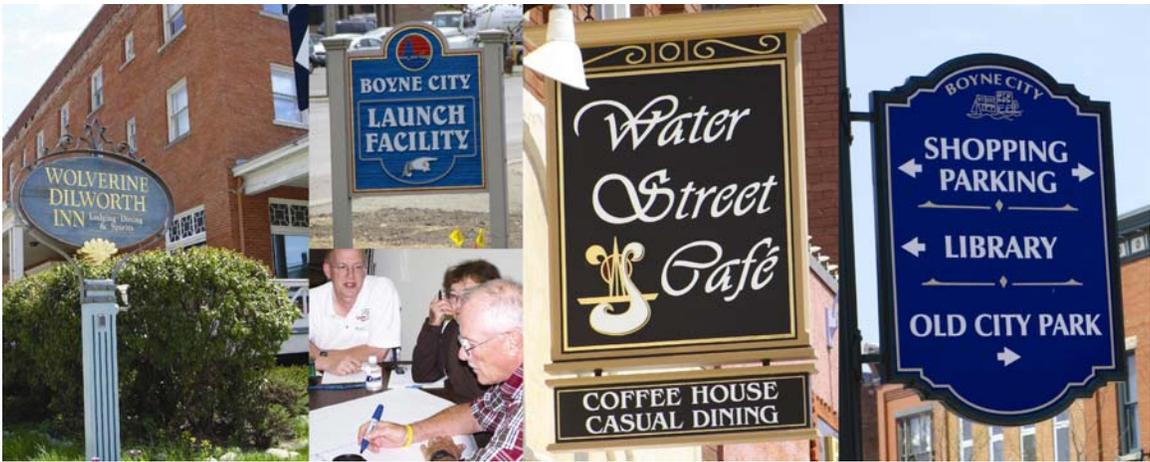


Amended and Restated  
**Development Plan and Tax Increment Financing Plan**



City of Boyne City  
Downtown Development Authority  
Charlevoix County, Michigan

Adopted March 9, 2010

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City of Boyne City  
Charlevoix County, Michigan

**AMENDED AND RESTATED  
DEVELOPMENT PLAN and TAX INCREMENT FINANCING PLAN**

Adopted March 9, 2010  
Publication March 17, 2010

**Mayor and City Commission**

Charles Vondra, Mayor  
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Ronald Grunch  
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**Boyne City Downtown Development Authority and Main Street Board**

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Jodie Adams  
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Michael Cain  
Ray Guzniczak  
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Hugh Conklin, Manager

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## BACKGROUND AND PURPOSE

### **Purpose Of The Downtown Development Authority Act**

Act 197 of Public Acts of 1975 of the State of Michigan, commonly referred to as the Downtown Development Authority Act, was created in part to correct and prevent deterioration of business districts; to promote economic growth and revitalization; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation of the authority; to authorize the levy and collection of taxes, the issuance of bonds and the use of tax increment financing in the accomplishment of specific downtown development activities contained in locally-adopted development plans.

The Act seeks to attack problems of urban decline, strengthen existing areas and encourage new private developments in the downtown districts of Michigan communities. It seeks to accomplish this goal by providing communities with the necessary legal, monetary and organizational tools to revitalize downtown districts either through public-initiated projects or in concert with privately motivated development projects. The manner in which downtown development authorities chose to make use of these tools does, of course, depend on the problems and opportunities facing each particular downtown district and the development priorities sought by the community in the revitalization of its business area.

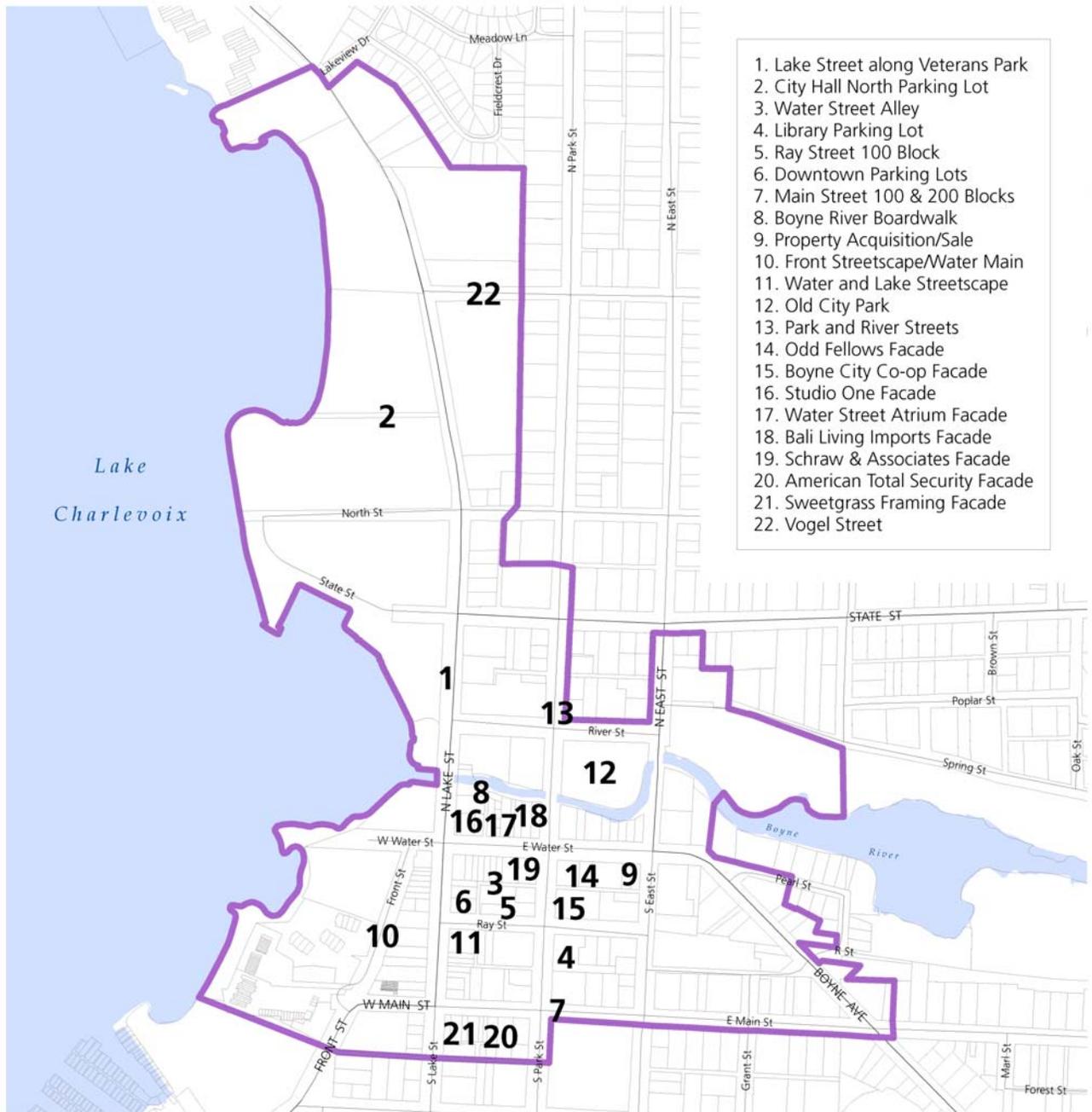
### **Creation of the Boyne City Downtown Development Authority**

On January 11, 1994, the City of Boyne City City Commission adopted Ordinance A-71, which created the Boyne City Downtown Development Authority. A copy of this Ordinance is included as Exhibit 1. The Authority was given all of the powers and duties prescribed for a downtown development authority pursuant to the Act.

### **Basis For The Tax Increment Finance Plan and Development Plan**

Act 197 of Public Acts of 1975, the Downtown Development Authority Act, provides the legal mechanism for local officials to address the need for economic development in the central business district. In Boyne City, the Downtown Development Authority district incorporates 279 parcels of private and public property along Lake Street from Lake View Drive to the alley between Main Street and East Pine Street and east-west between Lake Charlevoix on the west and North East Street and Water Street on the east, including public rights-of-way and alleys. The DDA District is approximately 81 acres in size. The initial Development Plan and Tax Increment Financing Plan was adopted on May 2, 1995, focused on the implementation of its strategic plan which included establishing a distinctive image for the downtown and providing an attractive retail and service mix for the community.

For purposes of designating a development plan district and for establishing a tax increment financing plan, the Act refers to a "downtown district" as being in a business district which is specifically designated by ordinance of the governing body of the municipality and a "business district" as being an area in the downtown of a municipality zoned and used principally for business. Tax increment financing can be used to provide the necessary funds for project implementation. By definition, a tax increment financing plan seeks to capitalize on and make use of the increased tax base created by economic development within the boundaries of a downtown district. The legal basis or support for the Tax Increment Plan and Development Plan are identified in Act 197 of the Public Acts of 1975, as amended. Since 1995, the Boyne City Downtown Development Authority has utilized tax increment financing and other funds to implement a variety of capital improvement and other projects. The map on the following page illustrates the location of projects completed or pending by the DDA in conjunction with other partners and funding sources.



1. Lake Street along Veterans Park
2. City Hall North Parking Lot
3. Water Street Alley
4. Library Parking Lot
5. Ray Street 100 Block
6. Downtown Parking Lots
7. Main Street 100 & 200 Blocks
8. Boyne River Boardwalk
9. Property Acquisition/Sale
10. Front Streetscape/Water Main
11. Water and Lake Streetscape
12. Old City Park
13. Park and River Streets
14. Odd Fellows Facade
15. Boyne City Co-op Facade
16. Studio One Facade
17. Water Street Atrium Facade
18. Bali Living Imports Facade
19. Schraw & Associates Facade
20. American Total Security Facade
21. Sweetgrass Framing Facade
22. Vogel Street

BOYNE CITY  
2009 DDA DISTRICT DEVELOPMENT PLAN



# Completed Projects & Programs

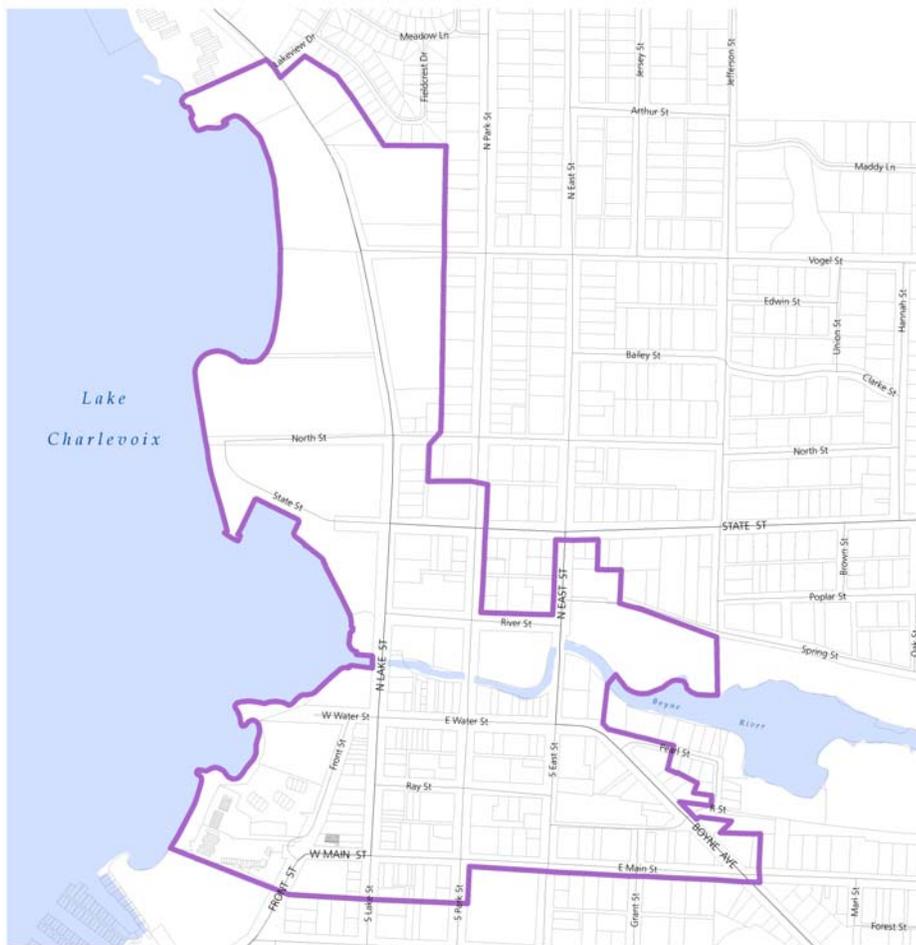
DDA District Boundary

## Map 1

Source: Boyne City Development Authority and Main Street  
GENERAL DEVELOPMENT PLAN FOR THE BOYNE CITY DDA

Downtown is a key indicator of a community's economic vitality. Prior to the establishment of the Downtown Development Act (Public Act 179 of 1975) municipalities had very few financial tools to assist with downtown revitalization. As a result, capital projects were deferred or municipalities used general fund monies and special assessment districts to defray the cost of these expenditures. The broader approach to downtown revitalization involving both the public and private sectors was absent and elected officials and administrators could not afford the time to focus personnel or the fiscal resources needed to address the real estate, market, and capital projects required to create a viable business district.

