

CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 24, 2000

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- **CALL MEETING TO ORDER:**
- **PRAYER:**
- **PLEDGE OF ALLEGIANCE:**
- **ROLL CALL:**
- **PRESENTATION:** MML Award (Skatepark)
- **HONORS AND AWARDS:** MML Certification – Level Two Leadership Award to Clara Shepherd.
- **CONSENT AGENDA:** Items listed under the Consent Agenda have been considered to be routine in nature and will be enacted in one motion. No separate discussion will be held on these items. If discussion of an item is required, it will be removed from the Consent Agenda and be considered separately.
 - a. Approval of Minutes. CITY CLERK
 - b. Gypsy Moth Contract. LEISURE SERVICES
 - c. Sale of Vacant Buildable Lots in Marquette. PLANNING & ECONOMIC DEVELOPMENT
 - d. Alley Vacation in Block 643. PLANNING & ECONOMIC DEVELOPMENT
 - e. FIRST READING - Zoning Ordinance Amendment for Home Occupation Signs. PLANNING & ECONOMIC DEVELOPMENT
 - f. Approval for Proposal, CMI Waterfront Development Grant Administration. PLANNING & ECONOMIC DEVELOPMENT
 - g. Public Service Building Exhaust Hose Reel Installation. PUBLIC WORKS
 - h. Concurrence with Housing Board of Appeals Finding of Fact and Order for 1714 Beidler (garage). INSPECTION SERVICES
 - i. Concurrence with Housing Board of Appeals Finding of Fact and Order for 673 Isabella. INSPECTION SERVICES
 - j. Sale of Non Buildable Lot in Jackson Hill. PLANNING & ECONOMIC DEVELOPMENT
 - k. Sale of Non Buildable Lot in Angell Neighborhood. PLANNING & ECONOMIC DEVELOPMENT

❑ **PUBLIC HEARINGS:**

- a. Spreading the Special Assessment Roll on: Nevada, Laketon to Young. ENGINEERING
- b. Spreading the Special Assessment Roll on: Access Highway, Getty Street to Lupee Access Road Easement. ENGINEERING
- c. Spreading the Special Assessment Roll on: Forest Avenue, Barclay to Franklin. ENGINEERING

❑ **COMMUNICATIONS:**

❑ **CITY MANAGER'S REPORT:**

❑ **UNFINISHED BUSINESS:**

❑ **NEW BUSINESS:**

- a. Beverage Money. LEISURE SERVICES
- b. Lakeshore Trail Phase III bids. LEISURE SERVICES
- c. Acceptance of Housing Stock Review (HSR) Report. INSPECTION SERVICES
- d. Donation Check Off for 2000 Individual Income Tax Return Forms. INCOME TAX
- e. Concurrence with the Housing Board of Appeals Finding of Facts and Order for the following:

- 1) 1121 Peck Street
- 2) 1129 Peck Street
- 3) 1096 Third Street

❑ **ANY OTHER BUSINESS:**

❑ **PUBLIC PARTICIPATION:**

- *Reminder: Individuals who would like to address the City Commission shall do the following:*
- Be recognized by the Chair.
- Step forward to the microphone.
- State name and address.
- Limit of 3 minutes to address the Commission.
- (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

❑ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT GAIL A. KUNDINGER, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TDD: (231) 724-4172.

Date: October 24, 2000
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 Commission Worksession that was held on Monday, October 9, 2000; and the Regular Commission Meeting that was held on Tuesday, October 10, 2000.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

OCTOBER 24, 2000

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 5:30 p.m., Tuesday, October 24, 2000.

Mayor Nielsen opened the meeting by introducing Bishop Sanders of the Zion Tabernacle Apostolic Church. Bishop Sanders offered the prayer after which members of the City Commission and the members of the Public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Fred J. Nielsen; Vice Mayor Scott Sieradzki; Commissioners John Aslakson, Jone Wortelboer Benedict, Clara Shepherd and Lawrence Spataro
Excused: Commissioner Robert Schweifler
Absent: None

PRESENTATION:

Mayor Nielsen presented an award to Ric Scott, Director of Leisure Services, Chris Jensen and Heather Sandberg from the Michigan Municipal League for the Skate Park at Seyferth Park.

HONORS AND AWARDS:

Mayor Nielsen presented an award to Clara Shepherd for completion of the second level of the Michigan Municipal League Leadership Award.

2000-101 **CONSENT AGENDA:** Items listed under the Consent Agenda have been considered to be routine in nature and will be enacted in one motion. No separate discussion will be held on these items. If discussion of an item is required, it will be removed from the Consent Agenda and be considered separately.

a. Approval of Minutes.

CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Commission Worksession that was held on Monday, October 9, 2000; and the Regular Commission Meeting that was held on Tuesday October 10, 2000.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

b. Gypsy Moth Contract.

LEISURE SERVICES

SUMMARY OF REQUEST: To authorize the Mayor and Clerk to sign a contract with Muskegon County to manage the gypsy moth suppression program.

FINANCIAL IMPACT: Unknown, depends on the area within the city to be sprayed.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve

d. Alley Vacation in Block 643.

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request for vacation of the west 91 feet of the currently existing alley in Block 643 (bounded by Morton Ave., Miner St., Denmark Ave. and McCracken St.). The request also includes relocation of an existing access way through the parking lot of the Lakeside Baptist Church in order to retain access to the alley and not create a "dead-end" alley situation.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends vacation of the west 91' of the alley as described above, of the proposed alley with the conditions listed on the resolution. The Planning Commission recommended vacation of the west 91', as described above, of the proposed alley with the conditions listed on the resolution. The vote was unanimous.

e. FIRST READING - Zoning Ordinance Amendment for Home Occupation Signs.

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to amend Sections 400, 600 and 700 (Principal Uses Permitted) of Articles IV (R-1, Single Family Residential), VI (RT, Two-Family Residential) and VII (RM-1, Low-Density Multiple-Family Residential) of the Zoning Ordinance to amend the language regarding signage restrictions for home occupation uses. This amendment is intended to correct an existing inconsistency in the Zoning Ordinance.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Staff recommends amendment of the Zoning Ordinance to include the revised language in the sections described above. The Planning Commission

recommended approval of the request at their October 11, 2000 meeting. The vote was unanimous.

g. Public Service Building Exhaust Hose Reel Installation.

PUBLIC WORKS

SUMMARY OF REQUEST: This project is to install 4 hose reels on the exhaust system in the Mechanic's Garage. These would be used to remove exhaust emissions from the work area.

FINANCIAL IMPACT: East Muskegon Roofing and Sheet Metal Co. submitted the low bid of \$10,946.00.

BUDGET ACTION REQUIRED: None. This project is included in the funded Year 2000 capital improvements for the Public Service Building.

STAFF RECOMMENDATION: Staff recommends that the quote of \$10,946.00 from East Muskegon Roofing and Sheet Metal Co. be accepted.

j. Sale of Non Buildable Lot in Jackson Hill.

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of the vacant non-buildable lot designated as map #24-31-21-131-007 to Calvin Melton of 309 Yuba Street. Approval of this sale will allow Mr. Melton to expand his backyard. The subject parcel is being offered to Mr. Melton for \$100. There is no other adjacent property owner.

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 said resolution.

Motion by Commissioner Aslakson, second by Commissioner Spataro to approve the Consent Agenda with the amended minutes with the exception of items (c), (f), (h), (i) and (k).

ROLL VOTE: Ayes: Sieradzki, Spataro, Aslakson, Benedict, Shepherd

Nays: None

ADOPTED

2000-102 ITEMS REMOVED FROM CONSENT:

c. Sale of Vacant Buildable Lots in Marquette.

PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of the vacant buildable lot designated as map number 24-31-21-129-006 to Mr. Stanley & Mrs. Lydia Burns of 1245 Drexel Court, Grand Rapids. The subject lot has approximately 141 feet of frontage and is being offered to the Burns for \$2,500. The Burns plan to use the land for the construction of a single-family home.

The appraised value of the lot is \$2,500 and the Burns submitted the only bid of \$2,500.

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 said resolution.

Motion by Commissioner Aslakson, second by Commissioner Shepherd to approve the sale of the buildable lot to Mr. Stanley and Mrs. Lydia Burns.

**ROLL VOTE: Ayes: Aslakson, Benedict, Nielsen, Shepherd, Sieradzki, Spataro
Nays: None**

ADOPTED

f. Approval for Proposal, CMI Waterfront Development Grant Administration.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the "Proposal for Project Grant Administration, Muskegon CMI Waterfront Development Grant" between Couture Environmental Strategies LLC and the City of Muskegon. Ms. Couture assisted with the CMI Waterfront Development Grant submittals, and has continued to assist the City with grant contract negotiations, necessary development agreements, etc. It was anticipated that she would continue to assist with the grant administration, once the City's grant agreement was approved and signed (which it has been). This process will be similar to the process currently used for the Site Assessment Grant and the Site Reclamation Grant.

FINANCIAL IMPACT: Costs for these services will not exceed \$27,200, unless specifically authorized by the City and the Michigan Department of Environmental Quality. The costs will be financed through the CMI Grant. This budget is based on project duration of two years.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the proposal and authorize the Mayor to sign the contract.

Motion by Commissioner Spataro, second by Commissioner Aslakson to approve the Proposal or Project Grant Administration, Muskegon CMI Waterfront Development Grant between Couture Environmental Strategies LLC and the City of Muskegon.

**ROLL VOTE: Ayes: Nielsen, Shepherd, Sieradzki, Spataro, Aslakson
Nays: Benedict**

ADOPTED

h. Concurrence with Housing Board of Appeals Finding of Fact and Order for 1714 Beidler (garage).

INSPECTION SERVICES

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at 1714 Beidler (Garage) is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of the demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: This garage is located on the property of 1714 Beidler, a two-unit rental home located on Beidler near Laketon. The Owner is Linda Johnson. A dangerous building inspection was conducted on May 10, 2000. A notice and order was sent on May 12, 2000. On May 18, 2000 the owner contacted the inspection department and asked for 30 more days to complete repairs to the garage. Time was granted and the repairs were not completed by July 12, 2000 and the case was heard before the Housing Board of Appeals on August 17, 2000 where the Board condemned the garage.

Estimated cost to repair is \$5,000.00.

Motion by Commissioner Aslakson, second by Commissioner Spataro to concur with the Housing Board of Appeals that the structure be demolished within thirty days.

ROLL VOTE: Ayes: Spataro, Aslakson, Benedict, Nielsen, Shepherd
Nays: Sieradzki

ADOPTED

i. Concurrence with Housing Board of Appeals Finding of Fact and Order for 673 Isabella.

INSPECTION SERVICES

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at 673 Isabella is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of the demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: This one (1) unit vacant rental home is located on Isabella near Kenneth St. The owner is David Poppe. The property was heavily damaged by fire in 1997. A dangerous building inspection was conducted on May 8, 2000. A notice and order was sent on May 11, 2000. On May 16, 2000 the owner contacted the Inspections Department.

ment and asked for 30 more days to complete the repairs to the garage. Time was not granted. The case was heard before the Housing board of Appeals on August 17, 2000 where the Board condemned the garage.

Estimated cost to repair is \$20,000.00.

Motion by Commissioner Spataro, second by Commissioner Aslakson to concur with the HBA but allow Mr. Grabinski to delay bidding out the demolition for 45 days to allow Mr. Poppe to secure financing, if financing is not in place at the end of 45 days and construction has not commenced, the house will be demolished.

**ROLL VOTE: Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen
Nays: Shepherd**

ADOPTED

k. Sale of Non Buildable Lot in Angell Neighborhood.
PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of the vacant non-buildable lot designated as map #24-31-20-382-021 to Floyd Cook of 223 Amity Street. Mr. Cook also owns the lot on the corner of Amity and Jay Streets. Acquisition of the subject lot will allow him better access to the corner in terms of maintenance. The front half of the subject lot is in the tax reversion process and Mr. Cook has made arrangements with the DNR to purchase the aforementioned lot once it becomes available. Currently Mr. Cook's lot at 223 Amity has 66 feet of frontage. The subject parcel is being offered to Mr. Cook for \$100. There is no other adjacent property owner.

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 said resolution. This sale was recommended by the Land Reutilization Committee at their January 18, 2000 meeting.

Motion by Commissioner Benedict, second by Vice Mayor Sieradzki to approve the sale of the non-buildable lot to Floyd Cook.

**ROLL VOTE: Ayes: Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen
Nays: None**

ADOPTED

2000-103 PUBLIC HEARINGS:

a. Spreading the Special Assessment Roll on: Nevada, Laketon to Young.
ENGINEERING

SUMMARY OF REQUEST: To hold a Public Hearing on the spreading of the special assessment for Nevada, Laketon to Young, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of \$13,363.82 will be spread against the forty-three (43) 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 6:37 p.m. to hear and consider any comments from the public. Mohammed Al-Shatel, City Engineer gave an overview. No comments were heard.

Motion by Commissioner Spataro, second by Commissioner Shepherd to close the Public Hearing at 6:38 p.m. and to approve the spreading of the special assessment for Nevada, Laketon to Young and to adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Nielsen, Shepherd, Sieradzki, Spataro, Aslakson, Benedict

Nays: None

ADOTPED

b. Spreading the Special Assessment Roll on: Access Highway, Getty Street to Lupee Access Road Easement.

ENGINEERING

SUMMARY OF REQUEST: To hold a Public Hearing on the spreading of the special assessment for Access Highway, Getty Street to Lupee Access Road Easement, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of \$19,333.34 will be spread against the five (5) 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 6:39 p.m. to hear and consider any comments from the public. No comments were heard.

Motion by Commissioner Spataro, second by Commissioner Shepherd to close the public hearing at 6:40 p.m. and to approve the spreading of the special assessment for Access Highway, Getty to Lupee Access Road and to adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen

Nays: None

ADOPTED

c. Spreading the Special Assessment Roll on: Forest Avenue, Barclay to Franklin.

ENGINEERING

SUMMARY OF REQUEST: To hold a Public Hearing on the spreading of the special assessment for Forest, Barclay to Franklin, and to adopt the resolution confirming the special assessment roll.

FINANCIAL IMPACT: A total of \$8,412.27 will be spread against the seventeen (17) 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 6:41 p.m. to hear and consider any comments from the public. No comments were heard.

Motion by Commissioner Spataro, second by Commissioner Benedict to close the Public Hearing at 6:44 p.m. and to approve the spreading of the special assessment for Forest, Barclay to Franklin and to adopt the resolution confirming the special assessment roll.

ROLL VOTE: Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Shepherd

Nays: None

ADOPTED

2000-104 NEW BUSINESS:

a. Beverage Money.

LEISURE SERVICES

SUMMARY OF REQUEST: The Leisure Services Board requests that the money the City generates from the beverage sales at the parks during the summer months be used for additional money in the small grants program in future years.

FINANCIAL IMPACT: In 2000, the income will be approximately \$2,500.

BUDGET ACTION REQUIRED: Carry over \$2,500 for the small grants program into 2001.

STAFF RECOMMENDATION: Approve. Leisure Services Board recommends approval.

Motion by Commissioner Benedict, second by Commissioner Aslakson to approve the money from the beverage sales at the parks during the summer months be used for additional money in the small grants program in future years.

ROLL VOTE: Ayes: Spataro, Aslakson, Benedict, Nielsen, Shepherd, Sieradzki

Nays: None

ADOPTED

b. Lakeshore Trail Phase III bids.

LEISURE SERVICES

SUMMARY OF REQUEST: The Lakeshore Trail Phase III bids were due on October 22nd. A report has been handed out to you regarding the outcome of the bid procedure.

FINANCIAL IMPACT: Grant amount is \$600,000 including 20% local match.

BUDGET ACTION REQUIRED: None, money to come from the Golf Course Fund.

STAFF RECOMMENDATION: Approve

Motion by Commissioner Shepherd, second by Commissioner Aslakson to award the bid to the low bidder KAL Excavating.

ROLL VOTE: Ayes: Aslakson, Benedict, Nielsen, Shepherd, Sieradzki, Spataro

Nays: None

ADOPTED

c. Acceptance of Housing Stock Review (HSR) Report.

INSPECTION SERVICES

SUMMARY OF REQUEST: To accept the HSR report and install the HSR Committee as permanent.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To accept the report of the Housing Stock Review Committee. Accept recommendation #5 of the report and install the committee as permanent. Further, to direct staff to begin work on bringing the remaining recommendations to commission for action.

Motion by Commissioner Spataro, second by Commissioner Aslakson to accept the HSR Committee as permanent.

ROLL VOTE: Ayes: Benedict, Nielsen, Shepherd, Sieradzki, Spataro, Aslakson

Nays: None

ADOPTED

d. Donation Check Off for 2000 Individual Income Tax Return Forms.

INCOME TAX

SUMMARY OF REQUEST: Approval to use 2000 Income Tax donations to purchase fireworks for Summer Celebration. Donations will go to the Summer Celebration Fireworks Fund.

FINANCIAL IMPACT: Estimated dollar amount to be donated is \$2,500.00.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval recommended.

Motion by Commissioner Shepherd, second by Commissioner Aslakson to approve the use of the 2000 Income Tax donation to purchase fireworks for Summer Celebration and the Summer Celebration Fireworks Fund.

ROLL VOTE: Ayes: Nielsen, Shepherd, Sieradzki, Spataro, Aslakson, Benedict
Nays: None

ADOPTED

e. Concurrence with the Housing Board of Appeals Finding of Facts and Order for the following:

- 1) 1121 Peck Street
- 2) 1129 Peck Street
- 3) 1096 Third Street

These items removed from agenda by staff request.

ANY OTHER BUSINESS:

Various comments were heard from the Commission.

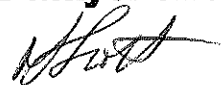
PUBLIC PARTICIPATION:

Various comments were heard from the public.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gail A. Kunding".

Gail A. Kunding, CMC/AAE
City Clerk

Date: October 18, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Gypsy Moth Contract

SUMMARY OF REQUEST:

To authorize the mayor and clerk to sign a contract with Muskegon County to manage the gypsy moth suppression program

FINANCIAL IMPACT:

Unknown, depends on the area within the city to be sprayed.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

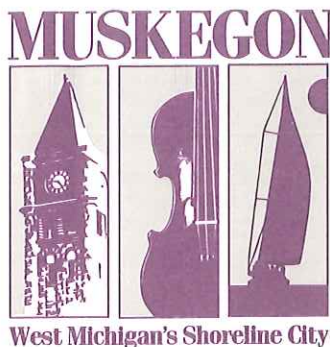
Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290



Date: October 18, 2000

To: Honorable Mayor and City Commissioners

From: Ric Scott 

Re: Gypsy Moth Contract

Attached is a proposed contract with the County of Muskegon to coordinate the gypsy moth suppression program. This contract and program is similar to previous year's agreements and programs.

Staff is recommending that the mayor and clerk be authorized to sign the agreement. The cost of the project is unknown until the egg mass survey is completed, the area to be sprayed defined, and the bids for the spraying are received next spring.

Thank you for your consideration.

INTERGOVERNMENTAL AGREEMENT FOR MUSKEGON COUNTY GYPSY MOTH SUPPRESSION PROGRAM

This agreement is made and entered into this 24th day of October, 2000, by and between **City of Muskegon** (hereinafter referred to as "Municipality"), and the **County of Muskegon** (hereinafter referred to as "County"), with respect to the establishment of an intergovernmental program for the year 2000-2001 for the purpose of managing gypsy moth populations and their subsequent effects, agree to mutually assist each other in the implementation of a comprehensive gypsy moth suppression program. This agreement is to ensure that appropriate commitment to the gypsy moth suppression program's goals and objectives are met by both parties.

County Responsibility

- A. County shall be responsible for general program administration.
- B. County shall be responsible for necessary field audits of areas requiring aerial spraying in accordance to Michigan Department of Agriculture (MDA) specifications and standards.
- C. County shall be responsible for required mapping of areas to be sprayed. This includes providing municipalities with copies of appropriate maps.
- D. County shall provide postage-paid, pre-printed post cards as property owner notification as required by MDA.
- E. County will contract with independent contractors for aerial spraying services.
- F. County will determine time and date for aerial spraying operations in accordance with MDA specifications.
- G. County will invoice Municipality for agreed costs of aerial spraying.

Municipality Responsibility

- A. Provide mailing labels for property owner notifications including a count of properties affected by the program (based on maps of areas to be sprayed as provided by County staff). Provide County staff with copies of mailing list for future survey purposes.
- B. Assist County staff in locating potential areas of infestation by providing County staff with maps indicating such areas (by October 20, 2000).

- C. Approve areas determined to be in accordance with MDA specifications
- D. Reimburse County for one-half (½) of the actual cost of spraying on a per acre basis. This will be based on actual acres sprayed, as digitized, minus any areas deleted due to property owner protest.

Financial Responsibility

The following is the financial responsibility by institution:

County: 50% of administrative costs

MDA: 50% of administrative costs, 50% of spray costs

Municipality: 50% of actual spray costs

Hold Harmless Agreement

To the fullest extent permitted by law, the Municipality shall defend, indemnify, and hold harmless the County, its subsidiaries, departments, divisions, and agencies and their respective officials, officers, directors, employees, and agents from and against any and all liability, litigation, causes of action, and claims, by whomsoever brought or alleged and regardless of the legal theories upon which based, and from and against all losses, costs, expenses, and fees and expenses of attorneys and expert witnesses resulting therefrom on account of, relating to, or arising out of bodily injury to or death of any person or on account of damage to property, including loss of use thereof, arising or allegedly arising out of or resulting from the work. The foregoing indemnity of the County shall include, but is not limited to, claims alleging or involving the negligence of the Contractor, its subcontractors, or the joint negligence of the Contractor, its subcontractors, and or the County, but shall not extend to liability found by way of final judgement to have resulted from the sole negligence of the County.

Withdrawal from Program

The Municipality may withdraw from the program without penalty if notice of such action is received in writing by April 1, 2001. If no written notice is received, the Municipality will be responsible for any associated costs or penalties assessed to the County for withdrawing acres from the program in an untimely manner.

City of Muskegon

County of Muskegon

Fred J. Nielsen, Mayor

Gail A. Kunding, City Clerk

Commission Meeting Date: October 24, 2000

Date: October 12, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development 
RE: Alley Vacation in Block 643

SUMMARY OF REQUEST:

Request for vacation of the west 91' of the currently existing alley in Block 643 (bounded by Morton Ave., Miner St., Denmark Ave. and McCracken St.). The request also includes relocation of an existing accessway through the parking lot of the Lakeside Baptist Church in order to retain access to the alley and not create a 'dead-end' alley situation.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends vacation of the west 91' of the alley as described above, of the proposed alley with the conditions listed on the attached resolution.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended vacation of the west 91', as described above, of the proposed alley with the conditions listed on the attached resolution. The vote was unanimous.

CITY OF MUSKEGON

RESOLUTION 2000-101(d)

RESOLUTION TO VACATE A PORTION OF A PUBLIC ALLEY

WHEREAS, a petition has been received to vacate the west 91 feet only of the currently existing alley in Block 643 of the Revised Plat of 1903, City of Muskegon; and

WHEREAS, the Planning Commission held a public hearing on October 11, 2000 to consider the petition and subsequently recommended the vacation; and

WHEREAS, due notice had been given of said hearing as well as the October 24, 2000 City Commission meeting to consider the recommendation of the Planning Commission;

WHEREAS, the Lakeside Baptist Church has agreed to relocate the accessway through their parking lot in order to retain access to the west end of the remaining alley;

NOW, THEREFORE, BE IT RESOLVED that the City Commission deems it advisable for the public interest to vacate and discontinue the alley;

BE IT FURTHER RESOLVED that the City Commission does hereby declare the west 91 feet of the said alley vacated and discontinued provided, however, that this action on the part of the City Commission shall not operate so as to conflict with fire access or the utility rights heretofore acquired by the City or by any public service utility in the City of Muskegon, operating in, over and upon said portion of alley hereby vacated, and it is hereby expressly declared that such rights shall remain in full force and effect.

BE IT FURTHER RESOLVED that after any maintenance and repair by the City, the city shall restore the disturbed area to the grade and paving in existence at the time of vacation. The City shall not be responsible to replace special planting, landscaping, fences or any structure. No structure shall be placed in the easement which, in the sole judgment of the City, will interfere with the repair or maintenance of utilities in the easement, public or private.

BE IT FURTHER RESOLVED that the following conditions will also apply to the vacation of said alley:

1. The sewer line running beneath all vacated portions of the alley will be relocated at the expense of the Lakeside Baptist Church.
2. The Lakeside Baptist Church will prepare an easement for the relocated accessway through their parking lot and said easement will be recorded with the Muskegon County Register of Deeds.

