



**PONTIAC CITY COUNCIL
SPECIAL MEETING
January 30, 2017
12:00 Noon
170th Session of the 9th Council**

It is this Council's mission "To serve the citizens of Pontiac by committing to help provide an enhanced quality of life for its residents, fostering the vision of a family-friendly community that is a great place to live, work and play."

Call to order

Roll Call

Authorization for excused absences for councilmembers

Agenda Item

1. Request to change the zoning at 1999 CenterPoint Parkway from C-4 Suburban Business to M-2, General Industrial zone district. Parcel No. 19-03-201-002.
2. Request to amend resolution #17-15 approving the sale of real property commonly known as the Phoenix Center.

Public Comment

Adjournment

City of Pontiac

Department of Planning

Date: January 25, 2017

To: Honorable Mayor and City Council

From: C. James Sabo, AICP
Professional Planner

Re: 1999 Centerpoint Parkway, Michigan Motion Picture Studio
Planning Commission Rezoning Recommendation

Background:

The Planning Commission has scheduled a Special Meeting on January 27, 2017 to consider a rezoning request for case number PF-17-02, 1999 Centerpoint Parkway and to hold a public hearing as required by statute. Following the public hearing, it is anticipated that the Planning Commission will recommend approval of the Rezoning application to the Mayor and City Council based on Section 6.804 of the Zoning Ordinance.

City Council Action Requested

In accordance with Section 6.802 of the Zoning Ordinance, the standard procedure for Rezoning is a public hearing and review by the Planning Commission with a recommendation for action to the City Council. As stated, it is anticipated that the recommendation from the Planning Commission is approval of the Rezoning request.

The recommended Rezoning for the property is from C-4 Suburban Business to M-2 General Industrial district.

The purpose of this correspondence is to introduce the proposed ordinance, which has been reviewed and approved by the City Administrator. Upon introduction, the Clerk shall distribute a copy to each Council member and to the Mayor, and shall file a reasonable number of copies in the office of the Clerk and such other public places as the Council may designate, and shall publish a summary of the proposed ordinance in a newspaper of general circulation in the City together with a notice of the time and place for consideration by the Council.

At the meeting where the proposed ordinance is considered, City Council is requested to adopt the following resolution:

Whereas, on January 27, 2017, the Planning Commission held a public hearing and reviewed an application for rezoning of the Michigan Motion Picture Studio property located at 1999 Centerpoint Parkway; and,

Whereas, on January 27, 2017, the Pontiac Planning Commission recommended that the existing C-4 Suburban Business parcel at 1999 Centerpoint Parkway be rezoned; and,

Whereas, the Planning Commission finds that the proposed rezoning application appears to meet the approval criteria from Section 6.804 of the Zoning Ordinance; and

Now, therefore, be it resolved, that the Pontiac City Council accepts the recommendation of the Pontiac Planning Commission and adopts:

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103, ZONING MAP, TO CHANGE THE ZONING DISTRICT CLASSIFICATIONS FOR A SPECIFIC PARCEL ID NUMBER 19-03-201-002 AT THE NORTHEAST CORNER OF CAMPUS DRIVE AND CENTERPOINT PARKWAY FOR REZONING.

CITY OF PONTIAC
ORDINANCE NO. xxxx

AN ORDINANCE TO AMEND APPENDIX B, OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC TO AMEND ARTICLE 2, ZONING DISTRICTS AND PERMITTED USES, SECTION 2.103, ZONING MAP, TO CHANGE THE ZONING DISTRICT CLASSIFICATIONS FOR A SPECIFIC PARCEL ID NUMBER 19-03-201-002 AT THE NORTHEAST CORNER OF CAMPUS DRIVE AND CENTERPOINT PARKWAY FOR REZONING.

THE CITY OF PONTIAC ORDAINS:

Section 1. Amendments.

