CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 27, 2001

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

- **CALL TO ORDER:**
- **PRAYER:**
- **PLEDGE OF ALLEGIANCE:**
- **ROLL CALL:**
- **HONORS AND AWARDS:**
    a. **Resolution Acknowledging Lakeshore Lung Society.** COMMUNITY RELATIONS
- **PRESENTATIONS:**
- **CONSENT AGENDA:**
    a. **Approval of Minutes.** CITY CLERK
    b. **Taxicab License.** CITY CLERK
    c. **Budgeted Vehicle Purchase.** FIRE
    d. **Sale of Buildable Vacant Lots on Oak Avenue.** PLANNING & ECONOMIC DEVELOPMENT
    e. **Alley Vacation in Block 285 (bounded by Hoyt St., Southern Ave., Leahy St., and Forest Ave.).** PLANNING & ECONOMIC DEVELOPMENT
    f. **Rezoning Request for 38 Properties Located Within the Proposed Seaway Industrial Park (bounded by Young Ave., Seaway Dr., Hackley Ave., and Park St.).** PLANNING & ECONOMIC DEVELOPMENT
    g. **Rezoning Request for Property Located at 1818 E. Sherman.** PLANNING & ECONOMIC DEVELOPMENT
    h. **Rezoning Request for Property Located at 2572 McCracken.** PLANNING & ECONOMIC DEVELOPMENT
    i. **Purchase of 2027 Waalkes Street – Seaway Industrial Park.** PLANNING & ECONOMIC DEVELOPMENT
    j. **County-Wide Aerial Photo Project.** CITY MANAGER
- **PUBLIC HEARINGS:**

a. **Watson Avenue., Rodgers Street, Nelson Street.** ENGINEERING

b. **Millard Avenue, Lake Dunes Drive West End.** ENGINEERING

c. **Houston Avenue from First Street to Sanford Street.** ENGINEERING

d. **Soil Removal, Stripping and Dumping (SRSD) Permit Application for Rag & Metal.** ENGINEERING

- **COMMUNICATIONS:**
- **CITY MANAGER'S REPORT:**
- **UNFINISHED BUSINESS:**
- **NEW BUSINESS:**

a. **Core Communities Initiative Funding Application.** PLANNING AND ECONOMIC DEVELOPMENT

b. **DNR Emergency Electrical Grant Application.** LEISRUE SERVICES

c. **DNR Waterways Grant-In-Aid Application.** LEISURE SERVICES

d. **Selection of General Contractors for Jackson Hill Infill Program.** COMMUNITY & NEIGHBORHOOD SERCIES

e. **Final Allocation Approval for 2001-2002 CDBG/HOME Allocations.** COMMUNITY & NEIGHBORHOOD SERVICES

f. **Additional Funding for CBO's.** COMMISSIONER SCHWEIFLER

- **ANY OTHER BUSINESS:**
- **PUBLIC PARTICIPATION:**
- **CLOSED SESSION:**

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

- **ADJOURNMENT:**

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

Date: **March 27, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Gail A. Kundinger, City Clerk**

RE: **Approval of Minutes**

SUMMARY OF REQUEST: To approve the minutes of the Commission Worksession that was held on Monday, March 12, 2001, and the Regular Commission Meeting that was held on Tuesday, March 13, 2001.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

Date: **March 27, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Community Relations Committee**

RE: **Resolution for Lakeshore Lung Society**

SUMMARY OF REQUEST: To declare Wednesday, May 31, 2001, as Clean Indoor Air Day.

FINANCIAL IMPACT: None

BUDGET ACTION REQUIRED:

STAFF RECOMMENDATION: None

2001-31(a)

City of Muskegon
State of Michigan

PROCLAMATION

WHEREAS, tobacco-related disease is the number one cause of death in Michigan, killing more people than AIDS, alcohol abuse, car crashes, fire, illegal drugs, murder and suicide combined; and

WHEREAS, secondhand smoke is the third leading cause of preventable death in Michigan, killing at least 1900 non-smokers every year; and

WHEREAS, The National Institute for Occupational Safety and Health (NIOSH) has recommended that employers minimize occupational exposure of workers to secondhand smoke by using all available preventable means:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Commissioners of Muskegon declare Wednesday, May 31st **"Clean Indoor Air Day"** (also World No Tobacco Day), encouraging all who live and work in the area to participate in and enjoy the benefits of **clean indoor air** for one day.

IN WITNESS WHEREOF, we hereunto set our hands and cause the seal of the City to be affixed this 31st day of May, 2001.

Fred J. Nielsen, Mayor

Scott Sieradzki, Vice Mayor

John Aslakson, Commissioner

Robert A. Schweifler, Commissioner

Clara Shepherd, Commissioner

Jone Wortelboer Benedict, Commissioner

Lawrence O. Spataro, Commissioner

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 27, 2001

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30pm, Tuesday, March 27, 2001.

Mayor Nielsen opened the meeting by introducing Bishop N. W. Wells, Holy Trinity Church of God in Christ, who offered the prayer, after which the members of the City Commission and the members of the public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Fred J. Nielsen; Vice Mayor Scott Sieradzki; Commissioner Lawrence Spataro, John Aslakson; Jone Wortelboer Benedict; Robert Schweifler; Clara Shepherd;.

2001-31 HONORS AND AWARDS:

a. **Resolution Acknowledging Lakeshore Lung Society.** COMMUNITY RELATIONS

SUMMARY OF REQUEST: To present a resolution recognizing Lakeshore Lung Society and declaring May 31st "Clean Indoor Air Day".

Resolution was presented by Commissioner John Aslakson to Dawn Beckman, representing the Lakeshore Lung Society.

2001-32 CONSENT AGENDA:

a. **Approval of Minutes.** CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Commission Worksession that was held on Monday, March 12, 2001, and the Regular Commission Meeting that was held on Tuesday, March 13, 2001.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes

b. Taxicab License. CITY CLERK

SUMMARY OF REQUEST: We have received a request from Port City Cab to add an additional taxicab. The taxicab has been inspected and approved by Officer Shirey. This will change their total cabs from 14 to 15.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Approval

c. Budgeted Vehicle Purchase. FIRE

SUMMARY OF REQUEST: Approval to purchase, through the State of Michigan group purchasing contract, two Dodge Durango four wheel drive utility vehicles at $24,283.84 ea. from Bill Snethekamp Dodge, Inc.

FINANCIAL IMPACT: $48,567.68 (Public improvement Fund)

BUDGETED: $50,000.00

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Approve the purchase of two Dodge Durango four wheel drive vehicles at $24,283.84 ea. from Bill Snethkamp Dodge.

d. Sale of Buildable Vacant Lots on Oak Avenue. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve the sale of the two (2) vacant irregular buildable lots on Oak Ave., described as Urban Renewal Plat No 1 Lot 56 & 57 to Bantam Group, Inc., of 1290 Wood St, Muskegon, MI. Combined size is 199' frontage and 126' across rear of lot. A single family home will be constructed on the lot. The appraised value of the lot is $9,000 and the Bantam Group, Inc., submitted the only bid of $9,040.

FINANCIAL IMPACT: The sale of this lot for construction of a new home will generate additional tax revenue for the City and will place the property back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTIONS REQUIRED: None

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

COMMITTEE RECOMMENDATION: The LRC previously recommended approval of these two lots for the construction of one home, however the sale was never completed.

e. **Alley Vacation in Block 285 (bounded by Hoyt St., Southern Ave., Leahy St., and Forest Ave.).** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request for vacation of the north part only (north of the north property line of parcel #24-205-285-0005-00) of the north/south alley in Block 285, bounded by Hoyt St., Southern Ave., Leahy St., and Forest Ave..

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Staff recommends vacation of the north part only, as described above, of the proposed alley with the condition that all City easement rights be retained.

COMMITTEE RECOMMENDATION: The Planning Commission recommended vacation of the north part only, as described above, of the proposed alley with the condition that all City easement rights be retained. The vote was unanimous.

f. **Rezoning Request for 38 Properties Located Within the Proposed Seaway Industrial Park (bounded by Young Ave., Seaway Dr., Hackley Ave., and Park St.).** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone 38 properties located within the boundaries of the proposed Seaway Industrial Park (bounded by Young Ave., Seaway Dr., Hackley Ave., and Park St.) from R-1, Single-family Residential and I-1, General Industrial to I-1, Light Industrial.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Staff recommends the rezoning, due to compliance with the future land use map and Master Land Use Plan.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their 3/15/01 meeting. The vote was unanimous.

g. **Rezoning Request for Property Located at 1818 E. Sherman.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone property located at 1818 E Sherman Blvd. From I-2, General Industrial to B-4, General Business.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Staff recommends the rezoning, due to compliance with the future land use map. Note: There are two properties shown on the attached map. This request is only for the westernmost property shown on the map. The rezoning request for the other property has been tabled and will be before the City Commission at a future date.

COMMITTEE RECOMMENDATION: The Planning Commission recommended approval of the request at their 3/15/01 meeting. The vote was unanimous.

i. **Purchase of 2027 Waalkes Street – Seaway Industrial Park.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To purchase property located at 2027 Waalkes Street pursuant to the City of Muskegon goal of creating the Seaway Industrial Park. This request is pursuant to a purchase agreement signed by Gladys Kessler, 2027 Waalkes Street, Muskegon, Michigan on March 12, 2001. The purchase price is $45,000.

FINANCIAL IMPACT: State of Michigan Urban Land Assembly or U.S. EDA funds will be used to purchase this property.

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: To grant approval of the attached resolution consenting to the purchase of 2027 Waalkes for the development of the Seaway Industrial Park.

k. **Lease Agreement Amendment – Oakview Neighborhood Association.** City Manager

SUMMARY OF REQUEST: To approve an amendment to the lease with Oakview Neighborhood Association for the property located at 1774 Madison Street. This amendment would enable the neighborhood association to rent the facility and generate revenue for the building and the association.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: To approve the lease amendment.

Moved by Commissioner Aslakson, seconded by Commissioner Schweifler to approve the consent agenda with the exception of items h & j.

ROLL VOTE: AYES: Aslakson, Benedict, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro

NAYS: None

ADOPTED

2001-33 ITEMS REMOVED FROM THE CONSENT AGENDA:

h. **Rezoning Request for Property Located at 2572 McCracken.** PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Request to rezone property located at 2572 McCracken St. (between Sherman Blvd. And Letarte Ave.) from R-1, Single –family Residential and B-1, Limited Business to entirely B-2, Convenience and Comparison Business, or to entirely B-1, Limited Business.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Staff recommends rezoning the entire parcel to B-1, due to compliance with the future land use map and Master Land Use Plan, and to make the zoning consistent for the entire parcel.

COMMITTEE RECOMMENDATION: The Planning Commission recommended rezoning the entire parcel to B-1 at their 3/15/01 meeting. The vote was unanimous.

Moved by Commissioner Spataro, seconded by Commissioner Aslakson to concur with the recommendation of the Planning Commission for rezoning to B-1

ROLL VOTE: AYES: Nielsen, Schweifler, Shepherd, Sieradzki, Spataro, Aslakson

NAYS: Benedict

ADOPTED

This requires a second reading.

j. **County-Wide Aerial Photo Project.** CITY MANAGER

SUMMARY OF REQUEST: To approve participating in the county-wide digital aerial photography project. This will greatly aide the City's Geographic Information System. (GIS)

FINANCIAL IMPACT:

Phase I – Approximately	$3,400.00 (2001 Budget)
Phase II – Approximately	$7,600.00 (2002 Budget)
Approximate Total	$11,000.00

BUDGET ACTIONS REQUIRED: None. Funds are available in the GIS project budget.

STAFF RECOMMENDATION: To approve the request.

Moved by Vice Mayor Sieradzki, seconded by Commissioner Benedict to approve the participation in the County-Wide Aerial Photo Project.

ROLL VOTE: AYES: Nielsen, Schweifler, Shepherd, Sieradzki, Spataro, Aslakson, Benedict

NAYS: None

ADOPTED

2001-34 PUBLIC HEARINGS:

a. **Watson Avenue, Rodgers Street, Nelson Street.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the **Watson, Rodgers & Nelson Project**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None at this time.

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: To create the special assessment and assign two City Commissioners to the Board of Assessors by Adopting the Attached resolution.

The Public Hearing opened at 6:01pm to hear and consider any comments from the public. Engineer, Mohammed Al-Shatel, explained the item. Comments were heard from; Kim Tighe, 1448 Beach, opposing 27'; Russ Reckell, 1430 Beach, in favor; Jean Matty, 1412 Nelson, in favor; Sandra Jazdzyk, 1448 Nelson, opposed; David Farhat, 3691 Watson, in favor; Karen Kendra, 1430 Nelson, opposed to 27'.

Moved by Commissioner Aslakson, seconded by Commissioner Shepherd to close the public hearing at 6:32pm.

ROLL VOTE: AYES: Schweifler, Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen,

NAYS: None

ADOPTED

Moved by Commissioner Spataro, to approve repaving as outlined by the City Engineer, and create a special assessment district and appoint two commissioners to the board of assessors.

Motion died, lack of support.

Moved by Commissioner Aslakson, seconded by Commissioner Shepherd to approve the creation of a special assessment district and Construct a 24' width roadway and appoint Commissioner Spataro and Shepherd to the Board of Assessors.

ROLL VOTE: AYES: Spataro, Aslakson, Nielsen, Schweifler, Shepherd, Sieradzki,

NAYS: Benedict

ADOPTED

b. **Millard Avenue, Lake Dunes Drive West End.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the **Millard from Lake Dunes to West End Project**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

Furthermore, it is respectfully requested that if the district is created to award the Contract to Jackson Merkey who was the lowest responsible bidder with a bid price of $129,888.70.

FINANCIAL IMPACT: Construction costs plus related engineering costs.

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: To create a special assessment district and appoint two commissioners to the Board of Assessors.

The Public Hearing opened at 6:42pm to hear and consider any comments from the public. Engineer, Mohammed Al-Shatel, explained the item. Comments were heard from; Susan Line, 3240 Millard; Carolina Isley, 3280 Millard; Doris Horton, 3291 Millard; Ronald Pesch, 3351 Millard; John Burch, 3359 Millard, all were opposed.

Moved by Commissioner Schweifler, seconded by Commissioner Spataro at 7:18pm, to continue the public hearing at the April 10, 2001 commission meeting, and for staff to work with residents for addition input from property owners.

ROLL VOTE: AYES: Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler,

NAYS: None

ADOPTED

c. **Houston Avenue from First Street to Sanford Street.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the **Houston Ave. from First to Sanford Project**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: To create a special assessment district and appoint two commissioners to the Board of Assessors.

The Public Hearing opened at 7:26pm to hear and consider any comments from the public. Engineer, Mohammed Al-Shatel, explained the item. No public comments were heard.

Moved by Commissioner Shepherd, seconded by Commissioner Spataro to close the public hearing at 7:26 pm and to approve the creation of a special assessment district and appoint Commissioner Spataro and Shepherd to the Board of Assessors.

ROLL VOTE: AYES: Aslakson, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro,

NAYS: None

ABSENT: Benedict, out of the room

ADOPTED

d. **Soil Removal, Stripping and Dumping (SRSD) Permit Application for Rag & Metal.** ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the Muskegon Rag & Metal Owners' request to place 9,200 cu yards of fill material. They have applied for a Soil Removal, Stripping, and Dumping Permit to place 9,200 cu yards of fill on their site.

FINANCIAL IMPACT: None

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Recommend approval of the request.

The Public Hearing opened at 7:30pm to hear and consider any comments from the public. Engineer, Mohammed Al-Shatel, explained the item. No public comments were heard.

Moved by Commissioner Aslakson, seconded by Commissioner Spataro, to close the public hearing at 7:35pm and to approve the request to place 9,200 cu yards of fill material at their site.

ROLL VOTE: AYES: Benedict, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro, Aslakson

NAYS: None

ADOPTED

COMMUNICATIONS: Clerk, Gail Kundinger congratulated The Mayor and his wife on the celebration of their 25th wedding anniversary.

CITY MANAGER'S REPORT: None

UNFINISHED BUSINESS: None

2001-35 NEW BUSINESS:

a. **Core Communities Initiative Funding Application.** PLANNING AND ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To approve an application for Core Communities Initiative funds from the Michigan Economic Development Corporation in the amount of $1,000,000 for the development of a public seawall and boardwalk improvements on the former Teledyne property (see attached memorandum for additional specifics).

FINANCIAL IMPACT: To be negotiated with the Michigan Economic Development Corporation, if approved.

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: To approve the application for funding.

Moved by Commissioner Spataro, seconded by Commissioner Schweifler to approve the application for the Core Communities Initiative funding.

ROLL VOTE: AYES: Nielsen, Schweifler, Shepherd, Sieradzki, Spataro, Aslakson, Benedict,

NAYS: None

ADOPTED

b. **DNR Emergency Electrical Grant Application.** LEISURE SERVICES

SUMMARY OF REQUEST: To authorize staff to apply for a Michigan Department of Natural Resources emergency electrical grant for Hartshorn Marina.

FINANCIAL IMPACT: $200,000 with a $100,000 local match.

BUDGET ACTIONS REQUIRED: Match will need to be provided by either a bond or a loan to be paid off by the marina over several years.

STAFF RECOMMENDATION: Approval

Moved by Commissioner Spataro, seconded by Commissioner Schweifler to authorize staff to apply for the DNR emergency electrical grant.

ROLL VOTE: AYES: Schweifler, Shepherd, Sieradzki, Spataro, Aslakson, Benedict, Nielsen,

NAYS: None

ADOPTED

c. **DNR Waterways Grant-In-Aid Application.** LEISURE SERVICES

SUMMARY OF REQUEST: To authorize staff to apply for a Department of Natural Resources Waterways Grant-In-Aid

Program for repairs and improvements at Hartshorn Marina.

FINANCIAL IMPACT:

BUDGET ACTIONS REQUIRED:

STAFF RECOMMENDATION:

Moved by Commissioner Spataro, seconded by Commissioner Aslakson to authorize staff to apply for the DNR Waterways Grant-in-aid Program.

ROLL VOTE: AYES: Aslakson, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro

NAYS: Benedict

ADOPTED

d. **Selection of General Contractors for Jackson Hill Infill Program.**
Community & Neighborhood Services

SUMMARY OF REQUEST: To approve Community and Neighborhood Services staff selection of the following two contractors for the Jackson Hill Infill Project. Community and Neighborhood Services selected the following contractors based on their bid amount, previous experience and references:

J & M Enterprises of Fruitport, MI for project 1410 with a bid amount of $101,923.00.

Crown Construction of Grand Rapids, MI for projects 1308 and 1512 with a bid amount of $102,498.83 and $118,513.77 respectfully.

FINANCIAL IMPACT: The funding for this project will be taken from the City's HOME funds from fiscal years 1998 and 1999.

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Approval

Moved by Commissioner Sieradzki, seconded by Commissioner Aslakson to approve the CNS recommendations for contractors for the Jackson Hill infill program.

ROLL VOTE: AYES: Benedict, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro, Aslakson,

NAYS: None

ADOPTED

e. **Final Allocation Approval for 2001-2002 CDBG/HOME Allocations.**
Community & Neighborhood Services

SUMMARY OF REQUEST: To have the City Commission make final approval for the City of Muskegon's 2001-2002 CDBG/HOME allocations from the preliminary recommendations that were

made and approved by Commission during the Public hearing on March 13, 2001.

FINANCIAL IMPACT: To establish the allocation budget for CDBG/HOME for the 2001-2002 fiscal year that begins June 1, 2001.

BUDGET ACTIONS REQUIRED: None

STAFF RECOMMENDATION: Approval

Moved by Commissioner Schweifler, seconded by Commissioner Aslakson to approve the 2001-2002 CDBG/HOME allocations.

Moved by Commissioner Schweifler, seconded by Commissioner Shepherd to amend the original motion to approve 2001-2002 CDBG allocations only.

ROLL VOTE: AYES: Nielsen, Schweifler, Shepherd, Sieradzki, Spataro, Aslakson, Benedict

NAYS: None

ADOPTED

Moved by Commissioner Aslakson, seconded by Commissioner Schweifler to approve the HOME allocations.

ROLL VOTE: AYES: Shepherd, Sieradzki, Spataro, Aslakson, Nielsen, Schweifler,

NAYS: Benedict

ADOPTED

f. **Additional Funding for CBO's.** COMMISSIONER SCHWEIFLER

SUMMARY OF REQUEST: At the last Commission Meeting of March 13, 2001, Commissioner Schweifler requested that the Commission consider allocating the excess funds from the CDBG Sidewalk program, for additional funding of the CBO's.

FINANCIAL IMPACT:

BUDGET ACTIONS REQUIRED:

STAFF RECOMMENDATION:

Moved by Commissioner Schweifler, seconded by Commissioner Spataro to distribute any excess funds from the CDBG Sidewalk program to the 8 CBO's to meet their max of $5,000 for each group and if possible to give $3,000 to legal aid.

ROLL VOTE: AYES: Sieradzki, Spataro, Aslakson, Benedict, Nielsen, Schweifler, Shepherd,

NAYS: None

ADOPTED

ANY OTHER BUSINESS:

Commissioner Spataro read a letter from DPW in regards to a 66" forced sewer main. Manager had already approved for ductile iron.

Commissioner Shepherd, made the statement that organizations needed to be aware that the funds for CDBG may not always be there in the future.

PUBLIC PARTICIPATION:

Various comments were heard from the public.

ADJOURNMENT:

The Regular Commission Meeting for the City of Muskegon was adjourned at 8:34pm.

Respectfully submitted,

Gail Kundinger

Gail Kundinger, CMC/AAE
City Clerk

GK/da

Date: **March 27, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Gail A. Kundinger, City Clerk**

RE: **Taxicab License**

SUMMARY OF REQUEST: We have received a request from Port City Cab to add an additional taxicab. The taxicab has been inspected and approved by Officer Shirey. This will change their total cabs from 14 to 15.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval.

CAB NO. 44

TAXICAB INVENTORY CONTROL

LICENSE YEAR MAY 1, _____ TO APRIL 30, _____

****

****

OPERATOR	Port City Cab
Cab Number	44
Make	ISUZU
Body Style	STA WGN
Year	1997
Serial Number	JR2RJ18D7VC001407
Engine Number	
State License Number	8843 JP
Seating Capacity	7
Weight	

****

Inspected & Approved by _____ Date of Approval 3/9/01

Required under Section 23-29 (2) of Code of Ordinances--City of Muskegon

CITY OF MUSKEGON TAXI CAB INSPECTION LOG

DATE: 3-9-[illegible]

Company: Port City Cab Make: Isuzu #: 44

ITEM	OK	BAD	GENERAL COMMENTS
BRAKES	X		
LIGHTS HI-BEAM	X		
TURN SIGNALS	X		
BRAKE LIGHTS	X		
LICENSE PLATE LIGHT	X		
HORN	X		
TIRES	X		
METER AND LIGHT	X		
WINDSHIELD WIPERS	X		
WINDSHIELD WASHER	X		
CLEANLINESS			

MICHIGAN REGISTRATION

CANDICE S. MILLER
Secretary of State

Plate: 8843JP Expires: 02/28/2002
ORIGINAL REGISTRATION
1997 ISUZU STA WGN
Vehicle No.: JR2RJ1867VC001407
B 655 777 730 772

Fee Cat. or Wt.:000026
County: MUSKEGON

STEVEN RAY BARNUM
13303 BAILEY RD
BAILEY MI 49303

03072001 KA M066 256 0575 808.76

License Fee: 102.00

TR-1L

COVERAGE MEETS MINIMUM LIABILITY INSURANCE PRESCRIBED BY LAW ACORD 50 (1/83)

INSURANCE IDENTIFICATION CARD

OP ID JW

STATE MI

COMPANY NUMBER COMPANY

American Country Insurance

POLICY NUMBER EFFECTIVE DATE EXPIRATION DATE

TCA0003617 02/14/01 02/14/02

YEAR MAKE/MODEL VEHICLE IDENTIFICATION NUMBER

1997 IZUZU WAGON JR2RJ1867VC001407

AGENCY/COMPANY ISSUING CARD

MOURER-FOSTER, INC.
Adam Hirsch
517-371-2300

INSURED

Steve Barnum

13303 Bailey Rd.
Bailey MI 49303

THIS CARD MUST BE KEPT IN THE INSURED VEHICLE AND PRESENTED UPON DEMAND

IN CASE OF ACCIDENT: Report all accidents to your Agency/Company as soon as possible. Obtain the following information:

1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number for each vehicle involved.

COVERAGE MEETS MINIMUM LIABILITY INSURANCE PRESCRIBED BY LAW ACORD 50 (1/83)

Date: **3/15/2001**

To: **Honorable Mayor and City Commission**

From: **Pat Simpson, Fire Chief**

RE: **Budgeted Vehicle Purchase**

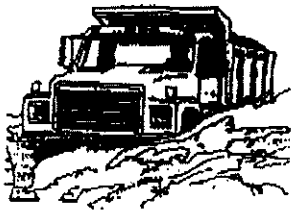
SUMMARY OF REQUEST: Approval to purchase, through the State of Michigan group purchasing contract, two Dodge Durango four wheel drive utility vehicles at $24,283.84 ea. from Bill Snethekamp Dodge,Inc,

FINANCIAL IMPACT: $ 48,567.68 (Public Improvement Fund)

BUDGETED- $50,000

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the purchase of two Dodge Durango four wheel drive vehicles at $24,283.84 ea. from Bill Snethkamp Dodge



City of Muskegon
Department of Public Works
1350 E. Keating Avenue
Muskegon, MI 49442-6183
Voice#: 231-724-4100
Fax#: 231-722-4188

Fax Transmission

To: PAT SIMPSON

From: KELLY DeFRENCH

Date: 3-19-01

Pages: 4 including cover sheet

Re: VEHICAL PRICE COMPARISON

4X4 SUBURBAN $26,782.58

4X4 EXCURSION $28,511.00

4X4 DURANGO $24,283.24

BILL SNETHKAMP - FLEET
6131 S. PENNSYLVANIA AVE.
LANSING, MI. 48911
PHONE: (517) 394-1200 ext:38
(800) 663-8343
FAX: (517) 394-1282

QUOTATION

DURANGO

Name: CITY OF MUSKEGON

Address:

City: **State:** **Zip:**

Contact: KELLY DEFRENCH

Phone: 231-724-4184 **Fax:** 231-722-4188

Date: March 6, 2001

Quote:

Description	Unit Price
STATE OF MI SPEC. -0085	$23,198.84
CFP THIRD ROW SEAT Delete →	$550.00
AHC TRAILER TOW GROUP	$590.00
EGK ABS BRAKES	$495.00
NOTE: DELIVERY @ 1.25 PER ONE WAY MILEAGE.	83.84
BUCKET SEATS ARE A NO CHARGE OPTION.	24,293.84

Total Cost: ~~$24,893.84~~

Signed: TONY SASSO

GORNO FORD INC.

Item No.	Unit	DESCRIPTION	UNIT PRICE
39.		**Truck: Cab and Chassis, Payload 5,500 lbs. min.,** per Mich. Spec. 3958-0077, (Payload 5,500 lb. min.), **with 12 FT. Stake Body and Hydraulic Hoist.,** per Mich. Spec. 3958-0080, dated August, 2000	
		MAKE: Ford MODEL: F-350	
		Body Dealer: Truck Trailer Specialties	
.01	EA.	F.O.B. - DEALERSHIP	$23,227.00
		DELIVERY COST PER MILE $3.00	
54.		**Truck: Utility Vehicle, Large, 6-Passenger, 4 x 4, with Rear Panel Doors.** (Payload 1,500 lbs. min.) per Mich. Spec. 3958-0094, dated August, 2000	
		MAKE: Ford MODEL: Excursion	
.01	EA.	F.O.B. - DEALERSHIP	$28,511.00
		DELIVERY COST PER MILE $3.00	
55.		**Truck: Utility Vehicle, Large, 6-Passenger, 4 x 4, with Rear Panel Doors.** (Payload 2,900 lbs. min.) per Mich. Spec. 3958-0095, dated August, 2000	
		MAKE: Ford MODEL: Excursion	
.01	EA.	F.O.B. - DEALERSHIP	$28,611.00
		DELIVERY COST PER MILE $3.00	

#43 Chevrolet CK 15906 Suburban 1500	DEALER INFORMATION
/le: 4 X 4	Name: BUFF WHELAN CHEVROLET
Model should include ***STANDARD PACKAGING***,	Address: 40445 VAN DYKE
therwise indicated below.	STERLING HEIGHTS, MI, 48313
	Contact: MIKE GRISTCHUK
	Telephone: 810-939-7300

	MINUS	COST
rd Package - 1SA Equipment Group		
,200 Gross Vehicle Weight		
lus Title		
STANDARD COST SUBTOTAL		24723.27
BLE OPTIONS:		
Equipment Group		6161.09
Equipment Group		9770.76
Liftgate w/Wiper (Requires 1SB or 1SC)		N/C
Trailering Package		236.55
4.10 Rear Axle Ratio		41.50
Skid Plate		78.85
Snow Plow Prep		N/A
Locking Rear Differential		209.16
Cloth Bench Seating (Requires 1SB)		N/C
Climate Package		1279.86
Second Row Seat		522.90
Third Row Bench Seating (Requires AT5)		1020.90
Wheel Flares		149.40
Assist Steps (Requires 1SB or 1SC)		269.75
CONTINUED ON NEXT PAGE		25,482.22

$26,762.58

Commission Meeting Date: March 27, 2001

Date: **March 27, 2001**

To: **Honorable Mayor & City Commission**

From: **Planning & Economic Development Department** CBC

RE: **Sale of Buildable Vacant Lots on Oak Avenue**

SUMMARY OF REQUEST:

To approve the sale of the two (2) vacant buildable lots on Oak Avenue (designated as parcel numbers 24-610-000-0056-00 and 24-610-000-0057-00) described as URBAN RENEWAL PLAT NO 1 LOT 56 & 57 to Bantam Group, Inc., of 1290 Wood Street, Muskegon, MI. The combination of the two lots, which are odd shaped, results in a lot that although it has 199 feet of frontage on the street, it is only 126 feet across the rear of the lot. With this in mind, it would be impossible to fit the house on one of these lots without requesting a variance. The lot is being offered to Bantam Group, Inc. for $9,040. They plan to use the land for the construction of an approximately 1,300 sq. ft. single-family home. The home will contain 3 bedrooms, two bathrooms, a full basement, and a 2 stall attached garage. The appraised value of the lot is $9,000 and the Bantam Group, Inc. submitted the only bid of $9,040.

FINANCIAL IMPACT:

The sale of this lot for construction of a new home will generate additional tax revenue for the City and will place the property back on the City's tax rolls thus relieving the City of continued maintenance costs.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

The LRC previously recommended approval of these two lots for the construction of one home, however that sale was never completed.

Resolution No. 2001-32(d)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING THE SALE OF A BUILDABLE LOT IN MARQUETTE NEIGHBORHOOD FOR $9,040.

WHEREAS, Bantam Group, Inc. has placed a $200 deposit for the parcels designated as parcel numbers 24-610-000-0056-00 and 24-610-000-0057-00, located on Oak Avenue;

WHEREAS, Bantam Group, Inc. has submitted the only bid of $9,040 for the parcel designated as parcel numbers 24-610-000-0056-00 and 24-610-0057-00, located on Oak Avenue;

WHEREAS, the sale would generate additional tax revenue for the City and relieve the City of further maintenance costs;

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

NOW THEREFORE BE IT RESOLVED, that parcel numbers 24-610-000-0056-00 and 24-610-000-0057-00, located on Oak Avenue be sold to the above-mentioned buyer.

URBAN RENEWAL PLAT NO 1 LOT 56 & 57;

Adopted this 27th day of March, 2001

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

Nays: None

Absent None

By: Fred J. Nielsen
Fred J. Nielsen, Mayor

Attest: Gail Kundinger
Gail Kundinger, Clerk

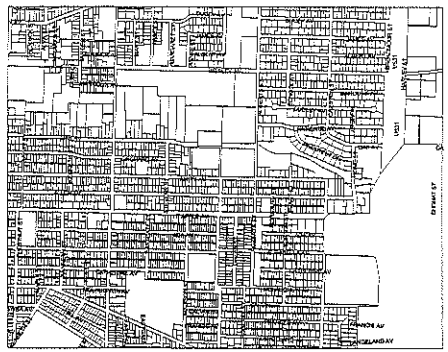
CERTIFICATION

I hearby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on March 27, 2001.

By: Gail Kundinger
Gail Kundinger, Clerk

City-Owned Property Map
Vacant Lot on Oak Avenue

☆ = Subject Property(ies) to be sold



REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT is made March 27, 2001, by and between the **CITY OF MUSKEGON**, a municipal corporation, with offices at 933 Terrace Street, Muskegon, MI 49440 ("Seller"), and **THE BANTAM GROUP, INC., a Wisconsin corporation,** of 1290 Wood Street, Muskegon, MI 49441 ("Buyer").

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

Lots 56 and 57 of URBAN RENEWAL PLAT NO. 1.

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

2. **Purchase Price and Manner of Payment.** The purchase price for the Premises shall be Nine Thousand Forty Dollars ($9,040), payable, in cash, to Seller at Closing.

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

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

5. **Covenant to Construct Improvements and Use.** Buyer acknowledges that, as part of the consideration inuring to the City, Buyer covenants and agrees to construct on the premises a single-family home, up to all codes, within eighteen (18) months of the closing of this transaction. Buyer may only remove those trees necessary for construction of the home. The

home shall be substantially completed by that time and, in the event said substantial completion has not occurred, or the restriction of this paragraph relating to tree removal is violated, in the sole judgment of the City, the property and all improvements then installed shall revert in title to the City, without any compensation or credit to Buyer. Buyer further covenants that the home shall be owner occupied for five (5) years after the closing. The covenants in this paragraph shall survive the closing and run with the land.

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

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

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

9. **Closing.** The closing date of this sale shall be on or before June 26, 2001 ("Closing"). The Closing shall be conducted at Transnation Title Insurance Company, 570 Seminole Road, Ste. 102, Muskegon, MI 49444. If necessary, the parties shall execute an IRS closing report at the Closing.

