

**WEBBERVILLE DDA 2007 DEVELOPMENT PLAN
AND TAX INCREMENT FINANCING PLAN
AMENDMENT TO INCORPORATE NEW PROJECTS**

Pursuant to the requirements of MCL 125.1664(2), the Village of Webberville's Downtown Development Authority (hereinafter "WDDA") recommends that the following amendments be incorporated into the WDDA's Development Plan and Tax Increment Financing Plan:

1. The boundaries of the Plan's Tax Increment Finance District are set forth in the map contained on page 3B (Map # 2) of the Tax Increment Finance Plan dated November 11, 1985 and are not altered by this Amendment.

2. The location and extent of existing streets and other public facilities within the development area are set forth in the map contained on page 5A (Map # 3) of the Tax Increment Finance Plan dated November 11, 1985. The WDDA's original District Zoning Map was contained on page 5B (Map #4) of the Plan dated November 11, 1985. The Zoning Map has been updated by the Village of Webberville, since this time and this Plan Amendment incorporates by reference the new WDDA's Zoning District Map, which is attached at **Exhibit A** to this 2007 Plan Amendment. The new zoning map sets forth the designated location, character, and extent of the categories of public and private land uses existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses. The legal description of the development area is described as being located in the Village of Webberville, County of Ingham, to wit:

3. The description of the existing improvements in the area to be demolished, repaired, or altered, a description of any repairs or alterations, and an estimate of the time required for completion.

See Legal Description of the Development Area contained in Pages 3A (Map # 1) of the Plan dated November 11, 1985 and is not changed in this Amendment.

3.1 *Watermain Extension / Looping in the Industrial Park* – the WDDA intends to improve the watermains in the industrial park in 2007, by installing new lines and looping the existing system to make it perform better. The cost of said improvement is estimated to be \$125,000.00 and should be completed in the 2007 construction season.

3.1.1 A copy of the construction costs estimated by the Village Engineer are attached at **Exhibit B** and incorporated herein by reference.

3.1.2 A copy of the Ingham County Drain Commission *Soil Erosion Control Permit Application* is attached at **Exhibit C** and incorporated herein by reference.

3.1.3 A copy of LEDY Design Group's 2006 *Water Main Improvement Site Plan* dated 5/16/06 is attached hereto at **Exhibit D** and incorporated herein

3.2 *Pocket Park - The Village of Webberville owns two parcels of land at the southwest corner of East Grand River and South Clark Street. A copy of the legal description for the Park is attached at Exhibit E and is located within the WDDA's TIF District. The Village and the WDDA, in conjunction with the Lion's Club, propose to construct a "pocket park" on the property. The Village will donate the land for the park. The Lions Club proposes to build and install a gazebo in the park as a memorial to Bernard Simons. The Lions club raised \$4,000.00 towards the construction of this pocket park and the WDDA shall pay up to an additional \$4,000.00 for:*

- A. the cost of the concrete pad and sidewalks in and around the park.
- B. the electric costs for lighting the gazebo and park area (see Exhibit F for a copy of Crampton's Bill, which is incorporated herein by reference)
- C. fencing and Landscaping in the park
- D. any permits or architectural plans (see July 16, 2006 letter from Lion's Club attached at Exhibit G, which is incorporated herein by reference)

The park is intended to attract families into the downtown area. Additionally, the park takes an otherwise unused and run-down lot and turns it into an attractive square in the downtown area. The WDDA believes that this investment in the park will attract additional business and foot traffic into the downtown area. The park shall be completed in 2006.

3.3 *Downtown Street Scape - The WDDA shall be altering the street scape from the*

post office on Grand River east to Clark Street. Additionally, South Street from Grand River south to East Chestnut Street would be effected. The Street Scape map is attached at Exhibit H and incorporated herein by reference. The WDDA has retained the services of LEDY Design Group to prepare the street scape project, pursuant to the May 30, 2006 proposal from LEDY, which is attached as Exhibit I and incorporated herein by reference. LEDY has prepared cost estimates totaling \$506,250.00 for said project, which are dated July 17, 2006, attached at Exhibit J, and incorporated herein by reference. It is anticipated that the street scape project would be completed by 2009. The WDDA believes that this investment in the street scape project will attract additional vehicular and foot traffic into the downtown area, which will translate into additional potential customers for the downtown businesses and attract new vibrant businesses to the downtown.