The need for establishing the Boyne City Development District (referred to as "Development Area") is founded on the basis that the future success of Boyne City's current effort to revitalize its commercial area will depend, in large measure, on the readiness and ability of its public corporate entity to initiate public improvements that strengthen the commercial area, and encourage and participate where feasible in the development of new private uses that clearly demonstrate the creation of new jobs, the attraction of new business, and the generation of additional tax revenues.



BOYNE CITY  
2009 DDA DISTRICT DEVELOPMENT PLAN

## Downtown Development Authority District Boundary

Map 2  
Source: City of Boyne City DDA  
Map: Beckett & Raeder, Inc.  
**DEVELOPMENT PLAN**



## **2A. Location and Extent of Existing Streets and other Public Facilities within the Development Area; Location, Character and Extent of Existing Public and Private Land Uses.**

Existing land uses within the Development Area are comprised of public and private land uses. These land uses include retail businesses, offices, industrial, governmental and institutional uses, parks and open spaces and residential properties. Collectively, these land uses create a mixed-use downtown and business district.

## **2B. Existing Public and Private Land Uses within the Development Area.**

### **Public and Quasi-Public Land Uses**

Public uses within the DDA District and DDA Development Plan and TIF Plan Boundary include Sunset Park, Water Street Road End, Municipal Boat Launch, Veterans Park, F. Grant Moore Municipal Marina, Old City Park, Boyne City City Hall, Boyne City Department of Public Works, Historical Museum, Boyne City Fire Department, Boyne District Library. Other public uses include street and alley rights-of-way located within the Development Area. Street rights-of-way account for 18,914 lineal feet or 3.58 miles of public owned property. There are 28 public (tax-exempt) parcels in the Development Area comprising approximately 28 acres of land or 34% of the total land area of the Development Area district.

### **Private Land Uses**

A. Residential – There are owner-occupied and seasonal residential properties consisting of single-family homes and attached townhouses within the Downtown Development Authority district and the Development Area district. The majority of the residential property is seasonal and/or vacation rentals. Residential properties are located around the periphery of the Development Area along Boyne Avenue, N. Park Street, E. Main, and Front Street.

B. Commercial - The majority of property within the Downtown Development Authority district and Development Area consists of commercial property. These commercial uses include professional, governmental, retail, restaurants, banking, and service businesses.

C. Warehousing and Industrial - There are several warehousing and light industrial uses within the Downtown Development Authority district or Development Area including Honeywell, Barden & Son Home Improvement Center, Reh Acres Home Heating, and Mathers Body Shop.

### **Recreational Uses**

Recreational uses within the development area consist of Municipal Boat Launch, Veterans Park, F. Grant Moore Municipal Marina, Water Street Road End, and Old City Park. In addition to these municipal recreation facilities there is the riverwalk along the Boyne River behind E. Water Street between S. Lake Street and N. Park Street.

### **Semi-Public Uses**

There are several semi-public uses within the Development Area district and these include the Boyne City Chamber of Commerce located at the northwest corner of E. Water Street and S. Lake Street, and the Episcopal Church of the Nativity on East Main Street.

### **Educational Uses**

The Boyne District Library is the only public educational facility within the Development Area district.

### 3. Location and Extent of Proposed Public and Private Land Uses.

Existing land uses within the Development Area conform to current zoning designations and development patterns outlined in the adopted Master Plan. The Boyne City Community Master Plan delineates several land use classifications for the Development Area district including General Commercial along North Lake Street, Downtown Core for the downtown area, and Historic Mixed Use for the East Main and Boyne Avenue area.

### 4. Legal Description of the Development Area

The downtown district shall consist of the following territory in the city subject to such changes as may hereinafter be made pursuant to this article and Public Act No. 197 of 1975 (MCL 125.1651 et seq.):

Beginning on the shore of Lake Charlevoix where the south line of Main Street, according to the Plat of South Boyne, intersects said shore line; thence east along the south line of said Main Street to its intersection with the northwestern most corner of Lot 12, Block D, Plat of South Boyne; thence southeasterly, along the southerly line of said Lot 12 to the southernmost corner of said Lot 12; thence easterly across Front Street to the southwest corner of Lot 23, Block E, South Boyne Addition; thence east along the northerly line of an alley running east and west thru Blocks E and F (being the south line of Lots 23, 25, 26, 27, 33, 34, 35, 36, and 37, South Boyne Addition) to the southeast corner of Lot 37, Block F, South Boyne Addition; thence east 82.5' to the easterly side of South Park Street; thence north along the east line of South Park Street to its intersection with the south line of Main Street; thence east along the south line of Main Street to its intersection with the northeasterly line of Boyne Avenue, said point being the westernmost point of Block B, North Morgan's Addition to Boyne City; thence northwesterly, crossing Main Street, to a point on the north line of Main Street which is 43' west of the southeast corner of Lot 4, Block A, North Morgan's Addition to Boyne City; thence northeasterly 160' to a point which is 33' east of the northwest corner of Lot 4, Block A, North Morgan's Addition to Boyne City; thence westerly along the north line of Lots 4, 3, and 2 of block A, North Morgan's Addition to Boyne City (said line also being the east and west 1/4 line of Section 35 Town 33 North Range 6 West) north 89°11'56" west (also described as north 89°25' west) to a point 25' east of the center 1/4 corner Section 35 T33N R6W; thence north 49°13'45" east 64.09' (also described as north 48°45' east 64.5'); thence north 83°21'18" west 73.4' (also described as north 84° west 73.4') to the north and south 1/4 line of said Section 35, said point being the northeast corner of the south 50' of Lot 36, Beardsley's 2nd Addition to the Village of Boyne; thence along the north line of the south 50' of said Lot 36, south 87°52'22" west to its intersection with the northeasterly line of Boyne Avenue; thence northwesterly along the northeasterly line of Boyne Avenue to its intersection with the north line of "R" Street in Wm. H. White & Co. Subdivision of part of Lot 35 of Beardsley's 2nd Addition to Boyne; thence easterly along the north line of "R" Street to its intersection with Stewart Street; thence north along the west line of Stewart Street 50', said point being the northeast corner of Lot 6 of Wm. H. White & Co. Subdivision of part of Lot 35 of Beardsley's 2nd Addition to Boyne; thence west along north line of said Lot 6 to the northwest corner of said Lot 6; thence northeasterly along the westerly line of Lot 7 of Wm. H. White & Co. Subdivision of part of Lot 35 of Beardsley's 2nd Addition to Boyne, 51.89' to the southeasterly most corner of Lot 9 of Wm. H. White & Co. Subdivision of part of Lot 35 of Beardsley's 2nd Addition to Boyne; thence northwesterly along the southerly line of Lots 9, 10, and 11 of Wm. H. White & Co. Subdivision of part of Lot 35 of Beardsley's 2nd Addition to Boyne, 154.12' to the southwesterly corner of said lot 11; thence northeasterly along the westerly line of said Lot 11, 67.81' to the south line of Pearl Street; thence continuing along the westerly line of Lot 11, if extended, to the northerly line of Pearl Street; thence northwesterly along the northerly line of Pearl Street to its intersection with the northeasterly side of Boyne Avenue; thence northwesterly along the northeasterly line of Boyne Avenue to a point 25' east of the east line of Lot 34 of Beardsley's 2nd Addition to the Village of Boyne, if extended south; thence northeasterly to the shore of the Boyne River, said point being 30' east of the east line of said Lot 34; thence north to the north shore of Boyne River; thence easterly along said river shore line to the east line of Lot 32 of Beardsley's 2nd Addition to the Village of Boyne; thence north along the east line of said Lot 32 to the northeast corner of said Lot 32; thence northwesterly along the northerly line of said Lot 32 to its intersection with the east line of Lot 26 of Beardsley's 2nd Addition to the Village of Boyne; thence northerly along the east line of said Lot 26 to a point on the east side of said Lot 26 where the north line of Lot 29, if extended, intersects the east line of said Lot 26; thence west along the north line of said Lot 29 and extension thereof, 110'; thence north 132' to the south line of State Street; thence westerly along the south line of said State Street to the northeast corner of Lot 61, Plat of Boyne Village; thence south along the west line of North East Street to the southeast corner of Lot 62, Plat of Boyne Village; thence west along the north line of River Street to the southwest corner of Lot 66, Plat of Boyne Village, said point being on the east line of North Park Street; thence north along the east line of North Park Street to the southwest corner of Lot 41, Plat of Boyne Village; thence west to the southwest corner of Lot 38, Plat of Boyne Village; thence north along the west line of Lot 38 to the northwest corner of said Lot 38; thence crossing North Street in a northeasterly direction to the southeast corner of Lot 17, Beardsley's 2nd Addition to the Village of Boyne, said point being on the west 1/8 line of Section 35 T33N R6W; thence north along said west 1/8 line to a point 498.2' north of the south line of Section 26 T33N R6W; thence west 289.22'; thence north 34°08'08" west 257.89'; thence north 37°12'42" west 128.61'; thence north 58°56'25" west 181.98'; thence south 48°00'52" west 149.97' to a

point in the center line of Lake Street; thence northwesterly along the center line of Lake Street to a point which is north 64°04'20" east from the shore of Lake Charlevoix; thence south 64°04'20" west 315.23' to said shore; thence southerly, following said shore line, to the point of beginning of this description. Being part of the following: Section 26 T33N R6W Section 35 T33N R6W Beardsley's 1st Addition to Boyne, as recorded in Liber 1 of Plats page 73, Charlevoix County Records. Beardsley's 2nd Addition to the Village of Boyne, as recorded in Liber 1 of Plats page 5, Charlevoix County Records. Plat of Boyne Village as recorded in Liber 1 of Plats page 5, Charlevoix County Records, Wm. H. White and Co. Subdivision of part of Lot 35 of Beardsley's 2nd Addition to Boyne as recorded in Liber 1 of Plats page 6, Charlevoix County Records. Plat of South Boyne as recorded in Liber 1 of Plats page 9, Charlevoix County Records, South Boyne Addition as recorded in Liber 1 of Plats page 76, Charlevoix County Records, North Morgan's Addition to Boyne City as recorded in Liber 1 of Plats page 8, Charlevoix County Records.

## 5. Existing Improvements in the Development Area to be Demolished, Repaired or Altered and Time Required for Completion.

Since the inception of the Boyne City DDA the Authority has prepared plans and undertaken projects within the Development Area District and the location of these previous efforts are illustrated on Map 1.

### Community Outreach

In order to assess the expectations of the public the DDA / Main Street Board sponsored a community vision session on June 29, 2009 at City Hall. As a result of this session the following collective priorities were identified by participants on where future DDA / Main Street efforts should be expended. These include:

1. A public waterfront where City Hall and the DPW are relocated resulting in the implementation of the Veterans Park master plan.
2. Increasing active year-round recreation activities adjacent to the downtown for all age groups.
3. Preservation of the Dilworth Hotel.
4. DDA involvement in the acquisition and (re)development of property.
5. Increase the amount of retail development in the downtown.
6. Downtown connectivity with regional pathway networks.
7. Buildings where the first (1<sup>st</sup>) floor are occupied with retail businesses.



