

CITY OF MUSKEGON

CITY COMMISSION MEETING

APRIL 11, 2017 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS AND AWARDS:**
- ☐ **INTRODUCTIONS/PRESENTATION:**
 - A. Lumberjacks Charitable Foundation Presentation by Jay Vanvoorde**
- ☐ **CITY MANAGER'S REPORT:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes City Clerk**
 - B. Fireworks Display Permit for Muskegon Country Club City Clerk**
 - C. Fireworks Display Permit for Heritage Landing City Clerk**
 - D. 2017 CDBG/Home Budget Recommendations Community and Neighborhood Services**
 - E. Special Event Request – Catamaran Racing Association of Michigan (CRAM) Request to allow overnight camping at Pere Marquette Park (in conjunction with their annual Catamaran Sailing regatta Planning**
 - F. Lease Proposal for MACkite Kiteboarding School at Pere Marquette Park Department of Public Works**
 - G. Intake Inspection Water Filtration-DPW**
 - H. West Sludge Pump Replacement Water Filtration – DPW**
 - I. High Service Pump #4 Valve Replacement Water Filtration – DPW**

- J. Auxiliary #7 Low Service Pump Rebuild Water Filtration – DPW
- K. Alum Sludge Removal Water Filtration – DPW
- L. 2017/18 Water Treatment Sodium Hypochlorite Bids Water Filtration – DPW
- M. Amendment to the Zoning Ordinance – R-1, Single Family Districts
SECOND READING Planning & Economic Development
- N. Amendment to the Zoning Ordinance – R-2 and R-3 Districts
SECOND READING Planning & Economic Development
- O. Amendment to the Zoning Ordinance – Preamble & Sections 400 & 404
SECOND READING Planning & Economic Development
- P. Request to add Parcels to the City’s Existing Groundwater Ordinance – Burgess-Norton SECOND READING Planning & Economic Development
- Q. Request to add Parcels to the City’s Existing Groundwater Ordinance – Ambrosia Street SECOND READING Planning & Economic Development
- R. Consideration of Bids for: Resurfacing of Glenside from Sherman to Glen Engineering
- PUBLIC HEARINGS:
 - A. Public Hearing – Request to Establish an Obsolete Property District – 1121 3rd Street Planning & Economic Development
 - B. Public Hearing – Request to issue an Obsolete Property Certificate – Square Two Development, LLC Planning & Economic Development
 - C. Public Hearing – Request to Create a New Neighborhood Enterprise Zone District at 351 W. Western Avenue Planning & Economic Development
- COMMUNICATIONS:
- UNFINISHED BUSINESS:
- NEW BUSINESS:
 - A. City-County Cooperative Agreement City Manager
 - B. Comprehensive Settlement and Termination Agreement with Burgess-Norton Planning & Economic Development
 - C. Restrictive Covenant for Certain City-Owned Parcels Planning & Economic Development
- ANY OTHER BUSINESS:
- PUBLIC PARTICIPATION:

- ▶ **Reminder: Individuals who would like to address the City Commission shall do the following:**
- ▶ Fill out a request to speak form attached to the agenda or located in the back of the room.
- ▶ Submit the form to the City Clerk.
- ▶ 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.)

□ **CLOSED SESSION:**

□ **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 ANN MARIE MEISCH, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1- TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

Memorandum

To: Mayor and Commissioners

From: Frank Peterson

Re: City Commission Meeting

Date: April 11, 2017

Here is a quick outline of the items on our agenda(s):

WORK SESSION

1. We will discuss a proposed bee ordinance.
2. We will discuss the proposed Neighborhood Empowerment Program, which is focused on giving neighborhood groups more resources to invest in activities that improve their neighborhoods.
3. Under other business, I'll take a few moments to go over any questions/concerns that Commissioners may have on the regular meeting agenda.

REGULAR MEETING

1. Under Introductions/Presentations, we will have a presentation from the Lumberjacks Charitable Foundation (represented by Jay Vanvoorde). They will be talking about all of the good things the Jacks are doing in the community outside of hockey.
2. Under the consent agenda, we are asking the Commission for approval of the following:
 - a. Last meeting's minutes.
 - b. A request for a fireworks display permit for the Muskegon Country Club. Their fireworks display is scheduled for July 2, 2017.
 - c. A request for a fireworks display permit for the Rock Stock (Heritage Landing). Their fireworks display is scheduled for July 4, 2017.
 - d. The 2017 CDBG/HOME Budget Allocations. These allocations are approved annually with advice/recommendations from staff and the Citizen's District Council. The CDC did not have a quorum at their last meeting, but the approval cannot wait for another meeting to be scheduled.
 - e. Overnight camping as part of the Annual CRAM sailing regatta. We are asking for permission to issue this approval from a staff-level going forward.
 - f. Lease proposal for MACkite Kiteboarding School at Pere Marquette Park.

- g. Agreement to inspect the intake for the Water Filtration Plant. The low bid was supplied by Great Lakes Dock & Materials. The cost is \$62,161.
 - h. Agreement to replace of the West Sludge Pump at the Water Filtration Plant. The low bid was supplied by Franklin-Holwerda Company. The cost is \$25,868.
 - i. Agreement to replace the valve on high service pump #4 at the Water Filtration Plant. The low bid was supplied by Northern Boiler and Mechanical. The cost is \$70,700.
 - j. Agreement to rebuild Auxiliary #7 Low Service Pump at the Water Filtration Plant. The low bid was supplied by Professional Pump, Inc. The cost is \$12,835.
 - k. Agreement to remove and dispose of 1200 tons of Alum Sludge at the Water Filtration Plant. The two bids supplied by Ottawa County Farms Landfill and Cordes Trucking were for \$20/ton and \$11.20/ton, respectively. The total cost is \$37,440 for the removal and disposal, as follows: \$24,000 to Ottawa County Farms Landfill and \$13,440 to Cordes Trucking.
 - l. Agreement to supply sodium hypochlorite for the water filtration plant. The low bid was supplied by Alexander Chemical. The cost is \$136.60 per ton and \$0.68 per gallon, with an estimated total cost for the year of \$62,836 (based on typical usage).
 - m. Second reading for zoning changes to R-1 Single Family Residential Districts to accommodate smaller building lots.
 - n. Second reading for zoning changes to R-2 and R-3 Residential Districts to accommodate smaller building lots.
 - o. Second reading for zoning changes to the Preamble and Sections 400 and 404 to accommodate smaller building lots.
 - p. Second reading to add parcels to the City's Groundwater Ordinance (Burgess-Norton contamination).
 - q. Second reading to add parcels to the City's Groundwater Ordinance (Ambrosia Street contamination).
 - r. Consider bids for Resurfacing of Glenside. Staff recommends awarding the contract to McCormick Sand, the lowest responsible bidder.
3. Under Public Hearings:
- a. Establishment of an Obsolete Property District at 1121 3rd Street. The owner is planning improvements to the structure to provide retail space.
 - b. Issue the certificate associated with the district created at 1121 3rd Street.
 - c. A Public Hearing regarding the creation of a Neighborhood Enterprise Zone District at 351 West Western Avenue to accommodate the planned 6-story building.
4. Under new business, we will be asking the Commission to approve the following:
- a. A contractual agreement with Muskegon County to share an Economic Development Coordinator. The position is currently held by Jonathan Wilson, and

he will undertake some of the duties previously assigned to the Planning and Economic Development Director.

- b. Comprehensive settlement and Termination Agreement with Burgess-Norton related to known groundwater contamination. This agreement should bring to close the existing letter of understanding between the City and Burgess-Norton related to how they were to address the known groundwater contamination.
- c. Authorization of a restrictive covenant for certain city-owned parcels.

Let me know if you have any questions/comments/concerns

Date: April 4, 2017
To: Honorable Mayor and City Commissioners
From: Ann Marie Meisch, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve minutes of the March 28, 2017 Regular City Commission Meeting.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 28, 2017 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, March 28, 2017. Pastor Matthew Sharpe, Evanston Avenue Baptist Church, opened the meeting with prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen J. Gawron, Vice Mayor Hood, Commissioners Ken Johnson (arrived at 5:35 p.m.), Debra Warren, Willie German, Jr., and Dan Rinsema-Sybenga, City Manager Franklin Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Commissioner Byron Turnquist

2017-24 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve minutes of the March 2, 2017 Goal Setting Meeting, the March 13, 2017 Worksession Meeting, and the March 14, 2017 Regular City Commission Meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

C. Permanent Traffic Control Order – Removal of “STOP” and “YIELD” signs at Harvey Street and install permanent “STOP” signs at Keating Avenue, per Traffic Control Order #31-(2017). DPW

SUMMARY OF REQUEST: Authorize removal of “STOP” and “YIELD” signs at Harvey Street and install permanent “STOP” signs at Keating Avenue, per Traffic Control Order #31-(2017).

FINANCIAL IMPACT: Cost of removing signs, installing signs/posts, if approved.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Authorize DPW staff to remove “STOP” and “YIELD” signs at Harvey Street and install “STOP” signs at Keating Avenue, per Traffic Control Order #31-(2017).

D. Aggregates, Highway Maintenance Materials and Concrete DPW

SUMMARY OF REQUEST:

Award supply of Calcium Chloride 38% (road brine) and 32% (winter salting) to Great Lakes Chloride

Award bid to supply bituminous products (Base and Top) to Asphalt Paving, Inc.

Award bid to supply Sylvax patching material to Unique Paving Materials

Award bid to supply AE-90 Asphalt Emulsions to Bit-Mat Products

Award bid for crack sealant to Sherwin Industries

Award bid to supply M1/32FA limestone chip blend to Verplank Trucking Company

Award bid to supply road slag to Verplank Trucking Company

Award bid to supply road gravel to Verplank Trucking Company

Award bid to supply 2NS sand to Yellow Rose Transport

Award bid to supply screened top soil to Accurate Excavators

Award bid to supply Fill Sand to Accurate Excavators

Award bid to supply 7-sack mix concrete to Port City Redi-Mix

FINANCIAL IMPACT: \$451,329.00

BUDGET ACTION REQUIRED: None; funds appropriated in several budgets.

STAFF RECOMMENDATION: Recommend approval of bids as outlined in Summary of Request.

F. Replace High Service Pump Load Center at Water Filtration Plant Water Filtration – DPW

SUMMARY OF REQUEST: Authorize staff to enter into an agreement with Newkirk Electric, Inc. to replace the High Service Pump Load Center Switch that powers the pumps providing water to the City. Newkirk Electric has performed all recent repairs to this equipment including the recent failure repairs over the past couple of years. Newkirk will provide the necessary labor, material, and equipment to perform the necessary replacement as well as proper disposal of old equipment.

Newkirk is being recommended due to their locality (City of Muskegon), familiarity with the plant, and experience in high voltage.

FINANCIAL IMPACT: \$27,188.00

BUDGET ACTION REQUIRED: This item is budgeted in 2017.

STAFF RECOMMENDATION: Authorize staff to hire Newkirk Electric out of Muskegon to replace the Load Center Switch for the HSP for \$27,188.

I. Amendment to the Zoning Ordinance – R-2 and R-3 Districts

Planning & Economic Development

SUMMARY OF REQUEST: Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to create two new categories for single family districts. These will include R-2, Single Family Medium Density Residential Districts and R-3, Single Family High Density Residential Districts.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the ordinance amendment with two members absent.

~SECOND READING REQUIRED~

J. Amendment to the Zoning Ordinance – Preamble & Sections 400 & 404

Planning & Economic Development

SUMMARY OF REQUEST: Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to amend the preamble to reflect the changes made by adding the new residential districts; to amend Sections 400 (Principal Uses Permitted) to create the allowed and special uses permitted in the new residential districts; and to amend Section 404 (Area and Bulk Requirements) to create the development standards for the new residential districts.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the ordinance amendment, with two members absent.

~SECOND READING REQUIRED~

K. 245, 255, and 285 West Western Avenue City Manager

SUMMARY OF REQUEST: This 4th Amendment to the Development Agreement is requested by Parkland Properties. The purpose of the agreement is to provide an additional 2 months of time to finish the project.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

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

L. Brownfield Development Agreement Between Pure Muskegon, LLC and the City of Muskegon for Windward Pointe MDEQ Grant (Stack Demo) Planning & Economic Development

SUMMARY OF REQUEST: The City, to encourage Pure Muskegon, LLC to proceed with the purchase of the former Sappi property (Windward Pointe), applied for and received a Brownfield Grant in the amount of \$1 million to offset the eligible Stack Demolitions costs on the site. The costs for the stack demolition are expected to be between \$1.3 Million and \$1.6 Million. The Development Agreement includes the terms of grant implementation. The Brownfield Grant Funds will be available to reimburse the Property Owner (Pure Muskegon, LLC) for the stack demolition costs, in accordance with the terms, conditions and limitations of the grant agreement. The City will disburse the Brownfield Grant Funds and will contract with a separate Grant Manager for Grant oversight (including preparation of reports to MDEQ).

FINANCIAL IMPACT: The City will receive the MDEQ Grant in the amount of \$1 Million, on a reimbursement basis and the funds will be distributed to the Property Owner as Grant eligible activities are undertaken.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the "Brownfield Development Agreement" and authorize the Mayor to sign.

M. MDEQ Grant Administration Proposal – Lakeshore Environmental, Inc. for Windward Pointe MDEQ Grant (Stack Demo) Planning & Economic Development

SUMMARY OF REQUEST: Staff is recommending that Lakeshore Environmental, Inc. be retained to provide MDEQ Grant Administration services for the MDEQ Brownfield Grant. As part of the Brownfield Development Agreement between the City of Muskegon and Pure Muskegon, LLC, MDEQ grant funds may be paid for consultants to administer the grant (with fees not to exceed \$30,000). Since Lakeshore Environmental, Inc. has been involved with the Windward Pointe site for several years (as well as other brownfield sites), they are qualified to conduct the Grant Administration activities. These activities include completion of quarterly reports, submittal of contractor invoices for reimbursement, monthly progress meetings, communications with MDEQ staff, project team and contractors and completion and submittal of a final project summary to the MDEQ. Lakeshore Environmental, Inc. will coordinate with City staff to ensure all the requirements of the MDEQ Grant are met.

FINANCIAL IMPACT: The City will pay Lakeshore Environmental, Inc. up to \$30,000 for these administrative activities, through the MDEQ Grant Funds.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the “MDEQ Grant Administration Proposal” and authorize the Mayor to sign.

Motion by Commissioner Johnson, second by Commissioner German, to approve the consent agenda as presented, minus items B, E, G, and H.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES

2017-25 ITEMS REMOVED FROM THE CONSENT AGENDA:

B. Muskegon YMCA Summer Recreation Program Planning & Economic Development

SUMMARY OF REQUEST: The City of Muskegon is recommending approval of the Agreement with the Muskegon YMCA for the management of the 2017 “Summer in the City” Recreation Program. For six years the program has provided “a structured environment of activities promoting health, confidence, respect, and responsibility for over 600 kids in an environment where they can feel safe and secure.”

This Agreement is consistent with the memo sent to the City Commission by the Director of Community & Economic Development in December 2016. The anticipated total cost of the program for 2017 in the City of Muskegon is \$154,553. It is proposed that the City provide \$20,000 towards the program’s management for 2017.

FINANCIAL IMPACT: The funding will be disbursed from the 2017-2018 Community Development Block Grant/Leisure Services Fund.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the Muskegon YMCA Summer Recreation Program request.

Motion by Commissioner Warren, second by Commissioner Johnson, to approve the Muskegon YMCA Summer Recreation Program request.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Johnson, Gawron, Hood, and Warren

Nays: None

MOTION PASSES

E. Jay-Boards Rental/Lessons Business Contract for City of Muskegon
Parks DPW

SUMMARY OF REQUEST: Staff is asking permission to enter into a 3-year contractual agreement with Jason Gorski of Jay-Boards at Pere Marquette Beach and Harbor Towne Beach, located within the City of Muskegon, for Stand-up Paddleboard Rentals/Lessons.

FINANCIAL IMPACT: Contract Revenue will be 10% of gross receipts, per Contract Agreement.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Authorize DPW staff to enter into a 3-year contractual agreement with Jason Gorski of Jay Boards for 2017, 2018, and 2019.

Motion by Commissioner Warren, second by Commissioner Rinsema-Sybenga, to authorize DPW Staff to enter into a 3-year contractual agreement with Jason Gorski of Jay Boards for 2017, 2018, and 2019.

ROLL VOTE: Ayes: Rinsema-Sybenga, Johnson, Gawron, Hood, Warren, and German

Nays: None

MOTION PASSES

G. Emergency Response Plan (updated) Public Safety

SUMMARY OF REQUEST: The City of Muskegon has elected to be incorporated into the Muskegon County Emergency Management Program. By becoming part of the county emergency management program, the City of Muskegon and the County of Muskegon have certain responsibilities to each other. This Support Emergency Operations Plan has been developed to identify the responsibilities between the City of Muskegon and the County of Muskegon in regards to pre-disaster emergency management activities.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the resolution as presented.

Motion by Commissioner Warren, second by Commissioner German, to approve the Emergency Management Resolution.

ROLL VOTE: Ayes: Johnson, Gawron, Hood, Warren, German, and Rinsema-Sybenga

Nays: None

MOTION PASSES

H. Amendment to the Zoning Ordinance – R-1, Single Family Districts
Planning & Economic Development

SUMMARY OF REQUEST: Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to rename it R-1, Single Family Low Density Residential Districts.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION: The Planning Commission unanimously recommended approval of the ordinance amendment, with two members absent.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to amend the Zoning Ordinance – R-1, Single Family Districts.

ROLL VOTE: Ayes: Johnson, Gawron, Hood, Warren, German, and Rinsema-Sybenga

Nays: None

MOTION PASSES

~SECOND READING REQUIRED~

2017-26 PUBLIC HEARINGS:

A. Public Hearing for Brownfield Plan Amendment and Development and Reimbursement Agreement for Windward Pointe Redevelopment Project Planning & Economic Development

SUMMARY OF REQUEST: To hold a public hearing and approve the resolution approving and adopting the amendment to the Brownfield Plan and to approve the Development and Reimbursement Agreement. The amendments are for property owned by Pure Muskegon, LLC.

FINANCIAL IMPACT: Brownfield Tax Increment Financing will be used to reimburse the developer for “eligible expenses” incurred in association with development of the Windward Pointe project. Pure Muskegon, LLC cost for the development of the property is approximately \$200 Million in private investment, resulting in a substantial increase in the local and school taxes generated by the property.

“Eligible Expenses” would be reimbursed starting in 2019. The estimated tax capture and payment schedule is included as Table 2 in the proposed Brownfield Plan Amendment.

After all eligible costs incurred by the various parties are reimbursed (estimated to be in 2040), the BRA is authorized to continue to capture local taxes for five

more years for deposit into a Local Site Remediation Revolving Fund.

The Development and Reimbursement Agreement provides the structure for the capture of taxes and the reimbursement to Pure Muskegon for eligible expenses.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To hold a public hearing for approval of the Brownfield Plan Amendment for the Pure Muskegon Redevelopment Project and approve the resolution and authorize the Mayor and Clerk to sign the resolution, and to approve the Development and Reimbursement Agreement between Pure Muskegon, LLC, the City of Muskegon, and the City of Muskegon Brownfield Redevelopment Authority.

COMMITTEE RECOMMENDATION: The Muskegon City Commission set the public hearing for March 28, 2017 at the February 28, 2017 meeting. Since that time, a notice of the public hearing has been sent to taxing jurisdictions. In addition, the Brownfield Redevelopment Authority approved the Plan amendment and the Development and Reimbursement Agreement on February 16, 2017 and recommends that the Muskegon City Commission approve the Plan amendment and Development and Reimbursement Agreement.

PUBLIC HEARING COMMENCED: No public comments were received.

Motion by Commissioner Johnson, second by Commissioner German, to close the public hearing and approve the Brownfield Plan Amendment for the Pure Muskegon Redevelopment Project and approve the resolution and authorize the Mayor and Clerk to sign the resolution, and to approve the Development and Reimbursement Agreement between Pure Muskegon, LLC, the City of Muskegon, and the City of Muskegon Brownfield Redevelopment Authority.

ROLL VOTE: Ayes: Gawron, Hood, Warren, German, Rinsema-Sybenga, and Johnson

Nays: None

MOTION PASSES

2017-27 NEW BUSINESS:

A. Request to add Parcels to the City's Existing Groundwater Ordinance – Burgess-Norton Planning & Economic Development

SUMMARY OF REQUEST: The City has received a petition from Burgess-Norton Manufacturing Company, Inc. to designate 711 parcels under the water supplies ordinance. These parcels are associated with the former Standard Automotive Parts Company at 660 Nims Street. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of

contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the ordinance amendment to include the additional 711 parcels.

Motion by Commissioner Johnson, second by Commissioner Warren to approve the ordinance amendment to include the additional 711 parcels.

ROLL VOTE: Ayes: Hood, Warren, German, Rinsema-Sybenga, Johnson, and Gawron

Nays: None

MOTION PASSES ~SECOND READING REQUIRED~

B. Request to add Parcels to the City's Existing Groundwater Ordinance – Ambrosia Street Planning & Economic Development

SUMMARY OF REQUEST: The City has received a petition from the Michigan Department of Environmental Quality to designate 511 parcels under the water supplies ordinance. The Ambrosia Street area groundwater contamination was discovered by sampling conducted by the environmental consultant Arcadis of Michigan, LLC for the Burgess-Norton site in 2013. During that work Arcadis not only defined the extent of the contamination plume coming from the Burgess-Norton site, but also identified three other plumes of chlorinated contamination. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the ordinance amendment to include the additional 511 parcels.

Motion by Vice Mayor Hood, second by Commissioner Rinsema-Sybenga to approve the ordinance amendment to include the additional 511 parcels.

ROLL VOTE: Ayes: Warren, German, Rinsema-Sybenga, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES ~SECOND READING REQUIRED~

C. Request to Create a New Neighborhood Enterprise Zone District at 285 W Western Avenue Planning & Economic Development

SUMMARY OF REQUEST: Pursuant to Public Act 147 of the Michigan Public Acts of 1992, Parkland Muskegon, LLC has requested to create a new Neighborhood Enterprise Zone (NEZ) district for the parcel at 285 W Western Avenue. Properties located in this NEZ district will be eligible to apply for NEZ certificates, which will freeze the taxable value for residential construction. A public hearing was held on this matter at the City Commission meeting on June 28, 2016. This project will include 47 apartments and two floors of commercial space. The NEZ will only affect the residential component of the project.

FINANCIAL IMPACT: No financial impact at this point. However, being in a district will allow them to apply for a rehab NEZ certificate, which will freeze the residential taxable value at its pre-rehabilitated rate for 1 to 15 years.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Staff recommends approval of the new NEZ district.

Motion by Commissioner Warren, second by Commissioner Johnson to approve the new NEZ District at 285 W. Western Avenue.

ROLL VOTE: Ayes: German, Rinsema-Sybenga, Johnson, Gawron, Hood, and Warren

Nays: None

MOTION PASSES

PUBLIC PARTICIPATION: No public comments were received.

ADJOURNMENT: The City Commission Meeting adjourned at 6:30 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC, City Clerk

Date: April 4, 2017
To: Honorable Mayor and City Commissioners
From: Ann Marie Meisch, City Clerk
RE: Fireworks Display Permit for Muskegon Country Club

SUMMARY OF REQUEST: Melrose Pyrotechnics, Inc. is requesting approval of a fireworks display permit for July 2, 2017, at the Muskegon Country Club, 2801 Lakeshore Drive. The fire marshall will inspect the fireworks on the day of the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks and approval of insurance.



Muskegon Country Club

March 14, 2017

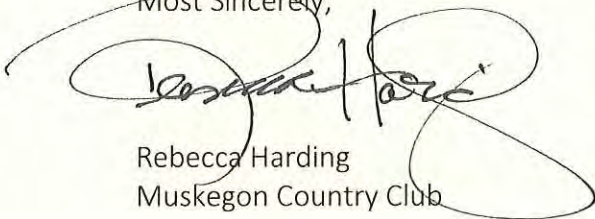
Kimberly Grimm, Deputy City Clerk
City of Muskegon
933 Terrace Street
Muskegon, MI 49440

Dear Ms. Grimm,

Muskegon Country Club is in the process of planning of annual Independence Day Celebration on Sunday, July 2, 2017. I am enclosing the fireworks permit, certificate of liability insurance and application fee of \$75.00.

Please call me if you have any questions. I can be reached at 231-755-3737 or rebecca@muskegoncc.com

Most Sincerely,



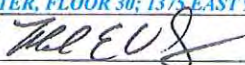
Rebecca Harding
Muskegon Country Club

enc

APPLICATION FOR FIREWORKS DISPLAY PERMIT
Michigan Department of Energy, Labor, & Economic Growth
Bureau of Fire Services
P.O. Box 30700
Lansing, MI 48909
(517) 241-8847

2017

Authority: 1988 PA 358	The Department of Energy, Labor & Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, material status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the American with Disabilities Act, you may make your needs known to this agency.
Compliance: Voluntary	
Penalty: Permit will not be issued	

☒ PUBLIC DISPLAY	☐ AGRICULTURAL PEST CONTROL	Date of Application 03/9/17
Name of Applicant MELROSE PYROTECHNICS, INC.	Address P.O. BOX 302, KINGSBURY, IN 46345	Age (18 or over)
If a Corporation, Name of President MICHAEL CARTOLANO	Address P.O. BOX 302, KINGSBURY, IN 46345	
If a Non-resident Applicant: Name of MI Attorney or Resident Agent MIKE VAN LOO	Address P.O. BOX 123; 9019 W. BELDING RD. SUITE 3, BELDING, MI 48809	Phone No. (616) 794-0205
Name of Pyrotechnic Operator MIKE VAN LOO	Address P.O. BOX 123, BELDING, MI 48809	Age (18 or over) 48
No. Years Experience No. Displays 30 YEARS 500+	Where MICHIGAN, ILLINOIS, INDIANA	
Name of Assistant: MARIANNE NICKEL	Address P.O. BOX 123, BELDING, MI 48809	Age 60
Name of Other Assistant: LORI NICKEL	Address P.O. BOX 123, BELDING, MI 48809	Age 39
Exact Location of Proposed Display Muskegon Country Club Grounds		
Date of Proposed Display July 2, 2017		Time of Proposed Display Dusk
No. Of Fireworks	Kind of Fireworks to be Displayed	
Approximately 700	Aerial display shells ranging in size from 1 1/4 inches to 4 inches in diameter.	
Manner & Place of Storage Prior to Display (Subject to Approval of Local Fire Authorities)		
NO STORAGE NECESSARY, DELIVERED ON DATE OF DISPLAY		
Amount of Bond of Insurance (to be set by local gov't) \$5,000,000.00	Name of Bonding Corporation or Insurance Company BRITTON-GALLAGHER & ASSOCIATES	
Address of Bonding Corporation or Insurance Company ONE CLEVELAND CENTER, FLOOR 30; 1375 EAST 9 TH STREET, CLEVELAND, OHIO 44114		
Signature of Applicant  For Melrose Pyrotechnics, Inc.		

SEE OTHER SIDE FOR INSTRUCTIONS



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/8/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A : Everest Indemnity Insurance Co. 10851 INSURER B : Everest National Insurance Company 10120 INSURER C : Travelers Indemnity Co 25658 INSURER D : Maxum Indemnity Company 26743 INSURER E : INSURER F :
INSURED Melrose Pyrotechnics, Inc. Kingsbury Industrial Parkway Heinold Complex Kingsbury IN 46345	

COVERAGES

CERTIFICATE NUMBER: 2032776575

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC	Y		S18ML00042-171	1/15/2017	1/15/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☒ SCHEDULED AUTOS ☐ NON-OWNED AUTOS			S18CA00025-171	1/15/2017	1/15/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			EXC6017975	1/15/2017	1/15/2018	EACH OCCURRENCE \$4,000,000 AGGREGATE \$4,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	0323N491 (MI)	4/1/2017	4/1/2018	☒ WC STATU-TORY LIMITS ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

DISPLAY DATE: July 2, 2017

LOCATION: Muskegon Country Club, Muskegon, Michigan

ADDITIONAL INSURED: Muskegon Country Club; City of Muskegon, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof

CERTIFICATE HOLDER

CANCELLATION

City of Muskegon 933 Terrace Street Muskegon MI 49440	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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ACORD 25 (2010/05)

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/8/2017

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PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:	
	PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No):	
INSURED Melrose Pyrotechnics, Inc. Kingsbury Industrial Parkway Heinold Complex Kingsbury IN 46345	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Everest Indemnity Insurance Co. NAIC # 10851	
	INSURER B: Everest National Insurance Company 10120	
	INSURER C: Travelers Indemnity Co 25658	
	INSURER D: Maxum Indemnity Company 26743	
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 648995840

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	Y		SI8ML00042-171	1/15/2017	1/15/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	☒ COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☒ OCCUR						
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	☐ POLICY ☒ PROJECT ☐ LOC						
B	AUTOMOBILE LIABILITY			SI8CA00025-171	1/15/2017	1/15/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☒ ANY AUTO						
	☐ ALL OWNED AUTOS						
	☒ HIRED AUTOS						
	☐ SCHEDULED AUTOS						
	☐ NON-OWNED AUTOS						
D	UMBRELLA LIAB ☒ OCCUR			EXC6017975	1/15/2017	1/15/2018	EACH OCCURRENCE \$4,000,000
	☒ EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE \$4,000,000
	DED ☐ RETENTION \$						\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			0323N491 (MI)	4/1/2017	4/1/2018	☒ WC STATUTORY LIMITS ☐ OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$1,000,000
							E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

DISPLAY DATE: July 2, 2017

LOCATION: Muskegon Country Club - Muskegon, Michigan

ADDITIONAL INSURED: Muskegon Country Club; City of Muskegon, all elected & appointed officials, all employees & volunteers, all boards, commissions, and/or authorities & board members, including employees and volunteers thereof

CERTIFICATE HOLDER**CANCELLATION**

Muskegon Country Club 2801 Lakeshore Drive Muskegon MI 49441	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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Date: April 4, 2017
To: Honorable Mayor and City Commissioners
From: Ann Marie Meisch, City Clerk
RE: Fireworks Display Permit for Heritage Landing

SUMMARY OF REQUEST: Night Magic is requesting approval of a fireworks display permit for July 4, 2017, at the Heritage Landing. The fire marshall will inspect the fireworks on the day of the event.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval contingent on inspection of the fireworks and approval of insurance.

2017 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY
OF CITY, VILLAGE OR TOWNSHIP
BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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TYPE OF PERMIT(S) (Select all applicable boxes)		
☐ Agricultural or Wildlife Fireworks	☐ Articles Pyrotechnic	☒ Display Fireworks
☒ Public Display	☐ Private Display	
☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes		
NAME OF APPLICANT <i>Brandon Bushkin 15 Bushkin Rd</i>	ADDRESS OF APPLICANT <i>7834 Saint Huberts Trail</i>	AGE OF APPLICANT 18 YEARS OR OLDER ☒ YES ☐ NO
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER	ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER	
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	TELEPHONE NUMBER <i>231-638-7120</i>
NAME OF PYROTECHNIC OPERATOR <i>Night Magic</i>	ADDRESS OF PYROTECHNIC OPERATOR <i>3999 Hopp, LaPorte IN 46350</i>	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER ☒ YES ☐ NO
NO. YEARS EXPERIENCE	NO. DISPLAYS	WHERE
NAME OF ASSISTANT	ADDRESS OF ASSISTANT	AGE OF ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO
NAME OF OTHER ASSISTANT	ADDRESS OF OTHER ASSISTANT	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO
EXACT LOCATION OF PROPOSED DISPLAY <i>Heritage Landing - Launch from the point over water</i>		
DATE OF PROPOSED DISPLAY <i>7-4-17</i>	TIME OF PROPOSED DISPLAY <i>10:30pm</i>	
MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS. PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT		
AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) <i>\$ 10,000,000.00</i>	NAME OF BONDING CORPORATION OR INSURANCE COMPANY	
ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY		
NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)	
	<i>Attached</i>	
SIGNATURE OF APPLICANT <i>B. Bushkin</i>	DATE <i>3-23-17</i>	

Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY
OF CITY, VILLAGE OR TOWNSHIP
BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 266
Compliance: Voluntary
Penalty: Permit will not be issued

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)

- ☐ Agricultural or Wildlife Fireworks ☐ Articles Pyrotechnic ☒ Display Fireworks
☒ Public Display ☐ Private Display
☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT		ADDRESS OF APPLICANT		AGE (18 YEARS OR OLDER) OF APPLICANT
NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER		ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER		
IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)		ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)		TELEPHONE NUMBER
NAME OF PYROTECHNIC OPERATOR DAN KREIDER		ADDRESS OF PYROTECHNIC OPERATOR 3999 Hupp Road Kingsbury, IN 46350		AGE (18 YEARS OR OLDER) OF PYROTECHNIC OPERATOR 52
NO. YEARS EXPERIENCE 30	NO. DISPLAYS 300+	WHERE Muskegon, Grand Haven, Fort Wayne, etc		
NAME OF ASSISTANT		ADDRESS OF ASSISTANT		AGE OF ASSISTANT (18 YEARS OR OLDER)
NAME OF OTHER ASSISTANT		ADDRESS OF OTHER ASSISTANT		AGE OF OTHER ASSISTANT (18 YEARS OR OLDER)

EXACT LOCATION OF PROPOSED DISPLAY

DATE OF PROPOSED DISPLAY
7/4/17

TIME OF PROPOSED DISPLAY

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1128 AND OTHER STATE OR FEDERAL REGULATIONS.
PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT
Delivered to Site day of show

Delivered to site day of show

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) **\$10,000,000.00** NAME OF BONDING CORPORATION OR INSURANCE COMPANY
ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES INC.

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY
777 108th Ave. NE, #200 BELLEVUE, WA 98004

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)
807	3 to 6 inch display shells
11	Multi Shot Boxes (1 1/2 to 2 1/2 inch)
SIGNATURE OF APPLICANT	
DATE	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/7/2017

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PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 777 108th Ave NE, #200 Bellevue WA 98004	CONTACT NAME: Kristen Look		
	PHONE (A/C, No, Ext): 425-586-1016	FAX (A/C, No): 425-451-3716	
INSURED MIANINC-01 Miand, Inc. dba Night Magic Displays 3999 E. Hupp Road, Bldg R-3-1 La Porte IN 46350	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : T.H.E. Insurance Company		12866
	INSURER B : Liberty Insurance Corporation		42404
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES

CERTIFICATE NUMBER: 1473667583

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Per Show Agg GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:		CPP010529901	2/4/2017	2/4/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS		CPP010529901	2/4/2017	2/4/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$		ELP001210401	2/4/2017	2/4/2018	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	WC34S311836057 WC534S524913037	2/4/2017 2/4/2017	2/4/2018 2/4/2018	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is named as additional insured on the General Liability policy per form number CG133F (07/95)
The City of Muskegon all elected and appointed officials, all employees and volunteer, all boards, commissions and or authorities, and their board members, all employees and volunteers, the County of Muskegon, and B. Baskin Enterprises, LLC are named as additional insured with respect to the July 4, 2017 firework display in Muskegon MI

CERTIFICATE HOLDER

CANCELLATION

County of Muskegon Kristen Wade 316 Morris Ave. Ste 200 Muskegon MI 49440 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED—AUTOMATIC STATUS WHEN REQUIRED BY WRITTEN CONTRACT OR WRITTEN AGREEMENT

This endorsement modifies insurance provided by the Coverage Part(s) checked below:

☐ All Coverage Parts or

☒ Only the following checked Coverage Part(s)

- ☒ COVERAGE PART A - COMMERCIAL GENERAL LIABILITY
- N/A COVERAGE PART B - CONTRACTOR'S POLLUTION LIABILITY
- N/A COVERAGE PART C - PROFESSIONAL LIABILITY
- N/A COVERAGE PART D - SITE ENVIRONMENTAL LIABILITY
- N/A COVERAGE PART E - PRODUCTS POLLUTION LIABILITY
- N/A COVERAGE PART F - OTHER

Solely with respect to coverage afforded by the Coverage Part(s) checked above:

SECTION II – Who Is An Insured is amended to include as an additional insured any person or organization you are required to include as an additional insured on this Policy by written contract or written agreement in effect during this "policy period" and executed prior to the "occurrence" of any "bodily injury" or "property damage" but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by:

1. Your acts or omissions, or
2. The acts or omissions of those acting on your behalf.

Liability for the above acts or omissions includes the liability you are required to assume in a written contract or written agreement with an additional insured that is specifically related to "your work", provided that assumption of the additional insured's liability is permitted by law.

The insurance provided to the additional insured(s) under this endorsement is limited as follows:

1. In the event that the Limits of Insurance provided by this Policy exceed the Limits of Insurance required by the written contract or written agreement, the insurance provided by this endorsement shall be limited to the Limits of Insurance required by the written contract or written agreement. This endorsement shall not increase the Limits of Insurance stated in the Declarations.
2. Any coverage provided by this endorsement to an additional insured(s) shall be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis unless a written contract or written agreement specifically requires that this insurance apply on a primary and noncontributory basis.
3. With respect to the insurance afforded to the additional insured(s), the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, (other than service, maintenance or repairs) on the project to be performed by

or on behalf of the additional insured(s) at the location of the covered operations, has been completed; or

- b. That portion of "your work" out of which the "bodily injury" or "property damage" arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project;

provided that item 3.a. and 3.b. above shall not apply if such coverage is required by written contract or written agreement in effect during this "policy period" and executed prior to the "occurrence" of any "bodily injury" or "property damage".