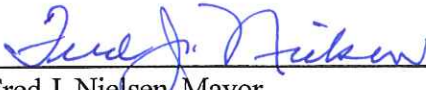
2000 - 101d

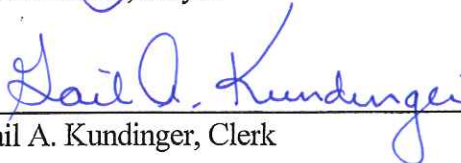
Adopted this 24th day of October, 2000.

Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Shepherd

Nays: None

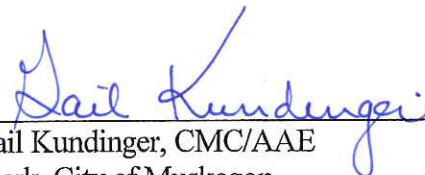
Absent: Schweifler

By: 
Fred J. Nielsen, Mayor

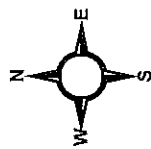
Attest: 
Gail A. Kundinger, Clerk

CERTIFICATION

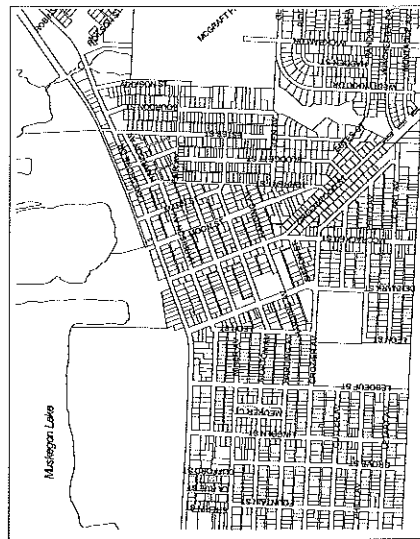
I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan, at a regular meeting held on October 24, 2000.


Gail Kundinger, CMC/AAE
Clerk, City of Muskegon

City of Muskegon Planning Commission Case #2000-35

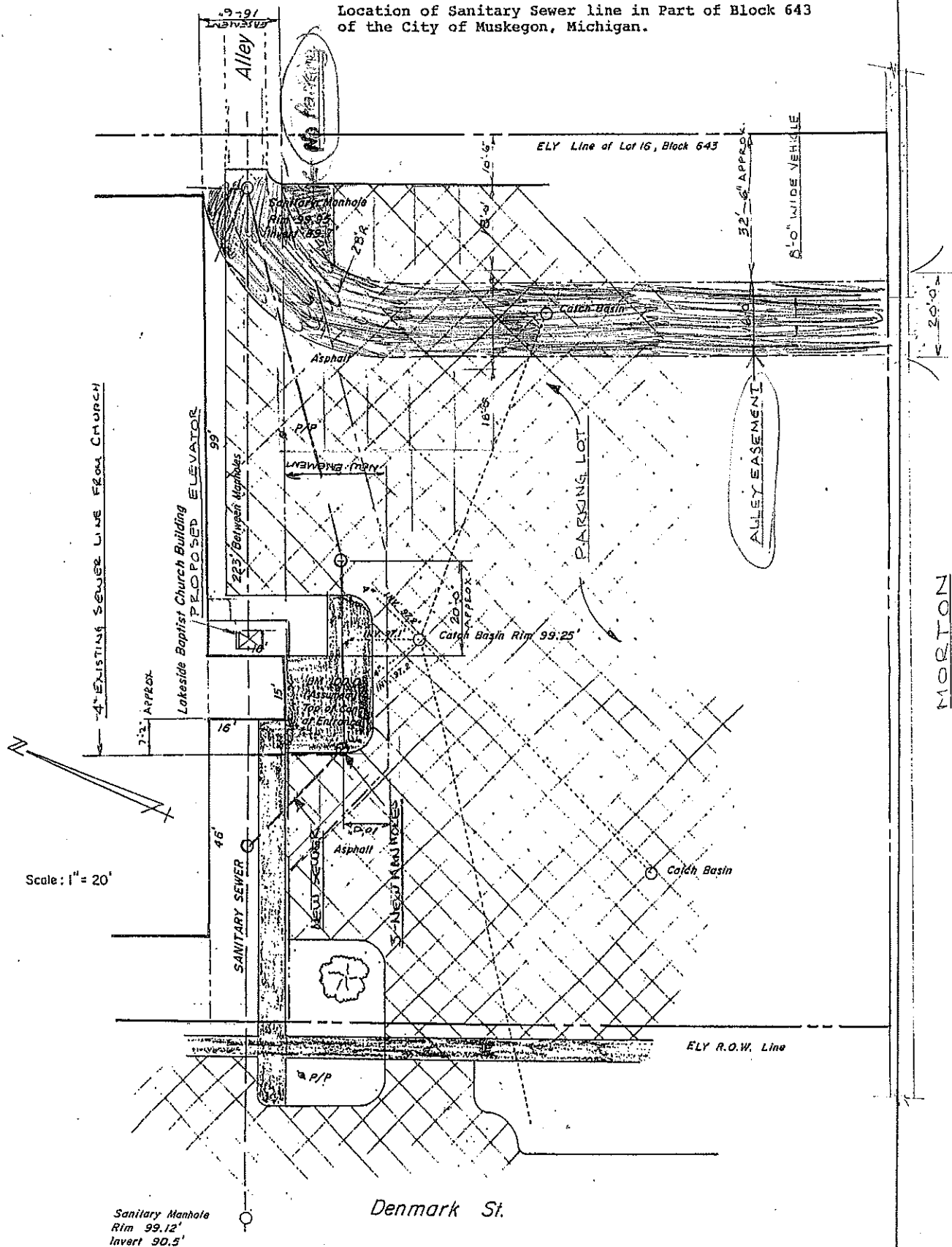


-  = Alley(s) to be Vacated
-  = Proposed New Alley
-  = Notice Area



Map of survey for: LAKESIDE BAPTIST CHURCH Date: JUNE OF 2000 No.: 006068.1

Location of Sanitary Sewer line in Part of Block 643 of the City of Muskegon, Michigan.



MOORE & BRUGGINK
 Consulting Engineers and Land Surveyors
 8 W. Walton, Muskegon, Michigan 49440
 Phone: (231)722-3928 Fax: (231)722-4109

by _____
 Licensed Land Surveyor No.

Staff Report [EXCERPT]
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

October 11, 2000

Hearing; Case 2000-35: Request for vacation of 91 feet on the west end of the east/west alley in Block 643 (bounded by Morton Ave., Denmark St., Miner Ave. and McCracken St.), by Lakeside Baptist Church (tabled).

(new comments since the 9/12 meeting are underlined)

BACKGROUND

The Lakeside Baptist Church is located in Block 643. In 1956, the west 91 feet of the alley was vacated. The church's entryway sits on a portion of this vacated alley. As there is a sewer line which runs through the vacated alley, the entryway technically should not be there. In order for the alley to remain a through alley, an accessway was created, through the church's parking lot, from the new end of the alley to Morton Ave.

The church would like to expand their entryway and add an elevator to it. They are proposing to vacate an additional 91 feet of the alley, and to re-route the existing sewer line around the entryway. As part of this request, the accessway through their parking lot would also be moved 91 feet in order to allow the remaining alley to keep access through to Morton Ave.

The Fire Marshal has no objections to this request. The Engineering Department has no objections to this request. The Department of Public Works has no objections to this request.

The church members have met with the neighbors who opposed the re-routing of the alley at the September meeting. Enclosed is a copy of a letter explaining why they feel they cannot route the alley through to Denmark St., as well as a drawing showing the proposed re-routing of the alley through the church's parking lot.

STAFF RECOMMENDATION

Staff recommends that the request be approved with the conditions below.

DELIBERATION

I move that the vacation of the west 91 feet of the east/west alley in Block 643, along with the relocation of the north/south accessway, be (approved/denied), based on (compliance/lack of compliance) with the City's Master Land Use Plan and conditions set forth in Section 2315 of the City of Muskegon Zoning Ordinance (based on the following conditions--only if approved):

1. That all City easements be retained.
2. That the sewer line be moved at the church's expense.

Kundinger, Gail

From: Steenhagen, Deborah
Sent: Wednesday, October 03, 2001 11:19 AM
To: Kundinger, Gail; Potter, Linda
Subject: Signatures for easement documents

Gail,

I'm going to be sending down a couple of easement documents that need to be signed. This is part of an alley vacation that was done for the Lakeside Baptist Church last October. One of the conditions of the vacation was that a new easement be provided through their parking lot. One of the documents provides this easement. The other document continues the City's rights to the sewer which lies beneath the vacated alley (we retain the easement rights anyway, but the document will just be added enforcement of that). Tom Johnson says that these do not need to go before the Commission since they are part of a vacation which was already approved by the Commission. The documents just need to be signed, notarized and recorded. Please let me know if you have any questions. Thanks!

Deb Steenhagen

2000-101(d)

GRANT OF MUNICIPAL EASEMENT

For valuable consideration receipt of which is acknowledged, including the vacating of an alley upon Grantor's property, Lakeside Baptist Church, a Michigan non-profit organization, the Grantor, and the City of Muskegon, a municipal corporation in Muskegon County, the Grantee, enter into this conveyance on the 31 day of August, 2001, subject to the following conditions:

1. Purpose. The Grantor owns property adjacent to a public alley. The Grantee has abandoned a portion of a public alley located upon the property of the Grantor to allow the Grantor to utilize the property adjacent to Grantor's building to improve the entrance to the building. The Grantee requires that substitute property be provided to allow continued ingress and egress to the public alley, which will burden Grantor's parcel for the benefit of the Grantee. The Grantor hereby grants to Grantee a permanent easement to run with the land to substitute for the abandoned portion of the public alley. A certified copy of the resolution of abandonment is attached to and incorporated herein by reference and marked as Exhibit A.

2. Burdened property. The grantor owns the land in Muskegon, Michigan, described as follows:

Lots 11 to 16 of Block 643, Revised Plat of the City of Muskegon.

3. Description of the easement. The Grantor grants to the Grantee an easement for ingress and egress by an ally over the burdened premises. The easement is to be 16 feet in width and is described as follows:

A 16 foot wide easement with its centerline commencing 38.0 feet West of the Southeasterly corner of Lot No. 16, Block 643, thence North 132.0 feet parallel to the Easterly side of Lot No. 16, to a point of intersection with the existing alley.

4. Condition and maintenance. The Grantee shall be responsible for maintaining the ally and shall not allow it to become unsightly or a nuisance only as required by law. The ally shall be used only for access by residential traffic, as a means of continued ingress and egress to the public alley.

5. Interest in realty. The right-of-way is to be an easement over the burdened premises for the use and benefit of the benefitted premises and is to be an appurtenance to the benefitted property and run with the land.

6. Warranty. The Grantor warrants that it has good and marketable title to the right-of-way.

Evelyn D. Hoffman
Witness

Kevin L. Dake
Lakeside Baptist Church, Grantor
By: KEVIN L. DAKE
Its: CHAIRMAN OF THE BOARD OF TRUSTEES

Allen Ten Brink
Allen Ten Brink
Witness

Fred S. Nielsen
City of Muskegon, Grantee
By: Fred S. Nielsen
Its: Mayor

2000-101(d)

GRANT OF MUNICIPAL EASEMENT

For valuable consideration receipt of which is acknowledged, including the vacating of a portion of an existing sanitary sewer upon Grantor's property, **Lakeside Baptist Church**, a Michigan non-profit organization, the **Grantor**, and the **City of Muskegon**, a municipal corporation in Muskegon County, the **Grantee**, enter into this conveyance on the 31 Day of August, 2001, subject to the following conditions:

1. Purpose. The Grantor owns property adjacent to an underground municipal sanitary sewer line. The Grantee has abandoned a portion of an underground sanitary sewer line located upon the property of the Grantor to allow the Grantor to utilize the property adjacent to Grantor's building to improve the entrance to the building. The Grantee requires that substitute property be provided to allow continued use of the existing sewer line, which will burden Grantor's parcel for the benefit of the Grantee. The Grantor hereby grants to Grantee a permanent easement to run with the land to substitute for the abandoned portion of the municipal sanitary sewer line. A certified copy of the resolution of abandonment is attached to and incorporated herein by reference and marked as Exhibit A.

2. Burdened property. The grantor owns the land in Muskegon, Michigan, described as follows:

Lots 11 to 16 of Block 643, Revised Plat of the City of Muskegon.

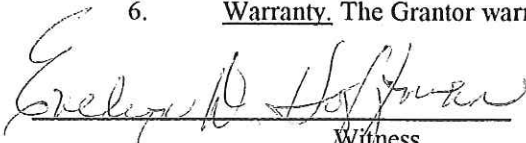
3. Description of the easement. The Grantor grants to the Grantee an easement for the continued use of a municipal sanitary sewer line under the burdened premises. The easement is to be 20 feet in width and is described as follows:

A 20 foot wide easement with its centerline commencing at the centerpoint of the sanitary sewer manhole approximately 11.0 feet West and 8.25 feet North of the Northeasterly corner of Lot No. 16, Block 643, said point being a point of intersection with the existing underground sanitary sewer line, thence to a point 24.0 feet South parallel to the Easterly side of Lot No. 16 and 83.0 feet West parallel to the Northerly side of Lot No. 16, thence to a point 42.2 feet West parallel to the Northerly side of Lot No. 16, thence to a point 24.0 feet North parallel to the Easterly side of Lot No. 16, and 24.0 feet West parallel to the Northerly side of Lot No. 16, said point being a point of intersection with the existing underground sanitary sewer line.

4. Condition and maintenance. The Grantee shall be solely responsible for maintaining the underground sewer line. Any damages to the sewer line shall be promptly repaired by the Grantee. The easement shall only be utilized by the Grantee as a means for continuing the use of the existing municipal underground sanitary sewer system.

5. Interest in realty. The right-of-way is to be an easement over the burdened premises for the use and benefit of the benefitted premises and is to be an appurtenance to the benefitted property and run with the land.

6. Warranty. The Grantor warrants that it has good and marketable title to the right-of-way.



Witness



Lakeside Baptist Church, Grantor
By: KEVIN L. DAKE
Its: CHAIRMAN OF THE BOARD OF TRUSTEES

Allen Ten Brink
Allen Ten Brink Witness

Fred J. Nielsen
City of Muskegon, Grantee
By: Fred J. Nielsen
Its: Mayor

STATE OF MICHIGAN)
)
MUSKEGON COUNTY)

Acknowledged before me in Muskegon County, Michigan, on ^{October}~~August~~ 4, 2001, by Fred J. Nielsen.

Linda S. Potter
Linda S. Potter, Notary Public
Muskegon County, Michigan
My commission expires: 9-25-02.

Drafted by and
when recorded return to:

DAVID J. ANDERSON
Anderson, Stull & Associates
320 W. Ottawa
Lansing, MI 48933
(517) 484-0090

Commission Meeting Date: October 24, 2000

*Needs
2nd
Reading*

Date: October 12, 2000
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Zoning Ordinance Amendment for Home Occupation Signs

SUMMARY OF REQUEST:

Request to amend Sections 400, 600 and 700 (Principal Uses Permitted) of Articles IV (R-1, Single-Family Residential), VI (RT, Two-Family Residential) and VII (RM-1, Low-Density Multiple-Family Residential) of the Zoning Ordinance to amend the language regarding signage restrictions for home occupation uses. This amendment is intended to correct an existing inconsistency in the Zoning Ordinance.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends amendment of the Zoning Ordinance to include the revised language in the sections described above.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 10/11/00 meeting. The vote was unanimous.

CITY COMMISSION MEETING October 24, 2000

To: Honorable Mayor and City Commissioners
From: Robert Kuhn, Public Works Director
Date: October 9, 2000
RE: Public Service Building: Exhaust Hose Reel Installation

SUMMARY OF REQUEST:

This project is to install 4 hose reels on the exhaust system in the Mechanic's Garage. These would be used to remove exhaust emissions from the work area. A photograph of the hose reel assembly is attached.

FINANCIAL IMPACT:

East Muskegon Roofing and Sheet Metal Co. submitted the low bid of \$10,946.00. A bid tabulation is attached.

BUDGET ACTION REQUIRED:

None. This project is included in the funded Year 2000 capital improvements for the Public Service Building.

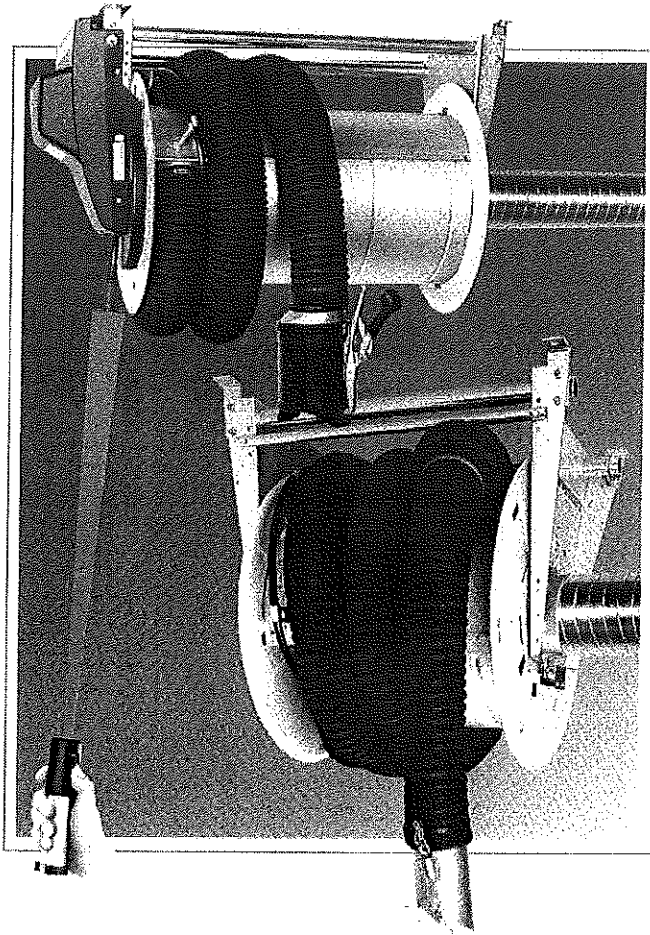
STAFF RECOMMENDATION:

Staff recommends that the quote of \$10,946.00 from East Muskegon Roofing and Sheet Metal Co. be accepted.

COMMITTEE RECOMMENDATION:

Summary of Quotes:

East Muskegon Roofing	10,946.00
Monroe-Bird Sheet Metal	11,960.00
Bauer Sheet Metal	12,725.00



**NEDERMAN
EXHAUST HOSE REELS**

Commission Meeting Date: October 24, 2000

Date: October 13, 2000
To: Honorable Mayor & City Commissioners
From: Planning & Economic Development *CBC*
RE: Sale of Non-Buildable Lot in Jackson Hill

SUMMARY OF REQUEST:

To approve the sale of the vacant non-buildable lot designated as map # 24-31-20-131-007 to Calvin Melton of 309 Yuba Street. Approval of this sale will allow Mr. Melton to expand his backyard (see attached map). The subject parcel is being offered to Mr. Melton for \$100. There is no other adjacent property owner.

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 said resolution.

COMMITTEE RECOMMENDATION:

Resolution No. 2000-101(j)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE SALE OF A NON-BUILDABLE LOT IN JACKSON HILL FOR \$100.

WHEREAS, Mr. Calvin Melton has paid \$100 for map number 24-31-20-131-007, located on Yuba;

WHEREAS, the sale would relieve the City of further maintenance costs;

WHEREAS, the sale is consistent with City policy regarding the disposition of non-buildable lots;

NOW THEREFORE BE IT RESOLVED, that map number 24-31-20-131-007, located on Yuba be sold to the above-mentioned buyer.

(Wly 44 Ft. Lot 12 & Wly 44 Ft of N 16 ½ Ft Lot 11 Blk 136)

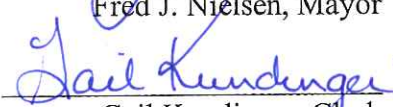
Adopted this 24th day of October, 2000

Ayes: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Shepherd

Nays: None

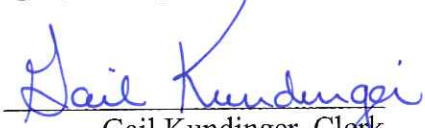
Absent: Schweifler

By: 
Fred J. Nielsen, Mayor

Attest: 
Gail Kunderger, Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on October 24, 2000.

By: 
Gail Kunderger, Clerk

QUIT-CLAIM DEED

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

QUIT CLAIMS TO: CALVIN MELTON, a single man, of 309 Yuba Street, Muskegon, Michigan 49442,

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

The Westerly 44 feet of Lot 12 and the Westerly 44 feet of the North 16-1/2 feet of Lot 11, Block 136, of the Revised Plat (of 1903) of the City of Muskegon;

for the sum of One Hundred Dollars (\$100).

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

Dated this 2nd day of November, 2000.

Signed in the presence of:

Linda Potter
Linda Potter
Jo Ann Krukowski
Jo Ann Krukowski

CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Its Mayor
and Gail A. Kunderger
Gail A. Kunderger, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 2nd day of November, 2000, by Fred J. Nielsen and Gail A. Kunderger, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

Linda S. Potter
Linda S. Potter
Notary Public, Muskegon County, Michigan
My commission expires: 9-25-02

Drafted by:
G. Thomas Johnson
PARMENTER O'TOOLE
175 W. Apple Avenue
P. O. Box 786
Muskegon, Michigan 49443-0786

WHEN RECORDED RETURN TO:
Grantee

SEND SUBSEQUENT TAX BILLS TO:
Grantee

This form is issued under authority of
P.A. 415 of 1994. Filing is mandatory.

PROPERTY TRANSFER AFFIDAVIT

This form must be filed whenever real estate or some types of personal property are transferred (even if you are not recording a deed). It is used by the assessor to ensure the property is assessed properly and receives the correct *taxable value*. It must be filed by the new owner with the *assessor for the city or township* where the property is located within **45 days** of the transfer. If it is not filed timely, a penalty of \$5/day (maximum \$200) applies. The information on this form is **NOT CONFIDENTIAL**.

1. Street Address of Property <u>Vacant land on Yuba</u>	2. County <u>Muskegon</u>	4. Date of Transfer (or land contract was signed) <u>October 24, 2000</u>
3. City/Township/Village of Real Estate <u>City of Muskegon</u>	☒ City ☐ Township ☐ Village	5. Purchase Price of Real Estate <u>\$100.00</u>
6. Property Identification Number (PIN). If you don't have a PIN, attach legal description. <u>See attached deed</u>		

PIN. This number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.

7. Seller's (Transferor) Name <u>City of Muskegon</u>	8. Buyer's (Transferee) Name and Mailing Address <u>Calvin Melton</u> <u>309 Yuba</u> <u>Muskegon, MI 49442</u>
--	--

Items 9 - 13 are optional. However, by completing them you may avoid further correspondence.

Transfers include deeds, land contracts, transfers involving trusts or wills, certain long-term leases and interest in a business. See the back for a complete list.

9. Type of <i>Transfer</i>	
☐ Land Contract	☐ Lease
☒ Deed	☐ Other (specify) _____

10. Is the transfer between related persons? ☐ Yes ☒ No	11. Amount of Down Payment <u>0</u>
12. If you financed the purchase, did you pay market rate of interest? ☐ Yes ☒ No	13. Amount Financed (Borrowed) <u>0</u>

Exemptions

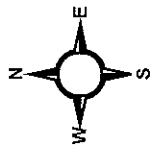
The Michigan Constitution limits how much a property's *taxable value* can increase while it is owned by the same person. Once the property is transferred, the *taxable value* must be adjusted by the assessor in the following year to 50 percent of the property's usual selling price. Certain types of transfers are exempt from adjustment. Below are brief descriptions of the types of exempt transfers; full descriptions are in MCL Section 211.27a(7)(a-m). If you believe this transfer is exempt, indicate below the type of exemption you are claiming. If you claim an exemption, your assessor may request more information to support your claim.

- ☐ transfer from one spouse to the other spouse
- ☐ change in ownership solely to exclude or include a spouse
- ☐ transfer of that portion of a property subject to a life lease or life estate (*until* the life lease or life estate expires)
- ☐ transfer to effect the foreclosure or forfeiture of real property
- ☐ transfer by redemption from a tax sale
- ☐ transfer into a trust where the settlor or the settlor's spouse conveys property to the trust and is also the sole beneficiary of the trust
- ☐ transfer resulting from a court order unless the order specifies a monetary payment
- ☐ transfer creating or ending a joint ownership if at least one person is an original owner of the property (or his/her spouse)
- ☐ transfer to establish or release a security interest (collateral)
- ☐ transfer of real estate through normal public trading of stocks
- ☐ transfer between entities under common control or among members of an affiliated group
- ☐ transfer resulting from transactions that qualify as a tax-free reorganization
- ☐ other, specify: _____

Certification

I certify that the information above is true and complete to the best of my knowledge.