On August 26, 2009 at the Boyne District Library Community Room the DDA / Main Street Board sponsored a community information meeting to review the contents of the amended and restated Development Plan and Tax Increment Financing Plan and solicit comments and answer questions from participants.

## **DDA / Main Street Board Process**

The DDA / Main Street Board met on several occasions to identify, discuss, and prioritize projects and program for the Development Plan. These meetings included:

- May 5, 2009: Review of projects and programs identified in the 1995 Development Plan to determine those completed, partially completed, or not completed at this time, as well as, those projects which should be carried forward in the 2009 Amended and restated Development Plan. The session also included a tour of the DDA District to review locations and discuss scope of work for these projects.
- May 19, 2009: Board review of revised projects and programs list.
- July 2, 2009: Board review of prior survey form. The Board completed and returned their individual survey to the Main Street office for tabulation.
- July 23, 2009: Board meeting to review the results of the projects and programs survey. Outcome of the meeting was a consensus on the timeframes for project and program phasing.
- August 6, 2009: Board review of the draft 2009 Amended and Restated Development Plan and Tax Increment Financing Plan.
- August 26, 2009: Board sponsored a Community Information meeting on the Plan at the Boyne District Library Community Room.

Based on project and program priorities determined through the survey, each project and program was grouped into three general timeframes: Near Term (2009-2012), Short-Term (2013-2018) and Mid-Term (2019-2024).

## **6. The Location, Extent, Character and Estimated Cost of Improvements including Rehabilitation for the Development Area and an Estimate of Time Required for Completion.**

### **General Project Descriptions**

The Boyne City Downtown Development Authority runs north-south along Lake Street from Lake View Drive to the alley between Main Street and East Pine Street and east-west between Lake Charlevoix on the west and North East Street and Water Street on the east. For project planning purposes the district is segmented into three zones, the North Lake Street area, East Main and Boyne Avenue area, and the downtown.

The North Lake Street area extends along North Lake Street between Lake View Drive and the Boyne River and includes several municipal facilities including City Hall and DPW, Veterans Memorial Park, the municipal boat launch near Lake View Drive, and several corridor commercial establishments. Future community plans include relocation of City Hall, DPW and the Honeywell plant to create a continuous public park and open space along Lake Charlevoix from the current municipal boat launch south to Water Street.

The East Main and Boyne Avenue area serves as the southern gateway to the downtown and is best characterized as an area in transition with a mix of commercial, light industrial and residential properties.

Downtown Boyne City encompasses properties between the Boyne River, and East Main Street, Lake Charlevoix and South East Street (M-75).

### **North Lake Street Area Projects**

1. Gateway Improvements at Lake View Drive Intersection – installation of special lighting and landscaping in the general location of North Lake Street and Lake View Drive intersection to create an inviting approach to the commercial area.
2. Burial of Overhead Utilities
3. N. Lake Street Corridor Enhancement – installation of corridor lighting, landscaping, sidewalks and consolidation of curb cuts.
4. North Lake Street – Repair, reconstruction and resurface pavement within the district.

5. Municipal Boat Launch Improvements – improvements to include new restroom facilities, trailhead for non-motorized pathway, and welcome kiosk with visitor and tourist information.
6. Expansion of the F. Grant Moore Municipal Marina – implementation of improvements outlined in the Boyne City Marina Master Plan (January 2005).
7. Shopper’s Dock – Extend the City dock to allow for a “Shopper’s Dock” to accommodate short term mooring requirements.
8. Property Acquisition – acquisition of private parcels for inclusion into Veteran’s Park.
9. Relocation Assistance - Assist with the relocation expenses related to the moving of City Hall, DPW, Fire Station, and little league ballfield from their current location.
10. Veteran’s Park Improvements – Assist with improvements to Veteran’s Park including, but not limited to, a new pavilion, parking areas, and other projects consistent with the park master plan.
11. Former Fochtman Property – installation of improvements necessary to create a parking lot for the short-term. The scope of the parking lot improvements should recognize that the site could eventually be used for new development.

#### **East Main and Boyne Avenue Area Projects**

12. Gateway Improvements – installation of special lighting, landscaping and other streetscape elements at the Boyne Avenue and East Main Street intersection to create an inviting approach to the commercial area. These improvements could be incorporated into a larger corridor enhancement project for Boyne Avenue (East Division Street / M-75) extending from the WaterStreet / Pearl Street intersection to the Air Industrial Park Drive intersection on the easterly edge of the City.
13. East Main Street Streetscape Enhancement – Install curb and gutter and new streetscape to East Main Street between East Street and M-75.
14. Banner Poles – installation of banner poles for public banners between Main Street-M75 intersection and U.S. Post Office.
15. Burial of Overhead Utilities
16. Property Acquisition - acquisition of private parcels to create larger redevelopment sites for private investment.
17. Preservation of the Dilworth Hotel – provide support for tax incentives, technical and design services to assist with the adaptive reuse and preservation of the Dilworth Hotel building.
18. Extension of Ray Street – extension of Ray Street between South East Street and Water Street.

#### **Downtown Area Projects**

19. South Park Street Improvements – installation of curb and gutter, road resurfacing, streetscape elements, and utilities.
20. Pedestrian Bridge on M-75 – installation of a pedestrian bridge on the west side of the North East Street (M-75) vehicular bridge over the Boyne River.

21. Water Street / East Street Intersection – perform a traffic assessment to determine the need for a vehicular traffic signal or pedestrian activated signal and, if warranted, install the necessary improvements.
22. Relocation of Chamber Office and Creation of Visitor Center– assist the Chamber of Commerce with the relocation of their office to another downtown location and provide financial support for the remodeling or relocation of the building.
23. Ray Street Collective Parking Lot – installation of a collective parking lot in the Water Street, Ray Street, South Park Street, and South East Street block. This project would include the procurement of access and use easements from private property owners, demolition of existing parking lots, and installation of a new parking facility.
24. Riverwalk Extension – extend the riverwalk to cover both sides of the Boyne River as a means of improving pedestrian access to the downtown.
25. Pedestrian Lighting Improvements – installation of pedestrian lighting (bollards, inset lighting, etc.) along riverwalk, park walkways and alleys in the downtown.

#### **Area Wide Projects and Programs**

26. Wireless / Broadband Infrastructure – coordinate with providers or install the infrastructure for a fiber/wireless Internet network serving the DDA District.
27. Restore City Clock – perform site selection and recreate historic City Clock.
28. Business Retention and Recruitment – Continuation of business retention and recruitment efforts.
29. District Wayfinding – continue to expand a district-wide wayfinding system for directional, regulatory, and facility signage.
30. Establishment of a Designated Fund - establish a designated fund; or funds for the following projects, programs and events:
  - a. Public Arts & Murals – for the acquisition, installation, and creation of public art and murals.
  - b. Park Improvement Funds – to fund various enhancement projects within public parks and other public properties within or adjacent to the DDA district with an emphasis toward active recreation and year-round activities.
  - c. Public Improvement Maintenance Fund – for maintenance of sidewalks, parking lots, parks, furnishings and equipment, planting beds, landscaping and signage. The base level for maintenance funding is established for fiscal year 2010-2011 at \$75,000. In addition, each budget year the fund will be reviewed and items added or deleted as projects are completed or deleted as maintenance services change.
  - d. Festival Fund – for the continued support of local festivals including, but not limited to, the Stroll the Streets, Mushroom Festival, Boyne Thunder and Harvest Festival.
  - e. Land and Building Acquisition Fund – for the acquisition of land and buildings for public purposes, private redevelopment, business incubators, and locally-owned business ventures.
  - f. Façade and Signage Program – for the allocation of monies toward a façade and signage improvement grant program.

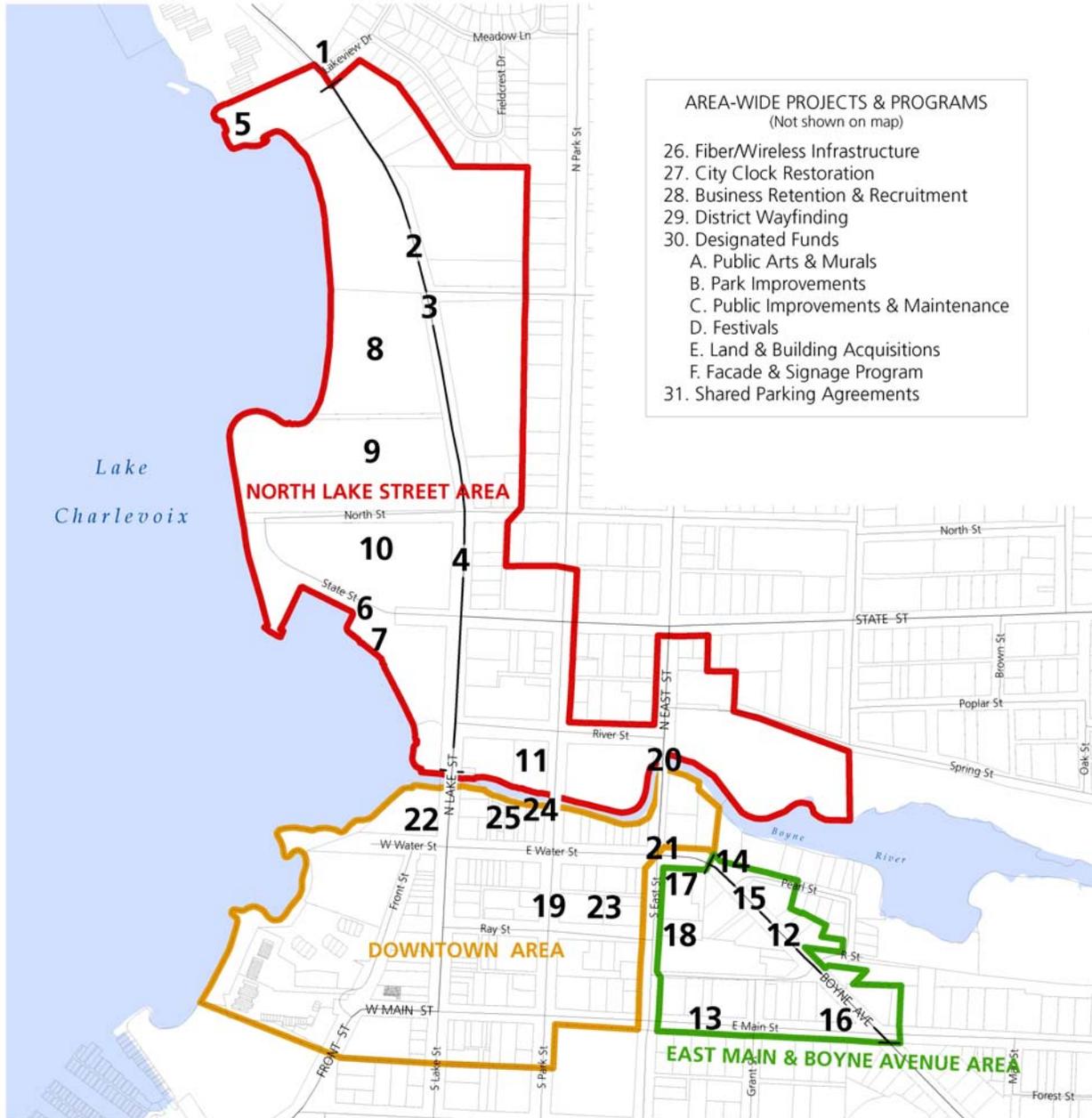
31. Shared Parking Agreements – obtain a shared parking agreement with property owners that have existing parking lots for evening, weekend, and holiday parking.