ALL OTHER TERMS AND CONDITIONS OF THE POLICY REMAIN UNCHANGED.

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
4/1/2017

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PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 777 108th Ave NE, #200 Bellevue WA 98004	CONTACT NAME: Kristen Look
	PHONE (A/C, No, Ext): 425-586-1016 FAX (A/C, No): 425-451-3716
INSURED MIANINC-01 Miand, Inc. dba Night Magic Displays 3999 E. Hupp Road, Building R-3-1 La Porte, IN 46350	E-MAIL ADDRESS:
	INSURER(S) AFFORDING COVERAGE
	INSURER A: T.H.E. Insurance Company NAIC # 12866
	INSURER B: Liberty Insurance Corporation NAIC # 42404
	INSURER C:
	INSURER D:
INSURER E:	
INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 357710720

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Per Show Agg GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			CPP010529901	2/4/2017	2/4/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS			CPP010529901	2/4/2017	2/4/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☐ UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			ELP001210401	2/4/2017	2/4/2018	EACH OCCURRENCE \$9,000,000 AGGREGATE \$9,000,000 \$
B	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC34S311836057 WC534S524913037	2/4/2017 2/4/2017	2/4/2018 2/4/2018	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is named as additional insured on the General Liability policy per form number CG133F (07/95)
City of Muskegon all elected and appointed officials, all employees and volunteer, all boards, commissions and or authorities, and their board members, all employees and volunteers, B. Baskin Enterprises, No More Sidelines, and the County of Muskegon, are named as additional insured with respect to the July 4, 2017 firework display in Muskegon MI

CERTIFICATE HOLDER

CANCELLATION

City of Muskegon 933 Terrace Street Muskegon MI 49440 USA	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED—AUTOMATIC STATUS WHEN REQUIRED BY WRITTEN CONTRACT OR WRITTEN AGREEMENT

This endorsement modifies insurance provided by the Coverage Part(s) checked below:

- ☐ All Coverage Parts or
☒ Only the following checked Coverage Part(s)

- ☒ COVERAGE PART A - COMMERCIAL GENERAL LIABILITY
N/A COVERAGE PART B - CONTRACTOR'S POLLUTION LIABILITY
N/A COVERAGE PART C - PROFESSIONAL LIABILITY
N/A COVERAGE PART D - SITE ENVIRONMENTAL LIABILITY
N/A COVERAGE PART E - PRODUCTS POLLUTION LIABILITY
N/A COVERAGE PART F - OTHER

Solely with respect to coverage afforded by the Coverage Part(s) checked above:

SECTION II – Who Is An Insured is amended to include as an additional insured any person or organization you are required to include as an additional insured on this Policy by written contract or written agreement in effect during this "policy period" and executed prior to the "occurrence" of any "bodily injury" or, "property damage" but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by:

1. Your acts or omissions, or
2. The acts or omissions of those acting on your behalf.

Liability for the above acts or omissions includes the liability you are required to assume in a written contract or written agreement with an additional insured that is specifically related to "your work", provided that assumption of the additional insured's liability is permitted by law.

The insurance provided to the additional insured(s) under this endorsement is limited as follows:

1. In the event that the Limits of Insurance provided by this Policy exceed the Limits of Insurance required by the written contract or written agreement, the insurance provided by this endorsement shall be limited to the Limits of Insurance required by the written contract or written agreement. This endorsement shall not increase the Limits of Insurance stated in the Declarations.
2. Any coverage provided by this endorsement to an additional insured(s) shall be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis unless a written contract or written agreement specifically requires that this insurance apply on a primary and noncontributory basis.
3. With respect to the insurance afforded to the additional insured(s), the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, (other than service, maintenance or repairs) on the project to be performed by

or on behalf of the additional insured(s) at the location of the covered operations, has been completed; or

- b. That portion of "your work" out of which the "bodily injury" or "property damage" arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project;

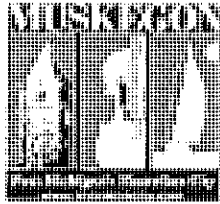
provided that item 3.a. and 3.b. above shall not apply if such coverage is required by written contract or written agreement in effect during this "policy period" and executed prior to the "occurrence" of any "bodily injury" or "property damage".

ALL OTHER TERMS AND CONDITIONS OF THE POLICY REMAIN UNCHANGED.

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CITY CLERK'S OFFICE

CITY OF MUSKEGON
933 TERRACE ST
MUSKEGON MI 49440
(231) 724-6705



Receipt: 12008909

Mar/31/2017

Page

Cashier: KIMBERLY.GRIMM

Received Of: B BASKIN ENTERPRISES LLC

NOTES 2017 FIREWORKS PERMIT
APPLICATION

The sum of: \$75.00

BR

2017 FIREWORKS PERMIT APPLICATION	75.00
Total	75.00

TENDERED:

CHECK

1144

75.00

Commission Meeting Date: April 11, 2017

Date: April 4, 2017

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department (CNS)

RE: 2017 CDBG/HOME Budget Recommendations

SUMMARY OF REQUEST: To accept the recommendations of the Administration in regards to the 2017 CDBG/HOME Budget Allocations and publish the Budgets and Annual Action Plan for public comments.

FINANCIAL IMPACT: None at this time.

BUDGET ACTION REQUIRED: To direct staff to publish the Proposed budgets for the 2017 CDBG/HOME Allocations and the Annual Action Plan for public comments.

STAFF RECOMMENDATION: To authorize the publication of the Proposed 2017 - CDBG and HOME Budgets for the Annual Action Plan comment period.

COMMITTEE RECOMMENDATION: None at this time.

CDBG Organization/Agency	Activity	2016 Budget	2017 Proposed<3%	2017 Staff Proposed
COM - Affirmative Action	Affirmative Action**	\$10,000	\$ 9,700.00	\$ 9,700.00
COM - Affirmative Action	Youth Opportunities/Summer Internships	\$0	\$ -	
COM - CNS	CDBG Admin **	\$ 167,332.00	\$ 162,312.04	\$ 162,312.00
COM - CNS	Priority Home Repair	\$235,790	\$ 228,716.46	\$ 201,699.14
COM - CNS	Services Delivery	\$75,000	\$ 72,750.00	\$72,750.00
COM - CNS	Vinyl Siding	\$50,000	\$ 48,500.00	\$48,500.00
COM - CNS	Target Neighborhood	\$0	\$ -	
COM - CNS	Neighborhood Grants	\$0	\$ -	
COM - Finance	Fire Station Bond Repayment	\$133,540	\$ 129,533.64	\$133,401.00
COM - Inspections	Dangerous Bldgs - Demolition	\$50,000	\$ 48,500.00	\$48,500.00
COM - Inspections	Dangerous Bldgs - Board-Ups	\$10,000	\$ 9,700.00	\$9,700.00
COM - Leisure Services	Youth Recreation*	\$70,000	\$ 67,900.00	\$95,000.00
COM - Planning	Code Enforcement	\$50,000	\$ 48,500.00	\$48,500.00
Love INC - Ramps	Special Projects/Community Based Org.*	\$0	\$ -	
Love INC - Utility Assistance	Special Projects/Community Based Org *	\$0	\$ -	
COM - Engineering	Streets	\$35,000	\$ 33,950.00	\$30,000.00

Total CDBG Request	\$886,662	\$ 860,062.14	\$ 860,062.14
Total CDBG Allocated	\$886,662		
Expected program income (Debt Recovery)	\$0		

NOTE:

* Public Service

** City CDBG Administration

Total	\$886,662
Allocated/Request Difference	\$0
Total Amt of Public Service*	\$70,000
Public Service maximum Amt 15%	\$132,999
Difference	\$62,999
Total Amt of City Administration Request**	\$167,332
Administrative Maximum Amt < 20%	\$177,332.40
Difference	\$10,000

HOME Organization/Agency	Activity	2016 Budget	2017 Proposed	2017
CHDO Allocation	Housing Affordable Units****	\$39,428	\$ 38,245.16	\$38,245.16
CHDO Administration	Administration	\$2,137	\$ 2,072.89	\$2,072.89
COM - CNS	HOME Administration***	\$26,285	\$ 25,496.45	\$25,496.45
COM - CNS	HOME Infill/New Construction	\$150,000	\$ 145,500.00	\$145,500.00
COM - CNS	HOME Rental Rehabilitation	\$45,000	\$ 43,650.00	\$43,650.00
COM - CNS	HOME Rehab Construction *	\$0	\$ -	
COM - CNS	HOME Homebuyer Assistance *	\$0	\$ -	

Total HOME Request	\$262,850	\$ 254,964.50	\$254,964.50
Total HOME Allocated	\$264,277		
(+) Program Income	\$0		

NOTE:

*** Home Administration

**** CHDO Request

* To be funded from Program Income

Total	\$264,277
Allocated/Request Difference	\$1,427

Total Amt of HOME Administration***	\$26,285
Total Amt Designated = 10%	\$26,864
Difference	\$579

Total Amt of HOME CHDO ****	\$41,565
Total Amt mandated >= 15%	\$39,642
Difference	\$1,923

CDBG Organization/Agency Activity		2016 Budget
COM - Affirmative Action	Affirmative Action**	\$10,000
COM - Affirmative Action	Youth Opportunities/Summer Internships	\$0
COM - CNS	CDBG Admin **	\$ 167,332.00
COM - CNS	Priority Home Repair	\$235,790
COM - CNS	Services Delivery	\$75,000
COM - CNS	Vinyl Siding	\$50,000
COM - CNS	Target Neighborhood	\$0
COM - CNS	Neighborhood Grants	\$0
COM - Finance	Fire Station Bond Repayment	\$133,540
COM - Inspections	Dangerous Bldgs - Demolition	\$50,000
COM - Inspections	Dangerous Bldgs - Board-Ups	\$10,000
COM - Leisure Services	Youth Recreation*	\$70,000
COM - Planning	Code Enforcement	\$50,000
Love INC - Ramps	Special Projects/Community Based Org.*	\$0
Love INC - Utility Assistance	Special Projects/Community Based Org *	\$0
COM - Engineering	Streets	\$35,000

Total CDBG Request \$886,662

Total CDBG Allocated \$886,662

Expected program income (Debt Recovery) \$0

Total \$886,662

NOTE:

* Public Service Allocated/Request Difference

\$0

** City CDBG Administration

Total Amt of Public Service* \$70,000

Public Service maximum Amt 15% \$132,999

Difference \$62,999

Total Amt of City Administration Request \$167,332**

Administrative Maximum Amt < 20% \$177,332.40

Difference \$10,000

HOME Organization/Agency Activity		CDC/STAFF 2016 Proposed
CHDO Allocation	Housing Affordable Units****	\$39,428
CHDO Administration	Administration	\$2,137
COM - CNS	HOME Administration***	\$26,285
COM - CNS	HOME Infill/New Construction	\$150,000

COM - CNS	HOME Rental Rehabilitation	\$45,000
COM - CNS	HOME Rehab Construction *	\$0
COM - CNS	HOME Homebuyer Assistance *	\$0

Total HOME Request **\$262,850**

Total HOME Allocated **\$264,277**

(+) Program Income **\$0**

NOTE:

*** Home Administration

Allocated/Request Difference

Total **\$264,277**

\$1,427

**** CHDO Request

* To be funded from Program Income

Total Amt of HOME Administration*** **\$26,285**

Total Amt Designated = 10% **\$26,864**

Difference **\$579**

Total Amt of HOME CHDO **** **\$41,565**

Total Amt mandated >= 15% **\$39,642**

Difference **\$1,923**

2015 Final Determination	2015 BALANCE	2017 Proposed
\$10,000	\$4,774	\$ 9,700.00
\$15,000	\$10,000	\$ -
\$159,802	\$53,711	\$ 162,312.04
\$170,000	\$36,630	\$ 228,716.46
\$64,500	\$36,946	\$ 72,750.00
\$50,000	\$14,000	\$ 48,500.00
\$16,984	\$7,370	\$ -
\$18,000	\$18,000	\$ -
\$153,124		\$ 129,533.64
\$50,000	\$45,000	\$ 48,500.00
\$10,000	\$6,500	\$ 9,700.00
\$70,000		\$ 67,900.00
\$50,000		\$ 48,500.00
\$4,500	\$4,500	\$ -
\$3,500	\$1,011	\$ -
\$50,000		\$ 33,950.00
\$895,410		\$ 860,062.14

\$895,410

\$0

\$895,410

\$0

\$78,000

\$134,312

\$56,312

\$159,802

\$179,082

\$19,280

2015 Final Determination	2015 BALANCE	2017 Proposed
\$100,000	\$92,000	\$ 38,245.16
\$0	\$8,000	\$ 2,072.89
\$26,863		\$ 25,496.45
\$111,776	\$108,251	\$ 145,500.00

\$30,000	\$25,000	\$ 43,650.00
\$0		\$ -
\$0		\$ -
\$268,639		\$ 254,964.50

\$268,639

\$0

\$268,639

\$0

\$26,863

\$26,864

\$1

\$100,000

\$40,296

\$59,704

Community Development Block Grant 2015 - 2016

Organization/Agency	Activity	Priority	2014-2015	2015 - 2016	
			City Comm Final	Staff Proposed	CDC Recommend
COM - Affirmative Action	Affirmative Action		\$10,000	\$10,000	\$10,000
COM - Affirmative Action	Youth Opportunities/Interns		\$5,000	\$15,000	\$15,000
COM - CNS	CDBG Admin **		\$179,405	\$159,802	\$159,802
COM - CNS	Priority Home Repair		\$200,000	\$170,000	\$170,000
COM - CNS	Service Delivery		\$60,000	\$64,500	\$64,500
COM - CNS	Vinyl Siding		\$50,000	\$50,000	\$50,000
COM - CNS	Target Neighborhood/Blight Fight		\$18,332	\$16,984	\$16,984
COM - CNS	Neighborhood Grants		\$25,000	\$18,000	\$18,000
COM - Finance	Fire Station Bond Repayment		\$156,288	\$153,124	\$153,124
COM - Inspections	Dangerous Bldgs - Demolition		\$55,000	\$50,000	\$50,000
COM - Inspections	Dangerous Bldgs - Board Ups		\$10,000	\$10,000	\$10,000
COM - Leisure Services	Youth Recreation*		\$70,000	\$70,000	\$70,000
COM - Planning	Code Enforcement		\$50,000	\$50,000	\$50,000
Love INC - Ramps	Special Projects/Community Based Org.*		\$4,500	\$4,500	\$4,500
Love INC - Utility Assistance	Special Projects/Community Based Org.*		\$3,500	\$3,500	\$3,500
COM - Engineering	Fourth Street Repaving Project		\$0	\$50,000	\$50,000
Total CDBG Request			\$897,025	\$895,410	\$895,410
Total CDBG Allocated			\$897,025	\$895,410	\$895,410
Expected Program Income (Debt Recovery)			\$0	\$0	\$0
NOTE: Total			\$897,025	\$895,410	\$895,410
* Public Service Allocated/Request Difference			\$0	\$0	\$0
** City CDBG Administration					
Total Amt of Public Service*			\$78,000	\$78,000	\$78,000
Public Service mandated Amt <= to 15%			\$134,554	\$134,312	\$134,312
Difference			\$56,554	\$56,312	\$56,312
Total Amt of City Administration Request**			\$179,405	\$159,802	\$159,802
Administrative maximum Amt < 20%			\$179,405	\$179,082	\$179,082
Difference			\$0	\$19,280	\$19,280

HOME Grant 2015 - 2016

Organization/Agency	Activity	2014-2015	2015 - 2016	
		Comm Final	Staff Proposed	CDC Recommend
CHDO Allocation	Housing Affordable Units ****	\$70,000	\$100,000	\$100,000
CHDO Administration	Administration	\$8,000	\$0	\$0
COM - CNS	HOME Administration***	\$27,542	\$26,863	\$26,863
COM - CNS	HOME Infill/New Construction/Rehab Const.	\$120,000	\$111,776	\$111,776
COM - CNS	HOME Rental Rehabilitation	\$40,000	\$30,000	\$30,000
COM - CNS	HOME Rehab Construction	\$9,879	\$0	\$0
COM - CNS	HOME Homebuyer Assistance*	\$0	\$0	\$0
	Total HOME Request	\$275,421	\$268,639	\$268,639
	Total HOME Allocated	\$275,421	\$268,639	\$268,639
	(+) Program Income	\$0	\$0	\$0
	Total	\$275,421	\$268,639	\$268,639
	Allocated/Request Difference	\$0	\$0	\$0
	Total Amt of HOME Administration***	\$27,542	\$26,863	\$26,863
	Total Amt Designated = 10%	\$27,542	\$26,864	\$26,864
	Difference	\$0	\$1	\$1
	Total Amt of HOME CHDO ****	\$70,000	\$100,000	\$100,000
	Total Amt mandated = 15%	\$41,313	\$40,296	\$40,296
	Difference	(\$28,687)	(\$59,704)	(\$59,704)

NOTES:

*** Home Administration

**** CHDO Request

* To be funded from Program Income

CITY COMMISSION MEETING DATE

April 11, 2017

Date: March 22, 2017

To: Honorable Mayor and City Commissioners

From: Mike Franzak, Planning Manager

Re: Special Event Request – Catamaran Racing Association of Michigan (CRAM)
Request to allow overnight camping at Pere Marquette Park (in conjunction with their annual Catamaran sailing regatta)

SUMMARY OF REQUEST: C.R.A.M. is holding their annual Catamaran sailing regatta at Pere Marquette Park the weekend of July 28 - 30, 2017. They are again requesting permission for their participants to camp overnight at the park, as they have done in previous years. We are requesting that the Commission authorize staff to issue this approval annually and negotiate any necessary terms associated with the requests. If the city-owned parking lot across from The Deck restaurant is utilized, the Deck's owners (Harris Hospitality) will be engaged in the approval process (they approved it last year and have indicated approval for the 2017 event, as well).

The event typically draws between 6 to 10 RVs. This is the event's 10th year of operation in Muskegon. They will provide proof of liability insurance.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To authorize staff to approve overnight camping as part of the CRAM Sailing Regatta at Pere Marquette Park beginning with the planned July 2017 event.

COMMITTEE RECOMMENDATION: N/A

AGENDA ITEM NO. _____

CITY COMMISSION MEETING _____

TO: Honorable Mayor and City Commission

FROM: Department of Public Works

DATE: April 11, 2017

SUBJECT: Lease Proposal for MACkite Kiteboarding School at Pere Marquette Park

SUMMARY OF REQUEST:

Staff is asking permission to enter into 3-year contractual agreement for 2017, 2018 and 2019, with Steve Negen of MACkite for a Kiteboard School and Shop in Pere Marquette Park at 1955 Beach Street (former old brown/brick beach house building by Filtration Plant). Staff is also asking permission to negotiate with lessee for “in-kind” services and/or donation to Pere Marquette Park/Facilities in lieu of the standard lease payment.

FINANCIAL IMPACT:

Revenue will be \$2,500 per year for 2017, 2018 and 2019 contract years. Lessee also agrees to provide a portable Handicapped Restroom near the building and pay electrical bills for the property. If approved by Commission staff would negotiate lease payment, “in-kind services”, donation to Pere Marquette Park/Facilities or a combination of such up to the standard lease payment of \$2,500 per year.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve request.

COMMITTEE RECOMMENDATION:

Proposal

To: City of Muskegon Department of Public Works.

For: 1955 Beech St, Muskegon, MI 49441

What: MACkite Kiteboarding School

MACkite is exciting about staying in Muskegon with our kiteboarding lesson center. In 2016 we brought in over 200 students from around the Midwest to play and enjoy the fabulous beach at Pere Marquette Park. MACkite is one of the largest kiteboarding retailers in the USA and is proud to offer one of the best beaches and kiteboarding schools in the country. We would love to continue this tradition begun in 2008.

MACkite has put in new windows, front door and repaired the roof and soffits. In 2017 we will be repairing the back two doors and frame. Also, we are excited to change all lighting over to LED for the 2017 season.

Location – 1955 Beech St – small brick building on the beach

Lease - \$2,500

Portable Toilets – May 1st through October 31st

Electricity - Paid once a year to City of Muskegon from their invoice.

Time Frame – 2017-2019

Steve Negen

President – MACkite.

106 Washington, Grand Haven, MI 49417

616-990-5938

Date: April 11, 2017
To: Honorable Mayor and City Commission
From: Water Filtration - DPW
RE: Intake Inspection

SUMMARY OF REQUEST:

Authorize staff to contract with Great Lakes Dock & Material for the inspection of the Filtration Plant Intake to determine the overall condition of the intake crib, conduit funnel, chemical application halo, piping and supports as well as the intake line. Also to include an inspection, evaluation and cleaning of the seals and seats of the Raw Water Isolation Valves for a cost of \$62,161.

FINANCIAL IMPACT:

An invitation to bid on the intake inspection was posted to the City website on March 7, 2017 and E-Mailed to 2 Underwater Construction firms. 2 firms submitted proposals; the results of the sealed bids are as follows:

Great Lakes Dock & Materials LLC - \$62,161

Solomon Diving Inc - \$63,750

BUDGET ACTION REQUIRED:

This item is budgeted in 2017.

STAFF RECOMMENDATION:

Staff be authorized to contract with Great Lakes Dock & Materials to perform the Intake Inspection at the Water Filtration Plant at a cost of \$62,161.

Date: April 11, 2017
To: Honorable Mayor and City Commission
From: Water Filtration - DPW
RE: West Sludge Pump Replacement

SUMMARY OF REQUEST:

Authorize staff to contract with Franklin-Holwerda for the replacement of our West Sludge Pump at a cost of \$25,868. Work to include removal of existing pump, purchase, and installation of a new Gorman-Rupp Super T Series 4" self-priming pump.

FINANCIAL IMPACT:

An invitation to bid on the pump replacement project was posted to the City website on March 7, 2017 and E-Mailed to 3 mechanical firms. 3 firms submitted proposals; the results of the sealed bids are as follows:

Northern Boiler and Mechanical - \$26,400

Franklin-Holwerda Co - \$25,868

Perceptive Service & Operations - \$35,950

BUDGET ACTION REQUIRED:

This item is budgeted in 2017.

STAFF RECOMMENDATION:

Staff be authorized to contract with Franklin-Holwerda Co to perform the West Sludge Pump replacement at the Water Filtration Plant at a cost of \$25,868.

Date: April 11, 2017
To: Honorable Mayor and City Commission
From: Water Filtration - DPW
RE: High Service Pump #4 Valve Replacement

SUMMARY OF REQUEST:

Authorize staff to contract with Northern Boiler & Mechanical for the removal of existing valve, purchase, and installation of a Pratt 14" rubber seated ball valve, control system, and a 14" chain driven butterfly isolation valve for our High Service #4 Pump at an estimated cost of \$70,700 since they were the lowest responsible bidder.

FINANCIAL IMPACT:

An invitation to bid on the valve replacement project was posted to the City website on March 7, 2017 and e-mailed to 3 mechanical firms. 2 firms submitted proposals; the results of the sealed bids are as follows:

Northern Boiler and Mechanical - \$70,700

Franklin-Holwerda Co - \$76,498

BUDGET ACTION REQUIRED:

This item is budgeted in 2017.

STAFF RECOMMENDATION:

Staff be authorized to contract with Northern Boiler and Mechanical to perform the High Service Pump #4 valve replacement at the Water Filtration Plant at a cost of \$70,700.

Date: April 11, 2017
To: Honorable Mayor and City Commission
From: Water Filtration - DPW
RE: Auxiliary #7 Low Service Pump Rebuild

SUMMARY OF REQUEST:

Authorize staff to contract with Professional Pump Inc. to removal, disassembly, rebuild, and reinstallation of our Auxiliary #7 Low Service Pump for an estimated cost of \$12,835 since they were the lowest responsible bidder.

FINANCIAL IMPACT:

An invitation to bid on the pump rebuild project was posted to the City website on March 7, 2017 and emailed to 3 pump rebuild firms. 3 firms submitted proposals; the results of the sealed bids were as follows:

Professional Pump Inc - \$12,835

Dubric Ind - \$13,900

Kennedy Ind - \$20,850

BUDGET ACTION REQUIRED:

This item is budgeted in 2017.

STAFF RECOMMENDATION:

Staff be authorized to contract with Professional Pump Inc to perform the rebuild of our Aux #7 Pump at the Water Filtration Plant at a cost of \$12,835.

Date: April 11, 2017
To: Honorable Mayor and City Commission
From: Water Filtration - DPW
RE: Alum Sludge Removal

SUMMARY OF REQUEST:

Authorize staff to contract with Ottawa County Farms Landfill and Cordes Trucking for the removal and disposal of approximately 1200 tons of Alum Sludge at an estimated cost of \$37,440 (\$31.20/Ton).

FINANCIAL IMPACT:

Ottawa County Farms Landfill: \$20.00/Ton - \$24,000

Cordes Trucking: \$11.20/Ton - \$13,440

Total: \$37,440

BUDGET ACTION REQUIRED:

This item is budgeted in 2017.

STAFF RECOMMENDATION:

Staff be authorized to contract for both, disposal and trucking of sludge from the filtration plant.

Date: April 11, 2017
To: Honorable Mayor and City Commissioners
From: Dept. of Public Works – Water Filtration Plant
RE: 2017/18 Water Treatment Sodium Hypochlorite Bids

SUMMARY OF REQUEST:

Recommend endorsement of lowest responsible bidder to supply sodium hypochlorite for the water filtration plant.

FINANCIAL IMPACT:

An estimated annual cost of \$62,836 (based on average annual water pumped and feed rates).

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends the Mayor and City Commission endorse the low bid received and allow staff to enter into a contract with Alexander for sodium hypochlorite for one year, beginning April 16, 2017.

COMMITTEE RECOMMENDATION:

Liquid Sodium Hypochlorite - March 23, 2017

Rowell Chemical	Olin Corp	Alexander Chemical	JCI Jones Chemical
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Cities of Holland, Wyoming, Muskegon, Muskegon Heights,
Grand Haven and Grand Rapids, MI.
1 Year: Starting April 16, 2017 - April 15, 2018

Cost Per Ton:	\$	151.00	\$	139.01	\$	136.60	\$	155.00
Cost Per Gallon:	\$	0.76	\$	0.70	\$	0.68	\$	0.78
Lead-time ARO		1 - 2 days		1 - 2 days		1 day		1 - 2 days

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendment to the Zoning Ordinance – R-1, Single Family Districts – SECOND READING

SUMMARY OF REQUEST:

Staff-initiated request to amend Article IV (R-1, Single Family Residential Districts) to rename it R-1, Single Family Low Density Residential Districts.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION:

The Planning Commission unanimously recommended approval of the ordinance amendment, with two members absent.

Staff Report (EXCERPT)
CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

Hearing, Case 2017-03: Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to rename it R-1, Single Family Low Density Residential Districts.

Hearing, Case 2017-04: Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to create two new categories for single family districts. These will include R-2, Single Family Medium Density Residential Districts and R-3, Single Family High Density Residential Districts.

Hearing, Case 2017-05: Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to amend the preamble to reflect the changes made by adding the new residential districts; to amend Sections 400 (Principal Uses Permitted) and Section 401 (Special Land Uses Permitted) to create the allowed and special uses permitted in the new residential districts; and to amend Section 404 (Area and Bulk Requirements) to create the development standards for the new residential districts.

SUMMARY

1. Staff held two public workshops regarding the small lot zoning and the downtown multi-family zoning proposals. The small lot zoning proposal was very well received; however, there are still some concerns over the multi-family zoning, so staff is working on some revisions and plans to request the amendments at the April 13 Planning Commission meeting.
2. The reason for these three amendments is to allow each specific residential block to be developed in the same manner in which it was created. Many homes in the downtown area are built on 33' wide lots, but the ordinance currently requires lots be 50' wide to be buildable. This limits development and creates a lot of non-conforming lots. Many lots in the Nims and Beachwood-Bluffton neighborhoods are just over 40' wide, but development is again limited because of non-conformities.
3. The first request is to rename R-1, Single-Family Residential Districts to R-1, Single Family Low Density Residential Districts. This will just change the name of the zoning district and will not change any of the regulations on parcels with this designation.
4. The second request is to create two new zoning districts to go in Article IV along with R-1 districts. These will be R-2, Single Family Medium Density Residential Districts and R-3, Single Family High Density Residential Districts. The uses for all three districts will be the same. The only thing that will be different is the area and bulk requirements.
5. The third request is to modify the wording in Article IV to reflect the new zoning regulations. This will include changes to Sections 400, 401 and 404.
6. None of these requests will result in a rezoning for any property. Staff will request the rezoning of certain properties to R-2, R-3 and Urban Residential in April. All of these property owners will be properly notified before the meeting.

7. Please see the enclosed workshop handouts related to the residential amendments.

NEW LANGUAGE

Deletions are ~~crossed out~~ and additions are in **bold**:

ARTICLE IV – R-1, SINGLE FAMILY **LOW DENSITY** RESIDENTIAL DISTRICTS

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Article IV of the zoning ordinance to rename R-1, Single Family Residential District to R-1, Single Family Low Density Residential District.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**. Numbers will be reordered accordingly:

ARTICLE IV – R-1, SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICTS

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 28th day of March, 2017, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2017.

Ann Meisch, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on March 28, 2017, the City Commission of the City of Muskegon adopted an ordinance to amend Article IV of the zoning ordinance to rename R-1, Single Family Residential Districts to R-1, Single Family Low Density Residential Districts. Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2017.

CITY OF MUSKEGON

By _____
Ann Meisch, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendment to the Zoning Ordinance – R-2 and R-3 Districts
SECOND READING

SUMMARY OF REQUEST:

Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to create two new categories for single family districts. These will include R-2, Single Family Medium Density Residential Districts and R-3, Single Family High Density Residential Districts.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION:

The Planning Commission unanimously recommended approval of the ordinance amendment, with two members absent.

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

ARTICLE IV – SINGLE FAMILY RESIDENTIAL DISTRICTS

R-1, SINGLE FAMILY **LOW DENSITY** RESIDENTIAL DISTRICTS

R-2, SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICTS

R-3, SINGLE FAMILY HIGH DENSITY RESIDENTIAL DISTRICTS

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Article IV of the zoning ordinance to include R-2, Single Family Medium Density Residential District and R-3 Single Family High Density Residential District.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**. Numbers will be reordered accordingly:

ARTICLE IV – SINGLE FAMILY RESIDENTIAL DISTRICTS

R-1, SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICTS
R-2, SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICTS
R-3, SINGLE FAMILY HIGH DENSITY RESIDENTIAL DISTRICTS

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 28th day of March, 2017, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2017.

Ann Meisch, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on March 28, 2017, the City Commission of the City of Muskegon adopted an ordinance to amend Article IV of the zoning ordinance to create two new categories for single family districts. These will include R-2, Single Family Medium Density Residential Districts and R-3, Single Family High Density Residential Districts. Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2017.

CITY OF MUSKEGON

By _____
Ann Meisch, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Amendment to the Zoning Ordinance – Preamble & Sections 400 & 404 – SECOND READING

SUMMARY OF REQUEST:

Staff initiated request to amend Article IV (R-1, Single Family Residential Districts) to amend the preamble to reflect the changes made by adding the new residential districts; to amend Sections 400 (Principal Uses Permitted) to create the allowed and special uses permitted in the new residential districts; and to amend Section 404 (Area and Bulk Requirements) to create the development standards for the new residential districts.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the zoning ordinance amendment.

COMMITTEE RECOMMENDATION:

The Planning Commission unanimously recommended approval of the ordinance amendment, with two members absent.

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**:

PREAMBLE

These districts are designed to ~~be compromised of low density single family residential development~~ **allow for low, medium and high density single-family residential development in the proper blocks.** The regulations are intended to stabilize, protect, and encourage the residential character of the district and prohibit activities not compatible with a residential neighborhood. Development is limited to single family dwellings and such other uses as schools, parks, churches, and certain public facilities which serve residents of the district. It is the intent of ~~these districts to recognize that the City of Muskegon has been developed and platted with some lots that are smaller than those found in recently urbanized communities, and the standards in Section 2100 reflect residential development standards that the citizens of Muskegon find to be compatible~~ **this Article to recognize that blocks throughout the City of Muskegon have been platted and developed in different sizes and road frontages and that development standards should reflect each specific block type. All single family residential districts all allow the same permitted uses, only the area & bulk requirements differ. All homes in these districts must meet the residential design criteria established in Section 2319.**

SECTION 400: PRINCIPAL USES PERMITTED

In ~~R, One Family Residential, Districts~~ **all Single-Family Residential Districts** no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one or more of the following specified uses, unless otherwise provided in this Ordinance;.....

SECTION 404: AREA AND BULK REQUIREMENTS

1. ~~Minimum lot size:~~ **6,000 sq. feet**
2. ~~Density (see definition in Article II): 7 dwelling units per buildable acre.~~
3. ~~Maximum lot coverage:~~
Buildings: ~~50%~~
Pavement: ~~10%~~
4. ~~Lot width:~~ **50 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).**
5. ~~Width to depth ratios:~~ **The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.**

6. ~~Height limit: 2 stories or 35 feet. Exception: Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet. [amended 9/08]~~

~~Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).~~

7. ~~Front Setbacks: [amended 1/05]~~

~~Minimum:~~

~~Expressway or Arterial Street: 30 feet~~

~~Collector or Major Street: 25 feet~~

~~Minor Street: 15 feet~~

~~Note: For minimum front setbacks new principal structures on minor streets may align with existing principal structures in the immediate area even if the front setback is below the minimum required.~~

8. ~~Rear setback: 30 feet~~

9. ~~Setback from the ordinary high water mark or wetland: 30 feet (principal structures only).~~

10. ~~Side setbacks:~~

~~—— 1-story: 6 feet and 10 feet~~

~~—— 2-story: 8 feet and 12 feet~~

~~Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings. [amended 10/02]~~

11. ~~Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided: [amended 10/02]~~

- ~~a. The building has an approved fire rating for zero lot line development under the building code.~~
- ~~b. The building has adequate fire access preserved pursuant to fire code requirements.~~
- ~~c. The zero lot line side is not adjacent to a street.~~
- ~~d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.~~
- ~~e. It is not adjacent to wetlands, or waterfront.~~

SECTION 404: AREA AND BULK REQUIREMENTS

	R-1	R-2	R-3
Minimum Lot Size	6,000 sf	4,00 sf	3,000 sf
Minimum Lot Width	50 ft	40 ft	30 ft
Maximum Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Height Limit*	2 stories or 35 feet**	2 stories or 35 feet**	2 stories or 35 feet**
Front Setbacks***	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 15 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet
Rear Setback	30 ft	20 ft ^	15 ft^
Side Setbacks#:	1 story: 6 feet and 10 feet 6 2 story: 8 feet and 12 feet 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5
Ordinary High Water Mark /Wetland Setback	30 ft	30 ft	30 ft

* Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

** Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet.

*** For minimum front setbacks, new principal structures on minor streets may align with existing principal structures in the immediate area even if the front setback is below the minimum required.

^Parcels with at least 100 ft in length must have at least a 30 ft rear setback.

#All required setbacks shall be measured from the property line to the nearest point of the determined drip line of buildings.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Article IV (R-1, Single Family Residential Districts) to amend the preamble to reflect the changes made by adding the new residential districts; to amend Sections 400 (Principal Uses Permitted) to create the allowed and special uses permitted in the new residential districts; and to amend Section 404 (Area and Bulk Requirements) to create the development standards for the new residential districts.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE

Deletions are ~~crossed-out~~ and additions are in **bold**. Numbers will be reordered accordingly:

PREAMBLE

These districts are designed to be ~~compromised of low density single family residential development~~ **allow for low, medium and high density single-family residential development in the proper blocks.** The regulations are intended to stabilize, protect, and encourage the residential character of the district and prohibit activities not compatible with a residential neighborhood. Development is limited to single family dwellings and such other uses as schools, parks, churches, and certain public facilities which serve residents of the district. It is the intent of ~~these districts to recognize that the City of Muskegon has been developed and platted with some lots that are smaller than those found in recently urbanized communities, and the standards in Section 2100 reflect residential development standards that the citizens of Muskegon find to be compatible~~ **this Article to recognize that blocks throughout the City of Muskegon have been platted and developed in different sizes and road frontages and that development standards should reflect each specific block type. All single family residential districts all allow the same permitted uses, only the area & bulk requirements differ. All homes in these districts must meet the residential design criteria established in Section 2319.**

SECTION 400: PRINCIPAL USES PERMITTED

In ~~R, One Family Residential, Districts~~ **all Single-Family Residential Districts** no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one or more of the following specified uses, unless otherwise provided in this Ordinance;.....