Owner's Signature <u>[Signature]</u>	Date <u>11/23/00</u>	If signer is other than the owner, print name and title. <u>City of Muskegon planning</u>
---	-------------------------	--



**Proposed Purchase by Calvin Melton
10/24/00**



Commission Meeting Date: October 24, 2000

Date: **October 10, 2000**
To: **Honorable Mayor & City Commissioners**
From: **Planning & Economic Development** *CBC*
RE: **Sale of a Vacant Buildable Lots in Marquette**

SUMMARY OF REQUEST:

To approve the sale of the vacant buildable lot designated as map number 24-31-21-129-006 to Mr. Stanley & Mrs. Lydia Burns of 1245 Drexel Court, Grand Rapids. The subject lot has approximately 141 feet of frontage and is being offered to the Burns for \$2,500. The Burns plan to use the land for the construction of a single-family home. The appraised value of the lot is \$ 2,500 and the Burns submitted the only bid of \$2,500.

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 said resolution.

COMMITTEE RECOMMENDATION:

Resolution No. 2000-102(c)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE SALE OF A BUILDABLE LOT IN MARQUETTE FOR \$2,500.

WHEREAS, Mr. Stanley and Mrs. Lydia Burns have placed a \$200 deposit for the parcel designated as map number 24-31-21-129-006, located on Adams;

WHEREAS, Mr. Stanley and Mrs. Lydia Burns have submitted the only bid of \$2,500 for the parcel designated as map number 24-31-21-129-006, located on Adams;

WHEREAS, the sale would relieve the City of further maintenance costs;

WHEREAS, the sale is consistent with City policy regarding the disposition of buildable lots;

NOW THEREFORE BE IT RESOLVED, that map number 24-31-21-129-006, located on Adams be sold to the above-mentioned buyer.

(Lots 778 & 779 Urban Renewal Plat No. 4)

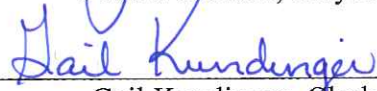
Adopted this 24th day of October, 2000

Ayes: Aslakson, Benedict, Nielsen, Shepherd, Sieradzki, Spataro

Nays: None

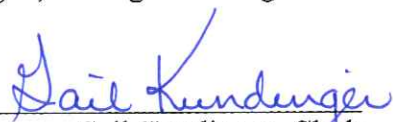
Absent: Schweifler

By: 
Fred J. Nielsen, Mayor

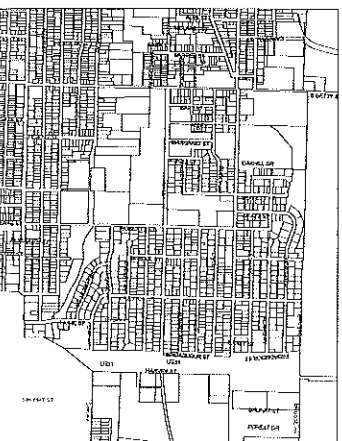
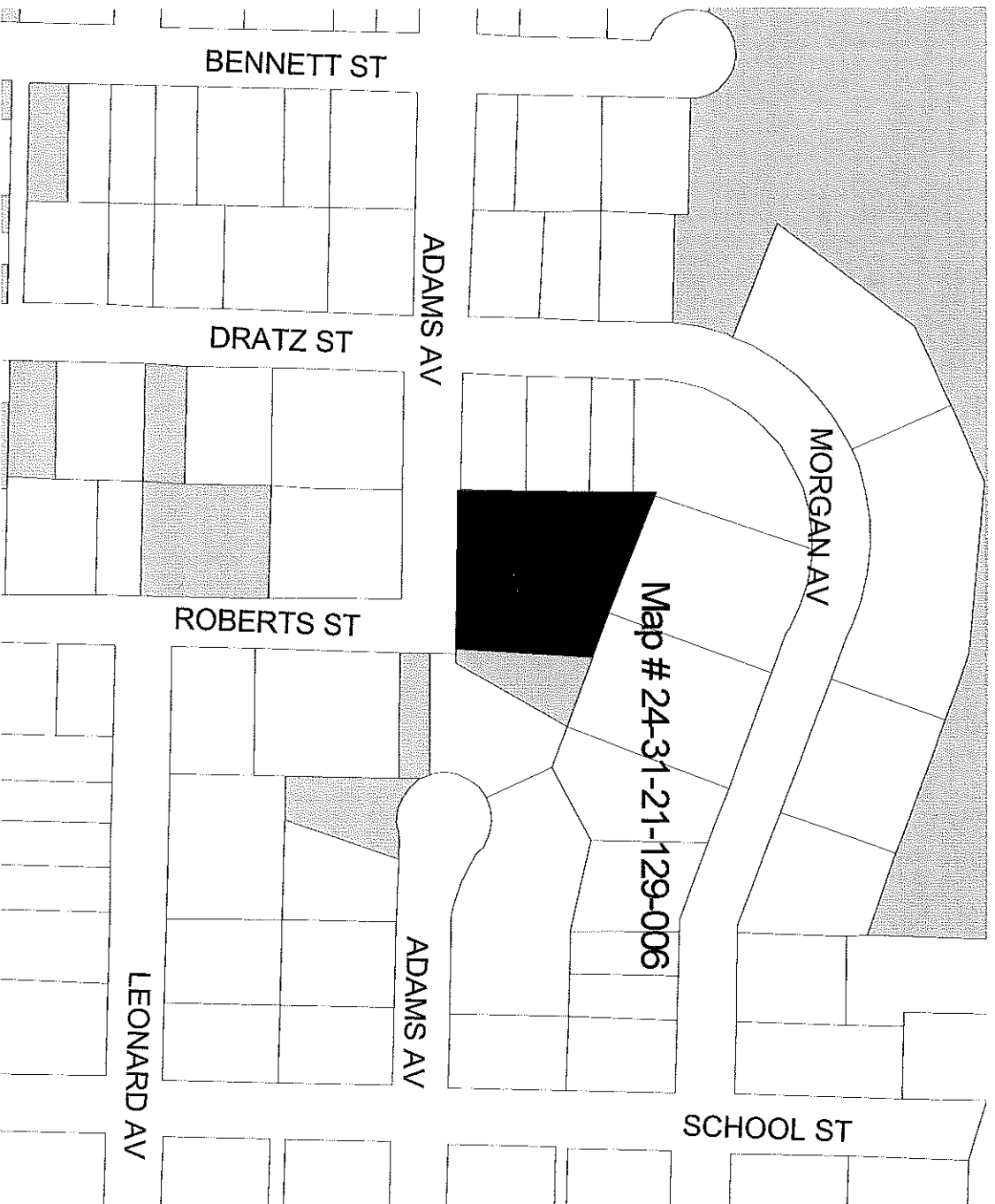
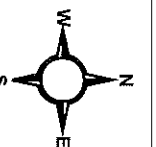
Attest: 
Gail Kunding, Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on October 24, 2000.

By: 
Gail Kunding, Clerk

Proposed Purchase by Stanley Burns City Commission Map



QUIT-CLAIM DEED

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

QUIT CLAIMS to STANLEY C. BURNS and LYDIA BURNS, husband and wife, of 1245 Drexel Court, N.E., Grand Rapids, MI 49505,

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

Lot 778 and Lot 779, of URBAN RENEWAL PLAT NO. 4,

for the sum of Two Thousand Five Hundred (\$2,500) Dollars.

PROVIDED, HOWEVER, Grantees, or their assigns, shall substantially complete construction of a single-family home on the premises herein conveyed, up to all codes, within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee, or their assigns; and, in addition thereto, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee, or their assigns.

"Complete construction" means: (1) issuance of a residential building permit by the City of Muskegon; and, (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwelling described in the said building permit. In the event of reversion of title of the above described premises, improvements made thereon shall become the property of the Grantor. Furthermore, Grantee has covenanted that the home shall be owner occupied for five (5) years from the date of this deed.

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 2nd day of November, 2000.

Signed in the presence of:

Linda Potter
Linda Potter

JoAnn Krukowski
JoAnn Krukowski

CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Its Mayor

and Gail A. Kunderger
Gail A. Kunderger, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 2nd day of November, 2000,
FRED J. NIELSEN and GAIL A. KUNDINGER, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: G. Thomas Johnson
G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Ave., MI 49443-0786
WHEN RECORDED RETURN TO: Grantee

Linda S. Potter
Linda S. Potter, Notary Public, Muskegon Co., MI
My commission expires: 9-25-02
SEND SUBSEQUENT TAX BILLS TO: Grantee

QUIT-CLAIM DEED

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

QUIT CLAIMS to STANLEY C. BURNS, a married man, of 1245 Drexel Court, N.E., Grand Rapids, Michigan 49505, the following described premises situated in the City of Muskegon, County of Muskegon, State of Michigan, to wit:

Lot 778 and Lot 779, of URBAN RENEWAL PLAT NO. 4,

for the sum of Two Thousand Five Hundred (\$2,500) Dollars.

PROVIDED, HOWEVER, Grantees, or their assigns, shall substantially complete construction of a single-family home on the premises herein conveyed, up to all codes, within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee, or their assigns; and, in addition thereto, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee, or their assigns. "Complete construction" means: (1) issuance of a residential building permit by the City of Muskegon; and, (2) in the sole opinion of the City of Muskegon's Director of Inspections, substantial completion of the dwelling described in the said building permit. In the event of reversion of title of the above described premises, improvements made thereon shall become the property of the Grantor. Furthermore, Grantee has covenanted that the home shall be owner occupied for five (5) years from the date of this deed.

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 1st day of December, 2000.

Signed in the presence of:

Linda Potter
Linda Potter

Gloria Coburn
Gloria Coburn

CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Its Mayor

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

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 1st day of December, 2000, FRED J. NIELSEN and GAIL A. KUNDINGER, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

PREPARED BY: G. Thomas Johnson
G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Ave., MI 49443-0786

Linda S. Potter
Linda S. Potter, Notary Public, Muskegon Co., MI
My commission expires: 9-25-02

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT is made October 24, 2000, by and between the **CITY OF MUSKEGON**, a municipal corporation, with offices at 933 Terrace, Muskegon, Michigan 49440 ("Seller"), and **STANLEY C. BURNS**, a married man, of 1245 Drexel Court, N.E., Grand Rapids, Michigan 49505 ("Buyer").

1. **General Agreement and Description of Premises.** Seller agrees to sell, and Buyer agrees to buy, marketable record title of real estate, and all improvements thereon, with all beneficial easements, and with all of Seller's right, title and interest in all adjoining public ways, the real property located in the City of Muskegon, Muskegon County, Michigan ("Premises"), and specifically described as:

Lot 778 and Lot 779, of URBAN RENEWAL PLAT NO. 4.

Subject to the reservations, restrictions and easements of record, provided said reservations, restrictions and easements of record are acceptable to Buyer upon disclosure and review of the same, and subject to any governmental inspections required by law.

2. **Purchase Price and Manner of Payment.** The purchase price for the Premises shall be Two Thousand Five Hundred Dollars (\$2,500), payable, in cash, to Seller at Closing.

3. **Taxes and Assessments.** All taxes and assessments which are due and payable at the time of Closing shall be paid by Seller prior to or at Closing. All taxes and special assessments which become due and payable after Closing shall be the responsibility of Buyer.

4. **Title Insurance.** Seller agrees to deliver to Buyer's attorney, ten (10) days prior to closing, a commitment for title insurance, issued by Transnation Title Insurance Company, for an amount not less than the purchase price stated in this Agreement, guaranteeing title on the conditions required herein. In the event the reservations, restrictions or easements of record disclosed by said title commitment is, in the sole discretion of Buyer, deemed unreasonable, Seller shall have forty-five (45) days from the date Seller is notified in writing of such unreasonableness of restriction and such unmarketability of title, to remedy such objections. If Seller resolves such restrictions and remedies the title (by obtaining satisfactory title insurance or otherwise) within the time specified, Buyer agrees to complete this sale as herein provided, within ten (10) days of written notification thereof. If Seller fails to resolve such restrictions or remedy the title within the time above specified or fails to obtain satisfactory title insurance, this Agreement will be terminated at Buyer's option. The premium for the owners title policy shall be paid by Seller.

5. **Covenant to Construct Improvements and Use.** Buyer acknowledges that, as part of the consideration inuring to the City, Buyer covenants and agrees to construct on the premises a single family home, up to all codes, within eighteen (18) months of the closing of this transaction. The home shall be substantially completed by that time and, in the event said substantial completion has not occurred, in the sole judgement of the City, the property and all improvements then installed shall revert in title to the City, without any compensation or credit to

Buyer. Buyer further covenants that the home shall be owner occupied for five (5) years after the closing. The covenants in this paragraph shall survive the closing and run with the land.

6. **Survey.** Buyer at its own expense may obtain a survey of the Premises, and Buyer or its surveyor or other agents may enter the Premises for that purpose prior to Closing. If no survey is obtained, Buyer agrees that Buyer is relying solely upon Buyer's own judgment as to the location, boundaries and area of the Premises and improvements thereon without regard to any representations that may have been made by Seller or any other person. In the event that a survey by a registered land surveyor made prior to closing discloses an encroachment or substantial variation from the presumed land boundaries or area, Seller shall have the option of effecting a remedy within thirty (30) days after disclosure, or tendering Buyer's deposit in full termination of this agreement, and paying the cost of such survey. Buyer may elect to purchase the Premises subject to said encroachment or variation.

7. **Environmental Matters.** Seller represents and warrants to Buyer as follows:

a. To the best of Seller's knowledge, the Premises have been used and operated in compliance with all applicable federal, state and local laws and regulations related to air quality, water quality, waste disposal or management, hazardous or toxic substances, and the protection of health and the environment.

b. Seller has not disposed of any hazardous or toxic substances on or in the Premises and, to the best of Seller's knowledge, the Premises and the groundwater beneath the Premises is free from environmental contamination of any kind.

c. To the best of Seller's knowledge, the Premises does not include any "underground storage tank," as that term is defined by state or federal law.

Such representations and warranties shall be deemed to have been made again by Seller as of the Closing. The representations, warranties and covenants set forth in this paragraph shall survive the Closing.

8. **Condition of Premises and Examination by Buyer.** NO IMPLIED WARRANTIES OF HABITABILITY, QUALITY, CONDITION, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER IMPLIED WARRANTIES SHALL OPERATE BETWEEN SELLER AND BUYER, AND BUYER EXPRESSLY WAIVES ANY AND ALL SUCH IMPLIED WARRANTIES. BUYER UNDERSTANDS AND AGREES THAT THE PREMISES ARE TAKEN "AS IS," SUBJECT TO THE EXPRESS COVENANTS, CONDITIONS AND/OR EXPRESS WARRANTIES CONTAINED IN THIS PURCHASE AGREEMENT, ALSO SUBJECT TO THE WARRANTY OF BUYER THAT NO HAZARDOUS SUBSTANCES HAVE BEEN PLACED ON THE PREMISES. BUYER FURTHER SAYS THAT HE HAS PERSONALLY INSPECTED THE PREMISES AND IS SATISFIED WITH THE CONDITION OF THE LAND, AND THE BUILDINGS AND IMPROVEMENTS THEREON, AND THAT THE PROPERTY IS BEING PURCHASED AS A RESULT OF SUCH INSPECTION AND INVESTIGATION AND NOT DUE TO ANY REPRESENTATIONS MADE BY OR ON BEHALF OF SELLER.

9. **Real Estate Commission.** Buyer and Seller both acknowledge and agree that neither has dealt with any real estate agents, brokers or salespersons regarding this sale, and that no agent, broker, salesperson or other party is entitled to a real estate commission upon the closing of this sale. Buyer and Seller both agree to indemnify and hold the other harmless from any liability, including reasonable attorney fees, occasioned by reason of any person or entity asserting a claim for a real estate commission arising from actions taken by the other party.

10. **Closing.** The closing date of this sale shall be on or before _____, 200__ ("Closing"). The Closing shall be conducted at Transnation Title Insurance Company, 570 Seminole Road, Ste. 102, Muskegon, MI 49444. If necessary, the parties shall execute an IRS closing report at the Closing.

11. **Delivery of Deed.** Seller shall execute and deliver a quit claim deed to Buyer at Closing for the Premises.

12. **Affidavit of Title.** At the Closing, Seller shall deliver to Buyer an executed Affidavit of Title.

13. **Date of Possession.** Possession of Premises is to be delivered to Buyer by Seller on the date of Closing.

14. **Costs.** Seller shall be responsible to pay the Michigan transfer tax in the amount required by law. Seller shall be responsible to pay for the recording of any instrument which must be recorded to clear title to the extent required by this Agreement. Buyer shall pay for the cost of recording the deed to be delivered at Closing.

15. **General Provisions.**

a. **Paragraph Headings.** The paragraph headings are inserted in this Agreement only for convenience.

b. **Pronouns.** When applicable, pronouns and relative words shall be read as plural, feminine or neuter.

c. **Merger.** It is understood and agreed that all understandings and agreements previously made between Buyer and Seller are merged into this Agreement, which alone fully and completely expresses the agreement of the parties.

d. **Governing Law.** This Agreement shall be interpreted and enforced pursuant to the laws of the State of Michigan.

e. **Successors.** All terms and conditions of this Agreement shall be binding upon the parties, their successors and assigns.

f. **Severability.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision(s) had never been contained herein.

g. **Survival of Representations and Warranties.** The representations, warranties, covenants and agreements contained in this Agreement and in any instrument provided for herein shall survive the Closing and continue in full force and effect after the consummation of this purchase and sale and continue until all liabilities of Buyer have been fully satisfied.

h. **Modification of the Agreement.** This Agreement shall not be amended except by a writing signed by Seller and Buyer.

The parties have executed this Real Estate Purchase Agreement the day and year first above written.

WITNESSES:

Linda Potter
Linda Potter

Gloria Coburn
Gloria Coburn

Bonnie S. Danner

Lana Aguiar

SELLER: CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Mayor

By Gail A. Kunderger
Gail A. Kunderger, Clerk

BUYER:

Stanley C. Burns
Stanley C. Burns
Social Security No. 383-74-8333

Drafted by:
PARMENTER O'TOOLE
BY: G. Thomas Johnson

Business Address:
175 W. Apple Avenue, P.O. Box 786
Muskegon, Michigan 49443-0786

FILE # 412215
DATE: March 13th 2001
PROPERTY ADDRESS: V/L Adams

The undersigned hereby acknowledge receipt of a Request to Rescind/Withdraw Homestead Exemption form (Michigan Department of Treasury Form No. 2602) as same is required by Public Act 237 of 1994.

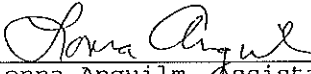
Please check one of the following:

☒ The undersigned do not request Transnation Title Insurance Company to file the form on their behalf.

☐ The undersigned have fully and properly completed the forms and request that Transnation Title Insurance Company file the form with the appropriate local tax collecting unit. The undersigned acknowledge and agree that the Company will mail the form by first class mail, and that the Company shall not be liable in the event that any of the information provided on said form is inaccurate or incomplete, or in the event that said form is not received or properly processed by the local tax collecting unit.

SELLER(S) :

City of Muskegon

BY 
Lonna Anguilm, Assistant Planner

AFFIDAVIT OF TITLE

STATE OF MICHIGAN
COUNTY OF Muskegon

} SS

Title Commitment # 412215

That City of Muskegon, a Michigan Municipal Corporation being first duly sworn on oath says that they are the true and lawful owner(s) of the premises located at:

V/L Adams
Muskegon, Michigan 49442

AND

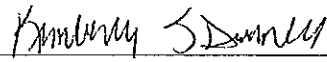
1. That on this date hereof there is no mechanic's lien on the property and that no work has been done, or materials furnished, out of which a mechanic's lien could ripen.
2. That no agreement is in effect which would adversely affect the title to the property such as a purchase agreement, lease, land contract, option, etc. other than the contract with the grantees in a certain deed of even date hereof.
3. That the parties in possession other than the affiant(s) are bona fide tenants only and have no other interest in the premises whatsoever.
4. That there are no judgments or liens against affiant(s), including income tax liens, adversely affecting the title to said property.
5. That there are no unpaid taxes, special assessments or water bills outstanding other than those shown on the closing statement.
6. That any overlooked, unknown, or misquoted taxes, special assessments, water bills, mortgage deficiencies, etc. shall be immediately paid by affiant(s) as soon as informed of such.

Seller(s):

City of Muskegon

BY 
Lonna Anguilm, Assistant Planner

Subscribed and sworn to, before me a Notary Public, this 13th day of March, 2001


Notary Public _____ County _____

My Commission Expires: _____
KIMBERLY S. DURNELL
Notary Public, Muskegon County, MI
My Commission Expires 6-8-2004

REAL ESTATE TRANSFER TAX VALUATION AFFIDAVIT

This form is issued under authority of P.A. 134 of 1966 and 330 of 1993 as amended.

This form must be filed when you choose not to enter the amount paid for real estate on the deed. It is required whether the transfer is taxable or not. It is not necessary when the amount paid is entered on the deed. This form must be completed and signed by either the seller or his/her authorized agent.

1. County Muskegon	2. City or Township Muskegon
3. Seller's Name and Mailing Address City of Muskegon 933 Terrace Muskegon, MI 49440	4. Purchaser's Name and Mailing Address Stanley C. Burns 1245 Drexel Court NE Grand Rapids, MI 49505
5. Type and Date of Document ___ Land Contract Date: <u>x</u> Deed Date: 03/13/01	6. Cash Payment 7. Amount of County Tax \$2.75 8. Amount of Mortgage/Land Contract 9. Amount of State Tax \$18.75
10. If consideration is less than market value, state market value	11. Total Consideration(add lines 6&8) \$2,500.00 12. Total Revenue Stamps \$21.50

13. Legal Description of Real Estate Transferred:

Lot 778 and Lot 779, Muskegon Urban Renewal Plat No. 4, as recorded in Liber 19 of Plats, Pages 19-22, Muskegon County Records.

State of Michigan }
 }ss.
County of Muskegon }

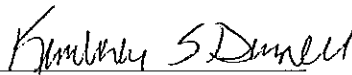
I certify that the information above is true and complete to the best of my knowledge and that the value stated is the full market value of the property.

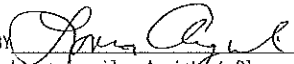
Dated this 13th day of March, 2001

Signed:

Subscribed and sworn to before me this 13th day of March, 2001

City of Muskegon


Notary Public

BY 
Donna Anguilm, Assistant Planner

My Commission Expires

KIMBERLY S. DURNELL
Notary Public, Muskegon County, MI
My Commission Expires 6-8-2004

TRANSNATION TITLE INSURANCE CO
570 SEMINOLE ROAD, SUITE 102
MUSKEGON MI 49444

Date: March 13, 2001
Escrow Number: 412215

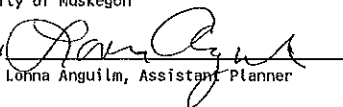
Property Address: V/L Adams
Muskegon, Michigan 49442

SELLER'S STATEMENT			
		DEBIT	CREDIT
Purchase Price	\$		\$ 2,500.00
EXISTING LOAN			
Deposit of earnest money			
CLOSING FEES		150.00	
OWNERS PREMIUM REISSUE		150.00	
City/County tax/stamps		2.75	
Transfer Tax		18.75	
Real Estate Commission			
Sub Total	\$	321.50	\$ 2,500.00
Amount due Seller	\$	2,178.50	
TOTALS	\$	2,500.00	\$ 2,500.00

The undersigned Sellers acknowledge Receipt of a copy of this statement and agree to the correctness thereof, and ratifies the disbursement of the funds as stated therein.

Seller(s) Signature(s):

City of Muskegon

BY 
Lohna Anguila, Assistant Planner

SURVEY WAIVER

Date: March 13, 2001

RE: 412215

To: TRANSNATION TITLE INSURANCE CO
570 SEMINOLE ROAD, SUITE 102
MUSKEGON MI 49444

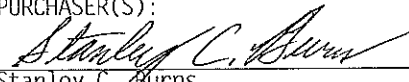
Property Address:
V/L Adams
Muskegon, Michigan 49442
County: Muskegon

We, the undersigned, purchasers and sellers, of the above captioned property, acknowledge we have been strongly advised by you to obtain a land survey showing the dimensions of the property and the location of all buildings situated thereon.

We have decided, completely of our own volition, not to obtain a survey and wish to complete the transaction without the recommended survey.

We hereby release TRANSNATION TITLE INSURANCE CO, its employees and/or agents, from any responsibility and/or liability concerning or pertaining to survey matters, including, but not limited to size of lot or land, location of boundary line, location of building and encroachments.

