

TOWNSHIP OF BYRON

KENT COUNTY, MICHIGAN

**AN ORDINANCE TO AMEND THE BOUNDARIES OF BYRON TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY'S
DOWNTOWN DEVELOPMENT DISTRICT**

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 26th day of March, 2007, at 7:00 p.m., Local Time.

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

ABSENT: Members: None

It was moved by Member Slot and seconded by Member Burgess that the following Ordinance be adopted under the authority of Act 197 of the Public Acts of Michigan of 1975, as amended ("Act 197").

The Ordinance was then discussed.

Upon roll call vote, the vote upon the motion adopting said Ordinance was as follows:

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

NAYS: Members: None

The Township Clerk declared the Ordinance adopted.

The following is Ordinance No. 487 as adopted:

ORDINANCE NO. 487

**AN ORDINANCE TO AMEND THE BOUNDARIES OF BYRON TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY'S
DOWNTOWN DEVELOPMENT DISTRICT**

WHEREAS, the Township Board of the Township of Byron previously adopted Ordinance No. 464 and established the Byron Township Downtown Development Authority (the "Authority") and designated the boundaries of the Authority's Development District (the "District");

WHEREAS, the Township Board, by resolution adopted December 11, 2006 (“Resolution 45-06-07”), expressed the Board’s intent to expand the boundaries of the Authority’s District and scheduled a public hearing on the expansion of the District’s boundaries for January 22, 2007, at 7:00 p.m.

WHEREAS, pursuant to the requirements of Act 197 of the Public Acts of Michigan of 1975, as amended, the Township Board held a public hearing on the expansion of the District’s boundaries on January 22, 2007, at 7:00 p.m., at the Byron Township Hall located in the Township. Notice of said public hearing was given by publication in the December 19, 2006 and January 16, 2007 editions of the *South Advance*, by mailing to owners of property within the District and the affected taxing jurisdictions not less than 20 days prior to the date set for hearing; and by posting in at least 20 conspicuous and public places in the District not less than 20 days prior to the date set for hearing, all in accordance with the requirements of Section 16 of Act 197. At said public hearing, the Township Board provided an opportunity for interested persons to be heard regarding the expansion of the District’s boundaries and, in addition, the Township Board received and considered all communications submitted in writing with reference to the matter. A record of the public hearing, including all data presented at that time, has been made and is on file with the Township Clerk.

NOW, THEREFORE, THE TOWNSHIP OF BYRON ORDAINS:

Section 1. **Amendment of District Boundaries.** The District, as described in Ordinance No. 464, is hereby amended to add the following parcels and property descriptions thereto:

Permanent Parcel Numbers:

41-21-22-128-011, -013 and -015; 41-21-22-201-001, -007 and -009; 41-21-22-226-002, -003 and -007

Legal Description of Parcels to be added to the District:

41-21-22-128-011: The North 180 feet of the West 100 feet of the East 443 feet of the Northwest 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan.

41-21-22-128-013: The North 304.5 feet of the East 143 feet of the Northwest 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan.

41-21-22-128-015: The South 124.5 feet of the North 304.5 feet of the West 100 feet of the East 443 feet of the Northwest 1/4; and ALSO, the North 304.5 feet of the West 200 feet of the East 343 feet of the Northwest 1/4, all Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan.

41-21-22-201-001: The South 527.5 feet of the North 577.5 feet of the West 1/2 of the West 1/2 of the West 1/2 of the Northeast 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan.

41-21-22-201-007: That part of the East 1/2 of the West 1/2 of the West 1/2 of the North 3/4 of the Northeast 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan, lying Northerly of the North line of Marlo Farms, EXCEPT the North 50 feet thereof.

