

ORDINANCE NO. 189

**STATE OF MICHIGAN
COUNTY OF GENESEE
VILLAGE OF OTISVILLE**

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

THE VILLAGE COUNCIL OF THE VILLAGE OF OTISVILLE, COUNTY OF GENESEE, STATE OF MICHIGAN ordains:

PART I OF ORDINANCE

SECTION 1. Determination of Public Purpose of Amended Plan.

Following a duly noticed public hearing on July 17, 2006 on the Village of Otisville 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 Otisville Downtown Development Authority (the "Authority") pursuant to Ordinance No. 154 of the Village adopted January 21, 1997 and to Ordinance No. 142 of the Village adopted on May 4, 1992.

The Amended Plan is consistent with Sections 4 and 15 of the Act.

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

A part of Sections 21 and 28, T9N R8E, Village of Otisville, Genesee County, Michigan, describes as follows: Commencing on the East and West $\frac{1}{4}$ line of Section 21 at a point 33 feet West of the East $\frac{1}{4}$ corner of said Section 21; thence South 100 feet; thence West to the centerline of the former C&O Railway; thence Southwesterly on said centerline to a point 153 feet East of the centerline of North Street; thence Southerly parallel with and 153 feet Easterly of said centerline of North Street to the Northerly line of Grove Street; thence Northeasterly on said Northerly line to the Southeast corner of Lot 143, Map of East Otisville as recorded in Volume 1, Page 14 of Plats, Genesee County records; thence Southeasterly on the Easterly line of Lots 82 and 66 to the Southeast corner of said Lot 66, of said Map of East Otisville; thence continuing Southeasterly across Main Street to the Northeasterly corner of Lot 10, of said Map of East Otisville; thence Southwesterly on the Southerly line of East Main Street to its intersection with the East line of Park Street; thence Southerly on said East line of Park Street and its extension to the South line of Orchard Street; thence Westerly on said South line to the Northeast corner of Lot 10, Map of Otisville as recorded in Volume 14, Pages 36 and 37 of Plats, Genesee County records; thence Southerly on the East line of said Lot 10 and its extension to the centerline of the Coe Drain; thence Easterly on the centerline of said drain to a point which is 343 feet East of the centerline of State Street; thence Southerly, parallel and concentric with and 343 feet, measured at right angles or radial to the centerline of said State Street to the East and West $\frac{1}{4}$ line of Section 28; thence West on said $\frac{1}{4}$ line to the West $\frac{1}{8}$ line of Section 28; thence North on said West $\frac{1}{8}$ line to the North line of West Main Street (Wilson Road); thence Northeasterly and Easterly on said North line to a point 120 feet West of the West line of Woodward Avenue; thence South parallel with and 120 feet West of the West line of Woodward Avenue to the South line of Lot 53, Roger's Addition to Otisville as recorded in Volume 6, Page 9 of Plats, Genesee County records; thence East on said South line, 120 feet; thence Southeasterly across Woodward Avenue to the Southwest corner of Lot 47, of said Roger's Addition to Otisville; thence Southeasterly along the Northerly line of Orchard Street to the Southwest corner of Lot 26 of said Roger's Addition to Otisville; thence Northerly along the West line of Lots 20 through 26, of said Roger's Addition to Otisville, and its extension Northerly and Southerly to a point which is 120 feet South of the South line of West Main Street; thence West to the West line of Jefferson Avenue; thence North on said West line to the South line of West Main Street; thence West on said North line to the West line of Woodward Avenue; thence North on said West line to the North line of Pine Street; thence East on said North line to the West line of Jefferson Avenue; thence North on said West line to the Northeast corner of Lot 7, Block 3, Plat of Beecher's Addition to Otisville as recorded in Volume "D," Page 5 of Plats, Genesee County records; thence East along the North line of said Block 3 extended to the East line of Jefferson Avenue; thence North on said East line to a point 120 feet North of the South $\frac{1}{8}$ line of Section 21; thence East parallel with and 120 feet North of said South $\frac{1}{8}$ line to the West line of North Street; thence North on said West line of North Street to the East and West $\frac{1}{4}$ line of Section 21; thence East on said $\frac{1}{4}$ line to the point of beginning.

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 Otisville, Michigan at the regular meeting held at the Council Chambers in said Village on the 4th day of December, 2006.

Yeas 7
Nays 0
Abstain 0

Signed Tom Bess
Tom Bess, Jr., Village President

Signed Andrea Barden
Andrea Barden, Village Clerk

I, Andrea Barden, Clerk of the Village of Otisville, do hereby certify the above Ordinance is a true and correct copy of an Ordinance passed by the Village Council of the Village of Otisville, Genesee County, Michigan, at the regular meeting on the 4th day of December, 2006.

In Testimony Whereof, I have hereunto set my hand and the seal of the Village of Otisville this 6th day of December, 2006.