

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 10, 2003

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

ROLL CALL:

CONSENT AGENDA:

- a. Approval of Minutes. CITY CLERK
- b. Outdoor Air Ventilation & Temp. Control. ENGINEERING
- c. Sale of Non-buildable Lot at 1298 Fourth Street. PLANNING & ECONOMIC DEVELOPMENT

PUBLIC HEARINGS:

- a. Spreading of the Special Assessment Roll: Franklin Street, Washington to Michigan. ENGINEERING
- b. Spreading of the Special Assessment Roll: Nims Street & Irwin Avenue, Getty to Wood. ENGINEERING
- c. Spreading of the Special Assessment Roll: Washington Street, Franklin to Lakeshore. ENGINEERING

UNFINISHED BUSINESS:

- a. Request to Withdraw Reverter Language from Deed for Property at 407 W. Webster. PLANNING & ECONOMIC DEVELOPMENT

NEW BUSINESS:

- a. MDEQ / Army Corps of Engineers Permits for the Ferry Project. CITY MANAGER
- b. Liquor License Request – 1934 Peck Street. CITY CLERK

Date: November 10, 2003
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, October 28, 2003.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 10, 2003

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30pm, Monday, November 10, 2003.

Mayor Warmington opened the meeting with a prayer from Pastor Savage of the Great Joy world Outreach Church after which the Commission and Public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington; Vice Mayor Robert Schweifler, Commissioners Lawrence Spataro, Christopher Carter, Stephen Gawron, William Larson, and Clara Shepherd; City Manager Bryon Mazade, City Attorney John Schrier and City Clerk Gail Kunderling.

2003-89 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Regular Commission Meeting that was held on Tuesday, October 28, 2003.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of minutes.

b. Outdoor Air Ventilation & Temp. Control. ENGINEERING

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Johnson Control to provide all the labor & material necessary to install a CO2 monitoring system as well as adding an optimal start/stop to our air handling units (police & C.H.). This work is another implantation of the energy study's recommendation. The implementation of these tasks will have a less than three-year pay back.

FINANCIAL IMPACT: The cost of \$9,500 which includes all necessary labor & material.

BUDGET ACTION REQUIRED: None at this time. The cost was anticipated and budgeted for.

STAFF RECOMMENDATION: Authorize staff to enter into a contract with Johnson Control.

c. Sale of Non-buildable Lot at 1298 Fourth Street. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of a vacant non-buildable lot (Parcel #24-205-393-0009-00) at 1298 Fourth Street to Dequon & Carina James, owner of 152 Strong Avenue, Muskegon, MI 49441. Approval of this sale will allow the adjacent property owner to have a buildable lot for their home, and to expand their current yard. This is a corner lot and is, therefore, being offered to Mr. & Mrs. James for \$1 under the City's Area 10, \$1 lot sale policy.

FINANCIAL IMPACT: The sale of this lot will allow the property to be placed back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution and to authorize both the Mayor and the Clerk to sign the resolution.

Motion by Commissioner Gawron, second by Vice Mayor Schweifler to approve the Consent Agenda as read.

ROLL VOTE: Ayes: Warmington, Schweifler, Carter, Gawron, Larson, Shepherd, Spataro

Nays: None

MOTION PASSES

2003-90 PUBLIC HEARINGS:

a. Spreading of the Special Assessment Roll: Franklin Street, Washington to Michigan. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the special assessment for Franklin, Washington to Michigan, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of \$17,572.51 would be spread against the six (6) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing opened at 5:34 p.m. to hear and consider any comments from the public. There were no comments from the public.

Motion by Vice Mayor Schweifler, second by Commissioner Spataro to close the Public Hearing at 5:35 p.m. and approve the special assessment roll for Franklin, Washington to Michigan, and adopt the resolution.

ROLL VOTE: Ayes: Schweifler, Carter, Gawron, Larson, Shepherd, Spataro, Warmington

Nays: None

MOTION PASSES

b. Spreading of the Special Assessment Roll: Nims Street & Irwin Avenue, Getty to Wood. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the special assessment for Nims St. & Irwin Ave., Getty St. to Wood St., and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of \$84,920.46 would be spread against the seven (7) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing opened at 5:35 p.m. to hear and consider any comments from the public. No comments were heard from the public.

Motion by Commissioner Spataro, second by Commissioner Gawron to close the Public Hearing at 5:36 p.m. and approve the special assessment roll for Nims Street and Irwin Avenue, Getty to Wood, and adopt the resolution.

ROLL VOTE: Ayes: Carter, Gawron, Larson, Shepherd, Spataro, Warmington, Schweifler

Nays: None

MOTION PASSES

c. Spreading of the Special Assessment Roll: Washington Street, Franklin to Lakeshore. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the spreading of the special assessment for Washington St., Franklin to Lakeshore Dr., and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of \$73,310.13 would be spread against the seventy (70) parcels abutting the project.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the special assessment roll and adopt the resolution.

The Public Hearing opened at 5:37 p.m. to hear and consider any comments from the public. No comments were heard from the public.

Motion by Commissioner Carter, second by Commissioner Larson to close the Public Hearing at 5:38 p.m. and approve the special assessment roll for Washington St., Franklin to Lakeshore and adopt the resolution.

ROLL VOTE: Ayes: Gawron, Larson, Shepherd, Spataro, Warmington, Schweifler, Carter

Nays: None

MOTION PASSES

2003-91 UNFINISHED BUSINESS:

- a. Request to Withdraw Reverter Language from Deed for Property at 407 W. Webster. PLANNING & ECONOMIC DEVELOPMENT**

SUMMARY OF REQUEST: The attorney for Thomas Russo, who purchased 407 W. Webster from the City, is requesting that the City withdraw the reverter language contained in the Purchase Agreement, dated February 16, 1998. The reverter language was included in Section 8 of the Purchase Agreement, and required that the purchaser make improvements to the premises within 18 months, that the owner or subsequent owners occupy the premises as owner-occupants for a period of at least 10 years, and that if the property is used as a rental property during the 10 year period, the City has the right to quit claim deed the property from the buyer. The attorney for Mr. Russo is requesting that the "City release the Russo's and the Russo's perspective successors in interest from the effects of the reverter language." Apparently, the Russo's are in the process of selling the property, and they are being told by the perspective purchasers that they are unable to obtain mortgage financing with the reverter language present. Staff recommends that the reverter language be kept as it is. The City has included reverter language in the sale of it's properties for several years, and has not had a problem with other properties. In addition, the specific area where 407 W. Webster is located is one where the City has sold several properties, with the express intent that they be owner-occupied. It would be a disservice to the other property owners to change this condition at this time.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To deny the request from Mr. Russo's attorney to change the reverter clause language on their deed/purchase agreement and release the Russos and their perspective successors in the interest from the effects of the reverter language. Staff is willing, however, to meet with any financial institution to explain our program for infill, and the reasons for the reverter clause (and staff has informed Mr. Russo and his attorney of this offer).

Motion by Vice Mayor Schweifler, second by Commissioner Shepherd to table until the next meeting.

ROLL VOTE: Ayes: Larson, Shepherd, Spataro, Warmington, Schweifler, Carter, Gawron

Nays: None

MOTION PASSES

2003-92 NEW BUSINESS:

- a. MDEQ / Army Corps of Engineers Permits for the Ferry Project. CITY**

MANAGER

SUMMARY OF REQUEST: To authorize staff to apply for permits on behalf of the City for the cross-lake ferry project.

FINANCIAL IMPACT: Minimal application fees.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the request.

Motion by Commissioner Spataro, second by Vice Mayor Schweifler to approve the request.

ROLL VOTE: Ayes: Shepherd, Spataro, Warmington, Schweifler, Carter, Gawron, Larson

Nays: None

MOTION PASSES

b. Liquor License Request – 1934 Peck Street. CITY CLERK

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from Sherm's Saloon, Inc., 1934 Peck to transfer ownership of the 2003 Class C-SDM licensed business from Griffs, Inc.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: All departments are recommending approval.

Motion by Commissioner Larson, second by Commissioner Spataro to approve the transfer.

ROLL VOTE: Ayes: Spataro, Warmington, Carter, Gawron, Larson, Shepherd

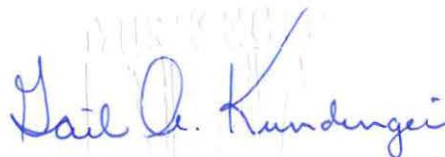
Nays: None

Abstain: Schweifler

MOTION PASSES

The Regular Commission Meeting for the City of Muskegon was adjourned at 5:53PM.

Respectfully submitted,

A handwritten signature in blue ink, reading "Gail A. Kunding".

Gail A. Kunding, MMC

City Clerk

Date: November 10, 2003
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Outdoor Air Ventilation & Temp. Control

SUMMARY OF REQUEST:

Authorize staff to enter into an agreement with Johnson Control to provide all the labor & material necessary to install a CO2 monitoring system as well as adding an optimal start/stop to our air handling units (police & C.H). This work is another implantation of the energy study's recommendation. The implementation of these tasks will have a less than 3-years pay back.

FINANCIAL IMPACT:

The cost of \$9,500 which includes all necessary labor & material.

BUDGET ACTION REQUIRED:

None at this time. The cost was anticipated and budgeted for.

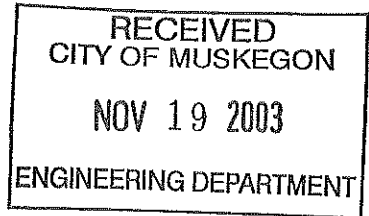
STAFF RECOMMENDATION:

Authorize staff to enter into a contract with Johnson Control.

COMMITTEE RECOMMENDATION:

CITY CLERK COPY

CITY OF MUSKEGON



AGREEMENT FOR SERVICES OR CONSTRUCTION
Small and Limited Projects

THIS IS AN AGREEMENT between the CITY OF MUSKEGON ("City"), 933 Terrace Street, Muskegon, Michigan, and Johnson Controls Inc. ("Contractor"), of Grand Rapids, Michigan, for a small or limited project, and is made in the following terms:

Agreement and Performance

Contractor agrees to perform and supply all the services and materials set forth in the Statement of Work attached to this agreement, ("Performance"). Contractor's performance shall be accomplished in good and workmanlike manner, to the satisfaction of the City. Performance shall be completed on or before Dec. 10, 2003.

Price

Contractor will perform as set forth above for the complete contract price of \$ 9,500.00.

Conditions and Covenants

Contractor will comply with all laws, rules and regulations of the City, and any other local government of the State of Michigan and the United States Government. Contractor will supply insurance as required by separate written document, naming the City as an additional insured, if appropriate, and shall carry such additional insurance coverage's as are required by the City. Contractor shall hold the City harmless against any and all claims for damages or costs made against the City arising from Contractor's performance, including all costs of defense, attorneys' fees, expenses and the amount of any damage determined against the City.

Contractor certifies that it is eligible for performance of government work and has not been cited or listed for failure to comply with Wage and Hour or prevailing wage regulations of the State of Michigan or the Federal Government.