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

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

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

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

14. **General Provisions.**

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

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

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

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

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

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

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

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

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

WITNESSES:

Debra Atkinson
DEBRA ATKINSON

Shaun T. Hull
Shaun T. Hull

Deborah Steenhagen

Tara Aylsworth

SELLER: CITY OF MUSKEGON

Fred J. Nielsen, Mayor

Gail A. Kundinger, Clerk

BUYER: BANTAM GROUP, INC.

By _____

Its PRESIDENT

and _____

Its _____

Drafted by: G. Thomas Johnson
PARMENTER O'TOOLE
175 W. Apple Avenue, P.O. Box 786
Muskegon, Michigan 49443-0786
Telephone: 231/722-1621

QUIT-CLAIM DEED

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

QUIT CLAIMS to: THE BANTAM GROUP, INC., a Wisconsin corporation, of 1290 Wood Street, Muskegon, MI 49441,

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

Lots 56 ad 57 of Urban Renewal Plat No. 1;

for the sum of Nine Thousand Forty Dollars ($9,040).

PROVIDED, HOWEVER, Grantee, or its assigns, shall commence construction of one (1) single family home on the premises herein conveyed within eighteen (18) months after the date hereof. In default of such construction, title to the premises shall revert to the City of Muskegon free and clear of any claim of Grantee or its assigns; and, in addition thereto, the City of Muskegon may retain the consideration for this conveyance free and clear of any claim of Grantee or its assigns. "Complete construction" means: (1) issuance of a residential building permit by the City of Muskegon; and, (2) in the sole opinion of the City of Muskegon's Director of Inspections, completion of the dwelling described in the said building permit. In the event of reversion of title of the above described premises, improvements made thereon shall become the property of Grantor. Provided, further, that Grantee covenants that the parcel described above shall be improved with not more than one (1) single family home. This covenant shall run with the land.

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

Dated this 13 day of April, 2001.

Signed in the presence of:

Debra Atkinson
DEBRA ATKINSON

Shawn T. Hull
Shawn T. Hull

CITY OF MUSKEGON

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

and Gail A. Kundinger
Gail A. Kundinger, Its Clerk

STATE OF MICHIGAN
COUNTY OF MUSKEGON

The foregoing instrument was acknowledged before me on April 13, 2001, by FRED J. NIELSEN and GAIL A. KUNDINGER, Mayor and Clerk, respectively, of the CITY OF MUSKEGON, a municipal corporation, on behalf of the City.

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

PREPARED BY: G. Thomas Johnson
G. Thomas Johnson, Parmenter O'Toole
175 W. Apple Avenue
Muskegon, MI 49443-0786
Telephone: 231/722-1621

WHEN RECORDED RETURN TO: Grantee

SEND SUBSEQUENT TAX BILLS TO: Grantee

SURVEY WAIVER

Date: December 27, 2001

RE: 414222

To: TRANSNATION TITLE INSURANCE COMPANY
570 Seminole Road
Muskegon MI 49444

Property Address:
V/L Oak Ave.
Muskegon, Michigan 49442
County: Muskegon

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

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

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

PURCHASER(S):

Bantam Group, Inc.

BY _____
Michael J.A. Amrhein, President

SELLER(S):

The City of Muskegon,

BY _____
Lonna Anguilm, Assistant City Planner

FILE # 414222
DATE: December 27th 2001
PROPERTY ADDRESS: V/L Oak Ave.

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

Please check one of the following:

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

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

SELLER(S):

The City of Muskegon,

BY _____
Lonna Anguilm, Assistant City Planner

AFFIDAVIT OF TITLE

STATE OF MICHIGAN }
} SS
COUNTY OF Muskegon }

Title Commitment # 414222

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

V/L Oak Ave.
Muskegon, Michigan 49442

AND

1. That on this date hereof there is no mechanic's lien on the property and that no work has been done, or materials furnished, out of which a mechanic's lien could ripen.

2. That no agreement is in effect which would adversely affect the title to the property such as a purchase agreement, lease, land contract, option, etc. other than the contract with the grantees in a certain deed of even date hereof.

3. That the parties in possession other than the affiant(s) are bona fide tenants only and have no other interest in the premises whatsoever.

4. That there are no judgments or liens against affiant(s), including income tax liens, adversely affecting the title to said property.

5. That there are no unpaid taxes, special assessments or water bills outstanding other than those shown on the closing statement.

6. That any overlooked, unknown, or misquoted taxes, special assessments, water bills, mortgage deficiencies, etc. shall be immediately paid by affiant(s) as soon as informed of such.

Seller(s):

The City of Muskegon,

BY _____
Lonna Anguilm, Assistant City Planner

Subscribed and sworn to, before me a Notary Public, this 27th day of December, 2001

_____
Notary Public _____ County

My Commission Expires: _____

LEEANN M. LARSON
Notary Public, Muskegon County, Michigan
My Commission Expires 11-10-2004

MUSKEGON REAL ESTATE BOARD
ADDENDUM TO BUY and SELL AGREEMENT

Date: December 27, 2001.

Office of Phone REALTOR, MUSKEGON, MI

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

   Lots 56 and 57, Muskegon Urban Renewal Plat No. 1, as recorded in Liber 19 of Plats, Pages 6, 7 and 8, Muskegon County Records.

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

   The complete legal description of the property is stated above. Closing date shall be extended to December 27, 2001.

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

Judy M Swift
Witness

Bantam Group, Inc.

BY
Michael J.A. Amrhein, President

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

Judy M Swift
Witness

The City of Muskegon,

BY
Lonna Anguilm, Assistant City Planner

TRANSNATION TITLE INSURANCE COMPANY
570 Seminole Road
Muskegon MI 49444

Date: December 27, 2001
Escrow Number: 414222

Property Address: V/L Oak Ave.
Muskegon, Michigan 49442

SELLER'S STATEMENT	DEBIT	CREDIT
Purchase Price	$	$ 9,040.00
EXISTING LOAN		
Deposit of earnest money	200.00	
CLOSING FEES	150.00	
MORTGAGE - SIMULTANEOUS ISSUE	170.00	
Real Estate Commission		
Sub Total	$ 520.00	$ 9,040.00
Amount due Seller	$ 8,520.00	
TOTALS	$ 9,040.00	$ 9,040.00

****

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

Seller(s) Signature(s):

The City of Muskegon,

BY_____
Lonna Anguilm, Assistant City Planner

Commission Meeting Date: March 27, 2001

Date: **March 16, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development**

RE: **Alley Vacation in Block 285 (bounded by Hoyt St., Southern Ave., Leahy St., and Forest Ave.)**

SUMMARY OF REQUEST:

Request for vacation of the north part only (north of the north property line of parcel #24-205-285-0005-00) of the north/south alley in Block 285, bounded by Hoyt St., Southern Ave., Leahy St., and Forest Ave.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

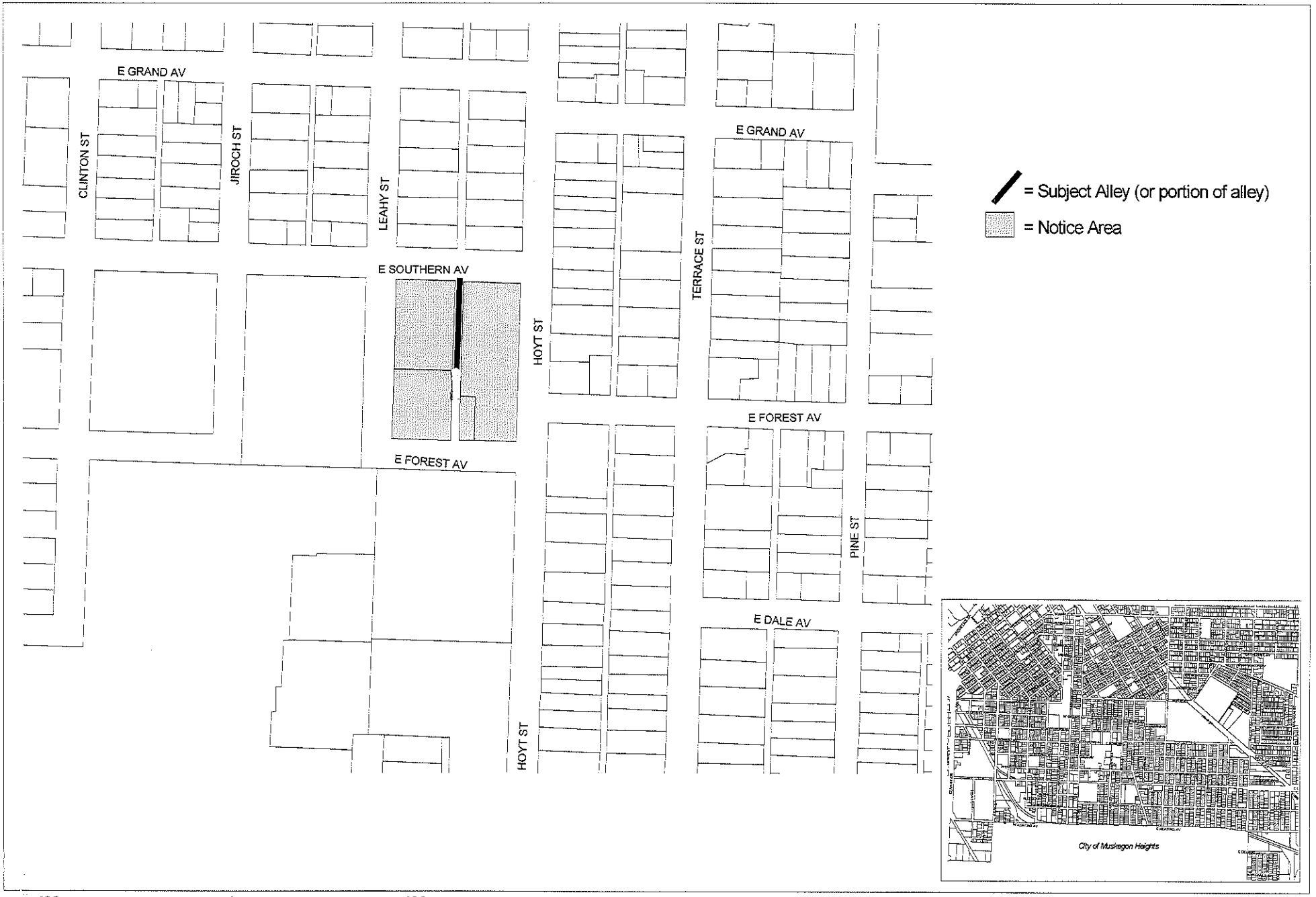
STAFF RECOMMENDATION:

Staff recommends vacation of the north part only, as described above, of the proposed alley with the condition that all City easement rights be retained.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended vacation of the north part only, as described above, of the proposed alley with the condition that all City easement rights be retained. The vote was unanimous.

City of Muskegon
Planning Commission
Case #2001-9



CITY OF MUSKEGON

RESOLUTION 2001-32(e)

RESOLUTION TO VACATE A PUBLIC ALLEY

WHEREAS, a petition has been received to vacate the north part only (north of the north property line of parcel #24-205-285-0005-00) of the north/south alley in Block 285 of the Revised Plat of 1903, City of Muskegon; and

WHEREAS, the Planning Commission held a public hearing on March 15, 2001 to consider the petition and subsequently recommended the vacation; and

WHEREAS, due notice had been given of said hearing as well as the March 27, 2001 City Commission meeting to consider the recommendation of the Planning Commission;

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

BE IT FURTHER RESOLVED that the City Commission does hereby declare the north part only (north of the north property line of parcel #24-205-285-0005-00) of the said alley vacated and discontinued provided, however, that this action on the part of the City Commission shall not operate so as to conflict with fire access or the utility rights heretofore acquired by the City or by any public service utility in the City of Muskegon, operating in, over and upon said portion of alley hereby vacated, and it is hereby expressly declared that such rights shall remain in full force and effect.

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

Adopted this 27th day of March, 2001.

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

Nays: None

Absent: None

By: Fred J. Nielsen
Fred J. Nielsen, Mayor

Attest: Gail A. Kundinger
Gail A. Kundinger, Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, County of Muskegon, Michigan, at a regular meeting held on March 27, 2001.

Gail Kundinger

Gail Kundinger, CMC/AAE
Clerk, City of Muskegon

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

March 15, 2001

Hearing; Case 2001-9: Request for vacation of a portion of the existing north/south alley in Block 285 (bounded by Southern Ave., Leahy St., Forest Ave. and Hoyt St.), by the Hope Network.

BACKGROUND

In February, the Planning Commission approved the site plan for the 18-unit apartment complex being proposed by Hope Network on property located at 1589 Hoyt St. At that meeting, there was discussion about the status of the alley located in the block. As staff has been unable to find any data which would indicate that they alley had been previously vacated, Hope Network is asking at this time to vacate a portion of the alley, down to the property line of the existing home to the south of their proposed development. This way, the alley would remain open for the use of the resident(s) of that home, but no through access would be permitted across Hope Network's portion of vacated alley. Hope Network's site plan calls for lawn and sidewalk over the alley - no structure is proposed. The City would retain easement rights to the utilities located in the alley.

Commission Meeting Date: March 27, 2001

Date: **March 16, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development**

RE: **Rezoning request for 38 properties located within the proposed Seaway Industrial Park (bounded by Young Ave., Seaway Dr., Hackley Ave. and Park St.).**

SUMMARY OF REQUEST:

Request to rezone 38 properties located within the boundaries of the proposed Seaway Industrial Park (bounded by Young Ave., Seaway Dr., Hackley Ave., and Park St.) from R-1, Single-Family Residential and I-2, General Industrial to I-1, Light Industrial.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

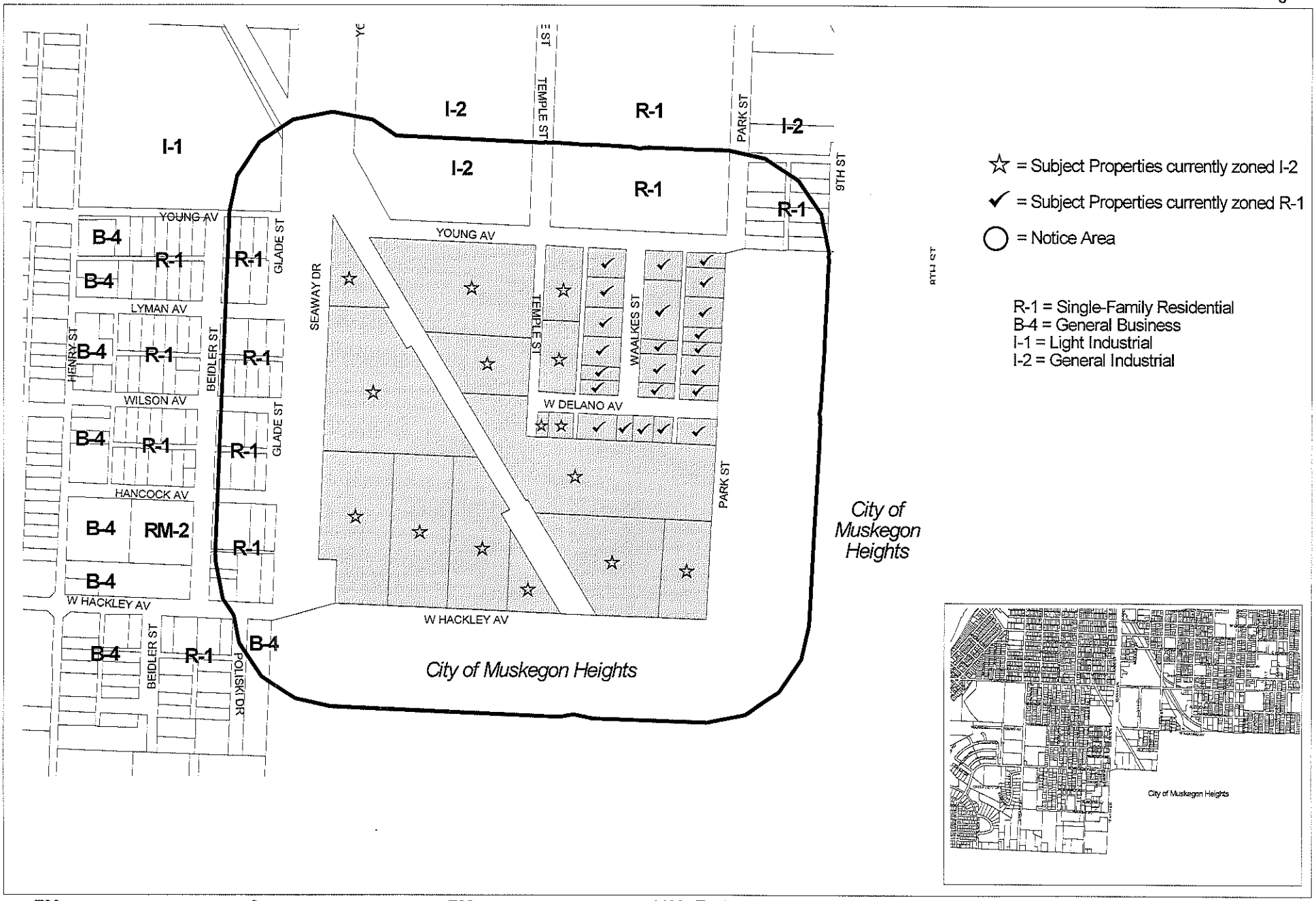
STAFF RECOMMENDATION:

Staff recommends the rezoning, due to compliance with the future land use map and Master Land Use Plan.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 3/15/01 meeting. The vote was unanimous.

City of Muskegon
Planning Commission
Case #2001-10



CITY OF MUSKEGON

MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2043

An ordinance to amend the zoning map of the City to provide for a zone change for certain properties from R-1 "Single-Family Residential" and I-2 "General Industrial" to I-1 "Light Industrial".

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

The zoning map of the City of Muskegon is hereby amended to change the zoning of the following described properties from R-1 "Single-Family Residential" and I-2 "General Industrial", to I-1 "Light Industrial":

- ALL THAT PART OF THE N 1/2 OF SE 1/4 OF NW 1/4 SEC. 31 T10N R16W DESC AS BEG @ A PT ON E LINE OF GLADE ST @ NE COR OF LYMAN ST EXTD ELY & GLADE ST TH NLY ALONG SAID E LINE OF GLADE ST TO A PT ON A LINE WHICH IS 50 FT SWLY OF MEASURED @ RT ANG & PAR TO C/L OF P M R R MAIN TRACK TH SELY & PAR TO SAID MAIN TRACK TO A PT WHICH IS DIRECTLY OPPOSITE & E OF POB TH W TO POB
- COMM @ INTER OF E LINE OF GLADE ST & N LINE OF LYMAN ST IN PLAT OF ALBERTS & HOLTHES SUB TH E 172.3 FT TO WLY R/W LINE OF P M R R SAID PT BEING HEREINAFTER REFERRED TO AS PT A RECOMMENCE @ PL OF BEG TH S ALONG E LINE OF GLADE ST BEING ALSO THE W LINE OF SAID SE 1/4 OF NW FRL 1/4 499 FT TH E 506.6 FT M/L TO WLY R/W LINE OF P M R R TH NWLY ALONG WLY R/W LINE OF SAID R R TO PT A EX COM @ PT ON NWLY R/W LINE OF C & O R R WHICH IS DUE E FROM SE COR LOT 9 BLK 2 ALBERTS & HOLTHES SUB TH SELY ALONG SAID R R R/W 150 FT TH SWLY @ RT ANG TO SAID R/W LINE 17 FT TH NWLY @ A DISTANCE OF 17 FT FROM MEASURED @ RT ANG & PAR TO SAID R/W 160 FT M/L TO A PT WHICH IS DUE W FROM PL OF BEG TH DUE E TO PL OF BEG SEC 31 T10N R16W
- W 426.07 FT OF S 546.5 FT OF SE 1/4 OR NW 1/4 SEC 31 T10N R16W EX S 49.5 FT THEREOF, EXC ELY 200 FT & EXC COM @ SW COR OF SE 1/4 OF NE 1/4 OF SD SEC FOR POB, TH N 0 DEG E 162 FT TH S 90 DEG E 60 FT TH S 0 DEG E 162 FT TH W 60 FT M/L TO POB
- ELY 200 FT OF W 426.07 FT OF S 546.5 FT OF SE 1/4 OF NW 1/4 SEC 31 T10N R16W EXC S 49.5 FT THEREOF
- PART OF SW 1/4 OF NW FRA 1/4 OF SEC 31, T10N R 16 W CITY OF MUSKEGON, MUSKEGON COUNTY MI, DESCRIBED AS FOLLOWS: COMM AT SW COR OF SE 1/4 OF NW FRA 1/4 TH S 89 DEG 57 MIN 15 SEC E ALONG E & W QTR LINE OF SAID SEC 426.07 FT FOR P O B THENCE N 00 DEG 02 MIN 45 SEC E 546.50 FT THENCE S 89 DEG 57 MIN 15 SEC E 84.20 FT TO WLY LINE OF CHESAPEAKE & OHIO R R RIGHT OF WAY, THENCE S 33 DEG 26 MIN 57 SEC E ALONG SAID WLY LINE 182.13 FT, THENCE S 56 DEG 33 MIN 03 SEC W ALONG SAID RIGHT OF WAY LINE 17.00 FT THENCE S 33 DEG 26 MIN 57 SEC E ALONG SAID WLY RIGHT OF WAY LINE 62.45 FT, THENCE S 00 DEG 02 MIN 45 SEC W 333.15 FT TO

SAID E & W QTR LINE, THENCE N 89 DEG 57 MIN 15 SEC W ALONG SAID E & W QTR LINE 205.00 FT TO P O B EXCEPT THE S 49.5 FT THEREOF

- ELY 198 FT OF S 546.5 FT OF SE 1/4 OF NW 1/4 OF SEC 31 T10N R16W LYING W OF C&O RR ROW EXC S 49.5 FT THEREOF FOR ROAD PURPOSES
- THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31, TOWN 10 NORTH, RANGE 16 WEST, NORTH OF THE SOUTH LINE OF YOUNG AND WILLIAMS ADDITION TO MUSKEGON HEIGHTS, IF EXTENDED, AND LYING EAST OF THE PERE MARQUETTE RAILROAD RIGHT OF WAY AND WEST OF YOUNG AND WILLIAMS ADDITION TO THE CITY OF MUSKEGON HEIGHTS, EXCEPT THE SOUTH 20 FEET OF THE NORTH 553 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, LYING EAST OF THE P & M RAILROAD AND WEST OF YOUNG AND WILLIAMS ADDITION IN SECTION 31, TOWN 10 NORTH, RANGE 16 WEST
- THE S 200 FT OF THE N 553 FT OF SE 1/4 OF NE 1/4 LYING E OF PM RR R/W & W OF YOUNG & WILLIAMS ADDITION
- CITY OF MUSKEGON SECTION 31 T10N R16W PART OF SE 1/4 OF NW FRA 1/4 SD SEC DESC AS COM ON N/S 1/4 LINE 380 FT N OF SE COR THEREOF TH N 0D 00M 264 FT ALG SD N/S 1/4 LINE TO SE COR OF YOUNG & WILLIAMS ADD TO MUSK HEIGHTS TH S 89D 40M W ALG S LIN SD PLAT 672.43 FT TH N 0D 00M 132 FT ALG W LINE SD PLAT TH S 89D 40M W 219.35 FT TO ELY ROW LINE C&O RR FOR POB TH N 89D 40M E 219.35 FT TO W LINE YOUNG & WILLIAMS ADD PLAT TH S 0D 00M ALG W LINE SD PLAT EXTENDED TO NELY LN OF SD C&O RR ROW TH N 33D 26M 30S W ALG SD RR ROW TO POB
- CITY OF MUSKEGON SECTION 31 T10N R16W PART OF SE 1/4 OF NW FRA 1/4 SD SEC DESC AS BEG ON N/S 1/4 LINE 380 FT N OF SE COR THEREOF TH N 0D 00M 264 FT ALG SD N/S 1/4 LINE TO SE COR OF YOUNG & WILLIAMS ADD TO MUSK HEIGHTS TH S 89D 40M W ALG S LIN SD PLAT 672.43 FT TH N 0D 00M 132 FT ALG W LINE SD PLAT TH S 89D 40M W 219.35 FT TO ELY ROW LINE C&O RR TH S 33D 26M 30S E 418.09 FT ALG ELY ROW LINE TH N 56D 33M 30S E 17 FT TH S 33D 26M 30S E 62.55 FT ALG ELY LINE SD RR ROW TH N 89D 55M E 612.60 FT PAR WITH E/W 1/4 LINE TO POB EXCEPT FOLL DESC PARCEL COMM AT NW COR OF ABOVE DESC PARCEL FOR POB TH N 89D 40M E 219.35 FT TO W LINE YOUNG & WILLIAMS ADD PLAT TH S 0D 00M ALG W LINE SD PLAT EXTENDED TO NELY LN OF SD C&O RR ROW TH N 33D 26M 30S W ALG SD RR ROW TO POB ALSO INCL THAT PART OF NW FRAC 1/4 SEC 31 T10N R16W DESC AS COMM AT NW COR OF HACKLEY AVE AND PARK ST TH W ALG N LINE OF HACKLEY AVE 160.00 FT FOR POB TH N PAR TO W LINE PARK ST 350.00 FT TH W PAR TO N LINE HACKLEY AVE 419.4 FT TO ELY LINE C&O (NOW CSX) RR ROW TH SELY ALG ELY LINE SD RR ROW 419.25 FT TO N LINE HACKLEY AVE TH E 188.7 FT TO POB
- PART OF NW FRL 1/4 SEC 31, T 10 N, R 16 W, DESC AS FOL: COMM AT NW COR HACKLEY AVE & PARK ST, TH N ALG W LINE OF PARK ST 350 FT, TH W PAR WITH N LINE OF HACKLEY AVE 160 FT, TH S PAR WITH WLY LINE OF PARK ST 350 FT TO N LINE OF HACKLEY AVE TH E ALG N LINE OF HACKLEY AVE 160 FT TO POB
- LOTS 1 THROUGH 20 INCLUSIVE, BLOCK 1 OF YOUNG & WILLIAMS ADDITION

- LOTS 1 THROUGH 20 INCLUSIVE, BLOCK 2 OF YOUNG & WILLIAMS ADDITION
- LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 3 OF YOUNG & WILLIAMS ADDITION AND WLY 55 FT VACATED WAALKES ST ADJ
- LOTS 1 THROUGH 4 INCLUSIVE, BLOCK 4 OF YOUNG & WILLIAMS ADDITION AND E 11 FT OF WAALKES ST VAC ADJ

This ordinance adopted:

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

Nayes: None

Adoption Date: March 27, 2001

Effective Date: April 13, 2001

First Reading: March 27, 2001

Second Reading: N/A

CITY OF MUSKEGON

By: Gail A. Kundinger
Gail A. Kundinger, 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 27th day of March, 2001, 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 Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: March 27, 2001.

Gail Kundinger
Gail Kundinger, CMC/AAE
Clerk, City of Muskegon

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

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

March 15, 2001

Hearing; Case 2001-10: Staff-initiated request to rezone 38 properties located within the boundaries of the proposed Seaway Industrial Park (bounded by Hackley Ave., Park St., Young Ave. and Seaway Dr.) from R-1, Single-Family Residential and I-2, General Industrial to I-1, Light Industrial.

BACKGROUND

Applicant: City of Muskegon
Address/Location of Subject Property: Area bounded by Hackley, Park, Young, & Seaway.
Current Use: Various - residential, commercial and industry
Current Zoning: R-1, Single-Family Residential and I-2, General Industrial
Proposed Zoning: I-1, Light Industrial

STAFF OBSERVATIONS

1. The subject properties are located within the boundaries of the proposed Seaway Industrial Park, which the City has been working to develop for the past several years. The City has been purchasing properties within the proposed park boundaries and that process is almost completed at this time.
2. The area contains a small residential neighborhood, currently zoned R-1, of which most properties have already been purchased by the City. The area also contains several industries, currently zoned I-2.
3. There is one existing commercial use located within the boundaries of the proposed industrial park, Ernie's Used Cars. This use is currently nonconforming in the I-2 district. Staff is asking to rezone this property as well, since downzoning it to I-1, while not bringing it into complete conformance with the ordinance, at least brings it closer to compliance. The business would still be a nonconforming use.
4. The Future Land Use Map shows the entire area to be "Industrial", with the exception of the property on the NE corner of Hackley Ave. and Seaway Dr., which is shown to be "Commercial".
5. The Master Land Use Plan states:
   - The area's stability varies throughout. Residential locations range from mature, well maintained, neighborhoods to those undergoing significant decline and in need of rehabilitation.

- Most of the industrial development is also mature in age. And, like the area's residential development, ranges from well maintained facilities to those in need of major rehabilitation and/or removal.
- Sub-Area Issues:
  - Buffers between residential and industrial development are virtually non-existent.
  - The small enclave of housing within the vicinity of East Hackley Avenue and Park Street is isolated by industrial and commercial development. The suitability, and long term survival, of residential development in this location is questionable.

6. The Master Plan recommends for this sub-area:
   - Redevelop that portion of the sub-area located south and east of the industrial sector from residential to industrial.
   - Coordinate planning efforts with that of Muskegon Heights. Of particular note is the joint development of a small industrial park from Park to Seaway and Hackley to Laketon.
7. The existing industries already located within the area are currently zoned I-2. Staff is asking for the entire area to be rezoned to I-1 because the uses permitted in I-1 are more in line with the types of businesses that staff is hoping to recruit into the industrial park. In general, most of the existing industries are permitted in the I-1 district as well, so that very few, if any, nonconforming uses would be created by downzoning these properties.
8. Staff received a phone call asking for information on what the request is about. The caller did not leave a name or address. Staff also received a phone call from a Mr. Staple on Beidler St. He also had a question asking what the request is about, and stated that he has no objections as long as the rezoning won't affect his taxes. Staff received a call from Emery Freeman of River City Electronics, 418 W. Hackley, which is an existing industry within the area to be rezoned. Mr. Freeman stated that he has no objections to the rezoning.

ORDINANCE EXCERPTS

See Case #2001-6 for the excerpt of R-1 district.
See Case #2001-7 for the excerpt of I-2 district.

ARTICLE XIV - I-1 LIGHT INDUSTRIAL DISTRICTS

PREAMBLE

The I-1 Light Industrial Districts are designed so as to permit wholesale, warehousing, and manufacturing facilities whose external, physical effects have a minimum detrimental effect on the adjacent districts. It is the intent of this article to permit, in addition to specific uses enumerated, the manufacturing, compounding, processing, packaging, assembly, and/or treatment of finished or semifinished products from previously prepared material. The uses permitted are those which meet a higher standard of restrictions than those imposed in the I-2 Zoning District, and shall be of a type other than those which produce hazardous material as defined in the Fire Code.

SECTION 1400: PRINCIPAL USES PERMITTED

All principal uses of land and buildings which are erected or structurally altered or occupied shall be those specified in this article:

1. The manufacture, compounding, processing of food, and pharmaceuticals.

2. The manufacture, compounding, or assembly of products from previously prepared materials, including but not limited to fabrics, glass, leather, paper, metal, or plastics.

3. Machine shops and metal finishing shops, including the incidental of casting of metal products and alloying of furnace ready non-ferrous metals which are free of paint, oils or other organic substances.
4. Crematories.

5. Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities such as: lumber yards or motor vehicle, boat, or implement sales.

6. Storage yards.

7. Warehousing of materials not highly hazardous as defined in the Fire Code.

8. Veterinary clinics and outdoor kennels.

9. Lumber and planing mills.

10. Municipal buildings, public service buildings, auto equipment repair shops doing major repair.
11. Accessory buildings and uses customarily incidental to the above Principal Uses Permitted.

12. Uses similar to the above.

13. Non-accessory signs provided that the signs conform to Section 2308 (1)(f) of this Code.

SECTION 1401: SPECIAL LAND USES PERMITTED

The following uses, and their accessory buildings and accessory uses, shall be permitted as a special land use if it is found to meet the standards outlined in Section 2332 of this Ordinance, subject to the applicable conditions imposed by Ordinance and other reasonable conditions imposed by the Planning Commission:

1. Railway or truck freight terminals located more than two hundred (200) feet from any residential district.

2. Freestanding commercial radio, television, and similar transmission towers greater than 175 feet and their attendant facilities.

3. Paint manufacturing.

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

5. Prisons and other similar correctional facilities.

6. Adult bookstores, adult indoor and outdoor motion picture theaters, and cabarets. Recognizing that because of their nature some uses have objectionable operational characteristics, especially when concentrated in small areas and recognizing that such uses may have a harmful effect on adjacent areas, special regulation of these uses is necessary to insure that these adverse effects will not

contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are as follows:...

7. Uses similar to the above Special Land Uses Permitted.

SECTION 1402: PLANNED UNIT DEVELOPMENTS [amended 10/98]

...

SECTION 1403: AREA AND BULK REQUIREMENTS [amended 4/00]

...

DELIBERATION

Criteria-based questions typically asked during a rezoning include:

1. **What**, if any, identifiable **conditions** related to the petition **have changed which justify** the petitioned **change in zoning**.

2. **What** are the **precedents and the possible effects** of precedent which **might result from the approval or denial** of the petition.

3. What is the **impact** of the amendment on the ability of the city to provide **adequate public services** and **facilities and/or programs** that might reasonably be required in the future if the petition is approved.

4. Does the petitioned zoning change adversely affect the environmental conditions or value of the surrounding property.

5. Does the petitioned zoning change generally **comply with the adopted Future Land Use Plan of the City**.

6. Are there any **significant negative environmental impacts** which would reasonably occur if the petitioned zoning change and resulting allowed structures were built such as:

    a. **Surface water** drainage problems
    b. **Waste water** disposal problems
    c. Adverse effect on surface or subsurface **water quality**
    d. The **loss of valuable natural resources** such as **forest, wetland, historic sites, or wildlife areas**.

CITY OF MUSKEGON

NOTICE OF ADOPTION

Please take notice that on March 27, 2001, the City Commission of the City of Muskegon adopted an ordinance amending the zoning map to provide for the change of zoning of the following property from R-1 "Single-Family Residential" and I-2 "General Industrial", to I-1 "Light Industrial":

ALL PROPERTIES LOCATED WITHIN THE BOUNDARIES OF SEAWAY DR., HACKLEY AVE., PARK ST., AND YOUNG AVE.