4. The description of the location, extent, character, and estimated cost of the improvements, including rehabilitation contemplated for the development area, and an estimate of the time required for completion, signage, or signalization.

4.1 The improvements to the watermain in the industrial park are located as demonstrated in the attached map at Exhibit D. The cost estimates for same are attached at Exhibit B. The estimated time for completion is the 2007

construction season.

4.2 The pocket park is located on the attached map at **Exhibit E**. The cost estimate is contained in the Lions Club's July 16, 2006 letter (**Exhibit G**) and Crampton's Bill (**Exhibit F**). The estimated time for completion is in the 2006 construction season.

4.3 The downtown street scape is located on the map attached at **Exhibit H**. The cost estimate is contained in LEDY's estimate of costs dated July 17, 2006 and attached at **Exhibit J**. The estimated time for completion is by the end of construction 2009.

5. The following is a statement of construction, or stages of construction planned, and the estimated time for completion of each stage.

5.1 The WDA intends to complete the improvements to the watermain in the industrial park during the 2007 construction season, as detailed in **Exhibits B, C, and D**. If the WDA is unable to fund all the improvements in 2007, some of the improvements to the watermain or the reconstruction/restoration may be pushed off until 2008.

5.2 ~~The WDA intends to complete the improvements to the pocket park during the 2006 construction season, as detailed in **Exhibits E, F, and G**. If the WDA is unable to fund all the improvements in 2006, some of the improvements to the pocket park or the restoration resulting from said construction may be pushed off until 2007.~~

5.3 The WDA intends to complete the improvements to the downtown street scape in the 2008 construction season, as detailed in **Exhibits H, I, and J**. If the WDA is unable to fund all the improvements by 2008, some of the improvements to the downtown street scape or the restoration resulting therefrom may be pushed off until 2009.

6. The description of any parts of the development area to be left as open space and the use contemplated for the space is contained in Section 1.1.1 of the 2001 Plan Amendment.

6.1 This section is not being amended.

7. The following is a description of any portion of the development area that the Authority desires to sell, donate, exchange, or lease, to or from the municipality and the proposed terms.

7.1 This section is not being amended.

8. The following is a description of desired zoning changes, and changes in streets, street

11.1 Since the Village and the WDDA intend to keep control over these improvements,

The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there are no express or implied agreements between the Authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons.

10.1 The WDDA intends to allow the Village to keep title to the pocket park, downtown street scape, and watermain improvements, once completed, so there is no change to this paragraph.

10. The following is a designation of the 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 the information is available to the Authority:

- A. Any Tax increment revenue bonds issued by the Village, pursuant to Section 16(1) of the DDA Act;
- B. Any Tax increment revenue bonds issued by the WDDA, pursuant to Section 16(2) of the DDA Act;
- C. Other advances from the Village repayable from tax increment revenues of the WDDA, which advances may be financed through obligations incurred by the Village under the Local Building Authority Act or other authorizing statutes;
- D. Tax increment revenues on a pay-as-you-go basis; and
- E. Other Federal or State grants or contributions, not specified above.

The WDDA proposes to finance the project through the capture of tax increments to pay the construction costs. The WDDA may also utilize any of the following financing mechanisms:

- A. Watermain Improvements in Industrial Park \$125,000.00
- B. Pocket Park \$ 4,000.00
- C. Downtown Street Scape \$506,250.00

The estimated cost of the following developments is less than \$1,200,000.00:

9. The following is an estimated cost of the development, a statement of the proposed method of financing the development, and the ability of the Authority to arrange the financing.

8.1 This section is not being amended, except to the extent that the watermain is being extended as detailed in Exhibits B, C, and D. Likewise, the downtown street scape is being amended as detailed in Exhibits H, I, and J. However, the basic streets, street levels and intersections remain substantially unchanged by this improvement.

levels, intersections, or utilities.