Appendix B of the Code of Ordinances, Article 2, Zoning Districts and Permitted Uses, Section 2.103, the Zoning Map of the City of Pontiac, is amended to CHANGE THE ZONING DISTRICT CLASSIFICATION FROM C-4 SUBURBAN BUSINESS DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT AND ALLOW THE USES PERMITTED IN THAT ZONE DISTRICT FOR PARCEL IDENTIFICATION NUMBER 19-03-201-002 LEGALLY DESCRIBED AS:

LAND SITUATED IN THE CITY OF PONTIAC, IN THE COUNTY OF OAKLAND, STATE OF MICHIGAN IS DESCRIBED AS FOLLOWS:

PART OF SECTION 3, TOWN 2 NORTH, RANGE 10 EAST, CITY OF PONTIAC. OAKLAND COUNTY, MICHIGAN, ALSO BEING PART OF LOTS 5, 6 AND 7 AND PART OF BELTLINE RAILROAD EXCEPTED, AS PLATTED A PART OF ASSESSOR'S PLAT NO. 110, AS RECORDED IN THE LIBER 52, PAGE 26 OF PLATS, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT DISTANT S89°46'13"E ALONG THE NORTH LINE OF SECTION 3, 71.08 FEET AND S02°36'47"W ALONG THE EXTENSION OF THE EASTERLY LINE OF CENTERPOINT PARKWAY (120 FEET WIDE), 67.78 FEET FROM THE NORTH 1/4 CORNER OF SAID SECTION 3, TOWNSHIP 2 NORTH, RANGE 10 EAST, SAID POINT OF BEGINNING BEING ON THE SOUTH LINE OF SOUTH BOULEVARD (120 FEET WIDE) AND EASTERLY LINE OF SAID CENTERPOINT PARKWAY; THENCE DUE EAST ALONG SOUTHERLY LINE OF SAID SOUTH BOULEVARD, 1227.63 FEET; THENCE DUE SOUTH, 185.48 FEET; THENCE S44°50'04"E, 20.48 FEET; THENCE DUE EAST, 453.06 FEET; THENCE N74°26'44"E, 16.09 FEET TO A POINT ON THE WEST LINE OF NORTH CONNECTOR ROAD (66 FEET WIDE); THENCE DUE SOUTH ALONG THE WEST LINE OF SAID NORTH CONNECTOR ROAD, 336.65 FEET TO A POINT ON THE NORTH LINE OF CAMPUS DRIVE (WIDTH VARIES); THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE NORTHERLY LINE OF SAID CAMPUS DRIVE: (1) N89°22'30"W, 856.31 FEET; AND (2) 356.03 FEET ALONG A CURVE TO THE LEFT (RADIUS 443.00 FEET, CENTRAL ANGLE 46°02'49", CHORD BEARING AND DISTANCE S67°36'06"W, 346.52 FEET); AND (3) S44°34'41"W, 56.60 FEET; AND (4) 296.63 FEET ALONG A CURVE TO THE RIGHT (RADIUS 350.00 FEET, CENTRAL ANGLE 48°33'32", CHORD BEARING AND

DISTANCE S69°52'06"W, 287.83 FEET); AND (5) N87°23'13"W, 260.00 FEET TO A POINT ON THE EASTERLY LINE OF CENTERPOINT PARKWAY (120 FEET WIDE); THENCE NORTHERLY ALONG EASTERLY LINE OF SAID CENTERPOINT PARKWAY N02°36'47"E, 783.39 FEET TO THE POINT OF BEGINNING.

COMMONLY KNOWN AS: 1999 CENTERPOINT PKWY, PONTIAC, MI 48341.

Section 2. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any Court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 3. Repealer