PURCHASER(S):


Stanley C. Burns

SELLER(S):

City of Muskegon

BY 
Lonna Anguilm, Assistant Planner

MUSKEGON REAL ESTATE BOARD
ADDENDUM TO BUY and SELL AGREEMENT

Date: March 13, 2001.

Office of Phone REALTOR, MUSKEGON, MI

1. Addendum to Buy Sell Agreement dated covering property at V/L Adams, Muskegon, Michigan 49442 and legally described as:

Lot 778 and Lot 779, Muskegon Urban Renewal Plat No. 4, as recorded in Liber 19 of Plats, Pages 19-22, Muskegon County Records.

2. This Addendum to be an integral part of attached Buy and Sell Agreement, which is amended as follows:

The closing date is to be March 13, 2001

3. RECEIPT IS ACKNOWLEDGED BY BUYER of a copy of this Agreement.

Kimberly S Durrell
Witness

Stanley E. Burns
Stanley E. Burns

4. RECEIPT IS ACKNOWLEDGED BY SELLER of a copy of this Agreement.

Kimberly S Durrell
Witness

City of Muskegon

BY Lonna Anguim
Lonna Anguim, Assistant Planner

Commission Meeting Date: October 24, 2000

Date: October 13, 2000

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department *CBC*

**RE: Approval for Proposal- CMI Waterfront
Development Grant Administration**

SUMMARY OF REQUEST: To approve the "Proposal for Project Grant Administration, Muskegon CMI Waterfront Development Grant" between Couture Environmental Strategies LLC and the City of Muskegon. Ms. Couture assisted with the CMI Waterfront Development Grant submittals, and has continued to assist the City with grant contract negotiations, necessary development agreements, etc. It was anticipated that she would continue to assist with the grant administration, once the City's grant agreement was approved and signed (which it has been). This process will be similar to the process currently used for the Site Assessment Grant and the Site Reclamation Grant.

FINANCIAL IMPACT: Costs for these services will not exceed \$27,200, unless specifically authorized by the City and the Michigan Department of Environmental Quality. The costs will be financed through the CMI Grant. This budget is based on a Project duration of two years.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the attached proposal and authorize the Mayor to sign the contract.

COMMITTEE RECOMMENDATION: None.



Couture
Environmental Strategies LLC

2000-102(f)

October 9, 2000

RECEIVED

OCT 11 2000

CITY OF MUSKEGON
PLANNING DEPARTMENT

Ms. Cathy Brubaker-Clarke
Director of Community and Economic Development
City of Muskegon
PO Box 536
Muskegon, MI 49443-0536

Re: Proposal for Project Grant Administration
Muskegon CMI Waterfront Development Grant

Dear Cathy:

The State of Michigan, through its Michigan Department of Environmental Quality (MDEQ) awarded the City of Muskegon ("City") a CMI Waterfront Redevelopment Grant in the amount of \$2,311,418 in September 2000 to fund Property Acquisition, and Public Infrastructure and Facility Improvements at properties located in the Muskegon Shoreline area. This includes property acquisition for parking along the Muskegon Lake waterfront, infrastructure improvement at the Amazon Building Project, and infrastructure improvements at the Teledyne Property.

Couture Environmental Strategies LLC is pleased to submit this proposal to the City of Muskegon ("City") to provide Grant Project Administration for the City of Muskegon's CMI Waterfront Redevelopment Grant (Project). Project grant administration activities will be similar to those provided by Couture Environmental Strategies LLC for the Muskegon Site Assessment Fund (SAF) Grant and the Cole's Quality Foods Site Reclamation Project (SRP). As in the SRP and SAF programs, Grant Project Administration expenses are eligible for reimbursement from the CMI grant.

SCOPE OF WORK

The Scope of Work for the proposed services of Couture Environmental Strategies LLC includes the following:

1. Coordinate activities and communication among Project participants, including the MDEQ, the City, project consultants/contractors, and other parties who may be interested in or involved in the Project. Schedule Project progress meetings as needed to facilitate communication and facilitate overall Project coordination.
2. Obtain necessary approvals (as required by the Grant Agreement) from MDEQ prior to Project consultants/contractors undertaking any grant-eligible tasks.
3. Review and provide comments, as necessary, on all draft work plans and budgets, reports, change orders, bid documents, and other documents prepared by the Project consultants/contractors. Track consultant/contractors expenditures with MDEQ-approved budgets to assure any cost increases over budget are managed according to the Grant Agreement stipulations.
4. Provide information to MDEQ regarding the Project, including monthly progress reports (per the Grant Agreement) on grant-funded activities.

5. Review Project consultant/contractor invoices; prepare reimbursement requests (per the Grant Agreement) on behalf of the City for submittal to MDEQ. Also provide review of any proposed contracts with contractors/consultants, as requested by the City.
6. Keep the City apprised of grant project progress, and assure grant management activities are conducted in a manner that represents the best interests of the City.
7. Provide assistance to the City in complying with the terms and conditions of the Michigan Waterfront Redevelopment Grant Agreement.

BUDGET

This budget is based on a Project duration of two years. These figures are estimates only; billings will be based on actual hours worked AT a rate of \$140/hour, not to exceed the stated amount without concurrence by the City and the MDEQ.

Day-to-day communication/coordination	\$ 8,750
Project meetings, including travel costs	\$ 4,850
Invoice review, reimbursement requests	\$ 8,400
Progress reports, MDEQ updates	<u>\$ 5,000</u>
Total	\$27,200

Agreement

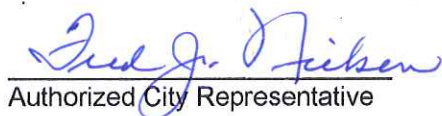
Attached to the letter are Provisions for Representation by Couture Environmental Strategies LLC ("Provisions"). This letter and the attached Provisions constitute a contractual agreement for services. If these terms and conditions are acceptable, I would appreciate you or an authorized representative acknowledging acceptance of them by signing and returning the enclosed copy of this letter. Please don't hesitate to call if you have any questions.

Sincerely,



Anne P. Couture
Couture Environmental Strategies LLC

Agreed and Accepted


Authorized City Representative

10-24-00
Date

PROVISIONS FOR REPRESENTATION BY
COUTURE ENVIRONMENTAL STRATEGIES LLC

Except as modified by an engagement letter, the following provisions will apply to the relationship between Couture Environmental Strategies LLC and each of its clients:

1. Fees for services rendered will be based on the reasonable value of those services. Fees will be based primarily on our standard hourly billing rates and the numbers of hours worked. Couture Environmental Strategies LLC will adjust billing rates from time to time.

2. Time for which a client will be charged will include, among other things, telephone and office conferences with the client, consultants, regulators, public officials, and others; investigations; research; report preparation; document review and comment; drafting of letters, memoranda and other documents; and travel time.

3. In addition to our fees, we bill for costs and expenses incurred in performing services, including photocopying, messenger and delivery service, travel, telecopying, and other similar costs and expenses. Certain of these items may be charged at more than our direct cost to cover our overhead.

4. Although we may estimate fees or costs that we anticipate will be incurred, these estimates are subject to unforeseen circumstances and are by their nature inexact. We will not be bound by any estimates except to the extent expressly set forth in the engagement letter.

5. Fees and expenses will be billed monthly and are payable within 30 days.. We generally send our statements on the first of the month following the month to which the bill relates. We reserve the right to postpone or defer providing additional services or to discontinue our representation if billed amounts are not paid promptly.

6. A client shall have the right to terminate our services and representation upon written notice. Such termination, however, will not relieve the client of the obligation to pay for all services rendered and costs or expenses paid or incurred on behalf of the client prior to termination.

7. We reserve the right to withdraw from our representation if, among other things, any fact or circumstance would, in our view, render our continuing representation unethical. If we withdraw for cause, we will be entitled to be paid for all services rendered and costs and expenses paid or incurred on behalf of the client prior to withdrawal.

DATE: October 17, 2000

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection Services Dept.

RE: Concurrence with the Housing Board of Appeals Finding of Fact and Order for 1714 Beidler (Garage)

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **1714 Beidler (Garage)** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of the demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: NONE

STAFF RECOMMENDATION: This garage is located on the property of 1714 Beidler, a two-unit rental home located on Beidler near Laketon. The Owner is Linda Johnson. A dangerous building inspection was conducted on 5/10/00. A notice and order was sent on 5/12/00. On 5/18/00 the owner contacted the inspection dept. and asked for 30 more days to complete repairs to the garage. Time was granted and the repairs were not completed by 7/12/00 and the case was heard before the Housing Board of Appeals on 8/17/00 where the Board condemned the garage. All notices mentioned above are attached.

ESTIMATED COST TO REPAIR: \$5,000.00

CITY COMMISSION RECOMMENDATION: The City Commission will consider this item at it's meeting on 10/24/00.

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Inspection Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

MUSKEGON HOUSING BOARD OF APPEALS

DATE: August 24, 2000
CASE: #00-39 – 1714 Beidler (Garage), Muskegon MI

Linda Johnson
1714 Beidler
Muskegon MI 49441

FINDING OF FACTS AND ORDER

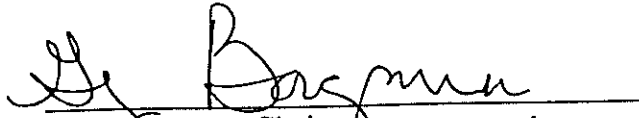
The following action was taken at a session of the Muskegon Housing Board of Appeals held at the Muskegon City Hall, 933 Terrace, Muskegon, Michigan on , August 17, 2000. The Inspections Services Department of the City of Muskegon, having inspected the building structure located upon the property described as N 45 Ft Lots 15-16 Blk 453, also know as, 1714 Beidler, found the conditions listed on the attached pages exist and that these conditions are hazardous as defined in Section 4-23 of the Code of Ordinances.

The Board further found that these conditions exist to the extent of endangering life, safety and the general welfare of the endangering life, safety and the general welfare of the public.

Therefore, in accordance with Section 4-25 of the Code of Ordinances, the structure is declared to be unsafe, substandard and a public nuisance.

It is, further ordered that if the owners or other interested parties fail to repair or remove said structure, or appeal this order within 20 days of the receipt of this order, the Building Official shall take bids and remove said structure.

If you wish to appeal this order you must do so within twenty days. You may obtain the appeal form at the City's Inspection Services Department, City Hall, 933 Terrace Street.

A handwritten signature in black ink, appearing to read "Greg Borgman", written over a horizontal line.

Greg Borgman, Chairman
MUSKEGON HOUSING BOARD OF APPEALS

Affirmative Action
616/724-6703
FAX/724-6790

Assessor
616/724-6708
FAX/724-6768

Cemetery
616/724-6783
FAX/722-4188

Civil Service
616/724-6716
FAX/724-6790

Clerk
616/724-6705
FAX/724-6768

Comm. & Neigh.
Services
616/724-6717
FAX/724-6790

Engineering
616/724-6707
FAX/724-6790

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
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

Manager's Office
616/724-6724
FAX/724-6790

Mayor's Office
616/724-6701
FAX/724-6790

Neigh. & Const.
Services
616/724-6715
FAX/724-6790

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

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

MUSKEGON



West Michigan's Shoreline City

FILE COPY

CITY OF MUSKEGON

NOTICE OF HEARING ON DANGEROUS AND UNSAFE CONDITIONS

August 4, 2000

Linda Johnson
1714 Beidler
Muskegon MI 49441

Lakeland Mortgage Corp
355 Settlers Rd., Ste 150
Holland MI 49423

Dear Property Owner:

SUBJECT: Dangerous Building Case #: 00-39 -- 1714 Beidler (Garage), Muskegon MI

PLEASE TAKE NOTICE that a hearing before the Housing Board of Appeals for the City of Muskegon will be held on **Thursday, August 17, 2000** at **5:30 P.M.** in the Muskegon City Hall Commission Chambers on the first floor. Said hearing will be for the purpose of determining whether the structure should be demolished or otherwise made safe.

Officials from the Inspection Services Department have inspected the structure and it is alleged that it has defects as listed on the attached page(s).

The defects are violations of Section 4-23 of the Muskegon City Code, which defines dangerous buildings.

At the hearing, the Inspection Services Department will present testimony regarding the alleged defects. You are advised that you or your representative may cross examine the City's witnesses and you may present testimony in your own behalf and call witnesses in your own behalf. We encourage you to attend the meeting since it is always better if someone is available to answer any questions the Board may have.

Inspection Services
City of Muskegon

Affirmative Action
231/724-6703
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Assessor
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FAX/726-5181

Cemetery
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FAX/726-5617

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FAX/724-4405

Clerk
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FAX/724-4178

Comm. & Neigh.
Services
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FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Inspection Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

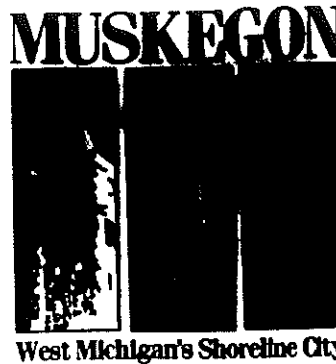
Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290



DANGEROUS BUILDING INSPECTION REPORT

1714 BEIDLER - (GARAGE)

5/10/00

Inspection Noted:

1. Garage siding in need of repair, peeling paint, siding deteriorating.
2. Garage roof deteriorating, open holes, roof covering failing.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.

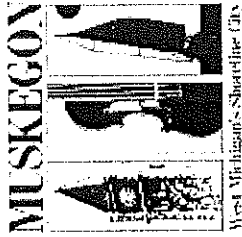
Henry A. Faltinowski
Henry Faltinowski, Building Inspector

5/11/2000
Date

CONCURRED IN:

Robert B. Grabinski
Robert B Grabinski
Fire Marshal/Inspection Services

5/11/00
Date



Permits Data

Permit Numb	BD-00-0521
Permit Date	7/5/00
Issued Date	7/6/00
Expiration Date	
Finalized Date	
Record Status	ISSUED
Permit Type	ROOFING
Category	BUILDING
VALUE	\$300.00

Street Address	1714 BEIDLER
Parcel Number	24-205-453-0015-00
Find Property Info	

☐ Contractor
☒ Owner

Requestor	LINDA JOHNSON
Owners Name	JOHNSON LINDA B
Address	1714 BEIDLER ST

Architect Info	Contractor Info	Permit Inspection Data	Permit Invoice Data	Property Data
Census Type:	Type of Building	Buildings:	Square Feet	
	☒ Residential ☐ Comercial ☐ Industrial	Units:	Length	
	OTHER:		Width	
SPECCOND	USE:	CHGEUSE:		
Description	REROOF PORTION OF DWELLING (5 SQ.)			

Affirmative Action
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FAX 726-5181

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FAX/726-5617

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FAX/724-4405

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FAX/724-4178

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FAX/727-6904

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FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Inspection Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

FILE

NOTICE AND ORDER

May 12, 2000

Ms. Linda B. Johnson
1714 Beidler
Muskegon MI 49441

Dear Property Owner:

Subject: 1714 Beidler (GARAGE)
N 45 FT LOTS 15-16 BLK 453

The City of Muskegon Building Official has recently inspected the subject property and has found the buildings to be dangerous as defined under Section 4-23 of the Muskegon City Code.

As a result of this finding, you are hereby ordered to REPAIR or DEMOLISH the structures within thirty (30) days.

If you elect to repair the structures, you must secure all required permits and physically commence the work within thirty (30) days from the date of this order.

Should you have any questions concerning this matter, please do not hesitate to contact our Building Official, Jerry McIntyre at 724-6715.

Sincerely yours,

Robert B. Grabinski
Fire Marshal/Inspection Services

Affirmative Action
231-724-6703
FAX:722-1214

Assessor
231-724-6708
FAX:726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
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FAX/724-4405

Clerk
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FAX/724-4178

Comm. & Neigh.
Services
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FAX/726-2501

Engineering
231/724-6787
FAX/727-6904

Finance
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FAX/724-6768

Fire Dept.
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FAX/724-6985

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FAX/724-6768

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FAX/722-4301

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FAX/724-1196

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FAX/722-1214

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FAX/726-2501

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FAX/724-6790

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FAX/722-5140

Public Works
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FAX/722-4188

Treasurer
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FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

DANGEROUS BUILDING INSPECTION REPORT

1714 BEIDLER - (GARAGE)

5/10/00

Inspection Noted:

1. Garage siding in need of repair, peeling paint, siding deteriorating.
2. Garage roof deteriorating, open holes, roof covering failing.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.

Henry Faltinowski
Henry Faltinowski, Building Inspector

5/11/2000
Date

CONCURRED IN:

Robert B Grabinski
Robert B Grabinski
Fire Marshal/Inspection Services

5/11/00
Date

REAL ESTATE SUMMARY SHEET

Parcel: 61-24-205-453-0015-00

Owner's Name: JOHNSON LINDA B

Property Address: 1714 BEIDLER ST

Map Number: 24-31-30-354-005

Property Class: 401 School District: 61010 CITY OF MUSKEGON
 Prev. Class : 401 Neighborhood: R12..R12.NIMS RES
 Public Impr.: Paved Road, Storm Sewer, Sidewalk, Water, Sewer, Electric, Gas,
 Curb
 Topography: Level, Landscaped

Legal Description:
 N 45 FT LOTS 15-16 BLK 453

Mailing Address:
 1714 BEIDLER ST
 MUSKEGON, MI 49442

Most Recent Sale Information

Sold on 12/19/1997 for 43,500 by ACKERMAN MARILYN.
 Terms of Sale: Arms-Length Liber/Page: 2053/214

Physical Property Characteristics

2001 S.E.V.: 24,000	Taxable: 19,670	Land Value:
2000 S.E.V.: 22,200	Taxable: 19,670	Acreage: 0.00
Zoning: RT		Frontage: 45.0
Homestead: 100.000%	Land Impr. Value: 5,601	Average Depth: 0.0

Improvement Data

# of Residential Buildings: 1	# of Ag. Buildings: 0
Year Built: 0	Est. TCV:
Occupancy: Single Family	
Class: CD	# of Commercial Buildings: 0
Style: 1 STORY	Type:
Exterior: Alum., Vinyl	Desc:
% Good (Physical): 45	Class:
Heating System: Forced Air w/ Ducts	Quality:
Electric - Amps Service: 100	Built: 0 Remodeled: 0
# of Bedrooms: 5	Overall Building Height: 0
# of Bathrooms: 2.0	Floor Area:
Floor Area: 1,700	Sale Price/Floor Area: 0.00
Ground Area: 1,220	Est. TCV:
Garage Area:	Cmts:
Basement Area: 960	
Basement Walls:	
Est. TCV: 33,991	



1714 BEIDLER

CENSUS # 8

4/20/00

DATE: October 17, 2000

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection Services Dept.

RE: Concurrence with the Housing Board of Appeals Finding of Fact and Order for 673 Isabella

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **673 Isabella** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of the demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: NONE

STAFF RECOMMENDATION: This one (1) unit vacant rental home is located on Isabella near Kenneth St. The owner is David Poppe. The property was heavily damaged by fire in 1997. A dangerous building inspection was conducted on 5/8/00. A Notice & Order was sent on 5/11/00. On 5/16/00 the owner contacted the Inspections Dept. and asked for 30 more days to complete the repairs to the garage. Time was not granted, see letter dated 5/23/00. The case was heard before the Housing Board of Appeals on 8/17/00 where the Board condemned the garage. All notices mentioned above are attached.

ESTIMATED COST TO REPAIR: \$20,000.00

CITY COMMISSION RECOMMENDATION: The City Commission will consider this item at it's meeting on 10/24/00.

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Inspection Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290



MUSKEGON HOUSING BOARD OF APPEALS

DATE: August 24, 2000
CASE: #00-41 – 673 Isabella, Muskegon MI

David Poppe
756 E Isabella
Muskegon MI 49442

FINDING OF FACTS AND ORDER

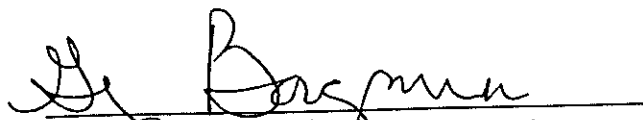
The following action was taken at a session of the Muskegon Housing Board of Appeals held at the Muskegon City Hall, 933 Terrace, Muskegon, Michigan on , August 17, 2000. The Inspections Services Department of the City of Muskegon, having inspected the building structure located upon the property described as N ½ Lot 6 Blk 74 also know as, 673 E. Isabella, found the conditions listed on the attached pages exist and that these conditions are hazardous as defined in Section 4-23 of the Code of Ordinances.

The Board further found that these conditions exist to the extent of endangering life, safety and the general welfare of the endangering life, safety and the general welfare of the public.

Therefore, in accordance with Section 4-25 of the Code of Ordinances, the structure is declared to be unsafe, substandard and a public nuisance.

It is, further ordered that if the owners or other interested parties fail to repair or remove said structure, or appeal this order within 20 days of the receipt of this order, the Building Official shall take bids and remove said structure.

If you wish to appeal this order you must do so within twenty days. You may obtain the appeal form at the City's Inspection Services Department, City Hall, 933 Terrace Street.

A handwritten signature in black ink, appearing to read "Greg Borgman", written over a horizontal line.

Greg Borgman, Chairman
MUSKEGON HOUSING BOARD OF APPEALS

Affirmative Action
616/724-6703
FAX/724-6790

Assessor
616/724-6708
FAX/724-6768

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FAX/722-4188

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FAX/724-6790

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Neigh. & Const.
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Planning/Zoning
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Treasurer
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FAX/724-6768

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

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



FILE COPY

CITY OF MUSKEGON

NOTICE OF HEARING ON DANGEROUS AND UNSAFE CONDITIONS

August 4, 2000

David Poppe
756 E Isabella
Muskegon MI 49442

Deborah J. Reid
PO BOX 337
Pentwater MI 49449

Dear Property Owner:

SUBJECT: Dangerous Building Case #: 00-41 – 673 E Isabella, Muskegon MI

PLEASE TAKE NOTICE that a hearing before the Housing Board of Appeals for the City of Muskegon will be held on Thursday, August 17, 2000 at **5:30 P.M.** in the Muskegon City Hall Commission Chambers on the first floor. Said hearing will be for the purpose of determining whether the structure should be demolished or otherwise made safe.

Officials from the Inspection Services Department have inspected the structure and it is alleged that it has defects as listed on the attached page(s).

The defects are violations of Section 4-23 of the Muskegon City Code, which defines dangerous buildings.

At the hearing, the Inspection Services Department will present testimony regarding the alleged defects. You are advised that you or your representative may cross examine the City's witnesses and you may present testimony in your own behalf and call witnesses in your own behalf. We encourage you to attend the meeting since it is always better if someone is available to answer any questions the Board may have.

Inspection Services
City of Muskegon

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FAX 724-6768

Water Billing Dept.
231/724-6718
FAX 724-6768

Water Filtration
231/724-4106
FAX 755-5290

MUSKEGON



West Michigan's Shoreline City

May 23, 2000

Mr. David Poppe
756 E. Isabella
Muskegon MI 49442

RE: 673 E. Isabella

Dear Mr. Poppe

Thank you for calling the office upon receipt of the Notice and Order sent to you regarding repairing or demolishing the existing structure(s) at the above mentioned property.

Due to extensive fire damage in 1997, there will not be an extension of 30 days to make repairs. The next step in the dangerous building process is for this case to be heard at the Housing Board of Appeals meeting on August 3, 2000. You are encouraged to attend the meeting to state your case.

Sincerely,

Robert B. Grabinski
Fire Marshal/Inspections Dept

Administrative Action
231/724-6703
FAX 722-1214

Assessor
231/724-6708
FAX 726-5181

Cemetery
231/724-6783
FAX 726-5617

Civil Service
231/724-6716
FAX 724-4405

Clerk
231/724-6705
FAX 724-4178

Comm. & Neigh.
Services
231/724-6717
FAX 726-2501

Engineering
231/724-6707
FAX 727-6904

Finance
231/724-6713
FAX 724-6768

Fire Dept.
231/724-6792
FAX 724-6985

Income Tax
231/724-6770
FAX 724-6768

Info. Systems
231/724-6744
FAX 722-4301

Leisure Service
231/724-6704
FAX 724-1196

Manager's Office
231/724-6724
FAX 722-1214

Mayor's Office
231/724-6701
FAX 722-1214

Inspection Services
231/724-6715
FAX 726-2501

Planning/Zoning
231/724-6702
FAX 724-6790

Police Dept.
231/724-6750
FAX 722-5140

Public Works
231/724-4100
FAX 722-4188

Treasurer
231/724-6720
FAX 724-6768

Water Billing Dept.
231/724-6718
FAX 724-6768

Water Filtration
231/724-4106
FAX 755-5290

MUSKEGON



West Michigan's Shoreline City

NOTICE AND ORDER

May 11, 2000
~~March 28, 2000~~ (initials)

Mr. David Poppe
756 E Isabella
Muskegon MI 49442

Dear Property Owner:

Subject: 673 E Isabella
N 1/2 LOT 6 BLK 74

The City of Muskegon Building Official has recently inspected the subject property and has found the buildings to be dangerous as defined under Section 4-23 of the Muskegon City Code.

