set my hand and the seal of the Village of Millington this 14th day of April, 2003