

February 6, 2024, Approved Minutes

**Official Proceedings  
Pontiac City Council  
129<sup>th</sup> Session of the Eleventh Council**

**Call to order**

A Regular Meeting of the City Council of Pontiac, Michigan was called to order at the City Hall Council Chambers, 47450 Woodward Ave Pontiac, MI 48342 on Tuesday, February 6, 2024, at 6:03 p.m. by Council President Mike McGuinness.

**Invocation – Bishop Teresa Lee – Pontiac, Michigan**

**Pledge of Allegiance to the Flag of the United States**

**Moment of Silence**

**Roll Call**

**Members Present –** William Carrington, Mike McGuinness, William Parker Jr. and Melanie Rutherford

Mayor Tim Greimel was present.  
A quorum was announced.

**Authorization to Excuse Councilmembers**

**Motion to excuse Councilmembers Kathalee James & Brett Nicholson from the meeting for personal reasons.** Moved by Councilperson Rutherford and second by Councilperson Parker.

Ayes: Carrington, McGuinness, Parker and Rutherford

No: None

**Motion Carried**

**Amendments to and Approval of the Agenda**

**Motion to approve the agenda.** Moved by Councilperson Rutherford and second by Councilperson Carrington. Discussion.

**Motion to add a Discussion on Downtown Building Construction Concerns to the agenda.** Moved by Councilperson Rutherford and second by Councilperson Parker.

Ayes: McGuinness, Parker, Rutherford and Carrington

No: None

**Motion Carried**

**The vote was taken to approve the agenda as amended.**

Ayes: McGuinness, Parker, Rutherford and Carrington

No: None

**Motion Carried**

**Consent Agenda**

24-36 **Resolution to approve the consent agenda for February 6, 2024.** Moved by Councilperson Rutherford and second by Councilperson Parker.

WHEREAS, the City Council has reviewed the consent agenda for February 6, 2024.

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NOW, THEREFORE, BE IT RESOLVED that the City Council approves the consent agenda for February 6, 2024, including the January 26, 2024, Facilities & Properties Subcommittee Meeting Minutes and the January 30, 2024, City Council Meeting Minutes including Closed Session Minutes.

Ayes: McGuinness, Parker, Rutherford and Carrington

No: None

**Resolution Passed**

### **Special Presentations**

MHEF (Michigan Health Endowment Fund) Healthy Aging Grant

Presentation Presenters: Renee Hall, Grants and Philanthropy Department and Habitat for Humanity

Councilman Mikal Goodman arrived at 6:20 p.m.

Pontiac Arts Commission Initiatives and Updates

Presentation Presenter: Pontiac Arts Commission

Black History Month Activities in Pontiac

### **Recognition of Elected Officials**

1. Beatrice Wright, Precinct Delegate

### **Agenda Address**

1. Beatrice Wright addressed item #3
2. Carlton Jones addressed items #4, #5 & #7
3. Dr. Deirdre Waterman addressed items #1, #2 & #5
4. Dr. Alexander Cintron addressed item #3

### **Agenda Items**

#### **Ordinance**

~~2432~~ **Adoption of a Zoning Ordinance Map Amendment to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103 – Zoning Map, to change the Zoning Classifications for a Specific Parcel on the North Side of Featherstone Street Between Emerson Avenue and Thors Street, subject to the agreed upon Conditions. (Second Reading).**

Moved by Councilperson Goodman and second by Councilperson McGuinness. Discussion.

**Motion to table Adoption of a Zoning Ordinance Map Amendment to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103 – Zoning Map, to change the Zoning Classifications for a Specific Parcel on the North Side of Featherstone Street Between Emerson Avenue and Thors Street, subject to the agreed upon Conditions (Second Reading) to later in the meeting.** Moved by Councilperson Goodman and second by Councilperson Parker.

Ayes: Parker, Rutherford, Carrington, Goodman and McGuinness

No: None

**Motion Carried**

### **Resolutions**

City Council

24-37

**Resolution on Mattie McKinney Hatchett Park and Crystal Lake Park Projects.**

Moved by Councilperson Rutherford and second by Councilperson Carrington.