Table 1 includes both capital improvement projects and DDA initiatives/programs segmented into the three general implementation timeframes. Capital costs are based on 2009 construction dollars and estimates for similar scope downtown projects. Initiatives classified as “Negotiable” are identified DDA priorities that are dependent on private redevelopment projects with the potential for DDA acquisition.

**Table 1**  
Estimated Cost of Improvements and Implementation Schedule

<i>Project Number</i>	<i>Project Description</i>	<i>Location</i>	<i>Cost Estimate</i>
<b><i>Near Term (2009 - 2012)</i></b>			
28	Business Retention and Recruitment	<i>District-Wide</i>	Annual Budget Allocation
11	Former Fochtman Property	<i>North Lake Street Area</i>	\$ 495,000
26	Fiber / Wireless Infrastructure	<i>District-Wide</i>	\$ 165,000
31	Shared Parking Agreements	<i>District-Wide</i>	Annual Budget Allocation
17	Preservation of Dilworth Hotel	<i>East Main and Boyne Avenue</i>	\$ 50,000
5	Municipal Boat Launch	<i>North Lake Street Area</i>	\$ 385,000
19	South Park Street Improvements	<i>Downtown Area</i>	\$ 135,000
22	Relocation of Chamber Office / Visitor Center	<i>Downtown Area</i>	\$ 75,000
29	District Wayfinding	<i>District-Wide</i>	\$ 55,000
30	Establish Designated Fund Balance	<i>District-Wide</i>	Annual Budget Allocation
<b><i>Short Term (2013 - 2018)</i></b>			
1	Gateway Improvements	<i>North Lake Street Area</i>	\$ 175,000
2	Burial Overhead Utilities	<i>North Lake Street Area</i>	\$ 560,000
7	Shoppers Dock	<i>North Lake Street Area</i>	\$ 32,000
21	Water Street / East Street Intersection	<i>Downtown Area</i>	\$ 125,000
12	Gateway Improvements	<i>East Main and Boyne Avenue</i>	\$ 225,000
27	Restore City Clock	<i>District-Wide</i>	\$ 43,000
15	Burial of Overhead Utilities	<i>East Main and Boyne Avenue</i>	\$ 210,000
14	Banner Poles	<i>East Main and Boyne Avenue</i>	\$ 35,000
4	North Lake Street Resurfacing	<i>North Lake Street Area</i>	\$ 625,000
6	Expansion F. Grant Marina	<i>North Lake Street Area</i>	\$ 4,674,000
3	North Lake Street Corridor Enhancement	<i>North Lake Street Area</i>	\$ 2,664,000
25	Pedestrian Lighting Improvements	<i>Downtown Area</i>	\$ 75,000
<b><i>Mid Term (2019 - 2024)</i></b>			
13	East Main Streetscape	<i>East Main and Boyne Avenue</i>	\$ 1,544,000
8	Property Acquisition	<i>North Lake Street Area</i>	Negotiable
20	Pedestrian Bridge on M-75	<i>Downtown Area</i>	\$ 235,000
23	Ray Street Collective Parking Lot	<i>Downtown Area</i>	\$ 695,000
18	Extension of Ray Street	<i>East Main and Boyne Avenue</i>	\$ 262,000
24	Boardwalk Extension	<i>Downtown Area</i>	\$ 315,000
16	Property Acquisition	<i>East Main and Boyne Avenue</i>	Negotiable
9	Relocation Assistance	<i>North Lake Street Area</i>	\$ 3,500,000
10	Veteran's Park Improvements	<i>North Lake Street Area</i>	\$ 2,000,000
<b>TOTAL ESTIMATE OF PROBABLE COSTS</b>			<b>\$ 19,354,000</b>

Map 4 illustrates the location of the proposed Development Plan projects and programs outlined in Table 1 and described under the general project descriptions on page 8.



BOYNE CITY  
2009 DDA DISTRICT DEVELOPMENT PLAN

# Proposed Projects & Programs



Map 4  
Source: City of Boyne City DDA  
Map: Beckett & Raeder, Inc.

The projects and programs identified through the plan process were grouped by type and implementation phase to determine the balance between forecasted revenues and estimated expenditures. Aggregated by "Type of Project" the forecasted tax increment revenues would be expended as enumerated in Table 2. Several large expenditures are noted in the Development Plan and these include expansion of the F. Grant Marina (\$4,674,000 / Short Term) and relocation of city offices and facilities (\$3,500,000 / Mid Term). Both of these projects will involve other project funds, including grants, to complete their implementation.

**Table 2**  
Allocation of Capital Projects and Initiatives

Type of Project / Program	Near-Term (2009 - 2012)	Short-Term (2013 - 2018)	Mid Term (2019 - 2024)	Total	Percent
Circulation	\$ -	\$ -	\$ 262,000	\$ 262,000	1%
Facility Improvements	\$ 460,000	\$ 4,749,000	\$ -	\$ 5,209,000	27%
Parking Improvements	\$ 495,000	\$ -	\$ 695,000	\$ 1,190,000	6%
Park and Recreation	\$ -	\$ -	\$ 2,000,000	\$ 2,000,000	10%
Special Programs	\$ 220,000	\$ -	\$ -	\$ 220,000	1%
Redevelopment	\$ 50,000	\$ -	\$ 3,500,000	\$ 3,550,000	18%
Streetscape	\$ 135,000	\$ 4,619,000	\$ 1,544,000	\$ 6,298,000	33%
Walkability Enhancements	\$ -	\$ 75,000	\$ 550,000	\$ 625,000	3%
<b>Total</b>	<b>\$ 1,360,000</b>	<b>\$ 9,443,000</b>	<b>\$ 8,551,000</b>	<b>\$ 19,354,000</b>	<b>100%</b>
<b>Percent</b>	<b>7%</b>	<b>49%</b>	<b>44%</b>	<b>100%</b>	

## 7. A Statement of the Construction or Stages of Construction Planned, and the Estimated Time of Completion.

The time schedule for construction of the public improvement program for the Development Area is outlined below based on a prioritization of projects and programs by the DDA / Main Street Board. The completion timeframe will vary depending on the form of capital funding. If the DDA elects a pay-as-you-go approach then the timeframe to complete the projects identified will be spread out over many fiscal years. On the other hand, if the DDA elects to utilize a limited general obligation bond issued through the City then the timeframe for several projects will be accelerated. Lastly, depending on opportunities presented to the DDA the sequencing of projects and programs in order to channel the funding needed to exercise those opportunities may vary. The success of the development plan is predicated on the DDA's ability to change funding sequencing and prioritization of funding in order to maximize public and private project opportunities as they materialize.

The sequence of projects and programs track very closely with the collective priorities identified by the community at the June 29, 2009 vision session.

### Projects and Programs Priorities



## **8. Parts of the Development Area to be Left as Open Space and Contemplated Use.**

In reference to the public improvements outlined, open space within the Downtown Development Authority district and Development Area will be confined to right-of-ways, plazas, and parks within the District. Existing park property in the Downtown Development Authority district and Development Area will remain as open space.

## **9. Portions of the Development Area which the Authority Desires to Sell, Donate, Exchange, or Lease to or From the Municipality and the Proposed Terms.**

There are no parcels that the Downtown Development Authority plans to sell, donate, exchange, or lease to the City of Boyne City, as part of this Development Plan.

## **10. Desired Zoning Changes and Changes in Streets, Street Levels, Intersections and Utilities.**

The Development Plan proposes no zoning changes proposed within the Development Area. The current zoning of commercial and office accommodates existing and future land uses in the subject area.

## **11. An Estimate of the Cost of the Development, Proposed Method of Financing and Ability of the Authority to Arrange the Financing.**

Financing for the public improvement projects outlined in Section 6 would be provided through funds generated by the Tax Increment Financing Plan induced by annual increases in property valuations within the Development Area. The amount of the funding will be predicated on the stability of the taxable valuation base of the downtown area and the extent of new future redevelopment and rehabilitation projects.

## **12. Designation of Person or Persons, Natural or Corporate, to whom all or a portion of the Development is to be Leased, Sold, or Conveyed in any manner and for whose benefit the Project is being undertaken if that information is available to the Authority.**

The public improvements undertaken pursuant to this Development Plan will remain in public ownership for the public benefit.

## **13. The Procedures for Bidding for the Leasing, Purchasing, or Conveying of all or a portion of the Development upon its completion, if there is no expressed or implied Agreement between the Authority and Persons, Natural or Corporate, that all or a portion of the Development will be Leased, Sold, or Conveyed to those Persons.**

At present there are no agreements for property conveyance between the City of Boyne City, Boyne City Downtown Development Authority or any person(s), natural or corporation. The Development Plan utilizes a voluntary acquisition strategy to acquire property within the Development Area. Acquisition of such property would be on a negotiated basis between the Downtown Development Authority and the interested party.

Any such sale, lease or exchange conducted by the Downtown Development Authority pursuant to requirements specified in Act 197 of Public Acts of 1975, as amended, shall be with the consent of the City Commission. If needed, more detailed procedures will be developed prior to the transactions, in accordance with applicable city policy and Michigan state law.

**14. Estimates of the Number of Persons residing in the Development Area and the Number of Families and Individuals to be Displaced.**

Based upon a review of the properties within the Downtown Development Authority district and Development Area in January and February 2009 it is estimated that less than 100 individuals permanently reside within the Development Area. This assessment was based on data obtained from the City Assessor for properties identified as Principal Residential Exempt (PRE), which is another designation for owner-occupied year-round residence. The Development Plan does not require the acquisition and clearance of occupied residential property or the displacement of individuals and families within the Downtown Development Authority district and Development Area.

**15. A Plan for Establishing Priority for the Relocation of Persons Displaced by the Development in any New Housing in the Development Area.**

The Development Plan does not require the acquisition and clearance of occupied residential property or the displacement of individuals and families. As a result, a plan for compliance Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is not addressed.

**16. Provision for the Costs of Relocating Persons Displaced by the Development, and Financial Assistance and Reimbursement of Expenses, including Litigation expenses and expenses incident to the Transfer of Title in accordance with the Standards and Provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.**

The Development Plan does not require the acquisition and clearance of occupied residential property or the displacement of individuals and families. As a result, a plan for compliance Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 is not addressed.

**17. A Plan for compliance with Act 227 of the Public Acts of 1972.**

Act 227 of Public Acts of 1972 is an Act to provide financial assistance; advisory services and reimbursement of certain expenses to persons displaced from real property or deprived of certain rights in real property. This Act requires procedures and policies comparable to the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Because the Development Plan does not require the acquisition of property and displacement of persons a plan for compliance with Act 227 is not addressed.

## TAX INCREMENT FINANCING PLAN

### 1. Definitions as Used in This Plan.

- a. "Captured assessed value" means the amount in any 1 year by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes as determined in subdivision (c), exceeds the initial assessed value. The state tax commission shall prescribe the method for calculating captured assessed value.
- b. "Initial assessed value" means the assessed value, as equalized, of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted. Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero. For the purpose of determining initial assessed value, property for which a specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial assessed value of property for which a specific local tax was paid in lieu of a property tax shall be determined as provided in subdivision (z). In the case of a municipality having a population of less than 35,000 that established an authority prior to 1985, created a district or districts, and approved a development plan or tax increment financing plan or amendments to a plan, and which plan or tax increment financing plan or amendments to a plan, and which plan expired by its terms December 31, 1991, the initial assessed value for the purpose of any plan or plan amendment adopted as an extension of the expired plan shall be determined as if the plan had not expired December 31, 1991. For a development area designated before 1997 in which a renaissance zone has subsequently been designated pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, the initial assessed value of the development area otherwise determined under this subdivision shall be reduced by the amount by which the current assessed value of the development area was reduced in 1997 due to the exemption of property under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, but in no case shall the initial assessed value be less than zero.
- c. "Specific local tax" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668, the technology park development act, 1984 PA 385, MCL 207.701 to 207.718, and 1953 PA 189, MCL 211.181 to 211.182. The initial assessed value or current assessed value of property subject to a specific local tax shall be the quotient of the specific local tax paid divided by the ad valorem millage rate. However, after 1993, the state tax commission shall prescribe the method for calculating the initial assessed value and current assessed value of property for which a specific local tax was paid in lieu of a property tax.
- d. "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the captured assessed value of real and personal property in the development area, subject to the following requirements:
  - (i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this act.
  - (ii) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area in an amount equal to the amount

- necessary, without regard to subparagraph (i), to repay eligible advances, eligible obligations, and other protected obligations.
- (iii) Tax increment revenues do not include any of the following:
    - (A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or to a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.
    - (B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes.
    - (C) Ad valorem property taxes exempted from capture under section 3(3) or specific local taxes attributable to such ad valorem property taxes.
  - (iv) The amount of tax increment revenues authorized to be included under subparagraph (ii) or (v), and required to be transmitted to the authority under section 14(1), from ad valorem property taxes and specific local taxes attributable to the application of the levy of the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, a local school district or an intermediate school district upon the captured assessed value of real and personal property in a development area shall be determined separately for the levy by the state, each school district, and each intermediate school district as the product of sub-subparagraphs (A) and (B):
    - (A) The percentage that the total ad valorem taxes and specific local taxes available for distribution by law to the state, local school district, or intermediate school district, respectively, bears to the aggregate amount of ad valorem millage taxes and specific taxes available for distribution by law to the state, each local school district, and each intermediate school district.
    - (B) The maximum amount of ad valorem property taxes and specific local taxes considered tax increment revenues under subparagraph (ii) or (v).