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 April 3, 2001

CITY OF MUSKEGON

By _____
Gail A. Kundinger
Its Clerk

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

Account No. 101-80400-5354

2043

Commission Meeting Date: March 27, 2001

Date: **March 19, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development** 3

RE: **Rezoning request for property located at 1818 E. Sherman**

SUMMARY OF REQUEST:

Request to rezone property located at 1818 E. Sherman Blvd. from I-2, General Industrial to B-4, General Business.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

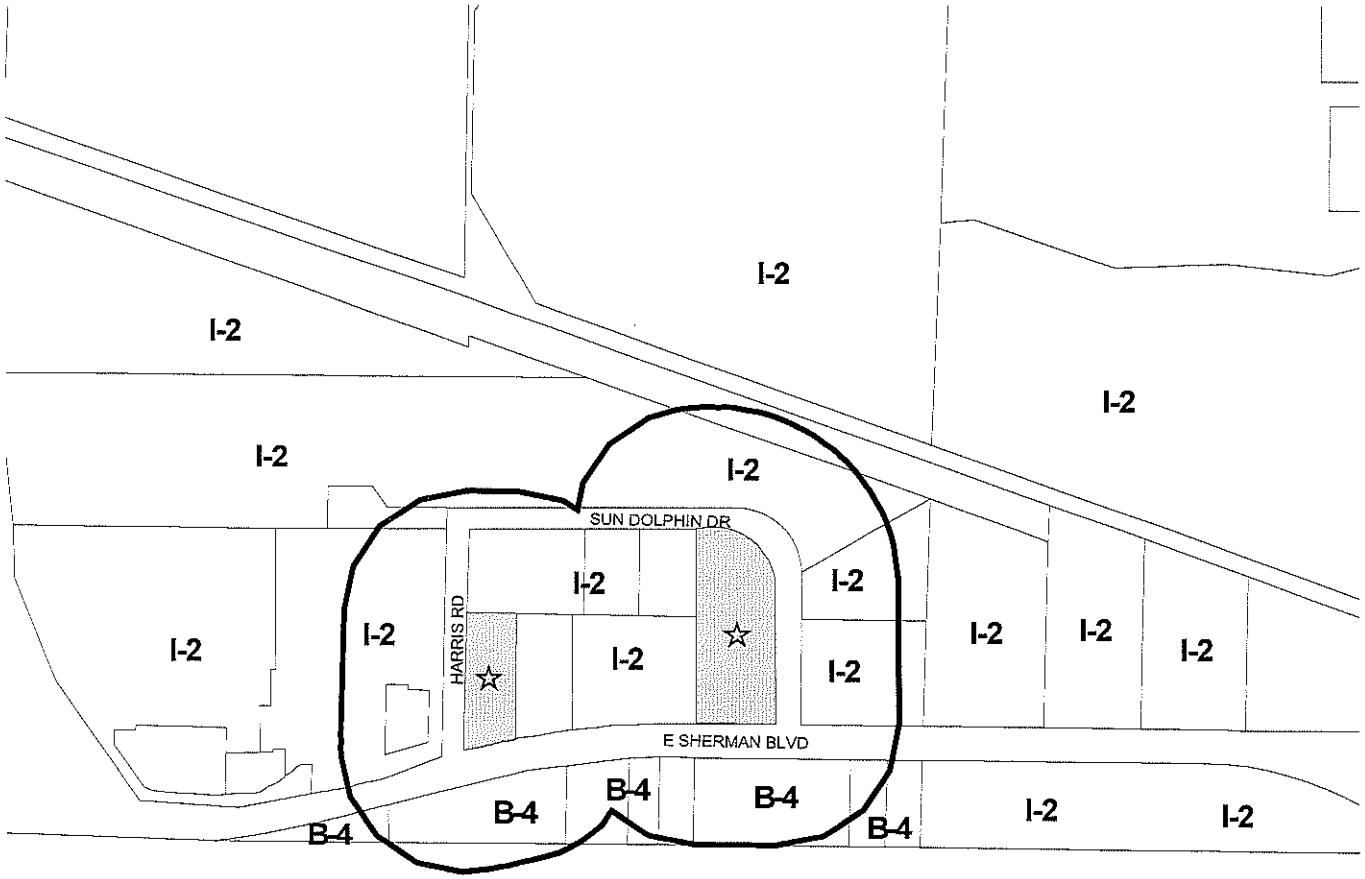
STAFF RECOMMENDATION:

Staff recommends the rezoning, due to compliance with the future land use map. Note: There are two properties shown on the attached map. This request is only for the westernmost property shown on the map. The rezoning request for the other property has been tabled and will be before the City Commission at a future date.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended approval of the request at their 3/15/01 meeting. The vote was unanimous.

City of Muskegon
Planning Commission
Cases #2001-7 & #2001-8

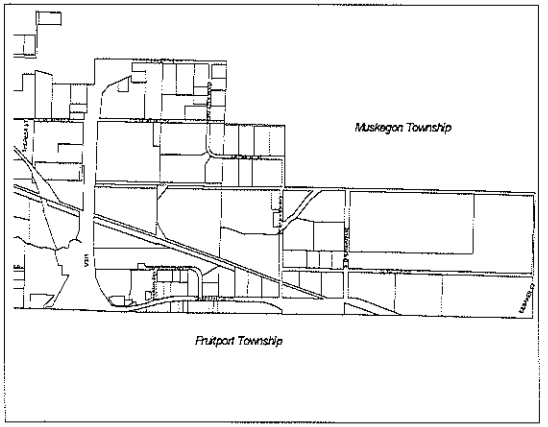


☆ = Subject Property(ies)

◯ = Notice Area

B-4 = General Business
I-2 = General Industrial

Fruitport Township



900 0 900 1800 Feet

CITY OF MUSKEGON

MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. 2044

An ordinance to amend the zoning map of the City to provide for a zone change for certain property from I-2 "General Industrial" to B-4 "General Business"

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

The zoning map of the City of Muskegon is hereby amended to change the zoning of the following described property from I-2 "General Industrial", to B-4 "General Business":

> That part of the South 1/2 of the Southwest 1/4 of Section 34, Town 10 North, Range 16 West, City of Muskegon, Muskegon County, Michigan, described as follows: Commencing at the South 1/4 corner of said Section, thence South 89 degrees 34 minutes 26 seconds West along the South line of said Section 1316.00 feet, thence North 0 degrees 41 minutes East 236.22 feet to the North line of Sherman Boulevard for point of beginning, thence continue North 0 degrees 41 minutes East 414.80 feet, thence North 89 degrees 34 minutes 26 seconds East 150.00 feet, thence South 0 degrees 41 minutes West 375 feet more or less to the North line of said Sherman Boulevard, thence Southesterly along said North line 155 feet more or less to the point of beginning.

This ordinance adopted:

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

Nayes: None

Adoption Date: March 27, 2001

Effective Date: April 13, 2001

First Reading: March 27, 2001

Second Reading: N/A

CITY OF MUSKEGON

By: Gail A. Kundinger

Gail A. Kundinger, 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 27th day of March, 2001, 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 Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: March 27, 2001.

Gail Kundinger

Gail Kundinger, CMC/AAE
Clerk, City of Muskegon

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

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

March 15, 2001

Hearing; Case 2001-7: Request to rezone property located at 1818 E. Sherman Blvd. from I-2, General Industrial to B-4, General Business, by Richard and Marilyn Witham.

BACKGROUND

Applicant: Richard and Marilyn Witham
Address/Location of Subject Property: 1818 E. Sherman Blvd.
Current Use: Industrial
Current Zoning: I-2, General Industrial
Proposed Zoning: B-4, General Business

STAFF OBSERVATIONS

1. The subject property is located on Sherman Blvd., just east of the Target commercial development. The parcel is part of the certified Port City Industrial Park and is currently zoned I-2, General Industrial.
2. Across the street from the subject property is a large retail development, which lies partially within the City of Muskegon, but mostly within Fruitport Township. This development contains Sam's Club, Wal-Mart, ABC Warehouse, as well as many other retail stores and several restaurants.
3. The subject property lies between several existing commercial uses - the Target retail development to the west, and a State Farm claims office as well as the Muskegon County School Employees Credit Union to the east.
4. The subject property currently contains two existing industrial uses, Motion Dynamics Corp. and Automated Industrial Motion. The existing businesses are planning to move in the near future, and the applicant current has an offer for the subject property, for a retail use.
5. The Future Land Use Map shows the subject property to be "Commercial".
6. The Master Land Use Plan states:
   - It is the goal of the Master Plan to retain the industrial orientation of Sub-Area 1. Accordingly, the rezoning of land for additional non-industrial use shall be discouraged, provided however, parcels located along Sherman Boulevard and Laketon Avenue may be used for non-industrial purposes which are ancillary to the

area's industrial focus. Such uses include, but are not limited to, financial institutions, health/fitness clubs, office supply stores, computer sales and servicing, employment centers, and other uses with the potential to serve local industrial needs.

- ♦ At the extreme southwest corner of the sub-area, near the Sherman Boulevard and US-31 intersection, one finds a new regional retail strip center anchored by a Target department/variety store. Other uses include retail outlets specializing in electronics, computers, and pet supplies and a family style restaurant... Along Sherman, east of the retail center, lie a combination of industrial and service facilities. Service uses include a financial institution and tennis/fitness club.

7. Sub-Area Issues:
   - There is likely to be continued demand to convert industrial properties along Sherman Boulevard to non-industrial (retail or service sector) use.
   - As the level of retail traffic grows, conflicts with industrial park traffic are likely to increase.
8. The Master Plan recommends for this sub-area:
   - ♦ Maintain the sub-area's industrial focus.
   - ♦ Along Sherman Boulevard and Laketon Avenue maintain the current industrial zoning status to restrict conversion of industrial property to uses considered inconsistent with the area's land use focus.
9. The Master Plan recommendations listed above conflict with the Future Land Use map, which shows several parcels of land along Sherman Blvd., including the subject property, as commercial.
10. Although the subject property is located in a Certified Business Park, the legislation regarding these parks has recently changed. Formerly called "Certified Industrial Parks", it used to not be possible to change from industrial zoning for any parcels in an existing certified park without losing the industrial park certification. However this has changed, and it is now possible to rezone parcels within a certified park to commercial zoning without losing the park's certification.
11. By changing the zoning of any parcels located within the Certified Business Park, it would no longer be possible for the existing LDFA to capture any tax increments for those particular properties. However, the LDFA in the Port City Industrial Park is not currently capturing any tax increments, and it is not likely that it will in the near future.
12. The existing commercial and retail uses within the park are currently zoned I-2. The Target development and the Muskegon County School Employees Credit Union are both under Planned Unit Developments (PUDs). The State Farm claims office is a nonconforming use. It is not anticipated that these properties will revert back to industrial uses at any time in the near future, and therefore staff will be exploring the possibility of rezoning these properties to commercial.
13. There is currently a shortage of available industrially-zoned property within City boundaries. There is not, however, a similar shortage of available commercially-zoned property. Therefore, staff has looked very carefully at the corridor to determine the

extent of any potential commercial zoning to support. The existing commercial development along Sherman is located mainly along the western portion of the corridor, with several existing, viable industrial properties located along the eastern portion.

14. Staff feels that any rezoning to commercial should be restricted to the Sherman Blvd. corridor itself, and not further within the boundaries of the industrial park. Staff also feels that only the properties currently being used for commercial purposes should be rezoned, with the one exception of the subject property, which is located between two existing commercial uses, and has a pending offer for a commercial use. Staff strongly feels that the remaining properties along Sherman Blvd., east of the credit union, are viable industrial properties and should remain industrial.

15. Staff has received one letter, from 1780 Associates Limited Partnership, the owners of the Sherman Center (Target retail complex), in support of the rezoning for 1818 E. Sherman Blvd.

ORDINANCE EXCERPTS

ARTICLE XV - I-2 GENERAL INDUSTRIAL DISTRICTS

PREAMBLE

The I-2 General Industrial Districts are established primarily for manufacturing, assembling, and fabrication activities including large scale or specialized industrial operations whose external physical effects may be felt to some degree by surrounding districts. The I-2 District is so structured as to permit, in addition to I-1 Light Industrial District uses, the manufacturing, processing and compounding of semifinished or finished products from raw materials.

SECTION 1500: PRINCIPAL USES PERMITTED

In an I-2 General Industrial District, buildings and land may be used for one (1) or more of the following specified uses, unless otherwise provided in this Article.

1. Any Principal Use Permitted in the I-1 District, subject to the requirements of this District.

2. Primary metal industries, including foundries, smelting and refining of metal or alloys, rolling and extruding plants.

3. Chemical plants whose manufacturing process produce products which are not hazardous materials as defined in the Fire Code.

4. Paper and pulp manufacturing.

5. Power generating plants.

6. Junk yards and scrap metal processing.

7. Rubber manufacturing or the remanufacturing of rubber products.

8. Uses similar to the above principal uses.

9. Non-accessory signs provided that the signs conform to Section 2308(1) of this Code.

SECTION 1501: SPECIAL LAND USES PERMITTED

The following uses, and their accessory buildings and accessory uses, shall be permitted as a special land use if it is found to meet the standards outlined in Section 2332 of this Ordinance, subject to applicable conditions imposed by Ordinance or other reasonable conditions imposed by the Planning Commission:

1. Any use with outside storage of aggregate, sand or other soil, or raw materials used in a manufacturing process such as brick, tile manufacturing plants, asphalt and cement batch plants.

2. Gasoline storage facilities.

3. Bulk storage or the production of acelylene, natural gas, and oxygen or other highly explosive or toxic gases. The storage of such gases for use in a production process or of an industry, business, or health care facility shall not be considered bulk storage.

4. Chemical plants whose manufacturing process produce products which are hazardous materials as defined in the Fire Code.

5. Uses similar to the above Special Land uses.

SECTION 1502: PLANNED UNIT DEVELOPMENTS [amended 10/98]

...

SECTION 1503: AREA AND BULK REQUIREMENTS [amended 4/00]

...

ARTICLE XIII - B-4 GENERAL BUSINESS DISTRICTS

PREAMBLE

The B-4 General Business District is designed to provide for a wide variety of business activities including automotive services and goods, and is generally incompatible with the uses in the B-1, B-2, and B-3 Business Districts. Placement along presently developed major traffic arteries prevents the conflict of traffic and pedestrian movement since the General Business District is characterized by a minimum of pedestrian flow. The B-4 General Business Districts have been located in areas designated on the adopted Land Use Plan.

SECTION 1300: PRINCIPAL USES PERMITTED

In the B-4 General Business District, no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise providing in this Ordinance:

1. Veterinarian clinics, without outdoor kennels.

2. Bus passenger stations.

3. Stores selling second hand merchandise.

4. Funeral homes.

5. Automobile car wash, when completely enclosed in a building.

6. Auto service stations for the sale of gasoline, oil, and accessories, subject to the following:...

7. Self service laundry and dry cleaning establishments.

8. Amusement, entertainment, and recreational, including bowling alleys and skating rinks.

9. Storage of non-hazardous and non-toxic materials or goods provided such storage is within a building or is enclosed as not to be visible to the public from any abutting residential district or public street.

10. Theaters, when completely enclosed.

11. Banks, with or without drive-in facilities.

12. Restaurants and cocktails lounges.

13. Motels and hotels.

14. Residential uses as part of a building in this business zone shall be allowed upon issuance of a Certificate of Occupancy from the Department of Inspections, but provided that the minimum lot area requirements of the RM-3 District are met.

15. Assembly of small parts provided that there shall be no machining, painting, cutting, grinding, or welding of parts.

16. Principal Use as permitted in B-2 Districts.

17. Accessory buildings and accessory uses customarily incidental to the above Principal Uses Permitted.

18. Uses similar to the above Principal Uses Permitted.

SECTION 1301: SPECIAL LAND USES PERMITTED

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. A site plan shall not be required when there is no change to buildings or existing facilities.

1. Sales space for the sale of new and used automobiles, house trailers, travel trailers, and recreational vehicles, subject to the following...

2. Flea markets and auctions.

3. Business in the character of a drive-in restaurant or open front store, subject to the following:..

4. Outdoor recreational space for amusement parks, miniature golf courses, and other outdoor recreation activities subject to the following:..

5. Outdoor theaters subject to the following conditions:...

6. Private clubs, lodges, social and similar facilities.

7. Churches and other facilities normally incidental thereto subject to the following conditions:...

8. Commercial Kennels [amended 5/96]

9. Mini Storage (warehouse facilities) [amended 10/98]...

10. Accessory uses and accessory buildings customarily incidental to the above Special Land Uses Permitted.

11. Uses similar to the above Special Land Uses Permitted.

12. Non-accessory signs provided that the signs conform to Section 2308 (1) (f) of this code.

SECTION 1302: PLANNED UNIT DEVELOPMENTS [amended 10/98]

...

SECTION 1303: AREA AND BULK REQUIREMENTS [amended 4/00]

...

DELIBERATION

Criteria-based questions typically asked during a rezoning include:

1. **What**, if any, identifiable **conditions** related to the petition **have changed which justify** the petitioned **change in zoning**.

2. **What** are the **precedents and the possible effects** of precedent which **might result from the approval or denial** of the petition.

3. What is the **impact** of the amendment on the ability of the city to provide **adequate public services** and **facilities and/or programs** that might reasonably be required in the future if the petition is approved.

4. Does the petitioned zoning change adversely affect the environmental conditions or value of the surrounding property.

5. Does the petitioned zoning change generally **comply with the adopted Future Land Use Plan of the City**.

6. Are there any **significant negative environmental impacts** which would reasonably occur if the petitioned zoning change and resulting allowed structures were built such as:

    a. **Surface water** drainage problems
    b. **Waste water** disposal problems
    c. Adverse effect on surface or subsurface **water quality**
    d. The **loss of valuable natural resources** such as **forest, wetland, historic sites, or wildlife areas**.

CITY OF MUSKEGON

NOTICE OF ADOPTION

Please take notice that on March 27, 2001, the City Commission of the City of Muskegon adopted an ordinance amending the zoning map to provide for the change of zoning of the following property from I-2 "General Industrial", to B-4 "General Business"

> That part of the South 1/2 of the Southwest 1/4 of Section 34, Town 10 North, Range 16 West, City of Muskegon, Muskegon County, Michigan, described as follows: Commencing at the South 1/4 corner of said Section, thence South 89 degrees 34 minutes 26 seconds West along the South line of said Section 1316.00 feet, thence North 0 degrees 41 minutes East 236.22 feet to the North line of Sherman Boulevard for point of beginning, thence continue North 0 degrees 41 minutes East 414.80 feet, thence North 89 degrees 34 minutes 26 seconds East 150.00 feet, thence South 0 degrees 41 minutes West 375 feet more or less to the North line of said Sherman Boulevard, thence Southesterly along said North line 155 feet more or less to the point of beginning.

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 April 3, 2001

CITY OF MUSKEGON

By _____
Gail A. Kundinger
Its Clerk

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

Account No. 101-80400-5354

2044

Commission Meeting Date: March 27, 2001

Date: **March 19, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development** CBC

RE: **Purchase of 2027 Waalkes Street - Seaway Industrial Park**

SUMMARY OF REQUEST:

To purchase property located at 2027 Waalkes Street pursuant to the City of Muskegon goal of creating the Seaway Industrial Park. This request is pursuant to a purchase agreement signed by Gladys Kessler, 2027 Waalkes Street, Muskegon, Michigan on March 12, 2001. The purchase price is $45,000.

FINANCIAL IMPACT:

State of Michigan Urban Land Assembly or U.S. EDA funds will be used to purchase this property.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To grant approval of the attached resolution consenting to the purchase of 2027 Waalkes for the development of the Seaway Industrial Park.

COMMITTEE RECOMMENDATION:

None

Resolution No. 2001-32(i)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING ACQUISITION OF PROPERTY AT 2027 WAALKES STREET FOR $45,000

WHEREAS, the City of Muskegon and Gladys Kessler has entered into a purchase agreement for property located at 2027 Waalkes Street, Muskegon, MI; and

WHEREAS, the purchase of property located at 2027 Waalkes Street, Muskegon, Michigan, is consistent with the City's goal to create the Seaway Industrial Park; and

WHEREAS, the City of Muskegon intends to utilize State of Michigan Urban Land Assembly or U.S. EDA funds for the purchase of the subject property.

NOW THEREFORE BE IT RESOLVED that the Muskegon City Commission does authorize purchase of property located at 2027 Waalkes Street, Muskegon, Michigan for the amount of $45,000.

Adopted this 27th day of March 2001.

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

NAYS: None

ABSENT: None

BY: Fred J. Nielsen
Fred J. Nielsen, Mayor

ATTEST: Gail Kundinger
Gail Kundinger, Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on March 27, 2001.

Gail Kundinger
Gail Kundinger, Clerk

2001-32(1)

REAL ESTATE PURCHASE AGREEMENT

THIS AGREEMENT is made March 13, 2001, by and between Gladys M. Kessler and _____, _____, of _____, Muskegon, Michigan 49444 ("Seller"), and the CITY OF MUSKEGON, a municipal corporation, of 933 Terrace Street, Muskegon, Michigan 49440 ("Buyer").

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

Lot 9, Block 2 of Young & Williams Addition

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

2. Purchase Price and Manner of Payment. The purchase price for the Premises shall be Forty Five Thousand ($45,000) Dollars, payable in cash or city check to Buyer at Closing.

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

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

5. Personal Property and Fixtures. All personal property and fixtures which the Seller wishes to remove shall be removed on or before Closing. The parties are aware that the Buyer intends to demolish the house. Any personal property which is left on the Premises shall be the property of Buyer who may dispose of same.

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

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

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

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

The Premises does not include any "underground storage tank," as that term is defined by state or federal law.

Such representations and warranties shall be deemed to have been made again by Seller as of the Closing. Seller agrees to indemnify Buyer and hold it harmless from and against any and all claims, demands, liabilities, costs, expenses, penalties, damages and losses, including, but not limited to, reasonable attorneys' fees, resulting from any misrepresentation or breach of the warranties set forth in this paragraph. The representations, warranties and covenants set forth in this paragraph shall survive the Closing.

8. Condition of Premises and Examination by Buyer. NO IMPLIED WARRANTIES OF HABITABILITY, QUALITY, CONDITION, FITNESS

FOR A PARTICULAR PURPOSE, OR ANY OTHER IMPLIED WARRANTIES SHALL OPERATE BETWEEN SELLER AND BUYER, AND BUYER EXPRESSLY WAIVES ANY AND ALL SUCH IMPLIED WARRANTIES. BUYER UNDERSTANDS AND AGREES THAT THE PREMISES ARE TAKEN "AS IS," SUBJECT, HOWEVER, TO THE EXPRESS COVENANTS, CONDITIONS AND/OR EXPRESS WARRANTIES CONTAINED IN THIS PURCHASE AGREEMENT; ALSO SUBJECT TO THE WARRANTY OF SELLER THAT NO HAZARDOUS SUBSTANCES HAVE BEEN PLACED ON THE PREMISES. BUYER FURTHER SAYS THAT IT HAS PERSONALLY INSPECTED THE PREMISES AND IS SATISFIED WITH THE CONDITION OF THE LAND, AND THE BUILDINGS AND IMPROVEMENTS THEREON.

9. Real Estate Commission. Seller shall be solely responsible for any real estate commission or expenses of a broker or real estate consultant retained, employed, or utilized by Seller. Seller agrees to indemnify and hold the Buyer harmless from any liability, including reasonable attorney fees, occasioned by reason of any person or entity asserting a claim for such real estate commission or expenses arising from this transaction.

10. Closing. The closing date of this sale shall be on or before _____, 2001 ("Closing"). The Closing shall be conducted at Transnation Title Insurance Company, 570 Seminole Road, Ste. 102, Muskegon, MI 49444. The parties shall execute an IRS Closing Report at the Closing.

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

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

13. Date of Possession. Possession of Premises is to be delivered to Buyer by Seller no later than 90 days after closing.

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

15. General Provisions.

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

b. Merger. It is understood and agreed that all understandings and agreements previously made between the Buyer and Seller are merged into this

Agreement, which alone fully and completely expresses the agreement of the parties.

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

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

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

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

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

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

WITNESSES:

Linda Potter

JoAnn Krukowski

BUYER: CITY OF MUSKEGON

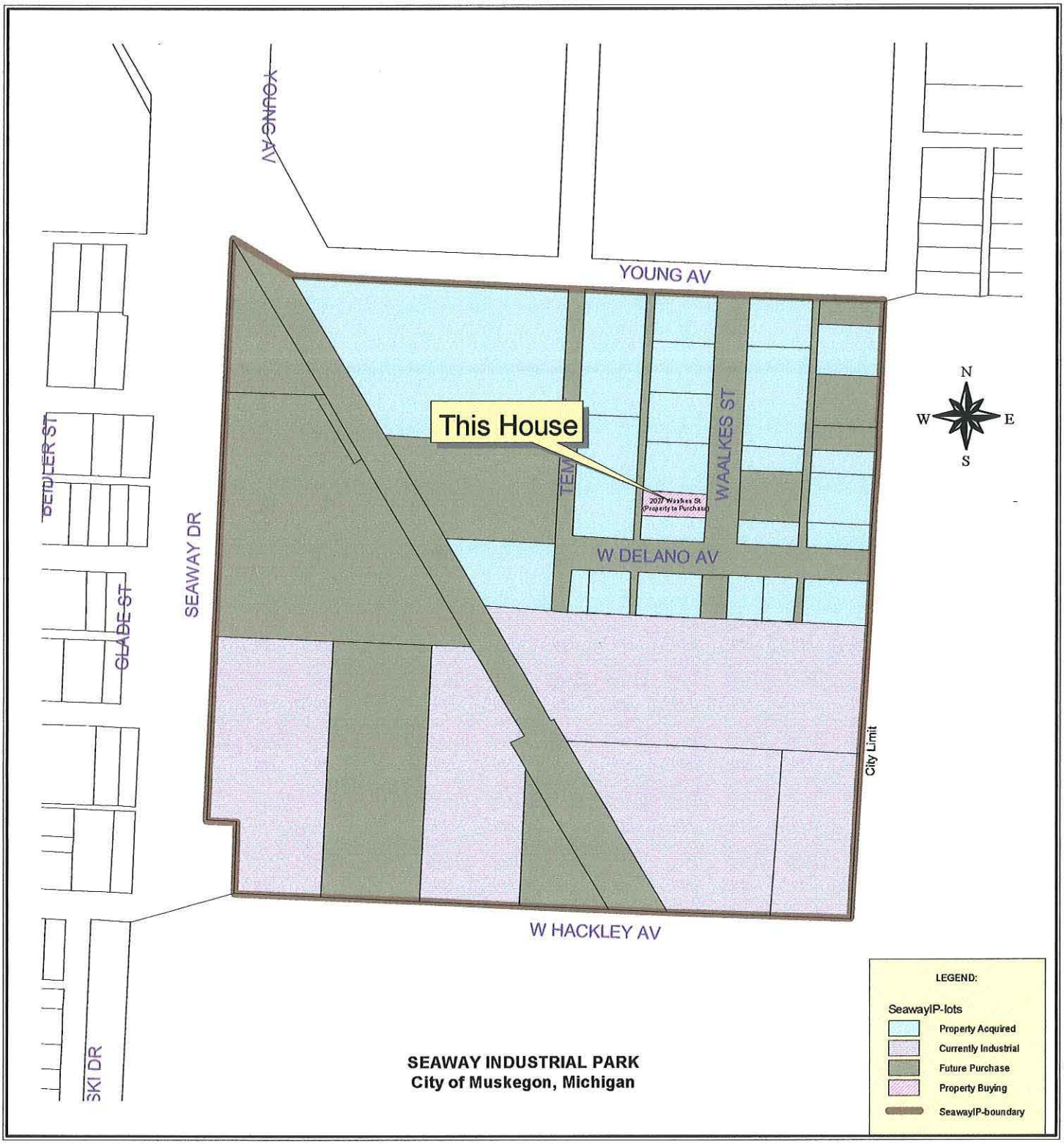
By Fred J. Nielsen
Fred J. Nielsen, Mayor

By Gail A. Kundinger
Gail A. Kundinger, Clerk

SELLER:

Gladys M Kesler
(SS# 373-22-7645)

(SS#_____)



SEAWAY INDUSTRIAL PARK
City of Muskegon, Michigan

Prepared by:
Planning Department
City of Muskegon, MI
Date: February 2001
Staff: michael w.
File: miscproj\seawayip.apr

AGENDA ITEM NO. _____

CITY COMMISSION MEETING 3/27/01

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: March 27, 2001

RE: Lease Agreement Amendment – Oakview Neighborhood Association

SUMMARY OF REQUEST:

To approve an amendment to the lease with Oakview Neighborhood Association for the property located at 1774 Madison Street. This amendment would enable the neighborhood association to rent the facility and generate revenue for the building and the association.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the lease amendment.

COMMITTEE RECOMMENDATION:

None.

O:COMMON\DEPTMENT\ADMIN\AGNDAFRM
JMS – O: (OAKVIEW NEIGH ASSOC-LEASE)

ADDENDUM TO LEASE OPTION AGREEMENT

2001-32(k)

THIS AMENDMENT is made to a certain Lease Option Agreement dated October 1, 1998, between the City of Muskegon, a municipal corporation, of 933 Terrace Street, P.O. Box 536, Muskegon, Michigan 49443 ("Landlord"), and Oakview Neighborhood Association, of 1774 Madison Street, Muskegon, Michigan 49443 ("Tenant").

The parties hereby agree to amend the Lease Option Agreement as follows:

Section 7, entitled "Subletting and Assignment," is amended to read in its entirety as follows:

7. Subletting and Assignment. Tenant shall not have the right to sublease without the prior written consent of Landlord. Tenant shall not have the right to assign this Lease without the prior written consent of the Landlord. Subleasing or assignment without Landlord's consent, in writing, shall constitute a material default under this Lease. Provided, that temporary arrangements for the accommodation of events, provision of facilities or meeting rooms for regularly or frequently scheduled meetings or functions of social or service organizations, and the charging of rentals for any such uses by the Tenant, shall not be considered a sublease or assignment of this Lease Option Agreement. Said arrangements shall not be provided by leases with terms which exceed "month to month" periods, although such agreements may be renewable without limitation. All said events, meetings and functions shall comply with all applicable laws, statutes and ordinances and applicable City policies. The Landlord/City may review any such arrangement in its discretion, and may refuse permission for any use by a third party in its reasonable exercise of discretion. Tenant shall not be required to seek such review or approval unless the City notifies Tenant of its intention to review an arrangement.

In all other respects the Lease Option Agreement shall remain in full force and effect.

The parties make this agreement effective March 27, 2001.

LANDLORD: CITY OF MUSKEGON

By: _____
Fred J. Nielsen, Mayor

By: _____
Gail A. Kundinger, Clerk

Dated: March 27, 2001

TENANT: OAKVIEW NEIGHBORHOOD ASSOCIATION

By: _____

C:\windows\TEMP\c-oakviewnei2.doc

Its _____

Dated: March 27, 2001

By _____
Its _____

Needs 2nd Reading

Commission Meeting Date: March 27, 2001

Date: **March 16, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development** B

RE: **Rezoning request for property located at 2572 McCracken**

SUMMARY OF REQUEST:

Request to rezone property located at 2572 McCracken St. (between Sherman Blvd. and Letarte Ave.) from R-1, Single-Family Residential and B-1, Limited Business to entirely B-2, Convenience and Comparison Business, or to entirely B-1, Limited Business.

FINANCIAL IMPACT:

None

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Staff recommends rezoning the entire parcel to B-1, due to compliance with the future land use map and Master Land Use Plan, and to make the zoning consistent for the entire parcel.

COMMITTEE RECOMMENDATION:

The Planning Commission recommended rezoning the entire parcel to B-1 at their 3/15/01 meeting. The vote was unanimous.

AGENDA ITEM NO. _____

CITY COMMISSION MEETING 3/27/01

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: March 20, 2001

RE: County-wide Aerial Photo Project

SUMMARY OF REQUEST:

To approve participating in the county-wide digital aerial photography project. This will greatly aide the City's Geographic Information system (GIS).

FINANCIAL IMPACT:

Phase I – Approximately	$ 3,400.00 (2001 Budget)
Phase II – Approximately	$ 7,600.00 (2002 Budget)
Approximate Total:	$11,000.00

BUDGET ACTION REQUIRED:

None. Funds are available in the GIS project budget.

STAFF RECOMMENDATION:

To approve the request.

COMMITTEE RECOMMENDATION:

None.

O:COMMON\DEPTMENT\ADMIN\AGNDAFRM
JMS – O: (AERIAL PHOTO PROJECT)

MUSKEGON COUNTY
MICHIGAN

173 E. APPLE AVE., BUILDING C, MUSKEGON, MICHIGAN 49442
(231) 724-6386
FAX (231) 724-1129

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

Kenneth J. Hulka, Chair
Bill Gill, Vice Chair
Paul Baade
Douglas Bennett
Nancy G. Frye
James J. Kobza
Louis McMurray
Tony Moulatsiotis
Clarence Start

February 14, 2001

RECEIVED
FEB 16 2001
MUSKEGON
CITY MANAGER'S
OFFICE

Bryon Mazade, Manager
City of Muskegon
933 Terrace St
Muskegon, MI 49443-

Re: Regional Digital Aerial Photography

Mr. Bryon Mazade:

The United States Army Corp of Engineers plans to conduct a hydraulic study of Lake Michigan and has prioritized Muskegon County. We are proud to announce that the Corp has agreed to mutually participate in a digital aerial photography project for all of Muskegon County, as well as other geographical information projects. After completion and payment of the initial photography, the Corp will participate in rectifying the photography using aerial triangulation for control. We had hoped to provide you more advanced notice, but it has taken six months to obtain general information and cost estimates.

