

TOWNSHIP OF BYRON
COUNTY OF KENT, MICHIGAN

At a regular meeting of the Township Board of the Township of Byron, held in the Township Hall, 8085 Byron Center Avenue, Byron Center, Michigan, on the 23rd day of April, 2007, at 7:00 p.m.

PRESENT: Members: Burgess, Hondorp, Houseman, Nevins, Nevins, Slot, Wustman

ABSENT: Members: None

The following ordinance was offered by Member Tim Slot and supported by Member Paul Nevins:

ORDINANCE NO. 490

**AN ORDINANCE OF THE TOWNSHIP OF BYRON TO CREATE
AND PROVIDE FOR THE OPERATION OF A CORRIDOR IMPROVEMENT
AUTHORITY AND DESIGNATE THE BOUNDARIES OF THE DEVELOPMENT
AREA WITHIN WHICH THE AUTHORITY SHALL EXERCISE ITS POWERS
IN ACCORDANCE WITH ACT 280 OF THE PUBLIC ACTS OF THE
STATE OF MICHIGAN OF 2005**

THE TOWNSHIP OF BYRON ORDAINS:

Section 1. Purpose and Intent. The Township Board of the Township of Byron is strongly committed to the revitalization and redevelopment of commercial properties that have historically developed along the Township's major arterial roadways ("commercial corridors"). The Board believes that revitalization and redevelopment of existing commercial corridors in maturing communities is preferable to the negative effects associated with the continual consumption of vacant land for commercial purposes in growth communities. There presently exist within the Township commercial corridors which could greatly benefit from the new Corridor Improvement Authority Act, Public Act 280 of 2005 (the "Act"), through analysis, short and long-term planning, construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, and reconstruction of buildings and facilities. Tax incremental financing is one of many tools available

to finance these activities under the Act. The Township Board, having heard and considered testimony regarding the public need and potential benefits that are to be realized through the Act and having determined that it is necessary for the best interests of the public to redevelop and promote economic growth within commercial corridors, resolves to proceed with the creation and provide for the operation of a corridor improvement authority (“Authority”) within the Township pursuant to and in accordance with the provisions of the Act.

Section 2. Title. This Ordinance shall be known as “Division Avenue Corridor Improvement Authority Ordinance.”

Section 3. Creation of Authority. There is created pursuant to the Act a corridor improvement authority for the Township. The Authority shall be known and exercise its powers under the name “Division Avenue Corridor Improvement Authority of the Township of Byron.” The Authority shall possess all of the powers provided within this Ordinance and the Act. The enumeration of a power in this Ordinance or in the Act shall not be construed as a limitation upon the general powers of the Authority.

Section 4. Board. The Authority shall be under the supervision and control of a seven member board (the “Authority Board”) consisting of the Supervisor or his or her designee and six members who shall be appointed by the Supervisor, subject to approval by the Township Board. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the Development Area. At least one of the members shall be a resident of the Development Area or of an area within one-half mile of any part of the Development Area. The Authority Board shall elect a chairperson from among its members. Of the members first appointed, two members shall be appointed for a term of one year, two members for a term of two years, one member for a term of three years, and one member for a term of four years. After the initial appointment terms, each member appointed in the manner provided by this section shall serve for a term of four years. Before assuming the duties of office, a member shall qualify by taking and

subscribing to the constitutional oath of office. A member shall hold office until the member's successor is appointed. An appointment to fill a vacancy shall be made by the Supervisor for the unexpired term only. After having been given notice and an opportunity to be heard, a member of the Authority Board may be removed for cause by the Township Board. Members of the Authority Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

Section 5. Designation of Development Area. The Authority shall exercise its powers within the "Development Area," designated as the real property particularly described on Exhibit A, and as depicted in the map on Exhibit B, attached to the Division Avenue Corridor Improvement Authority Ordinance and made a part hereof, subject to such amendments as may be made in accordance with this Ordinance and the Act. Exhibits A and B shall be available for inspection at the Office of the Township Clerk during normal business hours.

Section 6. Open Meetings Act. The proceedings and rules of procedure of the Authority Board are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 to 15.275, as amended. The Authority Board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the Township Board. Special meetings may be held if called in the manner provided in the approved rules of procedure.

Section 7. Freedom of Information Act. A writing prepared, owned, used, in the possession of, or retained by the Authority Board performance of an official function is subject to the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231 to 15.246, as amended. All expense items of the Authority publicized monthly and the financial records shall always be open to the public.

Section 8. Filing Ordinance with Secretary of State; Publication. The Division Avenue Corridor Improvement Authority Ordinance and any amendments and exhibits shall be filed with the Secretary of State promptly after adoption and shall be published at least once in a newspaper of general circulation within the Township.

Section 9. Approval of Budget. The Authority Board shall prepare annually a budget, in the same manner and containing the same information required of all other Township departments, and shall submit it to the Township Board for approval. The Authority Board shall not adopt a budget for any fiscal year until the Township Board has approved the budget. Unless authorized by the Township Board, funds of the Township shall not be included in the budget of the Authority. The Township may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the Authority, other than those committed, which shall be paid annually by the Authority Board pursuant to an appropriate item in its budget.

