

**OFFICIAL PROCEEDINGS  
PONTIAC CITY COUNCIL**

A regular meeting of the City Council of Pontiac, Michigan was held in the City Hall, Thursday, August 7, 2008 at 7:10 p.m. Daylight Savings Time.

**ONE HUNDRED EIGHTY FOURTH SESSION OF THE SEVENTH COUNCIL**

Invocation by Councilperson Susan Shoemaker

Pledge of Allegiance

Present: President McClellan

Councilpersons: Bowman, Jones, E. Seay, M. Seay, Shoemaker

Excused: President Pro-Tem Hansen

Bowman arrived at 8:40 P.M.

M. Seay arrived at 7:42 P.M.

Clerk announced a quorum present

Present: Clarence Phillips-Mayor and Mark Hotz-City Attorney.

Journals of July 24, 2008, July 30, 2008 and July 31, 2008 were approved.

08-576 By Councilperson E. Seay, supported by Councilperson Jones,  
Resolved, that Councilperson Hansen be excused from this meeting.

Ayes: Bowman, Jones, McClellan, E. Seay, M. Seay, Shoemaker

No: None

Motion carried.

08-577 By Councilperson Shoemaker, seconded by Councilperson Jones,  
Resolved, that the rules be suspended to allow the following Resolution to be read by  
Title Only.

Ayes: Bowman, Jones, McClellan, E. Seay, M. Seay, Shoemaker

No: None

Motion carried.

08-578 Resolution was received confirming the establishment of an Industrial  
Development District for General Motors Pontiac Motors Division located at 220 E.  
Columbia.

WHEREAS, by Resolution adopted by the Pontiac City Commission (now  
Council) on June 14, 1977 the City Commission pursuant to the provisions of Public Act  
198 of 1974 as amended (MCL 207.551 et. seq.) set forth a proposal to establish an  
Industrial Development District for the General Motors Pontiac Motor Division located  
on Montcalm Avenue, Pontiac, Michigan and did set a public hearing date of June 28,  
1977, in connection therewith; and

WHEREAS, written notice by certified mail was given to the owners of all real property within the proposed Industrial Development District; and

WHEREAS, a notice of said public hearing was posted in the City Clerk's Office and the local newspaper; and

WHEREAS, a public hearing on the establishment of the Industrial Development District was held before the Pontiac City Commission at a regular City Commission Meeting on June 28, 1977 in the Commission Chambers at Pontiac City Hall, Pontiac, Michigan and the owners of all real property within the proposed Industrial Development District and all other residents or taxpayers of the City of Pontiac were afforded the opportunity and right to appear and be heard; and

WHEREAS, at the conclusion of the Public Hearing the City Commission adopted a Resolution establishing the Industrial Development District consisting of the following described land:

A parcel of land described as beginning at the inner section of the East line of the PO & N Railroad and the North line of Montcalm Avenue; thence North along the East line of PO & N Railroad right-of-way line 6300 feet to a point; thence Easterly 700 feet to a point; thence Southerly 3275 feet to a point; thence Easterly 1300 feet to a point; thence Southerly 600 feet to a point; thence Easterly 700 feet to a point; thence Southerly 525 feet to a point; thence Westerly 650 feet to a point; thence Southerly 1900 feet to a point on the North right-of-way line of Montcalm Avenue; thence Westerly along the North right-of-way line of Montcalm Avenue; thence Westerly along the North right-of-way line of Montcalm Avenue 2100 feet to the point of beginning.  
and;

WHEREAS, pursuant to the provisions of Public Act 198 of 1974 as amended (MCL 207.551 et. seq.) the Pontiac City Council did set a public hearing date of October 19, 2000 in connection with the approval of an application for an Industrial Facilities Exemption Certificate submitted by General Motors Corporation for the installation of new equipment and machinery to be installed within the District created on June 28, 1977 as described above; and

WHEREAS, on October 19, 2000 by Resolution adopted by the Pontiac City Council, the application for an Industrial Facilities Exemption Certificate submitted by General Motors Corporation for installation of new equipment and machinery to be installed within the District was approved; and