SECTION 404: AREA AND BULK REQUIREMENTS

12. ~~Minimum lot size:~~ Minimum lot size: 6,000 sq. feet

13. Density (see definition in Article II): 7 dwelling units per buildable acre.
14. Maximum lot coverage:
Buildings: 50%
Pavement: 10%
15. Lot width: 50 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
16. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
17. Height limit: 2 stories or 35 feet. Exception: Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet. [amended 9/08]

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

18. Front Setbacks: [amended 1/05]
Minimum:
Expressway or Arterial Street: 30 feet
Collector or Major Street: 25 feet
Minor Street: 15 feet

Note: For minimum front setbacks new principal structures on minor streets may align with existing principal structures in the immediate area even if the front setback is below the minimum required.

19. Rear setback: 30 feet
20. Setback from the ordinary high water mark or wetland: 30 feet (principal structures only).
21. Side setbacks:
—— 1-story: 6 feet and 10 feet
—— 2-story: 8 feet and 12 feet

Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings. [amended 10/02]

22. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided: [amended 10/02]

- f. ~~The building has an approved fire rating for zero lot line development under the building code.~~
- g. ~~The building has adequate fire access preserved pursuant to fire code requirements.~~
- h. ~~The zero lot line side is not adjacent to a street.~~
- i. ~~A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.~~
- j. ~~It is not adjacent to wetlands, or waterfront.~~

SECTION 404: AREA AND BULK REQUIREMENTS

	R-1	R-2	R-3
Minimum Lot Size	6,000 sf	4,00 sf	3,000 sf
Minimum Lot Width	50 ft	40 ft	30 ft
Maximum Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Height Limit*	2 stories or 35 feet**	2 stories or 35 feet**	2 stories or 35 feet**
Front Setbacks***	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 15 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet
Rear Setback	30 ft	20 ft ^	15 ft^
Side Setbacks#:	1 story: 6 feet and 10 feet 6 2 story: 8 feet and 12 feet 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5
Ordinary High Water Mark /Wetland Setback	30 ft	30 ft	30 ft

* Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

** Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet.

*** For minimum front setbacks, new principal structures on minor streets may align with existing principal structures in the immediate area even if the front setback is below the minimum required.

^Parcels with at least 100 ft in length must have at least a 30 ft rear setback.

#All required setbacks shall be measured from the property line to the nearest point of the determined drip line of buildings.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 28th day of March, 2017, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2017.

Ann Meisch, MMC
Clerk, City of Muskegon

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

**CITY OF MUSKEGON
NOTICE OF ADOPTION**

Please take notice that on March 28, 2017, the City Commission of the City of Muskegon adopted an ordinance to amend Article IV (R-1, Single Family Residential Districts) to amend the preamble to reflect the changes made by adding the new residential districts; to amend Sections 400 (Principal Uses Permitted) to create the allowed and special uses permitted in the new residential districts; and to amend Section 404 (Area and Bulk Requirements) to create the development standards for the new residential districts.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2017.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

(Current Ordinance Before Amendments)

ARTICLE IV – R-1, SINGLE FAMILY RESIDENTIAL DISTRICTS

PREAMBLE

These districts are designed to be composed of low density residential development. The regulations are intended to stabilize, protect, and encourage the residential character of the district and prohibit activities not compatible with a residential neighborhood. Development is limited to single family dwellings and such other uses as schools, parks, churches, and certain public facilities which serve residents of the district. It is the intent of these districts to recognize that the City of Muskegon has been developed and platted with some lots that are smaller than those found in recently urbanized communities, and the standards in Section 2100 reflect residential development standards that the citizens of Muskegon find to be compatible.

SECTION 400: PRINCIPAL USES PERMITTED

In R, One Family Residential, Districts no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one or more of the following specified uses, unless otherwise provided in this Ordinance;

1. One Family detached dwellings.
2. Multiple family dwellings under the following conditions:
 - a. The home has already been altered with prior approval to allow for multiple dwellings. One family dwellings may not be altered to allow for multiple dwellings, nor may new homes be built for multiple dwellings.
 - b. Homes that have already been altered for multiple dwellings may add additional dwellings as long they meet the living area standards listed in Section 2319.
3. Home occupations of a non-industrial nature may be permitted. Permissible home occupations include, but are not limited to the following: [amended 11/02]
 - a. Art and craft studios, lessons may be given to one client at a time
 - b. Hair and nail salons, limited to one client at a time
 - c. Dressmaking and tailoring
 - d. Tutoring, limited to one student at a time
 - e. Typing or clerical services
 - f. Teaching of music or dancing or similar instruction, limited to one client at a time

- g. Offices located within the dwelling for a writer, consultant, member of the clergy, lawyer, physician, architect, engineer or accountant, limited to one client/family at a time.
- h. All home occupations are subject to the following:
 - i. The businessperson operating the home occupation shall reside in the dwelling and only members of the immediate family residing on the premises may be employed.
 - ii. The business shall have a local business license and any other appropriate licensing or registrations required by local, state or federal law.
 - iii. No equipment or process shall be used in home occupations which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses of persons off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio or television receivers off the premises or causes fluctuations in the line voltage off the premises.
 - iv. Explosives, flammable liquids or combustible liquids shall only be used in compliance with the applicable fire and building codes.
 - v. Activities involving kilns or welding equipment shall comply with the applicable fire and building codes.
 - vi. The outside appearance of the premises shall have no visible evidence of the conduct of a home occupation.
 - vii. Home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.
 - viii. All activity must be conducted within a preexisting structure. The home occupation shall not require internal or external alterations or involve construction features not customarily found in dwellings.
 - ix. There shall be no exterior display or signage other than that signage allowed for home occupations under the sign requirements of this ordinance. [amended 11/00]
 - x. No goods shall be kept, or sold which are made or assembled off-site, except as incidental to services rendered.
 - xi. The primary function of the premises shall be that of the residence of the family, and the occupation shall not exceed twenty-five (25) percent of the principal building.
 - xii. There shall be no outside storage or processing.

xiii. The home occupation shall not involve the routine use of commercial vehicles for delivery of materials to and from the premises. There shall be no commercial vehicles associated with the home occupation, nor parking of more than one (1) business car, pickup truck or small van on the premises.

xiv. Activities specifically prohibited (but not limited to) include:

- (1) A service or repair of motor vehicles, appliances and other large equipment
- (2) A service or manufacturing process which would normally require industrial zoning
- (3) A commercial food service requiring a license
- (4) A limousine service
- (5) A lodging service including but not limited to, a tourist home, motel or hotel
- (6) A tattoo parlor
- (7) An animal hospital or kennel
- (8) A lawn service

xv. No activity legally excluded by any deed restriction or other tenant or owner restrictions shall be permitted.

- 4. Adult Foster Care Family Homes, provided that such facilities shall be at least one thousand five hundred (1,500) feet from any other similar facility. [amended 11/02]
- 5. Accessory buildings and accessory uses customarily incidental to any of the above Principal Uses Permitted.
- 6. Uses similar to the above Principal Uses Permitted.

SECTION 401: SPECIAL LAND USES PERMITTED [amended 2/02]

The following uses, and their accessory buildings and accessory uses, shall be permitted under the purview of Section 2332 after review and approval of the use (and a site plan, if required) by the Planning Commission, after Public Hearing, subject to the applicable conditions, and any other reasonable conditions imposed by the Planning Commission:

- 1. Private recreational areas, and institutional recreational centers when not operated for profit, and nonprofit swimming pool clubs, all subject to the following conditions: [amended 2/02]

- a. In those instances where the proposed site is not to be situated on a lot or lots of record, the proposed site shall have one property line abutting a major thoroughfare and the site shall be so planned as to provide ingress and egress directly onto said major thoroughfare.
 - b. Front, side, and, rear yards shall be at least fifty (50) feet wide, except on those sides adjacent to nonresidential districts, and shall be landscaped in trees, shrubs, grass, and terrace areas. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except for required entrance drives and those walls and/or fences used to obscure the use from abutting residential districts.
 - c. Buildings erected on the premises shall not exceed one (1) story or fourteen (14) feet in height.
 - d. Whenever a swimming pool is constructed under this Ordinance, said pool area shall be provided with a protective fence six (6) feet in height, and entry shall be protected by means of a controlled gate or turnstile.
 - e. The off-street parking and general site layout and its relationship to all adjacent lot lines shall be reviewed by the Planning Commission who may impose reasonable restrictions or requirements so as to insure that contiguous residential areas will be adequately protected.
2. Colleges, universities, and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education not operated for profit, all subject to the following conditions:
- a. Any use permitted herein shall be developed only on sites of at least five (5) acres in area.
 - b. All ingress to and egress from said site shall be directly onto a major thoroughfare.
 - c. No building other than a structure for residential purposes shall be closer than seventy-five (75) feet to any property line.
3. Churches and other facilities normally incidental thereto subject to the following conditions:
- a. The site shall be so located as to provide for ingress and egress from said site directly onto a major or secondary thoroughfare.
 - b. The principal buildings on the site shall be set back from abutting properties zoned for residential use not less than thirty (30) feet.
 - c. Buildings of greater than the maximum height allowed in Section 2100, may be allowed provided front, side, and rear yards are increased above the minimum

requirements by one (1) foot for each foot of building that exceeds the maximum height allowed.

4. Elementary, intermediate, and/or secondary schools offering courses in general education, provided such uses are set back thirty (30) feet from any lot in a residential zone.
5. Cemeteries.
6. Previously existing or established commercial uses not already converted to a residential use may be authorized under Special Use Permit for the following [amended 12/99]:
 - a. Retail and/or service establishments meeting the intent of the neighborhood Limited Business Zone (B-1) dealing directly with consumers including:
 - i. Any generally recognized retail business which supplies new commodities on the premises for persons residing in adjacent residential areas such as: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, and notions or hardware.
 - ii. Any personal service establishment which performs services on the premises for persons residing in adjacent residential areas, such as: shoe repair, drop-off dry cleaning shops, tailor shops, beauty parlors, barber shops, dressmaker, tailor, pharmacist, or an establishment doing radio, television, or home appliance repair, and similar establishments that require a retail character no more objectionable than the aforementioned, subject to the provision that no more than five (5) persons shall be employed at any time in the sale, repair, or other processing of goods.
 - iii. Professional offices of doctors, lawyers, dentists, chiropractors, osteopaths, architects, engineers, accountants, and similar or allied professions.
 - iv. Restaurants, or other places serving food, except drive-in or drive-through restaurants.
 - b. Prohibited uses: Activities specifically prohibited include repair or service of motor vehicles and other large equipment; manufacturing processes which would normally require industrial zoning; any activity which may become a nuisance due to noise, unsightliness or odor; and any activity which may adversely affect surrounding property.
 - c. Conditions: [amended 8/04]
 - i. Outdoor storage is prohibited.
 - ii. The area devoted to approved uses shall not exceed 2,500 square feet.
 - iii. All goods produced on the premises shall be sold at retail on the premises

where produced.

- iv. All business, servicing, or processing shall be conducted within a completely enclosed building, or in an area specifically approved by the Planning Commission.
- v. Parking shall be accommodated on site or with limited street parking.
- vi. Hours of operation may be limited by the Planning Commission.
- vii. Signs must comply with those set forth for the residential zoning district.
- viii. The Planning Commission may allow a use to sell alcohol, however the Commission may limit the type of license applied for or obtained for the sale of alcohol to an SDM, hours of operation, and any other restrictions intended to stabilize, protect, and encourage the residential character of the area. The use must gain approval from the Michigan Liquor Control Commission before alcohol can be or sold.

7. Bed & Breakfast facilities, under the following conditions:

- a. The home must be located in the Clay-Western or National Register Historic District, as identified by the City of Muskegon Historic District Commission map.
- b. The owner or operator of the tourist home shall live full-time on the premises.
- c. No structural additions or enlargements shall be made to accommodate the tourist home use and no exterior alterations to the structure shall be made which will change the residential appearance of the structure.
- d. Breakfast may be served on the premises, only for guests of the facility, and no other meals shall be provided to guests.
- e. No long-term rental of rooms for more than fourteen (14) consecutive days shall be permitted. No guest may stay for more than twenty-eight (28) nights in any given year.
- f. There shall be a maximum of five (5) guestrooms. No more than two (2) adults are permitted to stay in any guestroom.
- g. Signage shall conform to that which is permitted for home occupation businesses only.
- h. Rental of the tourist home for special gatherings such as wedding receptions and parties shall be prohibited.
- i. The property shall meet all local and state code requirements regarding bed and breakfast facilities.

8. Accessory buildings and accessory uses customarily incidental to any of the above Special Land Uses Permitted.
9. Uses similar to the above Special Land Uses Permitted.

SECTION 402: [RESERVED] [amended 8/01]

SECTION 403: PLANNED UNIT DEVELOPMENT OPTION [amended 12/97]

Planned unit developments (PUDs) may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the single family residential district is to allow for flexibility in the design of housing developments, including but not limited to condominium developments and cluster subdivisions, to allow for the preservation of open space; allow for economies in the provision of utilities and public services; provide recreational opportunities; and protect important natural features from the adverse impacts of development.

1. Determination: The Planning Commission, in reviewing and approving a proposed PUD may allow lots within the PUD to be reduced in area and width and setbacks below the minimum normally required by this ordinance in return for common open space where it is determined that the benefits of the cluster approach will decrease development costs, increase recreational opportunities, or prevent the loss of natural features. The Planning Commission, in its determination, shall consider the densities permitted in the Zoning Ordinance and, if applicable, the land's capability to bear the higher density.
2. Basic Requirements:
 - a. The net residential acreage including improvements and occupied land shall be calculated by taking the total area of the tract and subtracting, in order, the following:
 - i. Portions of the parcel(s) shown to be in a floodplain.
 - ii. Portions of the parcel(s) which are unsuitable for development in their natural state due to topographical, drainage or subsoil conditions such as, but not limited to; slopes greater than 15%; organic, poorly drained soils, and wetlands.
 - iii. Portions of the parcel(s) covered by surface waters.
 - iv. Portions of the tract utilized for storm water management facilities.
 - b. Undevelopable areas may be used for common open and recreational areas.
 - c. No building shall be sited on slopes steeper than 15%, within 100 feet of any ordinary high water mark, wetland, or on soil classified as being very poorly drained.

3. Density determination: To determine the maximum number of dwelling units permitted on the parcel(s) of land, the net residential acreage shall be divided by the minimum lot size required by the zoning ordinance.
4. Open space requirement: At least 15% of the site shall be set aside as dedicated common open space. At least one third (1/3) of the common open space shall be usable open space. The open space and access to it shall be permanently marked and designed so individuals in the development are not forced to trespass to reach such recreational or common open spaces.
5. Spacing: The distance between buildings shall not be less than 10 feet and front setbacks shall not be less than 10 feet. In no case shall an individual dwelling lot be less than 4,000 square feet.
6. Waterfront: Where a cluster development abuts a body of water, at least 50% of the shoreline, as well as reasonable access to it, shall be a part of the common open space land.
7. Utility of common open space: Common open space in any one residential cluster shall be laid out, to the maximum extent feasible, to connect with other open space existing or proposed.
8. Size: Minimum parent parcel size is 21,780 square feet (one-half acre).
9. Bonus units: Where the developer provides additional open space or amenities within the development, additional density may be granted. A maximum of a 10% unit bonus may be granted to the development for additional amenities such as: public trail easements, additional open space, additional common waterfront area, and additional landscaping.

SECTION 404: AREA AND BULK REQUIREMENTS [amended 4/00]

1. Minimum lot size: 6,000 sq. feet
2. Density (see definition in Article II): 7 dwelling units per buildable acre.
3. Maximum lot coverage:
Buildings: 50%
Pavement: 10%
4. Lot width: 50 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
5. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
6. Height limit: 2 stories or 35 feet. Exception: Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet. [amended 9/08]

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

7. Front Setbacks: [amended 1/05]

Minimum:

Expressway or Arterial Street: 30 feet

Collector or Major Street: 25 feet

Minor Street: 15 feet

Note: For minimum front setbacks new principal structures on minor streets may align with existing principal structures in the immediate area even if the front setback is below the minimum required.

8. Rear setback: 30 feet

9. Setback from the ordinary high water mark or wetland: 30 feet (principal structures only).

10. Side setbacks:

1-story: 6 feet and 10 feet

2-story: 8 feet and 12 feet

Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings. [amended 10/02]

11. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided: [amended 10/02]

- a. The building has an approved fire rating for zero-lot line development under the building code.
- b. The building has adequate fire access preserved pursuant to fire code requirements.
- c. The zero lot line side is not adjacent to a street.
- d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.
- e. It is not adjacent to wetlands, or waterfront.

(Proposed Ordinance After All 3 Amendments)

ARTICLE IV – SINGLE-FAMILY RESIDENTIAL DISTRICTS

R-1, SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICTS,
R-2, SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL DISTRICTS,
R-3, SINGLE FAMILY HIGH DENSITY RESIDENTIAL DISTRICTS

PREAMBLE

These districts are designed to allow for low, medium and high density single-family residential development in the proper blocks. The regulations are intended to stabilize, protect, and encourage the residential character of the districts and prohibit activities not compatible with a residential neighborhood. Development is limited to single family dwellings and such other uses as schools, parks, churches, and certain public facilities which serve residents of the district. It is the intent of this Article to recognize that blocks throughout the City of Muskegon have been platted and developed in different sizes and road frontages and that development standards should reflect each specific block type. All single family residential districts all allow the same permitted uses, only the area & bulk requirements differ. All homes in these districts must meet the residential design criteria established in Section 2319.

SECTION 400: PRINCIPAL USES PERMITTED

In all Single-Family Residential Districts, no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one or more of the following specified uses, unless otherwise provided in this Ordinance;

1. One Family detached dwellings.
2. Multiple family dwellings under the following conditions:
 - a. The home has already been altered with prior approval to allow for multiple dwellings. One family dwellings may not be altered to allow for multiple dwellings, nor may new homes be built for multiple dwellings.
 - b. Homes that have already been altered for multiple dwellings may add additional dwellings as long they meet the living area standards listed in Section 2319.
3. Home occupations of a non-industrial nature may be permitted. Permissible home occupations include, but are not limited to the following: [amended 11/02]
 - a. Art and craft studios, lessons may be given to one client at a time
 - b. Hair and nail salons, limited to one client at a time
 - c. Dressmaking and tailoring

- d. Tutoring, limited to one student at a time
- e. Typing or clerical services
- f. Teaching of music or dancing or similar instruction, limited to one client at a time
- g. Offices located within the dwelling for a writer, consultant, member of the clergy, lawyer, physician, architect, engineer or accountant, limited to one client/family at a time.
- h. All home occupations are subject to the following:
 - i. The businessperson operating the home occupation shall reside in the dwelling and only members of the immediate family residing on the premises may be employed.
 - ii. The business shall have a local business license and any other appropriate licensing or registrations required by local, state or federal law.
 - iii. No equipment or process shall be used in home occupations which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses of persons off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference with any radio or television receivers off the premises or causes fluctuations in the line voltage off the premises.
 - iv. Explosives, flammable liquids or combustible liquids shall only be used in compliance with the applicable fire and building codes.
 - v. Activities involving kilns or welding equipment shall comply with the applicable fire and building codes.
 - vi. The outside appearance of the premises shall have no visible evidence of the conduct of a home occupation.
 - vii. Home occupations may not serve as headquarters or dispatch centers where employees come to the site and are dispatched to other locations.
 - viii. All activity must be conducted within a preexisting structure. The home occupation shall not require internal or external alterations or involve construction features not customarily found in dwellings.
 - ix. There shall be no exterior display or signage other than that signage allowed for home occupations under the sign requirements of this ordinance. [amended 11/00]
 - x. No goods shall be kept, or sold which are made or assembled off-site, except as incidental to services rendered.

xi. The primary function of the premises shall be that of the residence of the family, and the occupation shall not exceed twenty-five (25) percent of the principal building.

xii. There shall be no outside storage or processing.

xiii. The home occupation shall not involve the routine use of commercial vehicles for delivery of materials to and from the premises. There shall be no commercial vehicles associated with the home occupation, nor parking of more than one (1) business car, pickup truck or small van on the premises.

xiv. Activities specifically prohibited (but not limited to) include:

- (1) A service or repair of motor vehicles, appliances and other large equipment
- (2) A service or manufacturing process which would normally require industrial zoning
- (3) A commercial food service requiring a license
- (4) A limousine service
- (5) A lodging service including but not limited to, a tourist home, motel or hotel
- (6) A tattoo parlor
- (7) An animal hospital or kennel
- (8) A lawn service

xv. No activity legally excluded by any deed restriction or other tenant or owner restrictions shall be permitted.

- 4. Adult Foster Care Family Homes, provided that such facilities shall be at least one thousand five hundred (1,500) feet from any other similar facility. [amended 11/02]
- 5. Accessory buildings and accessory uses customarily incidental to any of the above Principal Uses Permitted.
- 6. Uses similar to the above Principal Uses Permitted.

SECTION 401: SPECIAL LAND USES PERMITTED [amended 2/02]

The following uses, and their accessory buildings and accessory uses, shall be permitted under the purview of Section 2332 after review and approval of the use (and a site plan, if required) by

the Planning Commission, after Public Hearing, subject to the applicable conditions, and any other reasonable conditions imposed by the Planning Commission:

1. Private recreational areas, and institutional recreational centers when not operated for profit, and nonprofit swimming pool clubs, all subject to the following conditions: [amended 2/02]
 - a. In those instances where the proposed site is not to be situated on a lot or lots of record, the proposed site shall have one property line abutting a major thoroughfare and the site shall be so planned as to provide ingress and egress directly onto said major thoroughfare.
 - b. Front, side, and, rear yards shall be at least fifty (50) feet wide, except on those sides adjacent to nonresidential districts, and shall be landscaped in trees, shrubs, grass, and terrace areas. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these yards, except for required entrance drives and those walls and/or fences used to obscure the use from abutting residential districts.
 - c. Buildings erected on the premises shall not exceed one (1) story or fourteen (14) feet in height.
 - d. Whenever a swimming pool is constructed under this Ordinance, said pool area shall be provided with a protective fence six (6) feet in height, and entry shall be protected by means of a controlled gate or turnstile.
 - e. The off-street parking and general site layout and its relationship to all adjacent lot lines shall be reviewed by the Planning Commission who may impose reasonable restrictions or requirements so as to insure that contiguous residential areas will be adequately protected.
2. Colleges, universities, and other such institutions of higher learning, public and private, offering courses in general, technical, or religious education not operated for profit, all subject to the following conditions:
 - a. Any use permitted herein shall be developed only on sites of at least five (5) acres in area.
 - b. All ingress to and egress from said site shall be directly onto a major thoroughfare.
 - c. No building other than a structure for residential purposes shall be closer than seventy-five (75) feet to any property line.
3. Churches and other facilities normally incidental thereto subject to the following conditions:
 - a. The site shall be so located as to provide for ingress and egress from said site directly onto a major or secondary thoroughfare.

- b. The principal buildings on the site shall be set back from abutting properties zoned for residential use not less than thirty (30) feet.
 - c. Buildings of greater than the maximum height allowed in Section 2100, may be allowed provided front, side, and rear yards are increased above the minimum requirements by one (1) foot for each foot of building that exceeds the maximum height allowed.
4. Elementary, intermediate, and/or secondary schools offering courses in general education, provided such uses are set back thirty (30) feet from any lot in a residential zone.
 5. Cemeteries.
 6. Previously existing or established commercial uses not already converted to a residential use may be authorized under Special Use Permit for the following [amended 12/99]:
 - a. Retail and/or service establishments meeting the intent of the neighborhood Limited Business Zone (B-1) dealing directly with consumers including:
 - i. Any generally recognized retail business which supplies new commodities on the premises for persons residing in adjacent residential areas such as: groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, and notions or hardware.
 - ii. Any personal service establishment which performs services on the premises for persons residing in adjacent residential areas, such as: shoe repair, drop-off dry cleaning shops, tailor shops, beauty parlors, barber shops, dressmaker, tailor, pharmacist, or an establishment doing radio, television, or home appliance repair, and similar establishments that require a retail character no more objectionable than the aforementioned, subject to the provision that no more than five (5) persons shall be employed at any time in the sale, repair, or other processing of goods.
 - iii. Professional offices of doctors, lawyers, dentists, chiropractors, osteopaths, architects, engineers, accountants, and similar or allied professions.
 - iv. Restaurants, or other places serving food, except drive-in or drive-through restaurants.
 - b. Prohibited uses: Activities specifically prohibited include repair or service of motor vehicles and other large equipment; manufacturing processes which would normally require industrial zoning; any activity which may become a nuisance due to noise, unsightliness or odor; and any activity which may adversely affect surrounding property.
 - c. Conditions: [amended 8/04]

- i. Outdoor storage is prohibited.
- ii. The area devoted to approved uses shall not exceed 2,500 square feet.
- iii. All goods produced on the premises shall be sold at retail on the premises where produced.
- iv. All business, servicing, or processing shall be conducted within a completely enclosed building, or in an area specifically approved by the Planning Commission.
- v. Parking shall be accommodated on site or with limited street parking.
- vi. Hours of operation may be limited by the Planning Commission.
- vii. Signs must comply with those set forth for the residential zoning district.
- viii. The Planning Commission may allow a use to sell alcohol, however the Commission may limit the type of license applied for or obtained for the sale of alcohol to an SDM, hours of operation, and any other restrictions intended to stabilize, protect, and encourage the residential character of the area. The use must gain approval from the Michigan Liquor Control Commission before alcohol can be or sold.

7. Bed & Breakfast facilities, under the following conditions:

- a. The home must be located in the Clay-Western or National Register Historic District, as identified by the City of Muskegon Historic District Commission map.
- b. The owner or operator of the tourist home shall live full-time on the premises.
- c. No structural additions or enlargements shall be made to accommodate the tourist home use and no exterior alterations to the structure shall be made which will change the residential appearance of the structure.
- d. Breakfast may be served on the premises, only for guests of the facility, and no other meals shall be provided to guests.
- e. No long-term rental of rooms for more than fourteen (14) consecutive days shall be permitted. No guest may stay for more than twenty-eight (28) nights in any given year.
- f. There shall be a maximum of five (5) guestrooms. No more than two (2) adults are permitted to stay in any guestroom.
- g. Signage shall conform to that which is permitted for home occupation businesses only.

- h. Rental of the tourist home for special gatherings such as wedding receptions and parties shall be prohibited.
 - i. The property shall meet all local and state code requirements regarding bed and breakfast facilities.
- 8. Accessory buildings and accessory uses customarily incidental to any of the above Special Land Uses Permitted.
 - 9. Uses similar to the above Special Land Uses Permitted.

SECTION 402: [RESERVED] [amended 8/01]

SECTION 403: PLANNED UNIT DEVELOPMENT OPTION [amended 12/97]

Planned unit developments (PUDs) may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the single family residential district is to allow for flexibility in the design of housing developments, including but not limited to condominium developments and cluster subdivisions, to allow for the preservation of open space; allow for economies in the provision of utilities and public services; provide recreational opportunities; and protect important natural features from the adverse impacts of development.

- 1. Determination: The Planning Commission, in reviewing and approving a proposed PUD may allow lots within the PUD to be reduced in area and width and setbacks below the minimum normally required by this ordinance in return for common open space where it is determined that the benefits of the cluster approach will decrease development costs, increase recreational opportunities, or prevent the loss of natural features. The Planning Commission, in its determination, shall consider the densities permitted in the Zoning Ordinance and, if applicable, the land's capability to bear the higher density.
- 2. Basic Requirements:
 - a. The net residential acreage including improvements and occupied land shall be calculated by taking the total area of the tract and subtracting, in order, the following:
 - i. Portions of the parcel(s) shown to be in a floodplain.
 - ii. Portions of the parcel(s) which are unsuitable for development in their natural state due to topographical, drainage or subsoil conditions such as, but not limited to; slopes greater than 15%; organic, poorly drained soils, and wetlands.
 - iii. Portions of the parcel(s) covered by surface waters.
 - iv. Portions of the tract utilized for storm water management facilities.
 - b. Undevelopable areas may be used for common open and recreational areas.

- c. No building shall be sited on slopes steeper than 15%, within 100 feet of any ordinary high water mark, wetland, or on soil classified as being very poorly drained.
- 3. Density determination: To determine the maximum number of dwelling units permitted on the parcel(s) of land, the net residential acreage shall be divided by the minimum lot size required by the zoning ordinance.
- 4. Open space requirement: At least 15% of the site shall be set aside as dedicated common open space. At least one third (1/3) of the common open space shall be usable open space. The open space and access to it shall be permanently marked and designed so individuals in the development are not forced to trespass to reach such recreational or common open spaces.
- 5. Spacing: The distance between buildings shall not be less than 10 feet and front setbacks shall not be less than 10 feet.
- 6. Waterfront: Where a cluster development abuts a body of water, at least 50% of the shoreline, as well as reasonable access to it, shall be a part of the common open space land.
- 7. Utility of common open space: Common open space in any one residential cluster shall be laid out, to the maximum extent feasible, to connect with other open space existing or proposed.
- 8. Size: Minimum parent parcel size is 21,780 square feet (one-half acre).
- 9. Bonus units: Where the developer provides additional open space or amenities within the development, additional density may be granted. A maximum of a 10% unit bonus may be granted to the development for additional amenities such as: public trail easements, additional open space, additional common waterfront area, and additional landscaping.

SECTION 404: AREA AND BULK REQUIREMENTS [amended 4/00]

	R-1	R-2	R-3
Minimum Lot Size	6,000 sf	4,00 sf	3,000 sf
Minimum Lot Width	50 ft	40 ft	30 ft
Maximum Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Height Limit*	2 stories or 35 feet**	2 stories or 35 feet**	2 stories or 35 feet**
Front Setbacks***	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 15 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet
Rear Setback	30 ft	20 ft ^	15 ft^
Side Setbacks#:	1 story: 6 2 story: 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5
Ordinary High Water Mark /Wetland Setback	30 ft	30 ft	30 ft

* Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

** Homes located in an established Historic District may be up to 3 stories or 45 feet, if found to be compatible with other homes within 600 feet.

*** For minimum front setbacks, new principal structures on minor streets may align with existing principal structures in the immediate area even if the front setback is below the minimum required.

^Parcels with at least 100 ft in length must have at least a 30 ft rear setback.

#All required setbacks shall be measured from the property line to the nearest point of the determined drip line of buildings.

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Request to add parcels to the City's existing groundwater ordinance – Burgess-Norton – SECOND READING

SUMMARY OF REQUEST:

The City has received a petition from Burgess-Norton Mfg. Co., Inc to designate 711 parcels under the water supplies ordinance. These parcels are associated with the former Standard Automotive Parts Company at 660 Nims St. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval of the ordinance amendment to include the additional 711 parcels.

COMMITTEE RECOMMENDATION:

None

Resolution No. _____

MUSKEGON CITY COMMISSION

An ordinance amending the City Code of Ordinances by adding to Ordinance No. 2039 (Muskegon City Code of Ordinances Section 34, Article III) certain identifying "Appendix Maps" and descriptions of properties determined to be "affected premises" on which groundwater wells are prohibited unless excepted under Section 34-65 due to the contamination or potential contamination of said groundwater. The said Ordinance No. 2039 is amended by this Ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. The properties identified in this amending ordinance are determined to be affected premises within the meaning of and regulated in accordance with, Ordinance No. 2039 or any successor ordinance prohibiting wells on such premises. The said affected premises are included in Attachment A.
2. Attached to this ordinance and incorporated herein are Appendix Maps locating the affected premises and their legal descriptions.
3. This ordinance shall be effective ten (10) days after publication. In the event any part of this ordinance is finally determined to be invalid or unenforceable by a court having jurisdiction, then said determination shall not affect the validity of the remaining provisions.

Adopted this 28th Day of March 2017.

Ayes:

Nays:

Absent:

BY: _____
Stephen J. Gawron
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on March 28, 2017.

Ann Meisch
Clerk

ATTACHMENT A

List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-068-0004-00	419 ADA AVE, MUSKEGON, MI, 49442
61-24-205-068-0003-00	437 ADA AVE, MUSKEGON, MI, 49442
61-24-205-068-0003-10	445 ADA AVE, MUSKEGON, MI, 49442
61-24-205-067-0008-00	446 ADA AVE, MUSKEGON, MI, 49442
61-24-205-068-0002-00	451 ADA AVE, MUSKEGON, MI, 49442
61-24-205-068-0001-00	459 ADA AVE, MUSKEGON, MI, 49442
61-24-205-069-0005-00	489 ADA AVE, MUSKEGON, MI, 49442
61-24-205-066-0008-00	492 ADA AVE, MUSKEGON, MI, 49442
61-24-205-069-0004-00	499 ADA AVE, MUSKEGON, MI, 49442
61-24-205-066-0009-00	500 ADA AVE, MUSKEGON, MI, 49442
61-24-205-069-0003-00	507 ADA AVE, MUSKEGON, MI, 49442
61-24-205-066-0010-00	510 ADA AVE, MUSKEGON, MI, 49442
61-24-205-069-0002-00	517 ADA AVE, MUSKEGON, MI, 49442
61-24-205-071-0007-00	601 ADA AVE, MUSKEGON, MI, 49442
61-24-205-064-0007-00	602 ADA AVE, MUSKEGON, MI, 49442
61-24-205-071-0006-00	611 ADA AVE, MUSKEGON, MI, 49442
61-24-205-064-0008-00	612 ADA AVE, MUSKEGON, MI, 49442
61-24-205-064-0009-00	620 ADA AVE, MUSKEGON, MI, 49442
61-24-205-071-0005-00	621 ADA AVE, MUSKEGON, MI, 49442
61-24-205-064-0010-00	628 ADA AVE, MUSKEGON, MI, 49442
61-24-205-071-0004-00	631 ADA AVE, MUSKEGON, MI, 49442
61-24-205-064-0011-00	634 ADA AVE, MUSKEGON, MI, 49442
61-24-205-071-0003-00	641 ADA AVE, MUSKEGON, MI, 49442
61-24-205-064-0012-00	644 ADA AVE, MUSKEGON, MI, 49442
61-24-205-071-0001-00	655 ADA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-20	684 ADA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-10	685 ADA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-30	693 ADA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-40	696 ADA AVE, MUSKEGON, MI, 49442
61-24-205-063-0003-20	701 ADA AVE, MUSKEGON, MI, 49442
61-24-205-063-0001-30	704 ADA AVE, MUSKEGON, MI, 49442
61-24-205-056-0004-00	419 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-055-0010-10	420 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-055-0011-00	430 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-056-0003-00	431 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-056-0002-00	441 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-055-0013-00	448 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-056-0001-00	451 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-056-0001-10	459 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-055-0014-00	460 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-057-0005-10	489 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-054-0008-20	490 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-057-0004-00	497 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-057-0003-00	507 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-054-0009-00	510 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-054-0011-00	516 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-057-0002-00	517 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-054-0011-10	520 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-057-0001-00	525 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-054-0012-00	526 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-054-0012-10	534 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-057-0001-10	539 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-058-0006-00	553 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-053-0005-20	560 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-058-0005-00	563 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-053-0005-30	568 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-058-0004-00	571 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-053-0005-40	580 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-058-0002-00	585 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-053-0005-50	586 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-058-0001-00	595 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-059-0006-00	603 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-052-0006-00	604 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-059-0005-00	611 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-052-0006-10	612 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-059-0004-00	619 ALLEN AVE, MUSKEGON, MI, 49442

ATTACHMENT A

List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-052-0008-00	620 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-052-0008-10	624 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-059-0003-00	629 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-052-0008-20	632 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-059-0002-00	637 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-052-0009-00	638 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-059-0001-00	643 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-052-0011-00	650 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0012-00	654 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-060-0009-00	657 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0013-00	662 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-060-0008-00	665 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0014-00	668 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0014-10	676 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0008-20	690 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-060-0006-00	695 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0008-30	700 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-060-0004-00	703 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0005-00	708 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0005-10	716 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-051-0004-30	722 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-060-0002-00	725 ALLEN AVE, MUSKEGON, MI, 49442
61-24-205-053-0005-10	AMITY AVE, MUSKEGON, MI, 49442
61-24-205-055-0006-10	423 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-055-0005-00	431 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-055-0004-00	435 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-055-0003-00	441 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-046-0011-10	444 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-046-0012-00	452 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-055-0001-00	461 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-046-0014-00	462 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0006-00	481 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0010-00	482 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0005-00	485 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0010-10	492 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0004-00	499 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0011-00	500 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0012-00	508 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0003-00	509 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0002-00	515 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0013-00	516 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0002-10	521 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0013-10	522 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0014-00	528 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0001-00	531 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-054-0001-10	539 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-047-0015-10	540 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0017-00	554 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0004-00	555 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0003-00	563 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0018-00	564 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-80	570 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0003-10	571 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-90	576 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0003-20	577 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0002-00	581 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-95	582 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0002-10	589 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0020-00	590 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-053-0001-00	595 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-049-0020-10	598 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-052-0005-00	601 AMITY AVE, MUSKEGON, MI, 49442
61-24-769-000-0008-00	606 AMITY AVE, MUSKEGON, MI, 49442
61-24-769-000-0009-00	616 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-052-0003-00	619 AMITY AVE, MUSKEGON, MI, 49442
61-24-769-000-0010-00	628 AMITY AVE, MUSKEGON, MI, 49442