Termination and Cancellation

This contract may be terminated for failure to perform in accordance herewith, and Contractor shall be liable for normal contractual remedies available to the City. In the event liquidated damages for nonperformance are agreed to, the following amounts constitute liquidated damages:

\$ N/A per day of nonperformance.

Nondiscrimination Compliance

Contractor agrees to comply with all nondiscrimination laws, rules and regulations and policies of the City, State and Federal Governments including, but not limited to, the provisions of Executive Order 11246, Affirmative Action Requirements for Disabled Veterans and Veterans of the Viet Nam Era and for Handicapped Workers. If required by the City and appropriate for the services in this contract, Contractor shall comply with City oversight procedures. The provisions of all said policies, rules,

executive orders and laws regarding nondiscrimination and affirmative action are available from the City by contacting the Affirmative Action Director of the City, City Hall, 933 Terrace Street, Muskegon, Michigan, telephone 724-6703. The City may supply a copy with this contract in its discretion.

The parties agree to performance of this contract by signing below. The effective date of this agreement is Nov. 18, 2003.

Witnesses:

Contractor:

By

Michael B. Way

CITY OF MUSKEGON

By

Mohammed Alsharif

and

J.R. He

CITY OF MUSKEGON

Contract Between
City of Muskegon
and
Johnson Controls Inc.

STATEMENT OF WORK

See attached scope of services.

Initials:

Contractor: MBW

City: A. R. H.
(staff member)



PROPOSAL

Johnson Controls, Inc.
Controls Group
3312 Lousma Drive, S.E.
Grand Rapids, MI 49548-2252
Tel. 616/243 4134 or
800/937 9770
FAX: 616/243 0430

TO: City of Muskegon

DATE: 9/10/03

J. R. Gann
933 Terrace St.
Muskegon, MI 49443-0536

PROJECT: Add CO2 Monitor to AHU's

This proposal is in regards to the project that we discussed on Sept. 4, 2003. We will design the needed system required to maintain proper CO2 levels inside your building, while keeping energy savings in mind. We will also add optimal start/stop to your existing air systems. I have not included an electrician's price in this quote, since I am assuming that you will run the needed wires to the proper locations at the time of the project.

The cost to complete this project is \$9500.00. If you have any questions in regards to this quote, please feel free to call me at 616-283-7967.

Thank you for this opportunity,

Chris

(IMPORTANT: This proposal incorporates by reference the terms and conditions on the reverse side hereof.)

This proposal is hereby accepted and Johnson Controls is authorized to proceed with the work; subject, however, to credit approval by Johnson Controls, Inc., Milwaukee, Wisconsin.

This proposal is valid until

Nov 10, 2003

Purchaser - Company Name

Signature

Name: _____

Title: _____

Date: _____

JOHNSON CONTROLS, INC.

Signature

Chris R. Watson

Name: _____

Title: Systems Rep IV

Commission Meeting Date: November 10, 2003

Date: October 28, 2003
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Sale of Non-buildable Lot at 1298 Fourth Street

SUMMARY OF REQUEST:

To approve the sale of a vacant non-buildable lot (Parcel #24-205-393-0009-00) at 1298 Fourth Street to Dequon & Carina James, owner of 152 Strong Avenue, Muskegon, MI 49441. Approval of this sale will allow the adjacent property owner to have a buildable lot for their home, and to expand their current yard (see attached map). This is a corner lot and is, therefore, being offered to Mr. & Mrs. James for \$1 under the City's Area 10 \$1 lot sale policy.

FINANCIAL IMPACT:

The sale of this lot will allow the property to be placed back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED:

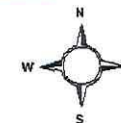
None.

STAFF RECOMMENDATION:

To approve the attached resolution and to authorize both the Mayor and the Clerk to sign the resolution.

COMMITTEE RECOMMENDATION:

**Vacant Non-buildable City-Owned Lot
1298 Fourth Street**



CITY OF MUSKEGON

RESOLUTION #2003-89 (c)

RESOLUTION APPROVING THE SALE OF A CITY-OWNED NON-BUILDABLE LOT

WHEREAS, the City of Muskegon has received \$1 from Dequon & Carina James, 152 Strong Avenue, Muskegon, MI 49441 for the purchase of a vacant, City-owned lot located adjacent to their property at 1298 Fourth Street (parcel #24-205-393-0009-00);

WHEREAS, this lot is not considered buildable under the City's Zoning Ordinance,

WHEREAS, the sale would enable the City to place this property back on the tax rolls, and would relieve the City of further maintenance;

WHEREAS, the sale of this property would be in accordance with property disposition goals and the Area 10 \$1 lot program;

NOW, THEREFORE BE IT RESOLVED, that THE CITY OF MUSKEGON REVISED PLAT OF 1903 N 45 FT LOT 9 BLK 393 be sold to Dequon & Carina James for \$1.

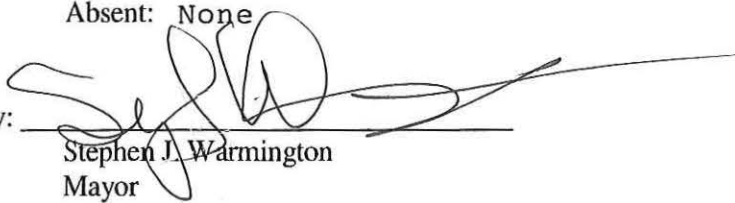
Resolution adopted this 10th day of November, 2003.

Ayes: Warmington, Schweifler, Carter, Gawron, Larson,
Shepherd, Spataro

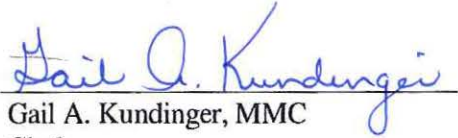
Nays: None

Absent: None

By: _____


Stephen J. Warmington
Mayor

Attest: _____


Gail A. Kunderger, MMC
Clerk

CERTIFICATION

2003-89(c)

This resolution was adopted at a regular meeting of the City Commission, held on November 10, 2003. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By

Gail A. Kunding

Gail A. Kunding, MMC
Clerk

QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440,

QUIT CLAIMS to DEQUON JAMES and CARINA JAMES, of 152 Strong Avenue, Muskegon, Michigan 49441,

the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

CITY OF MUSKEGON REVISED PLAT OF 1903, NORTH 45 FEET OF LOT 9, BLOCK 393
(Common Address: 1298 Fourth Street)

for the sum of: One Dollar (\$1.00)

PROVIDED, HOWEVER, If the Grantee or adjoining property owner loses the adjoining property due to foreclosure or non-payment of taxes, the non-buildable lot shall revert to the Grantor. At that point in time when any lien covers both parcels or there are not liens on either parcel, the property owner may request and the Grantor shall agree to waive and terminate the reverter clause.

This deed is exempt from real estate transfer tax pursuant to the provisions of MCLA 207.505(h)(i) and MCLA 207.526 Sec. 6(h)(i).

Dated this 17th day of November, 2003.

Signed in the presence of:

Linda Potter
Linda Potter

Margaret M. Platt
Margaret M. Platt

CITY OF MUSKEGON

By [Signature]
Stephen J. Warmington, Its Mayor

and Gail A. Kunding
Gail A. Kunding, MMC, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 17th day of November, 2003, by STEPHEN J. WARMINGTON and GAIL A. KUNDINGER, MMC, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: John C. Schrier
Parmenter O'Toole
175 W. Apple Avenue/P.O. Box 786
Muskegon, MI 49443-0786
Telephone: (231) 722-1621

WHEN RECORDED RETURN TO: Grantee

Linda S. Potter
Linda S. Potter, Notary Public
Muskegon County, Michigan
My Comm. Expires: 7-25-06

SEND SUBSEQUENT TAX BILLS TO: Grantee

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: NOVEMBER 10, 2003

RE: Public Hearing
Spreading of the Special Assessment Roll
Franklin, Washington St. to Michigan

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Franklin, Washington to Michigan**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of \$17,572.51 would be spread against the six (6) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2003-90(a)

Resolution Confirming Special Assessment Roll

For Franklin, Washington to Michigan

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **May 13, 2003**, at the first hearing.
2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.
3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.
4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.
2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR Franklin, Washington to Michigan

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Schweifler, Carter, Gawron, Larson, Shepherd,
Spataro, Warmington

Nays: None

City of Muskegon

By Gail A. Kunding
Gail A. Kunding, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **November 10, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **November 10, 2003**.

City of Muskegon

By Gail A. Kunding
Gail A. Kunding, City Clerk

EXHIBIT A

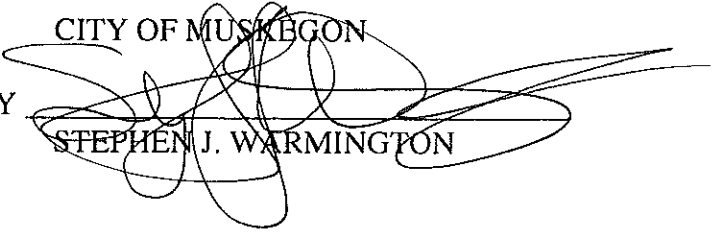
FRANKLIN ST. FROM WASHINGTON TO MICHIGAN

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Franklin St. from Washington to Michigan

**FRANKLIN, WASHINGTON TO MICHIGAN
MAYOR'S ENDORSEMENT AND WARRANT**

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY
ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO
THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE
ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON
BY 
STEPHEN J. WARMINGTON

October 30th , 2003

OWNERS NAME
OWNERS ADDRESS
OWNERS CITY, OWNERS STATE OWNERS ZIPCODE

2

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PROPERTY ADDRESS & STREET

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

H 1569 FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on **MONDAY, NOVEMBER 10TH, 2003 at 5:30 P.M.** You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED **MONDAY NOVEMBER 10TH, 2003** YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is \$70,000.00 of which \$17,572.50 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed \$3017.5 based on 85 feet assessable front footage at \$35.5 per assessable foot for the street improvements. In addition, you will be assessed \$0 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of \$3017.5. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years

Interest Rate: 5% per year

First Installment: \$301.75 PER YEAR

Due Date: January 12th, 2004

CDBG Approved You Owe \$0.00

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

A handwritten signature in black ink, appearing to read "Mohammed Al-Shatel". The signature is fluid and cursive, with the first name "Mohammed" being more prominent than the last name "Al-Shatel".

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest*.

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

Street and Alley Assessments – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is \$850.00, you will be billed \$85.00 per year plus applicable interest as described below.

Driveway, Sidewalk, and Approach Assessments - Ten (10) years equal annual principal payments plus applicable interest as described below.

Interest – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of \$16,823.00
- Have a special assessment of \$300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the **City Assessor's Office at 724-6708** or the **City Treasurer's Office at 724-6720**. Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the **Community and Neighborhood Services Department at 724-6717**.