Section 10. Dissolution. Upon completion of its purposes for which it was organized, the Authority shall be dissolved by ordinance of the Township Board. The property and assets of the Authority remaining after the satisfaction of the obligations of the Authority shall revert to the Township.

Section 11. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

Section 12. Publication. This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

AYES: Members: Burgess, Hondorp, Houseman, Nevins, Nevins, Slot, Wustman

NAYS: Members: None

ORDINANCE DECLARED ADOPTED.

Joel H. Hondorp, Clerk
Township of Byron

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Byron at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Joel H. Hondorp, Clerk
Township of Byron

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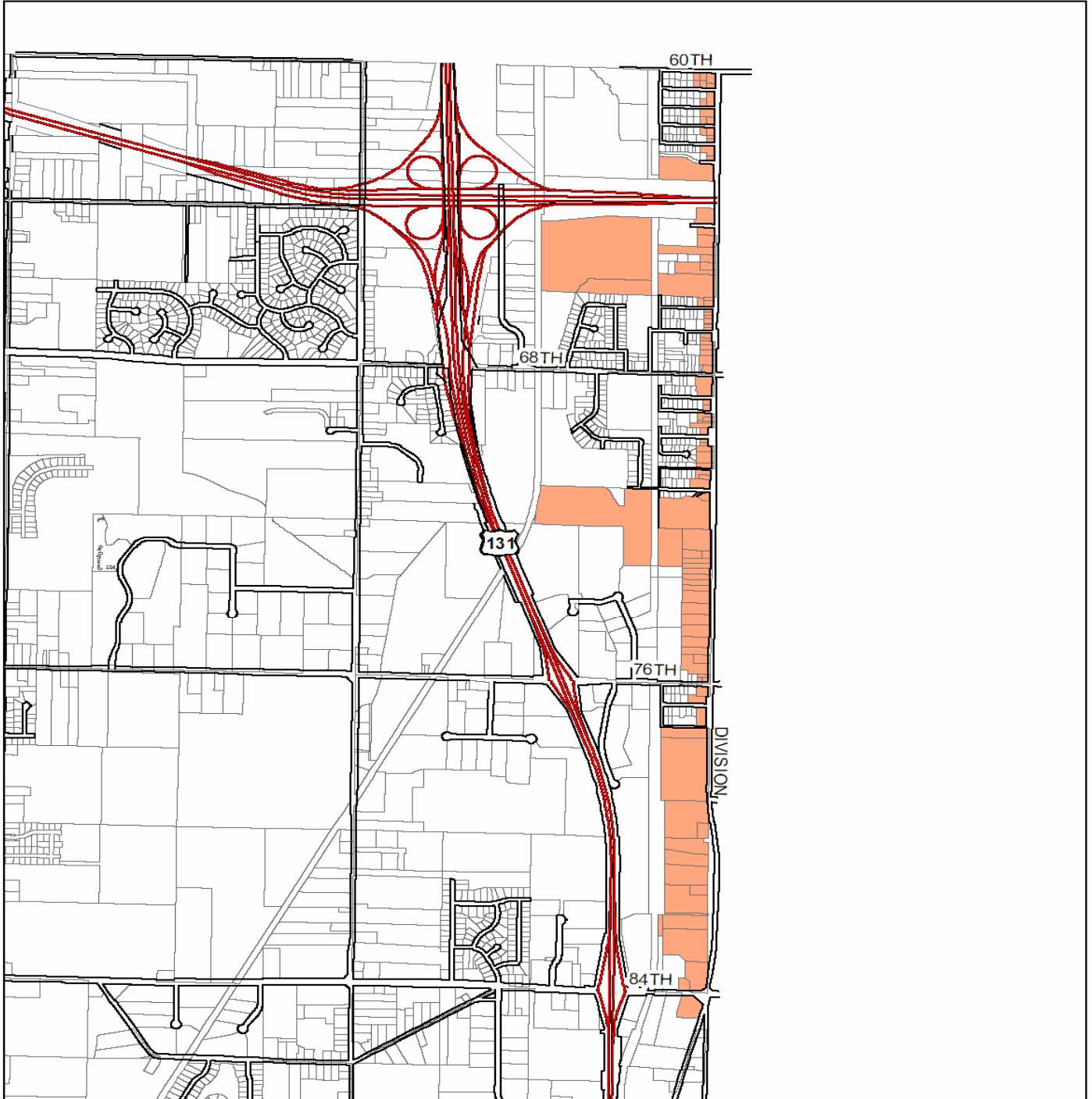
EXHIBIT A