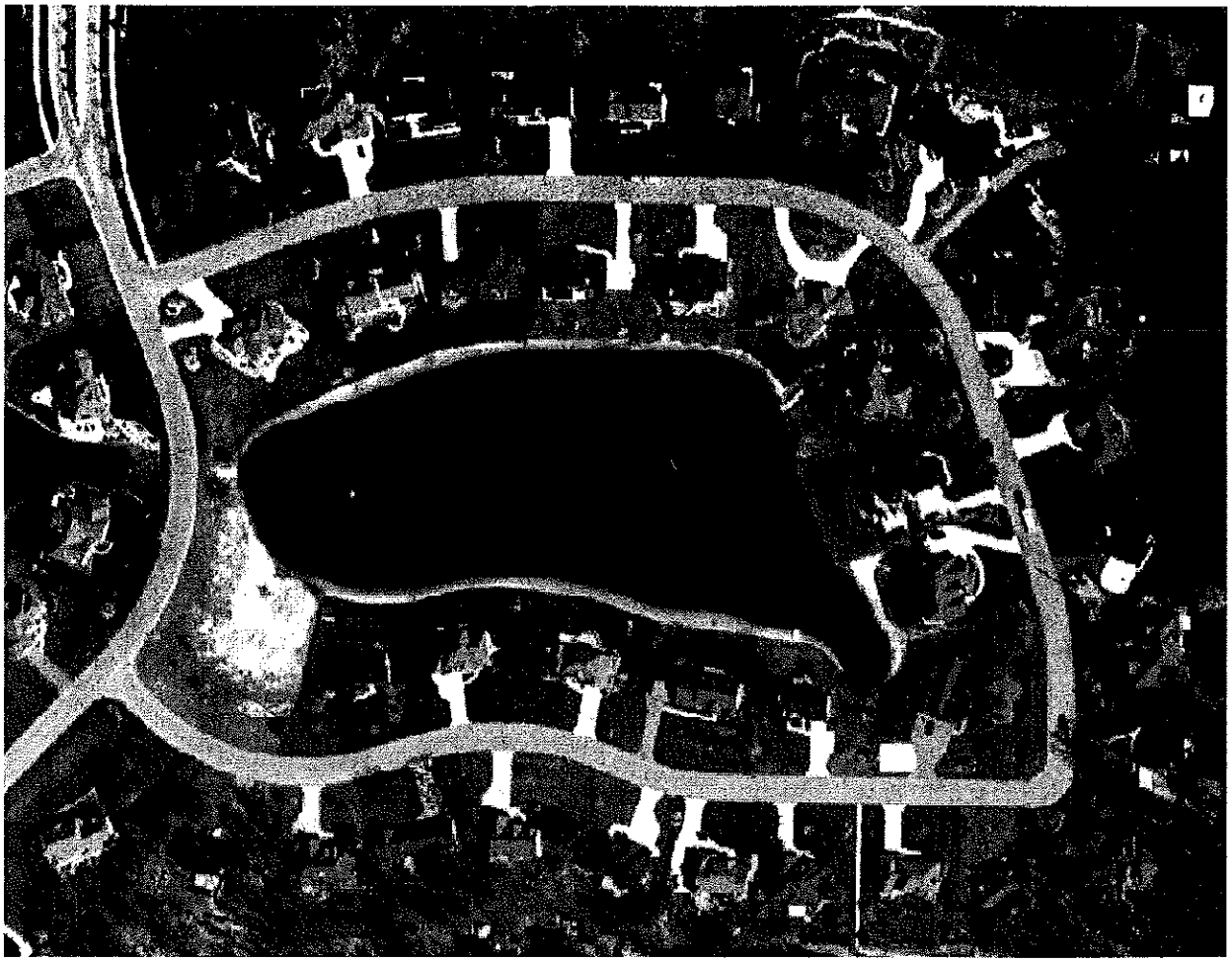
As you are aware, the current aerial photography is six years old. All communities have experienced significant growth and change during this time. In addition to being an optimum base layer to superimpose a geographical information system (GIS), the new aerials will provide an excellent resource for master plans, natural feature inventory, development density and type, zoning and land use analysis, etc. I have attached a sample of the GIS pilot project for the City of Roosevelt Park and a summary of the general specifications.

For the past year, we have identified agencies and other users that have a need for the photography and those who would possibly participate in the costs. Since your organization was identified, we are requesting your commitment to financially participate in this cooperative effort. The costs represent the upper limit of the expected expenses and are based on 100% participation. If all participate, it is very likely that the costs will be less than presented.

At this point, the overall project will tentatively consist of two phases. The first phase will involve panchromatic aerial photography. The flight is scheduled for early spring of 2001 and product expected by late fall 2001. You will receive a complete set of diapositive prints or gray scale prints that can be enlarged and duplicated.

Figure 1 is a reduced sample of a digital aerial photograph that was part of the 1999 Ottawa County project. The image is distorted because of the density of the printer and the compressed size. The original images are very sharp and clear.

Figure 1
Digital Aerial Photography Example



The second phase will involve digital orthorectification of the photography using aerial triangulation for control. This phase will commence during the spring of 2002 and completion is expected by the fall of that year. At the completion this phase, you will receive the orthoscopic image files on a compact disk, as well as set of gray scale prints. We will inform you of the cost and specifications of this phase next year. It will be at your discretion to participate in this phase.

Regional Digital Aerial Photography

In general, the first phase of the project will entail photography at the scale of 1inch = 100 feet for urban and suburban areas, and photography at the scale of 1inch = 200 feet for rural areas. The resolution is expected to be .5-foot pixels and 1-foot pixels respectively. Table 'A' is a listing of the photography scaling by unit of government and estimated cost. One-third of the cost consists of the fixed flight expense and is proportioned equally among the participants. The remaining two-thirds of the cost is proportioned by density (i.e. number of parcels) and scale of the photography.

Table A
Digital Aerial Costs by Unit of Government

Unit of Government	Parcel Count	Area (Sq Mi)	Scaling	Cost
Blue Lake Township	1,800	34	1inch = 200 feet	$ 658.52
Casnovia Township	1,400	36	1inch = 200 feet	$ 654.36
Cedar Creek Township	1,700	35	1inch = 200 feet	$ 662.39
Dalton Township	5,800	36	1inch = 100 feet	$ 2,799.70
Egelston Township	3,800	35	1inch = 100 feet	$ 2,502.71
Fruitland Township	3,500	37	1inch = 100 feet	$ 2,541.35
Fruitport Township	5,800	30	1inch = 100 feet	$ 2,567.56
Holton Township	1,600	35	1inch = 200 feet	$ 656.44
Laketon Township	3,500	17	1inch = 100 feet	$ 1,767.53
Montague Township	1,200	19	1inch = 200 feet	$ 475.46
Moorland Township	900	36	1inch = 200 feet	$ 624.60
Muskegon Township	7,400	24	1inch = 100 feet	$ 2,542.05
Ravenna Township	1,600	36	1inch = 200 feet	$ 666.26
Sullivan Township	1,200	24	1inch = 200 feet	$ 524.58
Whitehall Township	1,000	10	1inch = 100 feet	$ 1,173.81
White River Township	1,300	16	1inch = 200 feet	$ 451.94
City of Montague	1,700	3	1inch = 100 feet	$ 993.38
City of Muskegon	17,000	14	1inch = 100 feet	$ 3,394.99
City of Muskegon Heights	6,000	3	1inch = 100 feet	$ 1,548.73
City of North Muskegon	1,900	2	1inch = 100 feet	$ 980.52
City of Norton Shores	10,600	23	1inch = 100 feet	$ 2,916.65
City of Roosevelt Park	1,700	1	1inch = 100 feet	$ 916.00
City of Whitehall	1,600	3	1inch = 100 feet	$ 980.46
Local Unit Totals				**$ 33,000.00**
County of Muskegon	**84,000**	**509**		**$ 33,000.00**
U.S. Army Corps of Engineers				**$ 66,000.00**
Total Project Cost				**$ 132,000.00**

Each local unit will be billed for the cost of each phase after it is complete. The local unit will be allotted one year to remit payment. Additionally, the product will be marketed to other organizations such as utility companies, state agencies, trade and professional associations to help minimize cost.

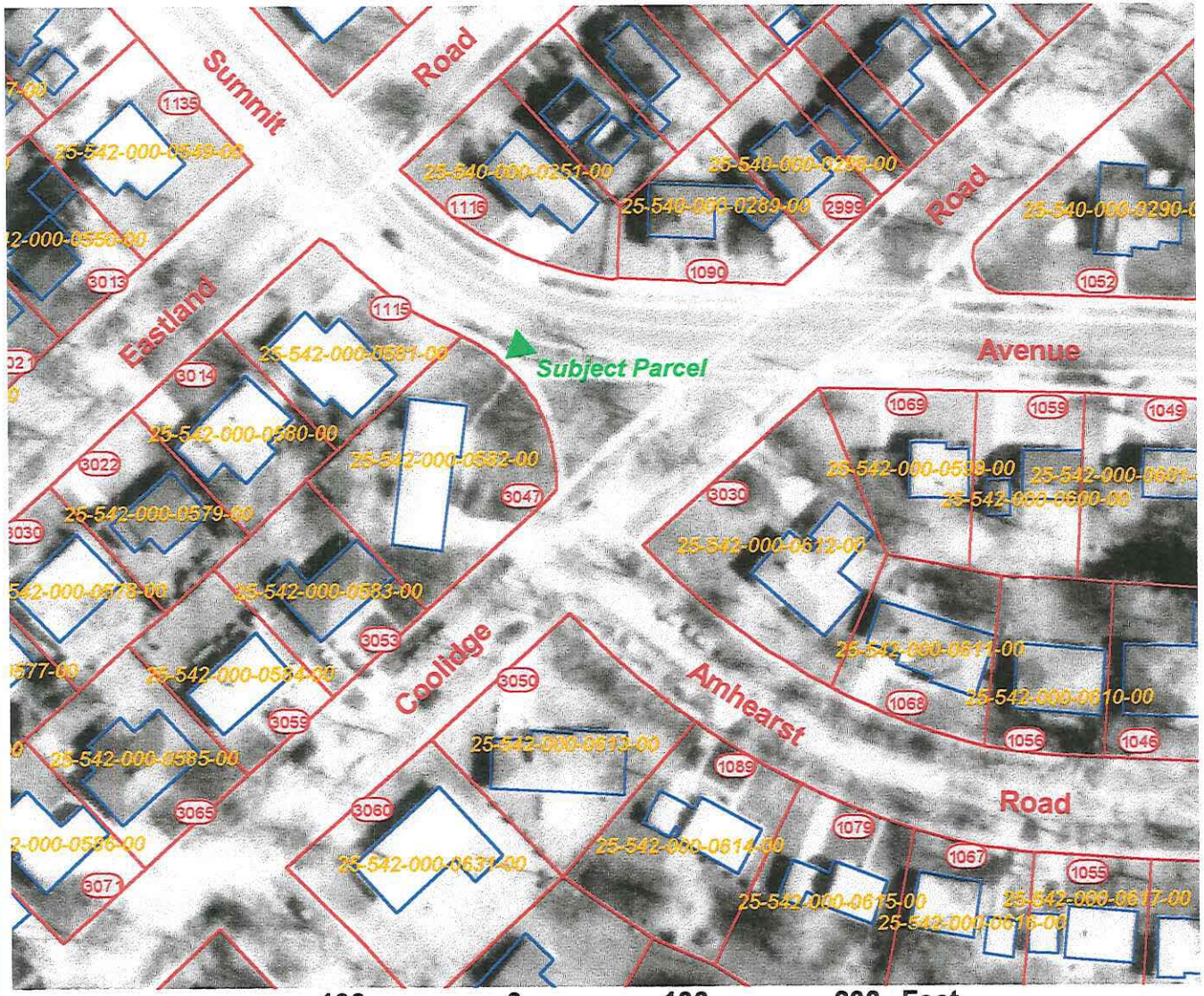
We are available to attend local governmental meetings to further explain the scope of the project and answer any questions.

Please take a moment and acknowledge your intentions in participating and return it to me by March 20, 2001. We intend to request consideration for this project from the Muskegon County Board of Commissioners in March of 2001. You can contact Thomas Van Bruggen, Geographic Information Technician, or myself if you have any questions.

Respectfully,

Clifford A. Turner,
Director

Parcel Map for Parcel 25-542-000-0582-00 City of Roosevelt Park Muskegon County, Michigan



100 0 100 200 Feet

1" = 100'

Parcel Boundaries and Building Footprints for Parcel 25-542-000-0582-00 and Surrounding Area

	Parcel Lot Lines
	Building Footprints
Image	1995 Rectified Aerial Photo
25-542-000-0582-00	Parcel Number
1143	Address Number

N W E S

Parcel and Building Lines
For Reference Only
For Exact Location
Contact a Professional Surveyor

MUSKEGON County Michigan

Muskegon County Equalization
Map by: TAVB
February 14, 2001

Date: March 27, 2001

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Public Hearing
Create Special Assessment District for:
WATSON, RODGERS & NELSON

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Watson, Rodgers & Nelson project**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To create the special assessment and assign two City Commissioners to the Board of Assessors by adopting the attached resolution

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2001-34(a)

Resolution At First Hearing Creating Special Assessment District
For **Watson, Beach to Nelson; Rodgers, Beach to Nelson & Nelson, Watson to 384.42' N. of the CL of Rodgers**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 27, 2001** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **March 27, 2001**, there were 22.99% objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

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

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

2. The City Commission determines to proceed with the improvements as set forth in the feasibility study and estimates of costs, and directs the City Engineer to proceed with project design, preparation of specifications and the bidding process. If appropriate and if bonds are to be sold for the purposes of financing the improvements, the Finance Department shall prepare plans for financing including submission of application to the Michigan Department of Treasury and the beginning of bond proceedings.

3. The City Commission hereby appoints a Board of Assessors consisting of City Commissioners Spataro and Shepherd and the City Assessor who are hereby directed to prepare an assessment roll. Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **31.26%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Spataro, Aslakson, Nielsen, Schweifler, Shepherd, Sieradzki

Nays Benedict

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 27, 2001**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, Clerk

EXHIBIT A

MILLARD FROM LAKED DUNES TO WEST END

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of **All properties abutting Millard from Lake Dunes to West End**

ATTACHMENT "A",
PROPOSED SPECIAL ASSESSMENT DISTRICT

AFFIDAVIT OF MAILING BY CITY CLERK

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

GAIL A. KUNDINGER, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT SHE IS THE CITY CLERK OF THE CITY OF MUSKEGON; THAT AT A HEARING HELD ON THE 13 TH DAY OF FEBRUARY, 2001 THE CITY COMMISSION ADOPTED A RESOLUTION CREATING THE FOLLOWING SPECIAL ASSESSMENT DISTRICT:

All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

A NOTICE OF THE SAID HEARING WAS DULY PUBLISHED IN THE MUSKEGON CHRONICLE, A DAILY NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF MUSKEGON, ON FEBRUARY 3, 2001.

DEPONENT FURTHER SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 2ND DAY OF FEBRUARY, 2001.

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
29th DAY OF March, 2001.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

ENGINEERING FEASIBILITY STUDY

For

NELSON, WATSON & RODGERS

The proposed improvement, new streets, on Nelson, Rodgers & Watson, see attached location map, was initiated by the City and supported by a petition due to the conditions of the road which is gravel at this time. The proposed improvement consists of constructing a standard 27' back to back street with rolled curbs.

A memo from the Assessor's office, which addresses the appraisal and benefit information is attached.

The preliminary cost estimate for the work associated with paving is approximately $210,000 with the length of the project being approximately 1,450 lineal feet or 1,806.11 of assessable front footage. This translates into an estimated improvement cost of $116.27 per assessable foot. The assessment figure will be at a cost not to exceed $36.35 per assessable foot as established in the 2001 Special Assessment for this of improvement.

MUSKEGON COUNTY
MICHIGAN

173 E. APPLE AVE., BUILDING C, MUSKEGON, MICHIGAN 49442
(231) 724-6386
FAX (231) 724-1129

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

Kenneth J. Hulka, Chair
Bill Gill, Vice Chair
Paul Baade
Douglas Bennett
Nancy G. Frye
James J. Kobza
Louis McMurray
Tony Moulatsiotis
Clarence Start

March 14, 2001

Mohammed Al-Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the new construction of Rogers Avenue, Watson Avenue and the northerly portion of Nelson Street from Watson Avenue north to the end. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is March 14, 2001.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses primarily residential properties. The front foot rate of $36.35 for the paving of the above mentioned project area appears reasonable in light of analysis that indicates a possible enhancement of $41.12. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,

Jerry A Groeneveld, CMAE 3
Senior Appraiser

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231 724-6783
FAX/726-5617

Civil Service
231 724-6716
FAX/724-4405

Clerk
231 724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

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

Treasurer
231/724-6720
FAX/724-6768

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

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

March 16, 2001

MUSKEGON

West Michigan's Shoreline City

NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

The Muskegon City Commission is considering whether or not to create a special assessment district which would assess your property for the following paving project:

Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.

The proposed special assessment district will be located as follows:

All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

It is proposed that a portion of the above improvement will be paid by special assessment against properties in the aforementioned district. Following are conditions of the proposed special assessment which are important to you.

Public Hearings

An initial public hearing to consider the creation of a special assessment district will be held at the City of Muskegon City Commission Chambers on March 27, 2001 at 5:30 P.M. You are encouraged to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the proposed special assessment. We are enclosing a Hearing Response Card for you to indicate your agreement or opposition to the special assessment. This card includes the property identification and description, assessable footage per City policy, and the estimated cost of the assessment. You may also appear, as above, in lieu of, or in addition to mailing your response card to the City Clerk. Written objections or appearances must be made at or prior to the hearing. NOTE: THE SPECIAL ASSESSMENT WILL BE CREATED OR NULLIFIED AT THIS HEARING. IT IS IMPORTANT FOR YOU TO COMMENT AT THIS HEARING IF YOU WANT YOUR OPINION COUNTED FOR THE SPECIAL ASSESSMENT.

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

A second public hearing will be held to confirm the special assessment roll after the project is under way. You will be mailed a separate notice for the second hearing. At this second hearing the special assessment costs will be spread on the affected properties accordingly. YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT AMOUNT AGAINST YOUR PARCEL EITHER IN WRITING OR IN PERSON AT THIS HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED AT THE SECOND HEARING, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THE INITIAL HEARING OR AT THE SECOND HEARING CONFIRMING THE ROLL, EITHER IN PERSON, BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

By City Charter, if the owners of more than one-half of the properties to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

Estimated Costs

The total estimated cost of the street portion of the project is $210,000 of which approximately 31.26% ($65,652.10) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

The street assessment, which covers improvements to the roadway, may be paid in installments over a period of up to ten (10) years. Any work on drive approaches or sidewalks will be assessed to the property at actual contract prices and these costs may also be paid in installments over ten (10) years. Please note this work is in addition to the street special assessment.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and financial assistance programs available.

I urge you to return the enclosed hearing response card indicating your preference and to attend the scheduled public hearing. Your views are important to the City and to your neighbors. Additional information, including preliminary project plans and cost estimates is available in the Engineering Department located on the second floor of City Hall. Regular business hours are from 8:00 A.M. to 5:00 P.M. Monday through Friday except holidays.

Sincerely,

Mohammed Alshatel

Mohammed Al-Shatel, P.E.
City Engineer

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

> ***Street and Alley Assessments*** – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.
>
> ***Driveway, Sidewalk, and Approach Assessments*** - Ten (10) years equal annual principal payments plus applicable interest as described below.
>
> ***Interest*** – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

CITY OF MUSKEGON
NELSON,WATSON, AND RODGERS H-1524
REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

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

Dear Resident:

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

Application Requirements:

✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2000, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2001

65% MEDIAN HOUSEHOLD INCOME CHART

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

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

✓ **Applicants must submit proof of current property insurance.**

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

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

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

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

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: **Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**

Project Description: All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:

Parcel Number

MAP Number:

Assessable Frontage:

Estimated Front Foot Cost:

ESTIMATED TOTAL COST

Property Description

LOT 4 BLK 753

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☐

Owner _____ CoOwner/Spouse _____

Signature _____ Signature _____

Address _____ Address _____

POHL WILLIAM

Thank you for taking your time to vote on this important issue.

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
SPECIAL ASSESSMENT DISTRICTS

PLEASE TAKE NOTICE that a special assessment district is proposed to be created by the Muskegon City Commission for the following projects:

Houston, Sanford to First
Millard, Lakeshore to West End
Nelson , Watson and Rodgers

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

- **All parcels abutting Houston Avenue from First Street to Sanford Street.**

&

- **All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to the west end of Millard Avenue.**

&

- **All parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Ave; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street**

It is proposed that a percentage of the cost of the improvement will be paid through special assessments. Preliminary plans and cost estimates are on file in the City Hall in the Engineering Department and may be examined during regular business hours at the Engineering Department between 8:00 A.M. and 5:00 P.M. on weekdays, except holidays.

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON ***March 27, 2001 AT 5:30 O'CLOCK P.M.***

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

By City Charter, if the owners of more than one-half of the property to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

PUBLISH: **March 17, 2001**

Gail Kundinger, City Clerk

ADA POLICY

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

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

H-1524

Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.

24-205-753-0004-00	POHL WILLIAM				ASSESSABLE FEET:	60.28
24-30-28-327-002	1406 BEACH ST				COST PER FOOT:	$36.35
@ 1406 BEACH ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,191.18
24-205-754-0004-00	SCHNEIDER RANDALL P/NICKI V				ASSESSABLE FEET:	41.67
24-30-28-330-001	1426 BEACH ST				COST PER FOOT:	$36.35
@ 1426 BEACH ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$1,514.70
24-205-754-0003-00	RECKELL RUSSELL P/BARBARA				ASSESSABLE FEET:	40.8
24-30-28-330-011	1430 BEACH ST				COST PER FOOT:	$36.35
@ 1430 BEACH ST	MUSKEGON	MI	49441-1004		ESTIMATED P.O. COST:	$1,483.08
24-205-754-0007-00	TIGHE MATTHEW N				ASSESSABLE FEET:	57.1
24-30-28-330-007	1448 BEACH ST				COST PER FOOT:	$36.35
@ 1448 BEACH ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,075.59
24-205-757-0004-00	BENEDICT THERESA F				ASSESSABLE FEET:	57.1
24-30-28-332-001	1464 BEACH ST				COST PER FOOT:	$36.35
@ 1464 BEACH ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,075.59
24-205-749-0001-00	CITY OF MUSKEGON				ASSESSABLE FEET:	177.67
24-30-28-100-001	933 TERRACE ST				COST PER FOOT:	$36.35
@ 1351 BLUFF ST	MUSKEGON	MI	49443		ESTIMATED P.O. COST:	$6,458.30

H-1524

Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.

24-205-752-0001-00	MCKEE MALCOLM B				ASSESSABLE FEET:	14.67
24-30-28-198-001	1360 NELSON ST				COST PER FOOT:	$36.35
@ 1360 NELSON ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$533.25
24-205-752-0002-00	MCKEE MALCOM P				ASSESSABLE FEET:	57.5
24-30-28-198-003	1368 NELSON ST				COST PER FOOT:	$36.35
@ 1368 NELSON ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,090.13
24-205-752-0003-00	MILLER SUZANNE E				ASSESSABLE FEET:	172.5
24-30-28-198-002	1386 NELSON ST				COST PER FOOT:	$36.35
@ 1386 NELSON ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$6,270.38
24-205-753-0006-00	WENDTLAND DAVID L				ASSESSABLE FEET:	129.6
24-30-28-327-003	1399 NELSON ST				COST PER FOOT:	$36.35
@ 1399 NELSON ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$4,710.96
24-205-752-0006-00	MATTY JEAN M				ASSESSABLE FEET:	139.75
24-30-28-328-001	1412 NELSON ST				COST PER FOOT:	$36.35
@ 1412 NELSON ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$5,079.91
24-205-755-0006-00	KENDRA KAREN				ASSESSABLE FEET:	132
24-30-28-331-001	1430 NELSON ST				COST PER FOOT:	$36.35
@ 1430 NELSON ST	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$4,798.20

H-1524

Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.

24-205-755-0008-00	JAZDZYK WALTER L		ASSESSABLE FEET:	53.63
24-30-28-331-003	2617 LEONARD ST NW		COST PER FOOT:	$36.35
@ 1448 NELSON ST	GRAND RAPIDS	MI 49504	ESTIMATED P.O. COST:	$1,949.45

24-200-756-0007-00	GTE TELEPHONE OPERATION		ASSESSABLE FEET:	25.49
24-30-28-333-003	P O BOX 152206		COST PER FOOT:	$36.35
@ 1460 NELSON ST	IRVING	TX 75015	ESTIMATED P.O. COST:	$926.56

24-205-753-0005-00	EKLUND BRUCE W		ASSESSABLE FEET:	91.7
24-30-28-327-004	3678 RODGERS AVE		COST PER FOOT:	$36.35
@ 3678 RODGERS A	MUSKEGON	MI 49441	ESTIMATED P.O. COST:	$3,333.30

24-205-754-0002-00	FUNKHOUSER JACOB O IV		ASSESSABLE FEET:	52.8
24-30-28-330-003	3687 RODGERS AVE		COST PER FOOT:	$36.35
@ 3687 RODGERS A	MUSKEGON	MI 49441	ESTIMATED P.O. COST:	$1,919.28

24-205-754-0001-00	GIBSON JOAN M		ASSESSABLE FEET:	106.55
24-30-28-330-004	3691 RODGERS AVE		COST PER FOOT:	$36.35
@ 3691 RODGERS A	MUSKEGON	MI 49441	ESTIMATED P.O. COST:	$3,873.09

24-205-754-0010-00	GABRIS THOMAS		ASSESSABLE FEET:	106.55
24-30-28-330-009	3696 WATSON AVE		COST PER FOOT:	$36.35
@ 3690 WATSON AV	MUSKEGON	MI 49441	ESTIMATED P.O. COST:	$3,873.09

H-1524

Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.

24-205-757-0001-00	FARHAT E DAVID				ASSESSABLE FEET:	77.55
24-30-28-332-004	3485 WHISPERING WOODS DR				COST PER FOOT:	$36.35
@ 3691 WATSON AV	MUSKEGON	MI	49444		ESTIMATED P.O. COST:	$2,818.94
24-205-754-0009-00	GABRIS THOMAS J				ASSESSABLE FEET:	52.8
24-30-28-330-012	3696 WATSON AVE				COST PER FOOT:	$36.35
@ 3692 WATSON AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$1,919.28
24-205-757-0003-00	SCHAEFER THOMAS				ASSESSABLE FEET:	52.8
24-30-28-332-002	3695 WATSON AVE				COST PER FOOT:	$36.35
@ 3695 WATSON AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$1,919.28
24-205-754-0008-00	GABRIS THOMAS				ASSESSABLE FEET:	52.8
24-30-28-330-008	3696 WATSON AVE				COST PER FOOT:	$36.35
@ 3696 WATSON AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$1,919.28
24-205-757-0002-00	SEBESTYEN CAROLYN M				ASSESSABLE FEET:	52.8
24-30-28-332-003	2372 STEVENS CREEK CT				COST PER FOOT:	$36.35
@ 3703 WATSON AV	FRUITPORT	MI	49415-4308		ESTIMATED P.O. COST:	$1,919.28

SUM OF ASSESSABLE FOOTAGE: 1806.11 SUM OF ESTIMATED P.O. COST: $65,652.10

% OF TOTAL PROJECT: 31.262905

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: **Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**

Project Description: All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	1360 NELSON ST
Parcel Number	24-205-752-0001-00
MAP Number:	24-30-28-198-001
Assessable Frontage:	14.67 Feet
Estimated Front Foot Cost:	$36.35 per Foot
ESTIMATED TOTAL COST	**$533.25**

Property Description

LOT 1 AND S 1/2 OF VAC SAND ST ADJ. ALSO W 1/2 OF VAC ALLEY ADJ BLOCK 752

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner Malcolm B. McKee CoOwner/Spouse Loretta L. McKee

Signature Malcolm B. McKee Signature 1360 Nelson St

Address 1360 Nelson St Muskegon MI Address Muskegon, MI - 49441

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: **Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**

Project Description: All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

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Assessment Information

Property Address:	1426	BEACH ST
Parcel Number	24-205-754-0004-00	
MAP Number:	24-30-28-330-001	
Assessable Frontage:	41.67	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$1,514.70**	

Property Description

CITY OF MUSKEGON REVISED PLAT OF 1903 BLK 754 LOTS 4 AND 5 BLK 754 EXC BEG AT SW COR SD LOT 5 FOR POB TH N 7D 53M E ALG W LINE SD LOT 49.20 FT TH S 83D 51M E TO E LINE SD LOT 4 TH S ALG E LINE TO SE COR SD LOT 4 TH W ALG S LINE OF LOT 4 AND 5 TO POB (SPLIT 1/4/2000 FOR 2000 ROLL)

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☒ I AM OPPOSED ☐

Owner	Randall Schneider	CoOwner/Spouse	NICKI V. SCHNEIDER
Signature	Randall Schneider	Signature	Nicki V. Schneider
Address	1426 Beach	Address	1426 Beach

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: **Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**

Project Description: All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

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Assessment Information

Property Address:	1430	BEACH ST
Parcel Number	24-205-754-0003-00	
MAP Number:	24-30-28-330-011	
Assessable Frontage:	40.8	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$1,483.08**	

Property Description

CITY OF MUSKEGON REVISED PLAT 1903 BLK 754 LOT 3 AND PART OF LOTS 4 & 5 DESC AS: COMM AT SW COR OF LOT 5 FOR POB TH N 7D 53M E ALG W LINE SD LOT 49.20 FT TH S 83D 51M E TO E LINE OF SD LOT 4 TH S ALG E LINE TO SE COR SD LOT 4 TH W ALG S LINE SD LOTS 4 AND 5 TO POB TOGETHER WITH N 1/2 OF VAC 16.5 FT ALLEY ADJ TO SD LOTS 3 THRU 5

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [✓] I AM OPPOSED [ ]

Owner	R Russell Reckell	CoOwner/Spouse	Barbara J Reckell
Signature	R Russell Reckell	Signature	Barbara J Reckell
Address	1430 Beach ST	Address	1430 Beach St

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: **Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**

Project Description: All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

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Assessment Information

Property Address:	1399 NELSON ST
Parcel Number	24-205-753-0006-00
MAP Number:	24-30-28-327-003
Assessable Frontage:	129.6 Feet
Estimated Front Foot Cost:	$36.35 per Foot
ESTIMATED TOTAL COST	**$4,710.96**

Property Description

LOTS 6-7 & 8 BLK 753

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner David Wendland CoOwner/Spouse Lynn Wendland

Signature David Wendland Signature Lynn Wendland

Address 1399 Nelson Address 1399 Nelson St.

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: **Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**

Project Description: All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

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Assessment Information

Property Address:	3691 RODGERS AVE
Parcel Number	24-205-754-0001-00
MAP Number:	24-30-28-330-004
Assessable Frontage:	106.55 Feet
Estimated Front Foot Cost:	$36.35 per Foot
ESTIMATED TOTAL COST	**$3,873.09**

Property Description

LOT 1 & N 1/2 OF VAC ALLEY ABUTTING BLK 754

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner Joan Gibson CoOwner/Spouse _____

Signature Joan Gibson Signature _____

Address 3691 Rodgers Address _____

GIBSON JOAN M

17

Thank you for taking your time to vote on this important issue.

March 15, 2001

Mr. Mohammed Al Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Re: Paving of Nelson, Rodgers and Watson/ Vacation of portion of Watson Street, Sand Alley and Unnamed Alley.

Dear Mr. Shatel:

First and foremost, we the residents of this part of the Beachwood/Blufton Neighborhood would like to thank you and the City of Muskegon for proposing the paving of our dirt streets. Many of the residents who are in support of this improvement are longtime residents of this area and have put up with the blowing sand and dirt for these many years. We have also endured the grading and plowing of dirt and gravel upon our lawns and flower gardens, while at the same time appreciating the efforts of city crews to properly maintain our streets. We are immensely pleased that the promise and **Policy of the City** to pave all unpaved streets in the City of Muskegon is now being implemented on our streets. We believe these improvements, although overdue, will add value to our property and improve the appearance of the neighborhood.

We also appreciate the willingness of your office to share the details of the design proposed for these improvements with us. As you know, the Nelson-Rodgers-Watson area is a self-contained "slice" of the larger Beachwood/Blufton Neighborhood with certain unique qualities. In this regard, after thoroughly reviewing the proposed design, we would offer the following comments and requests:

1. Street Width – The design proposes the standard 27' width residential street design, including 23' of pavement and 4' of curbing. We would recommend that you consider a 21' cross-section with 18' of pavement and 3 feet of curb. The reasons for this request are:
   a. The streets only serve the adjacent homes in the neighborhood. There are no through-streets, as you know.
   b. These rights-of-way are narrower (49.5') with the homes in many cases set closer to the street.
   c. The narrower cross section yields more lawn and planting area for trees and shrubs.
   d. The current width of our unpaved streets ranges from 15' to 18', which seems to "fit" our needs and the scale of our neighborhood.
   e. The current alignment is off-center and requires adjustment, which with the wider cross-section will significantly reduce front-yards of several homes.

f. The "rolled-curb" design, which we support, permits temporary parking of guests off the road surface and thus reduces the need for "on-street" parking.

g. The 21' cross-section provides for more driveway length for temporary parking of cars, and reduces the disruption on existing drives for certain homes.

h. The narrower cross section will be less costly to the City and perhaps the residents in terms of assessments. It will also be less costly to maintain and ultimately repair and replace.

2. Assessments – We are requesting that you review the proposed assessment rate at $36.35/assessable foot. The request is based upon the following :

   a. The narrower street cross-section of 21'.

   b. The fact that we currently have 15'-18' of dirt streets without curb and gutter and therefore costs of removal of same should not be included when figuring assessment rates for these streets.

3. Rolled Curb and Gutter – We endorse the design with this type of curb and gutter.

4. Storm Sewer and Ponding of Run-off – We support the design which eliminates ponding of storm water which currently happens especially at intersections including Nelson at Sand Alley, Rodgers at Beach Street and Watson at Beach Street.

5. Turn-around at North End of Nelson – We support the turn-around designed for this location.

6. Vacating of Sand Alley from Nelson to Beach, Unnamed Alley from Sand Alley to Rodgers and Watson Ave. from Nelson East – As you are aware, we are petitioning for the vacation of the above sections of Alleys/Streets. This request is for the following reasons:

   a. Sand Alley – Sand Alley is a narrow dirt one-block alley which will serve no useful purpose after paving. To keep the alley will result in additional expense to the City, both in construction and maintenance. Sand Alley enters Beach at a blind spot adjacent to a curve in Beach Street. Vacation will result in more parkland and green-space being maintained by neighborhood residents. Vacation of the alley is consistent with City Policy. Blowing dust and dirt will be eliminated.

   b. Unnamed Alley – This alley has never been improved or used for this purpose. Although it appears upon property deeds, it does not in reality exist. Vacation is consistent with City Policy.

   c. Watson East of Nelson – This section of Watson has never been improved as a street nor need it be, as it dead-ends and serves no useful purpose to the city, neighborhood or abutting properties. It will reduce cost to the city and increase value to neighbors. It is consistent with City Policy.

d. Timing of Vacations – We are requesting that the vacation of these sections of Alleys/Street be effective after spreading of the assessment rolls for improving the above streets. We are petitioning for the vacation now to accommodate the design of the street improvements in such a way as to reduce costs to the City and residents of the neighborhood.