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List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-769-000-0011-00	636 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-052-0002-00	637 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-052-0001-00	645 AMITY AVE, MUSKEGON, MI, 49442
61-24-769-000-0012-00	646 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0011-00	655 AMITY AVE, MUSKEGON, MI, 49442
61-24-769-000-0013-00	656 AMITY AVE, MUSKEGON, MI, 49442
61-24-769-000-0014-00	668 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0010-00	669 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0009-00	675 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-050-0014-00	678 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0008-00	685 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-050-0015-00	694 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0008-10	695 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-050-0016-00	698 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0007-00	703 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-050-0016-10	704 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0006-00	711 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-050-0017-00	712 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-051-0006-10	717 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-050-0018-30	720 AMITY AVE, MUSKEGON, MI, 49442
61-24-205-090-0020-00	CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-093-0007-00	480 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-093-0008-00	494 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-093-0009-00	500 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-093-0010-00	510 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-093-0011-00	520 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-093-0012-00	524 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-092-0006-00	550 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-092-0007-00	560 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-092-0008-00	570 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-092-0009-00	580 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-092-0010-00	590 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0014-00	618 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0015-00	628 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0016-00	634 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0017-00	640 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0018-00	654 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0021-00	668 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0022-00	674 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-090-0023-00	680 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0014-00	698 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0015-00	704 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0016-00	710 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0017-00	716 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0018-00	722 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0019-00	728 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0020-00	742 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-620-001-0001-00	745 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-620-001-0002-00	751 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0022-00	752 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0023-00	754 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-620-001-0003-00	755 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0024-00	760 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-620-001-0004-00	763 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-089-0025-00	766 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-620-001-0005-00	769 CATAWBA AVE, MUSKEGON, MI, 49442
61-24-205-074-0007-10	CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0008-10	412 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0009-00	428 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0010-00	432 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0011-00	438 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0011-10	442 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0012-00	448 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-078-0012-10	456 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0008-10	480 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0009-00	488 CATHERINE AVE, MUSKEGON, MI, 49442

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List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-080-0005-00	493 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0009-10	494 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-080-0004-00	497 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0010-00	502 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0011-00	508 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0012-00	520 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-080-0002-00	523 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-080-0001-00	529 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-077-0013-10	530 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-081-0004-00	561 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-076-0008-00	568 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-081-0002-00	569 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-076-0008-10	572 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-076-0009-00	580 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-081-0001-00	585 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-076-0010-00	590 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-081-0001-10	591 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0006-00	603 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0005-00	615 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-075-0008-00	616 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0004-00	623 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-075-0009-00	624 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0004-10	629 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-075-0010-00	632 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-075-0010-10	636 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0003-00	637 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-075-0011-00	644 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0002-00	645 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-082-0001-00	653 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-075-0012-00	654 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-074-0007-00	676 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-074-0008-00	684 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-083-0005-00	685 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-074-0008-10	686 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-074-0009-00	692 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-083-0004-00	693 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-074-0009-10	700 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-083-0003-00	703 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-074-0010-00	704 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-083-0003-10	709 CATHERINE AVE, MUSKEGON, MI, 49442
61-24-205-066-0011-00	CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-066-0012-00	1035 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-066-0012-10	1043 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-069-0001-10	1075 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-069-0012-00	1083 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-069-0011-00	1093 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-076-0005-00	1114 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-077-0001-00	1115 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-077-0002-00	1123 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-076-0005-10	1126 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-077-0013-00	1135 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-076-0006-00	1136 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-076-0007-00	1148 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-080-0012-00	1189 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-093-0001-10	1231 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-092-0005-00	1232 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-093-0012-10	1255 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-771-000-0010-00	1292 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-771-000-0011-00	1304 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-771-000-0013-00	1312 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-771-000-0014-00	1318 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-771-000-0015-00	1326 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-771-000-0016-00	1332 CHESTNUT ST, MUSKEGON, MI, 49442
61-24-205-067-0005-00	405 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-056-0008-00	410 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-056-0007-00	422 E APPLE AVE, MUSKEGON, MI, 49442

ATTACHMENT A

List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-067-0004-00	429 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-056-0009-00	432 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-067-0003-00	433 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-056-0010-00	440 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-056-0011-00	450 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-067-0002-00	451 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-067-0001-00	461 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-056-0012-00	464 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0006-00	477 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0008-00	480 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0005-00	485 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0009-00	486 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0005-10	491 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0009-10	492 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0010-00	500 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0004-00	501 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0010-10	506 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0003-00	507 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0011-00	512 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0003-10	513 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0012-00	520 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0002-00	521 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-066-0001-00	527 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0013-00	530 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-057-0014-00	544 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-058-0007-00	558 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-058-0007-10	564 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-065-0001-00	571 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-058-0008-00	574 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-058-0009-00	582 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-058-0009-10	588 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-058-0009-20	594 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0006-00	603 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-059-0007-00	604 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0005-00	611 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-059-0008-00	616 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0004-00	621 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-059-0009-00	626 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0004-10	627 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0003-00	633 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-059-0010-00	640 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0002-00	643 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-059-0011-00	646 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-060-0010-00	654 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-064-0001-00	655 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-063-0005-00	671 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-00	683 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-063-0003-00	701 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-060-0015-00	704 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-060-0016-00	714 E APPLE AVE, MUSKEGON, MI, 49442
61-24-205-068-0008-00	420 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-078-0005-00	423 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-068-0009-00	424 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-068-0009-10	432 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-078-0004-00	435 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-068-0010-00	438 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-078-0003-00	441 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-068-0011-00	448 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-078-0002-00	451 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-068-0011-10	452 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-068-0012-10	460 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-077-0006-00	489 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-077-0005-00	497 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-069-0009-00	502 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-069-0010-00	510 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-077-0003-00	511 E ISABELLA AVE, MUSKEGON, MI, 49442

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List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-076-0004-00	557 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-076-0003-00	567 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-076-0002-00	581 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-076-0001-00	589 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0008-10	602 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-075-0005-00	613 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0009-00	614 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0010-00	620 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-075-0004-00	621 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-075-0004-10	627 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0010-10	632 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-075-0003-00	633 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0011-00	636 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0012-00	644 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-075-0002-00	645 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-071-0013-00	654 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-075-0001-00	655 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-063-0009-00	672 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-074-0006-00	673 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-50	684 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-60	688 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-074-0005-00	691 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-063-0004-70	692 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-063-0003-30	694 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-074-0004-00	695 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-074-0003-00	701 E ISABELLA AVE, MUSKEGON, MI, 49442
61-24-205-087-0011-00	643 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0010-00	655 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0008-00	661 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0006-00	679 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-086-0005-00	682 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0006-10	687 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-086-0004-00	690 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0005-00	693 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0004-00	701 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-086-0003-00	702 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0003-00	709 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0002-00	715 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-087-0001-00	723 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-088-0009-00	741 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-088-0008-00	749 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-088-0007-00	755 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-205-088-0006-00	761 EVANSTON AVE, MUSKEGON, MI, 49442
61-24-620-001-0024-00	1380 HARNAU ST, MUSKEGON, MI, 49442
61-24-205-087-0014-00	640 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0009-00	645 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0015-00	646 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0008-00	651 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0016-00	652 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0007-00	659 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0017-00	660 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0005-00	673 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0019-00	674 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0004-00	679 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0020-00	682 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0003-00	687 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0020-10	688 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0022-00	696 HILL AVE, MUSKEGON, MI, 49442
61-24-205-090-0001-00	701 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0023-00	704 HILL AVE, MUSKEGON, MI, 49442
61-24-205-088-0010-00	720 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0013-00	721 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0012-00	727 HILL AVE, MUSKEGON, MI, 49442
61-24-205-088-0011-00	730 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0011-00	731 HILL AVE, MUSKEGON, MI, 49442
61-24-205-088-0012-00	734 HILL AVE, MUSKEGON, MI, 49442

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List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-089-0010-00	739 HILL AVE, MUSKEGON, MI, 49442
61-24-205-088-0013-00	740 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0009-00	747 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0008-00	753 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0007-00	761 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0006-00	767 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0005-00	773 HILL AVE, MUSKEGON, MI, 49442
61-24-205-089-0003-00	777 HILL AVE, MUSKEGON, MI, 49442
61-24-205-087-0001-10	1265 HOLT ST, MUSKEGON, MI, 49442
61-24-205-050-0010-20	843 KENNETH ST, MUSKEGON, MI, 49442
61-24-769-000-0001-00	847 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-050-0011-00	850 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-050-0011-10	864 KENNETH ST, MUSKEGON, MI, 49442
61-24-769-000-0001-10	865 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0005-10	1022 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0006-00	1030 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-064-0013-00	1033 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0006-10	1044 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-064-0013-10	1045 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0007-00	1062 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0007-10	1072 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-071-0001-10	1077 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0007-20	1080 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-071-0014-00	1085 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-063-0008-00	1088 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-074-0006-10	1126 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-075-0001-10	1127 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-082-0001-10	1177 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-083-0006-00	1178 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-082-0013-00	1187 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-083-0007-00	1190 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-086-0006-00	1218 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-087-0013-00	1232 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-091-0004-00	1237 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-090-0010-00	1244 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-091-0005-00	1245 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-091-0006-00	1251 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-090-0012-00	1252 KENNETH ST, MUSKEGON, MI, 49442
61-24-205-090-0013-00	1260 KENNETH ST, MUSKEGON, MI, 49442
61-24-771-000-0001-00	1275 KENNETH ST, MUSKEGON, MI, 49442
61-24-771-000-0008-00	1295 KENNETH ST, MUSKEGON, MI, 49442
61-24-771-000-0009-00	1305 KENNETH ST, MUSKEGON, MI, 49442
61-24-620-002-0001-00	723 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-001-0023-00	728 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0002-00	729 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0003-00	731 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0004-00	733 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-001-0021-00	738 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-001-0020-00	744 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0005-00	745 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0006-00	747 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-001-0019-00	748 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0007-00	755 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0008-00	757 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0009-00	765 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0010-00	775 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0012-00	777 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0013-00	783 LOUIS AVE, MUSKEGON, MI, 49442
61-24-620-002-0014-00	791 LOUIS AVE, MUSKEGON, MI, 49442
61-24-205-064-0006-10	1022 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-071-0006-10	1074 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-071-0008-00	1084 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-075-0006-00	1112 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-076-0001-10	1125 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-075-0006-10	1126 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-075-0007-00	1142 MAPLE ST, MUSKEGON, MI, 49442

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List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-082-0007-00	1186 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-082-0008-00	1192 MAPLE ST, MUSKEGON, MI, 49442
61-24-205-093-0006-00	477 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-080-0007-00	484 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-093-0005-00	489 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-093-0004-00	497 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-080-0009-00	498 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-093-0003-00	509 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-080-0010-00	510 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-093-0002-00	519 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-080-0011-00	522 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-080-0012-10	530 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-093-0001-00	531 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-092-0004-00	559 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-081-0006-00	560 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-081-0008-00	568 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-092-0003-00	569 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-092-0002-00	579 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-081-0009-00	580 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-092-0001-00	589 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-081-0010-00	590 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-082-0009-00	604 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-091-0002-00	609 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-091-0001-00	617 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-082-0010-00	624 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-082-0011-00	632 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-082-0012-00	642 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-082-0013-10	656 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-083-0007-10	672 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-083-0008-00	682 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-083-0009-00	692 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-083-0010-00	704 MCLAUGHLIN AVE, MUSKEGON, MI, 49442
61-24-205-034-0001-00	655 MULDER ST, MUSKEGON, MI, 49442
61-24-205-034-0001-10	667 MULDER ST, MUSKEGON, MI, 49442
61-24-205-097-0001-00	600 NIMS ST, MUSKEGON, MI, 49442
61-24-205-098-0001-00	656 NIMS ST, MUSKEGON, MI, 49442
61-24-205-098-0001-10	660 NIMS ST, MUSKEGON, MI, 49442
61-24-205-044-0008-00	420 OAK AVE, MUSKEGON, MI, 49442
61-24-205-045-0008-00	427 OAK AVE, MUSKEGON, MI, 49442
61-24-205-044-0009-00	428 OAK AVE, MUSKEGON, MI, 49442
61-24-205-045-0007-00	433 OAK AVE, MUSKEGON, MI, 49442
61-24-205-044-0010-00	434 OAK AVE, MUSKEGON, MI, 49442
61-24-205-044-0011-00	444 OAK AVE, MUSKEGON, MI, 49442
61-24-205-045-0005-00	447 OAK AVE, MUSKEGON, MI, 49442
61-24-205-044-0012-00	452 OAK AVE, MUSKEGON, MI, 49442
61-24-205-045-0003-00	453 OAK AVE, MUSKEGON, MI, 49442
61-24-205-045-0002-00	457 OAK AVE, MUSKEGON, MI, 49442
61-24-205-044-0013-00	460 OAK AVE, MUSKEGON, MI, 49442
61-24-205-048-0005-00	479 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0008-10	480 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0009-00	492 OAK AVE, MUSKEGON, MI, 49442
61-24-205-048-0004-00	501 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0010-00	502 OAK AVE, MUSKEGON, MI, 49442
61-24-205-048-0002-00	513 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0011-00	514 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0012-00	518 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0013-00	528 OAK AVE, MUSKEGON, MI, 49442
61-24-205-048-0001-00	531 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0014-00	536 OAK AVE, MUSKEGON, MI, 49442
61-24-205-048-0001-10	539 OAK AVE, MUSKEGON, MI, 49442
61-24-205-041-0015-00	542 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0015-00	553 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0011-30	554 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0014-00	561 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0011-40	562 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0013-00	569 OAK AVE, MUSKEGON, MI, 49442

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List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-040-0010-00	574 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0009-00	576 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0009-10	576 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0011-00	585 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0008-10	590 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0008-20	594 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0011-10	595 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0006-10	604 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0009-00	605 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0001-00	616 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0007-00	617 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0006-00	625 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0004-10	630 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0005-00	635 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0004-20	638 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0004-00	645 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0003-30	652 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0003-00	655 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0002-00	660 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0002-00	663 OAK AVE, MUSKEGON, MI, 49442
61-24-205-040-0001-10	670 OAK AVE, MUSKEGON, MI, 49442
61-24-205-049-0001-10	671 OAK AVENUE, MUSKEGON, MI, 49442
61-24-205-049-0001-00	ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0013-00	418 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0014-00	424 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0015-00	428 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-046-0004-10	431 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0015-10	432 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0016-00	440 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-046-0003-00	443 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-046-0002-00	449 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0017-00	450 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-046-0001-00	457 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-045-0018-00	460 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-047-0007-00	477 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-047-0006-00	489 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0010-00	498 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-047-0005-00	503 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0010-10	504 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0011-00	510 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-047-0004-00	513 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0011-10	516 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0012-00	522 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0013-00	530 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-047-0002-00	531 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-047-0001-00	539 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-048-0014-00	540 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0016-00	556 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-00	557 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0016-10	566 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-10	567 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-20	573 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0016-20	576 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-30	581 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0016-30	586 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-40	589 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0016-40	594 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-049-0019-50	597 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0007-00	603 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0022-00	612 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0006-00	613 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0006-10	617 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0021-00	620 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0005-00	625 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0020-00	626 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0004-00	633 ORCHARD AVE, MUSKEGON, MI, 49442

ATTACHMENT A

List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-769-000-0019-00	636 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0003-00	639 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0018-00	646 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0003-10	647 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0002-00	653 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0002-10	653.5 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0017-00	654 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0016-00	664 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-769-000-0015-00	672 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0012-00	693 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0008-20	697 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0013-00	701 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0013-10	709 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0013-20	713 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0018-00	719 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-050-0018-10	725 ORCHARD AVE, MUSKEGON, MI, 49442
61-24-205-098-0001-30	1485 S GETTY ST, MUSKEGON, MI, 49442
61-24-205-053-0005-00	552 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-040-0011-10	760 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-040-0011-20	768 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-049-0019-60	866 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-047-0016-00	867 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-049-0019-70	874 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-047-0015-00	881 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-053-0004-10	914 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-054-0014-00	919 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-057-0016-00	965 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-058-0006-10	972 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-057-0015-00	979 SCOTT ST, MUSKEGON, MI, 49442
61-24-205-027-0006-00	419 SUMNER AVE, MUSKEGON, MI, 49442
61-24-205-022-0004-00	575 SUMNER AVE, MUSKEGON, MI, 49442
61-24-205-033-0001-20	645 WESLEY AVE, MUSKEGON, MI, 49442
61-24-205-044-0004-10	423 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-043-0008-00	424 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-043-0009-00	430 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-044-0003-00	431 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-044-0002-00	441 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-043-0010-00	442 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-043-0011-00	450 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-044-0001-00	451 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-044-0001-10	461 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-043-0012-00	462 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-042-0007-00	478 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-041-0006-00	479 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-041-0004-00	491 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-042-0007-10	492 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-042-0009-00	510 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-042-0010-00	514 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-041-0002-00	529 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-042-0001-00	530 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-041-0001-00	539 WHITE AVE, MUSKEGON, MI, 49442
61-24-205-043-0001-00	716 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-043-0013-00	719 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-041-0007-00	762 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-041-0008-00	770 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-048-0006-00	810 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-045-0019-00	821 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-048-0007-00	822 WILLIAMS ST, MUSKEGON, MI, 49441
61-24-205-046-0016-00	861 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-047-0007-10	862 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-046-0015-00	867 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-047-0008-00	868 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-047-0009-00	880 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-054-0006-10	914 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-055-0001-10	919 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-054-0006-20	920 WILLIAMS ST, MUSKEGON, MI, 49442

ATTACHMENT A

List of Addresses and Parcel ID Numbers for all Affected Premises

PIN	Address
61-24-205-054-0007-00	926 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-054-0008-00	944 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-057-0005-00	960 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-057-0006-00	970 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-057-0007-00	980 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-066-0006-10	1022 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-066-0007-00	1032 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-066-0007-10	1038 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-069-0006-00	1060 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-068-0001-10	1073 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-069-0007-00	1082 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-068-0012-00	1083 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-069-0007-10	1094 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-077-0007-00	1112 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-078-0001-00	1113 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-077-0007-10	1124 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-078-0001-10	1125 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-078-0013-00	1135 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-077-0008-00	1136 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-080-0006-00	1162 WILLIAMS ST, MUSKEGON, MI, 49442
61-24-205-028-0001-00	650 WOOD ST, MUSKEGON, MI, 49442
61-24-205-043-0006-00	712 WOOD ST, MUSKEGON, MI, 49442
61-24-205-043-0007-00	732 WOOD ST, MUSKEGON, MI, 49442
61-24-205-044-0004-00	750 WOOD ST, MUSKEGON, MI, 49442
61-24-205-044-0004-20	754 WOOD ST, MUSKEGON, MI, 49442
61-24-205-044-0005-00	762 WOOD ST, MUSKEGON, MI, 49442
61-24-205-044-0006-00	770 WOOD ST, MUSKEGON, MI, 49442
61-24-205-044-0007-00	780 WOOD ST, MUSKEGON, MI, 49442
61-24-205-045-0009-00	802 WOOD ST, MUSKEGON, MI, 49442
61-24-205-045-0011-00	818 WOOD ST, MUSKEGON, MI, 49442
61-24-205-046-0005-00	850 WOOD ST, MUSKEGON, MI, 49442
61-24-205-046-0006-00	864 WOOD ST, MUSKEGON, MI, 49442
61-24-205-046-0007-00	868 WOOD ST, MUSKEGON, MI, 49442
61-24-205-046-0008-00	886 WOOD ST, MUSKEGON, MI, 49442
61-24-205-055-0006-00	918 WOOD ST, MUSKEGON, MI, 49442
61-24-205-055-0007-00	922 WOOD ST, MUSKEGON, MI, 49442
61-24-205-055-0008-00	926 WOOD ST, MUSKEGON, MI, 49442
61-24-205-055-0009-00	932 WOOD ST, MUSKEGON, MI, 49442
61-24-205-055-0010-00	940 WOOD ST, MUSKEGON, MI, 49442
61-24-205-056-0005-00	958 WOOD ST, MUSKEGON, MI, 49442
61-24-205-056-0005-10	964 WOOD ST, MUSKEGON, MI, 49442
61-24-205-056-0006-00	970 WOOD ST, MUSKEGON, MI, 49442
61-24-205-067-0006-00	1032 WOOD ST, MUSKEGON, MI, 49442
61-24-205-067-0007-00	1040 WOOD ST, MUSKEGON, MI, 49442
61-24-205-067-0007-10	1044 WOOD ST, MUSKEGON, MI, 49442
61-24-205-068-0006-00	1064 WOOD ST, MUSKEGON, MI, 49442
61-24-205-068-0006-10	1074 WOOD ST, MUSKEGON, MI, 49442
61-24-205-068-0007-00	1096 WOOD ST, MUSKEGON, MI, 49442
61-24-205-078-0006-00	1114 WOOD ST, MUSKEGON, MI, 49442
61-24-205-078-0007-00	1128 WOOD ST, MUSKEGON, MI, 49442
61-24-205-078-0008-00	1136 WOOD ST, MUSKEGON, MI, 49442

A clear statement of the nature and extent of contamination, identifying the types and concentrations of contaminants, the likely or anticipated path of migration of the contaminants if not remediated (as well as a detailed statement of any plan to remediate, correct, and/or contain the contamination); and information equivalent to Completed Summary Table

The nature and extent of contamination, and all other relevant characteristics of the groundwater and contaminants, are fully described in the document titled *Burgess-Norton Mfg., Co., Inc. Remedial Investigation Report* dated October 1, 2015 and revised April 22, 2016, prepared by Arcadis of Michigan, LLC, 28550 Cabot Drive, Suite 500, Novi, Michigan 48377 ("RI Report"). The RI Report is available in hard copy at the Hackley Library in Muskegon, and online at www.nimsreport.com. Details of remediation are also provided in additional reports available in hard copy at the Hackley Library in Muskegon, and online at www.nimsreport.com.

Following is a summary of the relevant portions of the RI Report, describing the groundwater and contamination. That summary is followed by a summary regarding remediation.

RI Report Summary Regarding Groundwater and Contamination

- Petitioner's groundwater investigation leading to this Petition included taking more than 1,755 groundwater samples that were analyzed to determine whether hazardous substances were present and, if so, their concentrations. The investigation also involved measuring the physical properties of soil and groundwater at numerous locations, including determining the direction of groundwater flow.
- The investigation was overseen by the Michigan Department of Environmental Quality and conducted through significant cooperation with the City of Muskegon. The results of each phase of the investigation were reviewed with MDEQ staff and City of Muskegon personnel. The written report of each phase

of the investigation was placed in the Hackley Library and, beginning in 2013, provide online at www.nimsreport.com.

- The nature and extent of groundwater contamination are well understood in detail.
- The investigation targeted one groundwater contamination plume that apparently traces to Petitioner's property at 660 Nims Street, however, the investigation also found three other plumes of groundwater contamination in the area that apparently *do not* trace to Petitioner's property at 660 Nims Street. The four plumes are distinguished from each other by data showing key differences in their vertical/horizontal locations and orientations, and their chemical composition. Because the three other plumes of groundwater contamination do not originate from Petitioner's property, the MDEQ has taken lead responsibility for further investigation and response to them.

The following information pertains to the groundwater contamination apparently originating from Petitioner's property at 660 Nims Street, which is referred to as "Plume 1."

- In the area of Plume 1, the soil consists of a layer of sandy soil from the ground surface reaching downward and becoming more clayey and less permeable at a depth of 75-85 feet. Beneath that is a layer of clay.
- The groundwater in the area of Plume 1 generally flows from south to north, that is, flowing northward through the investigation area. The groundwater surface (water table) lies 15-20 feet below the ground surface near the southern part of Plume 1 and, to the north, it lies about 30 feet below the ground surface near the bluff overlooking Ryerson Creek.
- The primary contaminant in Plume 1 is the compound trichloroethene (TCE). Other compounds are present; however, among the compounds found, TCE has the highest concentration and is the most widespread. The following description of Plume 1 is generally based on locations and depths where TCE was found and its concentrations. Generally, it describes locations and depths of TCE concentrations that are at or higher than Michigan's criterion for TCE in

groundwater used for human consumption, which is 5 micrograms per liter (5 $\mu\text{g/L}$).

- Similarly, the accompanying exhibits are based on locations and depths of TCE concentrations that are at or higher than Michigan's criterion for TCE in groundwater used for human consumption. Exhibit 1 is a map view of TCE concentrations in the investigation area, identifying all four plumes of groundwater contamination. Exhibit 2 is a vertical cross-section from south of the 660 Nims Street property ranging northward to beyond Ryerson Creek. The cross-section includes TCE concentrations found at various places and depths along the length of Plume 1, as well as "clean" findings both vertically above Plume 1 and horizontally beyond the northern and southern ends of Plume 1.

In addition, Exhibit 3 provides the scaled map showing the boundary lines of all affected premises covered by this petition and also showing building/structure outlines, groundwater well locations, parking lots, roads, estimated direction of groundwater flow, and estimated location and extent of the contaminant plumes(s).

- See Exhibit 1 in conjunction with the following points:
 - Plume 1 apparently originated at the 660 Nims Street property, flowed northward, and terminates at Ryerson Creek, approximately 4,800 feet north of the 660 Nims Street property.
 - The TCE concentration increases as one proceeds from the sides toward the center of Plume 1. There is a "core" that is approximately 900 feet wide where TCE concentrations are 1,000 $\mu\text{g/L}$ or higher. Within that, there is an area that is approximately 300 feet wide where the highest TCE concentrations in Plume 1 are located (10,000 $\mu\text{g/L}$ or higher). Again, both the core and the lower-concentration areas surrounding it lie at the depths described in the preceding points. Indeed, the highest TCE concentrations are approximately 73 to 74 feet below ground surface.
 - Plume 1 does not reach the northern side of the Ryerson Creek floodplain, as no TCE or associated byproducts are present in groundwater there.

- See Exhibit 2 in conjunction with the following points:
 - In the area of Plume 1 that is beneath the 660 Nims Street property and McCrea Playfield, TCE is present from the groundwater table extending down to approximately 85 feet below the ground surface (“bgs”).
 - In the area of Plume 1 that is between McCrea Playfield and the Ryerson Creek floodplain, the TCE lies deeper, i.e., at the base of the sand in the low-permeability soils located approximately 75-85 feet bgs. Thus, along much of its length, Plume 1 is less than 10 feet thick vertically and is overlain by clean groundwater and, above the groundwater, soil. Specifically, between McCrea Playfield and Ryerson Creek, the shallowest portion of the aquifer (the upper 30 feet) contains no TCE.
 - As Plume 1 approaches Ryerson Creek, it becomes shallower, and enters a zone of highly organic sediments associated with the Ryerson Creek floodplain. There, natural biogeochemical processes are degrading the organic compounds (TCE and associated byproducts) by over 90%.

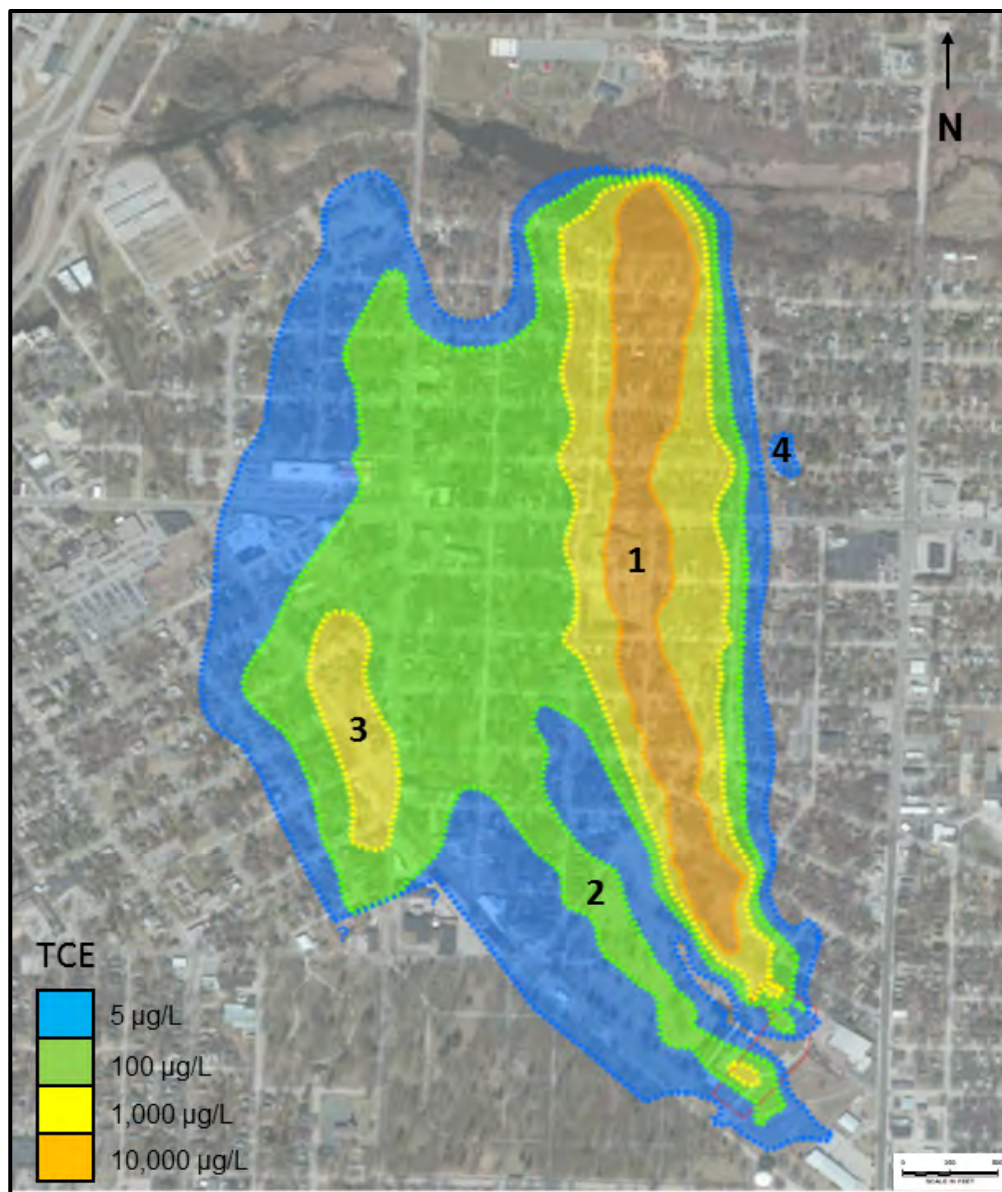


Exhibit 1: Map view of the TCE distribution in groundwater showing plumes 1 through 4, based on measurements and estimates derived from them. (The 660 Nims Street property is outlined in red.)

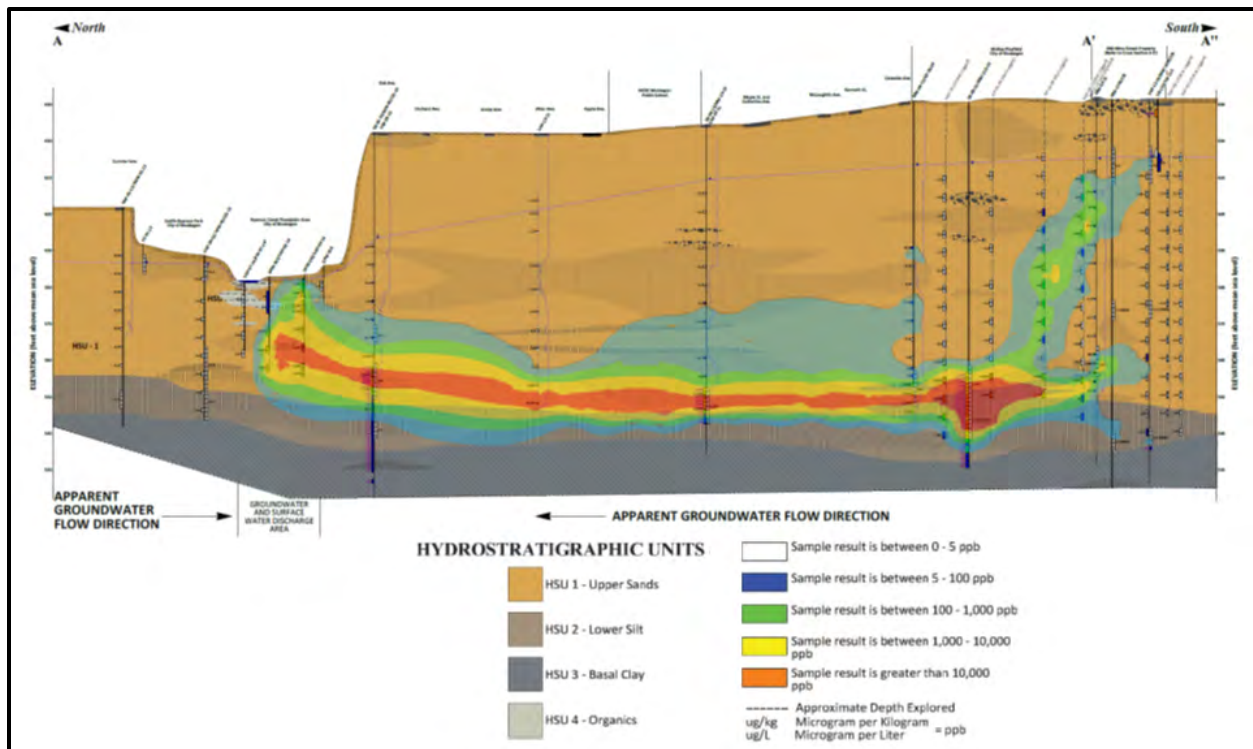


Exhibit 2: South to north cross-section including significant areas along Plume 1. (Vertical distances are exaggerated compared to horizontal distances.) (General groundwater flow is south to north, i.e., right to left in this cross-section.)

Summary of remediation relating to Plume 1:

- Methods of wastewater disposal at 660 Nims Street that led to soil contamination there, and to leaching of the soil contaminants giving rise to the groundwater contamination, ceased in the mid-1970s. At the time, there was some removal of contaminated soil.
- Removal of known remaining relevant soil contamination occurred, in part, during demolition and removal of aboveground structures at 660 Nims Street in 2007-2008, and was completed via excavation and disposal in 2015 - 2016.
- The contamination is degrading via natural attenuation, which has been well-documented at the down-gradient end of the plume in the Ryerson

Creek floodplain, and additional protection there will be provided by a restrictive covenant.

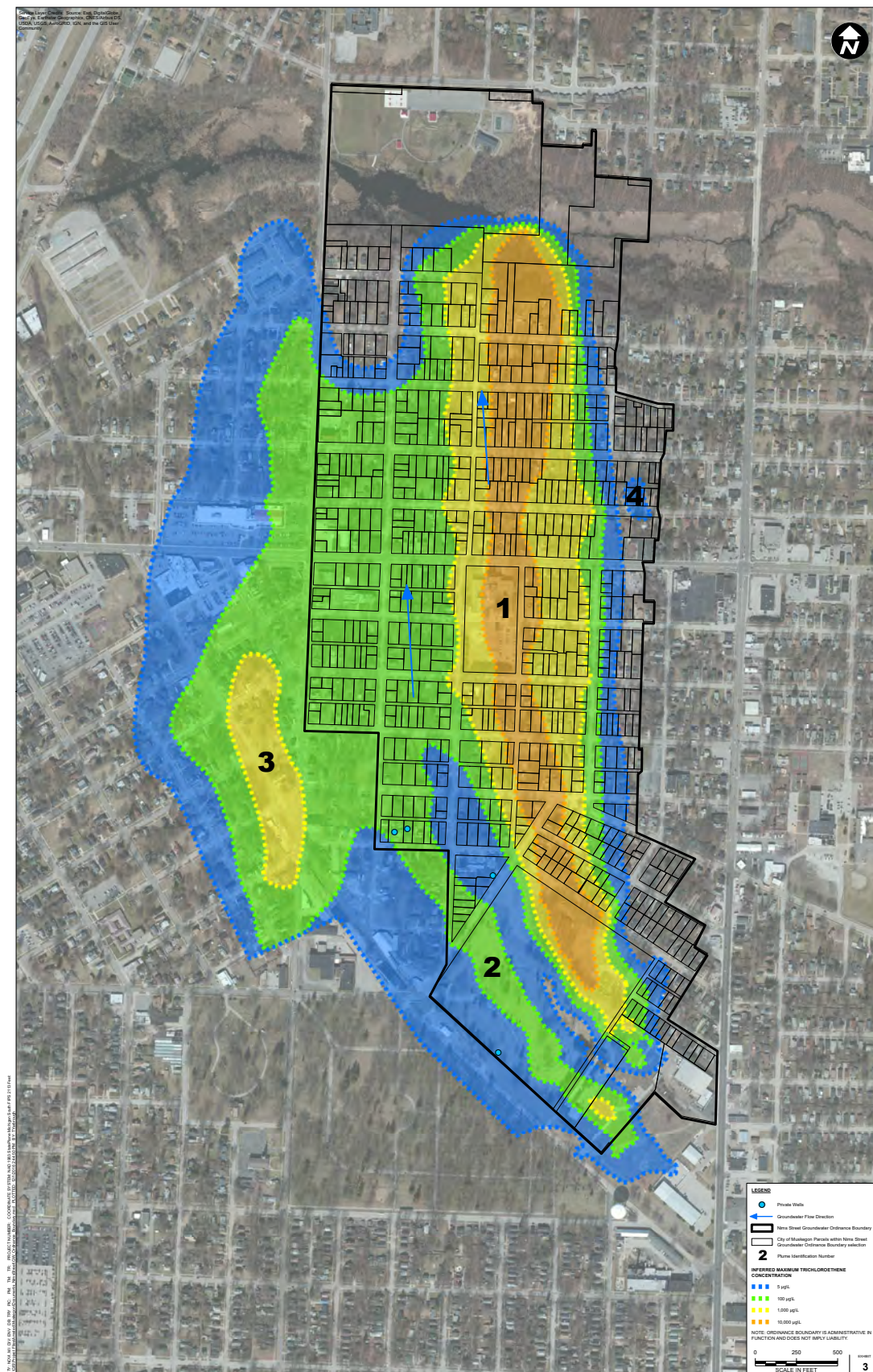
- Potential human exposure to contaminated groundwater will be controlled by an institutional control consisting of an amendment to the Muskegon groundwater use restriction ordinance covered by this Petition, as well as by a restrictive covenant applying to the 660 Nims Street property.