WHEREAS, on December 28, 2000, the State of Michigan, Department of Treasury, Office of the State Tax Commission issued Industrial Facilities Exemption Certificate Number 2000-624 consistent with the application approved by the City Council on October 19, 2000; and

WHEREAS, pursuant to the provisions of Public Act 198 of 1974 as amended (MCL 207.551 et. seq.) the Pontiac City Council did set a public hearing date of June 16, 2005 in connection with the approval of an application for an Industrial Facilities Exemption Certificate as submitted by General Motors Corporation for the installation of new equipment and machinery to be installed within the District created on June 28, 1977 as described above; and

WHEREAS, on June 16, 2005 by Resolution adopted by the Pontiac City Council, the applications for an Industrial Facilities Exemption Certificate submitted by General Motors Corporation for installation of new equipment and machinery to be



installed within the District was approved; and

WHEREAS, on October 25, 2005, the State of Michigan, Department of Treasury, Office of the State Tax Commission issued Industrial Facilities Exemption Certificate Number 2005-374 consistent with the application approved by the City Council on June 16, 2005; and

WHEREAS, Industrial Facilities Exemption Certificate Numbers 2000-624 and 2005-374 pertain to property located within the District created on June 28, 1977; and the Legal Description of Record for each of the related applications currently reads as follows:

A parcel of land described as beginning at the inner section of the East line of the PO & N Railroad and the North line of Montcalm Avenue; thence North along the East line of PO & N Railroad right-of-way line 6300 feet to a point; thence Easterly 700 feet to a point; thence Southerly 3275 feet to a point; thence Easterly 1300 feet to a point; thence Southerly 600 feet to a point; thence Easterly 700 feet to a point; thence Southerly 525 feet to a point; thence Westerly 650 feet to a point; thence Southerly 1900 feet to a point on the North right-of-way line of Montcalm Avenue; thence Westerly along the North right-of-way line of Montcalm Avenue; thence Westerly along the North right-of-way line of Montcalm Avenue 2100 feet to the point of beginning.

WHEREAS, subsequent to adoption of the Resolutions on October 19, 2000 and on June 16, 2005, it was determined that this legal description is not fully described within the boundaries of the Industrial Development District established by Commission Resolution June 28, 1977; and

NOW, THEREFORE, BE IT RESOLVED that the correct legal description for the Industrial Facilities Exemption Certificates Numbered 2000-624 and 2005-374, approved by the Pontiac City Commission consists of the following described land situated in the City of Pontiac, County of Oakland, State of Michigan, to wit: A PARCEL OF LAND DESCRIBED AS BEGINNING AT THE INNER-SECTION OF THE EAST LINE OF THE PO & N RAILROAD AND THE NORTH LINE OF MONTCALM AVENUE; THENCE NORTH ALONG THE EAST LINE OF PO & N RAILROAD RIGHT-OF-WAY LINE 6300 FEET TO A POINT; THENCE EASTERLY 700 FEET TO A POINT; THENCE SOUTHERLY 3275 FEET TO A POINT; THENCE EASTERLY 1300 FEET TO A POINT; THENCE SOUTHERLY 600 FEET TO A POINT; THENCE EASTERLY 700 FEET TO A POINT; THENCE SOUTHERLY 525 FEET TO A POINT; THENCE WESTERLY 650 FEET TO A POINT; THENCE SOUTHERLY 1900 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF MONTCALM AVENUE; THENCE WESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF MONTCALM AVENUE 2100 FEET TO THE POINT OF BEGINNING.

and being more fully described as follows:

ALL OR PART OF LOTS 103 THROUGH 187 INCLUSIVE, LOTS 268 THROUGH 308 INCLUSIVE, AND LOTS 389 THROUGH 403 INCLUSIVE, INCLUDING VACATED STREETS AND ALLEYS LYING ADJACENT TO SAID LOTS OF "LEBARON FARM SUBDIVISION OF THE S. 1/2 OF THE S.W. 1/4 OF SEC. 16, T. 3 N., R. 10 E." AS RECORDED IN LIBER 45 OF PLATS ON PAGE 15, OAKLAND COUNTY RECORDS; AND INCLUDING PART OF SECTIONS 17, 20 AND 21, T. 3 N., R. 10 E., ALL BEING LOCATED IN THE CITY OF PONTIAC,



OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MONTCALM STREET (WIDTH VARIES) WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE CSX (FORMERLY P.O & N.) RAILROAD RIGHT-OF-WAY (50 FEET WIDE) AND PROCEEDING THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF SAID CSX RAILROAD RIGHT-OF-WAY, NORTH 00 DEGREES 02 MINUTES 36 SECONDS WEST, 508.60 FEET TO POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE, CONCAVE TO THE WEST, RADIUS 4646.71 FEET, AN ARC DISTANCE OF 469.66 FEET (CHORD BEARS NORTH 02 DEGREES 56 MINUTES 20 SECONDS WEST, 469.46 FEET) TO A POINT OF TANGENT; THENCE NORTH 05 DEGREES 50 MINUTES 04 SECONDS WEST, 3971.1 FEET; THENCE NORTH 05 DEGREES 52 MINUTES 04 SECONDS WEST, A DISTANCE OF 4972.16 FEET TO A POINT; THENCE NORTH 84 DEGREES 24 MINUTES 59 SECONDS EAST, LEAVING SAID RAILROAD RIGHT-OF-WAY, A MEASURED DISTANCE OF 699.78 FEET (DESCRIBED 700 FEET) TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 3275.00 FEET TO A POINT; THENCE NORTH 84 DEGREES 07 MINUTES 48 SECONDS EAST, A DISTANCE OF 1300.00 FEET TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 600.00 FEET TO A POINT; THENCE NORTH 84 DEGREES 07 MINUTES 47 SECONDS EAST, A DISTANCE OF 700.00 FEET TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 13 SECONDS EAST 525.00 FEET TO A POINT; THENCE SOUTH 84 DEGREES 07 MINUTES 47 SECONDS WEST, A DISTANCE OF 650.00 FEET TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 12 SECONDS EAST, A MEASURED DISTANCE OF 1947.87 FEET (DESCRIBED 1900 FEET) TO A POINT ON THE NORTH LINE OF SAID MONTCALM STREET; THENCE SOUTH 83 DEGREES 49 MINUTES 03 SECONDS WEST, ALONG THE NORTH LINE OF MONTCALM STREET, A DISTANCE OF 390.64 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTH LINE OF SAID MONTCALM STREET, SOUTH 84 DEGREES 26 MINUTES 26 SECONDS WEST, A DISTANCE OF 1735.25 FEET TO THE POINT OF BEGINNING CONTAINING 204.99 ACRES, MORE OR LESS, OF LAND IN AREA.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Industrial Facilities Exemption Certificates Numbered 2000-624 and 2005-374; pertain to property, which now consists of the corrected legal description outlined above, located within the Industrial Development District established on June 28, 1977.

Moved by Councilperson E. Seay, supported by Councilperson Jones  
 Ayes: Bowman, Jones, E. Seay, M. Seay, Shoemaker  
 No: None  
 Abstain: McClellan  
 Motion carried.

08-579 By Councilperson Shoemaker, supported by Councilperson Jones,  
 Resolved, that the rules be suspended to allow the following Resolution to be read by



2000-624 15 PP  
2005-374 19 PP

RESOLUTION OF THE PONTIAC CITY COUNCIL  
TO **CORRECT** THE LEGAL DESCRIPTION FOR  
THE INDUSTRIAL DEVELOPMENT DISTRICT  
ESTABLISHED BY THE PONTIAC CITY COMMISSION  
AT ITS MEETING ON **JUNE 28, 1977** IN REFERENCE  
TO GENERAL MOTORS PONTIAC MOTOR DIVISION

CORRECTION of  
#507

STATE OF MICHIGAN        )  
  )ss  
COUNTY OF OAKLAND     )