As a result of this finding, you are hereby ordered to REPAIR or DEMOLISH the structures within thirty (30) days.

If you elect to repair the structures, you must secure all required permits and physically commence the work within thirty (30) days from the date of this order.

Should you have any questions concerning this matter, please do not hesitate to contact our Building Official, Jerry McIntyre at (231) 724-6715.

Sincerely yours,

Robert B. Grabinski

Robert B. Grabinski
Fire Marshal/Inspection Services

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

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231/724-6713
FAX/724-6768

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231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

DANGEROUS BUILDING INSPECTION REPORT

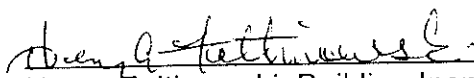
673 E ISABELLA

5/8/00

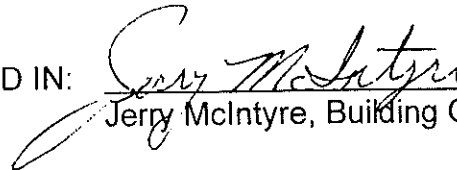
Inspection Noted:

1. No progress on home since 12/97.
2. Open gables on home.
3. Open windows on home.
4. Rotted siding, missing siding.
5. Rotted front porch, rim joist.
6. Chimney repair needed.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.


Henry Faltinowski, Building Inspector

5/10/2000
Date

CONCURRED IN: 
Jerry McIntyre, Building Official

5/10/00
Date



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Politics, French Cooking, Yoga



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673 Isabella, Muskegon, MI

[New Location](#)

Tools

673 Isabella, Muskegon, MI 49442-3961

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Zoom Out Zoom In

[To this location](#)

[From this location](#)

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[Email Map](#)

Biz Finder

1. Choose category.

2. Click on icon for locations.

Hilton

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[Hotels and Motels](#)

[Restaurants](#)

[Nearby Classifieds](#)

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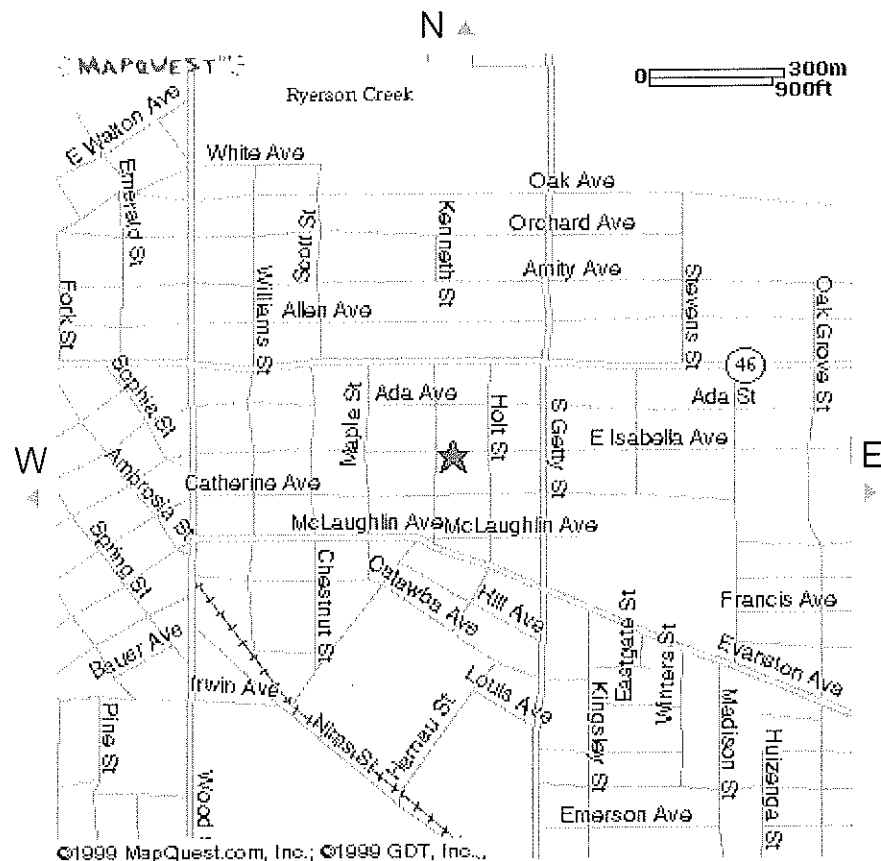
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Map a New Address

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Street Address, Intersection or Airport Code

REAL ESTATE SUMMARY SHEET

Parcel: 61-24-205-074-0006-00

Owner's Name: POPPE DAVID J

Property Address: 673 E ISABELLA AVE

Map Number: 24-31-29-233-001

Property Class: 401 School District: 61010 CITY OF MUSKEGON
 Prev. Class : 401 Neighborhood: R01..R01.ANGELL RES
 Public Impr.: Paved Road, Storm Sewer, Sidewalk, Water, Sewer, Electric, Gas,
 Curb
 Topography: Level, Landscaped

Legal Description:
 N 1/2 LOT 6 BLK 74

Mailing Address:
 756 E ISABELLA
 MUSKEGON, MI 49442

Most Recent Sale Information

Sold on 10/22/1997 for 9,800 by REID BUDD.

Terms of Sale: Arms-Length

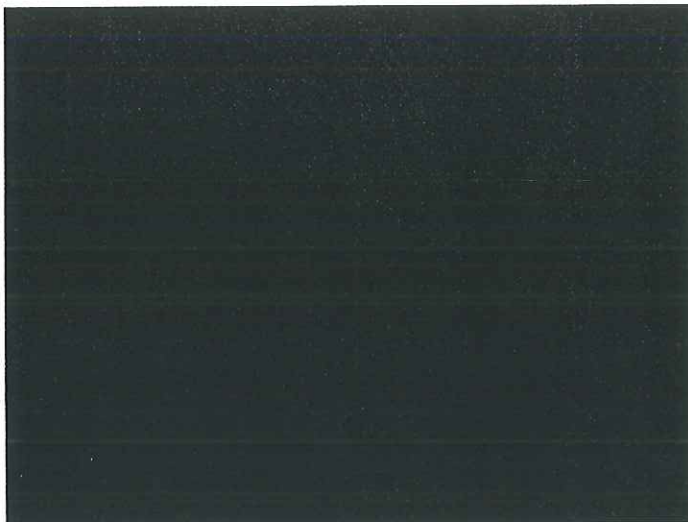
Liber/Page: 2034/090

Physical Property Characteristics

2001 S.E.V.: 8,700	Taxable: 6,569	Land Value: 4,000
2000 S.E.V.: 7,900	Taxable: 6,569	Acreage: 0.10
Zoning: R		Frontage: 66.0
Homestead: 0.000%	Land Impr. Value:	Average Depth: 66.0

Improvement Data

# of Residential Buildings: 1	# of Ag. Buildings: 0
Year Built: 0	Est. TCV:
Occupancy: Single Family	
Class: D +5	# of Commercial Buildings: 0
Style: 1 STORY	Type:
Exterior: Wood Siding	Desc:
% Good (Physical): 45	Class:
Heating System: Forced Air w/ Ducts	Quality:
Electric - Amps Service: 100	Built: 0 Remodeled: 0
# of Bedrooms: 4	Overall Building Height: 0
# of Bathrooms: 1.0	Floor Area:
Floor Area: 1,240	Sale Price/Floor Area: 0.00
Ground Area: 1,032	Est. TCV:
Garage Area:	
Basement Area:	Cmts:
Basement Walls:	
Est. TCV: 19,600	



MEMO

To: City of Muskegon
From: Christopher L. Carter 
Subject: David Poppe
Date: October 24, 2000

David has submitted a home improvement loan with Huntington Bank and it has been tentively approved pending title and flood being done on the property. Once title and flood has been completed, which takes approximately 10-15 business days to complete we can start issuing the funds for the remodeling. If you have any further questions please feel free to call me at 231-725-0202.



673 ISABella
10/17/00

Census # 3

Commission Meeting Date: October 24, 2000

Date: October 13, 2000
To: Honorable Mayor & City Commissioners
From: Planning & Economic Development *CBC*
RE: Sale of Non-Buildable Lot in Angell Neighborhood

SUMMARY OF REQUEST:

To approve the sale of the vacant non-buildable lot designated as map # 24-31-20-382-021 to Floyd Cook of 223 Amity Street. Mr. Cook also owns the lot on the corner of Amity and Jay Streets. Acquisition of the subject lot will allow him better access to the corner in terms of maintenance. The front half of the subject lot is in the tax reversion process and Mr. Cook has made arrangements with the DNR to purchase the aforementioned lot once it becomes available. Currently Mr. Cook's lot at 223 Amity has 66 feet of frontage. The subject parcel is being offered to Mr. ~~Harris~~ *Cook* for \$100. There is no other adjacent property owner.

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 said resolution.

COMMITTEE RECOMMENDATION:

This sale was recommended by the LRC at their January 18 meeting.

Resolution No. 2000-102(k)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE SALE OF A NON-BUILDABLE LOT IN ANGELL NEIGHBORHOOD FOR \$100.

WHEREAS, Floyd Cook has deposited \$100 for map # 24-31-20-382-021, for the subject parcel located between Jay and Fork Streets;

WHEREAS, the sale would relieve the City of further maintenance costs;

WHEREAS, the sale is consistent with City policy regarding the disposition of non-buildable lots;

NOW THEREFORE BE IT RESOLVED, that map # 24-31-20-382-021 be sold to the above-mentioned buyer.

(Lot 6 Blk 209)

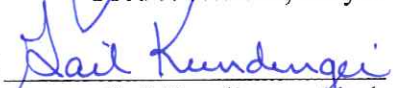
Adopted this 24th day of October, 2000

Ayes: Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen

Nays: None

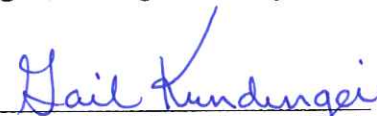
Absent: Sschweifler

By: 
Fred J. Nielsen, Mayor

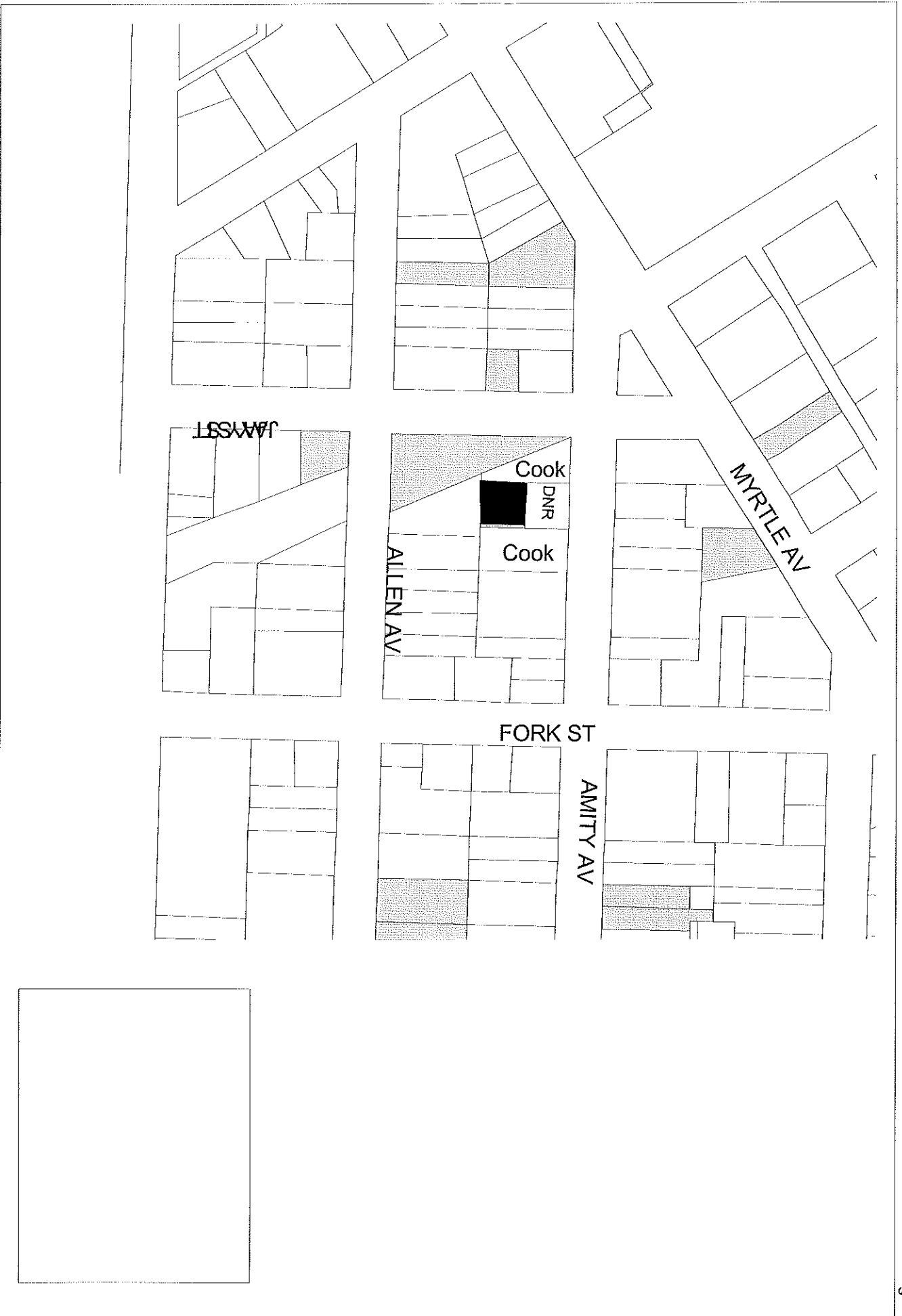
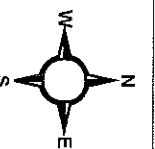
Attest: 
Gail Kunding, Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on October 24, 2000.

By: 
Gail Kunding, Clerk

Proposed Purchase by Floyd Cook
10/24/00



QUIT-CLAIM DEED

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

QUIT CLAIMS TO: FLOYD COOK, a single man, of 223 Amity Avenue, Muskegon, Michigan 49442,

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

Lot 6 of Block 209, of the Revised Plat (of 1903) of the City of Muskegon;

for the sum of One Hundred Dollars (\$100).

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

Dated this 2nd day of November, 2000.

Signed in the presence of:

Linda Potter
Linda Potter

JoAnn Krukowski
JoAnn Krukowski

CITY OF MUSKEGON

By Fred J. Nielsen
Fred J. Nielsen, Its Mayor

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

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this 2nd day of November, 2000, by Fred J. Nielsen and Gail A. Kunding, the Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

Linda S. Potter
Linda S. Potter

Notary Public, Muskegon County, Michigan
My commission expires: 9-25-02

Drafted by:
G. Thomas Johnson
PARMENTER O'TOOLE
175 W. Apple Avenue
P. O. Box 786
Muskegon, Michigan 49443-0786

WHEN RECORDED RETURN TO:
Grantee

SEND SUBSEQUENT TAX BILLS TO:
Grantee

This form is issued under authority of
P.A. 415 of 1994. Filing is mandatory.

PROPERTY TRANSFER AFFIDAVIT

This form must be filed whenever real estate or some types of personal property are transferred (even if you are not recording a deed). It is used by the assessor to ensure the property is assessed properly and receives the correct *taxable value*. It must be filed by the new owner with the *assessor for the city or township* where the property is located within *45 days* of the transfer. If it is not filed timely, a penalty of \$5/day (maximum \$200) applies. The information on this form is **NOT CONFIDENTIAL**.

1. Street Address of Property <i>Vacant land on Amity</i>	2. County <i>Muskegon</i>	4. Date of Transfer (or land contract was signed) <i>October 24, 2000</i>
3. City/Township/Village of Real Estate <i>City of Muskegon</i>	☒ City ☐ Township ☐ Village	5. Purchase Price of Real Estate <i>\$ 100.00</i>

6. Property Identification Number (PIN). If you don't have a PIN, attach legal description. <i>See attached deed</i>	<i>PIN</i> . This number ranges from 10 to 25 digits. It usually includes hyphens and sometimes includes letters. It is on the property tax bill and on the assessment notice.
---	--

7. Seller's (Transferor) Name <i>City of Muskegon</i>	8. Buyer's (Transferee) Name and Mailing Address <i>Floyd Cook 223 Amity Ave. Muskegon, 49442</i>
--	--

Items 9 - 13 are optional. However, by completing them you may avoid further correspondence.

Transfers include deeds, land contracts, transfers involving trusts or wills, certain long-term leases and interest in a business. See the back for a complete list.

9. Type of <i>Transfer</i>	
☐ Land Contract	☐ Lease
☒ Deed	☐ Other (specify) _____

10. Is the transfer between related persons? ☐ Yes ☒ No	11. Amount of Down Payment <i>0</i>
12. If you financed the purchase, did you pay market rate of interest? ☐ Yes ☒ No	13. Amount Financed (Borrowed) <i>0</i>

Exemptions

The Michigan Constitution limits how much a property's *taxable value* can increase while it is owned by the same person. Once the property is transferred, the *taxable value* must be adjusted by the assessor in the following year to 50 percent of the property's usual selling price. Certain types of transfers are exempt from adjustment. Below are brief descriptions of the types of exempt transfers; full descriptions are in MCL Section 211.27a(7)(a-m). If you believe this transfer is exempt, indicate below the type of exemption you are claiming. If you claim an exemption, your assessor may request more information to support your claim.

- ☐ transfer from one spouse to the other spouse
- ☐ change in ownership solely to exclude or include a spouse
- ☐ transfer of that portion of a property subject to a life lease or life estate (*until* the the life lease or life estate expires)
- ☐ transfer to effect the foreclosure or forfeiture of real property
- ☐ transfer by redemption from a tax sale
- ☐ transfer into a trust where the settlor or the settlor's spouse conveys property to the trust and is also the sole beneficiary of the trust
- ☐ transfer resulting from a court order unless the order specifies a monetary payment
- ☐ transfer creating or ending a joint ownership if at least one person is an original owner of the property (or his/her spouse)
- ☐ transfer to establish or release a security interest (collateral)
- ☐ transfer of real estate through normal public trading of stocks
- ☐ transfer between entities under common control or among members of an affiliated group
- ☐ transfer resulting from transactions that qualify as a tax-free reorganization
- ☐ other, specify: _____

Certification

I certify that the information above is true and complete to the best of my knowledge.

Owner's Signature <i>Sam At...</i>	Date <i>10/23/00</i>	If signer is other than the owner, print name and title. <i>City of Muskegon planning</i>
---------------------------------------	-------------------------	--

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: October 24, 2000

RE: Public Hearing
Spreading of the Special Assessment Roll on:
Nevada, Laketon to Young

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for **Nevada, Laketon to Young**, and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of \$13,363.82 will be spread against the forty-three (43) 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. 2000-103(a)

Resolution Confirming Special Assessment Roll

For Nevada Street, Laketon Ave. to Young Ave.

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 **February 22, 2000**, 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 Nevada, Laketon to Young

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: Nielsen, Shepherd, Sieradzki, Spataro, Aslakson, Benedict

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 **October 24, 2000**. 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 **October 24, 2000**.

City of Muskegon

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

EXHIBIT A

NEVADA STREET, YOUNG TO LAKETON AVE.

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of **NEVADA STREET, YOUNG TO LAKETON AVE.**

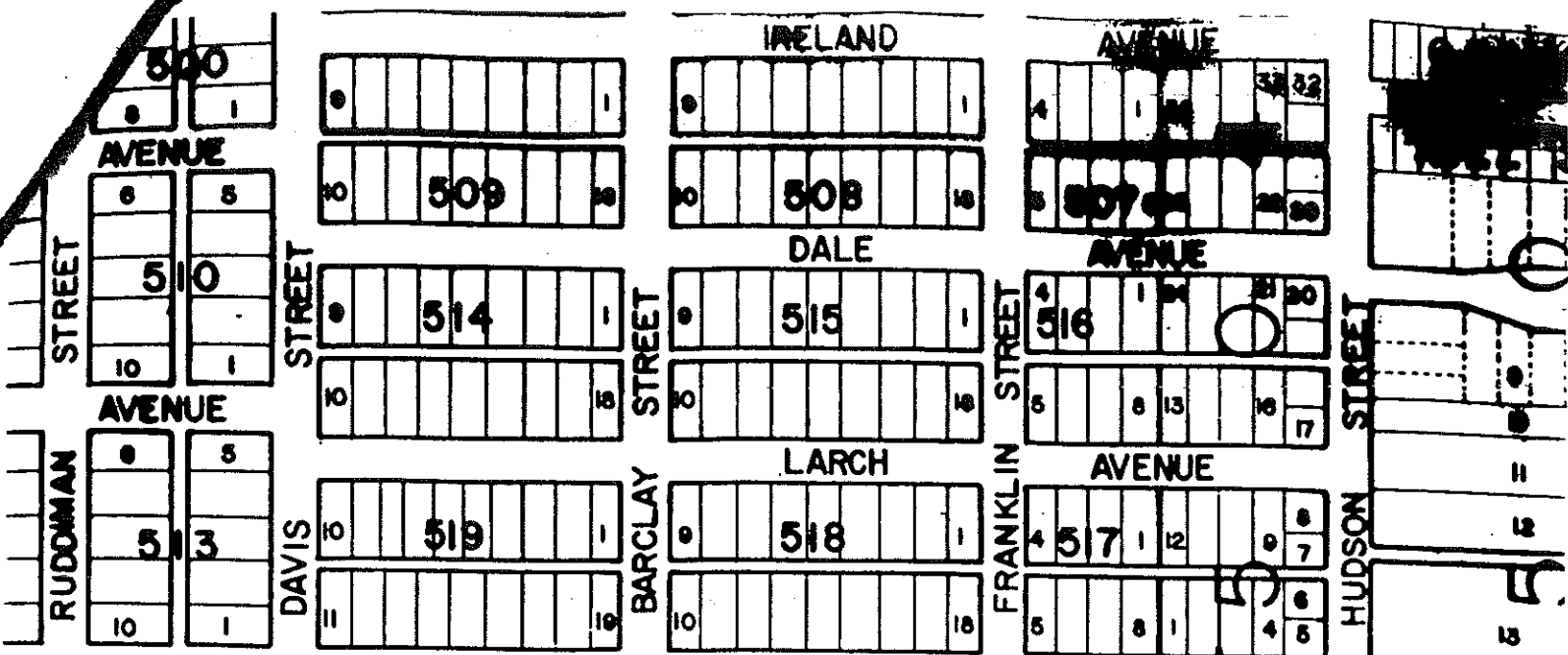
NEVADA STREET, LAKETON AVE. TO YOUNG AVE.