(With respect to the groundwater use restriction ordinance, note that four plumes of groundwater contamination were found in the area covered by the investigation described in the RI Report and, of these, only Plume 1 apparently originated at the Petitioner's property and is being responded to by the Petitioner. However, as a result of using city streets to delineate the ordinance's groundwater restriction zone for this plume, the boundary line of the groundwater restriction zone includes additional *affected premises* where underlying groundwater contamination does *not* trace to Petitioner's property.)

Exhibit 3

Scaled map showing the boundary lines of all affected premises covered by this petition and also showing building/structure outlines, groundwater well locations, parking lots, roads, estimated direction of groundwater flow, and estimated location and extent of the contaminant plumes(s).

(on following page)



**A description of the current status, and usage characteristics of all
existing groundwater wells known to the Petitioner within all proposed
affected premises**

Known Private Well Details within the Groundwater Ordinance Amendment Boundary				
Parcel Number	Address	Well Use	Status of Well	Depth (feet bgs)
61-24-205-097-0001-00	600 Nims	Irrigation	Not in Service	Unknown
61-24-771-000-0001-00	1275 Kenneth	Irrigation	Unknown	~35 feet
61-24-205-093-0008-00	494 Catawba	Irrigation	Unknown	Unknown
61-24-205-093-0009-00	500 Catawba	Irrigation	Unknown	Unknown
bgs - below ground surface				
On behalf of Burgess-Norton Mfg. Co., Inc., Arcadis completed a survey of potential wells which evaluated the presence of private wells in the investigation area. The well survey consisted of a search of the Michigan Department of Environmental Quality (MDEQ) Well Logic database, a search of Muskegon County records, review of water bill records for parcels in the area, a physical visual survey of the area, and responses to notice of migration letters to property owners. As a result of this survey, four private wells were found in the area of the plume associated with the Petitioner's property at 660 Nims Street. The above table depicts the known and available details obtained during the survey activities for these wells.				

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Request to add parcels to the City's existing groundwater ordinance – Ambrosia St – SECOND READING

SUMMARY OF REQUEST:

The City has received a petition from the Michigan Department of Environmental Quality to designate 511 parcels under the water supplies ordinance. The Ambrosia St area groundwater contamination was discovered by sampling conducted by the environmental consultant Arcadis of Michigan, LLC for the Burgess-Norton site in 2013. During that work Arcadis not only defined the extent of the contamination plume coming from the Burgess-Norton site, but also identified three other plumes of chlorinated contamination. The ordinance prohibits the use of groundwater wells and secondary water supplies under certain circumstances and in certain locations, to prevent exposure to contaminated groundwater, as well as to prevent wells from influencing the movement of contaminated water. Notice was sent to the affected addresses prior to this meeting.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approval of the ordinance amendment to include the additional 511 parcels.

COMMITTEE RECOMMENDATION:

None

Resolution No. _____

MUSKEGON CITY COMMISSION

An ordinance amending the City Code of Ordinances by adding to Ordinance No. 2039 (Muskegon City Code of Ordinances Section 34, Article III) certain identifying "Appendix Maps" and descriptions of properties determined to be "affected premises" on which groundwater wells are prohibited unless excepted under Section 34-65 due to the contamination or potential contamination of said groundwater. The said Ordinance No. 2039 is amended by this Ordinance.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. The properties identified in this amending ordinance are determined to be affected premises within the meaning of and regulated in accordance with, Ordinance No. 2039 or any successor ordinance prohibiting wells on such premises. The said affected premises are included in Attachment A.
2. Attached to this ordinance and incorporated herein are Appendix Maps locating the affected premises and their legal descriptions.
3. This ordinance shall be effective ten (10) days after publication. In the event any part of this ordinance is finally determined to be invalid or unenforceable by a court having jurisdiction, then said determination shall not affect the validity of the remaining provisions.

Adopted this 28th Day of March 2017.

Ayes:

Nays:

Absent:

BY: _____
Stephen J. Gawron
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on March 28, 2017.

Ann Meisch
Clerk

Attachment A

PIN	Address	Owner 1 Last	Owner 1 First	Owner Address	Owner City	State	Zip
61-24-205-209-0008-00	216 Allen Ave	Guerra	Daniel O	2982 S. Lakeview Drive	Hesperia	MI	49421
61-24-205-209-0009-00	228 Allen Ave	York	Jessie	228 Allen Ave	Muskegon	MI	49442
61-24-205-209-0010-00	234 Allen Ave	Ingersoll Financial Midwest Land Trust		1101 Lake Destiny Rd Suite 450	Maitland	FL	32751
61-24-205-209-0011-00	240 Allen Ave	Coleman	Harold	1560 N Roberts Rd	Muskegon	MI	49445
61-24-205-209-0012-00	252 Allen Ave	Pace	William	1560 N Roberts Rd	Muskegon	MI	49445
61-24-205-210-0007-10	268 Allen Ave	Brooks	Dawson	218 Catherine Ave	Muskegon	MI	49442
61-24-205-213-0006-00	269 Allen Ave	Muskegon County Building Authority		990 Terrace Street 4th Floor	Muskegon	MI	49442
61-24-305-210-0008-00	274 Allen Ave	Daymark Master Trust		11737 Central Parkway Suite 100	Jacksonville	FL	32224
61-24-205-210-0009-00	280 Allen Ave	Marshall	Melanie A	440 Mitzi Apt #10	Muskegon	MI	49445
61-24-205-210-0010-00	298 Allen Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-210-0011-00	306 Allen Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-211-0008-00	350 Allen Ave	Muskegon County Land Bank Authority		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-211-0009-00	360 Allen Ave	Fenanders	Deborah	360 Allen Ave	Muskegon	MI	49442
61-24-205-211-0010-00	370 Allen Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-211-0011-00	380 Allen Ave	Yonker	Bruce D	380 Allen Ave	Muskegon	MI	49442
61-24-205-211-0011-10	386 Allen Ave	Stegall	Halbert	861 South Getty St	Muskegon	MI	49442
61-24-205-232-0007-00	1047 Ambrosia St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-236-0008-00	1075 Ambrosia St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-235-0002-00	1076 Ambrosia St	Little	Duane	1076 Ambrosia St	Muskegon	MI	49442
61-24-205-235-0002-10	1080 Ambrosia St	Goodwill Industries		271 E Apple Ave	Muskegon	MI	49442
61-24-205-247-0001-00	1112 Ambrosia St	D Wilkinson Insurance Agency Inc		1477 E Apple Ave	Muskegon	MI	49442
61-24-205-247-0002-00	1116 Ambrosia St	Hibbs	Darlene	1116 Ambrosia St	Muskegon	MI	49442
61-24-205-247-0003-00	1124 Ambrosia St	Hunter	Erica	1124 Ambrosia St	Muskegon	MI	49442
61-24-205-246-0009-00	1125 Ambrosia St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-247-0003-10	1128 Ambrosia St	Cook	Kenneth	2520 6th St	Muskegon	MI	49444
61-24-205-249-0001-00	1150 Ambrosia St	McCoy	Jessie Lee	1150 Ambrosia St	Muskegon	MI	49442
61-24-205-250-0008-00	1155 Ambrosia St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-249-0002-00	1160 Ambrosia St	Strouse	Bonnie	PO Box 1133	Muskegon	MI	49443
61-24-205-249-0003-10	1168 Ambrosia St	Jones	Candy	4537 NE 82nd Ave	Portland	OR	97220

61-24-205-262-0001-00	1192 Ambrosia St	Eldenbrady	Joshua	1136 Spring St	Muskegon	MI	49442
61-24-205-262-0002-00	1200 Ambrosia St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-261-0008-00	1205 Ambrosia St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-262-0003-00	1206 Ambrosia St	Mitchell	James	1206 Ambrosia St	Muskegon	MI	49442
61-24-205-263-0008-00	1253 Ambrosia St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-205-0006-00	204 Amity Ave	Brown	Shirley	204 Amity Ave	Muskegon	MI	49442
61-24-205-209-0007-00	205 Amity Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-205-0007-00	210 Amity Ave	Patino	Charles	450 West St	Muskegon	MI	49442
61-24-205-209-0005-00	213 Amity Ave	Brownlow	Vivian	889 Emory Ave	Akron	OH	44310
61-24-205-205-0008-00	218 Amity Ave	Quest IRA Inc		17171 Park Row Suite 100	Houston	TX	77084
61-24-205-205-0008-10	222 Amity Ave	Duncan	James	309 E Hackley Ave	Muskegon	MI	49444
61-24-205-209-0004-00	223 Amity Ave	McLaurin	Calvin	223 Amity Ave	Muskegon	MI	49442
61-24-205-205-0009-00	230 Amity Ave	A-1 Investments of Muskegon LLC		PO Box 21	Muskegon	MI	49443
61-24-205-209-0003-00	231 Amity Ave	Berry	James	1828 S 52nd Ave PO Box 398	Shelby	MI	49455
61-24-205-205-0010-00	244 Amity Ave	Brewster	Marilyn	347 Shonat St Apt 5	Muskegon	MI	49442
61-24-205-209-0001-10	253 Amity Ave	Garcia Galvez	Tomas	253 Amity Ave	Muskegon	MI	49442
61-24-205-205-0011-10	254 Amity Ave	Brewster	Marilyn	347 Shonat St Apt 5	Muskegon	MI	49442
61-24-205-204-0010-00	272 Amity Ave	Nielson	Roger	420 Carmen Drive	Spring Lake	MI	49456
61-24-205-210-0006-00	273 Amity Ave	Vanholstyn	Matt	4900 Fruit Ridge Ave	Grand Rapids	MI	49544
61-24-205-210-0005-00	283 Amity Ave	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-204-0012-00	288 Amity Ave	Hewelett	Dareese	288 Amity Ave	Muskegon	MI	49442
61-24-205-210-0004-00	289 Amity Ave	Hakeem	Muhammad	289 Amity Ave	Muskegon	MI	49442
61-24-205-210-0004-10	293 Amity Ave	Craner	William A	106 Smith St	Herperia	MI	49421
61-24-205-204-0013-00	304 Amity Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-210-0003-00	305 Amity Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-204-0013-20	306 Amity Ave	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-204-0014-00	310 Amity Ave	Berry	James	5835 W Shelby Rd	Shelby	MI	49455
61-24-205-210-0002-00	311 Amity Ave	Kitchen	Sharon R	1713 Yale Place	Rockville	MD	20850
61-24-205-204-0015-00	318 Amity Ave	First National Bank of America		PO Box 52	Fruitport	MI	49415
61-24-205-204-0015-20	322 Amity Ave	Levelston	Idella	322 Amity Ave	Muskegon	MI	49442
61-24-205-211-0006-00	339 Amity Ave	Crews	Karla	339 Amity Ave	Muskegon	MI	49442
61-24-205-203-0007-10	340 Amity Ave	Larson	Mary	340 Amity Ave	Muskegon	MI	49442
61-24-205-203-0007-20	344 Amity Ave	Leveleston	Janice	3319 Lemuel Street	Muskegon	MI	49444
61-24-205-211-0006-10	345 Amity Ave	Plotts	Durwin	345 Amity Ave	Muskegon	MI	49442

61-24-205-203-0008-00	348 Amity Ave	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-203-0008-10	352 Amity Ave	Vempire LC		PO Box 44008	Muskegon Heights	MI	49444
61-24-205-211-0005-00	353 Amity Ave	Walker	Pearlie M	353 Amity Ave	Muskegon	MI	49442
61-24-205-203-0009-00	358 Amity Ave	Caviness	Christee	2720 Bellevue Rd	Muskegon	MI	49441
61-24-205-211-0004-00	361 Amity Ave	Quest Ira Inc		17171 Park Row #100	Houston	TX	77084
61-24-205-203-0009-10	364 Amity Ave	Roberson	Marvin	731 Orchard Ave	Muskegon	MI	49442
61-24-205-211-0003-00	371 Amity Ave	Carey	Stephen	1411 Russell Rd	Alexandria	VA	22301
61-24-205-203-0010-00	372 Amity Ave	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-211-0002-00	381 Amity Ave	Taylor	Aleen	381 Amity Ave	Muskegon	MI	49442
61-24-205-203-0011-00	382 Amity Ave	Smith	Leticia	382 Amity Ave	Muskegon	MI	49442
61-24-205-203-0012-00	390 Amity Ave	Wright	Douglas	390 Amity Ave	Muskegon	MI	49442
61-24-205-211-0001-10	391 Amity Ave	Williams	Nell	391 Amity Ave	Muskegon	MI	49442
61-24-205-211-0001-00	393 Amity Ave	Bailey	Tameka	547 Erickson St	Muskegon	MI	49442
61-24-205-223-0001-00	97 East Apple Ave	County of Muskegon		990 Terrace Street	Muskegon	MI	49442
61-24-205-214-0008-00	200 East Apple Ave	Nielson	Roger	420 Carmen Drive	Spring Lake	MI	49456
61-24-205-214-0009-00	212 E Apple Ave	Clanton	Roberta	14870 Swan Ln	Spring Lake	MI	49456
61-24-205-214-0009-10	218 East Apple Ave	Nielson	Roger	420 Carmen Drive	Spring Lake	MI	49456
61-24-205-214-9991-00	222 East Apple Ave	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-233-0001-00	271 E Apple Ave	Goodwill Industries		271 E Apple Ave	Muskegon	MI	49442
61-24-205-213-0001-00	318 East Apple Ave	Muskegon County Building Authority		990 Terrace Street 4th Floor	Muskegon	MI	49442
61-24-205-234-0001-00	341 East Apple Ave	Harakas Trust	Donald	1417 Ruddiman Drive	Muskegon	MI	49445
61-24-205-212-0001-00	376 East Apple Ave	County of Muskegon		990 Terrace Street	Muskegon	MI	49442
61-24-205-234-0008-00	389 East Apple Ave	Host Industries Inc		29 Del Oro Lagoon	Novato	CA	94949
61-24-205-268-0004-10	342 Bauer Ave	Hegwood	Urious	342 Bauer Ave	Muskegon	MI	49442
61-24-205-268-0005-00	350 Bauer Ave	Muskegon Monument and Stone		1396 Pine St	Muskegon	MI	49442
61-24-205-270-0009-00	353 Bauer Ave	Muskegon Monument and Stone		1396 Pine St	Muskegon	MI	49442
61-24-205-268-0006-00	358 Bauer Ave	Anderson	Mark	358 Bauer Ave	Muskegon	MI	49442
61-24-205-268-0007-00	364 Bauer Ave	Harris	Eleanor	2517 Wood St	Muskegon	MI	49444
61-24-771-000-0041-00	482 Benton Ave	Muskegon Construction Co		75 West Walton Avenue Suite A	Muskegon	MI	49440
61-24-771-000-0039-00	494 Benton Ave	Walton	Willie Mae	935 Marquette Avenue Apt D	Muskegon	MI	49442
61-24-771-000-0048-00	503 Benton Ave	Ross	Charles	505 Benton Avenue	Muskegon	MI	49442
61-24-771-000-0037-00	504 Benton Ave	Hicks	James	504 Benton Avenue	Muskegon	MI	49442
61-24-771-000-0047-00	505 Benton Ave	Ross	Charles	505 Benton Avenue	Muskegon	MI	49442
61-24-771-000-0046-00	511 Benton Ave	Edwards	Viola	511 Benton Avenue	Muskegon	MI	49442

61-24-205-264-0005-00	320 Catawba Ave	Harton	Renee	320 Catawba Ave	Muskegon	MI	49442
61-24-205-268-0011-00	329 Catawba Ave	Droughn	Ramon	2012 Jarman St	Muskegon Heights	MI	49444
61-24-205-264-0006-00	330 Catawba Ave	Bowen	Randy	330 Catawba Ave	Muskegon	MI	49442
61-24-205-264-0007-00	336 Catawba Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-268-0010-00	337 Catawba Ave	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-269-0001-10	373 Catawba Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49442
61-24-205-263-0004-10	374 Catawba Ave	Bergren	Rena	374 Catawba Ave	Muskegon	MI	49442
61-24-205-269-0007-00	379 Catawba Ave	Perez	Rosanna	379 Catawba Avenue	Muskegon	MI	49442
61-24-205-263-0005-00	380 Catawba Ave	Bass	Joe	380 Catawba Ave	Muskegon	MI	49442
61-24-205-263-0007-00	398 Catawba Ave	Gordon Painting & Pressure Washing		398 Catawba Ave	Muskegon	MI	49442
61-24-771-000-0059-00	425 Catawba Ave	Urban League of Greater Muskegon		PO Box 4272	Muskegon	MI	49444
61-24-205-094-0009-00	428 Catawba Ave	Odie	Grivers	428 Catawba Ave	Muskegon	MI	49442
61-24-205-094-0009-10	436 Catawba Ave	Johnson	Charles	436 Catawba Ave	Muskegon	MI	49442
61-24-205-094-0010-00	442 Catawba Ave	Sharps	Erica	442 Catawaba Ave	Muskegon	MI	49442
61-24-205-094-0011-00	450 Catawba Ave	Beasley	Amenia	450 Catawba Ave	Muskegon	MI	49442
61-24-205-094-0011-10	460 Catawba Ave	Pruitt	Brenda	460 Catawba Ave	Muskegon	MI	49442
61-24-205-094-0012-00	462 Catawba Ave	Greinke	Naomi	1189 S Getty St	Muskegon	MI	49442
61-24-771-000-0057-00	463 Catawba Ave	RJW Mission Properties LLC		16406 Lannin Lane	Spring Lake	MI	49456
61-24-771-000-0025-00	479 Catawba Ave	Sherman	Frederick	1239 Peck Street	Muskegon	MI	49441
61-24-771-000-0024-00	485 Catawba Ave	Sherman	Frederick	1239 Peck Street	Muskegon	MI	49441
61-24-771-000-0023-00	493 Catawba Ave	Jackson	Theopolis	493 Catawba Avenue	Muskegon	MI	49442
61-24-771-000-0022-00	497 Catawba Ave	Loera	Guadalupe	497 Catawba Avenue	Muskegon	MI	49442
61-24-771-000-0021-00	505 Catawba Ave	Exit Strategy October 13 LLC		24100 Southfield Road Suite 101	Southfield	MI	48075
61-24-771-000-0019-00	517 Catawba Ave	Johnson	Cynthia	517 Catawba Avenue	Muskegon	MI	49442
61-24-771-000-0018-00	525 Catawba Ave	Worley	Christopher	9980 Baumhoff Avenue NW	Sparta	MI	49345
61-24-205-251-0003-00	246 Catherine Ave	Dowson	Robert	246 Catherine Ave	Muskegon	MI	49442
61-24-205-260-0001-10	257 Catherine Ave	N & N Associates LLC		420 Carmen Dr	Spring Lake	MI	49456
61-24-205-251-0004-00	260 Catherine Ave	Mallory	Diann	260 Catherine Ave	Muskegon	MI	49442
61-24-205-251-0005-00	266 Catherine Ave	Brown	Napoleon	940 Stevens St	Muskegon	MI	49442
61-24-205-260-0016-00	269 Catherine Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-260-0014-00	273 Catherine Ave	Salazar	Stephen	273 Catherine Ave	Muskegon	MI	49442
61-24-205-251-0006-00	276 Catherine Ave	Pendelton	Galen	10330 S Calumet	Chicago	IL	60628
61-24-205-251-0007-00	280 Catherine Ave	Newman	Elizabeth	280 Catherine Ave	Muskegon	MI	49442
61-24-205-250-0004-10	318 Catherine Ave	Salacina	Amalia	318 Catherine Ave	Muskegon	MI	49442

61-24-205-261-0012-00	323 Catherine Ave	Meeks	Kevin	635 School St	Muskegon	MI	49442
61-24-205-250-0005-00	324 Catherine Ave	Kamp	Roger	324 Catherine Ave	Muskegon	MI	49442
61-24-205-261-0012-10	327 Catherine Ave	Jaimes	Maria	1242 Spring St	Muskegon	MI	49442
61-24-205-250-0005-10	328 Catherine Ave	Brooks	Elaine	12603 Van Wagoner	Grant	MI	49327
61-24-205-261-0011-00	333 Catherine Ave	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-250-0006-00	334 Catherine Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-250-0007-00	342 Catherine Ave	Powell	Mike	342 Catherine Ave	Muskegon	MI	49442
61-24-205-249-0004-00	370 Catherine Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-249-0004-10	376 Catherine Ave	Kakish	Yacoub	14729 182nd St	Springfield Gardens	NY	11413
61-24-205-262-0001-10	381 Catherine Ave	Eldenbrady	Joshua	1336 Spring St	Muskegon	MI	49442
61-24-205-262-0005-00	383 Catherine Ave	Eldenbrady	Joshua	1336 Spring St	Muskegon	MI	49442
61-24-205-249-0005-00	384 Catherine Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-249-0006-00	390 Catherine Ave	Muskegon County Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-079-0005-00	421 Catherine Ave	Arias	Roberto Gutierrez	421 Catherine Ave	Muskegon	MI	49442
61-24-205-079-0004-00	427 Catherine Ave	Smith	Monique	1458 Leahy St	Muskegon	MI	49442
61-24-205-079-0004-10	433 Catherine Ave	Humphrey	Zebara	433 Catherine Ave	Muskegon	MI	49442
61-24-205-079-0002-00	449 Catherine Ave	Avengers Inc		1775 S Champion Ave	Columbus	OH	43207
61-24-205-079-0001-00	457 Catherine Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-191-0006-00	824 Cedar Street	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-206-0005-00	858 Cedar St	Napieralski	Brian	858 Cedar St	Muskegon	MI	49442
61-24-205-206-0009-00	876 Cedar St	Gomex	Carmen	2575 Sams Ln	Twin Lake	MI	49457
61-24-771-000-0026-00	1291 Chestnut St	Hunter	Comelia	1291 Chestnut Street	Muskegon	MI	49442
61-24-771-000-0027-00	1301 Chestnut St	Sandoval	Christina	1301 Chestnut Street	Muskegon	MI	49442
61-24-771-000-0029-00	1307 Chestnut St	King	John	1307 Chestnut Street	Muskegon	MI	49442
61-24-771-000-0034-00	1321 Chestnut St	Brooks	Floyd	3685 Harris Drive	Norton Shores	MI	49441
61-24-771-000-0034-10	1331 Chestnut St	Wilson	John	505 Yuba Street	Muskegon	MI	49442
61-24-771-000-0043-00	1345 Chestnut St	Carey	Sandra	1345 Chestnut Street	Muskegon	MI	49442
61-24-771-000-0043-10	1351 Chestnut St	Chiaverini	Alyssa	4057 Leclare Street	Muskegon	MI	49444
61-24-771-000-0043-20	1357 Chestnut St	Duo Sisters LLC		13650 172nd Avenue	Grand Haven	MI	49417
61-24-205-237-0001-10	175 Delaware Ave	Earth and Air Properties LLC		202 W Exchange	Spring Lake	MI	49456
61-24-205-237-0012-00	179 Delaware Ave	County of Muskegon		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-237-0011-00	187 Delaware Ave	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-236-0001-10	233 Delaware Ave	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-236-0013-00	241 Delaware Ave	Gray	Robert	241 Delaware Ave	Muskegon	MI	49442

61-24-205-236-0012-00	247 Delaware Ave	White	Claudia	247 Delaware Ave	Muskegon	MI	49442
61-24-205-232-0005-00	248 Delaware Ave	Anthony	Luegean	248 Delaware Ave	Muskegon	MI	49442
61-24-205-236-0012-10	253 Delaware Ave	Busman	Daniel	3845 Forest Edge	Muskegon	MI	49442
61-24-205-232-0005-10	254 Delaware Ave	Denson	Jim	254 Delaware Ave	Muskegon	MI	49442
61-24-205-236-0010-00	259 Delaware Ave	Lewis	Michael	259 Delaware Ave	Muskegon	MI	49442
61-24-205-181-0001-00	185 Eastern Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-182-0001-00	225 Eastern Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-199-0001-00	735 Emerald St	Harris	Susie	271 Orchard Ave	Muskegon	MI	49442
61-24-205-199-0001-10	747 Emerald St	Watts	Aminie	291 E Walton Ave	Muskegon	MI	49442
61-24-205-199-0012-10	751 Emerald St	Nielson	Roger	420 Carmen Drive	Spring Lake	MI	49456
61-24-205-197-0001-00	756 Emerald St	Cogic Village-Muskegon LDHALP		2140 Valley St	Muskegon	MI	49444
61-24-205-199-0012-20	759 Emerald St	Wayne	Tommie	759 Emerald St	Muskegon	MI	49442
61-24-205-202-0006-10	808 Emerald St	D Wilkinson Insurance Agency Inc		4265 Grand Haven Rd Suite 100	Muskegon	MI	49441
61-24-205-201-0001-10	813 Emerald St	Overton	Patsy	756 S Quarterline Rd	Muskegon	MI	49442
61-24-205-202-0007-00	818 Emerald St	Goods	Gordon	818 Emerald St	Muskegon	MI	49442
61-24-205-201-0012-00	821 Emerald St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-201-0011-00	827 Emerald St	Vines	Dwight	2100 Manz	Muskegon	MI	49444
61-24-205-203-0004-00	848 Emerald St	Childers	Gregory	848 Emerald St	Muskegon	MI	49442
61-24-205-203-0005-00	856 Emerald St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-203-0006-00	864 Emerald St	Roberts	Ben	864 Emerald St	Muskegon	MI	49442
61-24-205-204-0016-00	869 Emerald St	McLaurin	Stanley	PO Box 1201	Muskegon	MI	49443
61-24-205-204-0015-10	877 Emerald St	Evans	Henry	877 Emerald St	Muskegon	MI	49442
61-24-205-203-0007-00	878 Emerald St	Leveleston	Janice	3319 Lemuel Street	Muskegon	MI	49444
61-24-205-211-0006-20	922 Emerald St	Anderson	William T	845 Catherine St	Muskegon	MI	49442
61-24-205-210-0001-00	923 Emerald St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-210-0012-00	937 Emerald St	Dunbar	David	8441 Chuckanut D	Montague	MI	49437
61-24-205-211-0007-00	940 Emerald St	County of Muskegon		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-204-0008-00	856 Fork St	Robinson	Linda	856 Fork St	Muskegon	MI	49442
61-24-205-204-0009-00	870 Fork St	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-205-0011-00	881 Fork St	Gregory	Clarence	881 Fork St	Muskegon	MI	49442
61-24-205-210-0006-10	922 Fork St	Munroe	William H	2029 9th St	Muskegon	MI	49444
61-24-205-210-0007-00	928 Fork St	Davis	Susie	928 Fork St	Muskegon	MI	49442
61-24-205-209-0001-20	929 Fork St	Castillo	Monica	929 Forks St	Muskegon	MI	49442
61-24-205-214-0001-00	965 Fork St	Professional Med Team Inc		965 Fork St	Muskegon	MI	49442

61-24-205-098-0001-20	1537 S Getty St	Fastenal Co - Mimus		2001 Theurer Blvd	Winona	MN	55987
61-24-205-098-0001-40	1577 S Getty St	Ferguson Enterprises Inc		125000 Jefferson Ave	Newport News	VA	23602
61-24-205-166-0001-00	285 Hall Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-245-0001-10	203 Iona Ave	Kenniston	David	2041 E Broadway Ave	Muskegon	MI	49444
61-24-205-237-0004-10	204 Iona Ave	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-245-0012-00	209 Iona Ave	Kroesing	Edward	9198 Mariposa Ave	Roseville	CA	95661
61-24-205-237-0005-00	212 Iona Ave	Stone	Merle	212 Iona Ave	Muskegon	MI	49442
61-24-205-237-0006-00	216 Iona Ave	Madison	Edward	222 Iona Ave	Muskegon	MI	49442
61-24-205-245-0011-00	219 Iona Ave	C Bots 4 LLC		6348 North Milwaukee Ave #311	Chicago	IL	60646
61-24-205-237-0006-10	222 Iona Ave	Madison	Edward	222 Iona Ave	Muskegon	MI	49442
61-24-205-245-0010-00	225 Iona Ave	Rone	Jackie	225 Iona Ave	Muskegon	MI	49442
61-24-205-237-0007-00	226 Iona Ave	Riley	Samone	1123 Spring St	Muskegon	MI	49442
61-24-205-236-0004-00	252 Iona Ave	Kinney	Bruce	252 Iona Ave	Muskegon	MI	49442
61-24-205-236-0004-10	256 Iona Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-246-0001-10	261 Iona Ave	Chavez	Antonio	261 Iona Ave	Muskegon	MI	49442
61-24-205-236-0004-20	262 Iona Ave	Adams	Gerald	262 Iona Ave	Muskegon	MI	49442
61-24-205-246-0012-00	267 Iona Ave	Bookers	Cherylle	1125 Calvin Ave	Muskegon	MI	49442
61-24-205-236-0005-00	270 Iona Ave	Milliron	Amy	260 N Bear Lake Rd	Muskegon	MI	49445
61-24-205-246-0011-00	277 Iona Ave	Buckley	CW	283 Iona St	Muskegon	MI	49442
61-24-205-236-0006-00	280 Iona Ave	Gager	Cassandra	280 Iona Ave	Muskegon	MI	49442
61-24-205-246-0010-00	283 Iona Ave	Buckley	Mandy	283 Iona St	Muskegon	MI	49442
61-24-205-236-0007-00	284 Iona Ave	Keenan	Donates	284 Iona Ave	Muskegon	MI	49442
61-24-205-235-0004-00	310 Iona Ave	Goodwill Industries		271 E Apple Ave	Muskegon	MI	49442
61-24-205-235-0003-00	316 Iona Ave	Minor	Gloria Bell	1341 Eastwood Dr	Muskegon	MI	49442
61-24-205-247-0001-10	319 Iona Ave	Inglot	Patrick	599 Grandwoods Ct NE	Grand Rapids	MI	49525
61-24-205-247-0012-00	325 Iona Ave	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-247-0012-10	329 Iona Ave	N & N Associates LLC		420 Carmen Dr	Spring Lake	MI	49456
61-24-205-247-0011-00	333 Iona Ave	Shabazz	Kareem	333 Iona Ave	Muskegon	MI	49442
61-24-205-247-0011-10	337 Iona Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-247-0010-00	341 Iona Ave	McDonald	Mame	341 Iona Ave	Muskegon	MI	49442
61-24-205-234-0005-00	370 Iona Ave	Carballo	Adrian	370 Iona Avenue	Muskegon	MI	49442
61-24-205-234-0005-10	378 Iona Ave	River City Housing LLC		599 Grand Woods Court NE	Grand Rapids	MI	49525
61-24-205-234-0006-00	384 Iona Ave	Maxlow	Kenneth	384 Iona Avenue	Muskegon	MI	49442
61-24-205-234-0006-10	388 Iona Ave	Critchett	Jerry	3050 McDermott Street	Muskegon	MI	49444

61-24-129-300-0001-00	355 Irwin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-270-0003-10	388 Irwin Ave	McNeil	Maire	1938 Sanford St	Muskegon	MI	49441
61-24-205-270-0003-20	392 Irwin Ave	Zukiewicz	George	3190 Dalson Rd	Twin Lake	MI	49457
61-24-205-096-0001-50	444 Irwin Ave	Foundation Real Estate Development		444 Irwin Ave	Muskegon	MI	49442
61-24-129-400-0001-00	445 Irwin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-095-0001-65	500 Irwin Ave	Clifford Buck Construction Inc		500 Irwin Ave	Muskegon	MI	49442
61-24-205-251-0001-10	231 E Isabella Ave	Long	Leon	240 E Isabella Ave	Muskegon	MI	49442
61-24-205-251-0013-00	235 E Isabella Ave	Salacina	Roger	239 E Isabella Ave	Muskegon	MI	49442
61-24-205-251-0013-10	239 E Isabella Ave	Navarro	Connie	239 E Isabella Ave	Muskegon	MI	49442
61-24-205-245-0005-00	240 E Isabella Ave	Speech	Marzella	240 E Isabella Ave	Muskegon	MI	49442
61-24-205-251-0012-00	243 E Isabella Ave	Harris	Eleanore	2948 Woodcliffe Dr	Muskegon	MI	49444
61-24-205-245-0006-00	246 E Isabella Ave	Miller	Keith	1030 Dorchester SW	Grand Rapids	MI	49503
61-24-205-245-0007-00	252 E Isabella Ave	Palmer	Bryant	1785 Dyson St	Muskegon	MI	49442
61-24-205-251-0011-00	253 E Isabella Ave	Tucker	Theotis	PO Box 4173	Muskegon	MI	49444
61-24-205-246-0003-00	288 E Isabella Ave	United States of America-HUD		2401 NW 23rd St Suite 1D	Oklahoma City	OK	73107
61-24-205-250-0001-00	291 E Isabella Ave	MSI Consulting Inc		654 N 800 E	Spanish Fork	UT	84660
61-24-205-250-0012-00	295 E Isabella Ave	Potts	Geraldine	861 S Wolf Lake Rd	Muskegon	MI	49442
61-24-205-246-0005-00	298 E Isabella Ave	Gerth	Amber	298 E Isabella Ave	Muskegon	MI	49442
61-24-205-250-0012-10	299 E Isabella Ave	Potts	Geraldine	295 E Isabella Ave	Muskegon	MI	49442
61-24-205-250-0011-00	303 E Isabella Ave	Vargas	Guadalupe	303 E Isabella Ave	Muskegon	MI	49442
61-24-205-246-0006-00	304 E Isabella Ave	Spencer	Carol	304 E Isabella Ave	Muskegon	MI	49442
61-24-205-246-0007-00	308 E Isabella Ave	Foster	Charles	308 E Isabella Ave	Muskegon	MI	49442
61-24-205-247-0004-10	348 E Isabella Ave	Dover	Bertha	415 S Densmore St	Muskegon	MI	49442
61-24-205-249-0012-00	353 E Isabella Ave	Walker	Lance	1536 Park St	Muskegon	MI	49442
61-24-205-247-0005-00	356 E Isabella Ave	Stewart	Virginia	1505 Albert Ave	Muskegon	MI	49442
61-24-205-249-0012-10	357 E Isabella Ave	County of Muskegon		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-249-0011-00	361 E Isabella Ave	Brooks	Alisa	361 E Isabella Ave	Muskegon	MI	49442
61-24-205-249-0010-00	369 E Isabella Ave	Westbrook Builders LLC		1818 S Citrus Grove	Mesa	AZ	85204
61-24-205-247-0007-00	370 E Isabella Ave	Jackson	Bobby	14722 Lemoli Ave Unit 207	Gardena	CA	90249
61-24-205-214-0005-00	201 Jay Street	City of Muskegon		933 Terrace ST	Muskegon	MI	49443
61-24-205-209-9991-00	930 Jay Street	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-214-0006-00	970 Jay Street	Nielson	Roger	420 Carmen Drive	Spring Lake	MI	49456
61-24-205-214-0007-00	974 Jay St	Cisneros	Gabriel	630 Columbus Ave	Grand Haven	MI	49417
61-24-771-000-0052-00	1373 Kenneth St	Stille	Allen	1088 Calvin Avenue	Muskegon	MI	49442