STREET H-1569
FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

Name: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Spouse: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Address: _____ Phone: _____ Race: _____
Parcel # _____ Owner/Spouse Legally Handicapped Or Disabled? () Yes () No

(Please refer to your assessment letter for this information)

Number Living in Household: _____ List information for household members besides owner/spouse here.

Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____

INCOME INFORMATION

ANNUAL Household Income: \$ _____ **Wage earner:** _____
(Must include all household income) _____ **Wage earner:** _____
_____ **Wage earner:** _____
_____ **Wage earner:** _____
Total: \$ _____

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract
Homeowner's Insurance Co: _____ **Expiration Date:** _____
Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature: _____ **Date:** _____
By signing this application, the applicant verifies he/she **owns and occupies** the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed. **NO APPLICATION WILL BE ACCEPTED AFTER MAY 31, 2003**

FOR OFFICE USE ONLY

APPROVED () DENIED () DATE _____ CENSUS TRACT NO. _____

SIGNATURE _____ TITLE _____

COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

CITY OF MUSKEGON
FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.
STREET H-1569
REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

Note: You may receive this application several times – If you have already applied, please discard.

Dear Resident:

The City of Muskegon has selected the street abutting your property for repairs. To assist homeowners, who may have difficulty paying the cost of street repairs, the City offers assessment waivers through the Community Development Block Grant (CDBG) Program for eligible households and families. If you meet the CDBG program qualifications, the City may pay the street assessment for you to the extent that funds are available.

Application Requirements:

- ✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2002, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2002	
65% MEDIAN HOUSEHOLD INCOME CHART	
FAMILY SIZE	INCOME LIMIT
1	\$27,885
2	31,850
3	35,880
4	39,845
5	43,030
6	46,326
7	49,400
8	52,585
For each extra, add	3,185

- ✓ **Applicants must submit proof that they both own and occupy property at the time of application;** Land Contract purchasers must obtain approval of titleholder prior to receiving assistance. Proof of ownership should be a deed, mortgage, or land contract; proof of occupancy can be a copy of a driver's license or other official document showing both your name and address.
- ✓ **Applicants must submit proof of current property insurance.**

Please complete the first four (4) sections of the application on the reverse side of this notice, and return it, along with supporting documentation, to:

City of Muskegon
Community & Neighborhood Services
933 Terrace Street, 2nd Floor
Muskegon, MI 49440

For further information, please contact this office by calling 724-6717, weekdays from 8:30 a.m. and 5:00 p.m.

The City reserves the right to verify all application information, and to reject any applications that contain falsified information or insufficient documentation.

**CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS**

SPECIAL ASSESSMENT DISTRICTS:

**FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.
NIMS ST. & IRWIN AVE., WOOD ST. TO GETTY ST.
AND
WASHINGTON, FRANKLIN TO LAKESHORE DR.**

The locations of the special assessment districts and the properties proposed to be assessed are:

- **All parcels abutting Franklin St., Washington Ave. to Michigan Ave.**
 - All parcels abutting Nims St from 181' west of Getty St. to Irwin Ave. & Irwin Ave., from Nims St. to 200' east of Wood St.
- And**
- All parcels abutting Washington, Franklin to Lakeshore Dr.

PLEASE TAKE NOTICE that, due to the observance of Veterans Day on Tuesday, November 11, 2003, a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **Monday, November 10, 2003 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings is to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kunding, City Clerk

Publish: **November 1, 2003**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audiotapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kunding, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

MAY 19 2003

CITY OF MUSKEGON

Resolution No. 2003-41 (F)

ENGINEERING DEPT.

Resolution At First Hearing Creating Special Assessment District

For **Franklin, Washington to Michigan**

Location and Description of Properties to be Assessed:

See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **May 13, 2003** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **May 13, 2003**, there were 33.33% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.
2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.
2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.
3. The City Commission hereby appoints a Board of Assessors consisting of City

Commissioners Larson and Mayor Warmington
and the City Assessor who are hereby directed to prepare an assessment roll.
Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **22.14%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Buie, Gawron, Larson, Schweifler, Shepherd, Spataro, Warmington

Nays None

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **May 13, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

EXHIBIT A

FRANKLIN ST. FROM WASHINGTON TO MICHIGAN

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Franklin St. from Washington to Michigan

Exhibit A

Special Assessment District



STERN AV

MICHIGAN AV

WASHINGTON AV

W GRAND AV

SOUTHERN AV

ARCADE ST

FRANKLIN ST

HUDSON ST

DIVISION ST

FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
24-205-472-0018-10	1046.0	WASHINGTON	GREER TIMOTHY E 1046 WASHINGTON A MUSKEGON MI 49441	\$2,840.00	\$0.00	\$2,840.00
24-205-472-0018-00	1403.0	FRANKLIN ST	RENNA IOLA 1403 FRANKLIN ST MUSKEGON MI 49441	\$3,017.50	\$0.00	\$3,017.50
24-205-472-0001-00	1069.0	MICHIGAN AV	BRANDOW CHERYL 385 W MICHIGAN TWIN LAKE MI 49457	\$5,857.50	\$0.00	\$5,857.50
24-205-473-0009-00	1032.0	WASHINGTON	SCOTT FARRAH 1032 WASHINGTON A MUSKEGON MI 49441	\$2,928.75	\$0.00	\$2,928.75
24-205-473-0008-10	1398.0	FRANKLIN ST	LAKESIDE INVESTME PO BOX 298 MUSKEGON MI 49443-0	\$1,464.38	\$0.00	\$1,464.38
24-205-473-0008-00	1376.0	FRANKLIN ST	LAKESIDE INVESTME PO BOX 298 MUSKEGON MI 49443-0	\$1,464.38	\$0.00	\$1,464.38
TOTALS				\$17,572.51	\$0.00	\$17,572.51

PLEASE NOTE: PARCELS SHOWING \$0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

[Signature] 11/21/03
 CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATION DATE

Bill Larson 11-25-03
 BILL LARSON CITY COMMISSIONER DATE

[Signature] 11-17-03
 STEVE WARMINGTON CITY COMMISSIONER DATE

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1569, FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 30th of October, 2003

Gail A. Kunding
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
30th DAY OF October, 2003.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
MY COMMISSION EXPIRES 9-25-06

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: NOVEMBER 10, 2003

RE: Public Hearing
Spreading of the Special Assessment Roll
Nims St. & Irwin Ave., Getty St. to Wood St.

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Nims St. & Irwin Ave., Getty St.** to Wood St., and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of \$84,920.46 would be spread against the seven (7) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2003-90(b)

Resolution Confirming Special Assessment Roll

For Nims St. from 181' west of Getty St. to Irwin Ave. and Irwin Ave. from Nims St. to 200' east of Wood St.

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **April 22, 2003**, at the first hearing.
2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.
3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.
4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.
2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR Nims St. from 181' west of Getty St. to Irwin Ave. and Irwin Ave. from Nims St. to
200' east of Wood St.

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Carter, Gawron, Larson, Shepherd, Spataro

Warmington, Schweifler

Nays: None

City of Muskegon

By Gail A. Kunding
Gail A. Kunding, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **November 10, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **November 10, 2003**.

City of Muskegon

By Gail A. Kunding
Gail A. Kunding, City Clerk

EXHIBIT A

Nims St. Getty to Irwin

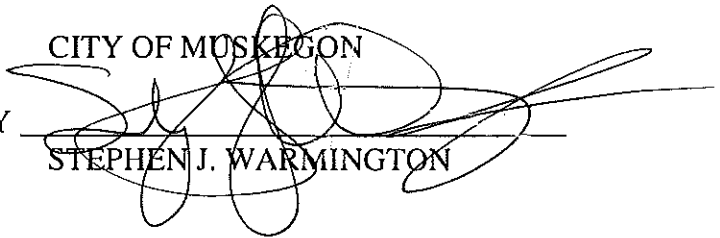
SPECIAL ASSESSMENT DISTRICT

- **All properties abutting that section of Nims St. from 181' west of Getty St. to Irwin Ave. and Irwin Ave. from Nims St. to 200' east of Wood St.**

NIMS ST. & IRWIN AVE., GETTY ST. TO WOOD ST

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY
ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO
THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE
ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON
BY 
STEPHEN J. WARMINGTON

October 30th , 2003

OWNERS NAME
OWNERS ADDRESS
OWNERS CITY, OWNERS STATE OWNERS ZIPCODE

2

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PROPERTY ADDRESS & STREET

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

H 1564 NIMS ST. & IRWIN AVE., WOOD ST. TO GETTY ST.

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on **MONDAY NOVEMBER 10TH, 2003 at 5:30 P.M.** You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED **MONDAY NOVEMBER 10TH, 2003** YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is \$420,000.00 of which \$84,920.46 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed \$58544.12 based on 1649.13 feet assessable front footage at \$35.5 per assessable foot for the street improvements. In addition, you will be assessed \$0 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of \$58544.12. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: \$5854.41 PER YEAR
Due Date: January 12th, 2004

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

A handwritten signature in black ink, appearing to read "Mohammed Al-Shatel". The signature is fluid and cursive, with the first name "Mohammed" being more prominent than the last name "Al-Shatel".

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest*.

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

Street and Alley Assessments – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is \$850.00, you will be billed \$85.00 per year plus applicable interest as described below.

Driveway, Sidewalk, and Approach Assessments - Ten (10) years equal annual principal payments plus applicable interest as described below.

Interest – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of \$16,823.00
- Have a special assessment of \$300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the **City Assessor's Office at 724-6708** or the **City Treasurer's Office at 724-6720**. Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the **Community and Neighborhood Services Department at 724-6717**.

CITY OF MUSKEGON
STREET H-1564
NIMS ST & IRWIN AVE., WOOD ST. TO GETTY ST.
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

Name: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Spouse: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Address: _____ Phone: _____ Race: _____
Parcel # _____ Owner/Spouse Legally Handicapped Or Disabled? () Yes () No
(Please refer to your assessment letter for this information)

Number Living in Household: _____ List information for household members besides owner/spouse here.

Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____

INCOME INFORMATION

ANNUAL Household Income: \$ _____ Wage earner: _____
(Must include all household income) _____ Wage earner: _____
_____ Wage earner: _____
_____ Wage earner: _____
Total: \$ _____

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract
Homeowner's Insurance Co: _____ Expiration Date: _____
Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature: _____ Date: _____
By signing this application, the applicant verifies he/she **owns and occupies** the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed. **NO APPLICATION WILL BE ACCEPTED AFTER MAY 31, 2003**

FOR OFFICE USE ONLY

APPROVED () DENIED () DATE _____ CENSUS TRACT NO. _____
SIGNATURE _____ TITLE _____
COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

CITY OF MUSKEGON
NIMS ST. & IRWIN AVE., WOOD ST. TO GETTY ST.
STREET H-1564
REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

Note: You may receive this application several times – If you have already applied, please discard.