WHEREAS, by Resolution adopted by the Pontiac City Commission (now Council) on June 14, 1977 the City Commission pursuant to the provisions of Public Act 198 of 1974 as amended (MCL 207.551 et. seq.) set forth a proposal to establish an Industrial Development District for the General Motors Pontiac Motor Division located on Montcalm Avenue, Pontiac, Michigan and did set a public hearing date of June 28, 1977, in connection therewith; and

WHEREAS, written notice by certified mail was given to the owners of all real property within the proposed Industrial Development District; and

WHEREAS, a notice of said public hearing was posted in the City Clerk's Office and the local newspaper; and

WHEREAS, a public hearing on the establishment of the Industrial Development District was held before the Pontiac City Commission at a regular City Commission Meeting on June 28, 1977 in the Commission Chambers at Pontiac City Hall, Pontiac, Michigan and the owners of all real property within the proposed Industrial Development District and all other residents or taxpayers of the City of Pontiac were afforded the opportunity and right to appear and be heard; and

WHEREAS, at the conclusion of the Public Hearing the City Commission adopted a Resolution establishing the Industrial Development District consisting of the following described land:

507  
06/28/77

A parcel of land described as beginning at the inner section of the East line of the PO & N Railroad and the North line of Montcalm Avenue; thence North along the East line of PO & N Railroad right-of-way line 6300 feet to a point; thence Easterly 700 feet to a point; ~~thence Southerly 3275 feet to a point; thence Easterly 1300 feet to a point; thence~~ Southerly 600 feet to a point; thence Easterly 700 feet to a point; ~~thence Southerly 525~~ feet to a point; thence Westerly 650 feet to a point; thence Southerly 1900 feet to a point on the North right-of-way line of Montcalm Avenue; ~~thence Westerly along the North right-of-way line of Montcalm Avenue;~~ thence Westerly along the North right-of-way line of Montcalm Avenue 2100 feet to the point of beginning.

See map

and;

WHEREAS, pursuant to the provisions of Public Act 198 of 1974 as amended



(MCL 207.551 et. seq.) the Pontiac City Council did set a public hearing date of October 19, 2000 in connection with the approval of an application for an Industrial Facilities Exemption Certificate submitted by General Motors Corporation for the installation of new equipment and machinery to be installed within the District created on June 28, 1977 as described above; and

WHEREAS, on October 19, 2000 by Resolution adopted by the Pontiac City Council, the application for an Industrial Facilities Exemption Certificate submitted by General Motors Corporation for installation of new equipment and machinery to be installed within the District was approved; and

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WHEREAS, Industrial Facilities Exemption Certificate Numbers 2000-624 and 2005-374 pertain to property located within the District created on June 28, 1977; and the Legal Description of Record for each of the related applications currently reads as follows:

507  
06/23/77

A parcel of land described as beginning at the inner section of the East line of the PO & N Railroad and the North line of Montcalm Avenue; thence North along the East line of PO & N Railroad right-of-way line 6300 feet to a point; thence Easterly 700 feet to a point; thence Southerly 3275 feet to a point; thence Easterly 1300 feet to a point; thence Southerly 600 feet to a point; thence Easterly 700 feet to a point; thence Southerly 525 feet to a point; thence Westerly 650 feet to a point; thence Southerly 1900 feet to a point on the North right-of-way line of Montcalm Avenue; ~~thence Westerly along the North right-of-way line of Montcalm Avenue;~~ thence Westerly along the North right-of-way line of Montcalm Avenue 2100 feet to the point of beginning.

*July 1977*

WHEREAS, subsequent to adoption of the Resolutions on October 19, 2000 and on June 16, 2005, it was determined that this legal description is not fully described within the boundaries of the Industrial Development District established by Commission Resolution June 28, 1977; and

NOW, THEREFORE, BE IT RESOLVED that the correct legal description for the Industrial Facilities Exemption Certificates Numbered 2000-624 and 2005-374, approved by the Pontiac City Commission consists of the following described land situated in the City of Pontiac, County of Oakland, State of Michigan, to wit:

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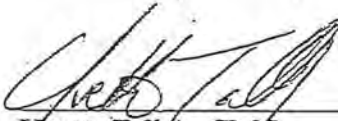
and being more fully described as follows:

ALL OR PART OF LOTS 103 THROUGH 187 INCLUSIVE, LOTS 268 THROUGH 308 INCLUSIVE, AND LOTS 389 THROUGH 403 INCLUSIVE, INCLUDING VACATED STREETS AND ALLEYS LYING ADJACENT TO SAID LOTS OF "LEBARON FARM SUBDIVISION OF THE S. 1/2 OF THE S.W. 1/4 OF SEC. 16, T.3 N., R. 10 E." AS RECORDED IN LIBER 45 OF PLATS ON PAGE 15, OAKLAND COUNTY RECORDS; AND INCLUDING PART OF SECTIONS 17, 20 AND 21, T. 3 N., R. 10 E., ALL BEING LOCATED IN THE CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MONTCALM STREET (WIDTH VARIES) WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE CSX (FORMERLY P.O. & N.) RAILROAD RIGHT-OF-WAY (50 FEET WIDE) AND PROCEEDING THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EASTERLY LINE OF SAID CSX RAILROAD RIGHT-OF-WAY, NORTH 00 DEGREES 02 MINUTES 36 SECONDS WEST, 508.60 FEET TO POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE, CONCAVE TO THE WEST; RADIUS 4646.71 FEET, AN ARC DISTANCE OF 469.66 FEET (CHORD BEARS NORTH 02 DEGREES 56 MINUTES 20 SECONDS WEST, 469.46 FEET) TO A POINT OF TANGENT; THENCE NORTH 05 DEGREES 50 MINUTES 04 SECONDS WEST, 397.11 FEET; THENCE NORTH 05 DEGREES 52 MINUTES 04 SECONDS WEST, A DISTANCE OF 4972.16 FEET TO A POINT; THENCE NORTH 84 DEGREES 24 MINUTES 59 SECONDS EAST, LEAVING SAID RAILROAD RIGHT-OF-WAY, A MEASURED DISTANCE OF 699.78 FEET (DESCRIBED 700 FEET) TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 3275.00 FEET TO A POINT; THENCE NORTH 84 DEGREES 07 MINUTES 48 SECONDS EAST, A DISTANCE OF 1300.00 FEET TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 12 SECONDS EAST, A DISTANCE OF 600.00 FEET TO A POINT; THENCE NORTH 84 DEGREES 07 MINUTES 47 SECONDS EAST, A DISTANCE OF 700.00 FEET TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 13 SECONDS EAST 525.00 FEET TO A POINT; THENCE SOUTH 84 DEGREES 07 MINUTES 47 SECONDS WEST, A DISTANCE OF 650.00 FEET TO A POINT; THENCE SOUTH 05 DEGREES 52 MINUTES 12 SECONDS EAST, A MEASURED DISTANCE OF 1947.87 FEET (DESCRIBED 1900 FEET) TO A POINT ON THE NORTH LINE OF SAID MONTCALM STREET; THENCE SOUTH 83 DEGREES 49 MINUTES 03 SECONDS WEST, ALONG THE NORTH LINE OF MONTCALM STREET, A DISTANCE OF 390.64 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTH LINE OF SAID MONTCALM STREET, SOUTH 84 DEGREES 26 MINUTES 26 SECONDS WEST, A DISTANCE OF 1735.25 FEET TO THE POINT OF BEGINNING. CONTAINING 204.99 ACRES, MORE OR LESS, OF LAND IN AREA.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Industrial Facilities Exemption Certificates Numbered 2000-624 and 2005-374; pertain to property, which now consists of the corrected legal description outlined above, located within the Industrial Development District established on June 28, 1977.

I, Yvette Talley, City Clerk of the City of Pontiac, Michigan, do hereby certify that the foregoing is a True Copy of a Resolution adopted by the Pontiac City Council at a regular meeting held on, Thursday, August 7, 2008.

Given under my hand and the seal  
of the City of Pontiac, Michigan this  
11<sup>th</sup> day of August, 2008.

  
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Yvette Talley, CMC  
City Clerk of the City of Pontiac, Michigan