Lastly, a number of residents who will be assessed for street improvements are elderly on fixed incomes and others may quality for CDBG assessment assistance. We will be working with those who qualify and wish to apply. Again, Thank you for your assistance and consideration of our concerns. We believe that these recommendations will improve an already worthwhile project for the City and the neighborhood residents, still consistent with city policy.

Sincerely,

Residents of Beach, Nelson, Rodgers and Watson

Jean M. Matthy

Thomas J. Liebig

Matt Taylor

Randy Schneider

Loretta & Malcolm McKee

Karen Kendra

Bruce Ekl

57.5
57.5
1150

PETITION FOR PAVING

To the City Commission:

We, the undersigned property owners abutting on WATSON ROGERS & NELSON Street, and comprising a majority of the property ownership, petition your Honorable Body to pave WATSON BETWEEN BEACH & NELSON between ROGERS BETWEEN BEACH & NELSON and NELSON BETWEEN WATSON & N. END OF STUB and in consideration of the benefits to be derived from the above mentioned Improvement do hereby consent to such paving and hereby agree that the proportionate cost thereof be assessed against my property as a special assessment and agree to pay for the same.

Petition circulated by DAVID L. & LYNN C. WENTLAND

Note: 3/4/01 David L. Wentland Lynn C. Wentland

Give only legal descriptions of property. No addresses will be accepted. Where property is being purchased on contract, both parties must sign.

	NAME	LOT	BLOCK	PROPERTY FRONT FOOTAGE
1	DAVID L. & LYNN C. WENTLAND David L. Wentland Lynn Wentland	LOTS 6-7&8	753	129.6 FT
2	Jean M. Matty Jean M. Matty	LOTS 6&7	752	135.25 FT
3	Loretta McKee Malcolm McKee Loretta McKee Malcolm McKee	1	752	
4	MALCOLM McKEE Malcolm McKee			
5	RUSSELL RECKELL Russell Reckell	3	754	
6	RANDALL SCHNEIDER Randall Schneider	4&5	754	
7	Bruce Eklund BRUCE EKLUND Bruce Eklund	5	753	
8				

March 20, 2001

Mayor Nielsen and City Commissioners
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

RE: Street Improvements – Nelson, Watson and Rodgers: Alley/Street Vacating

Dear Mayor Nielsen and City Commissioners,

I believe that the attached, coupled with additional forthcoming support endorses the **City's Policy** to pave unpaved streets in the City of Muskegon and improve neighborhoods. At the same time, our neighbors and we are requesting that "the standards" for paving residential streets take into account the character and physical constraints of a neighborhood when applying these "standards". We believe the requested adjustments will improve the Policy and application thereof to all neighborhoods.

As a member of the City Administration when this Policy and the "standards" were adopted, I can recall that we tried to make the policy uniform but adaptable to conditions and characteristics of all parts of the city. We are requesting that you recognize the uniqueness of our particular neighborhood and adapt the standards to fit our conditions. As an older "cottage" area of the city, which was developed when 49.5 feet of right-of-way was the norm, houses were placed close to the street. Although now year-round residences, this character remains. In some ways it has added to the neighborliness of this area.

As a certain unnamed resident stated when we were reviewing the proposed 27' wide street design, "Why you can't get there from here, so why do we need such wide streets that go nowhere?". We invite you to visit and take a look for yourself and we believe you will agree, that these streets serve only the neighbors, and an occasional lost vehicle. I even have to direct the pizza delivery person every time I order even though they have been here many times. "Just can't get there from here."

On a more serious note, our neighbors and we are concerned with our lawns, gardens, trees and shrubs and want to have as much "greenery" as possible after the improvements are made. We also firmly believe that City Tax Dollars and residents assessments can go farther with less costly improvements for initial construction, ongoing maintenance and ultimate replacement.

Thank you for this opportunity to assist you to improve an already good Policy and "Standard".

Sincerely,

David L. and Lynn C. Wendtland

Cc: Bryon Mazade, City Manager

March 15, 2001

Mr. Mohammed Al Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Re: Paving of Nelson, Rodgers and Watson/ Vacation of portion of Watson Street, Sand Alley and Unnamed Alley.

Dear Mr. Shatel:

First and foremost, we the residents of this part of the Beachwood/Blufton Neighborhood would like to thank you and the City of Muskegon for proposing the paving of our dirt streets. Many of the residents who are in support of this improvement are longtime residents of this area and have put up with the blowing sand and dirt for these many years. We have also endured the grading and plowing of dirt and gravel upon our lawns and flower gardens, while at the same time appreciating the efforts of city crews to properly maintain our streets. We are immensely pleased that the promise and **Policy of the City** to pave all unpaved streets in the City of Muskegon is now being implemented on our streets. We believe these improvements, although overdue, will add value to our property and improve the appearance of the neighborhood.

We also appreciate the willingness of your office to share the details of the design proposed for these improvements with us. As you know, the Nelson-Rodgers-Watson area is a self-contained "slice" of the larger Beachwood/Blufton Neighborhood with certain unique qualities. In this regard, after thoroughly reviewing the proposed design, we would offer the following comments and requests:

1. Street Width – The design proposes the standard 27' width residential street design, including 23' of pavement and 4' of curbing. We would recommend that you consider a 21' cross-section with 18' of pavement and 3 feet of curb. The reasons for this request are:
    a. The streets only serve the adjacent homes in the neighborhood. There are no through-streets, as you know.
    b. These rights-of-way are narrower (49.5') with the homes in many cases set closer to the street.
    c. The narrower cross section yields more lawn and planting area for trees and shrubs.
    d. The current width of our unpaved streets ranges from 15' to 18', which seems to "fit" our needs and the scale of our neighborhood.
    e. The current alignment is off-center and requires adjustment, which with the wider cross-section will significantly reduce front-yards of several homes.

f. The "rolled-curb" design, which we support, permits temporary parking of guests off the road surface and thus reduces the need for "on-street" parking.

g. The 21' cross-section provides for more driveway length for temporary parking of cars, and reduces the disruption on existing drives for certain homes.

h. The narrower cross section will be less costly to the City and perhaps the residents in terms of assessments. It will also be less costly to maintain and ultimately repair and replace.

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   b. The fact that we currently have 15'-18' of dirt streets without curb and gutter and therefore costs of removal of same should not be included when figuring assessment rates for these streets.

3. Rolled Curb and Gutter – We endorse the design with this type of curb and gutter.

4. Storm Sewer and Ponding of Run-off – We support the design which eliminates ponding of storm water which currently happens especially at intersections including Nelson at Sand Alley, Rodgers at Beach Street and Watson at Beach Street.

5. Turn-around at North End of Nelson – We support the turn-around designed for this location.

6. Vacating of Sand Alley from Nelson to Beach, Unnamed Alley from Sand Alley to Rodgers and Watson Ave. from Nelson East – As you are aware, we are petitioning for the vacation of the above sections of Alleys/Streets. This request is for the following reasons:

   a. Sand Alley – Sand Alley is a narrow dirt one-block alley which will serve no useful purpose after paving. To keep the alley will result in additional expense to the City, both in construction and maintenance. Sand Alley enters Beach at a blind spot adjacent to a curve in Beach Street. Vacation will result in more parkland and green-space being maintained by neighborhood residents. Vacation of the alley is consistent with City Policy. Blowing dust and dirt will be eliminated.

   b. Unnamed Alley – This alley has never been improved or used for this purpose. Although it appears upon property deeds, it does not in reality exist. Vacation is consistent with City Policy.

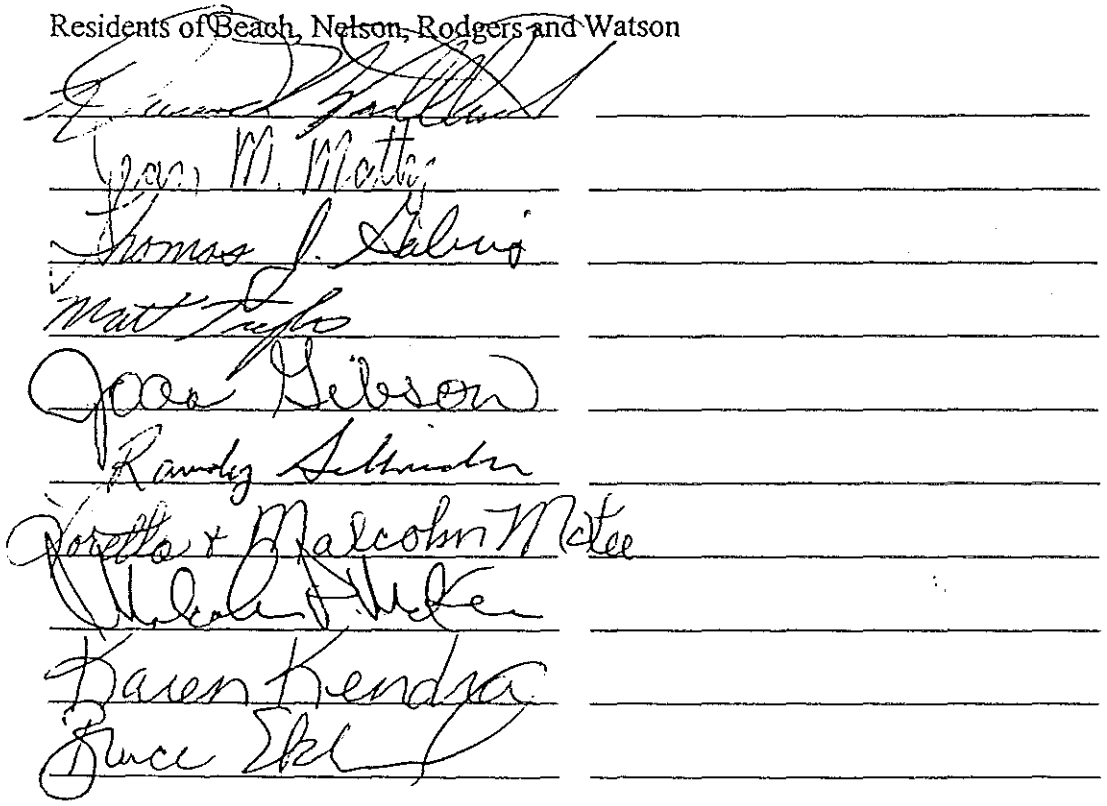
   c. Watson East of Nelson – This section of Watson has never been improved as a street nor need it be, as it dead-ends and serves no useful purpose to the city, neighborhood or abutting properties. It will reduce cost to the city and increase value to neighbors. It is consistent with City Policy.

d. Timing of Vacations – We are requesting that the vacation of these sections of Alleys/Street be effective after spreading of the assessment rolls for improving the above streets. We are petitioning for the vacation now to accommodate the design of the street improvements in such a way as to reduce costs to the City and residents of the neighborhood.

Lastly, a number of residents who will be assessed for street improvements are elderly on fixed incomes and others may quality for CDBG assessment assistance. We will be working with those who qualify and wish to apply. Again, Thank you for your assistance and consideration of our concerns. We believe that these recommendations will improve an already worthwhile project for the City and the neighborhood residents, still consistent with city policy.

Sincerely,

Residents of Beach, Nelson, Rodgers and Watson



Estimates for Street Paving Curb and Gutter and Driveway Entrances

		Street Assessment		Apron Estimate		Sidewalk Estimate		Total Estimate
1406 Beach	William Pohl	60.3	$2192	7	$210	50	$200	$2602
1426 Beach	Randy Schneider	41.7	$1516	10	$300	97	$388	$2204
1430 Beach	Russell Reckell	40.8	$1483	7	$210	57	$228	$1921
1448 Beach	Matthew Tighe	57.1	$2076	0	0	0	0	$2076
1464 Beach	Theresa Benedict	57.1	$2076	6	$180	40	$160	$2416
1360 Nelson	Malcom B McKee	14.7	$534	8	$240	77	$308	$1082
1368 Nelson	Malcom P McKee	57.5	$2090	11	$330	109	$436	$2856
1386 Nelson	Suzanne Miller	172.5	$6270	6	$180	57	$228	$6678
1399 Nelson	Dave Wendtland	129.6	$4711	18	$520	148	$592	$5823
1412 Nelson	Jean Matty	139.8	$5082	7	$210	60	$240	$5532
1430 Nelson	Karen Kendra	132.0	$4798	12	$360	92	$368	$5526
1448 Nelson	Walter Jazdzyk	53.2	$1934	13	$390	109	$436	$2760
1460 Nelson	GTE	25.5	$927	8	$240	62	$248	$1415
3678 Rodgers	Bruce Eklund	91.5	$3333	15	$450	96	$384	$4167
3687 Rodgers	Jacob Funkhou.	52.8	$1919	7	$210	55	$220	$2349
3691 Rodgers	Joan Gibson	106.6	$3875	6	$180	56	$224	$4279
3690 Watson	Thomas Gabris	106.6	$3875	0	0	0	0	$3875
3692 Watson	Thomas Gabris	52.8	$1919	0	0	0	0	$1919
3696 Watson	Thomas Gabris	52.8	$1919	14	$420	102	$408	$2747
3691 Watson	David Farhat	77.6	$2821	0	0	0	0	$2821
3695 Watson	Thomas Schaefer	52.8	$1919	10	$300	97	$388	$2607
3703 Watson	Carolyn Sebesth.	52.8	$1919	7	$210	45	$180	$2309
Pere Marquette Park	City of Musk.	177.7	$6459	0	0	0	0	$6459

March 15, 2001

Mrs. Cathy Brubaker-Clarke, Director of Community and Economic Development
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Re: Request for Vacating of Sand Alley between Nelson and Beach, Unnamed Alley between Sand Alley and Rodgers and Watson East of Nelson.

Dear Mrs. Brubaker-Clark,

We are requesting the vacating of the above sections of Street/Alleys, which we believe to be consistent with the City Policy of eliminating unnecessary and unused streets/alleys. We are requesting these vacatings now to accommodate the design of proposed street improvements and reduce costs to the City and residents of the neighborhood. We request that the vacatings become effective after spreading of the assessments for the street improvements. We believe there is ample justification for vacating these segments as follows:

a. Sand Alley – Sand Alley is a narrow dirt one-block alley that serves no useful purpose and will not be included in proposed street improvements. To keep the alley will result in additional unnecessary expense to the City in construction, maintenance, repair and replacement. Sand Alley enters Beach at a blind spot adjacent to a curve in Beach Street resulting in a traffic safety hazard. Sand Alley is narrow and vehicles entering and leaving, especially trucks are forced into opposing lanes on Beach to make turns. Vacating will result in more parkland and green-space which will be maintained by neighborhood residents. Blowing dust and grading of gravel onto lawns will be eliminated. Vacating this section will increase the value of abutting properties. Vacating we believe is consistent with City Policy.

b. Unnamed Alley – This section of "paper-alley" has never been improved or used for alley purposes nor should it be. Although it appears upon property deeds, neighborhood residents use it as part of back yards. No utilities are contained in this section. Vacating this section will increase the value of abutting properties. Vacating we believe is consistent with City Policy.

c. Watson East of Nelson – This section of Watson has never been improved as a street, nor need it be, as it dead-ends and serves no useful purpose to the City, neighborhood or abutting properties. Vacating will reduce costs to the City and increase the value of abutting properties. Vacating we believe is consistent with City Policy.

We appreciate your consideration of this request. If you have any questions regarding this request please contact me at 206-3296.

Sincerely,

David L. Wendtland

City of Muskegon Planning & Zoning Application

Planning Commission	Zoning Board of Appeals	Do Not Write Below
☐ Amendment to Ordinance ($200)	☐ Variance ($200)	
☐ Rezoning ($200)	☐ Ordinance Interpretation ($200)	
☐ Special Use Permit ($200)	☐ Zoning Appeal ($200)	
☐ PUD - Preliminary ($250)	☐ Special Meeting ($400 additional)	
☐ PUD - Final ($250)	**Site Plan Review**	
☐ PUD - Amendment ($200)	☐ Staff Review - Minor ($40)	
☒ Vacation - Alley or Street ($200)	☐ Staff Review - Major ($100)	
☐ Special Meeting ($400 additional)	☐ Planning Comm. Review ($100)	

Applicant Information:

Name: DAVID L. WENTLAND Organization: RESIDENT

Address: 1399 NELSON City/State/Zip: _____

Phone (H): 755-5135 Phone (W): 206-3496 Fax: 755-5135

I hereby attest that all information on this application is, to the best of my knowledge, true and accurate.

Signature: David L. Wentland Date: 3/14/01

I hereby grant permission for members of the City of Muskegon (Planning Commission) (Zoning Board of Appeals) (City Commission) (Staff) to enter the property described below (or as described in the attached) for the purpose of gathering information related to this application. (Note to applicant: This is optional and will not affect any decision on your application)

Signature: David L. Wentland Date: 3/14/01

Contact Person Information (if different from applicant information):

Name: _____ Organization: _____

Address: _____ City/State/Zip: _____

Phone (H): _____ Phone (W): _____

Fax: _____ Signature: _____

Request Information:

Address/Location of Subject Property(ies): PROPERTIES ADJACENT TO ALLEY/STREET

Parcel # of Subject Property(ies): SEE ATTACHED

Present Use: RESIDENTIAL Proposed Use: N/A

Current Zoning: RESIDENTIAL Proposed Zoning: N/A

Uses of Adjacent Properties (North, South, East, West): RESIDENTIAL

Nature of Request: VACATE SAND ALLEY BETWEEN NELSON & BEACH; UNNAMED ALLEY BETWEEN SAND ALLEY & RODGERS AND WATSON AVENUE FROM NELSON EAST TO END

Note: Information contained in this application, as well as supporting documentation, may be subject to review by the public if a Freedom of Information Act Request is filed.

Application Complete & Accepted: _____ Application Rejected: _____

Please attach a legal description of the property involved with this request.

PETITION FOR ~~PAVING~~ Vacating Sand Alley

To the City Commission:

We, the undersigned property owners abutting on Sand Alley ~~Street~~, and comprising a majority of the property ownership, petition your Honorable Body to ~~pave~~ vacate between Beach Street and Nelson Street ~~and in consideration of the benefits to be derived from the above mentioned improvement do hereby consent to such paving and hereby agree that the proportionate cost thereof be assessed against my property as a special assessment and agree to pay for the same.~~

Petition circulated by [illegible]

Note: 3/4/01 [illegible]

Give only legal descriptions of property. No addresses will be accepted. Where property is being purchased on contract, both parties must sign.

NAME	LOT	BLOCK	PROPERTY FRONT FOOTAGE
Dan Waller	LOT 1	953	97.'
[illegible]	Lots 6-7-5	753	97 on Sand Alley

PETITION FOR ~~PAVING~~ VACATING UNNAMED ALLEY BETWEEN ROGERS & SAND AL.

To the City Commission:

We, the undersigned property owners abutting on UNNAMED ALLEY ~~BETWEEN~~ Street, and comprising a majority of the property ownership, petition your Honorable Body to ~~pave~~ VACATE UNNAMED ALLEY between ROGERS and SAND ALLEY and in consideration of the benefits to be derived from the above mentioned Improvement do hereby consent to such paving and hereby agree that the proportionate cost thereof be assessed against my property as a special assessment and agree to pay for the same.

Petition circulated by _____

Note:

Give only legal descriptions of property. No addresses will be accepted. Where property is being purchased on contract, both parties must sign.

NAME	LOT	BLOCK	PROPERTY FRONT FOOTAGE
David & Karen C Lehnertz	LOT 6-7-8	753	129.6'
Rick Stelma	LOT 5	753	43.2'
Tamra Norton	LOT 2	753	43.6'
Kathleen A. Brisbois	LOT 3	753	43.6'

ATTACHMENT – PARCELS

ADJACENT PROPERTIES - VACATED STREET/ALLEYS

SAND ALLEY - FROM NELSON TO BEACH

1) 1288 MARQUETTE PARK/LIGHTHOUSE MACK
205-749-0001-00

2.) 1377 NELSON - DAVE & LYNN WEINSTRAND
24-205-753-0006-00

3) 1390 BEACH - NANCY WALLOR
24-205-753-0001-00

UNNAMED ALLEY - FROM SAND ALLEY TO ROGERS

1.) 1379 NELSON - DAVE & LYNN WEINSTRAND
24-205-753-0006-00

2) 3675 ROGERS - BRUCE EKLUND
24-205-753-0005-00

3) 1390 BEACH - NANCY WALLOR
24-205-753-0001-00

4) 1396 BEACH - TANYA NORTON
24-205-753-0002-00

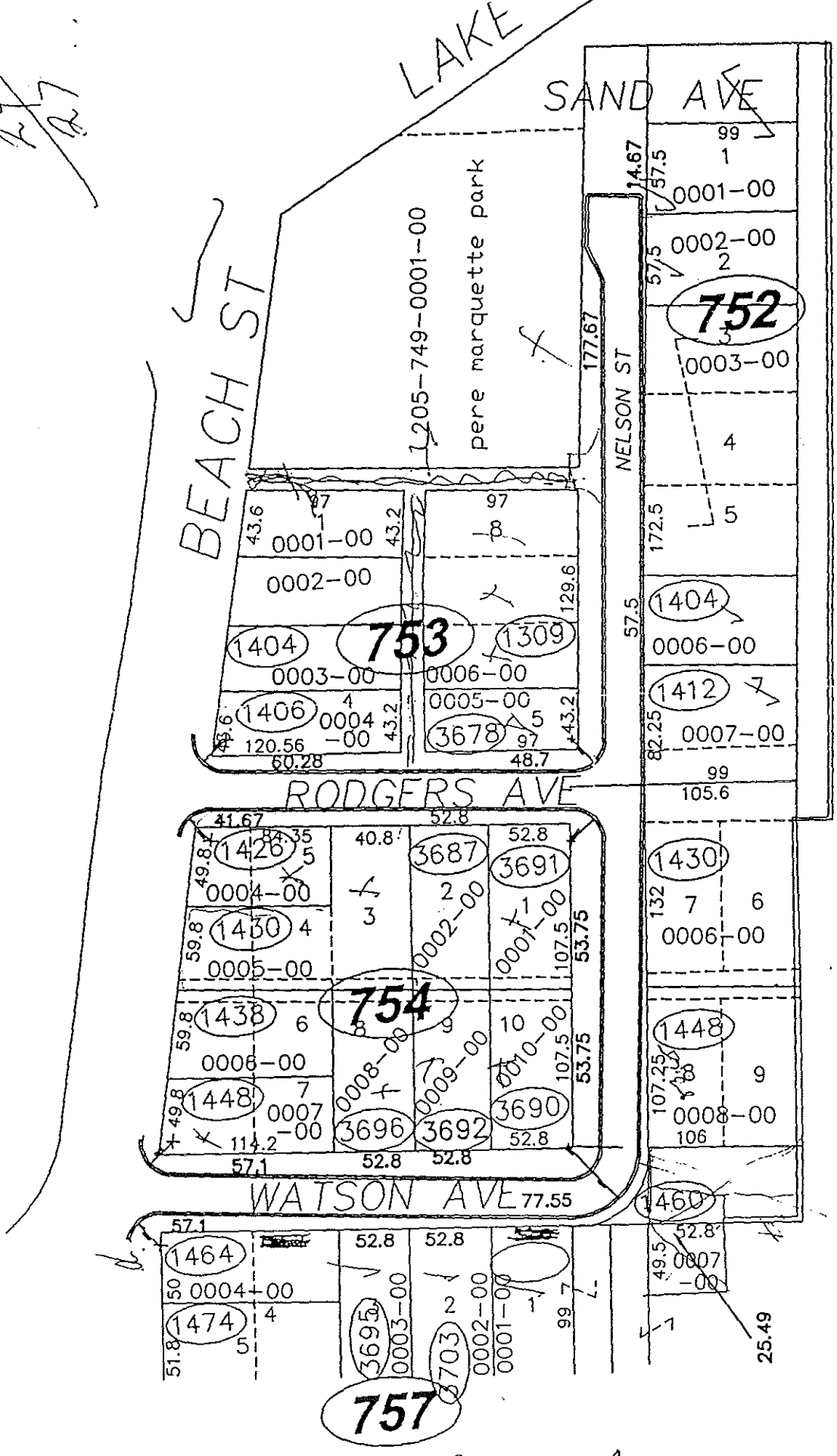
5) 1404 BEACH - JERRY & KATHY GRIESBACH
24-205-753-0003-00

6) 1406 BEACH - WILLIAM PEHL
24-205-753-0004-00

WATSON - NELSON EAST TO END

1) 1448 NELSON - WALTER JAZDZYK
24-205-755-0005-00

2) 1460 NELSON - STE TERE ETAL
24-200-756-0007-00



Town Boundary North 1371 Road

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title:	**Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**
Project Description:	All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	1412	NELSON ST
Parcel Number	24-205-752-0006-00	
MAP Number:	24-30-28-328-001	
Assessable Frontage:	139.75	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$5,079.91**	

Property Description

LOT 6 BLOCK 752 AND W 1/2 VAC ALLEY ADJ

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner	Jean M. Matty	CoOwner/Spouse	
Signature	Jean M. Matty	Signature	
Address	1412 Nelson St.	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

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Assessment Information

Property Address:	1448	NELSON ST
Parcel Number	24-205-755-0008-00	
MAP Number:	24-30-28-331-003	
Assessable Frontage:	53.63	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$1,949.45**	

Property Description

LOT 8 & 9 BLK 755 ALSO S 1/2 VAC ADJ ALLEY

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Walter L. Jozlyk CoOwner/Spouse Sandra C. Jozlyk

Signature Walter L Jozlyk Signature Sandra C. Jozlyk

Address 2617 Leonard St NW Address 2617 Leonard NW

Grand Rapids MI 49504 Grand Rapids MI 49504

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

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Assessment Information

Property Address:	1430	NELSON ST
Parcel Number	24-205-755-0006-00	
MAP Number:	24-30-28-331-001	
Assessable Frontage:	132	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$4,798.20**	

RECEIVED
MAR 23 2001
City Clerks Office

Property Description

LOTS 6 & 7 BLK 755 ALSO N 1/2 OF VAC ADJ ALLEY & S 1/2 VAC ADJ RODGERS AVE

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner	Karen Kendra	CoOwner/Spouse	
Signature	Karen Kendra	Signature	
Address	1430 Nelson	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

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Assessment Information

Property Address:	1368	NELSON ST
Parcel Number	24-205-752-0002-00	
MAP Number:	24-30-28-198-003	
Assessable Frontage:	57.5	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$2,090.13**	

Property Description

LOT 2 BLOCK 752 AND W 1/2 VAC ALLEY ADJ

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☒ I AM OPPOSED ☐

Owner	MALCOLM P. McKEE	CoOwner/Spouse	
Signature		Signature	
Address	1368 NELSON ST MUSKEGON, MI 49441	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title:	**Watson Avenue from Beach Street to Nelson Street, Nelson Street from Watson Avenue to the north end; and Rodgers Avenue from Nelson Street to Beach Street.**
Project Description:	All Parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Avenue; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street

INSTRUCTIONS

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Assessment Information

Property Address:	1386	NELSON ST
Parcel Number	24-205-752-0003-00	
MAP Number:	24-30-28-198-002	
Assessable Frontage:	172.5	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$6,270.38**	

RECEIVED
MAR 21 2001
City Clerks Office

Property Description

LOTS 3, 4 AND 5 BLOCK 752 AND W 1/2 OF VAC ALLEY ADJ THERETO

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED XXXX

Owner	SUZANNE E MILLER	CoOwner/Spouse	
Signature	Suzanne E Miller	Signature	
Address	1386 NELSON STREET	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

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To have your vote count, please

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Assessment Information

Property Address:	3696	WATSON AVE
Parcel Number	24-205-754-0008-00	
MAP Number:	24-30-28-330-008	
Assessable Frontage:	52.8	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$1,919.28**	

Property Description

LOT 8 & S 1/2 OF VAC ALLEY ABUTTING BLK 754

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner	Thomas J. Gabris	CoOwner/Spouse	
Signature	Thomas J. Gabris	Signature	
Address	3696 WATSON AVE.	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

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INSTRUCTIONS

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Assessment Information

Property Address:	3690	WATSON AVE
Parcel Number	24-205-754-0010-00	
MAP Number:	24-30-28-330-009	
Assessable Frontage:	106.55	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$3,873.09**	

Property Description

LOT 10 AND S 1/2 VAC ALLEY ABUTTING BLK 754

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner	Thomas F. Gabris	CoOwner/Spouse	
Signature	Thomas F. Gabris	Signature	
Address	3696 WATSON AVE.	Address	

GABRIS THOMAS

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

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INSTRUCTIONS

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Assessment Information

Property Address:	3692	WATSON AVE
Parcel Number	24-205-754-0009-00	
MAP Number:	24-30-28-330-012	
Assessable Frontage:	52.8	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$1,919.28**	

Property Description

LOT 9 AND S 1/2 VAC ALLEY ABUTTING BLK 754

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner	Thomas J. Gobris	CoOwner/Spouse	
Signature	Thomas J. Gobris	Signature	
Address	3696 WATSON AVE.	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

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Assessment Information

Property Address:	1448	BEACH ST
Parcel Number	24-205-754-0007-00	
MAP Number:	24-30-28-330-007	
Assessable Frontage:	57.1	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$2,075.59**	

Property Description

S 1/2 LOTS 6 & 7 BLK 754

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

We may be in favor of the work, but the assessment is made to many. This is an older

Owner	Matt Taylor	CoOwner/Spouse	Kimberly Ann
Signature	Matt Taylor	Signature	Kimberly Ann Taylor
Address	1448 Beach St.	Address	1448 Beach St.

Thank you for taking your time to vote on this important issue.

Section 4 of the ordinance says - Where sidewalks existing on the effective date

H-1524 NELSON, WATSON TO RODGERS

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE
TOTAL ASSESSABLE FRONT FOOTAGE	1806.11	
FRONT FEET OPPOSED	415.23	22.99% 45.41
RESPONDING FRONT FEET IN FAVOR	742.69	41.12%
NOT RESPONDING - FRONT FEET IN FAVOR	648.19	35.89%
TOTAL FRONT FEET IN FAVOR	1390.88	77.01%

TOTAL NUMBER OF PARCELS =23

FOR					OPPOSE				
LETTER	ADD	STREET	MAP #	FT	LETTER	ADD.	STREET	MAP #	FT
2	1426	BEACH	24-30-28-327-003	41.67	9	1386	NELSON	24-30-28-198-002	172.5
3	1430	BEACH	24-30-28-330-011	40.8	12	1430	NELSON	24-30-28-331-001	132
7	1360	NELSON	24-30-28-198-001	14.67	13	1448	NELSON	24-30-28-331-003	53.63
8	1368	NELSON	24-30-28-198-003	57.5	4	1448	BEACH	2430-28-330-007	57.1
10	1399	NELSON	24-30-28-327-003	129.6					
11	1412	NELSON	24-30-28-328-001	139.75					
17	3691	RODGER	24-30-28-330-004	106.55					
18	3690	WATSON	24-30-28-330-009	106.55					
20	3692	WATSON	24-30-28-330-012	52.8					
22	3696	WATSON	24-30-28-330-008	52.8					
TOTALS				742.69					415.23

TABULATED AS OF: ##### 05:29 PM

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☑ I AM OPPOSED ☐

3691 Watson Ave

Owner E. DAVID FACHAT CoOwner/Spouse _____

Signature [signature] Signature _____

Address 3461 Whispering Woods Dr. Address _____

Muskegon, MI. 49444

FARHAT E DAVID 19

Thank you for taking your time to vote on this important issue.

Continue to 4-10-01 Meeting

Date: March 27, 2001

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Public Hearing
Create Special Assessment District for:
MILLARD AVE., LAKE DUNES DRIVE WEST END

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Millard from Laked Dunes to West End project**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project.

Furthermore, It is respectfully requested that if the district is created to award the a contract to Jackson Mekery who was the lowest responsible bidder with a bid price of $129,888.70

FINANCIAL IMPACT:

Constriction cost plus related engineering cost..

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To create the special assessment and assign two City Commissioners to the Board of Assessors by adopting the attached resolution

COMMITTEE RECOMMENDATION:

ENGINEERING FEASIBILITY STUDY

For

MILLARD FROM LAKE DUNES DR. TO WEST END

The proposed improvement, RECONSTRUCTION, of Millard from Lake Dunes dr. to the West End, see attached location map, was initiated by the City due to the conditions of the road. The existing pavement has deteriorated to a point where any other type improvements would not be feasible. The proposed improvement consists of the removal of existing pavement and the construction of a curb and gutter road. The proposed cross sections being proposed are a 24' back to back where the R-O-W is 40' wide and 27' back to back in the area where the R-O-W is 66'.

A memo from the Assessor's office, which addresses the appraisal and benefit information is attached.

The preliminary cost estimate for the work associated with paving is approximately $160,000 with the length of the project being approximately 1,111 lineal feet or 2,107.06 of assessable front footage. This translates into an estimated improvement cost of $75.93 per assessable foot. The assessment figure will be at a cost not to exceed $32.31 per assessable foot where the road is 24' B-B and $36.35 for that section where the road width is 27' B-B as established in the 2001 Special Assessment for this of improvement.