Dear Resident:

The City of Muskegon has selected the street abutting your property for repairs. To assist homeowners, who may have difficulty paying the cost of street repairs, the City offers assessment waivers through the Community Development Block Grant (CDBG) Program for eligible households and families. If you meet the CDBG program qualifications, the City may pay the street assessment for you to the extent that funds are available.

Application Requirements:

- ✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2002, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2002	
65% MEDIAN HOUSEHOLD INCOME CHART	
FAMILY SIZE	INCOME LIMIT
1	\$27,885
2	31,850
3	35,880
4	39,845
5	43,030
6	46,326
7	49,400
8	52,585
For each extra, add	3,185

- ✓ **Applicants must submit proof that they both own and occupy property at the time of application;** Land Contract purchasers must obtain approval of titleholder prior to receiving assistance. Proof of ownership should be a deed, mortgage, or land contract; proof of occupancy can be a copy of a driver's license or other official document showing both your name and address.
- ✓ **Applicants must submit proof of current property insurance.**

Please complete the first four (4) sections of the application on the reverse side of this notice, and return it, along with supporting documentation, to:

City of Muskegon
Community & Neighborhood Services
933 Terrace Street, 2nd Floor
Muskegon, MI 49440

For further information, please contact this office by calling 724-6717, weekdays from 8:30 a.m. and 5:00 p.m.

The City reserves the right to verify all application information, and to reject any applications that contain falsified information or insufficient documentation.

**CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS**

SPECIAL ASSESSMENT DISTRICTS:

**FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.
NIMS ST. & IRWIN AVE., WOOD ST. TO GETTY ST.
AND
WASHINGTON, FRANKLIN TO LAKESHORE DR.**

The locations of the special assessment districts and the properties proposed to be assessed are:

- All parcels abutting Franklin St., Washington Ave. to Michigan Ave.
- All parcels abutting Nims St from 181' west of Getty St. to Irwin Ave. & Irwin Ave., from Nims St. to 200' east of Wood St.
And
- All parcels abutting Washington, Franklin to Lakeshore Dr.

PLEASE TAKE NOTICE that, due to the observance of Veterans Day on Tuesday, November 11, 2003, a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **Monday, November 10, 2003 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings is to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundering, City Clerk

Publish: **November 1, 2003**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audiotapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundering, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 or TDD (231) 724-6773

APR 29 2003

CITY OF MUSKEGON

Resolution No. 2003-37 (c)

ENGINEERING DEPT.

Resolution At First Hearing Creating Special Assessment District
**For Nims St. from 181' west of Getty St. to Irwin Ave. and Irwin Ave. from Nims St. to 200'
east of Wood St.**

Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **April 22, 2003** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **April 22, 2003**, there were 13.7% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.
2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.
2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.

3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Spataro and Mayor Warmington and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.
4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **24.62%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes 7

Nays 0

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **April 22, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

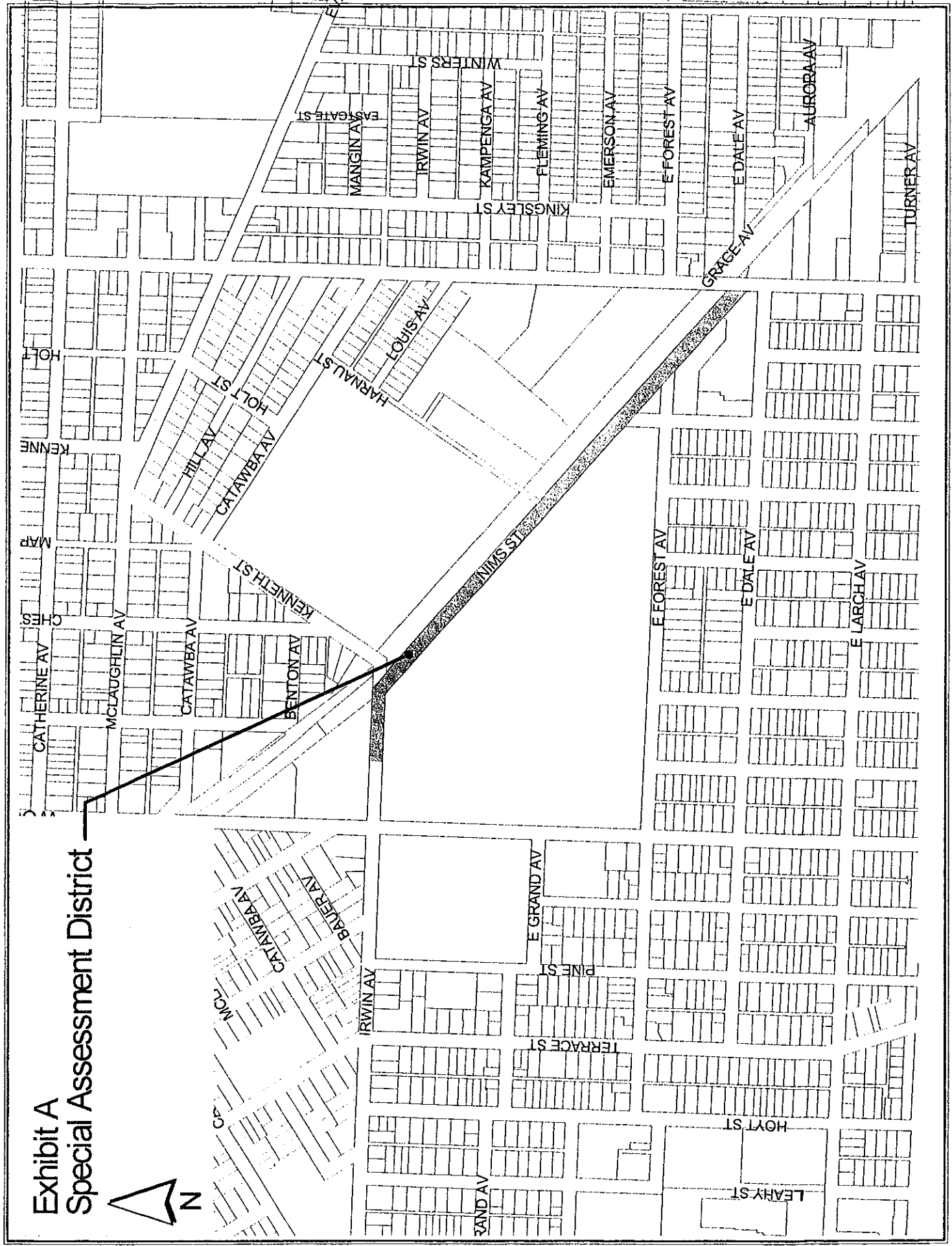
EXHIBIT A

Nims St. Getty to Irwin

SPECIAL ASSESSMENT DISTRICT

- **All properties abutting that section of Nims St. from 181' west of Getty St. to Irwin Ave. and Irwin Ave. from Nims St. to 200' east of Wood St.**

Exhibit A
Special Assessment District



NIMS ST. & IRWIN AVE., WOOD ST. TO GETTY ST.

SPECIAL ASSESSMENT ROLL

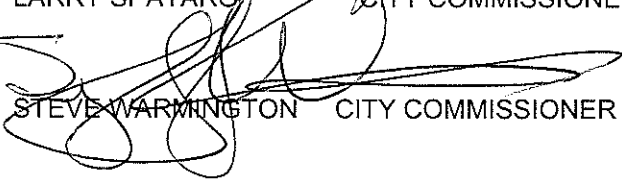
PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
24-129-400-9991-00	764.0	NIMS ST	STATE OF MICHIGAN PO BOX 30735 LANSING MI 48909-8	\$0.00	\$0.00	\$0.00
24-129-400-0001-00	445.0	IRWIN AVE	CITY OF MUSKEGON 933 TERRACE ST MUSKEGON MI 49443	\$58,544.12	\$0.00	\$58,544.12
24-129-400-0002-00	715.0	NIMS ST	CITY OF MUSKEGON 933 TERRACE ST MUSKEGON MI 49443	\$3,065.07	\$0.00	\$3,065.07
24-205-099-0001-10	1649.0	GETTY ST	FLEX-SPACE INC 1657 S GETTY MUSKEGON MI 49442	\$9,493.41	\$0.00	\$9,493.41
24-205-095-0001-65	500.0	IRWIN AVE	CLIFFORD BUCK CO 500 IRWIN AVE MUSKEGON MI 49442	\$2,054.71	\$0.00	\$2,054.71
24-205-096-0001-50	444.0	IRWIN AVE	FESCO ACQUISITION 444 IRWIN AVE MUSKEGON MI 49442	\$5,569.20	\$0.00	\$5,569.20
24-129-400-0001-00	445.0	IRWIN AVE	CITY OF MUSKEGON 933 TERRACE ST MUSKEGON MI 49443	\$6,193.95	\$0.00	\$6,193.95
TOTALS				\$84,920.46	\$0.00	\$84,920.46

PLEASE NOTE: PARCELS SHOWING \$0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS


 CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATION DATE


 LARRY SPATARO, CITY COMMISSIONER DATE


 STEVE WARMINGTON, CITY COMMISSIONER DATE

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1564, NIMS ST. & IRWIN AVE. , WOOD ST. TO GETTY ST.

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 30th of October, 2003

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
30th DAY OF October, 2003.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
MY COMMISSION EXPIRES 9-25-06

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: NOVEMBER 10, 2003

RE: Public Hearing
Spreading of the Special Assessment Roll
Washington St., Franklin to Lakeshore Dr.

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Washington St., Franklin to Lakeshore Dr.**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of \$73,310.13 would be spread against the seventy (70) parcels abutting the project.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To approve the special assessment roll and adopt the attached resolution.

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2003-90(c)

Resolution Confirming Special Assessment Roll

For Washington St., Franklin to Lakeshore Dr.

Properties Assessed: See Exhibit A attached to this resolution.

RECITALS:

1. The City Commission determined to create a special assessment district covering the Properties set forth in Exhibit A attached to this resolution on **March 11, 2003**, at the first hearing.
2. The City has reviewed the special assessment roll which purports to levy a special assessment in the said district, levying on each property a portion of the cost which has been determined to be appropriate, considering the improvements, the benefit to the assessed properties, and the policies of the City.
3. The City Commission has received final bids for the construction and/or installation of the improvements and determines it to be fair and reasonable.
4. The City Commission has heard all objections to the roll filed before or at the hearing.

THEREFORE, BE IT RESOLVED:

1. That the special assessment roll submitted by the Board of Assessors is hereby approved.
2. That the assessments levied may be made in installments as follows: annual installments over ten (10) years. Any assessment that is paid in installments shall carry interest at the rate of five (5) percent per annum to be paid in addition to the principal payments on the special assessment.

RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL

FOR Washington St., Franklin to Lakeshore Dr.

Continued...

3. The Clerk is directed to endorse the certificate of this confirmation resolution and the Mayor may endorse or attach his warrant bearing the date of this resolution which is the date of confirmation.

This resolution passed.

Ayes: Gawron, Larson, Shepherd, Spataro, Warmington,
Schweifler, Carter

Nays: None

City of Muskegon

By Gail A. Kunding
Gail A. Kunding, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **November 10, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

Further, I hereby certify that the special assessment roll referred to in this resolution was confirmed on this date, being **November 10, 2003**.