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WHEREAS, The City of Pontiac has dozens of city parks that have received limited investments in recent decades due to past municipal financial challenges, and ongoing maintenance limitations due to past staffing constraints; and,

WHEREAS, the City's Mayor and Administration, with affirmative votes by the Pontiac City Council authorizing action, are investing substantially in the future of many of Pontiac's parks and are rebuilding Parks and Recreation city staffing capacity; and,

WHEREAS, the Mattie McKinney Hatchett Park and Crystal Lake Park improvement projects have unique funding sources that the City, Oakland County, and philanthropic partners have secured, and external community partners have been involved;

NOW, THEREFORE BE IT RESOLVED, the Pontiac City Council formally expresses our statement of urgency with the advancement of the Mattie McKinney Hatchett Park and Crystal Lake Park improvements in order to see those updated parks come to fruition; and

FURTHER RESOLVED, the City Council formally expresses our concern about the extended timeline of the Mattie McKinney Hatchett Park project, but recognizes that external community partners had challenges and the path forward must be updated and our legislative body stands ready to review forthcoming agreement updates; and

FURTHER RESOLVED, the City Council requests the City's Administration work to prepare bid requests and prioritize advancing the timeline for the remaining design and construction steps in the process for both Mattie McKinney Hatchett Park and Crystal Lake Park.

Ayes: Rutherford, Carrington, Goodman, McGuinness and Parker

No: None

**Resolution Passed**

24-38           **Resolution approving appointments to City of Pontiac Board of Review.** Moved by Councilperson Carrington and second by Councilperson Parker.

WHEREAS, Section 5.402 of the Pontiac City Charter requires the City Council to appoint three electors of the City, annually, to the Board of Review before that Board's first meeting; and,

WHEREAS, in addition to the charter requirement of being an elector, all members of the Board of Review must attend and receive training prior to attending the first meeting; and,

WHEREAS, Linda D. Watson, Elizabeth Peete, Mattie Lasseigne, and Alternate Elick Shorter have effectively served on the Board of Review and are generously willing to continue their service to the City of Pontiac.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Pontiac City Council appoints Linda D. Watson, Elizabeth Peete, Mattie Lasseigne, and Alternate Elick Shorter, to serve as members to the 2024 Board of Review.

Ayes: Carrington, Goodman, McGuinness, Parker and Rutherford

No: None

**Resolution Passed**

Human Resources Department

24-39           **Resolution to approve contract with GovHR for the hiring of additional staff recruitment.** Moved by Councilperson Rutherford and second by Councilperson Carrington.

WHEREAS, the city of Pontiac has leadership vacancies that need to be filled in a time-sensitive manner; and

WHEREAS, the City has budgeted for the use of outside firms to aid in recruiting for those vacancies; and,

WHEREAS, recent changes to the City's compensation strategy makes it more likely to attract suitable talent to fill these key leadership positions; and

WHEREAS, the City has had success with GovHR in previous recruitment activities and is currently using the firm to assist in filling the Chief Assistant Clerk vacancy; and

WHEREAS, Human Resources is requesting that GovHR be further engaged in recruiting suitable candidates for the Department of Public Works Director, City Engineer, Finance Director and the Grants and Philanthropy Director.

NOW THEREFORE, BE IT RESOLVED, the Pontiac City Council authorizes the Mayor or his Designee to enter into an additional contract with GovHR for the recruitment of the four key leadership positions named herein at a cost not to Exceed \$50,000.

Ayes: Goodman, McGuinness, Parker, Rutherford and Carrington

No: None

**Resolution Passed**

**Motion to remove from the table Adoption of a Zoning Ordinance Map Amendment to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103 – Zoning Map, to change the Zoning Classifications for a Specific Parcel on the North Side of Featherstone Street Between Emerson Avenue and Thors Street, subject to the agreed upon Conditions. (Second Reading).** Moved by Councilperson Goodman and second by Councilperson Parker.