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Effective Date

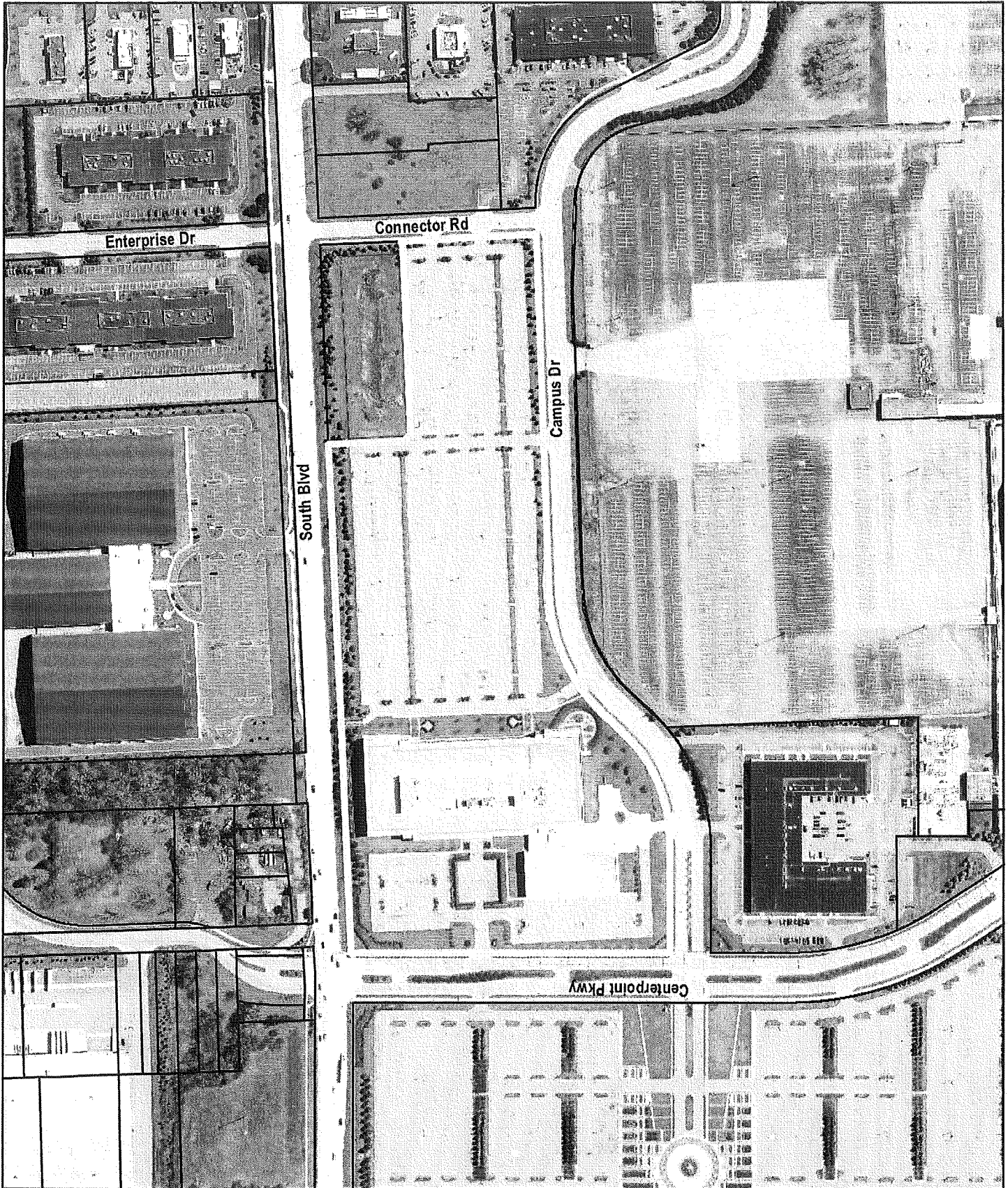
This Ordinance shall be effective ten days after adoption by the City Council and approved by the Transition Advisory Board and seven days after publication of this Ordinance by the Clerk in a newspaper of general circulation.

2010 Aerial
Photo Exhibit
1999 Centerpoint
Parkway

Source: SEMCOG 2010 Aerial;
Oakland County GIS;



Feet
0 50 100 200



City of Pontiac

Department of Planning

Date: January 20, 2017

To: Pontiac City Planning Commission

From: C. James Sabo, AICP
Professional Planner

Re: PF 17-02 (ZMA 17-02) 1999 Centerpoint Parkway

Applicant: Michigan Motion Picture Studios
1999 Centerpoint Parkway
Pontiac, MI 48342

Property Addresses: 1999 Centerpoint Parkway

Request: Zoning Map Amendment request to change the zoning classification from C-4 Suburban Business district to M-2, General Industrial district to accommodate potential future development and create consistent zoning with the adjacent property south of Centerpoint.

Legal Description: Parcel # 19-03-201-002

Zoning: C-4, Suburban Business district

Intent The regulations of the C-4 Suburban Business district are intended to encourage an environment for community and regional scale shopping centers that are auto-centered to draw customers from the immediate area, as well as surrounding communities. The district relies on large traffic volumes and proximity to freeways.

Existing Land Use: Existing MMPS studio building and administrative offices, former General Motors administrative offices.

Proposed Land Use: Potential permitted uses as listed in the M-2 General Industrial zone district.

Relationship to Pontiac Master Plan (Future Land Use Map):

Subject Parcel: Entrepreneurial; Industrial Commercial, Green

Adjacent: Entrepreneurial; Industrial Commercial, Green

Surrounding Existing Use and Zoning:

North side: C-4, Suburban Business

South side: M-2, General Industrial

West side: M-2, General Industrial

East side: C-4, Suburban Business

2014 Master Plan Update

We are providing analysis of the proposed site plan as it relates to the 2014 Master Plan Update. The Future Land Use Map designation for the proposed site is Entrepreneurial: Industrial, Commercial, and Green. The provisions for the designation are listed here:

Entrepreneurial: Industrial, Commercial, Green

The Entrepreneurial District E-ICG is a mixed use district that creates a great deal of use and form flexibility to encourage the positive reuse of vacant or underutilized property in strategic locations around the city.