## **2. Purpose of the Tax Increment Financing Plan**

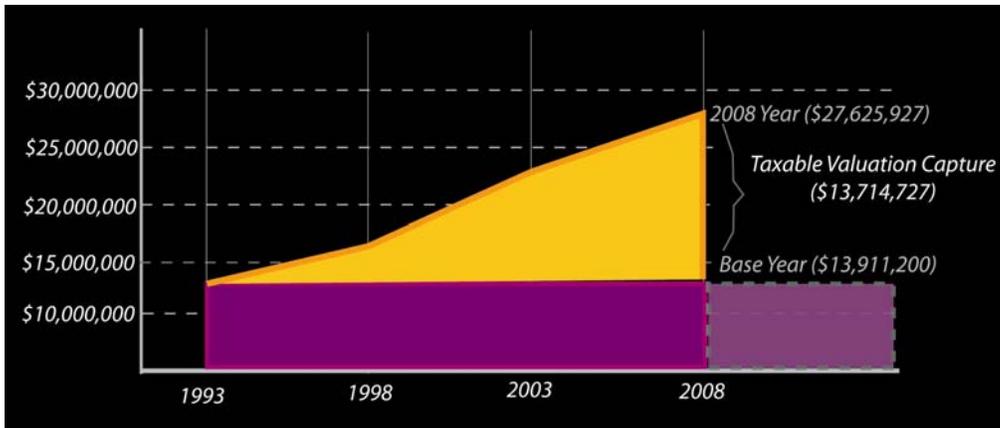
The City of Boyne City Downtown Development Authority District was established pursuant to ordinance because the city experienced notable property value deterioration and loss along Water Street, Boyne Avenue, Lake Street and Main Street. In order to halt property tax value deterioration, increase property tax valuations and facilitate the overall economic growth of its business district, it was deemed to be beneficial and necessary to create and provide for the operation of a Downtown Development Authority in the City under the provisions of Act 197 Public Acts of Michigan, 1975 as amended (the "Act").

The "Downtown Development Authority Act", authorizes the Authority to prepare a Tax Increment Financing Plan (the "Plan"), which includes the Development Plan, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred or reimbursed, duration of the program, the impact of tax increment financing on the taxable values of all taxing jurisdictions in which the development area is located, and a statement of the portion of the captured taxable value to be used by the Authority. The benefit of using tax increment financing as a method to finance district improvements is that all local units of government levying taxes within the City of Boyne City contribute to the revitalization of the business district. Prior to legislative authorization of tax increment financing only the municipality provided tax revenues for revitalization activities while the other taxing authorities shared in the benefits of the revitalization efforts. The City of Boyne City deems it to be in the best interest of the City and the Downtown Development District to amend and restate the adopted May 2, 1995 Development Plan and Tax Increment Financing Plan for the Downtown Development District area.

### 3. Explanation of the Tax Increment Procedure

The theory of tax increment financing holds that investment in necessary capital improvements in a designated area within a municipality will result in greater property tax revenues from that area than would otherwise occur if no special development were undertaken. This section is intended to explain the tax increment procedure.

- a. In order to provide a Downtown Development Authority with the means of financing development proposals, the Act affords the opportunity to undertake tax increment financing of development programs. These programs must be identified in a tax increment financing plan, which has been approved by the governing body of a municipality. Tax increment financing permits the Authority to capture incremental tax revenues attributable to increases in value of real and personal property located within an approved development area. The increases in property value may be attributable to new construction, rehabilitation, remodeling, alterations, additions or any other factors that cause growth in value.
- b. At the time the ordinance establishing a tax increment financing plan is adopted, the sum of the most recently taxable values, as equalized, of those taxable properties located within the development area is established as the "Initial Taxable Value" (the "ITV" or base year value. Property exempt from taxation at the time of determination of the Initial Taxable value is included as zero. In each subsequent year, the total real and personal property within the district, including abated property on separate rolls, is established as the "Current Taxable Value."



- c. The amount by which the total taxable value exceeds the ITV is the Captured Taxable Value (the "CTV"). During the period in which a tax increment financing plan is in effect, local taxing jurisdictions continue to receive ad valorem taxes based on the ITV. Property taxes paid on a predetermined portion of the CTV in years subsequent to the adoption of tax increment financing plan, however, are payable to an authority for the purposes established in the tax increment financing plan.

#### **4. Taxing Jurisdiction Agreements.**

Tax increment revenues for the Downtown Development Authority ("DDA") result from the application of the general tax rates of the incorporated municipalities and all other political subdivisions, which levy taxes in the development area to the captured taxable value. Since the Plan may provide for the use of all or part of the captured tax increment revenue, the DDA may enter into agreements with any of the taxing units to share a portion of the revenue of the District. Because the DDA had no obligated expenditures prior to the change in Michigan property tax law, capture of school district millage by the DDA is not allowed.

The Boyne City Downtown Development Authority entered into an Interlocal Agreement with the Charlevoix County Brownfield Redevelopment Authority (CCBRA) to use DDA tax increment revenues for the One Water Street brownfield redevelopment project developed by Catt Land Investments, LLC / Integrity Land Company. The proposed \$12.3 million project will include:

- Demolition of current structures;
- Remediation of the property to prevent exposure and potential migration of existing contamination to Lake Charlevoix;
- Construction of a 2 story 12,600 square foot retail and office building; and
- Construction of a 3 ½ story hotel and condominium complex with 20 efficiency hotel rooms and 17 two and three-bedroom privately-owned hotel suites.

The agreement specifies that the DDA will transfer to CCBRA the tax increment revenues generated by the One Water Street redevelopment project until the approved eligible activities, CCBRA administrative fees and Local Site Remediation Revolving Fund estimated at \$1,232,911 are paid as outlined in the Brownfield Reimbursement Agreement and the One Water Street Brownfield Redevelopment Plan (July 2, 2009). The reimbursement period is estimated in the One Water Street Brownfield Redevelopment Plan at six (6) years and the Brownfield Plan is valid for ten (10) years unless extended through an amendment jointly approved by the DDA, CCBRA, City of Boyne City and Integrity Land Company (Developer). The Interlocal Agreement to use Local Tax Increment Revenues and the Brownfield Reimbursement Agreement are included in the appendices. The DDA reimbursement to the CCBRA is estimated at \$690,774 based on the percentage of total millage enumerated in the adopted Brownfield Redevelopment Plan.

#### **5. Property Valuations and Captured Revenue.**

The property valuation on which tax increment revenues will be captured is the difference between the Initial Assessed Valuation and the Current Assessed Valuation. The purpose of this section is to set forth the Initial Assessed Valuation, the projected Captured Assessed Valuation and the anticipated increment revenues to be received by the Authority from the local taxing jurisdictions including the City of Boyne City, Charlevoix County, and Boyne District Library and any other authorities or special tax districts that may be eligible to levy property taxes within the boundaries of the Downtown Development Authority, herein collectively referred to as the "Local Taxing Jurisdictions."

- a. The Initial Assessed Valuation is established based on the 1994 state taxable valuations on real property and on all non-exempt parcels within that portion of the Development Area as of December 31, 1993. The Initial Assessed Valuation of the Authority is set forth below.

**Table 3**

Base Taxable Real and Personal Property Valuations

<i>City of Boyne City "DDA" TIF</i>	1994 Taxable (12-31-1993)	2008 Taxable Valuations	Captured Valuation
Taxable Valuation	\$13,911,200	\$27,625,927	\$13,714,727

- b. The anticipated Captured Taxable value is equivalent to the annual total taxable value within the Development Area boundaries less the Initial Taxable value as described above. The tax increment revenues are then the product of all millages levied by all taxing units in the Development Area on the CTV. The CTV is projected based on a number of factors including historical growth patterns, recent construction trends, economic indicators and the impact of certain development projects anticipated to be undertaken by the Downtown Development Authority. For projection purposes, the annual growth rate for years 2009 through 2011 is factored at 0.00 (%) percent. From years 2012 through 2025 the growth rate is forecasted at 1.00%. A more detailed depiction of the Captured Taxable Valuations can be found in Table 4 and Table 5.
- c. The Authority will receive that portion of the tax levy of all taxing jurisdictions paid each year on the Captured Taxable Value of the eligible property included in the Development Area. The Authority may use the revenues for any legal purpose as is established under the Act including the payment of principal and interest on bonds.

The Treasurer will collect the general property taxes from property owners in the development area district. After taxes are collected, the Treasurer will deduct that portion of the total tax revenues that is derived from captured taxable value within the development area and distribute them to the DDA to use for purposes outlined in the development plan. A review of the 2008 millage rates for all Local Taxing Jurisdictions in the development area is as set forth in Table 6.

**Table 4**  
Anticipated Captured Taxable Valuation

Year	Fiscal Year July-June	Tax Roll Assessment Date	Real and Personal Property					Captured Valuation
			Initial Base Valuation	Taxable Valuation <i>Annual Growth</i>	One Water Street Redevelopment <i>CCBRA Brownfield</i>	Taxable Valuation <i>All Sources</i>		
0	2009 - 10	12-31-08	\$ 13,911,200	\$ 27,625,927	\$ -	\$ 27,625,927	\$ 13,714,727	
1	2010 - 11	12-31-09	\$ 13,911,200	\$ 27,625,927	\$ 1,000,000	\$ 28,625,927	\$ 14,714,727	
2	2011 - 12	12-31-10	\$ 13,911,200	\$ 27,625,927	\$ 5,899,055	\$ 33,524,982	\$ 19,613,782	
3	2012 - 13	12-31-11	\$ 13,911,200	\$ 27,902,186	\$ 6,017,036	\$ 33,919,222	\$ 20,008,022	
4	2013 - 14	12-31-12	\$ 13,911,200	\$ 28,181,208	\$ 6,137,377	\$ 34,318,585	\$ 20,407,385	
5	2014 - 15	12-31-13	\$ 13,911,200	\$ 28,463,020	\$ 6,260,124	\$ 34,723,144	\$ 20,811,944	
6	2015 - 16	12-31-14	\$ 13,911,200	\$ 28,747,650	\$ 6,385,327	\$ 35,132,977	\$ 21,221,777	
7	2016 - 17	12-31-15	\$ 13,911,200	\$ 29,035,127	\$ 6,449,180	\$ 35,484,307	\$ 21,573,107	
8	2017 - 18	12-31-16	\$ 13,911,200	\$ 29,325,478	\$ 6,513,672	\$ 35,839,150	\$ 21,927,950	
9	2018 - 19	12-31-17	\$ 13,911,200	\$ 29,618,733	\$ 6,578,809	\$ 36,197,542	\$ 22,286,342	
10	2019 - 20	12-31-18	\$ 13,911,200	\$ 29,914,920	\$ 6,644,597	\$ 36,559,517	\$ 22,648,317	
11	2020 - 21	12-31-19	\$ 13,911,200	\$ 30,214,070	\$ 6,711,043	\$ 36,925,112	\$ 23,013,912	
12	2021 - 22	12-31-20	\$ 13,911,200	\$ 30,516,210	\$ 6,778,153	\$ 37,294,363	\$ 23,383,163	
13	2022 - 23	12-31-21	\$ 13,911,200	\$ 30,821,372	\$ 6,845,935	\$ 37,667,307	\$ 23,756,107	
14	2023 - 24	12-31-22	\$ 13,911,200	\$ 31,129,586	\$ 6,914,394	\$ 38,043,980	\$ 24,132,780	
15	2024 - 25	12-31-23	\$ 13,911,200	\$ 31,440,882	\$ 6,983,538	\$ 38,424,420	\$ 24,513,220	