Ayes: McGuinness, Parker, Rutherford, Carrington and Goodman

No: None

**Motion Carried**

### **Ordinance**

2432 **Adoption of a Zoning Ordinance Map Amendment to Amend Appendix B of the Municipal Code of the City of Pontiac, Amending Article 2, Section 2.103 – Zoning Map, to change the Zoning Classifications for a Specific Parcel on the North Side of Featherstone Street Between Emerson Avenue and Thors Street, subject to the agreed upon Conditions. (Second Reading).** Moved by Councilperson Goodman and second by Councilperson McGuinness.

Ayes: Parker, Rutherford, Carrington, Goodman and McGuinness

No: None

**Ordinance Adopted**

**\*\*Ordinance 2432 attached as Exhibit A\*\***

### **Resolutions**

Planning Division

24-40 **Resolution to approve Conditional Rezoning Agreement between the City and Luke Holsworth regarding parcel 14-22-334-010 (This item relates to Ordinance 4 on the agenda).** Moved by Councilperson Rutherford and second by Councilperson Parker.

WHEREAS, before the City of Pontiac City Council for consideration is an Ordinance to amend the City of Pontiac Zoning Ordinance Map to conditionally rezone 10.25 acres at Parcel ID 64-14-22-334-010, on Featherstone Drive; specifically to amend the Zoning Ordinance Map which list the classification(s) Parking (P-1) to Corridor Commercial (C-3) with the Conditional Rezoning Agreement.

WHEREAS, the City of Pontiac City Council finds it is in the best interest for the health, safety, and welfare, to support the Planning Commission's Recommendation and approve the amendments to the Zoning Ordinance Map as presented.

NOW THEREFORE, BE IT RESOLVED by the Pontiac City Council that it hereby authorizes the Mayor to Execute the Conditional Rezoning Agreement regarding Parcel ID 64-14-22-334-010.

Ayes: McGuinness, Parker, Rutherford, Carrington and Goodman

No: None

**Resolution Passed**

**\*\*Conditional Rezoning Agreement attached as Exhibit B\*\***

**Public Comment**

1. Charles Curtis
2. Ms. Curtis
3. Pastor Andrew Jenkins
4. Beatrice Wright
5. H. Bill Maxey
6. Carlton Jones
7. Dr. Deirdre Waterman
8. Pastor Kathy Dessureau
9. James Bowles
10. Clyde Kemp
11. Bishop Teresa Lee
12. Jibron Maddox
13. George Brenton

**Discussion**

Frequently Asked Questions for Marihuana Referendum on Ballot

Downtown Bldg. Construction Concerns

**Communications**

City Council, Mayor's Office & City Clerk's Office

**Mayor, Clerk and Council Closing Comments**

Mayor Tim Greimel, City Clerk Garland Doyle, Councilwoman Melanie Rutherford, Councilman William Parker Jr., Council President Pro-Tem William Carrington and Council President Mike McGuinness made closing comments.

**Adjournment**

**Motion to adjourn the meeting.** Moved by Councilperson Rutherford and second by Councilperson Parker.

Ayes: Parker, Rutherford, Carrington and McGuinness

No: None

**Motion Carried**

Council President Mike McGuinness adjourn the meeting at 9:09 p.m.

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Garland S. Doyle  
City Clerk

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF PONTIAC

ORDINANCE NO. 2432

ZONING ORDINANCE MAP AMENDMENT

AN ORDINANCE TO AMEND APPENDIX B OF THE MUNICIPAL CODE OF THE CITY OF PONTIAC, AMENDING ARTICLE 2, SECTION 2.103—ZONING MAP, TO CHANGE THE ZONING CLASSIFICATIONS FOR A SPECIFIC PARCEL ON THE NORTH SIDE OF FEATHERSTONE STREET BETWEEN EMERSON AVENUE AND THORS STREET, SUBJECT TO THE AGREED UPON CONDITIONS.

THE CITY OF PONTIAC ORDAINS:

**Section 1. Amendments.**

That the Zoning Map of the City of Pontiac, said map being incorporated by reference in the Zoning Ordinance for the City of Pontiac pursuant to Article 2 therefor, be and the same is hereby amended, changed, and altered so that hereafter the zoning classifications for the below legal description, Parcel ID: 14-22-334-010, from Parking (P-1); Corridor Commercial (C-3) with CR Conditional Rezoning, this Amendment is subject to the Conditions as described in Section 3.