Locations identified on the Future Land Use Map represent areas near or in close proximity to vacant or underutilized property that is currently or was once used for commercial or industrial purposes.

Industrial and commercial economic development will come in the form of small and mid-sized entrepreneurs who start businesses and create jobs in the process. These areas allow for more flexibility to attract creative and motivated local entrepreneurs.

Minimum Building Height: Two to three stories depending on the context of the surrounding area.

Parking: Where possible, parking should be in the rear of the buildings or otherwise separated from the street frontage. Shared parking areas should be prioritized.

Uses: Light industrial and commercial mixed-use, green including community gardens, cottage food production, urban forestry, orchards, green and hoop houses, storm water detention/green infrastructure, deconstruction training/storage/sales, solar or wind energy production, artist studio/production facilities, light manufacturing for artisan materials, craft breweries (with limited or no on-site consumption).

Appearance and Materials: Should reflect the surrounding context of the location.

In summary, the 2014 Master Plan Future Land Use designation for the Entrepreneurial District allows greater flexibility than either of the previous Master Plan Future Use designations. The Planning Commission may wish to consider the 2014 Master Plan update when rendering a decision.

Department Comments:

Engineering Department: *No comments received for rezoning.*

Water Resources Comm: *No comments received.*

Fire Department: *No comments received.*

Building Department: *No comments received.*

Section 6.804—Criteria for Amendment:

Proposed zoning map amendments are reviewed against the following criteria for amendment. The Planning Commission and City Council shall consider any of the listed criteria that apply to an application in making recommendations and decisions. The Planning Commission and City Council may take other factors into consideration that are applicable, but not listed here.

- A. *Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered. **The proposed amendment is consistent with the goals and objectives of the 2014 master plan update. The future land use map designates the area as Entrepreneurial Industrial Commercial and Green, which allows the greatest amount of flexibility related to land uses. M-2 General Industrial is consistent with the approved Future Land Use Plan. Regarding recent development trends in the area, there have been several commercial and industrial land use proposals in the Centerpoint Parkway area, such as Energy Power Systems battery manufacturing, Fanuc Industries robotics, Challenge Manufacturing, Daewoo International auto supplier.***
- B. *Compatibility of the site's physical, geological, and hydrological and other environmental features with the uses permitted in the proposed zoning district. **Proposed amendment generally maintains compatibility with physical and environmental features. There are commercial and industrial use buildings in the immediate area of the proposed rezoning.***
- C. *Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning. **Applicant has stated that the property could be reasonably developed as suburban business. However, the applicant states that the recent development activity in the area suggests that C-4 type uses are not being developed and they have not been able to attract that type of development. The applicant cites recent activity and interest last year he received from Inalfa. While the project did not materialize, it was industrial and manufacturing use and not C-4 use.***
- D. *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values. **May meet the standard. The M-2 zone district has the most intensive potential uses of the zone districts in Pontiac. However, the potential listed as requiring Special Exception Permits, such as scrap yard, metal forging, and similar uses. As with any M-2 zone district, Special Exception Use Permits would require discretionary approval from the Planning Commission. The Planning Commission***

would likely request specific information or documentation related to the requested special exception use.

- E. The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the City. **Meets this criterion.**
- F. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district. **May meet this standard, but the Planning Commission may wish to request a valid traffic impact analysis or additional studies based on the requested land use at that time.**
- G. The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district. **Meets this criterion; however, plan review will be required to determine bulk and area standards.**
- H. If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district. **Meets this criterion; the M-2 General Industrial zone is identified as a compatible future land use for the parcel. The Entrepreneurial designation allows the greatest flexibility of future land uses. The proposed rezoning is more appropriate than nearly all other zone districts.**
- I. If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use. **Meets this criterion. Amending the list of permitted uses is not appropriate in this case.**
- J. The requested rezoning will not create an isolated or incompatible zone in the neighborhood. **Meets this criterion. The proposed rezoning does not create an isolated or incompatible zone.**

Planning Department Analysis:

The proposed zoning map amendment site is located along a primary street (South Boulevard). As stated, the request for rezoning reasonably complies with the future land use designation detailed in the City of Pontiac Master Plan – Future Land Use Map. The Master Plan identifies this parcel as *Entrepreneurial: Industrial Commercial, Green*.