MUSKEGON COUNTY
MICHIGAN

173 E. APPLE AVE., BUILDING C, MUSKEGON, MICHIGAN 49442
(231) 724-6386
FAX (231) 724-1129

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

Kenneth J. Hulka, Chair
Bill Gill, Vice Chair
Paul Baade
Douglas Bennett
Nancy G. Frye
James J. Kobza
Louis McMurray
Tony Moulatsiotis
Clarence Start

January 29, 2001
Revised March 15, 2001

Mohammed Al-Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the paving of approximately 1,158 linear feet of Millard Avenue from the centerline of Lake Dunes Drive to the west boundary line of 3373 Millard Avenue. The westerly 545 linear feet of paving and curbing being 24 feet in width due to the road right of way being 40 feet in width, and the remaining 613 linear feet of asphalt paving and curbing being 27 feet in width due to the road right of way being 66 feet in width. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is January 29, 2001.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses primarily residential properties. The front foot rate of $36.35 for the paving of the 613 linear feet of paving with the 27 feet width of asphalt appears reasonable in light of analysis that indicates a possible enhancement of $39.10. Additionally, the front foot rate of $32.31 for the remaining 545 linear feet of the 24 feet width asphalt appears reasonable in light of analysis that indicates a possible enhancement of $35.27. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,

Jerry A. Groeneveld

Jerry A Groeneveld, CMAE 3

Senior Appraiser

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

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

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON
West Michigan's Shoreline City

March 16, 2001

NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

The Muskegon City Commission is considering whether or not to create a special assessment district which would assess your property for the following paving project:

Millard Avenue, Millard Avenue to the west end.

The proposed special assessment district will be located as follows:

All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

It is proposed that a portion of the above improvement will be paid by special assessment against properties in the aforementioned district. Following are conditions of the proposed special assessment which are important to you.

Public Hearings

An initial public hearing to consider the creation of a special assessment district will be held at the City of Muskegon City Commission Chambers on March 27, 2001 at 5:30 P.M. You are encouraged to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the proposed special assessment. We are enclosing a Hearing Response Card for you to indicate your agreement or opposition to the special assessment. This card includes the property identification and description, assessable footage per City policy, and the estimated cost of the assessment. You may also appear, as above, in lieu of, or in addition to mailing your response card to the City Clerk. Written objections or appearances must be made at or prior to the hearing. NOTE: THE SPECIAL ASSESSMENT WILL BE CREATED OR NULLIFIED AT THIS HEARING. IT IS IMPORTANT FOR YOU TO COMMENT AT THIS HEARING IF YOU WANT YOUR OPINION COUNTED FOR THE SPECIAL ASSESSMENT.

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

A second public hearing will be held to confirm the special assessment roll after the project is under way. You will be mailed a separate notice for the second hearing. At this second hearing the special assessment costs will be spread on the affected properties accordingly. YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT AMOUNT AGAINST YOUR PARCEL EITHER IN WRITING OR IN PERSON AT THIS HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED AT THE SECOND HEARING, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THE INITIAL HEARING OR AT THE SECOND HEARING CONFIRMING THE ROLL, EITHER IN PERSON, BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

By City Charter, if the owners of more than one-half of the properties to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

Estimated Costs

The total estimated cost of the street portion of the project is $160,000 of which approximately 44.85% ($71,761.49) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

The street assessment, which covers improvements to the roadway, may be paid in installments over a period of up to ten (10) years. Any work on drive approaches or sidewalks will be assessed to the property at actual contract prices and these costs may also be paid in installments over ten (10) years. Please note this work is in addition to the street special assessment.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and financial assistance programs available.

I urge you to return the enclosed hearing response card indicating your preference and to attend the scheduled public hearing. Your views are important to the City and to your neighbors. Additional information, including preliminary project plans and cost estimates is available in the Engineering Department located on the second floor of City Hall. Regular business hours are from 8:00 A.M. to 5:00 P.M. Monday through Friday except holidays.

Sincerely,

Mohammed Alshatel

Mohammed Al-Shatel, P.E.
City Engineer

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

> ***Street and Alley Assessments*** – Ten (10) years equal annual principal payments. For example, if the amount of your assessment is $850.00, you will be billed $85.00 per year plus applicable interest as described below.
>
> ***Driveway, Sidewalk, and Approach Assessments*** - Ten (10) years equal annual principal payments plus applicable interest as described below.
>
> ***Interest*** – Simple interest is charged at the rate of 5.00% per year *unless* the City has borrowed money to complete the project for which you are assessed and has pledged you assessments for repayment of the borrowed money. In such cases, the interest you are charged is equal to the interest rate the City must pay on the borrowed money plus 1.00%.

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

CITY OF MUSKEGON
MILLARD AVENUE H-1520
REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

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

Dear Resident:

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

Application Requirements:

✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2000, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2001

65% MEDIAN HOUSEHOLD INCOME CHART

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

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

✓ **Applicants must submit proof of current property insurance**.

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

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

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

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

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:

Parcel Number

MAP Number:

Assessable Frontage:

Estimated Front Foot Cost:

ESTIMATED TOTAL COST

Property Description

LOT 6 MARINERS POINT PART OF GOVT LOT 3 SEC 33 T10N R16W

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☐

Owner _____ CoOwner/Spouse _____

Signature _____ Signature _____

Address _____ Address _____

Thank you for taking your time to vote on this important issue.

BARKEL JOHN BARBARA

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
SPECIAL ASSESSMENT DISTRICTS

PLEASE TAKE NOTICE that a special assessment district is proposed to be created by the Muskegon City Commission for the following projects:

Houston, Sanford to First
Millard, Lakeshore to West End
Nelson , Watson and Rodgers

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

- **All parcels abutting Houston Avenue from First Street to Sanford Street.**

&

- **All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to the west end of Millard Avenue.**

&

- **All parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Ave; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street**

It is proposed that a percentage of the cost of the improvement will be paid through special assessments. Preliminary plans and cost estimates are on file in the City Hall in the Engineering Department and may be examined during regular business hours at the Engineering Department between 8:00 A.M. and 5:00 P.M. on weekdays, except holidays.

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON ***March 27, 2001 AT 5:30 O'CLOCK P.M.***

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

By City Charter, if the owners of more than one-half of the property to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

PUBLISH: **March 17, 2001**

Gail Kundinger, City Clerk

ADA POLICY

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

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

H-1520 Millard Avenue, Millard Avenue to the west end.

24-156-000-0031-00	MORGAN DANIEL K/ANN E	ASSESSABLE FEET:	56.14
24-30-34-156-031	3401 LAKE DUNES DR	COST PER FOOT:	$36.35
@ 3401 LAKE DUNE	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$2,040.69

24-592-000-0006-00	BARKEL JOHN/BARBARA	ASSESSABLE FEET:	91
24-30-33-234-033	3224 MILLARD AVE	COST PER FOOT:	$36.35
@ 3224 MILLARD AV	MUSKEGON MI 49441-1602	ESTIMATED P.O. COST:	$3,307.85

24-592-000-0007-00	OLSEN JOHN B	ASSESSABLE FEET:	80
24-30-33-234-034	3236 MILLARD AVE	COST PER FOOT:	$36.35
@ 3236 MILLARD AV	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$2,908.00

24-156-000-0032-00	BLUFFTON BAY ESTATES LLC	ASSESSABLE FEET:	89
24-30-34-156-032	500 TERRACE PLAZA	COST PER FOOT:	$36.35
@ 3241 MILLARD AV	MUSKEGON MI 49440	ESTIMATED P.O. COST:	$3,235.15

24-592-000-0008-00	MORGAN DANIEL K	ASSESSABLE FEET:	80
24-30-33-234-035	3246 MILLARD AVE	COST PER FOOT:	$36.35
@ 3246 MILLARD AV	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$2,908.00

24-156-000-0033-00	MILLER BRUCE R/JUDITH A	ASSESSABLE FEET:	85
24-30-34-156-033	3230 ROOSEVELT RD	COST PER FOOT:	$36.35
@ 3251 MILLARD AV	MUSKEGON MI 49441-3963	ESTIMATED P.O. COST:	$3,089.75

24-592-000-0009-00	LANGLOIS ROBERT/KATHLEEN	ASSESSABLE FEET:	80
24-30-33-234-036	3258 MILLARD AVE	COST PER FOOT:	$36.35
@ 3258 MILLARD AV	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$2,908.00

H-1520 Millard Avenue, Millard Avenue to the west end.

24-156-000-0034-00	DUTKIEWICZ PATRICK/JANICE				ASSESSABLE FEET:	85
24-30-34-156-034	960 W SHERMAN BLVD				COST PER FOOT:	$36.35
@ 3261 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$3,089.75
24-156-000-0035-00	BLUFFTON BAY ESTATES LLC				ASSESSABLE FEET:	90
24-30-34-156-035	500 TERRACE PLAZA				COST PER FOOT:	$36.35
@ 3271 MILLARD AV	MUSKEGON	MI	49440		ESTIMATED P.O. COST:	$3,271.50
24-506-002-0032-00	ISLEY NOBLE JR				ASSESSABLE FEET:	100.34
24-30-33-234-026	3280 MILLARD AVE				COST PER FOOT:	$36.35
@ 3280 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$3,647.36
24-506-004-0001-00	HORTON DORIS J TRUST				ASSESSABLE FEET:	158.46
24-30-33-200-029	3291 MILLARD AVE				COST PER FOOT:	$32.31
@ 3291 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$5,119.84
24-506-002-0030-00	LOCKE THOMAS A				ASSESSABLE FEET:	102.1
24-30-33-234-025	3292 MILLARD AVE				COST PER FOOT:	$32.31
@ 3292 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$3,298.85
24-506-002-0034-00	SCHNOTALA RICHARD J				ASSESSABLE FEET:	75
24-30-33-234-027	3303 MILLARD AVE				COST PER FOOT:	$36.35
@ 3303 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,726.25
24-506-004-0003-00	WELLISE JAMES				ASSESSABLE FEET:	100
24-30-33-200-028	3307 MILLARD AVE				COST PER FOOT:	$32.31
@ 3307 MILLARD AV	MUSKEGON	MI	49441-0000		ESTIMATED P.O. COST:	$3,231.00

H-1520 Millard Avenue, Millard Avenue to the west end.

24-506-002-0028-00	MARS RICHARD A				ASSESSABLE FEET:	100
24-30-33-234-024	3308 MILLARD AVE				COST PER FOOT:	$32.31
@ 3308 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$3,231.00
24-506-002-0026-00	CRANSTON EARL E				ASSESSABLE FEET:	110
24-30-33-234-023	3336 MILLARD AVE				COST PER FOOT:	$32.31
@ 3334 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$3,554.10
24-506-004-0005-00	YOUNG BRADLEY/CINDY				ASSESSABLE FEET:	110
24-30-33-200-027	3335 MILLARD AVE				COST PER FOOT:	$32.31
@ 3335 MILLARD AV	MUSKEGON	MI	49441-0000		ESTIMATED P.O. COST:	$3,554.10
24-506-002-0025-00	CRANSTON EARL J				ASSESSABLE FEET:	72.15
24-30-33-234-022	3336 MILLARD AVE				COST PER FOOT:	$32.31
@ 3336 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,331.17
24-506-002-0024-00	LINE SUSAN				ASSESSABLE FEET:	70.45
24-30-33-234-021	3340 MILLARD AVE				COST PER FOOT:	$32.31
@ 3340 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$2,276.24
24-506-004-0007-00	PESCH RONALD ET AL				ASSESSABLE FEET:	60
24-30-33-200-026	791 WASHINGTON AVE				COST PER FOOT:	$32.31
@ 3343 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$1,938.60
24-506-004-0008-00	PESCH RONALD D				ASSESSABLE FEET:	46.05
24-30-33-200-025	791 WASHINGTON AVE				COST PER FOOT:	$32.31
@ 3351 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$1,487.88

H-1520 Millard Avenue, Millard Avenue to the west end.

24-506-002-0023-00	ASSELMEIER RICHARD D				ASSESSABLE FEET:		76
24-30-33-234-020	3358 MILLARD AVE				COST PER FOOT:		$32.31
@ 3358 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:		$2,455.56
24-506-004-0009-00	BURCH JOHN H				ASSESSABLE FEET:		88.87
24-30-33-200-024	3359 MILLARD AVE				COST PER FOOT:		$32.31
@ 3359 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:		$2,871.39
24-506-002-0022-00	HANNAHS MICHAEL/NANCY				ASSESSABLE FEET:		50.78
24-30-33-234-019	20 N WARNER				COST PER FOOT:		$32.31
@ 3372 MILLARD AV	FREMONT	MI	49412		ESTIMATED P.O. COST:		$1,640.70
24-506-004-0011-00	KOCH CAROLE M				ASSESSABLE FEET:		50.72
24-30-33-200-023	3373 MILLARD AVE				COST PER FOOT:		$32.31
@ 3373 MILLARD AV	MUSKEGON	MI	49441		ESTIMATED P.O. COST:		$1,638.76

SUM OF ASSESSABLE FOOTAGE: 2107.06 SUM OF ESTIMATED P.O. COST: $71,761.49

% OF TOTAL PROJECT: 44.850929875

H-1520 MILLARD AVE. LAKE DUNES DR. TO 1200' WEST

STREET IMPROVEMENTS

				ENGINEER'S ESTIMATE JANUARY 23, 2001		FELCO CONTRACTORS		LAKESIDE CONSTRUCTION		JACKSON-MERKEY		GRANT TOWER	
	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTALS	NIT PRIC	TOTALS	NIT PRIC	TOTALS	NIT PRIC	TOTALS	NIT PRIC	TOTALS
1	ADJUST MANHOLE CASTING	5	EACH	$350.00	$1,750.00	$400.00	$2,000.00	$350.00	$1,750.00	$395.00	$1,975.00	$525.00	$2,625.00
2	AGGREGATE BASE COURSE 22A AS-NEEDED	77	TON	$15.00	$1,155.00	$45.00	$3,465.00	$15.00	$1,155.00	$22.00	$1,694.00	$14.00	$1,078.00
3	AGGREGATE BASE COURSE 22A @ 6" C.I.P.	2581	SQ.YD.	$5.00	$12,905.00	$7.40	$19,099.40	$8.00	$20,648.00	$6.40	$16,518.40	$6.50	$16,776.50
4	BIT. LEVELING MIX 3B @ 165#/S.Y.	225	TON	$40.00	$9,000.00	$48.00	$10,800.00	$40.00	$9,000.00	$44.50	$10,012.50	$47.00	$10,575.00
5	BIT. TOP MIX 4C @ 165#/S.Y.	225	TON	$45.00	$10,125.00	$55.00	$12,375.00	$44.00	$9,900.00	$48.85	$10,991.25	$52.00	$11,700.00
6	CATCH BASIN CASTING E.J.#7065 W / M1 GRATE OR	3	EACH	$400.00	$1,200.00	$500.00	$1,500.00	$425.00	$1,275.00	$495.00	$1,485.00	$560.00	$1,680.00
7	CATCH BASIN INLET	2	EACH	$800.00	$1,600.00	$1,200.00	$2,400.00	$900.00	$1,800.00	$1,075.00	$2,150.00	$845.00	$1,690.00
8	CATCH BASIN STD.	3	EACH	$1,200.00	$3,600.00	$1,200.00	$3,600.00	$1,000.00	$3,000.00	$1,345.00	$4,035.00	$980.00	$2,940.00
9	CONC. CURB & GUTTER STD. DETAIL 3	2175	LIN. FT.	$12.00	$26,100.00	$8.00	$17,400.00	$10.00	$21,750.00	$7.25	$15,768.75	$14.00	$30,450.00
10	CONC. DRIVE APPROACH 6" STD.	560	SQ.YD.	$30.00	$16,800.00	$28.00	$15,680.00	$31.00	$17,360.00	$27.00	$15,120.00	$32.00	$17,920.00
11	CONC. SIDEWALK 4"	37	SQ. FT.	$3.00	$111.00	$5.00	$185.00	$3.00	$111.00	$2.45	$90.65	$3.00	$111.00
12	CONC.SIDEWALK 6"	217	SQ. FT.	$4.00	$868.00	$6.00	$1,302.00	$4.00	$868.00	$3.60	$781.20	$4.00	$868.00
13	CORP. STOP 1" MUELLER #15000	2	EACH	$300.00	$600.00	$255.00	$510.00	$350.00	$700.00	$300.00	$600.00	$204.00	$408.00
14	CURB STOP 1" MUELLER #15150	1	EACH	$325.00	$325.00	$265.00	$265.00	$250.00	$250.00	$290.00	$290.00	$260.00	$260.00
15	EXCAVATION	658	C YD	$8.00	$5,264.00	$7.90	$5,198.20	$15.00	$9,870.00	$13.80	$9,080.40	$5.00	$3,290.00
16	MANHOLE CASTING E.J.#1000 OR EQUAL	4	EACH	$440.00	$1,760.00	$450.00	$1,800.00	$350.00	$1,400.00	$490.00	$1,960.00	$480.00	$1,920.00
17	MANHOLE STD. 4' I.D. 0' TO 10' DEEP	1	EACH	$1,500.00	$1,500.00	$1,400.00	$1,400.00	$1,200.00	$1,200.00	$1,685.00	$1,685.00	$947.00	$947.00
18	METER PIT COMPLETE	1	EACH	$500.00	$500.00	$700.00	$700.00	$500.00	$500.00	$745.00	$745.00	$894.00	$894.00
19	RELOCATING HYDRANT	1	EACH	$800.00	$800.00	$980.00	$980.00	$1,650.00	$1,650.00	$875.00	$875.00	$929.00	$929.00
20	REMOVING BIT. SURFACE (1/2" TO 2 1/2")	2290	SQ.YD.	$4.00	$9,160.00	$6.75	$15,457.50	$3.00	$6,870.00	$2.00	$4,580.00	$1.50	$3,435.00
21	REMOVING CONC. APPROACHES	438	SQ.YD.	$10.00	$4,380.00	$11.00	$4,818.00	$7.00	$3,066.00	$9.25	$4,051.50	$4.00	$1,752.00
22	REMOVING CONC. CURB & GUTTER	4	LIN. FT.	$10.00	$40.00	$40.00	$160.00	$40.00	$160.00	$28.00	$112.00	$6.00	$24.00
23	REMOVING CONC CURB	3	LIN. FT.	$10.00	$30.00	$45.00	$135.00	$40.00	$120.00	$24.00	$72.00	$6.00	$18.00
24	REMOVING CONC. SIDEWALK	206	SQ.FT.	$1.50	$309.00	$1.00	$206.00	$3.50	$721.00	$1.80	$370.80	$1.00	$206.00
25	REMOVING TREES 3"- 7"	8	EACH	$400.00	$3,200.00	$200.00	$1,600.00	$125.00	$1,000.00	$120.00	$960.00	$128.00	$1,024.00
26	REMOVING TREES 34"- 36"	2	EACH	$1,000.00	$2,000.00	$1,500.00	$3,000.00	$500.00	$1,000.00	$1,145.00	$2,290.00	$812.00	$1,624.00
27	REMOVING STUMP 24"	1	EACH	$300.00	$300.00	$500.00	$500.00	$100.00	$100.00	$180.00	$180.00	$406.00	$406.00
28	STORM SEWER 12" D.C.I. CL. 52	12	LIN. FT.	$35.00	$420.00	$35.00	$420.00	$65.00	$780.00	$38.00	$456.00	$45.00	$540.00
29	STORM SEWER 12" SDR 35	319	LIN. FT.	$30.00	$9,570.00	$20.00	$6,380.00	$25.00	$7,975.00	$21.00	$6,699.00	$18.00	$5,742.00
30	TERRACE GRADING	1083	LIN. FT.	$15.00	$16,245.00	$5.50	$5,956.50	$6.00	$6,498.00	$6.75	$7,310.25	$6.00	$6,498.00
31	TRAFFIC CONTROL	1	LUMP	$8,000.00	$8,000.00	$3,200.00	$3,200.00	$4,000.00	$4,000.00	$2,135.00	$2,135.00	$4,500.00	$4,500.00
32	TREES 3" TO 4"	6	EACH	$500.00	$3,000.00	$600.00	$3,600.00	$300.00	$1,800.00	$440.00	$2,640.00	$550.00	$3,300.00
33	WATER SERVICE 1" TYPE "K" COPPER	60	LIN. FT.	$20.00	$1,200.00	$15.00	$900.00	$15.00	$900.00	$16.75	$1,005.00	$50.00	$3,000.00
34	WATER VALVE BOX & COVER COMPLETE	3	EACH	$350.00	$1,050.00	$300.00	$900.00	$150.00	$450.00	$390.00	$1,170.00	$220.00	$660.00
	SUBTOTAL				$154,867.00		$147,892.60		$139,627.00		$129,888.70		$139,790.50

AFFIDAVIT OF MAILING BY CITY CLERK

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

GAIL A. KUNDINGER, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT SHE IS THE CITY CLERK OF THE CITY OF MUSKEGON; THAT AT A HEARING HELD ON THE 13 TH DAY OF FEBRUARY, 2001 THE CITY COMMISSION ADOPTED A RESOLUTION CREATING THE FOLLOWING SPECIAL ASSESSMENT DISTRICT:

All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

A NOTICE OF THE SAID HEARING WAS DULY PUBLISHED IN THE MUSKEGON CHRONICLE, A DAILY NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF MUSKEGON, ON FEBRUARY 3, 2001.

DEPONENT FURTHER SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 2ND DAY OF FEBRUARY, 2001.

_____
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
_____ DAY OF _____, 2001.

_____
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES _____

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	3251	MILLARD AVE
Parcel Number	24-156-000-0033-00	
MAP Number:	24-30-34-156-033	
Assessable Frontage:	85	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$3,089.75**	

Property Description

CITY OF MUSKEGON BLUFFTON BAY ESTATES CONDOS MUSKEGON COUNTY CONDOMINIUM PLAN #61 UNIT 33

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner	Bruce R Miller	CoOwner/Spouse	Trudy Miller
Signature		Signature	
Address	3251 Millard	Address	3251 Millard

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

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Assessment Information

Property Address:	3241	MILLARD AVE
Parcel Number	24-156-000-0032-00	
MAP Number:	24-30-34-156-032	
Assessable Frontage:	89	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$3,235.15**	

Property Description

CITY OF MUSKEGON BLUFFTON BAY ESTATES CONDOS MUSKEGON COUNTY CONDOMINIUM PLAN #61 UNIT 32

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☒ I AM OPPOSED ☐

Owner Bluffton Bay Estates LLC CoOwner/Spouse _____

Signature _____ Signature _____

Address 5E Third Place Address _____

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

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Assessment Information

Property Address:	3271	MILLARD AVE
Parcel Number	24-156-000-0035-00	
MAP Number:	24-30-34-156-035	
Assessable Frontage:	90	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$3,271.50**	

Property Description

CITY OF MUSKEGON BLUFFTON BAY ESTATES CONDOS MUSKEGON COUNTY CONDOMINIUM PLAN #61 UNIT 35

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR [X] I AM OPPOSED [ ]

Owner Bluffton Bay Estates LLC CoOwner/Spouse

Signature [signature] Signature [signature]

Address [illegible] Address [illegible]

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

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Assessment Information

Property Address:	3258	MILLARD AVE
Parcel Number	24-592-000-0009-00	
MAP Number:	24-30-33-234-036	
Assessable Frontage:	80	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$2,908.00**	

Property Description

LOT 9 MARINERS POINT PART OF GOVT LOT 3 SEC 33 T10N R16W

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ (if narrowed to 22')

I AM OPPOSED ☐

Owner Robert J. Langlois CoOwner/Spouse Kathleen A Langlois

Signature _____ Signature Kathleen A Langlois

Address 3258 Millard Street Address 3258 Millard Street

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

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Assessment Information

Property Address:	3292	MILLARD AVE
Parcel Number	24-506-002-0030-00	
MAP Number:	24-30-33-234-025	
Assessable Frontage:	102.1	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$3,298.85**	

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOTS 30 & 31 BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Thomas A. Locke CoOwner/Spouse _____

Signature Thomas A. Locke Signature _____

Address 3292 Millard Address _____

LOCKE THOMAS

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

RECEIVED
CITY OF MUSKEGON
MAR 26 2001
ENGINEERING DEPT.

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

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Assessment Information

Property Address:	3373 MILLARD AVE
Parcel Number	24-506-004-0011-00
MAP Number:	24-30-33-200-023
Assessable Frontage:	50.72 Feet
Estimated Front Foot Cost:	$32.31 per Foot
ESTIMATED TOTAL COST	**$1,638.76**

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 COM ON N LINE LOT 10 10 FT E OF NW COR LOT 10 TH W TO NW COR LOT 11 TH S TO SW COR LOT 11 TH E ON S LINE LOT 11 TO A PT 10 FT W OF SE COR LOT 11 TH NLY 122.4 FT TO BEG BLK 4

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☑

Owner	CAROLE M KOCH	CoOwner/Spouse	
Signature	Carole M Koch	Signature	
Address	3373 Millard	Address	

Thank you for taking your time to vote on this important issue.

KOCH CAROLE M

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

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Assessment Information

Property Address:	3351 MILLARD AVE
Parcel Number	24-506-004-0008-00
MAP Number:	24-30-33-200-025
Assessable Frontage:	46.05 Feet
Estimated Front Foot Cost:	$32.31 per Foot
ESTIMATED TOTAL COST	**$1,487.88**

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 COM @ NE COR LOT 8 TH WLY ON N LINE OF LOT TO PT 6.5 FT ELY OF NW COR SAID LOT TH SLY TO S LINE LOT 9 7 FT W OF SE COR SAID LOT TH E TO SE COR LOT 8 TH NLY TO BEG BLK 4

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Ronald Resch CoOwner/Spouse Elsa Resch

Signature Ronald F Resch Signature Elsa M Resch

Address 3351 Millard St Address 3351 Millard St

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

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Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

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Assessment Information

Property Address:	3291	MILLARD AVE
Parcel Number	24-506-004-0001-00	
MAP Number:	24-30-33-200-029	
Assessable Frontage:	158.46	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$5,119.84**	

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOTS 1 & 2 BLK 4

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner [illegible] CoOwner/Spouse _____

Signature [illegible] Signature _____

Address 3291 MILLARD AVE Address _____

Thank you for taking your time to vote on this important issue.

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner JEAN SCHNOTALA CoOwner/Spouse _____

Signature Jean Schnotala Signature _____

Address 3303 Millard Ave Address _____

Thank you for taking your time to vote on this important issue.

SCHNOTALA RICHARD J 5

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

RECEIVED
City Clerk's Office

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

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Assessment Information	
Property Address:	3303 MILLARD AVE
Parcel Number	24-506-002-0034-00
MAP Number:	24-30-33-234-027
Assessable Frontage:	75 Feet
Estimated Front Foot Cost:	$36.35 per Foot
ESTIMATED TOTAL COST	**$2,726.25**

Property Description

LOT 34 & E 1/2 LOT 33 BLK 2

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

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Assessment Information

Property Address:	3334	MILLARD AVE
Parcel Number	24-506-002-0026-00	
MAP Number:	24-30-33-234-023	
Assessable Frontage:	110	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$3,554.10**	

RECEIVED

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 ELY 10 FT LOT 25 & ALL LOT 26 & LOT 27 BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☑

Owner	EARL E CRANSTON	CoOwner/Spouse	
Signature	Earl E Cranston	Signature	
Address	3334 MILLARD	Address	

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

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Assessment Information

Property Address:	3336	MILLARD AVE
Parcel Number	24-506-002-0025-00	
MAP Number:	24-30-33-234-022	
Assessable Frontage:	72.15	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$2,331.17**	

RECEIVED
MAR 28 2001
City Clerk's Office

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOT 25 EX ELY 10 FT BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☑

Owner VIVIAN J CRANSTON CoOwner/Spouse

Signature Vivian J. Cranston Signature Vivian J. Cranston

Address 3336 Millard St Address 3336 Millard St

CRANSTON 5 x 7

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

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Assessment Information

Property Address:	3280	MILLARD AVE
Parcel Number	24-506-002-0032-00	
MAP Number:	24-30-33-234-026	
Assessable Frontage:	100.34	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$3,647.36**	

RECEIVED

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOT 32 & W 1/2 LOT 33 BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Caroline Isley CoOwner/Spouse _____

Signature Caroline A Isley Signature _____

Address 3280 Millard Address _____

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

RECEIVED
MAR 2 2 2001
City Clerks Office

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

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Assessment Information

Property Address:	3308	MILLARD AVE
Parcel Number	24-506-002-0028-00	
MAP Number:	24-30-33-234-024	
Assessable Frontage:	100	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$3,231.00**	

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOTS 28 & 29 BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Richard Mars CoOwner/Spouse _____

Signature Richard Mars Signature _____

Address 3308 Millard Address _____

MARS RICHARD A

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

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Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

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Assessment Information

Property Address:	3236	MILLARD AVE
Parcel Number	24-592-000-0007-00	
MAP Number:	24-30-33-234-034	
Assessable Frontage:	80	Feet
Estimated Front Foot Cost:	$36.35	per Foot
ESTIMATED TOTAL COST	**$2,908.00**	

RECEIVED

Property Description

LOT 7 MARINERS POINT PART OF GOVT LOT 3 SEC 33 T10N R16W

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner	[signature]	CoOwner/Spouse	
Signature	[signature]	Signature	
Address	[signature]	Address	

OLSEN JOHN B

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

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Assessment Information

Property Address:	3340	MILLARD AVE
Parcel Number	24-506-002-0024-00	
MAP Number:	24-30-33-234-021	
Assessable Frontage:	70.45	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$2,276.24**	

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOT 24 BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner	Susan Line	CoOwner/Spouse	N/A
Signature	Susan Line	Signature	N/A
Address	3340 Millard	Address	N/A

LINE SUSAN

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	3372	MILLARD AVE
Parcel Number	24-506-002-0022-00	
MAP Number:	24-30-33-234-019	
Assessable Frontage:	50.78	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$1,640.70**	

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOT 22 BLK 2

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Michael Hannahs CoOwner/Spouse Nancy Hannahs

Signature Michael Hannahs Signature Nancy Hannahs

Address 20 N. Warner Fremont Mich Address 20 N. Warner Fremont

HANNAHS MICHAEL NANCY

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

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Assessment Information

Property Address:	3343	MILLARD AVE
Parcel Number	24-506-004-0007-00	
MAP Number:	24-30-33-200-026	
Assessable Frontage:	60	Feet
Estimated Front Foot Cost:	$32.31	per Foot
ESTIMATED TOTAL COST	**$1,938.60**	

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOT 7 BLK 4

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Ronald Resch CoOwner/Spouse Elsa Resch

Signature Ronald S Resch Signature Elsa M. Resch

Address 3351 Millard St Address 3351 Millard St

Thank you for taking your time to vote on this important issue.

RESCH RONALD ET AL

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Millard Avenue, Millard Avenue to the west end.

Project Description: All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to 1111' west of the centerline of Millard Avenue/Lake dunes Drive.

INSTRUCTIONS

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Assessment Information

Property Address:	3307 MILLARD AVE
Parcel Number	24-506-004-0003-00
MAP Number:	24-30-33-200-028
Assessable Frontage:	100 Feet
Estimated Front Foot Cost:	$32.31 per Foot
ESTIMATED TOTAL COST	**$3,231.00**

Property Description

LAKE MICHIGAN PARK SUB DIV # 1 LOTS 3 & 4 BLK 4

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner	[illegible]	CoOwner/Spouse	[illegible]
Signature	[illegible]	Signature	[illegible]
Address	3307 Millard	Address	3307 Millard

Thank you for taking your time to vote on this important issue.

ELOISE JAMES

November 27, 2000

Dear Members of the Muskegon City Commission:

I would like to take this opportunity to voice my concerns related to the "construction improvements" planned for Millard Street in 2001. I do not question the need to resurface Millard. I do question the rationale behind the excessive width, curbing and cost of the project.

- *The proposed width of 27 feet from curb to curb is excessive for the middle and upper portions of Millard. The street is a dead-end street with fewer than 20 homes using Millard as access. The homes that are on the middle and upper end of the street were, for the most part, in existence before the current ordinance was written. The 27 foot roadway would put the pavement and curbing dangerously close to many of the homes along the proposed "improvement".*
- *The cost of creating this proposed project, $33.40 per foot, is much more than many of the residents could comfortably pay.*
- *Placing the street and curbing within a few feet of many of the existing homes would forever reduce the value of the homes and properties affected and in the case of some homes, create a safety hazard.*

I am asking you to reconsider the scope of the proposed project and simply resurface the existing roadway. This would preserve the integrity of the neighborhood, allow us to be socially acceptable to the residents of Lake Dunes Estates and improve the drive to the end of the street.

Sincerely,

Susan Lee
3340 Millard
Muskegon, MI
49441

December 27, 2000

To the members of the Muskegon City Commission:

I am a resident of Millard Street in the City of Muskegon. As a resident of Millard, I wake up each and every morning, wondering what kind of horror the City of Muskegon has dreamed up for me today.

Recently, I was told by your city engineer that we, the long-time residents of Millard, should be happy with all the changes Ernie Fordham's new development on Lake Dunes Drive and Millard are doing for us. I replied to him that the only thing we have gotten from the development is harrassment and heartache:

- Our taxes have gone up by leaps and bounds. This is supposed to be good since it means our homes are worth more. BUT for those of us who view our houses as homes to live in and not status symbols to be sold as soon as another "in" community is developed, higher taxes is not a plus. We don't need them, don't want them and can't afford them and also don't feel we should be taxed out of our homes to make a developer rich.
- Our "new neighbors'" dogs run loose urinating and defecating all over our yards and gardens. (Apparently leash laws do not apply to "upper class homeowners.)
- Our street has been realigned so that Lake Dunes Drive has a straight shot at Lakeshore Drive and Millard residents must take their life in their hands just to get around the turn at the end of the street. I have personally had 3 very near accidents from vehicles racing down to Lakeshore Drive from Lake Dunes Drive at high rates of speed. Those people pay absolutely NO attention to vehicles coming around the corner AND those of us coming around the corner cannot see vehicles coming from our right until we are into the turn. The angle of Lake Dunes Drive, the hill above Millard, the trees on the corner all make it impossible to see traffic speeding into you.
- We have dumpsters dropped IN THE STREET for months on end creating traffic hazards and preventing plow trucks from plowing snow on Millard. The City of Muskegon's solution is not to have the dumpster moved (wouldn't want to upset the upscales) but to plow excess snow into an existing Millard resident's front yard.
- Now the City wants to widen the street, etc., etc., to make us "socially acceptable" to Lake Dunes Estates. This widening will bring Millard within a very few feet of most of our homes. Real estate agents and your Assessment office tell me that my house is worth virtually nothing with a road within a few feet of my livingroom. My lot is worth nothing because I couldn't tear down the present house to rebuild a new one farther from the street because I couldn't build much more than a shed with the new setback rules. NOTHING + NOTHING = NOTHING. MY TAXES ARE GOING TO REFLECT THAT, RIGHT!?