LIST OF PARCELS INCLUDED WITHIN THE DIVISION AVENUE CORRIDOR IMPROVEMENT AUTHORITY DISTRICT DEVELOPMENT AREA

41-21-01-201-014	41-21-12-229-016	41-50-15-004-482	41-50-15-020-829
41-21-01-226-015	41-21-12-229-022	41-50-15-004-550	41-50-15-020-833
41-21-01-226-016	41-21-12-229-046	41-50-15-004-601	41-50-15-020-834
41-21-01-227-018	41-21-12-278-014	41-50-15-004-641	41-50-15-020-847
41-21-01-228-008	41-21-12-278-020	41-50-15-004-781	41-50-15-020-848
41-21-01-228-017	41-21-12-278-023	41-50-15-004-853	41-50-15-020-861
41-21-01-229-018	41-21-12-282-001	41-50-15-005-215	41-50-15-020-880
41-21-01-229-019	41-21-12-282-010	41-50-15-005-264	41-50-15-020-882
41-21-01-229-020	41-21-12-400-007	41-50-15-005-470	41-50-15-020-927
41-21-01-276-017	41-21-12-400-009	41-50-15-005-473	41-50-15-020-928
41-21-01-276-024	41-21-12-400-010	41-50-15-005-590	41-50-15-020-932
41-21-01-276-025	41-21-12-400-011	41-50-15-005-632	41-50-15-020-933
41-21-01-278-002	41-21-12-400-013	41-50-15-005-680	41-50-15-020-936
41-21-01-278-004	41-21-12-400-014	41-50-15-005-720	41-50-15-020-976
41-21-01-401-009	41-21-12-400-015	41-50-15-005-923	41-50-15-020-982
41-21-01-401-011	41-21-12-400-016	41-50-15-020-014	41-50-15-021-006
41-21-01-426-009	41-21-12-400-018	41-50-15-020-015	41-50-15-021-008
41-21-01-426-017	41-21-12-400-021	41-50-15-020-058	41-50-15-021-015
41-21-01-426-021	41-21-12-400-026	41-50-15-020-068	41-50-15-021-042
41-21-01-426-023	41-21-12-400-028	41-50-15-020-071	41-50-15-021-044
41-21-01-426-028	41-21-12-400-029	41-50-15-020-083	41-50-15-021-046
41-21-01-426-029	41-21-12-400-030	41-50-15-020-118	41-50-15-021-065
41-21-01-477-010	41-21-12-400-031	41-50-15-020-120	41-50-15-021-066
41-21-01-477-011	41-21-12-400-035	41-50-15-020-137	41-50-15-021-076
41-21-01-478-016	41-21-12-400-037	41-50-15-020-231	41-50-15-021-130
41-21-01-478-017	41-21-12-400-049	41-50-15-020-258	41-50-15-021-131
41-21-01-478-018	41-21-12-400-050	41-50-15-020-312	41-50-15-021-132
41-21-01-478-023	41-21-12-400-067	41-50-15-020-317	41-50-15-021-133
41-21-01-478-024	41-21-12-400-072	41-50-15-020-343	41-50-15-021-144
41-21-01-478-026	41-21-12-400-074	41-50-15-020-361	41-50-15-021-145
41-21-01-478-027	41-21-13-226-018	41-50-15-020-368	41-50-15-021-148
41-21-01-480-017	41-21-13-226-021	41-50-15-020-414	41-50-15-021-149
41-21-01-480-018	41-21-13-227-020	41-50-15-020-450	41-50-15-021-150
41-21-01-480-019	41-21-13-276-004	41-50-15-020-469	41-50-15-021-151
41-21-01-480-020	41-21-13-276-009	41-50-15-020-580	41-21-01-226-007
41-21-01-480-021	41-21-13-276-010	41-50-15-020-586	41-21-01-226-006
41-21-01-480-027	41-21-13-276-014	41-50-15-020-644	41-21-01-226-014
41-21-01-480-028	41-21-13-400-008	41-50-15-020-647	41-21-01-227-014
41-21-12-226-024	41-21-13-400-009	41-50-15-020-648	41-21-01-228-016
41-21-12-227-011	41-21-13-400-010	41-50-15-020-649	41-21-01-229-008
41-21-12-227-012	41-21-13-400-026	41-50-15-020-653	41-21-01-477-009
41-21-12-228-008	41-21-13-400-028	41-50-15-020-655	41-21-01-480-033
41-21-12-228-009	41-21-13-400-029	41-50-15-020-671	41-21-12-251-006
41-21-12-228-010	41-21-13-400-040	41-50-15-020-715	41-21-12-400-027
41-21-12-228-011	41-21-13-400-041	41-50-15-020-731	41-21-13-400-011
41-21-12-228-021	41-21-24-200-054	41-50-15-020-734	41-21-13-400-050
41-21-12-229-009	41-50-15-004-165	41-50-15-020-772	41-21-13-400-055
41-21-12-229-010	41-50-15-004-303	41-50-15-020-817	

EXHIBIT B

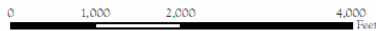
MAP OF DEVELOPMENT AREA



Byron Township
Kent County, Michigan



1 inch equals 2,000 feet



Williams & Works
416.224.1500 (phone) • 416.224.1581 (fax)
181 Ontario Avenue East • Grand Rapids, MI 49503

GIS
Geographic Information Systems
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