The proposed land use category allows for most manufacturing and industrial uses. However, as stated, the most intensive land uses for M-2 require Special Exception Permit approval from the Planning Commission. The proposed zoning amendment appears to be reasonable and is consistent with the surrounding zoning in the Centerpoint/Opdyke area.

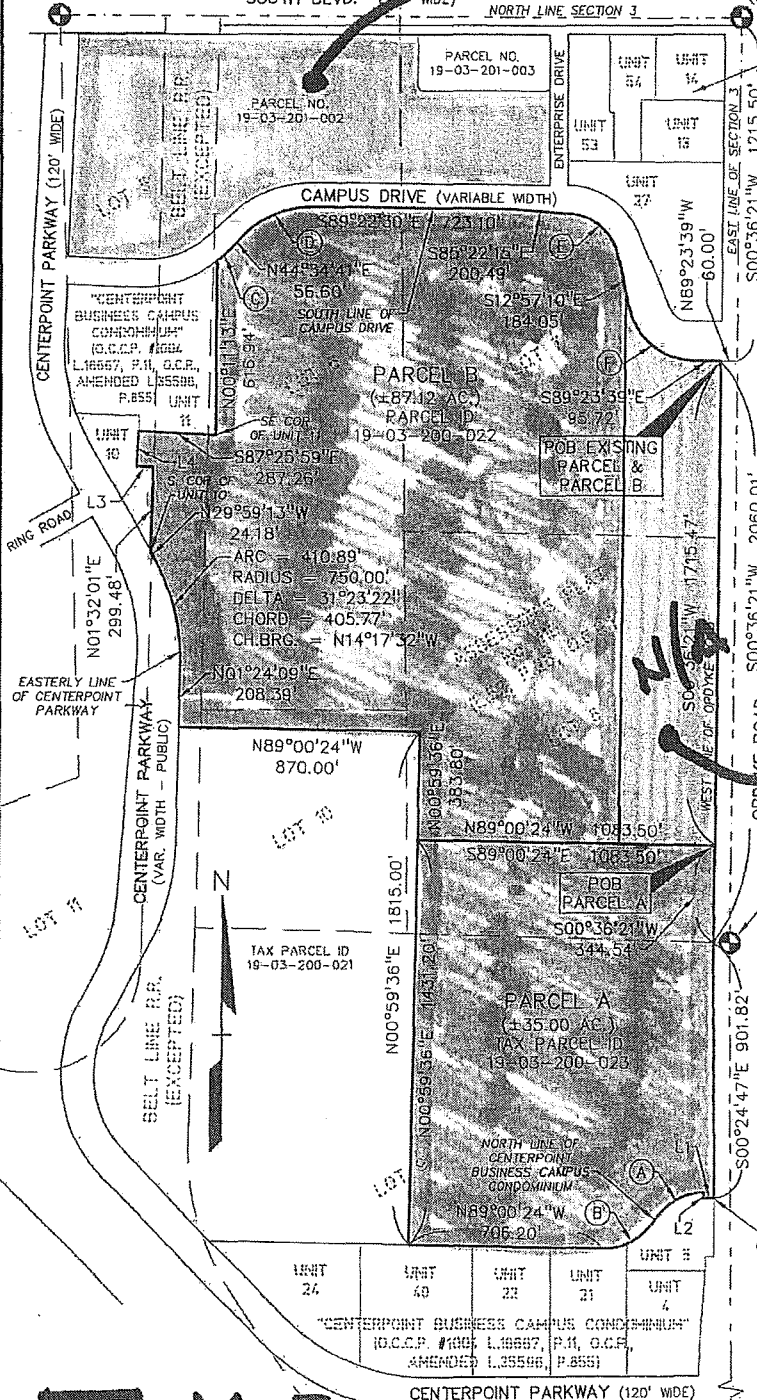
Recommendation:

To approve the Zoning Map Amendment request for PF-17-02, 1999 Centerpoint Parkway and recommend approval to the Mayor and City Council as the zoning amendment meets the criteria for approval from Section 6.804 and is consistent with the recommendations of the Pontiac Master Plan update.

N1/4 CORNER
SECTION 3
T.2N., R.10E.