**Table 5**  
Anticipated Captured Revenue

Year	Fiscal Year July-June	City of Boyerne City <i>16.5850</i>	Charlevoix County <i>7.6060</i>	Boyerne District Library <i>0.9696</i>	Captured Revenue <i>25.1606</i>	Reimbursement to CCBRA <i>25.1606</i>	Net Captured Revenue
						[Note 1]	
0	2009 - 10	\$ 227,459	\$ 104,314	\$ 13,298	\$ 345,071	\$ -	\$ 345,071
1	2010 - 11	\$ 244,044	\$ 111,920	\$ 14,267	\$ 370,231	\$ 25,161	\$ 345,071
2	2011 - 12	\$ 325,295	\$ 149,182	\$ 19,018	\$ 493,495	\$ 148,424	\$ 345,071
3	2012 - 13	\$ 331,833	\$ 152,181	\$ 19,400	\$ 503,414	\$ 151,392	\$ 352,022
4	2013 - 14	\$ 338,456	\$ 155,219	\$ 19,787	\$ 513,462	\$ 154,420	\$ 359,042
5	2014 - 15	\$ 345,166	\$ 158,296	\$ 20,179	\$ 523,641	\$ 157,508	\$ 366,133
6	2015 - 16	\$ 351,963	\$ 161,413	\$ 20,577	\$ 533,953	\$ 53,869	\$ 480,084
7	2016 - 17	\$ 357,790	\$ 164,085	\$ 20,917	\$ 542,792	\$ -	\$ 542,792
8	2017 - 18	\$ 363,675	\$ 166,784	\$ 21,261	\$ 551,720	\$ -	\$ 551,720
9	2018 - 19	\$ 369,619	\$ 169,510	\$ 21,609	\$ 560,738	\$ -	\$ 560,738
10	2019 - 20	\$ 375,622	\$ 172,263	\$ 21,960	\$ 569,845	\$ -	\$ 569,845
11	2020 - 21	\$ 381,686	\$ 175,044	\$ 22,314	\$ 579,044	\$ -	\$ 579,044
12	2021 - 22	\$ 387,810	\$ 177,852	\$ 22,672	\$ 588,334	\$ -	\$ 588,334
13	2022 - 23	\$ 393,995	\$ 180,689	\$ 23,034	\$ 597,718	\$ -	\$ 597,718
14	2023 - 24	\$ 400,242	\$ 183,554	\$ 23,399	\$ 607,195	\$ -	\$ 607,195
15	2024 - 25	\$ 406,552	\$ 186,448	\$ 23,768	\$ 616,767	\$ -	\$ 616,767
		\$ 5,601,207 <i>65.92%</i>	\$ 2,568,754 <i>30.23%</i>	\$ 327,460 <i>3.85%</i>	\$ 8,497,421	\$ 690,774	\$ 7,806,646

Notes:

1. Based on the One Water Street Brownfield Redevelopment Plan the total millage subject to capture by the Charlevoix Brownfield Redevelopment Authority is 40.81808 mils. The DDA millage subject to capture is 25.1606 mils, or 61.64% of the total. Per the Brownfield Plan, the proration of the eligible reimbursement assigned to the DDA is \$690,774.

**6. Maximum Indebtedness.**

The maximum amount of indebtedness to be incurred by the DDA will be limited to only those projects and programs identified in the Development Plan and will be limited by the annual revenues available to Downtown Development Authority for bond interest and principal payments. This amount may vary depending on the size of the Development Area District, the type and intensity of development and redevelopment, and the balance of indebtedness owed by the DDA on previous bond issues or loans. Revenues captured will be used to accomplish projects in the Development Area outlined in Table 1.

**Table 6**

Anticipated Millage To Be Captured

**Local Unit of Government**

City of Boyne City (All Millages)	16.5850
<i>Operational</i>	16.0100
<i>Voted: Wastewater Debt</i>	.5240
<i>Voted: Streets</i>	.0510
Boyne District Library	.9696
<i>Voted: Operational</i>	.6367
<i>Voted: Operational</i>	.3329
Charlevoix County	7.6060
<i>Voted: Separate Millage Limitation</i>	5.4288
<i>Voted: Transit</i>	.2408
<i>Voted: Grandvue</i>	.7464
<i>Voted: Grandvue Bond</i>	.5400
<i>Voted: Senior Citizens</i>	.4000
<i>Voted: Recycling</i>	.1500
<i>Voted: Roads</i>	1.0000

**Total Millage Capture**

**25.1606**

**7. Use of Captured Revenues**

Revenues captured through this Tax Increment Plan will be used to finance those improvements and projects outlined in Table 1 and Table 2 of the Development Plan in accordance with procedures specified in this Plan. Further, captured revenues can be used for the following:

- Finance current financial obligations of DDA;
- Maintenance of streetscape, public parking lots, parks, and pedestrian plazas;
- Pay for costs incurred by the City/DDA in implementing both the Development Plan and the Tax Increment Financing Plan;
- Funding for the Main Street program;
- Marketing, promotions and events costs;
- Capital projects located outside the Development Area which, if funded by the DDA / Main Street Board, meet the goals and objectives of the Development Plan, provide greater connectivity and activity to the business district, and strengthen the downtown development district;
- Special purpose grant and loan programs; and
- Pay for costs associated with the administration and operation of the Development and Tax Increment Plan and its associated projects and programs.

In addition, the Development Plan encourages the use of Tax Increment Financing Plan revenues to support public improvements associated with private redevelopment and new development projects. Table 7 enumerates the forecasted “uses” of the tax increment revenue and the amount available for capital projects.

**Table 7**

## Revenues Available for Capital Projects

Year	Fiscal Year July-June	Net Captured Revenue
0	2009 - 10	\$ 345,071
1	2010 - 11	\$ 345,071
2	2011 - 12	\$ 345,071
3	2012 - 13	\$ 352,022
4	2013 - 14	\$ 359,042
5	2014 - 15	\$ 366,133
6	2015 - 16	\$ 480,084
7	2016 - 17	\$ 542,792
8	2017 - 18	\$ 551,720
9	2018 - 19	\$ 560,738
10	2019 - 20	\$ 569,845
11	2020 - 21	\$ 579,044
12	2021 - 22	\$ 588,334
13	2022 - 23	\$ 597,718
14	2023 - 24	\$ 607,195
15	2024 - 25	\$ 616,767
		\$ 7,806,646

The amount available for capital improvements will increase as the valuations in the district increase above the forecasted assumptions and with the implementation of new development not incorporated in the forecast. For every \$1,000,000 of added valuation the tax increment revenues will increase by \$25,160.

**8. Duration of the Program**

The 2009 Amended and Restated Development Plan and Tax Increment Financing Plan shall extend the Tax Increment Financing Plan until such time that all projects and programs identified in the Development Plan have been implemented but in any event no longer than 15 years (2025) from the effective date of adoption.

**9. Plan Impact on Local Taxing Jurisdictions**

The Authority recognizes that future development and continued enhancements in the DDA business area will not be likely in the absence of tax increment financing. The Authority also recognizes that enhancement of the value of nearby property will indirectly benefit all local governmental units included in this plan. It is expected that the effected local taxing jurisdictions will experience a gain in property tax revenues from improvement made in the Development Area during the duration of the plan and should realize increased property tax revenues thereafter as a result of activities financed by the plan. Future benefits cannot be accurately quantified at this time, however, the previous use of tax increment revenues (1993-2008) resulted in a leverage rate of \$0.92 for every one dollar (\$1.00) of City of Boyne City tax increment revenue captured. Based on the tax increment revenue forecast the City of Boyne City and other taxing authorities would contribute the following percentage of revenues

**Table 8**

Forecasted Revenue by Source

**Local Unit of Government**

City of Boyne City (All Millages)	65.92%	\$5,601,207
Boyne District Library	3.85%	327,460
Charlevoix County	30.23%	2,568,754
Total Millage Capture	100.0%	\$8,497,421
<i>One Water Street Brownfield Reimbursement</i>		690,774
Net Capture to DDA		\$7,806,646

**10. Release of Captured Revenues After Completion of Plan**

When the Development and Financing Plans have been accomplished, the captured revenue is released and the local taxing jurisdictions receive all the taxes levied from that point on.

**11. Assumptions of Tax Increment Financing Plan.**

The following assumptions were considered in the formulation of the Tax Increment Financing Plan:

- A. Real property is based on an annual growth rate of 0.00% for years 2009 through 2011 and 1.00% thereafter.
- B. Commercial facilities exemptions certificates (CFT) have expired and new certificates have not been issued as of the date of issuance of this plan.
- C. Costs provided for the various development projects enumerated in Table 1 and Table 2 are estimated costs in 2009 dollars. Final costs are determined after the Authority authorizes the final designs and will vary depending on the year authorized.

**12. Operating Agreement Between Downtown Development Authority and Local Unit of Government Regarding Use of Tax Increment Revenues.**

The Downtown Development Authority will not spend any funds outside of those annually approved through the budget process and shall not commit to any loans, leases, or purchases without sufficient evidence of an adequate revenue source to support the proposal.

**13. Agreements Between Downtown Development Authority and other Development Authorities.**

The Downtown Development Authority and the County of Charlevoix Brownfield Redevelopment Authority entered into an agreement regarding the sharing of tax increment revenues from the One Water Street redevelopment project. The County of Charlevoix Brownfield Redevelopment Authority (CCBRA) considers this project an eligible brownfield project and reuse of the property is dependent on the remediation of environmental contamination on the parcel. The Downtown Development Authority has determined that the long term benefit to the downtown and City outweighs its short term capture of tax increment revenues and therefore has agreed to share this revenue stream with the County of Charlevoix Brownfield Redevelopment Authority until the eligible costs in the Brownfield Reimbursement Agreement are paid. The Brownfield Redevelopment Plan for One Water Street expires ten (10) years after date of adoption.

#### **14. Relationship of the Tax Increment Financing Plan with Other Funding Programs.**

As discussed in the Development Plan, the revitalization of the downtown business district will include tax increment financing and other forms of intergovernmental financing such as grants, special assessments, and loans. It is strongly recommended that tax increment financing revenues be used to leverage public funds and private financing in order to implement the planned program.

#### **15. Relationship to Community Master Plan**

The Development Plan indicates the need to revitalize the business areas of the community, which is an integral component of the community's redevelopment program and master plan.

If it is determined that any portions of the Master Plan conflict with the provisions of the Downtown Development Plan, then the Development Plan shall be adopted as a component of the Master Plan pursuant to Section 39 of Act 33 of 2008; the Michigan Planning Enabling Act.

#### **16. Submission of an Annual Report to Governing Body and State Tax Commission.**

Annually the Authority shall submit to the City of Boyne City and the State Tax Commission a report on the status of the tax increment financing account. The report shall include those items enumerated in Section 15 (3) of Act 197 of 1975 (MCL 125.1665). Further, the report shall be published in a newspaper of general circulation.

