

TOWNSHIP OF BIRCH RUN
SAGINAW COUNTY, MICHIGAN

BIRCH RUN TOWNSHIP
RESOLUTION TO SCHEDULE A PUBLIC HEARING TO AMEND THE TOWNSHIP OF BIRCH
RUN DOWNTOWN DEVELOPMENT AUTHORITY DEVELOPMENT PLAN AND TAX
INCREMENT FINANCING PLAN
2011-23

At a Regular Meeting of the Birch Run Township Board, Township of Birch Run, Saginaw County, Michigan, held at the Township Meeting Room on the 13th day of December, 2011, at 7 o'clock Eastern Standard Time.

PRESENT: Magnus, Sheridan, Cook, Nelson, Trevino, Marr, and Kiessling

ABSENT: None

The following resolution was made by Marr and seconded by Cook:

WHEREAS, pursuant to Act 197 of the Public Acts of Michigan 1975 ("Act 197"), the Township of Birch Run adopted Ordinance No. 89-2 (the "Ordinance"), and established a Downtown Development Authority ("DDA") and the boundaries of the Downtown District (the "District"); and

WHEREAS, the Township Board enacted Ordinance No. 96-4 on September 10, 1996, under which the DDA Development Plan and Tax Increment Financing Plan were adopted; and

WHEREAS, the DDA board, by resolution adopted on December 1, 2011, a copy of which is on file with the Township clerk (the "DDA Resolution"), approved and recommended to the Township Board that the DDA Development Plan and Tax Increment Financing Plan, which was adopted on September 10, 1996, be amended to authorize the DDA to contribute funds for the construction and financing of a water tower for the Township, together with related water system improvements; and

WHEREAS, the Birch Run Township Board desires to amend Ordinance No. 96-4 to authorize such expenditures; and

WHEREAS, pursuant to Act 197, the Township is required to hold a public hearing prior to the consideration of an amendment to the Development Plan and Tax Increment Financing Plan.

NOW, THEREFORE, be it resolved that:

1. The Birch Run Township Board shall hold a public hearing on the 10th day of January, 2012, at 7 o'clock p.m. Michigan time at the Birch Run Township meeting room located at 11935 Silver Creek Drive, Birch Run Michigan, to hear and consider the comments of the public with regard to the proposed amendment to Ordinance No. 96-4, approving the Downtown Development Plan and Tax Increment Financing Plan.

2. Notice of the hearing shall be published twice in the Birch Run/Bridgeport Herald, a newspaper of general circulation within the Township, not less than 20 nor more than 40 days before the date of the hearing. Proof of publication of such notice shall be filed with the Township clerk.

3. At least 20 days prior to the date of the hearing, the Township clerk shall send a notice of the hearing by first class mail addressed to each property taxpayer of record of each parcel of land located in the District, at the address shown for such property taxpayer of record in the last Township tax assessment roll for ad valorem tax purposes, as supplemented by any subsequent changes in the names and addresses of the parties listed therein. Proof of mailing of such notice shall be filed with the Township clerk.

4. The Township clerk, at least 20 days prior to the date of the hearing, shall send a notice of the hearing by certified mail to the governing body of each taxing jurisdiction levying taxes that are subject to capture if the proposed amendment to the Downtown Development Plan and Tax Increment Financing Plan is approved by the Township.

5. The Township clerk, at least 20 days prior to the date of the hearing, shall cause the notice of hearing to be posted in at least 20 conspicuous and public places throughout the District, and proof of posting of such notice shall be filed with the Township clerk.

6. The form of the Notice of Hearing to be mailed, published and posted as required above shall be substantially in the form set forth in Exhibit B of this resolution.

7. All resolutions and parts of resolutions in conflict herewith and the same are hereby rescinded.

RESOLUTION DECLARED ADOPTED.

YEAS: Kiessling, Sheridan, Cook, Magnus, Nelson, Trevino, and Marr

NAYS: None

ABSTENTIONS: None

**STATE OF MICHIGAN)
COUNTY OF SAGINAW)**

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete Copy of a resolution adopted at a regular meeting of the Township Board of the Township of Birch Run, Michigan, held on the 13th day of December 2011, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 13^h day of December 2011.

**Amy Cook, Clerk
Birch Run Township**

EXHIBIT B

**TOWNSHIP OF BIRCH RUN, COUNTY OF SAGINAW, MICHIGAN
NOTICE OF PUBLIC HEARING TO AMEND DOWNTOWN DEVELOPMENT
PLAN AND TAX INCREMENT FINANCING PLAN**

BIRCH RUN TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY

Public notice is hereby given that the Township board of the Township of Birch Run will hold a public hearing on the proposed amendment to the Downtown Development Authority Development Plan and Tax Increment Financing Plan, in accordance with the Michigan Downtown Development Authority Act (Act 197 of 1975, as amended). The hearing will be held on January 10, 2012 at 7 o'clock p.m., Michigan time, at the Township meeting room, 11935 Silver Creek Drive, Birch Run, Michigan.

The purpose of the hearing will be to consider and approve an amendment to the Downtown Development Plan and Tax Increment Financing Plan to authorize the DDA to contribute funding for the construction and financing of a Township water tower and related water system improvements. A copy of the proposed amending Ordinance is available from the Birch Run Township Clerk.

At the hearing, citizens, taxpayers and property owners may be heard with regard to the proposed amendment to the Downtown Development Plan and Tax Increment Financing Plan. Written comments concerning the proposed amendment may be submitted to the Township office located at 8425 Main Street, P O Box 152, Birch Run Michigan 48415, up to the time of the public hearing.

Date: December 13, 2011

AMY COOK
BIRCH RUN TOWNSHIP CLERK, on
behalf of the Birch Run Township Board