MAYOR'S ENDORSEMENT AND WARRANT

I, FRED J. NIELSEN, 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

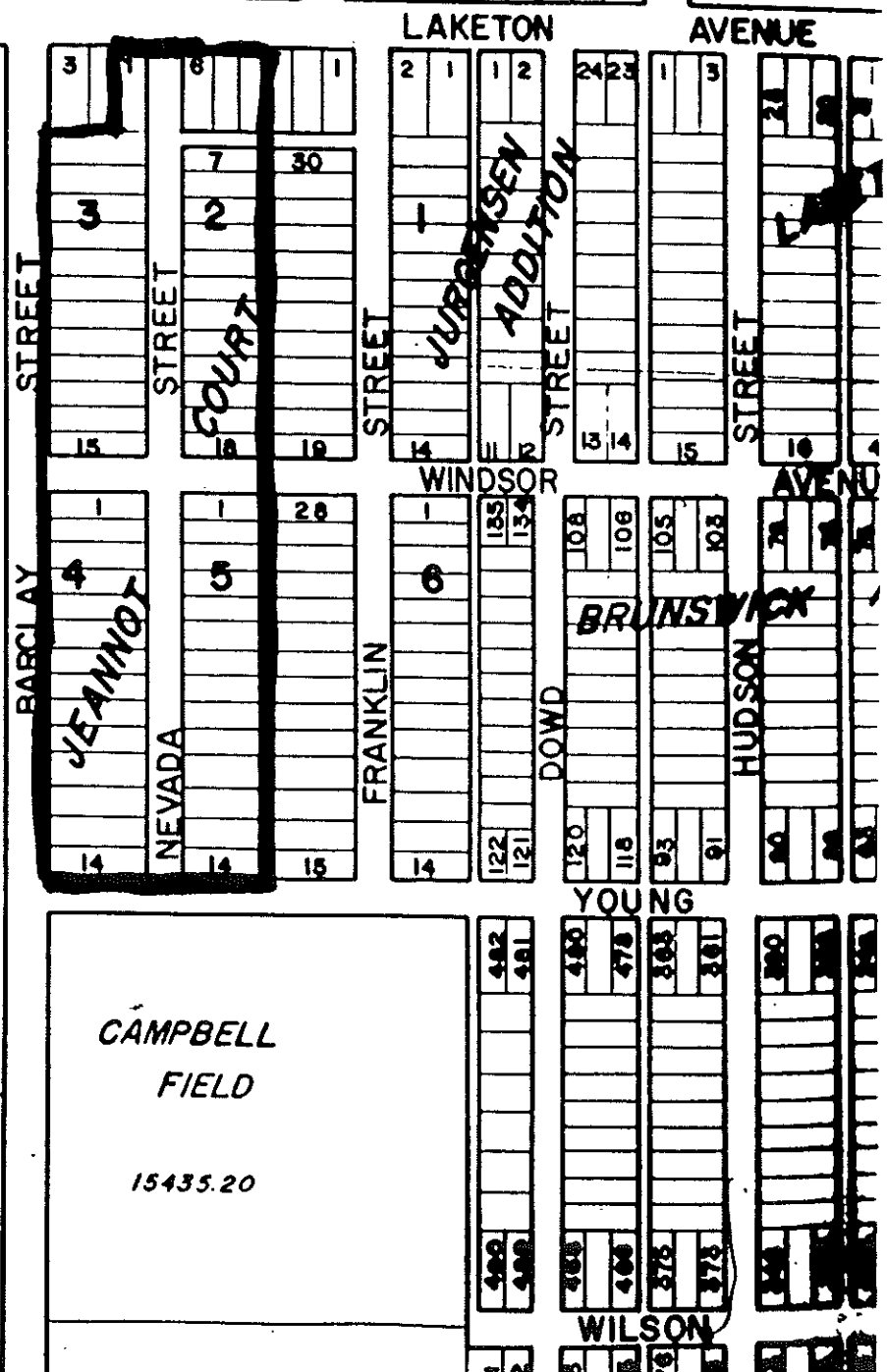
BY 
FRED J. NIELSEN, MAYOR



Nevada Street

Laketon Avenue to Young Avenue

SPECIAL ASSESSMENT DISTRICT



Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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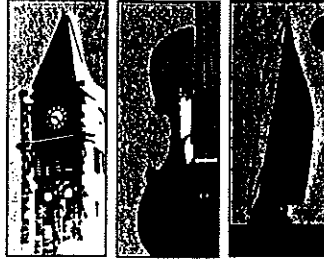
Public Works
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231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

October 13, 2000

Property Parcel Number: _____ at _____ NEVADA ST.

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:

Nevada Street, Young Avenue to Laketon Avenue.

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, October 24, 2000 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 OCTOBER 24, 2000 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 \$42,000.00 of which \$13,363.82 (31.82%) will be paid by special assessment to property owners. If the special assessment is confirmed, your property will be assessed _____ based on _____ feet assessable front footage at \$4.83 per assessable foot for the street improvements. In addition, you will be assessed \$0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of _____. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years

Interest Rate: 5% per year

First Installment: _____

Due Date: December 26, 2000

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 available.

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

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 your 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
NEVADA STREET H-1511
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 your neighborhood and your property for its comprehensive sidewalk replacement program. City ordinances require that property owners be responsible for the repair/replacement of damaged or unsafe sidewalks adjoining their properties. To assist homeowners, who may have difficulty paying the cost of sidewalk 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 sidewalk 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 2000, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2000

65% MEDIAN HOUSEHOLD INCOME CHART

FAMILY SIZE	INCOME LIMIT
1	\$22,800
2	26,040
3	29,340
4	32,580
5	35,160
6	37,800
7	40,380
8	43,020
For each extra, add	3,240

- ✓ **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. Sidewalk repairs must be completed by the City of Muskegon. Costs incurred from repairs done by a private contractor or by doing them yourself, will not be reimbursed.

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

The location of the three (3) special assessment districts and the properties to be assessed are:

**ALL PARCELS ABUTTING ACCESS HIGHWAY BETWEEN GETTY STREET AND
LUPEE ACCESS ROAD EASEMENT**

**ALL PARCELS ABUTTING FOREST AVENUE, BETWEEN BARCLAY STREET AND
FRANKLIN STREET**

**ALL PARCELS ABUTTING NEVADA STREET BETWEEN LAKETON AVENUE AND
YOUNG AVENUE**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment roll shall be held in the City of Muskegon Commission Chambers on **October 24, 2000 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 roll which has been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment roll is 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 hearing the City Commission determined that the special assessment district should be created, the improvement made, and the assessment levied. The purpose of this hearing is to hear objections to the assessment roll and to approve, reject, or correct the said roll.

Gail A. Kundering, City Clerk

Publish: **October 14, 2000**

ADA POLICY

The City will provide necessary appropriate aids and services, for example, signers for the hearing impaired, audio tapes 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

CITY OF MUSKEGON

Resolution No. 2000-29(b)

Resolution At First Hearing Creating Special Assessment District
For **NEVADA STREET, YOUNG TO LAKETON AVENUE**

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

RECITALS:

1. A hearing has been held on **FEBRUARY 22, 2000** 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 **FEBRUARY 22, 2000**, there were 24.48 % 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 Schweifler and Benedict
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 **26.73%** 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 Aslakson, Benedict, Nielsen, Schweifler, Shepherd,
Sieradzki, Spataro

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 **FEBRUARY 22, 2000**. 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

AFFIDAVIT OF MAILING BY CITY CLERK

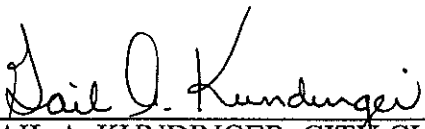
STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

GAIL A. KUNDINGER, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT SHE IS THE CITY CLERK OF THE CITY OF MUSKEGON; THAT AT A HEARING HELD ON THE 22 RD DAY OF FEBRUARY, 2000 THE CITY COMMISSION ADOPTED A RESOLUTION CONFIRMING THE FOLLOWING SPECIAL ASSESSMENT DISTRICT:

All parcels abutting Nevada Street between Laketon Avenue and Young Avenue.

A NOTICE OF THE SAID HEARING WAS DULY PUBLISHED IN THE MUSKEGON CHRONICLE, A DAILY NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF MUSKEGON, ON FEBRUARY 12, 2000.

DEPONENT FURTHER 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 11TH DAY OF FEBRUARY, 2000.



GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
24th DAY OF February, 2000.



NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
Linda S. Potter

MY COMMISSION EXPIRES 9-25-02

H-1511

Nevada Street, Young Avenue to Laketon Avenue.

SPECIAL ASSESSMENT ROLL

PARCEL	@	PAVING	DR APP / SW	TOTAL
24-480-002-0004-00	1075 LAKETON A	WESTGATE OIL CO 3251 HENRY MUSKEGON MI 49441	\$0.00	\$1,264.15
24-480-003-0001-00	1087 LAKETON A	TILFORD LARRY 1087 W LAKETON AVE MUSKEGON MI 49441	\$0.00	\$632.08
24-480-004-0003-00	1925 NEVADA ST	CRANSTON EARLE 3336 MILLARD AVE MUSKEGON MI 49441	\$0.00	\$96.60
24-480-005-0013-00	1988 NEVADA ST	HAMILTON TONI 1988 NEVADA ST MUSKEGON MI 49441	\$0.00	\$222.18
24-480-005-0008-00	1958 NEVADA ST	GOWIN GEOFFREY 1958 NEVADA ST MUSKEGON MI 49441	\$0.00	\$193.20
24-480-004-0006-00	1941 NEVADA ST	GILMORE KRISTINA L 1941 NEVADA MUSKEGON MI 49441	\$0.00	\$144.90
24-480-002-0009-00	1840 NEVADA ST	FITZPATRICK RAYMO 1973 NEVADA ST MUSKEGON MI 49441	\$0.00	\$579.00
24-480-004-0011-00	1973 NEVADA ST	FITZPATRICK RAYMO 1973 NEVADA ST MUSKEGON MI 49441	\$0.00	\$111.09
24-480-005-0003-00	1924 NEVADA ST	FITZPATRICK DOUGLA 1924 NEVADA ST MUSKEGON MI 49441	\$0.00	\$313.95
24-480-005-0002-00	1920 NEVADA ST	FITZPATRICK DOUGLA 1924 NEVADA ST MUSKEGON MI 49441	\$0.00	\$193.20
24-480-002-0017-00	1892 NEVADA ST	EPPARD KAY 9033 HTS RAVENNA R RAVENNA MI 49451	\$0.00	\$386.00
24-480-004-0008-00	1953 NEVADA ST	ALDRICH BONNIE 1953 NEVADA ST MUSKEGON MI 49441	\$0.00	\$241.50
24-480-005-0009-00	1960 NEVADA ST	CROWELL CHARLES A 1960 NEVADA MUSKEGON MI 49441	\$0.00	\$193.20
24-480-004-0005-00	1935 NEVADA ST	JOSEPHSON CLAREN 1935 NEVADA ST MUSKEGON MI 49441	\$0.00	\$96.60

H-1511

Nevada Street, Young Avenue to Laketon Avenue.

SPECIAL ASSESSMENT ROLL

PARCEL	@						PAVING	DR APP / SW	TOTAL
24-480-004-0012-00	1979	NEVADA ST	COUNSELOR JANE L	583 TOURNAMENT CI	MUSKEGON	MI 49444-9	\$111.09	\$0.00	\$111.09
24-480-004-0010-00	1963	NEVADA ST	COTA CLIFFORD A	1963 NEVADA ST	MUSKEGON	MI 49441	\$96.60	\$0.00	\$96.60
24-480-003-0006-00	1841	NEVADA ST	CLEMENT DAVID A	1841 NEVADA ST.	MUSKEGON	MI 49441	\$212.30	\$0.00	\$212.30
24-480-002-0011-00	1850	NEVADA ST	BUFORD FANNIE	1850 NEVADA ST	MUSKEGON	MI 49441	\$579.00	\$0.00	\$579.00
24-480-003-0010-00	1865	NEVADA ST	BUDNICK ALEX A/ET A	1865 NEVADA ST	MUSKEGON	MI 49441	\$193.00	\$0.00	\$193.00
24-480-003-0004-00	1829	NEVADA ST	BLACKWELL DEBRA L/	1829 NEVADA	MUSKEGON	MI 49441	\$212.30	\$0.00	\$212.30
24-480-005-0007-00	1942	NEVADA ST	ALLERS RANDY L	931 POST RD	MUSKEGON	MI 49441	\$193.20	\$0.00	\$193.20
24-480-004-0001-00	1911	NEVADA ST	EDGERTON BRIAN/RU	1911 NEVADA ST	MUSKEGON	MI 49441	\$193.20	\$0.00	\$193.20
24-480-002-0014-00	1874	NEVADA ST	MORRISON LORRAINE	1874 NEVADA ST	MUSKEGON	MI 49441	\$1,351.00	\$0.00	\$1,351.00
24-480-004-0002-00	1917	NEVADA ST	YOST ROBERT J JR	1917 NEVADA	MUSKEGON	MI 49441	\$96.60	\$0.00	\$96.60
24-480-003-0011-00	1879	NEVADA ST	VUKITS FRANK	1879 NEVADA ST	MUSKEGON	MI 49441	\$386.00	\$0.00	\$386.00
24-480-004-0004-00	1931	NEVADA ST	TOURRE BRUCE	15319 HARRY	GRAND HAVEN	MI 49417	\$193.20	\$0.00	\$193.20
24-480-003-0007-00	1851	NEVADA ST	SZMALEC ANDREW J	1851 NEVADA ST	MUSKEGON	MI 49441	\$405.30	\$0.00	\$405.30
24-480-002-0008-00	1836	NEVADA ST	SWARTS RUSSELL A/J	4919 APPLE AVE	MUSKEGON	MI 49442	\$386.00	\$0.00	\$386.00

H-1511

Nevada Street, Young Avenue to Laketon Avenue.

SPECIAL ASSESSMENT ROLL

PARCEL	@						PAVING	DR APP / SW	TOTAL
24-480-005-0014-00	1990	NEVADA ST	ROZYCKI IRENE	1990 NEVADA ST	MUSKEGON	MI 49441	\$234.26	\$0.00	\$234.26
24-480-003-0014-00	1895	NEVADA ST	RHOADES KATHLEEN	1895 NEVADA ST	MUSKEGON	MI 49441	\$193.00	\$0.00	\$193.00
24-480-003-0013-00	1891	NEVADA ST	HEPWORTH T M/FRED	1891 NEVADA ST	MUSKEGON	MI 49441	\$193.00	\$0.00	\$193.00
24-480-005-0010-00	1978	NEVADA ST	MULLINS JOHN D/JULI	1978 NEVADA ST	MUSKEGON	MI 49441	\$367.08	\$0.00	\$367.08
24-480-005-0012-00	1980	NEVADA ST	HUNT FLOSSIE LEE	1980 NEVADA ST	MUSKEGON	MI 49441	\$270.48	\$0.00	\$270.48
24-480-005-0005-00	1930	NEVADA ST	MEDEMA LORI LYN	1940 NEVADA	MUSKEGON	MI 49441	\$265.65	\$0.00	\$265.65
24-480-005-0006-00	1940	NEVADA ST	MEDEMA LORI LYN	1940 NEVADA	MUSKEGON	MI 49441	\$193.20	\$0.00	\$193.20
24-480-002-0007-00	1832	NEVADA ST	LAND MANAGEMENT L	1460 WHITEHALL RD	MUSKEGON	MI 49445	\$386.00	\$0.00	\$386.00
24-480-003-0005-00	1835	NEVADA ST	KROESING MARK A	1835 NEVADA	MUSKEGON	MI 49441	\$212.30	\$0.00	\$212.30
24-480-003-0009-00	1861	NEVADA ST	KNOP ALICE LILLIAN	1884 SPENCER DR	MUSKEGON	MI 49441-4	\$193.00	\$0.00	\$193.00
24-480-002-0012-00	1860	NEVADA ST	KIRSCHNER MARIE L	1860 NEVADA ST	MUSKEGON	MI 49441	\$579.00	\$0.00	\$579.00
24-480-003-0015-00	1897	NEVADA ST	JOSEPHSON GEORGE	1897 NEVADA ST	MUSKEGON	MI 49441	\$193.00	\$0.00	\$193.00
24-480-002-0018-00	1056	WINDSOR A	ZIMMER PATRICIA	1056 WINDSOR AVE	MUSKEGON	MI 49441	\$386.00	\$0.00	\$386.00
24-480-005-0001-00	1055	WINDSOR A	CZINDER STEPHEN	1055 WINDSOR	MUSKEGON	MI 49441	\$193.20	\$0.00	\$193.20

H-1511

Nevada Street, Young Avenue to Laketon Avenue.

SPECIAL ASSESSMENT ROLL

PARCEL	@	1090	YOUNG AV	PIERCE CHARLES M	1090 YOUNG AVE	MUSKEGON	MI 49441	PAVING	DR APP / SW	TOTAL
24-480-004-0013-00								\$228.22	\$0.00	\$228.22
TOTALS								\$13,363.82	\$0.00	\$13,363.82

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

43

BOARD OF ASSESSORS

CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATIO DATE

ROBERT SCHWEIFLER CITY COMMISSIONER DATE

JONE BENEDICT CITY COMMISSIONER DATE

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: October 24, 2000

RE: Public Hearing
Spreading of the Special Assessment Roll on:
Access Highway, Getty Street to Lupee Access Road Easement

SUMMARY OF REQUEST:

To hold a public hearing on the spreading of the special assessment for Access Highway, Getty Street to Lupee Access Road Easement , and to adopt the attached resolution confirming the special assessment roll.

FINANCIAL IMPACT:

A total of \$19,333.43 will be spread against the Five (5) 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. 2000-103(b)

Resolution Confirming Special Assessment Roll

For Access Highway, Getty Street to Lupee Access Road Easement

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 **February 9, 1999**, 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 Access Highway, Getty Street to Lupee Access Road Easement
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: Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen

Nays: None

City of Muskegon

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

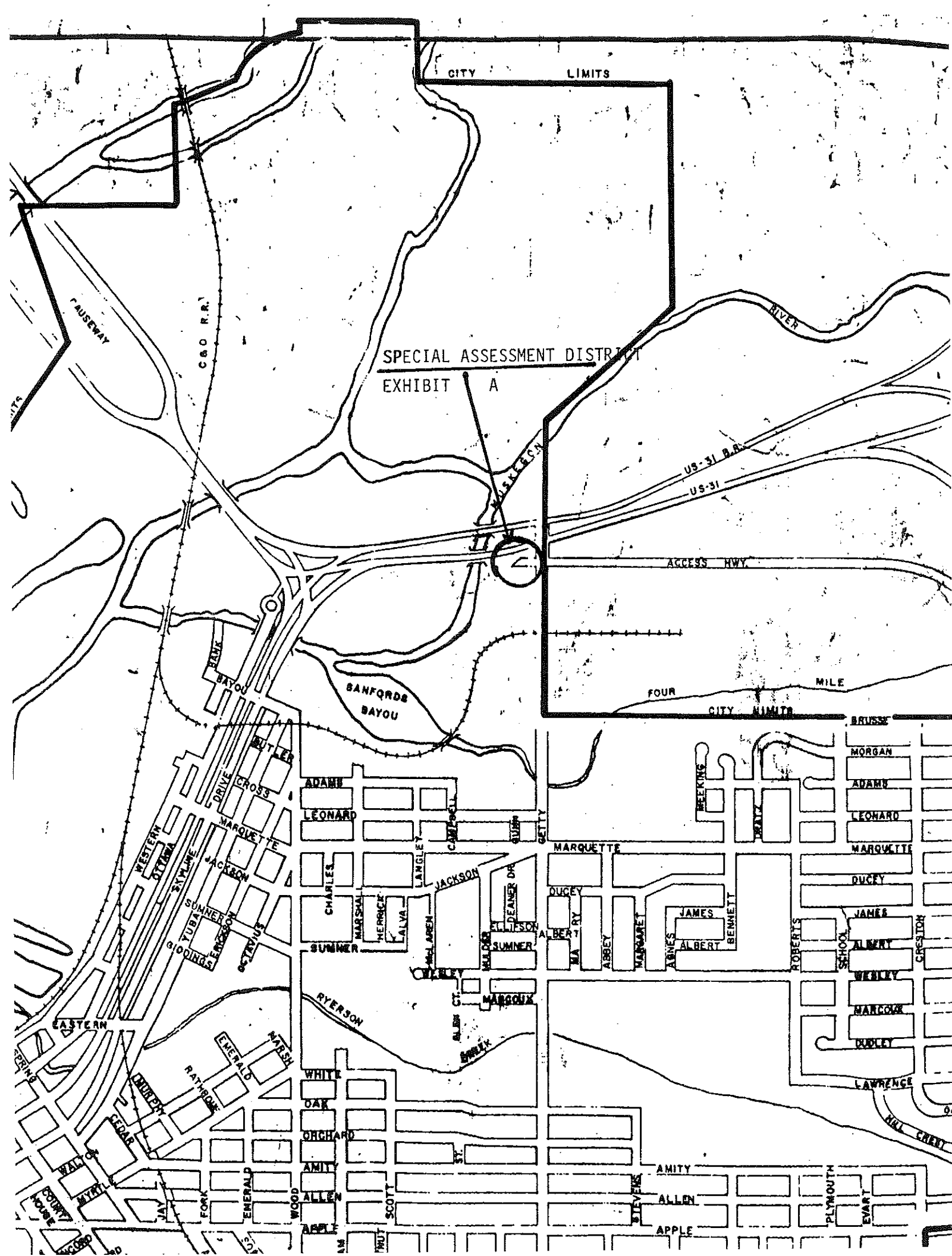
CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 24, 2000**. 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 **October 24, 2000**.

City of Muskegon

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



ACCESS HIGHWAY, GETTY STREET TO LUPEE ACCESS ROAD EASEMENT

MAYOR'S ENDORSEMENT AND WARRANT

I, FRED J. NIELSEN, 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 
FRED J. NIELSEN, MAYOR

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

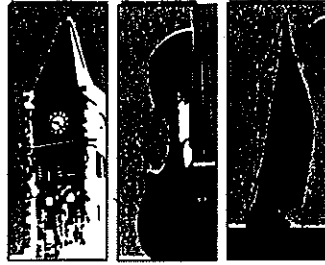
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

October 13, 2000

Property Parcel Number: _____ at _____ ACCESS HWY

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:

Access Highway, Getty Street to west end

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, October 24, 2000 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 OCTOBER 24, 2000 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 \$72,000.00 of which \$19,333.43 (26.85%) will be paid by special assessment to property owners. If the special assessment is confirmed, your property will be assessed _____ based on _____ feet assessable front footage at \$32.70 per assessable foot for the street improvements. In addition, you will be assessed _____ for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of _____. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years

Interest Rate: 5% per year

First Installment: _____

Due Date: December 26, 2000

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 available.

Sincerely,

A handwritten signature in cursive script, reading "Mohammed Al-Shatel".

Mohammed Al-Shatel, P.E.
City Engineer

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 your 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
NOTICE OF PUBLIC HEARING
CONFIRMATION OF SPECIAL ASSESSMENT ROLLS**

The location of the three (3) special assessment districts and the properties to be assessed are:

**ALL PARCELS ABUTTING ACCESS HIGHWAY BETWEEN GETTY STREET AND
LUPEE ACCESS ROAD EASEMENT**

**ALL PARCELS ABUTTING FOREST AVENUE, BETWEEN BARCLAY STREET AND
FRANKLIN STREET**

**ALL PARCELS ABUTTING NEVADA STREET BETWEEN LAKETON AVENUE AND
YOUNG AVENUE**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment roll shall be held in the City of Muskegon Commission Chambers on **October 24, 2000 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 roll which has been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment roll is 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 hearing the City Commission determined that the special assessment district should be created, the improvement made, and the assessment levied. The purpose of this hearing is to hear objections to the assessment roll and to approve, reject, or correct the said roll.

Gail A. Kunding, City Clerk

Publish: **October 14, 2000**

ADA POLICY

The City will provide necessary appropriate aids and services, for example, signers for the hearing impaired, audio tapes 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 or TDD (231) 724-6773

RECEIVED
CITY OF MUSKEGON

FEB 15 1999

CITY OF MUSKEGON

Resolution No. 99-11(a)

ENGINEER J. B. LPT.

Resolution At First Hearing Creating Special Assessment District
For **ACCESS HIGHWAY BETWEEN GETTY STREET AND
LUPEE ACCESS ROAD EASEMENT**

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

RECITALS:

1. A hearing has been held on **FEBRUARY 9, 1999** 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 **FEBRUARY 9, 1999**, there were 18.98% 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 Shepherd and Sieradzki 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 7.05 % 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 Shepherd, Sieradzki, Aslakson, Benedict, Michalski, Nielsen,
Pleimling

Nays None

CITY OF MUSKEGON

By Gail A. Kunderinger
Gail A. Kunderinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **FEBRUARY 9, 1999**. 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. Kunderinger
Gail A. Kunderinger, Clerk

H-1493

Access Highway, Getty Street to west end

SPECIAL ASSESSMENT ROLL

PARCEL	@	771 ACCESS HWY	BECKSTROM KNUTE	771 ACCESS HWY	MUSKEGON	MI 49442	PAVING	DR APP / SW	TOTAL
24-205-001-0003-94							\$4,054.80	\$0.00	\$4,054.80
24-205-001-0003-93		765 ACCESS HWY	NOORDHOEK RICK	17756 136TH AVE	NUNICA	MI 49448	\$2,943.00	\$410.00	\$3,353.00
24-205-001-0003-92		739 ACCESS HWY	CARLSTON JACK E	1834 ANTISDALE	MUSKEGON	MI 49441	\$6,540.00	\$473.33	\$7,013.33
24-205-001-0003-90		755 ACCESS HWY	DOC ENTERPRISES LL	1061 NORTH ROBINH	N MUSKEGON	MI 49445	\$1,965.27	\$913.33	\$2,878.60
24-205-001-0003-40		725 ACCESS HWY	STAPLE MARK A	3056 DUCK LAKE RD	WHITEHALL	MI 49461-5	\$1,635.00	\$398.70	\$2,033.70
TOTALS							\$17,138.07	\$2,195.36	\$19,333.43

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

BOARD OF ASSESSORS

CLIFF TURNER, DIRECTOR, COUNTY EQUALIZATION DATE

SCOTT SIERADZKI CITY COMMISSIONER DATE

CLARA SHEPHERD CITY COMMISSIONER DATE

TO: Honorable Mayor and City Commissioners

FROM: Engineering

DATE: October 24, 2000

RE: Public Hearing
Spreading of the Special Assessment Roll on:
FOREST AVE., BARCLAY TO FRANKLIN.