SKETCH OF DESCRIPTIONS

NE CORNER SECTION 3
T.2N., R.10E.
OAKLAND COUNTY, MI
(L.20753, P.753)



"CENTERPOINT BUSINESS
CAMPUS CONDOMINIUM"
(O.C.C.P. #1004 L.18667,
P.11, O.C.P.,
AMENDED L.35508, P.655)

(A) ARC = 210.91'
RADIUS = 215.00'
DELTA = 56°12'23"
CHORD = 202.56'
CH.BRG. = S61°29'01"W

(B) ARC = 226.24'
RADIUS = 225.00'
DELTA = 57°36'46"
CHORD = 216.83'
CH.BRG. = S62°11'13"W

(C) ARC = 400.00'
RADIUS = 450.00'
DELTA = 68°24'14"
CHORD = 65.95'
CH.BRG. = N47°58'00"E

(D) ARC = 357.00'
RADIUS = 357.00'
DELTA = 66°02'49"
CHORD = 279.25'
CH.BRG. = N67°36'06"E

(E) ARC = 190.00'
RADIUS = 190.00'
DELTA = 76°25'20"
CHORD = 235.05'
CH.BRG. = S51°09'50"E

(F) ARC = 333.54'
RADIUS = 250.00'
DELTA = 76°26'28"
CHORD = 309.35'
CH.BRG. = S51°10'24"E

EAST 1/4 CORNER
SECTION 3 T.2N., R.10E.
OAKLAND CO., MI
(L.19064, P.680)

LINE TABLE		
Line #	Direction	Length
L1	S89°35'13"W	35.00'
L2	N00°24'47"W	20.00'
L3	N87°51'44"W	61.57'
L4	N02°32'55"E	124.59'

M-2
CURRENTLY ZONED
TO BE
RE-ZONED M-2

PEA, Inc.

2430 Rochester Ct. Ste 100
Troy, MI 48063-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

CLIENT:
MMP Assembly Group, LLC
1999 Centerpoint Parkway
Pontiac, Michigan 48341

SCALE: 1" = 500'
DATE: 01-10-17

JOB No: 2012-054
DWG. No: 1 of 2

City of Pontiac City Council

Resolution 17-__

Resolution to Amend Resolution 17-15 (Sale of Phoenix Center)

At a meeting of the City Council of the City of Pontiac, Michigan, held on January 30, 2017, a resolution to amend Resolution 17-15 that approved the sale of the of the Phoenix Center to BoonEx Inc., a Georgia corporation, was adopted.

WHEREAS, on January 12, 2017, the City Council of the City of Pontiac, approved Resolutions 17-13 (the direct sale of the real property commonly known as the “Phoenix Center”), Resolution 17-15 (the sale of the Phoenix Center to BoonEx, Inc.), and Resolution 17-16 (the settlement of litigation by and between Ottawa Tower II, et. al and the City of Pontiac); and

WHEREAS, on January 13, 2017, the City executed a Purchase and Sale Agreement (the “Agreement”) with BoonEx, Inc. for the sale of the Phoenix Center pursuant to Resolution 17-15 (the City and BoonEx, collectively “the Parties” herein); and

WHEREAS, during the due diligence review the Parties determined that certain structural elements of the Phoenix Center are located on adjacent parcels, including the staircases that provided ingress and egress to the Pontiac Phoenix Center, and which are an integral part of the structure, and therefore should have been included in the description of the Phoenix Center under the Agreement; and

WHEREAS, the City has also identified certain existing easements for rights of way, utilities, and public road right of way that must be identified, defined, located and excepted from the conveyance of the Phoenix Center under the Agreement; and

WHEREAS the Parties have agreed to amend the legal description for the Pontiac Phoenix Center in the Agreement to include the parcels that contain the

structural elements (the staircases) identified herein; to except and preserve certain easements, and right of way for the benefit of the public; and to adjust the purchase price for the Phoenix Center in connection with the interests described herein; and

WHEREAS the Parties have further agreed to adjust the due diligence period under the Agreement to permit the review and assessment of the interests described herein.

NOW THEREFORE, BE IT RESOLVED, that the City Council approves the sale of the Phoenix Center to BoonEx, Inc. in the amount of \$3,250,000 pursuant to the terms of a certain Purchase and Sale Agreement as amended by the proposed Amendment to Purchase and Sale Agreement that has been presented to the City Council.