I personally resent the distain with which the City has treated the long-term residents of Millard. I resent the fact that the City is doing everything it can to get rid of us, make our homes unpleasant and force us to leave so that another developer can get rich at our expense. I made the comment to your City Engineer that I believe that the City's hope is that we will all die off or give up---soon---so that the City can buy up our lots to build more Condos. Ladies and gentlemen, I am not planning to die in the near future. I am also planning to live on Millard for a long time.

Sincerely,

Susan Lane

November 27, 2000

Dear Members of the Muskegon City Commission:

I would like to take this opportunity to voice my concerns related to the "construction improvements" planned for Millard Street in 2001. I do not question the need to resurface Millard. I do question the rationale behind the excessive width, curbing and cost of the project.

- *The proposed width of 27 feet from curb to curb is excessive for the middle and upper portions of Millard. The street is a dead-end street with fewer than 20 homes using Millard as access. The homes that are on the middle and upper end of the street were, for the most part, in existence before the current ordinance was written. The 27 foot roadway would put the pavement and curbing dangerously close to many of the homes along the proposed "improvement".*
- *The cost of creating this proposed project, $33.40 per foot, is much more than many of the residents could comfortably pay.*
- *Placing the street and curbing within a few feet of many of the existing homes would forever reduce the value of the homes and properties affected and in the case of some homes, create a safety hazard.*

I am asking you to reconsider the scope of the proposed project and simply resurface the existing roadway. This would preserve the integrity of the neighborhood, allow us to be socially acceptable to the residents of Lake Dunes Estates and improve the drive to the end of the street.

Sincerely,

Jim Linda Willise

November 27, 2000

Dear Members of the Muskegon City Commission:

I would like to take this opportunity to voice my concerns related to the "construction improvements" planned for Millard Street in 2001. I do not question the need to resurface Millard. I do question the rationale behind the excessive width, curbing and cost of the project.

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Sincerely,

Mrs. Caroleen Isley
3280 Millard

November 27, 2000

Dear Members of the Muskegon City Commission:

I would like to take this opportunity to voice my concerns related to the "construction improvements" planned for Millard Street in 2001. I do not question the need to resurface Millard. I do question the rationale behind the excessive width, curbing and cost of the project.

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Sincerely,

Marguerite L. Konrad
3384 Millard
Muskegon, MI. 49441

November 27, 2000

Dear Members of the Muskegon City Commission:

I would like to take this opportunity to voice my concerns related to the "construction improvements" planned for Millard Street in 2001. I do not question the need to resurface Millard. I do question the rationale behind the excessive width, curbing and cost of the project.

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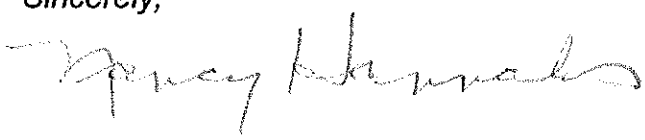
Sincerely,



November 27, 2000

Dear Members of the Muskegon City Commission:

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Sincerely,

Carole M Koch

November 27, 2000

Dear Members of the Muskegon City Commission:

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Sincerely,

Gerald E. Resch
Elsa M. Resch

November 27, 2000

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Sincerely,

Lucy Koski

November 27, 2000

Dear Members of the Muskegon City Commission:

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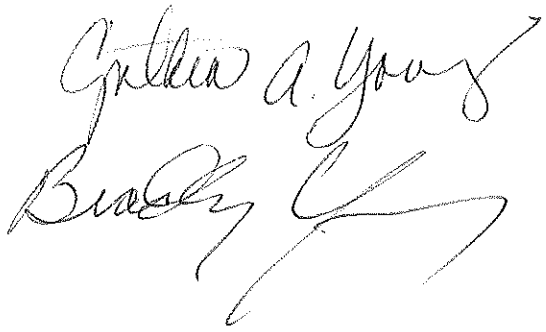

November 27, 2000

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Sincerely,

Jean Schmatzler

I have lived on Millard Street for over forty years. I have seen many changes in the area, but the construction plan for our street puzzles and concerns me greatly. I, along with the other residents on Millard, do see the need to re-surface our street as it is in poor shape. But I do not, however, see reason to widen and add curbs to a dead end street that receives little traffic.

Although the planned "improvement" of Millard will not hurt my lot as dramatically as some of my neighbors, who will be losing most or all of their front yards.

My fore concern for this plan is the financial aspect of what it will cost. I am living on a fixed income as

November 27, 2000

Dear Members of the Muskegon City Commission:

I would like to take this opportunity to voice my concerns related to the "construction improvements" planned for Millard Street in 2001. I do not question the need to resurface Millard. I do question the rationale behind the excessive width, curbing and cost of the project.

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Sincerely,

Earl E Cranston 3334 Millard

November 27, 2000

Dear Members of the Muskegon City Commission:

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I am asking you to reconsider the scope of the proposed project and simply resurface the existing roadway. This would preserve the integrity of the neighborhood, allow us to be socially acceptable to the residents of Lake Dunes Estates and improve the drive to the end of the street.

Sincerely, Vivian J. Cranton
3336 Millard St

H-1520 MILLARD AVE TO THE WEST END

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

TOTAL NUMBER OF PARCELS =27

	FEET	PERCENTAGE
TOTAL ASSESSABLE FRONT FOOTAGE	2116.73	
FRONT FEET OPPOSED	1176.05	55.56% 59.76
RESPONDING FRONT FEET IN FAVOR	344.00	16.25%
NOT RESPONDING - FRONT FEET IN FAVOR	596.68	28.19% 40.24
TOTAL FRONT FEET IN FAVOR	940.68	44.44%

FOR						OPPOSE				
LETTER	ADD	STREET	MAP #	FT		LETTER	ADD.	STREET	MAP #	FT
4	3258	MILLARD	24-30-33-234-036	80		2	3236	MILLARD	24-30-33-234-034	80
21	3271	MILLARD	24-30-34-156-036	90		5	3303	MILLARD	24-30-33-234-027	75
23	3251	MILLARD	24-30-34-156-033	85		6	3280	MILLARD	24-30-33-234-026	100.34
24	3241	MILLARD	24-30-34-156-032	89		7	3292	MILLARD	24-30-33-234-025	102.1
						8	3308	MILLARD	24-30-33-234-024	100
						9	3334	MILLARD	24-30-33-234-023	110
						10	3336	MILLARD	24-30-33-234-022	72.15
						11	3340	MILLARD	24-30-33-234-021	70.45
						13	3372	MILLARD	24-30-33-234-019	50.78
						14	3373	MILLARD	24-30-33-200-023	50.72
						16	3351	MILLARD	24-30-33-200-025	46.05
						17	3343	MILLARD	24-30-33-200-026	60
						19	3307	MILLARD	24-30-33-200-028	100
						20	3291	MILLARD	24-30-33-200-029	158.46
TOTALS				344						1176.05

TABULATED AS OF: ##### 05:22 PM

Date: March 27, 2001

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Public Hearing
Create Special Assessment District for:
HOUSTON AVE., FIRST TO SANFORD

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Houston Ave. from First to Sanford project**, and to create the special assessment district and appoint two City Commissioners to the Board of Assessors if it is determined to proceed with the project

FINANCIAL IMPACT:

None at this time.

BUDGET ACTION REQUIRED:

None at this time.

STAFF RECOMMENDATION:

To create the special assessment and assign two City Commissioners to the Board of Assessors by adopting the attached resolution

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON

Resolution No. 2001-34(c)

Resolution At First Hearing Creating Special Assessment District
For **Houston Ave. from First to Sanford**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

1. A hearing has been held on **March 27, 2001** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.

2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.

3. At the hearing held **March 27, 2001**, there were 42.16 % objections by the owners of the property in the district registered at the hearing either in writing received before or at the hearing or by owners or agents present at the hearing, and the Commission has considered the advisability of proceeding with the project.

FINDINGS:

1. The City Commission has examined the estimates of cost to construct the project including all assessable expenses and determines them to be reasonable.

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

THEREFORE, BE IT RESOLVED:

1. The City Commission hereby declares a special assessment district to include the property set forth in Exhibit A attached to this resolution.

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

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

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **15.93%** of the cost of the street improvement will be paid by special assessments.

5. Upon submission of the special assessment roll, the City staff is hereby directed to notify all owners and persons interested in properties to be assessed of the hearing at which the City Commission will consider confirmation of the special assessment roll.

This resolution adopted.

Ayes Aslakson, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro

Nays None

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, Clerk

ACKNOWLEDGMENT

This resolution was adopted at a meeting of the City Commission, held on **March 27, 2001**. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

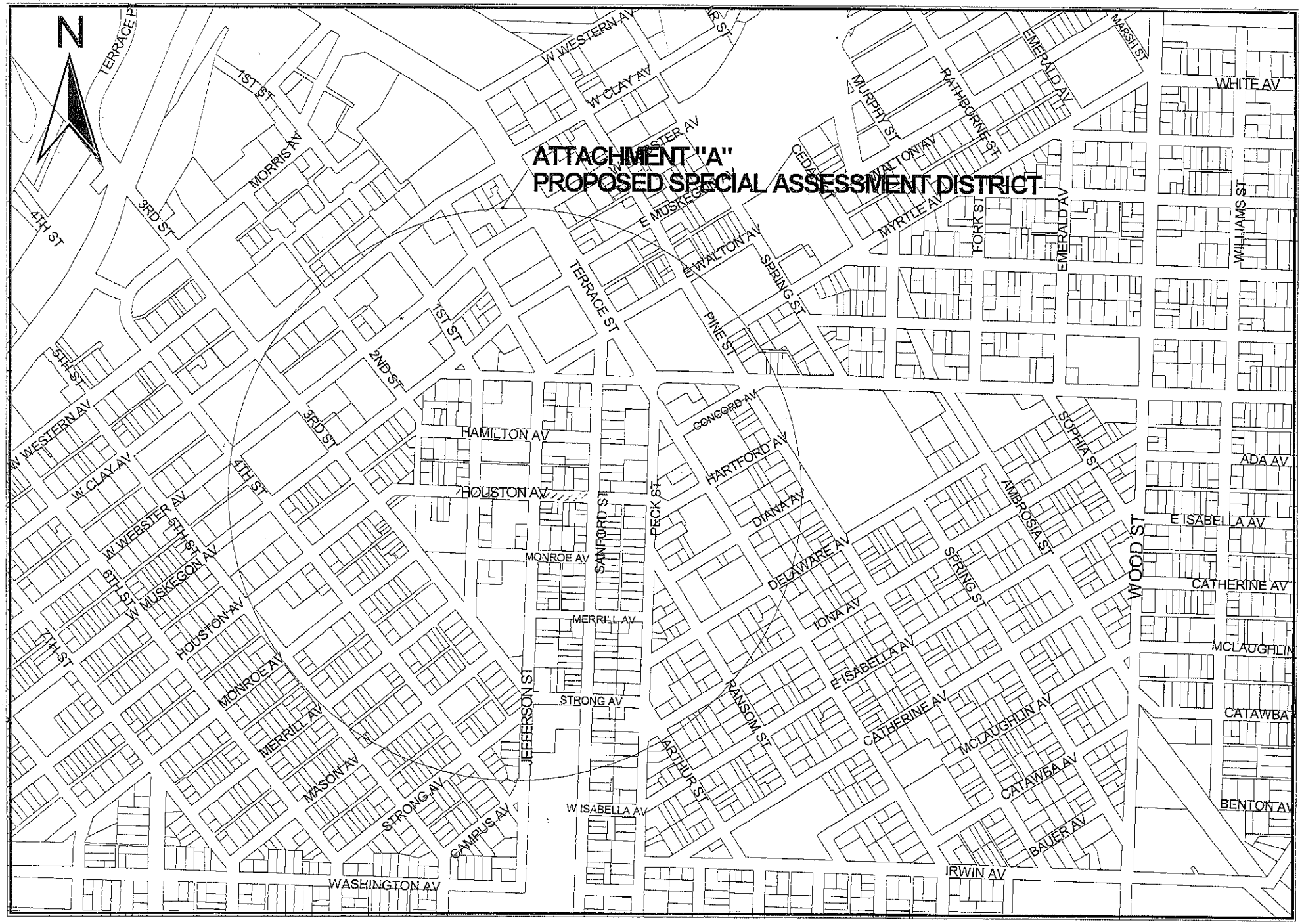
By Gail A. Kundinger
Gail A. Kundinger, Clerk

EXHIBIT A

HOUSTON AVE., FIRST TO SANFORD

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of **All properties abutting Houston Ave., from First to Sanford**


N
ATTACHMENT "A"
PROPOSED SPECIAL ASSESSMENT DISTRICT
TERRACE PL
1ST ST
MORRIS AV
3RD ST
4TH ST
W WESTERN AV
W CLAY AV
W WEBSTER AV
W MUSKEGON AV
HOUSTON AV
MONROE AV
MERRILL AV
MASON AV
STRONG AV
CAMPUS AV
WASHINGTON AV
JEFFERSON ST
W ISABELLA AV
HAMILTON AV
2ND ST
TERRACE ST
E MUSKEGON AV
E WALTON AV
PINE ST
SPRING ST
SANFORD ST
PECK ST
CONCORD AV
HARTFORD AV
DIANA AV
DELAWARE AV
MERRILL AV
STRONG AV
ARTHUR ST
RANSOM ST
IONA AV
E ISABELLA AV
CATHERINE AV
MCLAUGHLIN AV
CATAWBA AV
BAUER AV
IRWIN AV
BENTON AV
SOPHIA ST
AMBROSIA ST
WOOD ST
ADA AV
CATHERINE AV
MCLAUGHLIN
CATAWBA
WHITE AV
MARSH ST
EMERALD AV
MURPHY ST
RATHBORNE ST
MYRTLE AV
FORK ST
WILLIAMS ST

AFFIDAVIT OF MAILING BY CITY CLERK

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

GAIL A. KUNDINGER, BEING FIRST DULY SWORN, DEPOSES AND SAYS THAT SHE IS THE CITY CLERK OF THE CITY OF MUSKEGON; THAT AT A HEARING HELD ON THE 27 TH DAY OF MARCH, 2001 THE CITY COMMISSION ADOPTED A RESOLUTION CREATING THE FOLLOWING SPECIAL ASSESSMENT DISTRICT:

All parcels abutting Houston Avenue from First Street to Sanford Street

A NOTICE OF THE SAID HEARING WAS DULY PUBLISHED IN THE MUSKEGON CHRONICLE, A DAILY NEWSPAPER OF GENERAL CIRCULATION IN THE CITY OF MUSKEGON, ON MARCH 17, 2001.

DEPONENT FURTHER SAYS THAT THE NOTICE OF HEARING WAS SERVED UPON EACH OWNER OF OR PARTY IN INTEREST IN PROPERTY TO BE ASSESSED IN THE SPECIAL ASSESSMENT DISTRICT WHOSE NAME APPEARS UPON THE LAST TAX ASSESSMENT RECORDS OF THE CITY OF MUSKEGON BY MAILING SUCH NOTICE IN A SEALED ENVELOPE BY FIRST CLASS UNITED STATES MAIL, WITH POSTAGE PREPAID, ADDRESSED TO EACH SUCH OWNER OR PARTY IN INTEREST AT THE ADDRESS SHOWN ON SAID LAST TAX ASSESSMENT RECORDS BY DEPOSITING THEM IN AN OFFICIAL UNITED STATES MAIL RECEPTACLE ON THE 16TH DAY OF MARCH, 2001.

Gail A. Kundinger
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
29th DAY OF March, 2001.

Linda S. Potter
NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN

MY COMMISSION EXPIRES 9-25-02

ENGINEERING FEASIBILITY STUDY

For

HOUSTON AVE. FROM FIRST TO SANFORD

The proposed improvement, milling & resurfacing, of Houston between First & Sanford, see attached location map, was initiated by the City due to the conditions of the road. The proposed improvement consists of removal of 3" of the existing asphalt and the placement new leveling & top courses of asphalt in addition to the replacement of the entire curb & gutter.

A memo from the Assessor's office, which addresses the appraisal and benefit information is attached.

The preliminary cost estimate for the work associated with paving is approximately $100,397 with the length of the project being approximately 658 lineal feet or 765 of assessable front footage. This translates into an estimated improvement cost of $131.24 per assessable foot. The assessment figure will be at a cost not to exceed $17.70 per front foot as established in the 2001 Special Assessment for this of improvement.

MUSKEGON COUNTY
MICHIGAN

173 E. APPLE AVE., BUILDING C, MUSKEGON, MICHIGAN 49442
(231) 724-6386
FAX (231) 724-1129

EQUALIZATION DEPARTMENT

BOARD OF COMMISSIONERS

Kenneth J. Hulka, Chair
Bill Gill, Vice Chair
Paul Baade
Douglas Bennett
Nancy G. Frye
James J. Kobza
Louis McMurray
Tony Moulatsiotis
Clarence Start

March 14, 2001

Mohammed Al-Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the milling and resurfacing of Houston Avenue between First Street and Sanford Street. The purpose of this analysis is to document the reasonableness of this special assessment district by identifying and quantifying any accrued benefits. It is subject to the normal governmental restrictions of escheat, taxation, police power and eminent domain. The effective date is March 14, 2001.

In conclusion, it is my opinion that the special assessment amounts justly and reasonably represents the accrued benefits to the properties encompassed by this project. The amounts reflect the sum of the immediate estimated value enhancement and the intrinsic value that will accrue from an overall increase in property values due to an improved quality of life created by the proposed project. As previously presented, the proposed special assessment district encompasses a mixture of properties, but the front foot rate of $17.70 appears reasonable in light of analysis that indicates a possible enhancement of $18.25. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,
Jerry A. Groeneveld
Jerry A Groeneveld, CMAE 3
Senior Appraiser

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

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

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON

West Michigan's Shoreline City

March 16, 2001

NOTICE OF HEARING ON SPECIAL ASSESSMENT

Dear Property Owner:

The Muskegon City Commission is considering whether or not to create a special assessment district which would assess your property for the following paving project:

Houston Avenue, First Street to Sanford Street

The proposed special assessment district will be located as follows:

All parcels abutting Houston Avenue from First Street to Sanford Street

It is proposed that a portion of the above improvement will be paid by special assessment against properties in the aforementioned district. Following are conditions of the proposed special assessment which are important to you.

Public Hearings

An initial public hearing to consider the creation of a special assessment district will be held at the City of Muskegon City Commission Chambers on March 27, 2001 at 5:30 P.M. You are encouraged to appear at this hearing, either in person, by agent or in writing to express your opinion, approval, or objection concerning the proposed special assessment. We are enclosing a Hearing Response Card for you to indicate your agreement or opposition to the special assessment. This card includes the property identification and description, assessable footage per City policy, and the estimated cost of the assessment. You may also appear, as above, in lieu of, or in addition to mailing your response card to the City Clerk. Written objections or appearances must be made at or prior to the hearing. NOTE: THE SPECIAL ASSESSMENT WILL BE CREATED OR NULLIFIED AT THIS HEARING. IT IS IMPORTANT FOR YOU TO COMMENT AT THIS HEARING IF YOU WANT YOUR OPINION COUNTED FOR THE SPECIAL ASSESSMENT.

A second public hearing will be held to confirm the special assessment roll after the project is under way. You will be mailed a separate notice for the second hearing. At this second hearing the special assessment costs will be spread on the affected properties accordingly. YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PROTEST YOUR ASSESSMENT AMOUNT AGAINST YOUR PARCEL EITHER IN WRITING OR IN PERSON AT THIS HEARING. IF THE SPECIAL ASSESSMENT ROLL IS CONFIRMED AT THE SECOND HEARING, YOU WILL HAVE THIRTY (30) DAYS FROM THE DATE OF CONFIRMATION OF THE ROLL TO FILE A WRITTEN APPEAL WITH THE MICHIGAN STATE TAX TRIBUNAL. HOWEVER, UNLESS YOU PROTEST AT THE INITIAL HEARING OR AT THE SECOND HEARING CONFIRMING THE ROLL, EITHER IN PERSON, BY AGENT, OR IN WRITING BEFORE OR AT THE HEARING, YOUR RIGHT TO APPEAL TO THE MICHIGAN TAX TRIBUNAL WILL BE LOST.

By City Charter, if the owners of more than one-half of the properties to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

Estimated Costs

The total estimated cost of the street portion of the project is $85,000 of which approximately 15.93% ($13,540.50) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs will be paid by the City.

The street assessment, which covers improvements to the roadway, may be paid in installments over a period of up to ten (10) years. Any work on drive approaches or sidewalks will be assessed to the property at actual contract prices and these costs may also be paid in installments over ten (10) years. Please note this work is in addition to the street special assessment.

Please refer to the enclosed sheet entitled Special Assessment Payment Options for more information on the payment options and financial assistance programs available.

I urge you to return the enclosed hearing response card indicating your preference and to attend the scheduled public hearing. Your views are important to the City and to your neighbors. Additional information, including preliminary project plans and cost estimates is available in the Engineering Department located on the second floor of City Hall. Regular business hours are from 8:00 A.M. to 5:00 P.M. Monday through Friday except holidays.

Sincerely,

Mohammed Al-Shatel, P.E.
City Engineer

Special Assessment Payment Options

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

I. Lump Sum Payment in Full

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

II. Installment Payments

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

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

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

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

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

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

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

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

IV. Further Information About the Above Programs

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

V. Additional Special Assessment Payment Assistance

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

CITY OF MUSKEGON
HOUSTON AVENUE H-1533
REQUEST FOR WAIVER OF SPECIAL ASSESSMENT

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

Dear Resident:

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

Application Requirements:

✓ **Applicants must submit proof that their total household income does not exceed 65% of Area Median Income** (see chart below); Proof of income may include copies of Wage & Tax Statement (W-2's) from the year 2000, pension or other benefit checks, bank statements for direct deposits or agency statements for all household income.

2001

65% MEDIAN HOUSEHOLD INCOME CHART

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

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

✓ **Applicants must submit proof of current property insurance.**

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

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

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

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

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Houston Avenue, First Street to Sanford Street

Project Description: All parcels abutting Houston Avenue from First Street to Sanford Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:

Parcel Number

MAP Number:

Assessable Frontage:

Estimated Front Foot Cost:

ESTIMATED TOTAL COST

Property Description

E 1/2 OF LOT 2 BLK 363

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☐

Owner _____ CoOwner/Spouse _____

Signature _____ Signature _____

Address _____ Address _____

Thank you for taking your time to vote on this important issue.

JEFFERSON CARYLESIA

CITY OF MUSKEGON
NOTICE OF PUBLIC HEARINGS
SPECIAL ASSESSMENT DISTRICTS

PLEASE TAKE NOTICE that a special assessment district is proposed to be created by the Muskegon City Commission for the following projects:

Houston, Sanford to First
Millard, Lakeshore to West End
Nelson , Watson and Rodgers

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

- **All parcels abutting Houston Avenue from First Street to Sanford Street.**

&

- **All parcels abutting Millard Avenue from centerline of Lake Dunes Drive to the west end of Millard Avenue.**

&

- **All parcels abutting Watson Avenue from Beach Street to Nelson Street; All parcels abutting Nelson Street from Watson Avenue to 384.42' north of the centerline of Rodgers Ave; and all parcels abutting Rodgers Avenue from Nelson Street to Beach Street**

It is proposed that a percentage of the cost of the improvement will be paid through special assessments. Preliminary plans and cost estimates are on file in the City Hall in the Engineering Department and may be examined during regular business hours at the Engineering Department between 8:00 A.M. and 5:00 P.M. on weekdays, except holidays.

THE HEARING WILL BE HELD IN THE MUSKEGON CITY COMMISSION CHAMBERS ON ***March 27, 2001 AT 5:30 O'CLOCK P.M.***

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

By City Charter, if the owners of more than one-half of the property to be assessed shall object to the assessment in writing at or before the hearing, the improvement shall not be made unless the City Commission determines by affirmative vote of all its members that the safety or health of the public necessitates the improvement.

PUBLISH: **March 17, 2001**

Gail Kundinger, City Clerk

ADA POLICY

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

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

H-1533 Houston Avenue, First Street to Sanford Street

24-205-363-0002-10	JEFFERSON DARYL/LESIA	ASSESSABLE FEET:	33
24-31-30-235-005	1252 ADAMS AVE	COST PER FOOT:	$17.70
@ 73 HOUSTON	MUSKEGON MI 49442	ESTIMATED P.O. COST:	$584.10
24-205-357-0007-00	DEVOOGD THOMAS J	ASSESSABLE FEET:	51
24-31-30-231-009	3387 FULTON	COST PER FOOT:	$17.70
@ 78 HOUSTON	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$902.70
24-205-363-0002-00	BROWN CAREY D/AMY R	ASSESSABLE FEET:	33
24-31-30-235-004	79 HOUSTON AVE	COST PER FOOT:	$17.70
@ 79 HOUSTON	MUSKEGON MI 49440	ESTIMATED P.O. COST:	$584.10
24-205-363-0003-20	BROWN CAREY D/AMY R	ASSESSABLE FEET:	31.5
24-31-30-235-003	79 HOUSTON AVE	COST PER FOOT:	$17.70
@ 85 HOUSTON	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$557.55
24-205-357-0006-00	KIM SUN JOONG/BO KYUNG	ASSESSABLE FEET:	66
24-31-30-231-008	2317 BLISSFIELD CT	COST PER FOOT:	$17.70
@ 86 HOUSTON	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$1,168.20
24-205-363-0003-10	WEAVER RANDY L/FRANTZ MAR	ASSESSABLE FEET:	31.5
24-31-30-235-002	494 W CLAY AVE	COST PER FOOT:	$17.70
@ 91 HOUSTON	MUSKEGON MI 49440	ESTIMATED P.O. COST:	$557.55
24-205-364-0004-00	WELLS RONALD L	ASSESSABLE FEET:	66
24-31-30-234-001	153 HOUSTON	COST PER FOOT:	$17.70
@ 153 HOUSTON	MUSKEGON MI 49441	ESTIMATED P.O. COST:	$1,168.20

24-205-356-0001-00	MUSKEGON RETIREMENT APAR				ASSESSABLE FEET:	189
24-31-30-230-001	1077 JEFFERSON ST				COST PER FOOT:	$17.70
@ 1077 JEFFERSO	MUSKEGON	MI	49441		ESTIMATED P.O. COST:	$3,345.30
24-205-357-0008-10	ESH MICHAEL E REV TRUST				ASSESSABLE FEET:	40.5
24-31-30-231-011	220 ROBINWOOD				COST PER FOOT:	$17.70
@ 1093 SANFORD S	WHITEHALL	MI	49461		ESTIMATED P.O. COST:	$716.85
24-205-357-0005-10	LEMAIRE DONALD JR				ASSESSABLE FEET:	33
24-31-30-231-007	1086 JEFFERSON				COST PER FOOT:	$17.70
@ 1094 JEFFERSO	MUSKEGON	MI	49440		ESTIMATED P.O. COST:	$584.10
24-205-363-0003-00	HUTCHINS MARK				ASSESSABLE FEET:	34.5
24-31-30-235-001	896 W GILES				COST PER FOOT:	$17.70
@ 1110 JEFFERSO	MUSKEGON	MI	49445-3155		ESTIMATED P.O. COST:	$610.65
24-205-363-0001-00	NOORDHOFF ROBERT				ASSESSABLE FEET:	33
24-31-30-235-006	195 W APPLE AVE APT 5				COST PER FOOT:	$17.70
@ 1111 SANFORD S	MUSKEGON	MI	49440		ESTIMATED P.O. COST:	$584.10
24-205-364-0001-00	CENTRAL REFORMED CHURCH				ASSESSABLE FEET:	123
24-31-30-234-002	1121 JEFFERSON				COST PER FOOT:	$17.70
@ 1121 JEFFERSO	MUSKEGON	MI	49442		ESTIMATED P.O. COST:	$2,177.10

SUM OF ASSESSABLE FOOTAGE: 765.00 SUM OF ESTIMATED P.O. COST: $13,540.50

% OF TOTAL PROJECT: 15.93

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Houston Avenue, First Street to Sanford Street

Project Description: All parcels abutting Houston Avenue from First Street to Sanford Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	86	HOUSTON AVE
Parcel Number	24-205-357-0006-00	
MAP Number:	24-31-30-231-008	
Assessable Frontage:	66	Feet
Estimated Front Foot Cost:	$17.70	per Foot
ESTIMATED TOTAL COST	**$1,168.20**	

Property Description

LOT 6 EXC THE N 10 FT THEREOF, BLK 357

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Sun Joong Kim CoOwner/Spouse Bo Kyung Kim

Signature Sun Joong Kim Signature Bo Kyung Kim

Address 2310 Bloomfield ct. Muskegon MI 49441 Address 2310 Bloomfield ct. Muskegon MI 49441

Thank you for taking your time to vote on this important issue.

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Houston Avenue, First Street to Sanford Street

Project Description: All parcels abutting Houston Avenue from First Street to Sanford Street

INSTRUCTIONS

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Assessment Information

Property Address:	1111	SANFORD ST
Parcel Number	24-205-363-0001-00	
MAP Number:	24-31-30-235-006	
Assessable Frontage:	33	Feet
Estimated Front Foot Cost:	$17.70	per Foot
ESTIMATED TOTAL COST	**$584.10**	

Property Description

N 40 1/2 FT LOT 1 BLK 363

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☑

Owner	Robert Woodhoff	CoOwner/Spouse	
Signature	Robert Woodhoff	Signature	
Address	195 W Apple Apt 3	Address	

Thank you for taking your time to vote on this important issue.

RECEIVED
MAR 2 8 2001
City Clerk's Office

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Houston Avenue, First Street to Sanford Street

Project Description: All parcels abutting Houston Avenue from First Street to Sanford Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	1110	JEFFERSON ST
Parcel Number	24-205-363-0003-00	
MAP Number:	24-31-30-235-001	
Assessable Frontage:	34.5	Feet
Estimated Front Foot Cost:	$17.70	per Foot
ESTIMATED TOTAL COST	**$610.65**	

Property Description

N 45 FT OF W 69 FT LOT 3 BLK 363

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Mark Hutchins CoOwner/Spouse _____

Signature _____ Signature _____

Home Address 236 W. Giles 49445 Address _____

Thank you for taking your time to vote on this important issue.

HUTCHINS MAP

RECEIVED
MAR 27 01
City Clerks Office

SPECIAL ASSESSMENT

HEARING RESPONSE CARD

To have your vote count, please

Return This Card By: March 27, 2001

Project Title: Houston Avenue, First Street to Sanford Street

Project Description: All parcels abutting Houston Avenue from First Street to Sanford Street

INSTRUCTIONS

If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, sign the form and return it to the City Clerk's Office. To return this card by mail, simply fold on the dotted lines so the address on the reverse side is showing. Be sure to seal the form with a small piece of tape or staple prior to mailing.

Assessment Information

Property Address:	1077	JEFFERSON ST
Parcel Number	24-206-356-0001-00	
MAP Number:	24-31-30-230-001	
Assessable Frontage:	189	Feet
Estimated Front Foot Cost:	$17.70	per Foot
ESTIMATED TOTAL COST	**$3,345.30**	

Property Description

ENTIRE BLOCK 356

Your vote COUNTS!

Please vote either in favor or opposed to the Special Assessment Street Paving Project.

I AM IN FAVOR ☐ I AM OPPOSED ☒

Owner Muskegon Redevelopment Ent. Inc CoOwner/Spouse _____

Signature [signature] Signature _____

Address 1077 Jefferson St. Muskegon, MI 49440 Address _____

Thank you for taking your time to vote on this important issue.

H-1533 HOUSTON, FIRST TO SANFORD

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE
TOTAL ASSESSABLE FRONT FOOTAGE	765.00	
FRONT FEET OPPOSED	322.5	42.16%
RESPONDING FRONT FEET IN FAVOR	0.00	0.00%
NOT RESPONDING - FRONT FEET IN FAVOR	442.50	57.84%
TOTAL FRONT FEET IN FAVOR	442.50	57.84%

TOTAL NUMBER OF PARCELS =13

FOR						OPPOSE					
	LETTER	ADD	STREET	MAP #	FT	LETTER	ADD.	STREET	MAP #	FT
						5	86	HOUSTON	24-31-30-231-008	66
						10	1110	JEFFERSO	24-31-30-235-001	34.5
						13	1111	SANFORD	24-31-30-235-006	33
						8	1077	JEFFERSO	24-31-30-230-001	189
TOTALS					0					322.5

TABULATED AS OF: ##### 05:10 PM

Date: March 27, 2001

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Public Hearing: Soil Removal, Stripping and Dumping (SRSD) Permit Application for Rag & Metal

---

SUMMARY OF REQUEST:

To hold a public hearing on the Muskegon Rag & Metal Owners' request to place 9,200 cu yards of fill material. The have applied for a Soil Removal, Stripping, and Dumping Permit to place 9,200 cu. Yards of fill on their site.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Recommend approval of the Soil Removal, Stripping and Disposal Permit to Rag & Metal

COMMITTEE RECOMMENDATION:

CITY OF MUSKEGON, MICHIGAN

Permit SESC/SRSD No. 2001-01

CITY ENGINEER and/or DIRECTOR OF INSPECTIONS

Date Issued _____

Expiration Date _____

Application and Permit

SOIL EROSION AND SEDIMENTATION CONTROL and/or SOIL REMOVAL, STRIPPING AND DUMPING ORDINANCE

Please Type or Print in Ink

1. Name of Applicant Muskegon Rag & Metal Inc.
2. Mailing Address of Applicant P.O Box 1460
3. Telephone Number (231) 722-2213

In accordance with Ordinance No. 772 and Part 91 of Michigan Act 451, Public Acts of 1994 and the Rules promulgated thereunder, the above named herewith makes application for a Soil Erosion Control and/or a Soil Removal, Stripping and Dumping Permit for the proposed earth change described below.