SUMMARY OF REQUEST:

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

FINANCIAL IMPACT:

A total of \$8,412.27 will be spread against the Seventeen (17) 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. 2000-103(c)

Resolution Confirming Special Assessment Roll

For FOREST AVE., BARCLAY TO FRANKLIN

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 **February 22, 2000**, 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 FOREST AVE., BARCLAY TO FRANKLIN

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: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Shepherd

Nays: None

City of Muskegon

By

Gail A. Kunderger
Gail A. Kunderger, City Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission, held on **October 24, 2000**. 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 **October 24, 2000**.

City of Muskegon

By

Gail A. Kunderger
Gail A. Kunderger, City Clerk

EXHIBIT A

FOREST AVE., BARCLAY TO FRANKLIN

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of **FOREST AVE., BARCLAY TO FRANKLIN**

**FOREST AVE., BARCLAY TO FRANKLIN
MAYOR'S ENDORSEMENT AND WARRANT**

I, FRED J. NIELSEN, 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 
FRED J. NIELSEN, MAYOR

UFO

575

NUE

468

468

470

DISCUSSION

AVENUE

4

AV

AV

482

GRAND

483

184

485

**NIMS
SCHOOL
493**

462

SOUTHERN

FOIA b 7

IRELAND

AVER

508

AVERTIF

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

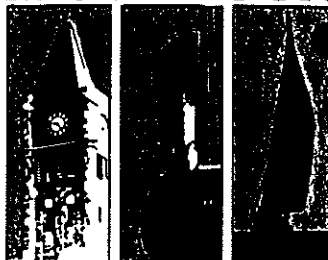
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

October 13, 2000

Property Parcel Number: _____ at _____ FOREST AVE

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:

Forest, Barclay Street to Franklin Street.

Public Hearings

A public confirmation hearing will be held in the City of Muskegon Commission Chambers on Tuesday, October 24, 2000 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 OCTOBER 24, 2000 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 \$24,000.00 of which \$8412.27 (35.05%) will be paid by special assessment to property owners. If the special assessment is confirmed, your property will be assessed _____ based on _____ feet assessable front footage at \$8.69 per assessable foot for the street improvements. In addition, you will be assessed \$0.00 for driveway approach and/or sidewalk improvements made to your property for a total special assessment cost of _____. Following are the terms of the special assessment:

Assessment Period: Ten (10) Years
Interest Rate: 5% per year
First Installment: _____
Due Date: December 26, 2000

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 available.

Sincerely,

A handwritten signature in cursive script, reading "Mohammed Al-Shatel".

Mohammed Al-Shatel, P.E.
City Engineer

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
FOREST AVENUE H-1509
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 your neighborhood and your property for its comprehensive sidewalk replacement program. City ordinances require that property owners be responsible for the repair/replacement of damaged or unsafe sidewalks adjoining their properties. To assist homeowners, who may have difficulty paying the cost of sidewalk 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 sidewalk 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 2000, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2000

65% MEDIAN HOUSEHOLD INCOME CHART

FAMILY SIZE	INCOME LIMIT
1	\$22,800
2	26,040
3	29,340
4	32,580
5	35,160
6	37,800
7	40,380
8	43,020
For each extra, add	3,240

- ✓ **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. Sidewalk repairs must be completed by the City of Muskegon. Costs incurred from repairs done by a private contractor or by doing them yourself, will not be reimbursed.

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

The location of the three (3) special assessment districts and the properties to be assessed are:

**ALL PARCELS ABUTTING ACCESS HIGHWAY BETWEEN GETTY STREET AND
LUPEE ACCESS ROAD EASEMENT**

**ALL PARCELS ABUTTING FOREST AVENUE, BETWEEN BARCLAY STREET AND
FRANKLIN STREET**

**ALL PARCELS ABUTTING NEVADA STREET BETWEEN LAKETON AVENUE AND
YOUNG AVENUE**

PLEASE TAKE NOTICE that a hearing to confirm the special assessment roll shall be held in the City of Muskegon Commission Chambers on **October 24, 2000 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 roll which has been prepared and submitted for the purpose of said hearing and for examination by those persons to be assessed. The special assessment roll is 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 hearing the City Commission determined that the special assessment district should be created, the improvement made, and the assessment levied. The purpose of this hearing is to hear objections to the assessment roll and to approve, reject, or correct the said roll.

Gail A. Kundering, City Clerk

Publish: **October 14, 2000**

ADA POLICY

The City will provide necessary appropriate aids and services, for example, signers for the hearing impaired, audio tapes 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

CITY OF MUSKEGON

Resolution No. 2000-29(d)

Resolution At First Hearing Creating Special Assessment District
For **FOREST AVE., BARCLAY TO FRANKLIN**

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

RECITALS:

1. A hearing has been held on **FEBRUARY 22, 2000** 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 **FEBRUARY 22, 2000**, there were 44.44 % 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 Schweifler and Benedict
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 **28.04%** 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 Nielsen, Schweifler, Shepherd, Sieradzki, Spataro,
Aslakson, Benedict

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 **FEBRUARY 22, 2000**. 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

H-1509

Forest, Barclay Street to Franklin Street.

SPECIAL ASSESSMENT ROLL

PARCEL	@						PAVING	DR APP / SW	TOTAL
24-205-502-0008-00	1101	FOREST AV	BELMONTE CAESAR	1101 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-502-0005-00	1075	FOREST AV	CHRISTOPHERSEN W	1075 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-502-0009-00	1109	FOREST AV	DARGA GERALD B	18257 144TH AVE	SPRING LAKE	MI 49456-9	\$467.35	\$0.00	\$467.35
24-205-502-0001-00	1045	FOREST AV	ESTERLING DEANNA	1045 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-502-0003-00	1063	FOREST AV	HALLORAN TERRENC	1063 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-492-0013-00	1084	FOREST AV	HEMEREN EARL G	1084 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-502-0007-00	1095	FOREST AV	HOEKER BURTON J	1095 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-492-0011-00	1104	FOREST AV	JACKSON TONY F	1104 W FOREST AVE	MUSKEGON	MI 49441-0	\$467.35	\$0.00	\$467.35
24-205-492-0014-00	1078	FOREST AV	JOHNSON TOM L/CYN	1078 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-502-0004-00	1071	FOREST AV	LINDBLOM GEORGE W	1071 W FOREST	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-492-0018-00	1046	FOREST AV	LINK CHARLES O JR	159 W MOUNT GARFI	MUSKEGON	MI 49441-5	\$467.35	\$0.00	\$467.35
24-205-502-0002-00	1053	FOREST AV	MORRISSEY BLAIR	1053 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-502-0006-00	1085	FOREST AV	NELSON LILLIAN B	1085 W FOREST AVE	MUSKEGON	MI 49441	\$467.35	\$0.00	\$467.35
24-205-492-0010-00	1110	FOREST AV	STRONG EDWARD C	2674 HUIZENGA	MUSKEGON	MI 49444	\$467.35	\$0.00	\$467.35

H-1509

Forest, Barclay Street to Franklin Street.

SPECIAL ASSESSMENT ROLL

PARCEL	@						PAVING	DR APP / SW	TOTAL	
24-205-492-0015-00	1070	FOREST AV	TOWSLEY FRANK R	1070 W FOREST	MUSKEGON	MI	49441	\$467.35	\$0.00	\$467.35
24-205-492-0012-00	1094	FOREST AV	TRUDELL THOMAS M	1094 W FOREST AVE	MUSKEGON	MI	49441	\$467.35	\$0.00	\$467.35
24-205-492-0016-00	1060	FOREST AV	TURK CHARLES	1060 W FOREST AVE	MUSKEGON	MI	49441	\$934.70	\$0.00	\$934.70
TOTALS								\$8,412.27	\$0.00	\$8,412.27

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

BOARD OF ASSESSORS

CLIFF TURNER DIRECTOR, COUNTY EQUALIZATION

DATE

ROBERT SCHWEIFLER

CITY COMMISSIONER

DATE

JONE BENEDICT

CITY COMMISSIONER

DATE

Date: October 2, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Beverage Money

SUMMARY OF REQUEST:

The Leisure Services Board requests that the money the City generates from the beverage sales at the parks during the summer months be used for additional money in the small grants program in future years.

FINANCIAL IMPACT:

In 2000, the income will be approximately \$2,500

BUDGET ACTION REQUIRED:

Carry over \$2,500 for the small grants program into 2001.

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board Recommends approval

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

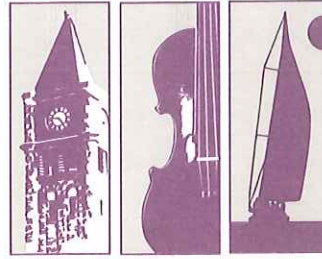
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

Date: October 2, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott *[Signature]*
Re: Beverage Income

In 2000, Leisure Services contracted with Coca-Cola to provide vending machines throughout the parks system. This generated approximately \$2,500 in new revenue to the City.

Because the Leisure Services Board always has a problem with not having enough money for the small grants program, the Board is requesting that the money generated from the sales of beverages in the parks be carried over every year to be used for the small grants program. This would provide money in addition to the \$15,000 budgeted for programs that serve youth in the community.

Staff recommends approval of the request of the Leisure Services Board.

Thank you for your consideration.

Date: October 23, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: Lakeshore Trail Phase III Bids

SUMMARY OF REQUEST:

To award the bid to the low bidder KAL Excavating

FINANCIAL IMPACT:

\$880,340.73, \$480,000 from TEA 21

BUDGET ACTION REQUIRED:

None, money to come from the Golf Course Fund

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

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231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

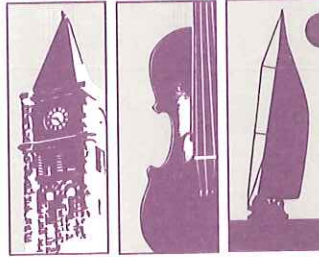
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Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

Date: October 23, 2000
To: Honorable Mayor and City Commissioners
From: Ric Scott *Ric Scott*
Re: Lakeshore Trail Phase III Bids

On Friday, bids were received for the construction of Phase III of the Lakeshore Trail. This is the section from the Causeway to Fisherman's Landing. The bids were as follows:

KAL Excavating	\$880,340.73
Milbocker & Son, Inc.	\$1,129,255
Anlaan Corporation	\$1,086,618.21
Davis Construction Co.	\$1,068,156
Diversco Construction	\$1,089,766

The bids came in significantly higher than anticipated, as the grant from the state is for \$480,000.

The project is a tough one with a lot of boardwalk through wetlands and two bridges. Rebidding will probably not reduce the cost. There is enough money in the golf course fund to cover the cost.

Therefore, I am recommending that we award the bid to the low bidder, KAL Excavating, for a total cost of \$880,340.73.

Thank you for your consideration.

DATE: October 13, 2000
TO: Honorable Mayor and City Commissioners
FROM: Robert B. Grabinski, Fire Marshal/Inspection Services Dept. *RBG*
RE: Housing Stock Review (HSR) Report and Committee

SUMMARY OF REQUEST:

To accept the HSR report and install the HSR Committee as permanent.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To accept the report of the HSR Committee. Accept recommendation #5 of the report and install the committee as permanent. Further, to direct staff to begin work on bringing the remaining recommendations to commission for action.

Report to the Muskegon City Commission

from

Housing Stock Review Committee

Chairperson Dorothy McGuffey

Prepared July 2000

Background and Significance

On March 9, 1999 the City Commission appointed a committee to explore the problems associated with the housing stock located in the City of Muskegon. That committee was named the Housing Stock Review Committee and the following members were appointed:

1. Michaela Givens – Landlord
2. Gretchen Page – Contractor
3. Eric Shedd – Realtor
4. Dorothy McGuffey – Homeowner
5. Judith Meisch – Neighborhood Association
6. Joan Stewart – Senior Citizen
7. Thomas Fagan – Renter
8. Fred Nielsen – Mayor, City Commission
9. Clara Shepherd – Commissioner, City Commission

The committee was formed due to the many concerns expressed to the Commission regarding the deteriorating housing stock within the City of Muskegon. These concerns were expressed by all segments of the community, thus the varied make up of the committee.

The initial discussion centered around the need for a re-write of the existing property maintenance code and a focus on exterior improvements. Upon a change in staff liaison to the committee, a discussion ensued on the merits of exterior emphasis. It was pointed out that the housing stock in the City of Muskegon is fairly aged. This indicated that the need for substantial interior inspections focusing on structure and items of concern for the health, safety, and welfare of the tenants must become a major focus of the inspection program. The need for exterior (appearance) inspections is there, but to a lesser degree.

With this in mind, the committee began exploring the property maintenance code from a new perspective. The focus of discussion became how to best meet all the health, safety, and welfare benefits, as well as, the outward appearance of the structure.

Other topics of discussion involved tenants rights and responsibilities, sale inspections, expiration of certificates of compliance, and rental registration.

Included in the report is some history on those items mentioned, this committee's recommendations, and possibilities for the future of the committee.

Recommendations

1. Recommend adoption of the 1998 edition of the International Property Maintenance Code

As previously stated, the majority of discussion focused on this particular item. Initially the discussion centered on the need for enhancement of exterior inspections to enhance the outward appearance of the structure to area residents and passers-by. The merits of such inspections included less time involved with the inspection, less revenue spent on personnel and equipment, and an outward enhancement in the appearance of the housing stock.

However, the exterior inspections do nothing for the health, safety, and welfare of the occupants. Further, we have seen significant deterioration of structural components within buildings that resulted in the structure being demolished through the dangerous building process.

It was also felt that adoption of an international code gives the community some assurance that we are at least consistent with our property maintenance code. For staff it is much easier to defend something that is international in scope and, in many cases, the sections are court tested.

For these reasons it is our recommendation that the International Property Maintenance Code be adopted for use by the City of Muskegon.

2. Recommend the use and distribution of a Tenant's Rights and Responsibilities pamphlet.

The discussion on this issue centered around a set of rights and responsibilities (see attachment 1) written by Michaela Givens. Michaela is a landlord with several houses in the Muskegon area. She is also President of Muskegon Area Renter's Association. In these capacities she has seen many tenants who have no idea what they can or cannot do. This pamphlet would provide them with the basic information to become good tenants, to instill pride in the residence they are living in, and pride in the neighborhood.

This pamphlet would be available through city buildings, city staff, neighborhood associations, landlord's association, and individual landlords. It is hoped that within one year of implementation all tenants would have received this information. All new tenants will be given the information when moving in.

This pamphlet will also include information about Inspection Services such as; contact numbers, inspection process, how to file a complaint, and the processes we follow with these items.

It is this committee's recommendation that you review the attachment, make any comments or suggestions, and allow staff to print and distribute the information.

3. Recommend re-implementation of the rental registration program.

Through discussion it became apparent that many rental units have gone undetected since dropping this program. Registration of rental units insures that proper information regarding inspection notices, complaints, and other correspondence with Inspection Services is delivered to the correct owner of the property.

In addition, if an emergency occurred necessitating after hours contact with owners of property, the information would be readily available to emergency responders.

The language to implement this program is already in place. The program was dropped a few years back and current staff has no history as to why. It is the position of current staff that this program would be beneficial.

There was some discussion on charging an administrative fee for inputting the information. Staff recommendation is for a flat \$15.00 per landlord annual fee. The reasoning for this was to equalize the fee for all. It was also felt that this fee would adequately cover the cost of administering the program.

However, the fee issue has detractors among landlords. The issue of "another fee" arose during conversations with various landlords.

It is the feeling of this committee that with or without a fee attached, the program would prove beneficial to all involved. For this reason, the committee would like the Commission to re-implement the registration program.

4. Recommend the drafting and passage of an ordinance to reinstate sale inspections.

Discussion on this issue centered around several properties that through less than scrupulous means passed from one person to another. In the majority of these cases the buyer was unaware of many defects within the structure. Once informed, became so overwhelmed that the property was abandoned and became a dangerous building.

Another scenario is where properties are sold between parties in efforts to make sizable profits on the sale. Once sold, the property is rented to tenants and no maintenance is performed. A complaint is filed and in many instances the owner walks away and abandons the property. This has lead to many foreclosures and the properties ending up on the dangerous building list.

Another point for reinstatement of the program is to provide a fair representation to the buyer of what will be required to bring the property into compliance. This would be required to completed prior to the closing of the sale. The buyer may opt to purchase "as is" but could not occupy until the items not in compliance were corrected.

This program did exist at one time within the City of Muskegon. Due to some problems and other issues the sale inspection program was dropped. One problem mentioned by staff was inconsistencies among inspectors. This is to be addressed by assigning one inspector to complete sale inspections.

There will be a fee established for these inspections. This will be set at the time the ordinance is drafted and sent to the Commission for approval.

5. Recommendation that the Commission consider making Housing Stock Review Committee permanent.

This committee was established in the Spring of 1999 to examine the condition of housing stock within the City of Muskegon. Further, we were to compile a report and submit our findings and recommendations to you. This has been accomplished with the presentation of this report.

However, it is the feeling of this committee that continuing to come together would be beneficial to the City. New problems may arise that could warrant discussion and input from this committee. We could also monitor the progress made by implementing the current recommendations.

The make up of this committee is very diverse and provides many useful insights to staff. The discussions have been lively and constructive in examination of various means to enhance housing stock.

For these reasons we would ask the Commission to consider making this a permanent committee that would meet quarterly to discuss issues relevant to housing in the City of Muskegon.

Summary

This committee has been diligent in their efforts to examine the housing stock, review current policies and procedures pertaining to housing, and make recommendations for improving our housing stock which is vital to the existence of our city.

Following are the five recommendations made by this committee:

1. Adoption of the International Property Maintenance Code.
2. Distribution of a pamphlet on Tenant's Rights and Responsibilities.
3. Re-implementing Rental Registration.
4. Reinstate Sale Inspections.
5. Maintain Housing Stock Review Committee as a permanent committee.

It has been a pleasure to provide this report for your review, comment, and implementation.

Attachment

AGENDA ITEM NO. _____
CITY COMMISSION MEETING _____

TO: HONORABLE MAYOR AND CITY COMMISSIONERS
FROM: Kenneth D. Grant, Income Tax Administrator 
DATE: October 11, 2000
RE: Donation check off for 2000 Individual Income Tax Return forms

SUMMARY OF REQUEST:

Approval to use 2000 Income Tax donations to purchase fireworks for Summer Celebration. Donations will go to the Summer Celebration Fireworks Fund.

FINANCIAL IMPACT:

Estimated dollar amount to be donated is \$2,500.00

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval Recommended

COMMITTEE RECOMMENDATION:

Not Applicable

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4055

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Neigh. & Const.
Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

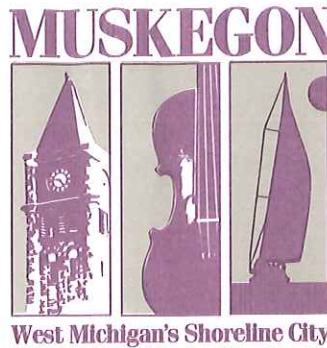
Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290



October 18, 2000

Dear City Commissioners,

Every year our department attempts to find a donation program or event that appeals to residents and non-residents. It is important that the program appeal to non-residents because they represent over 75% of all of our contributions. Each year approximately 600 people donate their refunds. The average amount donated each year is about \$2,500.00. Our donation programs serve a dual purpose:

- 1) To generate money for programs and/or events that not only benefits the city but the entire community.
- 2) To save the city money by reducing the number of checks written and using less postage.

The Income Tax Department requests the authorization from the City Commissioners to designate Summer Celebration Fireworks as the 2000-refund donations check off. Summer Celebration is our community's largest event that draws over 100,000 people in ten-day span. The firework display is the final highlight that many people look forward to at the end of Summer Celebration. Last year the City of Saginaw had a similar donation program that was successful. I feel that this program will appeal to more people in the community this year and have the same results as Saginaw. Thus, generating more money for a worthwhile program and at the same time helping my department save more money.

Thanks for you consideration,

A handwritten signature in blue ink, which appears to read 'Kenneth D. Grant', is written over a horizontal line.

Kenneth D. Grant
Income Tax Administrator

Removed

DATE: October 17, 2000

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection Services Dept.

RE: Concurrence with the Housing Board of Appeals Finding of Fact and Order for 1121 Peck Street

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **1121 Peck Street** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of the demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: NONE

STAFF RECOMMENDATION: This two- (2) unit vacant rental home is located on Peck Street near Hartford Ave. The owner is Waterland Development, Inc.

A dangerous building inspection was conducted on 10/5/99. A Notice and Order was sent to 10/6/99. On 4/20/00 a caller notified the Inspection Services Dept. that there was a potential buyer for the structure but that he wanted to move the structure, please see the attached memo to Michael Wee dated 4/20/00. The response form HDC was no. The case was heard before the Housing Board of Appeals on 1/11/00 where the Board condemned the structure. The dangerous building report along with all the notices sent to the owner are attached.

ESTIMATED COST TO REPAIR: \$15,000 Exterior – Unknown interior

CITY COMMISSION RECOMMENDATION: The City Commission will consider this item at it's meeting on 10/24/00.

DANGEROUS BUILDING INSPECTION

10/5/99

1121 Peck

RESIDENTIAL DWELLING

1. Foundation wall needs tuck-pointing.
2. Siding in need of repair - missing siding, siding damaged.
3. Wood trim in contact with ground need protection from decay.
4. Front porch structurally collapsing, rotting.
5. Side steps collapsing.
6. Reside or protect siding from elements.
7. Broken out windows.
8. Upper level porch needs repairs.
9. Rotting roofing, fascia.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE **DOES** MEET THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.

Henry A. Faltinowski 10/7/99
HENRY FALTINOWSKI, BUILDING INSPECTOR DATE

CONCURRED IN: Jerry McIntyre
JERRY MCINTYRE, BUILDING OFFICIAL

Affirmative Action
616/724-6793
FAX/722-1214

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
616/724-6716
FAX/724-6790

Clerk
616/724-6705
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Comm. & Neigh.
Services
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Fire Dept.
616/724-6792
FAX/724-6985

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

Info. Systems
616/724-6975
FAX/724-6768

Leisure Service
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Manager's Office
616/724-6724
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FAX/722-5140

Public Works
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FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

October 6, 1999

Waterland Development
1050 W. Western
Muskegon, MI 49441

Dear Property Owner:

Subject: 1121 Peck
LOT 18 EX SLY 2 FT BLK 362

The City of Muskegon Building Official has recently inspected the subject property and has found the building to be dangerous as defined under Section 4-23 of the Muskegon City Code.

As a result of this finding, you are hereby ordered to REPAIR the structure or DEMOLISH it within thirty (30) days.

If you elect to repair the structure, you must secure all required permits and physically commence the work within thirty (30) days from the date of this order.

Should you have any questions concerning this matter, please do not hesitate to contact our Building Official, Jerry McIntyre at 724-6715.

Sincerely yours,

Robert Grabinski

Fire Marshal/Inspection Services

nlc

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

Assessor
616/724-6708
FAX/724-4178

Cemetery
616/724-6783
FAX/726-5617

Civil Service
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FAX/724-6790

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FAX/727-6904

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FAX/724-6768

Fire Dept.
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FAX/724-6985

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

Info. Systems
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

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

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

MUSKEGON



West Michigan's Shoreline City

January 11, 2000

Waterland Development
1050 W. Western
Muskegon, Mi. 49440

Dear Property Owner:

Subject: Dangerous Building Case #00-08 - 1121 Peck and
Dangerous Building Case #00-09 - 1129 Peck

The Muskegon Housing Board of Appeals agreed with staff recommendation at their meeting on 1/6/2000 to issue civil infractions for these properties seeking injunctive relief.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert B. Grabinski".

Robert Grabinski
Fire Marshal/Inspection Services

Memo

To: MICHAEL WEE
From: ROBERT B. GRABINSKI
CC: HDC MEMBERS
Date: April 20, 2000
Re: 1121 PECK

It is our understanding that there is a potential buyer for this property who is interested in moving the structure outside the city. Although this may not be the best for the city in terms of retaining the structure, it is currently being processed as a dangerous building.

This structure was discussed at the Housing Board of appeals meeting on 1/6/00. The board decided to issue Civil infraction tickets seeking injunctive relief. Please see attached minutes to the meeting. If this does not work the structure will be demolished.

I would rather see the structure removed than demolished.