City of Muskegon

By Gail A. Kunding
Gail A. Kunding, City Clerk

EXHIBIT A

Washington St., Franklin to Lakeshore Dr.

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Washington St., Franklin to Lakeshore Dr.

WASHINGTON ST., FRANKLIN TO LAKESHORE DR.

MAYOR'S ENDORSEMENT AND WARRANT

I, STEPHEN J. WARMINGTON, MAYOR OF THE CITY OF MUSKEGON, HEREBY
ENDORSE THE ABOVE CONFIRMATION RESOLUTION AND HEREBY WARRANT TO
THE CITY TREASURER THIS DATE THAT HE SHALL PROCEED TO COLLECT THE
ASSESSMENTS AT THE TIME AND IN THE MANNER SET FORTH ABOVE.

CITY OF MUSKEGON

BY


STEPHEN J. WARMINGTON

October 30th , 2003

OWNERS NAME
OWNERS ADDRESS
OWNERS CITY, OWNERS STATE OWNERS ZIPCODE 10

Property Parcel Number: 24-XXX-XXX-XXXX-XX at PROPERTY ADDRESS & STREET

NOTICE OF HEARING TO CONFIRM SPECIAL ASSESSMENT ROLL

Dear Property Owner:

The Muskegon City Commission has previously approved the project described below and will now consider final confirmation of the special assessment roll:

H 1559 WASHINGTON, FRANKLIN TO LAKESHORE DR.

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on **MONDAY, NOVEMBER 10TH, 2003 at 5:30 P.M.** You are entitled to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the special assessment. Written appearances or objections must be made at or prior to the hearing.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE THE RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. ALSO, IF THE SPECIAL ASSESSMENT IS CONFIRMED **MONDAY NOVEMBER 10TH, 2003** YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF THE CONFIRMATION TO FILE A WRITTEN APPEAL WITH THE MICHIGAN TAX TRIBUNAL(517-334-6521). HOWEVER, UNLESS YOU PROTEST AT THIS HEARING EITHER IN WRITING OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

Costs

The final projected cost of the street improvement portion of the project is \$163,000.00 of which \$73,310.13 will be paid by special assessment. If the special assessment is confirmed, your property will be assessed \$1657.26 based on 49.5 feet assessable front footage at \$33.48 per assessable foot for the street improvements. In addition, you will be assessed \$0 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of \$1657.26. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years

Interest Rate: 5% per year

First Installment: \$165.73 PER YEAR

Due Date: January 12th, 2003

CDBG Approved You Owe \$0.00

The total assessment may be paid in full any time prior to the due date shown above without interest being charged. After this date, interest will be charged at the rate shown above on the outstanding balance. Assessments also may be paid over a ten year period in ten equal principal installments. If you pay your assessment in installments, your annual installment (including interest) will be included as a separate item on your property tax bill each year. Therefore, if you pay your property taxes through a mortgage escrow agent, you should notify them of this change. Early payments may be made at any time and are encouraged.

PLEASE NOTE THAT IF THE ASSESSMENT IS NOT CONFIRMED AT THE PUBLIC HEARING YOU WILL BE NOTIFIED. IF THE ASSESSMENT IS CONFIRMED, THIS LETTER WILL REPRESENT YOUR INITIAL BILLING IF YOU WISH TO PAY IN FULL PRIOR TO THE DUE DATE AND AVOID INTEREST COSTS. OTHERWISE, YOU WILL AUTOMATICALLY BE BILLED ON AN INSTALLMENT BASIS WITH THE FIRST INSTALLMENT SHOWN ON YOUR NEXT PROPERTY TAX BILL

If you have any specific questions about the work done please call the Engineering Department at 231- 724-6707 before the hearing date.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and Application for Waiver of Special Assesment for financial assistance .

Sincerely,

A handwritten signature in black ink, appearing to read 'Mohammed Al-Shatel', written in a cursive style.

Mohammed Al-Shatel, P.E.
City Engineer

Enclosures

Special Assessment Payment Options

Property owners in the City of Muskegon who are being specially assessed for street, sidewalk or other public improvements may pay their assessment in the following ways:

I. Lump Sum Payment in Full

Assessments may be paid in full within sixty (60) days of the confirmation of the special assessment roll *without interest*.

II. Installment Payments

Assessments not paid within the first sixty (60) days may be paid in installments over several years as follows:

Street and Alley Assessments – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is \$850.00, you will be billed \$85.00 per year plus applicable interest as described below.

Driveway, Sidewalk, and Approach Assessments - Ten (10) years equal annual principal payments plus applicable interest as described below.

Interest – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

III. Special Assessment Deferral (Low Income Seniors and Disabled Persons)

To qualify for a special assessment deferral you or your spouse (if jointly owned) must:

- Be 65 years or older or be totally or permanently disabled.
- Have been a Michigan resident for five (5) years or more and have owned and occupied the homestead being assessed for five (5) years or more.
- Be a citizen of the U.S.
- Have a total household income not in excess of \$16,823.00
- Have a special assessment of \$300.00 or more.

Under this program the State of Michigan will pay the entire balance owing of the special assessment, including delinquent, current, and further installments. At the time of payment a lien will be recorded on your property in favor of the State of Michigan. Repayment to the State must be made at the time the property is sold or transferred or after the death of the owner(s). During the time the special assessment is deferred interest is accrued at the rate of 6.00% per year.

IV. Further Information About the Above Programs

Further information about any of the above payment options may be obtained by calling either the **City Assessor's Office at 724-6708** or the **City Treasurer's Office at 724-6720**. Applications may be obtained at the Muskegon County Equalization Office in the Muskegon County building or City of Muskegon Assessor's Office in City Hall.

V. Additional Special Assessment Payment Assistance

Qualified low and moderate income homeowners who are being assessed may be eligible for payment assistance through the City of Muskegon Community Development Block Grant (CDBG) Program. Assistance from this program will be available to the extent that funds are available. To obtain further information and determine whether you are eligible, contact the **Community and Neighborhood Services Department at 724-6717**.

CITY OF MUSKEGON
STREET H-1559
WASHINGTON, FRANKLIN TO LAKESHORE DR.
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

Name: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Spouse: _____ Birthdate: _____ Social Security # _____ - _____ - _____
Address: _____ Phone: _____ Race: _____
Parcel # _____ Owner/Spouse Legally Handicapped Or Disabled? () Yes () No
(Please refer to your assessment letter for this information)

Number Living in Household: _____ List information for household members besides owner/spouse here.

Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____
Name _____	Birthdate _____	Social Security # _____ - _____ - _____

INCOME INFORMATION

ANNUAL Household Income: \$ _____ Wage earner: _____
(Must include all household income) _____ Wage earner: _____
_____ Wage earner: _____
_____ Wage earner: _____
Total: \$ _____

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract
Homeowner's Insurance Co: _____ **Expiration Date:** _____
Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature: _____ **Date:** _____
By signing this application, the applicant verifies he/she owns and occupies the dwelling. The Applicant/Owner certifies that all information in this application, and all information furnished in support of this application, is true and complete to the best of the Applicant/Owner's knowledge and belief. The property owner's signature will be required prior to the application being processed. **NO APPLICATION WILL BE ACCEPTED AFTER MAY 31, 2003**

FOR OFFICE USE ONLY

APPROVED () DENIED () DATE _____ CENSUS TRACT NO. _____
SIGNATURE _____ TITLE _____
COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

Please see reverse side for instructions on providing proof of income, ownership, and property insurance.

CITY OF MUSKEGON
WASHINGTON, FRANKLIN TO LAKESHORE DR.

REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

Note: You may receive this application several times – If you have already applied, please discard.

Dear Resident:

The City of Muskegon has selected the street abutting your property for repairs. To assist homeowners, who may have difficulty paying the cost of street repairs, the City offers assessment waivers through the Community Development Block Grant (CDBG) Program for eligible households and families. If you meet the CDBG program qualifications, the City may pay the street assessment for you to the extent that funds are available.

Application Requirements:

- ✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2002, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2002

65% MEDIAN HOUSEHOLD INCOME CHART	
FAMILY SIZE	INCOME LIMIT
1	\$27,885
2	31,850
3	35,880
4	39,845
5	43,030
6	46,326
7	49,400
8	52,585
For each extra, add	3,185

- ✓ **Applicants must submit proof that they both own and occupy property at the time of application;** Land Contract purchasers must obtain approval of titleholder prior to receiving assistance. Proof of ownership should be a deed, mortgage, or land contract; proof of occupancy can be a copy of a driver's license or other official document showing both your name and address.
- ✓ **Applicants must submit proof of current property insurance.**

Please complete the first four (4) sections of the application on the reverse side of this notice, and return it, along with supporting documentation, to:

City of Muskegon
Community & Neighborhood Services
933 Terrace Street, 2nd Floor
Muskegon, MI 49440

For further information, please contact this office by calling 724-6717, weekdays from 8:30 a.m. and 5:00 p.m.

The City reserves the right to verify all application information, and to reject any applications that contain falsified information or insufficient documentation.

**CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS**

SPECIAL ASSESSMENT DISTRICTS:

**FRANKLIN ST., WASHINGTON AVE. TO MICHIGAN AVE.
NIMS ST. & IRWIN AVE., WOOD ST. TO GETTY ST.
AND
WASHINGTON, FRANKLIN TO LAKESHORE DR.**

The locations of the special assessment districts and the properties proposed to be assessed are:

- All parcels abutting Franklin St., Washington Ave. to Michigan Ave.
- All parcels abutting Nims St from 181' west of Getty St. to Irwin Ave. & Irwin Ave., from Nims St. to 200' east of Wood St.

And

- **All parcels abutting Washington, Franklin to Lakeshore Dr.**

PLEASE TAKE NOTICE that, due to the observance of Veterans Day on Tuesday, November 11, 2003, a hearing to confirm the special assessment rolls will be held at the City of Muskegon Commission Chambers on **Monday, November 10, 2003 at 5:30 p.m.**

At the time set for the hearing the City Commission will examine and determine whether to approve the special assessment rolls that have been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment rolls are on file and may be examined during regular business hours at the City Engineer's office between 8:00 a.m. and 5:00 p.m. on weekdays, except holidays.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT EITHER IN WRITING OR IN PERSON AT THE HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THIS HEARING OR DID SO AT THE PREVIOUS HEARING ON THIS SPECIAL ASSESSMENT DISTRICT EITHER IN PERSON OR BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

You are further notified that at the first hearings the City Commission determined that the special assessment districts should be created, the improvements made, and the assessments levied. The purpose of these hearings is to hear objections to the assessment rolls and to approve, reject, or correct the said rolls.