**Provided Legal Description:**

The land referred to herein below is situated in the City of Pontiac, County of Oakland, State of Michigan, and is described as follows:

**[INSERT LEGAL DESCRIPTION]**

**Section 2. Conditions.**

Said amendment is conditioned as provided in the voluntarily agreed Conditional Rezoning Agreement entered into between the City of Pontiac and Luke Holsworth, which include:

The Property shall not be used as a sexually oriented business, a retail sales facility that primarily involves the sale of alcoholic beverages, marihuana retail facility, bar, tavern, or alcohol service establishment, place of assembly, retail sales facility that primarily involves the sale of firearms, gambling facility, a manufacturing, fabrication, or processing facility, or any other public nuisance type of business as determined by the Planning Department.

If the conditions as described above, and any other conditions as provided in the Conditional

Rezoning Agreement, are not adhered to, the property in this Amendment will revert back to Parking (P-1).

**Section 3. Repealer and Severability.**

All other parts and provisions of the Zoning Ordinance shall remain in effect, amended only as provided above. 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 4. Effective Date**

The foregoing amendment to the City of Pontiac Zoning Map was approved and adopted by the City Council on \_\_\_\_\_, 2024, after a public hearing as required pursuant to the Michigan Act 110 of 2006, as amended. The Ordinance shall be effective on \_\_\_\_\_, 2024, which date is the eighth day after publication of a Notice of Adoption and Posting of the Zoning Map Amendment in a publication in a newspaper of general circulation in the zoning district as required by Section 401 of Act 110 of 2006, as amended. However, this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

**ORDINANCE DECLARED ADOPTED.**

**CITY OF PONTIAC  
CONDITIONAL REZONING AGREEMENT**

This Conditional Rezoning Agreement (the “**Agreement**”) is made this \_\_\_\_ day of \_\_\_\_\_, 2023, by and between THE CITY OF PONTIAC, with its offices located at 47450 Woodward Ave., Pontiac, MI 48342 (the “**City**”), and Luke Holsworth (“**Luke Holsworth**”) whose address is 433 Emerson Ave., Pontiac, MI 48342.

**THE PARTIES RECITE THAT:**

**WHEREAS**, Luke Holsworth owns certain parcels of real property located within the City of Pontiac, which are commonly described as follows:

Vacant Property on Featherstone St., Parcel ID Number: 14-22-334-010

**WHEREAS**, Luke Holsworth seeks re-zoning of the referenced parcel, as shown on **Exhibit A**. The parcel where rezoning is sought shall be referred to herein as the “**Property**.” The Property is currently zoned as follows and the legal descriptions for the Property are on **Exhibit A** attached hereto:

<b>Parcel Number(s)</b>	<b>Previous Zoning District</b>	<b>Rezoned to the following Zoning District:</b>
14-22-334-010	Parking (P-1)	Corridor Mixed Use District (C-3)

**WHEREAS**, under and pursuant to Section 405 of the Michigan Zoning Enabling Act, 2008 PA 110, as amended (codified at MCL §125.3405 *et seq*), certain conditions voluntarily offered by the owner of land, including an agreement between the City and the Luke Holsworth, may become a condition of rezoning of the Property; and



**WHEREAS**, the Luke Holsworth submitted the Application for Conditional Rezoning with an Offer of Conditions on \_\_\_\_\_, 2024, attached as **Exhibit B** (collectively “**Application**”), voluntarily offering, in writing, certain conditions to rezone the Property as set forth in the table above, subject to the conditions of this Agreement; and

**WHEREAS**, the City Planning Commission on \_\_\_\_\_, 2024, held a Public Hearing on the request for Conditional Rezoning and proposed amendment to the City’s Zoning Map Ordinance; and

**WHEREAS**, the City Council on \_\_\_\_\_, 2024, voted to approve the request for Conditional Rezoning and adopted Ordinance No. \_\_\_\_\_ to amend the City’s Zoning Map Ordinance based upon the conditions set forth in this Agreement and the attached Exhibits;

**NOW, THEREFORE**, in consideration of the foregoing and the mutual promises hereinafter set forth, the City and the Luke Holsworth agree as follows:

1. **CONDITIONAL REZONING, PROJECT DEVELOPMENT, AND CONDITIONS AND EXCEPTIONS TO USE OF PROPERTY**

A. **Conditional Rezoning.** Consistent with MCL §125.3405, the Property has been conditionally rezoned from the classification(s) Parking (P-1) to Corridor Mixed Use District (C-3) as set forth in table A1 above, with conditions as approved by the City Council based upon the Luke Holsworth’s Offer of Conditions, subject to and in accordance with this Agreement, unless this Agreement is amended by mutual agreement of the City and Luke Holsworth, following public hearing, or unless the Luke Holsworth determines to use the Property in accordance with the zoning applicable to the Property under and in accordance with the termination provisions set forth herein. Luke Holsworth and future owners of the Property shall not develop and use the Property in a manner inconsistent with this Agreement.

B. **Project Definition.** The Project shall be based on a future approved development agreement and approved site plan submitted for the development of this Property. Except as modified herein or pursuant to any variances or deviations approved by the City, the Property shall remain subject to all other zoning and use district regulations of the City Zoning Ordinance, for property zoned Corridor Mixed Use District (C-3), as applicable in accordance with the zoning of each respective parcel as set forth in Table A1 above, and as limited by Luke Holsworth’s Offer of Conditions, and shall remain subject to all other requirements of the City’s building, zoning, and other land use regulations.

C. **Offered Conditions.** The Luke Holsworth has voluntarily offered the following condition in consideration for the City’s granting of the rezoning:

- i. The Property shall not be used as a sexually oriented business, a retail sales facility that primarily involves the sale of alcoholic beverages, marihuana retail facility, bar, tavern, or alcohol service establishment, place of assembly, retail sales facility that primarily involves the sale of firearms, gambling facility, a manufacturing, fabrication, or processing facility, or any other public nuisance type of business as determined by the Planning Department.

D. **Acknowledgement.** Luke Holsworth hereby acknowledges that the rezoning with conditions was proposed by the Luke Holsworth to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms spelled out in the conditional rezoning agreement; and, Luke Holsworth further agrees and acknowledges that the conditions and conditional rezoning agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis, and represents a permissible exercise of authority by the City. Luke Holsworth further represents and warrants that it agrees to all of the following:

- i. That the property in question shall not be developed or used in a manner inconsistent with this conditional rezoning agreement.
- ii. That each of the requirements and conditions set forth in this Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved rezoning with conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
- iii. Nothing in this Agreement shall be construed as replacing the requirement for Luke Holsworth to obtain preliminary and final Site Plan, subdivision, condominium, or special land use review and approval, as applicable.

2. **PERIOD OF APPROVAL.** Unless extended by the City Council for good cause, the rezoning with conditions shall expire following a period of two (2) years from the effective date of the rezoning unless bona fide development of the property pursuant to approved building and other permits required by the City commences within the two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.

A. **Expiration.** In the event bona fide development has not commenced within two (2) years from the effective date of the rezoning, the rezoning with conditions and the conditional rezoning agreement shall be void and of no effect. Luke Holsworth may apply for a one (1) year extension one (1) time. The request must be submitted to the City Clerk

before the two (2) year time limit expires. Luke Holsworth must show good cause as to why the extension should be granted.

B. **Effect of Expiration.** If the rezoning with conditions becomes void in the manner provided in this section, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established. Either or both of the following actions may be taken:

- i. Luke Holsworth may seek a new rezoning of the property and the City may approve same; and/or
- ii. Pursuant to MCL 125.3405, the land shall revert to its former zoning classification following the process for approval of a rezoning with conditions.

C. **Extension.** If an extension of approval is granted by the City Council, a new conditional rezoning agreement with the new expiration date shall be recorded.

3. **RECORDATION.** This Rezoning shall become effective following publication in the manner provided by law and recording of the conditional rezoning agreement with the County Register of Deeds.