The Village of Webberville and the WDA are authorized to enter into a written weed control program for the downtown business district and the proposed contract (a copy of which is attached at **Exhibit K** and incorporated herein by reference). The weed control program will be under the supervision and control of the Village's DPW staff. The WDA will fund the program. The intent of this program is for the Village's DPW to control the weeds along sidewalks, downtown buildings, and other places visible to downtown shoppers, in order to clean up the appearance of the downtown. The WDA believes that this investment, coupled with the pocket park and the street scape project,

- 16. This Plan Amendment provides for no other material that the Authority, local public agency, or governing body considers pertinent, except:
- 15. No persons are being relocated in the development area, but any future relocation will be done in compliance with *Act No. 227 of the Public Acts of 1972*, being Sections 213.321 to 213.332 of the Michigan Compiled Laws.

Because of the answer to Section 12, no provision for the costs of relocating persons displaced is included.

Sections 4601, *et seq.*
Property Acquisition Policies Act of 1970, being Public Law 91-646, 42 U.S.C. standards and provisions of the *Federal Uniform Relocation Assistance and Real*

- 14. The following shall constitute the 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

Because of the answer to Section 12, no plan for establishing priority for relocation is required.

- 13. The following constitutes the plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.

Since the Plan does not call for the acquisition of occupied residential property, the Plan does not include a survey of the families or individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

- 12. It is estimated that there are less than 100 persons and families residing in the development area. It is estimated that zero (0) persons or families residing in the development area will be displaced.

no answer is required, as there is no change to this paragraph.

will attract additional vehicular and foot traffic into the downtown area, which will translate into additional potential customers for the downtown businesses and attract new vibrant businesses to the downtown. The WDDA is authorized to spend up to \$10,000.00 per year for weed control in this program.

17. This Development Plan does not provide for improvement related to a qualified facility, as defined in the *Federal Facilities Development Act, Act No. 275 of the Public Acts of 1992*.

18. The time for completing the Plan has been amended over time:

18.1 The original Tax Increment Finance Plan dated November 11, 1985 stated that the Plan would "terminate upon completion of those projects specified in the development schedule (Table 1). It is estimated that this may take approximately 15 years" The 15 year time table would have put the plan expiring at the earliest in 1999, but many of the projects under Table 1 were not yet completed.

18.2 The December 1, 1990 First Amendment to the Tax Increment Finance Plan did not alter the dates for termination of the Plan.

18.3 The September 22, 2003 Second Amendment to the Tax Increment Finance Plan and Development Plan does not appear to alter the dates for termination of the Plan.

Plan.

18.4 This amendment shall extend the time frame for completion of the Plan until 2025, or all the projects contemplated within the Plan, as amended from time to time, are completed and paid for, whichever occurs first.

19. The estimated impact of tax increment financing on all taxing jurisdictions in which the WDDA's Development Area is located was originally addressed by the WDDA in previous amendments. This Amendment does not provide any updated information in regard to this matter. This Amendment, therefore, relies upon the statements contained at pages 18 - 19 of the Original Plan, dated November 11, 1985, regarding the impact of tax increment financing on all taxing jurisdictions, plus adds on updated impact statement as Exhibit L. Additionally, the WDDA states:

Tax increment financing permits the WDDA to capture Tax Increment Revenues (as defined below) attributable to increases in the value of real and personal property in the Development Area. The tax increment finance procedure is governed by *Act 197 of the Public Acts of 1975*, as amended (the "DDA Act"). The procedures outlined below are the procedures provided by the DDA Act effective as of the date this Plan is adopted, but are subject to any changes imposed by future amendments to the DDA Act.

The Tax Increment Revenues are generated when the Current Assessed Value of all properties within the Development Area exceed the Initial

Assessed Value of the properties. The amount in any one year by which the Current Assessed Exceeds the Initial Assessed Value is the Captured Assessed Value.