Gail A. Kundering, City Clerk

Publish: **November 1, 2003**

ADA POLICY

The City will provide necessary appropriate auxiliary aids and services, for example, signers for the hearing impaired, audiotapes for the visually impaired, etc., for disabled persons who want to attend the meeting, upon twenty-four hours notice to the City. Contact:

Gail A. Kundering, City Clerk
933 Terrace Street, Muskegon, MI 49440
(231) 724-6705 of TDD (231) 724-6773

RECEIVED
CITY OF MUSKEGON

MAR 17 2003

CITY OF MUSKEGON

Resolution No. 2003-24 (d)

ENGINEERING DEPT.

Resolution At First Hearing Creating Special Assessment District

For **Washington St., Franklin to Lakeshore Dr.**

Location and Description of Properties to be Assessed:

See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 11, 2003** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **March 11, 2003**, there were 31.76% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.
2. The City Commission has considered the value of the property to be assessed and the value of the benefit to be received by each property proposed to be assessed in the district after the improvements have been made. The City Commission determines that the assessments of costs of the City project will enhance the value of the properties to be assessed in an amount at least equivalent to the assessment and that the improvement thereby constitutes a benefit to the property.

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.
2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.
3. The City Commission hereby appoints a Board of Assessors consisting of City

Commissioners Gawron and Spataro
and the City Assessor who are hereby directed to prepare an assessment roll.
Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **25.93%** of the cost of the street improvement will be paid by special assessments.
5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Spataro, Warminster, Buie, Gawron, Larson, Schweifler

Nays None

Absent: Shepherd

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 11, 2003**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

EXHIBIT A

Washington St., Franklin to Lakeshore Dr.

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Washington St., Franklin to Lakeshore Dr.

Exhibit A

Special Assessment District



GLADES

POLISKI DR

BEIDLER ST

LYMAN AV

WILSON AV

HANCOCK AV

CROWLEY ST

KINSEY ST

HUDSON ST

WILSON AV

W BARNEY AV

W HACKLEY AV

STEIN ST

DC

YOUNG AV

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

Washington, Franklin to Lakeshore Dr.

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 28th DAY OF FEBRUARY, 2003.

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
14th DAY OF March, 2003.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
MY COMMISSION EXPIRES 9-25-06

WASHINGTON, FRANKLIN TO LAKESHORE DR.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS				PAVING	DR APP / SW	TOTAL
24-205-471-0021-00	1208.0	WASHINGTON	FOREST TRUMAN	1208 WASHINGTON A	MUSKEGON	MI 49441	\$3,820.14	\$92.69	\$3,912.83
24-205-471-0011-00	1196.0	WASHINGTON	KOSCINSKI PAULINE	1196 WASHINGTON A	MUSKEGON	MI 49441	\$1,675.50	\$0.00	\$1,675.50
24-205-471-0011-10	1188.0	WASHINGTON	WRIGHT ANTHONY D	1188 WASHINGTON A	MUSKEGON	MI 49441	\$1,641.99	\$0.00	\$1,641.99
24-205-471-0012-00	1182.0	WASHINGTON	BLOOD RUSSELL L	480 W MAPLEWOOD	MUSKEGON	MI 49444	\$1,658.74	\$354.72	\$2,013.46
24-205-471-0013-00	1174.0	WASHINGTON	LOCKHART MARIE	1174 WASHINGTON A	MUSKEGON	MI 49441	\$3,055.44	\$70.94	\$3,126.38
24-205-471-0015-00	1154.0	WASHINGTON	JAYNE MICHAEL E	1154 WASHINGTON A	MUSKEGON	MI 49441	\$2,408.03	\$69.70	\$2,477.73
24-205-471-0016-00	1148.0	WASHINGTON	FRY NOVA JEANNE	2461 HADDEN ST	MUSKEGON	MI 49441	\$1,340.40	\$70.94	\$1,411.34
24-205-471-0017-00	1142.0	WASHINGTON	SMITH VICKI S	1142 WASHINGTON A	MUSKEGON	MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-471-0018-00	1136.0	WASHINGTON	JDR PROPERTIES LL	PO BOX 145	FRUITPORT	MI 49415	\$1,658.74	\$353.52	\$2,012.26
24-205-471-0019-00	1130.0	WASHINGTON	MARSHALL JOHN A	1405 BARCLAY ST	MUSKEGON	MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-472-0011-10	1110.0	WASHINGTON	CISNEROS ALICE	1110 WASHINGTON A	MUSKEGON	MI 49441	\$2,764.58	\$0.00	\$2,764.58
24-205-472-0013-00	1100.0	WASHINGTON	CITY OF MUSKEGON				\$2,211.66	\$0.00	\$2,211.66
24-205-472-0014-00	1088.0	WASHINGTON	JENSEN RODNEY L	1021 RIPPLE CREEK	HESPERIA	MI 49421	\$1,658.74	\$0.00	\$1,658.74
24-205-472-0015-00	1082.0	WASHINGTON	BURNS PAUL EDWA	1082 WASHINGTON A	MUSKEGON	MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-472-0016-00	1072.0	WASHINGTON	KEETON GEORGE Z	1069 W SOUTHERN A	MUSKEGON	MI 49441-2	\$1,658.74	\$0.00	\$1,658.74
24-205-472-0017-00	1068.0	WASHINGTON	FEDEWA THOMAS R/	4142 FENNER RD	MUSKEGON	MI 49445	\$2,426.12	\$0.00	\$2,426.12
24-205-472-0018-10	1046.0	WASHINGTON	GREER TIMOTHY E	1046 WASHINGTON A	MUSKEGON	MI 49441	\$1,935.20	\$0.00	\$1,935.20
24-205-481-0008-00	1187.0	WASHINGTON	TOURRE VIOLET L	1187 WASHINGTON A	MUSKEGON	MI 49441	\$4,306.04	\$0.00	\$4,306.04

WASHINGTON, FRANKLIN TO LAKESHORE DR.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS			PAVING	DR APP / SW	TOTAL
24-205-481-0007-00	1171.0	WASHINGTON	FERRIS DIANNE M	1171 WASHINGTON A	MUSKEGON MI 49441	\$1,735.82	\$0.00	\$1,735.82
24-205-481-0006-00	1163.0	WASHINGTON	USHER HOWARD J/K	1163 WASHINGTON A	MUSKEGON MI 49441	\$1,735.82	\$0.00	\$1,735.82
24-205-481-0005-00	1157.0	WASHINGTON	HOWARD NANCY L	1157 WASHINGTON A	MUSKEGON MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-481-0004-00	1147.0	WASHINGTON	WESTCOMB ALLEN R	1147 WASHINGTON A	MUSKEGON MI 49441	\$1,658.74	\$561.84	\$2,220.58
24-205-481-0003-00	1143.0	WASHINGTON	BOLT ALLAN L	1143 WASHINGTON A	MUSKEGON MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-481-0002-00	1135.0	WASHINGTON	DEBOEF MARIAN	1135 WASHINGTON A	MUSKEGON MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-481-0001-10	1129.0	WASHINGTON	M THREE LLC	3361 FULTON AVE	MUSKEGON MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-480-0010-00	1442.0	BARCLAY ST	TERRIAN JAMES O	11033 NICHOLS RD	HOLTON MI 49425	\$1,658.74	\$0.00	\$1,658.74
24-205-480-0009-10	1105.0	WASHINGTON	CITY OF MUSKEGON			\$837.75	\$0.00	\$837.75
24-205-480-0009-00	1101.0	WASHINGTON	COLLINS JERRY L/WI	1101 WASHINGTON A	MUSKEGON MI 49441	\$837.75	\$0.00	\$837.75
24-205-480-0008-00	1095.0	WASHINGTON	JDR PROPERTIES LL	PO BOX 145	FRUITPORT MI 49415	\$1,658.74	\$0.00	\$1,658.74
24-205-480-0007-00	1089.0	WASHINGTON	CITY OF MUSKEGON			\$1,658.74	\$0.00	\$1,658.74
24-205-480-0006-00	1083.0	WASHINGTON	STEELE DONALD G/B	1083 WASHINGTON A	MUSKEGON MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-480-0005-00	1075.0	WASHINGTON	FERRARI HUGO J	PO BOX 5405	MUSKEGON MI 49445	\$1,658.74	\$0.00	\$1,658.74
24-205-480-0004-00	1065.0	WASHINGTON	LOWERY JAMES B	1065 WASHINGTON A	MUSKEGON MI 49441	\$1,658.74	\$0.00	\$1,658.74
24-205-480-0001-00	1043.0	WASHINGTON	GOMEZ ANTHONY S	6884 WILDWOOD CT	FRUITPORT MI 49415-0	\$2,985.74	\$0.00	\$2,985.74
24-510-000-0001-00	1249.0	LAKESHORE D	WORKMAN BARBAR	1249 LAKESHORE DR	MUSKEGON MI 49441	\$173.25	\$0.00	\$173.25
24-510-000-0002-00	1249.0	LAKESHORE D	ALEY THELMA M/ALE	1249 LAKESHORE DR	MUSKEGON MI 49441	\$173.25	\$0.00	\$173.25

WASHINGTON, FRANKLIN TO LAKESHORE DR.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
24-510-000-0003-00	1249.0	LAKESHORE D	RADELL BERNICE M 1249 LAKESHORE DR MUSKEGON MI 49441	\$173.25	\$0.00	\$173.25
24-510-000-0004-00	1249.0	LAKESHORE D	AARDEMA TERRY/RU 16 BAMBI LN MUSKEGON MI 49442	\$173.25	\$0.00	\$173.25
24-510-000-0005-00	1249.0	LAKESHORE D	CARLSON TRUST 427 BARBADAS LAKELAND FL 33803-0	\$148.45	\$0.00	\$148.45
24-510-000-0006-00	1249.0	LAKESHORE D	GURN RAY/RUTH/GU 1249 LAKESHORE CT MUSKEGON MI 49441-4	\$148.45	\$0.00	\$148.45
24-510-000-0007-00	1249.0	LAKESHORE D	VELTMAN REVOCAB 1249 LAKESHORE DR MUSKEGON MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0008-00	1249.0	LAKESHORE D	HARTMAN MARY RE 1249 LAKESHORE DR MUSKEGON MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0009-00	1249.0	LAKESHORE D	FOUNTAIN MARY M 1180 W NORTON AVE MUSKEGON MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0010-00	1249.0	LAKESHORE D	HARTMAN MARY RE 1249 LAKESHORE DR MUSKEGON MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0011-00	1249.0	LAKESHORE D	TERBEEK RUTH 1249 LAKESHORE DR MUSKEGON MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0012-00	1249.0	LAKESHORE D	TEMPLE ELAINE 1249 LAKESHORE DR MUSKEGON MI 49441	\$167.21	\$0.00	\$167.21
24-510-000-0013-00	1249.0	LAKESHORE D	BERGMAN THELMA A 1249 LAKESHORE DR MUSKEGON MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0015-00	1249.0	LAKESHORE D	BOTBYL CAROLYN L 1249 LAKESHORE DR MUSKEGON MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0016-00	1249.0	LAKESHORE D	BOSCH DONNA J TR 1249 LAKESHORE DR MUSKEGON MI 49441	\$176.60	\$0.00	\$176.60
24-510-000-0017-00	1249.0	LAKESHORE D	BENHAM FAMILY TR 1249 LAKESHORE DR MUSKEGON MI 49441	\$176.60	\$0.00	\$176.60
24-510-000-0018-00	1249.0	LAKESHORE D	SWEET PHYLLIS TRU 1249 LAKESHORE #22 MUSKEGON MI 49441	\$216.81	\$0.00	\$216.81
24-510-000-0019-00	1249.0	LAKESHORE D	MORRELL MARY E 1249 LAKESHORE DR MUSKEGON MI 49441	\$216.81	\$0.00	\$216.81
24-510-000-0020-00	1249.0	LAKESHORE D	BETKA JANE/MEYERI 1249 LAKESHORE DR MUSKEGON MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0021-00	1249.0	LAKESHORE D	LAMBERT TRUST PO BOX 283 MONTAGUE MI 49437	\$160.85	\$0.00	\$160.85