61-24-771-000-0054-00	1381 Kenneth St	Deephouse	Dustin	7260 Evanston Avenue	Muskegon	MI	49442
61-24-771-000-0049-00	1389 Kenneth St	Workman	John	2044 Westlake Road	Twin Lake	MI	49457
61-24-205-162-0001-00	655 Marion Street	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-264-0001-00	287 McLaughlin Ave	Tate	Shawn	287 McLaughlin Ave	Muskegon	MI	49442
61-24-205-260-0004-10	288 McLaughlin Ave	Herbert	Edna	288 McLaughlin Ave	Muskegon	MI	49442
61-24-205-264-0012-00	291 McLaughlin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-260-0005-00	292 McLaughlin Ave	Page	D'Anthony	292 McLaughlin Ave	Muskegon	MI	49442
61-24-205-260-0006-00	298 McLaughlin Ave	Groenhout	Blake	664 Hendrick Rd	Muskegon	MI	49441
61-24-205-264-0011-00	301 McLaughlin Ave	Roosevelt	George	8848 Bradford St	Philadelphia	PA	19115
61-24-205-260-0007-00	304 McLaughlin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-264-0010-00	307 McLaughlin Ave	Skadeland	Jamie	2123 Lakeshore Dr	Muskegon	MI	49441
61-24-205-260-0008-00	312 McLaughlin Ave	Ortiz	Karina	2328 6th St	Muskegon	MI	49444
61-24-205-261-0004-10	346 McLaughlin Ave	Brooks Rental Properties VI LLC		12603 Van Wagoner	Grant	MI	49327
61-24-205-263-0012-00	351 McLaughlin Ave	Meeks	Ricky	441 Amity Ave	Muskegon	MI	49442
61-24-205-261-0005-00	354 McLaughlin Ave	Jaimes	Maria	1242 Spring St	Muskegon	MI	49442
61-24-205-263-0012-10	355 McLaughlin Ave	Adams	John	355 McLaughlin Ave	Muskegon	MI	49442
61-24-205-261-0006-00	360 McLaughlin Ave	Alsobrooks	Ross	1745 Madison	Muskegon	MI	49442
61-24-205-263-0011-00	363 McLaughlin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-261-0007-00	370 McLaughlin Ave	Eldenbrady	Joshua	1336 Spring St	Muskegon	MI	49442
61-24-205-262-0004-00	396 McLaughlin Ave	Laban	Sue	94 Serra Ct	Muskegon	MI	49442
61-24-205-094-0005-00	415 McLaughlin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-079-0008-00	422 McLaughlin Ave	Wishart	Charles	1210 Amity Ave	Muskegon	MI	49442
61-24-205-079-0009-00	428 McLaughlin Ave	Abdalla	Essam	54 Phillip Ave	Elmwood Park	NJ	07407
61-24-205-094-0004-00	429 McLaughlin Ave	Villarreal	Ofelia	429 McLaughlin Ave	Muskegon	MI	49442
61-24-205-094-0003-00	435 McLaughlin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-079-0010-00	438 McLaughlin Ave	Saucedo	Brenda	438 McLaughlin Ave	Muskegon	MI	49442
61-24-205-094-0002-00	449 McLaughlin Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-079-0011-00	456 McLaughlin Ave	Eldenbrady	Joshua	1336 Spring St	Muskegon	MI	49442
61-24-205-094-0001-00	457 McLaughlin Ave	Stille	Allen	1620 S Quarterline Rd	Muskegon	MI	49442
61-24-205-094-0001-00	461 McLaughlin Ave	Urbina	Doris	1109 E Larch Ave	Muskegon	MI	49442
61-24-205-184-9991-00	805 Murphy Street	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-184-0012-00	825 Murphy Street	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-200-0008-00	832 Murphy St	D Wilkinson Insurance Agency Inc		4265 Grand Haven Rd Suite 100	Muskegon	MI	49441
61-24-205-191-0001-00	185 E Muskegon Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443

61-24-205-192-0001-00	205 E Muskegon Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-193-0004-00	287 E Muskegon Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-193-0011-00	306 E Muskegon Ave	Westbrook Builders LLC		1818 S Citrus Grove	Mesa	AZ	85204
61-24-205-193-0001-00	307 E Muskegon Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-194-0001-00	325 E Muskegon Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-208-0012-00	148 Myrtle Ave	Green	Darlene	1250 McLaughlin	Muskegon	MI	49442
61-24-205-000-0001-00	175 Myrtle Ave	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-206-0011-00	186 Myrtle Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-205-0005-00	203 Myrtle Ave	Patino	Charles	450 West St	Muskegon	MI	49442
61-24-205-205-0004-00	213 Myrtle Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-209-0014-00	214 Myrtle Ave	Munsee	Michael	214 Myrtle Ave	Muskegon	MI	49442
61-24-205-205-0003-00	223 Myrtle Ave	Callaway	Travis	16225 E Benbow ST	Covina	CA	91722
61-24-205-200-0007-00	230 Myrtle Ave	County of Muskegon		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-200-0009-00	246 Myrtle Ave	Sweet	Neil	3307 Tyler Rd	Twin Lake	MI	49457
61-24-205-200-0010-00	256 Myrtle Ave	Roundtree	Tanya	256 Myrtle Ave	Muskegon	MI	49442
61-24-205-200-0011-00	260 Myrtle Ave	Chandler	Eugene	350 Houston Ave Apt 119	Muskegon	MI	49441
61-24-205-200-0011-10	266 Myrtle Ave	Ruelas	Raul	266 Myrtle Ave	Muskegon	MI	49442
61-24-205-201-0007-00	267 Myrtle Ave	Tea Properties LLC		16393 Taft Rd	Spring Lake	MI	49456
61-24-205-200-0012-10	272 Myrtle Ave	Sims	James	272 Myrtle Ave	Muskegon	MI	49442
61-24-205-201-0005-00	275 Myrtle Ave	Robinson	Kattie	275 Myrtle Ave	Muskegon	MI	49442
61-24-205-199-0007-10	278 Myrtle Ave	Watts	Monroe	794 Rathborne St	Muskegon	MI	49442
61-24-205-199-0008-00	286 Myrtle Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-201-0004-00	295 Myrtle Ave	Cornelisse	Charles	295 Myrtle Ave	Muskegon	MI	49442
61-24-205-201-0002-00	301 Myrtle Ave	Steward	William	39121 Prentiss St Apartment 205	Harrison Township	MI	48045
61-24-205-199-0009-00	304 Myrtle Ave	Long	Arlegia	304 Myrtle Ave	Muskegon	MI	49442
61-24-205-201-0001-00	313 Myrtle Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-199-0010-00	316 Myrtle Ave	Dwayne Lang Rental Properties LLC		856 Ada Ave	Muskegon	MI	49442
61-24-205-199-0011-00	320 Myrtle Ave	Snyder	Jill	7253 Manitoba Ct	Hudsonville	MI	49426
61-24-205-199-0011-10	324 Myrtle Ave	Knight	Marva	430 E Hackley Ave	Muskegon	MI	49444
61-24-205-199-0012-00	328 Myrtle Ave	Knight	Marva	430 E Hackley Ave	Muskegon	MI	49444
61-24-205-199-0012-30	332 Myrtle Ave	Wallace	Tracy	472 Marquette Ave	Muskegon	MI	49442
61-24-205-198-0002-00	385 Myrtle Ave	Fox	Annie	763 Wood St	Muskegon	MI	49442
61-24-205-097-0001-00	600 Nims St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-098-0001-00	656 Nims St	Simons Development LLC		8298 E Garfield Rd	Hesperia	MI	49421

61-24-129-400-9991-00	764 Nims St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-095-0001-00	1280 Nims St	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-202-0006-00	341 Oak Ave	Torres	Enrique	341 Oak Ave	Muskegon	MI	49442
61-24-205-198-0004-00	344 Oak Ave	Booker	Shirley	344 Oak Ave	Muskegon	MI	49442
61-24-205-202-0005-00	351 Oak Ave	Woodfork	Patrick	351 Oak Ave	Muskegon	MI	49442
61-24-205-198-0004-10	356 Oak Ave	Love	Viola	356 Oak Ave	Muskegon	MI	49442
61-24-205-202-0004-00	361 Oak Ave	Fox	Lisa	361 Oak Ave	Muskegon	MI	49442
61-24-205-198-0003-00	368 Oak Ave	L L Property Management		356 Oak Ave	Muskegon	MI	49442
61-24-205-202-0003-00	371 Oak Ave	Hough	Jeffery	1064 Wood St	Muskegon	MI	49442
61-24-205-198-0006-00	380 Oak Ave	Blohm	Autumn	1322 Peck St	Muskegon	MI	49441
61-24-205-202-0002-00	381 Oak Ave	Rodriguez	Antonio	630 Leonard Ave	Muskegon	MI	49442
61-24-205-205-0001-00	249 Orchard Ave	R&D Venture LLC		385 Moonraker Dr	Slidell	LA	70458
61-24-205-204-0007-00	271 Orchard Ave	Harris	Susie	271 Orchard Ave	Muskegon	MI	49442
61-24-205-204-0005-00	291 Orchard Ave	Frazier Alvernis Estate		1342 Kingsley	Muskegon	MI	49442
61-24-205-201-0008-00	292 Orchard Ave	Verkade	Bryant	12931 Apple Dr	Nunica	MI	49448
61-24-205-204-0004-00	297 Orchard Ave	Beck	Thomas	PO Box 132	Cedar Springs	MI	49319
61-24-205-204-0003-00	301 Orchard Ave	Beck	Thomas	PO Box 132	Cedar Springs	MI	49319
61-24-205-201-0009-00	302 Orchard Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-204-0002-00	307 Orchard Ave	Nielsen	Roger	420 Carmen Drive	Spring Lake	MI	49456
61-24-205-201-0010-00	308 Orchard Ave	Brown	Mary	308 Orhcard Ave	Muskegon	MI	49442
61-24-205-204-0001-00	313 Orchard Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-202-0008-00	348 Orchard Ave	Ruff	Arrie	PO Box 1686	Muskegon	MI	49443
61-24-205-202-0009-00	352 Orchard Ave	Burr	Steven	352 Orchard Ave	Muskegon	MI	49442
61-24-205-203-0003-00	361 Orchard Ave	Spears	David	PO Box 47	East Lansing	MI	48826
61-24-205-202-0010-00	368 Orchard Ave	Campbell	Evelyn	368 Orchard Ave	Muskegon	MI	49442
61-24-205-203-0002-00	371 Orchard Ave	Szot	Clementine	861 Wood St	Muskegon	MI	49442
61-24-205-202-0010-10	372 Orchard Ave	Cowling	Robert	372 Orchard Ave	Muskegon	MI	49442
61-24-205-203-0009-30	373 Orchard Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-202-0011-00	376 Orchard Ave	Masar	John	1450 N Peterson Rd	Muskegon	MI	49445
61-24-205-203-0001-00	379 Orchard Ave	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-202-0011-10	382 Orchard Ave	Solis	Celso Mendes	150 Patterson Rd	Muskegon	MI	49442
61-24-205-237-0001-00	1144 Pine St	Chapman	Rhonda	1144 Pine St	Muskegon	MI	49442
61-24-205-237-0002-00	1150 Pine St	Jackson	Josephine	1150 Pine St	Muskegon	MI	49442
61-24-205-237-0003-10	1162 Pine St	Pendelton	Galen	10330 S Calumet	Chicago	IL	61628

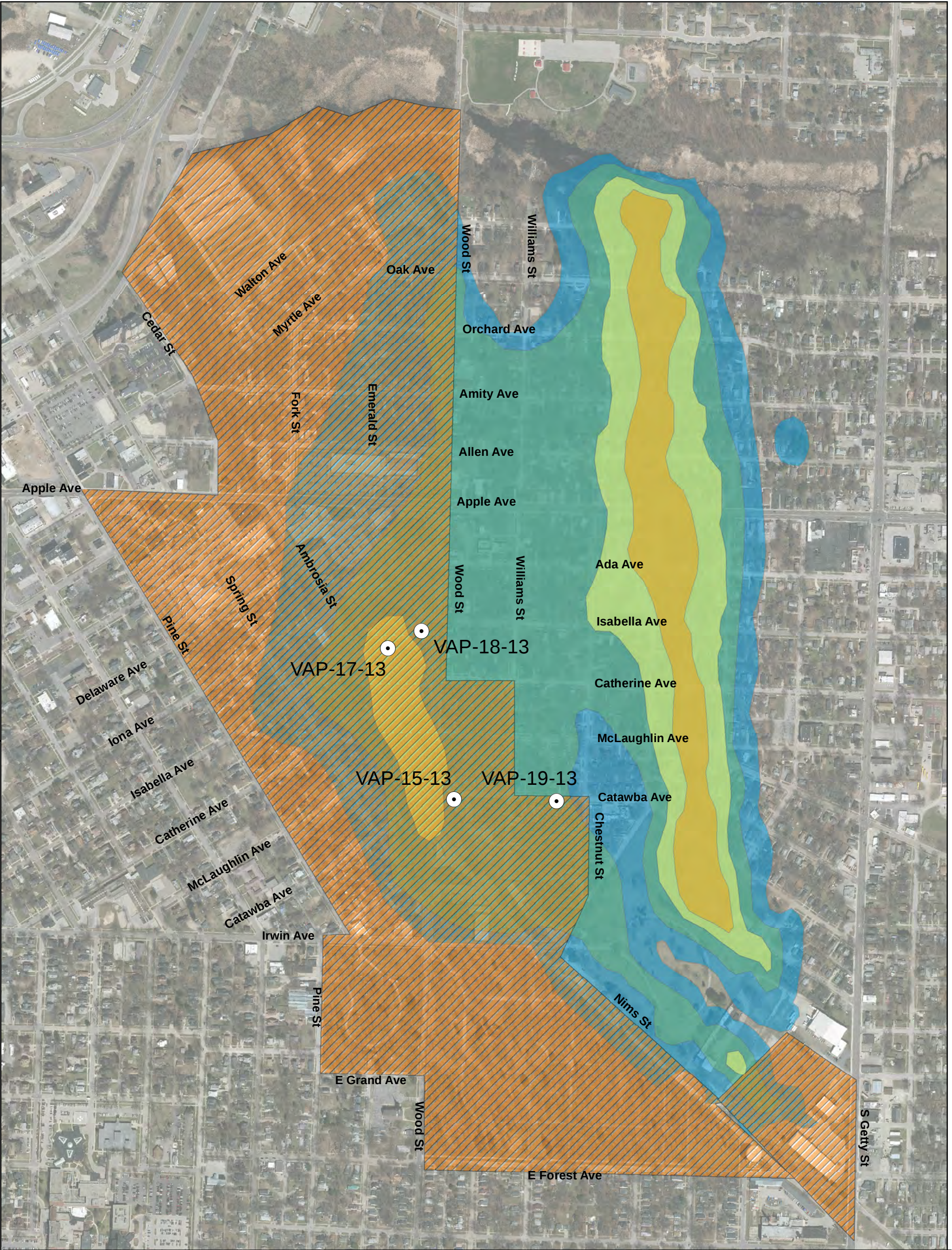
61-24-205-245-0001-00	1184 Pine St	JM Diamond LLC		13721 W 59th Ave	Arvada	CO	80004
61-24-205-245-0002-00	1192 Pine St	Bank of America		1661 Worthington Suite 100	West Palm Beach	FL	33409
61-24-205-245-0002-10	1194 Pine St	Starcorp LLC		119 Sims Ave Unit N	Panama City	FL	32404
61-24-205-245-0003-00	1200 Pine St	Dagen	Thomas	1200 Pine St	Muskegon	MI	49442
61-24-205-245-0004-00	1206 Pine St	Speech	Marzella	240 E Isabella Ave	Muskegon	MI	49442
61-24-205-251-0001-00	1226 Pine St	JM Diamond LLC		13721 W 59th Ave	Arvada	CO	80004
61-24-205-251-0002-00	1232 Pine St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-260-0001-30	1270 Pine St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-260-0002-00	1278 Pine St	Muckey	Robert	1273 Pine St	Muskegon	MI	49442
61-24-205-260-0003-00	1284 Pine St	Muckey	Robert	1273 Pine St	Muskegon	MI	49442
61-24-205-264-0002-00	1318 Pine St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-264-0003-00	1324 Pine St	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-264-0004-00	1334 Pine St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-268-0002-00	1350 Pine St	Day	Harriet	1350 Pine St	Muskegon	MI	49442
61-24-205-268-0003-00	1362 Pine St	Longmire	Johnnie	1362 Pine St	Muskegon	MI	49442
61-24-205-268-0004-00	1374 Pine St	Consolidated Properties Trust		201 Everglade Dr	Madison	WI	53717
61-24-205-270-0001-00	1396 Pine St	Muskegon Monument and Stone		1396 Pine St	Muskegon	MI	49442
61-24-205-199-0007-00	794 Rathborne St	Bell Properties		794 Rathborne St	Muskegon	MI	49442
61-24-205-200-0012-00	795 Rathborne St	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-234-0002-10	1030 Sophia Street	Newell	Leon	1030 Sophia Street	Muskegon	MI	49442
61-24-205-235-0010-00	1037 Sophia St	Goodwill Industries		271 E Apple Ave	Muskegon	MI	49442
61-24-205-234-0003-00	1038 Sophia Street	Ellis	Irene	1038 Sophia Street	Muskegon	MI	49442
61-24-205-234-0004-00	1048 Sophia Street	Gutierrez	Janet	1639 6th Street	Muskegon	MI	49442
61-24-205-248-0001-00	1070 Sophia Street	MSI Consulting Inc		654 North 800 E	Spanish Fork	Utah	84660
61-24-205-247-0009-00	1077 Sophia St	Armenta	Mario	1710 S Talbott St	Indianapolis	IN	46225
61-24-205-248-0002-00	1082 Sophia Street	Williams	Percy	2933 8th Street	Muskegon Heights	MI	49444
61-24-205-248-0002-10	1082 Sophia Street	Williams	Percy	2933 8th Street	Muskegon Heights	MI	49444
61-24-205-247-0008-00	1085 Sophia St	Black	Helen	1085 Sophia St	Muskegon	MI	49442
61-24-205-248-0003-00	1088 Sophia St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-247-0006-00	1089 Sophia St	May Property Management LLC		3947 Norton Hills Road	Muskegon	MI	49441
61-24-205-247-0007-10	1095 Sophia St	Gause	Clifton	1095 Sophia St	Muskegon	MI	49442
61-24-205-249-0010-10	1113 Sophia St	Community Investment LLC		35700 Kensington	Sterling Heights	MI	48312
61-24-205-249-0009-00	1119 Sophia St	Community Investment LLC		35700 Kensington	Sterling Heights	MI	48312
61-24-205-237-0010-00	1101 Spring St	Resurrection Properties LLC		722 W River St	Otsego	MI	49078

61-24-205-237-0009-00	1109 Spring St	Carpenter	Christopher	1109 Spring St	Muskegon	MI	49442
61-24-205-236-0002-00	1112 Spring St	Rottier	James	1584 S Dickinson	Fremont	MI	49412
61-24-205-236-0002-10	1116 Spring St	Littell	Mark	1116 Spring St	Muskegon	MI	49442
61-24-205-237-0008-00	1119 Spring St	Brown	Casonda	1119 Spring St	Muskegon	MI	49442
61-24-205-236-0003-00	1122 Spring St	Crenshaw	Georgia	1122 Spring St	Muskegon	MI	49442
61-24-205-237-0008-10	1123 Spring St	Thomas	Beatrice	1123 Spring St	Muskegon	MI	49442
61-24-205-237-0007-10	1129 Spring St	Riley	Samone	1123 Spring St	Muskegon	MI	49442
61-24-205-246-0001-00	1146 Spring St	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-246-0002-00	1152 Spring St	Rice	Elnora	1152 Spring St	Muskegon	MI	49442
61-24-205-245-0009-00	1153 Spring St	Rone	Jackie	225 Iona Ave	Muskegon	MI	49442
61-24-205-245-0009-10	1157 Spring St	Guillen	Reina	1157 Spring St	Muskegon	MI	49442
61-24-205-245-0008-00	1163 Spring St	Meeks	Clarence	1163 Spring St	Muskegon	MI	49442
61-24-205-245-0007-10	1171 Spring St	Long	Leon	240 Isabella Ave	Muskegon	MI	49442
61-24-205-251-0009-00	1187 Spring St	Pierce	Sherrie	1187 Spring St	Muskegon	MI	49442
61-24-205-250-0002-00	1188 Spring St	Cunningham	Stanley	1223 Morgan Ave	Muskegon	MI	49442
61-24-205-251-0008-00	1205 Spring St	Holt	N J	PO Box 972981	Ypsilanti	MI	48197
61-24-205-250-0003-00	1206 Spring St	Bank of America		7105 Corporate Dr #PTX-B-32	Plano	TX	75024
61-24-205-250-0004-00	1214 Spring St	Vega	Alma	PO Box 44013	Muskegon	MI	49444
61-24-205-251-0007-20	1215 Spring St	Gill	William	1215 Spring St	Muskegon	MI	49442
61-24-205-260-0013-00	1229 Spring St	Sompolinsky	Meguel	1229 Spring St	Muskegon	MI	49442
61-24-205-261-0001-00	1230 Spring St	Avala	Zachary	1230 Spring St	Muskegon	MI	49442
61-24-205-261-0002-00	1236 Spring St	Farrior	Maggie	226 E Hackley Ave	Muskegon	MI	49444
61-24-205-260-0012-00	1237 Spring St	Pringle	Robert	1237 Spring St	Muskegon	MI	49442
61-24-205-261-0002-10	1242 Spring St	Jaimes	Maria	1242 Spring St	Muskegon	MI	49442
61-24-205-260-0011-00	1245 Spring St	Sovory	Rosalyn	5995 Hudson Ave	San Bernardino	CA	92404
61-24-205-260-0010-00	1247 Spring St	Young	Gladys	1247 Spring St	Muskegon	MI	49442
61-24-205-261-0003-00	1248 Spring St	Gause	Henrietta	718 S Stephenson Hwy	Royal Oak	MI	48067
61-24-205-260-0009-00	1251 Spring St	Villada	Adolfo	1251 Spring St	Muskegon	MI	49442
61-24-205-261-0004-00	1254 Spring St	Zimmer	Mark	PO Box 575	Grant	MI	49327
61-24-205-263-0001-00	1272 Spring St	Eldenbrady	Joshua	1336 Spring St	Muskegon	MI	49442
61-24-205-264-0009-00	1281 Spring St	JM Diamond LLC		13721 W 59th Ave	Arvada	CO	80004
61-24-205-264-0008-00	1287 Spring St	Lutker	Monica	1287 Spring St	Muskegon	MI	49442
61-24-205-264-0007-10	1293 Spring St	Lutker	Monica	1287 Spring St	Muskegon	MI	49442
61-24-205-264-0007-20	1297 Spring St	Jones	Lucy	1297 Spring St	Muskegon	MI	49442

61-24-205-263-0004-00	1298 Spring St	Garcia	Juanquin	1298 Spring St	Muskegon	MI	49442
61-24-205-268-0010-10	1311 Spring St	Thomas	Betty	1311 Spring St	Muskegon	MI	49442
61-24-205-269-0001-00	1312 Spring St	Brown	Michael	1312 Spring Street	Muskegon	MI	49442
61-24-205-269-0002-00	1320 Spring St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-268-0009-00	1321 Spring St	Waller	Conradalita	1321 Spring St	Muskegon	MI	49442
61-24-205-268-0008-00	1327 Spring St	Sander	Lakisha	1327 Spring St	Muskegon	MI	49442
61-24-205-269-0003-00	1328 Spring St	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-269-0003-10	1330 Spring St	Cummings	Dwight	1330 Spring Street	Muskegon	MI	49442
61-24-205-268-0007-10	1333 Spring St	Adams	Miyako	18 Willow Wood Dr	Muskegon	MI	49442
61-24-205-269-0004-10	1336 Spring St	Eldenbrady	Joshua	1336 Spring Street	Muskegon	MI	49442
61-24-205-268-0007-20	1337 Spring St	Harris	Eleanor	2517 Wood St	Muskegon	MI	49444
61-24-205-269-0005-00	1346 Spring St	Cummings Estate	Gwendolyn	1346 Spring Street	Muskegon	MI	49442
61-24-205-269-0005-10	1352 Spring St	Kaznecki	Jan	963 Clark Lane	Des Plaines	Illinois	60016
61-24-205-270-0006-00	1355 Spring St	Ford	Roy	PO Box 1802	Muskegon	MI	49443
61-24-205-191-0008-00	155 E Walton Ave	Marchido	Gary	779 Yuba St	Muskegon	MI	49442
61-24-205-206-0004-00	165 E Walton Ave	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-206-0003-00	171 E Walton Ave	Muskegon County Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-206-0002-00	175 E Walton Ave	Bell	Mildred	175 E Walton Ave	Muskegon	MI	49442
61-24-205-206-0002-10	179 E Walton Ave	Bell	Mildred	175 E Walton Ave	Muskegon	MI	49442
61-24-205-200-0005-00	207 E Walton Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-191-0009-00	209 E Walton Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-200-0005-10	215 E Walton Ave	Wright	Lenore	1369 Calvin	Muskegon	MI	49442
61-24-205-200-0006-00	221 E Walton Ave	Robertson	Daphne	221 E Walton Ave	Muskegon	MI	49442
61-24-205-200-0006-40	237 E Walton Ave	McCrary	Camp	237 E Walton Ave	Muskegon	MI	49442
61-24-205-200-0006-30	247 E Walton Ave	Harris	Doris	1456 Oak Ave	Muskegon	MI	49442
61-24-205-200-0006-20	253 E Walton Ave	Spann	Edward	253 E Walton Ave	Muskegon	MI	49442
61-24-205-200-0006-10	259 E Walton Ave	Marshall	Tyrone	259 E Walton Ave	Muskegon	MI	49442
61-24-205-199-0006-00	265 E Walton Ave	Tanner	Johnnie	265 E Walton Ave	Muskegon	MI	49442
61-24-205-199-0005-00	271 E Walton Ave	LWN Investments LLC		695 E Summit Ave	Muskegon Heights	MI	49444
61-24-205-199-0004-00	277 E Walton Ave	Nelson	Lorraine	133 Berkwick Dr	West Chester	PA	19382
61-24-205-199-0003-00	283 E Walton Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-199-0002-00	291 E Walton Ave	Watts	Aminie	291 E Walton Ave	Muskegon	MI	49442
61-24-205-194-0005-00	316 E Walton Ave	Meyers	Jason	PO Box 52	Fruitport	MI	49415
61-24-205-194-0006-00	324 E Walton Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443

61-24-205-194-0007-00	332 E Walton Ave	Singleton	James	3925 E Apple	Muskegon	MI	49442
61-24-205-194-0007-10	336 E Walton Ave	FWC Muskegon LLC		1478 East Ellis Road	Muskegon	MI	49444
61-24-205-194-0009-00	346 E Walton Ave	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-771-000-0024-10	1282 Williams St	Erickson	Ruthanne	1282 Williams Street	Muskegon	MI	49442
61-24-771-000-0030-00	1294 Williams St	City of Muskegon		933 Terrace St	Muskegon	MI	49442
61-24-771-000-0032-00	1302 Williams St	Jewett	Neva	1302 Williams Street	Muskegon	MI	49442
61-24-771-000-0033-00	1308 Williams St	Chapman	Edgar	PO Box 1121	Muskegon	MI	49443
61-24-771-000-0064-00	1311 Williams St	Parkland Muskegon Inc		75 West Walton Avenue Suite A	Muskegon	MI	49440
61-24-205-196-0001-00	703 Wood St	Smith	Julia	703 Wood St	Muskegon	MI	49442
61-24-205-198-0001-00	763 Wood St	Fox	Annie	763 Wood St	Muskegon	MI	49442
61-24-205-198-0008-00	771 Wood Street	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-198-0007-00	773 Wood St	Meyers	Jason	PO Box 52	Fruitport	MI	49415
61-24-205-202-0001-00	807 Wood St	Shah	Sheliah	807 Wood St	Muskegon	MI	49442
61-24-205-203-0014-00	861 Wood St	Szot	Clementine	861 Wood St	Muskegon	MI	49442
61-24-205-203-0001-10	0 Wood St	Szot	Clementine	861 Wood St	Muskegon	MI	49442
61-24-205-203-0013-00	865 Wood St	Larson	Mary	340 Amity Ave	Muskegon	MI	49442
61-24-205-203-0013-10	871 Wood St	Exit Strategy December 12 LLC		24100 Southfield Rd Suite 101	Southfield	MI	48075
61-24-205-211-0012-00	925 Wood Street	Prior	Phillip H	4271 Orchard Rd	Norton Shores	MI	49444
61-24-205-211-0012-10	939 Wood Street	Trust Critchett	Pamela J	3050 McDermott St	Muskegon	MI	49444
61-24-205-234-0007-00	1029 Wood Street	Critchett	Jerry	3050 McDermott Street	Muskegon	MI	49444
61-24-205-248-0002-20	1061 Wood St	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-248-0001-30	1047 Wood Street	In Seven LLC		16 Berryhill Road Suite 200	Columbia	SC	29210
61-24-205-249-0007-00	1149 Wood St	Community Investment LLC		35700 Kensington	Sterling Heights	MI	48312
61-24-205-079-0006-00	1174 Wood St	Aubrey	Karen	15928 Hunsaker Ave Unit 8	Paramount	CA	90723
61-24-205-262-0005-10	1175 Wood Street	County of Muskegon Treasurer		173 East Apple Avenue Suite 104	Muskegon	MI	49442
61-24-205-262-0005-20	1185 Wood St	Jacobs	Brandon	1185 Wood St	Muskegon	MI	49442
61-24-205-262-0003-10	1191 Wood St	Mendez	Emelia Vargas	1191 Wood St	Muskegon	MI	49442
61-24-205-079-0007-00	1192 Wood St	Eldenbrady	Joshua	1336 Spring St	Muskegon	MI	49442
61-24-205-079-0007-20	1202 Wood St	Hood	Erica	1410 Creston St	Muskegon	MI	49442
61-24-205-094-0007-00	1244 Wood St	Williams	Donald	140 Ruddiman Dr	Muskegon	MI	49445
61-24-129-100-9991-00	1255 Wood Street	State of Michigan		PO Box 30722	Lansing	MI	48909
61-24-205-269-0007-10	1289 Wood Street	Trombley	Shawn	1289 Wood Street	Muskegon	MI	49442
61-24-205-095-0001-50	1290 Wood St	Hope Lighthouse Church		2731 Peck St	Muskegon	MI	49444
61-24-205-269-0006-00	1299 Wood Street	Perez	Ermila	379 Catawba Avenue	Muskegon	MI	49442

61-24-205-264-0007-10	1293 Spring St	Lutker	Monica	1287 Spring St	Muskegon	MI	49442
61-24-205-096-0001-00	1338 Wood St	Prelude Holdings LLC		1720 Brandel Dr	Muskegon	MI	49445
61-24-205-167-0001-00	650 Yuba Street	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-183-0001-00	731 Yuba Street	City of Muskegon		933 Terrace St	Muskegon	MI	49443
61-24-205-191-0004-00	779 Yuba St	Marchido	Gary	779 Yuba St	Muskegon	MI	49442
61-24-205-184-0001-00	783 Yuba St	Marchido	Gary	779 Yuba St	Muskegon	MI	49442



Ambrosia Restricted Zone 5 ug/L 100 ug/L 1000 ug/L	00.1250.250.5 Miles		
	Title: Groundwater Contamination Plume		Initial - Date: RJ - 1/25/17
	Project: Ambrosia St Groundwater Contamination Muskegon, Michigan		N

Background

The Ambrosia St. Area Groundwater Contamination was discovered by sampling conducted by the environmental consultant Arcadis of Michigan, LLC for the Burgess-Norton (660 Nims St.) site in 2013. During that work Arcadis not only defined the extent of the contamination plume coming from the Burgess-Norton site, but also identified 3 other plumes of chlorinated contamination. Various borings were conducted in the road right-of-ways of Delaware, Isabella, Catawba, and Bauer Avenues, all south of Apple Avenue. Sampling was also conducted by Arcadis north of Apple Avenue in the road right-of-ways of Allen, Oak, and Walton Avenues. This work helped define the extent of the contamination we call the Ambrosia St. Groundwater Contamination site which consists of 2 co-mingled plumes of contamination. Additional discussion of the work conducted and all plumes found during the Burgess-Norton investigation can be found in the *Burgess-Norton Mfg. Co., Inc. Remedial Investigation Report* dated October 1, 2015 and revised April 22, 2016 prepared by Arcadis, which is located at the Hackley Library, the Department of Environmental Quality (DEQ) Grand Rapids District Office, and online at www.nimsreport.com.

The Ambrosia St. Area Groundwater Contamination includes 2 co-mingled plumes of chlorinated contamination, one of which appears to start near the former Westshore Pavilion property at 716 Nims Street east of the Burgess-Norton site. The other plume, which consists of similar contaminants, has an unknown origin. In the fall of 2015, DEQ conducted investigation activities along Irwin and Bauer Avenues near Wood Street to pinpoint a source. Chlorinated contaminants were detected in the groundwater at depth and upgradient of this area, however we were unable to identify a specific source. Upgradient of this area are two cemeteries – Evergreen and Oakwood which have been in existence for well over 100 years.

The chemicals of concern found in the Ambrosia St. Groundwater Contamination plume are trichloroethylene (TCE), tetrachloroethylene (PCE), cis-1,2-dichloroethene (cisDCE), 1,1-dichloroethylene (1,1DCE), and vinyl chloride (VC). Also a compound associated with gasoline was found in the groundwater and it is methyl-tert-butyl-ether (MTBE). All these compounds were found at concentrations greater than the residential drinking water criteria. The highest concentration was 1100 ug/L for TCE found at 60 feet below ground level (bgl) at VAP-17-13. (See the attached map for location.) The groundwater at this location also had 2.4 ug/L of TCE at 35 feet bgl. The residential drinking water criteria for TCE is 5 ug/L. Groundwater was found to start at approximately 16 feet bgl in this location. This means there is approximately 20 feet of clean groundwater above the plume. Groundwater in the area south of Apple Avenue appears to begin about 15 feet bgl on average. The shallowest groundwater was in a boring at Walton Avenue and Murphy Street where it was about 10 feet bgl and no contamination was detected in the groundwater at this location. Groundwater wasn't detected until about 30 feet bgl at Walton Avenue and Marsh Street.

The majority of the groundwater contamination was found between Catawba and Iona Avenues, just west of Wood Street and along Ambrosia Street. This area is identified on the map in yellow. The other plume of contamination from the orphan Westshore Pavilion site has the highest PCE (67 ug/L)

concentration at VAP-19-13 at 84-87 feet bgl. The highest TCE concentration in this former Westshore Pavilion plume is under the Burgess-Norton site at 1430 ug/L of TCE found at 78-80 feet bgl.

Groundwater in the Ambrosia Street area generally flows from south to the north towards Ryerson Creek. Near Restlawn Cemetery and McCrea Playfield groundwater flows northwesterly. Low levels of contaminants were found at 52 feet bgl at the Walton Avenue and Marsh Street sample location nearest the creek. The TCE concentration detected at this location was well below the criteria that is protective of surface water (Ryerson Creek).

The main risk to this contamination would be from drinking the groundwater. Reliance on the municipal supply system and elimination of all wells in the area will provide the necessary level of protection to prevent health exposures. Since the contamination is found at depth within the aquifer, the risks associated with potential vapor intrusion are very low. Restricting wells within the area will provide an additional layer of protection to prevent exposure to the groundwater.

Address	Name	Well on Prop	Status
280 Allen Ave	Melanie Marshall	irrigation	not functional
360 Allen Ave	Deborah Fernanders	irrigation	not functional
380 Allen Ave	314 S Catherine LLC	irrigation	unknown
175 E. Apple Ave	County Register of Deeds Bldg	irrigation?	not functional
271 E. Apple Ave	Guy Bailey (Goodwill)	irrigation	operational
341 E. Apple Ave	Eric Anderson (Apparel Masters)	production	operational
380 Catawba	Joe Bass	irrigation	operational
493 Catawba	Theopolis & Vestoria Jackson	irrigation?	unknown
219 Iona Ave	C Bots 4 LLC	irrigation	unknown
444 Irwin Ave	Candy Crane (Graphics House)	irrigation	operational
240 E. Isabella Ave	Marzella Speech	irrigation	operational
295 E. Isabella Ave	Geraldnye Potts	irrigation ?	unknown
303 E. Isabella Ave	Guadalupe Vargas	irrigation ?	unknown
297 Orchard Ave	Thomas & Robert Beck - vacant lot	irrigation ?	not functional
1038 Sophia	Irene Ellis	irrigation	operational
1123 Spring St.	Samone Riley	irrigation ?	unknown
1336 Spring St.	Joshua Eldenbrady	household ?	unknown
865 Wood St.	Mary Larson (lives @ 340 Amity)	irrigation?	not functional

Proper abandonment will be arranged for the operational wells within 90 days of adoption of the groundwater ordinance amendment. Wells that are found to be not functional will be properly abandoned within 150 days of adoption of the groundwater ordinance amendment.

Date: April 11, 2017
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Consideration of Bids for:
Resurfacing of Glenside from Sherman to Glen

SUMMARY OF REQUEST:

To Award the milling and resurfacing of Glenside Blvd. to McCormick Sand, Inc. since they were the lowest responsible bidder with a total bid price of \$238,027.25 (see attached bid tabulation).

FINANCIAL IMPACT:

The construction cost of \$238,027.25 plus engineering cost of an additional 15%

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

Award the contract to McCormick Sand

COMMITTEE RECOMMENDATION:

H-1708 GLENSIDE BLVD., SHERMAN BLVD. TO GLEN AVE.