Initial Assessed Value: When the Village Council enacted the Original Tax Increment Finance Plan by Ordinance No. 102 on November 11, 1985, the Initial Assessed Value of Development Area was established as the assessed value, as equalized, of all the taxable property within the boundaries of the Development Area at the time that Ordinance was approved, as shown by the then most recent assessment roll of the Village for which equalization had been completed, prior to the adoption of the November 11, 1985 Original Tax Increment Finance Plan by Ordinance. Property exempt from taxation at the time of the determination of the Initial Assessed Value was included as zero. However, in determining the Initial Assessed Value, property for which a "specific local tax" was paid in lieu of a property tax was not considered to be property that was exempt from taxation. A "specific local tax" is defined in the DDA Act and includes "Industrial Facilities Taxes" levied under 1974 PA 198, taxes levied under the *Technology Park Development Act*, 1984 PA 385, and taxes levied on lessees and users of tax-exempt property under 1953 PA 189. The Initial Assessed Value or Current Assessed Value of property subject to a specific local tax was determined by calculating the quotient of the specific local tax paid divided by the *ad valorem* millage rate, or by other method as prescribed by the state tax commission.

Current Assessed Value: Each year the "Current Assessed Value" of the Development Area will be determined. The Current Assessed Value of the Development Area is the taxable value of the property in the Development Area.

Captured Assessed Value: The amount by which the Current Assessed Value exceeds its Initial Assessed Value in any one year is the "Captured Assessed Value."

Tax Increment Revenues: For the duration of the Plan, taxing jurisdictions will continue to receive tax revenues based upon the Initial Assessed Value of the Development Area. The WDDA will receive that portion of the *ad valorem* tax levy of all taxing jurisdictions on the Captured Assessed Value of the taxable property in the Development Area, other than the State, local school district, and intermediate school district tax levies, and specific local taxes attributable to such *ad valorem* property taxes (the "Tax Increment Revenues"), subject to limitations and exemptions which may be contained in the DDA Act, this Tax Increment Financing Plan, and the provisions of any agreements for the sharing of Captured Assessed Value.

Increases in the Current Assessed Values which generate Tax Increment Revenues can result from any of the following:

- A. Construction of new developments.
- B. New rehabilitation, remodeling alterations, or additions.
- C. Increases in property values which occur for any other reason.

Tax Increment Revenues can be used as they accrue annually, can be held to accumulate

amounts necessary to make improvements described in the Plan, or can be pledged for payment of bonds or notes issued by the WDDA or the Village under the DDA Act. Further, the WDDA may not borrow money or issue revenue notes without the prior approval of the Village. The WDDA may expend tax increment revenues only in accordance with this Plan; surplus revenues revert proportionally to the respective taxing jurisdictions.

20.

Adoption of these Amendments. The Village of Webberville, before adopting an Ordinance approving these 2006 Amendments, shall hold a public hearing on this development plan and seek input and approval from the Citizens Advisory Committee. At the time of the hearing, the Village Council shall provide all interested persons an opportunity to be heard and shall receive and consider communications in writing with reference thereto. The hearing shall provide the fullest opportunity for expression of opinion, for argument of merits, and for introduction of documentary evidence pertinent to the development plan. The Village Council shall make and preserve a record of the public hearing, including all data presented at that time. All provisions of the Original Economic Development Plan dated May 21, 1984, the Original Tax Increment Finance Plan dated November 11, 1985, the First Amendment to the Tax Increment Finance Plan dated December 17, 1990, the First Amendment to the Economic Development Plan dated March 10, 1999, and the Second Amendment to the Economic Development Plan and Tax Increment Finance Plan dated September 22, 2003, not modified by these amendments to the Plan, shall remain in full force and effect.

Drafted By:

John L. Gormley (P-53539)

Attorney for the Village of Webberville Downtown Development Authority

Gormley and Johnson Law Offices, PLC

101 East Grand River Avenue

Post Office Box 935

Fowlerville, Michigan 48836

(517) 223-3758

G:\chens\Municipal\webs\webberville DDA\2006 Plan Amendment\dda.2006amplanend01.wpd