WASHINGTON, FRANKLIN TO LAKESHORE DR.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS				DR APP		TOTAL
							PAVING	/ SW	
24-510-000-0022-00	1249.0	LAKESHORE D	HILL TYRONE	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0023-00	1249.0	LAKESHORE D	COFFIN JAMES	1066 RANDALL RD	MUSKEGON	MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0024-00	1249.0	LAKESHORE D	BRANSTROM R D	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0025-00	1249.0	LAKESHORE D	DEMPSEY ALYCE	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$167.21	\$0.00	\$167.21
24-510-000-0026-00	1249.0	LAKESHORE D	MARCEAU DOROTHY	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0028-00	1249.0	LAKESHORE D	SPOELMAN AMANDA	1249 LAKESHORE DR	MUSKEGON	MI 49441-0	\$139.40	\$0.00	\$139.40
24-510-000-0029-00	1249.0	LAKESHORE D	HILT GEORGE E LIVI	750 OCEAN ROYALE	JUNO BEACH	FL 33408	\$328.06	\$0.00	\$328.06
24-510-000-0030-00	1249.0	LAKESHORE D	WHITTAKER HAZEL T	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$216.81	\$0.00	\$216.81
24-510-000-0031-00	1249.0	LAKESHORE D	OSBORN ROY/RUTH	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$377.66	\$0.00	\$377.66
24-510-000-0032-00	1249.0	LAKESHORE D	SODERSTROM MARJ	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0034-00	1249.0	LAKESHORE D	WASSERMAN CHRIS	9200 WOODLAND DR	ONEKAMA	MI 49675	\$139.40	\$0.00	\$139.40
24-510-000-0035-00	1249.0	LAKESHORE D	SCHUITEMAN REBEC	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$139.40	\$0.00	\$139.40
24-510-000-0036-00	1249.0	LAKESHORE D	MCKINLEY PATRICIA	507 CITADEL CIRCLE	WESTMONT	IL 60559	\$139.40	\$0.00	\$139.40
24-510-000-0037-00	1249.0	LAKESHORE D	VANREES LEON/KAY	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$167.21	\$0.00	\$167.21
24-510-000-0038-00	1249.0	LAKESHORE D	WINSEMIUS RUSSEL	1249 LAKESHORE DR	MUSKEGON	MI 49441	\$160.85	\$0.00	\$160.85
24-510-000-0040-00	1249.0	LAKESHORE D	ABBOTT J/VANDERW	2704 GEORGETOWN	MIDLAND	MI 48642	\$139.40	\$0.00	\$139.40

H 1559

HEARING DATE NOVEMBER 10, 2003

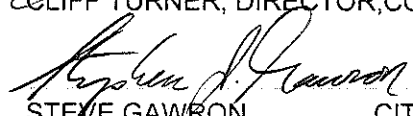
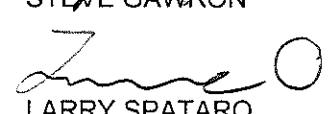
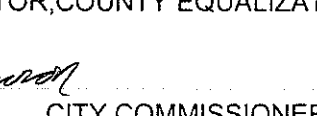
WASHINGTON, FRANKLIN TO LAKESHORE DR.

SPECIAL ASSESSMENT ROLL

PARCEL	@	OWNER	MAILING ADDRESS	PAVING	DR APP / SW	TOTAL
TOTALS				\$71,735.78	\$1,574.35	<u>\$73,310.13</u>

PLEASE NOTE: PARCELS SHOWING \$0.00 IN THE TOTAL COLUMN ARE EXEMPT

BOARD OF ASSESSORS

					11/21/03	10-19-03	10-17-03
CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATION	STEVE GAWRON	LARRY SPATARO	CITY COMMISSIONER	CITY COMMISSIONER	DATE	DATE	DATE

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CONFIRM THE SPECIAL ASSESSMENT DISTRICT FOR :

H-1559, WASHINGTON, FRANKLIN TO LAKESHORE DR.

THE DEPONENT SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 30th of October, 2003

Gail A. Kunderger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
30th DAY OF October, 2003.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
MY COMMISSION EXPIRES 9-25-06

Commission Meeting Date: October 28, 2003

Date: October 21, 2003
To: Honorable Mayor & City Commission
From: Planning & Economic Development Department
**RE: Request to Withdraw Reverter Language from
Deed for Property at 407 W. Webster**

SUMMARY OF REQUEST: The attorney for Thomas Russo, who purchased 407 W. Webster from the City, is requesting that the City withdraw the reverter language contained in the Purchase Agreement, dated February 16, 1998. The reverter language was included in Section 8 of the Purchase Agreement, and required that the purchaser make improvements to the premises within 18 months, that the owner or subsequent owners occupy the premises as owner-occupants for a period of at least 10 years, and that if the property is used as a rental property during the 10 year period, the City has the right to quit claim deed the property from the Buyer. The attorney for Mr. Russo is requesting that the "City release the Russo's and the Russos' perspective successors in interest from the effects of the reverter language" (see attached letter). Apparently, the Russo's are in the process of selling the property, and they are being told by the perspective purchasers that they are unable to obtain mortgage financing with the reverter language present. Staff recommends that the reverter language be kept as it is. The City has included reverter language in the sale of it's properties for several years, and has not had a problem with other properties. In addition, the specific area where 407 W. Webster is located is one where the City has sold several properties, with the express intent that they be owner-occupied. It would be a disservice to the other property owners to change this condition at this time.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To deny the request from Mr. Russo's attorney to change the reverter clause language on their deed/purchase agreement and release the Russos and their perspective successors in the interest from the effects of the reverter language. Staff is willing, however, to meet with any financial institution to explain our program for infill, and the reasons for the reverter clause (and staff has informed Mr. Russo and his attorney of this offer).

AGENDA ITEM NO. _____

CITY COMMISSION MEETING 11/10/03

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: November 5, 2003

RE: MDEQ/Army Corps of Engineers Permits for the Ferry Project

SUMMARY OF REQUEST:

To authorize staff to apply for permits on behalf of the City for the cross-lake ferry project.

FINANCIAL IMPACT:

Minimal application fees.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the request.

COMMITTEE RECOMMENDATION:

None.



1920 Lakeshore Drive • Muskegon, Michigan 49441
Telephone (231) 759-8230 • Fax (231) 755-6437

November 4, 2003

City of Muskegon
Department of Leisure Services
993 Terrace Street
Muskegon, MI 49441

RE: Letter of Authorization

Attn: Mr. Bryon Mazade
City Manager

Dear Mr. Mazade:

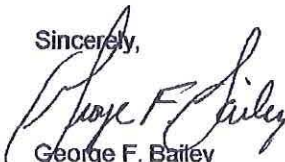
Great Lakes Marina & Storage, L.L.C. does hereby authorize the City of Muskegon to be listed as the "applicant" for the required Joint Permit Application process to the U.S. Army Corps of Engineers (USACE) and the Michigan Department of Environmental Quality (MDEQ).

Great Lakes Dock & Materials, L.L.C. will be listed as the "agent" and will be responsible for the drafting and submittal of the required permit applications.

This letter of authorization shall be valid for the "Proposed Ferry Dock in Lakeside" and shall not cover any other permitted activities.

Please call if you have any questions or require any additional information.

Sincerely,



George F. Bailey
Member

JGB/gfb

RECEIVED

NOV 4 2003

MUSKEGON
CITY MANAGER'S OFFICE

Date: November 10, 2003
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Liquor License Request
1934 Peck

SUMMARY OF REQUEST: The Liquor Control Commission seeks local recommendation on a request from Sherm's Saloon, Inc., 1934 Peck to transfer ownership of the 2003 Class C-SDM licensed business from Griff's, Inc.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: All departments are recommending approval.

Muskegon Police Department

Anthony L. Kleibecker

Chief of Police



980 Jefferson Street P.O. Box 536 Muskegon Michigan 49443-0536
(231) 724-6750 (231) 722-5140 fax
www.muskegonpolice.com

October 31, 2003

To: City Commission through the City Manager

From: *A. L. Kleibecker*
Anthony L. Kleibecker, Chief of Police

Re: Liquor License Transfer - 1934 Peck Street

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation of applicant Richard E. Denhof, stockholder in the proposed Sherm's Saloon Inc. at 1934 Peck St. in Muskegon.

Mr. Denhof is requesting to transfer ownership of 2003 Class C-SDM licensed business from Griffs, Inc. Mr. Denhof has had no experience in owning an alcohol service establishment but has been made aware of the Muskegon Police Department's position on enforcing local alcohol laws and ordinances.

A check of Muskegon Police Department records and a criminal history show no reason to deny this request.

ALK/dl

To: Chief Tony Kleibecker

From: Det. Kurt Dykman

Date: 10-30-03

Re: Liquor License Transfer

Chief Kleibecker,

The Muskegon Police Department has received a request from the Michigan Liquor Control Commission for an investigation from applicant Richard E. Denhof, Stockholder in proposed Sherm's Saloon, Inc., 1934 Peck St., Muskegon, MI. 49441.

Richard Denhof is requesting to transfer ownership of 2003 Class C-SDM licensed business from Griff's, Inc. Mr. Denhof has had no experience of owning an alcohol service establishment but has been made aware of the Muskegon Police Departments position on enforcing local alcohol laws and ordinances.

A check of MPD records and Criminal History showed no reason to deny this request.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'K. Dykman', with a horizontal line extending to the right.

Det. Kurt Dykman

data/common/Denhof

POLICE INSPECTION REPORT ON LICENSE OR LICENSE REQUEST

Req ID # 229993

(Authorized by MCL 436.1217)

Michigan Department of Consumer & Industry Services

MICHIGAN LIQUOR CONTROL COMMISSION

7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

KAT 10-28-03

**Important: Please conduct your investigation as soon as possible and complete all four sections of this report.
Return the completed report and fingerprint cards to the Commission.**

BUSINESS NAME AND ADDRESS: (include zip code)

SHERM'S SALOON, INC., 1934 PECK, MUSKEGON, MI 49441, MUSKEGON COUNTY

REQUEST FOR:

REQUEST TO TRANSFER OWNERSHIP OF 2003 CLASS C-SDM LICENSED BUSINESS FROM
GRIFF'S, INC.