41-21-22-201-009: That part of the Northeast 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan, described as commencing at the Northeast corner of said section; thence S01°07'58"W 844.44 feet along the East section line; thence N88°49'29"W 661.94 feet; thence S71°52'55"W 190.04 feet; thence N83°45'04"W 277.60 feet to beginning of this description; thence S01°07'58"W 434.0 feet; thence N87°59'15"W 219.26 feet; thence S00°58'40"W 333.41 feet along the East line of the West 1/2 of the Northeast 1/4 to the North line of Marlo Farms; thence N87°59'44"W 531.99 feet along said North line to the Westerly line of Bethany Drive (66 feet wide); thence Southerly along the Westerly line of said drive 21.81 feet on a 949-foot radius curve to the right (long chord bears S04°48'19"E 21.81 feet); thence N88°00'09"W 136.35 feet to the West line of the East 1/2 of the West 1/2 of the Northeast 1/4; thence N00°54'01"E along said West line 1194.08 feet; thence S87°57'39"E 264.05 feet; thence N00°54'01"E 445.09 feet to the South line of 84th Street; thence S87°57'39"E parallel with the North section line 404.32 feet to the West line of the East 1/2 of the Northeast 1/4; thence S00°58'40"W along said West line 397.21 feet; thence Southeasterly 89.21 feet along a 383-foot radius curve to the left (long chord bears S39°50'03"E 89.01 feet); thence S58°45'49"W 160.09 feet; thence S31°56'58"E 142.17 feet to the West line of the East 1/2 of the Northeast 1/4; thence S00°58'40"E 183.83 feet; thence S83°45'04"E 221.34 feet to beginning.

41-21-22-226-002: That part of the Northeast 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan, described as commencing 488.5 feet North along the East section line from the North 1/8 line; thence North to a point 330 feet South from the Northeast corner of section; thence West 50 feet; thence North 280 feet; thence West 758 feet; thence South to a point 476.65 feet North from the North 1/8 line; thence Easterly to the point of beginning.

41-21-22-226-003: That part of the Northeast 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan, described as commencing 1044.87 feet North along the West line of the East 1114 feet of the Northeast 1/4 of the Northeast 1/4 from the Southwest corner of the East 1114 feet of the Northeast 1/4 of the Northeast 1/4; thence North along said West line to the North section line; thence East along the North section line 206.0 feet; thence South parallel with the East section line 282.60 feet; thence Westerly to the point of beginning, EXCEPT the North 50 feet thereof.

41-21-22-226-007: That part of the Northeast 1/4 of Section 22, Town 5 North, Range 12 West, Byron Township, Kent County, Michigan, described as commencing 808.01 feet N87°57'39"W along the North section line and S01°07'58"W parallel with the East section line 50.01 feet to the South line of 84th Street (100 feet wide) and the beginning of this description; thence S01°57'39"W parallel with the East section line 806.61 feet; thence S88°45'40"E 145.95 feet; thence S71°52'55"W 190.04 feet; thence N83°45'04"W 277.60 feet; thence N01°07'58"E parallel with the East section line 613.27 feet; thence S87°57'39"E parallel with the North section line 206.0 feet; thence N01°07'58"E 236.25 feet to the South line of 84th Street; thence S87°57'39"E along the South line of said street 100 feet to beginning.

Section 2. **Severability.** The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 3. **Repeal.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that this Ordinance does not repeal Ordinance No. 464, but only amends the description of the District to add the properties listed herein.

Section 4. **Publication and Recording.** A true copy or a summary of this Ordinance shall be published once in the *South Advance*, a newspaper of general circulation within the boundaries of the Township of Byron qualified under state law to publish legal notices, within thirty (30) days after its adoption and the same shall be recorded in minutes of the Township Board of the

meeting at which this Ordinance was adopted and, in addition, shall be recorded in the Ordinance Book of the Township.

Section 5. **Effective Date.** This Ordinance shall be in full force and effect the day following the date of its publication as provided by law.

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

NAYS: Members: None

ABSTAIN: Members: None

Passed and adopted by the Township Board of the Township of Byron, County of Kent, Michigan, on March 26, 2007, and approved by me on March 26, 2007.



Joel H. Hondorp
Byron Township Clerk

CLERK'S CERTIFICATE

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, County of Kent, State of Michigan, at a regular meeting held on March 26, 2007, and a public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.



Joel H. Hondorp, Clerk
Township of Byron

CERTIFICATE OF PUBLICATION

I, the undersigned, Township Clerk of the Township of Byron, County of Kent, Michigan, hereby certify pursuant to MCL 41.184 that Ordinance No. 487 or a summary thereof was published in the *South Advance* on Tuesday, April 3, 2007.



Dated: March 27, 2007

Joel H. Hondorp, Clerk
Township of Byron

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