	A	B	C	D	E	F
1	LINE	DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	TOTAL
2	1	Mobilization, Max - \$18,800 MAX	LUMP SUM	1		
3	2	Dr Structure, Rem, Modified	Ea	2		
4	3	Curb and Gutter, Rem	Ft	479		
5	4	Sidewalk, Rem	Syd	298.5		
6	5	Pavt, Rem, Modified	Syd	143		
7	6	Erosion Control, Inlet Protection, Fabric Drop	Ea	25		
8	7	Project Cleanup	LSUM	1		
9	8	Maintenance Gravel, LM	Cyd	50		
10	9	Dr Structure, Adj, Add Depth, Modified	Ft	4.75		
11	10	Dr Structure Cover, Modified	Lb	5940		
12	11	Dr Structure Cover, Adj, Case 1, Modified	Ea	17		
13	12	Cold Milling HMA Surface	Syd	6784		
14	13	Hand Patching	Ton	28.3		
15	14	HMA, 5E3	Ton	1194		
16	15	Driveway, Nonreinf Conc, 6 inch, Modified	Syd	3		
17	16	Curb and Gutter, Conc, Det F4, Modified	Ft	479		
18	17	Detectable Warning Surface	Ft	135		
19	18	Sidewalk Ramp, Conc, 4 inch	Sft	905		
20	19	Sidewalk, Conc, 4 inch	Sft	1898		
21	20	Sidewalk, Conc, 6 inch	Sft	17		
22	21	Pavt Mrkg, Ovly Cold Plastic, 6 inch, Crosswalk	Ft	651		
23	22	Pavt Mrkg, Ovly Cold Plastic, 18 inch, Stop Bar	Ft	135		
24	23	Pavt Mrkg, Ovly Cold Plastic, Lt Turn Arrow Sym	Ea	11		
25	24	Pavt Mrkg, Ovly Cold Plastic, Only	Ea	1		
26	25	Pavt Mrkg, Waterborne, 4 inch, White	Ft	100		
27	26	Pavt Mrkg, Waterborne, 4 inch, Yellow	Ft	2235		
28	27	Barricade, Type III, High Intensity, Lighted, Furn	Ea	27		
29	28	Barricade, Type III, High Intensity, Lighted, Oper	Ea	27		
30	29	Minor Traf Devices	LSUM	1		
31	30	Plastic Drum, High Intensity, Furn	Ea	150		
32	31	Plastic Drum, High Intensity, Oper	Ea	150		
33	32	Sign, Type B, Temp, Prismatic, Furn	Sft	945		
34	33	Sign, Type B, Temp, Prismatic, Oper	Sft	945		

H-1708 GLENSIDE BLVD., SHERMAN BLVD. TO GLEN AVE.

	A	B	C	D	E	F
35	34	Sign, Type B, Temp, Prismatic, Special, Furn	Sft	50		
36	35	Sign, Type B, Temp, Prismatic, Special, Oper	Sft	50		
37	36	Topsoil Surface, Furn, 4 inch	Syd	221		
38	37	Hydroseeding	Syd	221		
39	38	Water Valve Box and Cover, Complete	Ea	6		
40	39	Sanitary Sewer, PVC SDR 35, 10 inch, Tr Det B	Ft	61		
41	40	Manhole Special Detail, Sanitary	Ea	1		
42				TOTAL		
43						
44		CONTRACTORS NAME				
45						
46		CONTRACTORS SIGNATURE DATE				

H-1708 GLENSIDE BLVD., SHERMAN BLVD. TO GLEN AVE.

LINE	DESCRIPTION	UNITS	QUANTITY	UNIT PRICE	TOTAL
1	Mobilization, Max - \$18,800 MAX	LUMP SUM	1	\$ 18,800.00	\$ 18,800.00
2	Dr Structure, Rem, Modified	Ea	2	\$ 350.00	\$ 700.00
3	Curb and Gutter, Rem	Ft	479	\$ 10.00	\$ 4,790.00
4	Sidewalk, Rem	Syd	298.5	\$ 5.50	\$ 1,641.75
5	Pavt, Rem, Modified	Syd	143	\$ 4.00	\$ 572.00
6	Erosion Control, Inlet Protection, Fabric Drop	Ea	25	\$ 75.00	\$ 1,875.00
7	Project Cleanup	LSUM	1	\$ 3,000.00	\$ 3,000.00
8	Maintenance Gravel, LM	Cyd	50	\$ 20.00	\$ 1,000.00
9	Dr Structure, Adj, Add Depth, Modified	Ft	4.75	\$ 350.00	\$ 1,662.50
10	Dr Structure Cover, Modified	Lb	5940	\$ 1.50	\$ 8,910.00
11	Dr Structure Cover, Adj, Case 1, Modified	Ea	17	\$ 500.00	\$ 8,500.00
12	Cold Milling HMA Surface	Syd	6784	\$ 2.00	\$ 13,568.00
13	Hand Patching	Ton	28.3	\$ 150.00	\$ 4,245.00
14	HMA, 5E3	Ton	1194	\$ 75.00	\$ 89,550.00
15	Driveway, Nonreinf Conc, 6 inch, Modified	Syd	3	\$ 40.00	\$ 120.00
16	Curb and Gutter, Conc, Det F4, Modified	Ft	479	\$ 15.00	\$ 7,185.00
17	Detectable Warning Surface	Ft	135	\$ 40.00	\$ 5,400.00
18	Sidewalk Ramp, Conc, 4 inch	Sft	905	\$ 5.00	\$ 4,525.00
19	Sidewalk, Conc, 4 inch	Sft	1898	\$ 3.00	\$ 5,694.00
20	Sidewalk, Conc, 6 inch	Sft	17	\$ 4.00	\$ 68.00
21	Pavt Mrkg, Ovly Cold Plastic, 6 inch, Crosswalk	Ft	651	\$ 3.00	\$ 1,953.00
22	Pavt Mrkg, Ovly Cold Plastic, 18 inch, Stop Bar	Ft	135	\$ 6.00	\$ 810.00
23	Pavt Mrkg, Ovly Cold Plastic, Lt Turn Arrow Sym	Ea	11	\$ 125.00	\$ 1,375.00
24	Pavt Mrkg, Ovly Cold Plastic, Only	Ea	1	\$ 150.00	\$ 150.00
25	Pavt Mrkg, Waterborne, 4 inch, White	Ft	100	\$ 0.50	\$ 50.00
26	Pavt Mrkg, Waterborne, 4 inch, Yellow	Ft	2235	\$ 0.50	\$ 1,117.50
27	Barricade, Type III, High Intensity, Lighted, Furn	Ea	27	\$ 75.00	\$ 2,025.00
28	Barricade, Type III, High Intensity, Lighted, Oper	Ea	27	\$ 1.00	\$ 27.00
29	Minor Traf Devices	LSUM	1	\$ 2,500.00	\$ 2,500.00
30	Plastic Drum, High Intensity, Furn	Ea	150	\$ 17.00	\$ 2,550.00
31	Plastic Drum, High Intensity, Oper	Ea	150	\$ 1.00	\$ 150.00
32	Sign, Type B, Temp, Prismatic, Furn	Sft	945	\$ 4.00	\$ 3,780.00
33	Sign, Type B, Temp, Prismatic, Oper	Sft	945	\$ 1.00	\$ 945.00
34	Sign, Type B, Temp, Prismatic, Special, Furn	Sft	50	\$ 6.00	\$ 300.00

H-1708 GLENSIDE BLVD., SHERMAN BLVD. TO GLEN AVE.

35	Sign, Type B, Temp, Prismatic, Special, Oper	Sft	50	\$ 1.00	\$ 50.00
36	Topsoil Surface, Furn, 4 inch	Syd	221	\$ 3.00	\$ 663.00
37	Hydroseeding	Syd	221	\$ 1.00	\$ 221.00
38	Water Valve Box and Cover, Complete	Ea	6	\$ 350.00	\$ 2,100.00
39	Sanitary Sewer, PVC SDR 35, 10 inch, Tr Det B	Ft	61	\$ 60.00	\$ 3,660.00
40	Manhole Special Detail, Sanitary	Ea	1	\$ 1,500.00	\$ 1,500.00
			TOTAL		207,732.75

BID TABULATION FOR THE MILLING RESURFACING OF GLENSIDE

H-1708

BIDS RECEIVED ON 4/4/2017

LINE	DESCRIPTION	UNIT	QUANTITY	CONTRACTOR ADDRESS CITY/ST/ZIP	ENGINEER'S ESTIMATE		JACKSON-MERKEY CONTRACTORS, INC. MUSKEGON, MI		MCCORMICK SAND INC. TWIN LAKE, MI	
					UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Mobilization, Max - \$18,800 MAX	LUMP SUM	1		\$ 18,800.00	\$ 18,800.00	\$ 13,000.00	\$ 13,000.00	\$ 18,800.00	\$ 18,800.00
2	Dr Structure, Rem, Modified	Ea	2		\$ 350.00	\$ 700.00	\$ 540.00	\$ 1,080.00	\$ 850.00	\$ 1,700.00
3	Curb and Gutter, Rem	Ft	479		\$ 10.00	\$ 4,790.00	\$ 13.00	\$ 6,227.00	\$ 9.00	\$ 4,311.00
4	Sidewalk, Rem	Syd	298.5		\$ 5.50	\$ 1,641.75	\$ 16.50	\$ 4,925.25	\$ 9.00	\$ 2,686.50
5	Pavt, Rem, Modified	Syd	143		\$ 4.00	\$ 572.00	\$ 10.00	\$ 1,430.00	\$ 9.00	\$ 1,287.00
6	Erosion Control, Inlet Protection, Fabric Drop	Ea	25		\$ 75.00	\$ 1,875.00	\$ 150.00	\$ 3,750.00	\$ 75.00	\$ 1,875.00
7	Project Cleanup	LSUM	1		\$ 3,000.00	\$ 3,000.00	\$ 1,860.00	\$ 1,860.00	\$ 100.00	\$ 100.00
8	Maintenance Gravel, LM	Cyd	50		\$ 20.00	\$ 1,000.00	\$ 5.00	\$ 250.00	\$ 18.00	\$ 900.00
9	Dr Structure, Adj, Add Depth, Modified	Ft	4.75		\$ 350.00	\$ 1,662.50	\$ 495.00	\$ 2,351.25	\$ 400.00	\$ 1,900.00
10	Dr Structure Cover, Modified	Lb	5940		\$ 1.50	\$ 8,910.00	\$ 1.30	\$ 7,722.00	\$ 1.10	\$ 6,534.00
11	Dr Structure Cover, Adj, Case 1, Modified	Ea	17		\$ 500.00	\$ 8,500.00	\$ 620.00	\$ 10,540.00	\$ 1,200.00	\$ 20,400.00
12	Cold Milling HMA Surface	Syd	6784		\$ 2.00	\$ 13,568.00	\$ 2.40	\$ 16,281.60	\$ 1.75	\$ 11,872.00
13	Hand Patching	Ton	28.3		\$ 150.00	\$ 4,245.00	\$ 230.00	\$ 6,509.00	\$ 150.00	\$ 4,245.00
14	HMA, SE3	Ton	1194		\$ 75.00	\$ 89,550.00	\$ 84.50	\$ 100,893.00	\$ 75.85	\$ 90,564.90
15	Driveway, Nonreinf Conc, 6 inch, Modified	Syd	3		\$ 40.00	\$ 120.00	\$ 40.00	\$ 120.00	\$ 50.00	\$ 150.00
16	Curb and Gutter, Conc, Det F4, Modified	Ft	479		\$ 15.00	\$ 7,185.00	\$ 20.00	\$ 9,580.00	\$ 18.00	\$ 8,622.00
17	Detectable Warning Surface	Ft	135		\$ 40.00	\$ 5,400.00	\$ 36.00	\$ 4,860.00	\$ 50.00	\$ 6,750.00
18	Sidewalk Ramp, Conc, 4 inch	Sft	905		\$ 5.00	\$ 4,525.00	\$ 4.50	\$ 4,072.50	\$ 4.50	\$ 4,072.50
19	Sidewalk, Conc, 4 inch	Sft	1898		\$ 3.00	\$ 5,694.00	\$ 3.90	\$ 7,402.20	\$ 4.00	\$ 7,592.00
20	Sidewalk, Conc, 6 inch	Sft	17		\$ 4.00	\$ 68.00	\$ 4.50	\$ 76.50	\$ 7.00	\$ 119.00
21	Pavt Mrkg, Only Cold Plastic, 6 inch, Crosswalk	Ft	651		\$ 3.00	\$ 1,953.00	\$ 2.80	\$ 1,822.80	\$ 2.25	\$ 1,464.75
22	Pavt Mrkg, Only Cold Plastic, 18 inch, Stop Bar	Ft	135		\$ 6.00	\$ 810.00	\$ 8.10	\$ 1,093.50	\$ 5.50	\$ 742.50
23	Pavt Mrkg, Only Cold Plastic, Lt Turn Arrow Sym	Ea	11		\$ 125.00	\$ 1,375.00	\$ 155.00	\$ 1,705.00	\$ 110.00	\$ 1,210.00
24	Pavt Mrkg, Only Cold Plastic, Only	Ea	1		\$ 150.00	\$ 150.00	\$ 155.00	\$ 155.00	\$ 110.00	\$ 110.00
25	Pavt Mrkg, Waterborne, 4 inch, White	Ft	100		\$ 0.50	\$ 50.00	\$ 0.50	\$ 50.00	\$ 0.50	\$ 50.00
26	Pavt Mrkg, Waterborne, 4 inch, Yellow	Ft	2235		\$ 0.50	\$ 1,117.50	\$ 0.50	\$ 1,117.50	\$ 0.50	\$ 1,117.50
27	Barricade, Type III, High Intensity, Lighted, Furn	Ea	27		\$ 75.00	\$ 2,025.00	\$ 44.50	\$ 1,201.50	\$ 40.00	\$ 1,080.00
28	Barricade, Type III, High Intensity, Lighted, Oper	Ea	27		\$ 1.00	\$ 27.00	\$ 1.10	\$ 29.70	\$ 0.05	\$ 1.35
29	Minor Traf Devices	LSUM	1		\$ 2,500.00	\$ 2,500.00	\$ 4,410.00	\$ 4,410.00	\$ 13,500.00	\$ 13,500.00
30	Plastic Drum, High Intensity, Furn	Ea	150		\$ 17.00	\$ 2,550.00	\$ 11.50	\$ 1,725.00	\$ 12.00	\$ 1,800.00
31	Plastic Drum, High Intensity, Oper	Ea	150		\$ 1.00	\$ 150.00	\$ 1.10	\$ 165.00	\$ 0.05	\$ 7.50
32	Sign, Type B, Temp, Prismatic, Furn	Sft	945		\$ 4.00	\$ 3,780.00	\$ 3.40	\$ 3,213.00	\$ 3.00	\$ 2,835.00
33	Sign, Type B, Temp, Prismatic, Oper	Sft	945		\$ 1.00	\$ 945.00	\$ 0.01	\$ 9.45	\$ 0.05	\$ 47.25
34	Sign, Type B, Temp, Prismatic, Special, Furn	Sft	50		\$ 6.00	\$ 300.00	\$ 5.00	\$ 250.00	\$ 3.00	\$ 150.00
35	Sign, Type B, Temp, Prismatic, Special, Oper	Sft	50		\$ 1.00	\$ 50.00	\$ 0.01	\$ 0.50	\$ 0.05	\$ 2.50
36	Topsoil Surface, Furn, 4 inch	Syd	221		\$ 3.00	\$ 663.00	\$ 14.50	\$ 3,204.50	\$ 10.00	\$ 2,210.00
37	Hydroseeding	Syd	221		\$ 1.00	\$ 221.00	\$ 1.70	\$ 375.70	\$ 2.00	\$ 442.00
38	Water Valve Box and Cover, Complete	Ea	6		\$ 350.00	\$ 2,100.00	\$ 585.00	\$ 3,510.00	\$ 1,200.00	\$ 7,200.00
39	Sanitary Sewer, PVC SDR 35, 10 inch, Tr Det B	Ft	61		\$ 60.00	\$ 3,660.00	\$ 120.00	\$ 7,320.00	\$ 75.00	\$ 4,575.00
40	Manhole Special Detail, Sanitary	Ea	1		\$ 1,500.00	\$ 1,500.00	\$ 4,580.00	\$ 4,580.00	\$ 5,000.00	\$ 5,000.00
ENGINEERS ESTIMATE						\$ 207,732.75		\$ 238,868.45		\$ 238,026.25
TOTAL										

APPARENT LOW BIDDER= McCormick Sand Inc.

Commission Meeting Date: April 11, 2017

Date: April 3, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Public Hearing - Request to Establish an Obsolete Property District – 1121 3rd St

SUMMARY OF REQUEST:

Pursuant to Public Act 146 of the Michigan Public Acts of 2000, Square Two Development, LLC, has requested the establishment of an Obsolete Property District for their property at 1121 3rd St. The establishment of the Obsolete Property District would allow them to apply for an Obsolete Property Rehabilitation Exemption Certificate.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the Obsolete Property District

COMMITTEE RECOMMENDATION:

None.

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

RESOLUTION NO. _____

A resolution establishing an Obsolete Property Rehabilitation District.

The City Commission of the City of Muskegon hereby RESOLVES:

Recitals

- A. The City of Muskegon has been designated as a qualified local government unit for the purpose of establishing Obsolete Property Rehabilitation Districts and approving Applications for Obsolete Property Rehabilitation Exemption Certificates.
- B. The area located in the land described in this resolution is known to the City Commission and is clearly characterized by the presence of obsolete commercial property, and the land and improvements are obsolete commercial property.
- C. Notice has been given by certified mail to the owners of all real property within the proposed Obsolete Property Rehabilitation District and a hearing has been held offering an opportunity to all owners and any other resident or taxpayer of the City to appear and be heard. Said notice was given at least ten (10) days before the hearing.

NOW, THEREFORE, THE CITY COMMISSION RESOLVES:

- 1. That the property described in this resolution and proposed as an Obsolete Property Rehabilitation District is characterized by obsolete commercial property.
- 2. That the obsolete commercial property, the subject of this resolution, as is described in Attachment A.
- 3. That the City Commission hereby establishes an Obsolete Property Rehabilitation District on the lands and parcels set forth in the attached description.

This resolution passed.

Ayes _____

Nays _____

CITY OF MUSKEGON

BY: _____
Stephen J. Gawron
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATION

This resolution was adopted at a meeting of the City Commission, held on April 11, 2017. 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 _____
Ann Meisch, City Clerk

ATTACHMENT A: PROPERTY DESCRIPTION

PROPERTY EXEMPT FROM AD VALOREM TAXES AND ASSESSED PURSUANT TO PA 261 OF 2003 EXPIRING 12/30/2014. CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 16 BLK 367

Commission Meeting Date: April 11, 2017

Date: April 3, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Public Hearing - Request to issue an Obsolete Property Certificate – Square Two Development, LLC

SUMMARY OF REQUEST:

Pursuant to Public Act 146 of the Michigan Public Acts of 2000, Square Two Development, LLC, has requested the issuance of an Obsolete Property Certificate for their property located at 1121 3rd St. The estimated cost for rehabilitation of this property will be \$75,000, which qualifies the applicant for an abatement of eight (8) years.

FINANCIAL IMPACT:

If an Obsolete Property Certificate is issued, the property taxes would be frozen at the pre-rehabilitated rate for the duration of the certificate.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends approval of the Obsolete Property Rehabilitation Exemption Certificate

COMMITTEE RECOMMENDATION:

None

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

RESOLUTION NO. _____

A resolution approving the application for an Obsolete Property Rehabilitation Exemption Certificate by Square Two Development, LLC.

The City Commission of the City of Muskegon hereby RESOLVES:

Recitals

- A. The City Commission has received an Application for an Obsolete Property Rehabilitation Exemption Certificate from Square Two Development, LLC, to apply to the improvements located in an Obsolete Property Rehabilitation District established by previous resolution.
- B. The City of Muskegon is a qualified local governmental unit as determined by STC Bulletin No. 9 of 2000, dated July 12, 2000.
- C. An Obsolete Property Rehabilitation District in which the application property is located was established after a hearing on April 11, 2017.
- D. The taxable value of the property proposed to be exempt, plus the aggregate taxable value of properties already exempted under PA 146 of 2000 and under PA 198 of 1974, does not exceed five percent (5%) of the total taxable value of the City of Muskegon.
- E. In the event it is determined that the said taxable values do exceed five percent (5%), the City Commission determines further that the said exceedance will not have the effect of substantially impeding the operation of the City of Muskegon or impairing the financial soundness of any affected taxing units.
- F. This resolution of approval is considered by the City Commission on April 11, 2017, after a public hearing as provided in Section 4(2) of PA 146 of 2000. The hearing was held on this date.
- G. The applicant, Square Two Development, LLC, is not delinquent any taxes related to the facility.
- H. The exemption to be granted by this resolution is for eight (8) years and there will not be any extension available.
- I. All items described under "Instructions" (a) through (f) of the application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Muskegon, the Qualified Local Government Unit, by the applicant.
- J. The City Commission finds that the property for which the Obsolete Property Rehabilitation Exemption Certificate is sought is obsolete property within the meaning of Section 2(h) of Public Act 146 of 2000 in that the property, which is commercial, is functionally obsolete. The City has received from the applicant all the items required by Section 9 of the application form, being the general description of the obsolete facility, a general description of the proposed use, a description of the general nature and extent of the rehabilitation to be undertaken, a descriptive list of fixed building equipment that will be part of the rehabilitated facility, a time schedule for undertaking and complete the rehabilitation, and statement of the economic advantages expected from the exemption.
- K. Commencement of the rehabilitation has not occurred before the establishment of the district.

- L. The application relates to a rehabilitation program that when completed will constitute a rehabilitated within the meaning of PA 146 of 2000 and will be situated within the Obsolete Property Rehabilitation District established by the City under PA 146 of 2000.
- M. Completion of the rehabilitated facility is calculated to and will, at the time of the issuance of the Certificate, have the reasonable likelihood to increase commercial activity and create employment; it will revitalize an urban area. The rehabilitation will include improvements aggregating more than ten percent (10%) of the true cash value of the property at the commencement of the rehabilitation.
- N. The City Commission determines that the applicant shall have twelve (12) months to complete the rehabilitation. It shall be completed by April 11, 2018, or one year after the Certificate is issued, whichever occurs later.
- O. That notice pursuant to statute has been timely given to the applicant, the assessor for the City of Muskegon, representatives of the affected taxing units and the general public.

NOW, THEREFORE, THE CITY COMMISSION RESOLVES:

1. Based upon the statements set forth in, and incorporating the recitals to this resolution, the City Commission hereby approves the application filed by Square Two Development, LLC, for an Obsolete Property Rehabilitation Exemption Certificate, to be effective for a period of eight (8) years;
2. BE IT FURTHER RESOLVED, that this resolution of approval relates to the property set forth in Attachment A, the legal description containing the facilities to be improved;
3. BE IT FURTHER RESOLVED, that, as further condition of this approval, the applicant shall comply with the representations and conditions set forth in the recitals above and in the application material submitted to the City.

This resolution passed.

Ayes: _____

Nays: _____

CITY OF MUSKEGON

BY: _____
Stephen J. Gawron
Mayor

ATTEST: _____
Ann Meisch
Clerk

CERTIFICATE

This resolution was adopted at a meeting of the City Commission held on April 11, 2017. 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 _____
Ann Meisch, City Clerk

ATTACHMENT A: PROPERTY DESCRIPTION

PROPERTY EXEMPT FROM AD VALOREM TAXES AND ASSESSED PURSUANT TO PA 261 OF 2003 EXPIRING 12/30/2014. CITY OF MUSKEGON REVISED PLAT OF 1903 LOT 16 BLK 367

Commission Meeting Date: April 11, 2017

Date: April 3, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
**RE: Public Hearing - Request to Create a New Neighborhood
Enterprise Zone District at 351 W Western Ave**

SUMMARY OF REQUEST:

Pursuant to Public Act 147 of the Michigan Public Acts of 1992, the 351 W Western LLC has requested to create a new Neighborhood Enterprise Zone (NEZ) district for the parcel at 351 W Western Ave for a new mixed-use building. The NEZ would only affect the 20 proposed apartments and not the commercial space.

FINANCIAL IMPACT:

For those properties that are approved for a NEZ Certificate, taxation will be levied using half of the State average of millages of local entities.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To hold the public hearing.

COMMITTEE RECOMMENDATION:

None

Background

Properties located in NEZ districts are eligible to apply for NEZ certificates, which will lower the residential property taxes on new or rehab construction. The State requires that notices are to be sent to the local taxing jurisdictions regarding the request and that the resolution may not be passed until after 60 days of the notice letters being sent. Also, a public hearing must be held no more than 45 days after the notice is sent. Notices were mailed on March 2, 2017. The resolution approving the district is planned to come back in front of the City Commission on May 9, 2017. The NEZ will only affect the residential component of the project.

This project will be a six-story mixed-use development that includes 20 residential market-rate apartments. The apartments will be located on floors three through six. The unit mix will consist of eight 2 bedroom/1 bath units and twelve 2 bedroom/2 bath units.

1121 Third St Muskegon MI

1121 Third St is on the City of Muskegon's dangerous building list. It was built in the early 1900's but has sat vacant for over ten years. Currently there are no utilities attached to the building. The inside of the building is gutted with only a handful of walls remaining, no internal plumbing or electrical is left inside. The lower level is approximately 900 sq ft and was most likely used for office or some sort of retail. The upper level was last used as residential.

The proposed rehabilitation for the building includes new electrical, plumbing, and HVAC systems per current building code. Also new windows and siding. It is our goal to have the property renovated in 120 days. There has been a new tenant identified for this space. The Griffen's Nest is a gaming store that sells retail and also offers Live Action Role Playing experiences to their customers.

TO: Honorable Mayor and City Commissioners

FROM: Frank Peterson, City Manager

DATE: April 5, 2017

RE: City-County Cooperative Agreement

SUMMARY OF REQUEST:

As part of the reorganization of Division and Department duties at City Hall, staff is requesting the creation of an Economic Development Coordinator position to work directly with the City Manager's officer to facilitate economic development-related opportunities. Initially, we would like to fill this position on a contractual basis by partnering with Muskegon County to share their current Economic Development Coordinator. Staff is requesting a one-year agreement with Muskegon County to provide us time to evaluate the cooperative agreement. The Agreement calls for the sharing of the costs associated with the position on a 60/40 basis, with the city contributing 40% of the costs associated with the position. The city's portion of those expenses is expected to equal \$48,382.17 in the first year.

FINANCIAL IMPACT:

Approximately \$16,000 in the current fiscal year

BUDGET ACTION REQUIRED:

The costs will be accounted for as part of the 3rd Quarter Reforecast.

STAFF RECOMMENDATION:

To approve the request and authorize the Mayor and Clerk to sign an agreement.

COMMITTEE RECOMMENDATION: None.

**AGREEMENT BETWEEN THE CITY OF MUSKEGON
AND THE MUSKEGON COUNTY BOARD OF COMMISSIONERS**

THIS AGREEMENT, entered into as of the ____ of ____ 2017, between the City of Muskegon, a municipal Corporation, by its City Commission, (“City”), and the County of Muskegon, a Michigan municipal corporation, by its Board of Commissioners, (“County”), is as follows:

PURPOSE

The purpose of this Agreement is to provide for a wide range of economic development services to be administered by the County Economic Development Manager.

I. **RELATIONSHIP OF THE PARTIES** - The County Economic Development Manager shall perform all of the services under this Agreement as an independent contractor and not as an employee of the City of Muskegon. This Agreement does not create a partnership, joint venture, or any other relationship.

II. **TERM** – This Agreement shall commence March 20, 2017, and terminate March 20, 2018, provided that either party may terminate the Agreement with six (6) months’ notice. The notice shall be sent by certified mail to the County Clerk if terminated by the City. The notice shall be sent by certified mail to the City Clerk, if terminated by the County.

III. **COUNTY ECONOMIC DEVELOPMENT MANAGER OBLIGATIONS** – The County agrees to perform the services and provide the materials set forth herein:

A. **COMPUTERIZED INFORMATION TECHNOLOGY** – The County will provide staff, equipment, and software to maintain electronic records of economic development activity.

B. **RECORDS MAINTENANCE AND ACCESS** – The County agrees to maintain economic development activity records with the most current information the City makes available. City staff will be afforded access to economic development activity files per a policy or procedure designated by the City and County.

C. **GENERAL DUTIES** – The County Economic Development Manager will perform the following tasks:

- Act as strategic partner with the business community to identify, formulate and implement economic development programs, projects and partnerships;

- Advise and assist the City Manager, City Commission, department directors, and elected officials on economic development strategies and related matters;
- Develop and recommend financing strategies for various forms of public and private development;
- Prepare and present reports and agenda items regarding various economic development and redevelopment programs and projects for the City Commission;
- Develop strategies, work plans, timelines and resource allocations for programs. Monitor progress to ensure objectives are met;
- Coordinate economic development efforts with other jurisdictions and economic development agencies around the region and at the state level;
- Monitor business trends which have the potential of impacting local government, and local businesses and supporting new business development;
- Respond to inquiries from businesses, and the general public, including explaining rules, regulations, policies, procedures, and addressing issues concerning tax incentives, local companies, sites and infrastructure;
- Develop productive working relationships to provide quality customer service to business owners, property owners, state agencies, citizens, stakeholders, elected officials and other employees;
- Attend various conferences, events and trade shows to provide information to site coordinators and corporate real estate professionals on various City of Muskegon economic development programs, incentives and available properties;
- Perform other duties of a similar nature or level.

D. **OFFICE HOURS** – The Economic Development Manager will allocate office hours at a schedule mutually agreed upon by the City Manager and County Administrator.

IV. **FEES AND PAYMENTS** – The County will perform all the above services for the City, subject to fees and expenses set forth and under the terms and conditions herein:

- A. **FEES** – The fee for the Agreement duration, which is from March 20, 2017 to March 20, 2018, shall be \$48,382.17 (annually) which equates to 40% of the total compensation and operational budget for the Economic Development Manager position (\$120,955.43). In addition, any out of pocket expenses must be approved in writing by the City Manager in advance. Annual step increases and benefit changes will be in addition to these fees as necessary.

B. **PAYMENTS** – The City shall remit the annual fee in quarterly payments in the months of April, July, October and January.

C. **RENEWALS** – This Agreement will automatically renew at the end of its term an additional term of one (1) year unless either party gives the other written notice of termination at least 90 days prior to the end of the relevant term.

V. **MISCELLANEOUS**

A. **SECTION HEADINGS** – The headings of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect hereof.

B. **SEVERABILITY** – If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

C. **ENTIRE AGREEMENT AND AMENDMENT** – In conjunction with matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, warranties, or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended, or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest, or assert that this Agreement was modified, canceled, superseded or changed by any oral agreements, course of conduct, waiver or estoppel.

D. **SUCCESSORS AND ASSIGNS** – All representations, covenants, and warranties set forth in the Agreement by or on behalf of, or for the benefit of any or all of the parties hereto, shall be binding upon and inure to the benefit of such party, its successors and assigns.

E. **TERMS AND CONDITIONS** - The terms and conditions used in this Agreement shall be given their common and ordinary definition and will not be construed against either party.

F. **EXECUTION OF COUNTERPARTS** – This Agreement may be executed in any number of counterparts and each such counterpart shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument.

ACKNOWLEDGEMENTS

City of Muskegon:

By: _____
Stephen Gawron
Mayor, City of Muskegon

By: _____
Ann Marie Meisch
Muskegon County Clerk

County of Muskegon:

By: _____
Benjamin E. Cross
Chairman, Board of Commissioners

By: _____
Nancy A. Waters
Muskegon County Clerk

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Comprehensive Settlement and Termination Agreement with Burgess-Norton

SUMMARY OF REQUEST:

The proposed agreement would resolve open items remaining from a 2011 Memorandum of Understanding and Tolling Agreement between Burgess-Norton and the City.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Authorize the Mayor and Clerk to sign the Comprehensive Settlement and Termination Agreement

COMMITTEE RECOMMENDATION:

None

COMPREHENSIVE SETTLEMENT AND TERMINATION AGREEMENT

This Comprehensive Settlement and Termination Agreement (“Agreement”) is made by and between Burgess-Norton Mfg. Co., Inc. of 737 Peyton St., Geneva, Illinois 60134 (“BN”), a Delaware corporation, and the City of Muskegon, 933 Terrace St., Muskegon, Michigan 49440 (“City”), a Michigan municipal corporation (collectively, the “Parties”) in connection with a release of hazardous substances at, and their migration from, the property of the former BN plant at 660 Nims Street, Muskegon, Michigan (“Site”), including the investigation of and response to that release.

In consideration of the mutual covenants contained in this Agreement, the adequacy of which each Party hereby acknowledges, the Parties agree as follows:

RECITALS

1. BN owns the Site and conducted industrial operations there from 1969 until 2003. Prior owners and occupants of the Site conducted industrial operations there as far back as at least the early 1900s.
2. BN began conducting environmental investigation at the Site under oversight of the State of Michigan Department of Environmental Quality (“MDEQ”) in 2006. BN’s environmental investigations and response activities were conducted in order to protect public health and the environment as provided by Michigan’s environmental cleanup statute (MCL 324.20101 *et seq.*, “Part 201”) and other applicable laws.
3. In 2008, BN discovered hazardous substance concentrations in groundwater at the Site in circumstances indicating that such substances could migrate from the Site to locations down-gradient in the direction of groundwater flow.
4. Subsequently, under oversight of MDEQ, BN conducted investigations of environmental conditions in Muskegon beyond the Site boundary. A large portion of those investigations was conducted on City streets, rights-of-way, and other City property and, when applicable, pursuant to permits issued by

the City to BN or BN's contractors. BN maintained communication with the City as needed during the investigations, and reported the results of investigations to the City at least annually, as well as meeting with City officials on other occasions as needed.

5. In 2010, the City had groundwater from its irrigation well serving Restlawn Cemetery and McCrae Playfield tested for contamination. After the testing identified groundwater contamination there, the City contacted BN due to concern that the contamination may have come from the Site. The City stopped using the irrigation well, and the Parties negotiated a Memorandum of Understanding and a Tolling Agreement, which are summarized below.
6. The Memorandum of Understanding (copy attached as Exhibit 1) was authorized by the Muskegon City Commission at its meeting on August 11, 2011, and subsequently executed for the Parties by their attorneys. In summary, the Memorandum of Understanding provided for BN's payment of money to the City in compensation for loss of use of the irrigation well and the cost of water purchased by the City to continue irrigating the Restlawn Cemetery and McCrea Playfield. The Memorandum of Understanding also provided that the City may permit BN's investigation on City streets, rights-of-way, and properties, and for further cooperation and consultation between the Parties.
7. The Tolling Agreement (copy attached as Exhibit 2) was also authorized by the Muskegon City Commission at its August 11, 2011 meeting, and took effect on August 23, 2011. The Tolling Agreement stopped the running of time under statutes of limitation, laches, estoppel, and any other time-related defense applying to claims available to the Parties, from the effective date of the Tolling Agreement until an "Expiration Date" defined in the Tolling Agreement. That Expiration Date occurred at 5:00 p.m. on August 23, 2016 and time then resumed running for purposes of statutes of limitation, laches, estoppel, and any other time-related defense applying to possible claims between the Parties that were covered by the Tolling Agreement. Further, the Tolling Agreement states that it may be amended by a written instrument executed by the Parties. This Agreement is such a written instrument, and it amends the Tolling Agreement by terminating it, as stated below.
8. As agreed in the Memorandum of Understanding, BN has made payments to

the City for various costs relating to the irrigation well and costs of water replacing that previously supplied by the irrigation well to irrigate Restlawn Cemetery and McCrae Playfield.

9. Further investigations after the Memorandum of Understanding was agreed to appear to demonstrate that the Site was probably not the source of groundwater contamination found in the City's irrigation well.
10. The results of BN's investigations are provided in a report titled *Burgess-Norton Mfg., Co., Inc. Remedial Investigation Report*, dated October 1, 2015 and revised April 22, 2016, prepared by ARCADIS of Michigan, LLC, 28550 Cabot Drive, Suite 500, Novi, Michigan 48377 ("RI Report"), which is available in hard copy at Muskegon's Hackley Public Library and online at nimsreport.com. Prior work plans and reports covering each stage of the investigation are also available from the same sources.
11. As provided by Part 201, BN is seeking or about to seek MDEQ's approval of No Further Action reports covering the areas of Muskegon being responded to by BN. Among other things, one or more of the No Further Action reports would rely in part on the City's amendment of its groundwater restriction ordinance map to prohibit most uses of groundwater in an area of Muskegon, and on the City's approval of a Declaration of Restrictive Covenant applying to certain City-owned land parcels in order to preserve natural processes that have been found to decrease hazardous substance concentrations in the environment.
12. This Agreement carries out the provision of the Memorandum of Understanding stating that "prior to the closure of the Site, or the cessation of response activities by B-N, it is the intent of the parties to negotiate in good faith a comprehensive settlement agreement which addresses the parties' respective claims and resolution of the issues . . ."

COVENANTS

Accordingly:

1. The Parties hereby waive and release any and all claims of whatever nature against each other relating in any way to (a) environmental contamination at or emanating from the Site, (b) the Memorandum of Understanding or the

Tolling Agreement, or (c) the former well or supply of irrigation water at Restlawn Cemetery or McCrea Playfield. This waiver and release binds and benefits all of BN's corporate parents, predecessors, successors, shareholders, directors, officers, subsidiaries, divisions, operations, affiliates, contractors, and personnel, past or present, and all of the City's departments, agencies, boards, commissions, employees, and contractors, past or present. Including, and without limiting the forgoing waiver and release, BN shall not claim reimbursement of BN's payments to the City for the cost of water to irrigate Restlawn Cemetery or McCrea Playfield.