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1121 Peck, Muskegon, MI

New Location

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Gas Stations

Hotels and Motels

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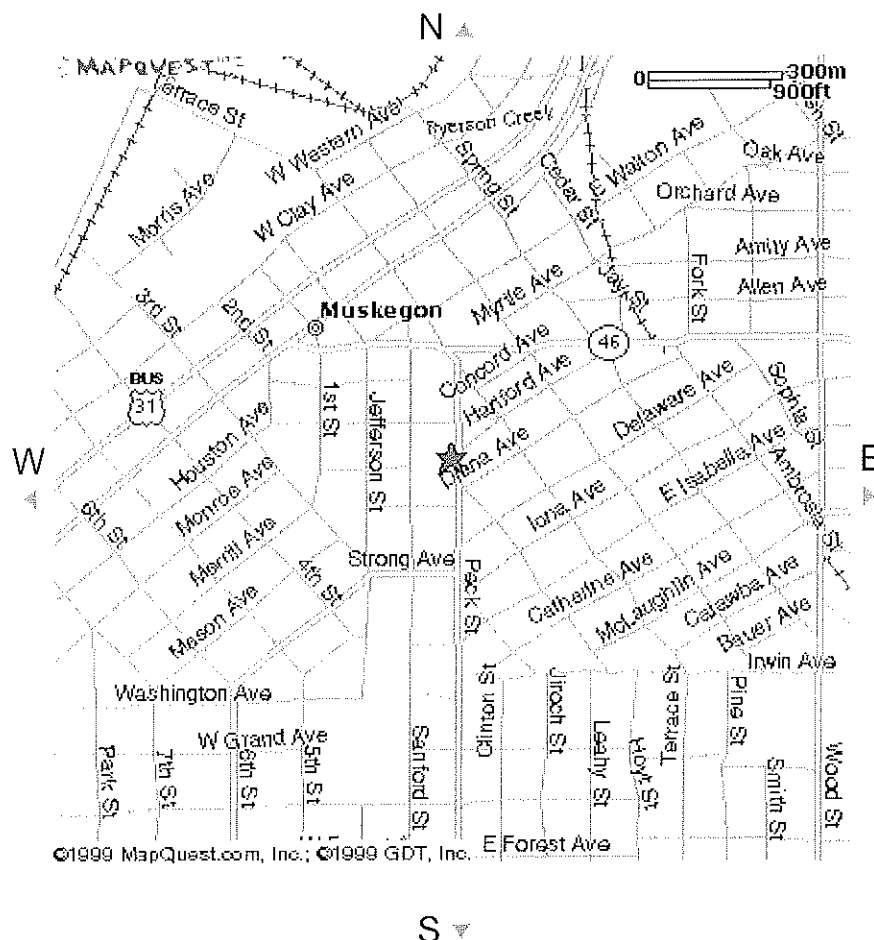
Yahoo! Traffic

Yahoo! Travel

Yahoo! Wallet

Camp Yahoo!

1121 Peck, Muskegon, MI 49441-2119

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Street Address, Intersection or Airport Code

1121 Peck



1121 Peck St.

7/27/99

Census # 6. 02

Removed

DATE: October 16, 2000

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection
Services Dept.

Re: Concurrence with the Housing Board of Appeals
Finding of Facts and Order for 1129 Peck Street

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **1129 Peck Street** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: NONE

STAFF RECOMMENDATION: This four unit vacant rental is located on Peck Street near Hartford Ave. The owner is Waterland Development.

A dangerous building report was conducted on 10/5/99. A Notice and Order was sent on 10/6/99. The case was heard before the Housing Board of Appeals on 1/11/00 where the Board condemned the structure. The dangerous building inspection report along with all the notices sent to the owner are attached.

ESTIMATED COST OF REPAIRS: \$15,000.00 for exterior – Interior Unknown.

CITY COMMISSION RECOMMENDATION: The Commission will consider this item at it's meeting on 10/24/00.

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/724-6790

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
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

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

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

MUSKEGON



West Michigan's Shoreline City

October 6, 1999

Waterland Development
1050 W. Western
Muskegon, MI 49441

Dear Property Owner:

Subject: 1129 Peck
N 59 FT LOT 17 & SLY 2 FT LOT 18 BLK 36 ✓

The City of Muskegon Building Official has recently inspected the subject property and has found the building to be dangerous as defined under Section 4-23 of the Muskegon City Code.

As a result of this finding, you are hereby ordered to REPAIR the structure or DEMOLISH it within thirty (30) days.

If you elect to repair the structure, you must secure all required permits and physically commence the work within thirty (30) days from the date of this order.

Should you have any questions concerning this matter, please do not hesitate to contact our Building Official, Jerry McIntyre at 724-6715.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Robert B. Grabinski".

Robert Grabinski

Fire Marshal/Inspection Services

n/c

DANGEROUS BUILDING INSPECTION

10/5/99

1129 Peck

RESIDENTIAL DWELLING

1. Open foundation wall on home.
2. Deteriorating front steps and porch - rotting decking.
3. Deteriorating side steps and porch.
4. Siding missing, rotting, exposed to weather - paint flaking off home.
5. Roof soffit and fascia deteriorating.
6. Roof covering on home falling - structural.
7. Large tree branches on connected apartment roof, and home.
8. Home has several boarded up windows.
9. Vehicles being parked in back yard.
10. Antenna collapsing, ready to fall off roof.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE **DOES** MEET THE DEFINITION OF A DANGEROUS AND/OR SUBSTANDARD BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.

Henry Raltinowski 10/7/99
HENRY RALTINOWSKI, BUILDING INSPECTOR DATE

CONCURRED IN: Jerry McIntyre
JERRY MCINTYRE, BUILDING OFFICIAL

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/724-6790

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
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

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

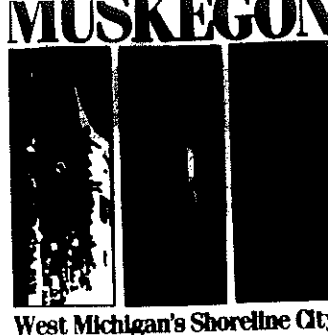
Police Dept.
616/724-6750
FAX/722-5140

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

Treasurer
616/724-6720
FAX/724-6768

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

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



January 11, 2000

Waterland Development
1050 W. Western
Muskegon, Mi. 49440

Dear Property Owner:

Subject: Dangerous Building Case #00-08 - 1121 Peck and
Dangerous Building Case #00-09 - 1129 Peck

The Muskegon Housing Board of Appeals agreed with staff recommendation at their meeting on 1/6/2000 to issue civil infractions for these properties seeking injunctive relief.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert B. Grabinski". The signature is fluid and cursive.

Robert Grabinski
Fire Marshal/Inspection Services

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



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1129 Peck Street, Muskegon, MI

New Location

Tools

1129 Peck Street, Muskegon, MI 49441-2119

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Biz Finder

1. Choose category.

Hotels ▼ Go

2. Click on icon for locations.

Nearby Services

Nearby Businesses

Gas Stations

Hotels and Motels

Restaurants

Nearby Classifieds

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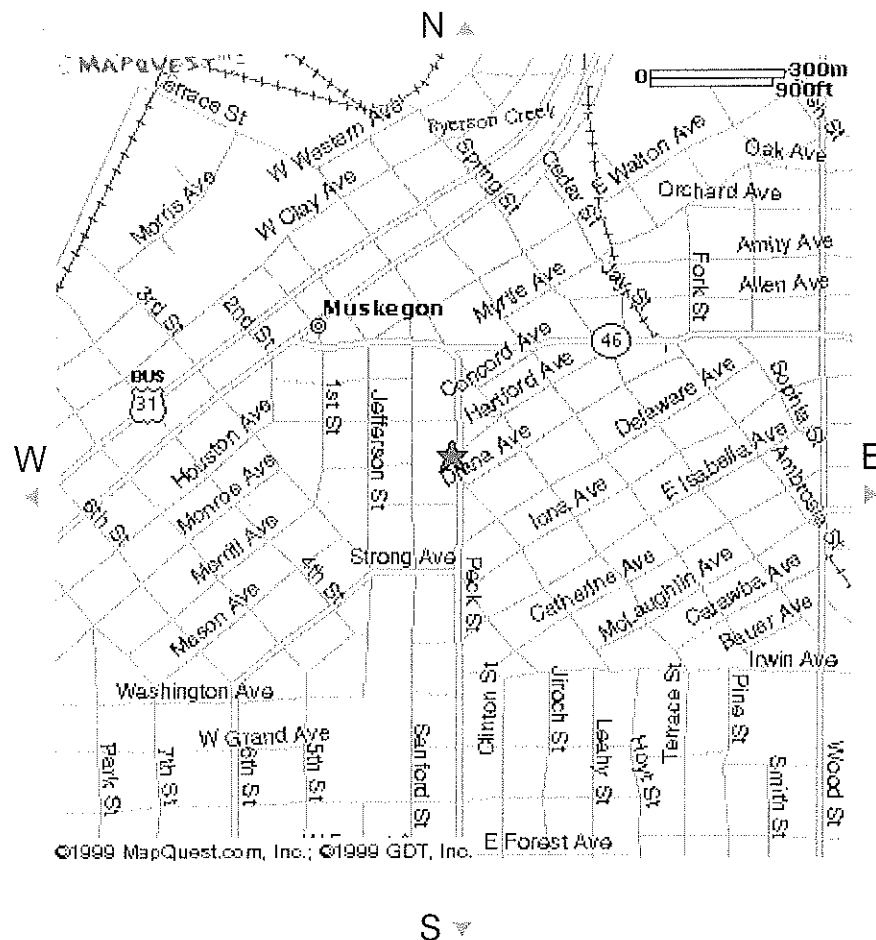
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Yahoo! Wallet

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Driving Directions

Find Nearby Businesses

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Or, choose location: (Use address below) ▼

Please sign in to use Favorite Locations.

Street Address, Intersection or Airport Code

1129 Peck Street



1129 PECK ST.

7/27/99

Census # 6.02

Removed

DATE: October 16, 2000

TO: Honorable Mayor and City Commissioners

FROM: Robert B. Grabinski, Fire Marshal/Inspection
Services Dept.

Re: Concurrence with the Housing Board of Appeals
Finding of Facts and Order for 1096 Third Street.

SUMMARY OF REQUEST: This is to request City Commission concurrence with the findings of the Housing Board of Appeals that the structure located at **1096 Third St.** is unsafe, substandard, a public nuisance and that it be demolished within thirty (30) days.

It is further requested that administration be directed to obtain bids for the demolition of the structure and that the Mayor and City Clerk be authorized and directed to execute a contract for demolition with the lowest responsible bidder.

FINANCIAL IMPACT: The cost of demolition will be paid with CDBG funds.

BUDGET ACTION REQUIRED: NONE

STAFF RECOMMENDATION: This property has been going through the dangerous building proceedings since 1998. A dangerous building inspection was conducted on 5/14/98. A progress inspection was conducted on 6/21/99. On 8/10/99 HBA declared unsafe but gave 30 days for Mr. Uecker to submit a \$5,000.00 Certified check for escrow and to submit a timetable for completion of repairs. An escrow check and a timetable was submitted (see letter dated 9/8/99 from the Inspections Dept. to Mr. Uecker). The case was heard again on 8/17/00 when the HBA declared unsafe and delayed forwarding to the Commission for 30 days. On 9/8/00 Mr. Uecker appealed the decision of the board. (See claim of appeal form dated (9/8/00). No final inspection of exterior work was scheduled or completed.

ESTIMATED COST OF REPAIRS: Unknown at this time. The owner failed to schedule an interior inspection of the property as ordered by the Housing Board of Appeals.

CITY COMMISSION RECOMMENDATION: The Commission will consider this item at its meeting on 10/24/00.

DANGEROUS BUILDING INSPECTION

1096 THIRD

5/15/98

TWO-STORY WOOD FRAME HOUSE

1. SIDING MISSING IN FRONT OF HOME.
2. FRONT PORCH FLOOR BOARDS MISSING, LOOSE OR BROKEN.
3. FOUNDATION NEEDS TUCKPOINTING AND CRAWL SPACE NEEDS TO BE SECURED.

BASED UPON MY RECENT INSPECTION OF THE ABOVE PROPERTY, I HAVE DETERMINED THAT THE STRUCTURE MEETS THE DEFINITION OF A DANGEROUS BUILDING AS SET FORTH IN SECTION 4-23 OF THE MUSKEGON CITY CODE.


JERRY MCINTYRE, BUILDING OFFICIAL

5-21-98
DATE

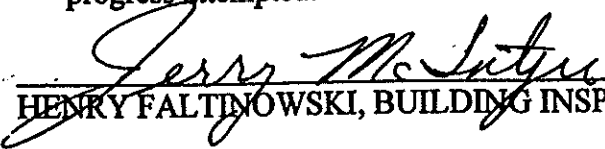
DANGEROUS BUILDING INSPECTION

1096 THIRD

6/21/99

PROGRESS INSPECTION:

1. Front porch rotting structural members, decking unsafe, and rim board rotting.
2. Siding missing and falling off of home.
3. Exposed wood where siding is missing is starting to rot.
4. There have been numerous notices sent to correct problem with no progress attempted.


HENRY FALTINOWSKI, BUILDING INSPECTOR

6-28-99
DATE

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/724-6790

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
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

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

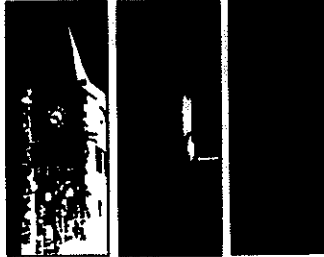
Public Works
616/724-4100
FAX/722-4188

Treasurer
616/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

MUSKEGON HOUSING BOARD OF APPEALS

DATE: August 10, 1999

CASE: 99-29 - 1096 Third

William D. Uecker
3352 Peck Street
Muskegon Heights, Mi. 49444

FINDING OF FACTS AND ORDER

The following action was taken at a session of the Muskegon Housing Board of Appeals held at the Muskegon City Hall, 933 Terrace, Muskegon, Michigan on the 5th of August 1999.

The Neighborhood and Construction Services Department of the City of Muskegon, having inspected the building structure located upon the property described as Lot 7, Ex Sly 66' thereof and Ex Ely 33' thereof, block 351 also known as 1096 Third found the conditions listed on the attached pages exist and that these conditions are hazardous as defined in Section 4-23 of the Code of Ordinances.

The Board further found that these conditions exist to the extent of endangering life, safety and the general welfare of the public.

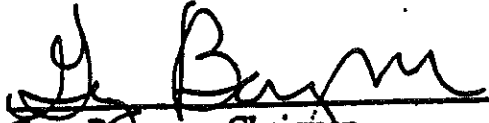
Therefore, in accordance with Section 4-25 of the Code of Ordinances, the structure is declared to be unsafe, substandard and a public nuisance.

It is, therefore, ordered that the owners or other interested parties take such action to repair or remove said structure, or appeal this order within 20 days of the receipt of this order.

It is further ordered that if the owners or other interested parties fail to repair or remove said structure, or appeal this order within 20 days of the receipt of this order, the Building Official shall take bids and remove said structure.

The Housing Board of Appeals agreed to accept a \$5,000 certified check to be placed in escrow and submission of a timetable for completion to be submitted by September 5, 1999 and approved. If you fail to meet the deadline of September 5, 1999 for the escrow check and time table of completion or the deadline for completion, the case will be forwarded to the City Commission for concurrence and the escrow money will be used for the demolition of 1096 Third.

If you wish to appeal this order, you must do so within twenty days. You may obtain the appeal form at the City's Neighborhood and Construction Services Department (Inspections), City Hall, 933 Terrace Street.



Greg Borgman, Chairman
HOUSING ADVISORY BOARD OF APPEALS

RESTORING 1096 THIRD STREET

PROJECTS TO BE ACCOMPLISHED IN 1999.

A. FRONT PORCH

1. Remove decking from front porch.
2. Point-tuck bricks on foundation.
3. Rebuild deck of porch.

36 feet long

[illegible]

4. Start week of September 7th.

B. FRONT PORCH ROOF

1. Construct framing for porch roof.
2. Have Muskegon County Museum duplicate porch pillar exactly like the others.
3. Replace board for opening to crawl space.

4. Start week of September 13th.

C. FRONT PORCH ROOF

1. Put up roof.
2. Shingle roof to match rest of house shingles.
3. Start week of September 20th.

D. FRONT PORCH PAINT

1. Paint porch decking green.
2. Paint trim and pillars white.
3. Paint deep red accent color on pillars and trim.
4. Start week of September 27th.

RESTORING 1096 THIRD STREET

E. FINISHING TOUCHES

1. Install porch light in middle of ceiling of porch.
2. Cut back bushes from base of porch.
3. Put lattace work on bottom of porch deck.
4. Start week of October 6th.

F. COMPLETED PROJECT

1. Have porch project completed by October 31st giving time allowances for rainy weather, out-of-town work, etc.

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/724-6790

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
616/724-6975
FAX/724-6768

Leisure Service
616/724-6704
FAX/724-6790

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

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

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FAX/726-2501

Planning/Zoning
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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 Dept.
616/724-6718
FAX/724-6768

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

MUSKEGON



West Michigan's Shoreline City

September 8, 1999

Mr. William Uecker
3352 Peck
Muskegon Hts., MI 49444

RE: 1096 Third

Dear Mr. Uecker:

I have received a copy of your project time line to restore 1096 Third. I am also informed that you have escrowed the five thousand dollars with the City of Muskegon Treasurer as required by the Housing Board of Appeals.

The timetable is acceptable to this office. You must come into Inspection Services and purchase the required permit to accomplish the work. You also need to check with the Planning Department on any requirements for construction or repair in a designated Historic District.

As directed by the Housing Boards of Appeals, failure to comply with the time schedule will result in the case being forwarded to City Commission for their concurrence on the findings. Demolition proceedings will begin utilizing your escrowed funds. If all work is completed and passes inspection, your escrowed money will be returned.

If you have any questions, please contact me at 724-6765.

Sincerely,

Robert B. Grabinski
Fire Marshal/Inspection Services

c.file

Affirmative Action
231/724-6703
FAX/722-1214

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

Civil Service
231/724-6716
FAX/724-4405

Clerk
231/724-6705
FAX/724-4178

Comm. & Neigh.
Services
231/724-6717
FAX/726-2501

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

Fire Dept.
231/724-6792
FAX/724-6985

Income Tax
231/724-6770
FAX/724-6768

Info. Systems
231/724-6744
FAX/722-4301

Leisure Service
231/724-6704
FAX/724-1196

Manager's Office
231/724-6724
FAX/722-1214

Mayor's Office
231/724-6701
FAX/722-1214

Inspection Services
231/724-6715
FAX/726-2501

Planning/Zoning
231/724-6702
FAX/724-6790

Police Dept.
231/724-6750
FAX/722-5140

Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

Water Billing Dept.
231/724-6718
FAX/724-6768

Water Filtration
231/724-4106
FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

MUSKEGON HOUSING BOARD OF APPEALS

DATE: August 24, 2000
CASE: #99-29 - 1096 Third St., Muskegon MI

William Uecker
3352 Peck St.
Muskegon MI 49442

FINDING OF FACTS AND ORDER

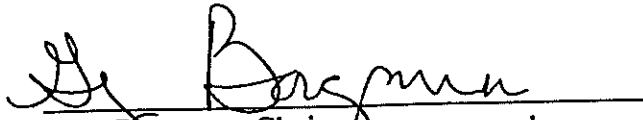
The following action was taken at a session of the Muskegon Housing Board of Appeals held at the Muskegon City Hall, 933 Terrace, Muskegon, Michigan on , August 17, 2000. The Inspections Services Department of the City of Muskegon, having inspected the building structure located upon the property described as **Lot 7, Ex Sly 66' Thereof and Ex Ely 33' There of, Blk 351**, also know as, **1096 Third**, found the conditions listed on the attached pages exist and that these conditions are hazardous as defined in Section 4-23 of the Code of Ordinances.

The Board further found that these conditions exist to the extent of endangering life, safety and the general welfare of the endangering life, safety and the general welfare of the public.

Therefore, in accordance with Section 4-25 of the Code of Ordinances, the structure is declared to be unsafe, substandard and a public nuisance.

It is, further ordered that if the owners or other interested parties fail to repair or remove said structure, or appeal this order within 20 days of the receipt of this order, the Building Official shall take bids and remove said structure. **However, there will be a 30 day delay in forwarding this case to the City Commission for concurrence of demolition. If repairs are not complete, this case will be heard at the City Commission meeting in October, 2000.**

If you wish to appeal this order you must do so within twenty days. You may obtain the appeal form at the City's Inspection Services Department, City Hall, 933 Terrace Street.



Greg Borgman, Chairman
MUSKEGON HOUSING BOARD OF APPEALS

Affirmative Action

231/724-6703

FAX/722-1214

Assessor

231/724-6708

FAX/726-5181

Cemetery

231/724-6783

FAX/726-5617

Civil Service

231/724-6716

FAX/724-4405

Clerk

231/724-6705

FAX/724-4178

Comm. & Neigh.
Services

231/724-6717

FAX/726-2501

Engineering

231/724-6707

FAX/727-6904

Finance

231/724-6713

FAX/724-6768

Fire Dept.

231/724-6792

FAX/724-6985

Income Tax

231/724-6770

FAX/724-6768

Info. Systems

231/724-6744

FAX/722-4301

Leisure Service

231/724-6704

FAX/724-1196

Manager's Office

231/724-6724

FAX/722-1214

Mayor's Office

231/724-6701

FAX/722-1214

Inspection Services

231/724-6715

FAX/726-2501

Planning/Zoning

231/724-6702

FAX/724-6790

Police Dept.

231/724-6750

FAX/722-5140

Public Works

231/724-4100

FAX/722-4188

Treasurer

231/724-6720

FAX/724-6768

Water Billing Dept.

231/724-6718

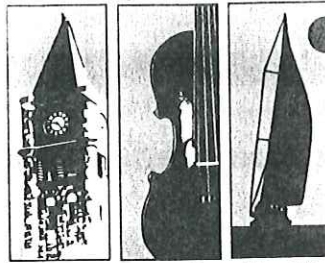
FAX/724-6768

Water Filtration

231/724-4106

FAX/755-5290

MUSKEGON



West Michigan's Shoreline City

FILE COPY

October 2, 2000

Mr. William D. Uecker
3352 Peck Street
Muskegon MI 49444

RE: Appeal of HBA Findings of Fact and Order.

Dear Mr. Uecker:

I am in receipt of the appeal you filed on 9/8/00. Our records indicate that no final inspections were conducted on the repairs you have made to 1096 Third.

Please call (231) 724-6715 by 10/19/00 to schedule a final inspection for the repairs you have completed. If the repairs are approved, you will not have to come back to the Housing Board of Appeals and we can take your property off the Dangerous Building List.

Sincerely,

Robert B. Grabinski, Fire Marshal
Director, Inspection Services Dept.

CITY OF MUSKEGON, MICHIGAN
NEIGHBORHOOD AND CONSTRUCTION SERVICES DEPARTMENT

HOUSING BOARD OF APPEALS
CLAIM OF APPEAL



1. Address of property under appeal: 1096 3rd Street

2. Name of person making appeal: William D. Uecker
(Please Print)

3. Relationship to owner: _____
(If Not Owner)

4. Address of person making appeal: 3352 Peck St
Muskegon Hts, 49444

5. Telephone (daytime): 722 6717

6. How long has the property been owned by the current owner? 19 years

7. Is the property owner-occupied or rental: Neither

8. Reason for appeal (check appropriate line):

- ☒ A City standard causes more hardship for me than others.
☒ The City's order was an incorrect interpretation of the standard.
☒ I have an alternative way to meet the minimum standard.
☒ I need more time to comply with the City's order.

☒ Other (explain): Corrections have been made
according to inspections

9. Date of the inspection I am appealing: _____

10. Date of the repair notice I am appealing: Aug. 24, 2000 FINDING of Facts & Order
of Housing Board

11. Violation numbers being appealed (from repair notice): _____

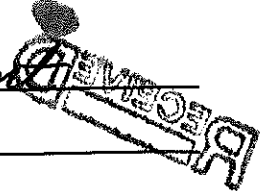
12. I would agree to correct the violations no later than: October 31, 2000

13. I have already corrected the following violations listed on the repair order (indicate violation number):

Everything listed

14. My solution to the problem which I am appealing would be:

Do have to finish painting of front porch.



I swear that the above information is true and correct to the best of my knowledge:

William R. Ucker

Date: *Sept. 8, 2000*

(Signature of Person Appealing)

Mail or submit this form to:

Neighborhood and Construction Services Department
City Hall
933 Terrace Street - P.O. Box 536
Muskegon, MI 49443

DO NOT WRITE BELOW THIS LINE - FOR CITY USE ONLY

Date received: _____ Appeal number: _____ Inspector: _____

Scheduled hearing date: _____ Approved _____ Denied _____ Approved w/conditions _____

Further action required: _____

Action completed: _____



1096 Third

6/21/99