Section 1. APPLICANT INFORMATION	
APPLICANT #1: RICHARD E. DENHOF – STOCKHOLDER	APPLICANT #2:
HOME ADDRESS AND AREA CODE/PHONE NUMBER: 1641 ELWOOD MUSKEGON, MI 49441 H(231)722-2670/B(231)726-2670	HOME ADDRESS AND AREA CODE/PHONE NUMBER:
DATE OF BIRTH: 2-1-48 If the applicant is not a U.S. Citizen: ☐ Does the applicant have permanent Resident Alien status? ☐ Yes ☐ No ☐ Does the applicant have a Visa? Enter status: Date fingerprinted:	DATE OF BIRTH: If the applicant is not a U.S. Citizen: ☐ Does the applicant have permanent Resident Alien status? ☐ Yes ☐ No ☐ Does the applicant have a Visa? Enter status: Date fingerprinted:
Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission.	
ARREST RECORD: ☐ Felony ☐ Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)	ARREST RECORD: ☐ Felony ☐ Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. Investigation of Business and Address to be Licensed
Does applicant intend to have dancing or entertainment? ☒ No ☐ Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment Permit
Are gas pumps on the premises or directly adjacent? ☒ No ☐ Yes, explain relationship:

Section 3. Local and State Codes and Ordinances, and General Recommendations
Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? ☒ Yes ☐ No
If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. Recommendation
From your investigation:
1. Is this applicant qualified to conduct this business if licensed? ☒ Yes ☐ No
2. Is the proposed location satisfactory for this business? ☒ Yes ☐ No
3. Should the Commission grant this request? ☒ Yes ☐ No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

A. L. Schleimer
Signature (Sheriff or Chief of Police)

10-31-03
Date

MUSKEGON POLICE DEPARTMENT

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, MI 48909-7505

KAR
10-28-03

LOCAL APPROVAL NOTICE

(Authorized by MCL 436.1501(2) and MAC 1105(2)(d))

Req ID: 229993

Date: September 30, 2003

To: MUSKEGON CITY COMMISSION
933 TERRACE STREET
PO BOX 536
MUSKEGON, MI 49443-0536

Applicant: SHERM'S SALOON, INC.

Home Address And Phone No:

RICHARD E. DENHOF, 1641 ELWOOD, MUSKEGON, MI 49441 H(231)722-2670/B(231)726-2670

Local Legislative approval is required for new and transferring On-Premises licenses by MCL 436. 1501 of the Michigan Liquor Control Code of 1998. Local approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT OR TOPLESS ACTIVITY permits by authority of MCL 436.1916.

For your convenience a resolution form is enclosed that includes a description of the licensing transaction requiring approval. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the Liquor Control Commission as soon as possible.**

If you have any questions, please contact the On-Premise Section of the Licensing Division as (517) -322-1400.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

sfs

Michigan Department of Consumer & Industry Services
LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

KAR
10-28-03

POLICE INVESTIGATION REQUEST
[Authorized by MCL 436.1201(4)]

To: MUSKEGON POLICE DEPARTMENT
CHIEF OF POLICE
980 JEFFERSON STREET, PO BOX 536
MUSKEGON, MI 49443-0536

Date: September 30, 2003
REF#: 229993

Chief Law Enforcement Officer

Applicant:

SHERM'S SALOON, INC. REQUESTS TO TRANSFER OWNERSHIP OF 2003 CLASS C-SDM
LICENSED BUSINESS, LOCATED AT 1934 PECK, MUSKEGON, MI 49441, MUSKEGON COUNTY,
FROM GRIFF'S, INC.

Please make an investigation of the application. If you do not believe that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report and recommendations of the applicant to the Licensing Division.

Please include fingerprint cards and \$30.00 for each card, and mail to the Michigan Liquor Control Commission.

If you have any questions, contact the Licensing Division at (517) 322-1400, after 10:00 a.m.

LC-1972 Rev. 9/17
4880-1658

sfs

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT DATE LINE AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

INTERNATIONAL MONEY ORDER



TravelersExpressMoneyGram



349 5538 882

TRAVELERS EXPRESS COMPANY INC. - DRAWER
P.O. BOX 9476, MINNEAPOLIS, MN 55480

DATE 10-29-03

75-53
919

PAY
TO THE
ORDER OF

City of Muskegon

=NOT VALID FOR OVER ONE THOUSAND U.S. DOLLARS=

AMOUNT

\$250.00

DOLLARS

PURCHASER, SIGNER FOR DRAWER

Payable thru
WF National Bank
South Central
Fairbault, MN

SIGNATURE

Richard Outb

ADDRESS

1641 E. Luwood

BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE.

⑆091900533⑆349 55388828⑆ 90

10-28-03

LIQUOR LICENSE REVIEW FORM

Business Name: Griff's Inc.

AKA Business Name (if applicable): Sherm's Saloon, Inc.

Operator/Manager's Name: Richard Denhof

Business Address: 1934 Peck
Muskegon, MI

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☒ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Compliance ☐ Remaining Defects _____
Services _____

Department Signature Denner D. H.

Gail A. Kundering, City Clerk
Liquor License Coordinator

10-28-03

LIQUOR LICENSE REVIEW FORM

Business Name: Griff's Inc.

AKA Business Name (if applicable): Sherm's Saloon, Inc.

Operator/Manager's Name: Richard Denhof

Business Address: 1934 Peck
Muskegon, MI

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☒ Amount: 261.56 - water bill

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature [Signature] 10/28/03

Gail A. Kundering, City Clerk
Liquor License Coordinator

10-28-03

RECEIVED

LIQUOR LICENSE REVIEW FORM

OCT 29 2003

CITY OF MUSKEGON
PLANNING DEPARTMENT

Business Name: Griff's Inc.

AKA Business Name (if applicable): Sherm's Saloon, Inc.

Operator/Manager's Name: Richard Denhof

Business Address: 1934 Peck
Muskegon, MI

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☒ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☐ Remaining Defects _____

Department Signature Mike Cunen

Gail A. Kunder, City Clerk
Liquor License Coordinator

10-28-03

LIQUOR LICENSE REVIEW FORM

Business Name: Griff's Inc.

AKA Business Name (if applicable): Sherm's Saloon, Inc.

Operator/Manager's Name: Richard Denhof

Business Address: 1934 Peck
Muskegon, MI

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☒ Remaining Defects _____

Department Signature [Signature] 10-31-03

Gail A. Kunder, City Clerk
Liquor License Coordinator

10-28-03

LIQUOR LICENSE REVIEW FORM

Business Name: Griff's Inc.

AKA Business Name (if applicable): Sherm's Saloon, Inc.

Operator/Manager's Name: Richard Denhof

Business Address: 1934 Peck
Muskegon, MI

Reason for Review:

New License ☐ Transfer of Ownership ☒ Dance Permit ☐

Drop/Add Name on License ☐ Transfer Location ☐

Drop/Add Stockholder Name ☐ New Entertainment Permit ☐

Other _____

Deadline for receipt of all information: _____

Police Department Approved ☐ Denied ☐ No Action Needed ☐

Income Tax Approved ☐ Owing ☐ Amount: _____

Treasurer Approved ☐ Owing ☐ Amount: _____

Zoning Approved ☐ Denied ☐ Pending ZBA ☐

Clerk's Approved ☐ Owing ☐ Amount: _____

Fire/Inspection Services Compliance ☒ Remaining Defects _____

Department Signature 

Gail A. Kunder, City Clerk
Liquor License Coordinator

Affirmative Action
616/724-6703
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-4055

Clerk
616/724-6705
FAX/724-4178

Comm. & Neigh.
Services
616/724-6717
FAX/726-2501

Engineering
616/724-6707
FAX/727-6904

Finance
616/724-6713
FAX/724-6768

Fire Dept.
616/724-6792
FAX/724-6985

Income Tax
616/724-6770
FAX/724-6768

Info. Systems
616/724-6706
FAX/722-4301

Leisure Service
616/724-6704
FAX/724-1196

Manager's Office
616/724-6724
FAX/722-1214

Mayor's Office
616/724-6701
FAX/722-1214

Neigh. & Const.
Services
616/724-6715
FAX/726-2501

Planning/Zoning
616/724-6702
FAX/724-6790

Police Dept.
616/724-6750
FAX/722-5140

Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

Water Billing Dept.
616/724-6718
FAX/724-6768

Water Filtration
616/724-4106
FAX/755-5290



November 12, 2003

Liquor Control Commission
7150 Harris
PO Box 30005
Lansing, MI 48909-7505

REF: #229993
1934 Peck
Muskegon, MI 49441

To Whom It May Concern:

Enclosed is the Resolution, LC-1800, and print card for 1934 Peck Street.

Please do not hesitate to call me at (231) 724-6705 if you have any questions.

Sincerely,

Linda Potter

Linda Potter
Deputy Clerk

Enc.

City of Muskegon, 933 Terrace Street, P.O. Box 536, Muskegon, MI 49443-0536

COMPLETE THIS SECTION ON DELIVERY

U.S. Postal Service
CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the back of the card so that we can return the card to you.
- Attach this card to the back of the mail or on the front if space permits.

1. Article Addressed to:

Liquor Control Commission
7150 Harris
P.O. Box 30005
Lansing, MI 48909-7505

Postage

Certified Fee

Return Receipt Fee
(Endorsement Required)

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

Postmark
Here

Recipient's Name (Please Print Clearly) (To be completed by mailer)

Street, Apt. No., or PO Box No.

City, State, ZIP+4

PS Form 3811, July 1999

2. Article Number (Copy from service label)

7000 0520 0

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LIQUOR CONTROL COMMISSION

RESOLUTION

2003-92(b)

At a Regular meeting of the City Commission
(Regular or Special) (Township Board, City or Village Council)

called to order by Mayor Warmington on November 10, 2003 at 5:30 P.M.

The following resolution was offered:

Moved by Commissioner Larson and supported by Commissioner Spataro

That the request from SHERM'S SALOON, INC. TO TRANSFER OWNERSHIP OF 2003 CLASS C LICENSED BUSINESS, LOCATED AT 1934 PECK, MUSKEGON, MI 49441, MUSKEGON COUNTY, FROM GRIFF'S, INC.

be considered for Approval
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: 6

Yeas: _____

Nays: 0

Nays: _____

Absent: 0

Absent: _____

Abstain: 1

It is the consensus of this legislative body that the application be:

Recommended for issuance
(Recommended or not Recommended)

State of Michigan _____)

§

County of Muskegon _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the City Commission at a Regular
(Township Board, City or Village Council) (Regular or Special)

meeting held on 11-10-03
(Date)

SEAL

(Signed) Gail A. Kunderinger
(Township, City or Village Clerk)

Gail A. Kunderinger, MMC
933 Terrace

(Mailing address of Township, City or Village)
Muskegon, MI 49440