2. Subject to action by the Muskegon City Commission, and final review by the City Attorney, the City shall adopt an amendment to its groundwater restriction ordinance map as petitioned for by BN, and shall authorize execution of a Declaration of Restrictive Covenant as proposed by BN.
3. BN shall pay the reasonable costs of abandoning the groundwater wells identified in its petition for amendment of the groundwater restriction ordinance map. Upon BN's request, the City shall cooperate with and assist BN in achieving such abandonment, as is necessary and consistent with City ordinances. To the extent that City needs to pursue such through litigation, BN agrees to pay the cost of attorney fees, litigation expenses and experts, if any, or provide such services.
4. BN shall pay the City \$30,000.00 within 60 days after final execution of this Agreement as compensation for the diminution of value relating to the Restrictive Covenant and resolution of all other obligations relating to this matter.
5. The Parties recognize that the Tolling Agreement stopped the running of time for purposes of statutes of limitation, laches, estoppel, and any other time-related defense applying to available claims between the Parties from August 23, 2011 until 5:00 p.m. on August 23, 2016. In all other respects, the Tolling Agreement is amended by terminating the Tolling Agreement, and the Tolling Agreement shall have no effect against either Party and shall not be cited by either Party in support of any claim, assertion, or defense against the other Party.
6. The Memorandum of Understanding shall not be cited by either Party in support of any claim, assertion, or defense against the other Party and is

terminated effective upon the final execution of this Agreement.

7. Any further contact by one Party to the other regarding this Agreement shall be made by contacting the receiving Party as identified in Exhibit 3 to this Agreement.
8. This Agreement is to be governed by and construed in accordance with the laws of the State of Michigan.
9. Except as specifically expressed in this Agreement, nothing in this Agreement prevents the Parties from communicating, cooperating, or otherwise carrying out lawful activities with respect to each other.
10. Each individual executing this Agreement personally warrants to the other Party that such individual, in executing this Agreement, is acting with full authority to bind the respective Party to the terms of this Agreement and that evidence of such authority shall be submitted on request.
11. Each Party has participated in the drafting and preparation of this Agreement and, accordingly, the normal rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
12. This Agreement may be signed in counterparts and shall become effective immediately on the date of its full and complete execution.

For Burgess-Norton Mfg. Co., Inc.:

Signature

Printed or Typed Name

Its

Title

Dated:

For City of Muskegon:

Signature

Printed or Typed Name

Its

Title

Dated:

and

Signature

Printed or Typed Name

Its

Title

Dated:

EXHIBIT LIST

Exhibit 1: Memorandum of Understanding

Exhibit 2: Tolling Agreement

Exhibit 3: Contacts for Parties

Exhibit 1
Memorandum of Understanding

THE ENRIGHT LAW FIRM PLLC
2522 WOODMEADOW DRIVE
GRAND RAPIDS, MICHIGAN 49546

James P. Enright
616 957 2984
cell **616 481 7546**
enrightj@me.com

August 4, 2011

Eric R. Gielow
Parmenter O'Toole
601 Terrace Street
P.O. Box 786
Muskegon MI 49443

Re: Memorandum of Understanding
Former Burgess-Norton Site; City of Muskegon Irrigation Well

Dear Eric:

This Memorandum of Understanding (MOU) summarizes our discussions on behalf of the City of Muskegon (City) and Burgess-Norton Mfg. Co., Inc. (B-N) about the City's irrigation well (Irrigation Well) in the Restlawn Cemetery along Nims Street, and the parties' understanding regarding future cooperation relating to response activity to address certain groundwater contamination in that area.

To review, B-N owns property near Nims and Getty Streets (Site) at which industrial operations have been conducted since early in the 20th century by B-N and prior owners and operators. The Site is now vacant and used only during environmental response activities. B-N has been investigating the existence, nature, and extent of groundwater contamination beneath the Site, as well as upgradient of the Site and at apparent downgradient locations (Contamination) including the City's Restlawn cemetery and the McCrea playground/ballfield area (collectively the "Premises"). B-N has proposed to continue its investigation in 2011.

A key aspect of B-N's future investigations will be access to City-owned or controlled properties, including the Premises and rights-of-way, in order to sample underlying soil and/or groundwater. Access to these locations in the past has been obtained pursuant to written agreements or permits from the City, and such access is being sought again for 2011. B-N appreciates the City's past cooperation.

THE ENRIGHT LAW FIRM PLLC

Eric R. Gielow
August 4, 2011
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The City pointed out that its past cooperation has not been without financial commitment by the City. Approximately two years ago, B-N's environmental consultant found Contamination in groundwater near the Irrigation Well on the Premises. As we discussed, no one consumes water produced from that well. However, as a precaution, the City ceased using the Irrigation Well in 2009 and instead has been purchasing municipal water for application through the irrigation system serving the Premises. The City has asserted that the loss of use of the Irrigation Well creates a financial hardship to the City which will continue until such time as a replacement groundwater supply well is installed or other arrangements are made for an alternate source of water.

We have also discussed the City's past cooperation with access requests, information requests, and assistance in accessing public sidewalks and streets. B-N anticipates a need for additional response activities, and we addressed the scope of potential future cooperation, including reasonable access to the Premises and other City-owned or controlled property; reasonably assisting B-N if it becomes necessary to notify owners of downgradient properties of migrating Contamination; reasonably assisting B-N in communicating with the residents concerning this situation; and promptly facilitating B-N's Petition, if necessary, to restrict groundwater use pursuant to the City's Groundwater Protection Ordinance, Muskegon City Code Section 34-61 et seq. (the "Ordinance").

As a result of our discussions, the parties have identified the following voluntary actions, which, if taken, will advance the mutual interests of the City and B-N:

(1) B-N may elect to make a non-refundable payment to the City of the sum of Forty Five Thousand and no/100 Dollars (\$ 45,000.00) to defray previous administrative expenses, out-of-pocket costs, and loss of use of the Irrigation Well from 2009 to the present. Payment will be made within 60 days of receipt of the City's invoice for that amount.

(2) The City will thereafter, on or after July 1 of each calendar year, invoice B-N for the total amount of municipal water used for irrigation purposes at Restlawn/McCrea Playfield from June 30 of the preceding year through June 30 of the current year. B-N will pay the actual cost of supplying municipal water to the Premises for irrigation purposes, in an amount not to exceed: \$35,000 for the period ending June 30, 2012, and, in subsequent years ending on June 30, \$35,000 multiplied by the factor by which the overall applicable City water rate has increased during such period, if any. B-N will make a non-refundable payment of the invoice within 60 days of receipt. At B-N's request, the

THE ENRIGHT LAW FIRM PLLC

Eric R. Gielow
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City will promptly provide B-N all records relating to water rates and usage covered by such invoice.

(3) The City will not draw water from the Irrigation Well without the express written consent of B-N.

(4) The City will extend its reasonable cooperation to B-N and its contractors and consultants, including access to City-owned or controlled properties, including rights-of-way, for further investigation and, when appropriate, remediation, provided, however, that specific terms and conditions of access may be set forth in a written access agreement or permit. The City will exert its best effort to promptly grant access, recognizing that depending upon the nature of the access request, the City reserves the right to request additional information and request reasonable permit fees to defray its administrative expenses and out-of-pocket costs to process the access request.

(5) B-N has requested immediate access to take certain soil and groundwater samples along Isabel and Allen Streets, and to install certain monitoring wells on the Premises and on Kenneth Street. This access request is approved for implementation in accordance with the terms and conditions of the Permit Applications attached as Appendix "1".

(6) The City will promptly facilitate and consider B-N's Petition, if any, to add "Affected Premises" to the "Appendix Map" of parcels of property subject to the Ordinance. B-N understands that such Petition is subject to the requirements of the Ordinance, including coordination with the Michigan Department of Environmental Quality and the final Approval of the City Commission. Such a Petition has not been made and B-N believes it would be premature because the nature and extent of groundwater contamination are not sufficiently defined.

(7) The City and B-N agree to promptly share information concerning citizen complaints, concerns, or information requests by others (including individuals), concerning possible groundwater contamination or environmental response activities carried out by B-N or its contractors in the vicinity of the Site or possible downgradient locations. The City and B-N shall work cooperatively to disseminate information, where possible, in a coordinated manner.

(8) B-N may investigate the installation of a replacement well on the Premises in an area or depth unaffected by the Contamination, and may install a well on the Premises to restore the City's use of groundwater for irrigation purposes. The City agrees to cooperate with these activities, including but not limited to reasonable access requests

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to evaluate suitable well locations/depths or the installation of a replacement well. The City agrees to retain the pump from the Irrigation Well so that it can be returned to service and will make it available for use with the replacement well at B-N's request. B-N retains the right to install a replacement well at any time in lieu of paying the water bill.

(9) The City and B-N will develop and sign an appropriate tolling agreement in order to preserve whatever claims and defenses they may have against each other relating to environmental contamination or response activities that arise from or affect the B-N property.

(10) The City and B-N will confer at least annually to determine whether or not to carry out these activities set forth in this MOU for another year or a shorter period of time.

For purposes of this MOU, the parties acknowledge that the full scope of facts and circumstances surrounding the Site, the Contamination, the response activities to be undertaken by B-N and the damages sustained by the City are unknown and indefinite at the present time, and may change as B-N continues to conduct response activities on and relating to the Site. In the meantime, it is the intent of the parties to avoid the expense and inconvenience of litigation, and the parties believe that in voluntarily undertaking the above-referenced steps, the parties will promote settlement and significantly reduce the risk of future litigation.

Prior to the closure of the Site, or the cessation of response activities by B-N, it is the intent of the parties to negotiate in good faith a comprehensive settlement agreement which addresses the parties' respective claims and resolution of the issues regarding Irrigation Well, the B-N response activities and other matters arising from the Site. It is the intent of the parties that payments referenced above and actually made by B-N, although not refundable, shall be credited against payments to be made by B-N, if any, under the final Settlement Agreement. B-N fully releases the City from any claim for reimbursement, refund or repayment of amounts voluntarily tendered to the City pursuant to this MOU.

This MOU is an expression of the parties' present intent, but is not intended to be, and shall not be construed as binding in any way on the City or B-N, and is not the final expression of the terms of any contract or agreement with regard to any matter addressed herein. Except as is expressly set forth above with regard to payments made by B-N to the City, this MOU is not intended to be a release, accord, or settlement of any matter whatsoever, and this MOU shall not be admissible in evidence to prove a claim, the amount of any damages, or the existence of any defense. All actions taken by the

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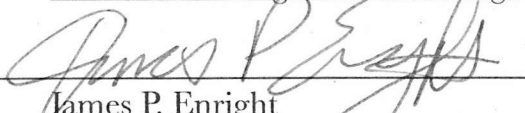
Eric R. Gielow
August 4, 2011
Page 5 of 6

parties hereunder are entirely optional and without recourse, and neither party shall be liable to the other for failure to comply with this MOU. The parties reserve all rights and defenses.

This MOU does not, and is not intended to modify the terms of the Limited Access Agreement, dated September 22, 2009, nor any permit previously issued by the City to B-N, the effect of which shall continue or expire according to the terms thereof.

Although this MOU does not bind the City or B-N, both intend in good faith to carry out the activities stated above and each will promptly notify the other if it declines to carry out any of the steps, tasks or actions specified above. The City and B-N may coordinate and cooperate in ways not listed above, as appropriate. Our signatures on behalf of the City and B-N indicate that each has reviewed this letter and intends to proceed as stated.

Counsel for Burgess-Norton Mfg. Co., Inc.


James P. Enright
Date: AUG 12 2011

Counsel for City of Muskegon

Eric R. Gielow
Date: _____

Eric R. Gielow

August 4, 2011

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Appendix 1

Permits

Exhibit 2
Tolling Agreement

TOLLING AGREEMENT

This Tolling Agreement ("Agreement") is made effective as set forth in paragraph L below ("Effective Date") by and between BURGESS-NORTON MFG. CO., INC. of 737 Peyton Street, Geneva, Illinois 60134, a Delaware Corporation, ("B-N") and the CITY OF MUSKEGON, of 933 Terrace Street, Muskegon, Michigan 49440, a Michigan Municipal Corporation ("City") (collectively "Parties"), owner of certain property generally located at 1400 Kenneth Street, Muskegon, Michigan 49442 (the "Premises"), in connection with a release of hazardous substances at the former B-N plant located at 660 Nims Street, Muskegon, Michigan, (the "Site"), and migrating to the Premises.

RECITALS

1. B-N has retained consultants to engage in certain environmental response activities relating to the Site;
2. To perform such response activities, B-N and the City executed a Limited Access Agreement to permit B-N's consultants to enter a portion of the Premises and adjacent streets to investigate the extent of contamination;
3. Based on the results of the investigation, B-N has informed the City that the Premises and other properties may have been impacted with hazardous substances in the groundwater beneath such properties (hereinafter "Contamination");
4. The Michigan Department of Environmental Quality has oversight and monitoring responsibilities with regard to the investigation of the nature and extent of said Contamination and the remediation of said Contamination;
5. The full extent and nature of said Contamination and the remediation of said Contamination are presently unknown;
6. Various disputes related to the Contamination may or potentially exist among B-N and the City, however, the Parties deem it to be mutually beneficial that alleged claims not be pursued until the full extent of Contamination is better understood and B-N has had an opportunity to develop remedial options for the Site and Premises; and
7. To give the parties time to evaluate conditions, viability of claims, and the extent of any alleged damages, the parties make the following Agreement to defer and postpone litigation:

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the adequacy of which is hereby acknowledged, B-N and the City agree as follows:

- A. Statute of Limitations: B-N and the City hereby agree to toll any applicable statute of limitations, estoppel or laches or any other time-related defense, with respect to the filing of each available claim by the respective Parties. The Parties intend that such statute of limitations or other time-related defenses will be tolled as to each Party from the Effective Date until the Expiration Date. As used herein, the term "Expiration Date" shall mean 5:00 p.m. on the earlier of the following dates: five (5) years after the Effective Date of this Tolling Agreement or one hundred twenty (120) days after either party gives written notice of termination, delivered as required under paragraph F of this Agreement. If the termination would otherwise occur on a Saturday, Sunday or legal holiday, the Expiration Date shall be extended to 5:00 p.m. on the first Monday or date beyond the legal holiday, as the case may be.
- B. Timing: The period of time that the statutes or other time-related defenses are tolled (the "Tolling Period") (including the 120 day period following notice of termination) shall be added to the time for bringing an action for each Party's respective claims, pursuant to any United States law, State of Michigan law or other state law (statutory or case law), including any applicable state or federal Code(s) of Civil Procedures that are applicable or may be applicable to each Claim. The Tolling Period shall include the Effective Date of the Agreement and shall continue until the Expiration Date (as defined above).
- C. No Waiver: It is specifically understood that neither Party waives nor releases any statute of limitations or time-related defense which could have been asserted prior to the Effective Date.
- D. Justifiable Reliance: B-N and the City acknowledge and agree that each Party may justifiably and reasonably rely upon the terms and conditions set forth in this Agreement, that the statute of limitations at issue are subject to being tolled, and that this Agreement is enforceable in accordance with its terms.
- E. Termination: The settlement of the Parties' claims or the failure to settle all claims will not affect this Agreement, unless and until terminated pursuant to this Agreement. Each party reserves the right to submit a notice of termination, in its sole discretion, at any time.
- F. Notices: All notices, demands, requests, and information required or permitted to be given under the provisions of this Agreement, shall be in writing and shall be deemed given (a) when personally delivered to the Party to be given such notice or other communication, (b) on the business day that such notice or other communication is sent by facsimile or similar electronic device, fully prepaid, which facsimile or similar electronic communication shall promptly be confirmed by written notice, (c) on the third business day following the date of deposit in the United States mail if such notice or other communication is sent by certified or registered mail with return receipt requested and

postage thereon fully prepaid, or (d) on the business day following the day such notice or other communication is sent by reputable overnight courier, to the following:

If to the City:

Bryon Mazade
City of Muskegon
Department of Public Works
1350 E. Keating Avenue
Muskegon, MI 49442

With a copy to legal counsel:

Eric R. Gielow
Parmenter O'Toole
601 Terrace Street
P.O. Box 786
Muskegon, MI 49443-0786
Fax No: (231) 722-5527

If to B-N:

Burgess-Norton Mfg. Co., Inc.
737 Peyton Street
Geneva, Illinois 60134

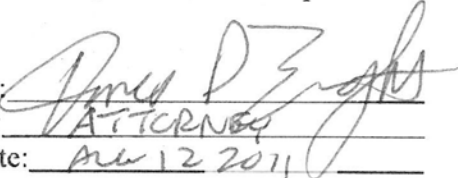
With a copy to legal counsel:

James P. Enright
Enright Law Firm PLLC
2522 Woodmeadow Drive
Grand Rapids, MI 49546

- G. Jurisdiction: This Agreement is to be governed by and construed in accordance with the laws of the State of Michigan.
- H. Authority: The individual executing this Agreement below personally warrants to the other Party hereto that such individual, in executing this Agreement, is acting with full authority to bind the respective Party to the terms of this Agreement and that evidence of such authority shall be submitted on request.
- I. No Admission: Nothing contained within this Agreement shall be deemed to be an admission or acknowledgement of responsibility, settlement or accord between the Parties related to the Contamination or otherwise. The City and B-N reserve all rights and claims related to the Contamination except as expressly set forth in this Agreement.
- J. Preparation of Document: Each Party has cooperated in the drafting and preparation of this Agreement, and, accordingly, the normal rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.
- K. Binding Effect: This Agreement shall bind, and inure to the benefit of, the Parties and any other related and affiliated corporations and businesses, as well as their respective successors and assigns.

- L. Execution: This Agreement may be signed in counterparts and the Effective Date will be deemed the date of its full and complete execution.
- M. Entirety; Amendments. The mutual obligations of the parties as provided herein are the sole consideration for this Agreement, and no representations, promises or inducements have been made by the parties other than as appear in this Agreement. The parties agree that this Agreement contains the entire agreement and understanding of the parties related to the subject matter hereof, and that there are no additional promises or terms of the Agreement between the parties other than those written in this Agreement related to the subject matter hereof. This Agreement may not be modified or amended or the rights of any Party hereunder waived unless such modification, amendment or waiver is effected by a written instrument which is executed by each of the Parties.

BURGESS-NORTON MANUFACTURING
COMPANY, a Delaware Corporation

By: 
Its: ATTORNEY
Date: Aug 12 2011

CITY OF MUSKEGON, a Michigan Municipal
Corporation

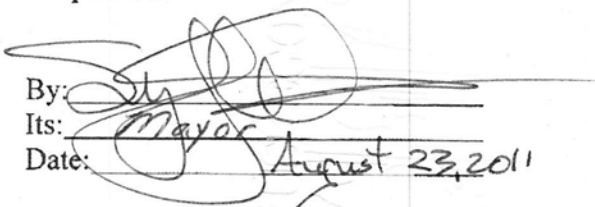
By: 
Its: Mayor
Date: August 23, 2011

Exhibit 3
Contacts for Parties

For Burgess-Norton Mfg. Co., Inc.:

Daniel T. Rogers
c/o Burgess-Norton Mfg. Co., Inc.
737 Peyton St.
Geneva IL 60134

(312) 645-1700

For City of Muskegon:

Director of Public Works
City of Muskegon
1350 E. Keating Ave.
Muskegon MI 49442

(231) 724-4100

Commission Meeting Date: April 11, 2017

Date: April 6, 2017
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Restrictive Covenant for Certain City-Owned Parcels

SUMMARY OF REQUEST:

During testing for the Burgess-Norton contamination, it was discovered that some of the groundwater located south of Ryerson Creek between Getty St and approximately 750 feet west of Wood St contains trichloroethene (TCE) and other associated chlorinated volatile organic compounds. In most of the area where TCE is present, it is located in groundwater at depths of 70 to 90 feet beneath the ground surface. As the groundwater migrates northward and nears Ryerson Creek, it migrates through sediments in the floodplain that are rich in organic matter and biological activity. These sediments tend to be located in areas within wetlands or beneath the bottomland of Ryerson Creek. Extensive sampling has documented that, as the groundwater travels through those sediments, the TCE and associated compounds degrade significantly through biogeochemical processes. The purpose of this Restrictive Covenant is to preserve this natural system so that the degradation process continues to occur.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Authorize the Mayor and Clerk to sign the Restrictive Covenant

COMMITTEE RECOMMENDATION:

None

**DECLARATION OF RESTRICTIVE COVENANT
FOR RYERSON CREEK PARCELS, MUSKEGON, MICHIGAN**

MDEQ Reference No.: _____

This Declaration of Restrictive Covenant ("Restrictive Covenant") is intended to protect public health, safety, and welfare, and the environment by prohibiting or restricting activities that could adversely affect environmental contamination response activity on several parcels of property located in Muskegon, Michigan, the legal description of which is set forth in the attached Exhibit 1 ("Property"). This Restrictive Covenant is authorized by, and consistent with, the requirements of section 324.20121, Michigan Compiled Laws (MCL), a copy of which is attached as Exhibit 2.

Narrative Description of Response Activity and Environmental Contamination: Some of the groundwater located south of Ryerson Creek between Getty Street and approximately 750 feet west of Wood Street contains trichloroethene (TCE) and other associated chlorinated volatile organic compounds. In most of the area where TCE is present, it is located in groundwater at depths of 70 to 90 feet beneath the ground surface. As the groundwater migrates northward and nears Ryerson Creek, it migrates through sediments in the floodplain that are rich in organic matter and biological activity. These sediments tend to be located in areas within wetlands or beneath the bottomland of Ryerson Creek. Extensive sampling has documented that, as the groundwater travels through those sediments, the TCE and associated compounds degrade significantly through biogeochemical processes. The purpose of this Restrictive Covenant is to preserve this natural system so that the degradation process continues to occur.

Detailed information about the groundwater contamination and response to it is available in the following documents: (1) Burgess-Norton Mfg., Co., Inc. Remedial Investigation Report dated October 1, 2015 and revised April 22, 2016, prepared by ARCADIS of Michigan, LLC, 28550 Cabot Drive, Suite 500, Novi, Michigan 48377 ("Remedial Investigation Report"); and (2) No Further Action Report for the Ryerson Creek Area Groundwater-Surface Water Interface, prepared by ARCADIS of Michigan, LLC, 28550 Cabot Drive, Suite 500, Novi, Michigan 48377. These documents are available at the City of Muskegon's Hackley Public Library, 316 West Webster Ave, Muskegon, Michigan 49440.

NOW THEREFORE,

The Owner hereby declares and covenants that the Property shall be subject to the prohibitions, restrictions, requirements, and conditions set forth below. The Owner is responsible for assuring that the Property and activities there comply with these prohibitions, restrictions, requirements, and conditions.

Definitions

"MDEQ" means the State of Michigan Department of Environmental Quality, its successor entities, and those persons or entities acting on its behalf.

"Owner" means the City of Muskegon, Michigan, a Michigan municipality, to the extent that the City of Muskegon is fee owner of the Property at the time of execution of this Restrictive Covenant, and any subsequent title holder of the Property or any portion thereof.

All other terms used in this Restrictive Covenant which are defined in the Michigan Natural Resources and Environmental Protection Act, as amended (NREPA), Part 3, Definitions (MCL 324.3 et seq.), Part 201, Environmental Remediation (MCL 324.20101 et seq.), Part 301, Inland Lakes and Streams (MCL 324.30101 et seq.), or Part 303, Wetlands Protection (MCL 324.30301 et seq.), or in the Part 201 administrative rules (R 299.1 et seq. and R 299.51001 et seq., Mich. Admin. Code) that are in effect as of the date of signing of this Restrictive Covenant shall have the same meaning when used in this Restrictive Covenant.

Description of the Activity and Use Limitations Imposed on the Property: The following activity and use limitations are imposed by this Restrictive Covenant:

1. At all portions of the Property that are at or below an elevation of 585 feet above sea level, including the bottomland of Ryerson Creek, the following activities are prohibited:
 - a. Filling;
 - b. Dredging, removal, or excavation of any sediment or soil, including but not limited to muck, peat, sand, and any and all other types of soil, stones, gravel, rocks, or creek bottom sediment;
 - c. Physical removal or chemical/biological control of aboveground and belowground vegetation or parts of vegetation, except that lawn mowing and tree branch trimming are not prohibited; and
 - d. Placement of any structure, utility, or other object if any part of it is located below the ground surface, except for placement of environmental testing equipment.

Activities otherwise prohibited by the previous sentence (1a through 1d) may be conducted if specifically allowed by a permit issued by the MDEQ.

2. The Owner shall not alter the Property so as to increase public access to any portion of the Property that is located on the south side of Ryerson Creek at or below an elevation of 585 feet above sea level.

Permanent Markers. Permanent markers consisting of signs have been placed on or near the Property to give further notice of the existence of this Restrictive Covenant and summarize its requirements. Exhibit 3 of this Restrictive Covenant depicts the locations of these permanent markers, and Exhibit 4 depicts the text of the permanent markers. The Owner shall not remove, cover, obscure, or otherwise alter or interfere with the permanent markers. The Owner shall keep vegetation and other materials clear of the permanent markers to assure that the markers are readily visible.

Access. The Owner shall allow the MDEQ and its designated representatives to enter the Property at reasonable times for the purpose of determining and monitoring compliance with NREPA, including the right to take samples.

Notice. The Owner shall provide written notice to the MDEQ of the following events at least fourteen (14) calendar days in advance: (a) the transfer of any interest in the Property; or (b) any construction at, or change in use of, the Property that could affect environmental contamination there and/or ongoing biogeochemical activity in the organic rich sediments or soil. The notice required to be made to the MDEQ under this paragraph shall be made to: Director, MDEQ, P.O. Box 30473, Lansing, Michigan 489097973, and shall include a statement that the notice is being made according to the requirements of this Restrictive Covenant, MDEQ Reference Number _____.

Term and Enforcement of Restrictive Covenant. As provided by MCL 324.20121(5), this Restrictive Covenant shall run with the land, therefore, it shall be binding on the Owner, future Owners, and all current and future successors, lessees, easement holders, and their assigns. This Restrictive Covenant may only be modified or rescinded with the advance written approval of the MDEQ.

The State of Michigan, through the MDEQ, may enforce this Restrictive Covenant by legal action in a court of appropriate jurisdiction.

Interpretation and Severability. This Restrictive Covenant shall be liberally construed in favor of fulfilling its purposes. If any provision of this Restrictive Covenant is held to be invalid by any court of competent jurisdiction, the invalidity of such provision shall not affect the validity of any other provision, and all such other provisions shall continue unimpaired and in full force and effect.

Authority to Execute Restrictive Covenant. Each person executing this Restrictive Covenant is the Owner or has the express authorization of the Owner, and represents and certifies that he or she is duly authorized and has been empowered to execute and deliver this Restrictive Covenant on behalf of the Owner.

AGREED AND CONSENTED TO BY THE CITY OF MUSKEGON:

By: _____
Signature
Name: _____
Print or Type Name
Its: _____
Title
Dated: _____, 2017

By: _____
Signature
Name: _____
Print or Type Name
Its: _____
Title
Dated: _____, 2017

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me this ____ day of _____, 2017 by _____ and _____ on behalf of the City of Muskegon.

Notary Public (signature)

Printed or typed name

Commissioned in _____ County,
State of Michigan

My Commission Expires: _____

Acting in the County of: _____

Instrument drafted by, and when recorded return to:

James P. Enright
Enright Law Firm PLLC
2522 Woodmeadow Drive
Grand Rapids MI 49546

Attached Exhibits:

1. Legal description of Property, with parcel numbers and addresses
2. Copy of section 324.20121, Michigan Compiled Laws, as of January 9, 2017
3. Diagram showing boundaries of parcels comprising the Property, and approximate locations of the following at the Property: Ryerson Creek; the 585 foot elevation contour line; and locations of permanent markers.
4. Text of permanent markers.

EXHIBIT 1

Legal description of the Property,
with parcel numbers and addresses
(All parcels are in Muskegon County, Michigan)

1. CITY OF MUSKEGON REVISED PLAT OF 1903 ENTIRE BLKS 28 THROUGH 32

Parcel ID # 24-205-028-0001-00

Address: 650 WOOD ST MUSKEGON, MI 49442

2. CITY OF MUSKEGON REVISED PLAT OF 1903 LOTS 1 THRU 6 ALSO E 26 FT LOT 11 WITH ALL LOTS 12 THRU 14 BLK 42

Parcel ID # 24-205-042-0001-00

Address: 530 WHITE AVE MUSKEGON, MI 49442

3. CITY OF MUSKEGON REVISED PLAT OF 1903 ENTIRE BLK 33 EX N 33 FT FOR STREET & EX W 244 FT OF S 100 FT OF N 133 FT & EX E 50 FT OF W 294 FT OF S 85 FT OF N 118 FT

Parcel ID # 24-205-033-0001-20

Address: 645 WESLEY AVE MUSKEGON, MI 49442

4. CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 34 EX N 309 FT & EX E 133 FT OF S 50 FT OF N 359 FT THEREOF

Parcel ID # 24-205-034-0001-10

Address: 667 MULDER ST MUSKEGON, MI 49442

5. CITY OF MUSKEGON REVISED PLAT OF 1903 LOTS 1 & 2 EXC THE S 150.5 FT TH'OF ALSO N 64 FT OF S 214.5 FT OF W 49.5 FT LOT 2 ALSO LOT 3 EXC E 3 RDS OF S 214.5 FT AND N 279 FT LOT 4 ALSO LOT 5 ALSO N 209 FT OF LOTS 6 & 7 INCLUDES N 234 FT LOT 8 ALL IN BLK 40

Parcel ID # 24-205-040-0001-00

Address: 616 OAK AVE, MUSKEGON, MI

6. CITY OF MUSKEGON REVISED PLAT OF 1903 LOTS 1 AND 2 ALSO LOT 3 EXC S 183 FT THEREOF AND THE N 444 FT OF LOT 4 ALSO THE E 54 FT LOT 5 EXC THE S 150 FT ALSO THE W 45 FT LOT 5 EX THE S 175 FT ALSO THE W 198 FT OF LOT 6 EXC THE S 200 FT THEREOF AND THE N 180 FT OF THE E 132 FT OF LOT 6 ALSO THE N 180 OF LOT 7 ALL IN BLK 39

Parcel ID # 61-24-205-039-0001-00

Address: 695 S GETTY ST MUSKEGON, MI 49442

(This is the end of Exhibit 1)

EXHIBIT 2

Copy of section 324.20121, Michigan Compiled Laws,
{ as of January 9, 2017 }

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT) Act 451 of 1994

324.20121 Land or resource use restrictions; restrictive covenants or other instruments.

Sec. 20121.

(1) A person may impose land or resource use restrictions to reduce or restrict exposure to hazardous substances, to eliminate a potential exposure pathway, to assure the effectiveness and integrity of containment or exposure barriers, to provide for access, or to otherwise assure the effectiveness and integrity of response activities undertaken at a property.

(2) A restrictive covenant used to impose land or resource use restrictions under subsection (1) shall, at a minimum, include all of the following:

(a) A legal description of the property that is subject to the restrictions that is sufficient to identify the property and is sufficient to record the document with the register of deeds for the county where the property is located. If the property being restricted constitutes a portion of a parcel, the restrictive covenant shall also include 1 of the following:

(i) A legal description and a scaled drawing of the portion that is restricted.

(ii) A survey of the portion that is restricted.

(iii) Another type of description or drawing approved by the department.

(b) A brief narrative description of response activities and environmental contamination at the property or identify a publicly accessible information repository where that information may be obtained, such as a public library.

(c) A description of the activity and use limitations imposed on the property. The description should be drafted, to the extent practicable, using plain, everyday language in an effort to make the activity and use limitations understandable to the reader without having to reference statutory or regulatory text or department guidance.

(d) A grant to the department of the ability to enforce the restrictive covenant by legal action in a court of appropriate jurisdiction.

(e) A signature of the property owner or someone with the express written consent of the property owner unless the restrictive covenant has been ordered by a court of competent jurisdiction. For condominium common elements and similar commonly owned property, the restrictive covenant may be signed by an authorized person.

(3) In addition to the requirements of subsection (2), a restrictive covenant may contain other information, restrictions, requirements, and rights agreed to by the persons signing it, including, but not limited to, 1 or more of the following:

(a) A provision requiring notice to the department or other persons upon transfer or before construction or changes in use that could affect environmental contamination or increase exposure at the property.

(b) A provision granting rights of access to the department or other persons. These rights may include, but are not limited to, the right to enter the property for the purpose of monitoring compliance with the restrictive covenant, the right to take samples, and the right to implement response activities.

(c) A provision subordinating a property interest that has priority, if agreed to by the person that owns the superior interest.

(d) A provision granting the right to enforce the restrictive covenant to persons in addition to the department, including, but not limited to, the local unit of government in which the property is located or the United States environmental protection agency.

(e) A provision obligating the owner of the land subject to the restrictive covenant to inspect or maintain exposure barriers, permanent markers, fences, or other aspects of the response action or remedy.

(f) A provision limiting the restrictive covenant to a specific duration, or terminating the restrictive covenant upon the occurrence of a specific event or condition, such as the completion of additional response activities that are approved by the department.

(g) A provision providing notice of hazardous substances that exceed aesthetic-based cleanup criteria.

(4) A restrictive covenant used to impose land or resource use restrictions under this section shall be recorded with the register of deeds for the county where the property is located.

(5) A restrictive covenant under this section that is recorded under subsection (4) does both of the following:

(a) Runs with the land.

(b) Is perpetual unless, by its terms, it is limited to a specific duration or is terminated by the occurrence of a specific event.

(6) Upon recording, a copy of the restrictive covenant shall be provided to the department together with a notice that includes the street address or parcel number for the property or properties subject to the covenant. A restrictive covenant that meets the requirements of this section need not be approved by the department except as expressly required elsewhere in this part.

(7) The following instruments may impose the land or resource use restrictions described in subsection (1) if they meet the requirements of a restrictive covenant under this section:

(a) A conservation easement.

(b) A court order or judicially approved settlement involving the property.

(8) An institutional control may be used to impose the land or resource use restrictions described in subsection (1) instead of or in addition to a restrictive covenant. Institutional controls that may be considered include, but are not limited to, local ordinances or state laws and regulations that limit or prohibit the use of contaminated groundwater, prohibit the raising of livestock, prohibit development in certain locations, or restrict property to certain uses, such as a zoning ordinance. A local ordinance that serves as an institutional control under this section shall be published and maintained in the same manner as a zoning ordinance and shall include a requirement that the local unit of government notify the department at least 30 days prior to adopting a modification to the ordinance or prior to the lapsing or revocation of the ordinance.

(9) Alternative instruments and means may be used, with department approval, to impose the land or resource use restrictions described in subsection (1), including, but not limited to, licenses and license agreements, contracts with local, state, or federal units of government, health codes or regulations, or government permitting requirements.

(10) The department, with the approval of the state administrative board, may place restrictive covenants described in this section on deeds of state-owned property.

(11) A restrictive covenant recorded pursuant to this part, whether recorded before or after the effective date of the amendatory act that added this section, is valid and enforceable even if 1 or more of the following situations exist:

(a) It is not appurtenant to an interest in real property.

(b) The right to enforce it can be or has been assigned.

(c) It is not of a character that has been recognized traditionally at common law.

(d) It imposes a negative burden.

(e) It imposes an affirmative obligation on a person having an interest in the real property.

(f) The benefit or burden does not touch or concern real property.

(g) There is no privity of estate or contract.

(h) The owner of the land subject to the restrictive covenant and the person benefited or burdened are the same person.

(12) Restrictive covenants or other instruments that impose land or resource use restrictions that were recorded before the effective date of the amendatory act that added this section are not invalidated or made unenforceable by this section. Except as provided in subsection (11), this section only applies to a restrictive covenant or other instrument recorded after the effective date of the amendatory act that added this section. This section does not invalidate or render unenforceable any instrument or interest that is otherwise enforceable under the law of this state.

History: Add. 2014, Act 542, Imd. Eff. Jan. 15, 2015

Compiler's Notes: Former MCL 324.20121, which pertained to creation of office of environmental cleanup facilitation, was repealed by Act 71 of 1995, Imd. Eff. June 5, 1995.

Popular Name: Act 451

Popular Name: Environmental Remediation

Popular Name: Environmental Response Act

Popular Name: NREPA

EXHIBIT 3

Diagram showing boundaries of parcels comprising the Property, and approximate locations of the following at the Property: Ryerson Creek; the 585 foot elevation contour line; and locations of permanent markers

Diagram is on following page

EXHIBIT 4

Text of permanent markers

Property Use is Restricted

Stay on trail to avoid contact with wetland sediments and water. Disturbing soil or sediment, and placing fill, are prohibited at the property depicted on this marker at an elevation of 585 feet above mean sea level or less, except as allowed by a Michigan Department of Environmental Quality permit. Also, the property shall not be altered in any way that increases public access to the area lower than 585 feet mean sea level on the south side of Ryerson Creek.

For specific directions and information, read the restrictive covenant recorded with the Muskegon County Register of Deeds at Liber _____, Page _____, or contact the MDEQ regarding permits.



**Register of Deeds
Phone 231.724.6271
deeds@co.muskegon.mi.us**



**State Office Building, 5th Floor 350 Ottawa Avenue NW, Unit 10, Grand Rapids, MI 49503-2341
Phone: 616-356-0500 Fax: 616-356-0202**

DEQ Site ID #61000438