4. **DEFAULT.** If development and/or actions are undertaken on or with respect to the property in violation of the conditional rezoning agreement, such development and/or actions shall constitute a nuisance per se. In such case, the City may issue a stop work order relative to the property and seek any other lawful remedies. Until curative action is taken to bring the property into compliance with the conditional rezoning agreement, the City may withhold, or, following notice and an opportunity to be heard, revoke permits and certificates in addition to or in lieu of such other lawful action to achieve compliance. In the event that the Luke Holsworth defaults on the condition(s) of this Agreement, then, the City may, at its option and within its sole discretion, terminate this Agreement. In the event that this Agreement is terminated by then, by written notice given by the City to the Luke Holsworth within three (3) months following such failure by the Luke Holsworth, the City may, at its option and within its sole discretion, declare the Property to revert back to its previous Zoning District(s) and terminate the approval of any Site Plan for the Project.

5. **ENTIRE AGREEMENT.** This Agreement, the exhibits attached hereto, if any, and the instruments which are to be executed in accordance with the requirements hereof set forth all the covenants, agreements, stipulations, promises, conditions, and understandings between the City and the Luke Holsworth concerning the Project as of the date hereof, and there are no covenants, agreements, stipulations, promises, conditions or understandings, either oral or written, between them other than as set forth herein.

6. **RELATIONSHIP OF THE PARTIES.** The relationship of the City and the Luke Holsworth shall be defined solely by the expressed terms of this Agreement, including the implementing documents described or contemplated herein, and neither the cooperation of the parties hereunder nor anything expressly or implicitly contained herein shall be deemed or construed to create a partnership, limited or general, or joint venture between the City and the Luke Holsworth, nor shall any party or their agent be deemed to be the agent or employee of any other party to this Agreement.

7. **MODIFICATION.** This Agreement can be modified or amended only by a written instrument expressly referring hereto and executed by the City and the Luke Holsworth.

8. **MICHIGAN LAW TO CONTROL.** This Agreement and the rights and obligations of the parties hereunder shall be construed in accordance with Michigan law.

9. **DUE AUTHORIZATION.** The City and the Luke Holsworth each warrant and represent to the other that this Agreement and the terms and conditions thereof have been duly authorized and approved by, in the case of the City, its City Board and all other governmental agencies whose approval may be required as a precondition to the effectiveness hereof, and as to the Luke Holsworth, by the members thereof, and that the persons who have executed this Agreement below have been duly authorized to do so. The parties hereto agree to provide such opinions of counsel as to the due authorization and binding effect of this Agreement and the collateral documents contemplated hereby as the other party shall reasonably request.

10. **SUCCESSORS AND ASSIGNS.** The approval of the terms, provisions, and conditions of this Agreement are for the benefit of the Property and shall run with the Property and shall bind and inure to the benefit of the parties to this Agreement and their respective successors, assigns, and transferees.

11. **NO PERSONAL LIABILITY.** The obligations hereunder of the City and the Luke Holsworth shall constitute solely the obligations of the respective entities to be satisfied solely from their respective assets, and no officer, Board member, agent, employee or partner of any of said entities shall have any personal obligation, responsibility or liability for the performance of the terms of this Agreement.

**IN WITNESS WHEREOF,** the parties hereto have executed this Agreement on the date first set forth above.

**SIGNED:**

CITY OF PONTIAC

\_\_\_\_\_  
By:  
Its:

STATE OF MICHIGAN            )  
  ) SS.  
COUNTY OF OAKLAND        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_, Notary Public

\_\_\_\_\_ County, Michigan

My Commission expires \_\_\_\_\_.

**SIGNED:**

Luke Holsworth

\_\_\_\_\_  
By:  
Its:

STATE OF MICHIGAN            )  
  ) SS.  
COUNTY OF OAKLAND        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_, Notary Public

\_\_\_\_\_ County, Michigan

My Commission expires \_\_\_\_\_.

Drafted by:  
Morgan A. McAtamney (P80047)  
The Kelly Firm, PLC

2825 University Dr.  
Auburn Hills, MI 48236

When Recorded Return to:  
Luke Holsworth  
433 Emerson Ave.  
Pontiac, MI 48342

**EXHIBIT A**

(Legal Description)

Tax Parcel No. 14-22-334-010

**EXHIBIT B**

**Copy of Application for Conditional Rezoning**

(See following pages)