## EXHIBITS

- Resolution of the DDA Board Approving the Development Plan and Tax Increment Financing Plan.
- Copy of Public Hearing Notice published on September 21, 2009 and October 9, 2009.
- Affidavit from Petoskey-New Review attesting to publication of the Public Hearing Notice.
- Copy of Public Hearing Notice Poster.
- Location of the Public Hearing Posters with certification from the City Clerk.
- List of Taxing Authorities receiving a notification of the Public Hearing and copy of Plan.
- Copies of Certified Mail Receipts to Taxing Authorities.
- Copy of Public Hearing Notice sent to property owners within the DDA District.
- List of Property Owners receiving notice with certification from the City Clerk.
- Copy of Ordinance No. A-99 "Approving the Amended and Restated Development Plan and Tax Increment Financing Plan."
- Affidavit from Petoskey-New Review attesting to publication of Ordinance No. A-99 "Approving the Amended and Restated Development Plan and Tax Increment Financing Plan."

RESOLUTION OF THE BOARD OF THE  
BOYNE CITY DOWNTOWN DEVELOPMENT AUTHORITY /  
MAIN STREET PROGRAM  
APPROVING THE DEVELOPMENT PLAN  
AND TAX INCREMENT FINANCING PLAN

Minutes of a Regular meeting of the Board of the Boyne City Downtown Development Authority / Main Street Program, City of Boyne City, County of Charlevoix, Michigan, held on the 2nd day of September, 2009, at 8:00 a.m.. Eastern Daylight Time.

PRESENT: Members: Jodie Adams, Michael Cain, Michelle Cortright, Ray Guzniczak, Kathy Anderson, Bob Alger, Robert Carlile, Larry Lenhart and Rob Swartz.

The following preamble and resolution were offered by Member Cain and support by Member Carlile:

WHEREAS, the City of Boyne City, County of Charlevoix, Michigan (the "City") is authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), to create a downtown development authority and a downtown development district; and

WHEREAS, the City Commission of the City duly established the Boyne City Development Authority (the "Authority") which exercises its powers within the Downtown District designated by the City Council (the "District"); and

WHEREAS, the Authority proposes to implement certain projects outlined in the Boyne City Downtown Development Authority Amended and Restated Development Plan and Tax Increment Financing Plan (the "Plan"); and

WHEREAS, the Authority proposes to finance certain projects specified in the Plan by issuance by the Authority or by the City of bonds or other evidences of indebtedness (the "Bonds"); and

WHEREAS, in order to proceed with these projects and to permit issuance of bonds or other evidences of indebtedness, it is necessary to submit the Plan in the form attached hereto as Exhibit A to City Commission for approval following a public hearing; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE AUTHORITY THAT:

1. It is hereby determined that it is in the best interest of the public to approve the Plan as proposed to enable the Authority to carry out its purposes more effectively.

2. The Chair of the Authority is hereby directed to transmit a copy of the Plan together with a certified copy of this resolution to the City Commission for further action as contemplated by Act 197 and to request the City Commission to call a public hearing on the Plan.
3. Prior to the public hearing to be held by City Commission with respect to the Plan, the Authority shall fully inform members of the County Board of Commissioners of the County of Charlevoix and any other taxing authority in which any portion of the Development Area described in the Plan is located of the fiscal and economic implications of the Plan.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution shall be, and the same hereby are, rescinded, but only to the extent of such conflict.

AYES: 9

NAYS: 0

RESOLUTION DECLARED ADOPTED.

  
\_\_\_\_\_  
Michelle Cortright Board chair

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Downtown Development Authority / Main Street Program of the City of Boyne City, County of Charlevoix, State of Michigan at a Regular Meeting held on September 2, 2009 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

  
\_\_\_\_\_  
Karen Secky Secretary

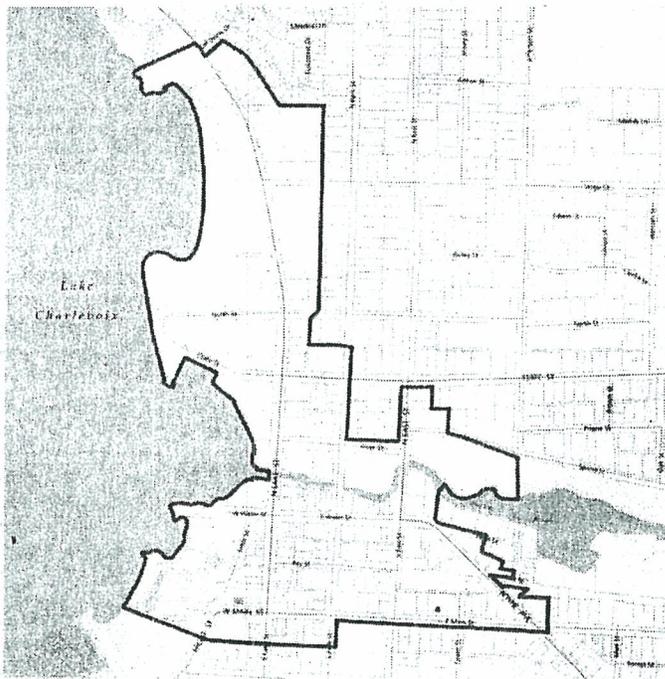
City of Boyne City  
County of Charlevoix, Michigan

**NOTICE OF PUBLIC HEARING  
AMENDED and RESTATED DEVELOPMENT PLAN AND  
TAX INCREMENT FINANCING PLAN OF THE  
BOYNE CITY DOWNTOWN DEVELOPMENT AUTHORITY / MAIN STREET**

**TO ALL INTERESTED PERSONS IN THE CITY OF BOYNE CITY:**

PLEASE TAKE NOTICE that the City Commission of the City of Boyne City, County of Charlevoix, Michigan, will hold a public hearing on Tuesday, the 13th day of October, 2009, at 7:00 o'clock, p.m., Eastern Daylight Time, in the City Commission Chambers located at 319 North Lake Street, Boyne City, Michigan 49712, to consider the adoption of an ordinance amending and restating the Development Plan and Tax Increment Financing Plan ("the Plan") for the Boyne City Downtown Development Authority pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended.

The boundaries of the development area to which the amendments to the Plan apply are generally described as incorporating all public and private real estate along Lake Street from Lake View Drive to the alley between Main Street and East Pine Street and east-west between Lake Charlevoix on the west and North East Street and Water Street on the east including public rights-of-way and alleys as illustrated below.



BOYNE CITY  
2008 DDA DISTRICT DEVELOPMENT PLAN

**Development Boundary**

Copies of the Development Plan and Tax Increment Financing Plan, maps, plats, etc. are on file for inspection at the office of the City Clerk located at 319 North Lake Street, Boyne City, Michigan 49712. The Development Plan and Tax Increment Financing Plan can also be viewed on the City's web site.

At the public hearing, all interested persons desiring to address the City Commission will be afforded an opportunity to be heard in regard to the approval of the Development Plan and Tax Increment Financing Plan.

PERSONS REQUIRING REASONABLE ACCOMMODATION TO DISABILITIES IN ORDER THAT THE HEARING BE ACCESSIBLE TO THEM ARE REQUESTED TO NOTIFY THE CITY CLERK NO LATER THAN 5 BUSINESS DAYS PRIOR TO THE DATE OF THE HEARING OF SUCH DISABILITY.

FURTHER INFORMATION may be obtained from the City Clerk.

This notice is given by order of the City Commission of the City of Boyne City, County of Charlevoix, Michigan.

Cynthia Grice, City Clerk

igan

net

his

is the principal clerk of the

nd published in the county

ed notice was published in

October 9, 2009

*ms*

1 day of October

*P*

gan, acting in

State of Michigan

County of Emmet

Shelli Dennis

---

being duly sworn, deposes and says that she is the principal clerk of the Petoskey News-Review, a newspaper printed and published in the county of Emmet in said state: that the annexed printed notice was published in said newspaper.

September 21, and October 9, 2009

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Shelli Dennis

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Subscribed and sworn to before me this 12th day of October

A.D. 2009.

Lisa Sladek

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Lisa Sladek

Notary Public in Charlevoix County, Michigan, acting in  
Emmet County, Michigan.

My Commission Expires April 22, 2012

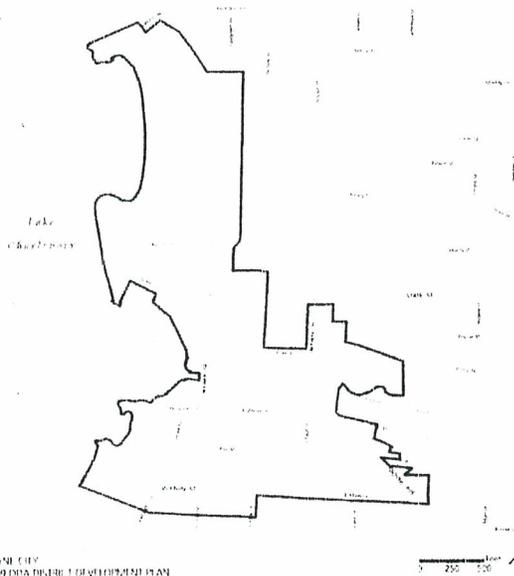
City of Boyne City  
County of Charlevoix, Michigan

NOTICE OF PUBLIC HEARING  
AMENDED and RESTATED DEVELOPMENT PLAN AND  
TAX INCREMENT FINANCING PLAN OF THE  
BOYNE CITY DOWNTOWN DEVELOPMENT AUTHORITY / MAIN STREET

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Development Boundary

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FURTHER INFORMATION may be obtained from the City Clerk.

This notice is given by order of the City Commission of the City of Boyne City, County of Charlevoix, Michigan.

Cynthia Grice, City Clerk

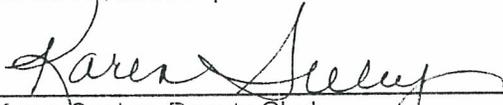
CITY OF BOYNE CITY

**Posting Places for the Downtown Development Authority Public Hearing Notice  
Posted September 16 and 17, 2009**

- |   |  |
|---|--|
| 1. City Hall (front entrance)<br>319 North Lake Street    | 15. Boyne City Ace Hardware<br>200 E. Water Street |
| 2. City Hall Auditorium Entrance<br>319 North Lake Street | 16. Country Now & Then<br>211 E. Water Street      |
| 3. Glen's Market<br>430 North Lake Street                 | 17. Dairy Queen<br>201 E. Water Street             |
| 4. Laundromat (Glen's Plaza)<br>430 North Lake Street     | 18. Harbor House Publishers<br>221 E. Water Street |
| 5. Huntington Bank<br>101 River Street                    | 19. Local Flavor<br>123 E. Water Street            |
| 6. S & K Foods<br>210 South Lake Street                   | 20. 220 Lake Street<br>220 S. Lake Street          |
| 7. Sunburst Marine<br>101 Water Street                    | 21. Red Mesa<br>117 E. Water Street                |
| 8. Boyne City Public Library<br>201 East Main Street      | 22. Studio One<br>105 E Water Street               |
| 9. Kilwins<br>111 S. Lake Street                          | 23. Pat O'Brien Real Estate<br>112 E. Water Street |
| 10. Boyne City Post Office<br>301 East Water Street       | 24. Radio Shack<br>108 E, Water Street             |
| 11. Fifth Third Bank<br>102 South Lake Street             | 25. Freshwater Studios<br>217 S. Lake Street       |
| 12. Spicy Bob's<br>500 North Lake Street                  | 26. Dollar General<br>430 North Lake Street        |
| 13. Sun for the Soul<br>5 W. Main Street                  | 27. Robert's Restaurant<br>216 N. Lake Street      |
| 14. Boyne Marathon<br>470 N. Lake Street                  | 28. Johans<br>110 South Lake Street                |

I hereby certify the above are a true and complete copy of the locations public hearing notices for the amendment and restated development plan for the Tax Increment Financing Plan of the Boyne City Downtown Development Authority / Main Street, notices posted 16 and 17 of September, 2009.

