

**CHARTER TOWNSHIP OF UNION
ISABELLA COUNTY, MICHIGAN**

WEST DDA DEVELOPMENT PLAN AND TAX INCREMENT FINANCE PLAN AMENDATORY ORDINANCE

ORDINANCE NO. 21-05

[An ordinance adopted under the provisions of the Recodified Tax Increment Financing Act (Public Act 57 of 2018, as amended, being MCL 125.4101 et seq.) and the Charter Township Act (Public Act 359 of 1947, as amended, being MCL 42.1 – MCL42.34) to adopt updated Development Plan and Tax Increment Finance Plan for the West Downtown Development Authority District, and to provide for publication and an effective date.]

WHEREAS, the Township's Economic Development Authority Board has prepared and recommended for adoption of the updated Development Plan and Tax Increment Finance Plan for the West Downtown Development Authority District; and

WHEREAS, the Board of Trustees has held a public hearing on the updated plans after required notices were posted, published, and mailed in accordance with the requirements of the Recodified Tax Increment Financing Act (Public Act 57 of 2018, as amended, being MCL 125.4101 et seq.).

NOW, THEREFORE, THE CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN HEREBY ORDAINS:

Section 1.0 Review and Determination of Public Purpose.

Following a duly noticed public hearing on the updated Development Plan and Tax Increment Finance Plan for the West Downtown Development Authority District, which were recommended to the Board of Trustees on August 17, 2021 by the Economic Development Authority (EDA) Board, which was established by Board of Trustees resolution for the purpose of governing the West DDA District in accordance with requirements of the Recodified Tax Increment Financing Act (Public Act 57 of 2018, as amended). The Board of Trustees has reviewed and found the plans to meet the following standards and criteria, as set forth in Act 57:

- (a) The Development Plan meets the requirements set forth in Section 125.4217 of Act 57, and the Tax Increment Financing Plan meets the requirements set forth in Section 125.4214 14 of Act 57.
- (b) The scope of proposed activities listed in the Development Plan is reasonable and necessary to carry out the purposes of Act 57.
- (c) The Development Plan is consistent with the Township's Master Plan.
- (d) Public services, such as fire and police protection and utilities, are or will be adequate to serve the development area.
- (e) The proposed method of financing the development is feasible and the West DDA has the ability to arrange financing if needed.
- (f) Any land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plans and of Act 57 in an efficient and economically satisfactory manner.
- (g) Potential changes to zoning, roads, intersections, and utilities are reasonably necessary for the project and for the Township.

In deliberations toward the adoption of this Ordinance, the Board of Trustees has determined that the adoption and implementation of the updated Development Plan and Tax Increment Finance Plan for the West Downtown Development Authority District constitutes a public purpose.

Section 2.0 Approval of the updated West DDA Plans.

Premised upon the determination made in Section 1.0 of this Ordinance and upon further finding that the execution of the updated Development Plan and Tax Increment Finance Plan for the West Downtown Development Authority District appear to be in the best interest of the Township, the updated plans are hereby approved and adopted by reference. No additional amendments to the plans shall be effective unless and until submitted to and approved by the Board of Trustees in accordance with the procedures established by Act 57.

Section 3.0 Repealer.

This Ordinance hereby repeals any ordinances or parts thereof in conflict herewith.

Section 4.0 Severability.

The provisions, sections, sentences and phrases of this Ordinance are declared to be severable and if any such portion is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, such finding shall in no way affect or invalidate the remainder of this Ordinance.

Section 5.0 Publication.

The Clerk for the Township shall cause this Ordinance to be published in the manner required by law.

Section 6.0 Effective Date.

This Ordinance was approved and adopted by the Charter Township of Union Board of Trustees, Isabella County, Michigan, on October 27, 2021, after a first reading by the Board of Trustees on October 13, 2021, and publication after the first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall become effective on December 31, 2021 following publication of a summary of the ordinance and notice of adoption in a newspaper of general circulation in the Township, following adoption by the Township Board of Trustees.

CERTIFICATION OF ADOPTION AND PUBLICATION OF TOWNSHIP ORDINANCE

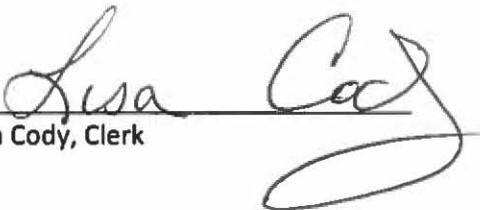
I, Lisa Cody, the duly elected Clerk of the Charter Township of Union, Isabella County, Michigan, hereby certify that the foregoing Ordinance was adopted at a meeting of the Charter Township of Union Board of Trustees on the 27th day of October 2021, at which the following named members of the Charter Township of Union Board of Trustees were present and voted in person as follows:

(a) Voting in favor of the Ordinance: Supervisor Mielke, Clerk Cody, Treasurer Rice, Trustee Bills, Trustee Brown, Trustee Hauck, and Trustee Thering

(b) Voting against adoption of the Ordinance: 0


I further certify that a summary and notice of adoption of this Ordinance were published in the Morning Sun, a newspaper of general circulation within the Charter Township of Union on the 31st day of October 2021 and that proof of same is filed in the Charter Township of Union Ordinance Book.

Certification Date: November 12, 2021



Lisa Cody, Clerk

I, Bryan Mielke, the duly elected Supervisor of the Charter Township of Union, Isabella County, Michigan, hereby confirm the authenticity of this record and Ordinance.



Bryan Mielke, Supervisor

Date: 10 NOV, 2021