4. Type and size of proposed earth change: Fill 1.6 Acres in Flood plain with 9,200 cu yds of Fill. Place 4,100 cu yds between Flood plain contour and proposed Pedestrian right-of-way
   See Attached Document Moore & Bruggink, Inc Dated Nov. 30, 2000
5. Legal description and address of property: 10 E. Western Ave
   See Attached Document
6. If earth change involves a proposed subdivision, give name —
7. Distance of proposed earth change from nearest lake or stream 10'± - Ryerson Creek 40'± - Muskegon Lake
8. Date earth change is expected to commence ~~Nov. Dec. 2000~~ Feb ~ March 2001
9. Attach soil erosion control plan for proposed earth change to this application. See accompanying map: Dated Nov 20, 2000 Moore & Bruggink

Signature of Applicant and date Lawrence R David 12-4-00

City of Muskegon approval and date

THIS PERMIT DOES NOT OBVIATE THE NEED FOR OTHER STATE AND FEDERAL PERMITS.

Comm. Proc. Authorization Per Chapter 17 (SRSD) _____

PROPERTY INFORMATION

Property Assessed To: MUSKEGON RAG & METAL
P.O. BOX 148
MUSKEGON, MI 49443-0148

Property #: 61-24-205-553-0001-00 School Dist.: 61010
Property Addr: 10 E WESTERN AVE
Legal Description:
CITY OF MUSKEGON REVISED PLAT 1903 ENTIR E BLK 553 EX COM AT THE CENTER LINE OF RYERSON CREEK WHERE THE SAME CROSSES THE S LINE OF SAID BLK 553 TH ELY 203 FT TO THE W LINE OF CEDAR ST TH NLY 270 FT TO THE INTERSECTION OF CREEK AND W SIDE OF DOCK TH SLY & WLY ALONG CENTER LINE OF C REEK TO BEG ALSO EX COM AT NE COR OF BLK 553 TH SWLY ALONG WESTERN AVE 225 FT TH AT RIGHT ANGLES NWLY TO MUSKEGON LAKE TH NELY ALONG LAKE 200 FT TO NLY LINE SAID BLK TH SELY TO BEG INCLUDING ALL RIPARIAN AND WATER RIGHTS APPURTNANT & B ELONGING THERETO BLK 553 ALSO EXCEPTING ANY PART THEREOF CONTAINED WITHIN THE FO LLOWING DESCRIBED PARCELS TAKEN BY CITY OF MUSKEGON FOR THE TAKING OF SEAWAY DRI VE EXC RAILROAD ROW DESC AS: COMM AT NE COR BLK 552 TH S 22D 27M 01S W 488.34 FT ALG WLY ROW LINE WESTERN AVE TH S 31D

March 21, 2001

David Laurence
1346 W River Rd
Muskegon, MI 49445-9301.

SRSD Permit 2001-01
Permit Application
Muskegon Rag & Metal

Dear Property Owner;

The City of Muskegon Engineering Department (Dept.) has received a City of Muskegon Ordinance, Chapter 17: Soil Removal, Stripping, and Dumping (SRSD) Permit Application for the above referenced Site.

The City of Muskegon is required by City Ordinance Chapter 17 to notify owners of property within 300 feet of the SRSD project. Based on the City of Muskegon tax records your property is identified within 300 feet to the project site Property #24-205-553-0001-10.

A public hearing for the SRSD Permit Application is scheduled at the City Commission meeting on Tuesday, March 27, 2001 at 5:30 P.M.

If you should have any questions please do not hesitate to call (231) 724-6707.

Sincerely,

Mohammed S. Al-Shatel P.E.
City Engineer

MSA:jp

O:\ENGINEERING\COMMON\2001 PROJECTS MASTER FILE\NON PROJECTS\SESC-SRSD\SRSD\Rag & Metal\merged rag & metal.doc

Commission Meeting Date: March 27, 2001

Date: **March 20, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Planning & Economic Development**

RE: **Core Communities Initiative Funding Application**

SUMMARY OF REQUEST:

To approve an application for Core Communities Initiative funds from the Michigan Economic Development Corporation in the amount of $1,000,000 for the development of a public seawall and boardwalk improvements on the former Teledyne property (see attached memorandum for additional specifics).

FINANCIAL IMPACT:

To be negotiated with the Michigan Economic Development Corporation, if approved.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the application for Core Communities Initiative funding.

COMMITTEE RECOMMENDATION:

None

Resolution No. 2001-35(a)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING APPLICATION FOR CORE COMMUNITIES INITIATIVE FUNDS IN THE AMOUNT OF $1,000,000

WHEREAS, the City of Muskegon has been identified by the State of Michigan as a Core Community and is eligible for funding consideration under the CCI program; and

WHEREAS, the Muskegon City Commission has determined that it is in the best interest of the community to develop a seawall and public boardwalk along Muskegon Lake on the former Teledyne property; and

WHEREAS, the Muskegon City Commission acknowledges that the $1,000,000 funding request may require some repayment either through the existing Downtown Development Authority, the establishment of a Local Development Finance Authority or upon expiration of existing DDA bonds; and

NOW THEREFORE BE IT RESOLVED that the Muskegon City Commission does authorize applying for Core Communities Initiative funds from the Michigan Economic Development Corporation in the amount of $1,000,000.

Adopted this 27th day of March 2001.

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

NAYS: None

ABSENT: None

BY: Fred J. Nielsen
Fred J. Nielsen, Mayor

ATTEST: Gail Kundinger
Gail Kundinger, Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Muskegon City Commission, County of Muskegon, Michigan, at a regular meeting held on March 27, 2001.

Gail Kundinger
Gail Kundinger, Clerk

Memorandum

To: Honorable Mayor and City Commissioners

From: Planning & Economic Development

Date: March 20, 2001

Re: Core Communities Initiative Funding – Seawall & Boardwalk on Teledyne Former Property

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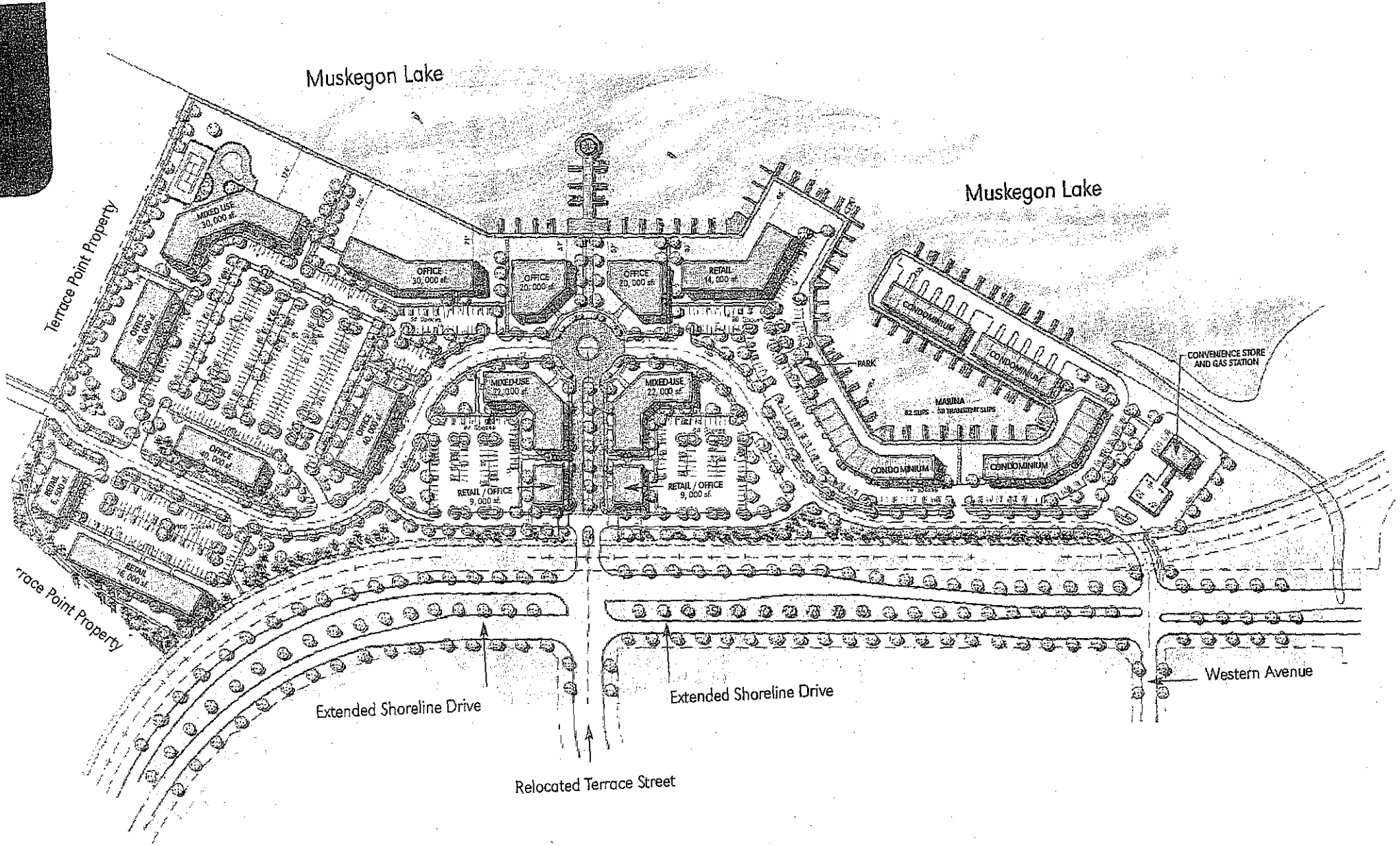
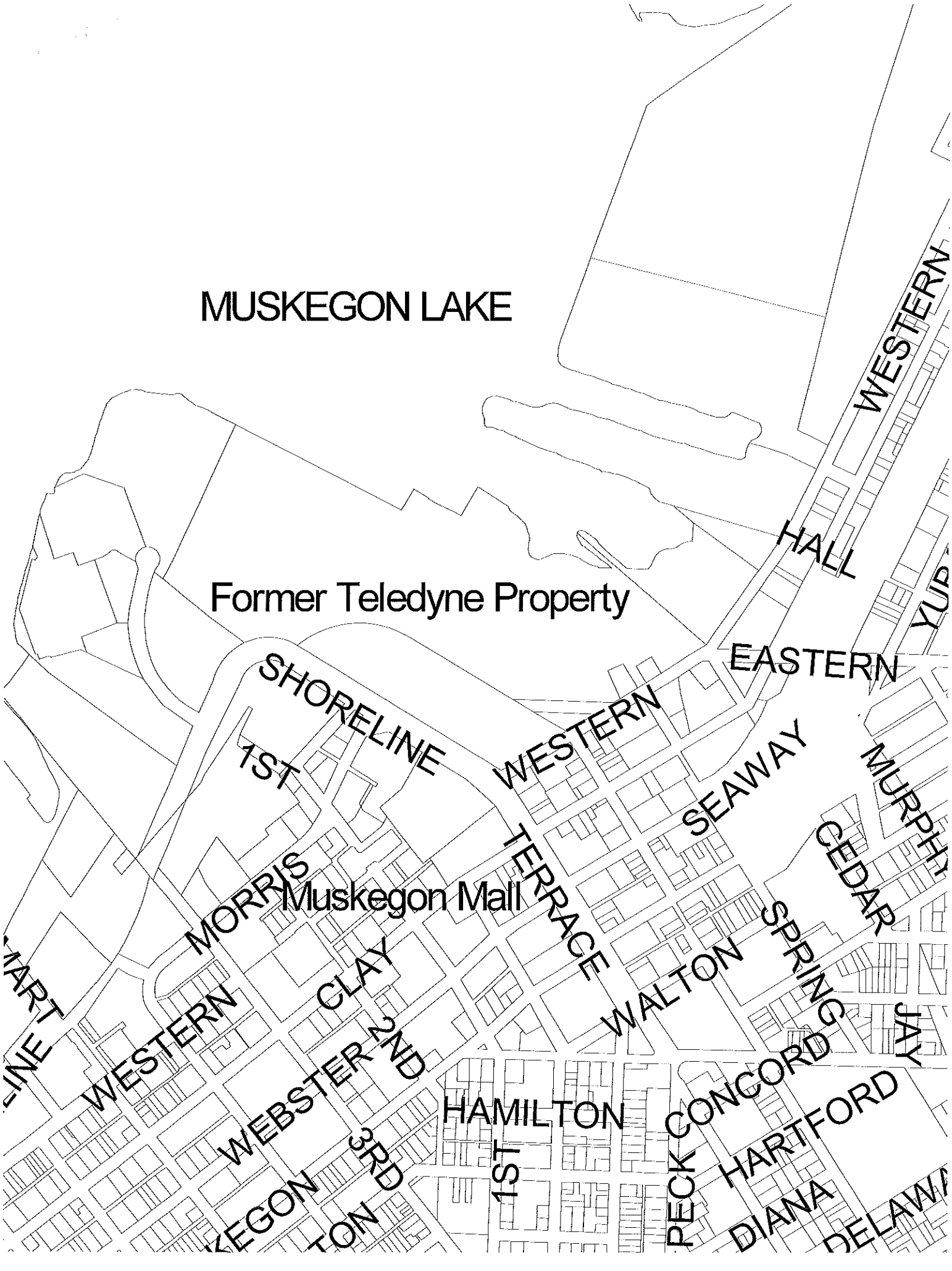
The Core Communities Initiative (CCI) was established by the Michigan State Legislature in 2000, to provide gap-financing assistance in the form of loans, grants, sales, or cash flow participation agreements, guarantees, or any combination thereof, to urban core communities. Eligible activities include the financing of land, property acquisition, and assembly; demolition, site development, utility modifications and improvements, street and road improvements, telecommunications infrastructure, site location/relocation, and infrastructure improvements.

The City of Muskegon CCI request is for $1 million to assist in the development of a seawall and public boardwalk along Muskegon Lake on the former Teledyne property. The benefit of this project will be to provide public access to the waterfront in the form of a boardwalk and public transient boat slips. Further, the seawall serves a public purpose by containing the site and groundwater contamination from flowing into Muskegon Lake. The total project cost is in excess of $2 million. The remaining cost of the project will be funded by private developers on the former Teledyne site. If funded, construction is estimated to begin in Spring of 2002 and be completed in Fall of the same year.

The CCI funds may be issued in the form of a grant, loan or combination of both. The Michigan Economic Development Corporation will indicate the terms of the funds at the time of issuance. If the all or a portion of the funds are to be repaid, the City may choose to utilize the Local Development Finance Authority to be created if SmartZone designation is granted to the City. A second option is to utilize DDA funds upon the full repayment of outstanding bond debt. The second option would assume no repayment for 18 years, which is the existing period of DDA bond repayment. Staff suggests initially pursing the funds as a grant and negotiating terms if a loan is approved.


Muskegon Lake
Muskegon Lake
Terrace Point Property
rrace Point Property
MIXED USE 30,000 sf.
OFFICE 30,000 sf.
OFFICE 20,000 sf.
OFFICE 20,000 sf.
RETAIL 14,000 sf.
OFFICE 40,000 sf.
OFFICE 40,000 sf.
OFFICE 40,000 sf.
MIXED-USE 22,000 sf.
MIXED-USE 22,000 sf.
RETAIL / OFFICE 9,000 sf.
RETAIL / OFFICE 9,000 sf.
RETAIL 6,000 sf.
RETAIL 16,000 sf.
CONDOMINIUM
CONDOMINIUM
CONDOMINIUM
CONDOMINIUM
PARK
MARINA
82 SLIPS + 50 TRANSIENT SLIPS
CONVENIENCE STORE AND GAS STATION
Extended Shoreline Drive
Extended Shoreline Drive
Western Avenue
Relocated Terrace Street


MUSKEGON LAKE
Former Teledyne Property
WESTERN
HALL
EASTERN
SHORELINE
1ST
WESTERN
SEAWAY
MURPH
TERRACE
CEDAR
MORRIS
Muskegon Mall
SPRING
CLAY
WALTON
WESTERN
WEBSTER
2ND
CONCORD
JAY
HAMILTON
HARTFORD
3RD
1ST
PECK
DIANA

Date: March 19, 2001

To: Honorable Mayor and City Commissioners

From: Melissa Jacobsen

RE: DNR Emergency Electrical Grant Application

SUMMARY OF REQUEST:

To authorize staff to apply for a Michigan Department of Natural Resources emergency electrical grant for Hartshorn Marina

FINANCIAL IMPACT:

$200,000 with a $100,000 local match

BUDGET ACTION REQUIRED:

Match will need to be provided by either a bond or loan to be paid off by the marina over several years

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board recommends approval

Date: March 19, 2001

To: Honorable Mayor and City Commissioners

From: Melissa Jacobsen

Re: DNR Emergency Electrical Grant Application

I am requesting authorization to submit a grant application to the DNR Waterways Grant-In-Aid program and to adopt the attached resolution. I am requesting that we apply to replace the electrical services at Hartshorn Municipal Marina. The application deadline is April 1, 2001.

Based on the engineering study that was approved for the marina last year, the engineering firm is recommending that power and electric services in the large boat basin are in poor condition, and should be replaced and upgraded as required. The estimated cost is $200,000, which would require a $100,000 local match. The results of the engineering study are available in the Leisure Services office if you would like to view them.

At their February meeting, the Leisure Services Board recommended that the grant be submitted.

Thank you for your consideration.

RESOLUTION N0. 2001-35(b)
MUSKEGON CITY COMMISSION

RESOLUTION APPROVING SUBMISSION OF GRANT APPLICATION FOR HARTSHORN MUNICIPAL MARINA IMPROVEMENTS UNDER THE MDNR GRANT-IN-AID PROGRAM.

WHEREAS, the City of Muskegon wishes to improve and repair Hartshorn Marina; and

WHEREAS, grant applications are now being received by the Michigan Department of Natural Resources for emergency electrical grants, which will provide up to 50% funding for the project; and

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Muskegon approve the submission of the grant application to the MDNR for $200,000 for improvements of Harshorn Marina; and

BE IT FURTHER RESOLVED, that the City's $100,000 match will be provided, and the City hereby commits itself to complete this project if the grant application is approved.

Adopted this 27th day of March, 2001

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

NAYS: None

ABSENT: None

BY _____
Fred Nielsen, Mayor

ATTEST _____
Gail Kundinger, City Clerk

2001-35(b)
CERTIFICATION

This resolution was adopted at a regular meeting of the City Commission, held on March 27, 2001. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, City Clerk

Date: March 19, 2001

To: Honorable Mayor and City Commissioners

From: Melissa Jacobsen

RE: DNR Waterways Grant-In-Aid Application

SUMMARY OF REQUEST:

To authorize staff to apply for a DNR Waterways Grant-In-Aid Program for repairs and improvements at Hartshorn Municipal Marina

FINANCIAL IMPACT:

2 million dollars with a 50% local match required for Hartshorn Marina

BUDGET ACTION REQUIRED:

Match will need to be provided by either a bond or a loan to be paid off by the marina over several years

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board recommends approval

Date: March 19, 2001

To: Honorable Mayor and City Commissioners

From: Melissa Jacobsen

Re: DNR Waterways Grant-In-Aid Application

I am requesting authorization to submit a grant application to the DNR Waterways and to adopt the attached resolution. I am requesting that we apply to repair and improve Hartshorn Municipal Marina. The application deadline is April 1, 2001.

Hartshorn Marina was built over forty years ago, and is in need of several major improvements. The bulk of the repairs will be to replace the existing breakwaters and replace the existing marina office building. This information is based on the engineering study that was completed this past year by The Abonmarche Group. Results of the study are available in the Leisure Services office. The estimated cost is $2 million, which would require a fifty percent local match.

At their February meeting, the Leisure Services Board recommended that the grant be submitted.

Thank you for your consideration.

RESOLUTION NO. 2001-35(c)
MUSKEGON CITY COMMISSION

RESOLUTION APPROVING SUBMISSION OF GRANT APPLICATION FOR HARTSHORN MUNICIPAL MARINA UNDER THE MDNR WATERWAYS GRANT-IN-AID PROGRAM.

WHEREAS, the City of Muskegon wishes to improve and repair Hartshorn Marina; and

WHEREAS, grant applications are now being received by the Michigan Department of Natural Resources for Waterways Grant-In-Aid Program, which will provide up to 50% funding for the project; and

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Muskegon approve the submission of the grant application to the MDNR $2 million for improvements at Hartshorn Marina; and

BE IT FURTHER RESOLVED, that the City's $1 million match will be provided, and the City hereby commits itself to complete this project if the grant application is approved.

Adopted this 27th day of March, 2001

AYES: Aslakson, Nielsen, Schweifler, Shepherd, Sieradzki, Spataro

NAYS: Benedict

ABSENT: None

BY _____
Fred Nielsen, Mayor

ATTEST _____
Gail Kundinger, City Clerk

2001-35(c)
CERTIFICATION

This resolution was adopted at a regular meeting of the City Commission, held on March 27, 2001. The meeting was properly held and noticed pursuant to the Open Meetings Act of the State of Michigan, Act 267 of the Public Acts of 1976.

CITY OF MUSKEGON

By Gail A. Kundinger
Gail A. Kundinger, City Clerk

Commission Meeting Date: March 27, 2001

Date: **March 20, 2001**

To: **Honorable Mayor & City Commission**

From: **Community and Neighborhood Services Department** W.G.

RE: **Selection of General Contractors for Jackson Hill Infill Program**

SUMMARY OF REQUEST: To approve Community and Neighborhood Services staff selection of the following two contractors for the Jackson Hill Infill project. Community and Neighborhood Services selected the following contractors based on their bid amount, previous experience and references:

> J & M Enterprise of Fruitport, MI for project 1410 with a bid amount of $101, 923
>
> Crown Construction of Grand Rapids, MI for projects 1308 and 1512 with a bid about of $102,498.83 and $118,513.77 respectfully.

FINANCIAL IMPACT: The funding for this project will be taken from the City's HOME funds from fiscal years 1998 and 1999.

BUDGET ACTION REQUIRED: None required

STAFF RECOMMENDATION: To approve the Community and Neighborhood Services selection.

COMMITTEE RECOMMENDATION: Commission previously approved Project.

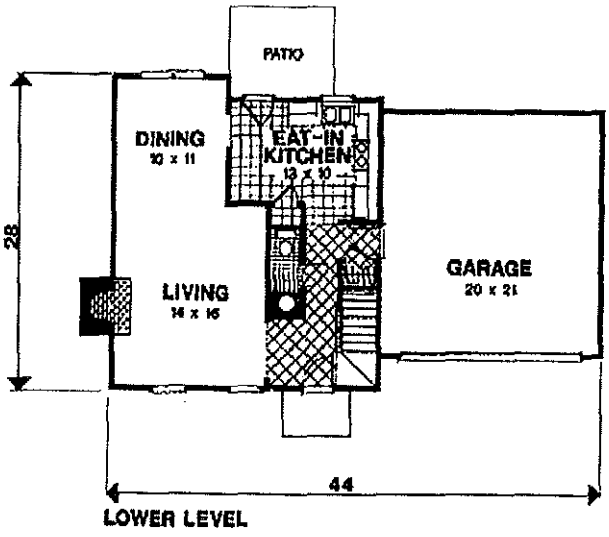
J-Hill New Construction Infill Project- Bid Results

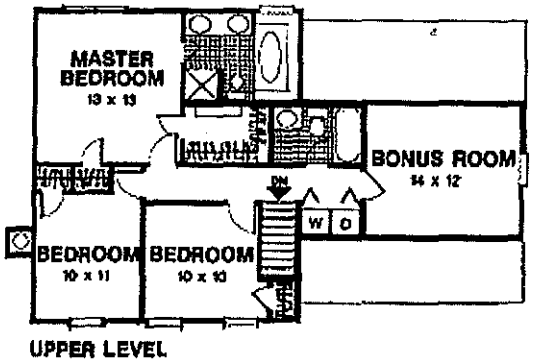
	CONTRACTOR	DATE RECEIVED	BID 1308	BID 1410	BID 1512
1	J & M Enterprise	2/16/01	$ 103,450.00	$ 101,923.00	$ 129,668.00
2	Nobles Inc	2/19/01	$ 114,053.04	$ 113,422.96	$ 154,057.08
3	Holden Construction	2/19/01	**$ 82,800.00**	**$ 94,310.00**	**$ 93,240.00**
4	Top Notch	2/19/01	$ 121,750.00	$ 117,652.00	$ 135,850.00
5	Briggs	2/19/01	$ 111,647.00	$ 118,267.00	$ 126,300.00
6	Sorrells Crown Construction	2/19/01	$ 102,498.83	$ 108,260.24 *	$ 118,513.77
7	Bantam	2/19/01	$ 170,260.00	$ 158,000.00	$ 172,425.00
8	Paul Witek Builders	2/19/01	$ 115,920.00	$ 113,800.00	$ 128,025.00 *

#1 BOLD, #2 RED, #3 BLUE

***CORRECTED CALULATION FROM THE ORIGINALS**

JACKSON HILL INFILL PROJECT #1308





X

Square Footage:

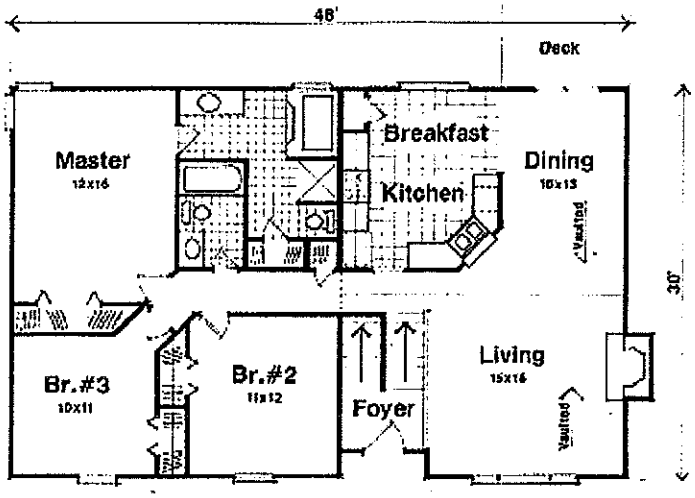
Upper Level 704

Main Level 645

Subtotal 1349

Dimensions:
44' x 28' Deep

JACKSON HILL INFILL PROJECT #1410



X

DESCRIPTION: Dimensions: 48' x 30' Deep

Square Footage:

Main Level 1428

Lower Level 68

Total 1496

Commission Meeting Date: March 27, 2001

Date: **March 20, 2001**

To: **Honorable Mayor & City Commission**

From: **Community and Neighborhood Services Department** W.G.

RE: **Final allocation approval for the City of Muskegon 2001-2002 CDBG/HOME allocations**

SUMMARY OF REQUEST: To have the City Commission make final approval for the City of Muskegon's 2001-2002 CDBG/HOME allocations from the preliminary recommendation that were made and approved by Commission during the Public hearing on March 13, 2001

FINANCIAL IMPACT: To establish the allocation budget for CDBG/HOME for the 2001-2002 fiscal year that begins June 1, 2001.

BUDGET ACTION REQUIRED: None required

STAFF RECOMMENDATION: To approve the preliminary allocations recommended as the final approved allocation.

COMMITTEE RECOMMENDATION: None

2001 - 2002 CDBG / HOME ACTIVITY

Community Development Block Grant

	Organization Name/Program Title	Amount Requested		Administration Recommendation	Citizen District Council Recommendation	City Commission Preliminary Recommendation	City Commission Final Decision
1	Muskegon Community Health Project *"Miles for Smile Dental Services"*	$ 5,000.00	*	$ 5,000.00	0	$ 4,375.00	
2	West Michigan Veterans *Veterans Assistance*	5,000.00	*	5,000.00	0	$ 4,375.00	
3	Love, Inc *Free Home Repair to low-income*	8,600.00	*	5,000.00	0	$ 4,375.00	
4	HealthCare *Health screening to low-income*	5,951.00	*	5,000.00	0	$ 4,375.00	
5	American Red Cross *Senior Transportation*	5,000.00	*	5,000.00	0	$ 4,375.00	
6	Volunteer Muskegon *Youth Survey/Mapping*	23,700.00	*	5,000.00	0	$ 4,375.00	
7	Volunteer Muskegon *Keep Kids in School Truancy*	80,000.00	*	5,000.00	0	$ 4,375.00	
8	Legal Aid of Western Michigan *Counseling/Legal Education*	36,814.00	*	-	0	0	
9	Family Services Center, Inc *Comprehensive Housing Assistance*	74,713.25	*	-	0	0	
10	Oakview Neighborhood Association *Repairing of Community Center Roof*	7,231.00	*	-	$ 5,000.00	$ 4,375.00	
11	Fire/Inspection *Dangerous Building/Demolition*	155,000.00		85,000.00	85,000.00	85,000.00	
12	Leisure Services *Playground equipment at McCrea Park*	60,000.00		-	30,000.00	0	
13	Community and Neighborhood Services *Housing & Rehabilitation Services*	570,246.00		510,000.00	510,000.00	510,000.00	
14	Community and Economic Development *Code Enforcement*	86,000.00		45,000.00	45,000.00	45,000.00	

	Organization Name/Program Title	Amount Requested		Administration Recommendation	Citizen District Council Recommendation	City Commission Preliminary Recommendation	City Commission Final Decision
15	Community and Neighborhood Services	$ 182,267.00	**	155,000.00	155,000.00	155,000.00	
	CDBG Administration						
16	Depart of Public Works	97,307.02	*	47,000.00	47,000.00	47,000.00	
	Senior Transit						
17	Manager's Office	30,000.00		15,000.00	15,000.00	15,000.00	
	Contract Compliance						
18	Engineering / CNS	180,000.00		100,000.00	100,000.00	100,000.00	
	Sidewalk Assessment Relief						
19	Planning/DPW	90,000.00		75,000.00	75,000.00	75,000.00	
	City-lot upkeep program						
20	Leisure Services	90,500.00	*	70,000.00	70,000.00	70,000.00	
	Inner city-youth recreation						
21	Finance Dept	240,000.00		240,000.00	240,000.00	240,000.00	
	Repayment of Shoreline Dr. Bond						
	Total CDBG Request	2,033,329.27		1,377,000.00	1,377,000.00	1,377,000.00	
	Total CDBG Allocated	1,387,000.00					
	Allocated/Request Difference	*$ (646,329.27)*		$ **10,000.00**	$ **10,000.00**	**10,000.00**	
	Total Amt of Public Service*	**529,816.27**		**152,000.00**	$ **122,000.00**	**122,000.00**	
	Public Service mandated Amt < or = to 15%	**208,050.00**					
	Difference	*$ (321,766.27)*		$ **56,050.00**	$ **86,050.00**	**86,050.00**	
	Total Amt of City Administration Request	**212,267.00**		**155,000.00**	$ **155,000.00**	**155,000.00**	
	Administrative mandated Amt 20%	**277,400.00**					
	Difference	*$ 65,133.00*		$ **122,400.00**	$ **122,400.00**	**122,400.00**	

HOME

	Organization Name/Program Title	Amount Requested		Administration Recommendation	Citizen District Council Recommendation	City Commission Preliminary Recommendation	City Commission Final Decision
1	Community and Neighborhood Services *Tax-reverted Infill*	$ 125,000.00		114,800.00	$ 114,800.00	114,000.00	
2	Community and Neighborhood Services *Tax-reverted Rehabilitation*	$ 100,000.00		100,000.00	$ 100,000.00	100,000.00	
3	Community and Neighborhood Services *HOME Rental Rehabilitation*	100,000.00		30,000.00	$ -	0	
4	Community and Neighborhood Services *HOME Infill Program*	130,000.00		130,000.00	$ 130,000.00	130,000.00	
5	Community and Neighborhood Services HOME Administration	57,200.00	***	57,200.00	$ 57,200.00	57,200.00	
6	*Neighborhood Investment Corp* *Housing Rehab, Neighborhood Imp.*	75,000.00	****	40,000.00	$ 70,000.00	70,000.00	
7	Bethany Housing Ministries, Inc *Housing Rehabilitation*	40,000.00	****	40,000.00	$ 40,000.00	40,000.00	
8	Muskegon County Habitat for Humanity *New Construction/Rehabilitation*	31,000.00	****	30,000.00	$ 30,000.00	30,000.00	
9	Trinity Village Non-Profit Housing Corp *Single-Family Acquisition*	59,935.00	****	30,000.00	$ 30,000.00	30,000.00	
	Total Amt of HOME Request	718,135.00		$ 572,000.00	$ 572,000.00	572,000.00	
	Total Amt HOME Allocation	572,000.00		$ 572,000.00	$ 572,000.00	572,000.00	
	Difference	***$ (146,135.00)***		**0**	**0**	**0**	
	Total Amt of HOME Administration	$ 57,200.00		$ 57,200.00	$ 57,200.00	57,200.00	
	Total Amt mandated = 10%	$ 57,200.00		$ 57,200.00	$ 57,200.00	57,200.00	
	Difference	***0***		**0**	**0**	**0**	
	Total amt of HOME CHDO request	$ 205,935.00		$ 110,000.00	$ 170,000.00	170,000.00	
	Total Amt mandated 15%	85,800.00		$ 85,800.00	$ 85,800.00	85,800.00	
	Difference	***$ (120,135.00)***		**$ (24,200.00)**	**$ (84,200.00)**	**84,200.00**	

NOTE

*Public Service, **City CDBG Administration, ***HOME Administration, ****CHDO Request

Q:CNS\Common\Excel\01.02_Act

Date: **March 22, 2001**

To: **Honorable Mayor and City Commissioners**

From: **Commissioner Schweifler**

RE: **Additional Funding for CBO's**

SUMMARY OF REQUEST: At the last Commission Meeting of March 13, 2001, Commissioner Schweifler requested that the Commission consider allocating the excess funds from the CDBG Sidewalk program, for additional funding of the CBO's.

FINANCIAL IMPACT:

BUDGET ACTION REQUIRED:

STAFF RECOMMENDATION:

COMMITTEE RECOMMENDATION:

Kundinger, Gail

From: Robert Schweifler [rschweifler@goodwillwestmich.org]
Sent: Monday, March 26, 2001 12:03 PM
To: Kundinger, Gail
Subject: Motion for 3-27-01 - Rob

Gail,
My motion will be to: Distribute any excess funds in the sidewalk assistance fund (Whatever the right name of that fund is) to the eight community based organizations approved in the 2001 CDBG budget until funding reaches $5000.00 total for the year for each group. If additional dollars are still available in this fund, to provide up to $5000.00 to Legal Aid to provide legal services for renters, per Legal Aid's proposal.

The mission of Goodwill Industries of West Michigan, Inc. is to provide work opportunities and skill development for people with barriers to employment.

Robert A. Schweifler
Director of Industrial Services
Goodwill Industries of West Michigan
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