BE IT FURTHER RESOLVED, that the Mayor of the City of Pontiac is hereby authorized to take any action necessary to accomplish and finalize the conveyance of the Phoenix Center premises, as described on the attached Exhibit A, to BoonEx, Inc., including but not limited to executing any and all documents necessary to convey the Phoenix Center to BoonEx; discharge the City's obligations in the record of title to the Phoenix Center; and to complete the Multiple Party Simultaneous Closing Agreement between Ottawa Towers, the City, and BoonEx that has previously been approved by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL, Pontiac, Michigan, this ____ day of January, 2017.

AYES: _____

NAYS: _____

I, Sherikia Hawkins, M.A., Clerk of the City of Pontiac, hereby certify that the above Resolution is a true and accurate copy of the Resolution passed by the City Council of the City of Pontiac on January ____, 2017.

Sherikia Hawkins, City Clerk

Dated: _____, 2017

EXHIBIT A

LEGAL DESCRIPTION

The land situated in the County of Oakland, City of Pontiac, State of Michigan, is described as follows:

PARCEL 1:

Lots 8 through 13, both inclusive, part of Lots 45, 47 and 48, all of Lots 49 through 62, both inclusive, part of Lot 64, all of Lot 65, part of Lot 66, all of Lot 67, and part of Lot 68, including vacated alley adjacent to Lots 11 and 59, and including part of vacated Perry Street, of ASSESSOR'S PLAT NO. 131 A REPLAT OF ASSESSOR'S PLAT NO. 44 AND LOTS 1. TO 20 INC. OF EASTERN ADDITION, PTS. S.W. $\frac{1}{4}$ SEC. 28 & S.E. $\frac{1}{4}$ SEC. 29, T.3N. R.10E., CITY OF PONTIAC, OAKLAND CO., MICHIGAN, according to the plat thereof as recorded in Liber 54A of Plats, page 65, Oakland County Records, part of Lots 4 through 14, both inclusive, of ASSESSOR'S PLAT NO. 130 A REPLAT OF ASSESSOR'S PLAT NO. 64, CRAWFORD'S ADDITION, AND SUBDIVISION OF OUTLOT NO. 6 IN THE N.E. $\frac{1}{4}$ SEC. 32 CITY OF PONTIAC, OAKLAND CO., MICH., according to the plat thereof as recorded in Liber 54A of Plats, page 71, Oakland County Records, including vacated part of Auburn Avenue lying North of said ASSESSOR'S PLAT NO. 130 A REPLAT OF ASSESSOR'S PLAT NO. 64, CRAWFORD'S ADDITION, AND SUBDIVISION OF OUTLOT NO. 6 IN THE N.E. $\frac{1}{4}$ SEC. 32 CITY OF PONTIAC, OAKLAND CO., MICH., and including that part of vacated Saginaw Street lying within or adjacent to said ASSESSOR'S PLAT NO. 130 A REPLAT OF ASSESSOR'S PLAT NO. 64, CRAWFORD'S ADDITION, AND SUBDIVISION OF OUTLOT NO. 6 IN THE N.E. $\frac{1}{4}$ SEC. 32 CITY OF PONTIAC, OAKLAND CO., MICH. and said ASSESSOR'S PLAT NO. 131 A REPLAT OF ASSESSOR'S PLAT NO. 44 AND LOTS 1 TO 20 INC. OF EASTERN ADDITION, PTS. S.W. $\frac{1}{4}$ SEC. 28 & S.E. $\frac{1}{4}$ SEC. 29, T.3N. R.10E., CITY OF PONTIAC, OAKLAND CO., MICHIGAN, part of Lot 101, of ORIGINAL PLAT OF THE CITY OF PONTIAC, according to the plat thereof as recorded in Liber 1 of Plats, page 1, Oakland County Records, all of Lots 1, 2 and 3, and part of Lots 4 and 5, including part of vacated Dawson Alley, of ASSESSOR'S PLAT NO. 65, according to the plat thereof as recorded in Liber 1 of Assessor's Plats, page 65, Oakland County Records, and part of Lot 8, all of Lots 9, 10 and 11, part of Lots 12, 13 and 14, and part of Lots 35, 38 and 39, including part of vacated Patterson Avenue, of ASSESSOR'S PLAT NO. 114 A REPLAT OF SUB. OF OUTLOTS 18, 22 & 23 IN S.E. $\frac{1}{4}$ SEC. 29, according to the plat thereof as recorded in Liber 53 of Plats, page 9, Oakland County Records, all described as: Beginning at a point distant South 14 degrees 36 minutes 54 seconds East, 360.29 feet from the Northeast corner of Lot 96 of ORIGINAL PLAT OF PONTIAC; thence North 75 degrees 13 minutes 16 seconds East, 94.87 feet; thence South 14 degrees 32 minutes 05 seconds East, 35.76 feet; thence North 75 degrees 27 minutes 55 seconds East, 35.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 76.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 263.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 187.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 121.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 579.77 feet; thence North 85 degrees 36 minutes 14 seconds West, 107.83 feet; thence North 14 degrees 32 minutes 05 seconds West, 181.79 feet; thence South 75 degrees 27 minutes 55 seconds West, 124.91 feet; thence North 14 degrees 32 minutes 05 seconds West, 2.42 feet; thence South 75 degrees 27 minutes 55 seconds West, 64.00 feet; thence South 14 degrees 32 minutes 05 seconds East, 2.42 feet; thence South 75 degrees 27 minutes 55 seconds West, 128.00 feet; thence South 14 degrees 30 minutes 01 second East, 144.67 feet; thence South 75 degrees 25 minutes 42 seconds West, 96.55 feet; thence North 14 degrees 10 minutes 39 seconds West, 144.72 feet; thence South 75 degrees 27 minutes 55 seconds West, 153.93 feet; thence North 14 degrees 32 minutes 05 seconds West, 197.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 54.58 feet; thence North 14 degrees 32 minutes 05 seconds West, 245.00 feet; thence South 75 degrees 27 minutes 55 seconds West, 64.00 feet; thence North 14 degrees 32 minutes 05 seconds West, 159.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 67.00 feet; thence North 14 degrees 32 minutes 05 seconds West, 52.00 feet; thence North 75 degrees 27 minutes 55 seconds East, 97.14 feet; thence North 14 degrees 36 minutes 54 seconds West, 8.35 feet to the Point of Beginning.