  
\_\_\_\_\_  
Cynthia Grice  
City of Boyne City

  
\_\_\_\_\_  
Karen Seeley, Deputy Clerk  
Witness

LIST OF TAXING AUTHORITIES

Betsy Mason, Director  
Charlevoix County Department of Equalization  
County Building  
301 State Street  
Charlevoix, MI 49720

Cherie Browe, Clerk  
Charlevoix County Building  
203 Antrim Street  
Charlevoix, MI 49720

Cliff Carey, Director  
Boyne Area District Library  
201 East Main Street  
Boyne City, MI 49712

Michael Cain, City Manager  
City of Boyne City  
319 N Lake Street  
Boyne City, MI 49712

Robert Alger, Superintendent  
Boyne City Public Schools  
P.O. Box 289  
Boyne City, MI 49712

Marc Eckhardt, Superintendent  
Charlevoix/Emmet Intermediate Schools  
08568 Mercer Blvd.  
Charlevoix, MI 49720

Mr. Kevin Evans, Administrator  
Grandvue Medical Care Facility  
01728 South Peninsula Road  
East Jordan, MI 49727

7403

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 1.39
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Postmark Here  
SEP 21 2009  
EAST LANSING MI 48025-4512

Sent to:  
Printed Name: Boyer Area District Library  
Street, Apt. No. or PO Box No.: 201 East Main  
City, State, ZIP+4: Boyer City Mi 49712

PS Form 3811, February 2004 Domestic Return Receipt

SECTION ON DELIVERY

Banker  Agent  
 Addressee

Printed Name: Banker C. Date of Delivery: 9/22

Is address different from item 1?  Yes  
Delivery address below:  No

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

7403

7465

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 1.39
Certified Fee	2.90
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Postmark Here  
SEP 21 2009  
EAST LANSING MI 48025-4512

Sent to:  
Printed Name: Char/Em Immediate Detrol  
Street, Apt. No. or PO Box No.: 08568 Traver Blvd  
City, State, ZIP+4: Charlevoix, Mi 49720

PS Form 3811, February 2004 Domestic Return Receipt

SECTION ON DELIVERY

Hawerson  Agent  
 Addressee

Printed Name: Hawerson C. Date of Delivery: 9/22/09

Is address different from item 1?  Yes  
Delivery address below:  No

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

108 7465

7434

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 1.39
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Postmark Here  
SEP 21 2009  
EAST LANSING MI 48025-4512

Sent to:  
Printed Name: Cherie Brown, Clerk  
Street, Apt. No. or PO Box No.: 301 State St  
City, State, ZIP+4: Charlevoix, Mi 49720

PS Form 3811, February 2004 Domestic Return Receipt

SECTION ON DELIVERY

Shifra  Agent  
 Addressee

Printed Name: Shifra C. Date of Delivery: 9-22-09

Is address different from item 1?  Yes  
Delivery address below:  No

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

7434

7441

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 1.39
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Postmark Here  
SEP 21 2009  
EAST LANSING MI 48025-4512

Sent to:  
Printed Name: Char. Co. Equalization Dept.  
Street, Apt. No. or PO Box No.: 301 State St.  
City, State, ZIP+4: Char. Mi 49720

PS Form 3811, February 2004 Domestic Return Receipt

SECTION ON DELIVERY

Shifra  Agent  
 Addressee

Printed Name: Shifra C. Date of Delivery: 9-22-09

Is address different from item 1?  Yes  
Delivery address below:  No

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

1108 7441

7410

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 1.39
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Postmark Here  
SEP 21 2009  
EAST LANSING MI 48025-4512

Sent to:  
Printed Name: Grandview Medical Facility  
Street, Apt. No. or PO Box No.: 071285 Peninsula Rd  
City, State, ZIP+4: East Jordan, Mi 49727

PS Form 3811, February 2004 Domestic Return Receipt

SECTION ON DELIVERY

Call  Agent  
 Addressee

Printed Name: Call C. Date of Delivery: 9/22/09

Is address different from item 1?  Yes  
Delivery address below:  No

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

108 7410

7427

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

Postage	\$ 1.39
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.49

Postmark Here  
SEP 21 2009  
EAST LANSING MI 48025-4512

Sent to:  
Printed Name: BC Public Schools  
Street, Apt. No. or PO Box No.: P.O. Box 289  
City, State, ZIP+4: Boyer City, Mi 49712

PS Form 3811, February 2004 Domestic Return Receipt

SECTION ON DELIVERY

Shifra  Agent  
 Addressee

Printed Name: Shifra C. Date of Delivery: 9/22

Is address different from item 1?  Yes  
Delivery address below: 1 S. PARK ST.  
EAST LANSING MI 49712

Mail  Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

Delivery? (Extra Fee)  Yes

127

COPY

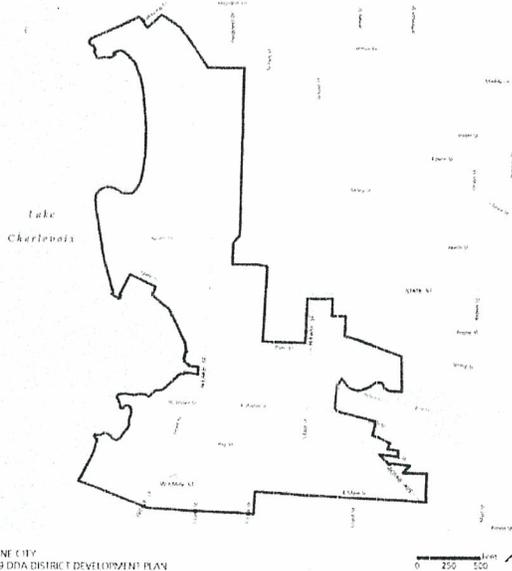
City of Boyne City  
County of Charlevoix, Michigan

NOTICE OF PUBLIC HEARING  
AMENDED and RESTATED DEVELOPMENT PLAN AND  
TAX INCREMENT FINANCING PLAN OF THE  
BOYNE CITY DOWNTOWN DEVELOPMENT AUTHORITY / MAIN STREET

TO ALL INTERESTED PERSONS IN THE CITY OF BOYNE CITY:

PLEASE TAKE NOTICE that the City Commission of the City of Boyne City, County of Charlevoix, Michigan, will hold a public hearing on Tuesday, the 13th day of October, 2009, at 7:00 o'clock, p.m., Eastern Daylight Time, in the City Commission Chambers located at 319 North Lake Street, Boyne City, Michigan 49712, to consider the adoption of an ordinance amending and restating the Development Plan and Tax Increment Financing Plan ("the Plan") for the Boyne City Downtown Development Authority pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended.

The boundaries of the development area to which the amendments to the Plan apply are generally described as incorporating all public and private real estate along Lake Street from Lake View Drive to the alley between Main Street and East Pine Street and east-west between Lake Charlevoix on the west and North East Street and Water Street on the east including public rights-of-way and alleys as illustrated below.



BOYNE CITY  
2009 DDA DISTRICT DEVELOPMENT PLAN  
Development Boundary

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PERSONS REQUIRING REASONABLE ACCOMMODATION TO DISABILITIES IN ORDER THAT THE HEARING BE ACCESSIBLE TO THEM ARE REQUESTED TO NOTIFY THE CITY CLERK NO LATER THAN 5 BUSINESS DAYS PRIOR TO THE DATE OF THE HEARING OF SUCH DISABILITY.

FURTHER INFORMATION may be obtained from the City Clerk.

This notice is given by order of the City Commission of the City of Boyne City, County of Charlevoix, Michigan.

Cynthia Grice, City Clerk



# City of Boyne City

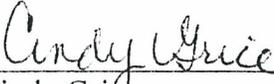
Founded 1856

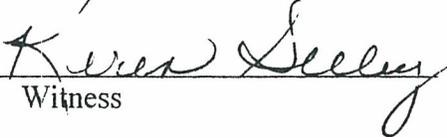
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I hereby certify these ten (10) pages are a true and complete copy of the mailing list used to send public hearing notices for the Amended and Restated Downtown Development Authority, notices mailed 16 September 2009.

  
Cindy Grice  
Clerk/Treasurer City of Boyne City

  
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319 POWDERHORN DR  
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BOYNE CITY, MI 49712

**ORDINANCE NO. A-99**  
**APPROVING THE AMENDED**  
**and RESTATED**  
**DEVELOPMENT PLAN AND**  
**TAX INCREMENT FINANCING**  
**PLAN**  
**FOR THE BOYNE CITY**  
**DOWNTOWN DEVELOPMENT**  
**AUTHORITY / MAIN STREET**

An Ordinance to approve the City of Boyne City Amended and Restated Downtown Development Authority Development Plan and Tax Increment Financing Plan.

WHEREAS, the Boyne City Downtown Development Authority / Main Street (the "Authority") has prepared and recommended for approval the City of Boyne City Amended and Restated Development Plan and Tax Increment Financing Plan (the "Plan") for the Development Area in the Downtown District within the City of Boyne City (the "City"); and

WHEREAS, on October 13, 2009, the City Commission held a public hearing on the Plan for the Authority's Development Area in the Downtown District pursuant to Act 197, Public Acts of Michigan, 1975, as amended (the "Act"); and,

WHEREAS the City Commission has given the taxing jurisdictions in which the Development Area is located an opportunity to meet with the City and to express their views and recommendations regarding the Plan, as required by the Act. NOW, THEREFORE, THE CITY OF BOYNE CITY ORDAINS:

**1. Findings.**

(a) The Development Plan portion of the Plan meets the requirements set forth in section 17(2) of the Act, and the Tax Increment Financing Plan portion of the Plan meets the requirements set forth in section 14(2) of the Act.

(b) The proposed method of financing the development is feasible, and the Authority has the ability to arrange the financing.

(c) The development is reasonable and necessary to carry out the purposes of the Act.

(d) Any land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of the Act.

(e) The Development Plan portion of the Plan is in reasonable accord with the master plan of the City.

(f) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.

(g) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the Plan, area reasonably necessary for the Plan and for the City.

**2. Public Purpose.** The City Commission hereby determines that the Plan constitutes a public purpose.

**3. Best Interest of the Public.** The City Commission hereby determines that it is in the best interests of the public to halt property value deterioration, increase property tax valuation, eliminate the causes of the deterioration in property values, and to promote growth in the Downtown District to proceed with the Plan.

**4. Approval and Adoption of Plan.** The Plan is hereby approved and adopted. A copy of the Plan and all later amendments thereto shall be maintained on file in the City Clerk's Office.

**5. Conflict and Severability.** All ordinances, resolutions and orders or parts thereof in conflict with the provisions of the Ordinance are to the extent of such conflict hereby repealed, and each section is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of the Ordinance.

**6. Paragraph Headings.** The paragraph headings in this Ordinance are furnished for convenience or reference only and shall not be considered to be a part of the Ordinance.

**7. Publication and Recordation.** The Ordinance shall be published in full promptly after its adoption in a newspaper of general circulation in the City, qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the City Clerk.

**8. Effective Date.** The ordinance is hereby determined by the City Commission to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted by the City Commission of the City of Boyne City, County of Charlevoix, State of Michigan, on March 9, 2010.

AYES: 4  
NAYS: 1  
ABSENT: None

ORDINANCE DECLARED ADOPTED:  
March 9, 2010

Cindy Grice, City Clerk  
(L-3/17)

LISA STADER

State of Michigan

County of Emmet

Shelli Dennis

uses and says that she is the principal clerk of the

, a newspaper printed and published in the county

: that the annexed printed notice was published in

March 17, 2010

Shelli Dennis

to before me this 6th day of April

Lisa Stader

Notary Public in Charlevoix County, Michigan, acting in

Emmet County, Michigan.

My Commission Expires April 22, 2012

State of Michigan

County of Emmet

Shelli Dennis

being duly sworn, deposes and says that she is the principal clerk of the Petoskey News-Review, a newspaper printed and published in the county of Emmet in said state: that the annexed printed notice was published in said newspaper.

March 17, 2010

Shelli Dennis

Subscribed and sworn to before me this 6th day of April A.D. 2010.

Lisa Sladek

Lisa Sladek

Notary Public in Charlevoix County, Michigan, acting in Emmet County, Michigan.

My Commission Expires April 22, 2012

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