Tax Item No. 14-29-484-006

Staircase Parcels:

Tax Parcel No. 14-29-484-003

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO 131 PART OF LOTS 43 & 44, PART OF LOTS 46, 47 & 48, ALSO PART OF VAC PERRY ST ALL DESC AS BEG AT PT DIST 5 14-32-05 E 20.00 FT FROM NW COR OF LOT 47, TH N 75-13-16 E 431.00 FT, TH S 14-32-05 E 113.60 FT, TH S 75-27-55 W 396.00 FT, TH N 14-32-05 W 76.00 FT, TH S 75-27-55 W 35.00 FT, TH N 14-32-05 W 35.76 FT TO BEG.

Tax Parcel No. 14-29-484-010

T3N, R10E, SEC 29 ASSESSOR'S PLAT NO 131 PART OF LOT 7, ALSO ALL OF LOT 14, ALSO PART OF LOT 15, ALSO PART OF LOT 41 TO 45 INCL, ALSO PART OF VAC PERRY ST ADJ TO SAME ALL DESC AS BEG AT PT DIST S 01-54-34 E 20.51 FT & S 75-13-16 W 294.22 FT FROM NE COR OF LOT 26 OF SD PLAT, TH S 14-32-05 E 323.81 FT, TH S 75-27-55 W 64 FT, TH N 14-32-05 W 22.99 FT, TH S 75-27-55 W 121 FT, TH N 14-32-05 W 187 FT, TH N 75-27-55 E 133 FT, TH N 14-32-05 W 113.60 FT, TH N 75-13-16 E 52 FT TO BEG 8-29-14 FR 007.

Tax Parcel No. 14-32-227-003

T3N, R10E, SEC 32 & 33 ASSESSOR'S PLAT NO 130 PART OF LOTS 9 TO 12 INCL, ALSO PART OF VAC AUBURN AVE & PARKE ST ALL DESC AS BEG AT PT DIST N 14-22-45 W 79.00 FT & N 75-25-42 E 100.00 FT & N 84-54-44 E 213.77 FT & S 85-36-14 E 114.31 FT FROM NW COR OF LOT 16, TH N 14-32-05 W 185.06 FT, TH ALG CURVE CONCAVE LEFT, RAD 485.37 FT, CHORD BEARS S 86-31-58 E 94.44 FT, DIST OF 94.59 FT, TH N 87-53-06 E 40.05 FT, TH S 04-23-46 W 181.12 FT, TH N 85-36-14 W 74.18 FT TO BEG.

Subject to any easements and/or rights of way or any other interests of the public which are of record or to be defined by Seller prior to closing to maintain and support the road right of way and appurtenances for Orchard Lake Avenue, Auburn Avenue and South Saginaw Street.